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**AMERICAN  
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Willamette Center for Religion, Law and Democracy and  
the American Constitution Society for Law and Policy  
present

# The Future of the First Amendment

*A symposium on recent developments in First Amendment  
jurisprudence and expectations of future legal trends*

Friday, October 16, 2009  
John C. Paulus Lecture Hall  
Willamette University College of Law  
Salem, Oregon

Co-sponsored by the Willamette Law Review



# The Future of the First Amendment

This symposium will explore various developments in First Amendment law and jurisprudence that have occurred over the past 10 years and what those changes bode for the future interpretation and application of the rights contained in that amendment. Nationally recognized scholars and experts will explore topics that include government secrecy; access to government information; the regulation of private expression in government workplaces, schools and forums; the regulation of the Internet; the government's use of religious discourse and displays; and the faith-based initiative.

## Keynote Speaker: Erwin Chemerinsky



Erwin Chemerinsky is founding dean of the University of California–Irvine School of Law. A graduate of Harvard Law School, he frequently argues appellate cases, including before the U.S. Supreme Court and the U.S. Courts of Appeals, and regularly serves as a commentator on legal issues for national and local media. His areas of expertise include constitutional law, federal practice, civil rights and civil liberties, and appellate litigation.

## Luncheon Speaker: Judge Marsha S. Berzon



Judge Marsha S. Berzon of the U.S. Court of Appeals for the Ninth Circuit earned her law degree from the University of California–Berkeley Boalt Hall School of Law. She served as a clerk for James R. Browning of the U.S. Court of Appeals for the Ninth Circuit and Justice William J. Brennan Jr. of the U.S. Supreme Court before entering private practice. She was nominated for the U.S. Court of Appeals by President William J. Clinton in January 1999 and confirmed by the Senate in March 2000.

### Symposium Location

Willamette University College of Law, 245 Winter St. SE, Salem, OR 97301-3922

Parking on the Willamette campus is limited. Spots are available for \$5/day in the visitor lot, which is located on the corner of Winter and Bellevue streets. On-street metered parking is available near the Oregon Capitol on State Street; the cost is approximately \$7.50, all in coins.

For directions to Willamette University, visit our Web site at [willamette.edu/directions.htm](http://willamette.edu/directions.htm).

### CLE Credits

Symposium attendees are eligible to receive 5.75 general CLE credits, as approved by the Oregon State Bar.

# Schedule of Events

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- 8 a.m.**      **Registration**  
Assorted baked goods and coffee will be provided.
- 9 a.m.**      **Opening Remarks**  
**Professor Steven K. Green**, director of the Willamette Center for Religion, Law and Democracy  
**Professor William Marshall**, University of North Carolina; member of the board of directors, American Constitution Society
- 9:15 a.m.**    **Keynote Address: Overview of Recent First Amendment Developments**  
**Dean Erwin Chemerinsky**, University of California–Irvine
- 10:15 a.m.**   **Break**
- 10:30 a.m.**   **Panel One — Government Speech in the Post-Bush Era: Secrecy, Access to Information and Government Employees**  
**Dean John Eastman**, Chapman University  
**Professor Gia Lee**, University of California–Los Angeles  
**Bonnie Robin-Vergeer**, Legal Aid Society of the District of Columbia  
**Professor William Marshall**, University of North Carolina
- Noon**        **Luncheon with remarks by Judge Marsha S. Berzon of the U.S. Court of Appeals for the Ninth Circuit**  
Lunch is included with a paid registration.
- 1:15 p.m.**    **Break**
- 1:30 p.m.**    **Panel Two — Regulation of Private Speech: Student Speech, the Internet and Public Forum Issues**  
**Professor David Post**, Temple University  
**Professor Mary-Rose Papandrea**, Boston College  
**Professor Aaron Caplan**, Loyola University of Los Angeles
- 3 p.m.**        **Break**
- 3:15 p.m.**    **Panel Three — Religion Clauses: Charitable Choice, Standing, Acknowledgements of Religious Displays and Free Exercise**  
**Professor Alan Brownstein**, University of California–Davis  
**Professor Melissa Rogers**, Wake Forest University  
**Professor Frederick Mark Gedicks**, Brigham Young University  
**Professor Pamela Harris**, Georgetown University
- 4:45 p.m.**    **Closing Remarks**  
**Professor Steven K. Green**
- 5 p.m.**        **Reception**

All panels and speaker presentations will be held in the John C. Paulus Lecture Hall (Room 201) of Willamette University College of Law. Lunch will be held in the Alumni Lounge on the third floor of the Putnam University Center.

# Registration Form

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Name \_\_\_\_\_  
Last First

Organization \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Daytime Telephone \_\_\_\_\_

E-Mail Address \_\_\_\_\_

## Fees

\$80 Bar and Non-Bar Members, lunch is included with a paid registration.  
Law student admission is free and encouraged.

Please check one of the following:

\_\_\_ Check enclosed, made payable to Willamette University

\_\_\_ Visa or MasterCard (circle one)

\_\_\_\_\_  
Name as it appears on credit card

\_\_\_\_\_  
Card Number

\_\_\_\_\_  
CID Number (three-digit code on reverse side of card, required)

\_\_\_\_\_  
Expiration Date

For more information on the symposium, or to register by phone, please contact Reyna Meyers at 503-370-6046 or [rmeyers@willamette.edu](mailto:rmeyers@willamette.edu).

Please send completed form with payment to:

Center for Religion, Law and Democracy  
Willamette University College of Law  
245 Winter St. SE  
Salem, OR 97301-3922

Accommodations are available for participants with disabilities.  
For arrangements, please call the law school at 503-370-6046.



### **Willamette University College of Law**

Established in 1883, Willamette University College of Law is a pioneer of legal education in the western United States. Located across the street from the Oregon Capitol complex, the law school is situated in the epicenter of state law, government and business.

Willamette is home to the Center for Religion, Law and Democracy, an interdisciplinary center devoted to the exploration of the role of religion in law and in public life. The Center draws on Willamette's historic and ongoing strengths as a church-related university committed to academic excellence and public service. The Center involves students and faculty from the College of Liberal Arts and the College of Law who teach, write and engage in these issues on a continual basis. As part of its mission, the Center conducts symposia, lectures, scholarly research and curriculum development; funds internships; and serves as a forum for the discussion of these intersecting issues.

### **The American Constitution Society for Law and Policy**

The American Constitution Society for Law and Policy (ACS) promotes the vitality of the U.S. Constitution and the fundamental values it expresses: individual rights and liberties, genuine equality, access to justice, democracy, and the rule of law. ACS embraces the progress our nation has made toward full embodiment of the Constitution's core values and believes that law can and should be a force for improving the lives of all people. ACS is revitalizing and transforming legal and policy debates in classrooms, courtrooms, legislatures and the media and is building a diverse and dynamic network of progressives committed to justice.