

JENNIFER S. HENDRICKS

University of Colorado Law School
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ACADEMIC APPOINTMENTS

UNIVERSITY OF COLORADO LAW SCHOOL.

- Professor of Law.
- Co-Director, Juvenile & Family Law Program.
- Visiting Scholar, Spring 2012.
- Courses: Family Law; Parent, Child & State; Civil Procedure; Math for Lawyers; Topics in Family Law; Equality & Sports.

UNIVERSITY OF TENNESSEE LAW SCHOOL.

- Associate Professor of Law, 2005–12.
- Richard Rose Research Scholar, 2009–12.
- Emory Law School, Visiting Scholar-in-Residence, March 2011.
- Provost's Junior Faculty Fellow, 2008–10.
- Courses: Civil Procedure; Complex Litigation; Constitutional Law; Race, Gender, and the Law; seminars on constitutional family law and constitutional theory; Case Briefing & Analysis (1L orientation).

PUBLICATIONS

CONVERSATIONS IN FEMINIST SOLIDARITY, with Cyra Choudhury, Elizabeth MacDowell, and Saru Matambanadzo (embryonic).

TITLE 9^{3/4}—NEGOTIATING EQUALITY OUTSIDE THE SHADOW OF THE LAW (embryonic).

Sex, Gender, and the Legal Body, THE ROUTLEDGE HANDBOOK OF REPRODUCTION AND GENDER (embryonic).

Next Time Around (essay, in progress).

Being Pregnant in Someone Else's Body (article, in progress).

ESSENTIALLY A MOTHER: A FEMINIST APPROACH TO THE LAW OF PREGNANCY AND MOTHERHOOD (University of California Press, forthcoming 2023).

Domestic Supply (A Feminist Proposal), _ CONLAWNOW _ (2023).

Colorado reporter, with Ariane Frosh, National Association of Criminal Defense Lawyers, *Handbook of State Abortion Laws After Dobbs v. Jackson Women's Health Organization* (2022).

What the End of Roe v. Wade Means for Reproductive Rights and Privacy, CU BOULDER TODAY (6/25/22).

Guest Opinion: Half a Loaf for Women and Minorities at CU Boulder, BOULDER DAILY CAMERA (5/10/22).

Disputed Conceptions of Motherhood in THE OXFORD HANDBOOK OF FEMINISM AND LAW IN THE UNITED STATES, eds. Deborah Brake, Martha Chamallas & Verna Williams (Oxford University Press, 2021).

Abortion Rights in the Supreme Court: A Tale of Three Wedges, 13 CONLAWNOW 1–10 (2021).

America's Care Crisis Is Exploding and Women Lawyers Are Being Forced to Pick Up the Pieces, with Cyra Akila Choudhury and Shruti Rana, ABOVE THE LAW (8/6/20).

Guest Opinion: CU–Boulder Pay Cuts Are Unjust and Regressive, BOULDER DAILY CAMERA (6/25/20).

Arguing with the Building Inspector About Gender-Neutral Bathrooms, 113 NW. U. L. REV. ONLINE 77–95 (2018).

The Wages of Genetic Entitlement: The Good, the Bad, and the Ugly in the Rape Survivor Child Custody Act, 112 NW. U. L. REV. ONLINE 75–84 (2017).

Fathers and Feminism: The Case Against Genetic Entitlement, 91 TULANE L. REV. 473–536 (2017).

☞ Jules Milstein Award for Faculty Scholarship.

☞ *Reprinted in* WOMEN AND THE LAW, ed. Tracy Thomas (Thomson Reuters, 2018).

Genetic Essentialism in Family Law, 26 HEALTH MATRIX 109–22 (2016).

Schrödinger's Child: Non-Identity and Probabilities in Reproductive Decision-Making, 69 STUD. L. POL. & SOC'Y 221–51 (2016).

☞ Peer reviewed.

Guest Commentary: Colorado Fetal Homicide Law Goes Too Far, with Aya Gruber, DENVER POST (4/19/15).

Undue Burdens in Texas, 127 HARV. L. REV. FORUM 145–48 (2014).

Not of Woman Born: A Scientific Fantasy, 62 CASE WESTERN RESERVE L. REV. 399–445 (2012).

✎ *Revised and reprinted as Law, Science, and the Ideology of Reproduction in the West*, in FEMINISM IN THE SUBCONTINENT AND BEYOND: CHALLENGING LAWS, CHANGING LAWS, eds. Jaya Sagade, Christine Forster, and Vedna Jivan (Lucknow, Uttar Pradesh: EBC Publishing, 2014).

