

THE Federalist PAPER

THE MAGAZINE OF THE FEDERALIST SOCIETY • FEDSOC.ORG



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“The courts must declare the sense of the law; and if they should be disposed to exercise **will** instead of **judgment**, the consequence would equally be the substitution of their pleasure to that of the legislative body.”

Dear Friend,

November's National Lawyers Convention was one of our best ever. The theme was **Administrative Agencies and the Regulatory State**, and the panels and addresses were filled with great insights on that topic and many others. As always, it was also a great opportunity for members to reconnect. See inside for photos, and visit fedsoc.org or youtube.com/thefederalistsociety to watch videos from the NLC.

Our Student Chapters have jumped into a new semester of Fed Soc events, and the Georgetown Law Student Chapter is hosting the National Student Symposium March 9-10. Check out the profile of the most prolific Student Chapter speaker on page 6, and don't miss a Chapter President's reflection on getting a dormant chapter up and running again. We just wrapped up the annual Western Chapters and Florida Chapters conferences, and you can see photos from those on the Lawyers Chapters pages.

The annual Faculty Conference took place at the very start of the new year, and featured some great panels, including presentations by the winners of the Young Legal Scholars paper competition. The Practice Groups continue to produce excellent commentary in their teleforum conference calls, and in written form in the **Federalist Society Review** and on the **Fed Soc Blog**. Practice Group leadership put together the breakout sessions at the NLC, which are well worth watching online if you missed them. Thanks to our Digital team, you can find the videos at youtube.com/thefederalistsociety, along with other great new videos.

See inside for photos of the many recent events put on by the Regulatory Transparency Project, the Article I Initiative, and the State Courts Project. We hope you enjoy this look at just a few of our activities. Keep up with us between issues on social media and at fedsoc.org.

Please send any comments to info@fedsoc.org. We look forward to hearing from you!

Katie McClendon
Director of Publications



The front entrance to Union Station, where the second annual Antonin Scalia Memorial Dinner was held on Thursday night of the National Lawyers Convention.

OHIO LAWYERS CHAPTERS CONFERENCE

April 6, 2018

The Westin Columbus
Columbus, OH

Register now at fedsoc.org.

EXECUTIVE BRANCH REVIEW CONFERENCE

April 17, 2018

Mayflower Hotel
Washington, DC

Regulatory Reform in the Modern Era
Register now at fedsoc.org.

NATIONAL LAWYERS CONVENTION



The National Lawyers Convention took place at the Mayflower Hotel November 16-18, 2017. The theme was **Administrative Agencies and the Regulatory State**.

Supreme Court Justice Neil Gorsuch gave the keynote address at the Antonin Scalia Memorial Dinner, which was held at Union Station Thursday evening. White House Counsel Don McGahn delivered Friday's Barbara K. Olson Memorial Lecture. On Saturday afternoon, the Rosenkranz Debate pitted Profs. Akhil Amar and Randy Barnett against each other on the resolution: *Lochner v. New York*: Still Crazy After All These Years. The convention also featured addresses by Sen. Tom Cotton and U.S. Attorney General Jeff Sessions. Showcase panels addressed the relationship of the administrative state to each of the three constitutionally defined branches of the federal government and to the separation of powers. Each Practice Group hosted a breakout panel (see page 13).

Watch panels you missed at fedsoc.org or at youtube.com/thefederalistsociety.



