

## WEDNESDAY, JANUARY 5, 2005

9:00 a.m. - 8:00 p.m.

**AALS Registration**

Grand Ballroom  
Grand Ballroom Level  
Hilton San Francisco

9:00 a.m. - 8:00 p.m.

**AALS Message Center**

West Lounge  
Ballroom Level  
Hilton San Francisco

9:00 a.m. - 8:00 p.m.

**AALS Office and Information Center**

Franciscan A & B  
Ballroom Level  
Hilton San Francisco

10:00 a.m. - 5:00 p.m.

**AALS Exhibit Hall Open House -  
“The Meeting Place”**

Grand Ballroom  
Grand Ballroom Level  
Hilton San Francisco

Exhibitors will display a variety of academic, teaching and administrative products and services of interest to those in legal education. Morning and afternoon refreshments will be served in the “Meeting Place” in the Exhibit Hall.

### AALS EVENTS

2:00 - 3:45 p.m.

**AALS Committee on Curriculum and  
Research Program**

Imperial B  
Ballroom Level  
Hilton San Francisco

#### **Tying Curricular Innovations to the Experiences of Our Graduates: Research and Vision**

Moderator: Michelle Arnopol Cecil, University of Missouri-Columbia School of Law

Speakers: T. Alexander Aleinikoff, Georgetown University Law Center  
Catherine L. Carpenter, Southwestern University School of Law  
Kenneth G. Dau-Schmidt, Indiana University School of Law-  
Bloomington  
Bryant G. Garth, Senior Research Fellow, American Bar  
Foundation, Chicago, Illinois  
Lauren K. Robel, Indiana University School of Law-Bloomington  
David E. Van Zandt, Northwestern University School of Law

In January 2004, the American Bar Foundation released preliminary results of a ten-year longitudinal study that tracks the careers of law school graduates throughout the country. Additionally, in September 2004, the American Bar Association published the results of its three-year study of curricular reform in law schools across the country. What does this curriculum study tell legal educators about how well curricular reform

*(Tying Curricular Innovations to the Experiences of our Graduates: Research and Vision, continued)*

matches the career paths of law school graduates? Can the Foundation's study of the experiences of recent graduates inform curricular design and innovation?

This program will introduce highlights of the American Bar Foundation and American Bar Association studies and will use the studies' preliminary results as a springboard for discussing how this empirical research can influence law school curricular innovations in the future. In addition, two law school deans with unique perspectives on reforming law school curricula will offer their visions for curricular innovations in the twenty-first century. Finally, the program will provide valuable insights and information for those professors interested in conducting empirical research in the field of legal education, including possible sources for funding this important research.

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2:00 - 3:45 p.m.

**Section on Defamation and Privacy**

Imperial A

Ballroom Level

Hilton San Francisco

**Private Matters, Public Cases:  
Privacy Implications of Electronic Court Filings**

Moderator: Bernard W. Bell, Rutgers The State University of N.J. Center for Law & Justice

Speakers: A. Michael Froomkin, University of Miami School of Law  
John W. Lungstrum, Chief Judge, U.S. District Court of Kansas,  
Kansas City, Kansas  
Martha Steketee, Research Associate, National Center for State  
Courts, Arlington, Virginia

This program will explore the privacy implications of maintaining court records in digital format. Historically, court records have been considered public records, and thus accessible to the general public. Nevertheless, litigation often involves disclosure of matters ordinarily considered private, such as disclosures about a party's financial or medical condition. Traditionally, private matters contained in public records were protected to a significant extent by the records' "practical obscurity;" curious journalists, businesses, or individuals would have to expend time, effort, and financial resources to collect and search such files.

Increasingly in recent years the federal and state courts have established systems that allow and encourage electronic filings. These efforts have made filing documents in court easier, but at the same time has begun to remove the practical obscurity of court files. The Judicial Conference of the United States, the National Center for State Courts, and the judiciaries in many states have concluded that digital court records raise privacy issues, and have begun to craft means to address those privacy concerns. The Judicial Conference and the National Center for State Courts have completed major projects on the issue.

