

DEBORAH A. WIDISS

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Academic Appointments

- Indiana University Maurer School of Law**, Bloomington, IN 2009–
John F. Kimberling Chair, 2023–
Associate Dean for Research and Faculty Affairs, 2019–24
Ira C. Batman Faculty Fellow, 2016–2023
Professor of Law, 2015–
Associate Professor of Law, 2009–2015
Affiliate Faculty, Indiana University-Bloomington, Department of Gender Studies, 2009–
Courses: Employment Discrimination; Family Law; Legislation; Work, Family, and the Law
- University of Melbourne Law School**, Melbourne, Australia 2018
Fulbright Senior Scholar / Visiting Scholar
- Brooklyn Law School**, Brooklyn, NY 2007–2009
Visiting Assistant Professor of Law

Education

- Yale Law School**, J.D. 1999
Yale Law Journal, Case and Book Note Editor
Coker Fellow (Teaching Assistant to Professor Kate Stith in Constitutional Law class)
- Yale University**, B.A. in Humanities *magna cum laude* 1994
Phi Beta Kappa
Dwight Hall Humanitarian Service Award

Selected Awards and Grants

- Paul Miller Memorial Award, Colloquium on Scholarship in Employment and Labor Law (COSELL)** (recognizing “outstanding academic and public contributions to the field of labor and employment scholarship”) (2024)
- Indiana University Institute for Advanced Studies – The Bloomington Symposium: Care** (competitively-selected cross-disciplinary workshop designed to promote incubation of collaborative research) (2023-24 academic year)
- Indiana University Trustees Teaching Award** (won twice: 2021, 2013)
- Dukeminier Award, Williams Institute at UCLA Law School** (recognizing best sexual orientation or gender identity law review articles published in the prior year) (won twice: 2019, 2008)
- Fulbright Senior Scholar Research Grant for Australia** (2018)
- Feldman Award, Groves Conference on Marriage and Family** (recognizing peer-reviewed journal article that makes a significant social policy contribution related to ethnicity and/or gender in families) (2016)

Outstanding Scholarly Paper Award, Association of American Law Schools (recognizing best paper submitted by law school junior faculty member, in any field) (2009)

Equal Justice Works Fellow (2000-02)

Publications

Articles and essays

The Solicitor General, Consistency, and Credibility, 100 NOTRE DAME LAW REVIEW ____ (forthcoming 2025) (with Margaret H. Lemos).

- JOTWELL review by Anita Krishnakumar, When the Solicitor General's Office Flip-Flops
- Highlighted by Richard Pierce in Yale Journal on Regulation: Notice & Comment.

Menstrual Justice and the Pregnant Workers Fairness Act, 48 HARVARD JOURNAL OF LAW AND GENDER ____ (forthcoming 2025) (with Marcy L. Karin).

The Federal Pregnant Workers Fairness Act: Statutory Requirements, Regulations, and Need (Especially in Post-Dobbs America), 27 EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL 84 (2024) (invited; peer-reviewed journal).

Perceived Workplace Discrimination on the Basis of Parent Status in Australia: Who Is Vulnerable and How Does it Link to Mothers' and Fathers' Mental Health? (with Amanda Cooklin et al.), 66 JOURNAL OF OCCUPATIONAL AND ENVIRONMENTAL MEDICINE 564 (2024) (peer-reviewed journal).

Privatizing Family Leave Policy: Assessing the New Opt-In Insurance Model, 53 SETON HALL LAW REVIEW 1543 (2023) (invited).

- JOTWELL review by Elizabeth Tippet, Are Family Leave Insurance Policies the Wave of the Future?

Pregnant Workers Fairness Acts: Advancing a Progressive Policy in Both Red and Blue America, 22 NEVADA LAW JOURNAL 1131 (2022-23) (invited).

Proving Discrimination by the Text, 106 MINNESOTA LAW REVIEW 353 (2021).

- Focus of plenary session at the National Employment Lawyers Association annual convention.
- Cited in *Tynes v. Florida Dep't of Juvenile Justice* (11th Cir. 2023) (Newsom, J., concurring).

Chosen Family, Care, and the Workplace, 131 YALE LAW JOURNAL FORUM 215 (2021) (invited).

- Reviewed by Sloan Speck in Tax Article Review and Roundup.
- Highlighted in Penn Law School's The Regulatory Review.

