



THE UNIVERSITY OF ARIZONA  
JAMES E. ROGERS COLLEGE OF LAW

Rehnquist Center

# NATIONAL CONFERENCE OF CONSTITUTIONAL LAW SCHOLARS

MARCH 28–29, 2025 | HACIENDA DEL SOL GUEST RANCH, TUCSON, ARIZONA

## CONFERENCE AGENDA

(all times MST; all presentations in Casa Luna)

### Friday, Mar. 28, 2025

- 8:30–9 a.m. **BREAKFAST** in the inner courtyard
- 9–10:30 a.m. (A) **ADMIN/EXECUTIVE POWERS**—Distinguished Commentator **Amanda Tyler**
- ▶ **Bijal Shah**—*Politicized Informal Adjudication*
  - ▶ **Zachary Price**—*Congress’s Struggle for Fiscal Control*
  - ▶ **Nathaniel Donahue**—*Officers at Common Law*
  - ▶ **David Fromkin**—*The President’s Duty to Commission Officers*
- 9–10:30 a.m. (B) **JURISPRUDENCE**—Distinguished Commentator **Charles Barzun**
- ▶ **Rachel Bayefsky**—*Traditionalism and Feminism in Constitutional Rights Interpretation*
  - ▶ **Paul Gowder**—*Ameliorative Constitutionalism*
  - ▶ **Jodi Short**—*The Moral Turn in Administrative Law*
  - ▶ **Daniel Rice**—*The Moral Complacency of Federal Indian Law*
- 10:30–11 a.m. **BREAK**
- 11 a.m.–12:30 p.m. (A) **FEDERALISM**—Distinguished Commentator **Saikrishna Prakash**
- ▶ **Stephen Griffin**—*The Supreme Court’s New Map of Federalism*
  - ▶ **Charles Tyler**—*The Conventional Safeguards of Federalism*
  - ▶ **Justin Weinstein-Tull**—*Federalism for the People*
  - ▶ **Desiree LeClercq**—*Resisting Federal Preemption*
- 11 a.m.–12:30 p.m. (B) **DEMOCRACY**—Distinguished Commentator **Edward Foley**
- ▶ **Ashraf Ahmed**—*The Two Faces of Representation*
  - ▶ **Jacob Eisler**—*Populist Primacy*
  - ▶ **Tom Donnelly**—*Popular Constitutionalism in a Populist Age*
  - ▶ **Abigail Moncrieff**—*Constitutional Technocracy*
- 12:30–1:45 p.m. **LUNCH**
- 1:45–3:15 p.m. (A) **Lightning Session—STRUCTURE**
- ▶ **Emily Berman**—*Trump v US and Congressional Oversight*
  - ▶ **Nicholas Handler**—*The Administrative Law of McCarthyism*
- (more)

- ▶ **Tyler Lindley**—*The Law of Certiorari*
- ▶ **Edward Foley**—*Tournament Voting*
- ▶ **Quinn Yergain**—*State Governments with Federal Scaffolds*
- ▶ **Jonathan Shaub**—*Congressional Inquiry in Impeachment*
- ▶ **Jed Shugerman**—*The UnSeparation of Powers*
- ▶ **Daniel Epps, Conor Clarke** —*Time and the Structural Constitution*

1:45–3:15 p.m. (B)

**EQUALITY**—Distinguished Commentator **Seana Shiffrin**

- ▶ **W. Kerrel Murray**—*Discriminatory Effects*
- ▶ **Laura Portuondo**—*The Myth of Equal Protection*
- ▶ **Rebecca Zietlow**—*A Constitution of Liberation*

3:15–4 p.m.

**BREAK**

4–5 p.m.

**KEYNOTE ADDRESS**—**Martha Minow**—*Teaching Constitutional Law in 2025*

7–8:30 p.m.

**PRIVATE DINNER** for panelists, lightning round participants, and commentators

## Saturday, Mar. 29, 2025

8:30–9 a.m.

**BREAKFAST** in the inner courtyard

9–10:30 a.m. (A)

**Lightning Session—RIGHTS**

- ▶ **Nicholas Serafin**—*Some Realism about Parental Rights*
- ▶ **Jacob Charles**—*Second Amendment Standing*
- ▶ **Steve Sanders**—*The Constitution and Academic Judicial Deference*
- ▶ **Joseph Schottenfeld**—*Constitutional Rights Against Courts*
- ▶ **Danny Li**—*The Ideal of Queer Integration*
- ▶ **Noah Smith-Drelich**—*Is “Bivens” Dead?*

9–10:30 a.m. (B)

**Lightning Session—JURISPRUDENCE**

- ▶ **Andrew Jordan**—*Metaphysikers and Pragmatists: The Real Divide in Constitutional Theory*
- ▶ **Jack Thorlin**—*The Future of Originalism*
- ▶ **Susan Yorke**—*Precedent Great and Small*
- ▶ **Christopher Havasy**—*Lobbying and Political Equality in the Administrative State*
- ▶ **Aaron Bruhl**—*The General Law and the Local Law of Interpretation*

10:30–10:45 a.m.

**BREAK**

10:45 a.m.–12:15 p.m. (A)

**FEDERAL COURTS**—Distinguished Commentator **Seth Davis**

- ▶ **Joseph Blocher, Brandon Garrett**—*Applying History as Law: The Role of Historical Facts in Implementing Constitutional Doctrine*
- ▶ **Haley Proctor**—*Law and Fact in Agency Action*
- ▶ **Joel Johnson**—*Major-Questions Lenity*
- ▶ **Riley Keenan**—*Patchwork Methodological Precedent*

10:45 a.m.–12:15 p.m. (B)

**INTERPRETATION**—Distinguished Commentator **Samuel Bray**

- ▶ **Deborah Pearlstein**—*The Impact of Movement “Originalism” on American Legal Polarization*
- ▶ **Victoria Nourse**—*American Legal Revolution*
- ▶ **Daniel Deacon**—*Statutory Liquidation*
- ▶ **Joshua C. Macey, Kaitan Ramakrishnan, & Brian M. Richardson**—*Against General Law Constitutionalism*