Simmons Law Federalist Paper Quarterly

A NEWSLETTER SPONSORED BY THE STUDENT DIVISION OF THE FEDERALIST SOCIETY AT SOUTHERN ILLINOIS UNIVERSITY SIMMONS LAW SCHOOL

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A LETTER FROM THE PRESIDENT

Dear Fellow Federalist Society Members:

The Federalist Society was once the largest Registered Student Organization (RSO) at our School of Law. However, the effects of COVID-19 dealt a significant blow to our Chapter's momentum, and it never fully recovered. The photograph below was taken during Orientation Week for the Class of 2027. I set up our RSO table as the lone active member, not knowing what to expect. To my surprise, over 40 1L students signed their names seeking more information. I felt hope for our Chapter's future. Soon, I put together a fantastic Executive Board, and together, we began to rebuild.

Before his ascension to the Supreme Court, Justice Antonin Scalia served as the first faculty advisor of the University of Chicago's student chapter. Reflecting on the early days of the Federalist Society, Scalia remarked: "We thought we had planted a wildflower in the weeds of academic liberalism. Instead, it was an oak."

My vision for our Chapter mirrors Justice Scalia's remarks. Beyond simply hosting events, speakers, and debates, my goal is to graduate knowing I laid the groundwork for the next generation of leaders. I want our Chapter to grow into *an oak*—one that stands strong and continues to flourish long into the future.

To achieve this, I have concentrated my efforts on recruitment and leadership development among 1Ls and 2Ls. By cultivating their skills and encouraging their involvement, I hope to establish a solid foundation for them to build upon. Ultimately, I aim to set an example that future leaders can follow. One day, I hope to return to Simmons Law School and see a vibrant, revitalized Chapter—one deeply committed to the core principles of the Federalist Society.

Sincerely,

The 2024-2025 Inaugural Meeting

On Wednesday, September 4, 2024, the Federalist Society Student Division Chapter at Southern Illinois University Simmons Law School hosted its Inaugural Meeting to a group of over 50 students.

We would like to thank everyone who helped make this event successful: Dean Angela Upchurch, Professor Zvi Rosen, Casey Parker, Carly Holtkamp, Michelle Tourville, Payton Van Hoy, & Everyone at Simmons Law School who helped to make this event possible.

Executive Board Dinner at *Flame* in Carbondale with Professor Rosen

First Friday

Monthly Social Event at Carbondale's Finest: *The Cellar*

A Brief History of the Federalist Society

The History of the Federalist Society: A Conservative Legal Revolution

The Federalist Society for Law and Public Policy Studies, commonly known simply as the Federalist Society, has become one of the most influential legal organizations in the United States. Founded in 1982 by a group of conservative and libertarian law students, the Society has played a pivotal role in reshaping American jurisprudence, nurturing a generation of judges, lawyers, and policymakers who emphasize principles of textualism and originalism. Its history reflects a journey from a small student group pushing back against the liberal orthodoxy of legal education to a nationally prominent organization with significant sway over judicial nominations and constitutional interpretation.

Founding and Early Years: A Challenge to the Legal Establishment

The Federalist Society was established in 1982 by law students at Yale Law School, Harvard Law School, and the University of Chicago Law School, including Steven Calabresi, David McIntosh, and Lee Liberman Otis. At the time, the founders perceived the American legal academy as being dominated by liberal ideologies and views that often favored an expansive interpretation of the Constitution and supported the growth of the administrative state. They sought to create an organization that would provide a forum for conservative and libertarian legal thought, focusing on the principles of limited government, the separation of powers, and the primacy of individual liberty.

The group was named in homage to *The Federalist Papers*, the series of essays written by Alexander Hamilton, James Madison, and John Jay to support the ratification of the U.S. Constitution. This name was chosen to reflect the Society's commitment to a legal philosophy rooted in the Constitution's original meaning and the principles of federalism.

The Society's first national conference, held in April 1982 at Yale, was a pivotal moment in its early history. The conference attracted over 200 attendees, including legal scholars, practitioners, and judges. Future U.S. Attorney General Edwin Meese and Supreme Court Justice Antonin Scalia (then a law professor) were featured speakers, lending the organization early credibility and setting the stage for its rapid growth.

