

2019 2019 2019 2019 2019 2019 2019

Annual Report



THE FEDERALIST SOCIETY

for Law & Public Policy Studies



For the Federalist Society, the opportunities and challenges have never been greater.

That was going to be the lead for this message before COVID-19 broke. At the time, I was thinking of the opportunities and challenges brought to the Society by increased press attention, with the result that many students and lawyers with any interest in public policy now know our name or have, at the very least, encountered a description of what we do, even if it's inaccurate.

COVID-19 has not led these earlier challenges and opportunities to disappear. But it has presented new ones, of a different and in some ways even more fundamental kind.

Since 1982, we have worked diligently to promote three principles: that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be.

The biggest challenge we now face is a new one: how to confront the COVID-19 threat vigorously and with the necessary resolve while continuing to respect these principles. The rule of law and the Constitution leave room for emergency measures. But exactly what? What can federal or state executives order? And what can be done to limit appropriate emergency actions to the emergency, given the well-established tendency for temporary increases in governmental power to remain in place indefinitely after the emergency has passed?

We do not have all the answers. But we are convinced that the Society's general approach to controversial questions—one that gives all perspectives a fair and level platform and that elevates, rather than degrades, the standards

for public discussion and debate—can help inform solutions to this challenge as well.

COVID-19 also presents the Society with operational challenges. Because of your support, the Federalist Society now maintains student chapters at nearly every ABA-accredited law school in America, as well as professional events for legal practitioners in more than 100 cities nationwide. In 2019, our conferences continued to be a major draw for our members, with the 2019 National Lawyers Convention attracting more than 2,400 people. We held extensive programming in the states, where we examined the role of state, as well as federal, judges. And, because of your generosity, ideas about originalism, the rule of law, and the importance of free markets are now widely discussed throughout the legal community.

For most of the Society's history, this discussion has largely taken place through in-person meetings. The closing of law school campuses and restrictions on public gatherings means that at least in the near term that model will not work. Fortunately, over the past five years, the Society has greatly expanded its virtual offerings. The current crisis gives us the opportunity to take this work to the next level.

In spite of past challenges, our efforts have met with enormous success. We remain convinced that even greater opportunities lie ahead. This is largely because of our tremendous supporters and volunteers. We thank you and are grateful to so many of you for your help in all of this. Because of all that you do, our work is both possible and tremendously rewarding.

Gratefully,

A handwritten signature in black ink, appearing to read "Carl Mayer".

President & CEO

THE PRESIDENT'S MESSAGE

1,175

STUDENT CHAPTER
EVENTS IN 2019

Prof. Rick Garnett and Prof. Jeff
Pojanowski discuss the October U.S.
Supreme Court term at Notre Dame.

STUDENTS



University of Chicago chapter members pose for a picture with Student Division staff after winning Chapter of the Year.



1. **Former Senator Jon Kyl interviews Arizona Governor Doug Ducey at the National Student Symposium banquet.**
2. **Kristen Stoicescu (Northwestern) asks a question at the Student Leadership Conference.**
3. **Brandon Masin (UNT Dallas College of Law) at the Supreme Court reception.**
4. **Hon. Amy Coney Barrett with the Executive Board of the UVA Student Chapter.**
5. **Chase Browndorf (Harvard) assisting with book signings by Professors Richard Epstein and Ilan Wurman at the National Lawyers Convention.**

The Student Division continued to foster debate and discussion on some of the most pressing legal and policy issues of the day. Student chapters across the country hosted 1,175 events throughout the year, reaching approximately 65,407 individuals. Debates and panels were especially popular, with an average attendance over 68 for these 432 events.

Federalist Society chapters were once again the strongest extracurricular groups on most law school campuses.

The student chapter at Arizona State University hosted its first National Student Symposium in March on “The Resurgence of Economic Liberty.” The symposium began with a discussion on the original understanding of “privileges or immunities.” Other panels over the weekend included “Is Economic Protectionism a Legitimate State Interest?” and “Economic Liberty in Criminal Justice: Business Crimes and

Economic Sanctions.” The event closed with a fireside chat between Senator Jon Kyl and Governor Doug Ducey.

In July, more than 200 chapter representatives attended the Student Leadership Conference. This conference allowed the students to learn best practices for running their chapters from the student division staff. They also had the opportunity to meet other chapter leaders, build relationships, and exchange ideas for the upcoming school year. On the second night of the conference, attendees were able to enjoy a reception at the Supreme Court with members of the libertarian and conservative legal community.

For the second straight year, the Federalist Society saw a record-breaking number of volunteers at the National Lawyers Convention in November. Three hundred students traveled to Washington, D.C. to help make this event a success.

More than 300 people attended the Western Chapters Conference at the Ronald Reagan Library in California.

482

LAWYERS CHAPTER
EVENTS IN 2019

LAWYERS





Hon. Don McGahn, former White House counsel, and Senate Majority Leader Mitch McConnell at the Kentucky Chapters Conference.

