



2021

ANNUAL REPORT

THE FEDERALIST SOCIETY

for Law & Public Policy Studies

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KEEP IN TOUCH

Websites
fedsoc.org
fedsoc.org/probono
fedsoc.org/freedomofthought
no86.org
articleiinitiative.org
regproject.org
stateags.com
statecourtsguide.com
globalgovernancewatch.org

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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 and libertarian intellectual network that extends to all levels of the legal community. In its mission and purpose, the Federalist Society is unique. By providing a forum for legal experts of opposing views to interact with members of the legal profession, the judiciary, law students, academics, and the architects of public policy, the Society has redefined the terms of legal debate.

- THE FEDERALIST SOCIETY
BOARD OF DIRECTORS**
- BACK ROW**
(LEFT TO RIGHT)
Hon. T. Kenneth Cribb, Jr.
Prof. Nicholas Quinn Rosenkranz
Mr. Leonard A. Leo
Mr. Eugene B. Meyer
Hon. Lee Liberman Otis
Prof. Steven G. Calabresi
Hon. David M. McIntosh
- FRONT ROW**
(LEFT TO RIGHT)
Hon. C. Boyden Gray
Hon. Michael B. Mukasey
Hon. Edwin Meese, III
Mr. Brent O. Hatch
- NOT PICTURED**
Prof. Nicole Stelle Garnett
Prof. Gary Lawson
Hon. Don McGahn
Prof. John O. McGinnis



PRESIDENT'S MESSAGE

Eugene Meyer delivers his remarks at the 2021 Antonin Scalia Memorial Dinner.

The Federalist Society has faced two especially serious challenges during the last two years. Along with everyone else, we have struggled with the disruptions created by COVID-19 and accompanying restrictions. Since in-person programming is so central to what we do, we feared COVID would destroy many of our chapters. But while it had been difficult for chapters to hold live events, most had been able to ride out this challenge with virtual programming and small get-togethers. Now our normal programming has been rapidly resuming.

Indeed, despite the challenges of COVID-19, we have continued to recruit and nourish dedicated volunteers who are committed to reinvigorating the spirit of reasoned debate and robust discussion that has infused the Society since its founding. The return to in-person programming will make it far easier for these leaders to fully experience the camaraderie that has been so central to the Society's success.

These bonds will be critical to our ability to successfully respond to the second major challenge we are facing: the attack on reason, debate, and discussion as prime values in our country. Members of

the far left increasingly work to make it unacceptable to express views they don't like. Their goal is to discourage any expression of views at odds with the prevailing orthodoxy, and, if that fails, to shame people for even listening to such ideas. This virus has spread from social media to colleges to law schools. Demonstrations against, protests of, and even direct disruptions of our events have increased markedly. Nor is this limited to

campuses. The attempt to tell people what they must think has also infected the corporate world, from tech companies to other Fortune 500 corporations to major publishers. It has even spread to law firms, where it is beginning to displace the longstanding ethos that it is the lawyer's duty to represent the unpopular client.

Society has progressed, when it has, through reason, debate, and discussion. These were the seeds of our Constitution and the separation of powers. Our future depends on successfully maintaining our commitment to these practices.

Since its founding, the Federalist Society has championed reasoned debate and robust discussion. These are the lawyer's primary tools, since law relies principally on reasoned persuasion for its legitimacy. And we believe our ideas about law will do well in a fair fight, and that if they don't they should be revised or revisited. We also have always valued the diversity of views among our members.

Until recently, reasoned debate and robust discussion were widely shared commitments at universities and in law schools, and therefore they were not major topics of discussion or programming. Now that these commitments are increasingly challenged, the Federalist Society is seeking to address the challenge through its Freedom of Thought Project. Our in-person programming offers students the opportunity to hear important views about legal questions they would not otherwise be exposed to; this is key to countering the isolation the illiberal left seeks to make dissenters feel. Just as importantly, through the debates and discussions we sponsor, we model the very reasoned argument and civil disagreement that is being challenged. Crucially, we are creating a space for our members and others to experience the bonds of cheerful fellowship and discover that they are far from alone in doubting efforts to exclude views and end conversation.

The forthcoming pages highlight our programmatic efforts over the last year and demonstrate that we are prepared to move full steam ahead. Thanks to our supporters, volunteers, and donors for all you do to make this possible.

Eugene B. Meyer



Students listen as panelists share best practices for running their chapters during the Student Leadership Conference.

STUDENTS

The Student Division continued to have a large presence on law school campuses, using both virtual and in-person activities to engage with members. In 2021, student chapters organized **1,034 events** reaching 111,960 people. Among the topics that dominated the scene were antitrust and Big Tech, school choice, election law, and regulation during a pandemic.

Penn Law hosted the National Student Symposium virtually on “International Law & U.S. Foreign Policy.” The online panels discussed the role of international law in U.S. constitutional interpretation, trade and sovereignty, presidential war powers, and more. Senator Mike Lee delivered the keynote address.

The Student Division continued its Freddie Night Fights, a series of virtual showcase debates hosted by a different student chapter every month. In 2021, these events included “Is Administrative Law Either? (Or: How I Learned to Stop Worrying and Love the Administrative State),” “Vaxxports?,” and “*New York State Rifle & Pistol Association Inc. v. Bruen*: What Rights Does the Second Amendment Guarantee Outside the Home?” Events in this popular series consistently drew well over 1,000 live viewers, plus thousands more views of the video recordings.

RECENT PROGRAMS

Freddie Night Fights
fedsoc.org/fnf

Federalist Papers
Book Club
fedsoc.org/bookclub1

Reasoned Argument
Book Club
fedsoc.org/bookclub2

60

event attendees
on average

200+

active chapters

500+

social events

1,100+

speaker events



Two 10-week book club sessions with Professor John Baker were also very popular. The first book club examined *The Federalist Papers* and included discussions with Judges Amul Thapar and Andrew Oldham. The second was the “Reasoned Argument Book Club,” which included readings from the Founding Fathers, Abraham Lincoln, and Edmund Burke. Both book clubs also drew over 1,000 live viewers with thousands of views since airing.

The Federalist Society is grateful to the many students and distinguished speakers whose efforts made all these events a success.



1 A full house for the Harvard chapter’s discussion on originalism with Professors Noah Feldman and Stephen Sachs.

2 Stanford chapter president Zach Young introduces keynote speaker Peter Thiel at the National Symposium on Law & Technology, hosted by the Stanford chapter.

3 Flyer for January’s Feddie Night Fight pitting Bill “Bonecrusher” Otis against Clark “Bonesetter” Neily. This Plea Bargain Punchout was refereed by Justice Clint “Scorpion” Bolick.

4 Flyer advertising April’s Feddie Night Fight on Common Good Originalism, featuring “Whalin” Edward Whelan and Josh “The Hammer.”

