

ZANITA E. FENTON

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CURRENT APPOINTMENT:

University of Miami School of Law, Coral Gables, Florida

Professor of Law (2005-), lateral appointment

Visiting Professor of Law (Spring 2004)

Courses:

Courses: Constitutional Law (I & II), Family Law, Race and the Law, Torts, Products Liability

Seminars: Sex, Procreation, & Reproductive Technology; Critical Race Feminism; Women & the Law Stories

voted Outstanding Law Professor by 2010 BLSA

Guest Lectures:

Professor Frank Valdes, University of Miami School of Law

Law Practice: Social Impact Advocacy (March 1, 2017)

Topic: *Bastards! . . . And The Welfare Plantation*

Professor Elizabeth Harry, University of Miami School of Education

Disability and Diversity: Critical Views. (October 31, 2016)

Topic: *Disability Does Not Discriminate: Toward a Theory of Multiple Identity Through Coalition*

Aziza Botchway, adjunct, University of Miami School of Law

Law & Society: Race in America (Fall 2007, Spring 2008, Fall 2008)

Topic: A Critical Race Feminist Analysis of *Loving v. Virginia*

EDUCATION:

Harvard Law School, Cambridge, Massachusetts, 1993 J.D.

Harvard BlackLetter Journal: **Editor-In-Chief**, Vol. 10

Princeton University, Princeton, New Jersey, 1990 A.B., Politics

Certificate, Program in East Asian Studies (Japan Section)

PUBLICATIONS and RESEARCH:

Research Interests:

Family Law; Reproductive Technology and Procreative Freedoms; Gender Issues and Gender Violence; Race and Racial Justice; Education; Constitutional Law; Structural Inequality.

Book Chapters:

Disability Does Not Discriminate: Toward a Theory of Multiple Identity Through Coalition in in *DisCrit: Disability Studies and Critical Race Theory in Education* (Teachers College Press, eds. David Connor, Beth Ferri & Subini Annamma, 2016).

Disabling Racial Repetition in Righting Educational Wrongs: Disability Studies in Law and Education (Syracuse University Press, eds. Arlene S. Kanter and Beth A. Ferri, 2013).

Town of Castle Rock v. Gonzales: A Tale of State Enabled Violence, in Women & the Law Stories (Foundation Press, eds. Elizabeth Schneider and Stephanie Wildman, 2011).

Articles, Symposia and Invited Essays:

Disarming State Action; Discharging State Responsibility, 52 Harv. C.R.C.L. 47 (2017)

Bastards! And The Welfare Plantation, 17 Iowa J. Gender, Race & Just. 9 (2013).

Disabling Racial Repetition, 31 J. Law & Inequality 77 (2012).

An Essay on Slavery's Hidden Legacy: Social Hysteria and Structural Condonation of Incest, 55 How. L.J. 319 (2012).

No Witch is a Bad Witch: A Commentary on the Erasure of Matilda Joslyn Gage, 20 Law & S. Cal. L.J. Interdisciplinary L. 21 (2010).

Sleight of Hand or the Old Bait & Switch: Article III & The Politics of Self-Policing by the Court in Parents Involved, 63 Univ. Miami L. Rev. 561 (2009).

The Paradox of Hierarchy OR Why We Always Choose the Tools of the Master's House, 31 NYU J. L. Soc. Change 627 (2007).

Colorblind Must Not Mean Blind to the Realities Facing Black Children, 26 BCTWLJ 81 (2006).

Domestic Violence, Encyclopedia of American Civil Liberties (Routledge, ed. Paul Finkelman 2006).

To Do is To Be: A Comment on the "To Do Feminist Legal Theory" Student Symposium, 9 Cardozo Women's L. J. 431(2003).

Silence Compounded - the Conjunction of Race and Gender Violence, 11 Am. U. J. Gender, Soc. Poly & L. 271 (2002).

A Comment on Race and the Law, 48 Wayne L. Rev. 1062 (2002).

Introduction: Foster Care: The Border of Family Identity -Maintaining, (Re)creating, Destroying for the Symposium: "Transgressing Borders: Women's Bodies, Identities and Families," In Memory of Mary Joe Frug 36 N.E. L. Rev. 59(2001).

Faith in Justice: Fiduciaries, Malpractice & Sexual Abuse By Clergy 8 Mi. J. of Gender & L. 45 (2001).

