

HILARY CATHERINE ROBINSON

PO Box 492 64 Frost Street, Unit 1
Bethel, VT 05032 Cambridge, MA 02140
(240) 643 – 6022 hilary_robinson@post.harvard.edu

EDUCATION

MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Ph.D. *candidate*

Degree: Doctor of Philosophy candidate, Department of History, Anthropology, Science and Technology Studies. January 2009 – August 2012 voluntary leave of absence to return to legal scholarship and teaching prior to writing a law-focused dissertation.

Honors: Kenan Sahin Presidential Graduate Fellowship

Dissertation: Explores the nexus of race, statistical probability, and DNA databases at the site of technologically-assisted law enforcement in the modern United States. Interrogates the possibility that database search methods conceived as unbiased technologies will yet perpetuate minority overrepresentation in the population group subject to law enforcement surveillance and control.

Advisor: Susan Silbey, Ph.D., M.A., B.A.

Activities: Senior Common Room Member & Non-Resident Tutor in Law, Science and Technology Studies – Cabot House, Harvard College (since 2006)

HARVARD LAW SCHOOL, J.D. June 2006

Degree: Doctor of Law

Honors: Reginald F. Lewis Fellowship for Law Teaching

Advisor: Martha Minow, J.D., M.A., B.A.

Activities: Co-Chairwoman, Women’s Law Association (2005-6) & Board Member (2003-5); Pre-Law Committee Member & Non-Resident Tutor in Law, Science and Technology Studies – Cabot House, Harvard College (2003-6)

HARVARD COLLEGE, A.B. June 2003 *magna cum laude*

Degree: Special Concentration in Genomic Science and Public Policy was a self-designed, faculty-advised curriculum that combined courses in both social and natural science; seeking to elucidate the reciprocal relationship between norms, civic institutions, and technological innovation.

Honors: Harvard College Scholarship
Global Governance of Biotechnology Fellowship
John Harvard Scholarship
Richard C. Marius Prize for Expository Writing

Thesis: Analyzed the impact of reproductive biotechnology on the presupposition of a heterosexual, biologically-related family as the seat of the rights and responsibilities of legal kinship. Considered law cases in which the parties sought transfer or division of parental rights among various actors involved in technologically-assisted reproduction (sperm and ovum donors, gestational surrogates, and intended parents). Concluded that law acts like a specialized technology, relying on normative understandings of kinship (reproductive intent) and proof of desire (purchasing technological assistance) rather than biological determinism (genetic relatedness) to render legally salient and socially viable parenthood from reproduction made possible by science.

Advisor: Sheila Jasanoff, Ph.D., J.D., M.A., A.B.

Activities: Varsity Fencing Team (weapon: sabre, 1999-01); Chairwoman, H-Club (2002-3) & Executive Board Member (2000-2); Resident Proctor, Harvard Summer School (2003)

EXPERIENCE

VERMONT LAW SCHOOL, Assistant Professor of Law 2009 – present

So. Royalton, VT

Courses taught – **Constitutional Law**, a required first-year doctrinal course considering the permissible uses and limits of governmental power stemming from the U.S. Constitution, and from judicial opinions using various interpretative modalities. **Privacy Law**, a course in legal analysis and writing structured around the present and potential elements of a right to privacy and remedies for its infringement in the technology age; historically (photography; cranial measurement; IQ testing) and contemporarily (RFID; biometrics, including genetics; electronic databases searchable by rapid computing). **Appellate Advocacy**, a course in legal analysis and writing structured around a U.S. Supreme Court case and taught both doctrinally, and with a science and technologies studies perspective on the modern bureaucratic state: in 2009, *United States v. Comstock*, considering the constitutionality of using psychological classification of prisoners to determine the timing of their release without further trial; in 2010, *Skinner v. Switzer*, considering the appropriate legal vehicle for postconviction DNA requests.

