

# Jill Wieber Lens

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## ACADEMIC POSITIONS:

**University of Iowa College of Law**, Iowa City, IA July 2024-Present  
*Dorothy M. Willie Professor in Excellence*  
Classes Taught: Torts, Health Law, Reproductive Rights & Justice, and Remedies.

**University of Arkansas School of Law**, Fayetteville, AR Jan. 2018-June 2024  
*Robert A. Leflar Professor of Law, Associate Dean of Research & Faculty Development*  
Classes Taught: Torts, Health Law, Reproductive Rights & Justice, Women & the Law, Remedies, and Products Liability.

**Baylor University School of Law**, Waco, TX July 2010-Dec. 2017  
*Professor of Law* (tenured 2016)  
Classes Taught: Torts I, Torts II, Products Liability, and Appellate Advocacy.

## EDUCATION:

**University of Iowa College of Law**, Iowa City, IA May 2005  
Order of the Coif, Graduated with Highest Distinction, West Publishing Co. Award for Outstanding Scholastic Achievement  
IOWA LAW REVIEW: Note & Comment Editor (2004-2005), Student Writer (2003-2004)  
Member of Organization of Women Law Students

**University of Wisconsin**, Madison, WI May 2002  
Bachelor of Arts degree with Honors in Political Science and Liberal Arts  
Political Science major and an Integrated Liberal Studies Certificate

## BOOKS:

STILLBIRTH & THE LAW (U.C. Press, forthcoming April 2025).

LEARNING HEALTH LAW (West, forthcoming spring 2025) (with Zack Buck and Val Blake).

## ARTICLES AND BOOK CHAPTERS:

*Criminalization of Stillbirth* (in progress).

*Fetal Life Hypocrisies* (in progress).

*Original Public Meaning & the Ambiguities of Pregnancy* 122 MICH. L. REV. 1443 (with Evan Bernick).

*Valuing Reproductive Loss*, 112 GEO. L. J. 61 (2023) (with Dov Fox).

*Abortion, Pregnancy Loss, & Subjective Fetal Personhood*, 75 VAND. L. REV. 1649 (2022) (with Greer Donley).

*Counting Stillbirths*, 56 U.C. DAVIS L. REV. 525 (2022).

*Caleb's Stillbirth, 5 Years Later*, 12:3 NARRATIVE INQUIRY INTO BIOETHICS 206 (2022).

*Informed Consent Law's Role in Stillbirth Prevention: A Reply to Meghan Boone, Brietta Clark, and Nadia Sawicki*, 107 IOWA L. REV. ONLINE 65 (2022).

*Second-Trimester Abortion Dangertalk*, 62 BOST. COLL. L. REV. 2145 (2021) (with Greer Donley).

*Miscarriage, Stillbirth, & Reproductive Justice*, 98 WASH. U. L. REV. 1059 (2021).

*Medical Paternalism, Stillbirth, & Blindsided Mothers*, 106 IOWA L. REV. 665 (2021).

*Children, Wrongful Death, & Punitive Damages*, 100 B.U. L. REV. 437 (2020).

*Commentary on Simpkins v. Grace Brethren Church of Delaware*, in FEMINIST JUDGMENTS—TORTS (Martha Chamallas and Lucinda Finley eds., 2020).

*The Ultimate in Women's Labor: Stillbirth and Grieving* with Dr. Joanne Cacciatore, in ROUTLEDGE INTERNATIONAL HANDBOOK OF WOMEN'S SEXUAL AND REPRODUCTIVE HEALTH (Jane M. Ussher, Joan C. Chrisler, Janette Perz, eds., 2019).

*Tort Law's Devaluation of Stillbirth*, 19 NEV. L. J. 955 (2019).

*Defective Punitive Damages*, 2017 UTAH L. REV. 1019 (2017).

*An Undetectable Constitutional Violation*, 106 KY. L. J. 179 (2017) (cited in DOUGLAS LAYCOCK & RICHARD L. HASEN, MODERN AMERICAN REMEDIES: CASES AND MATERIALS 253 (5th ed., 2019)).

*Justice Thomas, Civil Asset Forfeitures, and Punitive Damages*, 51 U.C. DAVIS L. REV. ONLINE (2017).

*Stays Pending Appeal: Why the Merits Should Not Matter*, 43 FLA. ST. U. L. REV. 1319 (2016) (cited in Texas v. United States, 787 F.3d 733, 776 (5th Cir. 2015)).

*Product Recalls: Why is Tort Law Deferring to Agency Inaction?* 90 ST. JOHN'S L. REV. 329 (2016), reprinted in DEF. LAW. J., VOL. 66, NO. 1 (2017).

*Warning: A Post-Sale Duty to Warn Targets Small Businesses*, 2014 UTAH L. REV. 1013 (2014) (cited in In re: Gen. Motors LLC Ignition Switch Litig., 202 F. Supp. 3d 362, 367 (S.D.N.Y. 2016)).

*Tort Law's Deterrent Effect and Procedural Due Process*, 50 TULSA L. REV. 115 (2014).

*Insurance Coverage for Elite Student-Athletes*, with Joshua J. Lens, 84 MISS. L.J. 127 (2014).

*Justice Holmes's Bad Man and the Depleted Purposes of Punitive Damages*, 101 KY. L. J. 789 (2013).

*Procedural Due Process and Predictable Punitive Damage Awards*, 2012 BYU L. REV. 1 (2012), reprinted in DEF. LAW. J., VOL. 61, NO. 3, at 113 (2013).

*Punishing for the Injury: Tort Law-Based Limitations on Punitive Damages*, 39 HOFSTRA L. REV. 595 (2011).

*Honest Confusion: The Purpose of Compensatory Damages in Tort and Fraudulent Misrepresentation*, 59 U. KAN. L. REV. 231 (2011).