*(Private Matters, Public Cases: Privacy Implications of Electronic Court Filings, continued)*

This program will bring together key participants in the Judicial Conference and NCSC projects and privacy scholars to discuss the privacy concerns that result from digitization and assess the responses to such concerns.

**Business Meeting at Program Conclusion**

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2:00 - 5:00 p.m. Continental Parlors 2 & 3  
**Section on Immigration Law, Co-Sponsored by Section** Ballroom Level  
**on Labor Relations and Employment Law** Hilton San Francisco

**Guestworker Programs: Proposals and Perspectives**

**Moderator:** Linda S. Bosniak, Rutgers The State University of N.J. School of Law, Camden

**Speakers:** Oscar A. Chacon, Director, Enlaces América, Heartland Alliance Chicago, Illinois  
Ruben J. Garcia, California Western School of Law  
Jennifer Lynn Gordon, Fordham University School of Law  
Bill Ong Hing, University of California at Davis School of Law  
Philip L. Martin, Professor, Department of Agricultural & Resource Economics, University of California, Davis, Davis, California  
Margaret D. Stock, Professor, Department of Law, United States Military Academy, West Point, New York  
Enid Trucios-Haynes, University of Louisville Louis D. Brandeis School of Law

Last year, President Bush proposed that the United States enact a massive new guest worker program—one that would, as he put it, “make our immigration laws more rational, and more humane...without jeopardizing the livelihoods of American citizens.” Under the terms of this proposal, undocumented immigrants already working in the U.S. would be eligible to obtain a temporary work visa in this country, and people in other countries would likewise be able to seek temporary labor visas in the U.S. However, visas would be available only to those individuals who possess a job offer from a U.S. employer willing to sponsor them. In the absence of such an employment relationship, the individual would be subject to removal. Once the visa expired after a term of years, the guest worker would have to return to his or her home country. These temporary visas could not be adjusted to “green cards,” or permanent resident status.

The administration’s proposal has generated vigorous debate among policy-makers, activists and academics about the merits and demerits of temporary migrant worker programs, both in general and in the specific form proposed. The panel will address itself to this ongoing debate. Panelists will consider the following questions, among others: What impact would the Administration’s proposed guest worker policy, in fact, have on U.S. domestic workers, in agriculture and other sectors? To what extent

would such a program help to reform the current immigration system? Would enactment of a guest worker policy of this kind diminish the incidence of unlawful migration to the United States, or would unlawful migration be exacerbated? Is the Bush proposal really an “amnesty” in disguise, as some critics have charged? Mustn’t any defensible guest worker program provide an opportunity for participants to become permanent residents and obtain eventual citizenship status in this country, as others have insisted? How are our policy choices today informed by the history of the Bracero program in this country and by the various temporary migrant worker programs in Europe during the 1960’s and 1970’s? Can any guest worker program truly conform with liberal democratic and egalitarian values?

Business Meeting at Program Conclusion

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2:00 - 5:00 p.m. Parc Ballroom I  
Fourth Floor  
Renaissance Parc Fifty Five  
**Section on Institutional Advancement**

**Institutional Advancement Seminar**

Speakers to be Announced

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2:00 - 3:45 p.m. Yosemite B  
Ballroom Level  
Hilton San Francisco  
**Section on Law and Communitarian Studies**

**Use of Broadly-Accepted Norms in Achieving  
International Cooperation**

Moderator: Thomas D. Morgan, The George Washington University Law School

Speakers: Amitai Etzioni, Professor and Director, Institute for Communitarian Policy Studies, The George Washington University, Washington, District of Columbia  
Jenny S. Martinez, Stanford Law School  
Karen Musalo, University of California Hastings College of the Law

The challenge of achieving international cooperation in the modern world at times seems overwhelming. Issues such as environmental protection, terrorism, cybercrime and the spread of disease no longer know national boundaries or local solutions. This program will explore whether ideas about the relevance of norms in human conduct, often seen as complementary to law in the functioning of smaller communities, can apply more widely as well. It will ask whether there are broadly-accepted norms that transcend religious, cultural and historic barriers, what those norms might be, and what kind of a world order could be built upon them.

