

Association of American Law Schools
Annual Meeting Program



Transformative
Law

NEW ORLEANS
January 6-10, 2010



A A L S



Association of American
Law Schools

2010 Annual Meeting
January 6-10, 2010
New Orleans, Louisiana
Program

For program updates and changes please review the
Annual Meeting Newspaper, or visit www.aals.org/am2010/

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Presidents of the Association

1900	James Bradley Thayer, Harvard University
1901	Emlin McClain, University of Iowa
1902	Simeon E. Baldwin, Yale University
1903	Ernest W. Huffcutt, Cornell Law School
1904	Nathan Abbott, Stanford University
1905	Henry Wade Rogers, Yale University
1906	William P. Rogers, University of Cincinnati
1907	George W. Kirchwey, Columbia University
1908	Charles Noble Gregory, University of Wisconsin
1909	John C. Townes, University of Texas
1910	William R. Vance, Yale University
1911	Roscoe Pound, Harvard University
1912	Henry M. Bates, University of Michigan
1913	Joseph H. Beale, Harvard University
1914	Harry S. Richards, University of Wisconsin
1915	Walter W. Cook, Yale University
1916-19	Harlan F. Stone, Columbia University
1920	Eugene A. Gilmore, University of Wisconsin
1921	Arthur L. Corbin, Yale University
1922	James P. Hall, University of Chicago
1923	Henry Craig Jones, University of Iowa
1924	William Draper Lewis, University of Pennsylvania
1925	Orrin K. McMurray, University of California, Berkeley
1926	Ralph W. Aigler, Columbia University
1927	Herman Oliphant, Columbia University
1928	Austin W. Scott, Harvard University
1929	H. Claude Horack, University of Iowa
1930	Edson R. Sunderland, University of Michigan
1931	Herbert F. Goodrich, University of Pennsylvania
1932	Albert J. Harno, University of Illinois
1933	Charles E. Clark, Yale University
1934	Marion R. Kirkwood, Stanford University
1935	Rufus C. Harris, Tulane University
1936	George G. Bogert, University of Chicago
1937	Lloyd K. Garrison, University of Wisconsin
1938	Herschel W. Arant, Ohio State University
1939	Wilbur H. Cherry, University of Minnesota
1940	Edmund M. Morgan, Harvard University
1941	Harold Shepherd, Duke University

Presidents of the Association, continued

1942	Elliott E. Cheatham, Columbia University
1943	Charles T. McCormick, University of Texas
1944	Lyman P. Wilson, Cornell University
1945	Everett Fraser, University of Minnesota
1946	Merton L. Ferson, University of Cincinnati
1947	Warren A. Seavey, Harvard University
1948	Bernard C. Gavit, Indiana University
1949	Edwin D. Dickinson, University of Pennsylvania
1950	Karl N. Llewellyn, Columbia University
1951	F. O. G. Ribble, University of Virginia
1952	Robert E. Mathews, Ohio State University
1953	Charles B. Nutting, University of Pittsburgh
1954	Shelden D. Elliott, New York University
1955	Wesley A. Sturges, Yale University
1956	Maurice T. Van Hecke, University of North Carolina
1957	Philip Mechem, University of Pennsylvania
1958	Erwin N. Griswold, Harvard University
1959	William L. Prosser, University of California, Berkeley
1960	Frank R. Strong, Ohio State University
1961	Page Keeton, University of Texas
1962	Samuel D. Thurman, University of Utah
1963	Walter Gellhorn, Columbia University
1964	John Ritchie, Northwestern University
1965	Vernon X. Miller, Catholic University
1966	Myres S. McDougal, Yale University
1967	Wex S. Malone, Louisiana State University
1968	Joseph T. Sneed, Stanford University
1969	William B. Lockhart, University of Minnesota
1970	Jefferson B. Fordham, University of Pennsylvania
1971	Alfred F. Conard, University of Michigan
1972	Richard C. Maxwell, University of California, Los Angeles
1973	Maurice Rosenberg, Columbia University
1974	Soia Mentschikoff, University of Miami
1975	Charles J. Meyers, Stanford University
1976	Francis A. Allen, University of Michigan
1977	A. Kenneth Pye, Duke University
1978	Eugene F. Scoles, University of Oregon
1979	John E. Cribbet, University of Illinois
1980	Jerre S. Williams, University of Texas (to 6/18/80-Appointed to 5th Circuit)
1980-81	Albert M. Sacks, Harvard University