Growth and Influence in the Reagan Era

The timing of the Federalist Society's founding coincided with the rise of the Reagan administration, which shared many of the group's ideological tenets. President Ronald Reagan appointed a number of conservative judges and embraced the judicial philosophy of originalism, which was championed by many Federalist Society members and scholars. This alignment allowed the Society to become a crucial pipeline for identifying and promoting conservative legal talent, further bolstering its standing.

During the 1980s, the Society expanded rapidly, establishing chapters at law schools across the country. By the end of the decade, it had become a fixture on most major law school campuses, where it served as a counterweight to the predominantly liberal viewpoints in legal academia. The Society's presence also grew outside of law schools, with the creation of practice groups and networks for lawyers, judges, and policymakers.

By the 1990s and early 2000s, the Federalist Society had solidified its status as a major force within the legal profession. Its annual National Lawyers Convention in Washington, D.C. became a high-profile gathering for leading conservative thinkers, judges, and policymakers. The Society's practice groups began influencing key policy debates, including topics such as administrative law, federalism, and constitutional interpretation.

The Society's influence in judicial nominations also became a hallmark of its institutional power. By the George W. Bush administration, the Federalist Society was a prominent source of potential judicial nominees. Bush's appointments, including Chief Justice John Roberts and Justice Samuel Alito, reflected the Society's commitment to originalism and textualism. Many of Bush's other lower court appointments were also Society members or adherents to its principles.

The Trump Administration and the Rise of Originalism

The Federalist Society's influence peaked during the Trump administration, which made reshaping the federal judiciary a top priority. Leonard Leo, a long-time Federalist Society executive, played a pivotal role in advising the White House on judicial nominations, leading to the appointment of three Supreme Court Justices: Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett. Each of these justices was seen as committed to the Society's principles of constitutional originalism and judicial restraint, marking a significant shift in the Court's ideological balance.

President Trump's appointment of over 200 federal judges — many of whom were Federalist Society members or affiliates — marked one of the most significant transformations of the judiciary in modern history. This influence extended to lower federal courts, where Trump appointees are likely to shape American jurisprudence for decades.

Philosophical Underpinnings: Textualism and Originalism

The Federalist Society's success is rooted in its distinct legal philosophy, which emphasizes textualism and originalism. Textualism, popularized by figures like the late Justice Antonin Scalia, argues that statutory interpretation should focus on the text of the law itself, rather than broader legislative intent. Originalism, championed by figures like Justice Clarence Thomas, holds that constitutional interpretation should be grounded in the meaning of the text at the time it was enacted.

These approaches serve as counterpoints to more liberal interpretative theories such as the "living Constitution" model, which views the Constitution as an evolving document that should be interpreted in light of contemporary social values. The Federalist Society's emphasis on these principles reflects its broader commitment to limiting judicial discretion, promoting judicial restraint, and adhering to a fixed understanding of constitutional governance.

Conclusion: A Lasting Legacy

The Federalist Society's history is a testament to the power of ideas in shaping the legal landscape. What began as a small group of disaffected law students has grown into a formidable institution that has changed the trajectory of American jurisprudence. Through its promotion of textualism and originalism, the Society has not only influenced legal thinking but has also played a direct role in shaping the composition of the judiciary. As debates over the role of the courts and constitutional interpretation continue, the Federalist Society will undoubtedly remain a key player in the evolution of American law.

FACULTY SPOTLIGHT: PROFESSOR ZVI ROSEN

On Tuesday October 8 P **Professor Zvi Rosen to Discuss Generative AI's Impact on Copyright at Upcoming Washington, D.C. Symposium**

To watch live or stream later, visit: https://www.youtube.com/live/X_Xwj1ViBlQ

On Tuesday October 8 P **Professor Zvi Rosen to Discuss Generative AI's Impact on Copyright at Upcoming Washington, D.C. Symposium**

On October 8, 2024, the highly anticipated *Future of Law in an AI World Symposium* will take place at the prestigious Mayflower Hotel in Washington, D.C. This event will bring together thought leaders, academics, and policymakers to explore the evolving intersection of artificial intelligence and legal frameworks. Among the symposium's highlights is **Panel II: Past as Prologue? How will Generative AI Disrupt Our Approaches to Competition Policy and Our Copyright System?**, featuring Professor Zvi Rosen, a prominent scholar in intellectual property law.

