

The Washington and Lee Law Review
is honored to present the
2020–2021 LARA D. GASS SYMPOSIUM

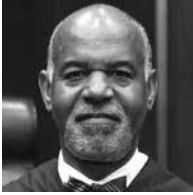


*A Celebration of Chief Judge Roger L. Gregory's Twenty
Years on the Federal Fourth Circuit*

THURSDAY, MARCH 18 – FRIDAY, MARCH 19, 2021

WELCOME

Welcome to the Annual Lara D. Gass Symposium. This year, the *Washington and Lee Law Review* is pleased to honor Chief Judge Roger L. Gregory.



Judge Gregory is the first African-American to sit on the U.S. Court of Appeals for the Fourth Circuit. On December 27, 2000, he was placed on the Court by recess appointment of President Bill Clinton. Judge Gregory was re-nominated by President George W. Bush and confirmed by the Senate for a lifetime appointment to the Court on July 20, 2001. Judge Gregory is the only person in the history of the United

States to be appointed to the United States Court of Appeals by two presidents of different political parties.

Judge Gregory's time on the bench has been both historic and extraordinary. As the first African-American to serve on the Fourth Circuit, Chief Judge Gregory has developed a reputation as a distinguished and brilliant jurist who holds the deepest respect for the United States Constitution. He has written opinions from the Fourth Circuit bench with far-reaching influence in criminal and habeas law, election and voting law, healthcare law, and constitutional law, all the while continuing to mold young minds through service to his community. Chief Judge Gregory is lauded by all for his dedication to the rule of law, careful interpretation of complex issues, and a driving desire to get cases right. As Chief Judge, he is a leader in forging consensus in the Fourth Circuit and providing incisive legal analysis that furthers the mandate of the United States Constitution—equal justice under the law. Chief Judge Gregory has built ladders to foster diversity in the bar and on the bench. He has created opportunities for young people to learn about the law, advocated for greater access to and inclusion in the legal profession, and mentored aspiring and budding lawyers. Chief Judge Gregory is beloved by his law clerks, colleagues, and advocates who have appeared before him.

The Symposium will feature four panels designed to examine areas of the law that Judge Gregory significantly contributed to through his jurisprudence and the effect he has had on the legal world. Each panel will feature scholars, judges, and practitioners who have extensive experience in criminal and habeas law, election and voting law, health care law, and constitutional interpretation. Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense Fund will deliver the Keynote Address.



2020-21 Lara D. Gass Symposium

EQUAL JUSTICE

A Celebration of Chief Judge Roger L. Gregory's
Twenty Years on the Federal Fourth Circuit

THURSDAY, MARCH 18

7:30-8:30 p.m. Welcome Dinner (By Invitation)

Welcome Remarks from Brant Hellwig
Dean and Professor of Law, Washington and Lee University School of Law
and Brandon Hasbrouck
Assistant Professor of Law, Washington and Lee University School of Law

Remarks from L. Douglas Wilder
Governor of Virginia (1990-1994)

Reflections from Chief Judge Roger L. Gregory
United States Court of Appeals for the Fourth Circuit

FRIDAY, MARCH 19

9:00-9:15 a.m. Welcome & Introductory Remarks

Kittredge Shamamian
Symposium Editor, Washington and Lee Law Review

9:15-10:45 a.m. Voting Rights & Democracy

Moderator
Daniel Fryer
Research Scholar, University of Michigan School of Law

Panelists
Gilda R. Daniels
Associate Professor of Law, University of Baltimore School of Law
Janai Nelson
Associate Director-Counsel, NAACP Legal Defense Fund
Myrna Pérez
Director, Voting Rights & Elections, Brennan Center for Justice
Bertrall Ross
Chancellor's Professor of Law, UC Berkeley School of Law

FRIDAY, MARCH 19
continued

10:45-11:00 a.m. Break

11:00 a.m.-12:30 p.m. Health Care, the Affordable Care Act, & Reproductive Rights

Moderator

Carliss Chatman

Associate Professor of Law, Washington and Lee University School of Law

Panelists

Khiara M. Bridges

Professor of Law, UC Berkeley School of Law

Michele Bratcher Goodwin

Chancellor's Professor of Law, UC Irvine School of Law

Dayna Bowen Matthew

Dean and Harold H. Greene Professor of Law, George Washington University Law School

