

UNIVERSITY OF ST. THOMAS LAW JOURNAL
FALL SYMPOSIUM

THE CONSTITUTIONAL RIGHTS OF LAWYERS & LAW FIRMS

NOVEMBER 14, 2025



THE CONSTITUTIONAL RIGHTS OF LAWYERS AND LAW FIRMS

UNIVERSITY OF ST. THOMAS SCHOOL OF LAW
NOVEMBER 14, 2025

WELCOME

Welcome to the University of St. Thomas Law Journal's symposium, The Constitutional Rights of Lawyers and Law Firms. Recent executive orders targeting law firms for the clients they represent, the partners they associate with, or the causes they pursue raise urgent constitutional questions. Such measures strike at the core of the First Amendment, threatening both expressive freedom and the independence of the legal profession. How should the Constitution protect professional autonomy against ideological restrictions? What happens when principles of expressive association collide with anti-discrimination law? How do legal ethics, the Sixth Amendment, and the historic role of lawyers as Alexis de Tocqueville's "natural aristocracy" safeguard the rule of law itself?

Joined by leading First Amendment scholars and nationally recognized figures in legal ethics, this symposium will explore each of these questions in depth.

UNIVERSITY OF ST. THOMAS LAW JOURNAL

The *University of St. Thomas Law Journal* is the flagship law review of the University of St. Thomas School of Law. It seeks to embody the school's unique mission by publishing high-quality legal scholarship that promotes ethical actions, the integration of faith and reason, and social justice. The Law Journal's Latin subtitle, *Fides et Iustitia*, which translates into "faith and justice," is a core foundation of our symposia and the works we publish. We promote meaningful exploration of current legal issues through symposia and allow for substantial collaboration between the law review, our faculty, and outside contributors. These symposia also give our law school community a chance to reflect on issues closely connected with the school's mission and vision.

SYMPOSIUM AGENDA

8:00 a.m. Breakfast

8:30 a.m. Welcome and Introductory Remarks

- Law Journal Editor-in-Chief Michael Hurd
- Professor Michael Paulsen, *University of St. Thomas School of Law*

9:00 a.m. Panel 1 - The First Amendment Rights of Lawyers and Law Firms to Choose their Clients, Cases, Causes, and Colleagues

Panelists:

- Professor William Baude, *University of Chicago Law School*
- Professor Daniel Farber, *University of California, Berkeley School of Law*
- Professor Kate Shaw, *University of Pennsylvania Law School*
- Professor Helen Norton, *University of Colorado Law School*

Moderator:

- Professor David Grenardo, *University of St. Thomas School of Law*

Panelists will address the First Amendment speech and associational rights of lawyers and law firms in light of the Trump Administration's executive orders targeting lawyers and law firms. These executive orders penalize targeted law firms by, among other things, terminating their federal government contracts and limiting their entry into federal buildings. The discussion will focus on how these executive orders affect First Amendment protections governing whom lawyers choose to represent, which matters and causes they undertake, and whom they hire. A Q&A segment will follow.

10:15 a.m. Break

SYMPOSIUM AGENDA

10:30 a.m. Panel 2 - The Right to Counsel, Lawyers' Professional Independence, and the Practical Consequences of the Trump Executive Orders

Panelists:

- Professor Richard Painter, *University of Minnesota Law School*
- Professor Judith Miller, *University of Chicago Law School*
- Professor Rachel Moran, *University of St. Thomas School of Law*

Moderator:

- Amy Wildermuth, *University of Minnesota Law School*

Panelists will discuss how the Trump Administration's executive orders affect individuals' right to counsel and lawyers' professional independence. These executive orders target law firms based on who they've represented or associated with as partners. Discussion will explore whether such measures may discourage law firms from representing clients or advocating for causes perceived as politically opposed to the Trump Administration. A Q&A segment will follow.