The Hidden Gender of Gender-Neutral Paid Parental Leave: Examining Recently-Enacted Laws in the United States and Australia, 41 COMPARATIVE LABOR LAW AND POLICY JOURNAL 723 (2021) (peer-reviewed journal).

- JOTWELL review by Naomi Cahn, The Paradox of Parental Leave.
- Highlighted by Lawrence Solum on Legal Theory Blog.

Equalizing Parental Leave, 105 MINNESOTA LAW REVIEW 2175 (2021).

- JOTWELL review by Chao-Ju Chen, Equality for Whom? Nonmarital Inequality and the Paradox of Parental Leave.
- Highlighted in Penn Law School's The Regulatory Review.

- Inspired a roundtable organized by the Center for Economic and Policy Research and Family Story on potential policy reforms to make parental leave more equitable for solo parents.
- Interview about the article on [Experto Crede 3.5](#) (*Minnesota Law Review* podcast).

[Intimate Liberties and Antidiscrimination Law](#), 98 BOSTON UNIVERSITY LAW REVIEW 2083 (2017).

- Winner, 2019 Dukeminier Award.
- JOTWELL review by Douglas NeJaime, [Status-Conduct, Old and New](#).
- Highlighted by Lawrence Solum on [Legal Theory Blog](#).

[After the Override: An Empirical Analysis of Shadow Precedent](#), 46 JOURNAL OF LEGAL STUDIES 51 (2017) (with Brian Broughman) (peer-reviewed journal).

- Highlighted by Rick Hasen on [Election Law Blog](#).
- Highlighted by Lawrence Solum on [Legal Theory Blog](#).

[Legal Recognition of Same-Sex Relationships: New Possibilities for Research on the Role of Marriage Law in Household Labor Allocation](#), 8 JOURNAL OF FAMILY THEORY AND REVIEW 10 (2016) (peer-reviewed journal).

- Winner, 2016 Feldman Award, Groves Conference on Marriage and Family.

[Non-Marital Families and \(or After?\) Marriage Equality](#), 42 FLORIDA STATE UNIVERSITY LAW REVIEW 547 (2015) (invited symposium).

[Griggs at Midlife](#), 113 MICHIGAN LAW REVIEW 993 (2015) (review essay on Belton, *The Crusade for Equality in the Workplace* (2014)).

[Gilbert Redux: The Interaction of the Pregnancy Discrimination Act and the Amended Americans with Disabilities Act](#), 46 UC DAVIS LAW REVIEW 961 (2013).

- Reprinted in full in *Women and the Law: 2013 Edition* (Tracy A. Thomas, ed., 2013), annual compendium of outstanding legal scholarship addressing women's rights.
- Cited in Brief of the Petitioner, Peggy Young; Brief of the United States *as Amicus Curiae*; Brief of the American Civil Liberties Union and A Better Balance, et al. *as Amicus Curiae*; and Brief of Law Professors and Women's and Civil Rights Organizations *as Amicus Curiae* in *Young v. United Parcel Service, Inc.*, 135 S. Ct. 1338 (2015).
- Recommended in [Statement of \[EEOC\] Commissioner Chai R. Feldblum on Approval of the Enforcement Guidance on Pregnancy Discrimination and Related Issues](#) (July 14, 2014).
- Follow up essay: [The Interaction of the Pregnancy Discrimination Act and the Americans with Disabilities Act after Young v. UPS](#), 50 UC DAVIS LAW REVIEW 1423 (2017).

[Undermining Congressional Overrides: The Hydra Problem in Statutory Interpretation](#), 90 TEXAS LAW REVIEW 859 (2012).

- Response essay by James J. Brudney, [Distrust and Clarify: Appreciating Congressional Overrides](#), 90 *Texas Law Review* See Also 205 (2012).
- Response essay by Charles A. Sullivan, [The Curious Incident of Gross and the Significance of Congress's Failure to Bark](#), 90 *Texas Law Review* See Also 157 (2012).

[Changing the Marriage Equation](#), 89 WASHINGTON UNIVERSITY LAW REVIEW 721 (2012).

- JOTWELL review by Kerry Abrams, [Reconsidering Work and Family with “The Marriage Equation.”](#)
- Short adaptation published as [Reconfiguring Sex, Gender, and the Law of Marriage](#), 50 *Family Court Review* 205 (2012) (peer reviewed).

[Equal Access and the Right to Marry](#), 158 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1375 (2010) (with Nelson Tebbe).

