

KAIPONANEA T. MATSUMURA

Loyola Law School
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ACADEMIC APPOINTMENTS

Loyola Law School, Loyola Marymount University
Professor of Law, 2022 – present
William M. Rains Fellow, 2022 – present

Courses taught: Contracts; Family Law; Asian American Legal Experience

Sandra Day O'Connor College of Law, Arizona State University
Associate Professor of Law, 2014 – 2022 (with tenure, 2019 – 2022;
promoted to full professor effective Aug. 2022)

Courses taught: Contracts; Civil Procedure; Family Law;
Reproduction, Reproductive Technologies, and the Law; Asian
American Legal Experience

Stanford Law School
Thomas C. Grey Fellow and Lecturer in Law, 2011 – 2014

Courses taught: Legal Research & Writing; Federal Litigation

EDUCATION

UCLA School of Law
Juris Doctor, Order of the Coif

Northwestern University
Bachelor of Science, *magna cum laude*

ARTICLES, ESSAYS & CHAPTERS

Invisible Harm: The Real 'Asian Penalty' (under submission)

Against Stability (in progress)

Asians, Law, and the American Family, in *RACE, RACISM, AND THE LAW*
(Edward Elgar 2024, Aziza Ahmed & Guy-Uriel Charles eds.) (in
progress)

Unifying Status and Contract, 56 U.C. DAVIS L. REV. 1571 (2023)
Reviewed by Aditi Bagchi, *Why Does Status Matter in Contract?*,
JOTWELL (July 28, 2023)
Reprinted in *LEGAL HANDBOOK FOR ARCHITECTS, ENG'RS, &
CONTRACTORS* (Clark Boardman Callaghan 2024)

The Marital Habitus, 99 WASH. U. L. REV. 2033 (2022)

Beyond Polygamy, 107 IOWA L. REV. 1903 (2022)

Breaking Down Status, 98 WASH. U. L. REV. 671 (2021)

Reviewed by Brian Bix, *A Status Breakdown*, JOTWELL (Nov. 3, 2020)

Reviewed by Aníbal Rosario Lebrón, *Rounding the Square Peg: Matsumura's Redefining of Status Regulatory Schemes*, JOTWELL (Nov. 3, 2020)

Beyond Property: The Other Legal Consequences of Informal Relationships, 51 ARIZ. ST. L.J. 1325 (2019)

The Integrity of Marriage, 61 WM. & MARY L. REV. 453 (2019)

Consent to Intimate Regulation, 96 N.C. L. REV. 1013 (2018)

Reprinted in 32 MINN. FAM. L.J. 23 (LexisNexis, Jan./Feb. 2019)

Choosing Marriage, 50 U.C. DAVIS L. REV. 1999 (2017)

A Right Not to Marry, 84 FORDHAM L. REV. 1509 (2016)

Binding Future Selves, 75 LA. L. REV. 71 (2014)

"Download of the Week," Legal Theory Blog (Oct. 25, 2014)

Public Policing of Intimate Agreements, 25 YALE J.L. & FEMINISM 159 (2013)

CASEBOOK

CONTEMPORARY FAMILY LAW (6th ed. 2023) (with Douglas Abrams, Naomi Cahn, Linda McClain, Catherine Ross, and Jessica Dixon Weaver) (also summer supplements to the 5th edition, 2020 & 2021)

OTHER PUBLICATIONS

American Psychological Association Report on Consensual Non-Monogamy (forthcoming 2024) (co-authored with many others)

Nothing, Nowhere, Not Right Now, JOTWELL, May 5, 2023 (available at <https://family.jotwell.com/nothing-nowhere-not-right-now/>)

Nonmarital Relationships: Introduction, 61 FAM. CT. REV. 69 (2023) (with Albertina Antognini, Susan Frelich Appleton, Naomi Cahn, and Amanda Miller)

Book Review, Cynthia Grant Bowman, Living Apart Together: Legal Protections for a New Form of Family, 56 LAW & SOC'Y REV. 320 (2022)

Judging in the Shadow of Gender, JOTWELL, Apr. 25, 2022 (available at <https://family.jotwell.com/judging-in-the-shadow-of-gender/>)

Restating the Law of Nonmarital Contracts, JOTWELL, Apr. 27, 2021 (available at <https://family.jotwell.com/restating-the-law-of-nonmarital-contracts/>)

