

## CATHERINE JEAN ARCHIBALD

UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW  
651 East Jefferson Ave., Detroit, MI 48226  
Email: archibcj@udmercy.edu  
SSRN Author Page: <http://ssrn.com/author=2041854>

### TEACHING AND RESEARCH INTERESTS

International Law; International Environmental Law; Constitutional Law; Gender Law; First Amendment Law; Comparative Legal Writing and Research; Environmental Law

### ACADEMIC APPOINTMENTS

Associate Professor of Law (tenured)	August 2021 – present
Associate Professor of Law (pre-tenure)	August 2018 – August 2021
Assistant Professor of Law (pre-tenure)	August 2015 – August 2018

UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW  
Detroit, Michigan

*Courses Taught:*

- International Environmental Law
- Comparative Legal Writing and Research
- Gender Law
- First Amendment Law
- Applied Legal Theory and Analysis II

*Faculty Service:*

- Chair of the Honor Council Committee (2020-present)
- Chair of the Diversity Committee (2016-2019; 2021-present)
- Online JD Taskforce (2023-present)
- Shared Governance Task Force (2019-2022)
- Teaching and Learning Task Force (2020-2021)
- Chair of the Futures Task Force (2018-2020)
- Law Review Advisor (2017-2020)
- Honor Council Committee, non-chair (2016-2019)
- Academic Advising Task Force (2017-2018)
- Dual JD Admissions Committee (2016-2018)
- Faculty Recruitment Committee (2015-2016)
- Diversity Committee, non-chair (2015-2016)

### PUBLICATIONS AND RESEARCH

*Still Problematic, Even Post-Settlement: Florida's "Don't Say Gay" Law and the Federal Constitution*, 28 CHAPMAN L. REV. 1 (2024).

*Putin's Version of History and Claims of Provocation: An International Law Perspective on Russia's Justifications for the Ukraine War*, 100 U. DET. MERCY L. REV. 501 (2023) (co-authored with Aman McLeod).

*Feminist Perspectives on Bostock v. Clayton County* (co-authored with Ann C. McGinley, Nicole Buonocore Porter, Danielle Weatherby, Ryan H. Nelson, and Pamela Wilkins), 53 CONNECTICUT LAW REVIEW ONLINE 1 (2020).

Rewritten Opinion for *Etsitty v. Utah Transit Authority* (10th Cir. 2007) in *Feminist Judgments: Employment Discrimination Opinions Rewritten* (Ann McGinley & Nicole Porter eds., Cambridge University Press 2020).

*Transgender and Intersex Sports Rights*, 26:3 VIRGINIA JOURNAL OF SOCIAL POLICY & THE LAW 246-276 (2019).

*Transgender Bathroom Rights in the Time of Trump*, 6 TENNESSEE JOURNAL OF RACE, GENDER, & SOCIAL JUSTICE 241-273 (2017).

*Transgender Bathroom Rights*, 24 DUKE JOURNAL OF GENDER LAW & POLICY 1-31 (2016).

*Is Full Marriage Equality for Same-Sex Couples Next? The Immediate and Future Impact of the Supreme Court's Decision in United States v. Windsor*, 48 VALPARAISO UNIVERSITY LAW REVIEW 695-713 (2014).

*Transgender Student in Maine May Use Bathroom that Matches Gender Identity - Are Co-ed Bathrooms Next?* 83 UNIVERSITY OF MISSOURI-KANSAS CITY LAW REVIEW 57-71 (2014).

*What Kind of Life? Why the Canadian Charter's Guarantees of Life and Security of the Person Should Include the Right to a Healthy Environment*, 22 TULANE JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 1-42 (2013).

*Two Wrongs Don't Make a Right: Implications of the Sex Discrimination Present in Same-Sex Marriage Exclusions for the Next Supreme Court Same-Sex Marriage Case*, 34 NORTHERN ILLINOIS UNIVERSITY LAW REVIEW 1-37 (2013).

*De-Clothing Sex-Based Classifications - Same-Sex Marriage Is Just the Beginning: Achieving Formal Sex Equality in the Modern Era*, 36 NORTHERN KENTUCKY LAW REVIEW 1-43 (2009).

