

**Kimberly M. Mutcherson**

Rutgers Law School  
217 North 5<sup>th</sup> Street  
Camden, N.J. 08102  
(856) 225-6191  
kim.mutcherson@rutgers.edu

**EDUCATION**

**Columbia Law School.** New York, New York.

Juris Doctorate May, 1997.

Honors:

- Kirkland & Ellis Fellow
- Rosenmann Prize
- Stone Scholar

Activities:

- Co-Founder of Women of Color Coalition
- Co-Coordinator of Women of Color and the Law Conference
- Teaching Assistant for Professor Kendall Thomas
- Dean Search Committee, Student Member

**University of Pennsylvania.** Philadelphia, Pennsylvania.

Bachelor of Arts in United States History (Honors Program)/Minor in English May, 1994.

Honors:

- Dean's List
- Phi Alpha Theta History Honor Society

**ACADEMIC EXPERIENCE**

**Rutgers Law School.** Camden, New Jersey

summer 2002-present

- Co-Dean (2019-present)
- Vice-Dean (2015-2019)
- Professor of Law (2013-present)
- Associate Professor (2005-2013, tenured in 2009)
- Assistant Professor (2002-2005)

**Courses Taught**

- Bioethics, Babies & Babymaking
- Health Law Policy: The Global HIV/AIDS Epidemic
- Family Law
- Law & Inequality
- South African Constitutional Law
- Torts.

### **Law School Committees**

- Academic Policy (Chair), Admissions, Appointments, Faculty Colloquium (Chair), Tenure and Promotions.

### **Campus and University Committees**

- Chancellor Search Committee (2008-2009 & 2013-2014)
- Chancellor's Committee on Institutional Equity & Diversity (Co-Chair, 2010-2014)
- President's Council on Institutional Equity & Diversity (2010-2011)
- President's Diversity Council (2014-2015)
- Working Group on Faculty Diversity (2011-2012).

### **Other Service**

- Spearheaded effort to increase availability of academic support at the law school, particularly for non-traditional students.
- Faculty advisor for gay, lesbian, bisexual, and transgender student organization (OUTLaws) and Black Law Students Association (BLSA).
- Member of Loan Repayment Assistance Program Advisory Board.
- Member of Pro-Bono Program Advisory Board.
- Organized national conference on reproductive justice that involved 40+ speakers and 200 attendees (2013).
- Convener of workshop on Intersections of Abortion and Assisted Reproduction (2014).
- Co-guest editor of a special issue of the Journal of Law, Medicine & Ethics (2014-2015).
- Convener of Fetal Bodies workshop (2016).

### **Drexel University Thomas R. Kline School of Law**

fall 2011

Visiting Associate Professor of Law

Taught Family Law and Bioethics, Babies & Babymaking at the invitation of the Dean and the faculty.

### **The University of Pennsylvania Law School.** Philadelphia, PA

fall 2009

Adjunct Professor

Taught Bioethics, Babies & Babymaking as a seminar at the invitation of the Dean.

### **The New York University School of Law.** New York, New York.

Acting Assistant Professor

summer 2000-spring 2002

Taught a core curriculum Lawyering course to first year law students. The class included simulated client interviews, negotiations, mediation sessions, client counseling, and written and oral advocacy. Participated in curriculum development and the Lawyering Theory Colloquium.

## **PUBLICATIONS**

### **Articles**

- *No Way to Treat a Woman: Creating an Appropriate Standard for Resolving Medical Treatment Disputes Involving HIV-Positive Children* (HARVARD WOMEN'S LAW JOURNAL, spring 2002).
- *Whose Body Is It Anyway? An Updated Model of Health Care Decision-Making Rights for Adolescents* (CORNELL JOURNAL OF LAW AND PUBLIC POLICY, summer 2005).