[Shadow Precedents and the Separation of Powers: Statutory Interpretation of Congressional Overrides](#), 84 NOTRE DAME LAW REVIEW 511 (2009).

- Winner, 2009 Association of American Law Schools Outstanding Scholarly Paper Award.
- Selected for 2008 Seton Hall Employment and Labor Law Scholars’ Forum.
- Selected for 2009 AALS Section on Employment Discrimination in Call for Papers.
- Highly recommended by Lawrence Solum on [Legal Theory Blog](#).
- Short adaptation published at 13 *Employment Rights and Employee Policy Journal* 361 (2009) (peer reviewed).

[Domestic Violence and the Workplace: The Explosion of State Legislation and the Need for a Comprehensive Strategy](#), 35 FLORIDA STATE UNIVERSITY LAW REVIEW 669 (2008).

- Excerpt reprinted in DOMESTIC VIOLENCE AND THE LAW: THEORY AND PRACTICE (Schneider et al., 3rd ed., 2013).

[Exposing Sex Stereotypes in Recent Same-Sex Marriage Jurisprudence](#), 30 HARVARD JOURNAL OF LAW & GENDER 461 (2007) (with Douglas NeJaime & Elizabeth N. Rosenblatt).

- Winner, 2008 Dukeminier Award.
- Cited in *Latta v. Otter*, 771 F.3d 456, 496 (9th Cir. 2014) (Berzon, J., concurring).

Note, [Re-Viewing History: The Use of the Past as Negative Precedent in *United States v. Virginia*](#), 108 YALE LAW JOURNAL 237 (1998).

Articles and essays in progress

The Sexual Harassment Silo

. . . [*Statutory Interpretation Omitted*]

Book and book chapters

[Pregnancy and Work: 50 Years of Legal Theory, Litigation, and Legislation](#), in THE OXFORD HANDBOOK OF FEMINISM AND LAW IN THE UNITED STATES (Deborah Brake, Martha Chamallas, and Verna Williams, eds.) (Oxford University Press, 2022) (invited).

- Book highly recommended by Lawrence Solum on [Legal Theory Blog](#).

[Work and Caregiving during COVID-19](#) and [Pregnant Employees and New Parents](#), two chapters in WORK LAW UNDER COVID-19 (Jeffrey Hirsch and Sachin Pandya, eds.) (2020) (invited).

[Young v. United Parcel Services, Inc., Rewritten](#), in FEMINIST JUDGMENTS: EMPLOYMENT DISCRIMINATION OPINIONS REWRITTEN (Ann C. McGinley & Nicole B. Porter, eds.) (Cambridge Univ. Press, 2020) (invited).

[Addressing the Workplace Effects of Intimate Partner Violence](#), in VIOLENCE AND ABUSE IN AND AROUND ORGANISATIONS (Cary Cooper & Ronald Burke, eds.) (Routledge, 2018) (invited).

Civil Rights / Discrimination, in *ENCYCLOPEDIA OF INTERPERSONAL VIOLENCE* (Claire Renzetti & Jeffrey Edleson eds.) (Sage, 2008) (invited)

Representing Domestic Violence Victims in the Workplace, in *LAWYER'S MANUAL ON DOMESTIC VIOLENCE: REPRESENTING THE VICTIM* (Jill Laurie Goodman & Dorchen A. Leidholdt eds. (5th ed. 2007; 4th ed. 2005) (with Wendy R. Weiser) (invited).

EXTRA CREDIT: *A LEGAL GUIDE FOR NONPROFITS OFFERING IN-SCHOOL AND AFTER-SCHOOL PROGRAMS* (Lawyers Alliance for New York, 2002) (with Elizabeth Guggenheimer, eds.).

Shorter scholarly work

Time Off Work for Menstruation: A Good Idea?, 98 *NYU LAW REVIEW ONLINE* 170 (2023) (invited response to Crawford & Waldman, *Menstruation Matters: Challenging the Law's Silence on Periods* (2022)).

Menstruation Discrimination and the Problem of Shadow Precedents, 41 *COLUMBIA JOURNAL OF GENDER AND THE LAW* 235 (2021) (symposium).

- Recommended by Lawrence Solum on [Legal Theory Blog](#).

Making Sausage: What, Why and How to Teach About Legislative Process in a Legislation or Leg-Reg Course, 65 *JOURNAL OF LEGAL EDUCATION* 96 (2015) (special issue on teaching legislation courses).

