

Scott Skinner-Thompson

University of Colorado Law School
Wolf Law Building, Room 418
Boulder, CO 80309

ACADEMIC APPOINTMENTS

University of Colorado Law School **2017 - Present**
Associate Professor

Affiliate Faculty, University of Colorado Boulder LGBTQ Studies Program (2018 – Present)
Courses: Constitutional Law; Civil Rights; Disability Rights

New York University School of Law **2014 - 2017**

Acting Assistant Professor of Lawyering

Chair, Lawyering Scholarship Colloquium (2015 - 2017)

Member, NYU Privacy Research Group

Awards: Best LGBT Lawyers Under 40 - National LGBT Bar Association (2014)

Duke University School of Law **Wintersession 2014, 2016**

Visiting Lecturing Fellow

Courses: Sexual Orientation, Gender Identity & the Law; LGBT/HIV Impact Litigation

EDUCATION

Duke University School of Law, J.D., *magna cum laude* **May 2008**

Honors & Activities: Order of the Coif
David H. Siegel Scholar (outstanding academic performance & citizenship)
Law & Contemporary Problems, *Articles Editor*
AIDS Law Clinic Member

Duke University School of Law, LL.M., International & Comparative Law **May 2008**

Whitman College, B.A., Politics and Rhetoric & Film Studies, *magna cum laude* **May 2005**

Honors & Activities: Phi Beta Kappa
Student Body President
National Champion Runner-Up in Parliamentary Debate (2004 & 2005)
Chester Maxey Award for Most Outstanding Politics Major
Recipient of William O. Douglas, Paul Garrett, Robert C. Byrd, and Edmund Maxwell Scholarships

PUBLICATIONS (SELECTED)

Books:

PRIVACY AT THE MARGINS (under contract Cambridge University Press)

AIDS AND THE LAW (Skinner-Thompson ed., 5th ed. 2015) (Wolters Kluwer) (supplemented annually)

Law Review Scholarship:

Recording as Heckling (work in progress)

Privacy's Double Standards, 93 WASHINGTON LAW REVIEW 2051 (2018)

- Reviewed in Martha Chamallas, *Privacy for the Privileged Few*, JOTWELL, July 3, 2018
- Reviewed in Ruthann Robson, *Curing the Inequality of Privacy Protections*, CONSTITUTIONAL LAW PROF BLOG, April 17, 2018
- Previewed in Lawrence Solum, *Skinner-Thompson on Privacy, Marginalization, & Privilege*, LEGAL THEORY BLOG, March 16, 2018 (“Interesting and recommended”)

The First Queer Right, 116 MICHIGAN LAW REVIEW 881 (2018) (review essay)

Performative Privacy, 50 U.C. DAVIS LAW REVIEW 1673 (2017)

Marriage, Abortion, and Coming Out, 116 COLUMBIA LAW REVIEW ONLINE 126 (2016) (with Sylvia Law & Hugh Baran)

Outing Privacy, 110 NORTHWESTERN UNIVERSITY LAW REVIEW 159 (2015)

Title IX's Protections for Transgender Student Athletes, 28 WISCONSIN JOURNAL OF LAW, GENDER & SOCIETY (2013) (with Ilona Turner) (symposium)

Tenth Amendment Challenges after Bond v. United States, 46 UNIV. SAN FRANCISCO LAW REVIEW 995 (2012) (with Christopher Klimmek)

House of Wisdom or a House of Cards? Why Teaching Islam in U.S Foreign Detention Facilities Violates the Establishment Clause, 88 NEBRASKA LAW REVIEW 341 (2009)

Abbott, AIDS, and the ADA: Why a Per Se Disability Rule for HIV/AIDS is Both Just and a Must, 15 DUKE JOURNAL OF GENDER LAW & POLICY 1 (2008)

Book/Treatise Chapters:

A Feminist Rewriting of Sipple v. Chronicle Publishing Co., in FEMINIST JUDGMENTS: REWRITTEN TORTS OPINIONS (Lucinda M. Finley & Martha Chamallas, eds.) (Cambridge University Press) (forthcoming 2019)

Negligence and Intentional Torts, in AIDS AND THE LAW (Skinner-Thompson ed., 5th ed. 2015) (supplemented annually)

HIV and Employment, in AIDS AND THE LAW (Skinner-Thompson ed., 5th ed. 2015) (supplemented annually)

Access to Public Services and Accommodations, in AIDS AND THE LAW (Skinner-Thompson ed., 5th ed. 2015) (supplemented annually)