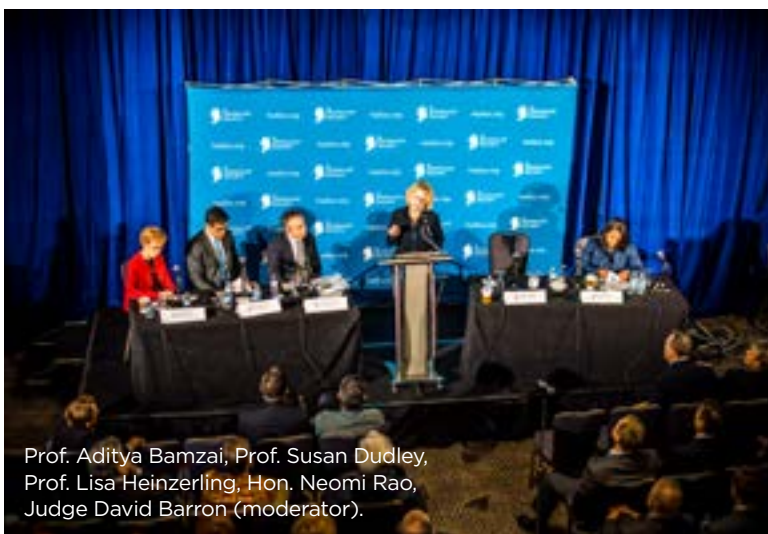
Showcase Panel I:
Administrative Agencies
& the Federal Judiciary



From top: Sen. Tom Cotton gave opening remarks at the convention. Secretary of Labor Alex Acosta participated in the Labor & Employment breakout session. EPA Admin. Scott Pruitt and U.S. Attorney General Jeff Sessions gave addresses on Friday.



Prof. Steven G. Calabresi, Prof. Linda D. Jellum, Prof. Jennifer L. Mascott, Prof. Gillian Metzger, Judge Edith Jones (moderator).



Prof. Aditya Bamzai, Prof. Susan Dudley, Prof. Lisa Heinzerling, Hon. Neomi Rao, Judge David Barron (moderator).

Showcase Panel III: The Executive Branch & the Regulatory State



Justice Neil Gorsuch speaks at the Antonin Scalia Memorial Dinner at Union Station.



Left: White House Counsel Don McGahn delivers the Olson Lecture.
Above: Prof. Nick Rosenkranz moderates the Rosenkranz Debate between Profs. Randy Barnett and Akhil Amar.





Roger Pilon

VP for Legal Affairs,
Director of the Levy
Center for Constitutional
Studies, & Simon Chair in
Constitutional Studies
The Cato Institute

Roger Pilon is—by far—the Federalist Society Student Division’s most prolific speaker. Over nearly 30 years, he has spoken at over a thousand student chapter events at nearly every law school in the country. Students love to invite him to talk about constitutional theory, judicial engagement, property rights, economic liberty, and more. He prefers debating professors to giving solo speeches because the sparks that follow, he says, are what the students most enjoy. He kindly agreed to answer a few questions for us.

How did you originally get involved with Fed Soc?

In the olden days, when all was dark and there was no Federalist Society, I was doing battle outside of any such institution. So when Fed Soc first came to Washington in 1983—early in 1981 I had joined the Reagan administration—I saw the potential for more civil discourse and joined the club. And I’ve never looked back. It’s been a great ride.

How did your career path lead you to your present role with the Cato Institute?

My career path, charitably put, was checkered. You can read about the early years in an interview I did with David Meyer-Lindenberg at Mimesis Law last year, and I included some autobiographical information in my 2013 *Chapman Law Review* article on the origins of the libertarian legal movement. As an older libertarian undergraduate at Columbia, driving a taxi to support myself, I had little patience for SDS campus take-overs. Those battles served me well as a graduate student at Chicago, where I earned my third degree in philosophy, and later in the hostile academic world. All this time I was refining the ideas that I would present to Cato, at the end of the Reagan years, in a proposal to create a Center to advance the idea that the sterile debate over judicial activism v. restraint missed the point. We needed instead to focus on Madison’s Constitution as corrected by the Civil War Amendments and corrupted by the New Deal constitutional revolution. In 1983, I outlined Cato’s 1984 conference on Economic Liberties and the Judiciary, featuring the famous Scalia-Epstein debate. Fed Soc did a conference on that subject in 1987. That was progress. Still, in 1988, only Cato was receptive to such a proposal. So I created the Center, and the rest is history.

What was your most controversial Student Chapter presentation?

Where to begin? I debated *Gratz* and *Grutter* at Rutgers-Newark a month before they were argued.