Still Kickin' After All These Years: *Sutton* and *Toyota* As Shadow Precedents, 63 *DRAKE LAW REVIEW* 919 (2015) (invited).

A Marriage By Any Other Name: Why Civil Unions Should Receive Federal Recognition, 3 *INDIANA JOURNAL OF LAW AND SOCIAL EQUALITY* 51 (2015) (with Andrew Koppelman) (invited).

Identifying Congressional Overrides Should Not Be This Hard, 92 *TEXAS LAW REVIEW SEE ALSO* 145 (2014) (invited response to Matthew R. Christiansen and William N. Eskridge, Jr., *Congressional Overrides of Supreme Court Statutory Interpretation Decisions, 1967-2011*).

- Recommended by Lawrence Solum on [Legal Theory Blog](#).

Leveling Up After DOMA, 89 *INDIANA LAW JOURNAL* 43 (2014) (invited).

Divergent Interests: Union Representation of Individual Employment Discrimination Claims, 87 *INDIANA LAW JOURNAL* 421 (2012) (invited response to Green, *Reading Ricci and Pyett to Provide Racial Justice Through Union Arbitration*).

Case Note, Uneasy Labeling: *Discon, Inc. v. Nynex Corp.*, 107 *YALE LAW JOURNAL* 1529 (1998).

Selected publications for popular and professional audiences

New Federal Law Ensures Pregnant Workers Can Get Support at Work, 49 *ABA Human Rights Journal* 42 (Fall 2023).

New Law Limits Mandatory Arbitration in Cases Involving Sexual Assault or Sexual Harassment, 50 *ABA Labor and Employment Law Newsletter* 13 (Fall 2022).

How "Neutral" Are Gender Neutral Paid Parental Leave Policies? *Power to Persuade* (July 2021).

[Communication Breakdown: How Courts Do—And Don't—Respond to Statutory Overrides](#), 104 *Judicature* 51 (Spring 2020).

[Parental Leave Laws Don't Do Enough for Single Moms – But There's a Way to Fix That](#), *The Conversation* (May 2020).

[Can Australia Learn from the United States on Paid Parental Leave?](#) *Parents At Work* (May 2018) (interview by Emma Walsh, CEO of Parents At Work).

[Practical Tips for Interpreting Statutory Overrides](#), 71 *Advocate* 18 (Summer 2015).

[How Walmart's 'Support' for Pregnant Employees Falls Short](#), *The Huffington Post* (Apr. 2014).

[Hidden Costs of Federal Marriage Benefits to Same-Sex Couples](#), *The Huffington Post* (Sept. 2013).

[Marriage Policy Encourages One Spouse to Stay Home and the Other to Work: How Will this Affect Same-Sex Couples As They Gain More and More Legal Rights?](#), *The Atlantic* (June 2013).

[Why Marriage Isn't an Equal Partnership](#), *The Huffington Post* (March 2012) (interview by Huffington Post journalist Vicki Larson).

[Advocating for the Employment Rights of Victims of Domestic Violence and Sexual Assault](#), *ABA Commission on Domestic Violence Quarterly E-Newsletter* (Spring 2007) (with Robin R. Runge) (invited contribution).

[Fair Housing for Victims of Domestic Violence: Using Federal and State Laws to Promote Secure Housing for Survivors](#), *ABA Commission on Domestic Violence Quarterly E-Newsletter* (Winter 2007) (with Emily J. Martin) (invited contribution).

[Employment Protections for Domestic Violence Victims](#), *Clearinghouse Review*, May-June 2004 (with Wendy Weiser) (invited).

Selected Academic Presentations

... *[Statutory Interpretation Omitted]*, Legislation Roundtable at Georgetown Law School (Mar. 2024).

The Solicitor General, Consistency, and Credibility, Drexel School of Law (Feb. 2024); Maurer School of Law (May 2023); Legislation Roundtable at Georgetown Law School (Mar. 2023).

Privatizing Family Leave Policy: An Assessment of the New Opt-In Insurance Model, University of Connecticut, New Ideas in Insurance series (Oct. 2023); Seton Hall Law School Symposium (Feb. 2023).

Work-Family Justice for LGBTQ+ Individuals: Identifying and Overcoming Barriers to Inclusivity in Practice and Research (invited panelist for virtual plenary), Work and Family Researchers Network (May 2023).