12:00 p.m. Break

12:30 p.m. Lunch & Remarks from Dean Daniel Kelly

12:45 p.m. Judge J. Michael Luttig Interview

- J. Michael Luttig, former Fourth Circuit Judge and Constitutional Scholar
- Professor Michael Paulsen, *University of St. Thomas School of Law*

Judge J. Michael Luttig, a conservative jurist and former Fourth Circuit judge, is a prominent critic of efforts to overturn the 2020 election and of executive actions targeting the law firm Perkins Coie. This interview will explore his career and his views on the implications of the Trump Administration's executive orders targeting lawyers and law firms.

SYMPOSIUM AGENDA

1:45 p.m. Break

2:00 p.m. Panel 3 - “The First Thing We Do, Let’s Kill All the Lawyers”: Government Coercion and the Role of Lawyers in Preserving a Free Society

Panelists:

- Professor Abner Greene, *Fordham School of Law*
- Sybil L. Dunlop, *Greene Espel PLLP*
- Professor Michael Paulsen, *University of St. Thomas School of Law*
- Professor Alan Rozenshtein, *University of Minnesota Law School*

Moderator:

- Professor Jerry Organ, *University of St. Thomas School of Law*

Panelists will examine the essential role lawyers play in safeguarding a free society during periods of political strain. Shakespeare’s line underscores an enduring truth: authoritarianism prospers when lawyers are silenced. Panelists will discuss the suppressive effects of the Trump Administration’s executive orders on both academia and in legal practice. A Q&A segment will follow.

3:15 p.m. End of Program

SPEAKERS

WILLIAM BAUDE

Professor at the University of Chicago Law School

William Baude is the Harry Kalven, Jr. Professor of Law and the Faculty Director of the Constitutional Law Institute at the University of Chicago Law School, where he teaches a range of subjects such as federal courts, constitutional law, election law, conflict of laws, and elements of the law. His current research interests include judicial remedies available against the federal government, the Supreme Court's emergency docket, and the legacy of William Winslow Crosskey. Among his other activities Baude is: the co-editor of two textbooks, *The Constitution of the United States* and *Hart & Wechsler's Federal Courts in the Federal System* and a podcaster and blogger at *Divided Argument*. In 2025 he won both the University of Chicago's Academic Communicators Network Excellence Award for digital media, and the Diversity Leadership Faculty Award

SYBIL L. DUNLOP

Attorney at Greene Espel PLLP

Sybil L. Dunlop is a trial and arbitration lawyer at Greene Espel PLLP whose practice focuses on complex commercial disputes, including contract claims, business torts, post-acquisition matters, and intellectual property litigation. She has first-chair experience in courts and arbitral forums nationwide and has handled proceedings before the Patent Trial and Appeal Board, including a Covered Business Method review. Dunlop speaks nationally on legal writing, trial practice, and bias elimination. She serves on the boards of the Infinity Project and the Heilicher Minneapolis Jewish Day School.

DANIEL FARBER

Professor at the University of California, Berkeley School of Law

Dan Farber is the Sho Sato Professor of Law at the University of California, Berkeley. Professor Farber is a graduate of the University of Illinois, where he earned his B.A., M.A., and J.D. degrees. He graduated, summa cum laude, from the College of Law, where he was the class valedictorian and served as editor-in-chief of the University of Illinois Law Review. After law school, he was a law clerk for Judge Philip W. Tone of the U.S. Court of Appeals for the Seventh Circuit and then for Justice John Paul Stevens of the U.S. Supreme Court. Professor Farber practiced law with Sidley & Austin, where he primarily worked on energy issues, before returning to the University of Illinois as a faculty member in 1978. He taught at the University of Minnesota Law School faculty from 1981 to 2002, where he was the McKnight Presidential Professor of Public Law. He also has been a visiting professor at the Stanford Law School, Harvard Law School, and the University of Chicago Law School.

