

MELISSA MURRAY

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ACADEMIC APPOINTMENTS

New York University, School of Law

New York, NY

Frederick I. and Grace Stokes Professor of Law

September 2019-present

Professor of Law

July 2018-September 2019

Faculty Director, Birnbaum Women's Leadership Network

July 2018-present

Classes: Constitutional Law, Family Law, Feminist Legal Theory, Reproductive Rights and Justice.

Honors: Order of the Coif Distinguished Lecturer (2022); Jacob Javits Distinguished Professor (2020-21); William and Mary Law George Wythe Distinguished Lecturer (2021); Boston University School of Law Distinguished Lecturer (2021); Barbara Aronstein Black Distinguished Lecturer in Women and the Law (2020); Podell Distinguished Teaching Award (2019).

University of California, Berkeley

Berkeley, CA

Alexander F. and May T. Morrison Professor of Law

July 2016-present

Interim Dean

March 2016-July 2017

Professor of Law

July 2011-2016

Assistant Professor of Law

July 2006-July 2011

Classes: Constitutional Law, Family Law, Reproductive Rights and Justice, Criminal Law.

Honors: Townsend Center for the Humanities Fellow (2008); Association of American Law Schools' Derrick A. Bell Award (2009); Association of American Law Schools' Scholarly Papers Competition Winner (2011); Class of 2013 Graduation Faculty Speaker (2013); Dukeminier Award Winner (2013); Rutter Award for Teaching Distinction (2014); Boalt Hall Women's Association "Women Advancing the Law" Teaching Award (2016); Center for Reproductive Rights Innovation in Scholarship Award (2016); UC Davis, School of Law, Bodenheimer Lecturer (2017); If/When/How Faculty of the Year Award (2017); Klara Maria Fassbinder Visiting Professorship (2018).

EDUCATION

Yale Law School, J.D., 2002

New Haven, CT

Honors: NAACP-LDF/Shearman & Sterling Scholar, Morris Tyler Moot Court Semifinalist.

Activities: *Yale Law Journal*, Notes Development Editor, Black Law Students Association.

University of Virginia, B.A. with distinction (History and American Studies), 1997
Charlottesville, VA

Honors: Phi Beta Kappa, Jefferson Scholar (full merit scholarship), Echols Scholar (honors program),
Lawn Resident (honor reserved for top 40 students in the fourth-year class)

JUDICIAL CLERKSHIPS

The Honorable Sonia Sotomayor 2003-04
United States Court of Appeals for the Second Circuit

The Honorable Stefan R. Underhill 2002-03
United States District Court for the District of Connecticut

PUBLICATIONS

Books

- FEMINIST JURISPRUDENCE (6th ed. forthcoming 2022) (with L. Rosenbury, D. Tuerkheimer & K. Yuracko).
- REPRODUCTIVE RIGHTS AND JUSTICE STORIES (Foundation Press 2019) (with K. Shaw & R. Siegel).
- CASES AND MATERIALS ON REPRODUCTIVE RIGHTS AND JUSTICE (Foundation Press 2014) (with K. Luker).

Law Review Articles and Book Chapters

- *Abortion, Sterilization, and the Universe of Reproductive Rights*, 63 WM. & MARY L. REV. 1599 (2022).
- *Race-ing Roe: Reproductive Justice, Racial Justice, and the Battle for Roe v. Wade*, 134 HARV. L. REV. 2025 (2021).
- *The Symbiosis of Abortion and Precedent*, 134 HARV. L. REV. 308 (2020).
- *Sex and the Schoolhouse*, 132 HARV. L. REV. 1445 (2019) (reviewing J. Driver's *The Schoolhouse Gate: Public Education, The Supreme Court, and the Battle for the American Mind*).
- *Consequential Sex: #MeToo, Masterpiece Cakeshop, and Private Sexual Regulation*, 113 NW. U. L. REV. 825 (2019).
 - Winner, Dukeminier Award (2020).
- *Sexual Liberty and Criminal Law Reform: The Story of Griswold v. Connecticut*, in REPRODUCTIVE RIGHTS AND JUSTICE STORIES (2019) (M. Murray, K. Shaw & R. Siegel, eds.).
- *One is the Loneliest Number: The Complicated Legacy of Obergefell v. Hodges*, 70 HASTINGS L.J. 1263 (2019) (symposium contribution).
- *The Geography of Bigotry*, 99 BOSTON U. L. REV. 2611 (2019) (symposium contribution).
- *Inverting Animus: Masterpiece Cakeshop and the New Minorities*, 2018 SUP. CT. REV. 257.

