



We the People of the United States

insure domestic Tranquillity, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

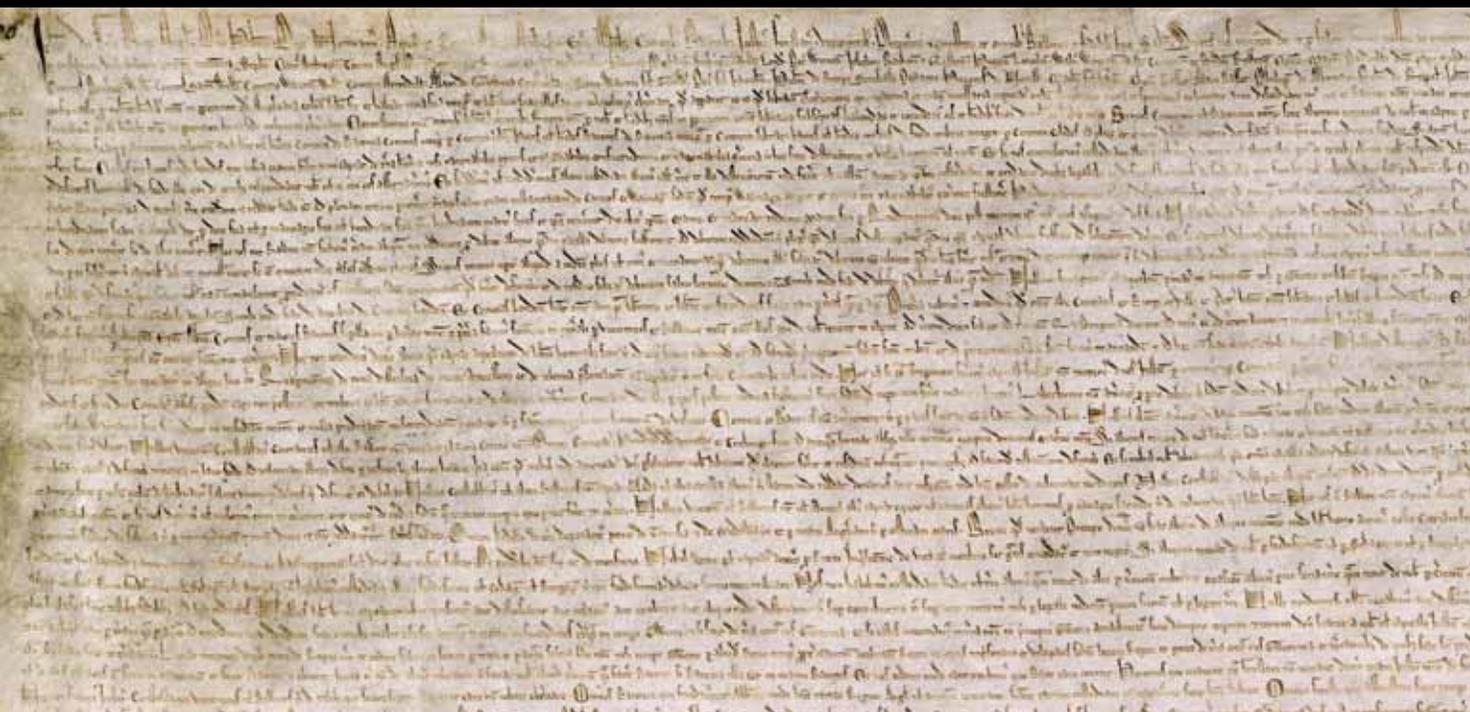
No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

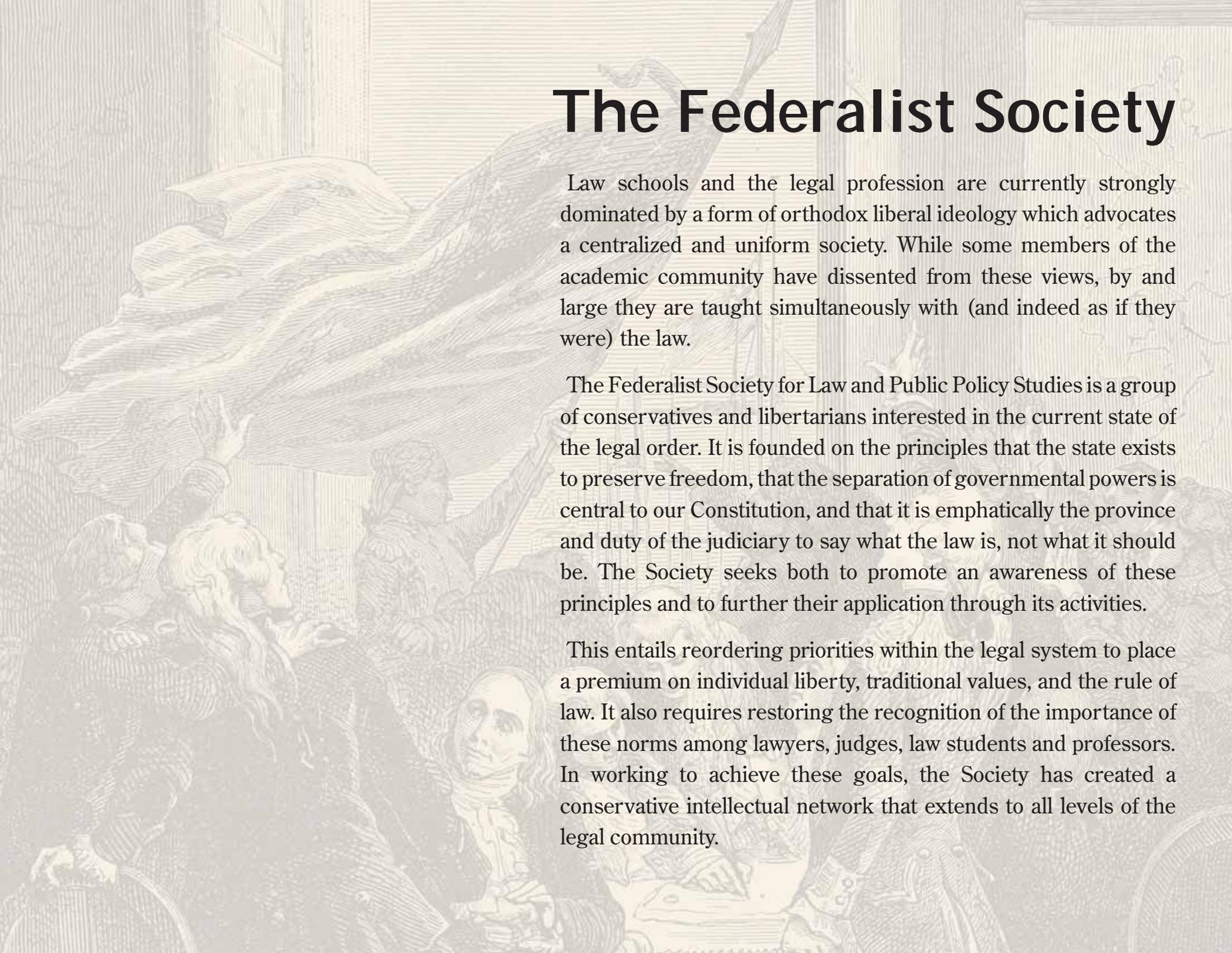
Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be taken as the standard by which the Representatives of other States shall be apportioned.



THE FEDERALIST SOCIETY

2014 ANNUAL REPORT





The Federalist Society

Law schools and the legal profession are currently strongly dominated by a form of orthodox liberal ideology which advocates a centralized and uniform society. While some members of the academic community have dissented from these views, by and large they are taught simultaneously with (and indeed as if they were) the law.

The Federalist Society for Law and Public Policy Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the 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 Society seeks both to promote an awareness of these principles and to further their application through its activities.

This entails reordering priorities within the legal system to place a premium on individual liberty, traditional values, and the rule of law. It also requires restoring the recognition of the importance of these norms among lawyers, judges, law students and professors. In working to achieve these goals, the Society has created a conservative intellectual network that extends to all levels of the legal community.

Letter from the President

The Federalist Society enjoyed great success in 2014. This past year has seen the creation and launching of many new initiatives, as well as the achievement of new milestones in our foundational programs. Our Student Chapters are flourishing; they are the strongest extracurricular groups at a majority of the top 20 law schools, as well as many others around the country. Although law school enrollment has declined, our attendance numbers remain high for the well over a thousand events with guest speakers that our chapters feature every year. Such an achievement is indicative of a genuine desire for the serious exchange of ideas.

In addition to student programs, demand for our programming has risen in every division across the board. We have increased our program offerings in order to meet this demand, enabling lawyers all over the country to come together and deepen their knowledge of the Constitution through debate and discussion. This past winter, the Society co-sponsored an exhibition of Magna Carta at the Library of Congress to commemorate the 800th anniversary of the first issue of Magna Carta. The exhibit detailed Magna Carta's impact on the understanding of individual liberty throughout the centuries.

The Federalist Society is also launching a new initiative; our Article One Project. The objective is to provide an explanatory theory of Congress and its role within the three branches as envisioned by the Framers. It is clearly established in the Federalist Papers that the drafters of the Constitution



(left to right) Executive Vice President Leonard A. Leo, President Eugene B. Meyer, & Senior Vice President Lee Liberman Otis in front of the Federal Society's new office building at 1776 I St. NW, Suite #300, Washington, DC 20006. The Society's office officially moved on May 1, 2015.

intended the legislature to be the most powerful branch of government. In its present form, most would say it is not. We are left to wonder how this came to be the case. Were the Founders simply wrong about the inherent powers of the legislative branch? The Federalist Society will enlist leading experts to flesh out a theory of what role Congress should play in the American political process. In particular, we are focusing on how a theory of Congress would inform our understanding of the core constitutional arrangements of the separation of powers, bicameralism, enumerated powers, the federal system in our extended republic, and the limitations imposed by the Bill of Rights.

Of course, with the president's very aggressive use of executive power, the Federalist Society has, and will continue to examine, the appropriate constitutional limits on that power.

We believe the principles this nation was founded upon—that the state exists to preserve freedom, that the separation of 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—are essential for a free society. The Federalist Society's mission is to ensure that these principles are heard and discussed. We have pursued that goal ever since our founding in 1982.

Our success is the direct result of your support and efforts, and for that we are grateful.

Sincerely,

Eugene B. Meyer

President

Student Chapters Once Again the Strongest Extracurricular Group at a Majority of Law Schools

Our Student Chapters held 1,441 events during the 2013-2014 academic year, reaching 75,368 individuals. In the last thirteen years, the Student Division has worked diligently to increase the number of student chapters. We now have a chapter at each of the 200 accredited law schools across the nation. We have met our goal by reaching out to law school alumni and law school websites, as well as contact lists to successfully form these new chapters. We rely heavily on the dedication of our student chapter leaders to bring together our brightest legal minds and ensure a vigorous debate about ideas.

Student chapters held 83 Robert H. Bork Memorial Lecture and Debate Series events last year, with the average attendance of 67. The Judge Bork series features events focusing on the legacy of Judge Bork, originalism, the judiciary, the Constitution, and the role of a judge. **Yale** held an event with Justice Antonin Scalia from the U.S. Supreme Court titled, “A Conversation



Justice Clarence Thomas with officers of the Virginia Chapter during the chapter's visit to the Supreme Court.

with Justice Scalia.” **Virginia** hosted Prof. Nicholas Quinn Rosenkranz of Georgetown law and Prof. Toby Heytens from Virginia law for an event titled, “The Subjects of the Constitution: A New Theory of Judicial Review.” **Utah** hosted a debate on “Originalism” between Justice Rex Lee from the Utah Supreme Court and Judge Frederic Voros from the Utah Court of Appeals. “The Legal Implications of *Perry and Windsor*” was the title of a debate between Ryan Anderson from the Heritage Foundation and Prof. Kenji Yoshino from **NYU** law. **Michigan** hosted Prof. Nicholas Bagley from Michigan and Prof. Jonathan Adler from Case Western for a debate on “Health Care and *Halbig v. Burwell*.” The debaters took a close look at the cases, which challenge the lawfulness of an IRS rule authorizing tax credits and cost sharing subsidies for health insurance purchase through exchanges. **Notre Dame** hosted an event that featured George Weigel from the Ethics & Public Policy Center and Prof. Carter Snead of Notre Dame law. This speech with commentary was on “An Unfamiliar America: Nihilism, Shrinking Civil Society, and an Expanding Federal Government.” **Missouri-Kansas City** held a Bork Legacy debate between Prof. Lee Strang from Toledo law and Missouri-Kansas City law’s Prof. Allen Rostron titled, “Originalism v. The Living Constitution: Suppose Both are Right?” **Liberty** held a debate on “The Supreme Court and the Death Penalty: Doing the Right Thing for All the Wrong Reasons.” An engaged crowd heard Prof. John Stinneford from Florida law and Prof. Rodney Chrisman from Liberty law. **Harvard** hosted a panel of DC Circuit judges, “The Second Highest Court in the Land: Judging on the DC Circuit.” Judge Brett Kavanaugh and Judge David Tatel, both from the DC Circuit, were on the panel, which was moderated by Dean Martha Minow from Harvard Law. Prof. John Yoo from California Berkeley law and Prof. Harvey Rishikof of Drexel law participated in a panel on “Executive Powers” at Drexel. Columbia hosted Judge Douglas Ginsburg from U.S. Court of Appeals for the DC Circuit for an event on “The Arc of Antitrust.”

Immigration continues to be a popular subject among our student chapters. Last year our students held 35 events on immigration and the average attendance was 43. **Penn** held a debate between Prof. Margaret Stock from the U.S. Military Academy at West Point and Prof. Fernando Chang-Muly of Penn law. The debate was titled, “The Role of the Immigration System in Promoting Global Economy and Democracy.” According to chapter president Robert Day, “Prof. Stock discussed the current state of the American immigration system,

which takes into account the need for national security, as well as promoting economic growth and democratic values. Prof. Chang-Muly's commentary focused on the role of law in striking this balance." Students from **Florida A & M** listened eagerly to the "Immigration" debate between Cato's Doug Bandow and a local attorney, Wayne Golding. **Marquette's** recent debate, titled "Immigration Reform" between Stuart Anderson from the National Foundation for American Policy and Prof. Ed Fallon from Marquette law. **George Washington** hosted a debate between Daniel Garza from the Libre Initiative and Andres Benach, an immigration attorney, on "The Future of Immigration Reform after the 2014 Elections." **Northern Kentucky** hosted U.S. Senator Rand Paul for an event, "Restoring Freedom and Liberty with Constitutional Conservatism." Sen. Paul touched on a variety of topics including privacy, marijuana legalization, immigration, and criminal sentencing. One topic he spoke on was the President's immigration executive actions. He said, "this isn't just about immigration; this is about the separation of powers...It's always been a battle...and when we give up on that it's a big danger to the country." **Connecticut** held an event entitled "Perspectives on Immigration: A Debate." The debaters included Heather MacDonald from the Manhattan Institute and Prof. Renee Redman from Connecticut law. The event was moderated by Doug Penn from the National Policy Committee of the American Immigration Lawyers Association. **Illinois, South Texas, and Missouri-Columbia** also had events on immigration, with each event drawing over 60 attendees.

Student chapters across the country hosted numerous events on topics involving the Supreme Court more broadly—rather than specific cases—and the average attendance for these events was 65. **Wisconsin** hosted "Supreme Court Roundup," featuring Justice David Stras from the Minnesota Supreme Court. A panel including: Ilya Shapiro from the Cato Institute, and Profs. Josh Blackman and Charles Rhodes, both from South Texas law, participated in the event "Supreme Court Roundup" at **South Texas**. **California Western** hosted "Supreme Court Roundup". Prof. Michael Ramsey from San Diego law and Prof. Glenn Smith from California Western law participated in the panel. The "Supreme Court Roundup" debate at **Columbia** featured Kannon Shanmugam from Williams & Connolly debating Prof. Caitlin Halligan of Columbia law. **Montana** co-sponsored their "Montana Supreme Court Candidate Forum" with the American Constitution Society this fall. The panelists included: Justice Jim Rice from the Montana State Supreme Court, Montana Solicitor General Lawrence VanDyke, and attorney David Herbert. There are two open seats on the Montana Supreme Court and the Forum featured two candidates for each of the open seats. The candidates were asked to describe their judicial philosophies, the role of the court in civil and criminal cases, and judicial elections. There were over 100 attendees in person, as well as 100 people

who watched it online, and the event was covered by the Montana press and the Associated Press. The **St. Thomas-Minnesota** chapter hosted Justice David Stras from the Minnesota Supreme Court and commentator Prof. Teresa Collett from St. Thomas-Minnesota law. The "Supreme Court Preview" panel at **William & Mary** featured: Hon. Greg Garre, former U.S. Solicitor General; Dean Erwin Chemerinsky from California-Irvine law; Joan Biskupic from Reuters; and Andy Pincus from Mayer Brown. **University of Chicago** hosted Allyson Ho of Morgan Lewis and Prof. Paul Crane from Chicago law for their event, "Supreme Court Preview." Prof. Philip Pucillo from Michigan State law, participated in **Michigan State's** event "Supreme Court Preview." Toledo hosted Prof. Lee Strang, Prof. Rebecca Zietlow, Prof. Evan Zoldan, and Prof. Jessica Knouse, all of Toledo law, for a "Supreme Court Preview." **Yale** hosted an event on "*The Supreme Court vs. The Constitution*" with Hon. Gerald Walpin, Former Inspector General of the Corporation for National & Community Service.

These panels are important for students to attend because students can garner a greater understanding for what important decisions have been made over the past year and for what to expect for the current term.