110

LAWYERS CHAPTERS WITH FOUR NEW CHAPTERS:

- Mississippi Coast
- Sarasota
- Southwest Florida/Naples
- Wilmington, NC



1. **Sen. Rick Scott at the Miami 30th Anniversary Gala.**
2. **Hon. Beth Williams speaks at the Texas Chapters Conference.**
3. **Solicitor General Noel Francisco speaks at the Ohio Chapters Conference.**
4. **Hon. Paul Matey, Prof. Emily Bremer, and Prof. Adam White at the Third Circuit Chapters Conference.**
5. **Hon. Stephanie Silver, Hon. William Altfeld, Hon. Vivian Del Rio, and Hon. Norma Lindsey at the Florida Chapters Conference.**

The Federalist Society's lawyers chapters continue to flourish, with a record-level schedule of programming, steadily increasing membership and attendance, and expansion into new areas of the country where Federalist Society lawyers chapters previously have not existed. Over 110 chapters are active, including four young lawyers chapters and nine newly launched chapters. This increased activity is an outgrowth of strong leadership, innovative programming, continued young lawyers outreach, and engagement with the Federalist Society's national projects. Our lawyers chapters continue to prioritize bolstering membership and chapter infrastructure, recruiting young lawyers, retaining recent graduates, coordinating with other chapters in the same state, and tying programming to current events that pose rule of law challenges. Chapters remain dedicated to fostering the core mission of the Society through their strong commitment to spirited debate and discussion.

The lawyers chapters hosted the most programs in their

history in 2019, with a focus on regulatory reform, religious liberty, the First Amendment, the future of the U.S. Supreme Court, lower court judicial nominations, and state court jurisprudence. Programming also touched upon national priorities, including the Regulatory Transparency Project, the Article One Initiative, and the State Courts Project.

Speakers included Senators Mitch McConnell, Marsha Blackburn, Ted Cruz, Josh Hawley, Marco Rubio, and Rick Scott; Florida Governor Ron DeSantis; United States Court of Appeals Judges Amy Barrett, Alice Batchelder, Joseph Bianco, Lisa Branch, Marsha Berzon, John Bush, Kyle Duncan, Jennifer Elrod, Harris Hartz, Jim Ho, Sandra Ikuta, Edith Jones, Paul Matey, Ryan Nelson, Andrew Oldham, David Porter, Chad Readler, Jeff Sutton, Amul Thapar, and Don Willett; and, writers and academics, including Radley Balko, Rachel Barkow, Randy Barnett, Rick Brookhiser, Erwin Chemerinsky, Richard Epstein, Walter Olson, Nadine Strossen, and Peter Wallison.

15

JAMES KENT SUMMER
ACADEMY ATTENDEES

James Kent Academy attendees
enjoy an evening of sailing after the
conference in Annapolis, MD.

FACULTY

RESERVERS
ADULT



180

ATTENDEES AT THE 2019
FACULTY CONFERENCE

39

EPISODES OF
SCOTUSCAST



Prof. Robert Cottrol (GW Law) speaks at the October 2019 Supreme Court Preview.



1. **Prof. Tara Leigh Grove (William and Mary Law School) at the Annual Faculty Conference in New Orleans, LA.**
2. **Prof. Thomas Lee (Fordham University School of Law) at the Annual Faculty Conference.**
3. **Prof. Samuel Bray (Notre Dame Law School) receives the Joseph Story Award at the National Student Symposium.**
4. **Federalist Society Senior Vice President Lee Liberman Otis introduces Prof. Renée Lettow Lerner (GW Law) at a summer event for faculty and students interested in academia.**
5. **Hon. Joan Larsen, U.S. Court of Appeals for the Sixth Circuit, delivers the inaugural Thomas M. Cooley Judicial Lecture.**

In 2019, the Faculty Division continued to provide important opportunities for faculty members, especially junior faculty, to gain recognition and produce outstanding scholarship, all as part of a broad suite of programming designed to foster dialogue and viewpoint diversity within the legal academy. The Division's programs aim: (1) to stimulate the exchange of ideas and build an academic community centered on discussion of important questions, (2) to assist current junior faculty, (3) to identify aspiring conservative and libertarian law professors and support them in their efforts to join the academy, and (4) to provide academic resources about the law to the public and press.

Two of our most notable events in 2019 were our annual Faculty Conference in New Orleans, held under the general aegis of the annual meeting of the Association of American Law Schools, and a smaller conference of rising younger law professors in Park City, Utah. The Park City meeting was organized by three members of the group. Fourteen faculty

members who were either working towards tenure or had recently earned it met in this convivial setting to discuss questions they had identified as of particular interest and importance to this cohort of professors. The New Orleans conference also featured a special roundtable, put together by the Park City group organizers, on "Scholarly Rigor and Intellectual Orthodoxy." The faculty participants joined a diverse and engaged faculty audience to discuss this topic. We expect to hold similar events in the future that draw on the insights of this next generation of law professors.

Our reception at the annual meeting of the Southeastern Association of Law Schools drew well over 100 faculty from dozens of different law schools. Many of these faculty provide support for the activities of student chapters at their respective institutions and look forward to this opportunity to reconnect with us and each other at this important academic gathering.

Vice President Michael R. Pence speaks to a full house at the Executive Branch Review Conference.

200K

PODCAST DOWNLOADS
IN 2019 (A RECORD THAT
DOUBLES 2018)

PRACTICE GROUPS



182

TELEFORUM CALLS
IN 2019



Senator Marsha Blackburn (Tennessee) speaks at a D.C. Lunch.

1. **Hon. Makan Delrahim, Assistant Attorney General, Department of Justice, speaks at a D.C. Lunch.**
2. **Hon. Luther Strange speaks on a panel about “Third Party Litigation Financing” at the National Press Club.**
3. **Hon. Miguel Estrada delivers the “Annual Supreme Court Round Up” at the National Press Club.**
4. **Commerce Secretary Wilbur Ross speaks at an event on “Fair Trade: Reinvigorating American Leadership in the 21st Century.”**

The Federalist Society’s Practice Groups had a record-breaking year in 2019. We hosted 182 teleforums in 2019, reaching 11,716 live callers. Teleforum podcasts were downloaded over 200,000 times in 2019—doubling the number of downloads from 2018. In 2019, we added 48 new members to the 15 Practice Group Executive Committees—70% more than were added in 2018.