- *Loving's Legacy: Decriminalization and the Regulation of Sexuality*, 86 *FORDHAM L. REV.* 2671 (2018) (symposium contribution).
- *Rights and Regulation: The Evolution of Sexual Regulation*, 116 *COLUM. L. REV.* 573 (2016).
- *Obergefell v. Hodges and the New Marriage Inequality*, 104 *CALIF. L. REV.* 1207 (2016).
- *Something Old, Something New: Reflections on the Sex Bureaucracy*, 7 *CALIF. L. REV. ONLINE* 122 (2016) (with K. Tani) (reviewing J. Gersen & J. Suk's *The Sex Bureaucracy*).
- *Family Law's Doctrine(s)*, 163 *U. PENN. L. REV.* 1985 (2015) (symposium contribution).
- *Accommodating Nonmarriage*, 88 *S. CAL. L. REV.* 661(2015).
- *Griswold's Criminal Law*, 47 *CONN. L. REV.* 1045 (2015) (symposium contribution).
- *Black Marriage, White People, Red Herrings*, 110 *MICH. L. REV.* 977 (2013) (reviewing R. Banks' *Is Marriage for White People?*).
- *Paradigms Lost*, 37 *N.Y.U. REV. L. & SOC. CHANGE* 291 (2013) (symposium contribution).
- *Marriage as Punishment*, 112 *COLUM. L. REV.* 1 (2012).
 - Winner, Association of American Law Schools' Scholarly Paper Competition (2011).
 - Winner, Association of America Law Schools' New Voices in Gender Studies Paper Competition (2011).
- *What's So New About the New Illegitimacy?*, 20 *AM. U. J. GENDER, SOC. POL'Y & L.* 387 (2012) (symposium contribution).
 - Winner, Dukeminier Award (2013).
 - Winner, Williams Institute, Michael Cunningham Prize (2013).
- *Made with Men in Mind: The GI Bill and Its Reinforcement of Gendered Work after World War II*, in *FEMINIST LEGAL HISTORY* (T. Boisseau & T. Thomas, eds., NYU Press, 2011).
- *Disestablishing the Family* (with Alice Ristroph), 119 *YALE L.J.* 1236 (2010).
- *The Space Between: The Cooperative Regulation of Criminal Law and Family Law*, 44 *FAM. L.Q.* 227 (2010) (symposium contribution).
- *Marriage Rights and Parental Rights: Parents, the State, and Proposition 8*, 5 *STAN. J. C.R.-C.L.* 357 (2010) (symposium contribution).
- *Strange Bedfellows: Criminal Law, Family Law, and the Legal Construction of Intimate Life*, 94 *IOWA L. REV.* 1253 (2009).
 - Nominated for a Dukeminier Award for the best law review articles on law and sexuality.
- *Equal Rites and Equal Rights*, 96 *CALIF. L. REV.* 1395 (2008).
- *When War is Work: The G.I. Bill and the Civic Generation*, 96 *CALIF. L. REV.* 967 (2008) (reviewing S. Mettler's *From Soldiers to Citizens*).
- *The Networked Family: Reframing the Legal Understanding Caregiving and Caregivers*, 94 *VA. L. REV.* 385 (2008).
- *I'd Like to Thank the Academy: Duncan Kennedy, CLS, and the Reproduction of Hierarchy*, 55 *J. LEGAL ED.* 65 (2005).

- *Whatever Happened to G.I. Jane?: Citizenship, Gender and Social Policy in the Postwar Era*, 9 MICH. J. GENDER & L. 91 (2002).

