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EMPLOYMENT

Permanent Academic Positions

University of Nevada, Las Vegas, Las Vegas, NV
William S. Boyd Professor of Law, 2012-present
Courses: Constitutional Law I and II, Law and Religion, Torts, Bioethics

University of Houston Law Center, Houston, TX
Professor, Larry & Joanne Doherty Chair in Legal Ethics, 2002-2012
Courses: Constitutional Law, Professional Responsibility, Law & Religion, Torts

Santa Clara University School of Law, Santa Clara, CA
Associate Professor, 2000-2002
Assistant Professor, 1994-2000
Courses: Constitutional Law, Professional Responsibility, Law & Religion, Torts, Bioethics and Law

Visiting Positions

University of Houston Law Center, Houston, TX
Visiting Professor, 2019-2020;
Norton Rose Fulbright Distinguished Visiting Professor, Spring 2020
Courses: Constitutional Law, Bioethics, Torts

Director of Amicus Advocacy, CHILD USA
3701 Chestnut Street, 6th Floor, Philadelphia, PA 19104
May 2018-2020

University of Texas Medical Branch, Galveston, Texas
Institute for the Medical Humanities
Visiting Scholar, 2018-2019

University of California, Irvine, School of Law
Visiting Professor, Spring 2014
Courses: Torts, Bioethics

George Washington University Law School, Washington, DC
Visiting Professor, Fall 2006
Courses: Torts, Professional Responsibility

University of Alabama School of Law, Tuscaloosa, AL
Francis Hare Endowed Chair of Torts, Fall 2004

Courses: Law & Religion, Torts

University of Utah, S.J. Quinney College of Law, Salt Lake City, UT
Visiting Professor, Summer 2004
Course: Professional Responsibility

Georgetown University Law Center, Washington, DC
Visiting Assistant Professor, 1998-1999
Courses: Torts, Prosecutorial Ethics

Practice and Clerkship

Department of Justice, Washington, D.C.
Assistant Counsel, Office of Professional Responsibility, 1997-1998
Investigated allegations of misconduct against federal prosecutors.

Hon. Mary M. Schroeder, United States Court of Appeals for the Ninth Circuit, Phoenix, AZ
Judicial Clerk, 1992-1993

Sidley & Austin, Washington, DC
Summer Associate, Appellate Litigation Group, 1992

Wilson, Sonsini, Goodrich & Rosati Palo Alto, CA
Summer Associate, Litigation Group, 1991

Pillsbury, Madison & Sutro San Jose, CA
Summer Associate, Litigation Group, 1990

Other

University of Notre Dame, Notre Dame, IN
Assistant Professor, Department of Theology, 1985-1989

St. Joseph's University, Philadelphia, PA
Assistant Professor, Department of Theology, 1984-1985

EDUCATION AND FELLOWSHIPS

Stanford Law School, Palo Alto, CA
J.D., 1992
Research Assistant in Constitutional Law
Kathleen M. Sullivan, 1992
Justice Hans Linde, 1991

Yale University, New Haven, CT
M.A., M.Phil., Ph.D., 1984, Religious Studies
Yale University Fellowship, 1979-1984
Teaching Assistant, Yale Divinity School, 1980-1983
Instructor, Department of Religious Studies,
Fairfield University, Fairfield, CT, 1980-1981

University of Notre Dame, Notre Dame, IN

B.A., Theology & French, *summa cum laude*, Phi Beta Kappa, 1978
L'Université Catholique de L'Ouest, Angers, France, 1975-1976

Harvard University, Cambridge, MA

Research Fellow, Program in Ethics and the Professions, 1992-1993
Laurance Rockefeller Center for Human Values, Princeton University (declined 1993)
Center of Theological Inquiry, Princeton, NJ (declined 1993)

Emory University, Atlanta, GA

Fellow in Law and Religion, 2001-2002
School of Law, Candler School of Theology and Graduate Division of Religion

PUBLICATIONS

Books

LEARNING CONSTITUTIONAL LAW, with Marci A. Hamilton (Cognella, 2023).

LAW AND RELIGION: CASES AND MATERIALS (Foundation Press, 4th ed., 2017; 3d ed., 2013; 2d ed. 2010; 1st ed. 2007) (interdisciplinary casebook including materials from Religious Studies); see www.griffinlawandreligion.com, with online updates, biannual supplements and Teacher's Manual.

PRACTICING BIOETHICS LAW, with Joan H. Krause (Foundation Press, 2015) (practice-based bioethics book with web-based component at www.practicingbioethicslaw.com).

LAW AND RELIGION: CASES IN CONTEXT (Aspen, 2010) (edited anthology providing background narratives to famous law and religion cases), accompanying website available at <http://www.aspenlawschool.com/books/griffin/default.asp>.

THE CATHOLIC CHURCH, MORALITY AND POLITICS (with Charles E. Curran, eds.) (Paulist Press, 2001).

RELIGION & POLITICS IN THE AMERICAN MILIEU (ed., Special Issue, *The Review of Politics*, 1989).

Journal Articles

Catholic Sexual Abuse in Louisiana, 101 U. DET. MERCY L. REV. 375 (2024).

The Shadow Docket: A Symposium, 23 NEVADA L.J. 669 (2023).

How Did Those Sixteen Justices Vote About Religion?, 58 WILLAMETTE LAW REVIEW 163 (2022).

What is Ethical Discharge? Turning the Negatives into Positives, 10:3 NARRATIVE INQUIRY IN BIOETHICS 192 (Winter 2020).

What Can We Expect of Law and Religion in 2020?, 73 SMU L. REV. F. 73 (2020)

Traumatic Brain Injury: Compassionate Care, Not Clinical Nihilism, 6:2 JOURNAL OF HOSPITAL ETHICS 87 (Fall 2019), with co-author Carole S. Anhalt.

Conquering Brain Injury, 34:5 JOURNAL OF HEAD TRAUMA REHABILITATION 366 (2019).

