

Akshat Agarwal

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ACADEMIC APPOINTMENT

Boston College Law School, Drinan Visiting Assistant Professor – Newton, Massachusetts **2025–**

Courses Regulating the Family (Fall 2025) – Instructor rating: 4.56/5.00 (law school average: 4.39)
 Regulating the Family (Fall 2026)
 Family Law (Spring 2027)

Grants Rethinking Student Learning in the Age of GenAI, Center for Teaching Excellence

EDUCATION

Yale Law School, J.S.D. – New Haven, Connecticut **2026**

Dissertation *The Relationship Between Parenthood and Children's Interests*
 Doctoral Committee: Prof. Douglas NeJaime (Chair), Prof. Samuel Moyn, Prof. Anne Alstott, and Prof. Rohit De

Honors Hans A. & Elizabeth R. Klagsbrunn Scholar (2024–25)
 Chauncey I. Clark Scholar (2023–24)
 Samuel S. and Evelyn R. Flug Scholar (2022–23)

Grants Streicker Fund award for research (2026)
 FLAGS award for research (2023)
 Oscar M. Ruebhausen travel grant (multiple years)

Activities Macmillan Center travel grant (multiple years)
 South Asia Studies Council travel grant (multiple years)
 Student Advisor to the Faculty Hiring Committee
 Board Member, International Community@YLS Board

Yale Law School, LL.M. – New Haven, Connecticut **2022**

Honors Albert E. Lamb Memorial Scholar

Activities Articles Editor, *Yale Journal of International Law* (2021–22)
 Articles Editor, *Yale Journal of Law and Feminism* (2021–22)

National Law School of India University, B.A., LL.B. (Hons.) – Bengaluru, Karnataka **2017**

Activities Exchange Semester, Rijksuniversiteit Groningen, The Netherlands
 Chief Editor (2016–17), Editor (2014–16), *National Law School of India Review*
 Member, Recruitment Coordination Committee (2014–17) – liaising with employers
 Co-founder, NLS Queer Alliance (2014–17) – NLS's first LGBTQ+ support group

COURSES

Primary Family Law; Contracts; Torts; Wills, Trusts, and Estates; Comparative Law

Secondary Human Rights; Constitutional Law; Elder Law; Bioethics; Jurisprudence

SCHOLARSHIP

Works-in-Progress

Disaggregating Parenthood: Status, Rights, and Children's Interests (job-talk paper)

Family law struggles to answer the question of who a parent is. This is apparent in two seemingly distinct bodies of family law: (1) private family law—the recognition of parent-child relationships in non-traditional families; and (2) public family law—the termination of parental rights in the child welfare system. To answer this question, the law tends to rely on children's interests. But because children's interests are hard to determine, the law's approach to the establishment and extinguishment of parenthood is fiercely contested and conceptually incoherent.

This Article argues that family law conflates two distinct questions: parental *status* or parentage, and the *allocation* of parental rights and responsibilities. Children's interests should not be considered for determining status, but they should be considered for allocative questions. Parental status is best described as the conferral of parentage on *past* social facts like birth, marriage, biology, intent, and functional relationships, in specific contexts. Because children's interests are *future*-oriented, they are ill-suited to the question of status. They are, however, well-suited to determine the allocation of rights and responsibilities.

This argument has significant doctrinal payoffs. Children's interests should never determine recognition of parentage, and if more than two people satisfy the social facts of parentage, the law should recognize more than two parents. Children's interests should also not be used to extinguish the status of existing parents, and if adoption becomes necessary, then the adoptive parents should simply be recognized as additional parents. Rights and responsibilities among these parents should be allocated in children's interests. This conceptual framework responds to concerns of both non-traditional families and marginalized families, who are disproportionately affected by the child welfare system. It also addresses longstanding doctrinal issues in family law and better reflects how families exist in the real world and change over time.

Who is a Legal Parent?

I argue that existing approaches to parenthood, which are rooted in either natural law or instrumental considerations, ignore the significance of social meanings. We should recognize the social meaning of parentage because doing so is just. This is because justice in the intimate sphere demands the recognition of the meanings that shape our lives.

Parents, Quasi-Parents, and Third Parties

States maintain multiple legal regimes—parentage, quasi-parent doctrines, third-party laws, etc.—to recognize children's relationships with adults. However, the purpose and substantive content of these doctrines remain unclear. I argue that social meanings can help us understand which doctrines based on what substantive content should lead to parental status or should only allocate rights and responsibilities.

Select Law Review Articles

Constitutionalizing Parents' Rights, 76 CASE W. RES. L. REV. 819 (2026) <[www](#)>

Awarded the Colin B. Picker Graduate Student Prize 2024 from the American Society of Comparative Law
I argue that constitutional parents' rights structure U.S. parenthood law by enhancing the significance of status and emphasizing the distinction between parents and non-parents. By comparing American law with English law, where parents' rights are not constitutionalized, I show that, while parents' rights make it harder to recognize the child's relationship with multiple adults, they, perhaps paradoxically, also expand parentage law through equality arguments.

New Parents' and the Best Interests Principle, 35 YALE J.L. & FEMINISM 288 (2024) <[www](#)>

I trace the history of how the best interests principle came to be invoked in determining parentage and argue that this development should be avoided due to normative incompatibility between best interests and parentage.

Select Peer-Reviewed Articles

Supriyo and the Politics of Indian Family Law, 9 INDIAN L. REV. 178 (2025) <[www](#)>

I argue that the Indian Supreme Court's rejection of marriage equality is not merely about acceptance of LGBTQ+ rights but reflective of a deeper tension about the scope of constitutional justice for the family that has long plagued Indian family law.