*Forbidden by the WTO? Discrimination Against a Product When Its Creation Causes Harm to the Environment or Animal Welfare*, 48 NATURAL RESOURCES JOURNAL 15-51 (2008).

Co-author of: *Repatriation of Omar Khadr to Be Tried Under Canadian Law: An Overview of the Case Against Omar Khadr and the Prospect of Canadian Criminal Jurisdiction* (2008), submitted to Senate Standing Committee on Human Rights, <https://perma.cc/WT2U-QJVD>.

*The Recovery of the Gray Wolf Under the Endangered Species Act*, Animal Legal and Historical Center (2005), <http://www.animallaw.info/articles/ddusgraywolf.htm>; <https://perma.cc/G8R6-7BNN>.

## **PUBLIC PRESENTATIONS AND COMMENTARY**

“The Climate Emergency and AI: Rethinking the Use of AI in Law Schools and Beyond,” Panel Presentation with Interim Dean and Professor of Law Nicholas Schroeck, and Dr. Jon Truby, National University of Singapore. 2025 AALS Annual Meeting, "Courage in Action," January 7-11, 2025, San Francisco. Wednesday, January 8.

“The Constitution, the Election, and the Next Administration,” Constitution Day Panel Presentation with Professors Richard Broughton, Cara Cunningham Warren, and Aman McLeod. Detroit Mercy Law, Room 226. September 30, 2024.

"How Having Law Faculty that Teach Both Writing and Doctrinal Classes Can Improve Student Learning," presentation with Prof. Julie St. John as part of the Legal Writing Institute's Virtual One-Day Workshop at Vermont Law & Graduate School, called "Use It or Lose It: Upper-Level Writing for Skills Maintenance." December 8, 2023.

"Public Trust and Confidence in Perspective: Landmark SCOTUS Decisions and Their Adverse Impact," webinar presentation with Prof. Aman McLeod for the National Association for Court Management. June 7, 2023.

"Putin’s Version of History and Claims of Provocation: An International Law Perspective on Russia’s Justifications for the Ukraine War" presentation, at Toledo Law School, as part of the Toledo Law/ Detroit Mercy Law faculty exchange program. April 3, 2023.

“Weekly Yoga at Law School,” panel presentation on “Well-Being Offerings” with: Jordana A. Confino, Senior Director of Professionalism & Special Projects, Fordham University School of Law; Janet Stearns, Dean of Students & Lecturer, University of Miami School of Law; Ron Hochbaum, Assistant Clinical Professor, University of the Pacific, McGeorge School of Law; Brett Bowers, Director of Wellness, North Carolina Central University; Lynn Su, Professor of Law, New York Law School; and Dena Bauman, Externship Director & Lecturer, UC Davis School of Law, as part of the AALS Balance & Well-Being Section's Speed-Idea Sharing Series, on Zoom, July 27, 2022.

“Understanding Dobbs: Overturning of Roe v. Wade,” panel presentation with Prof. Richard Broughton and Prof. Leslie Scott as part of the “Current Events in the Law Series” at Detroit Mercy Law on Zoom on June 29, 2022.

“The State of Reproductive Rights in the U.S.,” panel presentation with Prof. Ederlina Co, University of the Pacific, McGeorge School of Law and Merissa Kovach, Michigan ACLU, a collaboration by the Women’s and Gender Studies Program at University of Detroit Mercy and Detroit Mercy Law, on Zoom, March 24, 2022.

Moderator for: “Current Issues in Indigenous Law,” Detroit Mercy Law Diversity Committee event, with panel presenters Matthew L. M. Fletcher, Professor of Law and Director of the Indigenous Law & Policy Center, Michigan State University; Dr. Beverly Jacobs, Associate Professor,

Associate Dean (Academic), University of Windsor Faculty of Law, Indigenous Legal Orders Institute; and Valerie Waboose, Assistant Professor, University of Windsor Faculty of Law, Indigenous Legal Orders Institute. On Zoom, Nov. 17, 2021.

“Understanding the Law of Reproductive Rights in the U.S. Today,” panel presentation with Prof. Ederlina Co, University of the Pacific, McGeorge School of Law and Merissa Kovach, Michigan ACLU, as part of the Constitution Day 2021 event, Detroit Mercy Law, on Zoom, Sept. 24, 2021.