Myrisha S. Lewis

Associate Professor of Law, William & Mary Law School

12:30-1:30 p.m. Lunch & Remarks

Moderator

Brandon Hasbrouck

Assistant Professor of Law, Washington and Lee University School of Law

Panelist

Leslie Proll

Civil Rights Attorney

1:30-3:00 p.m. Criminal Justice Transformation & Judge Gregory's Antiracist Jurisprudence

Moderator

Daniel Scott Harawa

Associate Professor of Law, Washington University School of Law

Panelists

Paul Butler

Albert Brick Professor in Law, Georgetown Law

Angela J. Davis

Distinguished Professor of Law, American University Washington College of Law

Leah Litman

Assistant Professor of Law, University of Michigan School of Law

Juval Scott

Federal Public Defender, Western District of Virginia

Adjunct Professor, Washington and Lee University School of Law

FRIDAY, MARCH 19
continued

3:00-3:15 p.m. Break

3:15-4:45 p.m. Judge Gregory's Legacy & the Future of the Federal Bench

Moderator

Judge Carlton W. Reeves

District Judge, United States District Court for the Southern District of Mississippi

Panelists

Christopher Kang

Chief Counsel, Demand Justice

Melissa Murray

Frederick I. and Grace Stokes Professor of Law, New York University School of Law

Fred Smith

Associate Professor of Law, Emory Law

A. Benjamin Spencer

Dean and Chancellor Professor, William & Mary Law School

4:45-5:45 p.m. Keynote Address

Introduction by Brandon Hasbrouck

Assistant Professor of Law, Washington and Lee University School of Law

Sherrilyn Ifill

President and Director-Counsel, NAACP Legal Defense Fund

5:45-6:00 p.m. Closing Remarks

Corey Hauser

Editor in Chief, Washington and Lee Law Review

Chief Judge Roger L. Gregory

United States Court of Appeals for the Fourth Circuit



KEYNOTE



Sherrilyn Ifill, *Keynote*

Sherrilyn Ifill is the President and Director Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), the nation's premier civil rights law organization fighting for racial justice and equality. Ifill is the second woman to lead the organization.

Ms. Ifill began her career as a Fellow at the American Civil Liberties Union, before joining the staff of the LDF as an Assistant Counsel in 1988, where she litigated voting rights cases for five years.

In 1993, Ms. Ifill left LDF to join the faculty at University of Maryland School of Law in Baltimore. Over twenty years, Ms. Ifill taught civil procedure and constitutional law to thousands of law students, and pioneered a series of law clinics, including one of the earliest law clinics in the country focused on challenging legal barriers to the reentry of ex offenders. Ms. Ifill is also a prolific scholar who has published academic articles in leading law journals, and op-eds and commentaries in leading newspapers. Her 2007 book *On the Courthouse Lawn: Confronting the Legacy of Lynching in the 21st Century*, was highly acclaimed, and is credited with laying the foundation for contemporary conversations about lynching and reconciliation. A 10th anniversary edition of the book was recently released with a Foreword by Bryan Stevenson, the acclaimed lawyer and founder of the national lynching memorial in Montgomery, Alabama.

In 2013, Ms. Ifill was invited back to the Legal Defense Fund—this time to lead the organization as its 7th Director Counsel. In that role, Ms. Ifill has increased the visibility and engagement of the organization in cutting edge and urgent civil rights issues, while maintaining the organization's decades long leadership fighting voter suppression, inequity in education, and racial discrimination in application of the death penalty. At critical moments during national unrest following the killing of unarmed African-Americans by law enforcement officers, Ms. Ifill's voice and vision framed the issue of policing reform and urban deprivation with powerful clarity in media appearances and public discussions. Her forceful and fact based analysis of complex issues of racial justice has made her a sought-after speaker and strategist whose counsel is sought by government officials, civic and community leaders, and national civil rights colleagues.

In 2020, Ms. Ifill was named one of Glamour Magazine's Women of the Year for her leadership of LDF, especially during a year that saw constant

attacks on our democracy and nationwide protests against police violence in Black communities. Glamour called Ms. Ifill an “unrelenting champion with a stellar reputation among civil rights leaders.” Ms. Ifill was also named the 2020 Attorney of the Year by The American Lawyer, and was honored with a 2021 Spirit of Excellence Award by the American Bar Association.