Religious liberties events continue to be a hot topic for our student chapters. This year student chapters held nearly 100 events on religious liberties, with the average attendance of 68. **Louisiana State** held a debate titled, "Full Faith & Due Process: Same-Sex Marriage in Louisiana" with Kyle Duncan of Duncan PLLC debating Prof. Paul Baier of LSU law. This event had a spirited question and answer period after the debate. "Marriage: What it is, Why it Matters, and the Consequences of Redefining it" was the title of an event at



Justice Antonin Scalia with members of the Yale chapter after an event.

Northwestern, which featured Ryan Anderson of the Heritage Foundation and Prof. Andrew Koppelman from Northwestern law. **Washington & Lee** held a religious liberties event titled, “*Hobby Lobby* and *Conestoga*.” Jordan Lorence from Alliance Defending Freedom and Washington & Lee law’s Prof. Ann Massie spoke at this event. A packed room at **Brigham Young** hosted Prof. Richard Duncan from Nebraska law debating Prof. Fred Gedicks from Brigham Young law for the event “Why Religious Liberty is More than a *Hobby (Lobby)*.” **American** hosted Hannah Smith from the Becket Fund, Prof. Lindsay Wiley from American Law, and Leila Abolfazli from the National Women’s Law Center. This event allowed the audience to gain a unique perspective into the issue of “*Hobby Lobby*” by listening to three differing female perspectives. “An Examination of Religious Liberty” was the title of an event that took place at Nebraska this fall. The chapter invited Justice David Medina, a former Texas Supreme Court Justice. The chapter believes he was one of their best speakers in recent history. Lance Roasa, who organized this event, said that it was a “very practical assessment of religious liberty from a supreme court justice.” **Colorado** also hosted a successful event titled “*Hobby Lobby: Has the Supreme Court Waged War on Women?*” The debate featured Michael Francisco, Assistant Solicitor General of Colorado, and Prof. Melissa Hart of Colorado law. **Chicago** also hosted a debate on *Hobby Lobby* which delved into “*Hobby Lobby: Individual Liberty, Morality, and Media*.” The debate was between Tim Carney from the *Washington Examiner* and Prof. Adam Chilton of Chicago law. A similar event took place at **Missouri-Columbia**. This was a debate between Prof. Josh Hawley and Prof. Frank Bowman, both of Missouri law. Prof. Richard Duncan participated in many other student



Doug Bandow, senior fellow at the Cato Institute, debates attorney Wayne Golding on immigration in front of the Florida A & M Chapter.

chapter *Hobby Lobby* events this year, including a debate at **Duquesne**. Prof. Duncan began his discussion of the *Hobby Lobby* decision by stating, “*Hobby Lobby* is not a constitutional question. Under the Constitution, *Hobby Lobby* should have been a much harder case.” Prof. Duncan told the audience that “*Hobby Lobby* is a boring case involving statutory construction.” He explained that the [*Hobby Lobby*] decision should have been unanimous amongst the high Court’s Justices.

Drones and privacy continue to be important to our student chapters as technology advances. These events had the average attendance of 44. **Boston College** hosted Prof. Gregory McNeal from Pepperdine law titled, “Drones and the First Amendment.” Maj. General Charles Dunlap from Duke law participated in “Drones: A Proponent’s Perspective” at **Duke**. Prof. Dunlap argued “It wasn’t the Pakistani army, it wasn’t the U.S. boots on the ground. It was American drones. They were killing his [Bin Laden’s] second-in-commands faster than he could replace them.” Although Prof. Dunlap acknowledged drone use has its critics, he said the program falls within domestic law, both in terms of the president’s Commander-in-Chief wartime authority under Article II of the Constitution, and—in non-combat situations—where authority is granted by legislation. **Columbia** had an event with Prof. Orin Kerr from George Washington law and Prof. Daniel Richman of Columbia on “The Digital Fourth Amendment: How Computers are Changing Search and Seizure Law.” Prof. Orin Kerr of George Washington participated in another student chapter event at **South Carolina**, where he participated in a panel with Prof. Seth Stoughton and Prof. Ned Snow, both from South Carolina law. **California-Davis** hosted a debate on “Drones and the Future of Aerial Surveillance.” This debate was between Prof. Gregory McNeal of Pepperdine and Prof. Elizabeth Joh from California-Davis law. **Oregon, Minnesota, Ave Maria, Case Western, Pennsylvania, Washington & Lee, and Missouri-Columbia** had events on drones and the implications of drones on national security and privacy with each event drawing at least 50 attendees.

This year, one of our newer topics was the “Wealth of States.” Wealth of States events give insight about policies, taxation, and regulations that differ from state to state and contribute to the economic growth of one state over another. The wealth of a state is dependent on many factors including: taxes, energy, worker freedom, and regulatory policies. The average attendance for these events was 49. One of these events took place at **Missouri-Columbia**. Travis Brown, author of *How Money Walks* and *Wealth of States*, gave a speech on his books and Prof. Brad Desnoyer of Missouri-Columbia law offered commentary. This event explored why people move from one state to another state, as it relates to state policy and regulations. An event at **Kansas** titled,



Prof. Richard A. Epstein (third from left) with members of the Southwestern Chapter after an event. Prof. Epstein spoke to various other chapters across the country, including California-Berkely, Columbia, New York University, Iowa, Nebraska, and Colorado.

“Is Kansas’ Budget Plan Working?” featured Dave Trabert from the Kansas Policy Institute and Joan Wagnon from the Kansas Democratic Party. **Florida** hosted Representative Dana Young from the Florida House of Representatives and Meg Losen from First Magnitude Brewing Company. The event was on “Small Business Discrimination: Craft Brewers.” The chapter’s executive board chose this event because it would attract a wide array of people who were interested in small business discrimination focusing on craft breweries in Florida. According to Florida Chapter President Emily O’Keefe, “the chapter was glad they held this event in the fall, because it brought in nearly 100 new members to their chapter.” **Southern Methodist** hosted a panel with Stephen Moore from the Heritage Foundation, and Dr. David DePianto and Dr. Gregory Crespi, both from Southern Methodist law. Nick Dranias from the Goldwater Institute was the featured speaker at **Alabama’s** Wealth of States event. The event was on “States Take Charge: Fixing Washington’s Spending Habit with the Compact Approach to Article V Amendments.” Mr. Dranias outlined his thesis that unlimited federal spending was the source of encroaching federal power. He proposed passing a federal constitutional amendment. We anticipate the interest in Wealth of States events will continue next year.

Student Chapters also held notable events on other topics this year, including campaign finance and life as a solicitor general. **Texas Tech** hosted Clark Neily from the Institute for Justice on “Judicial Engagement.” Mr. Neily argued that many of our nation’s courts are stifling the economic freedoms that are our

birth rights as Americans. He noted some of his previous litigation experience, including representing a Louisiana woman who was barred from being a florist because she didn’t have the appropriate license. He used this case to highlight what the Institute for Justice is doing to advance economic liberty and combat government overreach. **South Carolina** hosted John Tamny from Forbes Opinions for a speech on “Government Barriers to Economic Growth: How Government Errors Created the Great Depression, Elongated the Great Recession, and Needlessly Gave Us a Financial Crisis In Between.” Prof. Tessa Davis offered commentary, which made for an excellent discussion.

UCLA hosted a panel with Shaun McCutcheon from Coalmont Electric Development Company, Prof. John Eastman from Chapman law, and Prof. Jessica Levinson from Loyola law on “Putting Your Money Where Your Mouth Is: Campaign Finance After *McCutcheon v. FEC*.” Mr. McCutcheon drew from his experience with the Federal Election Commission, where he was summoned after coming close to exceeding campaign finance limitations. Profs. Eastman and Levinson debated various issues relating to campaign finance. Prof. Eastman argued that money is not speech, but rather a legitimate means of enabling speech: “That’s the way democracy works. It’s tied to influence. Restrictions are a backdoor attempt to level the playing field between rich and poor. But if the means are limited, speech is limited.” Prof. Levinson countered by arguing: “Limitations support free speech and the First Amendment rights of those speakers without money.” Another key point debated was the need for a distinction between corruption and the appearance of corruption from campaign donations. During that exchange, Mr. McCutcheon interjected, “What’s the difference between nine or ten candidates? Why does corruption always start with numbers?”

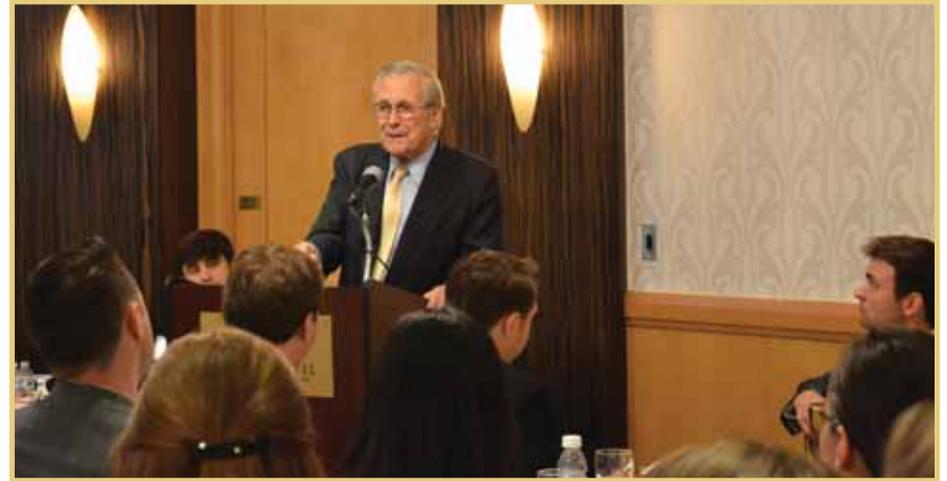
Penn held an event with Solicitor General Jonathan Mitchell from the office of the Attorney General of Texas on “Life as Solicitor General.” According to the chapter president Robert Day, “Mr. Mitchell provided an excellent overview of his role as solicitor general and how key players shape their constitutional interpretation arguments.” The event concluded with an extensive question and answer session.

Newly Minted Lawyers Chapters Spur Renewed Growth

The Lawyers Chapters continue to play a vital role in advancing the Federalist Society's mission by organizing citizen-lawyers who encourage discussion and debate about the proper role of government in a free society. In 2014, Federalist Society's over 80 lawyers chapters had their most active programmatic year in their history, as measured by the strength of their leadership, membership growth, programming, young lawyers outreach, and involvement with the Society's national projects, including the State Courts Project. The chapters organized and hosted a record 388 events, about a 20% increase from the previous year, drawing nearly 30,000 attendees to events nationwide.

The **Eighth Annual Western Chapters Conference** was hosted at the Ronald Reagan Presidential Library in January 2014, attracting about 200 attendees. A morning panel addressed the pros and cons of California's initiative process and explored whether lawyers and public officials have an ethical obligation to defend laws they do not agree with, especially those passed via citizen initiative. The participants included Professor Rick Hasen of University of California, Irvine; Dan Kolkey of Gibson Dunn & Crutcher; Professor Justin Levitt of Loyola Marymount University; Professor Kenneth Miller of Claremont McKenna; and Judge Sandra Ikuta of the U.S. Court of Appeals for the Ninth Circuit, who moderated. A second panel explored the question, "How do we balance disclosure with maintaining the privacy of participants in contentious issues?" The panelists discussed whether a signature on a petition is deserving of a different degree of privacy than a financial contribution, whether different levels of support deserve different degrees of scrutiny, and if threats of harassment trump the need for disclosure. Participants included Paul Avelar of the Institute for Justice, local attorney Manny Klausner, Peter Scheer from the First Amendment Coalition, Hans von Spakovsky of the Heritage Foundation, and Judge Carolyn Kuhl of the Superior Court of California for the County of Los Angeles. Attendees enjoyed a luncheon discussion featuring Judge Carlos Bea of the U.S. Court of Appeals for the Ninth Circuit interviewing former United States Attorney General Ed Meese. Mr. Meese answered many questions and shared his reflections on his time in the Reagan Administration, including the role he played in President Ronald Reagan's selection of Justices Antonin Scalia and Anthony Kennedy for the United States Supreme Court.

The **San Diego** Lawyers Chapter had the privilege of hosting U.S. Supreme Court Justice Antonin Scalia at a September 11th breakfast. Justice Scalia addressed over 100 attendees about court cases that address structural



(above) Former Secretary of Defense Donald Rumsfeld speaks to the DC Young Lawyers Chapter during a breakfast event in June. The Secretary discussed his new book Rumsfeld's Rules and took questions from the audience. (below) Oklahoma Attorney General Scott Pruitt (center) with members of the Tulsa Lawyers Chapter Board at a May luncheon event.



constitutional issues, including those that concern presidential power. His discussion highlighted the importance of state courts in affecting the daily lives of Americans. He also reflected on where he was on September 11, 2001. In October, the **New York City** Lawyers Chapter also hosted Justice Scalia for a luncheon at the New York Athletic Club.

The Federalist Society's Lawyers Chapters hosted several dozen United States Supreme Court round-ups, which are some of the most highly attended programs of the year. These programs featured leading state and federal judges, Supreme Court practitioners, and litigants. The **Washington, DC** Lawyers Chapter hosted its annual round-up with speakers Thomas Hungar of Gibson, Dunn & Crutcher and Noel Francisco of Jones Day before over 200 attendees. The **Atlanta** Lawyers Chapter hosted its round-up with Georgia Solicitor General Nels Peterson and former Alabama Solicitor General Kevin Newsom before about 75 attendees, including members of the Georgia Supreme Court and Georgia Court of Appeals. The **Denver** Lawyers Chapter presented a panel discussion with Judge Tim Tymkovich of the U.S. Court of Appeals for the Tenth Circuit; Richard Westfall of Hale Westfall LLP; University of Denver Professor Nancy Leong; and Professor Rob Natelson of the Independence Institute. The **Houston** Lawyers Chapter attracted over 100 attendees for an evening panel discussion, with panelists Judge Gregg Costa of the U.S. Court of Appeals for the Fifth Circuit; Texas Supreme Court Justice Jeff Brown; Erin Busby, an adjunct professor at the University of Texas's Supreme Court Clinic; and *Above the Law* columnist Tamara Tabo. The **Iowa** Lawyers Chapter hosted Bancroft PLLC partner Erin Murphy, who succeeded in the Supreme Court of the United States hearing on behalf of appellants Shaun McCutcheon and the Republican National Committee in *McCutcheon v. Federal Election Commission*. The **Miami** Lawyers Chapter hosted its Second Annual Round-Up with Gibson Dunn & Crutcher appellate lawyer Miguel Estrada. Over 30 Florida state court judges attended the fall event. The **New Orleans** Lawyers Chapter hosted a Fifth Circuit Round-Up with Judges Edith Jones and Stephen Higginson. The **Philadelphia** Lawyers Chapter hosted Paul Clement of Bancroft PLLC for the eleventh time with over 80 attending this signature program. About 120 attendees turned out for the **Los Angeles** Lawyers Chapter's annual Supreme Court round-up, which featured returning speakers Chapman University School of Law Professor John Eastman; Dean Erwin Chemerinsky of the University of California, Irvine School of Law; and Judge Sandra Ikuta of the U.S. Court of Appeals for the Ninth Circuit. The **San Francisco** Lawyers Chapter hosted its traditional annual round-up with Professors John Yoo and Jesse Choper of Berkeley School of Law with Judge Carlos Bea of the U.S. Court of Appeals for the 9th Circuit serving as moderator. Chapters in **Austin, Baltimore, Birmingham, Columbus,**



U.S. District Court Judge Loretta Preska with Federalist Society Board Member & Former U.S. Attorney General Michael Mukasey at the New York City Lawyers Chapter's annual gala. Judge Preska received the chapter's James Madison award at the gala, which took place at the Yale Club.

Dallas, Fort Worth, Nashville, New Jersey, Oklahoma City, San Diego, Tallahassee, and Tulsa also hosted Supreme Court reviews.

Religious liberty and conscience rights issues were additional themes that emerged in chapter programming in 2014, particularly as the Supreme Court considered the HHS contraception mandate. Cameron Smith of the Alabama Policy Institute addressed the **Birmingham** Lawyers Chapter on *Hobby Lobby* and the limits of corporate conscience. The **Kansas City** Lawyers Chapter held a luncheon on *Hobby Lobby* with Professor Joshua Hawley from the University of Missouri School of Law and the Becket Fund, where he discussed the pending argument in front of the United States Supreme Court relating to the lawsuit brought by *Hobby Lobby*. The **Memphis** Lawyers Chapter hosted a discussion on religious liberty between Professor Scott Gaylor of Elon University School of Law and Professor Lisa Shaw Roy of the University of Mississippi School of Law, moderated by Magistrate Judge Charmiane Claxton of the U.S. District Court for the Western District of Tennessee. The **Tulsa** Lawyers Chapter hosted a luncheon with Oklahoma Attorney General Scott Pruitt who discussed *Hobby Lobby* and related religious liberty issues. Kyle Duncan, Special Counsel for the State of Louisiana and formerly with the Becket Fund, spoke to the **Baton Rouge, Dallas, Montgomery, and Miami** Chapters on these topics as well. Other chapters addressing these issues include **Fort Worth, Orange County, St. Louis, and Salt Lake City.**



(left to right) Jim Wright; Judge Edith Brown Clement, U.S. Court of Appeals for the Fifth Circuit; and Judge Leslie H. Southwick, U.S. Court of Appeals for the Fifth Circuit, at the New Orleans Chapter's Fifth Circuit Round-Up.

