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2016 NEWS ARCHIVE

03/03/16

The Volume 36, Issue 1 of the *Boston College Journal of Law & Social Justice* is now available. The issue contains two Articles as well as three Notes written by staff members from the Class of 2016. The issue is available at <http://lawdigitalcommons.bc.edu/jlsj/vol36/iss1/>. Summaries of these works appear below.

TOWARD A NEW SEPARATION OF CHURCH AND STATE: IMPLICATIONS FOR ANALOGIES TO THE SUPREME COURT DECISION IN *HOBBY LOBBY* BY THE DECISION IN *OBERGEFELL V. HODGES*

Vincent J. Samar, Article

This article analyzes last year's *Obergefell* decision in light of the decision in *Hobby Lobby* and considers the religious protections that might be afforded under state Religious Freedom Restoration Acts. In particular, the article considers whether a government official or private actor may claim religious protections in failing to accommodate same-sex couples. Finally, the article suggests that a new standard for the separation of church and state may be required.

THE IMPACT OF INTERIOR IMMIGRATION ENFORCEMENT ON MIXED-CITIZENSHIP FAMILIES

Michael J. Sullivan and Roger Enriquez, Article

Sullivan and Enriquez examine the expansion of interior immigration enforcement particularly following the creation of the U.S. Department of Homeland Security. The article considers how this expansion has affected the citizen children and spouses of unauthorized immigrants and questions whether U.S. Immigration and Customs Enforcement is fulfilling its mandate.

Victim Protection or Revictimization: Should College Disciplinary Boards Handle Sexual Assault Claims?

Erica Coray, Note

This Note analyzes the requirements that colleges and universities must comply with when responding to sexual assault complaints and critically examines whether these requirements have been successful. Additionally, the Note suggests that the on-campus disciplinary procedures for sexual assault complaints should be changed in a number of ways to better protect victims of assault.

Make Him an Offer He Can't Refuse: The Concerning Practice That Effectively Ends Collective Litigation and How to Fix It (Without the Supreme Court)

Daniel Fishman, Note

This Note reviews the concerning practice in collective litigation that ends litigation before a class can be certified when a defendant makes a settlement offer to the initial plaintiff. In examining this practice, the Note argues that this takes an essential tool out of the hands of groups seeking to

enforce their rights against powerful and unified defendants and advocates for an amendment to the Federal Rules of Civil Procedure to remedy the problem.

More Carrot, Less Stick: Workplace Wellness Programs & The Discriminatory Impact of Financial and Health-Based Incentives

Emily Koruda, Note

More and more employers are turning to workplace wellness programs to combat rising health care costs; however, there is little evidence that these programs can avoid being discriminatory. This Note analyzes the disparate impact of workplace wellness programs on low-income individuals, individuals with disabilities, and certain racial minorities and suggests multiple solutions to adequately regulate these programs to mitigate their discriminatory effects.

More: <http://lawdigitalcommons.bc.edu/jlsj/vol36/iss1/>