Presidents of the Association, continued

- 1982 Sanford H. Kadish, University of California, Berkeley
- 1983 David H. Vernon, University of Iowa
- 1984 Joseph R. Julin, University of Florida
- 1985 Roger C. Cramton, Cornell University
- 1986 Susan Westerberg Prager, University of California, Los Angeles
- 1987 Victor G. Rosenblum, Northwestern University
- 1988 Richard G. Huber, Boston College
- 1989 Herma Hill Kay, University of California, Berkeley
- 1990 Thomas D. Morgan, George Washington University
- 1991 Robert A. Gorman, University of Pennsylvania
- 1992 Emma Coleman Jordan, Georgetown University
- 1993 Curtis J. Berger, Columbia University
- 1994 Rennard Strickland, University of Oklahoma
- 1995 Judith W. Wegner, University of North Carolina
- 1996 Wallace D. Loh, University of Colorado
- 1997 John Edward Sexton, New York University
- 1998 Deborah L. Rhode, Stanford Law School
- 1999 Gregory H. Williams, The Ohio State University
- 2000 Elliott S. Milstein, American University
- 2001 Mary Kay Kane, University of California, Hastings
- 2002 Dale A. Whitman, University of Missouri
- 2003 Mark V. Tushnet, Georgetown University
- 2004 Gerald Torres, The University of Texas
- 2005 N. William Hines, University of Iowa
- 2006 Judith C. Areen, Georgetown University
- 2007 Nancy H. Rogers, The Ohio State University
- 2008 John H. Garvey, Boston College
- 2009 Rachel F. Moran, University of California, Berkeley

Executive Committee for 2009

Officers:

RACHEL F. MORAN, University of California, Berkeley, **President**

H. REESE HANSEN, Brigham Young University, **President-Elect**

JOHN H. GARVEY, Boston College, **Immediate Past President**

SUSAN WESTERBERG PRAGER, **Executive Director, Chief Executive Officer**

Serving through 2009:

W. H. "JOE" KNIGHT, JR., University of Washington

LAUREN K. ROBEL, Indiana University

Serving through 2010:

R. LAWRENCE DESSEM, University of Missouri

LEO P. MARTINEZ, University of California Hastings

Serving through 2011:

KATHARINE T. BARTLETT, Duke University

DANIEL B. RODRIGUEZ, The University of Texas

Executive Directors of the Association

1963-1973	Michael H. Cardozo, Cornell University
1973-1980	Millard H. Ruud, The University of Texas
1980-1983	John A. Bauman, University of California, Los Angeles
1983-1987	Millard H. Ruud, The University of Texas
1987-1992	Betsy Levin, University of Colorado
1992-2008	Carl C. Monk, Washburn University
2008-	Susan Westerberg Prager, University of California, Los Angeles

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Office of the Executive Director

Susan Westerberg Prager, Executive Director, Chief Executive Officer
Elizabeth Patterson, Deputy Director
Jane M. La Barbera, Managing Director

Pati Abdullina, Research Associate
Kai Baker, Registration Manager
Ashley Bethel, Executive Assistant to the Executive Director
Kelly S. Caulk, Communications Coordinator
Mary E. Cullen, Meetings Manager
Gina Garland, Member Services Assistant
Amira Khair, Executive Assistant to the Managing Director
Wendy Shapiro Livingston, Meetings Manager
Sean Prichard, Communications Manager
Deborah Quick, Senior Executive Assistant to the Executive Director
Rachelle L. Standard, Information Systems Manager
Barbara A. Studenmund, Business Manager and Administrative Coordinator for
Membership Review
Tracie L. Thomas, Senior Meetings Manager
Janice Tilley, Deputy Accountant
Priscilla Yoon, Executive Assistant to the Deputy Director