Short Pieces and Op-Eds

- *The End of Roe v Wade and New Legal Frontiers on the Constitutional Right to Abortion*, J. AM. MED. ASS'N (July 8, 2022) (with I. Cohen & L. Gostin).
- *Americans Are Losing Their Right to Not Conform*, N.Y. TIMES (June 6, 2022).
- *The Link Between Voting Rights and the Abortion Ruling*, WASH. POST (June 28, 2022) (with L. Litman & K. Shaw).
- *How the Right to Birth Control Could Be Undone*, N.Y. TIMES (May 23, 2022).
- *Alito's Aggressive Ruling Would Reach Way Beyond Roe*, WASH. POST (May 4, 2022) (with L. Litman).
- *The Milkmaid's Tale*, 57 CAL. W. L. REV. 211 (2021) (symposium foreword).
- *Pandemics, Privatization, and the Family*, 96 N.Y.U. L. REV. ONLINE 106 (2021) (with C. Millat).
- *A Podcast of One's Own*, 28 MICH. J. OF GENDER & L. 51 (2021) (with L. Litman & K. Shaw).
- *Sotomayor Saw She Couldn't Sway Her Colleagues. So She Talked to Us Instead*, WASH. POST (Dec. 3, 2021).
- *The Only Mother on the Court*, N.Y. TIMES (Dec. 2, 2021).
- *How the Supreme Court Could Decimate Abortion Without Overruling Roe*, WASH. POST (July 23, 2021) (with S. Mazie).
- *Don't Be Fooled: This is not a Moderate Supreme Court*, WASH. POST (July 1, 2021) (with L. Litman).
- *The Supreme Court's Conservative Super-majority is About to Show Us Its True Colors*, WASH. POST (May 17, 2021).
- *A New, Racialized Assault on Abortion Rights is Headed to the Supreme Court*, WASH. POST (Apr. 18, 2021).
- *The Republicans Have a Strong Message on the Courts. The Democrats Need One, too*, WASH. POST (Aug. 20, 2020).
- *The Supreme Court's Abortion Decision Seems Ripped from the Casey Playbook*, WASH. POST (June 29, 2020).
- *The Supreme Court Should Never Go Back to its Pre-Coronavirus Ways*, THE ATLANTIC (Apr. 15, 2020).
- *Law School in a Different Voice*, 1 WOMEN & L. 131 (2020).
- *The Equal Rights Amendment: A Century in the Making*, 43 N.Y.U. REVIEW LAW & SOCIAL CHANGE HARBINGER 91 (2019) (symposium foreword).
- *The Harvard Ruling Misses the Point*, N.Y. TIMES, at A29 (Oct. 3, 2019).
- *The Making of Black Lives Matter — and making it more inclusive*, WASH. POST (Oct. 4, 2018) (reviewing V. Ransby, MAKING ALL BLACK LIVES MATTER: REIMAGINING FREEDOM IN THE 21ST CENTURY).
- *The Sly, Private Moves to Outlaw Gays, Birth Control, Abortion*, NEWSWEEK (Dec. 3, 2017).