With the Supreme Court's decision in *McCutcheon v. Federal Election Commission*, campaign finance continued to be a hot button issue. Ilya Shapiro of the Cato Institute addressed the **Minnesota** and **New Jersey** Lawyers Chapters on how the Court reached its decision to strike down aggregate donation limits, what the legal and political consequences might be, and how this case relates to *Citizens United*. The **Atlanta** and **Cincinnati** Lawyers Chapters hosted Professor Bradley Smith of West Virginia University School of Law. In **Atlanta**, he delivered an address, "Citizens United, *McCutcheon*, and the Supreme Court's Campaign Finance Jurisprudence" to a crowd of 80 lawyers. In **Cincinnati**, he examined what the decision reveals about where the Supreme Court may be heading with regard to the treatment of campaign donations as speech and what the dissent tells us about the dissenters' view of First Amendment rights. *Washington Post* columnist George Will spoke about campaign finance reform to 210 attendees at the **Washington, DC** Chapter's monthly luncheon. The **Memphis** Lawyers Chapter hosted a debate, "Campaign Finance Regulation after *McCutcheon*," with John Ryder of the Republican National Committee, Michael Morley of Harvard Law School, and J. Gerard Stranch of Branstetter, Stranch & Jennings, PLLC. The event was moderated by Judge Samuel Mays of the U.S. District Court for the Western District of Tennessee.

Many chapters confronted the controversy involving privacy concerns and constitutional liberties in light of the NSA's data surveillance program. The **Atlanta** Lawyers Chapter hosted former United States Attorney General

Michael Mukasey who spoke to a crowd of 115 lawyers on the myth and reality of national security, privacy, and the Constitution. The **New Hampshire** Lawyers Chapter held a debate with Charles Douglas, a former New Hampshire Supreme Court Associate Justice and U.S. Congressman; Paul Rosenzweig of Red Branch Consulting PLLC; and moderator Professor Calvin Massey of the University of New Hampshire Law School with 60 lawyers in attendance. They examined whether the NSA monitoring of domestic communications can be reconciled with individual constitutional liberty interests. The **Tampa** Lawyers Chapter hosted Professor Randy Barnett of Georgetown University Law Center, who contended the NSA data seizures are unconstitutional. Chapters in **Columbus**, **Houston**, and **Louisville** also hosted programming on these questions.

With recent headlines about violence in the Middle East, the emergence of ISIS, and troops in Syria, attention also turned to programs on national security and foreign policy. Professor John Yoo of the University of California Berkeley School of Law and Professor Alberto Coll of DePaul University College of Law engaged in a discussion before the **Chicago** Lawyers Chapter on "Making War in a World in Chaos." The speakers discussed whether President Obama could launch U.S. forces into conflict on his own constitutional authority or whether he needed Congressional approval to intervene. They also discussed whether international law could constrain the White House's ability to start a war. Dr. Mark Conversino of the Air War College discussed recent events in Russia and the Ukraine in a speech to the **Birmingham** Lawyers Chapter. On October 22, the **DC Young** Lawyers Chapter co-hosted a discussion on foreign policy and national security with the Alexander Hamilton Society featuring Arnold & Porter attorney John Bellingier, who served as a legal advisor to the State Department during the George W. Bush Administration, and Dechert partner Steve Bradbury, who led the Office of Legal Counsel during the Bush Administration. The **Milwaukee** Lawyers Chapter hosted Professor Jeremy Rabkin of George Mason University School of Law for a discussion on international law. The **Los Angeles** Lawyers Chapter hosted Professor John Yoo of Berkeley Law and author of *Point of Attack: Preventive War, International Law, and Global Warfare*. Professor Yoo debated Professor Angelo Codevilla of Boston University and the author of *To Make and Keep Peace Among Ourselves and All Nations*. They discussed how and when the United States should take military action, when the U.S. should intervene in Syria, and whether international law should constrain or facilitate military action abroad. Fifty lawyers attended the program. The **New York City** Lawyers Chapter also hosted Professor Yoo along with Professor Michael Lewis of Ohio Northern University Law School. Addressing 75 guests, they discussed the law and policy of wars in Crimea, Syria, and Libya as well as the

looming threats in Iran and North Korea.

Chapters also hosted signature events such as their annual dinners. The **New York City** Lawyers Chapter bestowed its James Madison award on United States District Court Judge Loretta Preska at a gala dinner at the Yale Club. The **San Diego** Lawyers Chapter hosted its 21st Anniversary Celebration with the keynote speech delivered by Congressman Darrell Issa, who also received the chapter's 2014 Bernie Siegan Award. The **Michigan** Lawyers Chapter hosted its Annual Dinner and Grano Award Presentation with over 150 lawyers and judges in attendance. Baylor University President Kenneth Starr delivered the keynote speech, and Judge Gerald Rosen of the U.S. District Court for the Eastern District of Michigan was honored with the Chapter's Grano Award.

The **Indianapolis** Lawyers Chapter hosted Indiana Governor Mike Pence for a luncheon event. Governor Pence emphasized the importance of federalism and highlighted some of Indiana's conservative achievements, including implementing permanent tax reforms and his creation of the Healthy Indiana Plan that uses personal healthcare savings accounts instead of an Obamacare insurance exchange. The Chapter also hosted Senator Dan Coats and Indiana Attorney General Greg Zoeller in 2014. The **Long Island** Chapter hosted Wisconsin Governor Scott Walker.

Engagement with the Society's State Courts and Attorneys General project continued in 2014, as many chapters hosted debates and launched educational efforts in their states. The **Montana** Lawyers Chapter co-hosted the first State Supreme Court candidate forum hosted in Montana in several years, with all four candidates on the ballot participating. It generated a significant amount of media, including coverage by most of the major Montana newspapers and major television networks in Missoula. The **Charlotte** and **Triangle** Chapters also hosted well-attended candidate forums in North Carolina, featuring nearly all of the Supreme Court candidates. Several other chapters, including **Phoenix** and **Madison**, hosted programs designed to discuss and debate the role of the state attorney general.

The Federalist Society's Lawyers Division continues its emphasis on young lawyer outreach. The **DC Young** Lawyers Chapter continues to grow and host sold-out events. Programs ranged from large receptions with Senator Kelly Ayotte and a co-sponsored discussion on ISIS with the Alexander Hamilton Society; small dinners with Gibson Dunn & Crutcher partner Miguel Estrada and former SEC Commissioners Paul Atkins and Troy Paredes; and breakfasts with Jones Day partner Ben Ginsberg, former Secretary of Defense Donald Rumsfeld, and FEC Chairman Lee Goodman. The year culminated in a small

luncheon with Supreme Court Justice Samuel Alito. Both New York City and Houston hosted young lawyers receptions this year, and many chapters hosted summer associate events designed to reach out to students and recent graduates. The **Houston** Lawyers Chapter hosted a young lawyers networking reception in August. The event proved popular with the Chapter's many young lawyers and law clerks already active with the Federalist Society. The **New York City Young** Lawyers Chapter hosted an intimate networking dinner with Logan Beirne, author of *Blood of Tyrants: George Washington & the Forging of the Presidency*. The Chapter also hosted a well-attended evening reception with entrepreneur Mark Gerson, chairman of Gerson Lehrman Group. Mr. Gerson spoke to the young lawyers and law students about how they can use their law degrees to pursue business ventures or other career paths besides practicing law or working in politics.

New and revived lawyers chapters were launched in 2014, including chapters in **Harrisburg, Little Rock, Nebraska, Toledo, and West Virginia**. These chapters, directed by their dedicated and talented volunteer leadership, will continue to shape the debate about legal and public policy in their communities and connect the next generation of lawyers chapter leaders to a national network of legal opinion leaders.



Hon. Edwin Meese, III, Member of the Federalist Society's Board of Directors & Former U.S. Attorney General (left) being interviewed by Judge Carlos T. Bea, U.S. Court of Appeals for the Ninth Circuit (right), during the Annual Western Conference in January.

Practice Groups Expand Executive Branch Review Project

SECOND ANNUAL EXECUTIVE BRANCH REVIEW CONFERENCE

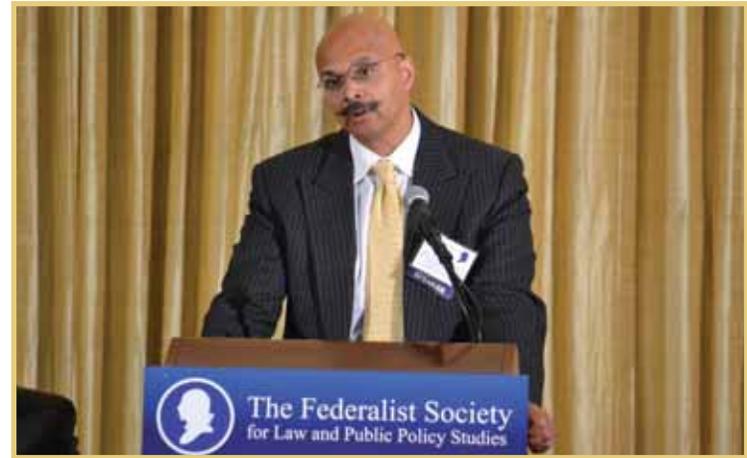
The Federalist Society has laid down a marker as a key entity engaged in thorough monitoring of the Executive Branch, via the Practice Group's Executive Branch Review Project. A key element of the Project is its annual conference. This year's Executive Branch Review Conference took place on Wednesday, May 7th at the Mayflower Hotel in Washington, DC. It began with an opening address by then-Congressman Tom Cotton (AR). From there, a number of panels debated different phenomena in the Executive Branch:

Suspension of Laws: What are the Limits of Executive Authority?: When may, and may not, the Executive choose not to act, or to act less vigorously, and still meet the requirements of the Take Care Clause? The panel featured: Brianne Gorod, Constitutional Accountability Center; Prof. Nicholas Quinn Rosenkranz, Georgetown University Law Center; and Prof. Jonathan Turley, George Washington University Law School. The panel was moderated by Stuart S. Taylor, Jr., of the Brookings Institution.

Policy without Process?: The Administrative Procedure Act (APA) defines the process by which federal regulatory agencies are to adopt and enforce federal regulations. Many commentators, however, argue that the federal government has for years evaded the requirements of the APA. Critics cite informal agency guidance, opinion letters, regional office actions, and other agency actions that purport to bind at least some stakeholders. The panel featured: Prof. Jonathan Adler, Case Western Reserve University School of Law; William L. Kovacs, U.S. Chamber of Commerce; and Prof. Stephen I. Vladeck, American University Washington College of Law. The panel was moderated by Hon. Susan E.



U.S. Senator Ted Cruz (TX) delivers the keynote address at the Second Annual Executive Branch Review Conference in May.



Hon. Peter N. Kirsanow, U.S. Commission on Civil Rights, discusses "Use of Disparate Impact Analysis" during the Second Annual Executive Branch Review Conference in May.

Dudley of the Trachtenberg School of Public Policy and Public Administration.

Disparate Impact Analysis: Under disparate impact analysis, certain private actions are considered discriminatory if they have a disproportionately adverse impact on a protected class of persons, even without discriminatory intent. A number of commentators have noted an expansion of the use of disparate impact analysis in the federal government to areas including employment, education, housing, government contracting, and auto financing, to name a few. Our panel of experts featured: Hon. Gail Heriot, Prof. of Law, University of San Diego School of Law and Commissioner, U.S. Commission on Civil Rights; Hon. Peter N. Kirsanow, Benesch, Friedlander, Coplan & Aronoff LLP and Commissioner, U.S. Commission on Civil Rights; Prof. Theodore M. Shaw, University of North Carolina School of Law; and was moderated by Adam Liptak, Supreme Court Correspondent, *The New York Times*

The Internal Revenue Service: This panel discussed the IRS's proposed revision to 501(c)(4) rules, the targeting of certain organizations in IRS review and approval processes, as well as the IRS's determination, currently the subject of litigation, that individuals who participate in federally-run as well as state-run health care exchanges established under the Affordable Care Act are entitled to subsidies. The panel featured: Michael A. Carvin, Partner, Jones Day; Dr. Craig Holman, Public Citizen; Cleta Mitchell, Partner at Foley & Lardner, and

at Graves Garrett LLC, Edward T. Kang, now a partner at Alston & Bird LLP, and John C. Richter, a Partner at King & Spalding sat on the panel, which was moderated by practice group executive committee chairman John G. Malcolm. The practice group also covered a number of Supreme Court cases in 2014 on Courthouse Steps Teleforum conference calls, drawn from the October 2013 and 2014 Terms, including *Paroline v. United States*, *Susan B. Anthony List v. Driehaus*, *Riley v. California*, *United States v. Wurie*, *Yates v. United States*, and *Elonis v. United States*.

The **Environmental Law & Property Rights Practice Group** was pleased to host Oklahoma Attorney General Scott Pruitt at the National Press Club in May. The Attorney General presented his plan for the State of Oklahoma's compliance with new greenhouse gas regulations issued by the EPA under section 111(d) of the Clean Air Act. His presentation was followed by a panel discussion moderated by practice group executive committee chairman Jeffrey B. Clark and featuring F. William Brownell, Hunton & Williams LLP, Patrick McCormick, III, U.S. Senate Energy and Natural Resources Committee, and David Doniger, Natural Resources Defense Council. The practice group also hosted a number of Teleforum Conference Calls on the topic of greenhouse gas regulation. Robert R. Gasaway, Kirkland & Ellis LLP, joined a pair of Teleforum conference calls following the oral arguments and decision in *Utility Air Regulatory Group v. Environmental Protection Agency*. Darin R. Bartram, Baker & Hostetler LLP and Hon. Roger Martella, Jr., Sidley Austin LLP, joined another call to provide a roundup of several DC Circuit and U.S. Supreme



Cleta Mitchell, Partner at Foley & Lardner LLP, discusses the Internal Revenue Service's proposed revision to 501(c)(4) rules at the Executive Branch Review Conference.

Court emissions decisions in the spring, and Mark W. DeLaquil and David B. Rivkin, Jr., both of Baker & Hostetler LLP, joined a Teleforum call following the EPA's release of its new CO2 rules in June.

The **Financial Services & E-Commerce Practice Group** launched a successful series of monthly Teleforum calls to update practice group members on the happenings in the previous month at the Consumer Financial Protection Bureau. These calls have proven to be an excellent resource for financial services practitioners, and have featured Julius L. Loeser, Winston & Strawn LLP, Prof. Todd J. Zywicki, George Mason University School of Law, and Hon. Wayne A. Abernathy, American Bankers Association. A point of emphasis on these calls has been "Operation Chokepoint," a new initiative of the Obama Administration that aims to pressure banks to disfavor certain industries. A stand-alone call dedicated to this topic featured Hon. Charles J. Cooper, Cooper & Kirk, PLLC, Iain Murray, Competitive Enterprise Institute, and Prof. Todd J. Zywicki. The practice group also hosted a fascinating Teleforum featuring a conversation between SEC Commissioner Daniel Gallagher and former Commissioner Paul Atkins on the Dodd-Frank Act's impact on United States capital markets.

Last year the **International & National Security Law Practice Group** continued to be among our most active practice groups. It hosted a number of Teleforum Conferences Calls on national security, cyber security, and the War on Terror. In January, Prof. Stephen I. Vladeck of American University Washington School of Law and Cadwalader, Wickersham & Taft LLP partner Kenneth L. Wainstein discussed "Reforming the Foreign Intelligence Surveillance Court." University of San Diego School of Law Prof. Michael D. Ramsey discussed the Argentina bonds case *Republic of Argentina v. NML Capital*, in an April Teleforum. In June, John O'Quinn of Kirkland & Ellis LLP and Prof. Stephen Vladeck explored "The Legal and Policy Implications of Closing Guantanamo Bay." Former Homeland Security Assistant U.S. Secretary for Policy Stewart A. Baker, now at Steptoe & Johnson LLP, and Center for Democracy and Technology Senior Policy Counsel Harley Geiger explored "Privacy and National Security: The Merits of the Leahy FISA Reform Bill" in an August Teleforum. Also in August, Privacy and Civil Liberties Oversight Board Member Rachel Brand and Center for Democracy & Technology Senior Counsel James Dempsey discussed "Surveillance, National Security, and Privacy: The PCLOB Report on Section 702 Surveillance."

The **Labor & Employment Law Practice Group** put on numerous Teleforums in 2014. In January John Elwood of Vinson & Elkins LLP discussed the *Noel Canning* case in "Recess Appointments in the Supreme Court: *Noel*

Canning.” In July, after the Supreme Court issued its opinion in the case, Andrew Grossman of Baker and Hostetler was joined in a post-decision Teleforum by University of Michigan Law School Prof. Samuel Bagenstos. In January 2014 the Supreme Court issued its opinion in *Sandifer v. United States Steel*, the work clothing donning and doffing case. Lawrence C. DiNardo of Jones Day and former U.S. Department of Labor Wage and Hour Division Administrator Tammy McCutchen discussed its implications.

The **Litigation Practice Group** had a big year in 2014, starting with Mark A. Behrens of Shook, Hardy & Bacon discussing “Damages and Medical Monitoring” in a February Teleforum. The Litigation group also hosted a pair of Telefora in March on *Halliburton v. Erica P. John Fund*. First, Dechert partner Steven G. Bradbury and Stanford Law School Prof. Michael Klausner discussed the case and the parties. The second Teleforum featured analysis from Sullivan & Cromwell Special Counsel Jeffrey Wall in “Supreme Court to Rule on Fraud in the Market: *Halliburton v. Erica P. John Fund.*” Both calls were co-sponsored with the Corporations, Securities & Antitrust Practice Group. Later in March, Vanderbilt University School of Law Prof. Brian T. Fitzpatrick, and Center for Class Action Fairness Founder and President Theodore H. Frank debated “Residual Class Action Awards: Cy Pres.” In October, Vanderbilt University Law School Prof. Rebecca Haw Allensworth and West Virginia Attorney General’s Office General Counsel Misha Tseytlin examined the facets of in-state regulatory boards made up of private actors in a Teleforum titled “Regulating the Regulators: *North Carolina Board of Dental Examiners v. Federal Trade Commission.*”

The **Professional Responsibility & Legal Education Practice Group** continued to explore interesting literature on legal education and the broader practice of law in general. James Haynes interviewed Washington University (Saint Louis) School of Law Prof. Brian Tamanaha on his book *Failing Law Schools* in a May Teleforum. And in September, Practice Group Chairman John J. Park, Jr. of Strickland, Brockington, Lewis LLP interviewed *Bloomberg Businessweek* Assistant Managing Editor and Senior Writer Paul M. Barrett on his recent book, *Law of the Jungle: Chevron in the Amazon.*

The **Religious Liberties Practice Group** started their year strong with a Teleforum discussion and debate between author Clarke Forsythe of Americans United For Life and George Washington University Law School Prof. Jeffrey Rosen, taking a look at the underpinnings of *Roe v. Wade*. George Mason University School of Law Prof. David Bernstein and Yale Law School Prof. William N. Eskridge, Jr. discussed the implications of and the prospects for passage of the Employment Non-Discrimination Act in a February Teleforum.



