

CLAUDIA E. HAUPT

Associate Professor of Law and Political Science
Northeastern University School of Law
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ACADEMIC APPOINTMENTS

Northeastern University School of Law, Boston, MA since July 2018

Associate Professor of Law and Political Science

Teaching: Torts, U.S. Constitutional Law, Civil Liberties, First Amendment seminar “The Religion Clauses”

Service: Appointments Committee (2019-2021)

Faculty Colloquium (2019-2020)

Curriculum Committee (2018-2019)

Political Science Pre-Law Advisor (since 2018)

Yale Law School, New Haven, CT 2016 – present

Senior Visiting Research Scholar, Solomon Center for Health Law & Policy (fall 2021)

Affiliated Fellow, Information Society Project (since 2018)

Lecturer in Law; Research Fellow, Solomon Center for Health Law & Policy (2017-2018)

Resident Fellow, Information Society Project (2016-2018)

Teaching: Co-taught seminar “Law and the Opioid Crisis”

Service: ISP Fellows Workshop Coordinator

Columbia Law School, New York, NY 2012 – 2015

Associate in Law

Teaching: Legal Research and Writing

Service: Associates & Fellows Workshop Coordinator

George Washington University Law School, Washington, DC 2009 – 2012

Professorial Lecturer in Law; International and Comparative Law Fellow

Teaching: Professional Responsibility, Comparative Constitutional Law, Jurisprudence, Legal Research and Writing

PUBLICATIONS

BOOK

RELIGION-STATE RELATIONS IN THE UNITED STATES AND GERMANY: THE QUEST FOR NEUTRALITY (Cambridge University Press 2012)

- Reviewed by Richard Albert, 56 JOURNAL OF CHURCH & STATE 781 (2014)
- Claudia Haupt & Markus Thiel, Book Review/Response, *Church & State Relations in Germany and the United States*, Int'l J. Const. L. Blog, April 15, 2013, available at: <http://www.icconnectblog.com/2013/04/book-reviewresponse-claudia-haupt>

ARTICLES AND ESSAYS

Lethal Lies: Government Speech, Distorted Science, and the First Amendment, 2022 UNIVERSITY OF ILLINOIS LAW REVIEW ____ (co-author) (forthcoming 2022) (symposium)

Regulating Speech Online: Free Speech Values in Constitutional Frames, 99 WASHINGTON UNIVERSITY LAW REVIEW ____ (forthcoming 2021)

Assuming Access to Professional Advice, JOURNAL OF LAW, MEDICINE & ETHICS ____ (forthcoming 2021) (symposium)

Public Health Originalism and the First Amendment, 78 WASHINGTON & LEE LAW REVIEW 231 (2021) (co-author)

Licensing Knowledge, 72 VANDERBILT LAW REVIEW 501 (2019)

- Reviewed by Andrea Matwyshyn, *Democratized Content and Its Discontents*, JOTWELL: TECHNOLOGY LAW, Jul 2, 2019, at <https://cyber.jotwell.com/democratized-content-and-its-discontents/>

Governing AI's Professional Advice, 64 MCGILL LAW JOURNAL 665 (2019) (symposium, peer reviewed)

Artificial Professional Advice, 18 YALE JOURNAL HEALTH POLICY, LAW & ETHICS 55 (2019)/21 YALE JOURNAL OF LAW & TECHNOLOGY 55 (2019) (joint symposium issue)

- Health Law Scholar, American Society of Law, Medicine & Ethics (awarded 2018)

Sex and the First Amendment Through the Lens of Professional Speech, 17 FIRST AMENDMENT LAW REVIEW 186 (2019) (symposium)

Physician Autonomy and the Opioid Crisis, 46 JOURNAL OF LAW, MEDICINE & ETHICS 203 (2018) (co-author)

The Role of Civil Commitment in the Opioid Crisis, 46 JOURNAL OF LAW, MEDICINE & ETHICS 343 (2018) (co-author)

Unprofessional Advice, 19 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 671 (2017)

- Reviewed by Carl Coleman, *Reconciling the First Amendment with the Regulation of Professional-Client Communications*, JOTWELL: HEALTH LAW, Jan 27, 2017, at <https://health.jotwell.com/reconciling-the-first-amendment-with-the-regulation-of-professional-client-communications/>

Professional Speech, 125 YALE LAW JOURNAL 1238 (2016)

Active Symbols, 55 BOSTON COLLEGE LAW REVIEW 821 (2014)

Transnational Nonestablishment, 80 GEORGE WASHINGTON LAW REVIEW 991 (2012)

- Excerpted in LAW AND RELIGION: CASES, MATERIALS, AND READINGS (Larry Catá Backer & Frank Ravitch eds., 2015)

Mixed Public-Private Speech and the Establishment Clause, 85 TULANE LAW REVIEW 571 (2011)

The Nature and Effects of Constitutional State Objectives: Assessing the German Basic Law's Animal Protection Clause, 16 ANIMAL LAW 213 (2010)

Information Technology meets Healthcare: The Present and Future of e-Health Initiatives in Germany and Europe, 12 DEPAUL JOURNAL OF HEALTH CARE LAW 105 (2009) (co-author)