5 Abigail Anthony (Princeton) at a reception following the Student Leadership Conference in Leesburg, VA.

6 Ambrose Dawson (Maine), Joe Wolski (Florida State), and Judge Amul Thapar at the Student Leadership Conference reception.



Kentucky Attorney General Daniel Cameron speaks at the Kentucky Chapters Conference.

LAWYERS

The Federalist Society's Lawyers Chapters continue to grow and thrive, navigating in-person and virtual events, exploring areas that may be primed for new chapter development, and focusing on strengthening existing chapter infrastructure. Leaders in over 100 active chapters planned and executed more than 350 events, hosting spirited debates and speeches focused on topics including executive overreach, structural governmental reform proposals, COVID-19 and regulatory policy, religious liberty, the role of big tech, freedom of thought, and the U.S. Supreme Court's docket. In addition

to local chapter events, the lawyers chapters planned and executed statewide conferences in Florida, Kentucky, Ohio, Pennsylvania, and Texas, bringing together hundreds of members to participate in events featuring distinguished guests, experts, and scholars.

By actively partnering with young lawyers and neighboring student chapter members, our lawyers chapters have been able to maintain a steady increase of membership and involvement despite current workplace challenges. Our lawyers chapters also embrace a collaborative approach to organizing programming,

working with volunteer leadership and members in nearby regions to build events focused on current topics at the local and national levels. Chapters remain committed to furthering the fundamental principles embraced by the Society through open speech and debate.

Speakers at lawyers chapter events included former Secretary of Labor Eugene Scalia; Senator Tom Cotton; Florida Governor Ron DeSantis; Georgia Governor Brian Kemp; Kentucky Attorney General Daniel Cameron; Alabama Attorney General Steve Marshall; former U.S. Attorneys General John Ashcroft and Michael Mukasey; federal appellate judges Stephanos Bibas, Lisa Branch, John Bush, Jennifer Elrod, Britt Grant, Jim Ho, Robert Luck, Paul Matey, John Nalbandian, Kevin Newsom, Bill Pryor, Chad Readler, David Stras, Jeﬀ Sutton, and Amul Thapar; state solicitors general Eddie LaCour, Liz Murrill, Judd Stone, Ben Flowers, and Henry Whitaker; and litigators Paul Clement, Allyson Ho, Scott Keller, and Kannon Shanmugam.

**2021
STATS**

350+
events

100+
active chapters

6
statewide conferences

YOUNG LAWYERS CHAPTERS

- *Florida Chapter Launched*
- *Texas & Ohio Chapters in Development*

The Inaugural Florida Young Lawyers Summit



Judge Kathryn Kimball Mizelle at the Inaugural Florida Young Lawyers Summit



Abby Stout attends the opening reception at the Inaugural Florida Young Lawyers Summit





1 Chad Squitieri interviews Former United States Labor Secretary Eugene Scalia at a D.C. Young Lawyers Chapter dinner.

2 Alison Somin, Prof. Christopher Brooks, Taylor Meehan, and Joe Cohn at the 2021 Third Circuit Chapters Conference.



3 Judge James Ho, Kyle Hawkins, Scott Keller, Jonathan Mitchell, and Judd Stone discuss the role of the Texas Solicitor General at the Seventh Annual Texas Chapters Conference.

4 Allyson Ho at the Seventh Annual Texas Chapters Conference.



5 Judge Jennifer Elrod is interviewed by former law clerk Frank Chang at a dinner with the the DC Young Lawyers Chapter.



6 Judge Janice Rogers Brown at the 2021 Ohio Chapters Conference.



Prof. Robert Cottrol (GW), Thomas Goldstein (Goldstein & Russell), Jan Crawford (CBS), Kannon Shanmugam (Paul Weiss), and Carrie Severino (Judicial Crisis Network) preview the Supreme Court's October Term 2021.

FACULTY

In 2021, the Faculty Division continued to promote dialogue among law professors who hold a wide array of views—supporters and opponents of limited government, the separation of powers, the original understanding of the Constitution, and the importance of a free society—in order to foster free debate and intellectual diversity within academia. Our programs are designed: (1) to identify and support aspiring conservative and libertarian law professors through the legal academic hiring process; (2) to assist junior faculty in the academy; (3) to foster and build an academic community dedicated to the free exchange of ideas; and (4) to provide academic resources about the law to the public and press. To further these objectives, we have continued to develop and refine our core programs, which include the Annual Faculty Conference, Junior Scholars Colloquium, James Kent Academy, Job Talk Workshops, co-sponsored colloquia, and academic fellowships.

Our Tenth Annual Junior Scholars Colloquium was held in 2021, with 10 junior scholars presenting competitively selected unpublished papers and receiving comments from more senior faculty members. As in recent years, several of these papers have been accepted by top-ranked law journals.

At our Seventh Annual James Kent Academy, we were pleased to host 16 current students, recent graduates, and law clerks with serious interest in legal academia for a series of workshops and seminars dedicated to navigating the academic career path, writing good law review articles, finding fellowships, and facing challenges specific to conservatives and libertarians in this arena. Participants were joined by a very enthusiastic faculty, who look forward to the next gathering.

Prof. Randy Barnett (Georgetown) delivers opening remarks at the James Kent Academy.





1
The Faculty Division
hosts its annual break-
fast at the 2021
National Lawyers
Convention.

2
Kent Academy
scholars discuss the
academic career path.

3
Kent Academy
scholars enjoy a sunset
sail in Annapolis.



4
Prof. Robert Cottrol
(GW) previews the
Supreme Court's
October Term 2021.

5
Prof. Julia Mahoney
(Virginia) leads a
seminar on the admin-
istrative state at the
Kent Academy.

FACULTY 2021 STATS

83%
*of Junior Scholars
Colloquium papers accepted
for publication in a top-50
law journal*

283
*virtual attendees at the
2021 Faculty Conference*

120,000
SCOTUScast downloads

88
*attendees at the October Term
2021 Supreme Court Preview
Panel. The panel was also
streamed 2,200 times.*

67
SCOTUScast episodes

The Federalist Society's In-House Counsel Working Group presented the Shareholder/Stakeholder Symposium on Friday, September 24 at the Mayflower Hotel in Washington, DC. The two panel lunch event featured scholars and practitioners offering divergent views on what the shareholder and stakeholder theories mean (and should mean) today for businesses, corporate law and governance, the role of in-house attorneys, and more.



