

## **2019 Annual Lavender Law Conference & Career Fair**

August 7-9, 2019  
Time, Location TBD  
Philadelphia, PA

**August 8, 10:45am-12:15pm**

### **The Intersection of LGBTQ Rights and Reproductive Rights in the Newly Configured Supreme Court:**

Liberty is a deeply contested battleground in the court of law and the court of public opinion. Advocates have won judicial rulings cementing marriage rights and reproductive rights, but opponents of these rights are waging a guerilla war that relies on upside-down claims to liberty. A united opposition deliberately harmonizes its strategies to simultaneously weaken LGBTQ rights and reproductive rights. For example, advocates of conversion therapy and fake abortion clinics (called “crisis pregnancy centers”) assert that their First Amendment rights trump the health care needs of LGBTQ people and women, relying on the same recent Supreme Court case law. Similarly, the Trump administration’s regulations [which we expect to be out by August] dramatically expanding religious and moral exemptions seek to broadly deny health care to LGBTQ people and women, and are challenged by LGBTQ and reproductive rights advocates working together. Access to assisted reproduction is opposed based on LGBTQ animus and claims that embryos have personhood. Recent manifestos, including Project Blitz and the American Charter of Freedom of Religion and Conscience, seek to provide a legal and cultural grounding for the “liberty” of certain religious claimants to overcome the claims to liberty and equality of LGBTQ people and women alike. This session will discuss how progressive efforts to strengthen LGBTQ and reproductive rights are deeply intertwined, and examine what the new configuration of the Supreme Court means for strategies to pursue the true meaning of liberty.

Moderator: [Katherine Gillespie](#), Senior Federal Policy Counsel, Center for Reproductive Rights

#### **Panelists:**

- [Michele Bratcher Goodwin](#), Chancellor’s Professor of Law; Director, Center for Biotechnology and Global Health Policy, University of California, Irvine School of Law
- [Shannon Minter](#), Legal Director, National Center for Lesbian Rights
- [Scott Ruskay-Kidd](#), Senior Staff Attorney, Center for Reproductive Rights

#### **Biographies:**

##### **Michele Bratcher Goodwin**

Michele Bratcher Goodwin is a Chancellor’s Professor at the University of California, Irvine and founding director of the Center for Biotechnology and Global Health Policy. She is also faculty in the Stem Cell Research Center; Gender and Sexuality Studies Department; Program in Public Health; and the Department of Criminology, Law, & Society. She is an elected member of the American Law Institute as well as an elected Fellow of the American Bar Foundation and the Hastings Center. Professor Goodwin has been a Visiting Professor at the University of Chicago and University of Virginia law schools.

Professor Goodwin’s scholarship is hailed as “exceptional” in the New England Journal of Medicine. She has been featured in Politico, Salon.com, Forbes, The Washington Post, The New York Times, Los Angeles Times, The Boston Globe, Chicago Sun-Times, NPR, and HBO’s Vice News, among others. A prolific author, her scholarship is published or forthcoming in The Yale Law Journal, Harvard Law Review,

Cornell Law Review, NYU Law Review, California Law Review, and Northwestern Law Review, among others. Goodwin's publications include five books and over 80 articles, essays and book chapters as well as numerous commentaries.

Trained in sociology and anthropology, she has conducted field research in Asia, Africa, Europe and the United States, focusing on trafficking in the human body for marriage, sex, organs, and other biologics. In addition to her work on reproductive health, rights, and justice, Professor Goodwin is credited with forging new ways of thinking in organ transplant policy and assisted reproductive technologies, resulting in works such as *Black Markets: The Supply and Demand of Body Parts* (2006) and *Baby Markets: Money and the Politics of Creating Families* (2010).

Professor Goodwin is at the forefront of national and international health policy discourse. She was a member of the U.S. National Academy of Sciences, Engineering, and Medicine Committee on Issues in Organ Donor Intervention Research and appointed an observer by the United States National Conference of Commissioners on Uniform State Laws (for the revision of the Uniform Anatomical Gift Act). She has advised or given testimony before state and federal policymakers. She chaired several sections of the Association of American Law Schools, served as a trustee of the United States Law and Society Association, and was elected secretary general of the International Academy of Law & Mental Health as the first woman.

Goodwin has long recognized the transformative power and value of education and access. Following earning her juris doctorate, she moved south and guided one of the largest southern school districts in the United States through desegregation, equity and inclusion efforts across 52 K-12 schools and more than 35,000 students.

A nationally recognized advocate for civil liberties and civil rights, Goodwin serves on the executive committee and national board of the American Civil Liberties Union. Goodwin has won national awards for excellence in scholarship, outstanding teaching and committed community service. Gov. Paul Patton of Kentucky commissioned her as a colonel, the state's highest title of honor. In 2018 she was bestowed the Sandra Day O'Connor Legacy Award by the Women's Journey Foundation. That same year, Goodwin was named teacher of the year by the Thurgood Marshall Bar Association. She is a highly sought after voice on civil liberties, civil rights, reproductive rights and justice, and cultural politics. Prior to teaching law, she was a Gilder-Lehrman Post-Doctoral Fellow at Yale University.

Previously, she was the Everett Fraser Professor at the University of Minnesota.

### **Shannon Minter**

Shannon Minter is the Legal Director of the National Center for Lesbian Rights (NCLR), one of the nation's leading advocacy organizations for lesbian, gay, bisexual, and transgender people.

