

MICHAEL A. HELFAND

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ACADEMIC APPOINTMENTS

PEPPERDINE UNIVERSITY SCHOOL OF LAW, MALIBU, CA

Associate Dean of Faculty July 1, 2018-Present

Professor of Law August 1, 2018-Present

Associate Professor of Law July 2010-July 31, 2018

Courses: Contracts I; Contracts II; Arbitration Law; Law & Religion; Tolerance,
Multiculturalism and the Law; Jewish Law

Research Interests: Law & Religion; Arbitration; Contracts; Constitutional Law

Awards: Professor of the Year as voted by First Year Students (2013-2014)
Professor of the Year as voted by First Year Students (2014-2015)
Dean's Award for Excellence in Scholarship (2013-2014)

GLAZER INSTITUTE FOR JEWISH STUDIES, PEPPERDINE UNIVERSITY, MALIBU, CA

Associate Director, July 2010-Present. Develop programs and initiatives to promote core mission of the Glazer Institute. Coordinate Israel internship program, placing 10-15 undergraduate and graduate students in a wide-range of industries to pursue unique employment opportunities.

STRAUS INSTITUTE FOR DISPUTE RESOLUTION, PEPPERDINE UNIVERSITY, Malibu, CA
Faculty, July 2010-Present. Member of the full-time faculty at the Institute and currently teaching Arbitration Law.

SHALOM HARTMAN INSTITUTE OF NORTH AMERICA, New York, NY

Research Fellow, August 2017-Present. Member of the Modern Orthodoxy and Great American Civics Project research groups.

HEBREW UNIVERSITY, FACULTY OF LAW, Jerusalem, Israel

Visiting Faculty, November-December 2016. Taught course titled "Religion, Law and Multiculturalism: The American Experience."

BAR-ILAN UNIVERSITY, FACULTY OF LAW, Ramat Gan, Israel

Visiting Faculty, May 2015. Taught course titled "Religion, Law and Multiculturalism."

EDUCATION

YALE LAW SCHOOL, NEW HAVEN, CT

J.D., June 2007

Activities: *Yale Journal of Law and the Humanities*

Research Assistant for Professor Daniel Markovits

YALE UNIVERSITY, GRADUATE SCHOOL OF ARTS AND SCIENCES, NEW HAVEN, CT

Ph.D. in Political Science, May 2009

M. Phil. in Political Science, December 2007

M.A. in Political Science, December 2003

Honors: James M. Cox Fellowship in Political Science

YESHIVA UNIVERSITY, NEW YORK, NY

B.A. with Honors in Political Science, History, and Philosophy, May 2002

Valedictorian of Graduating Class

Honors: Department Awards in Philosophy, Political Science, and History

LAW REVIEW PUBLICATIONS

[*Implied Consent: A Primer and a Defense*](#), 50 CONN. L. REV. (forthcoming 2018).

[*Identifying Substantial Burdens*](#), 2016 U. ILL. L. REV. 1771 (2016).

- Abridged version published as [*The Substantial Burden Puzzle*](#), 2016 U. ILL. L. REV. ONLINE 1.

[*Arbitration's Counter-Narrative: The Religious Arbitration Paradigm*](#), 124 YALE L.J. 2994 (2015) (feature submission).

- Selected for presentation at the Harvard/Stanford/Yale Junior Faculty Forum

[*Religious Institutionalism, Implied Consent, and the Value of Voluntarism*](#), 88 S. CAL. L. REV. 539 (2015) (solicited submission).

[*The Challenge of Co-Religionist Commerce*](#), 64 DUKE L.J. 769 (2015) (with Barak D. Richman).

[*Religion's Footnote Four: Church Autonomy as Arbitration*](#), 97 MINN. L. REV. 1891 (2013).

[*Litigating Religion*](#), 92 B.U. L. REV. 493 (2013).

- Selected for presentation at the Harvard/Stanford/Yale Junior Faculty Forum

[*Religious Arbitration and the New Multiculturalism: Negotiating Conflicting Legal Orders*](#), 86 N.Y.U. L. REV. 1231 (2011).

[*Fighting for the Debtor's Soul: Regulating Religious Commercial Conduct*](#), 19 GEO. MASON L. REV. 157 (2011).

[*The Usual Suspect Classifications: Criminals, Aliens and the Future of Same-Sex Marriage*](#), 12 U. PA. J. CONST. L. 1 (2009).

[How the Diversity Rationale Lays the Groundwork for New Discrimination](#), 17 WM. & MARY BILL RTS. J. 607 (2009).

[When Religious Practices Become Legal Obligations: Extending the Foreign Compulsion Defense](#), 23 J.L. & RELIGION 535 (2008) (peer reviewed).

BOOKS AND BOOK CHAPTERS

From Public Law to Private Law: Promoting Religious Values Through Private Dispute Resolution, in CHRISTIANITY AND PRIVATE LAW (Robert Cochran & Michael Moreland eds.) (forthcoming 2019).

[The Future of Religious Arbitration in the United States: Looking Through a Pluralist Lens](#), OXFORD LEGAL HANDBOOK ON GLOBAL LEGAL PLURALISM (Paul Schiff Berman ed. Oxford University Press) (forthcoming 2019).

[When Judges Are Theologians: Adjudicating Religious Questions](#), in RESEARCH HANDBOOK ON LAW & RELIGION 262 (Rex Ahdar ed. Edward Elgar Publishing) (2018).

Implied Consent Religious Institutionalism: Applications and Limits, in [RELIGIOUS FREEDOM AND LGBT RIGHTS: POSSIBILITIES AND CHALLENGES FOR FINDING COMMON GROUND](#) (Robin Fretwell Wilson and William Eskridge eds. Cambridge University Press) (2018)

The Future of Religious Liberty in the Wake of Hobby Lobby, in [THE CONTESTED PLACE OF RELIGION IN FAMILY LIFE](#) 40 (Robin Fretwell Wilson ed. Cambridge University Press 2018).

The Substantial Burden Question: Secular Tools for Secular Courts, in [THE CONTESTED PLACE OF RELIGION IN FAMILY LIFE](#) 138 (Robin Fretwell Wilson ed. Cambridge University Press 2018).

