

SERENA MAYERI

University of Pennsylvania Carey Law School
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ACADEMIC APPOINTMENTS

- University of Pennsylvania Carey Law School, Philadelphia, PA** 2006 - present
Professor of Law and History, July 2011 - present
Assistant Professor, 2006-11.
Secondary Appointment in Department of History, 2008-present.
Core Faculty Member, Program on Gender, Sexuality, and Women's Studies, 2012-present.
Courses: Family Law; Employment Discrimination; Gender and the Law; Law and Social Movements in Twentieth-Century America; Feminist Legal Advocacy; Marriage: History and Law; Interdisciplinary Perspectives on Law and the Family; *Dobbs v. Jackson Women's Health Organization* in Legal and Historical Perspective
Research interests: Feminism and civil rights; history of marriage, family, work, and citizenship.
- New York University School of Law, New York, NY** 2004 - 06
Samuel I. Golieb Fellow in Legal History.
- Yale University, New Haven, CT** 1999 - 2002
Teaching Fellow in U.S. Intellectual History and in U.S. Social and Political History.
Coker Teaching Fellow, Fall 2000. First-term Constitutional Law section.

EDUCATION

- Yale University, Department of History, Ph.D., 2006**
(Lerner-Scott and George Washington Egleston dissertation prizes); Distinction in Qualifying Examinations
Contributing Editor, Opportunity Journal; State of Black America (National Urban League)
- Yale Law School, J.D., 2001**
Yale Law Journal: Senior Editor; *Yale Journal of Law and the Humanities:* Articles Editor; Executive Editor
Internships: Lawyers' Committee for Civil Rights Under Law; NOW Legal Defense and Education Fund
- Harvard College, A.B., *summa cum laude*, in Social Studies, 1997**
Thomas T. Hoopes Prize for honors thesis; Phi Beta Kappa; *Harvard Political Review:* Asst. Managing Editor
Harvard Magazine: Berta Greenwald Ledecy Fellow; Research assistant, National Bureau of Economic Research, Radcliffe Public Policy Institute

CLERKSHIP

- Hon. Guido Calabresi, U.S. Court of Appeals, Second Circuit, New Haven, CT** 2003 – 04

PUBLICATIONS

Books

- The Status of Marriage: Marital Supremacy Challenged and Remade, 1960-2000* (manuscript-in-progress).
- Reasoning from Race: Feminism, Law, and the Civil Rights Revolution* (Harvard University Press, 2011).
Recipient of Littleton-Griswold Prize (American Historical Association)
and Darlene Clark Hine Award (Organization of American Historians)