Role of the Clinical Ethics Consultant: A Response to Kornfeld and Prager, 30:2 JOURNAL OF CLINICAL ETHICS 117 (Summer 2019) (co-authors W. Winslade, D.M. Vaughan, R. Permar, C. Rakestraw, R. Hart)

Religious Freedom, Human Rights, and Peaceful Coexistence, 50 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 77 (2018).

Pre- or Post-Mortem?, 18 NEVADA L.J. 221 (2017).

Marriage Rights and Religious Exemptions in the United States, Oxford Handbooks Online (2017), <http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935352.001.0001/oxfordhb-9780199935352-e-19>.

Beyond the Basketball Court: How Brittney Griner's In My Skin Illustrates Title IX's Failure to Protect LGBT Athletes at Religious Institutions, 34 LAW & INEQUALITY 489 (2016).

A Word of Warning from a Woman: Arbitrary, Categorical, and Hidden Religious Exemptions Threaten LGBT Rights, 7 ALA. C.R. & C.L.L. REV. 97 (2015).

The Catholic Bishops vs. the Contraceptive Mandate, RELIGIONS 2015, 6, 1411–1432; at <http://www.mdpi.com/2077-1444/6/4/1411>.

Hobby Lobby: The Crafty Case That Threatens Women's Rights and Religious Freedom, 42 HASTINGS CONSTITUTIONAL LAW QUARTERLY 641 (2015).

The Sins of Hosanna-Tabor, 88 INDIANA L.J. 981 (2013).

How *Smith* Protects Women's Equality, 32 CARDOZO L. REV. 1831 (2011) (Symposium on *Employment Division, Dep't of Human Resources of Oregon v. Smith*, 494 U.S. 872 (1990)).

Snyder v. Phelps: Searching for a Legal Standard, 2010 CARDOZO L. REV. DE NOVO 353 (Symposium on *Funerals, Fire and Brimstone*).

Fighting the New Wars of Religion: The Need for a Tolerant First Amendment, 62 MAINE L. REV. 23 (2010).

No Law Respecting the Practice of Religion, 85 U. OF DETROIT MERCY L. REV. 475 (2008) (McElroy Lecture).

Political Reason, 22 ST. JOHN'S J. LEGAL COMMENT. 493 (2007).

Conscience and Emergency Contraception, 6 HOUSTON J. HEALTH L. 299 (2006).

Watch Out for Whistleblowers, 33:1 J. L. MED. & ETHICS 160 (Spring 2005).

What Might Have Been: Contraception and Religious Liberty, 1 U. OF ST. THOMAS L.J. 632 (2003).

What Do Clients Want? A Clients' Theory of Professionalism, 52 EMORY L.J. 1087 (2003).

Fundamentalism from the Perspective of Liberal Tolerance, 24 CARDOZO L. REV. 1631 (2003).

Their Own Prepossessions: The Establishment Clause 1999-2000, 33 LOY. U. CHI. L. REV. 237 (2001).

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"We Do Not Preach. We Teach.": Religion Professors and the First Amendment, 19 QUINNIPIAC L. REV. 1 (2000).

The Relevance of Religion to a Lawyer's Work: Legal Ethics, 66 FORDHAM L. REV. 1253 (1998).

Good Catholics Should Be Rawlsian Liberals, 5 SOUTHERN CAL. INTERDISC. L.J. 297 (1997).

Whose Duties and Liabilities to Third Parties?, 37 S. TEX. L. REV. 1191 (1996).

The Lawyer's Dirty Hands, 8 GEORGETOWN J. LEGAL ETHICS 219 (1995).

The Trivialization of Religion, 1994 WIS. L. REV. 1287 (1994) (review essay, STEPHEN CARTER, THE CULTURE OF DISBELIEF).

The Problem of Dirty Hands, 17 J. RELIGIOUS ETHICS 31-61 (1989).

Catholics, Blacks, Evangelicals: Three Versions of the Public Church, 1 NEW THEOLOGY REV. 20-42 (1988).

Women in Religious Congregations and Politics, 49 THEOLOGICAL STUD. 417-44 (1988).

The Integration of Spiritual and Temporal, 48 THEOLOGICAL STUD. 225-57 (1987).

Review Essay on Affirmative Action, 3 J. L. & RELIGION 455-61 (1985).

Book Chapters

Bambi Trauma—Surviving TBI Twice, in TRAUMATIC BRAIN INJURY—CHALLENGES (Dr. Ioannis Mavroudis & Alin Ciobica, eds., IntechOpen, 2024), <https://www.intechopen.com/online-first/1179800#>.

Rewritten Opinion, Means v. United States Conference of Catholic Bishops, in FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS (Seema Mohapatra & Lindsay F. Wiley, eds., Cambridge University Press, 2022).

Legislators Should Eliminate Religious Exemption from Laws Protecting Children, with Marci Hamilton, in THE OXFORD HANDBOOK OF CHILDREN AND THE LAW (James G. Dwyer, ed., Oxford University Press, 2019).

Harris v. McRae, 448 U.S. 297 (1980), in FEMINIST JUDGMENTS: REWRITTEN OPINIONS OF THE UNITED STATES SUPREME COURT (L. Berger, B. Crawford & K. Stanchi, eds., Cambridge University Press, 2016).

Religion and the Courts 1790-1947, in CAMBRIDGE HISTORY OF RELIGIONS IN AMERICA (S. J. Stein, ed., 2012).

Religious Sanctity and Political Power, in THE LEGACY OF BILLY GRAHAM: REFLECTIONS ON AMERICA'S GREATEST EVANGELIST 107-21 (M. Long, ed., Westminster John Knox Press, 2008).

The Story of Edwards v. Aguillard: The Genesis of Creation-Science, in EDUCATION STORIES 255-67 (M. Olivas & R.G. Schneider, eds., Foundation Press, 2007).

The Second Great Argument About Freedom, in A JUST AND TRUE LOVE: FEMINISM AT THE FRONTIERS OF THEOLOGICAL ETHICS 406-28 (M. A. Ryan & B. F. Linnane, eds., University of Notre Dame Press, 2007).

