

ELIZABETH SEPPER
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ACADEMIC APPOINTMENTS

Princeton University

Law and Public Affairs Fellow/Crane Fellow 2018 - Present

Washington University School of Law

Professor 2017 - Present

Associate Professor 2012 - 2017

- Courses Taught: Torts, Health Law, Healthcare Financing, Health Law and Policy Seminar, Legal Advocacy Seminar
- Research Interests: Health Law, Law & Religion, Public Accommodations Law, Gender & Sexuality, and Reproductive Rights

EDUCATION

New York University School of Law, New York, NY

LL.M. in International Legal Studies, 2007

Honors: Institute for International Law and Justice Scholar

New York University School of Law, New York, NY

J.D., *magna cum laude*, 2006

Honors: *New York University Law Review*; Order of the Coif; Dean's Scholarship

Boston University, Boston, MA

B.A. in History, *summa cum laude* with distinction, 2002

PUBLICATIONS AND WORKS IN PROGRESS

- CONSTITUTIONAL LAW AND RELIGION (co-edited casebook with Frederick Mark Gedicks, Robert W. Tuttle, Micah J. Schwartzman, & Nelson Tebbe) (West forthcoming 2020)
- PUBLIC ACCOMMODATIONS LAW FROM THE CIVIL WAR TO THE BATHROOM WARS (book manuscript) (in progress)
- *Sex in Public* (with Deborah Dinner) (to be submitted in Feb. 2018)
- *Social Citizenship, Antidiscrimination, and the Affordable Care Act* (in progress)
- *Dynamic Rights Claims in Single-Sex Spaces*, Wm. & Mary Bill of Rts J. (forthcoming 2019) (invited symposium for Timothy Zick, The Dynamic Free Speech Clause)

- *Making Religion Transparent: The Substance, Process, and Efficacy of Disclosing Religious Restrictions on Care in* TRANSPARENCY IN HEALTH AND HEALTH CARE (I. Glenn Cohen, Holly Fernandez Lynch, Barbara Evans & Carmel Shachar eds. forthcoming 2019)
- *The Right to Avoid Procreation and the Regulation of Pregnancy*, in OXFORD HANDBOOK OF COMPARATIVE HEALTH LAW (Tamara Hervey & David Orentlicher, eds. forthcoming 2019)
- *Zombie Religious Institutions*, 112 NW. U. L. REV. 929 (2018)
- *Religious Exemptions, Harm to Others, and the Indeterminacy of a Common Law Baseline*, 106 KENTUCKY L.J. 661 (2018) (invited symposium)
- *Sex, Religion, and Politics, or the Future of Healthcare Antidiscrimination Law*, 19 MARQUETTE BENEFITS & SOC. WELFARE L. REV. 217 (2018) (with Jessica L. Roberts) (invited symposium)
- *The Risky Business of RFRA after Hobby Lobby*, in THE CONTESTED PLACE OF RELIGION IN FAMILY LAW (Robin Fretwell Wilson, ed. 2018)
- LAW, RELIGION, AND HEALTH IN THE UNITED STATES (Cambridge Univ. 2017) (editor together with Holly Fernandez Lynch and I. Glenn Cohen)
- *Contracting Religion*, in LAW, RELIGION, AND HEALTH IN THE UNITED STATES (Holly Fernandez Lynch, I. Glenn Cohen, & Elizabeth Sepper eds. 2017)
- *The Role of Religion in State Public Accommodations Laws*, 60 SLU L.J. 631 (2016) (invited response to Professor Larry Sager's Childress Lecture)
- *Substantiating the Burdens of Compliance*, 2016 U. ILL. L. REV. ONLINE 53 (2016) (invited)
- *Conscientious Refusals of Care*, in OXFORD HANDBOOK OF AMERICAN HEALTH LAW (Glenn Cohen, Allison Hoffman, & William Sage, eds. 2016)
- *Free Exercise Lochnerism*, 115 COLUM. L. REV. 1457 (2015)
- *Healthcare Exemptions and the Future of Corporate Religious Liberty*, in THE RISE OF CORPORATE RELIGIOUS LIBERTY (Micah Schwartzman, Chad Flanders & Zoe Robinson, eds. 2015)
- *Gendering Corporate Conscience*, 38 HARV. J. GENDER L. 193 (2015) (invited symposium)
- *Gays in the Moralized Marketplace*, 7 ALA. C.R. & C.L. L. REV. 129 (2015) (invited symposium)
- *Doctoring Discrimination in the Same-Sex Marriage Debates*, 89 IND. L.J. 703 (2014)
- *Reports of Accommodation's Death Have Been Greatly Exaggerated*, 128 HARV. L. REV. FORUM 24 (2014) (invited response to Paul Horwitz, *The Hobby Lobby Moment*, 128 HARV. L. REV. 154 (2014))
- *Contraception and the Birth of Corporate Conscience*, 22 AM. U. J. OF GENDER, SOC. POL'Y & L. 303 (2014) (symposium)
- *Not Only the Doctor's Dilemma: The Complexity of Conscience in Medicine*, 4 FAULKNER L. REV. 385 (2013) (invited symposium)

