

ELIZABETH SEPPER

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ACADEMIC APPOINTMENTS

Washington University School of Law, St. Louis, MO 2012-Present
Associate Professor

Columbia Law School, New York, NY 2010-2012
Center for Reproductive Rights Fellow

EDUCATION

New York University School of Law, New York, NY
LL.M. in International Legal Studies, 2007
Honors: Institute for International Law and Justice Scholar

New York University School of Law, New York, NY
J.D., *magna cum laude*, 2006
Honors: *New York University Law Review*
Order of the Coif
Dean's Scholarship

Boston University, Boston, MA
B.A. in History, *summa cum laude* with distinction, 2002
Honors: Trustee Scholarship
Phi Beta Kappa
2002 College Prize for Excellence in History
2002 Alumni Association Award for Writing Excellence in the Social Sciences

PUBLICATIONS AND WORKS IN PROGRESS

Social Citizenship, Antidiscrimination, and the Affordable Care Act (in progress)

Zombie Catholic Hospitals (in progress)

Contracting Religion, in LAW, RELIGION, AND HEALTH IN AMERICA (Holly Fernandez Lynch, I. Glenn Cohen, & Elizabeth Sepper eds. Cambridge Univ. forthcoming 2017)

The Risky Business of RFRA's after Hobby Lobby, in THE CONTESTED PLACE OF RELIGION IN FAMILY LAW (Robin Fretwell Wilson, ed. Cambridge Univ. forthcoming 2017) (invited symposium contribution)

Elizabeth Sepper

Substantiating the Burdens of Complicity, 2016 U. ILL. L. REV. SLIP OP. --- (2016) (invited contribution)

The Role of Religion in State Public Accommodations Laws, 60 SLU L.J. --- (forthcoming 2016) (invited response to Professor Larry Sager's Childress Lecture)

Gays in the Moralized Marketplace, 7 ALA. C.R. & C.L. L. REV. 129 (2015) (invited symposium contribution)

Free Exercise Lochnerism 115 COLUM. L. REV. 1457 (2015)

Healthcare Exemptions and the Future of Corporate Religious Liberty, in THE RISE OF CORPORATE RELIGIOUS LIBERTY (Micah Schwartzman, Chad Flanders & Zoe Robinson, eds. 2015)

Gendering Corporate Conscience, 38 HARV. J. GENDER L. 193 (2015) (invited symposium contribution)

Conscientious Refusals of Care, in OXFORD HANDBOOK OF AMERICAN HEALTH LAW (Glenn Cohen, Allison Hoffman, & William Sage, eds. 2015)

Reports of Accommodation's Death Have Been Greatly Exaggerated, 128 HARV. L. REV. FORUM 24 (2014) (invited response to Paul Horwitz, *The Hobby Lobby Moment*, 128 HARV. L. REV. 154 (2014))

Doctoring Discrimination in the Same-Sex Marriage Debates, 89 IND. L.J. 703 (2014)

Contraception and the Birth of Corporate Conscience, 22 AM. U. J. OF GENDER, SOC. POL'Y & L. 303 (2014) (symposium)

Not Only the Doctor's Dilemma: The Complexity of Conscience in Medicine, 4 FAULKNER L. REV. 385 (2013) (invited symposium contribution)

Taking Conscience Seriously, 98 VA. L. REV. 1501 (2012)

Democracy, Human Rights, and Intelligence Sharing, 46 TEX. INT'L L.J. 151 (2010)

Confronting the 'Sacred and Unchangeable': The Obligation to Modify Cultural Patterns Under the Women's Discrimination Convention, 30 U. PA. J. INT'L L. 585 (2008), reprinted in GENDER ISSUES AND HUMAN RIGHTS (Dianne Otto, ed. 2013)

International Health Law, 41 INT'L LAWYER 629 (2007) (co-authored with Jonathan Todres & Laurel R. Hyle)