Pregnancy, Equality, and the U.S. Constitution, in FEMINIST CONSTITUTIONALISM: GLOBAL PERSPECTIVES 263–80, eds. Beverly Baines, Daphne Barak-Erez & Tsvi Kahana (Cambridge University Press, 2012).

The Flight from Judgment: Reflections on Ben Barton’s Empirical Study of Supreme Court Justice Pre-Appointment Experience, 64 FLA. L. REV. F. 34–38 (2012).

Renegotiating the Social Contract, 110 MICH. L. REV. 1083–1100 (2012) (book review).

Teaching Controversial Topics: Reproductive Rights, with Beth Burkstrand-Reid and June Carbone, 49 FAM. CT. REV. 678–84 (2011).

In Defense of the Substance–Procedure Dichotomy, 89 WASH. U. L. REV. 103–54 (2011).

✎ Selected for the Junior Faculty Federal Courts Workshop.

Teaching Values, Teaching Stereotypes: Sex Ed and Indoctrination in Public Schools, with Dawn Howerton, 13 U. PENN. J. CONST. L. 587–641 (2011).

Converging Trajectories: Interest Convergence, Justice Kennedy, and Jeannie Suk’s “Trajectory of Trauma,” 110 COLUM. L. REV. SIDEBAR 63–71 (2010).

✎ *Reprinted in WOMEN AND THE LAW*, ed. Tracy Thomas (Thomson Reuters, 2011).

Body and Soul: Pregnancy, Equality, and the Unitary Right to Abortion, 45 HARV. C.R.–C.L. L. REV. 329–74 (2010).

Contingent Equal Protection: Reaching for Equality After Ricci and PICS, 16 MICH. J. GENDER & L. 397–451 (2010).

✎ *Substantially revised for “The Compelling State Interest in Substantive Equality,”* in CONTROVERSIES IN EQUAL PROTECTION CASES IN AMERICA, ed. Anne Richardson Oakes & Centre for American Legal Studies (Ashgate, 2015).

“We reserve the right to refuse service to anyone,” 76 TENN. L. REV. 417–23 (2009).

Popular Election of the President: Using or Abusing the Electoral College?
7 ELECTION L.J. 218–26 (2008).

☞ Peer reviewed.

Instead of ENDA, a Course Correction for Title VII, 103 NW. U. L. REV.
COLLOQUY 209–16 (2008).

ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES, ed. David S.
Tanenhaus et al. (Macmillan Reference USA, 2008), entries on *Wimberly v.*
Labor & Indus. Relations Comm'n and *Califano v. Goldfarb*.

Essentially a Mother, 13 WM. & MARY J. WOMEN & L. 429–82 (2007).

☞ Honorable Mention, AALS Scholarly Papers Competition.

Preemption of Common Law Claims and the Prospects for FIFRA: Justice
Stevens Puts the Genie Back in the Bottle, 15 DUKE ENVTL. L. & POL'Y FORUM
65–98 (2005).

Montana reporter, Media Law Resource Center, 2000–05:

50-STATE SURVEY: MEDIA LIBEL LAW.

50-STATE SURVEY: MEDIA PRIVACY AND RELATED LAW.

50-STATE SURVEY: EMPLOYMENT LIBEL AND PRIVACY LAW.

Montana reporter, Reporters Committee for Freedom of the Press, 2000–05:

TAPPING OFFICIALS' SECRETS: A STATE OPEN GOVERNMENT COMPENDIUM.

Women and the Promise of Equal Citizenship, 8 TEX. J. WOMEN & L. 51–91 (2000).

☞ Winner, Notre Dame National Feminist Jurisprudence Writing Contest.

LEGAL PRACTICE

MELOY TRIEWELER, Helena, Montana, 1999–2005.

Plaintiffs' trial and appellate firm practicing in the areas of discrimination,
constitutional law, products liability, environmental protection, and media law.
Montana Trial Lawyers' Appellate Advocacy Award, 2004.

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT,

JUDGE KAREN NELSON MOORE, Cleveland, Ohio, 1998–99.

Clerkship.

EDUCATION

HARVARD LAW SCHOOL, J.D. *magna cum laude*, 1998.

SWARTHMORE COLLEGE, B.A. with honors, 1993.