[NEGOTIATING STATE AND NON-STATE LAW: THE CHALLENGES OF GLOBAL AND LOCAL LEGAL PLURALISM](#) (Michael A. Helfand, ed., Cambridge University Press 2015).

[The Persistence of Sovereignty and the Rise of the Legal Subject](#), in NEGOTIATING STATE AND NON-STATE LAW: THE CHALLENGES OF GLOBAL AND LOCAL LEGAL PLURALISM 307 (Michael A. Helfand ed., Cambridge University Press, 2015).

ESSAYS, BOOK REVIEWS, AND OTHER SCHOLARLY PUBLICATIONS

From Doctrine to Devotion: The Jewish Comparative Law Project, 67 AM. J. COMP. L. (forthcoming 2019) (review of SAMUEL J. LEVINE, JEWISH LAW AND AMERICAN LAW: A COMPARATIVE PROJECT and CHAIM SAIMAN, HALAKHAH: THE RABBINIC IDEA OF LAW).

[Reasoning Through Clashes between Religion and Equality: Case Law, Skeptics, and Social Coherence](#), 33 CONST. COMMENTARY (2018) (review of Nelson Tebbe’s RELIGIOUS FREEDOM IN AN EGALITARIAN AGE)

[A New Age for Religious Minorities?](#), 2017 U. ILL. L. REV. ONLINE (April 29, 2017) (solicited op-ed contribution to the *Trump First 100 Days Symposium*).

[How to Limit Accommodations: Wrong Answers and Rights Answers](#), 4 J. L. RELIGION & STATE (2016).

[Between Law and Religion: Procedural Challenges to Religious Arbitration Awards](#), 90 CHI.-KENT L. REV. 141 (2015) (invited symposium contribution).

[What is a “Church”?: Implied Consent and the Contraception Mandate](#), 21 J. CONTEMP. L. ISSUES 401 (2013) (invited symposium contribution).

[Introduction: Religious Law in the 21st Century](#), 41 PEPPERDINE L. REV. 991 (2015).

[Religious Legal Theory Symposium Introduction](#), 39 PEPPERDINE L. REV. 1051 (2013) (with Robert Cochran) (symposium introduction).

[Purpose, Precedent, and Politics: Why Concepcion Covers Less than You Think](#), 4 Y.B. ARB. & MEDIATION 126 (2013) (invited symposium contribution).

[A Liberalism of Sincerity: Religion’s Role in the Public Square](#), 1 J. L. RELIGION & STATE 217 (2013) (peer reviewed).

[Confirming Piskei Din in Secular Court](#), 61 J. HALACHA & CONTEMPORARY SOC’Y. 5 (2011) (with Yaacov Feit) (peer reviewed).

WORKS IN PROGRESS

Community and Custody: Religious Institutions and the LGBT Family

Jews and the Culture Wars: Consensus and Dissensus in Jewish Religious Liberty Advocacy

EXPERT TESTIMONY AND AMICUS BRIEFS

[Amicus Brief of the Union of Orthodox Jewish Congregations of America for the U.S. Supreme Court](#), No. 15-577 (with Nathan Diament) (2016).

Testimony before U.S. Commission on Civil Rights, [Briefing on “Peaceful Co-Existence: Reconciling Non-Discrimination Principles with Civil Liberties](#),” pages 233-240 (September 2016).

ACADEMIC PRESENTATIONS

- “When Judges Are Theologians: Adjudicating Religious Questions,” *Journal of Law, Religion and State* Editorial Workshop, Bar Ilan University (Nov. 22, 2018).
- Participant, Annual Dulles Colloquium on Liberal Polity and Religious Preference, First Things (May 7, 2018).
- Speaker, “From Public Law to Private Law: Promoting Religious Values Through Private Dispute Resolution,” Roundtable on Christianity and Private Law, Pepperdine University School of Law (Feb. 2, 2018).
- Panelist, “Governance, Resistance and Rejection: Religion and Politics Now,” Law & Religion Section Program, American Association of Law Schools Annual Meeting (January 3, 2018).
- Speaker, “The Future of Religious Arbitration in the United States,” Regional Conference of the Jewish Law Association, American Jewish University (Oct. 30, 2017).
- Panelist, “Federal and State Protections of Corporate Religious Liberty,” Conference on Religious Liberty: Liberty, Legislation, Litigation, University of Connecticut School of Law (Oct. 20, 2017).
- Speaker, “Implied Consent: A Defense and a Primer,” Workshop on the Intersection of Formal and Informal Governance, Center for Private Law, Yale Law School (Sept. 28, 2017).
- Speaker, “Religion, Arbitration and the State,” Debating Law & Religion Series, Yale Law School (Sept. 27, 2017).
- Panelist, “Alternative Dispute Resolution Within Faith Communities,” Webinar for the American Bar Association Section of Dispute Resolution (Sept. 13, 2017).
- Speaker, “Who is a Rabbi? When Religious Values and U.S. Employment Discrimination Law Clash,” Panel on Between Holy and Profane: Education Law and Religion, World Congress of Jewish Studies, Hebrew University (Aug. 10, 2017).
- Speaker, “RFRA and the Jews: A Path Forward,” Jewish Law in the Modern State, Yale Law School (Mar. 5, 2017).
- Speaker, “What Makes a Religious Institution, Religious? An Implied Consent Approach,” Conference on Faith, Sexuality, and the Meaning of Freedom, Yale Law School (Jan. 13, 2017).

Moderator, “Is There Room in the U.S. Legal System for Sharia and Halacha,” Joint Jewish Law and Islamic Law Sections Program, American Association of Law Schools Annual Meeting (Jan. 4, 2017).

Speaker, “Identifying Substantial Burdens,” Faculty Workshop, Haifa University (Nov. 23, 2016).

Moderator, Panel on Rule of Law and Political Theology, Conference of the Journal of Law, Religion and State: Religious Perspective on the Rules of Law, Bar-Ilan University (Nov. 22, 2016).

Speaker, “Identifying Substantial Burdens,” The Restoring Religious Freedom Conference: Law, Religion, Equality, and Dignity, Emory Law School (Nov. 7, 2016).