Bohatch v. Butler & Binion, in LEGAL ETHICS LAW STORIES 55-87 (D. Rhode & D. Luban, eds., Foundation Press, 2005).

Whistleblowing in the Business World, in ENRON: CORPORATE FIASCOS AND LEGAL IMPLICATIONS 209-36 (N. Rapoport & B. Dharan, eds., Foundation Press, 2004).

Pope John XXIII, in THE TEACHINGS OF MODERN CHRISTIANITY ON LAW, POLITICS, AND HUMAN NATURE VOL. I 145-72 (J. Witte & F. Alexander, eds., Columbia University Press, 2005); *id.* VOL. II, 94-115.

Declaration on Religious Liberty, in MODERN CATHOLIC SOCIAL TEACHING: COMMENTARIES AND INTERPRETATIONS 244-65 (K. Himes, ed., Georgetown University Press, 2005).

Citizen-Soldiers are Like Priests: Feminism in Law and Theology, in CHRISTIAN PERSPECTIVES ON LEGAL THOUGHT 194-205 (M. McConnell, R. Cochran, A. Carmella, eds., Yale University Press, 2001).

Evangelium Vitae: Abortion, in EVANGELIUM VITAE 159-73 (K. Wildes and A. Mitchell, eds., Georgetown University Press, 1997); *reprinted in* C. Curran & R. McCormick, eds., READINGS IN MORAL THEOLOGY NO. 10 (1998).

Moral Criticism as Moral Teaching, in THE MAKING OF AN ECONOMIC VISION 250-60 (J. Houck and O. Williams, eds., 1991).

The Church, Morality and Public Policy, in MORAL THEOLOGY 241-60 (C. Curran, ed., 1990).

American Catholic Sexual Ethics 1789-1989, in PERSPECTIVES ON THE AMERICAN CATHOLIC CHURCH, 1789-1989 231-52 (S. Vicchio & V. Geiger, eds., 1989); *reprinted in* C. Curran & R. McCormick, eds., READINGS IN MORAL THEOLOGY NO. 8 (1993) 453-84.

Book Reviews, Short Essays, Selected Blogs

Autonomy, Insurance, and Luck, Petrie-Flom Center,
<https://blog.petrieflom.law.harvard.edu/2023/02/03/autonomy-insurance-and-luck/>
Neurorehabilitation and Recovery: Going Through Hell, Petrie-Flom Center,
<https://blog.petrieflom.law.harvard.edu/2022/12/22/neurorehabilitation-and-recovery-going-through-hell/>

Religions' Wins Are Losses, <https://www.scotusblog.com/2020/08/symposium-religions-wins-are-losses/>

Bad News from *Trinity Lutheran*: Only Two Justices Support the Establishment Clause,
<http://www.scotusblog.com/2017/06/symposium-bad-news-trinity-lutheran-two-justices-support-establishment-clause/>

Workers Remain at Risk Post-*Zubik v. Burwell*,
<http://www.scotusblog.com/2016/05/symposium-workers-remain-at-risk-post-zubik-v-burwell/>
Symposium: The Missing Interest in the Contraceptive Mandate Cases: Catholic Women,

<https://www.scotusblog.com/2015/12/symposium-the-missing-interest-in-the-contraceptive-mandate-cases-catholic-women/>

Review of Stuart Eizenstat, *President Carter: The White House Years, Hedgehogs and Foxes*, Nov. 13, 2018, at <https://hedgehogsandfoxes.org/index.php/2018/11/13/stuart-eizenstat-on-president-carters-morality-episodes-from-an-administration-a-review-of-president-carter-the-white-house-years-thomas-dunne-books-2018/>

Prayer is Everywhere, <https://canopyforum.org/2022/06/10/prayer-is-everywhere/>

Looking Ahead to the Conscience of National Interest, Dec. 7, 2020, <https://berkleycenter.georgetown.edu/responses/looking-ahead-to-the-conscience-of-national-interest>

Prayer Freedom for Right, Left, and Center, Feb. 13, 2020, <https://berkleycenter.georgetown.edu/responses/prayer-freedom-for-right-left-and-center>

The Flaws of the Pope’s Institutional Morality for Opposing Clergy Sex Abuse, Jun. 30, 2022, <https://childusa.org/the-flaws-of-the-popes-institutional-morality-for-opposing-clergy-sex-abuse-by-professor-leslie-c-griffin/>

Watch This Movie About Richard Sipe, <https://childusa.org/watch-this-movie-about-richard-sipe/>

Learning from Roy Mouton’s Truthful Novel, *In God’s House*, <https://childusa.org/learning-from-roy-moutons-truthful-novel/>

Reading Dyan Elliott’s *The Corrupter of Boys: Sodomy, Scandal and the Medieval Clergy*, <https://childusa.org/reading-the-corrupter-of-boys/>

Why We Should Like Public Accommodations Laws: A Response to “303 Creative,” <https://www.newwaysministry.org/2023/07/05/why-we-should-like-public-accommodations-laws-a-response-to-303-creative/>

LGBTQ Win for Billard: For Now or For Ever?, <https://www.newwaysministry.org/2021/09/17/lgbtq-win-for-billard-for-now-or-for-ever/>

Symposium on America’s Religious Wars, <https://syndicate.network/symposia/theology/americas-religious-wars/>

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Catholic Sexual Abuse in New Jersey, Part II, <https://verdict.justia.com/2024/08/07/catholic-sexual-abuse-in-new-jersey-2>

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Survivors Win in Louisiana—On Their Second Effort, <https://verdict.justia.com/2024/06/14/survivors-win-in-louisiana-on-their-second-effort>

President Biden’s Cafeteria Is Open to Everyone, <https://verdict.justia.com/2024/04/11/president-bidens-cafeteria-is-open-to-everyone>

