

APRIL L. CHERRY

Cleveland State University
Cleveland-Marshall College of Law
1801 Euclid Avenue
Cleveland, Ohio 44115-2223
Phone: (216) 687-2320; Fax: (216) 687-6881
Email: april.cherry@law.csuohio.edu

EDUCATION

Yale Law School, New Haven, Connecticut. Juris Doctor, June 1990.

Yale Law Journal, Senior Editor

Vassar College, Poughkeepsie, New York. Bachelor of Arts, May 1986.

Awarded Highest Honors

Instituto International, Madrid, Spain. September 1984 - December 1984.

PROFESSIONAL EXPERIENCE

Associate Professor of Law, Cleveland State University, Cleveland-Marshall College of Law.
Cleveland, Ohio. August 1999 - Present.

Assistant Professor of Law, Florida State University College of Law. Tallahassee, Florida.
July 1992 - May 1999.

Consultant, Florida Coalition Against Domestic Violence, General Counsel's Office,
Tallahassee, Florida. July 1998 - March 1999. (Monitoring contracts and programs for FCADV
Legal Clearinghouse/Legal Assistance Project.)

Law Clerk, Chief Judge Judith Rogers, District of Columbia Court of Appeals. August 1991 -
July 1992. (Judge Rogers currently sits on the United States Court of Appeals for the District of
Columbia Circuit.)

Associate Attorney, Paul, Hastings, Janofsky & Walker, Washington, D.C. September 1990 -
August 1991.

Morgan Guaranty Public Interest Fellow, Advocates for Children, Inc., Long Island City,
New York. June 1988 - August 1988.

COURSES TAUGHT

Children, Parents, and the State
Estates and Trusts
Health Law Seminar
Poverty Law
Property

Reproductive Technologies and Rights
The Legal Regulation of Motherhood
Women and the Law
Women and the Criminal Justice System (co-taught)

PUBLICATIONS

The Detention, Confinement, and Incarceration of Pregnant Women for the Purported Benefit of Fetal Health, forthcoming COLUMBIA JOURNAL OF GENDER AND THE LAW (Fall 2006). Incarceration and civil commitment and threats thereof are sometimes used by judges to control the behavior of pregnant women who come before them on charges unrelated to their pregnancies. This project looks at these preventive detention cases in light of the undue burden standard articulated by the Supreme Court, as well as other conceptions of privacy, in order to determine whether confinement or detention in this context constitutes a violation of the privacy rights or liberty interests of pregnant women..

Roe's Legacy: The Non-Consensual Medical Treatment of Pregnant Women and Implications for Female Citizenship, 6 U. PA. J. CONST. L. 723-751 (2004). In this essay, I demonstrate how I've come to the conclusion that, part and parcel of *Roe's* legacy, is that the compelling state interest language used by the Court in *Roe* has been used to constrain and derogate women's citizenship.

The Free Exercise Rights of Pregnant Women Who Refuse Medical Treatment, 69 TENN. L. REV. 563-622 (2002). This article explores the constitutional status of pregnant women's religiously motivated refusals of medical treatment for the benefit of their fetuses in the face of judicial compulsion. I conclude that even under the current Supreme Court's restrictive free exercise jurisprudence, pregnant women's right to refuse medical treatment on religious grounds is protected by the First Amendment. Therefore, court orders compelling such treatment are constitutionally impermissible.

Nurturing in the Service of White Culture: Racial Subordination, Gestational Surrogacy, and the Ideology of Motherhood, 10 TEXAS J. OF WOMEN & THE LAW 83-128 (2001) (lead article). This article examines the ways in which the social devaluation of African-American mothers has led to the reproductive subordination of Black women in the context of gestational surrogacy.

Welfare Reform and the Use of State Power in the Prostitution of Poor Women, 48 CLEVELAND STATE L. REV. 67-77 (2000) (symposium issue). This essay argues that the time limitations of the "new" welfare reform regime, the under education and under employment of poor women, coupled with the popularity of describing prostitution as "work" will institutionalize the State's role as the procurer of women for prostitution.

Maternal-Fetal Conflicts, The Social Construction of Maternal Deviance, and Some Thoughts About Love and Justice, 8 TEXAS J. OF WOMEN & THE LAW 245-259 (1999). This essay examines the way in which social deviance theory is used to describe the cause of maternal-fetal conflicts and used as an excuse for judicial control over women described as being in conflict with their fetuses. Ultimately, this essay asks how the law can facilitate justice for women and their fetuses under difficult, possibly fatal medical circumstances.

Choosing Substance Justice: A Discussion of "Choice," "Rights" and the New Reproductive Technologies, 11 WISC. WOMEN'S L.J. 431-441 (1997). This article addresses the tension between rights and substantive justice in the dialogue concerning new and emerging reproductive technologies.

Social Contract Theory, Welfare Reform, Race and the Male Sex-Right, 75 OR. L. REV. 1037-1094 (1996). This article analyzes traditional and contemporary social contract theory and its emphasis on the sexual subordination of women, as structurally necessary for the survival of the liberal state. The analysis is continued in a discussion of the "new" social contract of welfare reform, which expands the traditional male sex-right to the state, allowing the state to directly proscribe poor women's sexual and reproductive behavior in return for bare subsistence.

A Feminist Understanding of Sex-Selective Abortion: Solely a Matter of Choice? 10 WISC. WOMEN'S L.J. 161-223 (1995). This article analyzes the problem of the selective abortion of female fetuses in light of philosophical, moral and legal values regarding freedom of choice. It further analyzes the limits of choice as a value when deployed to further denigrate a socially and politically degraded insular group.