The Federalist Society Review and the Blog continue to release timely and important research and content. Continuing Legal Education (CLE) continued to be a success, with over a thousand attorneys receiving CLE credit for attending the Executive Branch Review Conference, the National Lawyers Convention, and the Ethics and Diversity CLE Teleforums.

We held five notable D.C. Lunches at Tony Cheng’s Chinese Restaurant. These popular events featured Assistant Attorney General Makan Delrahim (January); Texas Attorney General Ken Paxton (March); Evan Thomas, author of a biography

of Justice Sandra Day O’Connor (April); Sen. Marsha Blackburn (June); and Deputy Attorney General Jeffrey A. Rosen (December).

In the spring, we hosted the Seventh Annual Executive Branch Review Conference, on the Regulatory Reform “Report Card,” which featured a keynote address by Vice President Mike Pence. The Annual Supreme Court Roundup featuring Hon. Miguel Estrada continues to be a favorite of D.C. members. In January, we co-hosted “Tech Titans and National Security: West Coast Edition” with the National Security Institute at George Mason University and The Hoover Institution at Stanford University. In May, we presented “The U.S. Role in Syria: Legal and Policy Questions in a Challenging Conflict,” co-sponsored with the National Security Institute. In October, Commerce Secretary Wilbur Ross spoke at “Fair Trade: Reinvigorating American Leadership in the 21st Century.”



STATE COURTS PROJECT

2019 HIGHLIGHTED EVENTS

- Proposed Reforms to Texas Judicial Selection
Featuring Prof. Chris W. Bonneau, Prof. Brian T. Fitzpatrick, Lee Parsley, Hon. Thomas R. Phillips, Hon. Jeff Brown
September 13, 2019
- Oklahoma State Supreme Court Roundup
Featuring Prof. Andrew Spiropoulos, Mithun Mansinghani
February 22, 2019
- 2019 Arizona Supreme Court Review
Featuring Kurt Altman, Jim Barton, Christina Sandefur
June 6, 2019
- Indiana Supreme Court Roundup
Featuring Hon. Mark Massa, Hon. Geoffrey Slaughter, Thomas M. Fisher, Steve Creason, Brian J. Paul
September 4, 2019
- Louisiana Judicial Candidate Forum
Featuring Hon. Scott Schlegel, Hon. Hans Liljeberg, Hon. Will Crain, Richard Ducote
September 25, 2019



Hon. Jennifer Elrod, Hon. G. Barry Anderson, and Prof. Thomas Morgan at the National Lawyers Convention.

The State Courts project exists to promote the discussion of legal culture in states across the country. We accomplish this through the publication of our *State Court Docket Watch* and by hosting events that promote discussion of state court issues in chapters across the country.

In 2019, our events and publications featured state court issues in several states, including Arizona, Florida, Indiana, Iowa, Massachusetts, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. We regularly hosted state supreme court review and preview events that provided expert analysis of state supreme court cases, discussed trends in how justices are ruling, and provided critical commentary on the dynamics of state supreme courts.

We also hosted candidate forums to increase public knowledge about candidates for elected judgeships. In September 2019, we hosted a forum for the Louisiana Supreme Court District I candidates in New Orleans. These events generated a great deal of media attention and allowed the Society to educate citizens on important state court issues that otherwise go unnoticed.

In 2019, we continued to focus on the debate over methods of judicial selection at the state level. In February, we held a panel discussing the role of the bar in selecting Iowa's judges. At the Texas Chapters Conference in September, we hosted a panel on proposed reforms to judicial selection in Texas.



Chief Justice Nathan L. Hecht (Texas Supreme Court) addresses the 2019 Texas Chapters Conference hosted by Lawyers Chapters.



Hon. Jeff Brown, Hon. Thomas R. Phillips, Lee Parsley, Prof. Brian Fitzpatrick, and Prof. Chris Bonneau speaking on a "Proposed Reforms to Texas Judicial Selection" panel at the 2019 Texas Chapters Conference hosted by Lawyers Chapters.

CAPITOL HILL

2019 HIGHLIGHTED EVENTS

- Originalism
Featuring Prof. Randy Barnett
- SCOTUS Roundup
Featuring Prof. Adam White, Jason Torchinsky, Jeffrey M. Harris
- Lawyering on the Hill
Featuring Andrew Ferguson, Nicole Gustafson, Ted Lehman, Rachael Tucker
- How to Become a Federal Criminal: A Discussion with Mike Chase from @CrimeADay
Featuring Mike Chase

The Capitol Hill Chapter educates members of Congress and their staff about the relationship between important first principles—including the rule of law and limited, constitutional government—and issues they deal with every day. Through these efforts, we also seek to build a network of congressional staffers who appreciate the principles of limited, constitutional government.

We achieve these goals by sponsoring events that are both educational and social. These events introduce staffers to subject area experts, expose them to content produced by the Federalist Society, and give them the opportunity to meet other like-minded individuals working on the Hill.



LEFT | Andrew Ferguson and Rachael Tucker discuss their careers as lawyers on Capitol Hill.

ABOVE | Prof. Randy Barnett (Georgetown) speaks about Originalism at the Capitol Hill Club.