PRACTICE GROUPS

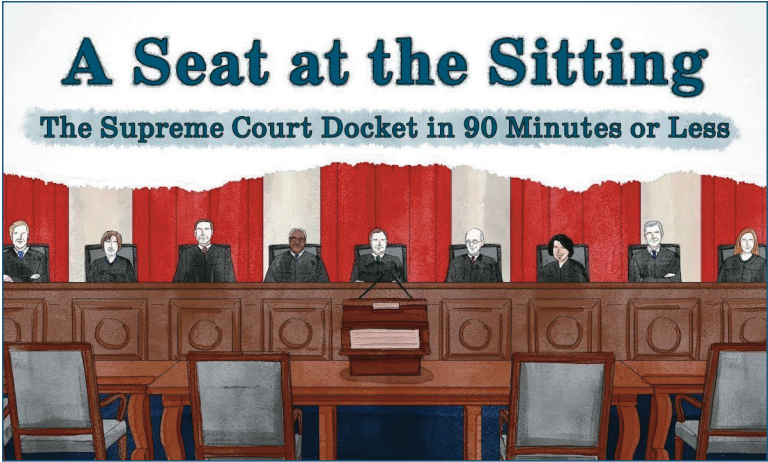
Decades of work by the Practice Groups have built a network of expert attorneys now able to engage with our larger membership, the educated public, and the press. We have nurtured the network at the leadership level, bringing in associate members alongside the longstanding rank and file. We maintain a system of regular contact and engagement through both traditional and novel means: in-person programming, virtual webinars, blog posts, publications, our In-House Counsel Network, and other special projects.

After a record-breaking year of virtual programming in 2020 due to the COVID-19 pandemic, the Practice Groups continued to build on a foundation of success and extended their powerhouse performance in 2021. We premiered two new webinar series in 2021: “A Seat at the Sitting,” which features expert panels previewing the next month’s SCOTUS oral arguments, and “Talks with Authors,” which highlights new books by esteemed authors on timely legal topics and events.

Our signature event, the National Lawyers Convention, was held in person

in Washington, DC, November 11-13. It drew strong attendance and rave reviews.

The In-House Counsel Network grew and flourished in 2021, providing a place for balanced discussion of the most pressing legal issues facing the business community. In just over one year of activity, this Network is proving an invaluable asset to the Federalist Society and its members. Further activities and events are planned for 2022.



Our new webinar series, *A Seat at the Sitting*, has been viewed more than 37,000 times.

fedsoc.org/seatsitting

2021 STATS

500+
*Executive
Committee
members*

The 15 Practice Groups now have over 500 **Executive Committee members**, 13% more than they had in October 2020 (almost 40% of new additions were women)

260
*members of
the In-House
Counsel Network*

The In-House Counsel Network has grown to over 260 members, a 33% growth over the last year.

243
*teleforum calls
and virtual
events*

During this fiscal year, the Practice Groups held **243 teleforum calls and virtual events**, a 62% increase over 2019 (150 calls), and more than 2020’s record-breaking 239 calls. We hosted nearly one virtual event per business day of the fiscal year.

160K+
YouTube views

Each of our **10 most-viewed YouTube videos**, as recorded from the Practice Groups’ virtual events, was viewed over 160,000 times, just shy of the total podcast downloads of all teleforums in 2020 (180,000). This represents a significant extension of our reach and influence.



1 In September, the International & National Security Law Practice Group and the New York City Lawyers Chapter co-hosted the event, “The Terrorist Attacks of 9/11, Then and Now,” a retrospective analysis of the meaning and effect of the attacks on the nation, featuring former U.S. Attorney General Michael B. Mukasey.

2 The Federalist Society’s In-House Counsel Working Group hosted a panel entitled “A View From In-House” at the 2021 National Lawyers Convention, which featured an all-star lineup of Katie Biber, Mary Beth Buchanan, Jenny Kim, and Carrie Ryerson and was moderated by Judge Britt Grant.

3 On September 15, 2021, the Federalist Society presented a day-long, in-person conference on Judge Robert Bork’s *The Antitrust Paradox*, recently republished for the practical benefit of the new generation of general practitioners and antitrust thinkers. The conference featured discussion of the book and its relevance to contemporary anti-trust issues, including an opening discussion between Robert Bork, Jr. and Judge Douglas Ginsburg, and a closing address by Senator Mike Lee.



4 The 2021 National Lawyers Convention took place November 11-13, 2021, at the Mayflower Hotel in Washington, DC. The theme of the conference was “Public and Private Power: Preserving Freedom or Preventing Harm?” The opening address was given by Judge Amul Thapar.

144
posts
The FedSoc Blog published 144 posts, generating 175,908 page views from across the country and around the world—15,000 more views than last year.

29
articles
The *Federalist Society Review* published 29 articles in 2021. Each of our most-read 8 articles would make SSRN’s top 4 most-read recent articles on the current list.

1K+
virtual attendees
We hosted our Ninth Annual **Executive Branch Review** Conference May 17-20 using the Airmeet platform. We hosted 11 virtual panels that each drew over 1,000 live attendees across a variety of platforms, including Facebook, YouTube, and Twitter.

3,456
individual tickets sold for the NLC
The 2021 National Lawyers Convention took place November 11-13, 2021, at the Mayflower Hotel in Washington, DC. The theme of the conference was “Public and Private Power: Preserving Freedom or Preventing Harm?” The opening address was given by Judge Amul Thapar.

EXTERNAL RELATIONS



1 Utah Solicitor General Melissa Holyoak speaks on a panel at the National Symposium on Law and Technology hosted by the Stanford Student Chapter.

2 Texas Solicitor General Judd Stone speaks on a panel at the Texas Chapters Conference.



3 Judge Jeffrey Sutton, Larry Obhof, Justice Sharon L. Kennedy, and Justice Clint Bolick discuss “Interpreting State Constitutions” at the Ohio Chapters Conference.



4 Justice Jamie Grosshans speaks at the Inaugural Florida Young Lawyers Summit in June.



5 Justice Clint Bolick speaks at the Ohio Chapters Conference.

STATE ATTORNEYS GENERAL

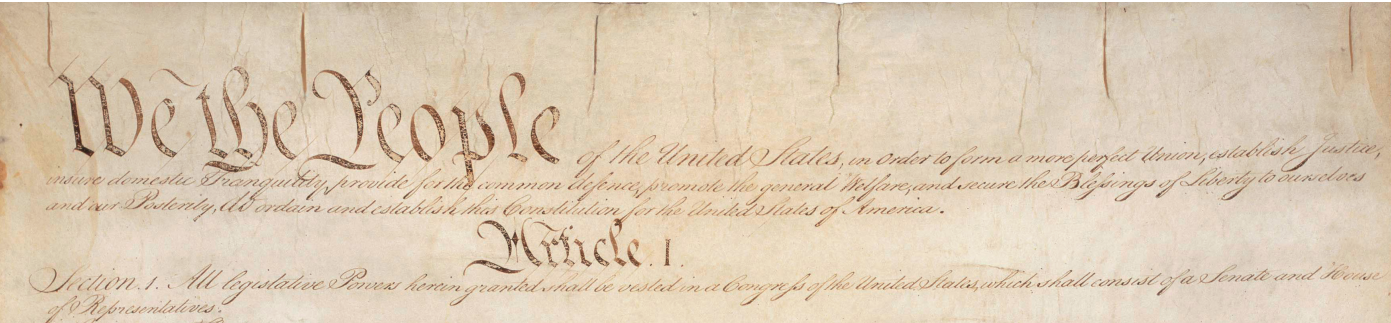
Through its programming, publications, and personal relationships, the Society has fostered an unprecedented level of discussion about the role of state attorneys general in policing government overreach at the federal and state levels. In 2021, we continued to build our growing network of state attorneys general and their staff through local and national events featuring discussions of these issues. Kentucky Attorney General Daniel Cameron has appeared at several events hosted by lawyers chapters in his state, including the Kentucky Chapters Conference. Florida Attorney General Ashley Moody gave an