Speaker, “Identifying Substantial Burdens,” Annual Law & Religion Roundtable, McGill University (June 21, 2016).

Speaker, “Jewish Law as State Law,” Colloquium on Chaim Saiman’s *Halakha: The Rabbinic Idea of Law*, Hebrew University (June 8, 2016).

Speaker, “Arbitration’s Counter-Narrative,” Jewish Law Colloquium, Tel Aviv University (June 2, 2016).

Moderator, “Religious Responses to Same-Sex Marriage,” Law & Religion Section Program, American Association of Law Schools Annual Meeting (January 7, 2016).

Speaker, “Religious Freedom in the Age of Same-Sex Marriage,” Second Annual Sacramento Court-Clergy Conference (October 20, 2015).

Speaker, “Between Law and Religion: When Religious Law Meets Arbitration,” Faculty Workshop, UNLV-William S. Boyd School of Law (Upcoming, October 15, 2015)

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Faculty Workshop, UNLV-William S. Boyd School of Law (Upcoming, October 15, 2015)

Panelist, “A Conversation with Michael Helfand, Elizabeth Sepper and Judge Jennifer Elrod,” Conference on Law, Religion and the Family Unit After *Hobby Lobby*, University of Illinois (September 10, 2015).

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Harvard/Stanford/Yale Junior Faculty Forum, Harvard Law School (June 16, 2015).

Speaker, “Rebuilding Claims for Religious Accommodation,” Conference on Religion and Equality, Bar Ilan Faculty of Law, Ramat Gan, Israel (June 8, 2015).

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Faculty Workshop, Bar Ilan Faculty of Law (May 12, 2015).

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Jewish Law Workshop, Hebrew University, Jerusalem, Israel (May 10, 2015).

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Faculty Workshop, Haim Striks School of Law, Rishon LiTzion, Israel (May 7, 2015).

Speaker, “Arbitration’s Counter-Narrative: The Religious Arbitration Paradigm,” Faculty Workshop, University of Pittsburgh School of Law (March 19, 2015).

Panelist, Panel on “The Implications of *Hobby Lobby*,” University of Memphis School of Law (November 7, 2014).

Panelist, Panel on “Privatization, Transparency and First Amendment Values in Adjudication,” Yale-Quinnipiac Dispute Resolution Workshop/Yale Law Journal, Yale Law School (October 23, 2014).

Panelist, Panel on “Jewish Law and Islamic Law in the U.S. Legal System,” Conference on Jewish and Islamic Legal Systems: Comparisons and Relationships, UC Irvine School of Law (Upcoming, September 17, 2014).

Speaker, “The Challenge of Co-Religionist Commerce,” Annual Law & Religion Roundtable, Washington University School of Law (June 26, 2014).

Panelist, “The Current Clash,” Conference on Religious Accommodation in the Age of Civil Rights, Harvard Law School (April 4, 2014).

Speaker, “When Arbitration Goes Religious: The Lawyer’s Toolkit,” American Bar Association Annual Conference on Dispute Resolution, Miami Florida (April 3, 2014).

Panelist, “Legal Issues: Delegation, Recognition and Enforcement,” Conference on Religious Tribunals and the Law: Conflict or Conciliation?, Willamette University College of Law (March 17, 2014).

Commentator, Comparative Law Work-in-Progress Workshop, UCLA School of Law (March 7, 2014).

Speaker, “Enforcing Co-Religionist Commerce,” Fifth Annual Religious Legal Theory Conference, Emory University School of Law (February 24, 2014).

Speaker, “Enforcing Co-Religionist Commerce,” Faculty Workshop, Whittier Law School (February 17, 2014).

Panelist, “Who Will Be Exempted from the Affordable Care Act? Hobby Lobby, Little Sisters and the Other Religious Exemption Cases Before the Supreme Court,” USC Gould School of Law (February 5, 2014).

Speaker and Panelist, Interfaith Program on “Religion and Politics: Power and Empowerment,” Faith and Global Engagement, Hong Kong University (January 13, 2014).

Keynote Lecture, “Between Law and Religion: Procedural Challenges to Religious Arbitration Awards,” Conference on Religion and Power, Hong Kong University (January 13, 2014).

Moderator, “Religious Law in U.S. Courts,” Joint Program of the AALS Jewish Law and Islamic Law Section, AALS Annual Meeting, New York, NY (January 5, 2014).

Speaker, “Enforcing Co-Religionist Commerce,” Prawfsfest XI, Pepperdine University School of Law (December 10, 2013).

Speaker, “On Religion and Money,” University of Mississippi Faculty Workshop (November 22, 2013).

Panelist, “Private International Law Beyond the State: Family Law and Legal Pluralism,” Annual Meeting of the American Society for Comparative Law (October 11, 2013).

Speaker, “On Religion and Money,” Bi-Annual Conference of the International Consortium on Law and Religion Studies, College of William & Mary (August 22, 2013).

Speaker, “Between Law and Religion: Procedural Challenges to Religious Arbitration Awards,” Bi-Annual Conference of the International Consortium on Law and Religion Studies, Richmond, VA (August 21, 2013).

Speaker, “Between Law and Religion: Procedural Challenges to Religious Arbitration Awards,” Conference on Sharia and Halakha in America, IIT Chicago-Kent School of Law/University of Illinois at Chicago (April 15, 2013).

Speaker, “Religion’s Footnote Four: Church Autonomy as Arbitration,” BYU Law & Religion Colloquium, BYU School of Law (January 24, 2013).

Speaker, “Religion’s Footnote Four: Church Autonomy as Arbitration,” Quinnipiac-Yale Dispute Resolution Workshop, Yale Law School (November 5, 2012).

Speaker, “Religion’s Footnote Four: Church Autonomy as Arbitration,” Conference of the Institute for Law and Religion: Freedom of the Church in the Modern Era, University of San Diego School of Law (October 12, 2012).

Speaker, “Church Autonomy and Religious Arbitration: Two Models of Legal Pluralism,” Faculty Workshop, Bar-Ilan University School of Law (September 11, 2012).

Speaker, “Church Autonomy and Religious Arbitration: Two Models of Legal Pluralism,” International Conference of the Jewish Law Association, Yale University (August 1, 2012).