Committees Concerned with the 2010 Annual Meeting

COMMITTEE ON SECTIONS AND ANNUAL MEETING

Term Expires 2009:

Dorothy Andrea Brown, Emory University School of Law, **Chair**
Sharon L. Davies, The Ohio State University Michael E. Moritz College of Law
Richard A. Matasar, New York Law School

Term Expires 2010:

Walter F. Pratt, University of South Carolina School of Law
D. Michael Risinger, Seton Hall University School of Law
Mark E. Wojcik, The John Marshall Law School

Term Expires 2011:

Guy-Uriel E. Charles, University of Minnesota Law School
Cynthia Lee, The George Washington University Law School
Nell J. Newton, Notre Dame Law School

NOMINATING COMMITTEE FOR 2010 OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE

N. William Hines, University of Iowa College of Law
Herma Hill Kay, University of California, Berkeley, School of Law
Antoinette Sedillo Lopez, University of New Mexico School of Law
Martha L. Minow, Harvard Law School, **Chair**
Blake D. Morant, Wake Forest University School of Law
Ruth L. Okediji, University of Minnesota Law School
Edward L. Rubin, Vanderbilt University Law School

SPECIAL COMMITTEE ON OPEN SOURCE PROGRAMS AT THE 2010 ANNUAL MEETING

Dorothy Andrea Brown, Emory University School of Law
John H. Garvey, Boston College Law School, **Chair**
Nell J. Newton, Notre Dame Law School
Leonard L. Riskin, University of Florida Fredric G. Levin College of Law
Alfred Chueh-Chin Yen, Boston College Law School

COMMITTEE TO REVIEW SCHOLARLY PAPERS FOR THE ANNUAL MEETING

Steven A. Bank, University of California, Los Angeles, School of Law

Robert G. Bone, Boston University School of Law

John H. Garvey, Boston College Law School, **Chair**

Laura E. Gomez, University of New Mexico School of Law

Richard L. Hasen, Loyola Law School

Daniel R. Ortiz, University of Virginia School of Law

Michael J. Perry, Emory University School of Law

Gerald Torres, The University of Texas School of Law

Deborah Widiss, Indiana University Maurer School of Law (Co-winner, 2009 Scholarly Papers Competition)

2010 ANNUAL MEETING WORKSHOP ON PRO BONO & PUBLIC SERVICE

Arlene R. Finkelstein, University of Pennsylvania Law School

Marni B. Lennon, University of Miami School of Law

Jack McMahon, University of Idaho College of Law

Deborah Schmedemann, William Mitchell College of Law

William M. Treanor, Fordham University School of Law, **Chair**

MEETING CONTRIBUTORS THANKED FOR SUPPORT

AALS would like to thank and recognize the following companies for their generous contributions to the 2010 Annual Meeting. Companies are listed in order by level of financial support to AALS.

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LexisNexis
Continental Breakfast for Beginning Law Teachers

Association of American Law Schools 2010 Annual Meeting

GENERAL INFORMATION

Program updates and changes: An Annual Meeting Newspaper will be distributed to each registrant at registration and will contain a supplemental program with updates and changes to this program. Changes in the program are continuously updated in the program posted online at: www.aals.org/am2010/.

How to Register: Annual Meeting brochures were mailed to all law schools in August. You may also download the registration form or register online at www.aals.org/am2010/.
The early bird deadline is November 18.

The **headquarters hotel** for the 2010 Annual Meeting is the Hilton New Orleans Riverside located at 2 Poydras Street, New Orleans, Louisiana. AALS Section programs, Plenary Sessions, Registration, and Exhibits will be held at the Hilton New Orleans Riverside. Floor plans start on page 159.