Going to the Altar, Lisa Sarnoff Goodman’s Book on the Supreme Court, <https://verdict.justia.com/2023/12/13/going-to-the-altar-lisa-sarnoff-gochmans-book-on-the-supreme-court>

Why Didn’t the U.S. Bomb Kyoto?, <https://verdict.justia.com/2023/08/02/why-didnt-the-u-s-bomb-kyoto>

Learning About Survivors from the Illinois Attorney General’s 2023 Report on Clergy Sex Abuse, <https://verdict.justia.com/2023/05/31/learning-about-survivors-from-the-illinois-attorney->

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My Report on the Baltimore Report,

<https://verdict.justia.com/2023/04/07/my-report-on-the-baltimore-report>

Reflections on Mary Jo McConahay's *Playing God: American Catholic Bishops and the Far Right*, <https://verdict.justia.com/2023/03/22/reflections-on-mary-jo-mcconahays-playing-god-american-catholic-bishops-and-the-far-right>

Ladies Justice, <https://verdict.justia.com/2022/10/05/ladies-justice>

Updates on Lawsuits Against Religions, <https://verdict.justia.com/2022/08/01/updates-on-lawsuits-against-religions>

Goodbye to the Establishment Clause, <https://verdict.justia.com/2022/06/28/goodbye-to-the-establishment-clause>

Supreme Court to Decide Between Establishment and Free Exercise in *Kennedy v. Bremerton School District*, <https://verdict.justia.com/2022/01/26/supreme-court-to-decide-between-establishment-and-free-exercise-in-kennedy-v-bremerton-school-district>

Why We Still Like Separation of Church and State (with Marci Hamilton), <https://verdict.justia.com/2021/12/13/why-we-still-like-separation-of-church-and-state>

Believing Anita Hill, <https://verdict.justia.com/2021/10/19/believing-anita-hill> Beverly Brazauskas's 2003 Case Against the Diocese, <https://verdict.justia.com/2021/07/29/beverly-brazauskas-2003-case-against-the-diocese>

Can Philly and LGBTQs Still Win?, <https://verdict.justia.com/2021/06/18/can-philly-and-lgbtqs-still-win>

Mrs. Billie B. McClure, <https://verdict.justia.com/2021/06/04/mrs-billie-b-mcclure>

With Marci A. Hamilton, Why We Like *Smith*: We Want Neutral and General Laws to Prevent Harm, <https://verdict.justia.com/2021/04/20/why-we-like-smith-we-want-neutral-and-general-laws-to-prevent-harm>

A Whistleblower "Minister" Loses in the Illinois Supreme Court, <https://verdict.justia.com/2021/02/15/a-whistleblower-minister-loses-in-the-illinois-supreme-court>

Stigma and the Oral Argument in *Fulton v. City of Philadelphia*, <https://verdict.justia.com/2020/11/05/stigma-and-the-oral-argument-in-fulton-v-city-of-philadelphia>

When Do Ministers Win and Lose?, <https://verdict.justia.com/2020/09/10/when-do-ministers-win-and-lose>

The Ministerial Exception Allows Racial Discrimination by Religions, <https://verdict.justia.com/2020/07/16/the-ministerial-exception-allows-racial-discrimination-by-religions>

Women Lose at the Court, <https://verdict.justia.com/2020/07/09/women-lose-at-the-court>

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They Are Still Teachers, <https://verdict.justia.com/2020/05/13/they-are-still-teachers>

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Should Madison Live or Die?, <https://verdict.justia.com/2018/10/12/should-madison-live-or-die>

Why Women Aren't Heard; Silencing Of Women In The Catholic Church, Oct. 10, 2018, <https://centerforinquiry.org/blog/why-women-arent-heard-silencing-of-women-in-the-catholic-church/>

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Fighting Against Sexual Abuse In The Catholic Church, Sept. 11, 2018, <https://centerforinquiry.org/blog/fighting-against-sexual-abuse-in-the-catholic-church/>

Supporting *Religion* is Not Always Good for *Religious Freedom*, <https://verdict.justia.com/2018/08/17/supporting-religion-is-not-always-good-for-religious-freedom>

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Misunderstanding Religion in *Masterpiece*, June 5, 2018, at <https://acslaw.org/acsblog/misunderstanding-religion-in-masterpiece>.

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Divining the Scope of the Ministerial Exception, 39 ABA HUMAN RIGHTS JOURNAL 19 (January 2013).

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“Religious Freedom: Catholicism,” *in* ENCYCLOPEDIA OF RELIGIOUS FREEDOM (C. Cookson, ed., Berkshire/Routledge, 2003).

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(U.S.)

Amicus Brief of Law and Religion Professors for Plaintiffs, *Bixler v. Masterson*, 2021 WL 862378 (Cal.App. 2 Dist.)

Amicus Brief, *Fulton v. City of Philadelphia*, No. 19-123, Supreme Court of the United States (defending Philadelphia's right to enforce the antidiscrimination laws)

Amicus Brief, *Little Sisters of the Poor/Trump v. Pennsylvania*, Nos. 19-431 & 19-454, Supreme Court of the United States (for religious organizations supporting contraceptive access)

Amicus Brief, *Our Lady of Guadalupe School v. Agnes Morrissey-Berru, St. James School v. Darryl Biel*, Nos. 19-267 & 19-348, Supreme Court of the United States (for professors and organizations supporting civil rights and opposing ministerial exception)

Amicus Brief, Missouri Supreme Court, *Doe 122 v. Marianist Province* (arguing for lawsuit by victims against employers who protect abusers)

Amicus Brief, *Koenke v. SJU*, E.D. Pa., (arguing for LGBTQ right to sue religious employers)

Amicus Brief on Petition for Writ of Certiorari, for CHILD USA, with Marci A. Hamilton, *Father John Gallagher v. Diocese of Palm Beach*, No. 18-964, Supreme Court of the United States (tort law should be handled by neutral principles of law)

Amicus Brief on Petition for Writ of Certiorari, for numerous children's institutions, with Marci A. Hamilton, *Morrow v. Ford*, No. 18-6409, Supreme Court of the United States (sexual abuse of defendant not reported at trial)