- *Intimate Choices, Public Threats — Reproductive and LGBTQ Rights under a Trump Administration*, NEW ENGLAND J. OF MED. (Jan. 26, 2017).
- *What Happens to a Feminist Dream Deferred?*, THE NATION (Jan. 12, 2017).
- *Lunching with a Legend: A Tribute to Herma Hill Kay*, 104 CALIF. L. REV. 587 (2016).
- *Supreme Court Term Limits Would Create Their Own Problems*, N.Y. Times.com Room For Debate (Mar. 19, 2016).
- *The Strange History of Marriage as Punishment*, MSNBC.com (Aug 14, 2015).
- *The New Marriage Inequality*, MSNBC.com (July 5, 2015).
- *Real-Life Effects of Court Rulings Should Matter as Well as the Law*, N.Y. Times.com Room For Debate (Jan. 27, 2015).
- *Overlooking Equality on the Road to Griswold*, 124 YALE L.J. F. 324 (2015).
- *Inequality's Frontiers*, 122 YALE L.J. ONLINE 235 (2013).
- *Panopti-Moms*, 4 CALIF. L. REV. CIRCUIT 165 (2013) (reviewing C. Rich's *Innocence Interrupted: Reconstructing Fatherhood in the Shadow of Child Molestation Law*).
- *Crossing the (Color) Line*, 16 J. GENDER RACE & JUST. 667 (2013) (symposium foreword).
- *What's in a Naim?*, Huffington Post (June 28, 2013).
- *Get Rid of the Penalty*, N.Y. Times.com Room For Debate (Apr. 14, 2013) (with D. Ventry).
- *Free to be Biased?*, N.Y. Times.com Room For Debate (Apr. 25, 2012) (with R. Robinson).
- *Law School for Poets*, 3 CALIF. L. REV. CIRCUIT 111 (2012) (symposium foreword).
- *The Softer Side of Criminal Law: Integrating Gender into the Criminal Law Curriculum*, 36 OKLAHOMA CITY U. L. REV. 525 (2012) (symposium essay).
- Op-ed, *Should Job Creation Favor Men?* (with Darren Rosenblum), S.F. CHRON., May 19, 2009, at A11.
- *The Private Life of Criminal Law*, in CRIMINAL LAW CONVERSATIONS (P. Robinson, S. Garvey & K. Ferzan, eds. 2009).
- *Quilloin v. Walcott*, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Thomson-Gale Publishing 2009)).
- *Federalism and Families*, in THE CHICAGO COMPANION TO THE CHILD (University of Chicago Press, 2008).
- *An FMLA That Fits More Families*, Blue Sky: New Ideas for the Obama Administration (available at <http://ideas.berkeleylawblogs.org/2009/02/18/an-fmla-that-fits-more-families/#more-36>) (2009).

Congressional Testimony

- Witness, A State of Crisis: Examining the Urgent Need to Protect and Expand Abortion Access, House Oversight Committee (September 30, 2021).
- Witness, Hearing on Threats to Reproductive Rights in America, House Judiciary Committee, Subcommittee on the Constitution, Civil Rights, and Civil Liberties (June 4, 2019).

- Witness, Hearing on the Nomination of Judge Brett Kavanaugh to the United States Supreme Court, Senate Judiciary Committee (Sept. 7, 2018).

Litigation Materials

- Brief of Law Professors Serena Mayeri, Melissa Murray, and Reva Siegel, *Dobbs v. Jackson Women's Health Organization* (2021) (U.S. Supreme Court).
- Brief of Law Professors Leah Litman and Melissa Murray, *Jackson Women's Health Organization v. Dobbs* (2019) (United States Court of Appeals for the Fifth Circuit).
- Brief of the National Women's Law Center and Other Groups, *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission* (2017) (U.S. Supreme Court).
- Brief of Law Professors Melissa Murray, I. Glenn Cohen, and B. Jessie Hill, *Whole Women's Health v. Hellerstedt* (2016) (U.S. Supreme Court).

SERVICE

New York University, School of Law

- Birnbaum Women's Leadership Network, Faculty Director (2019-present)
- Birnbaum Women's Leadership Network, Faculty Co-Director (2018-2019)
- Clerkship Committee (2018-present)
 - Chair (2019-present)

University of California, Berkeley

- Search Committee, University Executive Vice Chancellor and Provost (2017)
- Campus-wide Inclusive Classrooms Task Force (2015-2016)
- Search Committee, Berkeley Law Dean (2013-14)
- Faculty Interviewer, Regents and Chancellor's Scholarship program (2010-present)
- Haas Initiative for a Fair and Inclusive Society, LGBTQ Research Cluster (2011-present)

Berkeley Law

- Appointments Committee (2008-16)
 - Co-chair (2015-16)
 - Environmental Law Clinic Director Search (2015)
 - Equity Officer (2012-13, 2015-16)
 - Committee Member (2010-11, 2012-13, 2015-16)
 - Ad Hoc Service (2008-10)
 - Interviewed prospective candidates at the AALS Faculty Recruitment Conference
 - Attended committee meetings following Faculty Recruitment Conference
 - Served on subject area sub-committee reading groups
 - Drafted memoranda on prospective visitors to aid committee deliberations
- Academic Placement Committee (2007-10, 2014-15)
 - Co-Chair (2009-10)
 - Helped organize panels and "boot camps" for alumni on the entry-level academic market.

