INTRODUCTION

The Williams Institute and the student editors at the UCLA School of Law are pleased to publish Volume 21 of the *Dukeminier Awards Journal*, which annually recognizes outstanding achievements in recently published legal scholarship engaging with pressing sexual orientation and gender identity issues. The Williams Institute was founded to conduct rigorous, independent research on sexual orientation and gender identity law and public policy, and as a center at the UCLA School of Law, has strived to provide educational opportunities to students and facilitate their critical engagement with this vibrant and ever-changing field of study. It was in this spirit that a group of Institute scholars and UCLA Law students came together in 2002 to first publish the *Journal*.

With this release, we are pleased to recognize the following Dukeminier Prize winners:

• Luke A. Boso, *Anti-LGBT Free Speech and Group Subordination*, 63 Ariz. L. Rev. 341 (2021);

• Sacha M. Coupet, *Valuing All Identities Beyond the Schoolhouse Gate: The Case for Inclusivity as a Civic Virtue in K-12*, 27 Mich. J. Gender & L. 1 (2020);

• Sonia K. Kaytal & Jessica Y. Jung, *The Gender Panopticon: AI, Gender, and Design Justice*, 68 UCLA L. Rev. 692 (2021); and

• Kyle C. Velte, *Recovering The Race Analogy in LGBTQ Religious Exemption Cases*, 42 Cardozo L. Rev. 67 (2020).

In addition, each year the *Journal* publishes the winner of the Williams Institute's annual Student Writing Competition. This year's winner is:

• Namrata Verghese, *The Promise of Disability Rights Protections for Trans Prisoners*, 21 Dukeminier Awards J. 21 (2022).

Since its inception, we have envisioned the *Journal* as a means of collecting and widely disseminating the visionary ideas and research contained in the winning articles—to judges, legislators and other policymakers, professors and other teachers and researchers, lawyers and other advocates, and the public—with the goal that these articles come to inform ongoing legal, political, and academic debates. That tradition has proudly continued across almost two dozen volumes to this day: for example, the piece by Professor Luke Boso (a former Williams Institute Law Teaching Fellow) conceptualizes a modern approach to resolving tensions between free speech rights and anti-discrimination laws, and was published well before the Supreme Court's decision to hear argument in *303 Creative v. Elenis* later this fall. Likewise, the central thesis

advanced by our student note winner (and former Williams Institute Haber Summer Fellow) Namrata Verghese's piece on coverage for gender dysphoria under the Americans with Disability Act was affirmed by the Fourth Circuit in *Williams v. Kincaid* just as we were finalizing this issue for publication.

Scholars are also recognized by the *Journal* for their contributions in ensuring this field continues to evolve and anticipate the needs of LGBTQ people, such as Professor Sonia Katyal and Jessica Jung's work here on the intersection of the law, gender, and artificial intelligence. Scholars like Professors Kyle Velte and Sacha Coupet, who wrote on ways forward in the contexts of addressing religious exemptions to anti-discrimination protections for LGBTQ people and the need for inclusivity in K-12 schools, respectively, are similarly being recognized for those works addressing the topics now dominating our headlines (and legislative sessions) today.

We look forward to seeing everyone's collective continued engagement with issues of critical importance to the rights and well-being of LGBTQ communities—and hope that you all find these winning articles to be as compelling, forward-thinking, and provocative as we did.

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About the Prize Winners

Below, we offer additional information on the processes used to select this year's prize winners, and point you to the abstracts reproduced at the beginning of each for complete summaries of the articles.

Eligible articles for this year's Dukeminier Prizes were published between September 1, 2020 and August 31, 2021; engaged with sexual orientation and/or gender identity legal issues in a sustained way; and could not have been written or published while the author was a law student. In early September 2021, the student editors of the *Journal* ran relevant search terms in legal scholarship databases to cast a wide net for relevant articles. The students then narrowed that large group to over 120 articles that the students deemed presumptively eligible for this year's awards. At this stage, the students were not determining merit; instead, the students focused on the degree of attention given to relevant issues, broadly understood. For example, an article that merely noted the U.S. Supreme Court's consideration of *Bostock v. Clayton County* likely would have not made the cut, but an article that included an in-depth discussion of *Bostock* and its possible implications would have.

In addition to an open call for nominations on our website, we solicited nominations in the fall of 2021 from over 50 law professors who regularly work on sexual orientation and gender identity issues, many of whom are themselves former winners of Dukeminier Prizes. We provided the professors with the students' list of eligible articles, but did not limit nominations to articles appearing on that list. Numerous professors submitted nominations, as did the student editors and a variety of scholars affiliated with the Williams Institute. Professors Nancy Polikoff, a visiting scholar at the Williams Institute and Professor of Law Emerita at American University Washington College of Law, and Gregory Davis, the Williams Institute/Critical Race Studies Richard Taylor Law Teaching Fellow at UCLA School of Law, reviewed all of the eligible nominations received to create a list of 10 finalists.

We convened a committee to select the winners from among those finalists. The committee was comprised of Professors Polikoff and Davis, Professors Marie-Amélie George and Susan Hazeldean (winners of two of last year's Dukeminier Prizes), Christy Mallory (the Williams Institute's Legal Director and Renberg Senior Scholar of Law), Bryson Culver, Trevor Mullin, and Zachary Hampel (on behalf of the *Journal*'s student team), and myself. Each committee member reviewed the finalists over the course of five weeks, before meeting in late April 2022. Christy Mallory was unable to participate in that final selection meeting, but her feedback was considered by the remainder of the committee at that time; she then affirmed her agreement with the selections prior to this slate being finalized.

Each year, the prize committee members decide the precise selection criteria for that year, guided only by the goals of the *Dukeminier Awards Journal* as noted above. This year, our criteria included recognizing original arguments and intersectional approaches, timeliness and impact, academic rigor, and quality of research and writing, and selecting a slate whose collective subject matter reflects the diversity of the LGBTQ community. The committee members also valued—but placed less weight on—the ideas of recognizing promising developing scholars and works in publications that infrequently release scholarship in this particular field of study. We viewed each article holistically and extensively discussed the finalists in light of these criteria, and selected the above four articles for prizes this year.

For the student note competition, a committee comprising of Jack Shean and Val Erze (on behalf of the student editors of the *Journal*), as well as Christy Mallory and myself, selected the winner among entries solicited in the fall of 2021 through an open call for submissions, which was posted on our website and circulated through our network of law professors. In selecting the winner, we focused largely on originality, scholarly contribution, academic rigor, and overall quality of research and writing, and also valued the timeliness of the chosen piece—and indeed, from the full range of submissions received from students across the U.S.