

Katharine K. Baker

Aliber Family Chair in Law

University of Iowa College of Law

Boyd Law Building, 418

130 Byington Rd.

Iowa City, IA 52242

Katharine-baker@uiowa.edu

Academic Experience

2025 – Present: Aliber Family Chair in Law
University of Iowa College of Law

1993 - 2025 **Chicago-Kent College of Law**

2016 – 2025: University Distinguished Professor of Law
 2016–2020: Associate Dean for Administration and Strategic Initiatives
 2009–2016: Professor of Law
 2002-2009: Professor of Law and Associate Dean for Faculty
 1993-2001: Assistant and Associate Professor of Law

TEACHER OF THE YEAR, 1999-2000, 2013-2014

2007-2008: Visiting Professor,
Northwestern University School of Law
 SBA TEACHER OF THE YEAR

Fall, 2000: Visiting Professor,
Yale Law School

Fall, 1997: Visiting Assistant Professor,
University of Pennsylvania Law School

Courses Taught: *Family Law, Property, Contracts, Child, Family and State, Strategic Problem-Solving, Domestic Violence, Evidence, Gender and the Law, Feminism and the Family, Sexual Orientation and the Law, Environmental Law, Environmental Enforcement*

Publications

Books

FAMILY LAW: THE ESSENTIALS (with Katharine B. Silbaugh), ASPEN LEGAL EDUCATION, 2009

Book Chapters

Why (the law makes) Spouses Share Property

Forthcoming in RESEARCH HANDBOOK IN FAMILY LAW AND FINANCE
(P.Morgan, ed., 2026)

Consent, Rape and the Criminal Law

In THE OXFORD HANDBOOK OF FEMINISM AND LAW IN THE UNITED STATES (D. Brake, M. Chamallas & V Williams, eds., 2021) (with Michelle Oberman)

<https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780197519998.001.0001/oxfordhb-9780197519998-e-26>

Procreation and Parenting

In THE OXFORD HANDBOOK OF CHILDREN AND THE LAW, (J. Dwyer, ed., 2019),

<https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780190694395.001.0001/oxfordhb-9780190694395>

Sex Equality, Gender Injury, Title IX and Women's Education in the United States

in RESEARCH HANDBOOK ON FEMINIST JURISPRUDENCE, (C. Bowman and R. West eds., 2019), <https://doi.org/10.4337/9781786439697.00028>

Women's Sexual Agency and the Law of Rape in the 21st Century,

69 STUDIES IN LAW, POLITICS AND SOCIETY 63 (A. Sarat, ed, 2016) (with Michelle Oberman)

Asymmetric Parenthood in RECONCEIVING THE FAMILY: CRITIQUE ON THE AMERICAN LAW INSTITUTE'S *PRINCIPLES OF THE LAW OF FAMILY DISSOLUTION* (R. Wilson, ed) (Cambridge, 2006)

Selected Law Review Articles*Family Law Exceptionalism Revisited*

37 J.OF AM. ASSOC. OF MATRIMONIAL LAWYERS 395 (2025)

Gender (Discrimination) Trouble

76 S.C.L. REV 223 (2024)

Abortion, Parenthood and Equality

26 GEORGETOWN J.OF GENDER & L 1 (2024)

Where do Families Come From? The Law of Family Definition

49 BYU L. REV 1249 (2024)

Making Some Sense of the Constitutional Family

72 WASH U.J.L. & POL'Y 1 (2023)

The Polyamorous Threat to Nonmarriage

61 FAM.CT.REV 81 (2023)

Equality, Gestational Erasure and the Constitutional Law of Parenthood

35 J.OF AM. ASSOC. OF MATRIMONIAL LAWYERS 1 (2022)

Equality and Family Autonomy,
24 U . P A . J . C O N S T . L. 412 (2022)

What is Nonmarriage?

73 SMU L. REV. 201 (2020)

Campus Misconduct, Sexual Harm and Appropriate Process: The Essential Sexuality of it All

66 J. OF L. ED 777 (2017)

Quacking Like A Duck? Functional Parent Doctrine and Same-Sex Parents

92 CHI-KENT L. REV. 135 (2017)

The DNA Default and Its Discontents

96 B.U. L. REV 2037 (2016)

Campus Sexual Misconduct as Sexual Harassment: A Defense of the DOE

64 KAN. L. REV 861 (2016)

Why Rape Should Not (Always) Be a Crime

100 MINN. L. REV 221 (2015)

Legitimate Families and Equal Protection

56 B.C. L. REV. 1647 (2015)

Homogeneous Rules for Heterogeneous Families: The Standardization of Family Law When There is No Standard Family

2012 UNIV. OF IL. L. REV. 319

The Stories of Marriage

12 J. OF L. & FAM STUD 1 (2010)

Marriage and Parenthood as Status and Rights: The Growing, Problematic and Possibly Constitutional Tred to Disaggregate Family Status from Family Rights