Cited in S.H.C. v. Lu, 113 Wash.App. 511, 54 P.3d 174, Wash.App. Div. 1 (2002)

Cited in McKelvey v. Pierce, 173 N.J. 26, 800 A.2d 840, 166 Ed. Law Rep. 673, N.J. (2002)

Mirrored Silence: Reflections on Judicial Complicity in Private Violence 78 Ore. L. Rev. 955 (1999).

Domestic Violence In Black and White: Racialized Gender Stereotypes In Gender Violence, 8 Colum. J. Gender & L. 1(1998);

reprinted in Nancy K.D. Lemon, Domestic Violence Law (2000).

cited in CATLIN v. I. Huanani, 2003 WL 22345882, *22345882+ (Appellate Brief) (9th Cir. Apr 21, 2003) Reply Brief of Appellant (NO. 02-17201).

cited in Petition Alleging Violations of the Human Rights of Jessica Gonzalez by the United States of America and the State of Colorado, With Request for an Investigation and Hearing on the Merits (Brief: to the Honorable Members of the Inter-American Commission on Human Rights, Organization of American States) (2005)

In A World Not Their Own: The Adoption of Black Children, 10 Harv. BlackLetter J. 39 (1993).

Cited in U.S. v. Rose, 885 F.Supp. 62, (E.D.N.Y., May 17, 1995).

Book Reviews:

Rebecca J. Cook and Simone Cusack, *Gender Stereotyping: Transnational Legal Perspectives*, 33 Hum. Rts. Qlty 243 (2011) (book review).

Robert Tsai, *Eloquence & Reason: Creating a First Amendment Culture*, 44 L. & Society Rev. 195 (2010) (book review).

Caroline A. Forrell & Donna M. Matthews, *A Law of Her Own: The Reasonable Woman as a Measure of Man*, 37 *Crim. L. Bulletin* 119 (2000) (book review).

Works In Progress:

Being Exceptional

SELECTED CONFERENCES AND PRESENTATIONS:

National:

“Law and the Imagining of Difference,” University of Alabama School of Law (April 7, 2017).

Panelist: Being Exceptional

Law and Society Annual Meeting, Seattle, WA (May 28-31, 2015).

Panelist: From Bigger Thomas To Urban Thug: The Black Criminal In The White Imagination

Moderator: Juvenile Socialization and Justice Under Law.

An Uncomfortable Conversation: The Universal and the Particular Vulnerability and Identities, II University of Miami School of Law (November 14-15, 2014)

Panelist: Health, Disability and Universal Embodiment panel held here at Miami Law.

CONVERGE! Re-Imagining the Movement to End Gender Violence, University of Miami School of Law (February 7-8, 2014)

Moderator: Colonization, Culture, & Resistance

International Law Weekend, Fordham University School of Law (October 24-26, 2013)

Panelist: Internationalizing Gender and Disability Law: Int’l Accountability for Preventing & Ending Violence Against Women

“No Woman, No Cry” and a Conversation with Filmmaker and Founder of Every Mother Counts: Christy Turlington Burns (November 9, 2012)

Panelist

SALT Teaching conference, Baltimore MD (October 5-6, 2012)

Panelist: “Doing Disability Justice: Advancing Disability Rights and Student Involvement in the Law School Environment”

Sixth Annual Lutie A. Lytle Black Female Law Faculty Workshop, Suffolk University Law School (June 28-30, 2012)

Commenter: two works-in-progress.

Feminist Theory-Feminist Practice-Women's Experience: Challenging Boundaries in Legal Education, Northeastern University School of Law (November 5, 2010)

Panelist: Evolution of Domestic Violence Theory and Practice

Michigan State University Law School Faculty Presentation Series, East Lansing, MI (October 18, 2010)

Presentation: Rights and State Responsibility: An Examination of Town of Castle Rock v. Gonzales

Third National People of Color Legal Scholarship Conference, Seton Hall Law School, Newark, NJ (September 9-12, 2010)

Panel: Post-Marxism, Post-Racialism & Other Fables of the Dispossession-I (3 part series)

Presenter: "Let's Talk About It!": Legal Rhetoric and the Politics of Subordination

Women and the Law Stories Conference. The Power of Women's Stories II: Examining Women's Role in Law and the Legal System Santa Clara University, Santa Clara, Ca. (April 16, 2010)

Presenter: Town of Castle Rock v. Gonzales

Association for the Study of Law, Culture & the Humanities 13th Annual Conference, Brown University, Providence, RI (March 19 & 20, 2010)

Panel: From victim to Destroyer:

Presenter: Beat your Child in to a Better Slave

Taking Oz Seriously, Albany law School (November 13, 2009)

Presenter: Of Witches and the Magic of Reality Convergence: The life of Matilda Joslyn Gage.