Ms. Ifill graduated from Vassar College in 1984 with a B.A. in English, and earned her J.D. from New York University School of Law in 1987. She has received honorary doctorates from New York University, Bard College, Fordham Law School and CUNY Law School. She serves on the board of the National Women’s Law Center, the National Constitution Center, and the Learning Policy Institute, and on the Advisory board for the Profiles in Courage Award. She is a past chair of U.S. board of the Open Society Foundations, one of the largest philanthropic supporters of civil rights and liberties in the country.

FEATURED GUEST



Leslie Proll

Leslie Proll is a civil rights lawyer in Washington, DC. Currently, she advises the NAACP on federal judicial nominations. She served as Director of the Departmental Office of Civil Rights for the U.S. Department of Transportation under President Obama, where she advised the Secretary of Transportation

on civil rights matters and ensured implementation of civil rights laws and policies. For many years, she directed the Washington office of the NAACP Legal Defense & Educational Fund, where she developed and implemented strategy on civil rights legislation, monitored federal agency action involving civil rights, and evaluated federal judicial nominations to ensure diversity, fairness, and independence.

Ms. Proll has testified before Congress, written articles and opinion pieces for numerous national publications, and appeared on television and radio. She served as co-chair of the Fair Housing Task Force of the Leadership Conference on Civil and Human Rights, where she helped to lead efforts to preserve the use of disparate impact under the Fair Housing Act and strengthen the obligations of communities to affirmatively further fair housing. In 2003, she received the Congressional Black Caucus Chair’s Award.

Ms. Proll spent nearly ten years as a civil rights lawyer in Birmingham, Alabama. She litigated dozens of federal civil rights cases, including class actions and jury trials, in the areas of housing discrimination,

employment discrimination, voting rights, and higher education school desegregation. She helped to establish the first non-profit fair housing organization in Alabama and filed dozens of fair housing cases involving rentals, sales, lending, and exclusionary zoning.

Ms. Proll began her career as a law clerk to the late Chief Judge Sam Pointer, Jr. of the U.S. District Court for the Northern District of Alabama. Ms. Proll is a graduate of the University of California at Berkeley and the University of California at Davis School of Law.

VOTING RIGHTS AND DEMOCRACY



Daniel Fryer, Moderator

Daniel Fryer is a Research Scholar at the University of Michigan Law School, where he will begin as an Assistant Professor of Law this fall. His work draws on scholarship in social and political philosophy, law, the social sciences, and public policy. He is also influenced by social movements and intellectual discourse outside the academy. Previously, he clerked for Chief Judge Roger L. Gregory on the United States Court of Appeals for the Fourth Circuit. He also served as an Assistant District Attorney in the Office of the District Attorney of Philadelphia. Mr. Fryer is currently completing a dissertation on reparative justice as part of the requirements for his Ph.D. in philosophy from the University of Pennsylvania.



Gilda R. Daniels, Panelist

Gilda R. Daniels serves as a Professor of Law at the University of Baltimore School of Law. She is a nationally recognized voting rights and election law expert. She is a former Deputy Chief in the Department of Justice, Civil Rights Division, Voting Section. Professor Daniels has more than two decades of litigation, negotiation and consulting experience in the substantive voting rights area. She has investigated, negotiated and litigated cases involving the Voting Rights Act of 1965, the National Voter Registration Act and other voting statutes. She is the author of *UNCOUNTED: The Crisis of Voter Suppression in America* released in January 2020.

She is also the Director of Litigation for Advancement Project's National Office, which is a multi-racial civil rights organization. She supervises attorneys in four program areas: Power & Democracy (voting rights), Opportunity to Learn (education), Justice (policing and criminalization) and Immigrant Justice (immigration). She has drafted and participated in amicus briefs filed in the United States Supreme Court, frequently

consults on voting rights issues, and is well published. Her scholarship focuses on the intersections of race law and democracy. Her law review articles have appeared in *Cardozo Law Review*, *Indiana Law Review*, *Denver Law Review*, and *New York University Journal of Legislation and Public Policy*. Her writings have also been published in the *Huffington Post* and various other publications. She has been quoted in the *Washington Post* and interviewed for *NPR's All Things Considered*.