Then-U.S. Rep. Tom Cotton (AR) delivers the opening address of the Second Annual Executive Branch Review Conference in May at the Mayflower Hotel.

A panel consisting of University of California at Los Angeles School of Law Prof. Stephen M. Bainbridge, University of Notre Dame Law School Prof. Gerard V. Bradley, Georgetown University Law Center Prof. Martin Lederman, and Brooklyn Law School Prof. Nelson Tebbe discussed “The Contraceptive Mandate in the Supreme Court: *Sebelius v. Hobby Lobby Stores, Inc.*” Christian Legal Society Senior Counsel Kim Colby was featured in a May Teleforum titled “Prayer in the Public Square: *Town of Greece v. Galloway* Decided.”

The **Telecommunications & Electronic Media Practice Group** had a busy 2014, starting with a question about “The Internet: To Regulate or Not to Regulate?” featuring John Bergmayer, Senior Staff Attorney at Public Knowledge and Randolph May, President of The Free State Foundation. In March, Randolph May returned with Shawn Chang, Senior Democratic Counsel, Communications and Technology Policy, U.S. House Committee on Energy and Commerce, and David Redl, Chief Counsel for Communications and Technology, Committee on Energy and Commerce, U.S. House of Representatives to discuss the Communications Act Reform. “The Internet: Are We Losing Control?,” a question posed and discussed by speakers John M.R. Kneuer, President and Founder, JKC Consulting LLC and Patricia Paoletta, Partner, Wilshire & Grannis LLP. In April, Megan Brown, Partner, Wiley Rein LLP, Karen Harned, Executive Director of the National Federation of Independent Business Legal Center, and Scott Delacourt, Partner, Wiley Rein LLP had a panel on “*FTC v. Wyndham Worldwide: The Limits FTC ‘Unfairness’ Authority and the Future of Cyber and Data Security Enforcement.*” In August,

Randolph May, President, The Free State Foundation, Michael Weinberg, Vice President, Public Knowledge, Prof. Daniel Lyons, Boston College Law School, and Hon. Maureen Ohlhausen, Commissioner, Federal Trade Commission, discussed the new hot topic, “Net Neutrality: The Power to Act.”

In February, the **Federalism & Separation of Powers Practice Group** hosted an author Teleforum with Timothy Sandefur to discuss his latest book, *The Conscience of the Constitution: The Declaration of Independence and the Right to Liberty*. On the call, Sandefur explained why the Declaration of Independence, with its doctrines on the primacy of liberty, the natural rights of man, and the limits on legitimate government, should serve as the guidepost for understanding the Constitution. Clark Neily of the Institute for Justice offered insightful commentary.

In early June, the practice group hosted a Teleforum to discuss the decision in *Bond v. U.S.* with Dr. John C. Eastman and Prof. Nicholas Quinn Rosenkranz. As the Supreme Court Term wrapped up, the practice group held a Courthouse Steps Teleforum call to discuss the decision in *NLRB v. Noel Canning*, a unanimous decision in which the Court held that recess appointments made in pro forma sessions are invalid. Our experts, Noel J. Francisco, Prof. Kristin E. Hickman and Prof. Michael B. Rappaport discussed the decision and took questions from our call-in audience. The question of presidential power was discussed in a Teleforum hosted by the Practice Group in early December. Our discussion, “Immigration: The Limits of Executive Authority” addressed the specifics of the President’s recent actions on immigration, the legality of those actions and if the President exceeded his constitutional authority to act. Profs. John S. Baker, Jr., John C. Eastman, John C. Yoo and Margaret D. Stock discussed this timely issue.

In May, the **Free Speech & Election Law Practice Group** hosted an interesting Teleforum call in which we heard the story of Shaun McCutcheon’s campaign finance case in the High Court. On the call and in his book, *Outsider Inside the Supreme Court: A Decisive First Amendment Battle*, plaintiff Shaun McCutcheon explained how he sought to achieve positive change in the political process in bringing his lawsuit. Mr. McCutcheon described his road to the nation’s highest court. In June, the Practice Group hosted a Teleforum called “Amending the Bill of Rights.” There is a recent, concerted effort to ratify an amendment to the U.S. Constitution to allow Congress to regulate political speech when it is engaged in by corporations as opposed to individuals. The questions of what such a proposed amendment would accomplish and the likelihood of its adoption were discussed on this call with Profs. Bradley A. Smith and Eugene Volokh.

The **Intellectual Property Practice Group** hosted an author Teleforum with Profs. Tom W. Bell and Christopher Newman on “Copyright Originalism.” In Prof. Bell’s book, *Intellectual Privilege: Copyright, Common Law, and the Common Good*, he argues that copyright in the United States has mutated into something the Founders would have hardly recognized, much less approved of. Profs. Bell and Newman discussed the arguments set forth in the book and took questions from our call in audience. In April, the Intellectual Property Practice Group hosted Chief Judge Randall R. Rader of the United States Court of Appeals for the Federal Circuit to discuss “Who Rules Patents? A Discussion with Chief Judge Randall R. Rader.” In the call, Judge Rader offered a unique perspective on the patent system.

In December, the Intellectual Property Practice Group hosted an important day-long conference discussing “Patents and Innovation: Addressing Current Issues.” The program featured two panels and a keynote address. The morning began with a panel titled, “The Regulatory Reach of the FTC, and its International Implications” and featured Alden F. Abbott, former Director of Patent and Antitrust Strategy at BlackBerry, current member of the Federal Trade Commission Hon. Joshua D. Wright, and was moderated by Hon. Paul Michel, retired Chief Judge of the U.S. Court of Appeals for the Federal Circuit. The second panel, “Balancing Patent Rights and Litigation Abuses,” featured Hon. F. Scott Kieff of the United States International Trade Commission, Prof. Adam Mossoff from the Center for the Protection of Intellectual Property at George Mason University School of Law, Noah Phillips, Chief Counsel for U.S. Senator John Cornyn at Senate Judiciary Committee, and was moderated by Dean A. Reuter, Vice President and Director of Practice Groups at the Federalist Society. The Conference ended with a fascinating keynote address by Prof. Richard Epstein. The full conference video and audio recordings can be accessed by visiting the Federalist Society’s website.

Faculty Division Expands Programs in 2014 Thanks to Generous New Grants

The Faculty Division, now in its seventh year of expanded operations, extended its programming and participation in 2014. It provided new opportunities for faculty members, especially young faculty, to gain recognition and produce outstanding scholarship, while at the same time maintaining its core programs designed to foster dialogue within the legal academy.

FOSTERING THE EXCHANGE OF IDEAS *Annual Faculty Conference*

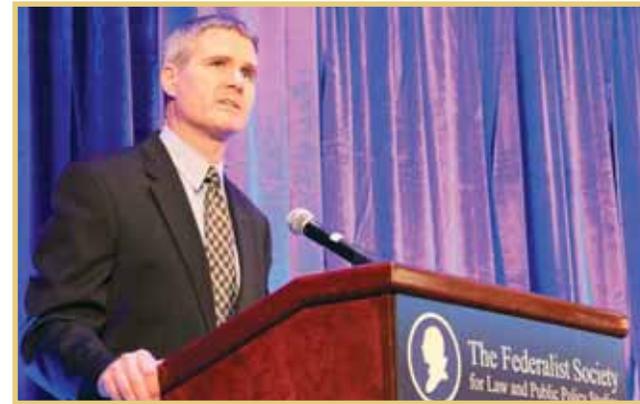
Our 17th Annual Faculty Conference took place on January 3-4, 2015 in Washington, DC, and included our first-ever livestream video feed. For more Faculty Conference coverage, see page 26.

Faculty Colloquia

During calendar year 2014 we hosted eight faculty colloquia on a wide range of topics. These included five colloquia co-sponsored with Liberty Fund as part of our “Law and Liberty” series as well as three colloquia on topics related to law and free enterprise or religious liberty that were funded through a special grant from the John Templeton Foundation. These colloquia bring together faculty, practitioners, and aspiring academics (usually about 17 people total) for a day-and-a-half to discuss a common set of readings. They focus on promoting the



In September, the Faculty Division co-sponsored the Society's Supreme Court Preview Panel featuring (left to right): Prof. Orin Kerr, George Washington; Will Consovoy, Partner, Consovoy McCarthy; Virginia Seitz, Partner, Sidley Austin; Adam White, Counsel, Boyden Gray & Associates; and Carrie Severino, Chief Counsel and Policy Director at the Judicial Crisis Network.



Thomas G. Hungar, Partner at Gibson Dunn & Crutcher LLP and former U.S. Deputy Solicitor General, speaks during the annual Supreme Court Roundup at the Mayflower Hotel.

exchange of ideas and incorporating conservative and libertarian perspectives into academic discussion of current events and enduring legal questions. This allows the participants, who come from diverse backgrounds and perspectives, to learn from each other and develop camaraderie. Topics this year included “Constitutional Theory and Liberty: The Current State of Originalism”; “Liberty of Conscience and the Law”; “Law and the Moral Sense”; “The Classical Liberal Constitution”; “Intellectual Property and Free Enterprise”; and “Freedom of Assembly and Religious Liberty”.

For the second year in a row, the Faculty Division awarded prizes for original scholarship presented at our private law colloquium, this year “Intellectual Property and Free Enterprise.” The four winning papers served as the focal point of one of the sessions of the colloquium. Once again, this innovation proved successful on all levels – the papers made for an excellent discussion, the comments at the colloquium led to their improvement, and several have already been accepted for publication in highly regarded journals.

PROGRAMMING FOR JUNIOR SCHOLARS *Junior Scholars Colloquium*

Our third Junior Scholars Colloquium was held at Airlie Center in Warrenton, VA on June 13-14, 2014. It provided eight junior faculty with the opportunity

to present competitively selected unpublished papers and receive comments from more senior faculty members during eight one-hour sessions. The quality of submissions for this competition has continued to improve.

Junior Faculty Workshops

Our series of Junior Faculty Workshops, launched in 2011, continues. These events provide a structured but relatively informal environment in which several junior faculty members from different schools gather to spend a day workshopping each others' papers. A junior faculty member assumes responsibility for organizing and directing the workshop and receives a modest budget to arrange for facilities, a group meal, and travel if necessary. Workshops held in 2014 included *Public Law, Intangibility in IP, Law and Technology, Intellectual Property, Criminal Theory, The Stanford Constitutional Law Center Workshop*, and *The Georgetown Center for the Constitution Workshop*.

ASSISTANCE FOR ASPIRING SCHOLARS

Olin/Searle/Smith Fellowships

The Faculty Division offers Olin/Searle/Smith Fellowships to law school graduates interested in pursuing a career in legal academia. These one-year fellowships provide a \$60,000 stipend to graduates whose strong academic qualifications make them likely to contribute to intellectual diversity in the legal academy, allowing them to spend a year working on articles at a top law school. The majority of past recipients have gone on to earn tenure track positions in the legal academy, some of them at top law schools. This year's recipient was Gregory Shill. Shill is spending his fellowship year at the New York University School of Law.

Job Talk Workshop

This year the Faculty Division offered two workshops for law school graduates who seek to enter the legal academic market (up from one in prior years). Notwithstanding the challenges facing the law school teaching market, interest in the workshops remains quite high. Dividing our single extended workshop into two shorter versions allowed us to accommodate more participants while still improving one-on-one guidance for candidates. The first workshop took place in Chicago (Hyde Park), Illinois on June 7-9, 2014. The second took place on July 20-22, 2014, also in Chicago (downtown).

At this year's workshops, eleven candidates preparing to go on the tenure track market (five in the first workshop and six in the second) had the opportunity to present their job talk before a panel of professor commentators led by Prof. Lisa Bernstein (University of Chicago), receive substantive and stylistic

feedback (including tips about how to manage ideological discrimination from hiring committees), participate in mock AALS and Skype interviews (which have become increasingly common among schools as a cost-saving measure), and receive an individualized resume critique.

OUTREACH TO ASPIRING LAW PROFESSORS

Visits to Law Schools

The Faculty Division continued its systematic effort to visit top law schools (from whose ranks future law professors have overwhelmingly been drawn) to provide interested students information about the challenges and benefits of an academic career, encourage good prospects to remain interested, and advise them about steps best taken in law school that will help them to be successful. This cycle, we met with students from Harvard, Yale, Penn, and Michigan, and have visits scheduled at Stanford, Berkeley, and Chicago. These visits have proven highly effective in connecting us with strong potential academics, and we have begun to incorporate the people we have met into faculty colloquia and other appropriate events.

SUMMER RECEPTION FOR LAW STUDENTS & RECENT GRADUATES INTERESTED IN ACADEMIA

For the second time, the Faculty Division sponsored a summer reception for law students and recent graduates who may be interested in an academic career. Held at Smith & Wollensky in Washington, DC on July 10, the event drew strong attendance. Prof. John Duffy (Virginia) made brief remarks about the challenges and rewards of an academic career, offering attendees advice



Federalist Society co-founder, Senior Vice President, & Faculty Division Director Lee Liberman Otis participates in a faculty colloquium in March.

on how best to discern and prepare for this calling. Faculty members from other area law schools also attended and chimed in.

RESOURCES FOR THE PUBLIC AND PRESS *Supreme Court Docket*

The Division, in collaboration with the Practice Groups, continued to produce original programming drawing on academic and practitioner expertise. These programs are designed to educate the public and the media and offer faculty members a chance to raise their profiles.

SCOTUScast, a series of expert commentary podcasts on U.S. Supreme Court cases as they are argued and issued, is now in its ninth year. These podcasts are designed to better inform the general public about cases in the Court and to enable faculty members and legal experts to address a wide audience. Over 100 podcasts for the 2013 Term, and more than 45 from the October 2014 term, are available online: www.fedsoc.org/scotuscast.

Each year, in collaboration with the Practice Groups, the Division also organizes a *Supreme Court Preview Panel* at the National Press Club. Our 2014 term panel is available online.

The Division and the Practice Groups also organize regular press calls with faculty and practitioner experts who provide expert analysis of upcoming Supreme Court cases. These efforts give members of the press perspective on unfamiliar cases and help enhance the reputations of our experts.

Many of these calls are supplemented with press statements from experts with commentary on the Court's recent activities that are given out as a resource to press. These have been quoted by *The Associated Press*, *ABC*, *The New York Times*, *The Washington Post*, *The Los Angeles Times*, *Forbes*, and many others.

Faculty Books and Other Work

The Faculty Division continued its series of DC-based events to stimulate opinion leaders' discussion of important new books by faculty members. Generally the author presents key points from the book, followed by comments from two or three panelists and a public question-and-answer session.

Our 2014 book events included a panel on Prof. Todd Zywicki's book *Consumer Credit and the American Economy*, which featured commentary by Prof. Anthony Yezer (George Washington) and Prof. Heidi Schooner (Catholic) and was moderated by Mark Calabria (Cato). The event was co-sponsored with the Cato Institute. Additionally, we held a panel discussion of Prof. Steven

Smith's (San Diego) new book *The Rise and Decline of American Religious Freedom* featuring commentary by Prof. John Inazu (Washington University), Prof. Ira "Chip" Lupu (Washington-St. Louis) and moderated by Prof. Robert Destro (Catholic). This event was co-sponsored with the George Washington University Federalist Society student chapter.

OUTREACH TO OTHER ASSOCIATIONS *SEALS and APSA Meetings:*

The Division held its eighth annual reception at the annual meeting of the Southeastern Association of Law Schools (SEALS) in Amelia Island, Florida. For the second time, Division staff also attended the annual meeting of the American Political Science Association (APSA), where we helped the Claremont Institute organize panels on the Administrative State and the October 2013 Supreme Court term and connected with non-law faculty who are teaching law-related courses at the graduate or undergraduate level. APSA also approved the Society's application for "related group" status, which will allow us to sponsor our own panels at the 2015 annual meeting.



Former OIRA Administrator and George Washington Prof. Susan Dudley (at right) participates in a Faculty Division colloquium. These colloquia bring together faculty, practitioners, and aspiring academics for a day-and-a-half to discuss a common set of readings.

International Project Sees Record Growth in Western & Eastern Europe

The past year was the first time the Society saw significant penetration into Western Europe, reaching a record number of conservative and libertarian civil-society leaders and judges who we had not previously engaged with. Our progress continues to be on pace in Eastern Europe.

CENTRAL AND EASTERN EUROPE: FACILITATING A RULE-OF-LAW CULTURE

Through our partners in Central and Eastern European countries, most of which were under the control of Communist regimes until the late twentieth century, the Federalist Society has continued to spread the culture of the rule of law and individual freedom among young participants in training academies and seminars as well as among high-level judicial and legal contacts.

In late June, the Federalist Society, with the generous support of the John Templeton Foundation, sponsored the visit of Prof. Peter “Bo” Rutledge from the University of Georgia School of Law to speak at a conference on problems associated with civil procedure delays hosted at the Institute for Legal Studies at the Hungarian Academy of Sciences in Budapest.



In July, the Federalist Society arranged for a group of civil society leaders and young professionals from the French program the Tocqueville Fellowship to meet with Senator Mike Lee of Utah in Washington, DC.