Disability Studies in Education 9th Annual Conference: Righting Educational Wrongs, Syracuse University, May 1-3 2009

Presenter: *(Dis)abling Race (and Gender); Accommodating Difference*

University of Georgia Faculty Colloquium Series, Athens, Ga (February 9, 2009)

Speaker: A Critical Race Feminist Reading of Town of Castle Rock v. Gonzales

Thurgood Marshall Law Review Spring Symposium, Education and the Bewilderment of Race: A Closer Look at Community School v. Seattle School District #1, Houston, Texas (April 5, 2008)

Panelist: Article III & The Politics of Self-Policing by the Court in Parents Involved

AALS Annual Meeting, Reassessing Our Roles as Scholars and Educators in Light of Change, New York, New York (January 2-6, 2008).

Panelist: Gender and Class: Voices from the Collective - Criminalization

Iowa University Law School Black Female Law Faculty Writing Workshop (July 12-15, 2007)
Speaker and Participant

Caribbean Bar Association Inaugural Gala, Newark, New Jersey (June 15, 2006)
Keynote Speaker: Encouraging Activism

Coalition Building Among Communities of Color in a Post "Integration" World,
Southeast/Southwest People of Color Legal Scholarship Conference, Santa Fe, New Mexico (April
6-9, 2006)

The Intersection of Gender, Race, Class, Culture, and Law

Panelist: Adopting Abortion: Race Politics, Reproduction, & Social Control

Teaching From the Left, Harvard Law School, Cambridge, Ma (March 11-12, 2006)

Panelist: Constitutional Law

Law and Society Association Annual Meeting (June 2-5, 2005)

*Speaker: "Guerilla Theater: Using the Spectacle of Contemptuous Courts to Reform the
Justice System" with Kathryn Lindberg.*

Black Children and Their Families in the 21st Century: Surviving the American Nightmare or
Living Dream Deferred? (March 11, 2005)

Symposium Participant and Panelist

Second National People of Color Conference, George Washington University Law School,
Washington, D.C. (October 7-10, 2004)

Authors Meet Readers: A Workshop - *Panel Organizer*

Feminist Theory and Practice in the Classroom - *Panelist*

Subversive Legacies: Learning From History/Constructing the Future, University of Texas Law
School (November 22-23, 2002)

Domestic Violence: Race, Gender and Power: *Panelist*

Confronting Domestic Violence and Achieving Gender Equality: Evaluating Battered Women &
Feminist Lawmaking, American University, Washington College of Law (September 15, 2001,
rescheduled for April 20, 2002)

Panelist and Symposium Participant

Crime and Consequence: The Impact of Criminalization

University of North Carolina School of Law (March 3, 2001)

Panelist: Alternative Sanctions

Discussion Leader: Domestic Violence Session

Transgressing Borders: Women's Bodies, Identities, and Families

New England School of Law, Boston (March 31, 2001)

Foster Care: The Border of Family Identity -Maintaining, (Re)creating, Destroying

Panel Organizer and Moderator

Iowa Journal of Gender Race and Justice, Annual Symposium (October 2000)

The New Face of Poverty: Gender, Wealth & the Law

Panelist: Domestic Violence: The Nature of Aggression and The Cost of Silence

Law & Society 2000 Annual Meeting, Miami, Florida (May 2000)

Panelist: Women in the System: Feminist Insights In the Impact of Process

Panelist: Domestic Violence, Democracy, and the State

Law and Literature: The 4th Annual Mid-Atlantic People of Color Legal Scholarship Conference, February 12-14, 1998.

Panelist: “Strangling the ‘Body’ Within a Limited Legal Imagination”

Topic: The relevance of “silences” in the written law (the figurative body of the law) on the perpetuation of domestic violence (the literal body).

International:

Jamaica Bureau of Women’s Affairs in association with The Elimination of Violence Against Women (EVAW) Section of UN Women and sponsored by Sterling Law Firm, The Conference on Ending Violence Against Women & Girls, St. Mary, Jamaica (November 22) and Kingston, Jamaica (November 25, 2013).