SELECTED PRESENTATIONS

- University of Notre Dame School of Law Faculty Workshop, Mar. 2016

Elizabeth Sepper

- Presenter, *Zombie Catholic Hospitals*
- University of Chicago, Nov. 2015
 - Presenter, *Contracting Religion*
- Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2015
 - Presenter, *Contracting Religion*
- University of Illinois, *Mitigating the Risks of RFRA's After Hobby Lobby*, Sept. 2015
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2015
 - Panelist and Moderator, *Toward a Healthy First Amendment*
- Law and Society Association Annual Meeting, May 2015
 - Panelist, *The Family Corporation*
- Harvard Law School, Petrie-Flom Center Conference on Law, Religion, and Health in American, May 2015
 - Presenter, *Contracting Religion*
- University of Missouri School of Law Faculty Workshop, Apr. 2015
 - Workshop, *Free Exercise Lochnerism*
- University of Alabama School of Law, Symposium on LGBT Antidiscrimination after *Hobby Lobby*, Mar. 2015
 - Presenter, *Gays in the Moralized Marketplace*
- Wharton Business School, Hobby Lobby Conference, Philadelphia, Dec. 2014
 - Presenter, *Free Exercise Lochnerism*
- Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2014
 - Presenter, *Free Exercise Lochnerism*
- South East Law Schools Junior-Senior Workshop, Florida State University, Oct. 2014
 - Workshop, *Free Exercise Lochnerism*
- American Society of Law, Medicine, and Ethics and St. Louis University Health Law Scholars Workshop, Sept. 2014
 - Workshop, *Unethical Contracts*
- Washington University School of Law Faculty Workshop, Sept. 2014
 - Workshop, *Gendering Corporate Conscience*
- Southeastern Association of Law Schools Annual Meeting, Aug. 2014
 - Presenter, *Doctoring Discrimination*
- Federalist Society, Faculty Legal Colloquium, Liberty of Conscience and the Law, Chicago, Aug. 2014
 - Panelist
- Annual Law and Religion Roundtable, June 2014
 - Presenter, *Free Exercise Lochnerism*
- Harvard Law School, Religious Accommodation in the Age of Civil Rights, Apr. 2014
 - Presenter, *Free Exercise Lochnerism*
- Washington University Midwest Junior Faculty Workshop, Dec. 2013
 - Presenter, *Free Exercise Lochnerism*
- Washington University Women, Gender, and Sexuality Studies Workshop, Oct. 2013
 - Presenter, *Free Exercise Lochnerism: The Modern Attack on Contraception, Antidiscrimination and the Regulatory State*
- Religious Institutionalism Conference, DePaul School of Law, Sept. 2013
 - Commentator, *Demagoguing Abortion by Robin Fretwell Wilson*
- University of Illinois School of Law Faculty Workshop, Sept. 2013
 - Presenter, *Doctoring Discrimination in the Same-Sex Marriage Debates*

Elizabeth Sepper

- Southeastern Association of Law Schools Annual Meeting, Aug. 2013
 - Panelist, *Free Exercise Lochnerism*
- Washington University Faculty Workshop, July 2013
 - Presenter, *Doctoring Discrimination in the Same-Sex Marriage Debates*
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2013
 - Panelist, *Contraception and the Birth of Corporate Conscience*
- Emerging Family Law Scholars Conference, June 2013
 - Presenter, *Doctoring Discrimination in the Same-Sex Marriage Debates*
- Law and Society Association Annual Meeting, May 2013
 - Panelist, *Doctoring Discrimination in the Same-Sex Marriage Debates*, Marriage and Parenting: Queer Legal Perspectives
- American University School of Law, Symposium on Gender Matters: Women, Social Policy, and the 2012 Election, April 2013
 - Symposium Speaker, *Contraception and the Birth of Corporate Conscience*
- Washington University Faculty Workshop, February 2013
 - Presenter, *Doctoring Discrimination in the Same-Sex Marriage Debates*
- Faulkner Law School Symposium on Overlapping Jurisdictions: What Role for Conscience and Religion?, October 2012
 - Plenary Speaker, *Not Only the Doctor's Dilemma: The Complexity of Conscience in Medicine*
- American Society of Law, Medicine, & Ethics Annual Meeting, June 2012
 - Panelist, *The Unique Morality of Medicine: Medical Conscience Clauses in the Same-Sex Marriage Debates*
 - Panelist, *Free to Associate Against Public Health?: Religious Organizations' Challenges to Sexual and Reproductive Healthcare*