Amicus Brief on Petition for Writ of Certiorari, with Marci A. Hamilton and Paul G. Cassell, *State of Montana v. Tipton*, No. 18-444, Supreme Court of the United States (ex post facto treatment of DNA evidence laws)

Amicus Brief, with Marci A. Hamilton, *In Re: Fortieth Statewide Investigating Grand Jury*, 106 WM 2018, Pennsylvania Supreme Court (release of grand jury report on child sexual abuse)

Amicus Letter, *In re John Doe*, No. 17-1005, Supreme Court of Texas (lawsuit against religious school)

Cert. & Reply Petitions, *Melhorn v. Baltimore Washington Conference of the United Methodist Church*, No. 16-245, United States Supreme Court (ministerial exception)

Amicus Brief on Behalf of Catholic Lay Organizations in *Fratello v. Roman Catholic Archdiocese*, No. 16-1271, Second Circuit Court of Appeals (ministerial exception)

Amicus Brief on Behalf of Catholics for Choice and Nine Catholic Organizations in *Zubik v. Burwell*, Nos. 14-1418 et al., United States Supreme Court (RFRA and church workers' rights)

Testimony at "Informational Hearing, Workers' Rights and Religious Employers after *Hosanna-Tabor*," California State Assembly Judiciary Committee, July 23, 2015

Amicus Brief on Behalf of Constitutional Law Professors in *Bobby R. Brown et al. v. Brad Livingston*, No. 14-20249, Fifth Circuit Court of Appeals (prisoners' religious liberty)

Amicus Brief on Behalf of Nine Child Protection Organizations in Support of Cert. Petition in *John Doe B.P. v. Catholic Diocese of Kansas City-St. Joseph*, No. 14-344 (First Amendment protection of third parties)

Amicus Brief, *Kant v. Lexington Theological Seminary*, 2012 WL 3046472 (Ky. App.) (ministerial exception)

Testimony on Religious Freedom and Civil Rights, United States Commission on Civil Rights, Mar. 22, 2013

Letter on Behalf of ACA Contraceptive Mandate, entered in Congressional Record, Aug. 1, 2012, at E1369

Amicus Brief, *Cannata v. Catholic Diocese of Austin*, 700 F.3d 169 (5th Cir. 2012) (ministerial exception)

Amicus Brief, *Scott v. Pierce*, Civ. No. H-09-3991, S.D. Tex., March 2012 (prisoner's religious liberty)

Amicus Brief for Respondent (with Caroline Mala Corbin), *Hosanna-Tabor v. E.E.O.C.*, 132 S.Ct. 694 (2012) (ministerial exception)

Texas Senate, Testimony Against Constitutionality of S.B. 16 Sonogram Legislation, Feb. 9, 2011

Nebraska Legislature, Testimony Against Constitutionality of Abortion Pain Prevention Act, Feb. 25, 2010

Wisconsin Senate, Testimony Defending Constitutionality of SB139 reviving statute of limitations, Jan. 12, 2010

Kilgore Lecture, Emerson Unitarian Universalist Church, Houston, TX, Oct. 28, 2011

Constitution Day Lecture, Sam Houston State University, Sept. 14, 2011

Rice University Continuing Education Lecturer, *The Supreme Court*, Spring, 2010

Aspen Bar Review Lecturer, Constitutional Law, 2008, 2009

McElroy Lecture, "No Law Respecting the Practice of Religion," University of Detroit Mercy School of Law, Mar. 18, 2008

"What Might Have Been?," Founding Symposium, University of St. Thomas Law Journal, Minneapolis, MN, Oct. 18, 2003

"A 'Truant from the School of History': The Catholic Church and Liberal Democracy," University of Notre Dame, Department of Political Science Henkels Lecture Series, Sept. 15, 2003

Professionalism Lecture, "Whistleblowers," North Carolina Bar Association, Asheville, NC, June 21, 2003

"Catholic Lawmakers on Cloning and Stem Cell Research," The Shannon Chair Lecture, Nazareth College Forum on Human Cloning and Stem Cell Research, Rochester, New York, Mar. 22, 2003

“Who Blew the Whistle?” Inaugural Lecture, Larry and Joanne Doherty Chair in Legal Ethics, University of Houston Law Center, Nov. 19, 2002

“A New Kind of Establishment: The Catholic Church and Public Policy,” Institute for Democracy Studies & Union Theological Seminary, New York City, Apr. 4, 2002

“Understanding Seeking Faith,” Georgetown University Law Center, Apr. 7, 1999

“The Preferential Option for the Patient,” Keynote Address to the Catholic Health Association, St. Louis, Missouri, May 13, 1994

“The Relation Between Religion and Politics,” Centennial Lecture Series, St. Joseph’s College, Rensselaer, IN, Oct. 15, 1990

OTHER PRESENTATIONS, PAPERS AND PANELS

I will speak at the 4th World Congress on Primary Healthcare and Medicare Summit, November 7-8, 2024, in Bangkok, Thailand, about my book chapter on traumatic brain injury.