In October, the Federalist Society sponsored a panel organized by the Institute of Ideas on “From Magna Carta to ECHR: Do We Need a British Bill of Rights?” in London.

Also in June, the Federalist Society furthered its crucial commitment to the maintenance and expansion of its European Judicial Network by hosting its second European Judicial Network Conference in Vienna. A group of judges from national constitutional courts – mainly in Central and Eastern Europe – the European Court of Human Rights, and the Court of Justice of the European Union. In all, ten European judges from six different countries attended the conference to engage in discussion on issues of common interest. In addition to the European judges, three judges from U.S. courts of appeal attended the proceedings to lend their expertise on the issues: Judge Edith Jones of the Fifth Circuit, Judge Douglas Ginsburg of the DC Circuit, and Judge A. Raymond Randolph of the DC Circuit.

In July, the Society supported its partner group the Common Sense Society in hosting in Szirák, Hungary its first ever Summer Leadership Academy Alumni Retreat, whose purpose was to educate over twenty conservative leaders from the public and private sectors in conservative and libertarian economic and political principles. In the Republic of Georgia, the Federalist Society continued its cooperation with the Constitutional Court of Georgia’s Summer School by organizing the travel of Prof. Stephen Henderson of the University of Oklahoma College of Law to Batumi in August to teach a set of classes on criminal law and procedure to students at the Constitutional Court. Additionally, in August, the Federalist Society supported the Zadar Freedom

Forum, hosted by Federalist Society partner group the Croatian Centre for the Renewal of Culture, consisting of classes and seminars for a group of young Croatian leaders on subjects ranging from the future of the European Union to the importance of U.S. foundational principles.

In Munich, the Federalist Society supported the first-ever Agenda Europe Strategy Summit, at which over one hundred members, many of whom are from the Central and Eastern European region, convened to discuss legal and civil society strategies for pushing forward the debate over principles related to individual freedom and conscience rights in Europe.

WESTERN EUROPE: PROMOTING LAW-AND-LIBERTY DEBATE IN ESTABLISHED NETWORKS

The Federalist Society has broken through in its outreach in the United Kingdom and France to access well-organized civil society and legal networks that have engaged with the Society on rule-of-law programs, and to bolster its burgeoning network of lawyers, judges, professors, and others interested in promoting the principles of a free society in their countries.

In Britain, the Federalist Society capitalized on its expanding network of U.K. civil society groups by organizing a set of roundtable meetings, called the Law and Liberty Circle, in London to discuss the U.K.'s relationship with the European Union and the European Court of Human Rights, as well as other issues facing attorneys, the judiciary, and policymakers in the U.K. Throughout the year, the Law and Liberty Circle meetings attracted a total of nearly fifty attendees, including eminent members of the bar, representatives of respected think tanks and other organizations, and a Member of Parliament.

Over the course of 2014, the Society sponsored a series of events with British think tank Politeia on the topic "The EU and U.K.: What Principles of Renegotiation?" The series featured discussions by prominent law and policy experts on the mechanism of renegotiation of competences between the EU and the U.K., the EU and the financial services industry, and the U.K. Human Rights Act. The series also led to the publication by barrister Martin Howe QC, with the support of the Federalist Society, of "Zero Plus: The Principles of Renegotiation," discussing the potential U.K. renegotiation of competences with the EU.

In October, the Federalist Society also organized two successful events with the Institute of Ideas, a free-speech-oriented U.K. organization. The Federalist Society first sponsored a "satellite" debate in London entitled "From Magna Carta to the European Court of Human Rights: Do We Need a British Bill of

Rights?," attended by 100 people. Later in the month, the Society sponsored a debate at the group's Battle of Ideas festival entitled "Judge Rule: Is the Law Taking over Politics?"

In France, the Federalist Society continued its fruitful engagement with the civil society organization Institut de Formation Politique (IFP) with our sponsorship of a third installment of IFP's Law and Politics Circle in November, engaging 20 young French students and professionals on current legal issues facing France and skills needed in a career in the law and civil society.

Additionally, the Federalist Society has provided support in the formation of a law student organization at Pantheon-Assas University Paris II called the Law and Liberty Circle. The leaders of this organization seek to engage students in debates and other high-level events relating to individual freedom, civil society initiatives, and the need for limited government. The group is using both live events and an online presence to build an exchange on issues of major import in the French legal world at Pantheon-Assas University. Its first event in December, featuring former French Attorney General Philippe Bilger discussing issues related to freedom of speech in France, drew a crowd of over 100 students and resulted in an enrollment of ten new members in the group.

In June, the Federalist Society once again co-sponsored the European Advocacy Academy, a conference organized by the organization European Dignity Watch. As in past years, the Academy serves as a high-level international training that



The Federalist Society sponsored the first ever Summer Leadership Academy Alumni Retreat, organized by the Common Sense Society, in Szirak, Hungary in July.

discusses how to respond to the fundamental challenges Europe faces today in all countries and at the supranational level. The Federalist Society's Director of International Affairs Jim Kelly led a session at the Academy educating participants on "The Matrix of Human Rights Governance Networks," and participated in a panel discussion on recent developments at U.N. institutions.

In November, the Federalist Society hosted several international visitors at its National Lawyers Convention, from the U.K., France, and Hungary, to demonstrate our appreciation for their work in other countries, inform them of some of the legal and policy issues the conservative and libertarian movements face in the U.S., and to facilitate long-lasting connections with Federalist Society members from across the country.

The Society continues to use the Global Governance Watch website to provide a broad range of substantive content regarding the growing trend wherein the Obama Administration, the United Nations, its agencies, and NGOs push for global governance in order to advance the recognition of economic, social, and cultural rights, as well as the U.N. agenda on business and human rights, around the world.

To enhance its leadership role in scrutinizing the centralization of power in international and supranational organizations and resulting global governance trends, in July, the Federalist Society's International Affairs Division updated the website at: <http://www.globalgovernancewatch.org>. The redesigned website features content on four broad subjects: International Organizations; Business and Human Rights; European Institutions; and, in partnership with Dr. Elizabeth Prodromou of Tufts and Harvard University, Global Political Islam. Each section contains a substantial online library of documents, commentary, and resources on global governance developments.

Through extensive research and such firsthand reporting, the Federalist Society continues to develop Global Governance Watch as a trusted resource for developments affecting national sovereignty and centralization of power in multinational institutions.

THE ROAD AHEAD

As we enter the new year, the Federalist Society continues to develop its successful partnerships across Europe and bring debate over basic rule of law and individual freedom principles to other countries through our outreach efforts and through our online platform Global Governance Watch.

As the U.K. celebrates the 800th Anniversary of Magna Carta in 2015, the Federalist Society will cooperate with its partner group The Freedom

Association to organize several discussions in cities throughout the U.K. to consider the importance Magna Carta and debate its significance on issues of importance today. The Federalist Society will also be supporting The Freedom Association's publication of a discussion of how the principles of Magna Carta are applied in today's legal and political landscape.

The International Division has continued to institutionalize its outreach at Oxford and Cambridge Universities as we develop a firm foothold among conservative and libertarian students who are interested in an exchange on the principles of a free society. At Oxford, we are working with the Benjamin Disraeli Society to develop a full slate of events in the first half of 2015, beginning with an event on the potential replacement of the U.K. Human Rights Act with a British Bill of Rights. At Cambridge, the Society is working with the student group Cambridge Libertarians on a set of programs in the spring that will engage students interested in the law, including a similar event on a British Bill of Rights.

The International Division is committed, through its continuing work with civil society networks, judges, attorneys, students, and others in Europe who seek to advance the principles of a free society, to supporting a robust, mutually reinforcing vision of liberty and the rule of law in both Europe and the U.S., and we will continue to do so with the projects described above and other cooperation in the year ahead.



In June, the Federalist Society hosted a high-level meeting of American and European judges in Vienna, Austria to discuss issues of common concern in U.S. and European courts.

National Lawyers Convention Focuses on Millennials, Equity, & the Rule of Law

On November 13-15, 2014, the Federalist Society hosted its 32nd annual National Lawyers Convention at the Mayflower Hotel in Washington, DC with over 1,000 people in attendance. This year's topic, "Millennials, Equity, and the Rule of Law," sparked a number of animated discussions about the challenges facing the youth and the possible legislative solutions. The Convention was teeming with spirited debates, professional camaraderie, and the requisite dose of judicial wisdom. The annual dinner featured an interview of U.S. Supreme Court Justice Samuel A. Alito, Jr., conducted by his former law clerk, Adam G. Ciongoli.

The Convention opened with a speech by U.S. Supreme Court Justice Antonin Scalia on the origins and continuing legal influence of Magna Carta. This year's Barbara K. Olsen Memorial Lecture featured John A. Allison, president and CEO of the Cato Institute. The Convention also featured a lively annual Rosenkranz Debate between former Attorney General Michael Mukasey and



United States Supreme Court Justice Samuel A. Alito, Jr. during the Annual Dinner at the National Lawyers Convention in November. Justice Alito was interviewed by his former law clerk Adam G. Ciongoli, who is now Executive Vice President & General Counsel at Lincoln Financial Group.



The Seventh Annual Rosenkranz Debate and Luncheon featured former U.S. Attorney General Michael B. Mukasey (left) against former ACLU President Prof. Nadine Strossen (right) (New York Law School). The debate was moderated by Prof. Nicholas Quinn Rosenkranz (center) from Georgetown University Law Center.

former ACLU president Prof. Nadine Strossen, who addressed the question of whether the indiscriminate collection of American phone records violates the Fourth Amendment. Other key speakers included U.S. Senator Orrin G. Hatch and former Hewlett-Packard CEO Carly Fiorina.

As in years past, the Convention served as an ideal forum for discussions among Practice Group chairmen, meetings of Lawyers Chapter and Faculty Division leaders, and breakfasts for law school alumni.

The Convention's four showcase panels addressed various situations young people currently face. The first panel discussed youth, employment, and the law. It featured Prof. Richard A. Epstein, Hon. Chai Rachel Feldblum, Hon. Gail Heriot, and Prof. J. Hoult "Rip" Verkerke, and was moderated by Fifth Circuit Judge Jennifer W. Elrod. The second showcase panel, which dealt with intergenerational equity and social security, Medicare, Obamacare, and pensions, was moderated by Seventh Circuit Judge Frank H. Easterbrook and featured Hon. Chris DeMuth, Prof. John O. McGinnis, and Prof. David A.

2014 National Lawyers Convention

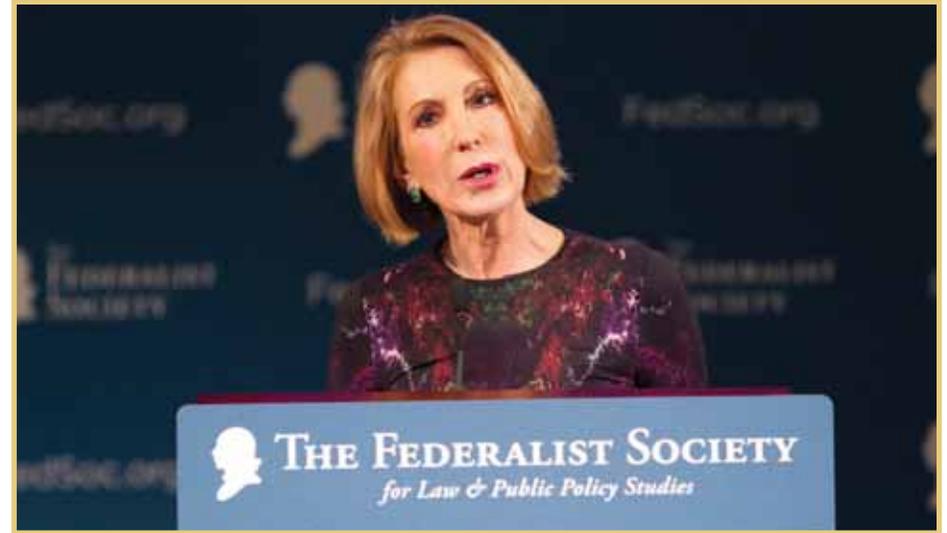


Photo Highlights





Weisbach. The speakers on the third showcase panel—Prof. Paul F. Campos, Ms. Anne D. Neal, Dean Daniel Polsby, and Prof. Richard Kent Vedder, moderated by Prof. Thomas D. Morgan—delved into higher education and whether it really benefits the students. The fourth and final panel examined the future of the American dream. Ms. Karlyn Bowman moderated the discussion between Hon. Rachel L. Brand, Hon. Lanny J. Davis, Prof. Neal K. Katyal, and Dr. Charles A. Murray.



(top left) (left to right) Federalist Society Executive Vice President Leonard A. Leo; Justice Clarence Thomas; Justice Antonin Scalia; Justice Samuel Alito; & Federalist Society President Eugene Meyer at the Annual Dinner during the National Lawyers Convention in November. (top right) Former Hewlett-Packard CEO Carly Fiorina delivers an address at the National Lawyers Convention. (bottom left) Sen. Orrin G. Hatch, Co-Chairman of the Federalist Society's Board of Visitors, delivers an address during the Convention. (bottom right) John A. Allison, President of the Cato Institute and former Chairman of BB&T, delivers the annual Barbara K. Olson Memorial Lecture.



Student Symposium Discusses Proper Balance Between National Security and Freedom

Our 33rd annual student symposium was held in March at the **University of Florida**. Our Student Symposium was a tremendous success, with over 400 student attendees. The University of Florida did a wonderful job hosting the two day symposium, “Security vs. Freedom: Contemporary Controversies” and the panels sparked debate with attendees about the government’s role in keeping us safe and preserving privacy. The student symposium allowed speakers to explore questions concerning security. The first event of the weekend was a roundtable on “Balancing Privacy and Security.” The two debates over the weekend were “Should We Better Protect Government Secrets and Punish Leaks More Severly?” and “Is the FISA Court Too Secret?” Panels were also heard on “Cybersecurity and the NSA,” “Detained Suspected Terrorists Try in Military Courts or Civilian Courts?,” and “Drones and Presidential Authority.” The symposium highlighted challenging questions involving balancing privacy and security that many law students may not have previously considered carefully. The weekend closed with an address by Hon. Michael B. Mukasey, who was the 81st Attorney General of the United States and former Chief Judge of the District Court for the Southern District of New York. The winners for our annual Freddie awards were: **Yale** for Chapter of the Year, **South Carolina** for Most Improved Chapter, **Harvard** for Greatest Membership Growth, and **Barry** for Most Creative Publicity.

In July, the Student Division hosted 200 incoming Student Chapter presidents for our Annual Student Leadership Conference in Washington, DC. Students spent three days participating in panel discussions, engaging in conversation



(left to right) Steven G. Bradbury, Partner at Dechert LLP and former head of the Office of Legal Counsel; Rachel Brand, Member of the Privacy and Civil Liberties Oversight Board; and Prof. John Stinneford, Univ. of Florida Law, participate in the “Balancing Privacy and Security” Roundtable at the 2014 Student Symposium.



Prof. Joshua Wright, George Mason Law & Federal Trade Commission, speaks after receiving the Paul M. Bator Award at the 2014 Student Symposium.

with other chapter presidents, and learning how to make their chapter run efficiently. Saturday morning began with an address from Hon. Paul Clement. Mr. Clement’s address was followed by a panel where Federalist Society President Eugene Meyer, Vice President & Student Division Director Peter Redpath, and the Student Division staff discussed how to be an effective chapter leader, recruit members and market to the student body. The students also heard from: Anna Stark, of Charles G. Koch Institute, Tyler Lowe, our Director of Online Education, John Eastman, from the Claremont Institute Center for Constitutional Jurisprudence, Jordan Lorence, from Alliance Defending Freedom, Clark Neily, from the Institute for Justice, and Professor Gregory McNeal, of Pepperdine Law. Saturday evening, the student attendees were invited to the Conference’s Annual Supreme Court Reception, where they had the opportunity to speak to Federalist Society employees, engage in conversation with many of our speakers, and take pictures with Justice Samuel Alito. On Sunday, the students listened to remarks from Hon. David McIntosh, President of Club for Growth, as well as a presentation on lawyers chapters, given by Lisa Ezell, the Vice President & Director of Lawyers Chapters. At the end of the conference, the **Baltimore** chapter received the Benjamin Franklin Spring Breakout Freddie.

Chapter presidents who attend our Student Leadership Conference, go back to their chapters with a renewed sense of the mission of the Federalist

Society and a feeling of connection with the national office. Our division makes an effort to re-connect with students in the first few weeks of classes and throughout the semester, to make sure things are running efficiently within the chapter. All resources for students are available electronically, which makes it much easier for students to access materials ranging from how to submit a reimbursement to flyers made by other chapters. Federalist Society chapters are the most active extracurricular groups at most of the 200 law schools. Although students are often burdened with the stress of coursework, jobs, and participating in activities such as Law Review, our students choose to volunteer their time to the Federalist Society chapter on their campus. Most students find these activities intellectually and professionally rewarding as well a lot of fun.

17TH ANNUAL FACULTY CONFERENCE

The 17th Annual Faculty Conference, held on January 3-4, 2015 in Washington, DC in conjunction with the Association of American Law Schools' annual meeting, drew over 160 law professors. An additional 600 people watched our first-ever livestream of the opening panel and the debate.

The conference included panels on "The Executive Power to Not Enforce the Law" and "The Administrative State: Within the Bounds of Law?". Our annual luncheon debate featured Professors Jonathan Adler (Case Western) and Nick Bagley (Michigan) debating the question "Resolved: That the Affordable Care Act does not authorize subsidies for individuals purchasing health insurance through federal exchanges." We also held an additional debate on "The Private Attorney General: Good or Bad?".