The second panel will delve into Rosen's insightful new work, *"Copyright's Repetition on Generative Works,"* a piece that takes a historical lens to evaluate modern challenges posed by generative AI. Rosen's analysis seeks to trace the original purposes and evolution of the copyright system, paying particular attention to how the history of copyright registration might inform our understanding of AI-created content and its legal standing.

Revisiting Copyright's Historical Purposes

Rosen's presentation will focus on the foundational principles of copyright law, emphasizing how these principles were designed to strike a balance between creators' rights and the broader public interest. Historically, copyright registration served as a tool to document and manage creative output, ensuring that authorship could be attributed and rights could be enforced. With the rise of generative AI, which can autonomously produce vast volumes of creative works without human input, the relevance of these historical frameworks is being put to the test.

Rosen's paper contends that the past may offer significant clues for navigating this new terrain. By examining how the copyright system adapted to technological disruptions in the past—such as the advent of photography, cinema, and digital media—Rosen argues that the evolution of copyright registration offers a potential blueprint for addressing generative AI's complexities.

About the Symposium

The *Future of Law in an AI World* Symposium is a leading event dedicated to examining the legal, ethical, and policy implications of artificial intelligence. Held at the Mayflower Hotel in Washington, D.C., this year's symposium will feature multiple panels and discussions on AI's impact across various domains, from competition policy to intellectual property and beyond. Panel II, featuring Professor Zvi Rosen, will be a must-attend session for anyone interested in the future of copyright in the AI era.

Member Spotlight: Meet the Executive Board

Kevin M. Zielinski
President | 3L

Kevin was born and raised in Rockford, IL. He earned his Bachelor of Science in Molecular and Cell Biology from the University of Illinois at Urbana-Champaign. Currently, he works for the Jackson County State's Attorney's Office, where he gets experience in the courtroom using his Illinois Supreme Court Rule 711 license. After graduation, Kevin intends to pursue a career in criminal law or explore opportunities in biotechnology patent law. Over the summer, Kevin married his longtime girlfriend, Claire, at St. Thomas More Church—the Patron Saint of Lawyers.

Jacob Monday
Executive Vice President | 3L

Jacob holds a double major in Political Science and International Relations from the University of Indianapolis, the city where he was born and raised. Recently, Jacob completed a role with the Defense Finance and Accounting Service at the Department of Defense. He plans to pursue a career in federal service upon graduation from law school. A fun fact about Jacob is that he has never broken a bone.

Grace Gray
Vice President of Communications & Media Relations | 2L

Grace earned her Bachelor's degree in Sociology from Oregon State University. Born and raised in Bozeman, Montana, she grew up in a conservative household, with her father serving as a Representative in the Montana State Legislature. Last summer, she interned for Justice Overstreet and plans to work for the State's Attorney's Office this summer and next, before taking the Montana Bar and returning home. In her free time, Grace enjoys gardening, practicing yoga, hiking, spending time with her dogs, and reading.

Kathan Watson
Treasurer | 2L

Kathan graduated from Indiana State University with a Bachelor's degree in Chemistry and a Pre-Pharmacy concentration. Originally from Paris, Illinois, he spent the past summer as a law clerk at the Edgar County State's Attorney's Office. Kathan has a strong interest in criminal prosecution and, in his free time, enjoys spending time outdoors and cheering on Illinois basketball.

Hannah Gracia
Secretary | 2L

Hannah is originally from Edinburg, Texas, and graduated from the University of Texas Rio Grande Valley with a degree in Political Science and a minor in Legal Studies. After completing law school, she plans to travel, engage in pro bono work, and ultimately return to Texas. In her free time, Hannah enjoys reading, gardening, and spending time with her animals.

MEMBER SPOTLIGHT: MEET THE REVITALIZATION COMMITTEE MEMBERS

Colin Russel
Chair of Speakers & Debates | 3L

Colin received his Bachelor's degrees in Business and Political Science at Lake Forest College. Over the Summer of 2024 he worked under Supervising Attorney Dale Aschemann at the Southern Illinois University Elder Law Clinic. He plans to return to his hometown of Mount Prospect, Illinois where he aims to practice elder law, estate planning and intellectual property for artificial intelligence. His fun fact is that he is scuba certified.