- Served as a resource for candidates on the entry-level academic job market.
- Thelton E. Henderson Center for Social Justice
 - Executive Director Search Committee (2013)
 - Executive Committee (2007-10)
 - Participated in long-term planning for Center, including staffing and hiring deliberations.
 - Developed Junior Faculty Social Justice Colloquium.
- Clerkship Committee (2007-08, 2011-14)
 - Co-Chair (2011-12)
 - Assisted students in applying for judicial clerkships
 - Panelist for interview workshop for applicants
 - Conducted mock interviews with students
- California Law Review
 - Faculty Advisor (2014-2017)
 - Public Interest Bar Grant Selection Committee (Spring 2007, 2010-15)
- Faculty Advisor, Women of Color Collective (2008-2017)
- Faculty Advisor, Law Students of African Descent (2006-2017)
- Faculty Advisor, Berkeley Journal of African American Law and Policy (2006-2014)
- Faculty Advisor, Family Law Society (2007-2011)
- Disciplinary Committee (2007-08)
- Bridge Grant Selection Committee (2010)

American Law Institute

- Member (2011-present)
- Advisor, Project on Sexual and Gender-Based Misconduct on Campus: Procedural Frameworks and Analysis (2014-present)

Association of American Law Schools

- Member, Committee on the Retention and Recruitment of Minorities (2017-present)
- Judge, Scholarly Papers Competition (2011)
- Judge, Section on Women in Legal Education New Voices in Gender Studies Competition (2011, 2013)
- Section on Law and Humanities (2007-present)
 - Chair (2013-14)
 - Chair-Elect (2012-2013)
 - Program Chair (2011-12)
 - Treasurer (2010-11)
- Section on Minority Groups (2006-present)
 - Executive Board Member (2014-present)
 - Co-chair, Clyde Ferguson and Derrick A. Bell Awards Sub-committee (2014-15)
 - Chair, Clyde Ferguson and Derrick A. Bell Awards Sub-committee (2016)
- Section on Women in Legal Education (2006-present)

- Executive Board Member (2013-2016)
- Section on Constitutional Law (2011-present)
 - Executive Board Member (2015-2017)
- Editor, Journal of Legal Education (2011-present)

Law and Society Association

- Judge, John Hope Franklin Prize (2012)

Brennan Center for Justice

- Executive Board Member (2018-present)

National Women's Law Center

- Executive Board Member (2020-present)

East Bay Community Law Center

- Executive Board Member (2012-2017)

American Constitution Society

- Executive Board Member (2017-present)
- Judge, Constance Baker Motley Writing Competition (2015)

American Constitution Society, Bay Area Lawyers Chapter

- Executive Board Member (2014-17)

Law Students for Reproductive Justice

- Judge, Sarah Weddington Writing Competition (2015)

Jotwell

- Co-Editor, Family Law Section (2011-19)

COMPETITIVE GRANTS AND SCHOLARSHIPS

- University of California-Berkeley, Junior Faculty Research Grant (2009-2010).
- University of California-Berkeley, Regents' Junior Faculty Fellowship (2009-10).
- University of California-Berkeley, Townsend Center for the Humanities (junior faculty fellowship).
- University of California-Berkeley, Junior Faculty Research Grant (2007-2008).
- University of California-Berkeley, Junior Faculty Mentorship Grant (2007-2008).
- NAACP-LDF/Shearman & Sterling Merit Scholarship (1999-2002).
- Jefferson Scholarship (full merit scholarship to the University of Virginia, 1993-1997).

MISCELLANEOUS

- Admitted to Practice, New York

- Participant, Aspen Institute Justice and Society Seminar (2013)
- Moderator, Aspen Institute Justice and Society Seminar (2018)
- Moderator, Aspen Institute Society of Fellows, Supreme Court Seminar (2019) (with T. Olson)
- Moderator, Aspen Socrates Program, Supreme Court Seminar (2022) (with T. Olson)
- Speaker, Aspen Ideas Festival (2022)
- Co-host, Strict Scrutiny Podcast (2019-present)
- Co-host, Talking Feds: Women at the Table Podcast (2020)