She is a sought after consultant and expert, as well as a frequent contributor for media and conference panels. She lectures on voting issues on university campuses and various organizations ranging from the National Association for the Advancement of Colored People (NAACP), the American Constitution Society, to her local church. Prior to beginning her voting rights career, Professor Daniels was a staff attorney with the Southern Center for Human Rights representing death row inmates and bringing prison condition cases in Georgia and Alabama. She clerked in the United States Circuit Court of Appeals, Eleventh Circuit with the Honorable Joseph W. Hatchett and is a graduate of New York University School of Law, where she was a Root Tilden Scholar, and Grambling State University.



Janai S. Nelson, *Panelist*

Janai S. Nelson is Associate Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF). As an organizational thought-leader at LDF, Nelson works with the President and Director Counsel to determine and execute LDF's strategic vision and oversee the operation of its programs, including having

served as interim director of LDF's Thurgood Marshall Institute. She is also a member of LDF's litigation and policy teams and was one of the lead counsel in *Veasey v. Abbott*, 888 F.3d 792 (5th Cir. 2018), a federal challenge to Texas's voter ID law. She has testified before Congress on voter suppression, algorithmic bias, and in support of the Voting Rights Advancement Act. Prior to joining LDF in June 2014, Ms. Nelson was Associate Dean for Faculty Scholarship and Associate Director of the Ronald H. Brown Center for Civil Rights and Economic Development at St. John's University School of Law where she was also a full professor of law. Ms. Nelson's most recent scholarly publication, *Counting Change: Ensuring an Inclusive Census for Communities of Color*, 119 COLUM. L. REV. 1399 (2019), advances a theory of representational equality in which all U.S. residents "are to be counted—and served—as constituents" and that centers the Census and the accurate count of the country's most vulnerable populations in the functioning of our democracy.



Myrna Pérez, *Panelist*

Myrna Pérez is director of the Brennan Center's Voting Rights and Elections Program, and leads the Program's research, advocacy, and litigation work nationwide. An expert on voting rights and election administration, she is the author of several nationally recognized reports and articles. Her work has been featured in media outlets across the country, including *the New York Times*, *Wall Street Journal*, and *MSNBC*. She has testified before Congress and several state legislatures on a variety of voting rights related issues. She is a lecturer in law at Columbia Law School and has also served as an adjunct professor of clinical law at NYU School of Law.



Bertrall Ross, *Panelist*

Bertrall Ross is the Chancellor's Professor of Law at U.C. Berkeley School of Law. His research is driven by a concern about democratic responsiveness and accountability, as well as the inclusion of marginalized communities in the political process. Professor Ross's past scholarship in the areas of election law, constitutional law, and statutory interpretation has been published in the *Columbia Law Review*, *New York University Law Review*, and the *University of Chicago Law Review*, among others. He is currently working on articles related to separation of powers, partisan gerrymandering, and voter data and inequality.

Professor Ross earned his J.D. from Yale Law School and Masters degrees from the London School of Economics and Princeton University's Woodrow Wilson School of Public and International Affairs. Prior to joining Berkeley Law, he was a Kellis Parker Academic Fellow at Columbia Law School.

HEALTH CARE, THE AFFORDABLE CARE ACT, AND REPRODUCTIVE RIGHTS



Carliss Chatman, Moderator

Professor Chatman teaches an array of business law, commercial law, and ethics classes including: Contracts and Sales and Leases; Agency and Unincorporated Entities, Corporations, Business Associations, and Securities Regulation; Professional Responsibility; and a Transactional Skills Simulation course with a Mergers and Acquisitions focus that incorporates corporate law and UCC Article 9. Her scholarship interests are in the fields of corporate law, ethics, and civil procedure. Her scholarship is largely influenced by 11 years of legal practice in complex commercial litigation, mass tort litigation and the representation of small and start-up businesses in the United States and the Kingdom of Saudi Arabia. As a result, her scholarship is intersectional with a focus on issues at the heart of commercial litigation: the interplay of business entities, government and natural persons.

Professor Chatman's work is also influenced by over two decades of service on non-profit boards and involvement with community organizations. Through leadership positions, she has developed expertise in corporate governance and non-profit regulation. She has also been instrumental in strategic planning and fundraising efforts. Professor Chatman has actively advocated on behalf of non-profit organizations at state and federal legislatures.

Prior to law teaching, Professor Chatman was a commercial litigation attorney in Houston, Texas. In practice, she focused on trial law, appeals and arbitration in pharmaceutical, healthcare, mass torts, product liability, as well as oil, gas and mineral law. In addition to negotiating settlements and obtaining successful verdicts, Professor Chatman has also analyzed and drafted position statements regarding the constitutionality of statutes and the impact of statutory revisions for presentation to the Texas Legislature.