JP King
Chair, Alumni Outreach & Faculty Relations | 2L

JP earned his undergraduate degree in Political Science from the University of Illinois Springfield and a Master's in Human Resources and Industrial Relations from the University of Illinois at Urbana-Champaign. Before attending law school, he spent five years working with various state government agencies. Currently pursuing his J.D., JP is passionate about labor and employment law. In his free time, he enjoys hiking, playing board games, and spending time with his cats.

Emily Briney
2L Liaison | 2L

Emily is from Astoria, Illinois, and holds a Bachelor of Arts in Political Science and Communication with a minor in Pre-Law from Illinois College. Currently a 2L at Southern Illinois University (SIU), she is a Law Student Ambassador, a member of the Women's Law Forum and the Christian Legal Society and serves as the 2L Student Liaison for the Federalist Society. In her free time, Emily enjoys cooking, working out, spending time with her dog Finley and friends, FaceTiming her nieces and nephews, and playing pickleball.

Mary Stover
1L Liaison | 1L

Mary was born and raised in O'Fallon, Illinois, and comes from a big family. She earned her Bachelor of Science in Accountancy from Southern Illinois University Edwardsville. After law school, Mary aims to pursue a career as a litigator and is committed to providing pro bono services to support abused children and advocate for those who have been wrongfully convicted. Mary is active in a variety of activities, including the Christian Legal Society and the J. Reuben Clark Society.

Member Spotlight: Meet the Class Representatives

Julia Dembowski
2L Representative | 2L

Julia is from Cape Girardeau, MO and earned her Biomedical Science degree from Southeast Missouri State University. currently works as an AI Training Data Specialist and AI Mathematics Evaluator. Her future plans include taking the Patent Bar in Summer 2025 and pursuing a career as a patent attorney or exploring opportunities in healthcare law. Ultimately, she hopes to open a practice with her brother, who will graduate from the University of Missouri in Spring 2025. In her free time, Julia enjoys fishing and hunting with her brothers, watching football, traveling, and exploring topics in data science, robotics, and AI

Vince Neri
1L Representative | 1L

Vince is 23 years old and hails from Bloomingdale, IL, a northwest suburb of Chicago. He recently graduated from DePaul University with a degree in Economics and a minor in Real Estate. Vince has gained valuable experience through multiple internships in both the legal field and commercial/industrial real estate development. He chose to pursue a legal career with the goal of eventually opening his own firm. In the future, Vince hopes to generate income through both law and real estate ventures.

Matthew Wilson
1L Representative | 1L

Matthew, originally from Northbrook, Illinois, holds a Bachelor of Arts in Literature from Carthage College. Prior to law school, he built a successful career in real estate, representing various corporations and specializing in the sale of commercial vacant land. A proud United States Army Veteran, Matthew enjoys spending his free time training his two German Shepherds, Joey and Joey Jr.

Upcoming Events:

Coffee and Conversation with the Honorable Illinois Supreme Court Justice David K. Overstreet - October 7, 2024

Overview: Join the Federalist Society for **Coffee & Conversation** with Illinois Supreme Court Justice David K. Overstreet! This engaging event offers a unique opportunity to hear Justice Overstreet share insights on the importance of open dialogue in today's legal landscape. He will also provide valuable advice on how to successfully navigate law school and build a legal career without compromising core values or principles. Don't miss this chance to connect, learn, and gain perspective from one of Illinois' esteemed jurists in an informal and interactive setting. Donuts and coffee will be provided! October 7 11AM - 12PM in the courtroom.

Is Justice Delayed Justice Deferred? The Overturning of Chevron, A Speech by Cassey Mattox with Commentary by Professor Stan Cox - October 17, 2024

Overview: Join us for an engaging discussion titled **"Is Justice Denied, Justice Deferred?: The Overturning of *Chevron*"** featuring Casey Mattox. Mr. Mattox will explore the implications of overturning the *Chevron* doctrine and its impact on administrative law and judicial review. Commentary will be provided by our own Constitutional Law Professor, Stan Cox, offering a deeper dive into the constitutional and practical significance of this landmark shift. This is a must-attend event for anyone interested in the future of administrative law and the balance of power between courts and agencies. Chik-fil-a will be served!