Articles, Essays, Book Chapters

- “The Intersectional Origins of Modern Feminist Legal Advocacy,” *Yale Journal of Law and Feminism* (symposium), forthcoming 2023.
- “Equal Protection in *Dobbs* and Beyond: How States Protect Life Inside and Outside the Abortion Context,” with Reva Siegel and Melissa Murray, *Columbia Journal of Gender and the Law* (2023).
- “The State of Illegitimacy After the Civil Rights Revolution,” in *Intimate States: Gender, Sexuality, and Governance in Modern U.S. History*, ed. Margot Canaday, Nancy F. Cott, and Robert O. Self, Chicago: University of Chicago Press, 2021.
- “Race, Sexual Citizenship, and the Constitution of Nonmarital Motherhood,” in *Histories of Heterosexuality*, ed. Rebecca L. Davis and Michele Mitchell, New York: New York University Press, 2021.
- “After Suffrage: The Unfinished Business of Feminist Legal Advocacy,” Collection on the Centennial of the Nineteenth Amendment, *Yale Law Journal Forum* (online), January 2020.
- “Un-Dueing *Roe*: Constitutional Conflict and Political Polarization in *Planned Parenthood v. Casey*,” in *Reproductive Rights and Justice Law Stories* ed. Reva B. Siegel, Melissa Murray, and Katherine Shaw, Foundation Press, 2019.
- “Intersectionality and the Constitution of Family Status,” 32 *Constitutional Commentary* 377 (2017).
- “Foundling Fathers: (Non)-Marriage and Parental Rights in the Age of Equality,” 125 *Yale Law Journal* 2182 (2016).
- “Marriage (In)equality and the Historical Legacies of Feminism,” 6 *California Law Review Circuit* 126 (2015) (Symposium on *Obergefell v. Hodges*).
- “Marital Supremacy and the Constitution of the Nonmarital Family,” 103 *California Law Review* 1277 (2015).
- “Intersectionality and Title VII: A Brief (Pre-)History,” 95 *Boston University Law Review* 713 (2015) (Symposium: The Civil Rights Act at 50).
- “Pauli Murray and the Twentieth-Century Quest for Legal and Social Equality,” 2 *Indiana Journal of Law and Social Equality* 80 (2014) (Symposium: Social Equality: Looking Back, Looking Forward).
- “Historicizing ‘The End of Men’: The Politics of Reaction(s),” 93 *Boston University Law Review* 729 (2013). (Symposium: Legal and Other Perspectives on *The End of Men*).
- “‘When the Trouble Started’: The Story of *Frontiero v. Richardson*,” in *Women and the Law Stories* (Foundation Press, 2010).
- “A New ERA or a New Era? Amendment Advocacy and the Reconstitution of Feminism,” 103 *Northwestern University Law Review* 1223 (2009). Reprinted in *Women and the Law* (Jane C. Moriarty ed., 2010).
- “Civil Rights on Both Sides: Reproductive Rights and Free Speech in *Schenck v. Pro-Choice Network*,” in *Civil Rights Stories* (Foundation Press, 2008).
- “Gender Equality” (with Nathaniel Persily, et al.), in *Public Opinion and Constitutional Controversy* (Oxford University Press, 2008).
- “Reconstructing the Race-Sex Analogy,” 49 *William and Mary Law Review* 1789 (2008).
- “The Strange Career of Jane Crow: Sex Segregation and the Transformation of Anti-Discrimination Discourse,” 18 *Yale Journal of Law and the Humanities* 187 (2006).
- “Constitutional Choices: Legal Feminism and the Historical Dynamics of Change,” 92 *California Law Review* 755 (2004).
- “‘A Common Fate of Discrimination’: Race-Gender Analogies in Legal and Historical Perspective,” 110 *Yale Law Journal* 1045 (2001) (Note).

Book Reviews

- “Pioneers of Precarity,” Forum on Margot Canaday, *Queer Career: Sexuality and Work in Modern America*, in *Modern American History*, forthcoming 2023.
- “Equality and Liberty After Dobbs,” *Balkanization* (reviewing James Fleming, *Constructing Basic Liberties: A Defense of Substantive Due Process*), Oct. 23, 2022.
- “The Lawless Workplace,” Book Review of Premilla Nadasen, *Household Workers Unite: The Untold Story of the African American Women Who Built a Movement*, *Jotwell*, July 2017.
- “The Lost Promise of Title VII,” Book Review of Katherine Turk, *Equality on Trial: Gender and Rights in the Modern American Workplace*, *Jotwell*, August 2016.
- “Marriage Equality and Marital Supremacy,” Comment on Katherine Franke, *Wedlocked: The Perils of Marriage Equality*, *Boston University Law Review Annex* (online), April 2016.
- “Queering the History of Sex Discrimination,” Book Review of Phil Tiemeyer, *Plane Queer: Labor, Sexuality, and AIDS in the History of Male Flight Attendants*, *Jotwell*, February 2015.
- “Sex and Civil Liberties,” Book Review of Leigh Ann Wheeler, *How Sex Became a Civil Liberty*, *Jotwell*, April 2014.
- Book Review, Dennis DeSlippe, *Protesting Affirmative Action: The Struggle over Equality after the Civil Rights Revolution* (Johns Hopkins University Press, 2012), *Journal of American Studies* (2013).
- Book Review, Holly J. McCammon, *The U.S. Women’s Jury Movements and Strategic Adaptation: A More Just Verdict* (Cambridge University Press, 2012), *Journal of American History* (June 2013).
- “Family Matters: The Sexual Revolution in American Politics,” Book Review of Robert O. Self, *All in the Family: The Realignment of American Democracy Since the 1960s*, *Jotwell*, February 2013.
- “The Law of Aging,” Book Review of Hendrik Hartog, *Someday All This Will Be Yours: A History of Inheritance and Old Age*, *Jotwell*, March 2012.

