



Name of Workshop: Diversity, Equity, and Inclusion Workshop

Date | Time | Location: June 6, 2024 | 3:30 p.m. to 5:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

This interactive workshop will examine how the legal profession can advance diversity, equity, and inclusion (DEI) following the Supreme Court’s decision in *Students for Fair Admissions*. We will explore the impact that each of us can make in whatever roles we find ourselves in, as practitioners, advocates, law students, and legal scholars.

Draft Agenda of Workshop: 3:30 p.m. to 5:00 p.m. (Maximum 1.5 hour of CLE)

- Introductions & Opening Remarks (5 min)
- Panel Discussion (40 min)
- Interactive Exercise (35 min)
- Concluding Remarks (10 min)

Panelists’ Names and Bios:

Kalpana Kotagal, *Commissioner, U.S. Equal Employment Opportunity Commission*

Catherine E. Lhamon, *Assistant Secretary for Civil Rights, U.S. Department of Education*

Jocelyn Samuels, *Vice Chair, U.S. Equal Employment Opportunity Commission*

Materials for Workshop:

[Students for Fair Admissions, Inc. v. President and Fellows of Harvard Coll.](#), 600 U.S. 181 (2023).

[Muldrow v. St. Louis](#), No. 22-193, 601 U.S. ____ (2024).

Bob Baker, [Employees Resentful: 2nd Language Translates as More Work](#), L.A. TIMES (Sept. 23, 1989).

Press Release, Charlotte A. Burrows, Chair, Equal Emp. Opportunity Comm’n, [Statement from EEOC Chair Charlotte A. Burrows on Supreme Court Ruling on College Affirmative Action Programs](#) (June 29, 2023).

Tracey J. Coates et al., [Law Firm Origination Policies: Climbing the Mountain to Equity](#), ABA L. PRAC. TODAY (June 15, 2020).

Dep’t of Just. & Dep’t of Educ., [Questions and Answers Regarding the Supreme Court’s Decision in Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina](#) (Aug. 14, 2023).

Faegre Drinker Biddle & Reath, LLP, [Update on Post-SFFA Challenges to DEI Initiatives: Law Firm Fellowship Programs in the Crosshairs](#), JD SUPRA (Sept. 19, 2023).



Katherine Knott, *Lhamon Clarifies Scope of Supreme Court's Affirmative Action Ruling*, INSIDE HIGHER ED (Aug. 30, 2023).

KerryAnn O'Meara et al., *Asked More Often: Gender Differences in Faculty Workload in Research Universities and the Work Interactions That Shape Them*, 54 AM. EDUC. RES. J 1154 (2017).

Joya Misra et al., *Gendered and Racialized Perceptions of Faculty Workloads*, 35 GENDER & SOC'Y 358 (2021).

Ashley Mowreader, *Everyday Engagement Tips for Professors to Boost Student Success*, INSIDE HIGHER ED (May 8, 2023).

Nate Raymond, *Affirmative Action Opponent Drops Case Over Winston & Strawn's Diversity Fellowship*, REUTERS (Dec. 6, 2023).

Jocelyn Samuels & Zain Shirazi, *The High Court Didn't Kill DEI at Work. Employers Shouldn't Waver*, BLOOMBERG LAW (July 19, 2023).

Karen Sloan, *Conservative Group Sues Wisconsin Bar to Block Diversity Clerkship Program*, REUTERS (Dec. 20, 2023).

U.S. EQUAL EMP. OPPORTUNITY COMN'N, *EEOC COMPL. MAN.*, NO. 915.003, SECTION 15: RACE AND COLOR DISCRIMINATION (Apr. 19, 2006).

Joan C. Williams, *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*, 62 HASTINGS L.J. 597 (2011).

Lily Zheng, *How to Effectively — and Legally — Use Racial Data for DEI*, HARV. BUS. REV. (July 24, 2023).