Speaker, “Litigating Religion,” New Scholars Panel, Southeastern Association of Law Schools Annual Conference (July 30, 2012).

Speaker, “Litigating Religion,” Annual Law & Religion Roundtable, Harvard Law School (June 21, 2012).

Speaker, “Litigating Religion,” Harvard/Yale/Stanford Junior Faculty Forum, Harvard Law School (June 1, 2012).

Speaker, “Litigating Religion,” Jewish Law Symposium, Center for Jewish Law & Judaic Studies, DePaul University College of Law (May 31, 2012).

Speaker, “Taking Beth Din Judgments into Secular Court,” Jewish Law Symposium, Center for Jewish Law & Judaic Studies, DePaul University College of Law (May 30, 2012).

Speaker, “Litigating Religion,” Faculty Workshop, University of Mississippi School of Law (April 9, 2012).

Speaker, “Purpose, Precedent, and Politics: Why *Concepcion* Covers Less than You Think,” 7th Annual International Contracts Conference, Thomas Jefferson School of Law (March 2, 2012).

Speaker, “Litigating Religion,” Third Annual Religious Legal Theory Conference: The Competing Claims of Law & Religion: Who Should Influence Whom, Pepperdine University School of Law (February 23, 2012).

Speaker, “Purpose, Precedent, and Politics: Why *Concepcion* Covers Less than You Think,” Symposium on U.S. Arbitration Law in the Wake of *AT&T Mobility*, Penn State School of Law (February 22, 2012).

Speaker, “Litigating Religion,” Prawfsfest IX, Loyola Law School Los Angeles (December 9, 2011).

Speaker, “The Persistence of Sovereignty and the Rise of the Legal Subject,” ASIL International Legal Theory Interest Group Annual Symposium: Legal Positivism in International Legal Theory: Hart’s Legacy (November 11, 2011).

Speaker, “A Liberalism of Sincerity: Religion’s Role in the Public Square,” Conference on Religious Law and State’s Affairs, Bar Ilan University (May 31, 2011).

Speaker, “Religious Arbitration and the New Multiculturalism: Negotiating Conflicting Legal Orders,” Faculty Colloquium, University of St. Thomas School of Law (April 6, 2011).

Panelist, “Religious Issues in Marriage and Divorce Law” Jewish Law Students Association, University of Minnesota School of Law (April 5, 2011).

Speaker, “Religious Arbitration and the New Multiculturalism: Negotiating Conflicting Legal Orders,” Faculty Workshop, University of Mississippi School of Law (January 27, 2011).

Panelist, “Rabbinical Arbitration in the 21st Century: Contemporary Issues and Challenges,” American Association of Law Schools Annual Meeting, Jewish Law Section (January 6, 2011).

Speaker, “Fighting for the Debtor’s Soul: Church Autonomy, Religious Arbitration and Bankruptcy’s Automatic Stay,” Conference on Religious Legal Theory, St. John’s Law School (November 5, 2010).

Speaker, “Case Update and Analysis: *Matter of Nachum Brisman v. Hebrew Academy*,” Presentation to Davis Polk & Wardwell Litigation Department (March 3, 2010).

Speaker, “Taking Choice-of-Law Provisions Seriously: What Religious Legal Theory Has to Tell Us About the Enforceability of Religious Arbitration Awards,” Conference on Religious Legal Theory: State of the Field, Seton Hall Law School (November 12, 2009).

Speaker, “Process and Pitfalls of Confirming *Piskei Din* as Arbitration Awards,” Conference on Jewish and American Law, Yeshiva University (January 17, 2009).

GENERAL AUDIENCE PUBLICATIONS

[*The Travel-Ban Decision, Explained*](#), TABLET MAGAZINE (June 27, 2018).

[*What the Supreme Court’s Masterpiece Cakeshop Decision Really Means*](#), TABLET MAGAZINE (June 5, 2018).

[*Why States Like New Jersey Should Give Yeshivas Money*](#), THE FORWARD (May 3, 2018).

[*Jews as a Bridge on Religious Liberty*](#), THE JEWISH WEEK (December 11, 2017).

[*Seriously, Mahwah: Opposing An Eruv Is Anti-Semitic*](#), THE FORWARD (July 31, 2017).

[*Why Religious Liberty Can’t Justify Torture, Even When It’s For a Get*](#), THE LEHRHAUS (July 20, 2017).

[*The Supreme Court's New Ruling About a Playground May Save Your Life*](#), THE FORWARD (June 28, 2017).

[*Does Trump's Religious Freedom Executive Order Do Anything?*](#), THE FORWARD (May 5, 2017).

[*An Anti-Catholic Pol's 21st Century Legacy*](#), WALL STREET JOURNAL (Apr. 6, 2017).

[*Making Faith-Based Institutions Inclusive*](#), INSIDE HIGHER ED (Apr. 5, 2017).

[*The Realities of Religious Accommodation in the Workplace: A Recent Case and a Cause for Concern*](#), THE LEHRHAUS (Feb. 9, 2017)

[*Judge Gorsuch Will be Good on Religious Liberties*](#), THE FORWARD (Feb. 1, 2017)

[*Did a New York Judge Just Order Orthodox Women To Stay in Unwanted Marriages?*](#), THE FORWARD (Jan. 25, 2017)

[*Can a Court Really Ban Kapparot and Why it Matters for the American Jewish Community*](#), THE LEHRHAUS (Oct. 23, 2016)

[*Bending Religious Colleges to Secular Rules*](#), WALL STREET JOURNAL (July 14, 2016).

[*Why Can't a Prison Figure Out How a Minyan Works? It's Not That Complicated!*](#), THE FORWARD (March 7, 2016).

[*How Will Antonin Scalia's Death Affect 2 Cases of Jewish Interest?*](#), THE FORWARD (Feb. 15, 2016).

[*Donald Trump's Hidden Opportunity for Jews*](#), THE FORWARD (Dec. 21, 2015).

[*The Price of Pluralism*](#), MOSAIC MAGAZINE (August 20, 2015).

[*Be Careful What You Wish for in Indiana*](#), THE FORWARD (Apr. 5, 2015).