- *Taking Conscience Seriously*, 98 VA. L. REV. 1501 (2012)
- *Confronting the ‘Sacred and Unchangeable’: The Obligation to Modify Cultural Patterns Under the Women’s Discrimination Convention*, 30 U. PA. J. INT’L L. 585 (2008), reprinted in GENDER ISSUES AND HUMAN RIGHTS (Dianne Otto, ed. 2013)
- *International Health Law*, 41 INT’L LAWYER 629 (2007) (co-authored with Jonathan Todres & Laurel R. Hyle)

AWARDS

- Selected as 2014 Health Law Scholar in the American Society of Law, Medicine, and Ethics and St. Louis University Competition
- *Doctoring Discrimination in the Same-Sex Marriage Debates* awarded:
 - Dukeminier Award and the Ezekiel Webber Prize, which recognize the best sexual orientation and gender identity legal scholarship published in the previous year and are conferred by the Williams Institute at UCLA School of Law.
 - A best paper prize by the Southeastern Association of Law Schools 2014 Annual Meeting
- Audre Lorde Academic Exploration Award from Washington University LGBT* Student Association, Nov. 2016

SELECTED PRESENTATIONS

- *Sex in Public: The Feminist Movement for Public Accommodations Law*
 - Princeton University, Law and Public Affairs Program, Feb. 2019
 - Temple School of Law, Faculty Workshop, Feb. 2019
 - Rutgers-Camden School of Law, Faculty Workshop, Nov. 2018
 - Drexel Law School, Faculty Workshop, Nov. 2018
 - Washington University School of Law, Faculty Workshop, June 2018
 - Law & Society Association, June 2018
- *Zombie Religious Institutions*
 - University of Indiana Indianapolis McKinney School of Law, Health Law Grand Rounds, Nov. 2017
 - University of Houston Law Center, Colloquium: Reenvisioning Law, Apr. 2017
 - University of Indiana Maurer School of Law, Faculty Workshop, Mar. 2017
 - University of Notre Dame School of Law Faculty Workshop, Mar. 2016
- *Making Religion Transparent*,
 - Harvard Law School, Petrie-Flom Center Conference Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits, Apr. 2017
- *Social Citizenship, Antidiscrimination, and the Affordable Care Act*
 - Southeastern Association of Law Schools, Panel, Health Law, Aug. 2017
 - American Association of Law Schools, Panel, Health Insurance and Access to Healthcare After the Affordable Care Act, Jan. 2017

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- American Association of Law Schools, Health Law Works-in-Progress, The Promise and Perils of the Healthcare Antidiscrimination Act, Jan. 2017
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2016
- *Free Exercise Lochnerism*
 - Roundtable on First Amendment Lochnerism, Columbia Law School, Mar. 2016
 - University of Missouri School of Law Faculty Workshop, Apr. 2015
 - Wharton Business School, Hobby Lobby Conference, Philadelphia, Dec. 2014
 - Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2014
 - Southeast Law Schools Junior-Senior Workshop, Florida State University, Oct. 2014
 - Annual Law and Religion Roundtable, June 2014
 - Harvard Law School, Religious Accommodation in the Age of Civil Rights, Apr. 2014
 - Washington University Midwest Junior Faculty Workshop, Dec. 2013
 - Washington University Women, Gender, and Sexuality Studies Workshop, Oct. 2013
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2013
- *Contracting Religion*
 - Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2015
 - University of Chicago Workshop on Regulating Family, Sex, and Gender., Nov. 2015
 - Harvard Law School, Petrie-Flom Center Conference on Law, Religion, and Health in America, May 2015
- *Contraception and the Birth of Corporate Conscience*
 - American Society of Law, Medicine, & Ethics Annual Meeting, June 2013
 - American University School of Law, Symposium on Gender Matters: Women, Social Policy, and the 2012 Election, April 2013
- *Doctoring Discrimination*
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2014
 - University of Illinois School of Law Faculty Workshop, Sept. 2013
 - Washington University Faculty Workshop, July 2013
 - Emerging Family Law Scholars Conference, June 2013
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2013
 - Law and Society Association Annual Meeting, May 2013
- *Taking Conscience Seriously*
 - Oxford University, University College, Abortion in Context: Law, Ethics, & Practice Seminar, June 2016
- Other
 - Southwestern Association of Obstetrician-Gynecologists, Dallas, TX, Nov. 2018
 - Southern Methodist University New Feminist Discourses and Social Change, Reproductive Justice and Religion, Apr. 2018
 - Law and Society Annual Meeting, Commentator on Carol Sanger's On Abortion, June 2018
 - Southeastern Association of Law Schools, Aug. 2017
 - Presenter, Workshop on Religious Exemptions and Harms to Others
 - Presenter, Trends and Tension between Religious Freedom and Workplace Protections and Benefits
 - Presenter, President Trump and the First Amendment
 - Presenter, Recent Developments in Health Law and Public Health Ethics
 - Presenter, Affordable Care Act Repeal and Replace Proposals
 - Columbia Law School, The Future of Religious Exemptions, Dec. 2016