Issues in Family Law for People with HIV, in AIDS AND THE LAW (Skinner-Thompson ed., 5th ed. 2015) (with Carol Suzuki) (supplemented annually)

Columns/Commentary:

The Person is Political, SLATE, October 24, 2018

Federal Courts are Standing Up for the Sanctity of Transgender Lives, SLATE, June 21, 2018

Masterpiece Cakeshop is Not a License to Discriminate, SLATE, June 4, 2018

How Trump May Inadvertently Advance Transgender Rights, SLATE, Nov. 30, 2017

Rules for Digital Radicals, JOTWELL, Nov. 14, 2017, (reviewing ZEYNEP TUFEKCI, TWITTER AND TEAR GAS: THE POWER AND FRAGILITY OF NETWORKED PROTEST (2017))

Trump's Anti-Trans Animus, Unmasked, TAKE CARE, Nov. 6, 2017

Animus, Not Readiness: Trump & Mattis Move Full Speed Ahead on Unconstitutional Trans Military Ban, JUST SECURITY, Sept. 1, 2017

Appeals Court: Discrimination Against Trans Students is Likely Illegal, SLATE, May 30, 2017

Why Trans People Have a Constitutional Right to Change Their Birth Certificates, SLATE, April. 27, 2017

The Right to the Public Square: Hoodies, Head Veils, & Bathrooms, MUFTAH, March 23, 2017

The Supreme Court Should Decide the Gavin Grimm Case Now, SLATE, Feb. 27, 2017

Trump Isn't the Sole Decider of Trans Students' Rights, SLATE, Feb. 17, 2017

North Carolina's Catch-22, SLATE, May 16, 2016 (outlining HB2's interference with autonomous decision making over medical treatment)

Bathroom Bills and the Battle Over Privacy, SLATE, May 10, 2016

How Nixon and Rehnquist Paved the Way for Transgender Rights, SLATE, April 1, 2016

North Carolina just lost some of its charm, SALON, March 25, 2016 (critiquing North Carolina's anti-LGBT legislation as violating constitutional privacy protections)

Clinton's Mistake on Reagan is an Opportunity for Action on HIV/AIDS, SLATE, March 18, 2016 (with Carolyn McAllaster)

Anti-Transgender Bathroom Bills are Unconstitutional, SLATE, Feb. 11, 2016

The Department of Education's Common-Sense Approach to Transgender Inclusion, SLATE, Nov. 4, 2015

How Obergefell Could Help Transgender Rights, SLATE, June 26, 2015

Bad Blood: The FDA's donation rule change for gay and bisexual men is sending the wrong message on HIV, THE NEW REPUBLIC, May 19, 2015

The FDA Should Follow Europe's Lead and Create Blood Donor Policies Based on Evidence, SLATE, April 30, 2015

The “Straight” Faces of Same-Sex Marriage, SLATE, April 24, 2015

For LGBT rights, the to-do list is still long, THE SEATTLE TIMES, June 26, 2013

Supreme Court Amicus Briefs:

Brief of Colorado Organizations and Individuals in Support of Respondents in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, No. 16-111 (2017) (counsel to amici)

Brief of Scholars Who Study the Transgender Population in Support of Respondent in *Gloucester County School Board v. G.G.*, No. 16-273 (2017)

Brief of Amici Curiae Carlos Ball and Other Family Law Professors in *Obergefell v. Hodges*, United States Supreme Court, Nos. 14-556, 14-562, 14-571, 14-574 (2015)

Brief of Amicus Curiae American Sociological Association in *Hollingsworth v. Perry* and *United States v. Windsor*, United States Supreme Court, Nos. 12-144, 12-307 (2013) (counsel to amicus)

CLERKSHIPS

Hon. Dolores K. Sloviter, United States Court of Appeals for the Third Circuit **2010 - 2011**

Hon. Robert N. Chatigny, United States District Court for the District of Connecticut **2009 - 2010**

LEGAL PRACTICE

Dorsey & Whitney LLP, Seattle, WA **2013 - 2014**
Associate

Cleary Gottlieb Steen & Hamilton LLP, New York, NY **2008 - 2009, 2011 - 2013**
Associate

PRESENTATIONS (SELECTED)

Recording as Heckling, presented at:

