



UNIVERSITY OF HOUSTON LAW CENTER

# 2023 SUPREME COURT UPDATE



**Tuesday, August 15, 2023**

**2:00 PM – 5:00 PM Central Time**

**Approved for 3 hours of Texas MCLE  
Webinar via Zoom**

# AGENDA

2:00 PM

## **Opening Remarks**

Leonard M. Baynes,  
*Dean and Professor of Law*

2:10–3:30 PM

## ***Color Blind Jurisprudence***

Emily Berman  
*Professor of Law*

Seth J. Chandler

*Law Foundation Professor of Law*

D. Theodore Rave

*Professor of Law*

3:30–4:00 PM

## ***Biden v. Nebraska Case Discussion***

Ryan Marquez  
*Clinical Associate Professor*

4:00–4:30 PM

## ***303 Creative LLC v. Elenis Case Discussion***

Daniel I. Morales  
*Associate Professor of Law*

4:30–5:00 PM

## ***Future Direction of the Court***

Roundtable



**Leonard M. Baynes**

Dean and Professor of Law  
University of Houston Law Center

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Leonard M. Baynes, now the longest serving law dean in Texas, made history in 2014 with his appointment as the first dean of African descent, of the University of Houston Law Center.

During his deanship, the UH Law Center's entering credentials increased from a median LSAT score of 159 to 161 and a median GPA of 3.47 to 3.7 while ethnic/racial diversity increased from 35.6% to more than 47%. Women constitute more than 55% of the class. Also, the ultra-modern \$93 million state-of-the-art John M. O'Quinn Law Building opened for the fall 2022 semester. Dean Baynes initiated an award-winning Pre-Law Pipeline Program designed to create more opportunities for first-generation, economically challenged, and under-represented college students.

In 2020, Dean Baynes was named to the Lawyers of Color Power List by the Lawyers of Color Foundation. In 2022, he was recognized by the AALS with the Clyde Ferguson Award and by his alma mater, Columbia University School of Law, with the Paul Robeson Award. Dean Baynes has written more than 35 law review articles and in 2020 published a casebook titled Communication Law in the Public Interest with Wolters Kluwer.



**Emily Berman**

Professor of Law  
Royce R. Till Professorship  
University of Houston Law Center

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Emily Berman's scholarship examines the unique separation-of-powers challenges that arise in the constitutional, statutory, and regulatory regimes governing national-security policy. She focuses in particular on ways to impose traditional conceptions of government oversight—such as checks and balances and democratic accountability—on law enforcement and intelligence operations, where such oversight is frequently absent. Prior to joining the University of Houston Law Center faculty in the fall of 2014, she taught for two years as a visiting assistant professor at Brooklyn Law School. She previously was a Furman Fellow and Brennan Center Fellow at New York University School of Law and held positions as counsel and Katz Fellow at the Brennan Center, where she developed policy recommendations, drafted reports, and engaged in advocacy regarding U.S. national security policy and its impact on civil liberties. After graduating from law school, Berman clerked for the Hon. John M. Walker, Jr. of the Second Circuit Court of Appeals. Berman's work has been published in top journals, such as the Minnesota Law Review, the Fordham Law Review, the Indiana Law Journal, and the New York University Law Review; her opinion pieces have appeared in Just Security, The Atlantic Online, the National Law Journal, Legal Times Online, and CNN.com, among others. Berman teaches National Security Law, Foreign Affairs Law, and Constitutional Law.



### **Seth J. Chandler**

Law Foundation Professor of Law  
University of Houston Law Center

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Seth J. Chandler is a Law Foundation Professor of Law at the UH Law Center who specializes in constitutional law and the application of mathematics and computer science to law. Professor Chandler won a prestigious university-wide teaching excellence award in 1995, was a first year winner of the Innovator Award from Wolfram Research, received the President's Medal from Loyola University for extraordinary service in the aftermath of Hurricane Katrina, and has been called on twice to testify before Congress on the Affordable Care Act. Professor Chandler has a broad Internet presence, including a YouTube

Channel for his course Analytic Methods for Lawyers. He is also developing expertise in Large Language Models for use by Lawyers. He practiced with Munger, Tolles & Olson in Los Angeles and Williams & Connolly in Washington, D.C. before beginning his academic career in 1990 at the UH Law Center. Professor Chandler teaches constitutional law, insurance law, Analytic Methods for lawyers, and other courses.



