

JENNIFER MASON MCAWARD

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EDUCATION

New York University School of Law: Juris Doctor, *summa cum laude*, May 1998.

- Class Rank: 1/465
- University Graduation Prize (for the student with the highest cumulative average)
- Managing Editor, NEW YORK UNIVERSITY LAW REVIEW
- Order of the Coif
- N.Y.U. Alumnae Club Key Pin Award
- Walter J. Derenberg Prize for Excellence in Copyright Law
- Public Interest Committee 1996 Summer Internship Grant
- First Place, N.Y.U. Trial Lawyers' Association Oral Advocacy Competition
- Research Assistant, Professor H. Hershkoff
- Teaching Assistant, Lawyering Program

University of Notre Dame: Bachelor of Arts (government major, theology minor), *summa cum laude*, May 1994.

- Phi Beta Kappa
- Pi Sigma Alpha Political Science Honor Society
- Dean's List (all semesters)
- President, Notre Dame Folk Choir
- Study Abroad: London, England, Fall 1992

EXPERIENCE

Notre Dame Law School, Notre Dame, IN: Associate Professor of Law (2006 to present); Visiting Assistant Professor of Law (2005 to 2006)

- Teach Civil Rights, Constitutional Law II, and Post-Conviction Remedies.
- Distinguished Professor of the Year (2007).
- Law School Commencement Speaker (2007, 2009).

Holland & Knight LLP, Washington, DC (2002 to 2005): Public Interest Fellow and Litigation Associate

- Completed two-year fellowship doing pro bono trial litigation on a variety of public interest issues, including civil rights, child abuse and neglect, immigration, and prisoners' rights.
- Worked on trial and appellate litigation related to First Amendment, criminal defense, and commercial law issues.

Progressive Faith Media, New York, NY (Fall 2004): Policy and Media Consultant

- Advised faith leaders on policy and media strategy. Drafted op-ed pieces, press releases, and radio and print advertisements on topics of faith and public policy.

United States Supreme Court, Hon. Sandra Day O'Connor, Washington, DC (2000 to 2001): Law Clerk

- Assisted with researching and drafting opinions and speeches.

Shea & Gardner, Washington, DC (1999 to 2000): Litigation Associate

- Researched and drafted briefs and motions for federal and state court litigation and arbitration.
- Worked pro bono on asylum and welfare benefits cases.

United States Court of Appeals for the Ninth Circuit, Hon. Alex Kozinski, Pasadena, CA (1998 to 1999): Law Clerk

- Assisted with researching and drafting opinions and articles.

West Women's and Children's Shelter, Portland, OR (1994 to 1995): Outreach Coordinator and Holy Cross Associate

- Maintained ongoing outreach relationships with caseload of former residents. Coordinated all furniture, food and clothing donations.
- Trained extensively in issues of domestic violence, child abuse, sexual assault, addictions and HIV.

PUBLICATIONS

Good Faith and Narrow Tailoring in Fisher, LOY. L. REV. (forthcoming 2013) (invited contribution)

McCulloch and the Thirteenth Amendment, 112 COLUM. L. REV. 1769-1809 (2012) (invited symposium contribution)

Defining the Badges and Incidents of Slavery, 14 U. PA. J. CONST. L. 561-630 (2012) (lead article in issue) (ranked #1 specialty journal in Constitutional Law)

Congressional Authority to Interpret the Thirteenth Amendment: A Response to Professor Tsesis, 71 MD. L. REV. 60-82 (2011) (invited symposium contribution)

The Scope of Congress's Thirteenth Amendment Enforcement Power after City of Boerne v. Flores, 88 WASH. U. L. REV. 77-147 (2010)

Congress's Power to Block Enforcement of Federal Court Orders, 93 IOWA L. REV. 1319-1367 (2008)

WORKING PAPERS

Celebrating the Civil Rights Act of 1964: The Legacy of Fr. Theodore Hesburgh and the U.S. Commission on Civil Rights (in progress)

