

**FEMINIST JUDGMENTS: FAMILY LAW
OPINIONS REWRITTEN**

This book provides new, feminist perspectives on famous family law cases that span generations. The chapters take court decisions and rewrite them with feminist ideas in mind. Each author of a rewritten opinion relied only on materials available at the time of the original decision. The decisions address topics such as the criminalization of polygamy, intimate partner violence as a ground for asylum, the enforcement of gestational surrogacy contracts, the rights of cohabitants, discrimination against transgender parents, immigration rules governing non-citizen parents, and child welfare and child support systems, among others. Each opinion is accompanied by a commentary that explains the original opinion as well as the case's contemporary relevance. The combination of a rewritten opinion and its commentary provides an in-depth examination of the most important topics in family law.

RACHEL REBOUCHÉ is Associate Dean for Research and Professor of Law at Temple University Beasley School of Law. She is an author of casebooks in family law and gender and the law. She has also co-authored *Governance Feminism: An Introduction* and co-edited *Governance Feminism: Notes from the Field*. She has published on family law, comparative law, relational contracts, and reproductive health in various journals and is currently working on a book on reproductive justice.

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Advisory Panel for Feminist Judgments: Family Law Opinions Rewritten

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Naomi Cahn is the Harold H. Greene Professor of Law at GW Law. She has written numerous law review articles on family law, feminist jurisprudence, and trusts and estates. She is the author of several books, including *The New Kinship* (2012); and *Test Tube Families: Why the Fertility Market Needs Legal Regulation* (2009); she has coauthored *On the Frontlines: Women, Gender, and the Post-Conflict Process* (2011; with Professors Fionnuala Ni Aoláin and Dina Haynes); *Marriage Markets* (2014) and *Red Families v. Blue Families* (2010), both with Professor June Carbone; and she has co-written casebooks in the fields of family law and trusts and estates. Her work has been featured in *The New York Times*, *The Washington Post*, *The Christian Science Monitor*, and *The New Yorker*, and she has appeared on numerous other media outlets.

Professor Cahn is a member of the American Law Institute and the American College of Trust and Estate Counsel. In 2017, she was awarded the Harry Krause Lifetime Achievement in Family Law by the University of Illinois College of Law. Prior to joining the faculty at GW Law in 1993, Professor Cahn worked in a domestic violence clinic at Georgetown University Law Center, and practiced with Hogan Lovells in Washington, DC, and with Community Legal Services in Philadelphia. At GW Law, she teaches courses on family law, trusts and estates, elder law, feminist jurisprudence, and child, family, and state.

Professor Nancy Dowd, University of Florida Law School

Professor Dowd is the David H. Levin Chair in Family Law and the Emeritus Director of the Center on Children and Families. She was the 2017

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Fulbright-Lund University Distinguished Chair in Public International Law at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law and Lund University. In 2018 and 2019, Professor Dowd was the Distinguished Guest Professor at Aalborg University. Her current work is in the areas of children's constitutional equality rights, and a general theory of children's rights, as well as making the case for children's specific right to equal education based on developmental equality. In addition, she writes about a developmental model of equality and focusing on the life course of African American boys from birth to age eighteen. Professor Dowd's most recent book is *Reimagining Equality: A New Deal for Children of Color* (2018). Two of her previous books focus on the radical reform needed in the juvenile justice system. *Justice for Kids* (2011) brings together activists and scholars to articulate ways to keep kids out of the juvenile justice system by diversion into other more helpful and supportive resolutions. *A New Juvenile Justice System* (2015) articulates the vision of a new youth justice system focused on child well-being and public safety. Her book, *The Man Question: Male Privilege and Subordination* (2010), explores masculinities theories as a means to expand gender analysis and incorporate hierarchies that affect gender, particularly race and class.

Professor Dowd served as the Director of the Center on Children and Families until 2015, and in that role focused on issues of juvenile justice, social justice, nontraditional families, gay and lesbian rights, and collaboration with the Center for the Study of Race and Race Relations on issues of race and families. While director, she was also involved with successful grants that established the Intimate Partner Violence Assistance Clinic, a groundbreaking collaboration between law and medicine to establish a cutting-edge clinic.

Professor Theresa Glennon, Temple University Beasley School of Law

Theresa Glennon is a professor of law at Temple University Beasley School of Law. Her teaching and scholarship focuses on the legal rights of children and families, with particular emphasis on family law, education, race, and disability. Prior to joining the Temple faculty in 1993, she was an assistant professor at the University of Maryland School of Law, where she taught in the Legal Theory and Practice Program. She was a staff attorney at the Education Law Center in Philadelphia from 1985 to 1989. Professor Glennon's courses at Temple include family law; torts; theory, policy and practice in family law; international and comparative perspectives on family law; and child custody law. Her family law publications cover a wide range of topics, including

assisted reproductive technologies, child custody and custody relocation disputes, the effort to harmonize family law in Europe, paternity disputes, second parent adoptions, and the rights of mothers with mental illnesses in the child welfare system. Her publications in the area of education law have focused primarily on the issues of race and disability in education.

