



THE CONSTITUTION AND REMEDIES: *Remedying Harms and Circumscribing Relief*

Welcome to the *Virtual Symposium on Constitutional Remedies* sponsored by the Center for Constitutional Law at Akron. The Center is one of four centers established by Congress for research and education on constitutional law. For more about the Center, see our website at <https://www.uakron.edu/law/ccl/> or follow us on Twitter @conlawcenter.

This program schedule will provide the logistics and plan for our video conference on **Friday, November 10, 2017, from 9:00am EST to 4:00pm EST**. You'll see we have a great line up of interesting issues, which should make for a lively discussion.

LOGISTICS

For this virtual conference, we will be using the WebEx video conference system. You will receive an email invitation entitled "WebEx Meeting scheduled: The Constitution and Remedies Symposium." To join the meeting, just click on the JOIN link in the invitation. It will then upload the WebEx software and take you to the meeting.

Once you have the WebEx screen, first click the Connect to Audio blue circle on the left of the screen. On the right side you should see a picture box and then a list of names. To the right of your name will be two icons, a video camera and a radio microphone. Click the camera icon to start your video. Click the microphone icon to start your audio. We will generally stay muted, with mics off, during the conference unless you are speaking.

You will need a computer with a webcam. Computer is better than mobile phone or iPad, either of which may limit your ability to present during the conference. A noise-cancelling webcam or headphones are also useful, if you have them. Finally, a hardwire connection (rather than Wi-Fi) is helpful to avoiding buffering and connection issues. If you want to practice the WebEx interface, go to the WebEx site and "join a test meeting" at <https://www.webex.com/test-meeting.html>. If you have technical problems during the conference, you may contact our Akron Law IT support department at 330-972-5119 or law-support@uakron.edu. Don't worry, it's all easier than it may sound.

PRESENTATIONS

Each person will have about 30 minutes total for their presentation. This should be about 10 minutes introduction or presentation, under the assumption the group has read the paper, and then the remaining time for discussion and dialogue. There is an option in WebEx to use a whiteboard or post a document file like an outline, image, or short Powerpoint slide.

PAPERS

As a *discussion* forum, we hope this will be an opportunity to discuss rather than just to present ideas. So we are asking each participant to circulate a draft of their paper in advance of the forum, by

November 3. Please send them to me at thomast@uakron.edu and I will circulate them to the group. That should give us all a chance to read the papers in advance.

We will then publish the papers in a symposium issue of the Center's journal, [ConLawNOW](#). The journal is an open access, online journal also published in Westlaw and Lexis, intended to bring issues of con law to the academic and public discourse in a timely manner. Please submit final papers to me by **January 5**. Our expectation is that the final paper will be about 10 published pages (about 5,000 words), although there is flexibility here for either more or less.

PROGRAM

9:00am EST Welcome and Introduction

I. REMEDYING CONSTITUTIONAL HARMS

Moderator: Tracy Thomas (Akron)

9:15 Bernard Bell (Rutgers), *Reexamining Bivens after Ziglar v. Abbasi*

9:45 Helen Norton (Colorado), *Constitutional Remedies for the Government's Harmful Speech*

10:15 Kimberly Breedon & Chris Bryant (Cincinnati), *Constructive Trust as a Remedy for Emoluments Clause Violations by a Sitting President*

10:45 Bernadette Genetin (Akron), *The Immigration TROs*

11:15 Richard Heppner (Duquesne), *Statutory Damages and Standing after Spokeo*

11:45 Jerfi Uzman (Leiden), *Upstairs or Downstairs? Comparative Approaches to Remediating Equal Protection Violations*

12:00 Tracy Thomas (Akron), *Leveling Down Gender Equality*

12:30-1:30pm Break for Lunch – on your own, or stay signed in to chat

II. CONSTITUTIONALLY CIRCUMSCRIBING RELIEF

Moderator: Tracy Thomas (Akron) and Bob Lehrer (Loyola-Chicago)

1:30 John M. Greabe (New Hampshire), *Declaratory Relief as Constitutionally Required*

2:00 Paul Baumgartner (Rutgers), *To Harm or To Harm, That Is the Question: Judging Between Harms in 21st Century Religious Rights Jurisprudence*

2:30 John Sanchez (Nova), *Contempt Fines and the Eleventh Amendment*

3:00 Andrew Coan & David Marcus (Arizona), *Article III, Remedies, and Representation*

3:30 CJ Peters (Akron), *Shot Full of Holes: The Second Amendment, As-Applied Challenges, and the Rule of Law*