address at the Florida Chapters Conference. Ohio Solicitor General Ben Flowers participated in a litigation update teleforum sponsored by the Federalism & Separation of Powers Practice Group. Our Alabama Student Chapter hosted an event with Alabama Attorney General Steve Marshall. And our Tulsa Lawyers Chapter hosted a luncheon with Oklahoma Attorney General John O’Connor. Our efforts to develop talented lawyers who are interested in serving in these key legal policy jobs are yielding tremendous results: the Society has a more influential network of members in more states than ever before.

STATE COURTS PROJECT

The State Courts Project exists to promote the discussion of legal culture in states around the country. We accomplish this through the publication of our State Court Docket Watch series and by hosting events that promote discussion of state court issues in chapters across the country. In 2021, we regularly hosted events that provided expert analysis of state supreme court decisions, discussed trends in how state court justices are ruling, and provided critical commentary on the dynamics of state supreme courts.

In 2021, we continued to focus on the debate over methods of judicial selection at the state level. Our Tulsa Lawyers Chapter hosted an event titled “Differences in Federal and State Judicial Selection”; our Wyoming Lawyers Chapter hosted an event titled “Which is the Lesser Evil: Electing Judges or a ‘Merit-Selection’ Appointment Process?”; and our Jefferson City Lawyers Chapter hosted a debate on the Missouri Court Plan.



1 Matthew Cavedon teaches a seventh grade class.

2 Judge Mitchell Bishop teaches an eighth grade class.

CONSTITUTION DAY

The Federalist Society hosted its second annual Constitution Day program in partnership with the Bill of Rights Institute. On Friday, September 17, 2021—Constitution Day—volunteer Federalist Society leaders taught middle school and high school students about America’s founding documents. All of the participants taught their

classes over digital platforms, such as Zoom or Google Classroom. Through this program, we were able to match over 150 Federalist Society members—both lawyers and law students—with middle school and high school teachers from all over the country. Over 3,350 students were taught by Federalist Society members.



INTERNATIONAL



From left to right: Judge Gresa Caka-Nimani, President of the Constitutional Court of Kosovo; Prof. Mary Ann Glendon, former U.S. Ambassador to the Holy See; Judge Ganna Yudkivska, Member of the European Court of Human Rights (Ukraine); and Prof. Paolo Carozza, Director of Notre Dame’s Kellogg Institute for International Studies.

In 2021, the International Division and its partners in Canada, Western Europe, and Israel continued to promote important discussions about judicial review, inalienable rights, personal liberty, and business and human rights.

In October, the Federalist Society’s London Law and Liberty Circle met to discuss the March 8, 2021, report of the Independent Review of Administrative Law, led by Lord Edward Faulks QC, with whom Federalist Society Co-Chair Steve Calabresi subsequently discussed the issue of judicial review from a comparative law perspective.

In November, the Federalist Society co-hosted Judge Ganna Yudkiska, European Court of Human Rights judge from Ukraine, and Judge Gresa Caka-Nimani, President of the Constitutional Court of Kosovo, at a conference at the University of Notre Dame Kellogg Institute for International Studies on the Report of the Commission on Unalienable Rights.

In 2021, the Paris Law and Liberty Circle played a leading role in promoting debates pertaining to the French government’s COVID-19 pandemic restrictions.

This year, two leaders from Canada’s Runnymede Society, four leaders from Israel’s Law and Liberty Forum, and a delegation of French dignitaries attended the National Lawyers Convention.

In the summer, Federalist Society leaders had a virtual discussion with representatives from conservative and free-market institutions in New Zealand who are interested in establishing lawyers chapters modeled after the Federalist Society’s.

Meanwhile, the Federalist Society’s Global Governance Watch website and social media project continues to serve as a national leader in monitoring the growing environmental, social, and governance (ESG) and stakeholder capitalism movements.



2021 STATS

200K+
views

The 8 new mini-documentary episodes of *The Constitution: Line by Line* with Senator Mike Lee were viewed over 200,000 times.

70+
events

Hosted more than 70 live events across the country

23
new videos
and podcasts

Released 15 new videos and 8 episodes of the *Necessary & Proper* podcast

ARTICLE I INITIATIVE

In 2021, the Article I Initiative again partnered with Senator Mike Lee for its online video series, *The Constitution: Line by Line*. The Initiative released 8 new episodes in the series, covering Article I, Sections 4 through 10. The project has been a success, with more than 200,000 views to date and 8 more episodes to be released next year.

For the first time, the Initiative partnered with the Levin Center to provide nonpartisan oversight programming to state legislators in Nebraska and North Carolina, with a goal of examining the best legislative oversight practices. These events were well received by state officials, and we are planning to dramatically expand the number of these state legislature events.

Article I was pleased to award first place in the Fourth Annual Article I Writing

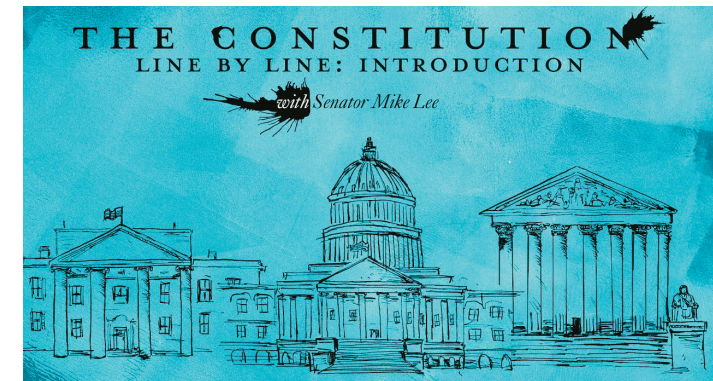
Contest to Roberto Borgert and publish his winning essay, *Negative Legislation*, in the *Federalist Society Review*.

Throughout the year, the Initiative continued to sponsor live programming for students and lawyers across the country on a wide range of fascinating legislative topics. In December, Article I hosted Senator James Lankford for an expert panel discussion of the federal budget process and opportunities for greater transparency.

To learn the latest about the Article I Initiative's ongoing efforts, visit articleiinitiative.org.

Senator Mike Lee has applied his expertise as "a lifelong student of the Constitution" and guided our video series dedicated to the first Article.

articleiinitiative.org/linebyline



FEATURED WEBINARS

The U.S. Senate Filibuster: A Feature of or Impediment to Democracy?