In his welcoming remarks before a standing room only audience, the dean turned to me and said, “And you’re just plain wrong, Mr. Pilon”—before I’d said a word. I complimented his class act. But the zinger came from the first question in Q&A. A 1L stood up two seats behind the dean and said, “Mr. Pilon, I want to apologize to you for what the dean said. He doesn’t speak for all of us here at Rutgers.” Fed Soc at its best! Then there was CUNY, where leftists protested the creation of a Fed Soc chapter, ran an event opposite me—the chapter’s first speaker—and lobbied the faculty to boycott my event. I challenged the entire student body to come, and they showed up. No one went to the opposing event. I have many tales, but limited space.

What is the biggest error in legal education?

Too little common law. Too much clause-bound constitutional analysis. You cannot understand the Constitution correctly unless you understand the theory behind it, and that comes from the Declaration, the common law, and Lockean state-of-nature theory as refined through the Federalist Papers and the debates over the Civil War Amendments.

How has law school improved over the years?

With notable exceptions, law schools are far more open to a range of ideas than they were a few decades ago, and most of the credit for that goes to the Federalist Society. It’s a remarkable story, not only of how ideas matter, but of the importance of institutions.

What is your favorite thing about speaking at law schools?

Students coming up afterward to thank me for coming, often saying they’ve never heard any of that in their classes. But also, years later, some of the same students at the National Lawyers Convention—now lawyers, professors, and even judges—saying, “You changed my mind.” And there are the lunches and dinners afterward—often better than the events themselves! What was Bob Hope’s song?



An In-Depth Look at the
Student Chapter at

Seattle Law

by Chapter President
Thomas Reinhard

My journey with the Federalist Society began last spring, when I met with the dean of my law school about the difficult environment that conservatives face on my campus. She said, "Get involved with the Federalist Society—I think we still have a chapter."

I learned that, although a chapter formally existed, it had been inactive for some time. Three weeks later, I went to the National Student Symposium at Columbia University. After attending, I knew that the Federalist Society could give me the tools I needed to change the political climate at Seattle Law. Some classmates and I got an executive board in place and sprung into action by immediately planning two events for the fall.

Our first event was called "Let's Take a Break From the National Conversation on Race," and featured Deroy Murdock of National Review with commentary from one of our professors. Despite many roadblocks from administration and the presence of protestors—who came with signs and wore all black—the event was standing room only, with about 150 people attending. Many thanked us for hosting the event and encouraged us to hold more.

Our second event, just two weeks later, was a debate between policy expert Stewart Verdery and a local immigration attorney about the future of DACA. It was originally slated to be co-sponsored by the school as a part of its Social Justice Monday programming, but it sparked even more backlash than the previous event. A wing of our student government circulated a petition stating its opposition to "a xenophobic and racist organization" hosting an event on campus. The dean withdrew the school's co-sponsorship of our event, but the 130 people who came got to witness firsthand what a Federalist Society event really is: a balanced and thoughtful debate about a legal or public policy issue.

Despite the protests and the lack of support from our faculty and administration, we are excited to continue our first year as an active student organization with several more events this spring. It isn't easy being a conservative in the world of higher education—especially in a city like Seattle—but the Federalist Society has given us the resources we need to challenge the status quo and introduce new points of view to our law school campus.



Photos from the newly launched Seattle Student Chapter's hugely successful events this fall.

Student Volunteers at the NLC



We had 206 NLC Student Volunteers this year, the most we've had in 10 years!



