

WELCOME BACK

September 18, 2024



WISCONSIN UNDERGRADUATE LAW REVIEW

AGENDA



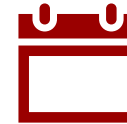
**Introduction to
WULR for new
members**



**Introduce the
journal**



**Introduce the
Legal Beagle**



**New writing
slots**



What's next?

the WULR

Establishing a footing for undergraduate students interested in law and legal studies. Collaborating to explore legal writing and providing publishing opportunities for unique peer-reviewed papers and the law review journal.

The Journal



What is it?

Challenge students to conduct research on a legal argument

Crafting an inquisitive piece of writing (6 pages long) that will be published in a pristine legal scholarship journal

Fall: Trainings and Workshops

Spring: Writing and Editing Process begins

How does it work ?

Staff Writers:

- Semester-long research of 6 pages on a legal argument of choice
- Published in a legal scholar journal

Associate Editors:

- First line of contact that receives writing piece after completion
- Punctuation, grammar, fact-checking information

Executive Editors:

- Second line of contact. Receives piece from Associate Editor
- Looks at citations and the way cases are applied in the writing
- Gives to Editor-in Chief to have the final look

THE JOURNAL: Categories of Writing



Case Comment: Critiquing an opinion from a court and conduct a critical analysis of the opinion

Political Topic: How the law influences a political issue



NEW YORK UNIVERSITY UNDERGRADUATE LAW REVIEW

CONTENTS

“TEACHER” UNTIL TERMINATION:

The Implications of the Ministerial Exception

Alisha Dookhie

THE INTERNATIONAL LEGAL FRAMEWORK:

Russia’s Attack on Ukraine

Valeria Pedroza

ANCHORS IN A STORM:

Analyzing Free Prison Phone Calls Through the Lens of Travis Hirschi’s Social Bond Theory

Masha Raznatovic

CAN JUDGES SEPARATE THEIR CHURCH AND STATE?:

Injecting Personal Bias into the First Amendment

Jasmine Sanchez

JARRETT V. THE UNITED STATES OF AMERICA:

Potential Tax Implications for Cryptocurrency

Benjamin Sapozhnikov

THE LIFE AND LEGACY OF RACE-BASED AFFIRMATIVE ACTION IN THE US:

How SFA v. Harvard Imposes an Idealized Version of Fairness on the Realm of Education.

Fatima Shakir

WHITE BY LAW:

The Evolution of Immigration & Naturalization Policy for Middle Eastern Migrants

Vinze Joshua Valeza

THE EXPANSION OF RELIGIOUS FREEDOM:

A Historical Overview of the Expanded Definitions in Religious Freedom Law

Betsy Zalinski

Volume VII
Issue II
Fall 2023

“TEACHER” UNTIL TERMINATION

The Implications of the Ministerial Exception

Alisha Dookhie
New York University

I. Introduction

Although Title VII of the Civil Rights Act bans employment discrimination based on “race, color, religion, sex, and national origin,” the First Amendment of the U.S. Constitution upholds the free exercise and establishment of religion.¹ The ministerial exception, which is grounded in the Religion Clauses of the First Amendment, protects religious institutions from government interference when claims of employment discrimination arise. The U.S. Supreme Court has decided two cases involving the use and validity of the exception, *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC* (2012) and *Our Lady of Guadalupe School v. Morrissey-Berru* (2020). In both cases, teachers at religious schools were terminated and then sued their schools for employment discrimination. However, the schools utilized the ministerial exception as an affirmative defense, classifying the teachers as “ministers.” In the majority opinions for both cases, the U.S. Supreme Court sided with the schools and upheld the ministerial exception, but did not provide a strict definition of ministry.

Yet importantly, the dissenting opinion in *Our Lady of Guadalupe School* (2020) illuminated the increasing pushback against the exception. Justice Sotomayor’s dissent addresses the implications of broadly defining “minister,” citing the lack of employment protections for teachers and staff at religious institutions. Legal scholars have also emphasized this claim and questioned what it truly means to be a “minister.”²

II. Straying Away From A “Rigid Formula” in *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC* (2012)

The ministerial exception was first adopted by the Supreme Court in *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC* (2012), in which a Lutheran school teacher, Cheryl Perich, claimed her termination violated the Americans with Disabilities Act of 1990. Perich had been diagnosed and treated for narcolepsy for several months, but ultimately returned to school.³ The school administrators offered Perich a “peaceful release” from her role, meaning that the congregation would pay for a part of her health insurance premiums in exchange for her resignation.⁴ At this point, Perich refused and provided a doctor’s note stating that she could return to teaching, but the school urged her to resign and terminated her after she refused.⁵ The Court *unanimously* held that Perich was considered a “minister” because of her extensive

¹ Title VII of the Civil Rights Act of 1964, Pub. L. 88-352, as amended, 42 U.S.C.A. § 2000e (1964).