AWARDS

- Selected as 2014 Health Law Scholar in the American Society of Law, Medicine, and Ethics and St. Louis University Competition
- *Doctoring Discrimination in the Same-Sex Marriage Debates* awarded:
 - Dukeminier Award and the Stu Walter Prize, which recognize the best sexual orientation and gender identity legal scholarship published in the previous year and are conferred by the Williams Institute at UCLA School of Law.
 - A best paper prize by the Southeastern Association of Law Schools 2014 Annual Meeting

SELECTED MEDIA

- Jason Hancock, *Pressure Mounts as Missouri 'Religious Freedom' Vote Looms*, KANSAS CITY STAR, Apr. 25, 2016, <http://www.kansascity.com/news/local/news-columns-blogs/the-buzz/article73719592.html>
- Emma Green, *When Doctors Refuse to Treat LGBT Patients*, THE ATLANTIC, Apr. 19, 2016, <http://www.theatlantic.com/health/archive/2016/04/medical-religious-exemptions-doctors-therapists-mississippi-tennessee/478797/>

- Bloomberg Law, Supreme Court Hears Contraception Case, Mar. 23, 2016, <http://www.bloomberg.com/news/audio/2016-03-23/bloomberg-law-supreme-court-hears-contraception-case-audio>
- Elizabeth Sepper, The ACA's Nondiscrimination Rule – a four-part blog series, BILL OF HEALTH BLOG, Nov. 2015 (with Jessica Roberts & Liz Deutsch)
- Lisa Schencker, *Supreme Court to Hear More ACA Contraception Cases*, MODERN HEALTHCARE, Nov. 6, 2015, <http://www.modernhealthcare.com/article/20151106/NEWS/151109908>
- Lisa Schencker, *In Battle over Reproductive Healthcare, ACLU Hunts for Best Challenge to Catholic Hospitals' Ethical Rules*, MODERN HEALTHCARE, Oct. 24, 2015, <http://www.modernhealthcare.com/article/20151024/MAGAZINE/310249969>
- Ryan Felton, *Catholic Hospital Denies Michigan Woman Treatment on Religious Grounds*, GUARDIAN (US), Oct. 15, 2015, <http://www.theguardian.com/us-news/2015/oct/15/catholic-hospital-denies-michigan-woman-treatment-on-religious-grounds>
- William Freivogel, *Hobby Lobby Decision May Be Bigger Blow To Gay Rights Than Contraceptive Access*, St. Louis Public Radio, July 18, 2014, <http://news.stlpublicradio.org/post/hobby-lobby-decision-may-be-bigger-blow-gay-rights-contraceptive-access> (quoted)
- NPR (WBUR), On Point, *A Win For Hobby Lobby, And What It Means*, July 1, 2014, <http://onpoint.wbur.org/2014/07/01/scotus-hobby-lobby-birth-control-obamacare>
- Lilly Fowler, *Top court exempts some companies from providing birth control*, St. Louis Post-Dispatch, July 1, 2014, http://www.stltoday.com/news/local/crime-and-courts/top-court-exempts-some-companies-from-providing-birth-control/article_b2aa9c5e-3687-592e-b9ff-04e96cad4248.html
- *RJ Court Watch: Contraception and the First Amendment*, RH Reality Check Podcast, Feb. 21, 2014, <http://rhrealitycheck.org/rj-court-watch/contraception-challenges-first-amendment/>
- Bob Egelko, *Supreme Court Birth Control Ruling Could Ripple Widely*, San. Fran. Chronicle, Dec. 6, 2013, <http://www.sfgate.com/politics/article/Supreme-Court-birth-control-ruling-could-ripple-5042744.php>
- Dahlia Lithwick, *Conscience Creep: What's So Wrong with Conscience Clauses?*, Slate, Oct. 3, 2013, http://www.slate.com/articles/news_and_politics/jurisprudence/2013/10/is_there_a_principled_way_to_respond_to_the_proliferation_of_conscience.html
- Tim Lloyd, *Mo. State Rep. Going To Court To Opt Out Of 'Abortion-Inducing Drugs' Coverage*, St. Louis Public Radio, Aug. 13, 2013, <http://news.stlpublicradio.org/post/mo-state-rep-going-court-opt-out-abortion-inducing-drugs-coverage>
- Dahlia Lithwick, *All Corporations Go to Heaven*, Slate, Aug. 12, 2013, http://www.slate.com/articles/news_and_politics/jurisprudence/2013/08/do_corporations_have_religious_beliefs_the_supreme_court_will_need_to_decide.html
- *Religion, Inc., A Reply to Bainbridge*, The CLS Blue Sky Blog, Aug. 2, 2013, <http://clsbluesky.law.columbia.edu/2013/08/02/religion-inc-a-reply-to-bainbridge/>
- Elizabeth Sepper & Alisha Johnson, *Rhetoric Versus Reality: The Contraception Benefit and Religious Freedom*, Religion & Politics, Apr. 9, 2013, <http://religionandpolitics.org/2013/04/09/rhetoric-versus-reality-the-contraception-benefit-and-religious-freedom/>