STATE ATTORNEYS GENERAL



T. Russell Nobile, Andy Taggart, and Hon. Mark Baker speak at the Mississippi Attorney General Forum.

Through its programming, publications, and personal relationships, the Society has fostered an unprecedented level of discussion about the role of state attorneys general in policing government overreach at the federal and state levels. In 2019, we continued to build our growing network of senior staff to state attorneys general through local and national events featuring discussions of these issues. In July, the candidates for Mississippi Attorney General met at William Carey University. Our efforts to develop talented lawyers who are interested in serving in these key legal policy jobs are yielding tremendous results; the Society has a more influential network of members in more states than ever before.



Texas Attorney General Ken Paxton speaks at a D.C. Luncheon.

ALUMNI RELATIONS

2019 HIGHLIGHTED EVENTS

- University of Virginia Alumni Reception
Featuring Andrew Ferguson
The Federalist Society, Washington, D.C.
- Georgetown University Alumni Luncheon
Featuring Prof. Shon Hopwood
The Mayflower Hotel, Washington, D.C.
- University of Chicago Alumni Luncheon
Featuring Hon. James C. Ho
The Mayflower Hotel, Washington, D.C.
- Yale Law School Alumni Reception
Featuring Brent J. McIntosh
The Federalist Society, Washington, D.C.
- 2019 Harvard Alumni Symposium
Topic: HLS Federalist Society: 37 Years Later
Harvard Law School, Cambridge MA

Alumni Relations builds on Federalist Society members' existing law school networks to provide unique programming and networking opportunities to alumni and students of select chapters.

In March 2019, the Harvard Alumni Chapter, in conjunction with the Harvard Student Chapter, hosted a symposium titled "HLS Federalist Society: 37 Years Later." The symposium featured panels of HLS alumni in various fields: federal and state enforcement, the judiciary, the administration, and the private sector.

In the summer we continued the tradition of hosting rooftop receptions at the Federalist Society's headquarters in D.C. These receptions provided an opportunity for alumni and summer associates to socialize and hear from speakers. In the fall, we held thirteen alumni luncheons during the National Lawyers Convention, providing meaningful networking opportunities to over 500 attendees.



Lindsay See, Solicitor General of West Virginia, speaks on the "Federal and State Enforcement" panel alongside Mithun Mansinghani, Hon. Jessie K. Liu, and Jonathan Skrmetti at the 2019 Harvard Alumni Symposium.



PAGE 26 | Attendees at the University of Michigan Alumni Reception engage in Q&A with a panel of General Counsels.

LEFT | Hon. Jerry E. Smith addresses the Yale Alumni Chapter for their luncheon at the National Lawyers Convention in D.C.

ABOVE | The Notre Dame Alumni Chapter hosts a discussion with Sen. Mike Lee for their annual luncheon.

NATIONAL LAWYERS CONVENTION

NOVEMBER 14-16, 2019 • WASHINGTON, D.C.





Senate Majority Leader Mitch McConnell, Prof. Richard Epstein, and Hon. Don McGahn addressed Scalia Dinner attendees.

The National Lawyers Convention attracted a record-breaking number of attendees once again this year. The Convention brought together lawyers, government officials, judges, law school faculty, policy leaders, and students from all over the country and internationally. More than 2,400 guests participated in the three-day event held at Washington, D.C.'s historic Mayflower Hotel. The theme of this year's convention was *Originalism*, with plenary panels discussing "What Is Originalism?," "Why, or Why Not, Be an Originalist?," "Does Originalism Protect Unenumerated Rights?," and "Originalism and Precedent."

Convention highlights included the inaugural Hon. Robert H. Bork Memorial Lecture featuring Supreme Court Associate Justice, Hon. Neil M. Gorsuch, the Antonin Scalia Memorial Dinner at Union Station with Supreme Court Associate Justice, Hon. Brett M. Kavanaugh, and the annual Barbara K. Olson Memorial Lecture given by

Hon. William P. Barr, United States Attorney General. The Convention featured many other high-profile speakers, including Governor Ron DeSantis of Florida and Secretary of Labor Eugene Scalia. This year's annual Rosenkranz Debate between Prof. Philip A. Hamburger, Maurice and Hilda Friedman Professor of Law, Columbia Law School and Prof. Michael W. McConnell, Richard and Frances Mallery Professor of Law and Director, Constitutional Law Center, Stanford Law School discussed whether the Free Exercise Clause guarantees a constitutional right of religious exemption from general laws when such an exemption would not endanger public peace and good order. The debate was moderated by Hon. Stuart Kyle Duncan, United States Court of Appeals, Fifth Circuit. With 17 breakout panels organized by the practice groups featuring over 100 speakers, eight book signings, and an exhibit of an original copy of the *Federalist Papers*, this year's Convention was once again the highlight of the Society's programming year.