“*Bostock v. Clayton County* and Sex Discrimination Claims under the Equal Protection Clause,” as part of the Constitution Day 2020 Faculty Panel, Detroit Mercy Law, on Zoom, Sept. 17, 2020.

“Transgender and Intersex Sports Rights” in “Trans and Queer Life in Private and Public” paper presentation session at the Law & Society Association Annual Meeting, Virtual Meeting, May 30, 2020.

“Harris v. EEOC: A Conversation with ACLU’s Jay Kaplan on LGBTQ+ Protections Under Title VII,” co-presentation with Jay Kaplan, staff attorney at the ACLU, for the OutLaws, Women’s Law Caucus, and the American Constitution Society at Detroit Mercy Law, November 19, 2019.

“All-Gender Restroom Unveiling Event,” presentation for the OutLaws at Detroit Mercy Law, October 15, 2019.

“Feminist Judgments: Rewritten Employment Discrimination Opinions” panel roundtable presentation at the Law & Society Association Annual Meeting, Washington DC, June 1, 2019.

“The Rewriting of *Etsitty v. Utah Transit Authority* (10th Cir. 2007)” presentation for the Toledo Women's Bar Association Spring 2019 CLE: Gender, Reproductive Rights, and Sexual Misconduct, Toledo Club, Toledo, Ohio, May 23, 2019.

“Wellness at Work” panel presentation on Michigan’s Paid Medical Leave Act for the Women Lawyers Association of Michigan Wayne Region Annual Meeting, Detroit Club, Detroit, May 8, 2019.

“Policy Implementation Roundtable: Increasing the Prevalence of All-Gender Bathrooms,” presentation for the Title IX Investigation Conference at Grand Valley State University, May 2, 2019.

“Commentary and rewriting of *Etsitty v. Utah Transit Authority*,” co-presentation with by Prof. Pamela Wilkins for the 2019 Law Review Symposium, Women and the Law, March 8, 2019, Detroit Mercy Law.

“Sexual Orientation and Gender Identity Discrimination under Michigan’s Elliott-Larson Civil Rights Act,” co-presentation with Dr. Agustin Arbulu, the Director of the Michigan Department of Civil Rights, for the American Constitution Society at Detroit Mercy Law, November 20, 2018.

“Transgender Bathroom Rights at Detroit Mercy Law,” presentation at the 2018 Fall Colleague Development Days at University of Detroit Mercy, Detroit, August 20, 2018.

“Eight Limbs and Three Branches: Yoga and Teaching Law,” co-presentation with Prof. Aliza Milner from Syracuse Law, for the Eighteenth Annual Rocky Mountain Legal Writing Conference at the University of Denver Sturm College of Law, March 23, 2018.

“The Trump Presidency's Impact on Minorities and Women” panel presentation and discussion at University of Detroit Mercy School of Law in Detroit, April 12, 2017.

“Transgender and Intersex and Title IX: Emerging Issues” panel presentation, University of Tennessee College of Law Conference: Title IX: History, Legacy, and Controversy, March 3, 2017.

“The Current State of Transgender Bathroom Rights” presentation at University of Toledo College of Law in Toledo, Ohio, February 8, 2017.

“Know Your Rights; How to be an advocate for yourself and an ally for others” panel presentation at University of Detroit Mercy in Detroit, January 19, 2017.

“The Effects of the Election on Minorities and Women” panel presentation and discussion at University of Detroit Mercy School of Law in Detroit, November 22, 2016.

“The Pedagogy of Love: Teaching Social Justice in a Catholic Law School” panel presentation with Professors Erin Archerd, Khaled Beydoun, and Andrew Moore, for the 2016 SALT Teaching Conference at John Marshall Law School in Chicago, October 1, 2016.