Minter was lead counsel for same-sex couples in the landmark California marriage equality case which held that same-sex couples have the fundamental right to marry and that laws that discriminate based on sexual orientation are inherently discriminatory and subject to the highest level of constitutional scrutiny.

Minter was also NCLR's lead attorney in *Christian Legal Society v. Martinez*, a U.S. Supreme Court decision upholding student group policies prohibiting discrimination based on sexual orientation and gender identity, and rejecting the argument that such policies violated a student group's rights to

freedom of speech, religion, and association. NCLR represented Hastings Outlaw, an LGBT student group who intervened to help defend the nondiscrimination policy.

In 2009, Minter was named a California Lawyer of the Year by California Lawyer. In 2008, he was named among six Lawyers of the Year by Lawyers USA and among California's Top 100 Lawyers by the legal publication The Daily Journal. He also received the 2008 Dan Bradley Award from the National Gay and Lesbian Bar Association for outstanding work in marriage cases and was the recipient of the Cornell Law School Exemplary Public Service Award. In 2005, Minter was one of 18 people to receive the Ford Foundation's "Leadership for a Changing World" award. In 2004, he was awarded an Honorary Degree from the City University of New York School of Law for his advocacy on behalf of same-sex couples and their families. Shannon has also received the Anderson Prize Foundation's Creating Change Award by the National Gay and Lesbian Task Force and the Distinguished National Service Award from GAYLAW, the bar association for LGBT lawyers, law students, and legal professionals in Washington, D.C., Cornell Law School's Exemplary Public Service Award, the Unity Award from Bay Area Lawyers for Individual Freedom, the Advocacy Award from the San Francisco Bar Association, and the Justice Award from Equality California.

Minter serves on the boards of Faith in America and the Transgender Law & Policy Institute. He has previously served on the American Bar Association Commission on Sexual Orientation and Gender Identity. Minter received his J.D. from Cornell Law School in 1993. He is originally from Texas.

#### **Scott Ruskay-Kidd**

Scott Ruskay-Kidd serves as a Senior Staff Attorney for Judicial Strategy. In this role, Scott works on developing new legal theories, managing strategic alliances, and organizing amicus efforts to strengthen the jurisprudence protecting reproductive rights.

Scott began his career as a clerk to the Honorable Robert P. Patterson, Jr. of the U.S. District Court for the Southern District of New York and the Honorable Robert D. Sack of the U.S. Court of Appeals for the Second Circuit. After clerking, Scott practiced litigation at Debevoise & Plimpton LLP and Kramer Levin Naftalis & Frankel LLP and received multiple awards for his pro bono work.

Scott graduated with an A.B. from Harvard University, magna cum laude, where he was a Harvard National Scholar (awarded to the top 5% of the entering class), a John Harvard Scholar, a Carol K. Pforzheimer Fellow for his research in women's studies, an Institute of Politics Public Service Fellow, and an editor of the nation's oldest college literary magazine. Scott received a J.D. from Columbia Law School, where he was a James Kent Scholar, published author, Senior Editor of the Columbia Law Review, and intern with the NOW Legal Defense & Education Fund and the New York Civil Liberties Union's Reproductive Rights Program.

Scott is admitted to the Supreme Court, the Second Circuit, the Tenth Circuit, the Southern District of New York, the Eastern District of New York, and the District of Colorado.

#### **Katherine Gillespie, Senior Federal Policy Counsel**

Katherine Gillespie is senior federal policy counsel at the Center for Reproductive Rights, where she leads the development and implementation of strategies to ensure protection for reproductive rights and access to reproductive healthcare in the US, with a particular focus on administrative advocacy and oversight.

Prior to joining the Center, Katherine spent over seven years at the Consumer Financial Protection Bureau, holding several different roles, including most recently as a senior executive in the Division of Consumer Education and Engagement. Her work included overseeing the strategic direction and implementation of projects aimed at empowering the traditionally underserved, older Americans, servicemembers, and students. She also managed responses to requests from various oversight bodies, including the United States Congress, the Office of Inspector General, and the Government Accountability Office. Prior to that role, she served as Senior Counsel to the Deputy Director of the Bureau, advising senior agency executives on policy and oversight issues and preparing for testimony before the United States Congress.

Before joining the Bureau, Katherine was a civil rights attorney at Relman, Dane & Colfax LLP, litigating fair housing and other civil rights claims on behalf of plaintiffs. From 2002 to 2008, Katherine was counsel at WilmerHale, where she had a substantial pro bono practice, representing reproductive rights organizations, immigrants, and other individuals in cases alleging discrimination and other civil rights issues. She served as a fellow at the Washington Lawyers' Committee for Civil Rights and Urban Affairs. Katherine also clerked for the Chief Judge of the United States Court of Appeals for the Ninth Circuit.

Katherine has also taught on the United States Supreme Court and the United States Constitution as adjunct faculty in the Department of Government at American University. She holds a J.D. from Georgetown University Law Center and a B.A. (with Honors) in History and Spanish from the University of Wisconsin-Madison.

#### Resources:

1. NIFLA v Becerra
2. Vazzo v City of Tampa
3. Human Rights Watch Letter
4. Roe and the Intersectional Liberty Doctrine
5. The Trump Administration Wants to Censor Doctors