Name of Panel: Engaging Progressives in the South

Date | Time | Location: June 7, 2024 | 9:15 a.m. to 10:45 a.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

The latter half of the twentieth century saw a regional political realignment that resulted in the emergence of the now well-trod red state/blue state narrative and the conventional wisdom that southern, exurban, and rural America are monolithically conservative. But this narrative is being successfully challenged by the election of officeholders in historically conservative states and localities, including in the South, who are pursuing progressive laws and policies with the support of their constituents. What challenges do progressive public officeholders at the local, state, and federal level face, and what opportunities can they leverage to protect reproductive, LGBTQ+, labor, and voting rights and pursue racial justice and criminal legal reform?

Panelists' Names and Bios:

Hon. Deborah Gonzalez, *District Attorney, Western Judicial Circuit, Athens-Clarke and Oconee Counties, Georgia*

Hon. Jessica González, *Member, Texas House of Representatives for the 104th District*

Hon. Chokwe Antar Lumumba, *Mayor, Jackson, Mississippi*

Hon. Sam Park, *Member, Georgia House of Representatives for the 107th District*

Russ Feingold, *President, American Constitution Society (moderator)*

Agenda of Panel: 9:00 a.m. to 10:30 a.m. (Maximum 1.5 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (70 min)
- Q&A (15 min)

Materials for Panel:

Kayode Crown, *Lumumba: New H.B. 1020 Is 'Attack on Black Leadership'; Will Not Sign Forced MOU*, MISSISSIPPI FREE PRESS (Feb. 23, 2023).

Stanley Dunlap, *Georgia House Approves Revised Prosecutor Oversight Bill*, FLAGPOLE (Jan. 30, 2024).

Brief of Amici Curiae 57 Current and Former Elected Prosecutors and Attorneys General, Gonzalez v. Miller, No. SU23CV0108 (July 20, 2023).

JESSICA GONZÁLEZ, STATE REPRESENTATIVE, DISTRICT 104, 2023 LEGISLATIVE UPDATE (Nov. 14, 2023).

Grace Lee, *Meet Sam Park, First Openly Gay Man Elected to Georgia's General Assembly*, NBC NEWS (Nov. 20, 2016).

C.J. LeMaster, *Jackson Mayor Compares Capitol Complex Expansion Bill to Apartheid, Cites Lack of Accountability for Residents*, WLBT NEWS (Jan. 30, 2023).

John C. Moritz, *'Your Best Is Always Good Enough': Rep. Jessica González Named Women of the Year Honoree*, CORPUS CHRISTI CALLER TIMES (Mar. 13, 2022).

NAACP v. Tindell, No.23-60647 (5th Cir. Mar. 6, 2024).

[H.B. 1499](#), 157th Leg. (Ga. 2024).

[H.B. 1377](#), 157th Leg. (Ga. 2024).

[H.R. 1169](#), 157th Leg. (Ga. 2024).

[H.B. 1256](#), 157th Leg. (Ga. 2024).

[H.B. 1191](#), 157th Leg. (Ga. 2024).

[H.B. 1215](#), 157th Leg. (Ga. 2024).

[H.B. 1211](#), 157th Leg. (Ga. 2024).

[H.B. 881](#), 175th Leg. (Ga. 2024).

[H.B. 1937](#), 88th Leg. (Tex. 2023).

[H.B. 2124](#), 88th Leg. (Tex. 2023).

[H.B. 3510](#), 88th Leg. (Tex. 2023).

[H.B. 428](#), 88th Leg. (Tex. 2023).

[H.B. 3246](#), 88th Leg. (Tex. 2023).

[H.B. 702](#), 88th Leg. (Tex. 2023).

[H.B. 1012](#), 88th Leg. (Tex. 2023).



Curt Yeoman, *Gwinnett Legislators Propose Moving Georgia Elections To Hand-Marked Ballots*,
GWINNETT DAILY POST (Feb. 25, 2024).



