

Naomi Schoenbaum

William Wallace Kirkpatrick Dean's Research Professor of Law
George Washington University Law School
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ACADEMIC APPOINTMENTS

George Washington University Law School

William Wallace Kirkpatrick Dean's Research Professor of Law
Associate Professor of Law (tenured January 2017)

Washington, DC
March 2023 – Present
July 2012 – November 2022

- Courses: Torts; Employment Law; Employment Discrimination Law; The Law of Work, Family, and Gender
- Service: Tenure and Promotion Committee (2024-25), Curriculum Committee (2023-present), Intellectual Life Committee (2015-20, 2023-present), Appointments Committee (2017-2019, 2020-22), Committee on Incidents of Discrimination or Harassment (2012-20), Admissions Committee (2013-2017), Clerkships Committee (2012-13)

Harvard Law School

Samuel Williston Visiting Professor of Law

Cambridge, MA
Spring 2023

University of New South Wales Law School

Guest Lecturer, Herbert Smith Freehills Law and Economics Initiative/Women's Leadership Network

Sydney, NSW, AU
December 2016

University of Chicago Law School

Bigelow Fellow & Lecturer in Law

Chicago, IL
July 2010 – June 2012

- Courses: Work and Gender; Legal Research and Writing
- Service: Faculty Advisor, Domestic Violence Project

EDUCATION

Harvard Law School, J.D.

Harvard Journal of Law & Gender, Editor-in-Chief

June 2005

Yale University, B.A., in Ethics, Politics, and Economics

May 2001

JOURNAL ARTICLES AND ESSAYS

Sex Equality After Skrametti, B.C. L. REV. (forthcoming 2026)

Rethinking Sex as Biology under Equal Protection, 58 U.C. DAVIS L. REV. 905 (2024)

- Subject of Riki Wilchins, *A Quiet Legal Radical Unites Trans & Women's Rights*, ASSIGNED MEDIA (Mar. 20, 2025), <https://www.assignedmedia.org/breaking-news/quiet-legal-radical-unites-trans-womens-rights?rq=schoenbaum>
- Featured on LEGAL THEORY BLOG (October 16, 2024), <https://legaltheoryblog.com/2024/10/16/schoenbaum-on-biological-sex-and-equal-protection/>

Misogyny and the Politics of Womanhood, 4 AM. J.L. & EQUALITY 462 (2024)

- Reviewing JULIE C. SUK, AFTER MISOGYNY: HOW THE LAW FAILS WOMEN AND WHAT TO DO ABOUT IT (2023)

Unsexed Breastfeeding, 107 MINN. L. REV. 139 (2022)

- Subject of Courtney Cahill, *Unbundling Breastfeeding*, JOTWELL (Apr. 10, 2023), <https://family.jotwell.com/unbundling-breastfeeding/>
- Reprinted in WOMEN AND THE LAW (2023 ed.)

The New Law of Gender Nonconformity, 105 MINN. L. REV. 831 (2020)

Unsexed Pregnancy, 119 COLUM. L. REV. 309 (2019) (with David Fontana)

- Subject of Christine Emba, Opinion, *It's Time to "Unsex" Pregnancy*, WASH. POST (Apr. 3, 2019), https://www.washingtonpost.com/opinions/its-time-to-unsex-pregnancy/2019/04/03/5e876188-564e-11e9-9136-f8e636f1f6df_story.html
- Response by Jessica Clarke, *Pregnant People?*, 119 COLUM. L. REV. F. 173 (2019)
- Reprinted in WOMEN AND THE LAW (2020 ed.)
- Featured on LEGAL THEORY BLOG (March 29, 2019), <https://legaltheoryblog.com/2019/03/29/david-fontana-and-naomi-schoenbaum-george-washington-university-law-school-and-george-washington-university-law-school-have/>

The Market Response to Discrimination in the Sharing Economy, 13 L. & ETHICS HUM. RTS. J. 1 (2019) (symposium)

- Featured on LEGAL THEORY BLOG (June 24, 2019), <https://legaltheoryblog.com/2019/06/24/schoenbaum-on-law-norms-and-discrimination-in-the-sharing-economy/>

The Case for Symmetry in Antidiscrimination Law, 2017 WIS. L. REV. 69

- Featured on LEGAL THEORY BLOG (September 20, 2016), <https://legaltheoryblog.com/2016/09/20/schoenbaum-on-symmetry-in-antidiscrimination-law/>

