

Courtney Megan Cahill  
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## Academic Positions

2012 – Present	Donald Hinkle Professor of Law, Florida State University, College of Law
2009 – 2011	Visiting Associate Professor of Political Science, Brown University (Gender, Sexuality & the Law and Constitutional Law)
2007 – 2012	Professor of Law, Roger Williams University, School of Law
Fall 2006	Visiting Associate Professor of Law, Washington and Lee University, School of Law
Winter 2006	Visiting Instructor of Law, University of Michigan Law School (Gender, Sexuality & the Law)
2003 – 2007	Assistant & Associate Professor of Law, University of Toledo, College of Law

## Education

J.D.	Yale Law School, <i>The Yale Law Journal</i> (Chief Essays Editor), 2001
Ph.D.	Comparative Literature, Princeton University, 1999
B.A.	Classics & Literature, <i>summa cum laude</i> , Phi Beta Kappa Barnard College, Columbia University, 1993

## Doctoral Dissertation

1999	<i>Boccaccio's Decameron and the Fictions of Progress</i>
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## Awards and Fellowships

2020	FSU Teaching Award Nominee
2017	Dukeminier Award, Michael Cunningham Prize (for <i>Oedipus Hex</i> ); FSU Teaching Award Nominee
2015	FSU Teaching Award Nominee
2000	Coker Teaching Fellow (Yale, for Professor Reva Siegel)
2000	Colby Townsend Prize (best paper by a second-year student) (Yale)
1997	Mellon Fellow, Center for Human Values (Princeton)
1996	Fulbright Fellow (Florence, Italy)
1995	C. H. Grandgent Award (Harvard)
1993	Honors & Distinction in Majors (Barnard College)

1993 Jean Willard Tatlock Prize (for excellence in Latin); W. Cabell Greet Prize (for excellence in English Literature)

### Professional Experience & Professional Associations

2002-2003 Law Clerk to the Honorable Harold Baer, Jr.,  
United States District Court, Southern District of New York

2001-2002 Associate, Simpson Thacher & Bartlett, New York, New York

2001- Present New York State Bar, Member

### Areas of Academic Specialization

Constitutional Law, Reproductive Rights, Family Law, Sexuality and the Law

### Courses Taught

Constitutional Law (Constitutional Law I & II, including First Amendment), Family Law, Property, Criminal Law, Sexuality and the Law

### University Service

2020 – 2021	Chair, Appointments Committee
2019 – 2020	Associate Dean for Research; Member, Promotion & Tenure Committee
2018 – 2019	Chair, Promotion & Tenure Committee; Member, Appointments Committee
2017 – 2018	Member, Curriculum Committee (Spring); Member, Judicial Clerkships (Spring)
2016 – 2017	Member, Promotion & Tenure Committee (Fall); Chair, Promotion & Tenure Committee (Spring)
2015 – 2016	Member, Dean Search Committee; Chair, Curriculum Committee; Member, Promotion & Tenure Committee
2014 – 2015	Chair, Admissions Committee
2013 – 2014	Member, Appointments Committee
2011 – 2012	Chair, Honors Program
2010 – 2011	Member, Admissions Committee
2008 – 2010	Member, Appointments Committee
2007 – 2008	Member, Curriculum Committee
2003 – 2007	Member, Appointments Committee

## Books

ESTATES IN LAND AND FUTURE INTERESTS: A STEP-BY-STEP GUIDE 6<sup>th</sup> ed. (forthcoming) (Wolters Kluwer 2021) (with Linda Edwards).

## Articles and Essays

*Reproductive Exceptionalism In and Beyond Birth Rights*, 100 B.U. L. REV. ONLINE 152 (2020) (online symposium responding to DOV FOX, BIRTH RIGHTS AND WRONGS: HOW MEDICINE AND TECHNOLOGY ARE REMAKING REPRODUCTION AND THE LAW (2019)).

*The New Maternity*, 133 HARVARD LAW REVIEW 2221 (2020).

*After Sex*, 97 NEBRASKA LAW REVIEW 1 (2018).

*Universalizing Anonymity Anxiety*, 3 J. L. & BIOSCIENCES 647 (2016) (Invited).

*Reproduction Reconceived*, 101 MINNESOTA LAW REVIEW 617 (2016).

- Reprinted in *Minnesota Family Law Journal* (2018)

*Obergefell and the “New” Reproduction*, 100 MINNESOTA LAW REVIEW HEADNOTES 1 (2016).

*The Oedipus Hex: Regulating Family After Marriage Equality*, 49 U.C. DAVIS LAW REVIEW 183 (2015).

- Winner, Dukeminier Award; Michael Cunningham Prize (2017)
- Reviewed in Jotwell: <http://family.jotwell.com/2016/03/>.

*Does the Public Care how the Supreme Court Reasons? Empirical Evidence and Normative Concerns in the Case of Same-Sex Marriage* (with Geoffrey Rapp), 93 NORTH CAROLINA LAW REVIEW 303 (2015).