- *Minor Discrepancies: Forging a Common Understanding of Adolescent Competence in Healthcare Decision-Making and Criminal Responsibility* (NEVADA LAW JOURNAL, summer 2006) (Reprinted in *Juvenile and Family Court Journal*, summer 2007).
- *Making Mommies: Law, Pre-implantation Genetic Diagnosis, and the Complications of Pre-Motherhood* (COLUMBIA JOURNAL OF GENDER AND LAW, spring 2009).
- *Disabling Dreams of Parenthood: The Fertility Industry, Anti-discrimination, and Parents with Disabilities* (LAW AND INEQUALITY: A JOURNAL OF THEORY AND PRACTICE, summer 2009).
- *What's Love Got to Do with It? (Conversations on a Pregnant Man)* (YALE JOURNAL OF LAW AND FEMINISM, fall 2010).
- *Unsexed Care: Beyond Gendered Parenting Terms- A Response to Darren Rosenblum's Unsex Mothering* (HARVARD JOURNAL OF LAW & GENDER on-line colloquium, February 2012).
- *In Defense of Future Children: A Response to Cohen's Beyond Best Interests* (MINNESOTA LAW REVIEW Headnotes- on-line forum, May 2012).
- *Foreword: The Perils & Pitfalls of Procreation* (RUTGERS LAW JOURNAL, spring 2012).
- *Welcome to the Wild West: Protecting Access to Cross Border Fertility Care in the United States* (CORNELL JOURNAL OF LAW & PUBLIC POLICY, winter 2012).
- *Transformative Reproduction* (THE JOURNAL OF GENDER, RACE & JUSTICE, winter 2013).
- *How Parents Are Made: A Response to Discrimination in Baby Making: The Unconstitutional Treatment of Prospective Parents through Surrogacy* (INDIANA LAW JOURNAL, fall 2013).
- *Beyond Roe: Imagining the Future of Scholarship on Reproduction* (WOMEN'S RIGHTS LAW REPORTER, spring/summer 2014).
- *Procreative Pluralism* (BERKELEY JOURNAL OF GENDER, LAW & JUSTICE, winter 2015).
- *Blood and Water in a Post-Coital World* (FAMILY LAW QUARTERLY, spring 2015).
- *When is an Abortion Not an Abortion?* (JOURNAL OF LAW, MEDICINE AND ETHICS, summer 2015).
- *Intersections in Reproduction: Perspectives on Abortion and Assisted Reproductive Technologies*, with Judy Daar (JOURNAL OF LAW MEDICINE AND ETHICS, 2015).
- *Reproductive surrogates, risk, and the desire for genetic parenthood* (JOURNAL OF LAW AND BIOSCIENCES, summer 2016).
- *Reproductive Rights without Resources or Recourse* (HASTINGS CENTER REPORT, 2017)
- *Fetal Rights in the Trump Era* (TEXAS LAW REVIEW, 2017).
- *Disability, Procreation, and Justice in the United States* (LAWS, 2017).
- *Things That Money Can Buy: Reproductive Justice and the International Market for Gestational Surrogacy* (NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW, 2018).
- *Building Queer Families and the Ethics of Gestational Surrogacy* (UNIVERSITY OF RICHMOND LAW REV. 2019).
- *Foreword*, DIVERSITY & EXCLUSION, LSSSE 2020 Annual Survey Results.

### Book Chapters

- *Open Fertility Borders: Defending Access to Cross Border Fertility Care in the United States* (chapter in THE GLOBALIZATION OF HEALTHCARE, Oxford University Press, 2013).
- *Reproductive Technologies* (entry in The Encyclopedia of Human Sexuality –Wiley-Blackwell, 2015).
- *Procreative Rights in a Post-coital World* (chapter in OXFORD HANDBOOK OF REPRODUCTIVE ETHICS, Oxford University Press, 2016).

- *Roe v. Wade* (re-written) (appearing in FEMINIST JUDGMENTS: REWRITTEN OPINIONS OF THE UNITED STATES SUPREME COURT (Cambridge University Press, summer 2016).
- *When Your Job is to Marry Rich: Marriage as a Market in Hamilton* (appearing in HAMILTON AND THE LAW: READING TODAY'S MOST CONTENTIOUS LEGAL ISSUES THROUGH THE HIT MUSICAL, Cornell University Press, 2020).
- *The Color Line: Democracy, Race, and the January 6 Insurrection* (appearing in BEYOND IMAGINATION?: THE JANUARY 6 INSURRECTION, West Academic Publishing, forthcoming January 2022).

### Books

- FEMINIST JUDGMENTS: REPRODUCTIVE JUSTICE REWRITTEN (Cambridge University Press, 2020).

### WORKS IN PROGRESS

- ASSISTED REPRODUCTIVE JUSTICE (University of California Press, forthcoming 2022).

