CONTENTS

ARTICLES

WHO OWNS CHILDREN’S DNA? ......................... Nila Bala 457

A REVISIONIST HISTORY OF PRODUCTS LIABILITY ................. Alexandra D. Lahav 509

NOTE

IS THERE ANYTHING LEFT IN THE FIGHT AGAINST PARTISAN GERRYMANDERING? CONGRESSIONAL REDISTRICTING COMMISSIONS AND THE “INDEPENDENT STATE LEGISLATURE THEORY” ........ Derek A. Zeigler Jose Urteaga 561
MICHIGAN LAW REVIEW ONLINE
The Online Companion of the Michigan Law Review

Call for Submissions

The editors of the Michigan Law Review invite essay submissions on current areas of legal thought and research for the Michigan Law Review Online.

Michigan Law Review Online publishes short articles and op-ed style pieces by academics, judges, practitioners, and law students, as well as timely responses to articles in the print journal of the Michigan Law Review. Our online companion quickly disseminates the legal community’s initial impressions of important judicial decisions and legislative developments.

Michigan Law Review Online prefers submissions under 6,000 words inclusive of footnotes and can only very rarely accept longer pieces. Submissions should be written in a style accessible to a general audience of practitioners and policymakers. Pieces will be published on an expedited production schedule.

Visit Michigan Law Review Online at www.michiganlawreview.org

Please send questions and comments to the Executive Online Editors at mlr.online@umich.edu
The editors of the *Michigan Law Review* are pleased to announce

THE 2024 SURVEY OF BOOKS RELATING TO THE LAW
published April 2024

The 2024 Survey presents reviews of law-related books published in 2022 and 2023.

Please address inquiries to:

Michigan Law Review
University of Michigan Law School
Attn: Book Review Editors
801 Monroe Street
Ann Arbor, MI 48109-1210

Visit our website at
www.michiganlawreview.org
UNIVERSITY OF MICHIGAN LAW SCHOOL

Administrative Officers

Santa J. Ono, B.A., Ph.D., President of the University
Laurie McCauley, B.S., D.D.S., M.S., Ph.D., Provost and Executive Vice President for Academic Affairs
Kyle D. Logue, B.A., J.D., Interim Dean, Douglas A. Kahn Collegiate Professor of Law
Debra Chopp, B.A., J.D., Clinical Professor of Law, Associate Dean for Experiential Education
Kristina Daugirdas, A.B., J.D., Professor of Law, Associate Dean for Academic Programming
Ekow Yankah, A.B., J.D., B.C.L., Thomas M. Cooley Professor of Law, Associate Dean for Faculty and Research
Sarah C. Zearloss, B.A., J.D., Senior Assistant Dean for Admissions
Nathan Bauer, B.S., M.A., Ph.D., Assistant Dean for Financial Aid
Mary Buikema B.F.A., Interim Assistant Dean for Development and Alumni Relations
Eric Christiansen, B.A., B.M., Assistant Dean for International Affairs
Kimberly L. D’Haene, B.A., J.D., Assistant Dean of Student Services
Ramji Kaul, B.A., J.D., Assistant Dean for Career Planning

