

# KATIE R. EYER

217 N. FIFTH STREET, E429, CAMDEN, NJ 08102  
PHONE: 215.262.6554 EMAIL: KATIE.EYER@RUTGERS.EDU  
HTTP://SSRN.COM/AUTHOR=879928

## CURRENT ACADEMIC APPOINTMENT

---

### RUTGERS LAW SCHOOL, Camden, NJ

*Associate Professor (Assistant Professor 2012-2015)*

2012 - Present

## EDUCATION

---

### YALE LAW SCHOOL

Juris Doctorate, June 2004

**Honors:** Coker Fellow; Stephen J. Massey Prize; Connecticut Bar Foundation Fellow

**Activities:** Teaching Assistant (Constitutional Litigation and Torts); Jerome N. Frank Legal Services Organization (Complex Federal Litigation and Prison Legal Services); Workers' Rights Project; Student/Faculty Alliance for Military Equality; Disability and Bioethics Working Group; Lowenstein International Human Rights Project

### COLUMBIA UNIVERSITY, COLUMBIA COLLEGE

Bachelor of Arts, *magna cum laude*, May 1999

**Honors:** Phi Beta Kappa; Best Senior Honors Thesis, Political Science Department; John Jay Scholar; National Merit Scholar

## PUBLICATIONS AND WORKS IN PROGRESS

---

*The Canon of Rational Basis Review*, 93 NOTRE DAME L. REV. \_\_ (2018) (forthcoming).

*Sex Discrimination Law and LGBT Equality*, American Constitution Society Issue Brief (2017).

*Protected Class Rational Basis Review*, 95 N.C. L. REV. 975 (2017).

*The Declaration of Independence As Bellwether*, 89 S. CAL. L. REV. 487 (2016).

*Ideological Drift and the Forgotten History of Intent*, 51 HARV. C.R.-C.L. L. REV. 1 (2016) (reviewed by Helen Norton on JOTWELL [here](#)).

*Lesbian, Gay, Bisexual, and Transgender Employees in LEGAL ISSUES AFFECTING GAY, LESBIAN, BISEXUAL AND TRANSGENDER CLIENTS* (PBI Press 2008, 2d ed. 2012, 3d ed. 2016).

*Brown, Not Loving: Obergefell and the Unfinished Business of Formal Equality*, 125 YALE L. J. F. 1 (2015).

*Constitutional Crossroads and the Canon of Rational Basis Review*, 48 U.C. DAVIS L. REV. 527 (2014).

*Constitutional Colorblindness and the Family*, 162 U. PA. L. REV. 537 (2014) (selected as Honorable Mention in the 2013 AALS Scholarly Papers Competition).

*Lower Court Popular Constitutionalism*, 123 YALE L. J. ONLINE 197 (2013).

*That's Not Discrimination: American Beliefs and the Limits of Anti-Discrimination Law*, 96 MINN. L. REV. 1275 (2012) (reviewed by Charles Sullivan on JOTWELL [here](#)).

## PUBLICATIONS AND WORKS IN PROGRESS (CONT.)

---

*Marriage This Term: On Liberty and the "New Equal Protection"*, 60 UCLA L. REV. DISC. 2 (2012).

*Have We Arrived Yet? LGBT Rights and the Limits of Formal Equality*, 19 LAW & SEXUALITY 159 (2010) (selected for publication by a peer-review panel of the AALS Section on Sexual Orientation and Gender Identity Issues).

*Administrative Adjudication and the Rule of Law*, 60 ADMIN. L. REV. 647 (2008).

Note, *Rehabilitation Act Redux*, 23 YALE L. & POL'Y REV. 271 (2005).

*Litigating for Treatment: The Use of State Laws and Constitutions in Obtaining Treatment Rights for Individuals with Mental Illness*, 28 N.Y.U. REV. L. & SOC. CHANGE 1 (2003).

Case Note, *Related Within the Second Degree? Burns v. Burns and the Potential Benefits of Civil Union Status*, 20 YALE L. & POL'Y REV. 297 (2002).

Occasional Blogger at ACSblog, Workplace Prof Blog and Concurring Opinions

*The Return of the Technical McDonnell Douglas Paradigm* (work in progress detailing the history of the rejection by the Supreme Court of a technical *McDonnell Douglas* paradigm during the period spanning from the 1970s through the early 1990s—and arguing that that earlier history should preclude the technical approach to *McDonnell Douglas* that the lower courts employ to dismiss employment discrimination plaintiffs' claims today).