Short Pieces, Op-Eds, Blogs, Podcasts

- Gender Jawn (Penn GSWS podcast), Season 3, Episode 1, Summer 2022: On the *Dobbs* Decision and the Future of Reproductive Care (interviewed).
- “Pauli Murray vs. Jane Crow,” WUNC (North Carolina Public Radio Podcast), February 5, 2021 (interviewed).
- “Ruth Bader Ginsburg Made the Impossible Look Easy,” *Philadelphia Inquirer*, September 20, 2020 (op-ed).
- “Fighting Jane Crow: The Multi-Faceted Life and Legacy of Pauli Murray.” *BackStory* (podcast), March 10, 2020 (interviewed for segment).
- “What the Kavanaugh Nomination Means for Legal and Social Movements,” *Case in Point* (podcast), September 7, 2018.
- “How Abortion Rights Will Die a Death By a Thousand Cuts,” *New York Times* (online), August 30, 2018 (op-ed).
- “Understanding U.S. Immigration Policy and Trump’s Family Separation Executive Order,” *Case in Point* (podcast) (with Sarah Paoletti), June 26, 2018.
- “Trump’s Family Cruelty Policy,” *Los Angeles Times*, June 20, 2018 (op-ed) (with Kristin Collins and Hiroshi Motomura).
- “Trump’s Travel Ban Disregards Constitutional Family Values,” *Honolulu Star-Advertiser*, July 13, 2017 (op-ed).
- “Loving, Marriage, and Inequality,” *Constitution Daily*, National Constitution Center blog, June 16, 2017.
- “The Functions of Family Law,” Response to Melissa Murray, “Family Law’s Doctrines,” 163 *University of Pennsylvania Law Review Online* 377 (2015).
- “Filling in the (Gender) Gaps,” A Response to Patricia Seith, “Congressional Power to Effect Sex Equality,” *Harvard Journal of Law and Gender* website (February 2013).

- “How Can the Marriage Equality Movement Reason from Race?” American Constitution Society (ACS) Blog, September 8, 2011.
- “A Legal Historian’s First Book,” Multi-Part Guest Posts, Legal History Blog, June 2011.
- “Women: United States Law,” in *Oxford International Encyclopedia of Legal History* (Oxford University Press, 2009).
- “Pauli Murray,” in *Encyclopedia of the Supreme Court of the United States* (Macmillan, 2008).
- “Two Women, Two Histories,” *Harvard Magazine* (November/December 2007).
- “How and Why Was Feminist Legal Strategy Transformed, 1960-1973?” *Women and Social Movements, 1600-2000* (website: Alexander Street Press, 2007).

SELECTED AMICUS BRIEFS

- Brief of Amici Curiae Professors of History and Law, *Planned Parenthood of Michigan v. Attorney General*, Case No. 22-000044-MM (2022) (co-author with Patricia Cline Cohen, Kristin Collins, and Mary Ziegler).
- Brief of Equal Protection Constitutional Law Scholars Serena Mayeri, Melissa Murray, and Reva Siegel as Amici Curiae, *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. ___ (2022) (co-author).
- Brief of Historians as Amici Curiae in Support of Employees, *Bostock v. Clayton County*, 590 U.S. __ (2020) (co-author with Margot Canaday, Nancy F. Cott, and Anna Lvovsky).
- Brief Amicus Curiae of Immigration, Family, and Constitutional Law Scholars, *Trump v. Hawaii*, 585 U.S. __ (2018) (coordinator and secondary co-author in Ninth Circuit and U.S. Supreme Court).