ABNER GREENE

Professor at Fordham School of Law

Abner S. Greene is the Leonard F. Manning Professor of Law at Fordham Law School, where he has taught since 1994. He was awarded Teacher of the Year in 2002. Harvard University Press has just published his book *Against Obligation: The Multiple Sources of Authority in a Liberal Democracy*. NYU Press published his book *Understanding the 2000 Election: A Guide to the Legal Battles that Decided the Presidency*. Greene has published widely on constitutional law, primarily the First Amendment, in the *Yale Law Journal*, *Columbia Law Review*, *University of Chicago Law Review*, *Vanderbilt Law Review*, and the *Supreme Court Review*, among other places. He graduated from Yale College and Michigan Law School and then clerked for Chief Judge Patricia M. Wald of the D.C. Circuit and Justice John Paul Stevens of the U.S. Supreme Court.

DAVID GREJARDO

Professor at the University of St. Thomas School of Law

David A. Grenardo is a professor of law and associate director of the Holloran Center for Ethical Leadership in the Professions. He joined St. Thomas Law in 2022. Grenardo was previously a professor at St. Mary's University School of Law (Texas). Grenardo earned the prestigious Warren E. Burger Prize awarded by the American Inns of Court for his article, *Civility Rules: Debunking the Major Myths Surrounding Mandatory Civility for Lawyers and Five Mandatory Civility Rules That Will Work*. He received the national award and made his acceptance speech at the Supreme Court of the United States on October 28, 2023. Grenardo has researched and promoted civility for over a decade, and he is the leading proponent of mandatory civility in the legal academy.

DANIEL KELLY

Dean and Mengler Chair in Law at the University of St. Thomas School of Law

Daniel Kelly has served as dean of the University of St. Thomas School of Law since 2024. Before becoming dean, Kelly was a professor for 15 years at the University of Notre Dame, where he served as director of the Law School's Program on Law & Economics and founding director of the University's Fitzgerald Institute for Real Estate. He also has served as a visiting professor at the University of Chicago Law School and the Louis D. Brandeis Visiting Professor at Harvard Law School. Previously, Kelly was a judicial clerk on the U.S. Court of Appeals for the Second Circuit, an attorney at Cravath, Swaine & Moore in New York, and a research fellow at Yale and Harvard. He is a graduate of Harvard Law School and the University of Notre Dame. Dan and his wife Kate are the proud parents of five children.

J. MICHAEL LUTTIG

Former Fourth Circuit Judge and Constitutional Scholar

J. Michael Luttig served on the U.S. Court of Appeals for the Fourth Circuit for 15 years, from 1991 to 2006. He is currently counselor and special advisor to the Coca-Cola Company and its board of directors. Prior to joining the Coca-Cola Company, Judge Luttig was counselor and senior advisor to the Boeing Company CEO and board of directors. He was executive vice president and general counsel of Boeing from 2006 to 2020. Before he was appointed to the federal bench by President George H.W. Bush, he served as assistant attorney general at the U.S. Department of Justice and counselor to the attorney general of the United States. He was assistant counsel to the president at the White House from 1981 to 1982 under President Ronald Reagan. From 1982 to 1983, he was a law clerk to then-Judge Antonin Scalia of the U.S. Court of Appeals for the District of Columbia Circuit. From 1983 to 1985, he served as a law clerk and then special assistant to the chief justice of the United States.

JUDITH MILLER

Professor at the University of Chicago Law School

Judith Miller is a Clinical Professor of Law in the University of Chicago Law School's Federal Criminal Justice Clinic. The Federal Criminal Justice Clinic is the nation's first legal clinic devoted to representing indigent clients charged with federal felonies, pursuing impact litigation in federal criminal cases, and engaging in systemic reform of the federal criminal system. Professor Miller shared the University of Chicago's faculty Diversity Award in 2025 with Professor William Baude for their new seminar, Litigating Originalism. In 2020, the Clinical Legal Education Association awarded the clinic its Award for Excellence, in recognition of the FCJC's groundbreaking race discrimination impact litigation. In 2016, Professor Miller, another clinical professor, and their trial team were also awarded an Excellence in Pro Bono Service award by the Federal Bar Association and the United States District Court for the Northern District of Illinois for their work on a federal civil rights trial.