The Federal Pregnant Workers Fairness Act: Statutory Requirements, Regulations, and Need (Especially in Post-Dobbs America), Colloquium on Scholarship in Employment and Labor Law (Oct. 2023); Chicago-Kent Symposium on Work Law After *Dobbs* (Mar. 2023).

The Sexual Harassment Silo, Colloquium on Scholarship in Employment and Labor Law (Oct. 2022).

Proving Discrimination by the Text, Colloquium on Scholarship in Employment and Labor Law (Oct. 2020).

Chosen Family, Care, and the Workplace, Work and Family Researchers Network (June 2022); Law & Society Association (May 2021); Family Law Scholars and Teachers (June 2021); Nonmarriage Roundtable (October 2021); Colloquium on Scholarship in Employment and Labor Law (October 2021).

Barnacled Statutes, Maurer School of Law Summer Workshop Series (June 2020); Legislation Roundtable, Yale Law School (February 2020).

Equalizing Parental Leave, Feminist Legal Theory Summer Series (July 2020); International Network on Leave Policies and Research Annual Seminar (Sept. 2019); Law & Society Association (June 2019); Non-Marriage Roundtable (Mar. 2019); Colloquium on Scholarship in Employment and Labor Law (Sept. 2018).

The Hidden Gender of Gender-Neutral Paid Parental Leave: Examining Recently-Enacted Laws in the United States and Australia, Colloquium on Scholarship in Employment and Labor Law (Oct. 2019); Gender, Work and Organisations Conference (June 2018); University of Melbourne Law School (June 2018); Australian National University Gender Institute (May 2018); Association of Industrial Relations Academics of Australia and New Zealand (Feb. 2018); Australian and New Zealand Studies Association of North America (Feb. 2017).

Discrimination on the Basis of Parent Status in Australia: Who Is Vulnerable and How Does it Link to Mothers' and Fathers' Mental Health? Work, Gender, and Organisations Conference (June 2018).

Intimate Liberties and Antidiscrimination Law, Family Law Scholars and Teachers Conference (June 2017); St. John's School of Law Faculty Workshop (Nov. 2016); Colloquium on Scholarship in Employment and Labor Law (Sept. 2016).

Legal Recognition of Same-Sex Relationships: New Possibilities for Research on the Role of Marriage Law in Household Labor Allocation, Groves Conference on Marriage and Family (Aug. 2016).

Support for Accommodations for Pregnancy under U.S. Federal Law, Work and Family Researchers Network (June 2016).

After the Override: An Empirical Analysis of Shadow Precedent, Roundtable on Legislation and Statutory Interpretation, Cardozo Law School (Mar. 2016); American Law and Economics Association (May 2015); Midwest Political Science Association (Apr. 2015); Duke Law School Statutory Interpretation Colloquium (Mar. 2015); University of Texas Law School Faculty Workshop (Feb. 2015); Washington University Law School Faculty Workshop (Oct. 2014).

Making Sausage: What, Why and How to Teach About Legislative Process in a Legislation or Leg-Reg Course, AALS Legislation Section, Annual Meeting (Jan. 2015).

Still Kickin' After All These Years: Sutton and Toyota As Shadow Precedents, AALS Employment Discrimination, Annual Meeting (Jan. 2015).

Griggs at Midlife, Labor and Employment Colloquium (Sept. 2014); The Past and Future of Disparate Impact, Vanderbilt Law School (Sept. 2014).

Beyond McDonnell Douglas? Exploring Simpler Frameworks of Proof in Employment Discrimination Cases, Colloquium on Scholarship in Employment and Labor Law (Sept. 2015).

Non-Marital Families and (or After?) Marriage Equality, AALS Workshop on Sexual Orientation and Gender Identity Issues (June 2014); Law and Society Association Conference

(May 2014); Emerging Family Law Scholars Conference (May 2014); University of Chicago Regulating Family, Sex, and Gender Workshop (Apr. 2014); Florida State University Symposium, “After Marriage” (Jan. 2014).

Leveling Up After DOMA, 2013 Big 10 Untenured Conference (Aug. 2013); Law and Society Association Conference (May 2013); Maurer School of Law symposium (Apr. 2013).