Advised independent research on the management of environmental risk in e-waste disposal in China, and on the implications of intellectual property rights in agricultural biotechnology for environmental management. **Scholarship** – by request.

HARVARD LAW SCHOOL, Reginald F. Lewis Fellow for Law Teaching 2006 – 2007
Cambridge, MA

This was a fellowship year aimed at developing postgraduate juris doctors in scholarly careers. I analyzed emerging technology for searching DNA databases enabling law enforcers to infer first-order relatedness between a person of interest whose DNA is obtained from a crime scene, but whose identity is otherwise unknown, and a prior offender whose sample has been lawfully included in the database. Specific topics included: 1) whether statistical inference of relatedness to a lawfully-included database profile fits within the legal meaning of “probable cause” for investigation of an otherwise unsuspected and unknown individual in the population; 2) whether government acquisition of a material basis for lifetime genetic detection comports with the legal meaning of “just punishment;” 3) whether using higher-resolution search methods on existing DNA databases that over-represent minorities, statistically extending detection to first-order relatives (siblings, parents, and children) of these minorities, embeds and perpetuates prior police practices of racial profiling. Findings presented in talk delivered at “The Business of Race” conference, Massachusetts Institute of Technology, March 30-31, 2007.

ROPES & GRAY, LLP, Summer Associate 2005
Boston, MA

Researched and wrote memoranda on subjects including: Whether a state merger statute permits a corporation to remain in legal existence while selectively transferring its assets and liabilities to a holding corporation, and with minimal need to obtain third-party consents for assignment of contracts; whether a parent company may recover the profits of a subsidiary as damages for patent infringement where the parent company is the exclusive licensee of the infringed patents from its intellectual property holding company, where the subsidiary is the licensee of such patents from the parent company, and where the parent company does not directly exploit the patents by manufacture, use, or sale, but is the sole shareholder of the subsidiary who does so exploit; whether an academic institution performing federally-funded research is obligated under the Bayh-Dole Act to assign title or license rights to intellectual property resulting from such research to an inventor who is departing the institution.

WILMER CUTLER PICKERING HALE & DORR, LLP, Summer Associate 2004
Washington, D.C.

Researched and wrote memoranda on subjects including: Whether medical device studies were feasible under regulatory compliance requirements of the EU Committees for Standardization and comparable technical bodies in India. Whether obviousness is required to prove inherent anticipation in prior art for patent infringement. Whether a trustee has a right of action against a co-trustee for failing to diversify a trust investment portfolio, where the co-trustee held

founder shares in a volatile company and resisted advice to decrease the concentration of these shares. Whether a medical device manufacturer must obtain an investigational device exemption and meet additional federal approval requirements to conduct trials of a device already cleared for clinical studies based on a substantial equivalence labeling review.

HARVARD CENTER FOR INTERNATIONAL DEVELOPMENT, Intern 2001 – 2002
Cambridge, MA

Researched and edited for the Biotechnology and Globalization Subprogram of the Science, Technology, and Innovation Program at Harvard's Kennedy School of Government. Served as the Reporter's assistant at the Organization for Economic Cooperation and Development (OECD) conference on Living Modified Organisms and the Environment (spring 2002).

U.S. DEPARTMENT OF STATE, Intern Summer 2001
Pretoria, South Africa

Served under the science and technology officer for the economic section of the American embassy in Pretoria, South Africa. Conducted field interviews, researched and wrote a diplomatic cable describing South Africa's capacity for biotechnology development; particularly, the trade and manufacture of genetically-modified foodstuffs that were at that time subject to an EU moratorium and WTO proceedings.

PUBLICATIONS *by request*

REFERENCES *by request*

LANGUAGES English (native), Spanish (intermediate), German (beginner), C++ (computer programming).

INTERESTS Aesthetic and cognitive meditations on modernity; ashtanga vinyasa yoga; classical dressage; rural life; travel.

BIRTHPLACE June 4, 1981, in Washington, D.C.