LAWYERS CHAPTERS

Western Chapters Conference

Reagan Library
January 27

Panels

The First Amendment and Commercial/Economic Speech

- Bradley Benbrook, Founding Partner, Benbrook Law Group
- Erik Jaffe, Law Office of Erik Jaffe
- Amanda Shanor, Yale Law PhD Candidate
- Christina Sandefur, Executive Vice President, Goldwater Institute (moderator)

The First Amendment and Campus Speech

- Marieke Tuthill Beck-Coon, Director of Litigation, The Foundation for Individual Rights in Education
- Harmeet K. Dhillon, Founding Partner, Dhillon Law Group
- Prof. Michael McConnell, Richard and Frances Mallery Professor and Director of the Constitutional Law Center, Stanford Law School
- Elizabeth Wydra, President, Constitutional Accountability Center
- Hon. Sandra Ikuta, U.S. Court of Appeals, Ninth Circuit (moderator)

Luncheon Discussion: Donor Privacy and Campaign-Related Speech

- Prof. Richard L. Hasen, Chancellor's Professor of Law and Political Science, University of California, Irvine
- Prof. Brad Smith, Josiah H. Blackmore II/ Shirley M. Nault Professor of Law, Capital University Law School
- Hon. Carlos T. Bea, U.S. Court of Appeals, Ninth Circuit (moderator)

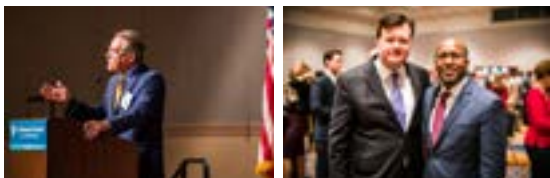
Free Speech Absolutism: Have We Gone Too Far?

- Dominic Draye, Solicitor General, Arizona
- Prof. Thane Rosenbaum, NYU Law School
- Steve Simpson, Ayn Rand Institute
- Joseph Tartakovsky, Deputy Solicitor General, Nevada
- Hon. Tim Tymkovich, U.S. Court of Appeals, Tenth Circuit (moderator)



Lawyers Chapters Leadership at the NLC





Florida Chapters Conference

**Epcot
February 2**

Panels

Departures from the American Rule on Attorney's Fees

- Bruce J. Berman, Partner, Carlton Fields
- Prof. Brian T. Fitzpatrick, Vanderbilt Law
- Hinda Klein, Partner, Conroy Simberg
- R. Hugh Lumpkin, Managing Partner, Ver Ploeg & Lumpkin
- Hon. Robert Luck, Third District Court of Appeal, Florida (moderator)

Banquet

- Hon. Pamela J. Bondi, AG, Florida
- Gov. Richard L. Scott, Governor, Florida
- Hon. R. Alexander Acosta, Secretary, DOL
- Hon. Scott Pruitt, Administrator, EPA
- Hon. Gregory G. Katsas, U.S. Court of Appeals, DC Circuit (moderator)

The First Amendment/Title IX and Due Process at the Universities

- Nancy Hogshead-Makar, CEO, Champion Women
- Prof. Michael T. Morley, Barry Law
- Jesse Panuccio, Principal Deputy Associate AG, U.S. DOJ
- Ayman Rizkalla, Partner, Akerman LLP
- Carlos G. Muniz, Senior Vice President, McGuireWoods Consulting (moderator)

Florida Separation of Powers

- Amit Agarwal, Solicitor General, Florida
- Kathryn Ciano, Senior Counsel, Uber
- Mayanne Downs, City Attorney, Orlando
- Daniel Nordby, Gen. Counsel, Florida Gov.

Perspectives on the Florida Office of Attorney General

- Rep. Jay Fant, District 15, Florida House
- Hon. Ashley Moody, Former Hillsborough County Circuit Judge
- Rep. Ross Spano, Dist. 59, Florida House
- Ryan Torrens, Torrens Law Group, P.A.
- Rep. Frank White, Dist. 2, Florida House
- Joe Jacquot, Foley & Lardner, LLP (moderator)

Also featuring:

- Rep. Ron DeSantis, U.S. House
- Hon. Jimmy Patronis, CFO, Florida
- Hon. Adam Putnam, Agriculture Commissioner, Florida

2nd Annual Missouri Meeting at the Capitol



All three Missouri lawyers chapters convened at the state capitol for a joint event for the second year in a row.



Topics included election controversies, free speech, and state issues. Bradley A. Smith of the Institute for Free Speech gave the keynote address.

