

# KAIPONANEA T. MATSUMURA

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## ACADEMIC APPOINTMENTS

Sandra Day O'Connor College of Law, Arizona State University  
*Associate Professor of Law*, 2014 – present (with tenure, 2019 – )

Courses taught: Contracts; Civil Procedure; Family Law; Reproductive Technologies & Law

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

Courses taught: Federal Litigation; Legal Research & Writing

## EDUCATION

UCLA School of Law  
Juris Doctor, 2007, Order of the Coif

Northwestern University  
Bachelor of Science, *magna cum laude*, 2000

## ARTICLES & ESSAYS

*The Marital Habitus* (work in progress)

*Beyond Polygamy: Building a Multi-Partner Relationship Status* (work in progress)

*Unifying Status and Contract* (work in progress)

*Breaking Down Status*, 98 WASH. U. L. REV. 671 (2021)  
Reviewed by Brian Bix, JOTWELL, Nov. 3, 2020,  
<https://family.jotwell.com/a-status-breakdown/>  
Reviewed by Aníbal Rosario Lebrón, JOTWELL, Nov. 3, 2020,  
<https://family.jotwell.com/rounding-the-square-peg-matsumuras-redefining-of-status-regulatory-schemes/>

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

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

*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)

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

*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)

## CASEBOOK

CONTEMPORARY FAMILY LAW (5th ed. 2019) (summer supplement, 2020) (with Linda McClain, Naomi Cahn, and Jessica Dixon Weaver)

## OTHER PUBLICATIONS

*Restating the Law of Nonmarital Contracts*, JOTWELL, Apr. 27, 2020 (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)

*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/>)

## 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

Speaker, *Beyond Polygamy: Building a Multi-Partner 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)

Moderator, *Intimate Contracts, Consent, and Commodification*  
KCON XII, Feb. 2017 (Los Angeles, CA)

Speaker, *Choosing Marriage*  
U.C. Hastings Faculty Workshop, Nov. 2016 (San Francisco, CA)

Panelist, *LGBT Legal Issues at the Core and Periphery of LGBT Politics*  
Midwest Law & Society Retreat, Nov. 2016 (Madison, WI)

Panelist, *Political Bodies: Sex, Gender and Reproductive Rights*  
ASU Origins Project, Sept. 2016 (Phoenix, AZ)

Presenter, *Choosing Marriage*  
East Bay Scholars Workshop, Aug. 2016 (Oakland, CA)

Presenter, *Processing Marital Choice*  
Law & Society Annual Meeting, June 2016 (New Orleans, LA)

Presenter, *Processing Marital Choice*  
Family Law Scholars & Teachers Conference, June 2016 (New Orleans, LA)

Panelist, *Obergefell, Families Outside Marriage and the Law*  
West Coast Law & Society Retreat, Feb. 2016 (Irvine, CA)

Speaker, *A Right Not to Marry*  
Arizona State University, Sandra Day O'Connor College of Law, Sept. 2015

Presenter, *Paradigms of Marital Choice*

AALS Midyear Meeting, June 2015 (Orlando, FL)

Presenter, *Paradigms of Marital Choice*  
Family Law Scholars & Teachers Conference, June 2015 (Orlando, FL)

Presenter, *Paradigms of Marital Choice*  
Grey Fellows Forum, Stanford Law School, May 2015

Presenter, *Judicial Enforcement of Private Preferences*  
Law & Society Annual Meeting, May 2015 (Seattle, WA)

Presenter, *Judicial Enforcement of Private Preferences*  
Stanford Law School Fellows Workshop, March 2014

Presenter, *Binding Future Selves*  
Arizona State University, Sandra Day O'Connor College of Law,  
November 2013

Presenter, *Binding Future Selves*  
Stanford Law School, October 2013

Presenter, *Binding Future Selves*  
UCLA School of Law, October 2013

Presenter, *The Role of Personal Identity in Contract Law*  
Lavender Law Junior Scholars Workshop, August 2013 (San Francisco,  
CA)

Presenter, *The Role of Personal Identity in Contract Law*  
Stanford Law School Fellows Workshop, February 2013

Presenter, *Public Policing of Intimate Agreements*  
Lavender Law Junior Scholars Workshop, August 2012 (Washington,  
DC)

Presenter, *Public Policing of Intimate Agreements*  
Stanford Law School Fellows Workshop, March 2012

## **SELECTED MEDIA**

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*, KJZZ, 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)

## **LAW SCHOOL SERVICE**

Appointments, 2016-17, 2017-18, 2019-20; Clerkship Committee, 2015-20 (Chair, 2017-20); Colloquium Committee, 2014-15, 2021-22 (Chair); Dean's Advisory Committee (elected), 2019-20; Filipino Law Students Association, Faculty Advisor, 2018-19; Inclusion Working Group, 2018-20; Anti-Racism Steering Committee, 2020-.

## **OTHER SERVICE**

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

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

Roundtable on Nonmarriage and the Law, Co-chair, 2019, 2020, 2021

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

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

Arizona Judicial Conference, Presenting faculty member, 2017, 2018

Referee Activity

*Yale Law Journal*, *NYU Law Review*, *Stanford Law Review*, *Harvard Law Review*

## **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