Elizabeth Sepper

- Legal Roundtable: Obamacare's HHS Mandate on Birth Control, *The World & Everything in It* (Radio), Feb. 16, 2013, http://www.worldmag.com/podcast/worldandeverything/TWAEII_2013Feb16_02.php
- Elizabeth Sepper, *Who Pays? The Wage-Insurance Trade-off and Corporate Religious Freedom Claims*, Harvard Law School Bill of Health Blog, Jan. 2, 2013, <http://blogs.law.harvard.edu/billofhealth/2013/01/02/who-pays-the-wage-insurance-trade-off-and-corporate-religious-freedom-claims/>
- Marie McCullough, *Bishops Decry Obama Birth Control Plan, Yet Catholic Hospitals Report Sterilizations*, PHIL. INQUIRER, Feb. 20, 2012, available at <http://www.philly.com/philly/health/139663713.html?viewAll=y>
- Elizabeth Sepper & Katherine Franke, *Obama Rule Respects Religious Diversity and Employees' Dignity*, US NEWS & WORLD REPORT, Feb. 9, 2012, available at <http://www.usnews.com/debate-club/should-catholic-and-other-religious-institutions-have-to-cover-birth-control/obama-rule-respects-religious-diversity-and-employees-dignity>
- Elizabeth Sepper, *Conscience and the Congressman*, Health Law Professors Blog, Oct. 21, 2011, available at http://lawprofessors.typepad.com/healthlawprof_blog/2011/10/conscience-and-the-congressman.html
- Elizabeth Sepper, *Dying to Deliver: Congress Proposes Turning Away Pregnant Women in Emergencies*, Gender & Sexuality Law Blog, Feb. 11, 2011, available at <http://blogs.law.columbia.edu/genderandsexualitylawblog/2011/02/11/dying-to-deliver-congress-proposes-turning-away-pregnant-women-in-emergencies/>

OTHER LEGAL EXPERIENCE

N.Y.U. Center for Human Rights and Global Justice, New York, NY
Legal Fellow, 2009-2010

Human Rights Watch, New York, NY
Legal Fellow, 2008-2009

The Honorable Marjorie O. Rendell, Third Circuit Court of Appeals, Philadelphia, PA
Law Clerk, 2007-2008

Human Rights First, New York, NY
Legal Intern, Fall 2007

Cooley, Godward & Kronish, New York, NY
Summer Associate, Summer 2007

Cleary, Gottlieb, Steen & Hamilton, Rome, Italy and New York, NY
Summer Associate, Summer 2005

International Women's Rights Action Watch, Kuala Lumpur, Malaysia
Legal Intern, Summer 2004

PROFESSIONAL SERVICE

Elizabeth Sepper

Institutional Profile Committee, 2014-present
Mission/Community Planning Committee, 2012-13
Faculty Recruitment Committee, Fall 2013
Judicial Clerkship Advisor, Fall 2013
Faculty Advisory Committee, Transnational Law Program, Fall 2012-
Faculty Advisor, Health Law Student Association, 2014-present
Faculty Advisor, Washington University Journal of Law & Policy, 2015-present
Women's Law Caucus, Mentor, 2012-2015
Embryonic Stem Cell Research Oversight Committee, 2015-present
Faculty Scholar, Washington University Institute for Public Health, 2012-present
Referee, New England Journal of Medicine

COURSES

Health Law, Torts, Healthcare Financing, Health Law and Policy Seminar, Legal Advocacy in
Health Law and Policy Seminar

ADDITIONAL INFORMATION

Languages: fluent Italian, proficient French, and basic Spanish.
Bar admissions: New York.