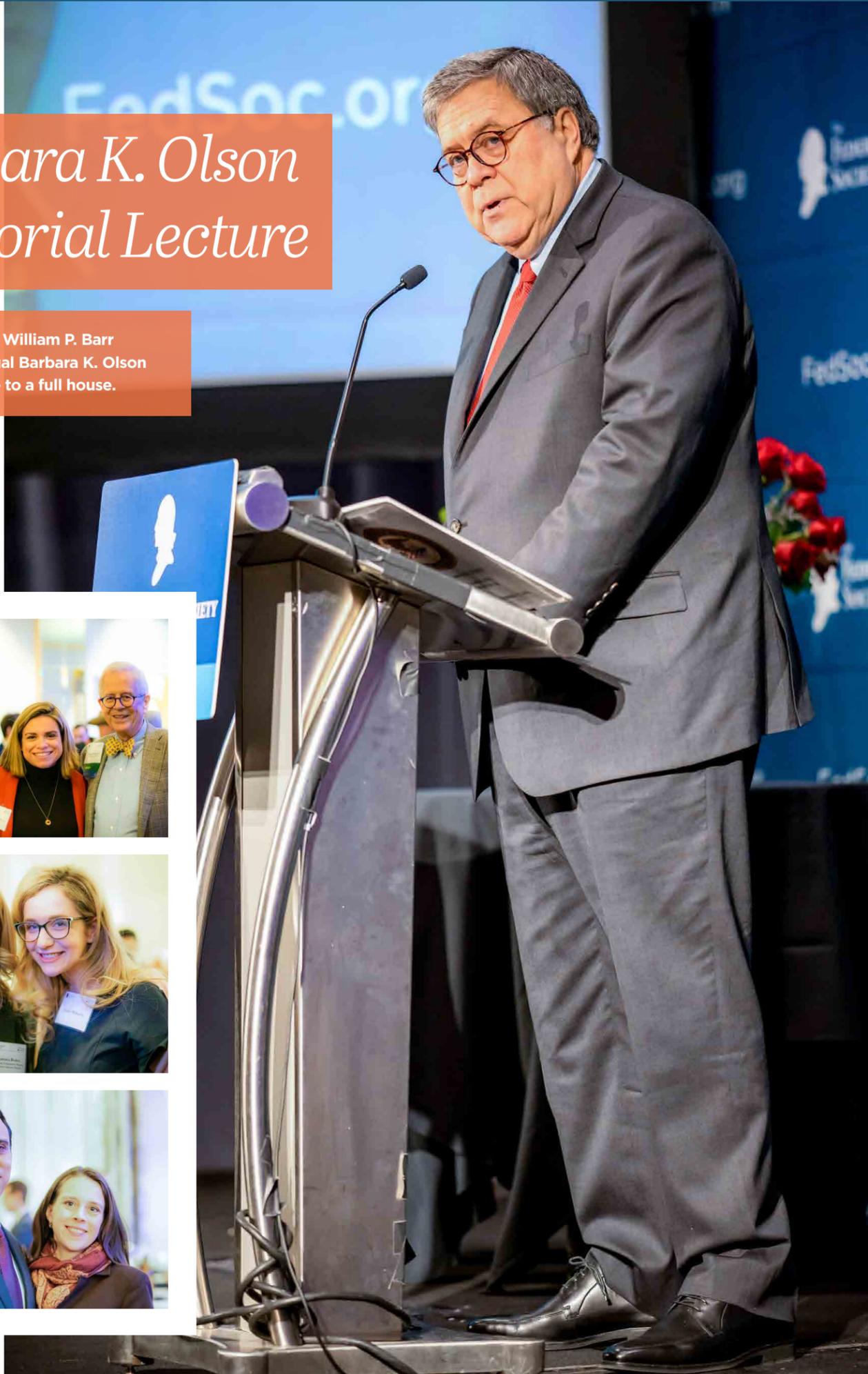


1. Prof. Nicholas Quinn Rosenkranz, Prof. Randy Barnett, Prof. Michelle Boardman, Hon. Carlos T. Bea, Louise Bea, and the Hon. Neomi Rao at the opening reception for the Antonin Scalia Dinner.
2. Mike Davis, Justice Neil Gorsuch, and Hon. Susan Braden.
3. William Lane, III and Kaytlin Lane.
4. Willette Klausner, David DeGroot, and Chrissy Shu.
5. Hon. Chad Readler and Rachel Miller.
6. Hon. Edith Jones, Hon. Thomas Hardiman, Justice Samuel Alito chat at the Scalia Dinner opening reception.
7. Simone Katsas, Martha Ann Alito, and Maureen Scalia at the Antonin Scalia Dinner opening reception.
8. Prerak Shah and Bethany Pickett.



Barbara K. Olson Memorial Lecture

Attorney General William P. Barr delivers the Annual Barbara K. Olson Memorial Lecture to a full house.



1. Governor Ron DeSantis (Florida) gives opening remarks for the National Lawyers Convention.

2. Hon. Jeff Sessions on the sanctuary cities panel.

3. Hon. Maureen Ohlhausen on "The Future of Antitrust" panel.

4. Hon. Joan Larsen and Hon. Paul Clement on the "Arbitration in the #MeToo Era" panel.

5. Prof. David Schoenbrod, Hon. Ronald Cass, and Prof. Kristin Hickman on the "Nondelegation after Gundy" panel.

6. Hon. Robert Numbers, Caroline Numbers, and Frank Strickland at the Olson Reception.

7. Anastasia Boden and Mollie Williams at the Olson Reception.

8. Roger and Carrie Severino at the Olson Reception.





The Twelfth Annual Rosenkranz Debate on the Free Exercise Clause saw a record-breaking crowd.



1. Hon. Neil Eggleston and Hon. Edith Jones.
2. Hon. Diane S. Sykes moderates the “*Stare Decisis* in Civil Rights Cases” panel.
3. Prof. Lawrence Solum, Hon. Neomi Rao, Prof. Michael Paulsen, and Prof. Tara Leigh Grove.
4. Prof. Thomas Merrill and Hon. Lisa Branch on the “Originalism and Constitutional Property Rights” panel.
5. Justice Neil Gorsuch discusses his book, *A Republic, If You Can Keep It*.
6. Prof. Josh Blackman and Federalist Society VP Dean Reuter sign books while Miriam Blackman relaxes between panels.
7. Mary Ellen Bork introduces Justice Neil Gorsuch.
8. Prof. Jamal Greene and Prof. Gary Lawson.
9. Prof. Philip Hamburger and Prof. Michael McConnell debate the Free Exercise Clause.
10. Hon. Kyle Duncan moderates the debate.