[*Religion and Commerce Can Co-Exist*](#), USA TODAY (Feb. 25, 2015).

[*The Eruv Diving Church and State in the Hamptons*](#), THE FORWARD (Feb. 12, 2015).

[*Is a Prisoner's Beard Dangerous*](#), LOS ANGELES TIMES, Op-ed (October 3, 2014).

[*Hobby Lobby's Challenge to Officialdom's 'Compelling Interest.'*](#) WASHINGTON TIMES (July 2, 2014).

[*The Murkiness of the Hobby Lobby Ruling*](#), THE FORWARD (June 30, 2014).

[America Doesn't See Its Religious Minorities](#), THE FORWARD (May 23, 2014).

[Implied Consent: A Proposal on For-Profit Conscience](#), FIRST THINGS, Web Exclusive (March 25, 2014).

[Obamacare and Religious Rights in a For-Profit World](#), LOS ANGELES TIMES (March 18, 2014) Page A11.

[There Is Another Way to Get a 'Get'](#), THE FORWARD (Oct. 25, 2013).

[Following Defeats, Anti-Sharia Law Supporters Revert to Sneaky Tactics](#), NATIONAL LAW JOURNAL (Sept. 9, 2013).

[Religion's Wise Embrace of Commerce](#), FIRST THINGS, Web Exclusive (Feb. 17, 2013).

[No, Bloomberg Isn't Banning Circumcision](#), FIRST THINGS, Web Exclusive (Oct. 15, 2012).

[The Boundaries of Religious Freedom](#), LOS ANGELES TIMES (Aug. 15, 2012).

- [Postscript: Religious Boundaries](#), LOS ANGELES TIMES, Response to Letter to the Editor (Aug. 18, 2012).

[Hebrew National Must Answer to a Higher Authority](#), THE FORWARD (Aug. 17, 2012).

[Why San Francisco's Proposed Circumcision Ban Violates the First Amendment](#), THE DAILY JOURNAL (June 30, 2011).

[A Law We Don't Need](#), LOS ANGELES TIMES (Nov. 10, 2010).

[The Young Israel Dilemma: Disengagement or Confrontation](#), THE JEWISH JOURNAL (Sept. 28, 2010).

MEDIA COMMENTARY

[Are the Dreams of the Founding Fathers and Our Fathers in Jeopardy](#), HAMODIA (Dec. 12, 2018)

Interview with Jew in the City, [Yes, Women Can Be Witnesses](#), (June 27, 2018).

[Supreme Court Decision on Funding for Religious Entities Divides Jewish Groups](#), JEWISH JOURNAL (July 12, 2017).

[Narrow Victory for Religious Schools](#), MISHPACHA MAGAZINE (July 5, 2017).

[Rabbinical Court Can't Appeal Bankruptcy Court's Order](#), BLOOMBERG (Oct. 7, 2016).

['Woman's Hours' at Williamsburg Pool Spark National Debate](#), HAMODIA (JUNE 7, 2016)

Interview with Religion and Ethics Newsweekly, [Arbitration by Faith](#), PBS (May 6, 2016).

["They Do Whatever They Want to Do Towards Women Like Me"](#), POLITICO (March 20, 2016).

[How Studying Judaism Fits Into a Christian University](#), JEWISH JOURNAL (Jan. 13, 2016).

[An Orthodox Lawyer at a Christian Law School](#), JEWISH STANDARD (Dec. 10, 2015).

[In Religious Arbitration, Scripture Is the Rule of Law](#), NEW YORK TIMES (Nov. 2, 2015).

Interview with Huffington Post Live, [The Case Against Outlawing Sharia Law in the United States](#) (Mar. 2, 2015).

Interview with Southern California Public Radio, [Debating Supreme Court Case Against Abercrombie & Fitch Over Religious Attire](#) (Feb. 25, 2015).

Interview with Russia Today, [Islamic Tribunal benefits: People get access to religion, US laws not violated](#) (Feb. 12, 2015).

[Despite 2,000 Fines, Few Aware of NYC Flu Shot Rule](#), HAMODIA (January 21, 2015).

[LGBT Workers May Feel Impact of Hobby Lobby Ruling](#), WASHINGTON POST (July 1, 2014).

[Why Employers Could Now Immediately Deny You All Birth Control Coverage](#), MASHABLE (July 1, 2014).

[High Court Leaves Questions In Union, 'Hobby' Wake](#), INVESTOR'S BUSINESS DAILY (June 30, 2014).

[Why Some Rabbis Are Insisting: Get the Prenup Before You Marry](#), ST. LOUIS POST-DISPATCH (January 25, 2014).

[Divorce in Orthodox Community Can Be Brutal, Degrading and Endless](#), NEWSWEEK (November 12, 2013)

[In Victory for 'Chained' Wives, Court Upholds Orthodox Prenuptial Agreement](#), THE FORWARD (February 15, 2013).

[High Court Declines to Hear Wage-and-Hour Case](#), DAILY JOURNAL (April 17, 2012)

[Jewish Divorce Caught in Sharia Law Fight](#), THE FORWARD (March 7, 2012).

[Lawyer Wants Pope's Testimony in Oregon Abuse Case](#), LOS ANGELES TIMES (July 2, 2010).

GENERAL AUDIENCE PRESENTATIONS (SELECTED)

“American Democracy and the Responsibility of Jewish Citizenship,” Shalhevet Institute (Nov. 12, 2018).

“American Jewish Group Identity,” Shalom Hartman Institute of North America Faculty Seminar (Oct. 30, 2018).

“Ethics of Lawyering: Are Lawyers Essential to the Justice System or Obstacles to True Justice,” National Conference of Jewish Lawyers & Jurists (Oct. 22, 2018).

“The Mohel, the Baker and the Eruv-Maker: What Does Religious Discrimination Look Like,” National Conference of Jewish Lawyers & Jurists (Oct. 22, 2018).

“Why Beis Din? Promoting Jewish Commercial Values,” Congregation Or Torah (July 7, 2018).

“From Torture to Contract: How the Halachic Prenup Works,” Congregation Or Torah (July 7, 2018).

“The Mohel, the Baker and the Eruv-Maker: Religious Discrimination in Government Funding,” Congregation Or Torah (July 7, 2018).