Towards a Law of Coworkers, 68 ALA. L. REV. 605 (2017)

- Subject of Alex B. Long, *Valuing Coworker Bonds in Employment Law*, JOTWELL (Aug. 7, 2018), <https://worklaw.jotwell.com/valuing-coworker-bonds-in-employment-law/>

Stuck or Rooted? The Costs of Mobility and the Value of Place, 127 YALE L.J. F. 500 (2017)

- Response to David Schleicher, *Stuck! The Law and Economics of Residential Stagnation*, 127 YALE L.J. 78 (2017)
- Featured on LEGAL THEORY BLOG (November 2, 2017), <https://legaltheoryblog.com/2017/11/02/schoenbaum-on-schleicher-on-law-mobility/>

Heteronormativity in Employment Discrimination Law, 56 WASHBURN L.J. 245 (2017) (symposium)

- Featured on LEGAL THEORY BLOG (June 1, 2017), <https://legaltheoryblog.com/2017/06/01/schoenbaum-on-heteronormativity-in-employment-discrimination-law/>

A Modest Proposal? Regulating Customer Discrimination Through the Firm, 102 IOWA L. REV. ONLINE 310 (2017)

- Response to Katharine Bartlett & Mitu Gulati, *Discrimination by Customers*, 102 IOWA L. REV. 223 (2016)

Gender and the Sharing Economy, 43 FORDHAM URBAN L.J. 1023 (2016) (symposium)

- Response by Katharine Bartlett, *Sharing Sexism*, 43 FORDHAM URBAN L.J. 1163 (2016)
- Featured on LEGAL THEORY BLOG (Nov. 10, 2016), <https://legaltheoryblog.com/2016/11/10/schoenbaum-on-gender-the-sharing-economy/>

The Law of Intimate Work, 90 WASH. L. REV. 1167 (2015)

- Featured on LEGAL THEORY BLOG (June 22, 2015), <https://legaltheoryblog.com/2015/06/22/schoenbaum-on-the-law-of-intimate-work/>

The Family and the Market at Wal-Mart, 62 DEPAUL L. REV. 759 (2013) (symposium)

Mobility Measures, 2012 BYU L. REV. 1169

It's Time That You Know: The Shortcomings of Ignorance as Fairness in Employment Law and the Need for an "Information-Shifting" Model, 30 HARV. J.L. & GENDER 99 (2007)

BOOK CHAPTER AND OTHER WRITING

Review of EMILY GOLD WALDMAN, BRIDGET J. CRAWFORD, & NAOMI R. CAHN, *HOT FLASH: HOW THE LAW IGNORES MENOPAUSE AND WHAT WE CAN DO ABOUT IT* (2024), 39 GENDER & SOC'Y 839 (2025).

Intimacy and Equality in the Sharing Economy, in *THE CAMBRIDGE HANDBOOK OF THE LAW OF THE SHARING ECONOMY* (Nestor Davidson, John Infranca, & Michele Finck, eds.) (2018)

- Featured on LEGAL THEORY BLOG (July 2, 2018), <https://legaltheoryblog.com/2018/07/02/schoenbaum-on-intimacy-and-equality-in-the-sharing-economy/>

WORKS IN PROGRESS

Information Regulation as Antidiscrimination (draft available upon request)

The Equal Protection(s) Clause (manuscript in progress)

In Defense of Women: Why We Don't Care About Sex Anymore (book manuscript in progress)

Unsex(ing) Pregnancy (book manuscript in progress) (with David Fontana)

POPULAR WRITING

The Supreme Court Just Revived One of the Worst Anti-Woman Rulings of All Time, SLATE (Jun 25, 2025), <https://slate.com/news-and-politics/2025/06/supreme-court-worst-ruling-ever-skrmetti.html>

The Supreme Court Case Over Trans Youth Could Also Decimate Women's Equality, POLITICO MAGAZINE (Dec. 24, 2024), <https://www.politico.com/news/magazine/2024/12/24/supreme-court-trans-youth-womens-equality-00195710>

Dobbs and the Complicated Story of Women's Progress at Work, ON LABOR (Aug. 8, 2023), <https://onlabor.org/dobbs-and-the-complicated-story-of-womens-progress-at-work/>