*Sex Discrimination and Rational Basis Review: Lessons for LGBT Rights* (work in progress examining how the sex discrimination movement's strategic abandonment of rational basis review closed off opportunities for gender equality litigation, and drawing lessons from this history for the contemporary LGBT rights movement).

## OTHER PROFESSIONAL EXPERIENCE

---

**SALMANSON GOLDSHAW, PC**, Philadelphia, PA

*Employment Discrimination and ERISA Attorney (Focus on LGBT and Disability Rights)* 2007 - 2012

**UNIVERSITY OF PENNSYLVANIA**, Philadelphia, PA

*Research Scholar and Lecturer in Law* 2009 - 2012

**SKADDEN FELLOW (EQUALITY ADVOCATES PENNSYLVANIA)**, Philadelphia, PA

*LGBT Employment Rights Project Attorney* 2005 - 2007

**TEMPLE UNIVERSITY, JAMES E. BEASLEY SCHOOL OF LAW**, Philadelphia, PA

*Adjunct Professor* 2005 - 2007

**HON. GUIDO CALABRESI**, United States Court of Appeals for the 2nd Circuit, New Haven, CT

*Law Clerk* 2004 - 2005

**CENTER FOR LESBIAN & GAY CIVIL RIGHTS**, Philadelphia, PA

*Legal Intern* Summer, 2003

**DISABILITIES LAW PROJECT (DLP)**, Philadelphia, PA

*Legal Intern* Summer, 2003

**LAMBDA LEGAL DEFENSE & EDUCATION FUND**, Chicago, IL & New York, NY

*Intern / Legal Intern* Summer, 2001 & Summer, 2002

## SELECTED PRESENTATIONS AND CONFERENCES

---

### *The Canon of Rational Basis Review*

- UNC School of Law Faculty Speakers Series (January, 2018, upcoming)
- American Constitution Society Junior Scholars Public Law Workshop (January, 2018, upcoming)
- Temple University Beasley School of Law Faculty Colloquium (September, 2017, upcoming)
- The Constitution in Trial Courts Workshop, Bar Ilan University, Israel (January, 2017)
- Loyola University Chicago Sixth Annual Constitutional Law Colloquium (November, 2016)
- NYC-Area Junior Faculty Colloquium (October, 2016)
- Drexel Law Faculty Colloquium Series (September, 2016)

### *Protected Class Rational Basis Review*

- Rutgers Law Joint Junior Faculty Colloquium (April, 2016)
- Law and Public Affairs (LAPA) Seminar, Princeton University (December, 2015)
- Duke Center for Law, Race and Politics, The Present and Future of Civil Rights Movements (November, 2015)
- Loyola University Fifth Annual Constitutional Law Colloquium (November, 2015)

### *Sex Discrimination and Rational Basis Review: Lessons for LGBT Rights*

- AALS 2016 Annual Meeting, New York, NY (January, 2016)

### *Ideological Drift and the Forgotten History of Intent*

- Law and Society Annual Meeting, Seattle, WA (May, 2015)
- Chancellor's Faculty Research Day, Rutgers-Camden (April, 2015)
- Rutgers Newark Faculty Colloquium (March, 2015)
- Loyola University Chicago Fourth Annual Constitutional Law Colloquium (November, 2013)
- Rutgers Law Junior Faculty Seminar (March, 2013)

### *The Declaration of Independence as Bellwether*

- National Constitution Center / Southern California Law Review Symposium (April, 2015)

### *Constitutional Crossroads and the Canon of Rational Basis Review*

- Beijing+20: Gender Equality on the 20<sup>th</sup> Anniversary of the UN 4<sup>th</sup> World Conference on Women (September, 2015) (transcript of conference remarks in the Women's Law Reporter)
- Loyola University Chicago Fifth Annual Constitutional Law Colloquium (November, 2014)
- Seton Hall Faculty Colloquium Series (October, 2014)
- AALS Mid-Year Meeting on Sexual Orientation and Gender Identity Issues (June, 2014)
- Rutgers Law Junior Faculty Seminar (February, 2014)
- UC Davis Law Review Symposium, Davis, CA (February, 2014)
- AALS 2014 Annual Meeting, New York, NY (January, 2014)

### *Constitutional Colorblindness and the Family (First Paper in Family Law Exceptionalism Project)*

- Washington University School of Law Faculty Workshop Series (November, 2013)
- Villanova University Law School Faculty Colloquium (October, 2013)
- Vanderbilt Law School Faculty Workshop Series (March, 2013)
- Chancellor's Faculty Research Day, Rutgers-Camden (February, 2013)
- Scholarly Papers Presentation, AALS 2013 Annual Meeting, New Orleans, LA (January, 2013) (selected as one of two papers—out of 76 total submissions—to be honored and presented at the meeting)
- Loyola University Chicago Third Annual Constitutional Law Colloquium (November, 2012)
- Rutgers-Camden Junior Faculty Colloquium (November, 2012)
- Mid-Atlantic Law and Society Association Annual Meeting, Philadelphia, PA (October, 2012)
- Law and Society Association Annual Meeting, San Francisco, CA (June, 2011)