Overruling Jones v. Alfred H. Mayer, Co. (in progress)

CONFERENCE ORGANIZED

Roundtable on the Reconstruction Amendments and Constitutional Structure, sponsored by the Notre Dame Law School Program in Constitutional Structure and Design (co-organizer with A.J. Bellia) (March 23, 2012)

PRESENTATIONS OUTSIDE NOTRE DAME

Presenter, *The History and Theory of the Thirteenth Amendment*, Colloquium sponsored by the Program on Constitutional Theory, History and Law, University of Illinois College of Law (scheduled for March 11, 2013) (invited)

Panelist, *Forty Years after Rodriguez, 35 Years after Bakke: Education, Equality and Fundamental Rights*, American Association of Law Schools Annual Conference, Constitutional Law Section (January 4, 2013) (invited)

Presenter, *McCulloch and the Thirteenth Amendment*, Third Annual Originalism Works-in-Progress Conference, University of San Diego Law School (February 4, 2012) (invited)

Presenter, *McCulloch and the Thirteenth Amendment*, Columbia Law School Symposium, "The Thirteenth Amendment Today" (January 27, 2012) (invited)

Presenter, *McCulloch and the Thirteenth Amendment*, Northwestern University School of Law Faculty Colloquium (October 5, 2011) (invited)

Presenter, *Defining the Badges and Incidents of Slavery*, Cardozo School of Law Faculty Colloquium (February 28, 2011) (invited)

Presenter, *Congressional Authority to Interpret the Thirteenth Amendment: A Response to Professor Tsesis*, Maryland Discussion Group on Constitutionalism, University of Maryland School of Law (February 26, 2011) (invited)

Presenter, *Defining the Badges and Incidents of Slavery*, Constitutional Law Colloquium, Loyola University Chicago School of Law (November 6, 2010) (invited)

Presenter, *Defining the Badges and Incidents of Slavery*, The Third Annual Junior Faculty Federal Courts Workshop, University of Illinois College of Law (October 8, 2010) (invited)

Presenter, *The Scope of Congress's Thirteenth Amendment Enforcement Power after City of Boerne v. Flores*, The Second Annual Junior Faculty Federal Courts Workshop, Michigan State University College of Law (October 23, 2009) (invited)

Presenter, *The Scope of Congress's Thirteenth Amendment Enforcement Power after City of Boerne v. Flores*, University of Illinois College of Law Faculty Workshop (May 1, 2009) (invited)

Presenter, *Congress's Power to Block Enforcement of Federal Court Orders*, Jurisgenesis Conference, Washington University School of Law (June 18, 2007) (invited)

Moderator, *Social Justice in a New Constitutional Order: Equality, Fundamental Justice, and Legislative Responsibility for Rights Protection*, Conference on Law and the Quest for Freedom, Justice and Equality, sponsored by Texas Wesleyan University School of Law in Gloucester, England (June 20, 2006) (invited)

Presenter, *Catholic Social Teaching and Civil Rights*, Catholic Charities JustFaith Program (November 18, 2005) (invited)

PRESENTATIONS AT NOTRE DAME

Presenter, *The Civil Rights Legacy of Fr. Theodore Hesburgh*, Notre Dame Law School Center for Civil and Human Rights (scheduled for Fall 2013) (invited)

Moderator, *The American Congress: Legal Implications of Gridlock*, Notre Dame Law Review Symposium (November 16, 2012) (invited)

Presenter, *Affirmative Action After Parents Involved in Community Schools v. Seattle School District No. 1*, Summer Scholars Program, Notre Dame Office of Pre-College Programs (Summers of 2007, 2010-2012) (invited)

Presenter, *McCulloch and the Thirteenth Amendment*, Notre Dame Law School Roundtable on the Reconstruction Amendments and Constitutional Structure (March 23, 2012) (contributed) (conference co-organizer)

Presenter, *McCulloch and the Thirteenth Amendment*, Notre Dame Law School Faculty Colloquium Series (January 17, 2012) (contributed)