The Supreme Court Inadvertently Instituted Affirmative Action for White Men, POLITICO MAGAZINE (July 19, 2023), <https://www.politico.com/news/magazine/2023/07/19/scotus-affirmative-action-admissions-white-men-00106595>

The Supreme Court Victory for Transgender Women Is a Win for All Women, SLATE (June 15, 2020), <https://slate.com/news-and-politics/2020/06/supreme-court-transgender-women-aimee-stephens-victory.html>

When Liberals and Conservatives Agree on Women's Rights, POLITICO MAGAZINE (Mar. 31, 2015), <https://www.politico.com/magazine/story/2015/03/supreme-court-pregnancy-discrimination-coalition-116559/>

Kamala Harris, Sheryl Sandberg, and a Double Bind for Working Women, SLATE (Apr. 9, 2013), <https://slate.com/human-interest/2013/04/kamala-harris-comments-by-obama-sheryl-sandberg-remarks-reveal-a-double-bind-for-working-women.html>

The Single Word That Could Make or Break Obamacare, THE ATLANTIC (Oct. 17, 2012), <https://www.theatlantic.com/national/archive/2012/10/the-single-word-that-could-make-or-break-obamacare/263742/>

- Subject of Sarah Kliff, *Could One Word “Make or Break” the Health Care Law?*, WASHINGTON POST WONKBLOG (Oct. 22, 2012), <https://www.washingtonpost.com/news/wonk/wp/2012/10/22/could-one-word-make-or-break-the-health-care-law/>

Post-Gender Justice, THE NEW REPUBLIC (July 12, 2010), <https://newrepublic.com/article/76176/post-gender-justice>

LEGAL EXPERIENCE

Sidley Austin LLP

Litigation Associate

Washington, DC
November 2007 – May 2010

National Partnership for Women & Families

Women’s Law and Public Policy Fellow/Policy Counsel

Washington, DC
August 2006 – August 2007

United States Court of Appeals for the Sixth Circuit

Law Clerk to the Honorable Karen Nelson Moore

Cleveland, OH
August 2005 – August 2006

Bernabei & Katz, PLLC (civil rights law firm)

Law Clerk

Washington, DC
Summer 2004

NOW Legal Defense and Education Fund

Legal Intern

New York, NY
Summer 2003

PRESENTATIONS

Sex Equality After Skrametti

- USF Law Review Speaker Series, October 2025
- George Washington University Law School Faculty Workshop, October 2025

Information Regulation as Antidiscrimination

- Florida International University College of Law Faculty Workshop, April 2025
- Employment Discrimination Section Program, AALS Annual Meeting, January 2025
- Texas A&M Law School Faculty Workshop, September 2024
- Colloquium on Scholarship in Employment and Labor Law, September 2024
- George Washington University Law School Faculty Workshop, September 2024

Rethinking Sex as Biology under Equal Protection

- University of Texas Law School Faculty Workshop, December 2024
- West Coast Sexuality, Gender, and the Law Conference, March 2024
- University of Lisbon Law School Faculty Workshop, June 2023
- Gender Science Lab, Harvard University, April 2023
- Workshop on Regulation of Family, Sex, and Gender, University of Chicago Law School, March 2023
- Boston College Law School Faculty Workshop, February 2023
- Colloquium on Scholarship in Employment and Labor Law, October 2022
- George Washington University Law School Faculty Workshop, September 2022
- Hebrew University Faculty of Law, Seminar, June 2022
- George Washington University Law School Half-Baked Ideas Lunch, March 2021

Unsexung Breastfeeding

- Panelist, Hidden Harms in the Legal Regulation of Sex & Reproduction, AALS Annual Meeting, January 2022
- Constitutional Law Colloquium, George Washington University Law School, November 2021
- Feminist Forum, George Washington University Law School, November 2021
- George Washington University Law School Faculty Workshop, June 2021
- Family Law Scholars and Teachers Conference, June 2021
- Breastfeeding Law and Policy Discussion Group, AALS Annual Meeting, January 2020

The New Law of Gender Nonconformity

- George Washington University Testimony Podcast, February 2021
- *Minnesota Law Review* Experto Crede Podcast, September 2020
- George Washington University Law School Faculty Workshop, September 2020
- Feminist Forum, George Washington University Law School, September 2020

Ignorance as Equality in the Sharing Economy

- Keynote Speech, International Conference on the Regulation of the Sharing Economy, University of Valencia, Spain, November 2019