² Matthew Janker, “Ending LGBTQ Employment Discrimination by Catholic Institutions,” *Berkeley Journal of Employment and Labor Law* (2019), <https://www.jstor.org/stable/26795249>.

³ *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC*, 565 U.S. 171, 4, (2012).

⁴ *Id.* at 3.

⁵ *Ibid.*

No Legal Writing Experience?

This is what WULR is here for!

We aren't looking for applicants to have any sort of legal writing experience!

We want to give you the platform and opportunity to pursue such a venture and write about legal topics that you care about!



The Legal Beagle



The Legal Beagle



What is it?

WULR's Current Affairs Blog!

How and What Will I Be Writing?

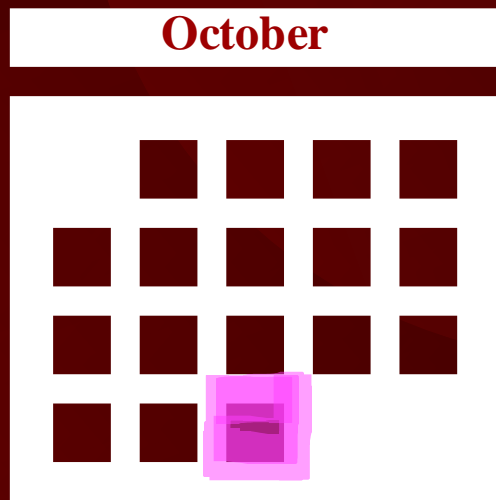
- Short-form articles (1-2) pages on a topic you care about!
- We want to be a platform for YOU! WULR embraces all conversations and viewpoints!

Writing Slots

Submission

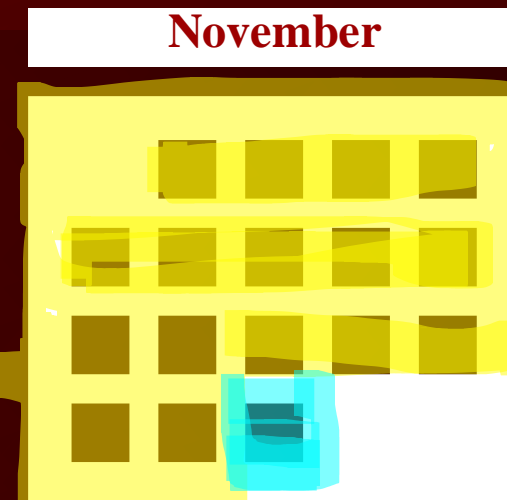
At the beginning of the semester, you will sign up for a writing slot, obligating you to have your article submitted by that date of the month.

After submission, you will hear feedback from Editors within the following month for changes before it will be published.



Example:

You sign up for the October slot for the 31st ! That means your article HAS to be in by October 31st!



YELLOW: Editors will work with you the following month for edits and feedback.

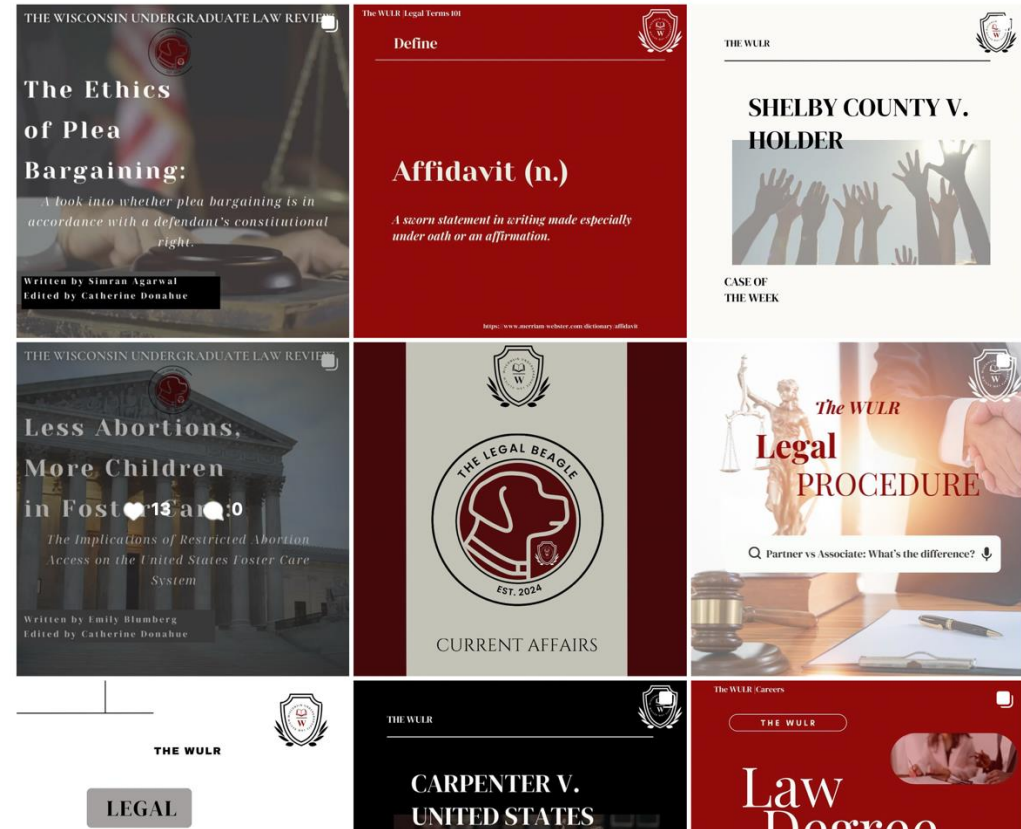
BLUE: Once it is approved by the Director of Affairs, it'll be published at the end of the month!