“Religious Liberty in Crisis: What It Means for the Jewish Community,” Congregation Or Torah (July 7, 2018).

“Religion and American Law,” Maimonides Scholars Program, Tikvah Fund (June 25-29, 2018).

“The Mohel, the Baker and the Eruv-Maker: Religious Discrimination in Government Funding,” Young Israel of Century City (June 16, 2018).

“Civil Rights Law: Interpretation and Application of Religious Exemptions,” National Conference of the Jewish Council for Public Affairs (April 23, 2018).

“Exercising Jewish Influence: On Jewish Communities and American Legal Policy,” Conference on Thinking Beyond Ourselves: The Ethic of Citizenship in Modern Orthodox Education, Shalom Hartman Institute of North America (April 22, 2018).

“Female Testimony in Beit Din: An Untold Story of Halachic Justice,” Congregation Bnai Yeshurun (April 21, 2018).

“No Shul Left Behind: Religious Discrimination in Government Funding,” Congregation Bnai Yeshurun (April 21, 2018).

“Religious Liberty in Crisis: What It Means for the Jewish Community,” Congregation Bnai Yeshurun (April 21, 2018).

“Does Jewish Law Like Lawyer: Building a Just Legal System,” Congregation Bnai Yeshurun (April 20, 2018).

“Does Jewish Law Like Lawyer: Building a Just Legal System,” Kehilat Keshet (March 10, 2018).

“Female Testimony in Beit Din: An Untold Story of Halachic Evolution,” Kehilat Keshet (March 10, 2018)

“No Shul Left Behind: Religious Discrimination in Government Funding,” Kehilat Keshet (March 9, 2018)

“No Shul Left Behind: Religious Discrimination in Government Funding,” West Side Institutional Synagogue (Feb. 24, 2018)

“Using Jewish Memory to Build a Righteous Community,” West Side Institutional Synagogue (Feb. 24, 2018)

“Developing Community Leaders and Wielding Influence in a Global World,” Conference on Yeshiva University and the World of Tomorrow, Yeshiva University (Oct. 22, 2017).

“Female Testimony in Beit Din: An Untold Story of Halachic Justice,” Young Israel of West Hartford (Oct. 21, 2017).

“What Can Judaism Teach U.S. Law,” Young Israel of West Hartford (Oct. 21, 2017).

“Religious Liberty and Recycled Tires: The Future of Religious Discrimination in Government Funding,” Young Israel of West Hartford (Oct. 20, 2017).

“SCOTUS Trinity Lutheran Case and the Jewish Community,” National Conference of Jewish Lawyers and Jurists, Chicago, IL (Sept. 12, 2017).

“Constitutional Rights in Tension: The Balancing Act of Religious Liberty Laws and Equal Protection Rights,” National Conference of Jewish Lawyers and Jurists, Chicago, IL (Sept. 12, 2017).

“Religious Institutions and LGBT Discrimination,” California Islamic University (July 13, 2017).

“Impact of Today’s Supreme Court Ruling on Shuls and Schools,” Orthodox Union Advocacy Center Conference Call (June 27, 2017).

- “Does Jewish Law Like Lawyers: Building a Just Legal System,” Young Israel of West Hempstead (June 3, 2017).
- “Religious Liberty in Crisis: What It Means for the Jewish Community,” Young Israel of West Hempstead (June 3, 2017).
- “Female Testimony in Beit Din: An Untold Story of Halachic Evolution,” Young Israel of West Hempstead (June 3, 2017).
- “Religious Liberty in Crisis: How Should the Jewish Community Respond,” YUHSB/MYA Centennial Lecture Series, Riverdale Jewish Center (May 8, 2017).
- “Halacha’s Commitment to Justice: Proving Your Case In Beit Din,” Young Israel of New Rochelle (May 6, 2017).
- “From Torture to Contract: How the Halachic Prenup Works,” Young Israel of New Rochelle (May 6, 2017).
- “The Future of Religious Freedom: What It Means for the Jewish Community,” Young Israel New Rochelle (May 6, 2017).
- “To Beit Din or To Court: Where Should Jews Sue?,” Young Israel of New Rochelle (May 6, 2017)
- “How Does the Jewish Prenup Work,” Lincoln Square Synagogue (Mar. 5, 2017).
- “Religious Liberty in Crisis: How Should the Jewish Community Respond,” Twelfth Annual Jonathan H. Spanbock Memorial Lecture in Jewish Ethics, Lincoln Square Synagogue (Mar. 4, 2017).
- “Religious Liberty in the 21st Century,” Woodland Hills Church of Jesus Christ of Latter-Day Saints (Jan. 18, 2017).
- “Anti-Sharia Laws, the First Amendment and the Future of Religious Liberty,” Conference on Jews and Muslims in America Today, Shalom Hartman Institute (Jan. 16, 2017).
- “Jewish Institutions and American Law: Questions on the Horizon,” Orthodox Union West Coast Convention (Dec. 8, 2016).
- “Where is Religious Freedom Headed?” Guest Lecture in the Philosophy of Law, Stern College (Dec. 5, 2016).
- “Religious Freedom in the 21st Century: What It Means for the Jewish Community,” LEARNINGFEST2016, Jewish Community Center, Dallas, Texas (Nov. 6, 2016).