Name of Panel: The Body Politics

Date | Time | Location: June 7, 2024 | 11:00 a.m. to 12:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

Conservative controlled states have expended extraordinary time and attention restricting bodily autonomy for residents from historically vulnerable and marginalized groups. States are criminalizing those seeking and providing gender-affirming and reproductive healthcare, restricting the availability of resources in-state, and, in some cases, attempting to restrict travel for residents seeking to access resources in other states. Organizers and litigators are working tirelessly to preserve or restore access to healthcare in statehouses and federal and state courthouses throughout the country. What can the successes and setbacks these advocates have encountered teach us about effective strategies to engage in intersectional work to protect the availability of necessary, oftentimes lifesaving healthcare?

Agenda of Panel: 11:00 a.m. to 12:00 p.m. (Maximum 1 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Panelists' Names and Bios:

Anya Marino, *Director of LGBTQI Equality, National Women's Law Center*

Rabia Muqaddam, *Senior Staff Attorney, Center for Reproductive Rights*

Jessie Hill, *Judge Ben C. Green Professor of Law, School of Law Associate Dean for Research and Faculty Development, School of Law, Case Western Reserve University*

Materials for Panel:

Pam Belluck, *What to Know About the Federal Law at the Heart of the Latest Supreme Court Abortion Case*, N.Y. TIMES (Jan. 18, 2024).

CAMPAIGN FOR S. EQUALITY, *Southern Trans Youth Emergency Project* (last visited Apr. 4, 2024).

Caroline Mala Corbin, *Religious Liberty for All? A Religious Right to Abortion*, 2023 WIS. L. REV. 475 (2023).

Anthony Michael Kreis, *Policing the Painted and Powdered*, 41 CARDOZO L. REV. 399 (2019).

Geoff Mulvihill, *Florida's Stricter Ban on Abortions Could Put More Pressure on Clinics Elsewhere*, ABC NEWS (Apr. 3, 2024).



Lauren Sausser & Jazmin Orozco Rodriguez, *GOP-Led States Expand Crackdowns on Transgender Care*, KFF HEALTH NEWS (Mar. 13, 2024).

Hannah Murphy Winter, *Southern Anti-Trans Laws Are Uprooting Families — And Leaving Them With Impossible Choices*, ROLLING STONE (Mar. 1, 2024).

Name of Panel: Truth, Racial Healing, and Transformation: Lessons and Momentum from the Reparations Movement

Date | Time | Location: June 7, 2024 | 11:00 a.m. to 12:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

In the past few years, the movement for reparations for Black Americans has seen unprecedented energy and momentum. Reparations is now a recurring topic of debate on the national stage, and localities and states have begun earnest efforts to assess and atone for past harm. At the same time, increasingly mobilized opposition forces are eager to magnify challenges and obstacles to derail the movement. Every government to consider reparations does so amid great public pressure and scrutiny. This panel unites activists and policymakers from states and localities across the U.S. who have worked in the Truth, Racial Healing, and Transformation movement to share learnings and paths forward.

Agenda of Panel: 11:00 a.m. to 12:00 p.m. (Maximum 1 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Panelists' Names and Bios:

Justin Hansford, *Professor, Howard University Law School*

Lisa Holder, *President, Equal Justice Society*

Robin Rue Simmons, *Founder and Executive Director, FirstRepair*

Karcheik Sims-Alvarado, *Chair, Fulton County Reparations Task Force*

Materials for Panel:

[Jacobs v. Barr](#), 959 F.2d 313 (D.C. Cir. 1992).

[Obadele v. U.S.](#), 52 Fed.Cl. 432 (2002), *aff'd per curiam*, 61 Fed. App'x 705 (Fed. Cir. 2003).

Ta-Nehisi Coates, [The Case for Reparations](#), THE ATLANTIC (June 2014).

Justin Hansford et al., [Segregation in Evanston, an Impact Study](#), AFR. AM. REDRESS NETWORK (July 2021).



Lisa Holder et al., *The California Reparations Report*, CAL. TASK FORCE TO STUDY AND DEVELOP REPARATION PROPOSALS FOR AFR. AMERICANS (June 29, 2023).

Taonga Leslie, *Law and the Movement for Reparations*, AM. CONST. SOC'Y (Mar. 12, 2024).

