



Posted Oct. 15, 2013

Jefferson Symposium to Examine First Amendment Rights of Corporations



"Compelled Commercial Speech" is the second Jefferson Symposium to be sponsored by the Thomas Jefferson Center for the Protection of Free Expression and the Journal of Law & Politics.

Some of the nation's leading constitutional law scholars will discuss the free speech rights of businesses during a conference at the University of Virginia School of Law on Oct. 25.

"Compelled Commercial Speech," the second Jefferson Symposium to be sponsored by the Thomas Jefferson Center for the Protection of Free Expression and the Journal of Law & Politics, will start at 9 a.m. in Caplin Pavilion. Robert Post, Dean and Sol & Lillian Goldman Professor of Law at Yale Law School, will deliver the keynote address during lunch at 12:15 p.m. ([Full Schedule](#))

The symposium will cover an evolution in how corporations are responding to governmental requirements to disclose certain information to consumers. For example, in 2011 the Food and Drug Administration proposed requirements that cigarette packaging include graphic tobacco warning labels, such as images of blackened lungs or a man exhaling cigarette smoke through a tracheotomy hole. R.J.

Reynolds Tobacco Co. and others in the industry sued, saying the mandate violated their free speech rights, and a federal appeals court recently agreed. The U.S. government announced in March that it would not appeal the decision.

"Businesses are increasingly claiming a First Amendment right not to disclose information to consumers, and courts are increasingly supporting these claims," said University of Virginia law professor [Leslie Kendrick](#), who is co-organizing the conference. "Given the number of disclosures required of commercial entities, these types of First Amendment claims have the potential to change the face of commercial regulation."

Scholars at the symposium will examine several recent cases as they consider the extent to which commercial entities' free-speech claims should trump disclosure requirements.

Made possible through the support of law firm Baker Hostetler and The Scripps Howard Foundation, the Jefferson Symposium is free and open to the public, and lunch and breakfast will be provided. The symposium has been approved for 4.5 hours of continuing legal education (CLE) credit.

Jefferson Symposium on Compelled Commercial Speech

Schedule - Friday, Oct. 25

8:30 a.m.

Continental Breakfast

9 a.m.

Welcome

9:15-10:30 a.m.

History and Theory of Compelled Commercial Speech

- [G. Edward White](#), University of Virginia School of Law
- **Steven Shiffrin**, Cornell Law School
- [Fred Schauer](#), University of Virginia School of Law

10:30-11 a.m.

Break

11 a.m.-12:15 p.m.

Emerging Issues in Compelled Commercial Speech

- **Leslie Jacobs**, University of the Pacific McGeorge School of Law
- **Michael Siebecker**, University of Denver Sturm College of Law
- [Leslie Kendrick](#), University of Virginia School of Law

12:15-1:45 p.m.

Lunch with Keynote Address by Robert Post, Dean and Sol & Lillian Goldman Professor of Law, Yale Law School

1:45-3:15 p.m.

Tobacco Regulation and Compelled Commercial Speech

- **Stephen Sugarman**, University of California Berkeley School of Law
- **Nat Stern**, Florida State University College of Law
- **Richard Bonnie**, University of Virginia School of Law
- **Caroline Corbin**, University of Miami School of Law

3:15 p.m.

Concluding Remarks