FACULTY DIVISION



Panels

Reform Proposals for the Administrative State

- Jack Beermann, Boston University School of Law
- Kathryn Kovacs, Rutgers Law School
- Michael Rappaport, University of San Diego School of Law
- Christopher Walker, Ohio State University College of Law
- Emily Bremer, University of Wyoming School of Law (moderator)

Luncheon Debate: Declaring War

- John Harrison, University of Virginia School of Law
- John Yoo, UC Berkeley School of Law
- Jide Nzelibe, Northwestern University Pritzker School of Law (moderator)

Third-Party Liability for Sexual Misconduct: Universities, Landlords, Employers, & Beyond

- Ellen Bublick, University of Arizona College of Law
- Gail Heriot, University of San Diego School of Law
- Eugene Volokh, UCLA School of Law
- Brad Areheart, University of Tennessee College of Law (moderator)

Financial Crisis & Regulatory Frameworks

- Hilary Allen, Suffolk University Law School
- David Zaring, The Wharton School of the University of Pennsylvania
- Todd Zywicki, George Mason University Antonin Scalia Law School
- Robert Ahdieh, Emory Law School (moderator)

Roundtable: The Constitution & Campus Politics

- Stephen Sachs, Duke Law School
- Irina Manta, Maurice A. Deane School of Law at Hofstra University
- Christina Mulligan, Brooklyn Law School
- Sam Bray, UCLA School of Law (moderator)



Young Legal Scholars
Paper Presentations

Jud Campbell, U. Richmond School of Law
The Invention of First Amendment Federalism

Jonathan Mitchell, Stanford Law School
The Writ-of-Erasure Fallacy

Lochlan Shelfer, Gibson Dunn
Intergovernmental Federalism Disputes

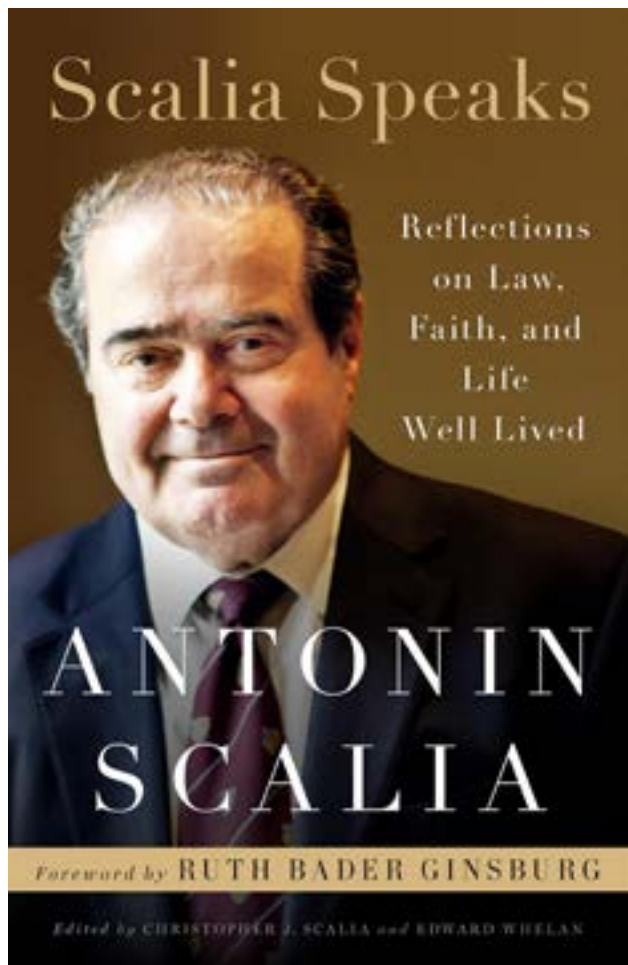
Megan Stevenson, GMU Antonin Scalia Law School
Assessing Risk Assessment

Lael Weinberger, U. Chicago JD/PhD candidate
Rebellion Against International Law: Law, Ideology, and the Bricker Amendment

Richard Epstein, NYU School of Law (commenter)

Josh Teitelbaum, Georgetown University Law Center (moderator)

Books & Faculty at the NLC



Book Signings at the National Lawyers Convention

Prof. John Yoo signs copies of his and coauthor Prof. Jeremy Rabkin's *Striking Power: How Cyber, Robots, and Space Weapons Change the Rules for War*.