June 24, 2021

Featuring Peter Roskam, former
Senator Jon Kyl, and Martin Gold



Redistricting: Discussing the John R. Lewis Voting Rights Advancement Act

October 1, 2021

Featuring Jeffrey M. Wice, Maya Noronha,
and Mark Braden



Can Congress Improve Budget Transparency and Process?

December 8, 2021

Featuring Senator James Lankford, G.
William Hoagland, Prof. Matthew B.
Lawrence, Molly Reynolds, and Ilya Shapiro





REGULATORY TRANSPARENCY PROJECT

RegProject.org

This year was the Regulatory Transparency Project’s most productive and successful year to date. RTP’s 175 experts led a national discussion of the benefits and costs of regulatory policies by hosting events and creating videos and podcasts exploring subjects including the evolving regulatory approaches to the COVID-19 pandemic, developments in antitrust and intellectual property law, and the use of third-party payments in government litigation settlements. RTP hosted 7,500 attendees at more than 160 virtual and in-person events. Over 3,300,000 viewers watched RTP videos on YouTube—a 37% increase over 2020. RTP’s podcasts were listened to over 270,000 times—a 443% increase over 2020. RTP also successfully promoted its first feature-length documentary, *They Say It Can’t Be Done*, which has so far reached a total audience of more than 138 million people. Visit RegProject.org/movie to watch the documentary for free.

2021 STATS

138M

viewers reached

RTP’s feature-length documentary has reached more than 138 million people.

705K+

hours watched

RTP video content was watched for over 705,000 hours—an increase of 352% year-over-year.

3.3M+

YouTube viewers

RTP video content was viewed more than 3.3 million times.

270K+

podcast listens

RTP’s podcasts were played over 270,000 times—an increase of 443% year-over-year.

7.5K+

event attendees

RTP hosted over 160 events, live and virtual, welcoming over 7,500 guests.

76K+

paper readings

RTP papers were read over 76,000 times.



Trent McCotter (Partner, Boyden Gray & Associates) narrated an animated video titled *Should Regulators Mandate ESG Practices and Disclosures?*

Ateev Mehrotra, MD (Professor, Harvard Medical School) is featured in a Fourth Branch video titled *Telehealth: The Regulatory Frontier*



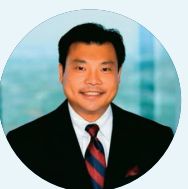
FEATURED WEBINARS



Is Common Carrier the Solution to Social Media Censorship?

February 9, 2021

Featuring Prof. Richard Epstein, Elyse Dorsey, and Prof. Joshua D. Wright



Third-Party Payments in Government Litigation Settlements

April 14, 2021

Featuring Annie Donaldson Talley, John Shu, Justin Savage, and Ryan Dean Newman



Examining the CDC’s Eviction Moratorium

August 24, 2021

Featuring Prof. Lawrence O. Gostin, Kimberly Hermann, and Luke A. Wake



An Update on the Clean Power Plan Litigation

December 21, 2021

Featuring Jonathan Brightbill, Prof. James W. Coleman, and Kevin Poloncarz



NATIONAL LAWYERS CONVENTION

NOVEMBER 11-13, WASHINGTON, DC | fedsoc.org/2021nlc

The 2021 National Lawyers Convention attracted a large number of attendees once again. The convention brought together lawyers, government officials, judges, law school faculty, policy leaders, and students from all over the country and the world. More than 2,000 guests participated in the 3-day event held at Washington, DC's historic Mayflower Hotel. The theme of this year's convention was *Public and Private Power: Preserving Freedom or Preventing Harm?*, with plenary

Senator Tom Cotton delivers the keynote address at the 2021 Antonin Scalia Memorial Dinner.



1 Freedom of Thought hosted a panel to discuss opportunities to make meaningful contributions to law and culture on less conventional career paths. Panelists Sarah Pitlyk, Carrie Severino, Kate Todd, and Melissa Holyoak discussed the career choices they made to fit changing priorities and shared ideas on how we might make such choices and opportunities more accessible.



panels discussing “Social Activism and Corporate Leadership,” “Private Control over Public Discussion,” “Corporate and Academic Management Today,” and “Law, Science, and Public Policy.”

Convention highlights included the Antonin Scalia Memorial Dinner at Union Station with Senator Tom Cotton, the Twentieth Annual Barbara K. Olson Memorial Lecture given by Theodore B. Olson, and the Robert H. Bork Memorial Lecture given by Judge Laurence Silberman. The convention featured many interesting speakers and discussions, including an address by Judge Amul Thapar of the Sixth Circuit, and a fireside chat between author Vivek Ramaswamy

3 Judge Laurence H. Silberman delivers the Robert H. Bork Memorial Lecture.



and Professor Todd Zywicki. This year’s Annual Rosenkranz Debate between John Allison and Ashley Keller was about whether concentrated corporate power is a greater threat to individual freedom than government power. The debate was moderated by Judge Douglas H. Ginsburg of the DC Circuit. The convention also featured 18 breakout panels organized by the practice groups with over 100 speakers, and 10 book signings. As always, the convention was the highlight of the Society’s programming year.

4 Ashley Keller and John Allison participate in the Rosenkranz Debate, with Judge Douglas Ginsburg moderating.

5 Judge Carlos Bea moderates the panel “China, Global Companies, and Human Rights” at the 2021 National Lawyers Convention.



6 Ted Olson delivers the 20th Annual Barbara K. Olson Memorial Lecture.

7 Judge Kyle Duncan, Josh Hammer, Letitia Todd Kim, Prof. Akhil Reed Amar, Kimberly Hermann, and Greg Lukianoff discuss “Classrooms, Curricula, and the Law.”



1 Judge Chad Readler moderates “The Antitrust Revolution?”

2 Attendees wait in line to ask questions of panelists.

3 Judge Lisa Branch moderates a panel discussing “Federal Consent Decrees.”



4 Vivek Ramaswamy and Prof. Todd Zywicki during a fireside chat discussion.

5 Professors Eugene Volokh and Randy Barnett discuss Private Control Over Public Discussion.

6 Judges Kevin Newsom, Andrew Oldham, and Neomi Rao discussing “Originalism: Perspectives from the Bench.”



7 Prof. Akhil Reed Amar shares a memento from the early days of the Federalist Society.



1 Thomas Hungar and Judge Greg Katsas at a reception before the Antonin Scalia Memorial Dinner.

2 Judges Andrew Oldham and Amul Thapar and former White House Counsel Dan McGahn at a reception before

the Antonin Scalia Memorial Dinner.

3 Ashley Garry at the general reception at the Antonin Scalia Memorial Dinner.

4 Amity Shlaes, retired Judge Janice Rogers Brown, and Judge Edith Jones

at a reception before the Antonin Scalia Memorial Dinner.