The Scope of Democratic Public Discourse: Defending Democracy, Tolerating Intolerance, and the Problem of Neo-Nazi Demonstrations in Germany, 20 FLORIDA JOURNAL OF INTERNATIONAL LAW 169 (2008)

Free Exercise of Religion and Animal Protection: A Comparative Perspective on Ritual Slaughter, 39 GEORGE WASHINGTON INTERNATIONAL LAW REVIEW 839 (2007)

Regulating Hate Speech—Damned If You Do and Damned If You Don’t: Lessons Learned from Comparing the German and U.S. Approaches, 23 BOSTON UNIVERSITY INTERNATIONAL LAW JOURNAL 299 (2005)

SHORTER WORKS

Platforms as Trustees: Information Fiduciaries and the Value of Analogy, 134 HARVARD LAW REVIEW FORUM 34 (2020)

Who Celebrates What? A Response to Professor Levinson, 12 NORTHEASTERN UNIVERSITY LAW REVIEW 401 (2020)

Which Legal Approaches Help Limit Harms to Patients from Clinicians’ Conscience-Based Refusals? 22 AMERICAN MEDICAL ASSOCIATION JOURNAL OF ETHICS 209 (2020) (co-author)

The Limits of Professional Speech, 128 YALE LAW JOURNAL FORUM 185 (2018)

Professional Speech and the Content-Neutrality Trap, 127 YALE LAW JOURNAL FORUM 150 (2017)

Antidiscrimination in the Legal Profession and the First Amendment: A Partial Defense of Model Rule 8.4(g), 19 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW ONLINE (2017)

Professional Ethics, Personal Conscience, and Public Expectations, 27 JOURNAL OF CLINICAL ETHICS 233 (2016)

CHAPTERS IN BOOKS

Religious Outliers: Professional Knowledge Communities, Individual Conscience Claims, and the Availability of Professional Services to the Public, in *LAW, RELIGION, AND HEALTH IN THE UNITED STATES* (Holly F. Lynch, I. Glenn Cohen, & Elizabeth Sepper eds., Cambridge University Press 2017)

Transnational Nonestablishment (Redux), in *RELIGION, SECULARISM, AND CONSTITUTIONAL DEMOCRACY* (Jean L. Cohen & Cécile Laborde eds., Columbia University Press 2016)

OTHER SELECTED WRITING

AI in the Doctor-Patient Relationship: Identifying Some Legal Questions We Should Be Asking, Data & Society Points (Jun 19, 2018) ([link](#))

Giving Professional Advice, THE HUFFINGTON POST (Sept 3, 2016) ([link](#))

When the State Tells Professionals What They Can Say, SAN FRANCISCO DAILY JOURNAL (Nov 6, 2014)

Speaking Professionally, THE HUFFINGTON POST (Sept 9, 2014) ([link](#))

BLOGGING

Bill of Health

[When Health Advice is Hard to Come By, BIPOC Suffer the Consequences](#), Oct 6, 2020

Balkanization

[First Amendment Fundamentalism and Doctrinal Disarray](#), Oct 12, 2019

[The Algorithm Will See You Now](#), Oct 26, 2018

I-CONnect (blog of the International Journal of Constitutional Law)

[Leading by Opposition: Justice Scalia and Comparative Constitutional Law](#), Feb 24, 2016

[The “New” German Teacher Headscarf Decision](#), March 17, 2015

[The value of case-specific inquiry in comparative constitutional law methodology: Preliminary thoughts and questions](#), Nov 2, 2012

Center for Law & Religion Forum (St. John’s University School of Law)

[Who Speaks on Your License Plate?](#), Jan 12, 2015

[Worth A Thousand Words](#), July 5, 2013

[Says Who?](#), June 21, 2013 (cross-posted on I-CONnect)

[“A Coat of Many Colors”](#), June 14, 2013 (cross-posted on I-CONnect)

[If It Looks Like A Duck...?](#), June 5, 2013 (cross-posted on I-CONnect)

SELECTED ACADEMIC PRESENTATIONS

“High-Stakes Advice”

Freedom of Expression Scholars Conference, Yale Law School, May 2021

“Lethal Lies: Government Speech, Distorted Science, and the First Amendment”

University of Illinois Law Review Symposium “The Government’s Speech and the Constitution,” April 2021

“Assuming Access to Professional Advice”

First Amendment Values in Health Care Symposium, GW Law School, March 2021; Northeastern University School of Law Faculty Colloquium, June 2021

“Platforms as Trustees: Information Fiduciaries and the Value of Analogy”

Northeastern University School of Law Faculty Colloquium, July 2020; Freedom of Expression Scholars Conference, Yale Law School, October 2020

“Public Health Originalism and the First Amendment”

Freedom of Expression Scholars Conference, Yale Law School, April 2019; Northeastern University School of Law Faculty Colloquium, April 2020; BC Law Regulation & Markets workshop, September 2020

“Sex and the First Amendment Through the Lens of Professional Speech”

First Amendment Law Review Symposium, UNC School of Law, November 2018

“Governing AI’s Professional Advice”