*The (Overlooked) Consequence of Easing the Prohibition of Expert Legal Testimony in Professional Negligence Claims*, 48 U. LOU. L. REV. 53 (2009), *reprinted in* DEF. LAW J., VOL. 60, NO. 1, at 103 (2011).

*Second Hand Choice: An Incompetent Pregnant Woman's Constitutional Right to Choose Abortion*, 90 IOWA L. REV. 791 (2005).

### **OTHER WRITINGS AND POPULAR MEDIA:**

Op-Ed, [What is this 'Post-Birth Abortion' Donald Trump Keeps Talking About?](#), The Atlantic (Oct. 17, 2024) (with Greer Donley).

Op-Ed, [A reality check on Iowa's abortion ban exceptions](#), Cedar Rapids Gazette (Aug. 25, 2024).

Op-Ed, [Texas Says a Fetus is a Child, Except when a Parent Sues a Negligent Doctor or State Official](#), SLATE (Aug. 24, 2023) (with Dov Fox).

Podcast, [If Not Viability, then What?](#), MORE PERFECT (June 15, 2023) (with Greer Donley).

Podcast, [It's Raining Adobo Pills, Hallelujah!](#), FEMINIST BUZZKILLS (Jan. 6, 2023) (with Greer Donley).

Op-Ed, [Shining a Light: Possible Progress on Stillbirths](#), ARKANSAS DEMOCRAT GAZETTE (Dec. 29, 2022).

Op-Ed, [Those Pregnancy Loss Tissue Photos Were Destined to Backfire on Abortion Rights Supporters](#), SLATE (Oct. 27, 2022) (with Greer Donley)

Op-Ed, [Why Do We Talk about Miscarriage Differently from Abortion?](#), NEW YORK TIMES (Aug. 2, 2022) (with Greer Donley).

Op-Ed, [The Consequences of Roe's Ending: Pregnancy Loss Treatments Curtailed](#), ARKANSAS DEMOCRAT GAZETTE (July 16, 2022).

Op-Ed, [The Devastating Implications of Overturning Roe Will Go Far Beyond Abortion Patients](#), TIME (July 24, 2022).

Op-Ed, [Still a Child: Paisley's Law Recognizes Stillbirth](#), ARKANSAS DEMOCRAT GAZETTE (May 21, 2021).

Op-Ed, [Issue I Inadequate for Arkansans](#), ARKANSAS DEMOCRAT GAZETTE (Sept. 20, 2018).

Op-Ed, [Recognizing Stillborn Babies Does Not Threaten Abortion Rights](#), HUFFINGTON POST (May 8, 2018).

[I Gave Birth to a Stillborn Baby. Here is my Heartbreaking Story](#), HUFFINGTON POST (May 12, 2018).

### **RECENT SERVICE & ADVOCACY:**

2023-24: Invited Member of Eunice Kennedy Shriver National Institute of Child Health and Human Development Council Stillbirth Working Group, Co-Lead of Enhancing Resources for Families Impacted by Stillbirth sub-work group

2021-22: I worked with the stillbirth community to advocate for the federal Stillbirth Health Improvement and Education for Autumn Act of 2021.

2021: I worked with state legislators in Arkansas to draft Paisley's Law, a state income tax credit for families whose child is stillborn.

### **RECENT PRESENTATIONS:**

*Fetal Life Hypocrisies*, Reproductive Rights and Justice Roundtable, Mar. 2024; American Society of Law, Medicine & Ethics Health Law Professors Conference, June 2023.

*Research to Prevent, not to Blame*, International Stillbirth Alliance, June 2023.

*Valuing Reproductive Losses*, Reproductive Rights and Justice Roundtable, Jan. 2023; Baby Markets (University of Pennsylvania Carey School of Law), March 2022.

*Counting Stillbirths*, National Institute of Child Health and Human Development Council Stillbirth Working Group, Nov. 2022; Central States Law School Association Conference, Sept. 2021; American Society of Law, Medicine & Ethics Health Law Professors Conference, June 2021.

*Abortion, Pregnancy Loss, & Subjective Fetal Personhood*, Abortion Rights at a Crossroads (University of Pittsburgh School of Law), February 2022; Reproductive Rights and Justice Roundtable, Dec. 2021; Law & Society Association, July 2022; Feminist Legal Theory Summer Series, June 2021.

*The Standard of Care and Stillbirth Prevention*, Star Legacy Foundation Stillbirth Summit, June 2021.

*Second-Trimester Abortion Dangertalk*, Law & Society Association, May 2021.

*Stillbirth and Birth Justice*, Birth Rights Bar Association's Childbirth and the Law Conference, April 2021.

*Miscarriage, Stillbirth, & Reproductive Justice*; SEALS Reproductive Justice Roundtable, August 2020; Feminist Legal Theory Summer Series, June 2020.

*Medical Paternalism, Stillbirth, & Bereaved Mothers*, International Stillbirth Alliance, Oct. 2019; Law & Society Association, May 2019; American Society of Law, Medicine & Ethics, Health Law Professors Conference June 2019; Star Legacy Foundation Stillbirth Summit, June 2019.

*Children, Wrongful Death, & Punitive Damages*, Notre Dame Remedies Roundtable, June 2018.

### **EXPERIENCE:**

**Husch Blackwell, LLP**, St. Louis, MO

Sept. 2005-July 2009

*Associate in Commercial and Appellate Litigation Practice Groups*

Prepared and argued various pleadings and motions, including motions to dismiss and for summary judgment. Prepared jury instructions and appellate briefs. Oversaw all aspects of discovery, including taking and defending depositions. Assisted partners in developing strategy. Participated in trial preparation, mediation, and settlement negotiation.