Judge Ray Kethledge of the Sixth Circuit signs copies of his new book *Lead Yourself First: Inspiring Leadership Through Solitude*.

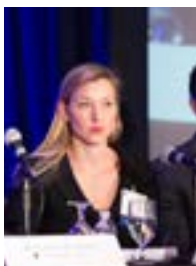
Judge Amy Coney Barrett, Prof. Rachel Barkow, Judge Jeff Sutton, and editors Christopher Scalia and Ed Whelan talk about *Scalia Speaks* in a Special Session at the 2017 NLC.



The Federalist Society featured the **Jurisprudence and Legacy of Justice Scalia** at its 2016 National Lawyers Convention, and named the Annual Dinner in his honor that same year.

Now, Ed Whelan of the Ethics and Public Policy Center and Christopher Scalia have given us an edited volume of Justice Scalia's writings and speeches: **Scalia Speaks: Reflections on Law, Faith, and Life Well Lived**.

Visit fedsoc.org to watch the video of the discussion of the book at the 2017 NLC, and listen to the podcast of our teleforum conference call on the book. Best of all, pick up a copy and read it for yourself!



NLC panels featured commentary from faculty members on all sides of the issues they addressed.

Watch the panels at fedsoc.org or [youtube.com/thefederalistsociety](https://www.youtube.com/thefederalistsociety).

PRACTICE GROUPS



DC Lunch with Secretary of Education Betsy DeVos

Save the Date

SIXTH ANNUAL
**EXECUTIVE
BRANCH
REVIEW
CONFERENCE**

April 17, 2018
Washington, DC

Top New Teleforum Calls

Preview: Masterpiece Cakeshop, v. Colorado
CRC

Eric Rassbach & Eugene Volokh

Justice Department and Marijuana
Enforcement

Paul J. Larkin Jr., Ilya Shapiro, & Marc A. Levin

Written Out of History: The Forgotten
Founders Who Fought Big Government
Sen. Mike Lee

The Administrative State and The Rule of Law:
Are Rollbacks Really Reform?

John A. Allison & Philip A. Hamburger

Scalia Speaks: Reflections on Law, Faith, and
Life Well Lived

Christopher J. Scalia & Ed Whelan

ExxonMobil Litigation Update

C. Boyden Gray

Weyerhaeuser v. U.S. Fish and Wildlife Service

Timothy Bishop & Dave Owen

Top New Commentary

The Problem with the Proliferation of
Collateral Consequences

John G. Malcolm, *Fed Soc Review*, Vol. 19

Why Nineteenth Century Bans on Sectarian
Aid Are Facially Unconstitutional

Rob Natelson, *Fed Soc Review*, Vol. 19

Net Neutrality Without the FCC?: The FTC Can
Regulate Broadband Effectively

Roslyn Layton & Tom Struble, *FSR*, Vol. 18

Attorney General Directs DOJ to Stop
Circumventing APA

Susan Dudley, *Fed Soc Blog*

Docket Watch: *Covenant v. State Farm*

C. Thomas Ludden, *Fed Soc Blog*

The DOJ Should Keep Its Hands Off the AT&T
Acquisition of Time Warner

Richard A. Epstein, *Fed Soc Blog*

Yes, President Trump Can Replace Richard
Cordray with an Acting Director

Thomas A. Berry, *Fed Soc Blog*

Stay informed about upcoming teleforum calls & download podcasts of calls you missed at fedsoc.org.