McGill Law Journal Symposium “Programming Governance/Governing Programming: Regulatory Challenges on the Edge of Technology,” McGill Faculty of Law, November 2018

“The Role of Civil Commitment in the Opioid Crisis”

Grayken Center for Addiction Young Adult Summit, Boston Medical Center, October 2018

“Artificial Professional Advice”

Health Law Scholars Workshop, St. Louis University, September 2018; Conference “Law and Policy of AI, Robotics and Telemedicine in Health,” Solomon Center for Health Law & Policy and Information Society Project, Yale Law School, November 2018; Law & Society Association Annual Meeting, Washington, DC, May 2019; Conference “The Perils and Promises of Artificial Intelligence in Healthcare and Business,” Bander Center for Medical Business Ethics, St. Louis University, November 2019

“Regulating Speech Online: Free Speech Values in Constitutional Frames”

Data & Society Research Institute, June 2018; American Political Science Association Annual Meeting, August 2018; Information Society Project “Ideas Lunch,” Yale Law School, March 2019; Global Younger Comparativists Committee Conference, McGill Faculty of Law, May 2019; delivered as lecture on “German Law: Present” at Washington & Lee School of Law, January 2020; Comparative Law Works-in-Progress Workshop, Princeton University, March 2021; Northeastern University School of Law Faculty Colloquium, March 2021

“The Limits of Professional Speech”

Health Law Roundtable, Northeastern University School of Law, September 2018

“Licensing Knowledge”

Freedom of Expression Scholars Conference, Yale Law School, April 2018

“Professional Speech and the Content-Neutrality Trap”

Freedom of Expression Scholars Conference, Yale Law School, April 2017

“Unprofessional Advice”

Freedom of Expression Scholars Conference, Yale Law School, April 2016; Law & Society Association Annual Meeting, New Orleans, LA, June 2016; University of Arizona, October 2016

“Religious Outliers: Professional Knowledge Communities, Individual Conscience Claims, and the Availability of Professional Services to the Public”

Petrie-Flom Center Conference “Law, Religion, and Health in America,” Harvard Law School, May 2015; Annual Law & Religion Roundtable, Georgetown University Law Center, June 2015

“Professional Speech”

Columbia Law School, August 2014; Law & Society Association Annual Meeting, Seattle, WA, May 2015; Lavender Law, National LGBT Bar Association Annual Meeting, Chicago, IL, August 2015; Yale Law School, September 2015

“Transnational Nonestablishment (Redux)”

American Society of Comparative Law – Younger Comparativists Committee Conference, Lewis & Clark Law School, April 2014

“Active Symbols”

Columbia Law School, May 2013; Religious Legal Theory Conference, April 2013; Boston College School of Law, April 2013

“Religion-State Relations in the United States and Germany: The Quest for Neutrality”

International & Comparative Law Colloquium, George Washington University Law School, November 2012

EDUCATION

Columbia Law School , New York, NY J.S.D.	2017
George Washington University Law School , Washington, DC LL.M., <i>with highest honors</i> Research assistant to Professor Francesca Bignami Pro bono certificate	2009
University of Cologne , Cologne, Germany Ph.D., Political Science, <i>magna cum laude</i>	2008
State University of New York at Albany , Albany, NY M.A., Political Science	2004
University of Cologne , Cologne, Germany First law degree (LL.B. equivalent)	2003

PROFESSIONAL EXPERIENCE

Graf von Westphalen , Cologne, Germany <i>Attorney, Information Technology & Telecommunications Practice Section</i> Advised on legal aspects of IT-related projects, including e-health and e-government projects, international health management project involving EU and national medical data protection questions. Drafted professional responsibility and legal ethics opinions for Board of the Cologne Bar. Trial and appellate litigation experience.	2007 – 2008
Regional Court of Appeals of Cologne , Cologne, Germany <i>Law Clerk</i>	2005 – 2007

PROFESSIONAL ACTIVITIES

Editor, German Law Journal (since 2019)

American Society of Comparative Law, Younger Comparativists Committee

Organizer, International & Comparative Law Junior Scholars Workshop co-sponsored by the American Society of International Law, Columbia Law School, March 2013

Organizer, Comparative Constitutional Law Roundtable co-sponsored by the Columbia Law School Center for Constitutional Governance, Columbia Law School, February 2013

Organizer & Host, inaugural Younger Comparativists Committee Conference, George Washington University Law School, April 2012

Program Committee, Global Younger Comparativists Conferences (2012-2015; 2019)

Membership Advisory Group, Chair (2011-2012)

Scholarship Advisory Group, Member (2018-2019), Chair (2019)

Member of the YCC Board (since 2020)

Fellow, Data & Society Research Institute, New York, NY (2017-2018)

Dissertation committee member, New School for Social Research, Politics doctoral student (2015-2018)

Postdoctoral Researcher, Institute for Religion, Culture & Public Life, Columbia University (2014-2016)

Peer reviewer, Cambridge University Press; Oxford Journal of Law & Religion; International Journal of Constitutional Law; Yale Journal of Health Policy, Law & Ethics; AMA Journal of Ethics

BAR ADMISSIONS

New York, 2010

Germany, 2007