Federalist Society Member Induction Pinning Ceremony with the Honorable Judge Jonathan A. Mitchell - January 2025

Overview: Join us for the **Federalist Society Member Induction Pinning Ceremony** presided over by Honorable Judge Jonathan A. Mitchell. The event will begin with opening remarks from Chapter President Kevin Zielinski and Faculty Advisor Zvi Rosen, followed by an inspiring talk by Judge Mitchell. Active members will then be formally inducted, receiving the signature Federalist Society James Madison lapel pin and a personalized membership certificate. Celebrate this important milestone as we welcome new members into our community of legal professionals dedicated to constitutional principles and open debate. Refreshments will be served. Specific date TBD.

SIU FEDERALIST SOCIETY

COFFEE & CONVERSATIONS WITH ILLINOIS SUPREME COURT JUSTICE OVERSTREET

Engage in insightful discussions that challenge perspectives!

EVENT HIGHLIGHTS:

- Donuts
- Importance of open dialogue
- Staying true to a conservative viewpoint in a field flooded with opposition
- Q&A time

DEBATE, DISCUSS, DECIDE

OCTOBER 7, 2024 11 AM

SIU COURTROOM, ROOM 108

INDIVIDUALS WITH DISABILITIES ARE WELCOME.
CALL 618-453-5738 TO REQUEST ACCOMODATIONS

Is Justice Deferred, Justice Denied? The End of Chevron

With **Casey Mattox** | Vice President Stand Your Ground

And commentary by Constitutional Law Professor **Stan Cox**

Speaker Bio:

Casey Mattox is Vice President for Legal Strategy at Stand Together and Senior Advisor at Americans for Prosperity.

In these roles he advocates for and creates strategies and partnerships to ensure a constitutionally limited government that protects the civil liberties of all Americans. Prior to joining Stand Together and AFP Casey's legal career focused on defending the First Amendment rights of students, faculty, healthcare workers and religious organizations.

Casey has a J.D. from Boston College School of Law and an undergraduate degree from the University of Virginia.

Faculty Bio:

Professor **Stan Cox** joined SIU Law in January 2019, having previously been a tenured doctrinal professor at New England Law | Boston, and visiting professor at Creighton University School of Law. Professor Cox also has visited at Boston University School of Law, and was a Fulbright professor at Charles University in the Czech Republic. His expertise spans administrative law, constitutional law, civil procedure, and environmental law.

Sponsored by **The Federalist Society** Student Chapter at Southern Illinois University Simmons Law

THE FEDERALIST SOCIETY
for Law & Public Policy Studies
SOUTHERN ILLINOIS UNIVERSITY
SIMMONS LAW SCHOOL

When: **October 17**, 2024
Where: 1150 Douglas Drive
Carbondale, IL 62901
Time: **12:30pm - 1:30pm** | Room 102

Individuals with disabilities are welcome to
Call 618-453-5738 to request accommodations.

CHAPTER LOGO CONTEST WINNER ANNOUNCED

The James Madison Silhouette is emblematic of the Federalist Society, but many student chapters put a spin on the iconic logo and make it their own. At our Inaugural Meeting, we announced a contest for someone to design and submit a logo tailored especially for our Chapter at Southern Illinois University

The Executive Board voted and chose Adam Thompson, 1L, as the winner of our contest. Check out his formidable design, and our new, official Chapter logo . . .

WANT TO JOIN THE FEDERALIST SOCIETY?

To become a member of our Chapter, scan the following barcode or go to www.fedsoc.org. Click "Join" and create a Student Membership ($5/year) - make sure to include you law school and graduation year when filling out your membership details.

SCAN HERE

Follow our Chapter on Facebook: https://www.facebook.com/share/g/EK17k5skNyBAmWT1/

Check out the FedSoc Forum Podcast on Spotify and Apple Podcasts.

Interested in Writing a Column for Our Quarterly Newsletter?

- Please contact our Executive Vice President, Jacob Monday: jacob.monday@siu.edu

We would love to hear from alumni!

- Please reach out to our Chair for Alumni Relations & Faculty Outreach, JP King: joseph.king@siu.edu

Interested in Speaking or Debating at a Federalist Society Event?

- Please contact our Chair for Speakers & Debates, Colin Russell: colin.russell@siu.edu

For general questions regarding our Chapter, contact the President, Kevin Zielinski: kevin.zielinski@siu.edu

Federalist Society Semester Swag Sale

Scan the Code in the center to place your orders!

Orders due by Friday November 29 at Midnight

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