SELECTED HONORS AND AWARDS

- Robert A. Gorman Award for Excellence in Teaching, University of Pennsylvania Law School, 2019.
- Distinguished Lecturer, Organization of American Historians, 2016-present.
- Littleton-Griswold Prize, American Historical Association (awarded for best book in any subject on the history of American law and society), 2012.
- Darlene Clark Hine Award, Organization of American Historians (awarded for best book on African American women’s and gender history), 2012.
- Jane Rainie Opel Young Alumna Award, Radcliffe Institute for Advanced Study, Harvard University, 2007.
- Lerner-Scott Prize, Organization of American Historians (awarded for best dissertation on U.S. Women’s History), 2007.
- George Washington Egleston Historical Prize for Dissertation, Yale University (co-recipient), 2006.
- Michael Egger Prize for Best Student Note on a Current Social Problem, *Yale Law Journal*, 2001.
- Columbia/Georgetown/USC Law and Humanities Interdisciplinary Junior Scholar Workshop, 2003.
- Richard J. Franke Fellowship in the Humanities, Yale University, 2001-03, 1997-98; Mellon Gender History Summer Fellowship, Harvard University, 2002.
- Legal History Fellowship, Yale Law School, 2000-01; Coker Teaching Fellowship, Yale Law School, 2000.
- Thomas Temple Hoopes Prize for Senior Honors Thesis, Harvard College, 1997.
- Phi Beta Kappa (junior year election), Harvard College, 1996.
- Institute of Politics Political Journalism Award, Harvard University, 1996.
- Detur Prize for First-Year Achievement, Harvard College, 1994.

LECTURES and CONFERENCE PRESENTATIONS (selected, past five years)

Participant, Future of Reproductive Justice Conference, Wake Forest University School of Law, June 2023.

Panelist, “Why Was *Roe v. Wade* Overturned? Lessons from History,” Penn Women’s Center, April 2023.

Presenter, University of Minnesota Law School Faculty Workshop and Law and History Workshop, April 2023.

Panelist, Origins Stories, Feminist Legal Praxis: Origins, Challenges, and Directions, *Yale Journal of Law and Feminism* symposium: Meeting the Moment: Legal Frameworks for Feminist Futures, Yale Law School, March 2023.

Invited Speaker, Brigitte Bodenheimer Lecture on Family Law, University of California, Davis, School of Law, March 2023.

Panelist, “Deeply Rooted: The Aftermath of *Dobbs*,” *Tennessee Journal of Race, Gender, and Law* symposium, University of Tennessee College of Law, March 2023.

Panelist, Debunking *Roe* Webinar, Pennsylvania Bar Institute, February 2023.

Panelist, *Dobbs v. JWHO*, Penn Medical Students for Choice and Future Doctors in Politics, University of Pennsylvania Perelman School of Medicine, February 2023.

Invited Speaker, Democracy, Equality, and Reproductive Justice: Abortion and Beyond, Inaugural Marcus-Matalon Lecture on U.S. Law, Queen’s University School of Law, Kingston, Ontario, Canada, January 2023.

Panelist, Authors Meet Readers: Two Extraordinary Pathfinders and their Times: Eliza Harriot and Constance Baker Motley (commentator on biographies by Tomiko Brown-Nagin and Mary Sarah Bilder), American Society for Legal History Annual Meeting, November 2022.

Invited Speaker, “The Law and Politics of Equality After *Dobbs*,” Penn Forum of Women Faculty, September 2022.

Panelist, The Fight for Gender Equality, Part II: The ERA in the Twenty-First Century, Birnbaum Women’s Leadership Network/NYU, Columbia ERA Project, and Ms. Magazine, March 2022.

Panelist, ERA and Abortion Rights, *Columbia Journal of Gender and Law* Symposium, March 2022.

Presenter, Introduction and two chapters from *The Status of Marriage*, NYU Legal History Colloquium, November 2021.

Presenter, “Double Standards: Sex, Sexuality, and Marital Status in the Long 1970s”

University of Chicago Constitutional Law Workshop, April 2021.

Gender, Law, and Policy Colloquium, Boston University School of Law, September 2020.

Penn Law Ad Hoc Faculty Workshop, July 2020.

American Society for Legal History Annual Meeting, Boston, November 2019.

St. John’s University School of Law, Faculty Workshop, Queens, New York, September 2019.

University of California at Irvine School of Law, Irvine, California, August 2019.

Moderator, If/When/How Panel on Reproductive Justice, University of Pennsylvania Law School, November 2021.

Panelist, Forced Sterilization in Immigration Detention, University of Pennsylvania Law School, April 2021.

Invited Speaker, “Voting Rights as the Future of Feminism,” Glass Ceilings, Glass Walls: Intersections in Legal Gender Equality and Voting Rights One Hundred Years After the Nineteenth Amendment, Minnesota Law Review Symposium, April 2021.

Invited Lecturer, Marriage (In)equality in the United States, Waseda University School of Law Transnational Program (Tokyo, Japan, via Zoom), March 2021.