RACHEL MORAN

Professor at the University of St. Thomas School of Law

Rachel Moran is a professor and founder of the Criminal and Juvenile Defense Clinic at the University of St. Thomas School of Law. She has received multiple awards at St. Thomas, including the Dean's Award for Excellence in Scholarship, the Dean's Award for Outstanding Teaching, and the Professor of the Year award. In 2024 she was named a Fulbright U.S. Scholar and spent the Fall 2024 semester in Santiago, Chile, studying the policing of mass protests. Moran focuses her scholarship on issues pertaining to police accountability, policing reform, and public access to records of police misconduct. She was previously named a Bellow Scholar for a research project studying law enforcement administrators' perspectives on laws allowing public access to misconduct records. Her articles have appeared in the Columbia Law Review, Minnesota Law Review, Boston College Law Review, UC Irvine Law Review, Washington Law Review, and Colorado Law Review, among others. She has also provided commentary for the New York Times, Washington Post, CNN, USA Today, Newsweek, PBS NewsHour, and many other national, international, and local media outlets.

HELEN NORTON

Professor at the University of Colorado School of Law

Helen Norton is University Distinguished Professor and Rothgerber Chair in Constitutional Law at the University of Colorado School of Law. Her scholarly and teaching interests include constitutional law (especially First Amendment and equal protection law), and antidiscrimination law. Before entering academia, Professor Norton served as Deputy Assistant Attorney General for Civil Rights at the U.S. Department of Justice, on President-elect Barack Obama's transition team, and as Director of Legal and Public Policy at the National Partnership for Women & Families. She currently also serves as Deputy Solicitor General on Constitutional and Civil Rights for Colorado's Attorney General. She has been honored with the Excellence in Teaching Award on multiple occasions and appointed as a University of Colorado Presidential Teaching Scholar. Her work has been published by *Cambridge University Press*, *Duke Law Journal*, *Northwestern University Law Review*, *Stanford Law Review Online*, and the *Supreme Court Review*, among others.

JERRY ORGAN

Professor at the University of St. Thomas School of Law

Jerome M. Organ graduated magna cum laude from Miami University and attended Vanderbilt University School of Law as a Patrick Wilson Scholar. At Vanderbilt, Organ served as an editor of the Vanderbilt Law Review and graduated as a member of the Order of the Coif. After clerking for Justice William G. Callow of the Wisconsin Supreme Court, Organ entered private practice with Foley & Lardner in Milwaukee, Wisconsin. In 2001, Organ became one of the founding faculty members here at the University of St. Thomas School of Law. Professor Organ is the Co-director of the Holloran Center for Ethical Leadership in the Professions. His current research is directed toward transparency in financial aspects of the decision to attend law school - addressing both scholarship programs for students and employment and salary data of graduates.

RICHARD PAINTER

Professor at the University of Minnesota Law School

Professor Richard W. Painter received his B.A., summa cum laude, in history from Harvard University and his J.D. from Yale University, where he was an editor of the *Yale Journal on Regulation*. Following law school, he clerked for Judge John T. Noonan Jr. of the United States Court of Appeals for the 9th Circuit and later practiced at Sullivan & Cromwell in New York City and Finn Dixon & Herling in Stamford, Conn. From February 2005 to July 2007, he was associate counsel to the president in the White House Counsel's office, serving as the chief ethics lawyer for the president, White House employees, and senior nominees to Senate-confirmed positions in the executive branch. He is a member of the American Law Institute and is a reporter for the new ALI Principles of Government Ethics. He has also been active in the Professional Responsibility Section of the American Bar Association. He is a board member and vice chair of Citizens for Responsibility and Ethics in Washington as well as a founding board member of Take Back our Republic, a campaign finance reform organization.

MICHAEL PAULSEN

Professor at the University of St. Thomas School of Law

Prior to coming to the University of St. Thomas School of Law, Paulsen served as the McKnight Presidential Professor of Law and Public Policy, Briggs and Morgan Professor of Law, and Associate Dean for Research and Scholarship at the University of Minnesota Law School. Professor Paulsen is among the nation's leading scholars of constitutional interpretation, and his publications include articles in the *Yale Law Journal*, *Stanford Law Review*, *Chicago Law Review*, *NYU Law Review*, *Texas Law Review*, *California Law Review*, and the *Georgetown Law Journal*, among many others.