Mathematics, with sociology minor and concentration in women's studies

SELECTED SERVICE

UNIVERSITY OF COLORADO

University service

- Boulder Faculty Assembly.
 - Chair, Grievance Advisory Committee, 2021–24.
 - Executive Committee, 2021–24.
 - Budget & Planning Committee, 2021–24.
 - Law School Representative, Fall 2018; 2021–24.
 - Chair, Selection Committee, Research Excellence Award, 2022.
 - Academic Affairs Committee, Fall 2018.
 - Administrator Appraisal Committee, 2015–18.

Law school service

- Women in Law Day, mock class, 2022, 2023.
- Faculty facilitator, Reproductive Justice Reading Group, Fall 2022.
- Co-Director, Juvenile and Family Law Program, 2012–present.
- 1L mentoring lunch series, Spring 2021.
- Organizer, Professors Against Magical Thinking, Fall 2020.
- Faculty facilitator, Feminist Jurisprudence Reading Group, 2015–17.
- 1L Faculty Adviser, 2013–15, 2021–22.

Committee assignments for the law school

- Policy, Management & Budget Committee (BFA Representative), 2022–24.
- Rules Committee, Chair, 2022–23.
- Faculty Peer Review, Co-chair, 2018, 2019.
- Admissions, 2014–15, 2016–18.
- Faculty Peer Review Design, 2016–17.
- Faculty Evaluations, 2015–16.
- Budget Review, 2015–16.
- Academic and Student Affairs, 2013–14, 2020–21.
- Clinical Evaluations, 2013–14.
- Faculty Appointments, 2012–13.

UNIVERSITY OF TENNESSEE

University service

- Faculty Senate, 2010–12. Chair, Ad Hoc Appeals Committee on Research Misconduct. Research Council.
- Dissertation Committee, Dawn Howerton, Ph.D. in Psychology, 2010–12.
- Fellow, Center for the Study of Social Justice, 2009–12.

Law school service

- Faculty Mentor, 2010–11.
- Faculty Adviser, UT Lambda, 2009–11.
- 1L Faculty Adviser, 2006–11.
- Judge, moot court practices, 2005–11.
- Coach, Constitutional Law Moot Court, 2006–10.

Committee assignments for the College of Law

- Governance, 2010–2011.

- Tenure Committee, 2010–11.
- Faculty Appointments, 2007–08; 2009–10.
- Strategic Planning, 2008–09; 2009–10; 2010–11.
- Judicial Clerkship Advising, 2007–08; 2008–09; 2009–10.
- Academic Standards & Curriculum, 2006–07.
- Search Committee for Dean of Students, 2006–07.
- Community, 2005–06; 2010–11; 2011–12.

AMERICAN ASSOCIATION OF LAW SCHOOLS

- House of Delegates, 2010.
- Section on Women in Legal Education, Mentoring Committee, 2010–12.
- Section on Constitutional Law, Executive Committee, 2010–11.
- Section on New Law Professors, Executive Committee, 2006–07.

BOULDER VALLEY SCHOOL DISTRICT

- Boulder High School, Instrumental Music Parents' Association, 2016–19.
- Informal consultation, gender-neutral bathrooms, 2016–17.
- District Advisory Committee for Gifted Education, 2014–16.
- Math Team Coach, Casey Middle School, 2012–15.
- Strategic Planning Action Design Team for Math Education, 2014.

MONTANA PRIDE

- Board Member, 2002–05.
- Secretary, Executive Committee, 2003–05.
- Chair, Legal Committee, 2002–05. Organizational plaintiff in *Snetsinger v. State* (Mont. 2004) (requiring the state to provide health benefits to same-sex domestic partners of employees).
- Montana attorney general's appointee to prepare voter guide arguments against state constitutional initiative banning same-sex marriage, 2004.

OTHER COMMUNITY/PROFESSIONAL SERVICE

- The Reproductive Justice Roundtable, 2022–present.
- The Feminist Solidarity Project, 2020–present.
- Working group on the Covid Care Crisis in Academia, 2020.
- Election protection: voter advocacy through the Lawyers Committee for Civil Rights and/or the Democratic Party, even years.
- Prepared litigation records for scholarly use at the University of Kansas, pertaining to one of the first successful challenges to construction of a new coal-fired power plant in the 2000s.
- Prepared litigation records for archives in the Special Collections of the Criss Library, University of Nebraska of Omaha, arising from FOIA litigation against the FBI regarding its surveillance of the American Indian Movement.
- Testimony to the Colorado Senate, on the matter of fetal personhood, 2015.
- Chair, Feminist Legal Theory Research Network, June 2013 Conference.
- Planning Committees, Feminist Legal Theory Research Network, January and October 2012 Conferences.