Moderator, Keynote Address of Hon. Charlotte Burrows, Chair, Equal Employment Opportunity Commission, University of Pennsylvania Journal of Law and Public Affairs Symposium, March 2021.

Moderator, The Past and Future of Reproductive Choice (with Reva B. Siegel and Linda Greenhouse), Wolf Humanities Center, University of Pennsylvania, February 2021.

Moderator, Action Panel: Impact Litigation and LGBTQ+ Health, Lambda Law Annual Symposium, February 2021.

Invited Speaker, From the Equal Rights Amendment to Black Lives Matter: Reflecting on Intersectional Struggles for Equality, University of Virginia School of Law, January 2021.

Commentator, *Fulton*, Faith, Families, and Foster Care Conference, University of Virginia School of Law, January 2021.

Invited Speaker, Yale Law School Legal History Reading Group, November 2020.

Invited Speaker, Second Circuit Judicial Conference: Women and the Law, September 2020.

Participant, BackStory Podcast: "Fighting Jane Crow: The Life and Legacy of Pauli Murray," March 2020.

Presenter, "Hapless and Innocent Children: Race and Poverty, Welfare and 'Illegitimacy,' 1967-1972, Harvard Legal History Workshop, Cambridge, Mass., February 2020.

Presenter, "Race, Sexual Citizenship, and the Constitution of Nonmarital Motherhood," Panel: Histories of Heterosexuality, American Historical Association Annual Meeting, New York, New York, January 2020.

Presenter, Penn Law Faculty Retreat, Panel on Gender Identity, Disability, and Trauma in the Law School Classroom, September 2019.

Commentator, Family Law Scholars and Teachers Conference, Howard University, Washington, D.C., May 2019.

Invited Panelist, "Beyond the Usual Suspect [Classification]s: The Unfinished Business of Constitutional Sex Equality Advocacy," Conference: Legal Histories and Legacies of the Nineteenth Amendment, Stanford Law School, May 2019.

Commentator, Panel: "Freedom Work through the Lens of Feminist Legal Biography," Organization of American Historians Annual Meeting, Philadelphia, April 2019.

Commentator, Professor Julia Mahoney, "Feminism and Free Markets," Federalist Society Speaker Series, Penn Law, March 2019.

Commentator, Panel on New Voices in U.S. Legal History, American Historical Association Annual Meeting, Chicago, Illinois, January 2019.

Invited Speaker, Portrait Unveiling for Anna Pauline "Pauli" Murray, Yale Law School, November 2018.

Commentator, Panel on the Making of Twentieth-Century Equality Law, American Society for Legal History annual meeting, Houston, Texas, November 2018.

Presenter, "The First Order of Business: Making Marriage Safe for Equality," Penn Law Ad Hoc Faculty Workshop, October 2018; Drexel Faculty Workshop, February 2019.

Presenter, Panel on Family Separation, Immigration, and Child Welfare Policy, Penn Law Faculty Retreat, September 2018.

Commentator, Family Law Scholars and Teachers Conference, Cardozo Law School, New York, New York, June 2018.

Presenter, Symposium: Celebration of Associate Justice Ruth Bader Ginsburg, Penn Law, February 2018.

Presenter, Conference on the Intimate State: Gender, Sexuality, and Governance in Modern U.S. History, Brown University, Providence, Rhode Island, February 2018.

Invited Panelist, Reconstruction: The Second Founding (Constitutional Law and Legal History Sections – Joint Program), AALS Annual Meeting, San Diego, California, January 2018.

Panelist: The American Legal Profession, Past and Present, at Celebration of Bob Gordon's *Taming the Past*, Stanford Law School, January 2018.

University of Pennsylvania

Faculty Advisory Board, Gender, Sexuality, and Women's Studies (GSWS) Program, 2013 – present.

Advisory Committee on the Brownlee Professorship (GSWS), 2016.

Governance Committee, 2014-15.

Executive Committee, Andrea Mitchell Center for the Study of Democracy, (formerly Program on Democracy, Citizenship, and Constitutionalism), March 2012 – present.

Member, Search Committee for African American History, Department of History, 2022-23.

Trustees' Council on Penn Women, member, 2015 – 20.

Parking Violations Board, 2014-16.

University Council Committee on Campus and Community Life (member), 2014-15.