I will speak at the 12th International Congress of Gynaecology and Obstetrics, held from June 18-20 in Stockholm, Sweden, about The Catholic Bishops vs. The Contraceptive Mandate

Catholic Sexual Abuse in Louisiana, BioLawLapalooza 6.0, Stanford Law School, May 18, 2024

My Papers on Child Abuse, Annual Law and Religion Roundtable, University of Virginia, June 22, 2023

Panelist, Religious Freedom and *Kennedy v. Bremerton*, Center for Constitutional Studies, Utah Valley University, Feb. 23, 2023

Neurorehabilitation and Society: Going Through Hell, International Neuroethics Society Meeting, Nov. 4, 2022

School Choice: Free Exercise and Freedom of Speech discussion, UNLV Boyd School of Law, Oct. 5, 2022

Battle Born Progress’s Out in Front Show: Abortion at the Mercy of the Courts, Dec. 9, 2021

Faith in Public Life, LGBTQ Parents, Adoption and the Battle Over Religious Liberty, May 27, 2021, <https://www.youtube.com/watch?v=BxumastdYn4>

CLE on Religious Freedom (to Discriminate?): The Intersection of Religious Freedom and LGBTQ Non-Discrimination Protections, Philadelphia Bar Association, Dec. 9, 2020

CLE on The Ministerial Exception, Child Sex Abuse, Religious Institutions, and the First Amendment, CHILD USA, Nov. 17, 2020

The Supreme Court and LGBTQ Issues: What Catholics Need to Know in 2020, New Ways Ministry, Nov. 1, 2020, <https://www.newwaysministry.org/programs/what-we-do/scotus-employment-2020/>

Update on the Supreme Court, 2020 Nevada Government Civil Attorneys’ Virtual Conference, Oct. 7, 2020

“Discussion of SCOTUS LGBTQ Workplace Discrimination Case,” UNLV Panel with Ruben Garcia and Ann McGinley, June 23, 2020

“Living Exception-Free,” ACS Constitutional Law Scholars Forum, Barry Law School, Feb. 28, 2020

“Catching Up on the Supreme Court,” Praeclarus Breakfast Club, Houston, TX, Feb. 14, 2020

“Technological Competence from A Bioethics and Professional Ethics Perspective,” University of Houston Fall Institute on Intellectual Property Law, Sept. 28, 2019

“Introduction to Law and Religion,” Houston Graduate School of Theology, Sept. 17, 2019

“Conquering Brain Injury,” TIRR Memorial Hermann Hospital, July 18, 2019

“Why A Constitution Should Be, Indeed Must Be a ‘Living Constitution,’” UNLV Boyd School of Law, Dignity, Tradition and Constitutional Due Process: Competing Judicial Paradigms Conference, Mar. 14, 2019

Debate about the Future of *Roe v. Wade*, Notre Dame Law School, Jan. 22, 2019

Teaching Law and Religion, University of Pennsylvania, Nov. 20, 2018

“Traumatic Brain Injury: Clinical, Ethical, Legal, and Social Issues,” Panel at American Society for Bioethics and Humanities Conference, Oct. 18, 2018

“Technology, Patients and the Law,” BioLawLaPalooza Conference, Stanford Law School, Mar. 22, 2018

Ministry and Parochial Schools, University of Pennsylvania, Mar. 15, 2018

“Religious Freedom, Human Rights, and Peaceful Coexistence,” University of Loyola (Chicago), Mar. 13, 2018

Free Speech on Campus, panel responding to Professor Howard Gillman, UNLV, Feb. 13, 2018

“Collective Liberty: Is the Pursuit of Equality Collapsing the First Amendment?“, panel discussion, UNLV, Oct. 25, 2017

UNLV Law’s Graduation Speech, May 12, 2017

“Religious Liberty, Employment, & LGBT Issues,” New Ways Ministry’s Eighth National Symposium, Chicago, IL, Apr. 29, 2017

“Telling My Patient Story,” BioLawLaPalooza Conference, Stanford Law School, Apr. 21, 2017

“Institutional or Individual: What is Religious Freedom in the United States Today?“, Osgoode Colloquium on Law, Religion, and Social Thought, Osgoode Hall Law School, York University, Toronto, Canada, Mar. 8, 2017

“How the Constitution Should Unite Us on Politics, Religion, Race, and Gender,” Flathead Valley Community College Honors Symposium Lecture Series, Kalispell, MT, Mar. 24, 2016

“The Free Speech Battleground: From Paris to the Digital Frontier,” Vegas Valley Book Festival, Oct. 17, 2015

“Top Ten Supreme Court Cases,” 2015 NALS Educational Conference, Las Vegas, NV, Oct. 9, 2015

Rewriting *Harris v. McRae*, Panel on *Feminist Judgments, United States Supreme Court Cases Rewritten*, Annual Meeting of the Law & Society Association, Seattle, WA, May 29, 2015

“What Would American Health Care Look Like if it Were Based on Health Instead of Religion?,” Petrie-Flom Law, Religion, and Health in America Conference, Harvard Law School, May 8, 2015

“Misaccommodating Religion,” Freedom of (and from) Religion: Debates over the Accommodation of Religion in the Public Square Conference, University of California at Santa Barbara, May 1, 2015

“A Word of Warning from a Woman,” LGBT Antidiscrimination Law and Policy After *Hobby Lobby* Symposium, University of Alabama School of Law, Mar. 27, 2015

“Understanding the Ministerial Exception,” Hear Our Voices: Teach Acceptance Forum, University of San Francisco, Mar. 16, 2015

“Hobby Lobby,” *Hastings Constitutional Law Quarterly* Symposium on the Religious Rights of Corporations in the Aftermath of *Hobby Lobby*,” San Francisco, CA, Feb. 20, 2015

“Free Speech Aspects of Religious Freedom,” First Amendment Lawyers Association 2015 Winter Meeting, Las Vegas, NV, Feb. 6, 2015

“How the *Hobby Lobby* Decision Undermines Women’s Rights and Threatens Religious Freedom,” Ethics at Noon, Santa Clara University Markkula Center for Applied Ethics, Oct. 23, 2014

“Whistleblower or Tattletale? The Debate Over Wikileaks,” Annual Meeting, State Bar of Nevada, Newport Beach, CA, Jul. 11, 2014

“Important Cases from the Supreme Court’s 2013-2014 Term,” United States District Court Conference, District of Nevada, Reno, NV, May 8, 2014

“*Hobby Lobby* and Women’s Rights,” Women’s Law Society, University of California, Irvine, School of Law, Mar. 25, 2014

“Abortion, Assisted Reproduction and Religion-Based Laws,” Perspectives on Abortion, Assisted Reproductive Technologies, and Judicial Review Conference, Yale Law School, New Haven, CT, Apr. 18, 2014