Expanding Nonmarital Relationships, 58 FAM. CT. REV. 968 (2020) (with Albertina Antognini & Naomi R. Cahn)

Reproductive Exceptionalisms, JOTWELL, July 3, 2020 (available at <https://family.jotwell.com/reproductive-exceptionalisms/>)

Perspectives on Nonmarital Relationships, 58 FAM. CT. REV. 142 (2020) (with Albertina Antognini, Naomi R. Cahn, and Emily J. Stolzenberg)

Transcending Time and Place: Judge A. Wallace Tashima and the Liberation of LGBT Identity, 66 UCLA L. REV. 1910 (2019) (tribute essay)

Purchasing Race; Or, The Pursuit of White Sperm and Eggs, JOTWELL, Apr. 11, 2019 (available at <https://family.jotwell.com/purchasing-race-or-the-pursuit-of-white-sperm-and-eggs/>)

Family Law's Democratic Foundations, JOTWELL, May 25, 2018 (available at <https://family.jotwell.com/family-laws-democratic-foundations/>)

Book Review, Henry T. Greely, The End of Sex and the Future of Human Reproduction, 57 JURIMETRICS 433 (2017) (invited)

Reproducing Queer Kinship, JOTWELL, Sept. 26, 2017 (available at <https://family.jotwell.com/reproducing-queer-kinship/>)

Shades of Discrimination Brought to Light, JOTWELL, April 26, 2016 (available at <http://family.jotwell.com/shades-of-discrimination-brought-to-light/>)

Reaching Backward While Looking Forward: The Retroactive Effect of California's Domestic Partner Rights and Responsibilities Act of 2003, 54 UCLA L. REV. 185 (2006)

Cited in *Zaber v. City of Dubuque*, 789 N.W.2d 684 (Iowa 2010)

LAW SCHOOL SERVICE

Loyola Law School

Appointments, 2022-23; APALSA, Faculty Advisor, 2023-; Children and Family Law Society, Faculty Advisor, 2022-; Dean's Advisory Committee, 2022-23, 2023-24 (elected); Dean Search Committee, 2023-24; Hybrid Evening Program Committee, 2022-23; Strategic Planning Committee, 2023-24 (co-chair)

Arizona State University

Appointments, 2016-17, 2017-18, 2019-20; Clerkship Committee, 2015-20 (chair, 2017-20); Colloquium Committee, 2014-15, 2021-22 (chair, 2021-22); Dean's Advisory Committee, 2019-20

(elected); Dean Search Committee, 2021-22 (elected); Filipino Law Students Association, Faculty Advisor, 2018-19; Inclusion Working Group, 2018-20; Anti-Racism Steering Committee, 2020-22; VAP Committee, 2021-22

LEGAL EXPERIENCE

Gibson, Dunn & Crutcher LLP, San Francisco, CA
Associate, 2008 – 2011
Summer Associate, 2006

Honorable A. Wallace Tashima
U.S. Court of Appeals for the Ninth Circuit, Pasadena, CA
Law Clerk, 2007 –2008

The Honorable George H. King
U.S. District Court, C.D. Cal., Los Angeles, CA
Judicial Extern, 2005

SELECTED PRESENTATIONS

Presenter, *Against Stability*
Roundtable on Nonmarriage and the Law, Rutgers Law School, Sept. 2023 (Newark, NJ)

Presenter, *Why Value Relationship Stability?*
Int'l Soc'y of Family Law, 18th World Conference, University of Antwerp, July 2023 (Antwerp, Belgium)

Panelist, Dobbs, *Diminishing Rights, and the Devolution of Democracy*
Western People of Color Legal Scholarship Conference, June 2023 (Los Angeles, CA)

Presenter, *Why Value Relationship Stability?*
Family Law Scholars & Teachers Conference, June 2023 (Boston, MA)

Speaker, *Unifying Status and Contract*
LSU Law Faculty Colloquium, Feb. 2023 (online)

Guest Lecturer, *Beyond Polygamy*
International & Comparative Family Law, Univ. of Virginia School of Law, Jan. 2023 (online)

Commentator and Panelist, *Nonmarital Relationships Post-Dobbs*
Roundtable on Nonmarriage and the Law, Washington Univ. School of Law, Sept. 2022 (St. Louis, MO)

Presenter, *Unifying Status and Contract*
Family Law Scholars & Teachers Conference, June 2022 (Philadelphia, PA)

Presenter, *Domestic Workers as Family Members*
Grey Fellows Forum, Stanford Law School, June 2022