5 Judge Britt Grant, Prof. Jennifer Mascott, and Prof. Aaron Nielson enjoy the reception following the Olson Lecture.

6 James Stern, J. Zak Ritchie, and Prof. Jonathan Adler at the Olson Reception.

7 Jordan and Christine Pratt, Yonatan Green, and Tara Helfman at the Olson Reception.

8 Alan Lefkowitz, Judge Neomi Rao, and Ron and Suzie Cass enjoying a reception before the Antonin Scalia Memorial Dinner.

9 Justice Neil Gorsuch and Douglas Rathbun at the Antonin Scalia Memorial Dinner.

10 Joseph Ashbrook, John Adams, and Philip Williamson in the promenade at the Mayflower.

11 Lee and Bill Otis, Judge Carlos Bea, and former attorney general Michael Mukasey at a reception before

the Antonin Scalia Memorial Dinner.

12 Federalist Society employee Zsanna Bodor sings the National Anthem to kick off the Antonin Scalia Memorial Dinner.

13 Senator Tom Cotton, Anna Cotton,

Tom Gede, and Anthony Rodregous in conversation before the Antonin Scalia Memorial Dinner.

14 The Mayflower promenade filled with convention attendees.

15 Prof. Ilan Wurman and Prof. Randy

Barnett sign their respective books during the convention.

16 Prof. Gail Heriot and Carissa Mulder signing books during the convention.

17 Melissa Holyoak and Joseph St. John at the NLC.

18 Greg Cote and Paul Johnson converse in the main hall during the convention.





FREEDOM OF THOUGHT

In modern parlance, “cancellation” refers to a coordinated attack on an individual’s reputation or livelihood based on opinions and ideas, leveraging cultural and economic power to restrict the ideas we express and the social or cultural policies we discuss. While not necessarily a new phenomenon, the amplifying power of social media has created disproportionate influence in campaigns that push widely-held ideas about law, culture, morality, and even science outside the scope of permissible debate.

The Freedom of Thought Project is working to address this dynamic of ideological power and coercion within the law and our institutions and to consider how best to respond, focusing on universities and law schools, law firms, the technology sector, and the corporate world.

fedsoc.org/freedomofthought



1
Tech giant Peter Thiel keynotes the “National Symposium on Law & Technology” at Stanford Law School.

2
Paul Grewal, Chief Legal Officer of Coinbase, and Katie Biber, Chief Legal Officer of Brex, participate in a fireside chat during the “National Symposium on Law and Technology” at Stanford University.

3 & 4
Students ask questions during the “National Symposium on Law & Technology” at Stanford University.



Inaugural Programming

Freedom of Thought presented a six-part virtual series on Big Tech, Section 230, and the First Amendment (fedsoc.org/fotseries). The series was moderated by Judge Greg Katsas of the DC Circuit and featured the best thinkers and practitioners in this area.

PART 1 *Free Speech and Compelled Speech: First Amendment Challenges to a Marketplace of Ideas*

Featuring: Prof. Mary Anne Franks, Prof. Jed Rubenfeld, and Prof. Eugene Volokh

PART 2 *Textual Challenges of Section 230*

Featuring: Prof. Mary Anne Franks, Prof. Philip A. Hamburger, and Prof. Eugene Volokh

PART 3 *Limiting the Right to Exclude: Common Carrier and Market Dominance*

Featuring: Prof. Adam Candeub, Geoffrey A. Manne, Charles M. Miller, and Prof. Olivier Sylvain

PART 4 *Tech Giants, Antitrust, and Public Discourse*

Featuring: Ashley Keller, Dina Srinivasan, and Prof. John Yun

PART 5 *Questions of Federal Preemption*

Featuring: Commissioner Brendan Carr, Daniel Francis, and Paul N. Watkins

PART 6 *Private Entities and Public Concern*

Featuring: Ashley Keller, Prof. Genevieve Lakier, Prof. Randy E. Barnett, and Prof. William Baude

200
attendees

There were some 200 attendees at the in-person National Symposium on Law & Technology



30K+
views

Video recordings of the National Symposium on Law & Technology have been viewed over 30,000 times.

A National Symposium on Law & Technology

In October, Freedom of Thought partnered with the Stanford Student Chapter to host the “National Symposium on Law & Technology” (fedsoc.org/lawandtechnology), which featured a keynote address by Peter Thiel. The conference featured twenty panelists, including general counsels, Supreme Court clerks, CEOs, and academics. The symposium also received significant press coverage from outlets such as Reuters and Markets Insider. The Society is planning a follow-up tech conference tentatively titled “Winning the Future: A Regulatory Environment for Liberty-Enhancing Technology.”

MEMBERSHIP & ALUMNI RELATIONS

In 2021, 32% of Federalist Society memberships were purchased by new members. We saw nearly 10% growth of memberships sold in the student membership category.

After a hiatus, Alumni Relations was finally able to resume in-person events. We hosted a series of breakfasts and luncheons at the 2021 National Lawyers Convention, which were attended by more than 600 members of the 13 chapters. This was a great way to kick off a new year of Alumni Relations work to facilitate reunion, networking, and discourse among students and alumni of law schools within the Society's broader network.

STATS

32%

of memberships were sold to new members

10%

more student memberships sold

13

alumni events at the National Lawyers Convention

638

attendees of alumni breakfasts and lunches at the National Lawyers Convention



EVENT HIGHLIGHTS

YALE LAW SCHOOL ALUMNI BREAKFAST

Speaker: Judge Stephanos Bibas

- 1 Judge Stephanos Bibas speaking at the Yale Alumni Chapter breakfast during the National Lawyers Convention
- 2 Yale's student chapter president, Zachary Austin, updates the alumni on the state of the chapter and recent events on campus

HARVARD LAW SCHOOL ALUMNI BREAKFAST

Speakers: Judge Patrick Bumatay and Judge Diarmuid O'Scannlain

- 3 Judges Patrick Bumatay and Diarmuid O'Scannlain address the Harvard Alumni Chapter at the National Lawyers Convention