See page 139 for an **index** of all the Association, Committee and Section sessions and other organizations' meetings during the AALS Annual Meeting. An **index of speakers** begins on page 151.

Continuing Legal Education sign-in sheets will be available in the rear of the session rooms. If you sign the sheets, AALS can provide verification that you attended the session. However, AALS has not received certification of CLE credit from any state for the AALS Annual Meeting.

Meet your colleagues at the **“Meeting Place”** in the AALS Exhibit Hall, located in the Hilton New Orleans Riverside. The “Meeting Place” is a large lounge area with coffee, tea and breakfast pastries served Thursday, Friday and Saturday.

Programs which will be published in **Law Reviews** have the journal name listed directly under the program title.

Calls for Papers are where Sections selected at least one panel presenter from a “Call for Papers” proposal.

Open Source Programs are competitively selected from proposals by an AALS committee.

Joint Programs of Sections are designations for two Sections holding one program between them. These receive the first priority in scheduling.

Co-Sponsored Programs of Sections are designations used for Sections holding more than one program together.

Open Programs are sessions organized by law school faculty to consider the creation of a new AALS Section.

Hot Topic Programs are sessions that provide a forum for a panel presentation on a timely and important issue of general interest that arises after the deadline for section and other programs.

WEDNESDAY, JANUARY 6, 2010

6:00 - 9:00 pm

AALS Registration

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

6:00 - 9:00 pm

AALS Office and Information Center

Marlborough, Second Floor, Hilton New Orleans Riverside

6:00 - 9:00 pm

AALS Exhibit Hall Open House

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

"The Meeting Place"

Exhibitors will display a variety of academic, teaching and administrative products and services of interest to those in legal education.

OTHER ORGANIZATION EVENTS

9:00 am - 5:00 pm

Society of Socio Economists Program

Magnolia, Third Floor, Hilton New Orleans Riverside

10:30 am - 5:15 pm

American Society for Political and Legal Philosophy Annual Meeting

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Getting to the Rule of Law

10:30 am - 12:15 pm: Getting to the Concept of the Rule of Law

1:30 - 3:15 pm: Maintaining or Restoring the Rule of Law after September 11, 2001

3:30 - 5:15 pm: Building the Rule of Law after Military Interventions

6:30 - 8:30 pm

American Society for Political and Legal Philosophy Reception

Elmwood, Third Floor, Hilton New Orleans Riverside

THURSDAY, JANUARY 7, 2010

AALS EVENTS

7:00 am - 7:00 pm

AALS Registration

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

7:00 am - 7:00 pm

AALS Office and Information Center

Marlborough, Second Floor, Hilton New Orleans Riverside

7:30 - 8:30 am

Twelve Step Meeting

Windsor, Third Floor, Hilton New Orleans Riverside

8:00 am - 5:00 pm

AALS Exhibit Hall Open House

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

"The Meeting Place"

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 SECTION EVENTS

7:30 am - 1:30 pm

AALS Section for the Law School Dean

Workshop for Deans

(This is a Deans-only program; a separate notice and registration will be sent to Deans of AALS member and fee-paid schools.)

A Deans-only discussion, facilitated by short presentations, but with the aim of creating a participatory meeting. The program will begin with a working breakfast (continental breakfast available 7:30 am, speakers to begin promptly at 7:45 am) and will conclude with a working luncheon.

The two major areas to be addressed during the program will be the potential impact on legal education of: (1) current and predicted changes in the legal profession, and (2) changes contemplated in the ABA accreditation framework, particularly the mandatory use of outcome measures.

Discussants' remarks will be brief, with a substantial portion of the designated time devoted to moderated discussion flowing from floor comments and questions.