RegProject.org

Attendees gather for a panel on “Accounting for Race 101: Virginia Universities and Racial Preferences.”



Regulatory Transparency Project

Unlocking Innovation & Opportunity

In 2019, the Regulatory Transparency Project made great strides in its mission to promote a national conversation about the benefits and costs of government regulation and to explore areas for possible improvement. Over 150 RTP working group members contributed to numerous papers and videos throughout the year on subjects such as the constitutionality of state data privacy regulations, developments in labor and employment regulations, and the cumulative impact of individual state and local regulations (the “regulatory thicket”). RTP expanded its efforts to reach new podcast audiences with its new *Explainer* and *Tech Roundup* mini-series joining the traditional *Deep Dive* podcast series, increasing podcast listens by 91% over 2018. RTP also launched a refreshed website with improved functionality and design, as well as a new online marketing strategy that quadrupled the reach of the project.

In addition to its digital efforts, RTP continued to build on the success of its efforts across the country to increase recognition of the real-world impacts of regulatory policies. RTP hosted over 200 events in 2019, which reached over 9,500 members of Federalist Society student and lawyers chapters. These panel events and speeches provided an opportunity for the Federalist Society members to learn from experts about the regulation of drones, content moderation in the internet age, and the future of healthcare in America. RTP also began advance screenings of a forthcoming documentary entitled *They Say It Can't Be Done*. This documentary will advance the national conversation around the impact of regulation on small business owners and entrepreneurs.

Building upon the tremendous growth of the past year, RTP is excited to unveil even more initiatives in 2020 and continue the rewarding and important work of engaging the public on regulatory policies.

1. **Former Deputy Assistant Attorney General for International Affairs Roger Alford at the Pepperdine Law Review's Symposium.**
2. **FHFA Director Mark Calabria speaks at a panel event entitled “What's Next for Fannie, Freddie, and Housing Finance Reform?”**
3. **A screenshot from our documentary on the “regulatory thicket”—the accumulation of individual federal, state, and local regulations.**





Sen. Josh Hawley addresses the D.C. Summer Associate Reception co-hosted by the D.C. Young Lawyers Chapter.


**ARTICLE I
INITIATIVE**

fedsoc.org/articlei

In 2019, the Article I Initiative produced new videos, blog entries, and podcast episodes, and it hosted over 120 live events on Capitol Hill and with student and lawyers chapters.

In February, the Initiative held the first annual Legislative Branch Review Conference, an all-day event in the Capitol Visitor Center. The program featured a thought-provoking lineup of panels, including a discussion of how the other branches of government may assist Congress to restore its constitutional role, what possible changes to Chevron deference may bring, and how bipartisan congressional oversight can be accomplished in a time of hyper partisanship. Panel experts included professors from five prominent law schools, former executive agency officials, experts from a wide range of think tanks, and high-level congressional committee staff.

The event also featured a keynote address by Senator Lindsey Graham, who spoke on the importance of bipartisan cooperation in nominating, vetting, and confirming judges who will respect the rule of law. He laid out the dangers of politicizing the confirmation process and the reasons for the breakdown of the filibuster within the Senate. Lastly, he spoke about the importance of adequately funding the judicial branch to ensure that the nation continues to have the finest justice system in the world.



We hosted additional events in Washington, D.C., including:

- Federal Budget Process panel with Prof. Steve Redburn (GWU) and Molly Reynolds (Brookings Institution)
- D.C. Summer Associates event with Sen. Josh Hawley, co-hosted by the D.C. Young Lawyers Chapter
- Panel discussion of what Congress can learn from state legislatures featuring former Congressman Robert Hurt

In the second half of the year, we established a standing working group composed of Capitol Hill staff who meet regularly to discuss potential process improvements and capacity building that could aid Congress in performing its constitutional duties.

We released educational videos on the Seventeenth Amendment, the Senate filibuster, and whether legislators have a duty to interpret the Constitution with former D.C. Circuit judge and former Senator James Buckley.

Lastly, we hosted the second annual Article I Writing Contest and awarded first prize to Deion Kathawa of Notre Dame Law School at the National Student Symposium in March. The contest continues to grow in popularity, and we received nearly twice as many entries for the third annual contest. We look forward to announcing the 2020 winners in the spring.



LEFT | Anne DeCesaro (Worker and Family Support Subcommittee for the House Committee on Ways and Means), Prof. Steve Redburn (GWU), and Molly Reynolds (Brookings Institution) discuss the federal budget process.

ABOVE | The Initiative released an animated video on the Senate filibuster featuring Sen. Mike Lee.

30K

YOUTUBE SUBSCRIBERS
ON THE FEDSOC CHANNEL

WE BUILD

TOGETHER

DIGITAL

FedSoc Digital filming a statue of George Washington at the Smithsonian National Museum of American History.

MOST-WATCHED IN 2019



SCOTUSbrief

TENNESSEE WINE & SPIRITS RETAILERS ASSOCIATION V. BLAIR
Featuring C. Jarrett Dieterle, R Street Institute



POLICYbrief

THE ENGLISH RULE & THE AMERICAN RULE
Featuring R. Hugh Lumpkin, Ver Ploeg & Lumpkin, P.A.