- “Does Jewish Law Like Lawyers?” Congregation Shaare Tefilla, Dallas, Texas (Nov. 5, 2016).
- “Female Testimony: A Halachic Blueprint for the Evolving Role of Women in Beit Din,” Congregation Shaare Tefilla, Dallas, Texas (Nov. 5, 2016).
- “What Can Judaism Teach U.S. Law,” Congregation Shaare Tefilla, Dallas, Texas (Nov. 5, 2016).
- “The Future of Religious Liberty in the United States,” National Jewish Retreat, Palm Desert, CA (August 17, 2016).
- “The People vs. Joseph’s Brothers: A Mock Trial,” National Jewish Retreat, Palm Desert, CA (August 17, 2016).
- “A Nation of Shepherds: Reclaiming the Mission of Orthodoxy,” Congregation Ohel Leah, Hong Kong (June 12, 2016).
- “Enforcing Jewish Law in the 21st Century,” Congregation Ohel Leah, Hong Kong (June 12, 2016).
- “To Beit Din or to Court: Where Should Jews Sue?” Congregation Ohel Leah, Hong Kong (June 12, 2016).
- “From Torture to Contract: Solving the Agunah Crisis,” Congregation Ohel Leah, Hong Kong (June 12, 2016).
- “Does Jewish Law Like Lawyers?” Congregation Ohel Leah, Hong Kong (June 11, 2016).
- “Arbitration Goes Religious: Beth Din Decisions in U.S. Courts,” National Conference of Jewish Lawyers and Jurists,” Chicago, IL (May 18, 2016).
- “Religious Liberty in the Age of Same-Sex Marriage,” Young Israel of Century City, Los Angeles, CA (March 19, 2016).
- “The Ethics and Limits of the First Amendment,” South Bay Jewish Law Forum, Redondo Beach (Feb. 23, 2016).
- “Jewish Values in a Secular World: Who’s Influencing Whom,” Shalhevet Institute, Los Angeles, CA (Feb. 2, 2016).
- “Religious Liberty in the Age of Same-Sex Marriage,” Congregation Rinat Yisrael, Teaneck, NJ (Dec. 20, 2015).
- “Courting Justice: Choosing Between Beth Din and Secular Court,” Congregation Ahavath Torah, Englewood, NJ (Dec. 19, 2015).

- “A Nation of Shepherds: Reclaiming Our Intellectual Heritage,” Congregation Ahavath Torah, Englewood, NJ (Dec. 19, 2015).
- “Female Testimony in Beis Din: An Untold Story of Halachik Evolution,” Congregation Ahavath Torah, Englewood, NJ (Dec. 18, 2015).
- “Life as a Religious Minority,” Ramaz Upper School, New York, NY (Dec. 18, 2015).
- “Does Jewish Law Have a Problem with Female Witnesses [Hint: No],” Jewish Center of the Upper West Side, New York, NY (Dec. 17, 2015).
- “Jewish Values and Western Values: Challenges and Opportunities,” Drisha Institute, New York, NY (Nov. 18, 2015).
- “Where is Religious Freedom Headed?” Guest Lecture in the Philosophy of Law, Stern College (Nov. 18, 2015).
- “What Can Judaism Teach U.S. Law?” *Scholar in Residence*, Anshe Sholom B’nai Israel, Chicago, IL (September 12, 2015).
- “Does Jewish Law Have A Problem with Female Testimony [Hint: No],” *Scholar in Residence*, Anshe Sholom B’nai Israel, Chicago, IL (September 11, 2015).
- “Religious Liberty in the 21st Century: What it Means for the Jewish Community” *Scholar in Residence*, Anshe Sholom B’nai Israel, Chicago, IL (September 11, 2015).
- “The Future of Religious Liberty,” Women, Men, and the Future of Marriage in America: A Tikvah Institute for Women (August 23-25, 2015).
- “How Should Our Faith Inform the Laws of a Liberal Democracy?” Jewish Center of the Upper West Side, New York, NY (April 20, 2015).
- “Female Testimony: A Blueprint for the Evolving Role of Women in Beit Din,” *Scholar in Residence*, Congregation Orach Chaim, New York, NY (April 18, 2015).
- “Religious Freedom in the 21st Century: What it Means for the Jewish Community,” *Scholar in Residence*, Congregation Orach Chaim (April 18, 2015).
- “Life as a Religious Minority,” Ramaz Upper School, New York, NY (April 17, 2015).
- “How the Halachic Prenup Works,” *Issues and Answers*, Young Israel of Century City, Los Angeles, CA (Feb 28, 2015).

- “Religious Freedom and the First Amendment,” *Politics, Culture, and the Jewish Future: Orthodox Women in the Modern Age*, A Tikvah Fund Seminar for Women, Glen Cove, NY (August 17-19, 2014).
- “Protecting Religious Minorities: From Law to Politics,” *Public Conversation*, Aspen Center for Social Values, Aspen, Colorado (August 11, 2014).
- “Circumcision Bans and Religious Freedom,” Carmel High School, Hong Kong (January 14, 2014).
- “Does Jewish Law Have a Problem with Female Witnesses? [Hint: No],” *Scholar in Residence*, Hong Kong Jewish Community Centre (January 12, 2014).
- “Choosing Law Over Faith: A Jewish Approach,” *Scholar in Residence*, Ohel Leah Synagogue, Hong Kong (January 11, 2014).
- “When Religion Makes You Feel Like an Outsider,” *Program on the Relationship Between United States Law and Judaism*, Ramaz Upper School, New York, NY (January 6, 2014)
- “When Religion Makes You Feel Like an Outsider,” *Presidential Fellows Speaker Series*, Yeshiva University, New York, NY (January 6, 2014).
- “Woman as Witnesses: Responding to the *Halchik* Challenge,” Young Israel of Century City (November 2, 2013).
- “Litigating Religion: Choosing Between *Beit Din* and Secular Court,” Young Israel of Century City (December 1, 2012).
- “When Religion Makes You Feel Like an Outside,” *Yom Iyun on the Relationship Between United States Law and Judaism*, Ramaz Upper School (November 6, 2012).
- “Courting Justice: Choosing Between Beth Din and Secular Court,” *Shabbat Afternoon Speaker Series*, B’nai David-Judea Synagogue (July 30, 2011).
- “Life as a Minority in the United States: How the Constitution Fails to Protect Religious Conduct,” *Tikvah Scholars Program*, The Frisch School (December 12, 2011).
- “Why Law?” *Scholar-in-Residence*, Shavuot Learning Program, Yavneh Congregation, (June 7, 2011).
- “Courting Justice: Choosing Between Beth Din and Secular Court,” Yavneh Congregation, *Scholar-in-Residence, Shavuot Learning Program* (June 7, 2011).
- “Life as a Minority in the United States: How the Constitution Fails to Protect Religious Conduct,” *Yom Iyun on the Relationship Between United States Law and Judaism*, Ramaz Upper School (March 28, 2011).

“Taking Beth Din Judgments into Secular Courts,” LimmudLA Annual Conference (February 20, 2011).