Business Meeting at Program Conclusion

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2:00 - 3:45 p.m.

**Section on Law and Economics**

Continental Parlor 1

Ballroom Level

Hilton San Francisco

**Law and Economics: Experimental Methods**

*<http://www-rcf.usc.edu/~etalley/AALSL&E>*

Speakers to be Announced

Business Meeting at Program Conclusion

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2:00 - 5:00 p.m.

**Section on North American Cooperation, Co-Sponsored  
by Sections on International Law and International  
Legal Exchange**

Continental Parlor 7

Ballroom Level

Hilton San Francisco

**Dispute Resolution Under NAFTA and the WTO**

Moderator: Mark E. Wojcik, John Marshall Law School

Speakers: Natasha Affolder, Professor, Faculty of Law, University of British  
Columbia, Vancouver, British Columbia, Canada  
Dale Beck Furnish, Arizona State University College of Law  
David A. Gantz, The University of Arizona James E. Rogers  
College of Law  
Kevin Craig Kennedy, Michigan State University College of Law  
Debra P. Steger, Professor, Faculty of Law, University of Ottawa,  
Common Law Section, Ottawa, Ontario, Canada  
Cherie O. Taylor, South Texas College of Law  
Todd J. Weiler, Counsel, NAFTALaw.org, Windsor, Ontario,  
Canada

This panel will review, compare, and analyze the most important recent legal and political developments in international dispute resolution through the North American Free Trade Agreement and the World Trade Organization. The program will include presentations from the consulates of Canada and Mexico, as well as views of private practitioners working in the area of international dispute resolution.

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2:00 - 5:00 p.m.

**Section on Remedies**

Continental Parlor 8

Ballroom Level

Hilton San Francisco

### **Remedies for Election Wrongs**

Moderator: Robin Morris Collin, Willamette University College of Law

Speakers: James M. Fischer, Southwestern University School of Law  
M. David Gelfand, Tulane University School of Law  
Pamela S. Karlan, Stanford Law School  
Elliot Minberg, Vice President and General Counsel, People for the American Way, Washington, District of Columbia

In the aftermath of the year 2000 presidential elections, and the United States Supreme Court decision in *Bush v. Gore*, a new chapter in election wrongdoing was added, far from the traditional Chicago-style malfeasance (“vote early and often”), and discriminatory gerrymandering and other more blatant civil rights era violations. We will take a fresh look at remedies for election wrongs in light of the most recent election cycle. The classical remedies remain the same, injunctive relief supplemented in appropriate cases with compensatory, nominal, punitive damages and declaratory relief. Panelists will look closely at the litigative, judicial and legislative landscape surrounding current issues in election wrongdoing. Speakers representing the leading edge of academic, judicial, and practice oriented thinking will examine issues and strategies in formulating remedies for election wrongs.

Business Meeting at Program Conclusion

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2:00 - 3:45 p.m.

**Section on Sexual Orientation and Gender  
Identity issues**

Plaza A

Lobby Level

Hilton San Francisco

### **The Theory and Politics of Suits Against the Department of Defense for its Enforcement of the Solomon Amendment**

Moderator: Elvia R. Arriola, Northern Illinois University College of Law

Speakers: Erwin Chemerinsky, Duke University School of Law  
Diane Helene Mazur, University of Florida Fredric G. Levin College of Law  
Marc R. Poirier, Seton Hall University School of Law  
E. Joshua Rosenkranz, Esquire, Heller, Ehrman White and McAuliffe LLP, New York, New York

This panel will address the social, political, and legal issues that surround a group of lawsuits filed in 2003 against the Department of Defense for its enforcement of Solomon Amendments I and II. Panelists will explore the following questions:

*(The Theory and Politics of Suits Against the Department of Defense for its Enforcement of the Solomon Amendment, continued)*