*Abortion and Disgust*, 48 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 410 (2013).

*Regulating at the Margins: Non-Traditional Kinship and the Legal Regulation of Intimate and Family Life*, 54 ARIZONA LAW REVIEW 43 (2012).

*Disgust and the Problematic Politics of Similarity*, 109 MICHIGAN LAW REVIEW 943 (2011) (essay reviewing MARTHA NUSSBAUM, FROM DISGUST TO HUMANITY: SEXUAL ORIENTATION & CONSTITUTIONAL LAW (2010)).

*Celebrating the Differences That Could Make a Difference: United States v. Virginia and a New Vision of Sexual Equality*, 70 OHIO STATE LAW JOURNAL 943 (2010) (Justice Ginsburg Symposium).

*(Still) Not Fit to Be Named: Moving Beyond Race to Explain Why ‘Separate’ Nomenclature for Gay and Straight Relationships Will Never Be ‘Equal,’* 97 THE GEORGETOWN LAW JOURNAL 1155 (2009).

*Rhetorical Atavism and the Narrative of Progress in the Debate Over Marriage Equality*, 1 THE FREEDOM CENTER JOURNAL 64 (2008) (Symposium and Invited Contribution to the Inaugural Issue of *the Freedom Center Journal*, University of Cincinnati College of Law).

*“If Sex Offenders Can Marry, Then Why Not Gays and Lesbians?”: An Essay on the Progressive Comparative Argument*, 55 BUFFALO LAW REVIEW 222 (2007) (Invited Contribution to the Annual Essays Issue).

*The Genuine Article: A Subversive Economic Perspective on the Law’s Procreationist Vision of Marriage*, 64 WASHINGTON & LEE LAW REVIEW 393 (2007).

*Same-Sex Marriage, Slippery Slope Rhetoric, and the Politics of Disgust: A Critical Perspective on Contemporary Family Discourse and the Incest Taboo*, 99 NORTHWESTERN UNIVERSITY LAW REVIEW 1543 (2005).

*“What is Our Bane, That Alone We Have in Common”: Incest, Intimacy, and the Crisis of Naming*, 21 STUDIES IN LAW, POLITICS, AND SOCIETY 3 (A. Sarat & P. Ewick, eds, 2000) (Invited Contribution).

## Works in Progress

*Exceptional Cases* (essay surfacing Justice Ginsburg’s incorporation of the “rule of 1” into sex-equality law and arguing that the “rule of 1” destabilizes even—or especially—those laws predicated on “real” biological difference).

*Abortion after Ramos and Roe’s Imagined Reversal* (essay arguing that *Ramos v. Louisiana* opens up possibilities for using the history behind criminal abortion laws to contest contemporary abortion regulation on equality grounds).

*Reproductive Rights and Free Exercise Creep* (article arguing that Chief Justice Roberts’ abandonment of *Whole Woman’s Health* in *June Medical* exemplifies the troubling creep of free exercise principles into the law of reproductive rights and questioning what that creep means for fact-based litigation moving forward).

*Equality on Top* (article surveying criminal breast exposure laws and arguing that such laws offer an opportunity to revisit “reasoning from the body” in a world where the body is not a reliable indicator of sex, if it ever was at all).

*Bigotry and the Body* (book project surveying how law and social practice have deployed the body over time to justify and sustain discrimination and subordination on the bases of race, sex, sexual orientation, and transgender identity).

## Conferences/Presentations/Media Appearances & Contributions

2020

- Women and the Court After RBG, Speaker, co-hosted by Debevoise & Plimpton and Yale Law Women

- *The New Maternity*, Faculty Presentation at the University of Richmond Law School & the Jepson School for Leadership Studies
- *The New Maternity*, Faculty Workshop, University of San Diego School of Law
- Contributing Editor, Jotwell (Family Law Section)
- *Kinship at the Border*, Jotwell (reviewing NARA B. MILANICH, *PATERNITY: THE ELUSIVE QUEST FOR THE FATHER* (2019))

#### 2019

- Contributing Editor, Jotwell (Family Law Section)
- *The Space In-Between*, Jotwell (reviewing Naomi R. Cahn, *Revisiting Revocation upon Divorce?*, 103 IOWA L. REV. 1880 (2018))
- *The New Maternity*, Faculty Presentation, UCLA School of Law
- *The New Maternity*, Baby Markets Roundtable, The George Washington University Law School
- Commentator, Baby Markets Roundtable, The George Washington University Law School
- *The New Maternity*, Faculty Workshop, The University of Arizona, James E. Rogers College of Law
- Contributor, *Take Care* Online Symposium (*Disestablishing the Mother & Courts, Law, and Social Change: A Response to Litman*) (invited commentary on REPRODUCTIVE RIGHTS AND JUSTICE STORIES (Kate Shaw, Reva Siegel, & Melissa Murray, eds. 2019))
- Speaker, The Supreme Court's Title VII cases, 2019 Term, Holland & Knight, Boston, Mass.