Andrea Ritchie et al., *Reparations Now Toolkit*, MOVEMENT FOR BLACK LIVES (last visited Apr. 4, 2024).

Brooke Simone, *Municipal Reparations: Considerations and Constitutionality*, 120 MICH. L. REV. 345 (2021).

Name of Panel: The Necessary Labor for Democracy's Survival

Date | Time | Location: June 7, 2024 | 11:00 a.m. to 12:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

Organized labor's role in improving workers' wages, benefits, and working conditions is well known. But the labor movement's importance extends beyond the workplace, playing a pivotal role in the very health of our democracy. Labor unions foster community, provide workers opportunities to practice their civic skills, and increase workers' resistance to authoritarian appeals. Consequently, attacks on labor not only threaten fairness within the workplace, but fairness within the institutions of our government. How has the anti-labor movement affected American democracy? How might progressive lawyers use this period of renewed focus on labor and the value of unions to reinvigorate workers' rights and, ultimately, to safeguard our democracy?

Agenda of Panel: 11:00 a.m. to 12:00 p.m. (Maximum 1 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Panelists' Names and Bios:

Keith M. Bullard II, Deputy Director, Union of Southern Service Workers

Angela B. Cornell, Clinical Professor of Law, Cornell University Law School

Matthew Ginsburg, General Counsel, AFL-CIO

Courtlyn Roser-Jones, Associate Professor of Law, The Ohio State University Moritz College of Law

Materials for Panel:

Kate Andrias, *Constitutional Clash: Labor, Capital, and Democracy*, 118 NW. UNIV. L. REV. 985 (2024).

JOSH BIVENS ET AL., *UNIONS PROMOTE RACIAL EQUITY*, ECON. POL'Y INST. (July 31, 2023).

Alex Bryson et al., *What Accounts for the Union Member Advantage in Voter Turnout? Evidence from the European Union, 2002-2008*, 69 REL. INDUSTRIELLES / INDUS. REL. 732 (2014).

Alex Bryson et al., *Workplace Voice and Civic Engagement: What Theory and Data Tell Us About Unions and Their Relationship to the Democratic Process*, 50 OSGOODE HALL L.J. 965 (2013).

Angela B. Cornell, *Why Organized Labor is a Democratic Catalyst*, DEMOCRACY DIG. (Aug. 8, 2022).

ECON. POL'Y INST., [UNIONS HELP REDUCE DISPARITIES AND STRENGTHEN OUR DEMOCRACY](#) (Apr. 23, 2021).

ALEXANDER HERTEL-FERNANDEZ, [POLICIES TO STRENGTHEN WORKPLACE CIVIC ENGAGEMENT AND WORKER POLITICAL VOICE](#), THE GREAT DEMOCRACY INITIATIVE & CLEAN SLATE FOR WORKER POWER (Jan. 2021).

Robert Iafolla, [NLRB General Counsel's 'Captive Audience' Memo Passes Legal Test](#), BLOOMBERG LAW (Sept. 1, 2023).

Whizy Kim, [A Unionized Volkswagen Plant in Tennessee Could Mean Big Things for Workers Nationwide](#), VOX (Apr. 24, 2024).

[Labor-Management Reporting and Disclosure Act \(Landrum-Griffin Act\)](#), 29 U.S.C. § 401-531.

David Madland, [Unions Are Democratically Organized, Corporations Are Not](#), CTR. FOR AM. PROGRESS (2020).

[NLRB v. Jones & Laughlin Steel Corp.](#), 301 U.S. 1 (1937).

OFF. OF LAB.-MGMT. STANDARDS, U.S. DEP'T OF LAB., [LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT](#) (2023).

Courtlyn G. Roser-Jones, [The Roberts Court and the Unraveling of Labor Law](#), 108 MINN. L. REV. 1407 (2024).

Daniel Perez & Jennifer Sherer, [Tackling the Problem of 'Captive Audience' Meetings: How States Are Stepping up to Protect Workers' Rights and Freedoms](#), ECON. POL'Y INST.: WORKING ECON. BLOG (Oct. 24, 2023).