LGBT+ Rights Claims for Marriage Equality and the Possibilities of Transforming Indian Family Law, 21 INT'L J. CONST. L. 1116 (2024) <[www](#)>

I show how arguments for marriage equality can potentially have downstream consequences for broader family law by transforming parenthood law.

Locating the 'Nanny' in Legal Theory, 17 NAT'L L. SCH. J. 3 (2023) <[www](#)>

I argue that paid domestic workers pose a challenge for legal theorists, as their roles implicate both labor law and family law. Rather than trying to force them into any one framework, public policy should embrace theoretical ambivalence and address specific vulnerabilities.

Marriage Equality in India: Thinking Beyond Judicial Challenges to Secular Marriage Law, 6 INDIAN L. REV 170 (2021) <[www](#)>

I argue that existing approaches to marriage equality in India focus only on secular law to avoid the potentially controversial issue of locating it in religious family law. However, both bodies of family law remain deeply interconnected, and any successful approach must tackle this complexity.

Select Public Writing

Uniform Civil Codes, Written by States, May Be Re-Written by Citizens, The Times of India (March 2026)

State of Relationships, The Times of India (February 2024)

Family Law Reforms After Marriage (In)Equality, The India Forum (November 2023)

When Discrimination Is Not Enough, Verfassungsblog (October 2023)

Marriage Equality at the Doors of the Indian Supreme Court, Verfassungsblog (May 2023)

SELECT PRESENTATIONS

Disaggregating Parenthood: Status, Rights, and Children's Interests

Family Law Scholars' and Teachers' Conference (2026); Law and Society Annual Meeting (2026); Boston College Law School Junior Faculty Roundtable (2026); New York Family Law Scholars Workshop (2026); AALS Annual Conference (2026); West Coast Gender and Sexuality Conference (2025); Nonmarriage Roundtable (2025).

The Family and the Indian Constitution

75 Years of the Indian Constitution: Reflections and Challenges, South Asia Studies Council, Yale University (2026).

Constitutionalizing Parents' Rights

Yale Law School Graduate Programs Works-in-Progress Workshop (2025); Law and Society Association Annual Meeting, Chicago (2025); Northeast Regional Law and Society Retreat, Amherst (2024); Transnational Junior Faculty Forum, Max Planck Institute, Berlin (2024); Asian Law Junior Scholars' Workshop, Yale Law School (2024); Family Law Scholars and Teachers Conference, Baltimore (2024); Law and Society Early Career

Scholars' Workshop (*Remote* 2024); Law and Society Association Annual Meeting, Denver (2024); Feminist Legal Theory and Family Law Conference at Osgoode Hall Law School (*Remote* 2024).

Supriyo and the Politics of Indian Family Law

Yale Women's, Gender and Sexuality Studies Colloquium (2024); Yale Asia History Working Group (2024).

New Parents and the Best Interests Principle

New York Area Family Law Scholars' Workshop (2024); Law and Society Association Annual Meeting, Puerto Rico (2023); Graduate Law Conference, McGill University (2023); Socio-Legal Studies Association Annual Conference, Derry (2023).

Family Constitutionalism

International Society of Public Law (I.CON) Annual Conference and Summer/Winter School, Wellington, and Sydney (2023).

LGBT+ Rights Claiming for Marriage Equality and the Possibilities of Transforming Indian Family Law

Graduate Law Conference, McGill University (2022); Works in Progress Symposium, Yale Law School (2022); 'Legalization of Same-Sex Marriage: A Global Perspective' Online Conference by the Melbourne Law School (2021).

OTHER EXPERIENCE

Teaching and Academic Supervision

Yale University – New Haven, Connecticut

- **Yale College** **Spring 2025**
Teaching Assistant – India and Pakistan Since 1947.
- **Yale Law School** **Spring 2025**
Designed and led a reading group on Law and Politics in India for credit.
- **Poorvu Center for Teaching and Learning** **2024–25**
Writing Fellow – Provided one-on-one feedback to graduate students and organized a peer-review group.
- **Yale Law School** **Fall 2023**
Designed and led a reading group on Law and Global Political Economy for credit.
- **Yale Law School** **2022–24**
Tutor in Law – Academic and peer advisor for LL.M. students. Organized and coordinated various activities, including chairing the weekly doctoral colloquium and the annual works-in-progress symposium.

National Law School of India University – Bengaluru, Karnataka

- **Teaching Assistant** – History I. **Fall 2016**

Service

American Society of Comparative Law

2024–

- **Treasurer (2025–); Member (2024–), Young Comparativist Committee**

Supreme Court of India – New Delhi

2022

- **Member, Gender and Sexuality Sensitization Committee** – Invited as an expert to draft a [Sensitization Module](#) for the judiciary on the LGBTQ+ community.

Peer Review

- International Journal of Law, Policy, and Family; Journal of Law and Religion; Oxford University Commonwealth Law Journal; Law and Other Things; International Journal of Constitutional Law (I.CON); Indian Law Review; Indian Journal of Law and Society; Jindal Global Law Review; National Law School of India Review; Socio-Legal Review.

Professional

Vidhi Centre for Legal Policy, Research Fellow – New Delhi

2018–21

- Collaborated with partner organizations for policy advice to hospitals and strategic litigation around end-of-life care.
- Conceptualized, fundraised, and coordinated a constitutional law fellowship to support lawyers at the grassroots.
- Advised the Government of India and its regulatory agencies on primary legislation and regulations governing India's digital identity initiative.
- Assisted the Finance Commission of India on reforming the distribution of legislative powers between the federal and state governments.

Khaitan & Co., Associate – Mumbai, Maharashtra

2017–18

- Successfully represented clients in ongoing disputes before regulatory agencies and the High Court of Bombay.

REFERENCES

Professor Douglas NeJaime
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