For the sixth year, the Conference also served as a forum for competitively selected papers as part of our Young Legal Scholars Paper Competition. Winners William Baude (University of Chicago), Charles Korsmo (Case Western), Minor Myers (Brooklyn), Christopher Newman (George Mason), Christopher Walker (Ohio State University), and Kevin Walsh (Richmond) presented their papers to assembled faculty and received comments from Keith Hylton (Boston University) and James Lindgren (Northwestern) while Richard Garnett (Notre Dame) moderated. Other faculty members, particularly junior faculty, took advantage of four additional panels dedicated to works-in-progress to obtain feedback on their scholarship.

In addition, Justice Alito was the special guest at our reception and gave informal remarks interlacing wry observations about portrayals of the Court and some thoughts about how legal academia can contribute to the Court's work.



(above) Justice Samuel A. Alito with Case Western Reserve Chapter President Jonathan Fagan (center) and his wife at the Supreme Court Reception during the annual Summer Leadership Conference (below) (at left) William Kristol, founder and editor of The Weekly Standard, with Barry Chapter President Elena Crosby during the Supreme Court Reception at the Student Leadership Conference in July. (at right) Dr. Roger Pilon, Vice President for Legal Affairs at the Cato Institute, during a debate on "Should We Better Protect Government Secrets and Punish Leaks More severely?" at the Student Symposium in March.

Finally, for the first time our conference program was listed in the Association of American Law Schools' annual meeting brochure, and AALS President Dan Rodriguez gave welcoming remarks to open the conference.

Overall the conference proved quite successful, and the high quality of discussion among panelists highlighted the Society's continuing commitment to academic rigor and productive debate.



Society Deepens Exploration of State Legal Systems

The Federalist Society's State Courts Project seeks to raise the profile of state court issues by hosting timely programs, publishing White Papers, and making legal experts available to media to provide substantive analysis on current events.

PUBLICATIONS

In March 2014, the Society published its annual survey of legislation and litigation relating to civil justice reform. The paper, titled "2013 Civil Justice Update: Recently Enacted State Reforms and Judicial Challenges," was authored by attorney Andrew C. Cook, legislative director of the Wisconsin Civil Liberty Council. Cook, one of the leading figures in Wisconsin's civil justice community, surveyed the civil justice legislation passed throughout the country in 2013, as well as the most high profile court challenges to such laws.

In May 2014, the Society published a white paper titled "History and Recent Developments in Same-Sex Marriage Litigation." The first half of the paper describes the history of same-sex marriage litigation with a focus on the three landmark cases: *Romer v. Evans*, *Lawrence v. Texas*, and *United States v. Windsor*. The second half of the paper focuses on the legal landscape in the post-*Windsor* era. Since *Windsor*, federal challenges are primarily threefold: substantive due process, equal protection, and full faith and credit, while state challenges (in large part) demand a right to marry as well as divorce. The paper also includes an extensive appendix of all litigation related to the rights of same-sex couples in states that do not recognize same-sex marriage.

PROJECTS ON STATE COURTS & STATE ATTORNEYS GENERAL

State Attorneys General

More and more state attorneys general are advancing the Society's mission of constitutionally limited government. In May 2014, Attorney General Scott Pruitt of Oklahoma spoke at the National Press Club on his recent paper "The Clean Air Act Section 111(d) Framework that Preserves States' Rights." In September 2014, Attorney General Patrick Morrisey of West Virginia spoke at the monthly DC Luncheon to discuss his experience fighting federal overreach as West Virginia's Attorney General.

The Society has also welcomed the involvement of leading state Solicitors General. At the 2014 National Lawyers Convention Patrick Wyrick, Solicitor



(left to right) Attorney David Herbert, Montana Supreme Court Justice Jim Rice, Montana Solicitor General Lawrence VanDyke, & Montana Supreme Court Justice Mike Wheat during the Montana Lawyers Chapter's Supreme Court Candidate Forum.

General of Oklahoma, spoke on the Administrative Law & Regulation Practice Group's panel "Without Standing, Are We All Sitting Ducks?" Elbert Lin, Solicitor General of West Virginia, spoke on the Environmental Law & Property Rights Practice Group's panel "Do the EPA's CO2 Rules Go Too Far?" In addition to Patrick and Elbert, Jonathan Mitchell of Texas, Stephen McAllister of Kansas, and Lawrence Van Dyke of Nevada have all spoken at Federalist Society events in 2014.

In addition, the Society regularly hosts programs that provide opportunities for state attorneys general and their senior staff to interact and exchange ideas with their counterparts in other states, with scholars and experts from a broad range of fields, and with the Society's members.

KANSAS

In 2013, Kansas Governor Sam Brownback called on the Kansas legislature to replace the state's Missouri Plan method of judicial selection with either the federal method or direct contested election of judges. The legislature thereafter passed, and Governor Brownback signed, legislation to abandon the Missouri Plan with respect to the selection of court of appeals judges. The new legislation established an advice-and-consent style of selection like the one used at the federal level.

In August 2014, faced with his first appellate judicial vacancy since the adoption of the new method for selecting court of appeals judges, Governor Brownback appointed Caleb Stegall, his legal counsel, to the Court of Appeals. Shortly after taking his seat on the Court of Appeals, Stegall, who has been involved with the Federalist Society, was elevated to a seat on the Kansas Supreme Court, replacing former Justice Nancy Moritz who was appointed to the 10th U.S. Circuit Court of Appeals. Kansas still uses the Missouri Plan for the appointment of supreme court judges, which means Brownback chose Stegall from a list of three finalists provided to him by the Kansas Supreme Court Nominating Commission. Brownback declared Stegall to be "one of the most qualified in state history to serve as a justice."

In his 2015 State of the State Address Governor Brownback again made judicial selection a priority. He called on the legislature to finish what they started with regards to reforming the state's judicial selection process by putting a constitutional amendment on the ballot to change the way state supreme court judges are selected. Such an amendment would require a 2/3 vote in both chambers of the state legislature.



MICHIGAN

In November 2013 Michigan Governor Rick Snyder signed Public Act 164, ending the Ingham County Circuit Court's tenure as Michigan's Court of Claims, a role it has served since the late 1970s. Instead, four Court of Appeals judges selected by the Michigan Supreme Court will preside over major litigation against the state.

In February 2014, the Michigan Supreme Court created a task force to explore whether attorneys should be required to join the Michigan bar. The move came just a few weeks after the Michigan Senate proposed a bill that would make dues to the bar optional, mirroring the right-to-work law making union dues optional that lawmakers passed in December 2012. Critics of mandatory membership say the bar has become too political and that lawyers should not be forced to subsidize political activity that they disagree with. The task force, which was led by former Michigan bar president Alfred Butzbaugh, issued a report on June 3 recommending that membership in the State Bar of Michigan remain mandatory for all attorneys but with tighter rules governing political advocacy. The task force recommendations call for stricter guidelines regarding public advocacy by the bar, specifically prohibiting advocacy on election law, judicial selection, issues that are perceived to be associated with one party or candidate, matters that are primarily intended to personally benefit lawyers or law firms, and "issues that are perceived to be divisive within the bar membership."

In November 2014, three seats were up for election on the Michigan Supreme Court. The Court, which held a 5-2 Republican-nominated majority before the election, remained the same after the election. Justices Brian Zahra and David Viviano, both of whom were appointed by Republican Governor Rich Snyder, were voted back onto the bench, in addition to Richard Bernstein, a well-known personal injury lawyer

NORTH CAROLINA

In the November 2014 elections North Carolina voters chose four of the seven seats on the Supreme Court of North Carolina. With the August retirement of Chief Justice Sarah Parker, Senior Associate Justice Mark Martin was appointed by Governor Pat McCrory to serve as Chief Justice until the November elections. Martin then defeated Superior Court Judge Ola Lewis for the seat

(left to right) Chief Justice Mark Martin; Judge Ola Lewis; Justice Robert Hunter, Jr.; Judge Sam Ervin, IV; Justice Robin Hudon; Judge Eric Levinson; Justice Cheri Beasley' & Mike Robinson participate in the Federalist Society's Supreme Court of North Carolina Candidate Forum in Charlotte in October.



(left) West Virginia Solicitor General Elbert Lin; (right) Former Montana Solicitor General and current Nevada Solicitor General Lawrence VanDyke. A growing number of state solicitors general are becoming involved with the Society.

of Chief Justice. Shortly after Martin's appointment to Chief Justice, McCrory appointed Court of Appeals Judge Robert Hunter, Jr. to fill Martin's seat as Associate Justice on the Supreme Court. Hunter was then defeated in the election by Court of Appeals Judge Sam Ervin IV, who previously ran against Justice Paul Newby in 2012. Associate Justice Cheri Beasley, who was a last minute appointment by outgoing Democratic Governor Bev Perdue, narrowly defeated Mike Robinson for her seat on the court, in a race that ended in an official recount. Finally, Associate Justice Robin Hudson successfully fended off a challenge from Superior Court Judge Eric Levinson for her seat on the court. By party affiliation, the court remains divided 4-3 in favor of Republican justices.

The Federalist Society hosted two Supreme Court candidate forums in North Carolina in the Fall of 2014. The Triangle Lawyers Chapter held the first forum in Raleigh on September 17 and the Charlotte Lawyers Chapter held the second forum in Charlotte on October 1. The Charlotte forum was noted as the first time all eight candidates were together. The forums allowed North Carolinians to see the candidates side by side articulating their views on a

wide variety of topics, including the role of the courts, judicial elections, and recent court decisions.

The Society also published a white paper titled "Recent Decisions of the Supreme Court of North Carolina." Authored by Adam Conrad, Bob Numbers, Brad Lingo, and Grayson Lambert, the white paper aims to inform North Carolinians about some of the important cases decided in recent years by the state's Supreme Court. The white paper discusses eight recent cases separated into four categories: constitutional law, election law, business law, and criminal law.

TENNESSEE

In 1971, Tennessee began using the Missouri Plan to select appellate judges. In November 2014, Tennessee voters amended the state constitution to change that. Amendment #2, which passed with over 60% of the vote, gives the governor the sole discretion to nominate appellate judges, who must be confirmed by the legislature and then stand for yes-or-no retention elections every eight years. Proponents of the amendment included former Republican U.S. Senator Fred Thompson and former Democrat Governor Phil Bredesen, who argued that the amendment adds new accountability and a stronger voice for Tennessee voters in the judicial selection process.

Tennessee is unique in that its Attorney General is an officer of the judicial branch, being appointed by the justices of the Tennessee Supreme Court, rather than the Governor, or being elected by popular vote or vote of the legislature. During the August retention election, the position of the Attorney General became controversial, as efforts to remove the three justices tried to use Cooper's decisions to paint the justices who selected him as "too liberal for Tennessee." Cooper's decision not to join a multi-state lawsuit against the Affordable Care Act was emphasized in this effort. When Cooper's term expired, the Supreme Court opted not to reappoint him, choosing instead to appoint Herbert Slatery III. Slatery, who steps down as Governor Bill Haslam's chief counsel, is Tennessee's first Republican Attorney General since Reconstruction.

Digital Media

As the line between digital and more traditional forms of communication blurs, the importance of strategic and integrated use of digital media grows. For an organization like the Federalist Society, whose purpose is to communicate ideas, the digital world is not merely a tool to help programs, but also a content-driven meeting place for people interested in profound ideas and rigorous discussion of legal topics. This is an opportunity and a challenge for the Federalist Society—one we are excited to tackle.

In 2014 we made significant strides in digital media, including a website redesign, new video content, hiring a full-time digital strategist, and a boost to social media at the National Lawyers Convention.

WEBSITE

The most exciting digital development this year was just a tiny change. No more hyphen in our URL or email addresses! So instead of fed-soc.org, it's just fedsoc.org. Sometimes it's the little things in the life.

But perhaps the most visible change comes from our website redesign. The site's aesthetics are the most striking difference from last year, but the new site's mobile-readiness and under-the-hood improvements give us more digital leverage than ever before. Look for additional features—including a blog relaunch—in 2015.



BLOG

This year brought significant growth in readership and record traffic in the last quarter of 2014. This increase was due in part to increased social media efforts and our coverage of breaking news. Our goal is to build on this momentum with a relaunch, bringing the blog under the FedSoc.org URL and adding a cadre of new bloggers in early 2015. Stay tuned!

SOCIAL MEDIA

Our social media efforts continue to be the number one driver of traffic to our blog posts and website. Our Facebook page, with 115,000 likes, and Twitter account, with 22,500 followers, still provide our biggest audiences for outreach and education. Our emphasis was not only on growth, but also on quality of

audience. We've made an effort to moderate discussions among our online community to make sure participants can have meaningful conversations.

Our most successful single post of the year was on October 6, 2014 when our blog was one of the first to report on the Supreme Court's denial of seven same-sex marriage cases. As a result, our Facebook post on the topic spread far and wide. In total we reached 370,816 people in 24 hours.

We continue to use other networks like LinkedIn, Instagram, iTunes, and Google+ to reach audiences—with an increased emphasis on professional networking and images—but our most important channel outside of Facebook and Twitter is YouTube.

YOUTUBE & VIDEO CONTENT

It's a visual world, and YouTube is its atlas. In fact YouTube is arguably the second biggest search engine after Google (its owner). When people want to learn something, they often turn to YouTube to teach them. That's why it's more important than ever that the Federalist Society creates compelling video content, and 2014 was a step in the right direction.

Our YouTube Channel has 1,900 subscribers and over 460,000 total views. This year we focused more on short, well-produced videos on specific issues. The videos from our 2014 National Lawyers Convention have been particularly popular. Other video projects included a series about the Federalist Society, interviews and soundbites with event speakers, pre-argument SCOTUS videos, and a special project on Magna Carta to coincide with the exhibit at the Library of Congress.

2014 NATIONAL LAWYERS CONVENTION

This year we ramped up our social media efforts at the National Lawyers Convention. We set up a "Tagboard" on site that allowed us to highlight the best tweets from the convention using a specific hashtag: #FedSoc2014.

The increased visibility of Twitter encouraged more people to tweet. Overall, the volume of tweets and the reach was impressive. Senator Ted Cruz, Jeb Bush, Carly Fiorina, Senator Orrin Hatch, and many high-profile media outlets all tweeted about the Convention.

The volume of tweets using the #FedSoc2014 hashtag hit a high point on Thursday afternoon, and we started to "trend" on Twitter in the Washington, DC area. Only the most discussed issues, topics, and hashtags end up trending. #Awesome.

We also had a better system in place for getting videos on to YouTube and for getting exclusive interviews with speakers. This helped with our media efforts. We were covered by: The Associated Press, National Law Journal, USA Today, Bloomberg, Washington Post, Huffington Post, Law.com, MSNBC, Real Clear Politics, The Daily Caller, Mediaite, and other publications and media sources.

2015 PLANS

In 2015 we will continue to increase our reach online, developing new content that is suited for digital consumption and that communicates our educational messages in a way that resonates with core audiences of law students, attorneys, and those interested in substantive discussion of legal topics. We welcome Joanmarie Davoli in the newly created position of Digital Education Specialist to take the lead on our content development efforts.



Society Diversifies Reach Through Publications

Through its publications, the Federalist Society continues to give the media and the general public access to commentary from highly-respected national experts on current legal issues and their societal implications. This commentary takes the form of our scholarly journal *Engage*, three regular newsletters: *State Court Docket Watch*, *ABA Watch*, and *Class Action Watch*, *The Federalist Paper* magazine, and White Papers on various topics. All the Society's publications are available online at www.fedsoc.org/publications.

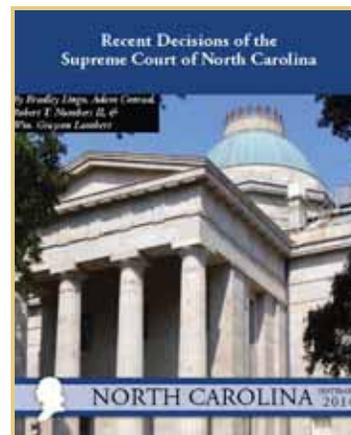
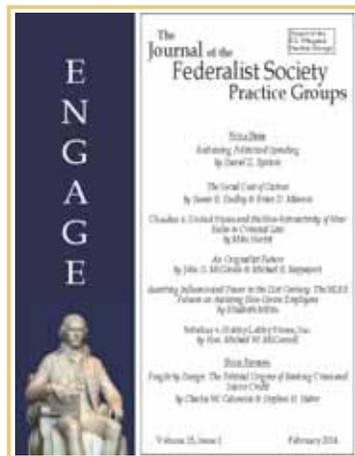
Engage: The Journal of the Federalist Society Practice Groups appears triannually in electronic format. Ideas for *Engage* articles are generated by the fifteen Practice Groups; and occasionally there are special issues framed around a single theme. Articles from 2014 included: *An Originalist Future* by John O. McGinnis & Michael B. Rappaport; *The Social Cost of Carbon* by Susan E. Dudley & Brian F. Mannix; *Asserting Influence and Power in the 21st Century: The NLRB Focuses on Assisting Non-Union Employees* by Elizabeth Milito; *Sebelius v. Hobby Lobby Stores* by Hon. Michael W. McConnell; *Bitcoin Taxation: Recommendations to Improve the Understanding and Treatment of Virtual Currency* by Erin M. Hawley & Joseph J. Colangelo; *Overcriminalization: Administrative Regulation, Prosecutorial Discretion, and the Rule of Law* by Hon. Ronald A. Cass; *Do Sue and Settle Practices Undermine Congressional Intent for Cooperative Federalism on Environmental Matters?* by David B. Rivkin & Adam Doverspike; *Disparate Regulation of Television Broadcasters Will Harm Local Communities* by Jane Mago.

Since 2012, *Engage* has been available in Westlaw's law journal database; this has increased the availability and prestige of *Engage* by giving practitioners, academics, and law students greater access to our content. We also continue to publish panel transcripts from the National Lawyers Convention and the Executive Branch Review Conference in the *Harvard Journal of Law and Public Policy* and other national law reviews and journals.