Should law schools screen recruiters based upon their employment policies rather than allow equal access to all employers so long as they affirmatively disclose their employment policies? Does the Solomon Amendment compel academic institutions to exempt the military from general, even-handed, anti-discrimination rules? Does the Solomon Amendment require “equal access” to military recruiters? Does the mere presence at a law school hiring event, of an employer that refuses employment to openly LGBT individuals, offend principles of non-discrimination? Do law schools have their rights to freedom of expression and academic freedom violated when the government threatens to cut off federal funds for refusing equal access to military recruiters because of their enforcement of the “Don’t Ask Don’t Tell” Policy (DADT)? What has been the history of university and law schools’ enforcement of non-discrimination principles in other contexts and periods, and can that history help us understand the nature of the social and political conflict between universities and the military? What are the costs to law schools of segregating military employers from other employers in their recruitment efforts? What are the costs to the military of exclusion or segregation from law school recruitment programs? Are there groups particularly affected, either positively or negatively, by the lawsuits or efforts generally to exclude the military from on-campus recruitment and DADT?

Business Meeting at Program Conclusion

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2:00 - 5:00 p.m.

**Section on Student Services, Co-Sponsored by  
Section on Academic Support**

Continental Ballroom 6  
Ballroom Level  
Hilton San Francisco

**It Takes A Village: A Multi-Faceted Approach to Bar Admission**

Moderators: Susan B. Schechter, Golden Gate University School of Law  
Teresa A. Wallace, Widener University School of Law

Speakers: Mary Lu Bilek, City University of New York School of Law at Queens College  
Susan M. Case, Ph.D., Director of Testing, National Conference of Bar Examiners, Madison, Wisconsin  
Carin N. Crain, University of the Pacific McGeorge School of Law  
Rachel Dawson, DePaul University College of Law  
Richard E. Litvin, Quinnipiac University School of Law  
Kent D. Lollis, Associate Executive Director, Law School Admission Council, Newtown, Pennsylvania  
Martha Peters, University of Iowa College of Law  
Jeffrey L. Rensberger, South Texas College of Law  
Frederic White, Golden Gate University School of Law

For many law schools, the single most pressing concern for the faculty and administration is the bar passage rate of their graduates. For other schools, the pressing issue is not the overall bar passage rate, but rather the lagging performance

*(It Takes A Village: A Multi-Faceted Approach to Bar Admission, continued)*

of some student populations on the bar examination. Even the most elite institutions face mounting concerns from students as the complexity of bar applications increase in state after state and bar examiners set higher standards for admission to the bar.

As institutions struggling with these issues know, there is no one quick fix or easy answer to concerns about the bar admission. Law schools across the country have developed a variety of practices and programs intended to assist their students and improve performance on the bar examination. This extended program will be a forum for faculty and administrators to hear about the different strategies schools have developed to improve bar performance as well as an opportunity to discuss with peer institutions how best to tackle shared concerns about admission to the bar.

The program will begin with an overview of current issues and trends with respect to both the bar admissions process and the bar examination. A panel of speakers will then highlight programs and practices intended to improve bar admission in each of the following areas: admissions, curriculum, student services, academic standards, student motivation, specific bar preparation programs, and special programs for non-traditional students. Three breakout sessions will follow, allowing conference participants to meet together with others who face similar concerns about bar admission and share ideas and best practices for their respective student populations.

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6:30 - 8:30 p.m. <b>Section on North American Cooperation Business Meeting and Reception</b>	Continental Parlor 7 Ballroom Level Hilton San Francisco
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The section invites you to a reception to welcome law deans and faculty from Canada and Mexico. The reception is sponsored by The John Marshall Law School.

