

ELIZABETH SEPPER
Washington University School of Law
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ACADEMIC APPOINTMENTS

Washington University School of Law , St. Louis, MO	
<i>Professor</i>	2017-Present
<i>Associate Professor</i>	2012-2017
Columbia Law School , New York, NY	2010-2012
<i>Center for Reproductive Rights Fellow</i>	

PUBLICATIONS AND WORKS IN PROGRESS

- *Social Citizenship, Antidiscrimination, and the Affordable Care Act* (in progress)
- *Sex in Public: The Feminist Movement and Public Accommodations Law* (with Deborah Dinner) (in progress)
- CONSTITUTIONAL LAW AND RELIGION (co-edited casebook with Frederick Mark Gedicks, Robert W. Tuttle, Micah J. Schwartzman, & Nelson Tebbe) (West forthcoming 2019)
- *Zombie Religious Institutions*, 112 NW. U. L. REV. ----- (forthcoming 2018)
- *Making Religion Transparent: The Substance, Process, and Efficacy of Disclosing Religious Restrictions on Care* in TRANSPARENCY IN HEALTH AND HEALTH CARE (I. Glenn Cohen, Holly Fernandez Lynch, Barbara Evans & Carmel Shachar eds. forthcoming 2018)
- *Incoherence of the Common Law Baseline for Evaluating the Harms of Religious Exemption*, 106 KENTUCKY L.J. --- (forthcoming 2018) (invited symposium)
- *Sex, Religion, and Politics, or the Future of Healthcare Antidiscrimination Law*, 19 MARQUETTE BENEFITS & SOC. WELFARE L. REV. --- (forthcoming 2018) (with Jessica L. Roberts) (invited symposium)
- LAW, RELIGION, AND HEALTH IN THE UNITED STATES (Cambridge Univ. 2017) (editor together with Holly Fernandez Lynch and I. Glenn Cohen)
- *Contracting Religion*, in LAW, RELIGION, AND HEALTH IN THE UNITED STATES (Holly Fernandez Lynch, I. Glenn Cohen, & Elizabeth Sepper eds. 2017)
- *The Risky Business of RFRA's after Hobby Lobby*, in THE CONTESTED PLACE OF RELIGION IN FAMILY LAW (Robin Fretwell Wilson, ed. forthcoming 2017)
- *The Role of Religion in State Public Accommodations Laws*, 60 SLU L.J. 631 (2016) (invited response to Professor Larry Sager's Childress Lecture)

Elizabeth Sepper

- *Substantiating the Burdens of Compliance*, 2016 U. ILL. L. REV. ONLINE 53 (2016) (invited contribution)
- *Conscientious Refusals of Care*, in OXFORD HANDBOOK OF AMERICAN HEALTH LAW (Glenn Cohen, Allison Hoffman, & William Sage, eds. 2016)
- *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)
- *Gays in the Moralized Marketplace*, 7 ALA. C.R. & C.L. L. REV. 129 (2015) (invited symposium)
- *Doctoring Discrimination in the Same-Sex Marriage Debates*, 89 IND. L.J. 703 (2014)
- *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))
- *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)
- *Taking Conscience Seriously*, 98 VA. L. REV. 1501 (2012)
- *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)