“Courting Justice: Choosing Between Beth Din and Secular Court,” *Lecture Series on Ethics*, Beth Jacob Synagogue (December 5, 2011) (CLE Credit).

“Case Update and Analysis: *Matter of Nachum Brisman v. Hebrew Academy*,” Presentation to Davis Polk & Wardwell Litigation Department (March 3, 2010).

“Process and Pitfalls of Confirming *Piskei Din* as Arbitration Awards,” *Conference on Jewish and American Law*, Yeshiva University (January 17, 2009) (CLE Credit).

BLOGS

Prawfsblawg, Guest Contributor, November 2010, November 2011, March 2012, November 2012, May 2013, November 2014.

CLR Forum, Guest Contributor, May 2012.

Opinio Juris, “[Social Ostracism and Non-State Governance: A Comment on Hathaway & Shapiro](#),” Contribution to Online Symposium, November 15, 2011.

ACADEMIC CONFERENCES ORGANIZED

Religious Violence and Extremism, Conference of the Journal of Law, Religion and State (with Haim Shapira, Zvi Zohar and Amos Israel), Bar-Ilan Faculty of Law (upcoming May 28-30, 2018).

Religious Critiques of Law, Annual Nootbaar Conference (with Robert Cochran), Pepperdine University School of Law (Mar. 9-10, 2017).

Religious Perspectives on the Rule of Law, Conference of the Journal of Law, Religion and State (with Haim Shapira, Zvi Zohar and Amos Israel), Bar-Ilan Faculty of Law (Nov. 22-24, 2016).

Doing Justice Without Doing Harm, Annual Nootbaar Conference (with Robert Cochran), Pepperdine University School of Law (March 11-12, 2016).

Wisdom Law and Lawyers, Annual Nootbaar Conference (with Robert Cochran), Pepperdine University School of Law (Feb. 27-28, 2015).

Love and Law, Annual Nootbaar Conference (with Robert Cochran), Pepperdine University School of Law (Feb. 7-8, 2014).

Islamic and Jewish Law in the 21st Century: Contemporary and Philosophical Challenges to Religious Law, Joint Program of the AALS Sections on Jewish Law and Islamic Law

(with Seval Yildirim), AALS Annual Meeting, New York, NY (January 5, 2014) (papers published in 41 PEPPERDINE LAW REVIEW (2014)).

Prawfsfest XI, Annual Conference of the Prawfsblawg Network (with Dan Markel), Pepperdine University School of Law (December 9-10, 2013).

The Rise of Non-State Law, American Society of International Law, Washington, D.C. (May 2, 2013).

The Competing Claims of Law & Religion, Third Annual Religious Legal Theory Conference (with Robert Cochran), Pepperdine University School of Law, February 2012 (published in 39 PEPPERDINE LAW REVIEW (2013)).

EDITORIAL AND ACADEMIC SERVICE ACTIVITIES

Editor, *Journal of Law, Religion and State* (Brill Press)
Editor, *The Lehrhaus*
Peer Reviewer, Cambridge University Press
Peer Reviewer, Oxford University Press
Peer Reviewer, Israel Science Foundation
Peer Reviewer, *Yale Law Journal*
Peer Reviewer, *Journal of Law & Religion*

UNIVERSITY COMMITTEE SERVICE

Committee Chair, Faculty Resources (2018-2019)
Committee Member, Faculty Hiring Committee, *ex officio* (2018-2019)
Committee Member, Faculty Resources (2017-2018)
Committee Member, University Faculty Council (2016-2017)
Committee Member, Faculty Resources (2016-2017)
Committee Member, Faculty Resources (2015-2016)
Committee Member, Faculty Resources (2014-2015)
Committee Member, Faculty Resources (2013-2014)
Committee Member, Faculty Resources (2012-2013)
Committee Member, Curriculum Committee (2010-2011)
Committee Member, PACIS Project Oversight Committee (2011-2012)

OTHER TEACHING EXPERIENCE

YALE UNIVERSITY, New Haven, CT
Teaching Fellow, Fall 2004 and Fall 2006. Served as teaching fellow for Bryan Garsten's course titled *Democratic Rhetoric*.

YALE UNIVERSITY, New Haven, CT
Teaching Fellow, Spring 2006 and Spring 2007. Served as teaching fellow for Ian Shapiro's course titled *Moral Foundations of Politics* courses.

PROFESSIONAL EXPERIENCE

BETH DIN (RABBINICAL COURT) OF AMERICA, New York, NY

Executive Board Member, Consultant, Arbitrator, July 2010-Present. Provide consultation services on matters related to enforceability of rabbinical arbitration awards in state and federal court.

DAVIS POLK & WARDWELL, LLP, New York, NY

Litigation Associate, November 2008-June 2010. Matters included *Matter of Brisman v. Hebrew Academy of the Five Towns & Rockaway*, an appeal of a New York Supreme Court decision vacating award of a rabbinical arbitration tribunal; focused on a wide range of complex commercial litigation matters and internal investigations.

HON. JULIA SMITH GIBBONS, U.S. COURT OF APPEALS, SIXTH CIRCUIT, Memphis, TN

Law Clerk, September 2007-September 2008.

BETH DIN (RABBINICAL COURT) OF AMERICA, New York, NY

Law Clerk, Fall 2005-Spring 2006. Researched and drafted memoranda on civil litigation matters before the Beth Din. Prepared case files for trial and drafts of procedural decisions.

THE SHALEM CENTER, Jerusalem, Israel

Shalem Press Overseas Research Coordinator, Research Assistant, 1999-2002. Provided research relating to UN-Israel relations on the eve of the Six-Day War for Michael Oren's *Six Days of War*. Recruited and hired new research assistants.

PROFESSIONAL LEADERSHIP POSITIONS

AALS SECTION ON LAW & RELIGION

Chair-Elect, 2018
Law & Religion Prize Committee, 2017
Law & Religion Prize Committee, Chair, 2016
Programming Committee, Chair, 2015
Executive Committee, 2012
Programming Committee, 2011

AALS SECTION ON JEWISH LAW

Chair, 2013
Chair-Elect, 2012
Secretary, 2011
Treasurer, 2010

BAR ADMISSION

New York