WORKS IN PROGRESS

"Sexual Harassment in Housing: Should the "Mrs. Murphy" Exemption Apply?"
EVERYDAY LAW FOR WOMEN: SEXUALITY, REPRODUCTIVE RIGHTS AND THE LAW OF THE FAMILY

PRESENTATIONS

"Privacy and Punishment: The Role of the State in the Reproductive Lives of American Women," Conference Co-sponsored by American University Journal of Gender, Social Policy, and Law, March 26-27, 2003.

"Roe's Legacy: The Non-consensual Medical Treatment of Pregnant Women and Implications for Female Citizenship," The Legacy of Roe, University of Pennsylvania Constitutional Law Journal, February 7-8, 2003.

"The Prostitution of Poor Women in Post Welfare Cultures," Strategic Thinking for the Millennium: Women in Law. University of Westminster School of Law, June 23, 2000.

"Race, Gestational Surrogacy and the Ideology of Motherhood," Cleveland-Marshall College of Law Faculty Speaker Series. March 1, 2000.

“Welfare Reform and State Supported Prostitution,” Re-Orienting Law and Sexuality Conference. Cleveland-Marshall College of Law, October 23, 1999.

“Maternal-Fetal Conflicts: Exit Strategies for the Next Millennium,” Approaching the Millennium: Emerging Issues in Bioethics and Information Technology. Conference sponsored by the Texas Journal of Women and the Law. University of Texas, March 26, 1999.

“Legal and Cultural Attitudes Toward Black Motherhood: Nurturing in the Service of White Culture,” Feminism and Legal Theory Workshop: Discrimination and Inequality. Columbia University Law School, November 6-7, 1998.

“Model Programs,” Conference on Domestic Violence and Law School Education in Florida. Sponsored by the Governor's Task Force on Domestic Violence and Florida State University College of Law. September 10-12, 1997.

“Teaching, Scholarship, and Motherhood,” Women in Practice Speaker Series: Launching An Academic Career. Yale Law School, March 4, 1997.

“The Ideology of Motherhood: Racial Subordination and Reproductive Technologies,” National Women Law Students' Association Annual Conference. Whittier University School of Law, February 28, 1997.

“Choice, 'Rights' and New Reproductive Technologies: The Future of Feminist Legal Theory,” National Women Law Students' Association Annual Conference. University of Wisconsin School of Law, March 1, 1996.

Keynote Speaker, Academic Awards Ceremony Honoring Class of 1995. Hosted by Florida State University, Multi-Cultural Student Support Center, April 12, 1995.

“Reproductive Laws for the 1990's: Is Choice What We Want?” Tallahassee Chapter of the National Council of Jewish Women, March 19, 1995 (Primary Speaker at Annual Meeting).

“The Compelled Medical Treatment of Pregnant Women,” Tallahassee Women Lawyer's Association, April 1994.

UNIVERSITY SERVICE

Cleveland State University:

Equal Opportunity Hearing Panel-- 2006-2007

Faculty Senate – 2004-2005

College of Law Dean Search Committee – 2004-2005

Minority Affairs Committee - 2001-2002, 2002- 2003, 2003-2004

President’s Advisory Committee on Affirmative Action – 2001-2002, 2002-2003, 2003-2004

Committee on Academic Space - 2000-2001

Cleveland-Marshall College of Law:

Faculty Appointments Committee – 2006-2007
Salary Review Committee – 2004-2005
Long-Term Contract Subcommittee for Clinical Professor Kenneth Kowalski -- Spring 2004
Promotion and Tenure Subcommittee for Assistant Professor Lolita Buckner Inniss – 2002,
2003
Admissions Committee - 2000-2001, 2001–2002, 2002-2003, 2003-2004, 2004-2005
Curriculum Committee - 1999-2000, 2001–2002
Library Committee - 1999-2000, 2001–2002, 2002-2003
Faculty Affairs Committee – Spring 2003
Honor Code Committee – 2003-2004
Ad Hoc Hiring Committees –
 Assistant Dean of Admissions – Summer 2002
 Network Administrator – 2002-2003
Faculty Advisor: Black Law Student Association - 2001- 2004, 2006 - Present
 National Lawyers' Guild – 2003-Present

Florida State University College of Law:

Admissions Committee – 1996-1997
Faculty Appointments Committee - 1993-1994
Placement Committee - 1997-1998
Student Affairs Committee - 199 -1993, 1994-1995, 1997-1999
Ad Hoc Committee for Special Curriculum Development - 1995-1996
Faculty Advisor: Black Law Student Association, Public Interest Law Student Association,
 National Lawyers' Guild

PROFESSIONAL AND COMMUNITY SERVICE

Florida Coalition Against Domestic Violence, Consultant to General Counsel, Tallahassee,
Florida. July 1998 - March 1999.

Refuge House (local domestic violence and rape crisis center), Board of Directors, Tallahassee,
Florida. September 1997 - May 1999.

The Patricia Vance Foundation (non-profit foundation organized to provide assistance to
indigent parents who are parties to juvenile dependency proceedings), Board of Directors,
Tallahassee, Florida. March 1997 - May 1999.

Planned Parenthood of North Central Florida, Inc., Big Bend Advisory Group, Tallahassee,
Florida. February 1994 - November 1994.

PROFESSIONAL MEMBERSHIPS

Member of the Connecticut Bar, Admitted 1990
Member: American Bar Association
 Society of American Law Teachers
 American Society for Bioethics and Humanities