- Planning Committee, Symposium, “Reflections on *Geier*: The Role of the Courts in Higher-Education Policy,” University of Tennessee, 2010.
- Chair, Montana Human Rights Network, Conference on Separation of Church and State, 2000.

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NON-ACADEMIC PRESENTATIONS

- Boulder County Bar Association, *The State of Reproductive Health Law*, 2023.
- CU Law, Reproductive Justice reading group, *Re-Thinking Strategy After Roe*, 2022.
- Central Presbyterian Church of Denver, *When Women Aren’t People: The Dobbs Decision and the Government’s Pregnancy*, 2022.
- CU Event Series on Art, Activism, and the Engaged Humanities, *Fighting for Reproductive Rights and Justice*, 2022.
- CU Law Faculty/Staff Colloquium, *When Women Aren’t People: The Dobbs Decision and the Government’s Pregnancy*, 2022.
- CU Law, The Supreme Court Term in Review, *Dobbs v. Jackson Women’s Health*, 2022.
- CU Mini-Law School, *Civil Procedure: Closing the Courthouse Door*, 2022.
- Temple Emmanuel, Denver, *Keynote for Reproductive Rights Shabbat*, 2022.
- CU Political Science Club, *A Legal Perspective on the Texas Abortion Law*, 2021.
- CLASIC, National Teach-In on Abortion Rights, 2021.
- Cobalt, *Judicial Regulation of Abortion & Contraception: A Tale of Three Wedges*, 2021.
- CU Mini-Law School, *The Electoral College and the National Popular Vote Compact*, 2020.
- Boulder Women’s Leadership Luncheon, *Reproductive Rights*, 2018.
- CU Mini-Law School, *Family Law*, 2012–15.
- Colorado NARAL, *Choice Under Fire: Navigating Reproductive Health Care in an Increasingly Hostile Era*, 2015.
- CU Pre-Law Society, *Law School and Lawyers’ Careers*, 2013.
- Continuing Legal Education seminar, *Contracting for a Child: Ethics of Reproductive Technology and Surrogacy*, 2012.
- CU Federalist Society Debate, *Is Feminism Still Relevant?*, 2012.
- UT College of Law, Success Seminars, *Exam Tips & Strategies*, 2007–11.
- UT Federalist Society Debate, *The Feminist Dilemma*, 2010.
- UT Lambda Society, *Working Together: Feminist and LGBT Movements*, 2010.
- UT Alumni Council Football CLE, *The Future of Government Policies to Promote Integration and Equality*, 2009.
- Baker Center Constitution Day Forum on Faith-Based Initiatives, panelist, 2008.
- UT Commission for LGBT People, *The Lens of Law*, 2008.
- UT Women’s Coordinating Council Debate on Abortion, moderator for debate between speakers from the Archdiocese of Chicago and NARAL, 2007.
- University of Montana, *On Being a Woman Trial Lawyer*, 2005.
- *Montana Law Review* Symposium on Children & the Law, *Lesbian and Gay Parenting*, 2004.
- Montana Trial Lawyers Association Annual Convention, *The Empty Chair Defense*, 2002.

ACADEMIC PRESENTATIONS

2022

- Center for Constitutional Rights Scholars' Forum on the Future of Reproductive Rights, *Men's Feelings > Women's Rights*.
- University of Colorado Center for Critical Thought, faculty talk series.
- Law and Society Annual Meeting, Feminist Legal Theory Collaborative Research Network, Chair and commenter, *Feminist Jurisprudence and Adjudication*.
- Law and Society Annual Meeting, Feminist Legal Theory Collaborative Research Network, *Roundtable: Theorizing Feminist Solidarity*.

2021

- CLASIC (Critical Legal Academics & Scholars International Collective), *A Teach-In: Texas, the Supreme Court, and the Future of Reproductive Rights*.

2020

- CLASIC, *Essentially a Mother*.

2018

- Law and Society Annual Meeting, Feminist Legal Theory Collaborative Research Network, Chair and Commenter, "Care, Privacy, and Intimacy."

2017

- Austin W. Scott Lecture, University of Colorado Law School, *Essentially a Mother*.
- International Society of Family Law, World Conference on Family Law and Family Realities, *Fathers and Feminism*.

2015

- Case Western Law School, Symposium, "The Rhetoric of Reproduction," *Genetic Essentialism in Family Law*.