Gilbert Redux, UCLA Faculty Workshop (Nov. 2012); 2012 Feminist Legal Theory Collaborative Research Network Conference (Oct. 2012); 2012 Labor & Employment Colloquium (Sept. 2012); 2012 Big 10 Untenured Conference (Aug. 2012).

Legal Recognition of Same-Sex Relationships in the United States, Work and Family Researchers Network (June 2012).

Undermining Congressional Overrides, 2011 Labor & Employment Colloquium (Sept. 2011); Big 10 Untenured Conference (Aug. 2011); Legislation Roundtable, Columbia University (Apr. 2011).

Same-Sex Marriage and the Future of DOMA, Maurer School of Law (Apr. 2011).

Changing the Marriage Equation, AALS Mid-Year Meeting on Women Rethinking Equality (June 2011); Law and Society Association (May 2011); University of Cincinnati College of Law Faculty Workshop (March 2011); Vanderbilt University Law School Faculty Workshop (Dec. 2010); Colloquium on Current Scholarship in Labor and Employment Law, Washington University / St. Louis University (Sept. 2010); Center for Law, Society, and Culture, Indiana University (Oct. 2010); Southeastern Association of Law Schools Conference (Aug. 2010); Big 10 Aspiring Scholars Conference (Aug. 2009); Emerging Family Law Scholars Conference (May 2009).

Equal Access and the Right to Marry, University of Pennsylvania Law Review Author Luncheon (Apr. 2010); University of Illinois Law School Faculty Workshop (Nov. 2009); Brooklyn Law School Junior Faculty Workshop (Aug. 2009).

Legal Arguments in the Debates over Marriage Rights for Same-Sex Couples, Maurer School of Law (March 2010).

Shadow Precedents and the Separation of Powers, AALS Annual Meeting, Outstanding Scholarly Papers Competition Winners’ Panel (Jan. 2009); AALS Annual Meeting, Employment Discrimination Section (Jan. 2009); Seton Hall Employment and Labor Law Scholars’ Forum (Oct. 2008); Brooklyn Law School Junior Faculty Workshop (July 2008).

Decentralizing Rights: State-Level Strategies to Promote Justice and Equality (panel moderator), Brooklyn Law School (March 2008).

Domestic Violence and the Workplace, Brooklyn Law School Junior Faculty Workshop (July 2007).

Selected Lectures and Trainings for Professional and Popular Audiences

Pregnant Workers Fairness Act Webinar, Wellness Council of Indiana, Indiana Chamber of Commerce (Oct. 2024)

Understanding How the Pregnant Workers Fairness Act Protects the Health and Financial Well-Being of Pregnant and Postpartum Workers, National Association of Social Workers—Indiana and Kentucky chapters (Oct. 2024)

Pregnant Workers Fairness Act: Train the Trainers Workshop, Indianapolis Community Action Poverty Institute (June 2024)

Winning Fairness for Pregnant Workers – The 60-Year Path to a New Civil Right, Indiana University Mini-University (June 2024)

Recent Legal Developments on Family Leave and Pregnancy at Work, Indiana University Kinsey-Kelley Center for Gender Equity in Business (Feb 2024)

Exploring the Pregnant Workers Fairness Act, Indianapolis Bar Association (June 2023)

But-For Causation After Bostock (panel member of plenary discussion spurred in part by my article, *Proving Discrimination by the Text*), National Employment Lawyers Association Annual Convention (July 2022)

Labor and Employment Supreme Court Update, Indianapolis Bar Association (2019, 2020, 2021)

Solo Parents and Paid Leave for Care of Newborn Children Under the FAMILY Act Roundtable, Center for Economic and Policy Research and Family Story, roundtable exploring potential policy reforms spurred by my article, *Equalizing Parental Leave* (Sept. 2020)

Update: Recent Developments in Employment Discrimination Law, 43rd Annual Indiana Consortium of State and Local Human Rights Agencies Conference (June 2016).

Beyond McDonnell Douglas? Exploring Simpler Frameworks of Proof in Employment Discrimination Cases, 7th Circuit Judges Conference (Sept. 2014).

Same-Sex Marriage: New Developments Nationally and in Indiana, Evansville Bar Association (March 2014)

Recent Developments Affecting Pregnancy, Breastfeeding and Family Responsibilities by Employees, 30th Annual Carl A. Warns, Jr. Labor and Employment Law Institute (June 2013).