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

SELECTED PRESENTATIONS

Elizabeth Sepper

- *Zombie Religious Institutions*
 - University of Houston Law Center, Colloquium: Reenvisioning Law, Apr. 2017
 - University of Indiana Maurer School of Law, Faculty Workshop, Mar. 2017
 - Washington University School of Law, Faculty Workshop, June 2016
 - University of Notre Dame School of Law Faculty Workshop, Mar. 2016
 - University of Chicago Workshop on Regulating Family, Sex, and Gender., Nov. 2015
- *Making Religion Transparent*
 - Harvard Law School, Petrie-Flom Center Conference Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits, Apr. 2017
- *Social Citizenship, Antidiscrimination, and the Affordable Care Act*
 - American Association of Law Schools, Panel, Health Insurance and Access to Healthcare After the Affordable Care Act, Jan. 2017
 - American Society of Law, Medicine, & Ethics Annual Meeting, June 2016
- *Free Exercise Lochnerism*
 - Roundtable on First Amendment Lochnerism, Columbia Law School, Mar. 2016
 - University of Missouri School of Law Faculty Workshop, Apr. 2015
 - Wharton Business School, Hobby Lobby Conference, Philadelphia, Dec. 2014
 - Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2014
 - Southeast Law Schools Junior-Senior Workshop, Florida State University, Oct. 2014
 - Annual Law and Religion Roundtable, June 2014
 - Harvard Law School, Religious Accommodation in the Age of Civil Rights, Apr. 2014
 - Washington University Midwest Junior Faculty Workshop, Dec. 2013
 - Washington University Women, Gender, and Sexuality Studies Workshop, Oct. 2013
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2013
- *Contracting Religion*
 - Loyola Constitutional Law Colloquium, Loyola Chicago Law School, Nov. 2015
 - Harvard Law School, Petrie-Flom Center Conference on Law, Religion, and Health in America, May 2015
- *Contraception and the Birth of Corporate Conscience*
 - American Society of Law, Medicine, & Ethics Annual Meeting, June 2013
 - American University School of Law, Symposium on Gender Matters: Women, Social Policy, and the 2012 Election, April 2013
- *Doctoring Discrimination*
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2014
 - University of Illinois School of Law Faculty Workshop, Sept. 2013
 - Washington University Faculty Workshop, July 2013
 - Emerging Family Law Scholars Conference, June 2013
 - Southeastern Association of Law Schools Annual Meeting, Aug. 2013
 - Law and Society Association Annual Meeting, May 2013
- *Taking Conscience Seriously*
 - Oxford University, University College, Abortion in Context: Law, Ethics, & Practice Seminar, June 2016
- Other
 - University of Virginia, Religion, Liberalism, and Law Symposium, Apr. 2016
 - Invited Commentator on Nelson Tebbe book manuscript
 - American Society of Law, Medicine, & Ethics Annual Meeting, June 2015
 - Panelist and Moderator, Toward a Healthy First Amendment

Elizabeth Sepper

- Law and Society Association Annual Meeting, May 2015
 - Panelist, *The Family Corporation*
- American Society of Law, Medicine, and Ethics and St. Louis University Health Law Scholars Workshop, Sept. 2014
 - Workshop, *Unethical Contracts*
- Federalist Society, Faculty Legal Colloquium, Liberty of Conscience and the Law, Chicago, Aug. 2014
- Religious Institutionalism Conference, DePaul School of Law, Sept. 2013
 - Commentator, *Demagoguing Abortion by Robin Fretwell Wilson*
- 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, *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
- Audre Lorde Academic Exploration Award from Washington University LGBT* Student Association, Nov. 2016

SELECTED MEDIA

- German Lopez, Why wedding cakes are at the center of the Supreme Court's next big case on LGBTQ rights, Vox, Dec. 5, 2017, <https://www.vox.com/identities/2017/12/5/16715048/masterpiece-cakeshop-craig-mullins-supreme-court-ruling>
- Kelsey Dallas, Briefs filed in Supreme Court case describe rejection and harm experienced by LGBTQ community, Deseret News, Nov. 10, 2017, <https://www.deseretnews.com/article/900003818/briefs-filed-in-supreme-court-case-describe-rejection-and-harm-experienced-by-lgbtq-community.html>
- Dorrie Bouscaren, With the Future of the Affordable Care Act Uncertain, Enrollees Weigh Their Options, St. Louis Public Radio, Dec. 5, 2016, <http://news.stlpublicradio.org/post/future-affordable-care-act-uncertain-enrollees-weigh-their-options#stream/0>
- Stephanie Russell-Kraft, The Rise of Zombie Catholic Hospitals, New Republic, Nov. 16, 2016, <https://newrepublic.com/article/138065/rise-zombie-religious-hospitals>