Professors Emeriti of Law

David L. Chambers, A.B., LL.B., Wade H. McCree, Jr., Collegiate Professor of Law
Edward H. Cooper, A.B., LL.B., Thomas M. Cooley Professor of Law
Donald N. Duquette, B.A., J.D., Clinical Professor of Law
Phoebe C. Ellsworth, A.B., Ph.D., Frank Murphy Distinguished Professor of Law and Psychology
Bruce W. Frier, B.A., Ph.D., John and Teresa D’Arms Distinguished University Professor of Classics and Roman Law
Philip M. Frost, B.A., J.D., Clinical Professor of Law
Thomas A. Green, B.A., Ph.D., J.D., John Philip Davison Collegiate Professor of Law
Samuel R. Gross, A.B., J.D., Thomas and Mabel Long Professor of Law
James C. Hathaway, LL.B., LL.M., J.S.D., James E. and Sarah A. Degan Professor of Law
Jerold H. Israel, B.A., LL.B., Alene and Allan F. Smith Professor of Law
Thomas E. Kauper, A.B., J.D., Henry M. Butzel Professor of Law
James E. Krier, B.S., J.D., Earl Warren DeLano Professor of Law
Richard O. Lempert, A.B., J.D., Ph.D., Eric Stein Distinguished University Professor of Law and Sociology
William I. Miller, B.A., Ph.D., J.D., Thomas G. Long Professor of Law
Sallyanne Payton, B.A., LL.B., L. Bates Lea Professor of Law
Margaret Jane Radin, A.B., M.F.A., J.D., LL.D., Henry King Ransom Professor of Law
Donald H. Regan, A.B., LL.B., B.Phil., Ph.D., William W. Bishop, Jr. Collegiate Professor of Law
Paul D. Reingold, B.A., J.D., Clinical Professor of Law
Nicholas J. Rine, B.A., J.D., Clinical Professor of Law
Suellen Scarnecchia, B.A., J.D., Clinical Professor of Law
E. Philip Soper, B.A., M.A., J.D., Ph.D., James V. Campbell Professor of Law
Theodore J. St. Antoine, A.B., J.D., James E. and Sarah A. Degan Professor of Law
Joseph Vining, B.A., M.A., J.D., Harry Burns Hutchins Collegiate Professor of Law
Lawrence W. Waggoner, B.A., B.M., J.D., Ph.D., Lewis M. Simes Professor of Law
Peter K. Westen, B.A., J.D., Frank G. Millard Professor of Law
James Boyd White, A.B., A.M., LL.B., L. Hart Wright Collegiate Professor of Law
James J. White, B.A., J.D., Robert A. Sullivan Professor of Law
Christina B. Whitman, A.B., M.A., J.D., Francis A. Allen Collegiate Professor of Law

Professors of Law

Michelle Adams, B.A., J.D., LL.M., Henry M. Butzel Professor of Law
Julian Arato, B.A., M. Phil., J.D., LL.M., J.S.D.
Reuven S. Avi-Yonah, B.A., A.M., Ph.D., J.D., Irwin I. Cohn Professor of Law
Samuel Bagens, B.A., J.D., Frank G. Millard Professor of Law
Nicholas Bagley, B.A., J.D.
Michael S. Barr, B.A., M.Phil., J.D., Roy F. and Jean Humphrey Proffitt Professor of Law
Karima Bennoune, B.A., M.A., J.D.
Levis M. Sines Professor of Law
Laura N. Benty, B.A., M.A., J.D., Ph.D., Earl Warren DeLano Professor of Law
Elise Boddie, A.B., J.D., M.P.P
James V. Campbell Professor of Law
Evan H. Caminker, B.A., J.D., Branch Rickey Collegiate Professor of Law
Maureen Carroll, B.S., J.D.
Albert Choi, B.A., J.D., Ph.D., Paul G. Kauper Professor of Law
Sherman J. Clark, B.S., J.D., Kirkland and Ellis Professor of Law
Kristin Collins, B.A., M.Lit., M.A., J.D.
Nicolas Cornell, A.B., Ph.D., J.D.
Daniel Crane, B.A., J.D., Frederick Paul Furth Sr. Professor of Law
Rebecca S. Eisenberg, B.A., J.D., Robert and Barbara Luciano Professor of Law
Sam Erman, A.B., J.D., Ph.D.
Matthew L.M. Fletcher, B.A., J.D.
Harry Burns Hutchins Collegiate Professor of Law
Edward Fox, B.A., J.D., Ph.D.
Richard D. Friedman, B.A., J.D., Ph.D., Alene and Allan F. Smith Professor of Law
Daniel Halberstam, B.A., J.D., Eric Stein Collegiate Professor of Law
Scott Hershovitz, A.B., M.A., Ph.D., J.D., Thomas G. and Mabel Long Professor of Law
Donald J. Herzog, A.B., A.M., Ph.D., Edson R. Sunderland Professor of Law