- University of Colorado Law School Works-in-Progress Series, Boulder, CO, Nov. 8, 2018
- Privacy Law Scholars Conference, Washington, DC, May 30, 2018
- Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT, April 28, 2018
- Internet Law Scholars Works-in-Progress, New York Law School, New York, NY, March 24, 2018
- Law & Society Conference, Mexico City, Mexico, June 20, 2017
- Loyola Constitutional Law Colloquium, Chicago, IL, Nov. 4, 2016
- Privacy Research Group, NYU School of Law, New York, NY, Nov. 2, 2016

Privacy’s Double Standards/Equal Protection Privacy, presented at:

- Rocky Mountain Junior Scholars Forum, Provo, UT, Nov. 16, 2017
- Loyola Constitutional Law Colloquium, Chicago, IL, Nov. 4, 2017
- University of Colorado Law School Works-in-Progress Series, Boulder, CO, Oct. 25, 2017
- Privacy Law Scholars Conference, Berkeley, CA, June 1, 2017
- Lawyering Scholarship Colloquium, NYU School of Law, New York, NY, Jan. 26, 2017
- Privacy Research Group, NYU School of Law, New York, NY Jan. 25, 2017

Performative Privacy, presented at:

Lavender Law Conference, Washington, DC, Aug. 4, 2016
Law & Society Conference, New Orleans, LA, June 4, 2016
Privacy Law Scholars Conference, Washington, DC, June 2, 2016
Internet Law Scholars Works-in-Progress, New York Law School, New York, NY, March 5, 2016
Lawyering Scholarship Colloquium, NYU School of Law, New York, NY, Feb. 11, 2016
The Present and Future of Civil Rights Movements Conference, Duke, Durham, NC, Nov. 20, 2015
Loyola Constitutional Law Colloquium, Chicago, IL, Nov. 6, 2015
Privacy Research Group, NYU School of Law, New York, NY, Sept. 16, 2015
NY LGBT Law Faculty Workshop, Cardozo Law School, New York, NY, Aug. 18, 2015

Outing Privacy, presented at:

Talks on Law, New York, NY, March 7, 2015
Privacy Research Group, NYU School of Law, New York, NY, Jan. 28, 2015
AALS Employment Discrimination Works-in-Progress, Washington, DC, Jan. 3, 2015
Lawyering Scholarship Colloquium, NYU School of Law, New York, NY, Dec. 5, 2014

The “Straight” Faces of Same-Sex Marriage, presented at:

Duke Journal of Gender Law & Policy Symposium, Durham, NC, March 1, 2016
Lawyering Scholarship Colloquium, NYU School of Law, New York, NY, April 2, 2015
University of Mississippi Law School LGBT Law Symposium, Oxford, MS, March 20, 2015

Title IX’s Protections for Transgender Student Athletes, presented or panelist at:

University of Mississippi Law School LGBT Law Symposium, Oxford, MS, March 21, 2014
Lavender Law Conference, San Francisco, CA, Aug. 23, 2013
Wisconsin Journal of Law, Gender & Society Symposium, Madison, WI, Feb. 22, 2013

Presenter, *No Cake for You: Anti-Discrimination Law after Masterpiece*, University of Colorado Diversity & Inclusion Summit, Boulder, CO, Nov. 14, 2018

Presenter, *Crowdsourcing Civil Rights*, Loyola Con Law Colloquium, Chicago, IL, Nov. 3, 2018

Panelist, *The Rising Distrust of Journalism in the Courts*, Privacy, News, and the Future of Freedom of the Press Symposium, Tulane University Law School, New Orleans, LA, September 28, 2018

Lecturer, *The First Amendment and LGBT Rights: Masterpiece and Beyond*, Colorado Law Review Talks, Sherman & Howard, Denver, CO, September 25, 2018

Guest Lecturer, *Inequality & The Public Disclosure Tort*, Information Privacy Course (Prof. Margot Kaminski), University of Colorado Law School, September 13, 2018

Panelist, *The First Amendment’s Promise for LGBTQ Communities*, Lavender Law Conference, New York, NY, August 8, 2018

Presenter, *Masterpiece Cakeshop Discussion*, Office of Institutional Equity & Compliance, University of Colorado, Boulder, CO, June 21, 2018

Invited Participant, *Convening on Legal Strategies to Overturn State HIV Criminal Exposure Laws*, Center for HIV Law & Policy, New York, NY, June 18, 2018

Panelist, *The Drawbacks of Policing Reform*, Law & Society Conference, Toronto, Canada, June 7, 2018