The Future of Single-Plaintiff Employment Discrimination Litigation: Are Coleman, Vance, EPL Insurance, and Commoditization Changing the Litigation Landscape? (panel member), 7th Circuit Bar Association / 7th Circuit Judicial Conference Annual Meeting (May 2013).

Exposing Sex Stereotypes in Recent Same-Sex Marriage Jurisprudence, Lesbian, Gay, Bisexual, and Transgender Civil Rights Litigators Roundtable (March 2007).

Legal Momentum's Briefing for the Supreme Court Press Corps on Cases Raising Significant Issues for Women, National Press Club (Sept. 2005).

Selected Advocacy

Litigation

Comcast Corp. v. National Assoc. of African-American Owned Media et al., 140 S. Ct. 2561 (2020) (causation standard in Section 1981 claims), co-author of brief for *Amici* Employment Law Professors

Nassar v. Univ. of Texas Southwestern Medical Center, 570 U.S. 338 (2013) (causation standard in Title VII retaliation claims), co-author of brief for *Amici* Employment Law Professors

Davis v. Washington, 547 U.S. 813 (2006) (domestic violence and the Confrontation Clause), co-author of brief for *Amici* National Network to End Domestic Violence, Legal Momentum, et al.

In re Marriage Cases, 183 P.3d 384 (Cal. 2008) (marriage rights of same-sex couples), co-author of brief for *Amici* Concerned with Women's Rights

Lewis v. Harris, 857 A.2d 259 (N.J. 2005) (marriage rights of same-sex couples), co-author of brief for *Amicus* Legal Momentum

Campaign for Fiscal Equity v. State of New York, 801 N.E.2d 326 (N.Y. 2003) (constitutional adequacy of educational funding), co-author of brief for plaintiff CFE

Legislative Testimony

Indiana House of Representatives, Testimony Regarding HB 1309 (opposition to proposed bill providing inadequate support to pregnant workers in the workplace) (2021)

Indiana Senate, Testimony Regarding SB 342 (support of bill to require employers to provide reasonable accommodations for pregnant workers) (2020)

Indiana Senate, Testimony Regarding SB 100 and SB 344 (support of bills to amend state's civil rights law to prohibit discrimination on the basis of sexual orientation and gender identity) (2016)

Indiana Senate, Testimony Regarding HJR-6 (opposition to proposed state constitutional amendment prohibiting same-sex marriage) (2011)

U.S. Senate, Subcommittee on Employment and Workplace Safety of the Senate Committee on Health, Education, Labor, and Pensions (written testimony regarding domestic violence's connection to the workplace) (with Kathy Rodgers and Lisalyn Jacobs) (2007)

Administrative Comments

Comments on Proposed Regulations for the Pregnant Workers Fairness Act, regarding application of the rule to workers affected by menstruation, perimenopause, and menopause (with Marcy Karin) (2023)

Comments on Proposed Guidance Regarding Reasonable Breaktime for Nursing Mothers Provisions under Fair Labor Standards Act (2014)

Selected Media Appearances

Regularly quoted in television, radio and newspaper reports employment discrimination issues, on marriage rights for same-sex couples, and domestic violence.

National media outlets include:

- *Atlanta Journal-Constitution*
- *Barron's*
- *Bloomberg Law*
- CBS-Moneywatch
- *Chicago Tribune*
- Chicago Public Radio
- *New York Times*
- *Newsday*
- *Washington Post*
- Associated Press and Gannett News Services

Local and state media outlets include:

- Indiana Public Television (WTIU)
- Indiana Public Radio (WFIU)

- *Indianapolis Star-Tribune*
- *Herald-Times* (Bloomington, IN).

Op-eds on same-sex marriage and pregnancy discrimination published in *The Atlantic* and *Huffington Post*. Articles on parental leave published in *The Conversation*.

Selected Other Professional Experience

Legal Momentum, New York, NY 2003–2007
(formerly **NOW Legal Defense and Education Fund**)

Senior Staff Attorney (2007); *Staff Attorney* (2003–2007)

- National expert on employment and housing rights of domestic violence survivors.
- Litigated employment discrimination, housing discrimination, and gay rights cases.
- Advised U.S. Senate and House committee staff on drafting of legislation to address domestic violence, including provisions enacted in the Violence Against Women Act of 2005.
- Chaired workplace committee of national domestic violence advocacy coalition.