ALAN ROZENSHTein

Professor at the University of Minnesota Law School

Professor Alan Z. Rozenshtein joined Minnesota Law School as a visiting professor in 2017. In 2019 he became an associate professor of law and earned tenure in 2024. He is the research director and a senior editor at Lawfare, a nonresident senior fellow at the Brookings Institution, a visiting senior fellow at the Institute for Law & AI, a term member of the Council on Foreign Relations, and a member of the Scholars Strategy Network. He was previously an affiliate with the Berkman Klein Center for Internet and Society at Harvard University and a visiting faculty fellow at the University of Nebraska College of Law. From Oct. 2014 to April 2017, he served as an attorney advisor in the Office of Law and Policy in the National Security Division of the U.S. Department of Justice, where his work focused on operational, legal, and policy issues relating to cybersecurity and foreign intelligence. From October 2016 to April 2017, he served as a special assistant United States attorney for the District of Maryland. During this time he taught cybersecurity at Georgetown Law.

KATE SHAW

Professor at the University of Pennsylvania Carey Law School

Professor Shaw is a constitutional law scholar who's work has appeared in the Harvard Law Review, Columbia Law Review, Georgetown Law Journal, Cornell Law Review, Michigan Law Review, and Texas Law Review, among other places. Her popular writing has appeared in the New York Times, the Atlantic, Time, the Washington Post, and Slate. She is a co-host of the Supreme Court podcast Strict Scrutiny, a Contributing Opinion Writer with the New York Times, and a Public Member of the Administrative Conference of the United States. After graduating Law School, Professor Shaw clerked for Judge Richard Posner in the U.S. Court of Appeals for the Seventh Circuit and for U.S. Supreme Court Justice John Paul Stevens. Professor Shaw also worked at the White House Counsel's Office during the Obama Administration.

AMY WILDERMUTH

Professor at the University of Minnesota Law School

Amy Wildermuth teaches and writes about administrative law, civil procedure, environmental law, and U.S. Supreme Court practice. Her work has been published in a variety of prestigious legal journals, including the *Northwestern Law Review*, the *Emory Law Journal*, and the *Minnesota Law Review*. Before visiting at Minnesota Law, Professor Wildermuth served as dean at the University of Pittsburgh School of Law. Prior to that, she was associate vice president for faculty, professor of law, and the first-ever chief sustainability officer at the University of Utah. Professor Wildermuth is the chair-elect of the American Bar Association's Section of Administrative Law and Regulatory Practice.



UNIVERSITY OF ST. THOMAS LAW JOURNAL

2025-2026

Editor-in-Chief

Michael Hurd

Managing Editor

Tom Burnett

Publications Editors

Bailey Squires
Gabrielle Tremblay

Membership Editor

Lily Fredericks

Digital Communications Editor

Kate Gaulke

Articles Editors

Kimberly Blaney
Isaac Rillo

Symposium Editor

Quinn McKush

Submissions Editor

Jake Heyer

Senior Editors

Stokli Ashcraft	Kate Sargent
Hayden Cole	Grace Sawatzke
Nick Downes	Matthew Siegler
Elizabeth Edinger	Grace Sjoberg
Corey Kibbel	Jennifer Stegeman
Maizie Lawrence	Frankie Weiss

Associate Editors

Sampson Aslesen	Brandon Holthaus	Emily Neff
Noah Barnaby	Marcus Hornacek	Mitchell Niles
Caroline Brasch	Asher Z. Introlegator	Dylan Saue
Caden Bruzek	Sara Kircher	Annika Schultz
Robert Defren	Jasen Kracht	Hannah Shin
Madeline Ferraro	Claire Leach	Rebecca Stokes
Grace Hinton	Zach Liebl	Abbigail Sullivan
		AnnaGrace Ziebarth

Faculty Advisor

Professor Mitchell Gordon