Lecturer, *Privacy as Resistance*, National Taiwan University, Taipei, Taiwan, May 10, 2018

Lecturer, *The First Queer Right*, Shih Hsin University, Taipei, Taiwan May 8, 2018

Moderator, *Surveillance of Vulnerable Communities*, Social Justice and Technology Symposium, University of Colorado Law School, April 17, 2018

Moderator, *Listeners and the First Amendment (Panel III)*, Ira C. Rothgerber Conference, University of Colorado Law School, April 13, 2018

Panelist, *Colorado at the Supreme Court: The Masterpiece Cakeshop Case*, Conference on World Affairs, Boulder, CO, April 12, 2018

Moderator/Panelist, *Out at Work*, University of Colorado Law School OUTLaw, April 4, 2018

Panelist, *A Gender Identity Conversation*, University of Colorado Law School, March 5, 2018

Invited Lecturer, *A U.S. Legal Perspective on Intersectionality & Algorithms*, Intersectionality and Algorithmic Discrimination Workshop, Lorentz Center, Leiden, Netherlands, Dec. 19, 2017

Invited Participant, *Intersectionality and Algorithmic Discrimination Workshop*, Lorentz Center, Leiden, Netherlands, Dec. 18-21, 2017

Panelist, *Masterpiece Cakeshop U.S. Supreme Court Litigation*, United States Environmental Protection Agency, Region 8, Denver, CO, Dec. 12, 2017

Lecturer, *Supreme Court Oral Arguments: Masterpiece Cakeshop v. Colorado Civil Rights Commission*, University of Colorado Women & Gender Studies Dep't, Boulder, CO, Dec. 5, 2017

Discussant, *Race, Surveillance, & South Asian Exclusion* (Seema Sohi & Shoba Sivaprasad Wadhia), Citizenship & Equality Colloquium, University of Colorado Law School, Boulder, CO, Nov. 2, 2017

Chair/Discussant, *Social and Legal Justice in the Digital Age*, Law & Society Conference, Mexico City, Mexico, June 23, 2017

Chair/Discussant, *Examining Class and Inequality in Different Contexts*, Law & Society Conference, Mexico City, Mexico, June 22, 2017

Invited Participant, *Gender-Based Violence and Safety in IT Design*, Center for Information Technology Policy Design Ethics Workshop, Princeton University, Princeton, NJ, April, 28, 2017

Discussant, *The First Amendment & LGBT Equality: A Contentious History* (Carlos Ball), NYU Bookstore, New York, NY, April 27, 2017

Moderator, *Obfuscating Identities and Locations*, International Workshop on Obfuscation: Science, Technology, & Theory, New York University, New York, NY, April 8, 2017

Presenter, *The First Amendment and Social Movements: Dissent versus Provocation*, NYU Gallatin School of Individualized Study, New York, NY, March 31, 2017

Panelist, *Successes and Challenges at the Federal Level*, Harvard Civil Rights-Civil Liberties Law Review Symposium on Transgender Rights, Cambridge, MA, March 24, 2017

Panelist, *HIV in the Era of Mass Incarceration*, NYU School of Law OUTLaw Panel, New York, NY, March 6, 2017

Moderator, *Analyzing G.G. v. Gloucester County School Board*, Supreme Court Forum, NYU School of Law, New York, NY, Feb. 8, 2017

Panelist, *Carcano v. McCrory: A Look at the Lawsuit Challenging HB2*, Duke Law School, Durham, NC, Sept. 28, 2016

Panelist, *LGBTQ Information Privacy*, Lavender Law Conference, Washington, DC, Aug. 4, 2016

Panelist, *HIV, Stigma, and Barriers to PrEP*, American Bar Association Continuing Legal Education Teleconference, June 27, 2016

Moderator, *Charter Schools and the Community*, Classical Liberal Institute Conference, New York, NY, April 5, 2016

Discussant, *Punishing Sexual Fantasies* (Andrew Gilden), Internet Law Scholars Works-in-Progress, New York Law School, New York, NY, March 5, 2016

Presenter (with Sylvia Law), *Pop Culture Wars: Marriage, Abortion, and the Screen to Creed Pipeline*, Privacy Research Group, NYU School of Law, New York, NY, March 2, 2016

Moderator, *A Next Step to Equality: LGBTQ Immigration and Asylum Today*, NYU School of Law OUTLaw Panel, New York, NY, Jan. 28, 2016

