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Staying on the Rails: Direct Constitutional Checks on the President

Floersheimer Center for Constitutional Democracy

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The Floersheimer Center for Constitutional Democracy invites you to

Staying on the Rails: Direct Constitutional Checks on the President

**Tuesday, March 28, 2017
6 p.m. - 7:30 p.m.**

Cardozo School of Law
55 Fifth Avenue, New York, NY 10003

RSVP

In *Federalist 51*, James Madison famously observed that in constructing a government, "the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself." The federal Constitution is an extended effort to solve this riddle. The election of Donald Trump and the early months of his presidency have seen particular attention focused on three constitutional provisions designed to enable the government to "control itself":

- **the Emoluments Clause**, which is the basis of a pending lawsuit against the President;
- **the Impeachment Clause**, under which the President can be removed from office by Congress for "Treason, Bribery, or other High Crimes and Misdemeanors"; and
- **the 25th Amendment**, which creates a mechanism to remove the President if he "is unable to discharge the powers and duties of his office."

This panel will address the meaning, scope, and potential application of these provisions.

Panelists:

John D. Feerick, *Norris Professor of Law and Former Dean, Fordham University School of Law*

Deepak Gupta, *Founding Principal, Gupta Wessler PLLC; Attorney for the Plaintiff, in Citizens for Responsibility and Ethics in Washington v. Trump*

Michael Herz, *Arthur Kaplan Professor of Law, Cardozo School of Law*

Richard Painter, *S. Walter Richey Professor of Corporate Law, University of Minnesota Law School; former Associate Counsel to the President*

Michael Waldman, *President, Brennan Center for Justice*

Moderator:

Kate Shaw, *Associate Professor of Law, Cardozo School of Law*

CLE Credit: This program is approved for 1.5 transitional/non-transitional New York State Continuing Legal Education credits in the category "Areas of Professional Practice."



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