No. 86

THE CODE OF HAMMURABI & THE RULE OF LAW
Featuring Dr. Paul Rabe, Hillsdale College



Documentary

AMERICAN CRAFT: WHAT BEER CAN TEACH US ABOUT WELL-CRAFTED LAWS

In 2019, FedSoc Films produced 159 videos on Supreme Court cases, public policy issues, and topics relating to the law school curriculum. We currently have 30,000 subscribers on YouTube and our videos receive 40,000 views on average. In total, our videos had 4.8 million YouTube views in 2019, and audiences watched our videos for 250,000 hours. (That's 10,416 days' worth of views.) For the first time, we started distributing FedSoc Films through Amazon Prime.

In 2019, four of our short films were screened at seven film festivals across the country. *American Craft: What Beer Can Teach Us About Well-Crafted Laws* was screened at four film festivals, and *To Seek Justice: Defining the Power of the Prosecutor* won an Award of Excellence at the Best Shorts Competition.

We held a video premiere on YouTube for the first time with *KOREMATSU VERSUS US*; released our first fully-animated short film, *Brutus v. Publius: The Fight Over the Judiciary*; and released a three-part series, *Roe v. Wade: A Legal History*. We partnered with John Stossel to produce a video on 3-D printed guns and the First Amendment. The video reached 171,000 views on Stossel's YouTube channel and 164,000 views on his Facebook page.

FedSoc Digital not only creates original video content but it serves the Society's marketing, design, and multimedia production needs across divisions. Digital services include social media promotion, event recording and photography, podcast audio, and more. We increased our live streams to 61 in 2019, including 25 events at the National Lawyers Convention, averaging 240 viewers.



The Heritage Foundation hosted a screening of *To Seek Justice: Defining the Power of the Prosecutor* with a panel to discuss.



LEFT | FedSoc Digital offers the other divisions a variety of services such as video recording, live streaming, graphic design, marketing, and digital strategy.

ABOVE | Terry Kibbe (*Free the People*) speaks at a rooftop event for conservative and libertarian creative professionals hosted by FedSoc Digital.

INTERNATIONAL AFFAIRS

Throughout 2019, International Affairs provided a platform for discussions among lawyers, law students, and judges in Europe and North America about the principles of constitutional government, the rule of law, and liberty. As the European nations in which the participants in our international programming reside face increasing political and legal challenges, it is invaluable to have a transatlantic platform in which to discuss and debate the fundamental legal features upon which representative democracies depend.

In Central and Eastern Europe, we continued to work with our European Judicial Network (“EJN”), which added two judges from the Strasbourg-based European Court of Human Rights (“ECtHR”). As these 30 members of the EJN—consisting of ten current and former members of the ECtHR and 20 current and former national Constitutional Court and Supreme Court judges—serve in their judicial

and post-judicial capacities, they appreciate knowing that so many of their U.S. colleagues are aware of their efforts and share their dedication to the Federalist Society’s foundational principles.

In October, the U.S. State Department appointed Jim Kelly, the Federalist Society’s Director of International Affairs, to serve in his personal capacity for a four-year term as a Substitute Member on the European Commission for Democracy through Law, known as the “Venice Commission,” on which many members of the EJN are serving or have served.

In the UK, through a coalition of lawyers, academics, and members of civil society, and through joint programming, the Brexit debate continued to serve as an inflection point for an important discussion on the future of British institutions, including the judiciary, following the country’s departure from the European Union.

In France, the Society’s partner organization, the Paris-based Law and Liberty Circle, continued to thrive, organizing public debates on pressing legal issues of interest to a growing membership base.

Meanwhile, in Canada, the Society assisted the Runnymede Society, which, in a few years, has created student chapter groups in almost all of Canada’s law schools.

The International Division continues its *Global Governance Watch* website project, which provides a steady stream of information on global governance trends.

Many thanks to Paul Zimmerman, who, after serving for seven years as Deputy Director of International Affairs, left the Federalist Society to work at the U.S. Department of Commerce.



Justice Samuel Alito hosted a delegation of judges who participate in the Federalist Society’s European Judicial Network, including members of the Constitutional Court of Romania and Romania’s representative to the European Court of Human Rights

2019 HIGHLIGHTED EVENTS

- Opening Ceremony of European Court of Human Rights
Strasbourg, France, January 2019
- Transatlantic Strategy Meeting hosted by German Council on Foreign Relations
Berlin, Germany, March 2019
- European Judicial Conference hosted by Constitutional Court of Romania
Bucharest, Romania, April 2019
- XXII International Congress on European and Comparative Constitutional Law
Vilnius, Lithuania, October 2019
- Ten-Year Anniversary Celebration of the Constitutional Court of Kosovo
Prishtina, Kosovo, October 2019



Judges from the Constitutional Courts of Romania (far left) and Hungary (far right) and European Court of Human Rights from Slovakia (center left) and Georgia (center right) participate in a wreath laying ceremony at the tombs of George and Martha Washington.

PUBLICATIONS

2019 MOST-READ ARTICLES

- “Concealed Carry and the Right to Bear Arms”
Joseph Greenlee
- “The Fifth Amendment’s Act of Production Doctrine: An Overlooked Shield Against Grand Jury Subpoenas *Duces Tecum*”
Peter Thomson
- “Is It Time to Revisit the Constitutionality of Unauthorized Practice of Law Rules?”
Michael E. Rosman
- “Website Inaccessibility: The New Wave of ADA Title III Litigation”
J. Gregory Grisham
- “The Ministerial Exception After *Hosanna-Tabor*: Firmly Founded, Increasingly Refined”
J. Gregory Grisham, Daniel Blomberg

The Federalist Society Review continues to publish original scholarship by members of our Practice Groups and other experts. We published 24 articles in 2019, which make up Volume 20. Volume 20 contains excellent articles on everything from the Security and Exchange Commission’s approach to cryptocurrency to how courts are applying the Supreme Court’s refinement of the ministerial exception. Authors include a Ninth Circuit judge, a former SEC commissioner, multiple academics, and talented lawyers from the private, government, and nonprofit sectors.