Presenter, *Civil Unions and Employee Benefit Sharing – An Introduction to the Documentary “Freeheld,”* Notre Dame Law School, sponsored by, *inter alia*, ACLU and Business Law Forum (October 10, 2011) (invited)

Presenter, *The Badges and Incidents of Slavery: Preliminary Thoughts*, Notre Dame Law School Faculty Colloquium Series (April 27, 2010) (contributed)

Presenter, *Same-Sex Marriage: A Constitutional Analysis of Recent Decisions*, Notre Dame Law School, sponsored by, *inter alia*, Center for Civil & Human Rights, ACLU,

American Constitution Society, Public Interest Law Forum (November 10, 2009)
(invited)

Presenter, *The Scope of Congress's Thirteenth Amendment Enforcement Power after City of Boerne v. Flores*, Notre Dame Law School Faculty Colloquium Series (September 2, 2008) (contributed)

Moderator, *Discussion on Medellin v. Texas*, Notre Dame Law School (April 17, 2008)
(invited)

Panelist, *Evaluating Obama's Speech on Race: A Town Hall Meeting on Race Relations in America*, Notre Dame Department of Africana Studies and the Indiana University of South Bend Civil Rights Heritage Center (April 9, 2008) (invited)

Presenter, *Boumediene v. Bush*, Notre Dame Law School Faculty Colloquium Series (December 4, 2007) (contributed)

Presenter, *Affirmative Action After Parents Involved in Community Schools v. Seattle School District No. 1*, Notre Dame Law School CLE Program (November 17, 2007)
(invited)

Panelist, *Discussion About the Jena 6 Case*, Notre Dame Department of Africana Studies and Black Law Students' Association (November 1, 2007) (invited)

Moderator, *Constitution Day: A Discussion on Judicial Independence*, Notre Dame Law School (September 18, 2006) (contributed) (panel organizer)

Presenter, *The Civil Rights Legacy of Emmett Till*, Pasquerilla West Forum (October 27, 2005) (invited)

Panelist, *Federalism Issues Related to Hurricane Katrina*, Notre Dame Law School (October 4, 2005) (invited)

SERVICE

Law School

- Law School Admissions Committee (2012-present)
- Center for Civil & Human Rights Faculty Committee (2009-present)
- Law School Clerkship Committee (2007-2012) (Chair 2009-2012)
- Law School Colloquium Committee (2011-2012)
- Law School Commencement Committee (2009-2011)
- Law School Intellectual Property Clinic Committee (2011)
- Law School Art & Science Client Committee (2009-2010)
- Law School Retreat Speaker (2006-2008, 2010)
- Law School Commencement Speaker (2007, 2009)
- Law School Loan Forgiveness Committee (2007-2008)

University

- University Life Fellow (2012-2013)
- University Committee on Women Faculty and Students (2010-present)
- University Committee on Libraries (2008-2011)
- University Foik Award Committee (2011)
- Campus Ministry Senior Retreat Speaker (2006-2009)
- Notre Dame Campaign Inaugural Dinner, Introduction of Law Student Honoree (2007)
- Center for Social Concerns, Keynote Speaker, Workshop on Nonprofit Careers (2007)
- Campus Ministry Theology on Tap Speaker (2006)
- Center for Social Concerns, Keynote Speaker, Service Send-Off Ceremony (2006)

Professional

- Contributing Author, American Bar Association's PREVIEW OF UNITED STATES SUPREME COURT CASES
 - *Wood v. Milyard* (February 20, 2012)
 - *Minnecci v. Pollard* (October 31, 2011)

OTHER PROFESSIONAL ACTIVITIES AND AFFILIATIONS

Member, Logan Center Protective Services Board (Board serves corporately as court-appointed legal guardian for developmentally disabled wards)

Referee, Journal of College and University Law (1-2 submissions per year on average)

Member, New York State Bar

Member, District of Columbia Bar