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- University of Virginia, Religion, Liberalism, and Law Symposium, Apr. 2016
 - Invited Commentator on Nelson Tebbe book manuscript
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2015
 - Panelist and Moderator, *Toward a Healthy First Amendment*
- Law and Society Association Annual Meeting, May 2015
 - Panelist, *The Family Corporation*
- American Society of Law, Medicine, and Ethics and St. Louis University Health Law Scholars Workshop, Sept. 2014
 - Workshop, *Unethical Contracts*
- Federalist Society, Faculty Legal Colloquium, Liberty of Conscience and the Law, Chicago, Aug. 2014
- Religious Institutionalism Conference, DePaul School of Law, Sept. 2013
 - Commentator, *Demagoguing Abortion by Robin Fretwell Wilson*
- Faulkner Law School Symposium on Overlapping Jurisdictions: What Role for Conscience and Religion?, October 2012
 - Plenary Speaker, *Not Only the Doctor's Dilemma: The Complexity of Conscience in Medicine*
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2012
 - Panelist, *Free to Associate Against Public Health?: Religious Organizations' Challenges to Sexual and Reproductive Healthcare*

OTHER LEGAL EXPERIENCE

- Columbia Law School, New York, NY
 - *Center for Reproductive Rights Fellow*, 2010-2012
- N.Y.U. Center for Human Rights and Global Justice, New York, NY
 - *Legal Fellow*, 2009-2010
- Human Rights Watch, New York, NY
 - *Legal Fellow*, 2008-2009
- The Honorable Marjorie O. Rendell, Third Circuit Court of Appeals, Philadelphia, PA
 - *Law Clerk*, 2007-2008
- Human Rights First, New York, NY
 - *Legal Intern*, Fall 2007
- Cooley, Godward & Kronish, New York, NY
 - *Summer Associate*, Summer 2007
- Cleary, Gottlieb, Steen & Hamilton, Rome, Italy and New York, NY
 - *Summer Associate*, Summer 2005
- International Women's Rights Action Watch, Kuala Lumpur, Malaysia
 - *Legal Intern*, Summer 2004

SERVICE

Law School

- Appointments Committee, Summer/Early Fall 2018
- Scholarship Committee, Chair, 2017-18
- Scholarship Committee, Spring 2017

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- Institutional Profile Committee, 2014-16
- Mission/Community Planning Committee, 2012-13
- Appointments Committee, Fall 2013
- Judicial Clerkship Advisor, Fall 2013
- Faculty Advisory Committee, Transnational Law Program, Fall 2012-present
- Faculty Advisor, Health Law Student Association, 2014-present
- Faculty Advisor, Washington University Journal of Law & Policy, 2015-present
- Women's Law Caucus, Mentor, 2012-2015

University-wide

- Association of Women Faculty Board, 2018-present
- Honorary Degree Committee, 2018-present
- Work-Life Balance Committee, 2018-present
- Washington University Embryonic Stem Cell Research Oversight Committee, 2015-present
- Faculty Scholar, Washington University Institute for Public Health, 2012-present

Professional

- AALS Section on Law & Religion, At-Large Member, 2016-present
- AALS Section on Sexual Orientation and Gender Identity, Treasurer, 2019-present; Executive Committee Member, 2018
- Legal Advisor, Public Rights/Private Conscience Project, Columbia Law School, 2014-2017
- Board Member, Planned Parenthood of the St. Louis Region and Southwest Missouri, 2013-2016
- Referee, Journal of Law and Biosciences
- Referee, New England Journal of Medicine
- Referee, Journal of Law, Medicine, and Ethics
- Referee, Journal of Law, Religion and State

ADDITIONAL INFORMATION

Languages: fluent Italian, proficient French, and basic Spanish.

Bar admissions: New York.