Participant, *Reconsidering the Ruth Bader Ginsburg and Herma Hill Kay Sex-Based Discrimination Casebook*, NYU Birnbaum Women's Leadership Network, Feb. 2022 (online)

Invited Commentator, *The Future of Family Law*, AALS Section on Family and Juvenile Law
AALS Annual Meeting, Jan. 2022 (online)

Presenter, *The Marital Habitus*
Roundtable on Nonmarriage and the Law, Washington Univ. School of Law, Oct. 2021 (online)

Speaker, *Beyond Polygamy*
Univ. of Virginia Faculty Colloquium, Aug. 2021 (Charlottesville, VA)

Presenter, *Beyond Polygamy: Building a Plural Relationship Status*
Family Law Scholars & Teachers Conference, June 2021 (online)

Presenter, *Unifying Status and Contract*
Grey Fellows Forum, Stanford Law School, June 2021 (online)

Speaker, *Beyond Polygamy: Building a Plural Relationship Status*
Atkinson LGBTQ Law & Policy Colloquium, Univ. of Arkansas School of Law, Apr. 2021 (online)

Moderator, *Legal Education in the Wake of George Floyd and Covid-19: A Conversation with Law School Deans and Faculty on Race, Inequality, and the Challenges and Opportunities Ahead*
AALS Annual Meeting, Jan. 2021 (online)

Presenter, *Breaking Down Status*
Colloquium on Scholarship in Employment and Labor Law, Oct. 2020 (online)

Speaker, *Breaking Down Status*
BU Law Gender Law & Policy Colloquium, Sept. 2020 (online)

Speaker, *Breaking Down Status*
Arizona State University Faculty Colloquium, Sept. 2020 (online)

Presenter, *The Breakdown of Status-Based Regulation*
Family Law Scholars & Teachers Conference, June 2020 (online)

Panelist, *What About Marriage? Obergefell and the Law of Nonmarriage*
Yale Law Journal & You, Mar. 2020 (New Haven, CT)

Presenter, *Square Pegs and Round Holes: Worker Classification and Nonmarital Relationship Recognition*
Roundtable on Nonmarriage and the Law, Feb. 2020 (Tucson, AZ)

Presenter, *Identifying Informal Relationships*

Family Law Scholars & Teachers Conference, May 2019 (Washington, DC)

Presenter, *Marriage, Information Costs, and Nonmarital Relationship Recognition*
KCON XIV, Mar. 2019 (New Orleans, LA)

Presenter, *Identifying Informal Relationships*
Roundtable on Nonmarriage and the Law, Mar. 2019 (Phoenix, AZ)

Presenter, *Transcending Time and Place: A. Wallace Tashima and LGBT Identity*
Symposium in Honor of Judge A. Wallace Tashima
UCLA School of Law, Jan. 2019 (Los Angeles, CA)

Moderator, *Navigating the Path to Tenure and Promotion*
AALS Pretenured Law Teachers of Color Workshop, Jan. 2019 (New Orleans, LA)

Presenter, *Prompting Student Engagement in Large Classes: Daily Exercises and Hypotheticals*
AALS Annual Meeting, Jan. 2019 (New Orleans, LA)

Presenter, *The Disintegration of Marriage*
Chapman Law School Works-in-Progress Conference, Sept. 2018 (Orange County, CA)

Speaker, *The Disintegration of Marriage*
Univ. of San Diego Faculty Colloquium, Sept. 2018 (San Diego, CA)

Speaker, *The Disintegration of Marriage*
Columbia Law School, Center for Gender & Sexuality Law, Sept. 2018 (New York, NY)

Speaker, *The Disintegration of Marriage*
Arizona State University Faculty Colloquium, Aug. 2018 (Phoenix, AZ)

Presenter, *Same-Sex Families: Obergefell's Impact on the Law*
Arizona Judicial Conference, June 2018 (Tucson, AZ)

Presenter, *Disintegrating Marriage*
Family Law Scholars & Teachers Conference, June 2018 (New York, NY)

Presenter, *Disintegrating Marriage*
Law & Society Annual Meeting, June 2018 (Toronto, ON)

Panelist, *The Law and Status of Cohabitation*
Int'l Soc'y of Family Law North American Regional Conference, April 2018 (Minneapolis, MN)

Speaker, *Regulating Intimate Relationships*
Univ. of Hawaii Faculty Workshop, Oct. 2017 (Honolulu, HI)

