

Antonin Scalia Law School at George Mason University

FREE SPEECH CLINIC (Law 136)
Spring 2026 Course Syllabus (dated 12.29.2025)
Tuesdays from 6:05– 8:05 p.m.
2 credits*

* Note this is a year-long course, with two credits earned each semester. This syllabus is for spring semester only.

Professors: Mike Connolly: jconnol5@gmu.edu
Office Hours: By appointment (Zoom appointments available)

JoAnn Koob: jkooob@gmu.edu
Office Hours: Tuesdays 4:30 – 5:30 p.m. and by appointment (Zoom appointments available)

Overview: The Free Speech Clinic provides students with legal practice experience through pro bono representation in actual free speech cases. Clinic students work closely with experienced attorneys to identify cases of interest, research legal issues, and draft memos, motions, briefs, and other documents. In addition, clinic students receive weekly classroom instruction on procedural and substantive issues relevant to their cases, federal and state court decisions, and recent developments in First Amendment law. Guest lecturers with a wide array of backgrounds will often attend the weekly meetings.

Readings: There is no casebook required for this course. We will provide case citations and/or post the weekly readings on Canvas. Reading assignments are subject to change, as they are based on our guest speaker schedule and requests.

In addition, from time to time we may post optional supplemental readings on Canvas that we think may be of particular interest based on our casework and other relevant topics.

Attendance: The course follows the Law School's attendance policy. If a student is absent for any reason more than 20% of the course, then the student is not eligible for credit. A student who misses more than 25% of a class session will be counted as absent from that class session.

Assessment and Grades: Grades for spring semester will be based on a combination of case work, class participation, and an optional short paper. You will be required to submit a short memo summarizing the casework you did and your role therein at the end of the semester. Guidelines for the paper will be provided as the semester progresses (they will be the same as the fall semester guidelines).

- Casework: 75%; If you opt to do a paper, it will be factored into your casework grade
- Class Participation: 25%

Learning Outcomes:

- Students will understand basic principles of the speech, press, and assembly clauses of the First Amendment, as well as freedom of association.
- Students will develop litigation-focused research and writing skills.
- Students will understand the process and strategy of litigating freedom of speech claims.

- Students will exercise the professional skills expected of members of the legal profession.

Schedule: The course topics and reading list below will be updated during the semester as guest speakers are confirmed/request changes. We will keep you apprised of updates to the schedule and reading assignments.

**All readings denoted with an asterisk * are available on Canvas*

January 20, 2026

Topic: **Student Presentations**
Reading: None. However, be prepared to tell the class about the free speech issue you analyzed in your paper from fall semester. You will each have 4-5 minutes, followed by about 5 minutes of class questions and discussion per student/topic.
Speaker: **All Clinic Students**

January 27, 2026

****CLASS WILL MEET OVER ZOOM AND INCLUDE OTHER FREE SPEECH CLINICS****
<https://gmu.zoom.us/j/97234970234>

Topic: **Free Speech: What free speech issues do you find the most challenging?**
Reading: None
Speaker: **Nadine Strossen.** Professor Strossen is the John Marshall Harlan II Professor of Law Emerita at New York Law School and past President of the American Civil Liberties Union (1991-2008), a Senior Fellow with FIRE (the Foundation for Individual Rights and Education), and a leading expert and frequent speaker/media commentator on constitutional law and civil liberties. She serves on the advisory boards of the ACLU, Academic Freedom Alliance, Heterodox Academy, National Coalition Against Censorship, and the University of Austin.

The National Law Journal has named Strossen one of America's "100 Most Influential Lawyers," and several other publications have named her one of the country's most influential women. Her many honorary degrees and awards include the American Bar Association's prestigious Margaret Brent Women Lawyers of Achievement Award (2017). In 2023, the National Coalition Against Censorship (an alliance of more than 50 national non-profit organizations) selected Strossen for its Judy Blume Lifetime Achievement Award for Free Speech.

She is the author of *HATE: Why We Should Resist It with Free Speech, Not Censorship* (2018) and *Free Speech: What Everyone Needs to Know* (2023).

Professor Strossen graduated from both Harvard College and Harvard Law School. Before becoming a law professor, she practiced law in Minneapolis (her hometown) and New York City.

February 3, 2026

Topic:	Laws Restricting Private Employer Retaliation for Speech
Reading:	None
Speaker:	Eugene Volokh. Eugene Volokh is the Thomas M. Siebel Senior Fellow at the Hoover Institution. For thirty years, he was a professor at the University of California – Los Angeles School of Law, where he has taught First Amendment law, copyright law, criminal law, tort law, and firearms regulation policy.

Professor Volokh is the author of the textbooks *The First Amendment and Related Statutes* (7th ed., 2020) and *Academic Legal Writing* (5th ed., 2016), as well as more than one hundred law review articles. He is a member of the American Law Institute and of the American Heritage Dictionary Usage Panel, and the founder and coauthor of *The Volokh Conspiracy*, a leading legal blog. His work has been cited in more than three hundred court opinions, including ten Supreme Court cases, as well as over five thousand academic articles. He has also filed briefs (mostly amicus briefs) in more than 150 cases and has argued in over thirty-five appellate cases in state and federal courts throughout the country.