2014

- Emory Law School, Feminist Legal Theory Project, "An Uncomfortable Conversation: The Universal and the Particular," *Re-Making Relational Feminism*.
- Law and Society Annual Meeting, Feminist Legal Theory Collaborative Research Network, "Feminist Legal Theory Half a Century After the Second Wave."

2013

- Law and Society Annual Meeting, Feminist Legal Theory Collaborative Research Network, Chair and Commenter, "Gender Roles and Social Norms."
- Emory Law School, Feminism and Legal Theory Project, "Sex and Reproduction: From Privacy and Choice to Resilience and Opportunity?" *Non-Identity, Probability, and Reproductive Ethics*.
- Emerging Family Law Scholars Conference, Brooklyn Law School, *Schrödinger's Child: Non-Identity and the Ethics of Reproduction*.
- University of Colorado Law School, Workshop on the Feminist Influence on Criminal Law, Moderator, "Gender, Crime Control, and Women's Empowerment."
- Feminist Legal Theory Roundtable, Fordham Law School, *Schrödinger's Child: Non-Identity, Probabilities, and Reproductive Decision-Making*.

2012

- University of Maryland School of Law, Legal Theory Workshop, *Not of Woman Born*.
- Indian Law Society, College of Law (Pune, India), International Conference on Feminism and Law, *Not of Woman Born*.
- Law & Society Annual Meeting, Feminist Legal Theory Network: chair, panel on Pregnancy, Motherhood, and Reproductive Rights; commenter, Melissa Murray's *The*

New Sexual Regulation.

- Guest Blogger, live blog of oral argument on the Affordable Care Act, Concurring Opinions.

2011

- AALS Mid-Year Meeting, Workshop on Women Rethinking Equality, *Of Woman Born?*
- Law & Society Annual Meeting, Feminist Legal Theory Network: paper presentation, *Body and Soul*; commenter, Jessica Dixon Weaver's *The First Father*.
- Emerging Family Law Scholars Conference, UC–Hastings College of Law, *Of Woman Born?*
- Guest Blogger, Concurring Opinions.

2010

- University of Illinois College of Law, Junior Faculty Federal Courts Workshop, *In Defense of the Substance–Procedure Dichotomy*.
- Washington University School of Law, Junior Faculty Workshop, *Teaching Values, Teaching Stereotypes*.
- LatCrit XV, University of Denver, Sturm College of Law: work-in-progress, *The Right to a Human Mother?*; panelist, *Reflections on Subordination: Sites and Bodies*; commenter, Ana Romes's *Transitional Maternity: The Gap Between Giving Birth and Motherhood*.
- University of Denver, Sturm College of Law, Motherhood: Reclaiming Our Past Transforming Our Future, *Pregnancy, Motherhood, and Equality*.
- Emerging Family Law Scholars Conference, University of Missouri–Kansas City School of Law: work-in-progress, *The Right to a Human Mother*; commenter, Gaia Bernstein & Zvi Triger's *Over-Parenting*.
- Guest Blogger, Feminist Law Professors.

2009

- Queen's University (Ontario), International Conference on Feminist Constitutionalism, *Contingent Equality and Abortion*.
- University of Virginia Law School, May Gathering, Tara Grove's *The Structural Case for Vertical Maximalism* (commenter).
- University of Colorado School of Law, Emerging Family Law Scholars Conference, Shari Motro's *The Price of Pleasure* (commenter).
- William Mitchell School of Law, Future of Family Law Education, *Teaching Controversial Topics: Reproductive Rights*.
- University of Baltimore Law School, Applied Feminism Conference, *Perfecting the Audacity Factor? Productivity, Placement, and Practical Feminism*.
- University of Tennessee College of Law, Marc Poirier's *Property, Community, and the Where of a Same-Sex Civil Union Ceremony* (commenter).
- University of Tennessee College of Law Half-Baked Lunch Series, *Abortion and Equality*.

2008

- Washington University School of Law Junior Faculty Workshop, *Power Grab and Category Error*.
- Villanova University School of Law, *Contingent Equal Protection*.
- Society of American Law Teachers, Boalt Hall School of Law, Teaching for Social Change, *"We Reserve the Right to Refuse Service to Anyone."*

2007

- AALS Annual Meeting, Scholarly Papers Competition, Honorable Mention Award, *Essentially a Mother*.
- University of Kansas Law School, *Popular Election of the President*.

2006

- Southeastern Association of Law Schools, *Essentially a Mother*.
- University of Virginia Law School, May Gathering, *Essentially a Mother*.

1999

- University of Notre Dame Law School, *Women and the Promise of Equal Citizenship*.