State Court Docket Watch is a quarterly newsletter, composed primarily by members of the Society's Lawyers Chapters, which reports on noteworthy

or controversial state court trends and cases. *ABA Watch* is a newsletter published to coincide with the American Bar Association's mid-year and annual meetings. It provides an in-depth, independent look at the organization. *Class Action Watch* exists to inform Society members and the general public about recent class action litigation.

The Federalist Paper is the in-house magazine of the Federalist Society, printed spring, summer, and fall. The magazine, which highlights some of the activities and events of the Society's Chapters, Practice Groups, and individual members, provides a glimpse into what divisions of the organization are doing nationally.



For a decade, the Society has published White Papers that seek to generate debate over important legal issues. Our 2014 White Papers included: *The BP Gulf Oil Spill: Redistributive "Justice"?*; *EPA's Section 111(d) Carbon Rule: What if States Just Said No?*; *Recent Decisions of the North Carolina Supreme Court, History and Recent Developments in Same-Sex Marriage Litigation*; *2013 Civil Justice Update: Recently Enacted State Reforms and Judicial Challenges*.

In these publications, as always, the Federalist Society takes no position on particular issues: the opinions expressed in the publications are those of the authors and not of the Society itself. With these papers and in all its programs the Society seeks to produce material that will encourage discussion of timely legal and public policy developments. Readers are encouraged to respond to what they read and to submit articles or ideas on new legal trends and developments.

Alumni Relations Picks Up Pace

The Society has always prided itself with having a distinguished pipeline of talent that begins with first year law students and extends through seasoned and established lawyers and public officials. Our goal is to create an alumni infrastructure that facilitates this pipeline and allows our chapters at every level to thrive.

The main focus of Alumni Relations within the Federalist Society is to bring alumni from a number of law schools together in a way that will allow members to connect or re-connect with their peers. We hope these groups will engage with the student chapters at their schools. Additionally, these alumni chapters may in some cases foster alumni engaging productively with the law school. In the past, we have used events like the annual alumni breakfasts at our National Lawyers Convention to fill the gaps in alumni relations. In addition, we've added Annual Summer Receptions and alumni receptions during alumni weekends. All of these events feature alumni speakers and give our student and lawyer members a chance to build relationships with one another. Many of our student members travel to larger cities to work in the summer—a situation which we can use to our advantage as a foundation for our alumni to engage with each other and strengthen the Society throughout the year. We hope that bringing alumni together will build on the camaraderie they experienced in our student chapters.

Last spring, the **University of Chicago Alumni Chapter** hosted an event during their law school reunion in Washington, DC. The event began when Michael H. Schiff, Dean of University of Chicago Law, delivered introductory remarks for the reception. Jan Crawford, Chief Legal Correspondent for CBS news was the guest speaker for the event. She discussed the 2013-2014 Supreme Court Term with the large audience of alumni.

During the summer months, five Alumni Chapters held Annual Summer Receptions to bridge the gap between students and alumni. The **University of Michigan Alumni Chapter** hosted an event with Michael Daugherty, President & CEO of LabMD and author of *The Devil Inside the Beltway*, in Washington, DC. Alumni had the chance to listen to Mr. Daugherty's experience with the FTC; after a cybersecurity company downloaded health information of thousands of LabMD patients. Mr. Daugherty, an alumnus of the University of Michigan, graciously gifted each attendee with a copy of his book.

The **University of Virginia** alumni chapter hosted an event with Prof. John Harrison of UVA law in Washington, DC. Over 40 students and alumni attended

this event and listened to Prof. Harrison's timely discussion of *NLRB v. Noel Canning*. The decision on the case came down on the morning of the event, so many attended to hear the professor discuss the decision, as well as explain the implications for future cases. Prof. Harrison explained that while this was a unanimous ruling, several Justices' interpretation allowed wiggle room when interpreting future cases. He explained the difference between inter and intra recess appointments and took questions from attendees.

The **Harvard Alumni Chapter** hosted a reception in New York City, with over 30 attendees, to connect current students who were summering in NYC and alumni who now reside there. We found that many of the alumni that attended were happy to advise students and give them insight into clerkships and career tracks. Another **Harvard Alumni Chapter** event was held in Washington, DC over the summer. The event featured Hon. Paul Clement, former U.S. Solicitor General and Partner at Bancroft, PLLC. The event took place soon after the decision in *Burwell v. Hobby Lobby* came down. Mr. Clement spoke about his experiences litigating in front of the Supreme Court. Afterwards, he took questions on the state of the Court and stayed after his speech to speak one-on-one with several alumni. The reception was filled with a great mix of 70 student and alumni attendees.

The **Yale Alumni Chapter** held two alumni events this summer. The first took place in New York City on June 27, with 30 people in attendance. The second reception took place in July in Washington, DC. The 30 student and alumni attendees enjoyed themselves and began planning for their next Alumni



Former U.S. Solicitor General Paul Clement spoke to Harvard Alumni in Washington, DC.

Chapter event. Many of the recent graduates are working at firms, on Capitol Hill, or clerking. This event gave alumni a chance to take a break from their busy lives and connect with other Yale Alumni in DC.

The **University of Chicago** Alumni Chapter hosted “Bourbon and Boggs,” which was a bourbon tasting in Washington, DC. Judge Danny Boggs of the U.S. Court of Appeals for the Sixth Circuit was the alumni speaker for this event. All 30 alumni in attendance enjoyed the relaxed nature of the event and engaged in friendly conversation with Judge Boggs and his wife, Judith. We look forward to working with the University of Chicago Alumni Department to organize future events with this chapter.

This fall, **Georgetown University** Alumni Chapter held a reception in Washington, DC. The reception was held in conjunction with the Georgetown University’s alumni weekend. The 50 attendees anticipate getting more involved with the organization and look forward to future Georgetown University Alumni Chapter gatherings.

There were two additional alumni chapter events that took place during the National Lawyers Convention this year. **University of Chicago** and **Yale** held simultaneous alumni receptions on the second night of the National Lawyers Convention. We believe hosting these events will expand the attendance of members who don’t attend the annual alumni breakfasts. These receptions, in addition to the alumni breakfasts, will connect members from across the nation. There were over 50 people at the Yale alumni reception and 35 at the University of Chicago alumni reception. The National Lawyers Convention weekend was filled with activities, but thanks to the overwhelmingly positive response these events will take place again next year.

At the alumni breakfasts, the **Catholic** Alumni Chapter hosted Hon. Eileen O’Connor, Partner at Pillsbury Winthrop Shaw Pittman LLP and former Assistant Attorney General for the Tax Division at the Justice Department. The Catholic Alumni Chapter had 29 in attendance. The **University of Chicago** Alumni chapter hosted Professor Neomi Rao, Associate Professor at George Mason Law School. The University of Chicago Alumni Chapter had 35 in attendance. Ammon Simon, Financial Services Counsel for Representative Randy Hultgren, spoke at the **Columbia** Alumni Chapter breakfast. Alida Kass, Chief Counsel to the New Jersey Civil Justice Institute, spoke to the **Georgetown** Alumni Chapter. The Georgetown Alumni Chapter had 38 in attendance. The **George Washington** Alumni Chapter also hosted a breakfast, which had 49 in attendance.

The Harvard Alumni Chapter hosted former U.S. Attorney General Alberto



Former U.S. Attorney General Alberto Gonzales & NRSC General Counsel Megan Sowards during the Michigan alumni breakfast at the National Lawyers Convention.

Gonzales with 98 in attendance. Megan Sowards, General Counsel for the National Republican Senatorial Committee, spoke to the **Michigan** Alumni Chapter. The Michigan chapter had 20 in attendance. The **NYU** Alumni Chapter hosted Robert McNamara, Senior Attorney at the Institute for Justice.

The **Yale** Alumni Chapter hosted Elbert Lin, Solicitor General of West Virginia. The Yale Alumni Chapter had 76 in attendance. Scott Keller, Chief Counsel to Senator Ted Cruz, spoke at the **University of Texas** Alumni Chapter breakfast. Brian Walsh, Executive Director of the American Religious Freedom Project at the Ethics and Public Policy Center, spoke at the **Regent** Alumni Chapter breakfast. The Regent Alumni Chapter had 21 in attendance. The **Stanford** Alumni Chapter hosted Greg Lukianoff, President of the Foundation for Individual Rights in Education. The Stanford Alumni Chapter had 17 in attendance. The **University of Virginia** Alumni Chapter hosted John Mitnick, Senior Vice President, General Counsel, and Secretary of The Heritage Foundation. The University of Virginia Alumni Chapter had 30 in attendance. Overall, there was an increase in attendance at these events and there was a great deal of positive feedback.

We look forward to building alumni relations within the Federalist Society to expand to other cities and other schools. If you are interested in being involved with an alumni chapter please contact Caroline Moore at alumni@fedsoc.org or find the above alumni chapters Facebook groups online. All of these chapters also now have LinkedIn groups with corresponding titles. We will post relevant alumni chapter information on Facebook about upcoming events and members of these groups will post relevant content online. These private groups will be managed by the Federalist Society.

Donors Enable Federalist Society to Increase Its Effectiveness

The Federalist Society's loyal long-time supporters and a lengthening list of new donors have contributed to our increasing revenues. Their support allows us to add to the number and quality of programs we provided for law students and lawyers across the country. Our Legacy Club donors, those who have generously given planned gifts, have also helped the Society to grow. In recognition of the commitment of those individuals, foundations, and corporations, a list of current members of the James Madison Club and Founders Club appears below.

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Susanna Dokupil (left) & April Harris (right) at the Annual Gala during the National Lawyers Convention in November.

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REPORT OF INDEPENDENT AUDITORS

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Report on the Financial Statements

We have audited the accompanying financial statements of The Federalist Society for Law and Public Policy Studies, which comprise the statements of financial position as of September 30, 2014 and 2013 and the related statements of activities and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

The Society's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of The Federalist Society for Law and Public Policy Studies as of September 30, 2014 and 2013, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.



A Professional Corporation
Bethesda, MD
February 6, 2015

THE FEDERALIST SOCIETY FOR LAW AND PUBLIC POLICY STUDIES
STATEMENTS OF FINANCIAL POSITION
SEPTEMBER 30, 2014 AND 2013

<u>ASSETS</u>	<u>2014</u>	<u>2013</u>
CURRENT ASSETS		
Cash and cash equivalents	\$ 7,095,004	\$ 5,208,884
Inventory	28,050	38,351
Grants receivable	1,271,250	810,664
Contributions receivable	414,320	554,320
Other receivables	2,272	3,525
Prepaid expenses	122,792	154,754
	<u>8,933,688</u>	<u>6,770,498</u>
GRANTS RECEIVABLE - LONG-TERM		
Grants receivable	900,000	-
	<u>2,707,289</u>	<u>2,190,339</u>
INVESTMENTS		
FIXED ASSETS		
Computer equipment and software	235,526	183,539
Office furniture and equipment	97,650	97,650
Leasehold improvements	18,677	18,677
	<u>351,853</u>	<u>299,866</u>
Accumulated depreciation and amortization	(254,058)	(211,328)
	<u>97,795</u>	<u>88,538</u>
OTHER ASSETS		
	22,157	22,157
TOTAL ASSETS	<u>\$ 12,660,929</u>	<u>\$ 9,071,532</u>
<u>LIABILITIES AND NET ASSETS</u>		
CURRENT LIABILITIES		
Accounts payable and accrued expenses	\$ 325,805	\$ 407,172
Accrued compensation	164,605	152,325
Deferred revenue	226,050	190,776
Deferred lease obligation	25,248	18,564
	<u>741,708</u>	<u>768,837</u>
OTHER LIABILITIES		
Deferred lease obligation - net of current portion	6,732	32,070
TOTAL LIABILITIES	<u>748,440</u>	<u>800,907</u>
NET ASSETS		
Unrestricted	8,577,407	6,876,468
Temporarily restricted	3,325,082	1,384,157
Permanently restricted	10,000	10,000
TOTAL NET ASSETS	<u>11,912,489</u>	<u>8,270,625</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 12,660,929</u>	<u>\$ 9,071,532</u>

See Notes to Financial Statements

THE FEDERALIST SOCIETY FOR LAW AND PUBLIC POLICY STUDIES
STATEMENTS OF ACTIVITIES
FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013

	2014				2013			
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
REVENUE								
Grants	\$ 7,461,728	\$ 3,673,674	\$ -	\$ 11,135,402	\$ 7,275,813	\$ 1,637,424	\$ -	\$ 8,913,237
Registration fees	470,412	-	-	470,412	567,932	-	-	567,932
Membership dues	215,596	-	-	215,596	187,817	-	-	187,817
Contributions	5,152,122	354,822	-	5,506,944	3,591,995	253,410	-	3,845,405
Investment income	252,350	-	-	252,350	327,957	-	-	327,957
Miscellaneous income	7,336	-	-	7,336	26,840	-	-	26,840
	<u>13,559,544</u>	<u>4,028,496</u>	<u>-</u>	<u>17,588,040</u>	<u>11,978,354</u>	<u>1,890,834</u>	<u>-</u>	<u>13,869,188</u>
NET ASSETS RELEASED FROM RESTRICTIONS								
Satisfaction of restrictions	<u>2,087,571</u>	<u>(2,087,571)</u>	<u>-</u>	<u>-</u>	<u>2,506,828</u>	<u>(2,506,828)</u>	<u>-</u>	<u>-</u>
	<u>15,647,115</u>	<u>1,940,925</u>	<u>-</u>	<u>17,588,040</u>	<u>14,485,182</u>	<u>(615,994)</u>	<u>-</u>	<u>13,869,188</u>
EXPENSES								
Program services								
General program	1,323,713	-	-	1,323,713	1,038,949	-	-	1,038,949
Faculty Activities	1,352,912	-	-	1,352,912	1,460,431	-	-	1,460,431
Student Activities	2,997,675	-	-	2,997,675	3,207,989	-	-	3,207,989
Student National Symposium	165,958	-	-	165,958	187,782	-	-	187,782
Lawyers Activities	1,244,598	-	-	1,244,598	1,143,836	-	-	1,143,836
Lawyers National Convention	929,351	-	-	929,351	954,817	-	-	954,817
External Affairs	1,518,702	-	-	1,518,702	1,365,663	-	-	1,365,663
Practice Activities	2,630,811	-	-	2,630,811	2,379,306	-	-	2,379,306
	<u>12,163,720</u>	<u>-</u>	<u>-</u>	<u>12,163,720</u>	<u>11,738,773</u>	<u>-</u>	<u>-</u>	<u>11,738,773</u>
General and administrative	734,798	-	-	734,798	623,722	-	-	623,722
Fundraising	1,047,658	-	-	1,047,658	1,002,502	-	-	1,002,502
	<u>13,946,176</u>	<u>-</u>	<u>-</u>	<u>13,946,176</u>	<u>13,364,997</u>	<u>-</u>	<u>-</u>	<u>13,364,997</u>
CHANGE IN NET ASSETS	1,700,939	1,940,925	-	3,641,864	1,120,185	(615,994)	-	504,191
NET ASSETS AT BEGINNING OF YEAR	6,876,468	1,384,157	10,000	8,270,625	5,756,283	2,000,151	10,000	7,766,434
NET ASSETS AT END OF YEAR	<u>\$ 8,577,407</u>	<u>\$ 3,325,082</u>	<u>\$ 10,000</u>	<u>\$ 11,912,489</u>	<u>\$ 6,876,468</u>	<u>\$ 1,384,157</u>	<u>\$ 10,000</u>	<u>\$ 8,270,625</u>

See Notes to Financial Statements

THE FEDERALIST SOCIETY FOR LAW AND PUBLIC POLICY STUDIES
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013

	2014	2013
CASH FLOWS FROM OPERATING ACTIVITIES		
	\$ 3,641,864	\$ 504,191
Adjustments to reconcile to net cash provided (used) by operating activities		
Depreciation and amortization	42,732	26,370
Net appreciation in fair value of investments	(199,353)	(256,557)
Donation of securities	(277,620)	(31,266)
Amortization of present value discounts on grants and contributions receivable	-	(2,221)
(Increase) decrease in		
Grants receivable	(1,360,586)	583,133
Contributions receivable	140,000	(37,001)
Other receivables	1,253	1,944
Inventory	10,301	8,178
Prepaid expenses	31,962	(88,469)
Increase (decrease) in		
Accounts payable and accrued expenses	(81,367)	(64,999)
Accrued compensation	12,280	(138,954)
Deferred revenue	35,274	33,593
Deferred lease obligation	(18,654)	(12,183)
	1,978,086	525,759
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investments	(1,752,260)	(428,085)
Proceeds from sale of investments	1,712,283	636,484
Purchase of fixed assets	(51,989)	(24,070)
	(91,966)	184,329
INCREASE IN CASH AND CASH EQUIVALENTS	1,886,120	710,088
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	5,208,884	4,498,796
CASH AND CASH EQUIVALENTS AT END OF YEAR	\$ 7,095,004	\$ 5,208,884
SUPPLEMENTAL INFORMATION		
Non-cash contributions	\$ 277,620	\$ 31,266

See Notes to Financial Statements

THE FEDERALIST SOCIETY FOR LAW AND PUBLIC POLICY STUDIES
NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013

NOTE 1: ORGANIZATION

The Federalist Society for Law and Public Policy Studies (the Society) was organized in August 1982 as a not-for-profit corporation under the state laws of Illinois, for the primary purpose of promoting intellectual diversity in the legal profession and the legal community. It is organized exclusively for charitable, educational and scientific purposes. The following provides a description of the Society's major classes of programs.

Faculty Division
Provides programs for faculty to discuss their scholarship. Provides fellowship for junior faculty and those seeking to enter the legal academy.

Student Activities
Speeches, debates, and other activities involving distinguished legal scholars designed to increase understanding of the principles that the state exists to preserve freedom, that the separation of powers is central to our Constitution and that the role of the courts is to say what the law is, not what it ought to be.