UNIVERSITY OF VIRGINIA SCHOOL OF LAW ALUMNI LUNCHEON

Speaker: Judge Daniel Bress

UNIVERSITY OF CHICAGO LAW SCHOOL ALUMNI LUNCHEON

Speaker: Allyson Ho

GEORGE MASON ANTONIN SCALIA LAW SCHOOL ALUMNI LUNCHEON

Speaker: Prof. Josh Blackman



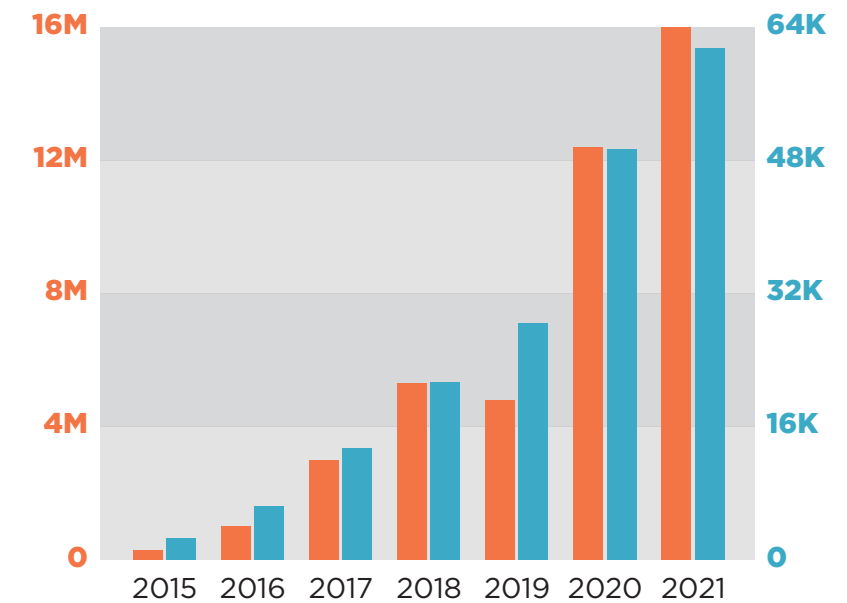


DIGITAL

In 2021, the Federalist Society's YouTube channel broke 50,000 subscribers, and by the end of 2021, it reached over 16 million views. 2021 also marked the fifth anniversary of the formation of FedSoc Films; in just 5 years, FedSoc Films has produced over 30 documentaries and over 400 animated explainer videos.

This year we launched **FedSoc Studios**, an umbrella division comprising all of our video products—including FedSoc Films, SCOTUSbrief, No. 86, and the Archive Collection. The Society's marketing, design, and multimedia production arm was shifted over into **Digital Operations**, which continues to support the needs of all other divisions.

YOUTUBE VIEWS
PER YEAR



TOTAL YOUTUBE SUBSCRIBERS
CUMULATIVE

Social Media Accounts



FEDSOC STUDIOS

FEDSOC FILMS



At FedSoc Films we believe that the law matters. Our mission is to tell intellectually rigorous stories about law and public policy topics in a cinematic form to educate and enlighten an audience that ranges from the legally curious to the legally learned.

Our stories feature academics, lawyers, judges, authors, entrepreneurs, and everyday people telling impactful stories about the law. We aim to educate and inspire with films that are both balanced and entertaining.

Since the launch of FedSoc Films in 2016, we have released over 30 films which have garnered millions of views online and dozens of awards at film festivals around the country and world.

Check out our films at fedsoc.org/films or at YouTube.com/TheFederalistSociety.

fedsoc.org/films

FedSoc Studios Showcase at the National Lawyers Convention

We hosted the first-ever FedSoc Studios Showcase at the 2021 National Lawyers Convention, screening five of our favorite films released since 2016.



RIGHT
FedSoc Films published five films in 2021.

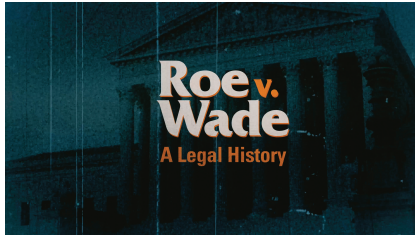
TAKING POLETOWN



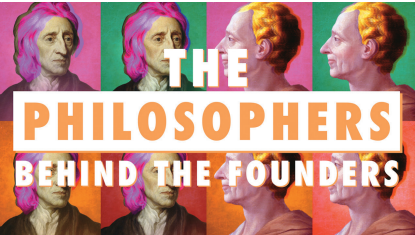
LEAVE A DECENT COMMENT



ROE V. WADE: A LEGAL HISTORY



LOCKE & MONTESQUIEU



AMERICAN CININNATUS



ARCHIVE COLLECTION

In 2016 we digitized over 500 old VHS tapes from the 80s, 90s, and early 2000s, all content that was not previously available on our website or social media. To date, we have released 85 of these videos and will continue to do so for years to come. To view the public collection, visit fedsoc.org/archivecollection.



This year we discovered a lost video of Ronald Reagan addressing the 1990 National Lawyers Convention. The tape was highly damaged but was restored as much as possible and entered into our private collection. We played it at the 2021 Antonin Scalia Memorial Dinner.

2021 Release Highlights

- 1986 National Student Symposium
- 1988 National Student Symposium
- 1990 Presidency & Congress Conference
- 1990 National Lawyers Convention
- 1999 Stranahan National Issues Forum



2021
Communicator
Awards
**Award of
Excellence for
Online Video
Series**
alongside the likes
of Forbes, Microsoft,
and Disney

SCOTUSBRIEF

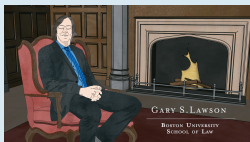
The award-winning SCOTUSbrief video series continued to dazzle in 2021 with custom illustrations and cutting insight into Supreme Court jurisprudence. SCOTUSbrief videos are designed to offer supplementary perspectives and analysis from outstanding legal experts on current and landmark Supreme Court cases.

The series began in 2016, and we added 12 new videos to the SCOTUSbrief library in 2021. SCOTUSbrief has covered 74 Supreme Court cases about everything from antitrust to sovereign immunity.

CASES COVERED IN 2021

District of Columbia v. Heller
United States v. Arthrex, Inc.
McDonald v. City of Chicago, Illinois
Hosanna-Tabor v. EEOC
Marbury v. Madison
Allgeyer v. Louisiana
Torres v. Madrid
West Coast Hotel Co. v. Parrish
Mahanoy Area School District v. B.L.
Tinker v. Des Moines
Hazelwood v. Kuhlmeier

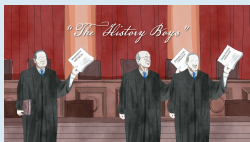
SCOTUSBRIEF HIGHLIGHTS FROM 2021



Marbury v. Madison
48,834 views



Jacobson v. Massachusetts
59,548 views



District of Columbia v. Heller
68,794 views



*Hosanna-Tabor
Evangelical Lutheran
Church and School v. EEOC*
43,760 views



West Coast Hotel Co. v. Parrish
34,474 views



NO. 86

The No. 86 project continues the conversation begun in the original 85 Federalist Papers about the proper structure and role of government. Through video and audio lectures featuring world-class legal faculty, the No. 86 project provides a resource for law students designed to challenge their thinking and expand their knowledge of the law.

In 2021, new courses were added on Property, Contracts, and Jurisprudence. These joined previously available course offerings on Constitutional Law, Administrative Law, Common Law, Roman Law, and Originalism. Courses in Corporate Law and Criminal Law are in the works. As of 2021, the No. 86 project had a total of 271 videos, with an average of 53,464 views per video. The

combined view count for all No. 86 as of 2021 was 14,488,813.