Liz Schuler, [Remarks at the 2023 AFL-CIO Dr. Martin Luther King Jr. Civil and Human Rights Conference](#) (Jan. 13, 2023)

Angela Thompson, [David E. Feller Memorial Labor Law Lecture: The People United: Unions as Racial and General Justice Organizations](#), 45 BERKELEY J. EMP. & LAB. L. 105 (2024).

[74 CONG. REC. S2371-72](#) (daily ed. Feb. 21, 1935) (statement of Sen. Robert Wagner).

Sharon Zhang, [Labor Board's Top Counsel Argues Anti-Union Meetings Are "Inherently" Illegal](#), TRUTHOUT (APR. 7, 2022).

Name of Panel: Race, Gender, and the Right to Bear Arms

Date | Time | Location: June 7, 2024 | 3:00 p.m. to 4:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

Debates over the Second Amendment and “gun rights” often center the perspectives and experiences of white male gun owners. Although men of color are half as likely to own guns as white men, they are 2 to 12 times more likely to die of gun violence and overwhelmingly bear the brunt of laws criminalizing gun possession. Meanwhile, American women face higher rates of lethal gun violence than women in any other high-income country, with Black women six times as likely to be killed as white women. This panel examines how 2nd Amendment jurisprudence contributes to these disparities and explores how gun violence can be prevented while advancing racial justice and gender equality.

Agenda of Panel: 3:00 p.m. to 4:00 p.m. (Maximum 1 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Panelists’ Names and Bios:

Amber Goodwin, *Founder, Community Justice Action Fund*

Pratheep Gulasekaram, *Professor, University of Colorado*

Esther Sanchez-Gomez, *Litigation Director, Giffords Law Center*

Christopher Smith, *Early Defense Attorney, Bronx Defenders*

Materials for Panel:

[New York State Rifle & Pistol Ass’n, Inc. v. Bruen](#), 597 U.S. 1 (2022).

[U.S. v. Rahimi](#), 61 F.4th 443 (5th Cir. 2023), *cert. granted*, 143 S. Ct. 2688 (2023).

[Brief of Giffords Law Center to Prevent Gun Violence as *Amicus Curiae* in Support of Petitioner, U.S. v. Rahimi](#), No. 22-915 (Aug. 21, 2023).

[Brief of The Bronx Defenders Union and National Association of Criminal Defense Lawyers as *Amici Curiae* in Support of Respondent, U.S. v. Rahimi](#), No. 22-915 (Oct. 4, 2023).

Amber Goodwin et al., [A Policymaker’s Playbook](#), CMTY. JUST. ACTION FUND (2021).



Pratheep Gulasekaram, *The Second Amendment's People Problem*, 76 VANDERBILT L. REV. 1437 (Oct. 6, 2023).

Taonga Leslie, *Women and People of Color Deserve Better from the Second Amendment*, AM. CONST. SOC'Y (Nov. 7, 2023).

Danny Y. Li, *Anti-Subordinating the Second Amendment*, 132 YALE L. J. 1821 (Apr. 6, 2023).

Verna L. Williams, *Guns, Sex, and Race: The Second Amendment through a Feminist Lens*, 83 TENN. L. REV. 983 (2016).

Name of Panel: The All-Out Assault on Agency Authority

Date | Time | Location: June 7, 2024 | 3:00 p.m. to 4:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

For decades, antiregulatory forces, led by the conservative legal movement and profit-motivated business interests, have been waging an attack on the administrative state. Their efforts have recently been gaining traction. Two years ago, in *West Virginia v. EPA*, the Supreme Court announced the new major questions doctrine, which critics argue is a powerful de-regulatory tool. This term, the Court is considering a series of cases that attack agency authority on a variety of fronts, including efforts to overturn the forty-year-old *Chevron* doctrine, declare the Securities and Exchange Commission’s administrative enforcement scheme unconstitutional, strike down the Consumer Financial Protection Bureau’s funding mechanism, and allow newly formed entities to bring facial challenges to decades-old regulations. How should we understand this antagonism toward agency authority, and how can we protect effective governance?