## **OTHER LEGAL EMPLOYMENT AND EXPERIENCE**

- |                        |   |
|------------------------|---|
| Mar. 2022              | <b>Volunteer Judge, Gender Law Moot Court Competition</b><br>Michigan State University College of Law, East Lansing, Michigan <ul style="list-style-type: none"><li>• Judged moot court competition held entirely on Zoom</li><li>• Provided feedback and scores for student competition</li></ul>  |
| Nov. 2016              | <b>Volunteer Judge, Education Law Writing Competition</b><br>Michigan State University College of Law, East Lansing, Michigan <ul style="list-style-type: none"><li>• Provided feedback and scores for student competition</li></ul>  |
| June 2014 – Feb. 2015  | <b>Volunteer Attorney, Volunteers of Legal Services</b><br>Incarcerated Mothers Law Project, New York, New York <ul style="list-style-type: none"><li>• Provided legal advice and advocacy for incarcerated mothers</li><li>• Helped maintain parental rights while families were separated</li></ul>   |
| Sept. 2008 – Mar. 2012 | <b>Associate, Dewey &amp; LeBoeuf LLP</b><br>New York, New York <ul style="list-style-type: none"><li>• Research, writing, advocacy in litigation department</li><li>• Environmental, international, contract, securities, pro bono cases</li><li>• Oral argument in federal, state, housing, and immigration courts</li><li>• Four-month secondment to legal services organization</li></ul> |
| June – Aug. 2008       | <b>Intern, United Nations</b><br>Procurement Department, New York, New York   |

- Research and writing on law related to United Nation contracts
- Sept. – Dec. 2007

**Clerk to the Regional Senior Justice**, Ontario Court of Justice  
Ottawa, Ontario

  - Wrote memoranda to assist judges in authoring opinions
- Feb. – Apr.,  
Sept. – Dec. 2007

**Participant, Environmental Law and Policy Clinic**  
Sierra Legal Defence Fund/Ecojustice, Ottawa, Canada

  - Met with clients; legal research, writing, and advocacy
- Jan. – Apr. 2007

**Research Assistant, Environmental Law**  
Professor Nathalie Chalifour, University of Ottawa Faculty of Law

  - Research on constitutional division of powers over energy law
- Jan. – May 2006

**Legal Clerk, U.S. Court of Appeals for the Sixth Circuit**  
Honorable David W. McKeague, Lansing, Michigan

  - Assisted in writing opinions and preparing for hearings

## EDUCATION

- 2006-2008

**University of Ottawa Faculty of Law**, Ottawa, ON, Canada

  - LLB, 2008, Cum Laude
  - Joint JD-LLB program with Michigan State
  - Editor, Ottawa Law Review
  - International Law Option
- 2004-2007

**Michigan State University College of Law**, East Lansing, MI

  - Juris Doctor, 2007, Summa Cum Laude
  - Full-tuition Merit Scholarship
  - GPA: 3.87/4.00 Rank: 5/297; Top 2%
  - Editor, Michigan State Law Review
  - International & Environmental Law Concentrations
- 1996-2000

**Princeton University**, Princeton, NJ

  - Bachelor of Arts, Ecology & Evolutionary Biology
  - Semester Abroad at Aberdeen University, Scotland
- July-Aug. 2003

**The Institute for International Mediation and Conflict Resolution (IIMCR)**, The Hague, The Netherlands

  - Participant, International Student Symposium

## AWARDS

- Dialogue Fellow and Recipient of Mastering Dialogue Fellowship Grant, University of Detroit Mercy School of Law (2024).
- Pro Bono Award, Legal Aid Society (2011).
- Lisa Beth Deutsch Pro Bono Award, Dewey & LeBoeuf LLP (2009).

- ELSA WTO Moot Court North American Regional Round: Best Complainant's, Respondent's, and Overall Written Memorials; Semi-finalist in Oral Round (2008).
- University of Ottawa Lambda Award Laureate (2007-2008).
- Semi-finalist in First Year Oral Argument Competition (2005).
- Jurisprudence Awards: Research, Writing, and Advocacy; Administrative Law (2005).

## **PRIOR EXPERIENCE**

**The Princeton – Blairstown Center**, Blairstown, NJ Mar. – Dec. 2002  
*Experiential Education Facilitator*

- Taught conflict resolution, leadership and environmental education to underserved youth.

**Princeton Programs with the International Community**, Princeton, NJ June 2000 – Aug. 2001  
*Belize Fellowship*

- Led student volunteer trips to Belize, Central America; Ecotourism and education projects.

## **BAR MEMBERSHIP**

New York State Bar

## **OTHER INTERESTS**

Piano playing, singing, running, swimming, triathlons, reading