Panelist for Conference and Workshop

Law & Society Association Annual Meeting, Les Territoires du Droit: Placing Law, Montreal, Quebec, Canada (May 29 -June 1, 2008).

Session Organizer and Chair: Race & Property/Property & Race

Paper: Reconstruction and Rhetoric: A History of Race, Speech, and Democracy

Session Chair and Discussant: Race, Housing, and Neighborhood Effects that Matter

Session Chair and Discussant: New Approaches to Critical Legal Pedagogy

Feminist Legal Studies – Nordic Scholars meet North American Scholars, Dept. of Law, University of Gothenburg, Gothenburg, Sweden (July 7-9, 2003)

Speaker

Critical Legal Studies Conference, Lancaster University, Lancaster England (Sept. 1998)

Panelist: “Crossing the Borders: The Evolution of Critical Legal Theory by Race, Class, Gender & Geography.”

University of Miami School of Law:

Child Advocacy and Family Law Society (“CAFLS”) and Entertainment and Sports Law Society (“ESLS”), “Mo’ Money Mo’ Problems: Representing Clients in High Stakes Divorce.” (Monday, March 3rd, 2014)

Moderator

UM BLSA Black History Month Feature, “The School to Prison Pipeline: the Children Left Behind.” (Thursday, February 6, 2014)

Panelist

Law Students for Reproductive Justice and UM BLSA, “Life Imitating Art: Sex Stereotypes and Gender Roles in Hip-Hop.” (Monday, October 28, 2013)

Discussant

International Graduate Law Programs, “Domestic Violence as a Human Rights Violation: A Survivors Journey.” (the story of Jessica Lenahan) (Tuesday, February 1, 2011).

Discussant

The University of Miami Law Review 2008 Symposium, The Future of Affirmative Action: Seattle School District, Race, Education and the Constitution (February 2008).

Moderator

Audrey R. Finkelstein UM Experience Alumni program (November 2, 2007).

Speaker: Humpty Dumpty and the Chicken Salad Sandwich II – selected topics in Constitutional Law.

The University of Miami Law Review Symposium, Article II: The Uses and Abuses of Executive Power (February 24, 2007)

Moderator: Torture, Private Contractors & Presidential Signing Statements

Dreaming of Democracy, A Symposium Honoring *Race, Sex and Suspicion: The Myth of the Black Male* by D. Marvin Jones (February 17, 2006).

Discussant

MEDIA:

Interviewed: CBS4 News, morning anchor, Rhiannon Ally “silver divorce” 11pm, November 7, 2014, *available* at www.cbsmiami.com.

Quoted in John Lantigua, *50 Years Later, Washington March Could Again Influence Fight Over Voting Rights – And More – Civil Rights Advocates Say*, Palm Beach Post, August 22, 2013.

Op Ed.: Donna Coker, Zanita E. Fenton And Merle H. Weiner, “International child abductions: There’s more to the story” Miami Herald, June 9, 2013,

http://www.miamiherald.com/search_results?aff=1100&q=International+Child+Abductions#storylink=cpy

Quoted in: Rene Stutzman, *Oviedo Woman Uses Rape Defense in Murder Case*, Orlando Sentinel, August 22, 2010.

Quoted in: Isaiah Thompson, *Love is No Contract*, Miami New Times, May 15, 2008.

Profiled in: Meredith Danton, *Fenton Keeps her Cool in the Quest for Equality*, The University of Miami Magazine (Vol. 14., No. 2, Spring 2007) at 48.

Profiled in: Robert C. Jones, Jr., *Taking a Stand*, Veritas (Vol. 49, no. 7, April 2007).

Expert Discussant for: The Santita Jackson Show, WVON 1690 AM Chicago (March 14, 2007)
topic: differences between divorce and annulment.

Profiled in: 2006 President's Report, University of Miami at 6
Quoted in: Amy Sherman, *Cleared Caregiver Suing 'Nanny Cam' Manufacturer*, The Miami Herald, June 15, 2006.
Quoted in: Denise G. Callahan, *Grandparent Visitation Compromise Still Pending: clear & Convincing Standard at Issue*, 18 (No. 33) Mich. L.W. 1 (June 28, 2004).
Quoted in: Cathy Lynn Grossman, *Plan Your Living Will Now To Avoid Controversy Later*, Detroit News, October 29, 2003.
Quoted in: Maureen Feighan, *Baby-selling Dad Loses Custody*, Detroit News, March 31, 2000.
Profiled in: Michele Ciavolo, *Detroit's Next*, Hour Detroit 58, 62 (July 1999).