Before coming to UCLA, Professor Volokh clerked for Justice Sandra Day O'Connor on the US Supreme Court and for Judge Alex Kozinski on the US Court of Appeals for the Ninth Circuit.

He graduated from UCLA with a BS in math-computer science and received his J.D. from UCLA as well. Professor Volokh was born in the Soviet Union; his family emigrated to the United States when he was seven years old.

February 10, 2026

Topic:	Freedom of Association
Reading:	<i>Tentative</i> <ul style="list-style-type: none">▪ <i>Clingman v. Beaver</i>, 544 U.S. 581 (2005): Thomas' opinion*▪ <i>Christian Legal Society v. Martinez</i>, 561 U.S. 661 (2010): Skip Section II*▪ <i>Americans for Prosperity Foundation v. Bonta</i>, 594 US _ (2021)*▪ <u>Becket Fund's amicus brief</u> in <i>AFPF v Bonta</i>*
Speaker:	Casey Mattox. Casey Mattox is Vice President for Legal Strategy at Stand Together and Senior Advisor at Americans for Prosperity. In these roles he advocates for and creates strategies and partnerships to ensure a constitutionally limited government that protects the civil liberties of all Americans. Prior to joining Stand Together and AFP Casey's legal career focused on defending the First Amendment rights of students, faculty, healthcare workers and religious organizations. Casey has a J.D. from Boston College School of Law and an undergraduate degree from the University of Virginia.

February 17, 2026

Topic:	Occupational Speech
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Reading:	TBD
Speaker:	<p>Jeffrey Redfern. Jeffrey is an attorney for the Institute for Justice. He litigates constitutional cases protecting property rights and free speech. Jeffrey was the lead attorney in <i>Baker v. City of McKinney</i>, a case in which, for the first time in history, a federal court ruled that an innocent homeowner was entitled to compensation when her house was destroyed by a SWAT raid. In his free speech practice, Jeffrey has fought for the First Amendment rights of book publishers and talk therapists to be free of government regulation targeted at the content of their speech. Before joining IJ, Jeffrey was a member of the appellate group at Mayer Brown LLP, where he worked on various constitutional issues in the U.S. Supreme Court and in lower federal and state courts. Jeffrey clerked for Judge Laurence Silberman of the U.S. Court of Appeals for the D.C. Circuit, where he learned to loathe acronyms. He earned his J.D., cum laude, from Harvard Law School in 2012. He earned his MA in humanities from the University of Chicago in 2006 and his BA in English, magna cum laude, from Carleton College in 2005.</p>

February 24, 2026

Topic:	Commercial Speech
Reading:	<u>Commercial Speech and the Values of Free Expression</u>
Speaker:	<p>Mark Chenoweth. Professor Chenoweth is the President and General Counsel of the New Civil Liberties Alliance. Professor Chenoweth has observed the administrative state up close and personal from perches in all branches of the federal government. He served as the first chief of staff to Congressman Mike Pompeo, as legal counsel to Commissioner Anne Northup at the U.S. Consumer Product Safety Commission, as an attorney advisor in the Office of Legal Policy at the U.S. Department of Justice, and as a law clerk to the Hon. Danny J. Boggs on the U.S. Court of Appeals for the Sixth Circuit. Professor Chenoweth has worked in several different roles in the private sector as well. He began his legal career in D.C. as a regulatory associate at Wilmer, Cutler & Pickering. He then returned to his home state of Kansas to serve as in-house counsel for Koch Industries. Most recently he spent over four years as general counsel of the Washington Legal Foundation. He is a graduate of Yale College and the University of Chicago Law School, where he co-founded the Institute for Justice Clinic on Entrepreneurship.</p>

March 3, 2026

TBD

March 10, 2026

Spring Break: NO CLASS

March 17, 2026

Topic:	Free Speech Rationales
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Reading: *The Checking Value in First Amendment Theory*, Blasi, pp. 523-525; 527-528, and 538-565 (first full paragraph on 538 through first full paragraph on 565)*
Speaker: **Professor Koob**

March 24, 2026

Topic: **Privacy, National Security, and Speech**

Reading: **TBD**

Speaker: **Jennifer Huddleston.** Jennifer Huddleston is a senior fellow in technology policy at the Cato Institute. Her research focuses on the intersection of emerging technology and law with a particular interest in the interactions between technology and the administrative state. Jennifer's work covers topics including antitrust, online content moderation, data privacy, and the benefits of technology and innovation. Her work has appeared in *USA Today*, *National Review*, the *Chicago Tribune*, *Slate*, *RealClearPolicy*, and *U.S. News and World Report*. She has published in law journals including the *Berkeley Technology Law Journal*, *George Mason Law Review*, *Oklahoma Law Review*, and *Colorado Technology Law Journal*. Jennifer has a JD from the University of Alabama School of Law and a BA in political science from Wellesley College.

March 31, 2026

TBD

April 7, 2026

TBD

April 14, 2026

TBD

April 21, 2026

Topic: **Free Speech Careers**
Reading: None
Speakers: **Professors Connolly and Koob**