Agenda of Panel: 3:00 p.m. to 4:00 p.m. (Maximum 1 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Panelists’ Names and Bios:

Lisa Heinzerling, *Justice William J. Brennan, Jr., Professor of Law, Georgetown University Law Center*

Sambhav Sankar, *Senior Vice President of Programs, Earthjustice*

Kevin M. Stack, *Lee S. and Charles A. Speir Chair in Law, Vanderbilt Law School (moderator)*

Allison M. Zieve, *Litigation Group Director and Supreme Court Assistance Project Director, Public Citizen*

Materials for Panel:

[Brief for the Petitioners](#), *Consumer Fin. Prot. Bureau v. Cmty. Fin. Servs. Ass’n of Am.*, No. 22-448 (May 8, 2023).

[Brief for Respondents](#), *Consumer Fin. Prot. Bureau v. Cmty. Fin. Servs. Ass’n of Am.*, No. 22-448 (July 3, 2023).

[Reply Brief for the Petitioners](#), *Consumer Fin. Prot. Bureau v. Cmty. Fin. Servs. Ass’n of Am.*, No. 22-448 (Aug. 2, 2023).

[Brief for Petitioner](#), *Comer Post, Inc. v. Bd. of Governors of the Fed. Reserve Sys.*, No. 22-1008 (Nov. 13, 2023).

[Brief for the Respondent](#), *Comer Post, Inc. v. Bd. of Governors of the Fed. Reserve Sys.*, No. 22-1008 (Dec. 13, 2023).

[Brief of Public Citizen as Amicus Curiae in Support of Respondent](#), *Comer Post, Inc. v. Bd. of Governors of the Fed. Reserve Sys.*, No. 22-1008 (Dec. 19, 2023).

[Reply Brief for Petitioner](#), *Comer Post, Inc. v. Bd. of Governors of the Fed. Reserve Sys.*, No. 22-1008 (Jan. 12, 2024).

[Brief for Petitioners](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (July 17, 2023).

[Brief for the Respondents](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (Sept. 15, 2023).

[Brief of Conservation Law Foundation, Ocean Conservancy, and Save the Sound as Amici Curiae in Support of Respondents](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (Sept. 22, 2023).

[Brief of Public Citizen as Amicus Curiae in Support of Respondents](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (Sept. 22, 2023).

[Brief of Scholars of Administrative Law and the Administrative Procedure Act as Amicus Curiae in Support of Respondents](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (Sept. 22, 2023).

[Reply Brief for Petitioners](#), *Loper Bright Enters. v. Raimondo*, No. 22-451 (Oct. 16, 2023).

[Brief for Petitioners](#), *Relentless, Inc. v. Dep't of Comm.*, No. 22-1219 (Nov. 20, 2023).

[Reply Brief for Petitioners](#), *Relentless, Inc. v. Dep't of Comm.*, No. 22-1219 (Nov. 20, 2023).

[Brief for the Respondents](#), *Relentless, Inc. v. Dep't of Comm.*, No. 22-1219 (Dec. 15, 2023).

[Brief for the Petitioner](#), *Sec. & Exch. Comm'n v. Jarkesy*, No. 22-859 (Aug. 28, 2023).

[Brief of Public Citizen as Amicus Curiae in Support of Petitioner](#), *Sec. & Exch. Comm'n v. Jarkesy*, No. 22-859 (Sept. 5, 2023).

[Brief for Respondents](#), *Sec. & Exch. Comm'n v. Jarkesy* No. 22-859 (Oct. 11, 2023).

[Reply Brief for the Petitioner](#), *Sec. & Exch. Comm'n v. Jarkesy*, No. 22-859 (Nov. 13, 2023).

Lisa Schultz Bressman & Kevin M. Stack, *Chevron Is a Phoenix*, 74 VAND. L. REV. 465 (2021).

Lisa Heinzerling, Op.-Ed., *The Supreme Court's Self-Coronation*, THE REGULATORY REV. (Mar. 18, 2024).