Articles are available on our website and through Westlaw. Our readership numbers compare favorably to the “Recent Top Papers” in SSRN’s Legal Scholarship Network. Our top article would rank #1, our next five articles would rank #2, and the rest would rank #3 on the current SSRN list. Our most read article in 2019 was Joseph Greenlee’s “Concealed Carry and the Right to Bear Arms,” with about 9,000 views. Our most popular article from the past few years is Prof. Robert G. Natelson’s balanced piece on “Impeachment: The Constitution’s Fiduciary Meaning of ‘High . . . Misdemeanors,’” which more than 25,000 people have read.

Our annual Publications Lunch was held at the National Lawyers Convention, and there were several new attendees and a great conversation about the future of our publications. We hope to continue to publish excellent legal scholarship and expand our reach to new readers in the coming year.

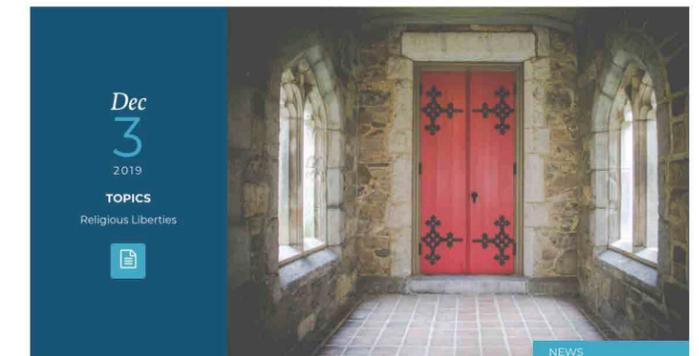
2019 MOST-READ BLOG POSTS

- “*FTC v. Qualcomm*: Innovation and Competition”
Geoffrey A. Manne
- “The DOJ and Other Federal Agencies Oppose the FTC in *FTC v. Qualcomm*”
Adam Mossoff
- “Second Amendment Returns to Supreme Court in *New York State Rifle*”
Kenneth A. Klukowski
- “*New York State Rifle and Pistol Association v. City of New York*”
Stephen P. Halbrook
- “The DOJ’s Approach to False Claims Act Enforcement”
John C. Richter

BLOG

The FedSoc Blog is our hub for regular, quality commentary on contemporary legal issues geared towards a broad and growing audience. Oriented around the Federalist Society’s 15 unique practice groups, the blog featured experts who contributed on topics ranging from administrative law developments to analysis of religious liberties decisions just issued by the Supreme Court. We endeavor to be a pulse for the legal world, sparking fair and serious debate with characteristic FedSoc tone, style, and charm. We hope you enjoy reading the Blog, and we look forward to bringing you more excellent commentary in 2020.

BLOG POSTS



Ninth Circuit Says Government Can Impose Unwanted Religion Teachers on Religious Schools
Suzanne Beecher



Civil Rights Commission Publishes New Report on Civil Rights Enforcement
Alison Somin

1,273

BLOG POSTS SINCE THE START OF THE BLOG FIVE YEARS AGO

139,336

BLOG PAGEVIEWS IN 2019

Volume 20

The Federalist Society Review



fedsoc.org

Concealed Carry and the Right to Bear Arms
— *Joseph Greenlee*

The Fifth Amendment’s Act of Production Doctrine: An Overlooked Shield Against Grand Jury Subpoenas *Duces Tecum*
— *Peter Thomson*

The Future of the Federal Judiciary
— *Diarmuid F. O’Scaillain*

From Orange Groves to Cryptocurrency: How Will the SEC Apply Longstanding Tests to New Technologies?
— *Troy Paredes, Scott Kimpel*

Website Inaccessibility: The New Wave of ADA Title III Litigation
— *J. Gregory Grisham*

The Supreme Court Takes Up Abortion: What You Need to Know About *June Medical Services v. Gee*
— *Rachel N. Morrison*

Is It Time to Revisit the Constitutionality of Unauthorized Practice of Law Rules?
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The Ministerial Exception After *Hosanna-Tabor*: Firmly Founded, Increasingly Refined
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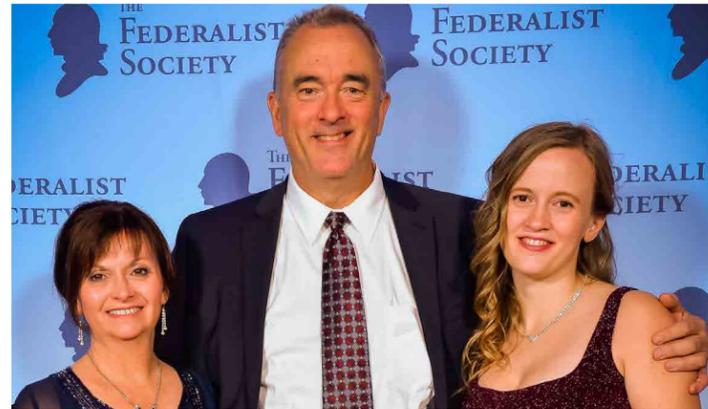
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Attendees of the 2019 National Lawyers Convention memorialized the occasion with a red carpet photo. We look forward to seeing you at the 2020 Convention.



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PRO BONO CENTER

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Jenny Nolette, *Assoc. Dir., Digital Strategy*
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