Professor Chatman is a 2004 graduate of the University of Texas School of Law, where she was a member of the Texas Journal of Women and the Law, and served on the Student Recruitment and Orientation Committee. She received her bachelor's degree in 2001 from Duke University with honors in English.



Khiara M. Bridges, *Panelist*

Khiara M. Bridges is a professor of law at U.C. Berkeley School of Law. She has written many articles concerning race, class, reproductive rights, and the intersection of the three. Her scholarship has appeared or will soon appear in the *Harvard Law Review*, *Stanford Law Review*, *Columbia Law Review*, *California Law Review*, *New York University Law Review*, and *Virginia Law Review*, among others. She is also the author of three books: *Reproducing Race: An Ethnography of Pregnancy as a Site of Racialization* (2011), *The Poverty of Privacy Rights* (2017), and *Critical Race Theory: A Primer* (2019). She is a coeditor of a reproductive justice book series that is published under the imprint of the University of California Press.

She graduated as valedictorian from Spelman College, receiving her degree in three years. She received her J.D. from Columbia Law School and her Ph.D., with distinction, from Columbia University's Department of Anthropology. While in law school, she was a teaching assistant for the former dean, David Leebron (Torts), as well as for the late E. Allan Farnsworth (Contracts). She was a member of the *Columbia Law Review* and a Kent Scholar. She speaks fluent Spanish and basic Arabic, and she is a classically trained ballet dancer.



Michele Bratcher Goodwin, *Panelist*

Michele Bratcher Goodwin is a Chancellor's Professor at the University of California, Irvine and founding director of the Center for Biotechnology and Global Health Policy. She is the recipient of the 2020–2021 Distinguished Senior Faculty Award for Research, the highest honor bestowed by the University of California.

She is also the first law professor at the University of California, Irvine to receive this award. She is an elected member of the American Law Institute as well as an elected Fellow of the American Bar Foundation and the Hastings Center (the organization central to the founding of bioethics). She is an American Law Institute Adviser for the *Restatement Third of Torts: Remedies*.

Professor Goodwin is an acclaimed bioethicist, constitutional law scholar, and prolific author. She is credited with helping to establish and shape the health law field. She directed the first ABA accredited health law program in the nation and established the first law center focused on race and bioethics. Her constitutional law scholarship appears or is forthcoming in the *Harvard Law Review*, *Yale Law Journal*, *Chicago*

Law Review, Cornell Law Review, University of Pennsylvania Law Review, California Law Review, Michigan Law Review, New York Law Review, and Northwestern Law Review, among others. Her books include Policing The Womb: Invisible Women and the Criminalization of Motherhood (2020); Baby Markets: Money and the Politics of Creating Families (2010); and Black Markets: The Supply and Demand of Body Parts (2006).

Professor Goodwin is a sought after public commentator and has been featured in print, radio, and television news, including *Politico Salon.com, Forbes, The Washington Post, The New York Times, Los Angeles Times, The Boston Globe, Chicago Sun Times, Vox, Mother Jones, ABC News, NBC News, NPR, HBO's Vice News, and Ms. Magazine* among others. She is host of the *On the Issues with Michele Goodwin* podcast at *Ms. Magazine*. She is an Executive Committee member of the ACLU.



Dayna Bowen Matthew, Panelist

Dayna Bowen Matthew, J.D., Ph.D. is the Dean and Harold H. Greene Professor of Law at the George Washington University Law School. Dr. Matthew is a leader in public health and civil rights law. She is the author of the book *Just Medicine: A Cure for Racial Inequality in American Health Care*, and of

the forthcoming book, *Just Health: A Plan To End Systemic Racism's Impact on Health*.

Dr. Matthew has held many public policy roles. She served as senior adviser to the director of the Office of Civil Rights for the U.S. Environmental Protection Agency, and was a member of the health policy team for U.S. Sen. Debbie Stabenow of Michigan. Dr. Matthew graduated with an A.B. in economics from Harvard Radcliffe, obtained a J.D. from the University of Virginia, and a Ph.D. in health and behavioral sciences from the University of Colorado at Denver.