Discussant, *Images of Video Surveillance* (Dietmar Kammerer), Goethe-Institut Images of Surveillance Conference, New York, NY, Dec. 5, 2015

Moderator/Panelist, *Emerging Issues in HIV Law*, NYU School of Law HIV Law Society Panel, New York, NY, Nov. 3, 2015

Moderator, *Creating and Advocating for Effective Policies to Combat Cyberharassment*, Tyler Clementi Internet Safety Conference, New York Law School, New York, NY, Oct. 4, 2015

Panelist, *LGBTQ Privacy*, Lavender Law Conference, Chicago, IL, Aug. 5, 2015

Moderator, *International LGBT Rights*, NYU School of Law OUTLaw Panel, New York, NY, April 9, 2015

Panelist, *LGBT Diversity in the Legal Field*, University of Mississippi Law School LGBT Law Symposium, Oxford, MS, March 20, 2015

Guest Lecturer, *Alien Tort Statute Litigation in Uganda*, Law and Society in Africa Seminar (Prof. Fareda Banda), NYU School of Law, New York, NY, Oct. 29, 2014

Plenary Session Moderator/Panelist, *International LGBT Rights*, Lavender Law Conference, New York, NY, Aug. 23, 2014

Panelist, *Introduction to Transgender Prisoner Concerns*, Presentation to the Therapeutic Staff of the Special Offenders Unit at the Monroe Correctional Complex, Monroe, WA, July 9, 2013

Panelist, *Fundamentals of Dispositive Motions*, Continuing Legal Education Course, Cleary Gottlieb Steen & Hamilton, New York, NY, Oct. 12, 2012

PRESS & MEDIA APPEARANCES (SELECTED)

Abortion rights are on the line at the Supreme Court. What does that mean for Colorado?, COLORADO INDEPENDENT, July 24, 2018 (quoted)

Transgender Woman Says CVS Pharmacist Refused to Fill Hormone Prescription, NEW YORK TIMES, July 21, 2018 (quoted)

The Future of Long-Standing Precedents After Kennedy, LAW WEEK COLORADO, July 8, 2018 (quoted)

What's Next for Civil Rights After the Supreme Court's Masterpiece Ruling?, KGNU Community Radio, June 6, 2018 (interviewed)

Colorado Baker to Go Before US Supreme Court, 9News, Dec. 1, 2017 (quoted)

Trump Administration Faces Lawsuit Over Transgender Ban, BLOOMBERG RADIO, Aug. 29, 2017 (interviewed)

Trump Administration Changes on Transgender Bathroom Issue, WWL FIRST NEWS, Feb. 23, 2017 (interviewed)

Judge Blocks Transgender Bathroom Policy, BLOOMBERG RADIO, Aug. 22, 2016 (interviewed)

North Carolina discrimination law violates US constitution, experts warn, THE GUARDIAN, March 25, 2016 (quoted)

Ellen Pao Faces an Uphill Battle if She Appeals Her Anti-Discrimination Case, FUSION, June 2, 2015 (quoted)

SERVICE

Faculty Secretary, University of Colorado Law School (2017 – Present)

Member, Academic & Student Affairs Committee, University of Colorado Law School (2017 –Present)

Member, Colloquium Committee, University of Colorado Law School (2018 – Present)

Member, Ass't. Dean for Diversity, Equity, & Inclusive Excellence Search Committee (2018)

Member, Chancellor's Committee on Gender and Sexuality, University of Colorado Boulder (2018 – Present)

Member, Thesis Committee for Moriah Arnold, Department of Religious Studies, University of Colorado Boulder (2018 – Present)

Faculty Advisor, OUTLaw, University of Colorado Law School (2018 – Present)

Faculty Advisor, American Constitution Society, University of Colorado Law School (2018 – Present)

Academic Advisor, University of Colorado Law School Academic Advising Program (2018 – Present)

Judge, Evan Wolfson Prize in LGBTQ Studies, University of Colorado Boulder (2018) (undergraduate writing award)

Judge, Marshall-Brennan Moot Court Competition (2018)

Mentor, New York University Law School Academic Careers Program (2017 – Present)

Peer Reviewer, *Stanford Law Review* (2018)

Peer Reviewer, *Law & Social Inquiry* (2018)

Peer Reviewer, Cambridge University Press (2017, 2018)

Peer Reviewer, *Int'l Journal of Communication*, Special Section on "Privacy at the Margins" (2017)

Board Member, Ingersoll Gender Center, Seattle, WA, 2013-2014