Sophia Z. Lee, *Our Administered Constitution: Administrative Constitutionalism from the Founding to the Present*, 167 UNIV. PA. L. REV. 1699 (2019).

Name of Panel: A First Amendment Right to Troll?

Date | Time | Location: June 7, 2024 | 3:00 p.m. to 4:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

This Supreme Court term could redefine the legal boundaries of online speech among and between Americans and their elected representatives. In a case that could have reverberations for constituents to weigh-in on the most parochial school board issues to major federal policy, the Court has been asked to determine whether a public official violates the First Amendment by blocking an individual on the official's personal social media account. The Court will also resolve a circuit split regarding controversial anti-content moderation laws passed in Florida and Texas, where legislative action arose at the state level in the face of prolonged congressional inaction on platform regulation and content moderation. What are the legal and policy implications of the public square and marketplace of ideas migrating to the internet and social media platforms? How can we protect political speech online while building a truly multiracial democracy?

Panelists' Names and Bios:

Nora Benavidez, *Senior Counsel and Director of Digital Justice and Civil Rights, Free Press*

Sarah Hunt-Blackwell, *First Amendment Policy Advocate, ACLU of Georgia*

Kate Ruane, *Free Expression Project Director, Center for Democracy & Technology*

Sonja West, *Otis Brumby Distinguished Professor in First Amendment Law, Univ. of Georgia (moderator)*

Agenda of Panel: 3:00 p.m. to 4:00 p.m. (Maximum 1.0 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (40 min)
- Q&A (15 min)

Materials for Panel:

RonNell Anderson Jones & Sonja R. West, *Presuming Trustworthiness*, 75 FLA. L. REV. 799 (2023).

Jack M. Balkin, *Free Speech Versus the First Amendment*, 70 UCLA L. REV. 1206 (2023).

Nora Benavidez, *The Era of Big Tech Minimalism: Missouri v. Biden Gives Platforms Cover to Retreat From Election Integrity Efforts*, TECH POLICY.PRESS (July 11, 2023).

Nora Benavidez, *Backslide: How Social-Media Rollbacks Endanger Democracy Ahead of the 2024 Elections*, FREE PRESS (Dec. 2023).

Nora Benavidez & Jessica J. González, *Democracy Deferred: Social Media Companies' Meager Commitments to Election Integrity in 2024*, FREE PRESS (Apr. 25, 2024).

Anuj Chopra & Alex Pigman, *Tech Firms Roll Back Misinformation Curbs Ahead of 2024*, FREE PRESS (Sept. 25, 2023).

A. Adam Glenn, *When Social Media Regulation Meets the First Amendment*, KNIGHT FIRST AMEND. CTR. (Dec. 17, 2021).

Jameel Jaffer & Katy Glenn Bass, *Facebook's 'Supreme Court' Faces Its First Major Test*, KNIGHT FIRST AMEND. CTR. (Feb. 17, 2021).

Kate Klonick, *Inside the Making of Facebook's Supreme Court*, NEW YORKER (Feb. 12, 2021).

Jeffrey Lees et al., *The Spot the Troll Quiz Game Increases Accuracy in Discerning Between Real and Inauthentic Social Media Accounts*, 2 PNAS NEXUS 94 (March 22, 2023); *Spot the Troll*, CLEMSON UNIV. MEDIA FORENSICS HUB (last visited Feb. 13, 2024).

John L. McManus et al., *11th Circuit Substantially Upholds Injunction Against Florida's Social Media Law, Aligning With US Supreme Court Decision Temporarily Blocking Texas' Social Media Law*, NAT'L L. REV. (June 6, 2022).

Kari Paul, *Are Social-Media Giants Silencing Online Content?*, THE GUARDIAN (Nov. 21, 2023).

Stella Preston, *How Free Is Your Speech on Social Media? Reconciling the Circuit Split Created by the Eleventh and Fifth Circuit's Decisions on Anti-Censorship Laws Governing Social Media Platforms*, 74 MERCER L. REV. 1521 (2023).