Professor Glennon is trained as a mediator in divorce and child custody matters and served as a volunteer mediator for the custody mediation project of the Good Shepherd Mediation Program. She is a member of the Family Law Sections of the American Bar Association, the Pennsylvania Bar Association and the Philadelphia Bar Association. She served as Chair of the Family and Juvenile Law Section of the American Association of Law Schools in 2012–2013 and continues to serve on its Executive Committee. She served for five years on the Board of Trustees of the Education Law Center, ten years on the Institutional Review Board for Public/Private Ventures, a nonprofit that conducts demonstration projects and research on programs for children, and four years on the Board of Trustees of Community Legal Services.

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Leslie Harris is the Dorothy Kliks Fones Professor of Law Emerita at the University of Oregon, where she taught Family Law and other courses and directed the Oregon Child Advocacy Project, which provides education and assistance to attorneys advocating for the interests of children. She has written law review articles about the child welfare system, nontraditional families, family support duties, and property rights at divorce and is the coauthor of textbooks on family law and children and the law, which are widely used throughout the United States. She is an elected member of the American Law Institute and serves on advisory boards for the Oregon Juvenile Court Improvement Project and several other organizations. She was one of the first recipients of the law school's Orlando John Hollis Faculty Teaching Award.

Professor Solangel Maldonado, Seton Hall University School of Law

Professor Maldonado is the Eleanor Bontecou Professor of Law at Seton Hall Law. She teaches courses on family law, torts, wills and trusts, gender and the law, race and the law, and bioethics. Her scholarship has focused on the intersection of race and family law and the law's influence on social norms of post-separation parenthood. Her current work examines how the law shapes romantic preferences that perpetuate racial, economic, and social inequality.

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Professor Maldonado is one of the reporters of the American Law Institute's Restatement of the Law, Children and the Law (in progress). She is a co-editor of *Family Law: Cases and Materials* (7th ed. 2019; with Judith Arenen, Marc Spindelman, and Philomila Tsoukala) and *Family Law in the World Community* (3rd ed. 2015; with D. Marianne Blair, Merle H. Weiner, and Barbara Stark). She also serves on the editorial board of the *Family Court Review*.

Prior to joining the Seton Hall Law faculty, Professor Maldonado was a litigation associate with Kaye, Scholer, Fierman, Hays & Handler, LLP (now Arnold & Porter, LLP) and with Sidley, Austin, Brown & Wood in New York. She also clerked for then District Court Judge Joseph A. Greenaway, Jr., now on the United States Court of Appeals. She received her BA from Columbia College and her JD from Columbia Law School, where she was a Harlan Fiske Stone Scholar and the Managing Editor of the *Columbia Journal of Gender and Law*. In 2015–2016, she was a visiting scholar at the Center for the Study of Law and Culture at Columbia Law School. She has taught at Columbia Law School, Cardozo Law School, and the University of Illinois College of Law.

Professor Linda McClain, Boston University School of Law

Linda C. McClain is the Robert Kent Professor of Law at Boston University School of Law and is also affiliated faculty in the Women's Gender & Sexuality Studies Program. In addition to teaching family law, gender and law, and feminist jurisprudence, she teaches a seminar on Marriage, Families, and Gender in BU's Kilachand Honors College. She has authored or co-authored several books, most recently *Who's the Bigot? Learning from Conflicts over Marriage and Civil Rights Law* (2020). Her other books include *The Place of Families: Fostering Capacity, Equality, and Responsibility* (2006); *Ordered Liberty: Rights, Responsibilities, and Virtues* (2013; with James E. Fleming); two edited volumes, *Gender Equality: Dimensions of Women's Equal Citizenship* (2009; paperback ed., 2012; with Joanna L. Grossman; mentioned in the credits of the film, *On the Basis of Sex*), and *What Is Parenthood?: Contemporary Debates about the Family* (2013; with Daniel Cere); the co-authored casebook, *Contemporary Family Law* (5th ed. 2020), and the co-authored textbook, *Gay Rights and the Constitution* (2016). Professor McClain has also published numerous articles and book chapters.

Professor McClain has been a Laurence S. Rockefeller Visiting Faculty Fellow at Princeton University Center for Human Value and a faculty fellow at Harvard University's Edmond J. Safra Center for Ethics. She has taught as a

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Dean Mutcherson received her BA in history from the University of Pennsylvania and her JD from Columbia Law School, where she was a Stone Scholar. At Columbia, she received the Samuel I. Rosenman Prize for excellence in public law courses and outstanding qualities of citizenship and leadership at the law school. She also received the Kirkland and Ellis Fellowship for postgraduate public interest work. Prior to joining the faculty at Rutgers Law School in 2002, Dean Mutcherson was an acting assistant professor of lawyering at the New York University School of Law, a consulting attorney at the Center for Reproductive Law and Policy (now the Center for Reproductive Rights), and a staff attorney at the HIV Law Project.

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