*Be sure to visit the *Fed Soc Blog* & check out the *Federalist Society Review* at fedsoc.org.*

NLC Panels

Administrative Law & Regulation

Civil Rights

Corporations, Securities & Antitrust

Criminal Law & Procedure

Environmental Law & Property Rights

Federalism & Separation of Powers

Financial Services & E-Commerce

Free Speech & Election Law

Intellectual Property

International & National Security Law

Labor & Employment Law

Litigation

Professional Responsibility & Legal Education

Religious Liberties

Telecommunications & Electronic Media

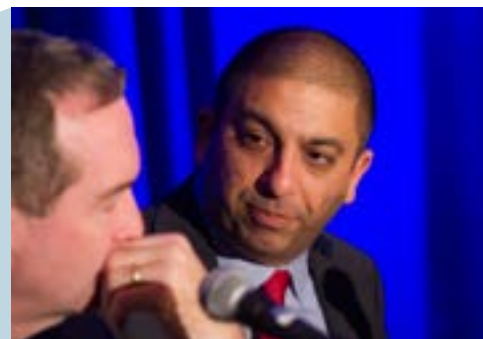
Join a practice group and stay up-to-date on practice group activities at fedsoc.org.



Above: Lee O'Connor introduces a panel on **The Administrative State & Its Discontents**.



Left: Associate AG Rachel Brand moderates a panel on **Race & Sex: Prime Movers of the Expansion of the Administrative State?**, alongside panelists Peter Kirsanow and Prof. Ted Shaw.



Right: Robert Hannigan and moderator Prof. Jamil Jaffer discuss **Comparative Counterterrorism Surveillance & Cooperation**.



Left: HHS OCR Director Roger Severino sits beside moderator Judge O'Scannlain of the 9th Circuit to discuss **The Administrative State & Religious Freedom**.

Below: Judge Williams of the DC Circuit moderates as FTC Acting Chairman Maureen Ohlhausen speaks about **The Regulatory State of the Internet**.



REGULATORY TRANSPARENCY

The Regulatory Transparency Project (RTP) is focused on creating and fostering a public discussion on the costs and benefits of government regulation. We hope that, by facilitating a debate about regulation, we can promote a diligent review of how our policies either succeed or fail us and consider how we might improve them. As we approach our two-year mark, RTP continues to co-sponsor events, post content on regproject.org and social media, and interact with the public on these important issues.

Check out some of RTP's recent work:

- RTP is a co-sponsor of the *Journal of Law, Economics & Policy*'s 2018 Symposium, along with the Law & Economics Center at George Mason University's Antonin Scalia Law School.
- Several more **Fourth Branch** mini-documentary videos have been released and are available for viewing at regproject.org or on the Federalist Society's YouTube page. Stay tuned for upcoming videos.
- Over the past few months, we have hosted dozens of teleforum calls on a variety of topics related to the project. These calls are posted as **Free Lunch** podcasts on regproject.org.
- If you have ideas for our Working Groups to explore or have a personal story about how regulation has affected your life, contact us at rtp@regproject.org.

RTP sponsors events at Student Chapters and Lawyers Chapters around the country. Tell us about your RTP event, and share photos of it on social media!



Above: Secretary of Transportation Elaine Chao discusses transportation regulations and aviation innovation for our mini-documentary series, **Fourth Branch**.

Right: EPA Administrator Scott Pruitt discusses environmental regulation under the new administration for **Fourth Branch**.

Fourth Branch



**FOLLOW RTP ON
SOCIAL MEDIA**

Subscribe to RTP's newsletter at regproject.org.



Congressional Redistricting: Gerrymandering and the People's House

On November 27, Jay Cost of the Weekly Standard and former congressman Christopher Shays joined Article I Initiative director Nathan Kaczmarek for a discussion of gerrymandering and its effect on the makeup and functioning of Congress.



For more information about the Initiative, visit fedsoc.org/articlei.



Checking the Executive: The Importance of Congressional Oversight

Michael D. Bopp, Machalagh Carr, Hon. Neil Eggleston, and moderator Amanda Neely discussed the current oversight landscape, compared it with prior eras, and offered insight for how it may be improved. The panel took place in the House Ways and Means Committee room on December 15.