MISCELLANY:

A Bittersweet Track to Tenure, Harvard Law Bulletin (Fall 2001)
http://www.law.harvard.edu/alumni/bulletin/2001/fall/classnotes_testimony.html

Letter Essay in American Bar Association, Commission on Mental and Physical Disability Law, Lawyers Lead on: Lawyers with Disabilities Share Their Insights (Carrie Griffin Basas and Stephanie L. Enyart eds. 2011).

POST-GRADUATE ADVISING:

Dissertation Committee for Susan D. Watson, Ph.D. candidate, Nursing, University of Miami (2009-2010)

American law Thesis Advisor for Sara D'Anzeo, Child Custody: Analysis of American and Italian Legal Practice, University of Macerata, Italy (2007-08).

Outside Dissertation Reader and Advisor for Cynthia Van Sickle, Ph.D. candidate, English, Wayne State University (2003).

COMMITTEE SERVICE:

University of Miami Committees:

Academic Personnel Board (2014-)
Tenure Review Board (2010 - 14), **Chair** (2012 - 14)
Committee on Professional Conduct (2010-)

Miami Law School Committees Chaired:

Academic Standards, (2015 - 16)
LCOMM Search Committee (2013)
Dean of Students Search Committee (Fall 2006)

Miami Law School Committee Membership:

Ad hoc Website Committee (2005-2007)
Admissions (2005-07)
Computing (2005-06)

Dean Search Committee (2007-2008)
Dean of Students Search Committee (2006)
Faculty Appointments Committee (2007-2008; 2009-2010)
Faculty & Student Community & Support Services Committee (2006-07, 2009-2009)
Frederick Douglas Moot Court Competition faculty advisor/coach (2007-2008)
Promotion, Review & Tenure Committee (2013-14)
UMBLR/UMRLS/UMRSJLR faculty advisor (2009-)

Other Service:

Black Awards Selection Committee for the Dade County Bar Association's Black History Month Celebration (December 2016).
Merit Selection Panel on Bankruptcy Judgeships for the Eastern District of Michigan (2002)
Damon J. Keith Law Collection of African-American Legal History (2001-2005)
State Bar of Michigan, Open Justice Commission, Cultural Awareness Project (2001- 2002)
The Georgetown Journal of Gender and the Law, *Annual Review of Gender and Sexuality Law*, Board of Advisors (1999-2001).

PROFESSIONAL MEMBERSHIPS:

Professional Associations:

American Bar Association
National Association of Counsel for Children
The Wolverine Bar Association (membership discontinued)
The Law and Society Association
Society of American Law Teachers

Bar Admissions:

State of Michigan (July 1999)
State of New York, Second Department (May 1994)
United States District Court:
 Eastern District of Michigan (August 1995-October 2010)
 Southern District of New York (June 1994)
 Eastern District of New York (June 1994)

OTHER ACADEMIC APPOINTMENTS:

University of Georgia School of Law, Athens, Georgia
Visiting Professor of Law (Spring 2009)
 Course: Family Law
 Seminar: Critical Race Feminism

Wayne State University Law School, Detroit, Michigan

Associate Professor of Law (2001-2005)
 Tenure - granted 2001
Assistant Professor of Law (1995 - 2001)
Wayne State University Career Development Chair, 2004-05

Wayne State University Humanities Center Resident Scholar 2004-05

Teaching Award:

Donald H. Gordon Award for Excellence in Teaching, Wayne State Law School (September 2000)

OTHER LEGAL EXPERIENCE:

The Honorable Edward R. Korman, United States District Court (E.D.N.Y)

Law Clerk (1994-1995)

Cleary, Gottlieb, Steen & Hamilton, New York, NY

Associate (1993-1994; 1992 *Summer Associate*)

Practiced in international securities, regulatory advice, finance and banking.

Co-established pro-bono practice for victims of domestic abuse.

Jamaica Plain Legal Services Center, Jamaica Plain, MA

Student Advocate (1992-1993)

Represented victims of domestic violence in family law matters, including divorce, custody and support issues.