Grace Slicklen, *For Freedom or Full of It? State Attempts to Silence Social Media*, 78 UNIV. MIAMI L. REV. 297 (2023).

[H.R. 5586](#), 118th Leg. (2023-2024) (DEEPPAKES Accountability Act).

Kate Ruane & Samir Jain, *CDT Files Amicus Brief in NetChoice v. Moody and NetChoice v. Paxton, Challenging TX & FL Social Media Laws*, CTR. FOR DEMOCRACY & TECH. (Dec. 7, 2023).

Stacy L. Stevens, *Section 230, Social Media, and Status Quo: Considerations for Reform in the Digital Age*, 27 J. CONSUMER & COM. L. 2 (2023).

Dhanaraj Thakur & DeVan Hankerson Madrigal, *An Unrepresentative Democracy: How Disinformation and Online Abuse Hinder Women of Color Political Candidates in the United States*, CTR. FOR DEMOCRACY & TECH. (Oct. 27, 2022).

Nithin Venkatraman, *NetChoice, L.L.C. v. Paxton: 5th Circuit Sets Up Supreme Court Battle Over Content Moderation Authority of Social Media Giants*, HARVARD J. OF L. & TECH. (Oct. 21, 2022).



Name of Panel: Democracy, No Matter the Zip Code

Date | Time | Location: June 7, 2024 | 4:30 p.m. to 6:00 p.m. | ACS National Convention, Westin Peachtree Plaza, 210 Peachtree St. NW, Atlanta, GA 30303

Brief Description:

Despite a few recent wins that preserve what is left of the Voting Rights Act, the Supreme Court and many federal appellate courts remain hostile to one of the landmark legislative achievements of the Civil Rights Era. Conservative dominated courts routinely shut the courthouse doors to voters seeking to vindicate their rights. Conservative state legislatures, often gerrymandered into entrenched power, continue a campaign of open hostility toward voters in marginalized communities. How can progressives work in conservative areas to expand access to the ballot box? Should advocates focus on state constitutional protections? What about states in which such protections don't exist? In the run-up to the 2024 election, what can be done at the local and state level to combat the growing threat of election denialism?

Agenda of Panel: 4:30 p.m. to 6:00 p.m. (Maximum 1.5 hour of CLE)

- Introductions / Opening Remarks (5 min)
- Panel Discussion (70 min)
- Q&A (15 min)

Panelists' Names and Bios:

Rep. Saira Draper, *Georgia State Representative, House District 90*

Bradley Heard, *Voting Rights Practice Group Deputy Legal Director, Southern Poverty Law Center*

Carrie McNamara, *Staff Attorney II, ACLU of Florida*

Miriam Seifter, *Professor of Law, University of Wisconsin-Madison*

Fred Smith, *Professor of Law, Emory University*

Materials for Panel:

[Allen v. Milligan](#), 599 U.S. 1 (2023).

[Complaint](#), *Georgia State Conf. of the NAACP v. Raffensperger*, No. 21-civ-5338 (N.D. Ga. Mar. 28, 2021).

Nick Corasaniti, [Racial Turnout Gap Has Widened With a Weakened Voting Rights Act, Study Finds](#), N.Y. TIMES (Mar. 2, 2024).

Joshua A. Douglas, *The Right to Vote Under State Constitutions*, 67 VANDERBILT L. REV. 89 (2014).

Atiba Ellis, *When Political Domination Becomes Racial Discrimination: NAACP v. McCrory and the Inextricable Problem of Race in Politics*, 68 S. CAROLINA L. REV. 517 (2017).

Gowri Ramachandran et al., *Intimidation of State and Local Officeholders*, BRENNAN CTR. (Jan. 25, 2024).

Miriam Seifter, *State Institutions and Democratic Opportunity*, 72 DUKE L. J. 275 (2022).

Michael Waldman, *Voting Rights are Expanding in Blue States, Contracting in Red*, BRENNAN CTR. (Mar. 1, 2023).

Christine Zhu, *South Carolina to Use 'Unconstitutional' Congressional Map After Supreme Court Silence*, POLITICO (Mar. 3, 2024).