### LEGAL EXPERIENCE

#### **Center for Reproductive Rights.** New York, New York.

Consulting Attorney

spring 2000-summer 2000

Aided in preparation for two major reproductive rights cases heard by the United States Supreme Court. Conducted legal research and writing.

#### **The HIV Law Project.** New York, New York.

Kirkland & Ellis Fellow/Staff Attorney

fall 1997-spring 2000

Co-counsel on lawsuit challenging New York State law mandating HIV testing of all newborns. Work entailed extensive legal and non-legal research, writing motions and legal correspondence, filing court papers, interacting with opposing counsel, participating in settlement negotiations, conducting client interviews, and serving as contact between lawsuit plaintiffs and office. Performed local and national outreach and education efforts on issues concerning women of color and HIV/AIDS through training sessions and presentations at community-based organizations and conferences. Coordinated an advocacy-training program for HIV-positive women. Responsible for analyzing and disseminating information on local and national changes in HIV/AIDS related policy, particularly as these changes affected women with HIV. Represented clients in family court proceedings.

#### **Prisoners' and Families' Rights Clinic.** New York, New York (Columbia Law School).

Legal Intern

fall 1996- spring 1997

Represented incarcerated women in a parole appeal and a termination of parental rights proceeding. Conducted workshops at Bedford Hills Correctional Facility on the rights of incarcerated parents.

#### **The HIV Law Project.** New York, New York.

Legal Intern

fall 1996-spring 1997

Researched the reproductive rights implications of mandatory HIV testing of newborns and forced AZT administration to pregnant women. Aided in the writing of published article on the same topic.

**The Legal Aid Society, Juvenile Rights Division.** Brooklyn, New York.

Legal Intern/Columbia Law School Public Service Fellow summer 1996

Conducted client interviews, researched and wrote pre-trial motions for discovery and dismissal, made court appearances to argue discovery motion and withdraw PINS (Person in Need of Supervision) petition.

**The American Civil Liberties Union, Women's Rights Project.** New York, New York.

Legal Intern/Singer Fellow fall 1995

Aided in the preparation of an amicus brief for sex discrimination case heard in the U.S. Supreme Court. Conducted research on issues concerning access to abortion services for incarcerated women and prosecution of pregnant women for fetal abuse. Created an annotated bibliography on writings in the area of critical race theory.

**The Center for Reproductive Law and Policy.** New York, New York.

Legal Intern/Columbia Law School Public Service Fellow summer 1995

Conducted research on Constitutional and procedural issues for reproductive rights litigation. Aided in drafting complaint for new lawsuit. Traveled to Indiana to gather declarations from women and abortion providers who would be adversely impacted by new restrictive abortion law.

### SELECTED PRESENTATIONS

- Center for Research on Ethical, Legal, and Social Implications of Psychiatric, Neurologic & Behavioral Genetics at Columbia & The Hastings Center, *Do Genetic Findings Impact Perceptions of Responsibility*, Discussant (May 2021)
- National Consortium on Racial and Ethnic Fairness in the Courts, *Vigilance in the Time of Injustice - Past, Present, and Future: The Role of Law Students and Lawyers in Realizing Social Justice*, Panelist (May 2021).
- AccessLex Legal Education Research Symposium, *The Law Deans Antiracist Clearinghouse*, Panelist (December 2020).
- New Jersey State Bar Association, *Celebrating 25 Years of the New Jersey Commission on Professionalism: Reflecting on the Principles of Professionalism Today and for the Future*, Panelist (November 2020).
- Albany Law School Annual Kathryn D. Katz '70 Memorial Lecture, *Pursuing Reproductive Justice during a Global Pandemic* (October 2020).
- American Society for Bioethics & Humanities Annual Meeting, *What Is the Value of a Black Child's Life?* (October 2020).
- Institute for Research on Women Distinguished Lecture, *Reproductive Justice in a Global Pandemic* (September 2020).
- If/When/How Lecture, *Abortion in the Time of Corona* (April 2020).
- National Black Pre-Law Conference, Deans Panel, Panelist (November 2019).