Advisory Committee on the Presidential Term Professorship, 2013-15.

Penn Forum for Women Faculty Council (member), 2011-12.

Faculty Senate Nominating Committee (member), 2008-09.

Hearing Boards, Student Disciplinary System and Code of Academic Integrity (member), 2007-09.

Penn Law and History Consortium Conference on Law and Social Movements in U.S. History (co-organizer), Fall 2008.

National Constitution Center Ad Hoc Committee (member), 2006-07.

Penn Carey Law School

Faculty Appointments Committee (member), Fall 2023; Fall 2019, 2015-16, 2011-12.

Tenure and Promotions Committee (member), 2013-14, 2014-15, 2017-18, 2022-23.

Clerkships Committee (co-chair), 2018-19; (member), 2020-21, 2008-09, Spring 2010, 2010-11, 2011-12, 2012-13.

Academic Careers Committee (member), 2021-22, 2013-14, 2008-09.

Law and History Consortium (co-convenor), Spring 2008, 2008-09, 2010-2020.

Faculty Retreat Co-Convenor, 2014, 2021.

Ad-Hoc Faculty Workshop (co-convenor), 2022-23; 2007-08.

Advisory Committee on the Biddle Law Library, 2023; Search Committee for Biddle Law Library Director, 2019.

Williams Institute Moot Court Advisor, 2018-20, 2022-present.

Career Planning and Placement Committee (chair), 2016-17, 2017-18; (member), 2006-07, Spring 2010, 2010-11.

Educational Programs Committee (chair), 2014-15; Member, 2007-08, 2016-17.

Book Symposium Co-Convenor, 2015-16.

Academic Freedom and Responsibility Committee, Fall 2012 (alternate), 2013-14 (chair); Student Conduct and Responsibility Appeals Panel (member), 2013-14, 2014-15.

Search Committee for Child Advocacy Clinic Practice Professor (member), 2011.

Nominations Committee (chair), 2007-08.

Penn Law Team, National Moot Court Competition in Child Welfare and Adoption Law (faculty advisor), 2006-07.

Building Committee (member), 2006-07.

Advisory Board, *University of Pennsylvania Journal of Law and Social Change* (member), 2008-present.

Other

Cromwell Book Prize Committee, American Society for Legal History, 2022 (chair); 2020-21 (member).

Nominating Committee, American Society for Legal History, 2019-21 (co-chair).

Committee on Research Fellowships and Awards, American Society for Legal History, 2017 (member), 2018 (chair).

Chair, Joan Kelly Memorial Prize Committee, American Historical Association, 2016; Member, 2014, 2015.

Chair, Kathryn T. Preyer Memorial Prize Committee, American Society for Legal History, 2015, 2016; Member, 2014.

Chair, Darlene Clark Hine Award Committee, Organization of American Historians, 2013.

Paul Murphy Prize Committee, American Society for Legal History, 2012-2013 (member, two-year term).

Planning Committee, Association of American Law Schools, 2011 Workshop: Women Rethinking Equality.

Contributing Editor, Jotwell Legal History Section, 2010-18.

Member, Advisory Board, American Journal of Legal History, 2010-15.

Association for the Study of Law, Culture, and the Humanities: Secretary, 2010-2012; Member, Organizing Committee, 2009-2012; Chair, Nominating Committee, 2011-12; Chair, James Boyd White Prize Committee, 2010-11; Member, Nominating Committee, 2010; Member, Julien Mezey Dissertation Prize Committee, 2010 (preliminary round only), 2008.

Peer Reviewer, Princeton University Press, 2021-present; University of Chicago Press, 2021-present; Cambridge University Press, 2014-present; Harvard University Press, 2012-present; Oxford University Press, 2009-present; University of Pennsylvania Press, 2014-present; *Journal of American History*, 2011-present; *Law and History Review*, 2008-present; Women and Social Movements website, 2012-14.

Pace Law School Goettal Prize for Faculty Scholarship (juror), 2007.

Graduate Co-Chair, Faculty Search Committee, Yale Department of History, 2002-03.

Temporary Restraining Order (Domestic Violence) Project, Yale Law School, 1998-2001.

PROFESSIONAL ORGANIZATIONS

American Historical Association
American Society for Legal History
Law and Society Association
Organization of American Historians