Myrisha S. Lewis, Panelist

Myrisha Lewis is an Associate Professor of Law at the William & Mary Law School where she teaches Health Law, Bioethics, and Property. Professor Lewis earned a J.D. from Columbia Law School and an A.B. in Government from Harvard College. Prior to joining the William & Mary faculty, she was an Assistant

Professor at the Howard University School of Law and a Visiting Assistant Professor at the IIT Chicago Kent College of Law. Professor Lewis' research considers how health law, family law, and criminal law respond to scientific innovations. She is an Executive Board Member of the AALS Section on Law, Medicine, and Health Care.

CRIMINAL JUSTICE TRANSFORMATION AND JUDGE GREGORY'S ANTIRACIST JURISPRUDENCE



Daniel Scott Harawa, *Moderator*

Daniel S. Harawa is an associate professor of law at Washington University in St. Louis, where he directs the appellate clinic. Professor Harawa's research interests focus on the intersections of race, civil rights, and criminal law, and whether adequate process is afforded to criminal defendants. Professor Harawa also litigates civil rights and criminal cases before the Supreme Court and federal courts of appeals across the country. Prior to joining the WashU faculty, Professor Harawa was assistant counsel at the NAACP Legal Defense Fund, and an appellate staff attorney at the Public Defender Service for the District of Columbia.

Professor Harawa is a graduate of the University of Richmond and Georgetown University Law Center. Following law school, Professor Harawa had the pleasure of clerking for the Honorable Roger L. Gregory of the United States Court of Appeals for the Fourth Circuit.



Paul Butler, *Panelist*

Paul Butler is the Albert Brick Professor in Law at Georgetown University Law Center and a legal analyst on *MSNBC*. During the 2017–2018 academic year he was the Bennett Boskey Visiting Professor at Harvard Law School. He holds an honorary Doctor of Law Degree from City University of New York.

Professor Butler is one of the nation's most frequently consulted scholars on issues of race and criminal justice. His scholarship has been the subject of much attention in the academic and popular media. His work has been profiled on *60 Minutes*, *Nightline*, and *The ABC*, *CBS* and *NBC Evening News*, among other places. Professor Butler has written a column for *The Legal Times* and has published numerous op ed articles and book reviews, including in *The New York Times*, *The Washington Post*, *The Los Angeles Times*, and *The Daily Beast*. He lectures regularly for the American Bar Association and the NAACP, and at universities and community organizations. Professor Butler has been awarded the Soros Justice Fellowship. He was elected to the American Law Institute in 2003.

Professor Butler was the Carville Dickinson Benson Research Professor of Law at George Washington University Law School. He also served as

Associate Dean for Research and Faculty Development. He was awarded the Professor of the Year award three times by the GW graduating class. Professor Butler has been a visiting professor at the University of Pennsylvania Law School.

Prior to joining Georgetown, Professor Butler served as a federal prosecutor with the U.S. Department of Justice, where his specialty was public corruption. His prosecutions included a United States Senator, three FBI agents, and several other law enforcement officials. While at the Department of Justice, Professor Butler also worked as a Special Assistant U.S. Attorney, prosecuting drug and gun cases.

Professor Butler is a *cum laude* graduate of Yale, and a *cum laude* graduate of Harvard Law School. He clerked for the Honorable Mary Johnson Lowe in the United States District Court in New York, and then joined the law firm of Williams & Connolly in Washington, D.C., where he specialized in white collar criminal defense.

Angela J. Davis, Panelist



Angela J. Davis is a Distinguished Professor of Law at the American University Washington College of Law where she teaches Criminal Law, Criminal Procedure, and related courses. Professor Davis is the author of *Arbitrary Justice: The Power of the American Prosecutor* (Oxford University Press, 2007), the editor of *Policing the Black Man: Arrest, Prosecution and Imprisonment* (Pantheon, 2017), the co editor of *Trial*

Stories (with Professor Michael E. Tigar) (Foundation Press, 2007), and the co author of *Criminal Law* (with Professor Katheryn Russell Brown) (Sage Publications, 2015) and the 8th edition of *Basic Criminal Procedure* (with Professors Stephen Saltzburg and Daniel Capra) (West Academic, 2021). Professor Davis' other publications include articles and book chapters on prosecutorial discretion and racism in the criminal justice system. She received the Washington College of Law's Pauline Ruyle Moore award for scholarly contribution in the area of public law in 2000 and 2009, the American University Faculty Award for Outstanding Teaching in a Full Time Appointment in 2002, the Faculty Award for Outstanding Scholarship in 2009, and the Scholar/Teacher of the Year Award in 2015. Professor Davis previously served as the Director of the DC Public Defender Service. Professor Davis is a former law clerk of the Honorable Theodore R. Newman of the DC Court of Appeals. She is a graduate of Howard University and Harvard Law School.