Social's Team

If you enjoy creative outlets and designing your Instagram feed, we have just the thing for you!

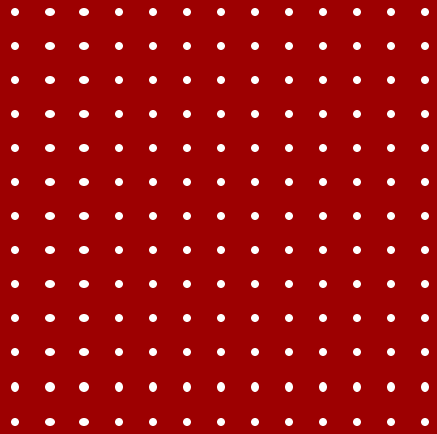
We are seeking 2 members to contribute to the proliferation of our Instagram and LinkedIn, as Social Media Chairs.

- Proposals
- Engagement
- Etc.



STAY CONNECTED

Current members will receive their Teams invite tonight. Prospective members will receive their Teams invite post application process.



MEMBERSHIP PAGE

Applications
Meetings
Locations
Announcements



Email >

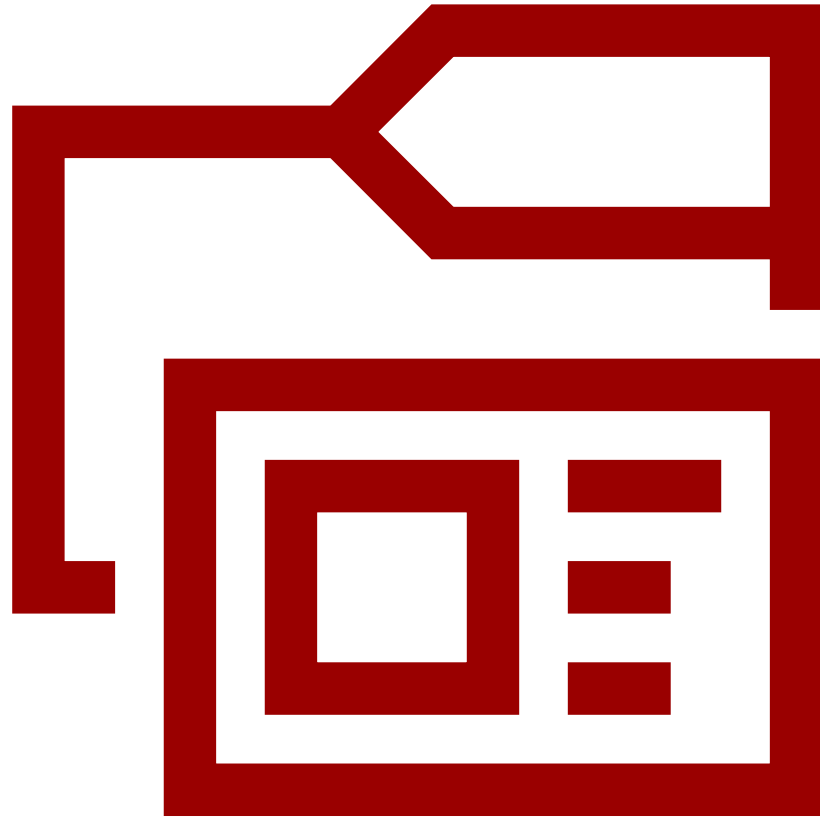
WULR Wednesdays
Upcoming Meetings.

Sep. 18

Location: Grainger Hall
Room: 1180
Time: 7:00 PM

Welcome Back! All current and interested members are to attend this meeting.

thewulr.com/members



NEW MEMBERS

Applications Open
September 18 - 22

Applications Include:

- 1) Resume
- 2) Writing Sample (500 words max)
- 3) Interview

MORE WULR! (Indicate interest on Application!)

Executive Position Opening: Secretary x1

**WULR Network Position Opening (Social Media Team
With Vice President Victoria Rens!): x4**

2024 MEMBERSHIP



**One required meeting
per month**



**One article submission
or join The Journal
team**

Thank You!

Instagram: @thewulr

Linked In: Wisconsin Undergraduate Law
Review

WISCONSIN UNDERGRADUATE LAW REVIEW