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7:00 - 10:00 p.m. <b>Section on Socio Economics Reception</b>	Union Square 1 & 2 Fourth Floor Hilton San Francisco
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## **MEMBER SCHOOL EVENTS**

11:30 a.m. - 1:30 p.m. <b>University of Akron C. Blake McDowell Law Center Alumni Luncheon</b>	Union Square 13 Fourth Floor Hilton San Francisco
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6:00 - 8:00 p.m. <b>University of Arizona James E. Rogers College of Law Association Alumni Reception</b>	Union Square 9 Fourth Floor Hilton San Francisco
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6:00 - 8:00 p.m. <b>The Catholic University of America Columbus School of Law Reception for Faculty and Alumni</b>	Union Square 6 Fourth Floor Hilton San Francisco
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*(Member School Events, continued)*

6:00 - 7:30 p.m. <b>Cleveland State University Cleveland-Marshall College of Law Reception for Alumni and Friends</b>	Raphael Fourth Floor Renaissance Parc Fifty Five
6:00 - 8:00 p.m. <b>Duke University School of Law Reception for Alumni and Friends</b>	Union Square 11 Fourth Floor Hilton San Francisco
6:00 - 8:00 p.m. <b>The George Washington University Law School Reception</b>	Union Square 16 Fourth Floor Hilton San Francisco
6:00 - 7:30 p.m. <b>University of Kansas School of Law Alumni Reception</b>	Medici Fourth Floor Renaissance Parc Fifty Five
6:00 - 7:30 p.m. <b>University of Montana School of Law Reception</b>	Union Square 10 Fourth Floor Hilton San Francisco
6:00 - 9:00 p.m. <b>University of New Mexico School of Law Alumni Reception</b>	Union Square 12 Fourth Floor Hilton San Francisco
6:00 - 8:00 p.m. <b>Oklahoma City University School of Law Alumni Reception</b>	Da Vinci III Fourth Floor Renaissance Parc Fifty Five
6:00 - 7:30 p.m. <b>University of Oregon School of Law Reception</b>	Mendocino II Second Floor Hotel Nikko
6:00 - 9:00 p.m. <b>University of San Diego School of Law Alumni Reception</b>	Carmel I Third Floor Hotel Nikko
6:00 - 8:00 p.m. <b>Southern Methodist University Dedman School of Law Reception for Alumni and Friends</b>	Westin St. Francis Hotel, 335 Powell Street
6:00 - 8:00 p.m. <b>Western New England School of Law Reception for Alumni and Faculty</b>	Union Square 3 Fourth Floor Hilton San Francisco

*(Member School Events, continued)*

6:00 - 7:30 p.m.

**Whittier Law School Wine Reception**

Michelangelo  
Fourth Floor  
Renaissance Parc Fifty

6:00 - 8:00 p.m.

**Yeshiva University Benjamin N. Cardozo School of Law Alumni Reception**

Five  
Union Square 5  
Fourth Floor  
Hilton San Francisco

6:30 - 8:30 p.m.

**Boston College Law School Faculty and Alumni Dinner**

Rubens  
Fourth Floor  
Renaissance Parc Fifty Five

6:30 - 8:00 p.m.

**Boston University School of Law Reception for Faculty, Alumni and Friends**

Mendocino I  
Second Floor  
Hotel Nikko

6:30 - 8:00 p.m.

**University of California Berkeley School of Law Boalt Hall Reception**

Dante  
Fourth Floor  
Renaissance Parc Fifty Five

6:30 - 8:00 p.m.

**Cornell Law School Annual AALS Reception**

Union Square 15  
Fourth Floor  
Hilton San Francisco

6:30 - 8:30 p.m.

**Tulane University School of Law Reception for Alumni and Friends**

E & O Trading Company  
314 Sutter Street

7:00 - 9:00 p.m.

**Indiana University School of Law - Bloomington Reception**

Monterey II  
Third Floor  
Hotel Nikko

## **ORGANIZATION EVENTS**

6:00 - 8:00 p.m.

**Society of American Law Teachers and Equal Justice Society Roundtable and Reception for New and Experienced Teachers**

Bay View,  
Twenty-Fifth Floor  
Hotel Nikko

**Topic: Confronting Challenges to Progressive Scholarship**

6:00 - 8:00 p.m.

**West Reception**

Nikko I  
Third Floor  
Hotel Nikko