Leah Litman, *Panelist*

Leah Litman is an assistant professor of law at the University of Michigan Law School where she teaches and writes on constitutional law, federal courts, and habeas corpus. She is one of the cohosts of *Strict Scrutiny*, a podcast about the Supreme Court, and a frequent contributor to legal blogs and outlets such as the *Washington Post* or *New York Times*. She also maintains an active pro bono practice, which includes more than a few cases on federal sentencing.



Juval O. Scott, *Panelist*

Juval O. Scott is the Federal Public Defender for the Western District of Virginia. She also currently teaches Criminal Procedure Adjudication as an adjunct professor at Washington and Lee School of Law. Prior to her appointment as Federal Public Defender, she was an Attorney Advisor with the Training Division of the Defender Services Office in Washington, DC. Before joining the Training Division, she was an Assistant Federal Defender in the Milwaukee office of the Federal Defender Services of Wisconsin, Inc. and with the Indiana Federal Community Defenders in Indianapolis, Indiana. Professor Scott has also worked as an associate in a small firm primarily handling criminal, personal injury, and family law matters; a deputy prosecutor in Lafayette, Indiana; and as Associate General Counsel for a private investigation firm focusing on trademark litigation.

Professor Scott received her law degree from the Indiana University Robert H. McKinney School of Law and Bachelor of Science in Biology with a minor in Chemistry from Xavier University of Louisiana. She regularly presents at training programs throughout the country and serves on the Board of Directors for The National Criminal Defense College.

JUDGE GREGORY'S LEGACY AND THE FUTURE OF THE FEDERAL BENCH



Judge Carlton W. Reeves, *Moderator*

Judge Carlton W. Reeves is a distinguished federal district court judge, based in Jackson, Mississippi. Judge Reeves is the model of a courageous judge whose opinions and other public addresses demonstrate a firm knowledge of the Constitution, an artful use of U.S. history and a willingness to call out injustice and dog whistle racist remarks, even when they are uttered by the President.

Judge Reeves graduated *magna cum laude* from Jackson State University and then studied law at the University of Virginia. After graduating in 1989, he served as a law clerk for Justice Reuben V. Anderson, the first African-American to serve on the Mississippi Supreme Court. Over the next 20 years, he had two stints in private practice, sandwiched around a 6 year stint as an Assistant U.S. Attorney and a great deal of community service. In 2010, President Obama nominated him for a federal judgeship and the Senate easily confirmed him, making him only the second African-American to serve as a federal judge in Mississippi.



Christopher Kang, *Panelist*

Christopher Kang is the co founder and chief counsel of Demand Justice. He served in the White House for nearly seven years, as Deputy Counsel to President Obama and Special Assistant to the President for Legislative Affairs. Mr. Kang oversaw the selection, vetting, and confirmation of more than 220 of the President's judicial nominees—who set records for the most people of color, women, and openly gay and lesbian judges appointed by a president. He also was in charge of advising President Obama on commutations and pardons from 2014 to 2015 and helped spearhead the confirmations of Supreme Court Justices Sotomayor and Kagan, the repeal of Don't Ask Don't Tell, and passage of the Fair Sentencing Act.

Mr. Kang also has served as National Director of the National Council of Asian Pacific Americans and worked for Senate Democratic Whip Richard Durbin as Director of Floor Operations and Judiciary Committee Counsel. In 2011, the National Law Journal named him one of the top 40 minority lawyers in the nation under the age of 40. Mr. Kang serves on the Board of Advisors of the American Constitution Society and the People's Parity Project.