71 OHIO ST. L. J. 127 (2010)

Bionormativity and the Construction of Parenthood

42 GA. L. REV. 649 (2008)

A Separate Crime of Reckless Sex

72 U. CHI. L. REV. 599 (2005) (with Ian Ayres)

Bargaining or Biology? The History and Future of Paternity Law and Parental Status

14 CORNELL J. OF L. & PUB. POLICY 1 (2004)

Gender, Genes and Choice: A Comparative Look at Feminism, Evolution and Economics

80 N.C. L. REV. 465 (2002)

Dialectics and Domestic Abuse (book review)

ELIZABETH SCHNEIDER, BATTERED WOMEN AND FEMINIST LAWMAKING (2000)

110 YALE L. J. 1459 (2001)

Biology for Feminists

75 CHI.-KENT L. REV. 805 (2000)

Sex, Rape and Shame

79 B.U. L. REV 663 (1999)

Taking Care of Our Daughters (book review)

MARTHA ALBERTSON FINEMAN, THE NEUTERED MOTHER, THE SEXUAL FAMILY AND OTHER TWENTIETH CENTURY TRAGEDIES (1995)

18 CARD. L. REV. 1495 (1997)

Once A Rapist? Motivational Evidence and Relevancy in Rape Law

110 HARV. L. REV. 563 (1997)

Consorting with Forests: Rethinking Our Relationship to Natural Resources and How We Value Their Loss

22 EC. L. Q. 677 (1995)

Land Use and Environment Law Review, Vol. 28 (Lead Article)

Encyclopedia Entries:*Children and Rape* in THE CHILD: AN ENCYCLOPEDIA COMPANION (University of Chicago Press, 2009) (with Michelle Oberman)*Caban v. Mohammed & Michael H. v. Gerald D.* in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Gale/Cengage, 2008)**Education****UNIVERSITY OF CHICAGO LAW SCHOOL**J.D., with Honors, 1989, Comment Editor, *University of Chicago Law Review*

D. Francis Bustin Prize for Outstanding Student Comment

HARVARD-RADCLIFFE COLLEGEA.B., 1984 - *Magna Cum Laude* in Social Studies**Clerkship**Judicial Clerk to the Honorable Edward R. Becker,
United States Court of Appeals for the Third Circuit, 1989 – 1990**Selected Presentations, Colloquia and Media Appearances**

“Where Do Families Come From?”

Washington Univ. School of Law Faculty Workshop, October 2022

"Making Sense of the Constitutional Family"
Nonmarriage Roundtable, September, 2022

"The Polyamorous Threat to Nonmarriage"
Nonmarriage Roundtable, October, 2021

"What is Nonmarriage?"
Univ. of Minnesota Law School, December 2019

"Sexual Harm and Campus Misconduct"
Georgetown University Law Center, October 2017

"A Defense of DOE: Campus Misconduct as Sexual Harassment"
University of Kansas Law School, October 2016

"Homogeneous Rules for Heterogeneous Families"
John Marshall Law School, April 2011

"The Stories of Marriage"
Work, Families and Public Policy Workshop
Washington University, December, 2008

"The Problem with Unpaid Work"
Univ. of St. Thomas Law School,
April 2007

"Supporting Children, Balancing Lives"
Balancing Career and Family: A Work/Life Symposium
Pepperdine University School of Law
April, 2006

"The Promise and Likely Pitfalls of Neuro-Science and Law"
AALS Annual Meeting
San Francisco, CA
January, 2005

"Two Paradigms of Marriage,"
Canadian Law and Economics Association
Toronto, Canada
September, 2003

"Who's Your Daddy? Paternity, Contract and the Irrelevance of Biology"
Florida State University College of Law Faculty Workshop
November, 2002

AChildren=s Rights and Fathers= Rights@
Feminist Uncomfortable Conversations Series: Children's Rights and Parents' Rights
Cornell Law School
April, 1999

AThe Wrong of Rape@
Colloquium on Biology and Sexual Aggression

Arizona State University College of Law
May, 1998

Dozens of newspaper interviews, published op-ed pieces, television and radio appearances

Professional Service

Member, American Law Institute
Since March 2024

Academic Advisor, Uniform Law Commission for Uniform Cohabitants' Economic Remedies Act
Summer 2020 – Summer 2021

Site Visitor and Reporter, ABA Committee on Law School Accreditation, Villanova University,
Widger School of Law,, February 2019

Practice

UNITED STATES DEPARTMENT OF JUSTICE, WASHINGTON D.C., 1990 -1993
TRIAL ATTORNEY, ENVIRONMENTAL ENFORCEMENT SECTION

Lead attorney on environmental cases involving hazardous waste, clean air and clean water act statutes. Conducted all facets of discovery, settlement and trial.