“Public Prayer: Insiders, Outsiders, Pledges and Invocations,” Charleston Law Review’s Law and Society Symposium: In Search of a Grand Unified Theory: Thirty Years with the Endorsement Test, Charleston, SC, Apr. 15, 2013

“The Relationship of Current Religious Freedom Discussions to *People v. Philips*,” NYU Law School, Religious Freedom in American, 1813-2013 Conference, Apr. 13, 2013

Panelist, Joseph Smith’s Habeas Corpus Trial, Illinois Supreme Court Historic Preservation Commission, Apr. 4, 2013

Fortieth Anniversary of *Roe v. Wade*, Planned Parenthood of Southern Nevada, Jan. 31, 2013

European and American Models of Religious Freedom, The Future of Religious Autonomy, Panel Discussion, Georgetown University Berkley Center for Religion Conference, Which Model, Whose Liberty? Differences between the U.S. and European Approaches to Religious Freedom, Oct. 11, 2012

Election 2012: The Values Behind the Issues, Woodstock Forum, LeMoyne College, Syracuse, NY, Oct. 3, 2012

Collaborative Law Practice, Texas State Bar Convention, Houston, TX, June 14, 2012

Why Are Churches Allowed to Disobey the Law?, St. Philip Presbyterian Church, Houston, TX, May 6, 2012

TV Panelist, Supreme Court Rulings, Houston PBS, Red White and Blue, May 4, 2012

Women, Religion and Law, National Council of Jewish Women, Apr. 27, 2012

The Sins of *Hosanna-Tabor*, U. of Pennsylvania Law School, Apr. 12, 2012

Civil Dialogue (with Allen Hertzke), Constitutional Studies Symposium: Religious Freedom in America: Constitutional Traditions and New Horizons, Institute for the American Constitutional Heritage, University of Oklahoma, Apr. 2, 2012

Ordained Discrimination: The Cases Against the Ministerial Exception. University of Arizona, Sept. 15, 2011; Seton Hall, Sept. 26, 2011; UMKC, Oct. 20, 2011; Howard, Oct. 25, 2011; Capital, Nov. 15, 2011; Houston, Jan. 27, 2012

Church Autonomy, the Ministerial Exception and *Hosanna-Tabor v. EEOC*, Hot Topics Panel, Association of American Law Schools (AALS), Jan. 7, 2012

“*Smith* and the Free Exercise Clause,” Southeastern Association of Law Schools Conference (SEALS), July 25, 2011

“The Ministerial Exception,” University of Colorado Law, Culture and Religion Symposium, July 21, 2011

“The 2010-2011 Supreme Court Preview,” American Constitution Society Meeting, Houston, TX, Oct. 27, 2010

“*Smith* and Women’s Equality,” Cardozo Conference on the Twentieth Anniversary of *Employment Division v. Smith*, New York, NY, Oct. 7, 2010

TV Panelist, “Supreme Court Rulings: How the Rulings Affect Us,” Houston PBS, July 9, 2010

“Suing Your Rabbi: Clergy Malpractice” Jewish Ethics Institute, Houston, TX, May 4, 2010

“How to Serve on an IRB,” UHLC Student Health Law Organization, Oct. 21, 2009

“A New Court in a New Term,” American Constitution Society Meeting, Houston, TX, Sept. 22, 2009

Supreme Court Update, Praeclarus Breakfast Club, Houston, TX, July 17, 2009

“The Key Cases This Term,” Harris County Democrats, Houston, TX, July 14, 2009

The State of Religious Liberty in the United States, Religious Liberty and Religious Property Disputes: Who Owns the Lord’s House Conference, Pepperdine University School of Law, Jan. 29, 2009

“The History of Law and Religion Studies,” Journal of Law and Religion 25th Anniversary Conference, Hamline University, Oct. 23, 2008

Panelist, “Constitutional Theories of RLUIPA,” God and the Land Conference, Albany Law School, Oct. 2, 2008

“The Story of Creation-Science,” Panelist, Education Law Stories Conference, University of Cincinnati College of Law, Apr. 14, 2008

Moderator, “Religious Belief and Surrogate Ethical Decision-Making,” Association for Practical and Professional Ethics, San Antonio, TX, Feb. 22, 2008

“Legal Ethics Update,” Institute on Intellectual Property Law, Galveston, TX, Oct. 5, 2007

Panelist, New Hampshire Humanities Council Conference, *Shifting Ground: Religion and Civic Life in America*, Manchester, NH, Mar. 24, 2007

“Political Reason,” Panelist at St. John’s *Religion and Morality in the Public Square* Conference, Mar. 23, 2007

“How to Speak About Religion in Public,” Society of Law and Politics, University of Houston Law Center, Mar. 21, 2006

“The New Supreme Court,” Praeclarus Breakfast Club, Mar. 17, 2006

“Tolerance and Nuance,” Muslim Law Students Association, University of Houston Law Center, Mar. 1, 2006

Panelist, Appointments to the U.S. Supreme Court, Congreso Internacional Sobre Justicia Constitucional, Instituto de Investigaciones Juridicas, Universidad Nacional Autonoma de Mexico, Nov. 28, 2005

Moderator, “Democracy and Virtue: Optimism or Faith?” at Hamline University School of Law conference, “A Raft of Hope: Three Conversations about Liberal Democracy, God, and Human Good,” Oct. 28, 2005

Panelist, “Patient Safety: Communicating Beyond the Walls,” San Mateo (CA) Hospital Consortium, Oct. 7, 2005

Panelist, Rice University Constitution Day Celebration, Sept. 16, 2005

“One Day at a Time: The Life and Legacy of Richard A. McCormick,” UTMB Galveston, Mar. 14, 2005

“Bohatch v. Butler & Binion,” University of Alabama School of Law, Sept. 13, 2004

“Conflicts of Interest,” Methodist Hospital, Houston, Sept. 10, 2004

“Cloning and Ethics,” Science Café, Rice Village, Houston, TX, Mar. 31, 2004

“Lessons from the Whistleblowers,” Houston Office Leasing Brokers Association, Feb. 26, 2004; (Houston) Commercial Real Estate Women, Feb. 5, 2004