Melissa Murray, *Panelist*

Melissa Murray is the Frederick I. and Grace Stokes Professor of Law and Faculty Director of the Birnbaum Women's Leadership Network at NYU School of Law, where she teaches constitutional law, family law, criminal law, and reproductive rights and justice. Professor Murray's research interests focus on the legal regulation of sex and sexuality. Her writing has appeared in a range of legal and lay publications, including the *Harvard Law Review*, the *Yale Law Journal*, the *New York Times*, the *Washington Post*, and the *Nation*. Prior to joining the NYU Law faculty, Professor Murray was the Alexander F. and May T. Morrison Professor of Law at the University of California, Berkeley, where, from March 2016 to June 2017, served as interim dean of the law school. A graduate of the University of Virginia and Yale Law School, Professor Murray clerked for Sonia Sotomayor, then a judge of the U.S. Court of Appeals for the Second Circuit, and Stefan Underhill of the U.S. District Court for the District of Connecticut. She is a member of the American Law Institute and serves a legal analyst for *MSNBC* and is a co host of *Strict Scrutiny*, a podcast about the Supreme Court and the legal culture that surrounds it.



Fred Smith, *Panelist*

Fred Smith Jr., associate professor at Emory University School of Law, is a scholar of the federal judiciary and constitutional law. His research focuses on accountability, federal jurisdiction and state sovereignty.

Professor Smith clerked for Judge Myron Thompson of the Middle District of Alabama; Judge Barrington D. Parker, Jr. of the United States Court of Appeals for the Second Circuit; and Justice Sonia Sotomayor of the United States Supreme Court. His work has appeared in *Harvard Law Review*, *Stanford Law Review*, *Columbia Law Review*, *New York University Law Review*, *Vanderbilt Law Review*, *Notre Dame Law Review*, and *Fordham Law Review*. He is a frequent commentator for national media including *The New York Times*, *The Washington Post*, and *NPR*.



A. Benjamin Spencer, *Panelist*

Professor A. Benjamin Spencer is Dean of William & Mary Law School. Prior to that, he served on the faculty at the University of Virginia School of Law, first as the Earle K. Shawe Professor of Law (2014–2017), as a Professor of Law (2017–2018) and as the Justice Thurgood Marshall Distinguished Professor of Law (2018–2020). During the 2019–2020 academic year, he was the Bennett Boskey Visiting Professor of Law at Harvard Law School.

Dean Spencer has authored two books in the area of civil procedure, *Acing Civil Procedure* and *Civil Procedure: A Contemporary Approach*. Both are used widely by professors and students throughout the country. He is also an author of *Wright & Miller's Federal Practice & Procedure*, a multi-volume treatise that is the preeminent reference work on civil procedure topics for practitioners, courts and professors. Chief Justice John Roberts recently appointed Dean Spencer to the Advisory Committee on Civil Rules of the U.S. Judicial Conference.

Dean Spencer previously served as Professor, Associate Dean for Research and Director of the Frances Lewis Law Center at Washington and Lee University School of Law. He is a member of the American Law Institute, a member of the West Academic Law School Advisory Board, and a member of the British Ambassador's Advisory Council. He formerly served on the Virginia State Bar Council and has served as a special assistant U.S. attorney for the Western District of Virginia, occasionally handling appellate cases in the Fourth Circuit on behalf of the government on a pro bono basis. In 2007, he was awarded the Virginia State Council of Higher Education "Rising Star" award, given to the most promising junior faculty member among all academic fields at all colleges and universities in Virginia. He was the first law professor to receive this award.

Prior to joining the Washington and Lee faculty, Dean Spencer was an associate professor of law at the University of Richmond School of Law. He also formerly worked as an associate in the law firm Shearman & Sterling and as a law clerk to the Honorable Judith W. Rogers of the U.S. Court of Appeals for the D.C. Circuit. He visited Virginia Law during the 2011-2012 school year.

Dean Spencer holds a B.A. from Morehouse College, a J.D. from Harvard Law School, and an M.S. from the London School of Economics, where he was a Marshall Scholar. He also serves as an officer in the Judge Advocate General's Corps of the U.S. Army (Reserve).

REMEMBERING LARA

The Lara D. Gass Symposium is named in honor of Lara Gass, a member of the Law Class of 2014 who passed away in an automobile accident in March of 2014. Gass served as Symposium Editor for the *Washington and Lee Law Review*, organizing the *Law Review's* 2014 symposium focused on the 40th anniversary of *Roe v. Wade*. Lara was active within the Women Law Students Organization and also served as a Kirgis Fellow, the law school's peer mentoring group, during the 2012-2103 academic year. In January 2014, Lara received recognition for her academic achievements, her leadership abilities, her service to the law school and university community, and her character when she was inducted into Omicron Delta Kappa, the National Leadership Honor Society.

*The 2020-2021 Lara D. Gass Symposium is
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