Panelist, *The Struggle After Obergefell: Beyond the Struggle for Marriage*
LatCrit XXI Biennial Conference, Sept. 2017 (Orlando, FL)

Presenter, *Regulating Intimate Relationships*
East Bay Scholars Workshop, July 2017 (Berkeley, CA)

Presenter, *Courts After Obergefell*
Arizona Judicial Conference, June 2017 (Scottsdale, AZ)

Presenter, *Regulating Informal Relationships*
Family Law Scholars & Teachers Conference, June 2017 (New York, NY)

Presenter, *Regulating Informal Relationships*
Grey Fellows Forum, Stanford Law School, May 2017

Presenter (with Evan Wolfson), *The Legacy of Loving v. Virginia and the Right to Marry*
Ariz. Bar Ass'n, Spring Training for Lawyers Plenary, Mar. 2017
(Phoenix, AZ)

SELECTED MEDIA

Andrew Jeong, "Arizona Judge Reinstates Near-Total Abortion Ban from 19th Century," *WASH. POST*, Sept. 24, 2022

Steve Goldstein, "Brnovich Files Motion Allowing Charges Against Doctors Who Perform Abortions. What that Could Mean," *The Show*, July 14, 2022 (public radio interview)

"Breakfast with Refilwe Moloto," *CapeTalk*, May 5, 2022 (Cape Town, South Africa, morning radio interview (discussing abortion laws in Arizona))

Katherine Davis-Young, "Could Arizona Outlaw Abortion? Supreme Court Decisions Could Mean Major Changes," *KJZZ*, Apr. 5, 2022 (public radio interview)

Mark Brodie, "Further Challenges to Arizona's Abortion Laws Inevitable as New Session Begins, Lawyer Says," *The Show*, Jan. 17, 2022 (public radio interview)

Emma Ascott, "Ducey Asks U.S. Supreme Court to Overturn *Roe v. Wade*," *Cronkite News, Arizona PBS*, July 30, 2021 (quoted)

Allison Sherry & Will Stone, "Can Businesses Turn Away LGBT Customers? Court Battles Bubbling Back Up," *All Things Considered*, Feb. 10, 2019 (public radio interview)

"Arizona Supreme Court Hears Challenge to Phoenix Gay Antidiscrimination Law," KJZZ, Jan. 22, 2019 (public radio interview)

Marshall Terrill, "Three Identical Strangers Opens Pandora's Box of Privacy Law," *ASU Now*, Sept. 6, 2018 (interview)

Joanna Allhands, "How a Lesbian Divorce Case Could Redefine Parenthood," *Arizona Republic*, June 27, 2017 (quoted)

"Arizonans Weigh in on Same-Sex Marriage Ruling," *Here and Now*, June 26, 2015 (public radio interview)

"Experts: Supreme Court Decision on Same-Sex Marriage Could Impact Arizona Couples," KJZZ, Apr. 27, 2015 (public radio interview)

OTHER ACTIVITIES

American Psychological Ass'n: Division 44 Committee on Consensual Nonmonogamy, Co-Lead, CNM Families Initiative, 2021-2024

JOTWELL: Family Law, Section Editor (with Naomi Cahn), 2020- ; Contributing Editor, 2016-

Roundtable on Nonmarriage and the Law, Co-founder and co-chair, 2019-

West Coast Gender, Sexuality, and the Law Conference, Co-founder and co-chair, 2024

AALS Committee for the Recruitment and Retention of Minority Law Teachers and Students, 2020-2023

AALS Workshop for Pretenured Law School Teachers of Color, Planning Committee, 2019

Family Law Scholars & Teachers Conference, Co-chair, 2017; Planning Committee, 2018

Referee Activity

Yale Law Journal, *NYU Law Review*, *Stanford Law Review*, *Harvard Law Review*, *Univ. of California Press*

AWARDS

Outstanding Teaching Award (by vote of graduating class), ASU Law, 2019

Outstanding Teaching Award (by vote of graduating class), ASU Law, 2017

Judge Jerry Pacht Constitutional Law Award, UCLA Law, 2007

Harriet Gilliam Memorial Prize for Best English Thesis, Northwestern University, 2000

Edwin Shuman Award for Best English Major, Northwestern University, 2000

BAR ADMISSIONS

California; U.S. Court of Appeals for the Ninth Circuit; U.S. District Court, Northern District of California; U.S. District Court, Southern District of California