The No. 86 Audio Lectures currently include Common Law, Structure of the Constitution & Federalism, and Originalism, along with Roman Law, which was added in 2021. In 2021, the No. 86 project had a total of 53 audio lectures, with an average of 21,170 listens per lecture. The audio lectures have received a total of 1,122,006 listens as of 2021.

The videos and lectures are available to watch or listen to on the No. 86 website and on the Federalist Society YouTube channel.

The No. 86 website is currently being updated, and we look forward to launching the new and improved experience in 2022.

14.5M
total video views

1.1M
*total audio
lecture listens*

139K
2021 website visits

The No. 86 website is FedSoc's fifth most-visited page.

3.7K
*email subscribers
to date*

This is a 35% increase from 2020.

TOP FIVE MOST-WATCHED NO. 86 VIDEOS IN 2021



Code of Hammurabi
90,903 views



What is Natural Law?
74,526 views



*The Relationship
Between the Constitution
and Bill of Rights*
68,909 views



*The Common Law Part
I: What is Common
Law and What Role
Did It Play in England?*
61,246 views



*What Is the Basis of
Natural Rights?*
56,617 views

PUBLICATIONS

TOP 10 ARTICLES

1. Banning America's Rifle: An Assault on the Second Amendment? (*Stephen P. Halbrook*)
2. Negative Legislation (*Roberto Borgert*)
3. The Establishment Clause: Its Original Public Meaning and What We Can Learn From the Plain Text (*Carl H. Esbeck*)
4. What Happened to Natural Law in American Jurisprudence? (*Kody Cooper*)
5. The Gordian Knot of Abortion Jurisprudence (*Philip D. Williamson*)
6. How the Founders' Natural Law Theory Illuminates the Original Meaning of Free Exercise (*Kody Cooper*)
7. An Extended Essay on Church Autonomy (*Carl H. Esbeck*)
8. An Academic Freedom Exception to Government Control of Employee Speech (*Nick Cordova*)
9. A Change in Direction for the Federal Trade Commission? (*Lawrence J. Spiwak*)
10. The End of Independent Agencies?: Restoring Presidential Control of the Executive Branch (*Andrew Grossman, Sean Sandoloski*)

210,512

views of all publications in 2021

BLOG

TOP 10 BLOG POSTS

1. Regulation By Enforcement Is Stifling Cryptocurrency (*Curt Levey*)
2. SCOTUS Asked If 5th Amendment Bars Compelling Defendants to Unlock Electronic Devices (*Nicole Hager*)
3. Why Did California's Prop 16 Fail? A County-by-County Assessment (*Althea Nagai*)
4. *Caniglia v. Strom*: Expanding the Community Caretaking Exception to the Fourth Amendment Threatens Our Right to be Secure in Our Homes (*Adam Grøn, Josh Windham*)
5. Harmful Language in the U.S. Constitution? (*Maya Noronha*)
6. Legal Scholars Castigate the American Bar Association's Proposed Diversity Standards (*Kenneth L. Marcus*)
7. The FCC's Legal Authority to Regulate Platforms as Common Carriers (*Joel Thayer*)
8. Why Standing Matters (*GianCarlo Canaparo*)
9. Justices Strike a Blow Against Cancel Culture: *Americans for Prosperity Foundation v. Bonta* (*Curt Levey*)
10. An Empty Attack on the Nondelegation Doctrine (*Peter J. Wallison*)

175,908

views of all blog posts in 2021

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William Rothwell
Richard Royce
Lee Rudofsky
Joseph Russoniello
Margaret A. Ryan
Christopher P. Saari
Thomas Sabatino
Frederick Salek

Matthew Saltzman
Ronnie Samms
Hiram Sasser
Michael C. Sasso
D. John Sauer
Eugene Scalia
John C. Scarborough
Will O. Scharf
Joseph Arthur Scherer
Ryan Schermerhorn
Henry Schildknecht
Arthur L. Scinta
Douglas M. Schmidt
David Scott
Jeffrey T. Scott
Ryan D. Searfoorce, Sr.
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Ilya Shapiro
Shook Hardy & Bacon LLP
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Mark W. Smith
Matthew A. Smith
Steven W. Smith
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Christopher Sorrow
Leslie M. Spencer
Richard Seth Staley Educational
Foundation
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Hayes Stover
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Nancy L. Tarpley

Clifford and Lucille Taylor
William K. Tell, Jr.
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Christopher Thomas
David H. Thompson
Larry D. Thompson
Peter M. Thomson
Samuel Tincher
Parvin S. and B. A. Titus
Charitable Fund
Lorianne Updike Toler
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Torchinsky PLLC
Paul David Tosetti
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Edward Whalen
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Whitecross Foundation
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John P. Witten
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Joshua D. Wright
Theodore Joshua Wu
Robert Wulff
David E. Yates
Evan A. Young
Stephen and Andrea Zamansky
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Barbara Bruin
Nina Cunningham
Stacie and Gregory Gosnell
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Catherine Lomuscio
Hashim M. Mooppan
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Haley N. Proctor
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Will Scharf
Ryan Schermerhorn
LeElle Slifer
Grant E. Starrett
Derrick Sutter
Jennifer A. Swenson
Joseph Scott Van de Bogart
L. Browning VanMeter, Jr.
Anonymous (1)

FINANCIALS

Fiscal Year 2021 Financial Activities
October 1, 2020 – September 30, 2021

Total Revenue

\$22,254,571

Total Expenses

\$17,675,380

Total Assets

\$35,150,091

Total Liabilities

\$2,366,227

The Federalist Society is funded entirely by private contributions and does not accept government funding. Audited financial statements for the 2021 fiscal year are available upon request.

Grants & Contributions	\$ 19,170,319
Program Revenue	\$ 257,229
Membership Dues	\$ 411,313
Interest & Dividends	\$ 225,636
Gain on Sale of Digital Currency	\$ 168,166
Appreciation in Fair Market Value of Investments	\$ 2,010,815
Miscellaneous Income	\$ 11,093
Total Revenue	\$ 22,254,571

Programs	\$ (15,621,121)
General & Administrative	\$ (1,409,911)
Fundraising	\$ (644,348)
Total Expenses	\$ (17,675,380)

FY 2021 Statement of Financial Position

Current Assets	\$ 20,528,204
Grants Receivable (long-term)	\$ -
Beneficial Interest in Charitable Remainder Trust	\$ 148,873
Investments	\$ 13,292,725
Digital Currency	\$ 728,875
Fixed Assets	\$ 360,821
Other Assets	\$ 90,593
Total Assets	\$ 35,150,091

Total Liabilities	\$ (2,366,227)
Current Liabilities	\$ (1,600,504)
Other Liabilities	\$ (765,723)
Total Liabilities	\$ (2,366,227)

Total Net Assets	\$ 32,783,864
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Total Liabilities and Net Assets	\$ 35,150,091
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