Moderator, “Ethics Debate: Implications of the Sarbanes-Oxley Act,” UH Bauer College of Business Annual Leadership and Ethics Week, Nov. 4, 2003

“How Corporate Reform is Changing Legal Ethics,” South Asian American Bar Association of Houston Meeting, Oct. 28, 2003

“What Might Have Been?”, Founding Symposium, University of St. Thomas Law Journal, Minneapolis, Oct. 18, 2003

“The Whistleblowers,” Texas Executive Women, Houston, TX, Oct. 14, 2003

“The Whistleblowers,” West University (Texas) Rotary Club, May 8, 2003

“A Clients’ Theory of Professionalism,” Emory Conference on Ethics and Professionalism, Atlanta, GA, Mar. 14, 2003

“Public Reason,” Panel Discussion on Texas Education Legislation, Americans United for Separation of Church and State, Houston, TX, Feb. 27, 2003

“Up-the-Ladder or Down the Chute?,” Breakfast Briefing on Sarbanes-Oxley, Baker & McKenzie, Houston, TX, Feb. 13, 2003

“Hiding Behind the First Amendment,” Albany Law School Public Forum on *Legal Perspectives on the Current Crisis in the Catholic Church*, Dec. 3, 2002

“Ethics 2000 (Version 2002),” Saipan Bar Association, Aug. 17, 2002

“Ethics 2000 (Version 2002),” Guam Bar Association, Aug. 16, 2002

“Fundamentalism from the Perspective of Liberal Tolerance,” Fundamentalisms, Equalities and the Challenges to Tolerance in a Post-9/11 Environment Conference, Cardozo School of Law, Apr. 21, 2002

Panelist, “Does Human Nature Have a Future?” September 11th and the Future of American Liberty Conference, Oglethorpe University, Atlanta, GA, Mar. 6, 2002

“The Bad News about *Good News*,” Ethics in Society Colloquium, Emory University, Nov. 26, 2001

“Their Own Prepossessions,” Conference on Law and Religion, Loyola University Chicago School of Law, Feb. 3, 2001

“Student-Initiated Religious Exercise in the Public Schools and the First Amendment,” Religion in Our Schools Conference, Thomas Jefferson School of Law, San Diego, CA, Oct. 6, 2000

“Religiously Based Morality in a Democracy: What Role?,” Response to Michael Perry,” Catholic Theological Society of America, San Jose, CA, June 10, 2000

“The Prudent Prosecutor,” Georgetown Journal of Legal Ethics Symposium, Mar. 30, 2000

“The Good Samaritan: Response to Jeremy Waldron,” Santa Clara University, Mar. 24, 2000

“Religion and the First Amendment,” University of Southern California Law School, Jan. 22, 1999

“Prosecutorial Ethics,” Georgetown University Law Center, Sept. 25, 1998

“The Ethics of Managed Care,” Washington Theological Union, Nov. 8, 1998

“John Rawls and Religion,” Stanford Law School, Nov. 6, 1996

“‘A Subtle Inquiry’: Do Courts Know What It Means to ‘Teach About Religion?’,” University of Chicago Divinity School (Sawyer Seminar), Oct. 18, 1996

“The Relevance of Religion to a Lawyer’s Work,” Fordham School of Law, June, 1997

Critical Book Discussion, Lani Guinier, *THE TYRANNY OF THE MAJORITY*, Society of Christian Ethics, Albuquerque, New Mexico, Jan. 6, 1996

“A Report on Rawls,” Santa Clara School of Law, Jan. 19, 1996

“Two Concepts of Lawyers,” Lecture to Lawyers After the Red Mass, San Jose, CA, Oct. 5, 1995

Panelist for Nursing Ethics Symposium, Santa Clara University, November 1994

“The Intersection of Disciplines: Response to James Gustafson,” Plenary Session, Society of Christian Ethics, Chicago, Jan. 7, 1994

“Needles for Addicts?,” presentation to the Board of Trustees of the University of Notre Dame, Feb. 10, 1989

“In Vitro Fertilization and Other Reproductive Techniques,” University of Notre Dame, Feb. 15, 1989

“Women and Morality,” St. Mary’s College, Oct. 8, 1986

PROFESSIONAL MEMBERSHIPS AND SERVICE

Series Editor, *Studies in US Religion, Politics, and Law*, University Press of Kansas, June 2019 – July 2023

Boyd Student Bar’s Professor of the Year and Graduation Speaker Award (2016-2017)

United States Supreme Court Bar (Admitted 2003)

Fifth Circuit Court of Appeals Bar (Admitted 2014)

Second Circuit Court of Appeals Bar (Admitted 2016)

Third Circuit Court of Appeals Bar (Admitted 2021)

Faculty Advisor, American Constitution Society (University of Houston, 2004-2012), (UNLV, 2012-present)

Faculty Advisor, Secular Legal Society (UNLV, 2012-present)

Faculty Advisor, Law Students for Reproductive Justice (UNLV, 2012-present)

American Law Institute (Elected 2002)

Northern District of California, State Bar of California (Admitted 1994)

Consulting Member, Legal Panel, ACLU of Texas, January 2011-June 2012

At-Large Ethics Member, Institutional Review Board, The Methodist Hospital, Houston, Texas, January 2006-2010

Book Review Editor, *Journal of Law and Religion*, January 2005-2010

American Bar Association; American Constitution Society; Association for Practical & Professional Ethics; American Society of Law, Medicine and Ethics; American Academy of Religion

University of Nevada, Las Vegas Committees: Research, Promotion and Tenure Committee, Honor Code, Faculty Enrichment, Student Wellness

University of Houston Service: University Grievance Committee; University Moores Chair Selection Committee; Law Center's Executive, Appointments, Admissions, Honor Court and Visitors' Committees

Santa Clara University Service: Admissions Committee, Appointments Committee, Teaching Committee