Campaign for Fiscal Equity / Michael A. Rebell Associates, New York, NY 2002–2003
Staff Attorney

- Co-counsel on successful appeal establishing that New York’s failure to provide adequate resources to New York City public schools violated the state constitution.
- Co-counsel for class of all New York City public school students with disabilities in case requiring ongoing monitoring of compliance with longstanding consent decree.
- Developed advocacy strategy to respond to shortcomings of the No Child Left Behind Act.

Lawyers Alliance for New York, New York, NY 2000–2002
Equal Justice Works Fellow / Staff Attorney

- Provided counsel to nonprofit organizations on employment, tax, education, contract, corporate, and real estate law matters.
- Wrote legal manual for nonprofit education organizations.

Hon. Allyn R. Ross, E.D.N.Y., Brooklyn, NY 1999–2000
Law Clerk

Selected Service and Professional Affiliations

Indiana University Maurer School of Law

- Ad Hoc Committee on Scholarship (Chair 2024–25)
- Associate Dean for Research and Faculty Affairs (2019–24)
- Diversity and Inclusion Committee (2019–24) (ex-officio)
- Faculty Affairs Committee (2019–24) (ex-officio)
- Appointments Committee (Chair 2018–19, 2016–17; member 2021–22; 2015–16)
- Search Committee for the Director of the Law School Library (2019–20) (ex-officio)
- Ad Hoc Committee on the Selection and Role of the Policy Committee (2018–19)
- Faculty Development Committee (2015–16)
- Strategic Planning Committee (2014–15)
- Faculty Sponsor for the *Indiana Journal of Law and Social Equality* (2013–15)
- Policy Committee (2011–12)
- Lecturer and Clinical Ranks Committee (2011–12, 2013–14)
- Speakers’ Committee (2009–11)

Indiana University

- Indiana University-Bloomington, Strategic Plan Working Group on Research Support (2022–23)
- Bloomington Faculty Council, Taskforce on Research Reorganization (2022)
- Office of the Vice Provost for Research Advisory Committee (2019–24)
- Campus Assessment Committee on Gender and Faculty Satisfaction (2018–19)
- Selection Committee for the William T. Patten Foundation Lecturers (2016–19)
- Search Committee for the Director of the Kinsey Institute (2013–14)
- Search Committee for the Law School Dean (2012–13)

National professional affiliations

- *Association of American Law Schools*
 - *Employment Discrimination Section*, Chair (2013); Chair Elect (2012); Secretary (2011); Executive Committee (2010, 2021)
 - *Legislation Section*, Executive Committee (2014, 2015)
 - Scholarly Paper Award Selection Committee (2009)
- *Colloquium on Scholarship in Employment and Labor Law (COSELL)*, Co-Chair, Conference Organizing Committee for 2015 conference
- *Equal Justice Works*, Fellowship Application Reviewer (2015)
- *Center for WorkLife Law*, Pregnancy Accommodation Working Group (2014–15)
- *Work and Family Researchers' Network*, Member (2012–)
- *Workplace Violence Prevention Research: Evaluation of Oregon's Protective Leave Law for Victims of Domestic Violence, Sexual Assault and Stalking* (interdisciplinary empirical study funded by the National Institute for Occupational Safety and Health), National Advisory Board Member (2008–11)
- *ABA Commission on Domestic Violence*, Member of Steering Committee for Employment Rights and Economic Remedies Conference (2006)

Referee (selected journals)

- *American Journal of Public Health*
- *Journal of Family Theory and Review*
- *Law & Society Review*

Community or regional organizations

- *Indiana Community Action Poverty Institute*
 - Know Your (New) Rights: Pregnant and Postpartum Workers (in-kind support for year-long campaign, funded by the Women's Fund of Central Indiana, to raise awareness of the new federal law providing support to pregnant and postpartum workers) (2024)
 - Paid Family Leave Advocacy Working Group (2020–)
 - Pregnancy Accommodation Advocacy Working Group (2017–21)
 - Indiana Equal Pay Reform Working Group (2019–20)
 - Indiana Wage Gap Study, Advisory Board Member (2017)
- *Stages Bloomington*, President (2014–16); Board Member (2013–16)
- *New York Legal Assistance Group*, Matrimonial and Family Law Appellate Representation Advisory Board Member (2007–09)
- *Center for Children's Initiatives*, Board Member (2003–09)
- *Initiative for Public Interest Law at Yale*, Alumni Board Member (1999–2004)

Bar admissions: New York (retired); United States Supreme Court