Ignorance as Equality

- Craigardan Public Lecture Series (Keene, NY), August 2018
- Bar-Ilan University Faculty of Law Faculty Workshop, June 2018
- IDC Herzliya Radzyner Law School Law and Psychology Seminar, June 2018
- George Washington University Law School Half-Baked Ideas Lunch, December 2017

Stuck or Rooted? The Costs of Mobility and the Value of Place

- Craigardan Public Lecture Series (Keene, NY), August 2018

The Market Response to Discrimination in the Sharing Economy

- Sharing Economy: Markets and Human Rights Symposium, College of Law and Business (Ramat Gan, Israel), January 2018

Intimacy and Equality in the Sharing Economy

- Welfare, Rights, and Discrimination Workshop, University of Oslo Faculty of Law, November 2017
- Workshop for The Cambridge Handbook of the Law of the Sharing Economy, April 2017

Unsexung Pregnancy

- Adolfo Ibáñez University Law School Faculty Workshop (Santiago, Chile), June 2024
- Loyola Law School, Los Angeles Faculty Workshop, October 2017
- George Washington University Law School Faculty Workshop, January 2017
- University of Maryland/University of Baltimore Schools of Law Junior Faculty Workshop, October 2016
- Colloquium on Scholarship in Employment and Labor Law, September 2016
- Family Law Scholars and Teachers Conference, June 2016

Heteronormativity in Employment Discrimination Law

- Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, April 2017
- Washburn Law Journal Symposium: Future of Labor and Employment Law, February 2017

The Case for Symmetry in Antidiscrimination Law

- Comparative Constitutional Law Roundtable, University of New South Wales Law School, December 2016
- George Washington University Law School Faculty Workshop, September 2016
- University of Maryland/University of Baltimore Schools of Law Junior Faculty Workshop, October 2015
- Columbus School of Law, Catholic University of America Faculty Workshop, September 2015

Gender and the Sharing Economy

- Fordham Urban Law Journal Cooper-Walsh Colloquium, October 2015

Towards a Law of Emerging Adulthood

- Family Law Scholars and Teachers Conference, June 2015

Towards a Law of Coworkers

- AALS Mid-Year Meeting, Family Law, June 2015
- George Washington University Law School Faculty Workshop, April 2015
- Mount Vernon Fellows Workshop, George Washington University, March 2015

The Law of Intimate Work

- George Washington University Law School Faculty Workshop, March 2014
- Queen's University Faculty of Law Workshop, March 2014
- George Mason University School of Law Works-in-Progress Workshop, March 2014
- Employment and Labor Law Scholars' Forum (selected paper), October 2013

The Family and the Market at Wal-Mart

- DePaul Law Review Annual Symposium, February 2012

Mobility Measures

- Colloquium on Scholarship in Employment and Labor Law, September 2011
- University of Chicago Law School Works-in-Progress Seminar, September 2011
- Southeastern Association of Law Schools Annual Meeting, July 2011
- Law and Society Annual Meeting (response by Professor Gillian Lester), June 2011

SELECTED MEDIA APPEARANCES AND COMMENTARY

Panelist, Supreme Court Preview, George Washington University Law School, September 2025

Speaker, *United States v. Skrimetti*, George Washington University Law School Summer Workshop Series, July 2025

Riki Wilchins, *A Conversation About Skrimetti With Ezra Young & Naomi Schoenbaum*, ASSIGNED MEDIA, <https://www.assignedmedia.org/breaking-news/skrmetti-interview-ezra-young-naomi-schoenbaum> (July 8, 2025)

Speaker, AALS Webinar on EMILY GOLD WALDMAN, BRIDGET J. CRAWFORD, & NAOMI R. CAHN, HOT FLASH: HOW THE LAW IGNORES MENOPAUSE AND WHAT WE CAN DO ABOUT IT (2024), May 2025

Riki Wilchins, *A Quiet Legal Radical Unites Trans & Women's Rights*, ASSIGNED MEDIA, <https://www.assignedmedia.org/breaking-news/quiet-legal-radical-unites-trans-womens-rights> (Mar. 20, 2025)

Speaker, The U.S. in the Run-Up to the Election: A Conversation about Politics, Courts, and Challenges to the Rule of Law, Adolfo Ibáñez University Law School (Santiago, Chile), June 2024