#### 2018

- Contributing Editor, Jotwell (Family Law Section)
- *The Story of Parenthood*, Jotwell (reviewing Douglas NeJaime, *The Nature of Parenthood*, 126 YALE L.J. 2260 (2017))
- *Perfecting Procreation*, Jotwell (reviewing JUDITH DAAR, *SELECTIVE BREEDING IN AN ERA OF REPRODUCTIVE TECHNOLOGIES* (2017))
- Williams Institute Dukeminier Awards Journal Selection Committee

#### 2017

- Contributing Editor, Jotwell (Family Law Section)
- St. Stephen Lutheran Church, Tallahassee (guest speaker, LGBT rights in the new administration)
- *Sex and the New Reproduction*, Baby Markets, University of Texas School of Law

#### 2016

- Contributing Editor, Jotwell (Family Law Section)
- *On Marriage Equality and Transformation Through Preservation*, Jotwell (reviewing Douglas NeJaime, *Marriage Equality and the New Parenthood*, 129 HARV. L. REV. 1185 (2016))
- *Reproduction Reconceived*, Baby Markets, University of California, Irvine School of Law

#### 2015

- AALS Workshop on Shifting Foundations in Family Law, Orlando (presenting *Gay Rights and the Procreative Right*)
- *After Marriage* panel, American Constitution Society, Washington, D.C. (moderator)

- Florida First District Court of Appeal (Lunch & Learn Series) (family law issues after marriage equality)
- *Same-Sex Marriage: Religious Liberty After Obergefell: A Discussion*, Federalist Society Debate, FSU College of Law
- *Same-Sex Marriage: A Conservative, a Libertarian, and a Liberal*, Federalist Society Debate, FSU College of Law
- Tallahassee Women Lawyers (legal issues after marriage equality)
- Interview with Gina Jordan from WLRN (Miami), South Florida's NPR affiliate (discussing marriage equality in Florida and nationally as well as the emerging conflict between marriage equality and religious freedom) (aired February 3 and 4, 2015)

#### 2014

- *After Marriage* Symposium, Florida State University College of Law (January 2014) (organizer)

#### 2013

- *Law, Humanities, and the Vulnerable Subject*, 2013 AALS Annual Meeting (panelist)
- *After Marriage*, Brown University, LGBTQ Resource Center (speaker)
- *The Same-Sex Marriage Debate*, Brown University, Taubman Center for Public Policy & American Institutions (panelist)

#### 2012

- Marriage Equality Teach-In, Brown University (panelist)

#### 2010

- *Family Law and the Marginal Moment*, Marquette Law School (faculty presentation)
- *Beyond Prop 8: Race, Sexuality, Religion, and Same-Sex Marriage*, Annual Masha Dexter Lecture, Brown University
- *Religious Liberty and Same-Sex Marriage in Rhode Island*, Federalist Society Debate, Roger Williams School of Law

#### 2009

- *Reorienting Sexual Orientation and the Law: Lessons Learned from Justice Ginsburg and United States v. Virginia*, presented at "The Jurisprudence of Justice Ruth Bader Ginsburg: A Discussion of Fifteen Years on the U.S. Supreme Court," Ohio State University, Moritz College of Law
- *The Legal Case for Marriage Equality*, Brown University (Brown Democrats)
- *The Legal Case for Marriage Equality in Rhode Island*, Providence, Rhode Island (Rhode Island Young Democrats)
- *(Still) Not Fit To Be Named: Moving Beyond Race To Explain Why 'Separate' Nomenclature for Gay and Straight Relationships Will Never Be 'Equal.'* Brown University (Janus Conversation)
- *Law and the Marginal Moment*, Brown University (Pre-Law Society)
- *(Still) Not Fit To Be Named: Moving Beyond Race To Explain Why 'Separate' Nomenclature for Gay and Straight Relationships Will Never Be 'Equal.'* Brown University (Out to Lunch Series)

2008

- *The “S” Word*, Chapman University School of Law (FIRST Series, Fresh Ideas from Rising Scholars and Teachers)
- *The “S” Word*, Feinstein Institute Speaker Series, Roger Williams School of Law

2007

- *Rhetorical Atavism and the Narrative of Progress in the Debate Over Marriage Equality*, presented at “Reconstructions: Historical Consciousness and Critical Transformation,” University of Cincinnati College of Law
- *Just Rhetoric?: How (and Why) Rhetoric is Driving the Debate Over Marriage Equality*, University of Michigan Law School

2006

- *The Genuine Article: A Subversive Economic Perspective on the Law’s Procreationist Vision of Marriage*, Feminism and Legal Theory Workshop, Emory Law School

2004

- Panelist & Speaker, *Justice Scalia’s Jurisprudence*, University of Michigan Law School

2000

- “*What is Our Bane, That Alone We Have in Common*”: *Incest, Intimacy, and the Crisis of Naming*, presented at Law, Culture, and the Humanities Conference, Washington, D.C.