### **Ryan Marquez**

Clinical Associate Professor  
Director of the Civil Justice Clinic  
University of Houston Law Center

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Professor Marquez has been at the Law Center since 2016, where he began as a Staff Attorney for the Center for Consumer Law. He has experience with consumer legal issues including debt collection, contractor disputes, foreclosures, title disputes, and landlord/tenant cases. He has been board certified since 2019 by the Texas Board of Legal Specialization for Consumer and Commercial Law. As a Professor

of Practice, he directed the Consumer Law Clinic from 2019-2022. He previously managed the Hurricane Harvey Assistance Program with other Law Center clinical programs and oversaw the legal work in law clinics for cases related to Hurricane Harvey. From 2010 to 2015, he worked for Lone Star Legal Aid's Disaster Relief Unit and Housing and Consumer Unit. Under his leadership, UH Law Center was one of 99 law schools in 35 states and Puerto Rico recognized by the White House for its commitment to address the national housing and eviction crisis. Through Professor Marquez's efforts this initiative was funded by a \$300,000 grant from the Texas Access to Justice Foundation.

**Daniel I. Morales**

Associate Professor of Law  
George A. Butler Research Professor  
University of Houston Law Center

Professor Daniel I. Morales is a scholar and theorist of immigration law known for his work problematizing the legal underpinnings of immigration control and for identifying the progressive possibilities of decentralization as an antidote to what ails immigration law. His scholarship has appeared in leading law reviews, including the N.Y.U. Law Review, U.C. Irvine Law Review, Indiana Law Journal, and Wake Forest Law Review. Professor Morales began his academic career as a William H. Hastie Fellow at the University of Wisconsin Law School and subsequently clerked for both the Hon. R. Guy Cole Jr., U.S. Court of Appeals for the 6th Circuit, and the Hon. Joan B. Gottschall, U.S. District Court for the Northern District of Illinois. He received his J.D. from Yale Law School and his B.A., magna cum laude, from Williams College, where he was elected to Phi Beta Kappa. He has practiced law at Jenner & Block LLP and Kirkland & Ellis LLP. He teaches Constitutional Law, Immigration Law, and seminars on legal theory.

**D. Theodore Rave**

Professor of Law  
University of Texas at Austin  
School of Law

Teddy Rave writes and teaches in the areas of civil procedure, complex litigation, constitutional law, and election law. His recent scholarship focuses on class actions, multidistrict litigation, and public fiduciary law. Professor Rave's articles have appeared in leading journals, including the Harvard Law Review, the California Law Review, the Duke Law Journal, the Georgetown Law Journal, the Northwestern University Law Review, and the Vanderbilt Law Review. His article, *When Peace Is Not the Goal of a Class Action Settlement*, was selected for the 2015 Yale/Stanford/Harvard Junior Faculty Forum. He was elected to the American Law Institute in 2018.

Professor Rave received his B.A. in History from Dartmouth College and his J.D. magna cum laude from New York University School of Law where he was senior executive editor of the New York University Law Review. Following law school, he clerked for Judge Leonard B. Sand on the U.S. District Court for the Southern District of New York and for Judge Robert A. Katzmann on the U.S. Court of Appeals for the Second Circuit. He worked for several years in the Issues and Appeals practice at Jones Day in New York, where he focused on appellate litigation, class actions, and multidistrict litigation. He began his academic career as a Furman Fellow at New York University School of Law. Before joining the Texas faculty in 2021, he was the George A. Butler Research Professor at the University of Houston Law Center, where he received the university-wide Teaching Excellence Award in 2018. In fall 2020, he was the Austin Wakeman Scott Visiting Professor of Law at Harvard Law School.