Commenter, Professor Madeleine Gyory, *Legislating Flexibility in the Post-Pandemic Workplace*, AALS New & Emerging Voices in Workplace Law Session, January 2024

Speaker, *Harvard Journal of Law & Gender* lunch event, March 2023

Invited Participant, Biological Binary Sex Essentialism in the Law and Public Policy Workshop, Harvard Gender Science Lab, April 2021

Speaker, Opening Reception for NINE: Portraits of Women in the Law, George Washington University Law School, March 2021

Panelist, Constitutional and Employment Law During and After the Pandemic, George Washington University Law School ACLU, March 2021

Commenter, Professor Shirley Lin, *Bargaining for Survival: Disability and Pregnancy Accommodations as Privatized Public Law*, AALS Employment Discrimination Section Paper Workshop, July 2020

Commenter, Professor Josephine Nelson, *Management Culture and Surveillance*, Emerging Labor and Employment Law Scholars Workshop, AALS Annual Meeting, January 2020

Speaker, Diversity Affairs Speaker Series, George Washington University Law School Bar Association, March 2018

Moderator, Relationships in Employment Discrimination Law, AALS Annual Meeting, January 2018

Moderator, Emerging Labor and Employment Law Scholars Workshop, AALS Annual Meeting, January 2018

Speaker, George Washington University Law School Law Association for Women Lunch, November 2017

Panelist, Mastering the Art of Teaching the Small Class and Supervising the Paper, George Washington University Law School, October 2017

Commenter, Professor Kimberly Yuracko, *Valuing Black Lives: A Constitutional Challenge to the Use of Race-Based Tables in Calculating Tort Damages*, Faculty Workshop, George Washington University Law School, October 2017

Moderator and Discussant, Hot Topics in Teaching Family Law: Triggers, Transgender, and Technology, Southeastern Association of Law Schools Annual Meeting, July 2017

Moderator and Organizer, Author Meets Reader: New Books in Employment Discrimination Law, AALS Annual Meeting (authors Susan Bisom-Rapp, Tristin Green, Joanna Grossman, Ann McGinley, Sandra Sperino, and Suja Thomas), January 2017

Commenter, Jessica Dixon Weaver, *Vulnerability, Resistant Assets, and Reciprocal Exchange*, Family Law Scholars and Teachers Conference, June 2015

Commentary on *Young v. UPS* decision, Shattering the Ceiling Blog, May 2015

Pregnancy Discrimination and *Young v. UPS*, DC Women's Bar Association, January 2015

Commentary on *Young v. UPS* argument, Shattering the Ceiling Blog, January 2015

Commentary on *United States v. Commonwealth of Pennsylvania*, Arise News, July 2014

Women in Legal Education: Advice for New Law Professors, American Association of Law Schools Workshop for New Law Professors, June 2014

Wal-Mart v. Dukes and the Implications for Sex Discrimination Litigation, Feminist Forum, George Washington University Law School, April 2013

Commenter, Dorothy Roberts, *Oncofertility*, Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, January 2012

Commenter, Ann McGinley, *Reasonable Men? Multidimensional Masculinities and Sexual Harassment*, Feminist Legal Theory Conference, George Washington University Law School, January 2012

Invited Speaker on *Race* by David Mamet, University of Chicago Arts Pass Program, January 2012

Commenter, Margaret F. Brinig, *The Division of Labor Across Time and Generations*, Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, February 2011

PROFESSIONAL ACTIVITIES

Member, Legal Advisory Board, Gender Science Lab, Harvard University, April 2021 – present

Reviewer

- *Science*
- *Yale Law Journal*
- *Stanford Law Review*
- *University of Chicago Law Review*
- *Law & Social Inquiry*
- *International Journal of Comparative Labour Law and Industrial Relations*
- Israel Science Foundation
- Oxford University Press

Employment Discrimination Section, American Association of Law Schools

- Executive Committee, January 2018 – December 2023
- Chair, January 2017 – December 2017
- Chair Elect, January 2016 – December 2016
- Secretary, January 2015 – December 2015

Labor and Employment Relations Section, American Association of Law Schools

- Executive Committee, January 2017 – December 2024; January 2015 – December 2015
- Treasurer, January 2016 – December 2016

Volunteer Attorney, Obama for America, Washington, D.C., August 2008 – October 2008

BAR ADMISSIONS

New York (2007); District of Columbia (2008, inactive); U.S. Court of Appeals for the Federal Circuit (2008)