STATE COURTS PROJECT

The State Courts Project engages in a comprehensive effort to promote legal discussions in states across the country. This year, we've seen considerable success with our state supreme court review events. These events feature state experts reviewing the state supreme court docket, and they also allow for critical commentary on the court and how the justices are ruling. We held review events in several states this year, including California, Iowa, Kansas, Michigan, Tennessee, Texas, and Wisconsin.



State Supreme Court Reviews

The **Michigan Supreme Court Review** featured Timothy Baughman, B. Eric Restuccia, and John Bursch on a panel held at Wayne State University.



The **Wisconsin Supreme Court Review** featured Matt O'Neill, Rick Esenberg, Misha Tseytlin, and was moderated by Judge Diane Sykes of the 7th Circuit.



INTERNATIONAL AFFAIRS



Global Governance Watch®

Be sure to check out the Federalist Society's **Global Governance Watch**, your source for the latest developments on the expanding influence of transnational institutions over domestic law and policymaking.

For more information and to sign up for updates, visit globalgovernancewatch.org.



Stéphane Bonichot of the Vergennes Institute and Thibault Mercier and René Boustany of the Law and Liberty Circle—the Federalist Society's partner organization for French students—attended the Scalia Memorial Dinner at the 2017 National Lawyers Convention.

ALUMNI RELATIONS



University of Virginia School of Law Alumni Lunch



Notre Dame Law School Alumni Lunch

Alumni Lunches at the NLC



Harvard Law School Alumni Lunch

MEMBER PROFILE:

Christopher M. Murray

Judge, Michigan Court of Appeals

Chair, Board of Advisors, Michigan Lawyers Chapter



When and how did you first get involved with the Federalist Society?

While we were students at the University of Detroit School of Law in 1988, a small group of us (including a current colleague, Judge Michael Riordan) started the school's first Federalist Society Chapter. We did not provide much programming, but we did publish a newsletter in an attempt to apprise our fellow students about the Federalist Society and its principles. I edited the newsletter, and as a second year law student tried to explain why *Garcia v. San Antonio Metro Authority* was wrongly decided, and why the Court should have stuck with the principles articulated in *National League of Cities v. Usery*. It was my first experience writing about the importance of federalism within our constitutional system.

What has your involvement looked like since then?

Around 1993, roughly a dozen attorneys (including another current colleague, Judge Michael Gadola) started the Michigan Lawyers Chapter. We met at a downtown Detroit law firm and discussed how the chapter would function and divided up responsibilities. Our chapter has since grown substantially. Today we have debates, presentations, social events, interaction with law school chapters, and membership from across the state. Our annual signature event—the Grano Award Dinner—often has more than 200 guests, including a majority of Michigan Supreme Court justices and many other state and

federal judges. I was President around 1998 (and held many offices before that), and I am currently chair of the chapter's Advisory Board. I expect to be a lifetime member of the Federalist Society.

What is the best way to think about the role of state courts and judges in our society?

As noted by Judge Elrod in her article in the *Harvard Journal of Law & Public Policy* (Vol. 37, No. 2, Spring 2014), state courts annually decide the vast majority of cases, and state courts—particularly trial courts—are where most people have contact with the justice system. Our docket on the Michigan Court of Appeals is a constant reminder of how court decisions impact individuals, families, businesses, and all levels of government. State court judges perform the same role as federal judges, and that role is (or should be) limited. As a judge, my policy preferences, as well as the palatability of the results in a case, are irrelevant. My exclusive task is to objectively apply the law to the issues raised and provide, in the clearest manner possible, the reasons for the decision.

What are some of your non-legal interests or activities?

My passion is fishing, particularly for trout and salmon in the many wonderful rivers flowing through our state (and in the rivers of the Rocky Mountains, which are beautiful and teeming with fish!). The serenity of river fishing is a perfect venue for getting away from the rush of everyday life.

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