- Penn State Medical School, *What Does Assisted Reproduction Have to Do with Social Justice?* (October 2019).
- Seton Hall Law Institute for Privacy Protection Spring Conference-Privacy, Power & Ethics, *The End of Privacy in Procreation* (April 2019).
- Center for the Humanities at Temple, *Marching Toward Our Post-Human Future: Bodies as Shells* (March 2019).
- Penn Law BLSA Dr. Sadie T.M. Alexander Commemorative Conference, *Reproductive Justice & the Business of Making Babies* (February 2019).
- North American Family Planning Forum, Roundtable on Abortion and Assisted Reproduction (October 2018).
- Saint Louis University Law Distinguished Lecture, *Shedding Our Skins: Reproductive Justice, Assisted Reproduction & Our Post-Human Future* (October 2018).
- Cooper Medical School Grand Rounds, *Who Doesn't Want a Designer Baby: CRISPR and the Changing Face of Procreation* (May 2018).
- Medical Students for Choice Family Planning Conference, *Law, Morality & Procreation* (December 2017).
- North American Family Planning Forum, *Abortion & Assisted Reproduction*, Plenary speaker (October 2017).
- American Society of Bioethics and Humanities, *Abortion and Assisted Reproduction* (October 2017).
- North Carolina Journal of International Law Annual Symposium, *Things That Money Can Buy* (October 2017).
- Second International Conference on End-of-Life Law, Ethics, Policy, and Practice, *End of Life Decisions at the Beginning of Life* (September 2017).
- Drexel Medical School Grand Rounds, *Who Doesn't Want a Designer Baby?* (August 2017).
- No Turning Back: The Past, Present & Future of Reproductive Justice, *Reproductive Justice and Assisted Reproduction: Finding Justice in the Business of Making Babies* (February 2017).
- Georgia State University College of Law Faculty Colloquium, *Reproductive Justice and Assisted Reproduction: Conflicts and Contradictions* (September 2016).
- Georgia State University College of Law, *Reproductive Justice, and Reproductive Rights in a Technological Age: How Making Babies without Sex is Changing the World* (public lecture) (September 2016).
- Law & Society Annual Meeting, *Law on the Borderline of Belonging and Exclusion* (June 2016).
- The New Jersey Judiciary Minority Concerns Program, Tools and Resources for Advancing Access to Justice and Procedural Fairness for LGBTQI Court Users, *The Law, Assisted Reproduction, and LGBT Parents* (June 2016).
- City University of New York, Macaulay Honors College, *Policing Reproduction* (April 2016).
- University of Lethbridge, *Controlling Sexuality & Reproduction: Past & Present, The New Kinship is the Old Kinship*, (August 2015).
- Health Law Professors Conference, *Teaching Students to Negotiate a Surrogacy Contract* (June 2015).
- Law and Society Annual Meeting, *The New Kinship is the Old Kinship* (May 2015).

- Abortion in the 21<sup>st</sup> Century: Challenges and Achievements, organizer and commentator (May 2015).
- Baby Markets Workshop, *The New Kinship is the Old Kinship* (May 2015).

#### **AWARDS/HONORS**

- Champions of Social Justice Award, Rutgers Law School Black Law Students Association (2021).
- Association of American Law Schools Impact Award (2020).
- Center for Reproductive Rights Innovation in Scholarship Award (2013).
- Chancellor's Teaching Excellence Award (2011).
- Women's Law Caucus Faculty Appreciation Award (2011 & 2014).

#### **FELLOWSHIPS/VISITING SCHOLAR POSITIONS**

- Center for Gender and Sexuality Law, Columbia Law School, Senior Fellow/Sabbatical Visitor (spring 2013).
- University of Pennsylvania Center for Bioethics, Visiting Scholar (fall 2007).
- Rutgers University Institute for Research on Women/Institute for Women's Leadership Interdisciplinary Seminar on Health and Bodies, Fellow (2006-2007).

#### **OTHER ACTIVITIES**

- Association of American Law Schools Antiracist Clearinghouse Project, Co-founder (2020-present).
- Commission on Racial Equity in the Law, New Jersey State Bar Association (2020-present).
- U.S. News and World Report Law Deans Advisory Board (2020- present).
- The Lawyering Project, Board Member (2017-present).
- What We Know Project Advisory Board, Member (2015-present)
- Law Students for Reproductive Justice Academic Advisory Council, Member (2011).
- Women's Law Project, Board Member (2005-2010).