Lawyers Activities
Speeches, debates, and other activities involving distinguished legal scholars designed to increase understanding of the principles that the state exists to preserve freedom, that the separation of powers is central to our Constitution and that the role of the courts is to say what the law is, not what it ought to be.

Symposium and Conferences
A program of seminars, conferences and meetings at which distinguished legal scholars give lectures and engage in debate and public discussion about issues of national importance. These programs include providing travel scholarships for students.

External Affairs
A program of periodicals and occasional white papers and planned conferences related to state courts and the role of state attorney generals.

Practice Activities
A program of regular periodicals and occasional white papers and planned conferences related to specific legal areas of practice.

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting
The financial statements of the Society have been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America.

Accounting Estimates
The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities and contingencies at the date of the statement of financial position and revenue and expenses during the reporting period. Actual results could differ from these estimates.

Cash Equivalents
All highly liquid debt instruments with a maturity of three months or less at the time of purchase are considered cash equivalents.

NOTES TO FINANCIAL STATEMENTS

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - continued

Inventory
Inventory consists of books, scans, tea and pens and is stated at cost and is computed using the first-in, first-out (FIFO) method.

Fixed Assets
Fixed assets are capitalized at cost and depreciated over estimated useful lives of 3 to 10 years using the straight-line method. It is management's policy to capitalize fixed assets for which the useful life extends past one year.

Investments
Investments are presented at fair value, as follows:

- Common stocks, U.S. government and government agency securities and corporate bonds are valued using the reported closing price of those assets on the last day of the fiscal year, when available, or the reported price of the assets, corroborated market data, indices and/or yield curves.
- Short-term securities and money market accounts are valued at cost, which approximates fair value.
- The private equity fund is carried at the net asset value of the shares held by the Society if yet not, which is based on the fair value of the underlying securities.

Non-cash Contributions
Non-cash contributions are recorded at their fair value on the date of receipt.

Revenue Recognition
Individuals and foundations make grants and contributions to the Society. All grants and contributions are considered unrestricted unless the contributor specifies the grant or contribution. Revenue is recognized when the grant or contribution is pledged.

The Society provides certain services only to dues paying members creating exchange transactions. Therefore, membership dues are considered program service fees and are recognized in the period in which the services are rendered.

Registration fees are recognized in the period in which the event occurs.

Net Assets
Net assets arising from contributions are reported as unrestricted or restricted based on stipulations of the donor. Unrestricted net assets are the portion of net assets that are neither temporarily nor permanently restricted by donor stipulations on their use. Temporarily restricted net assets are the portion of net assets resulting from contributions or other inflows of assets whose use is limited by donor-imposed stipulations that can be removed by the passage of time or action of the Society pursuant to those stipulations. Permanently restricted net assets are the portion of net assets whose use is limited by donor-imposed stipulations that cannot be removed by the passage of time or action of the Society.

Grants Receivable and Contributions Receivable
Grants receivable and contributions receivable are reported at net realizable value and any allowance for bad debts is the result of management's assessment of the collectibility of the receivables.

NOTES TO FINANCIAL STATEMENTS

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - continued

Functional Allocation of Expenses
The costs of providing the various programs and other activities have been summarized on a functional basis in the statements of activities. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

Advertising and Promotion
All advertising and promotion expense are charged to expense when incurred. Advertising and promotion expenses totaled \$221,636 and \$118,922 for the years ended September 30, 2014 and 2013, respectively.

Reclassification
Certain amounts in the 2013 financial statements have been reclassified to conform with the 2014 presentation. For the year ended September 30, 2013, \$961,917 of Student Chapter and Membership Services expenses and \$2,645,572 of Student Speakers Bureau expenses were combined and reported as Student Activities expenses totaling \$3,207,489, to conform with the 2014 presentation. In addition, for the year ended September 30, 2013, \$399,243 of Lawyers Division Chapter and Membership Services expenses and \$148,023 of Lawyers Division Speakers Bureau expenses were combined and reported as Lawyers Activities expenses totaling \$547,266, to conform with the 2014 presentation. Additionally, for the year ended September 30, 2013, \$1,143,836, to conform with the 2014 presentation. \$1,143,836 of Other Conference expenses were combined and reported as Practice Activities expenses totaling \$2,378,306, to conform with the 2014 presentation. These reclassifications had no impact on the amount of net assets or changes in net assets as of September 30, 2013, from amounts reflected in previously issued financial statements.

Subsequent Events
In preparing these financial statements, management of the Society has evaluated events and transactions that occurred after September 30, 2014 for potential recognition or disclosure in the financial statements. These events and transactions were evaluated through February 6, 2015, the date that the financial statements were available to be issued.

NOTE 3: GRANTS RECEIVABLE AND CONTRIBUTIONS RECEIVABLE
Included in grants receivable and contributions receivable are the following unconditional promises to give as of September 30, 2014 and 2013:

	2014	2013
Amounts to be received in		
Less than one year	\$ 1,685,570	\$ 1,364,964
One to five years	900,000	—
	<u>2,585,570</u>	<u>1,364,964</u>
	\$ 2,585,570	\$ 1,364,964

The Society evaluated market rates and determined a present value discount was not necessary. Grants and contributions receivable are deemed by management to be fully collectible.

NOTES TO FINANCIAL STATEMENTS

NOTE 4: INVESTMENTS

At September 30, 2014 and 2013, the Society's investments consist of the following:

	2014	2013
Corporate bonds	\$ 118,687	\$ 109,887
US government and government agency securities	255,093	307,414
Common stock	1,138,295	1,713,038
Private equity	1,195,214	—
	<u>\$ 2,707,289</u>	<u>\$ 2,190,339</u>

Investment income (which is recognized in the statements of activities) for the years ended September 30, 2014 and 2013 was as follows:

Interest and dividends	\$ 52,907	\$ 71,400
Net appreciation in fair value of investments	<u>199,353</u>	<u>296,557</u>
	\$ 252,260	\$ 327,957

NOTE 5: FAIR VALUE
Generally accepted accounting principles define fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date, establish a fair value reporting hierarchy and define three broad levels of inputs: the assumptions that market participants would use in pricing the asset or liability as noted below:

Level 1
Inputs are unadjusted quoted prices in active markets for identical assets or liabilities that the reporting entity has the ability to access at the measurement date.

Level 2
Inputs are quoted prices for similar assets or liabilities in active markets, quoted prices for identical or similar assets or liabilities in markets that are not active or inputs that are derived principally from or corroborated by observable market data by correlation or other means.

Level 3
Inputs to the valuation methodology are unobservable and significant to the fair value measurement. A financial instrument's level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. See Note 2 for more specific detail on valuation methodology, which was not changed during the year ended September 30, 2014.

The availability of observable market data is monitored to assess the appropriate classification of financial instruments within the fair value hierarchy. Changes in economic conditions or model-based valuation techniques may require the transfer of financial instruments from one fair value level to another. In such instances, the transfer is reported at the end of the reporting period. For the year ended September 30, 2014, there were no transfers in or out of levels 1, 2 or 3.

NOTES TO FINANCIAL STATEMENTS

NOTE 6: FAIR VALUE - continued

As of September 30, 2014 and 2013, assets measured at fair value on a recurring basis are summarized by level within the fair value hierarchy as follows:

	2014			Total Fair Value
	Level 1	Level 2	Level 3	
Corporate bonds	\$ 118,687	\$ -	\$ -	\$ 118,687
US government and government agency securities	-	255,093	-	255,093
Common stock	1,138,295	-	-	1,138,295
Private equity	-	-	1,195,214	1,195,214
Cash equivalents	7,095,495	-	-	7,095,495
	<u>\$ 8,342,477</u>	<u>\$ 255,093</u>	<u>\$ 1,195,214</u>	<u>\$ 9,792,784</u>

	2013			Total Fair Value
	Level 1	Level 2	Level 3	
Corporate bonds	\$ 109,887	\$ -	\$ -	\$ 109,887
US government and government agency securities	-	307,414	-	307,414
Common stock	1,713,038	-	-	1,713,038
Cash equivalents	5,124,365	-	-	5,124,365
	<u>\$ 6,947,293</u>	<u>\$ 307,414</u>	<u>\$ -</u>	<u>\$ 7,314,707</u>

The table below represents a reconciliation for the year ended September 30, 2014 of private equity assets measured at fair value on a recurring basis using Level 3 inputs. There were no assets measured at fair value on a recurring basis using Level 3 inputs for the year ended September 30, 2013.

Beginning balance	\$ -
Total gains or losses (realized/unrealized)	(4,796)
Unrealized gains (losses)	<u>1,203,000</u>
Purchases	<u>\$ 1,195,214</u>

The fair value as of September 30, 2014 of the private equity has been determined using the net asset value per unit of the investment. A description of the valuation methodology is included in Note 2. As of September 30, 2014, there were no unfunded commitments. The private equity's objective is to provide superior returns by investing in equities, equity-related instruments, fixed income, and other debt-related investments, currencies, and derivative instruments. Redemptions are available on a quarterly basis with a 45 day notice. Redemption amounts in excess of 50% will be subject to a redemption fee of 3% of the excess amount.

NOTE 6: TEMPORARILY RESTRICTED NET ASSETS

As of September 30, 2014 and 2013, temporarily restricted net assets of \$3,205,982 and \$1,284,187, respectively, were available for education and research projects. Net assets released from restriction during the years then ended were released for those education and research projects.

NOTES TO FINANCIAL STATEMENTS

NOTE 7: COMMITMENTS AND CONTINGENCIES

The Society has an office lease that expires December 31, 2015. Rent expense for the years ended September 30, 2014 and 2013 was \$372,359 and \$370,581, respectively.

The Society recognizes rents required under its operating leases as rent expense on a straight line basis over the term of the lease, with the differences between amounts recognized and amounts actually paid recorded as deferred lease obligation in the accompanying statements of financial position.

As of September 30, 2014, required minimum lease payments, are as follows:

2014	\$ 375,873
2015	84,433
	<u>\$ 470,312</u>

On December 10, 2011, the Society entered into an employment contract with the President of the Society to serve a term from January 1, 2011 through December 31, 2013. The terms of the contract provide the President of the Society an annual salary of \$450,000. In addition to the annual salary, the Society will compensate the President up to \$250,000 annually to purchase an annuity for retirement. This compensation for the annuity will be net of any amounts contributed for the President's 403(b) retirement plan, eligible nonqualified deferred compensation agreement and long-term care insurance.

On August 13, 2014, the Society entered into a new employment contract with the President of the Society to serve a term from January 1, 2014 through December 31, 2016. The terms of the contract provide the President of the Society an annual salary of \$550,000, increasing 3% annually. In addition to the annual salary, the Society will compensate the President up to \$200,000 annually, increasing 3% annually, to purchase an annuity for retirement. This compensation for the annuity will be net of any amounts contributed for the President's 403(b) retirement plan, eligible nonqualified deferred compensation agreement, health insurance and long-term care insurance.

NOTE 8: THE FEDERALIST SOCIETY 403(b) PLAN

Effective January 1, 2008 the Society initiated the Federalist Society 403(b) Plan which allows the Society to provide discretionary contributions on behalf of employees. For 2013 and 2012, the Society contributed 7% of eligible compensation to the Federalist Society 403(b) Plan. The Society contributions totaled \$154,605 and \$152,325 for the years ended September 30, 2014 and 2013, respectively.

NOTE 9: INCOME TAXES

The Society is exempt from federal income taxes, except for taxes on unrelated business income, under Section 501(c)(3) of the Internal Revenue Code. There was no unrelated business income in the years ended September 30, 2014 and 2013.

The Society obtained its latest determination letter on August 4, 2006, in which the Internal Revenue Service stated that the Society, as then designed, was in compliance with applicable requirements of the Internal Revenue Code (IRC) and it is qualified under Section 501 (c)(3) of the IRC.

Accounting principles generally accepted in the United States of America require that management of an organization evaluate tax positions taken by the organization and disclose a tax liability if it is more likely than not that the position will not be sustained upon examination by the Internal Revenue Service. Management has analyzed the Society's tax positions and has concluded that as of September 30, 2014, there are no uncertain positions taken or expected to be taken that would require disclosure in the financial statements. The Society is subject to routine audits by taxing jurisdictions; however, there are currently no audits in progress for any tax periods.

NOTES TO FINANCIAL STATEMENTS

NOTE 10: CONCENTRATION OF CREDIT RISK

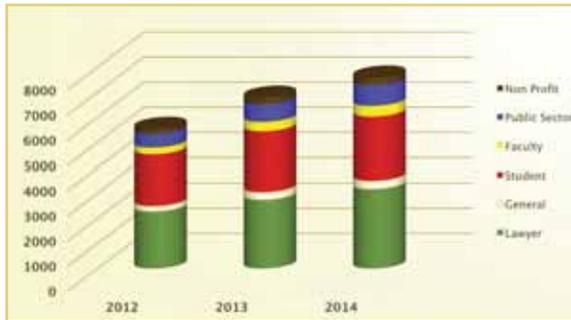
Financial instruments that subject the Society to concentrations of credit risk include cash and investments which are held by financial institutions. While the Society attempts to limit its financial exposure, its deposit balances with financial institutions may, at times, exceed the limits insured by agencies of the U.S. government. The Society has not experienced, and does not anticipate experiencing, any losses on such deposits.

NOTE 11: SPLIT-INTEREST AGREEMENT

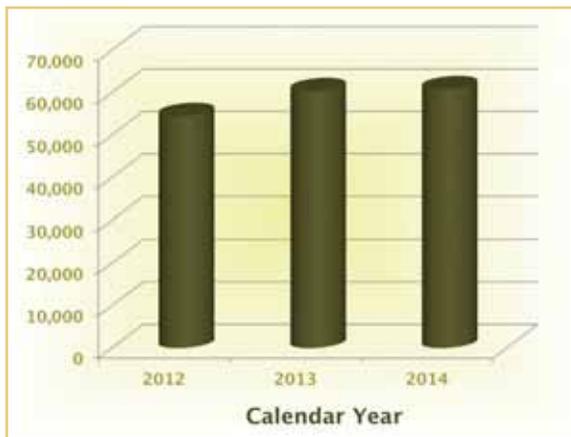
The Society has been named as remainderman on two charitable remainder trusts established in 2009. One trust was established in the amount of \$1,000,000 and the other in the amount of \$500,000. Distributions from each trust will be made during the life of the primary beneficiary and upon the death of that beneficiary any amount remaining in the trust will be distributed, free of restrictions, to the Society. The amounts of any distributions to the Society cannot reasonably be estimated and no provision for such distributions has been made in the financial statements.

END OF AUDITED
FINANCIAL STATEMENTS

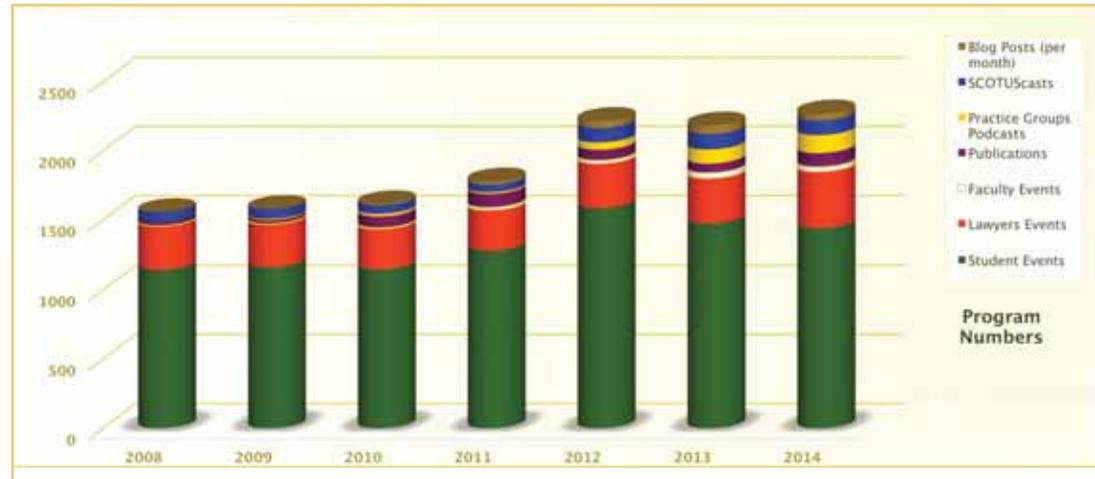
Federalist Society Membership Growth National Dues Paying Members



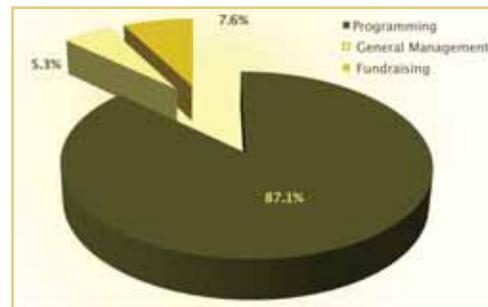
Federalist Society Membership Growth Local and National Involvement



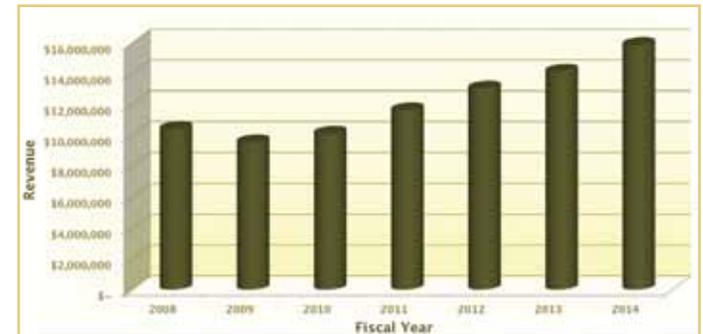
Federalist Society Program Growth Papers, Podcasts, and Events



Federalist Society Expenditures Fiscal Year 2014



Federalist Society Revenue Growth



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