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- Natasha Lindstrom, Feds' Move on Contraceptive Coverage 'Bullying,' Pittsburgh Trib-Rev., Aug. 21, 2016, <http://triblive.com/news/allegheeny/10986258-74/religious-court-government>
- Will Stone, Chandler Nurse Sues Major Healthcare Provider For Transgender Exclusion, KJZZ (NPR Phoenix), July 25, 2016, <http://kjzz.org/content/340346/chandler-nurse-sues-major-healthcare-provider-transgender-exclusion>
- Emily Wagster Petitus, LGBT Rights Groups Win as US Judge Blocks Mississippi Law, Associated Press, July 1, 2016, <http://www.chicagotribune.com/news/nationworld/ct-mississippi-religious-objections-law-20160701-story.html>
- Legal Roundtable analyzes U.S. Supreme Court decisions and more, St. Louis Public Radio, June 28, 2016, <http://news.stlpublicradio.org/post/legal-roundtable-analyzes-us-supreme-court-decisions-and-more#stream/0>
- Tony Messenger, God, guns and gays: Lessons for Missouri in Orlando massacre, St. Louis Post-Dispatch, Jun. 16, 2016, http://www.stltoday.com/news/local/columns/tony-messenger/messenger-god-guns-and-gays-lessons-for-missouri-in-orlando/article_82f723cf-ef08-5c76-abbb-197908bd5231.html
- Samantha Lachman, Lawsuits Target Catholic Hospitals For Refusing To Provide Emergency Miscarriage Management, Huff. Post, June 10, 2016, http://www.huffingtonpost.com/entry/catholic-hospitals-miscarriage-management_us_5759bf67e4b0e39a28aceea6
- Emma Green, The Federal Government Quietly Expands Transgender Rights, The Atlantic, May 16, 2016, <http://www.theatlantic.com/politics/archive/2016/05/department-of-health-and-human-services-transgender-rights/482934/>
- 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>
- Dahlia Lithwick, Zubik v. Burwell, Slate, Mar. 22, 2016, http://www.slate.com/articles/news_and_politics/jurisprudence/2016/03/zubik_v_burwell_could_have_disastrous_consequences.html
- Lisa Schenker, Pharmacist groups ask Supreme Court to take religious objections case, Modern Healthcare, Feb. 8, 2016, <http://www.modernhealthcare.com/article/20160208/NEWS/160209870>
- Lisa Schenker, Supreme Court to Hear More ACA Contraception Cases, Modern Healthcare, Nov. 6, 2015, <http://www.modernhealthcare.com/article/20151106/NEWS/151109908>
- Lisa Schenker, 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>

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- 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
- 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_principle_d_way_to_respond_to_the_proliferation_of_conscience.html
- 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/>

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

SERVICE

Law School

Scholarship Committee, Chair, Fall 2017-18

Scholarship Committee, Spring 2017

Institutional Profile Committee, 2014-16

Elizabeth Sepper

Mission/Community Planning Committee, 2012-13

Faculty Recruitment Committee, Fall 2013

Judicial Clerkship Advisor, Fall 2013

Faculty Advisory Committee, Transnational Law Program, Fall 2012-present

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

University-wide

Washington University Embryonic Stem Cell Research Oversight Committee, 2015-present

Faculty Scholar, Washington University Institute for Public Health, 2012-present

Professional

AALS Section on Law & Religion, At-Large Member, 2016-present

Legal Advisor, Public Rights/Private Conscience Project, Columbia Law School, 2014-present

Board Member, Planned Parenthood of the St. Louis Region and Southwest Missouri, 2013-2016

Referee, New England Journal of Medicine

Referee, Journal of Law, Medicine, and Ethics

Referee, Journal of Law, Religion and State

Amicus briefs in *Masterpiece Cakeshop, Ltd v. Colorado Civil Rights Comm'n* (U.S.), *Burwell v. Hobby Lobby* (U.S.), *Zubik v. Burwell* (U.S), *Trump v. Int'l Refugee Assistance Project* (4th Cir. & 9th Cir.), and *Barber v. Bryant* (5th Cir.).

COURSES

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

ADDITIONAL INFORMATION

Languages: fluent Italian, proficient French, and basic Spanish.

Bar admissions: New York.