## SELECTED PRESENTATIONS AND CONFERENCES (CONT.)

---

### *Family Law Exceptionalism and Civil Rights (Other Aspects of Broader Project)*

- Emerging Family Law Teachers and Scholars Conference, Fordham Law School (May, 2012)
- University of Pennsylvania GASWorks Series (December, 2010)
- Journal of Law & Sexuality 2010 Symposium, Tulane University Law School (January, 2010)

### *Marriage This Term: On Liberty and the “New Equal Protection”*

- Feminist Legal Theory Collaborative Research Network Conference, University of Baltimore Law School (October, 2012)

### *That’s Not Discrimination: American Beliefs and the Limits of Anti-Discrimination Law*

- Symposium, Beyond Formal Equality, University of Pennsylvania Law School (February, 2013)
- Jacobus tenBroek Disability Law Symposium, Baltimore, MD (April, 2012)
- University of Pennsylvania Law School Ad Hoc Series (June, 2010)
- Law and Society Association Annual Meeting, Chicago, IL (May, 2010)

### *Workshops / Working Groups*

- LGBT Health Disparities Working Group, Rutgers Center for Gender and Sexuality Law and Policy (2016-present)
- The Constitution in Trial Courts Workshop, Bar Ilan University, Israel (January, 2017) (invited participant)
- Constitutional Law “Schmooze” on Constitutional Interpretation, ACS National Convention, Washington, DC (June, 2013) (invited participant)
- Law and Society Early Career Workshop, San Francisco, CA (June, 2011) (one of 20 participants selected through competitive process)
- Conducting Empirical Legal Scholarship Workshop, Northwestern University School of Law (May, 2011)

### *LGBT Employment Rights Presentations (Selected)*

- CLE Presentations (various, 2006-present)
- Guest Lecturing at Educational Institutions (various, 2006-present)
- Academic and Professional Conferences (various, 2006-present)
- LGBT Equality Presentations to Lay Audiences (various, 2006-present)

## TEACHING AND SERVICE

---

Courses: Constitutional Law, Civil Procedure, Employment Discrimination, Disability Law, Sexuality Gender Identity and the Law.

Law School Service: Academic Policy Committee (2017-present), Co-Organizer, Supreme Court Lunches (2013-present), Rutgers Loan Repayment Assistance Advisory Board (2015-present), Speakers Committee (2013-2015, 2016-2017, Chair, 2014-2015 academic year), Faculty Integration Initiative (2016-2017), Social Justice Scholars Mentoring Coordinator (2016-2017), MSP Hiring Committee (2016), Clinical Promotions and Review Committee (2015-2016), Maida Fellowship Selection Committee (2015-2016), Educational Policy Committee (2012-2013), Faculty Review Committee, Student Writing Awards (2013), Faculty Coach, Robert F. Wagner National Labor & Employment Law Moot Court Competition (2013), Recent Graduate Council Summer Stipend Selection Committee (2013), Academic Advising (2013-present).

External Service: Legal Advisory Board, Mazzoni Center (2010-present), Ad Hoc Reviewer, Labor Studies Journal (2017), Executive Committee, Section on Disability Law, AALS (2013-2014), Vice Chair, Gay / Lesbian Rights Committee of the Pennsylvania Bar Association (2007-2009), Co-chair, LGBT Rights Committee, Philadelphia Bar Association (2006-2008), Executive Committee, Public Interest Section, Philadelphia Bar Association (2006-2007), Working Group on Implementation of Gender Identity Protections, Mayor’s LGBT Advisory Board, City of Philadelphia (2005-2006).

## **HONORS AND BAR ADMISSIONS**

---

Professional Honors: SALT Junior Faculty Teaching Award (2017), Dean's Award for Distinguished Service (2017), Honored as a Hooder by 2017 Rutgers Law Graduating Class (2017), Honorable Mention, AALS Scholarly Papers Competition (2013), Super Lawyers Rising Star (2010-2012), Cheryl Ingram Advocate for Justice Award, Philadelphia Bar Association LGBT Rights Committee (2011).

Bar Admissions: Pennsylvania, United States Court of Appeals for the Third Circuit, Eastern District of Pennsylvania, Middle District of Pennsylvania.