7:30 am

Continental Breakfast

Grand Ballroom B, First Floor, New Orleans Hilton Riverside

7:45 am - 12:30 pm

Program

Grand Ballroom B, First Floor, New Orleans Hilton Riverside

12:30 - 1:30 pm

Working Luncheon

Grand Salons 3 & 6, First Floor, New Orleans Hilton Riverside

8:15 am - 5:30 pm

Joint Program of Sections on Environmental Law and Natural Resources Law Field Trip

The Field Trip will include a guided tour of swamplands at the Jean Lafitte National Historical Park and Preserve, an examination of green development in the Lower Ninth Ward, and a tour of a proposed urban wetlands restoration-site at the Bayou Bienvenue. Guests will enjoy a sit down Cajun lunch near the banks of a local bayou.

The bus will depart at 8:30 am from the Hilton New Orleans Riverside Hotel, at the side driveway of the hotel at the second set of glass entrance doors (right past the gift shop).

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6 or to replace no shows at the bus departure point on Thursday, January 7.)

AALS EXECUTIVE COMMITTEE PROGRAMS

8:45 - 10:30 am

Joint Program of the AALS Executive Committee and Institute of Constitutional Studies

All sessions will be held in the Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Constitutionalism in the Age of Obama

Moderator: Mark A. Graber, University of Maryland School of Law

Speakers: Thomas M. Keck, Professor, Syracuse University Department of Political Science, Syracuse, New York
Miguel Schor, Suffolk University Law School
Christopher H. Schroeder, Duke University School of Law
Reva B. Siegel, Yale Law School
Mariah Ananda Zeisberg, Professor, University of Michigan Department of Political Science, Ann Arbor, Michigan

The program explains the state of constitutionalism as the United States enters a potentially new era. Unlike the standard program on constitutional law, panelists are not being asked to discuss the state of doctrine or predict the course of the Roberts Court. Instead, speakers are asked to consider broader questions. How does the Congress and the Executive Branch understand the constitution and their constitutional responsibilities? What are the constitutional obligations of a citizen in the year 2010? How are political movements at this time contributing to a popular constitutionalism? Where do American constitutional developments fit into constitutional developments going on in the rest of the world?

10:45 am - 12:30 pm

AALS Executive Committee Program

American Constitutional Law and the New Supreme Court

Moderator: Daniel B. Rodriguez, The University of Texas School of Law

Speakers: Lawrence A. Alexander, University of San Diego
Lee Epstein, Northwestern University School of Law
Jamal Greene, Columbia University School of Law
Douglas Laycock, The University of Michigan Law School
Suzanna Sherry, Vanderbilt University Law School

AALS WORKSHOP

8:45 am - 5:00 pm

AALS Workshop on Pro Bono and Public Service

All sessions will be held in the Grand Ballroom A, First Floor, Hilton New Orleans Riverside unless otherwise noted

As the country faces record-high unemployment and an economic recession, there is a critical and most urgent need for lawyers to be engaged in promoting access to justice. Throughout our law schools, programs have sought to inspire students to engage in pro bono and public interest work through a variety of program models. While this activity and emphasis has been on the rise, educators, the bar and the bench grapple with best practices to engender a lifelong commitment to pro bono.

The Workshop on Pro Bono and Public Service will raise critical questions regarding the ways in which we approach pro bono in legal education and will provide participants with specific models and approaches to making pro bono a central part of the campus culture. Attendees will have the opportunity to explore how to develop realistic pro bono practices, evaluating different program models and goals. In addition, participants will hear from faculty who have made pro bono a central part of their curriculum in doctrinal courses, seminars and workshops, going beyond the traditional model of pro bono through clinical and externships only.

The workshop will also explore the ways in which to leverage the relationships between the administration, faculty, students and alumni to encourage pro bono engagement.

8:45 - 9:00 am

Welcome

Speaker: Rachel F. Moran, AALS President and University of California, Berkeley, School of Law

Introduction

Speaker: William M. Treanor, Fordham University School of Law, **Chair**, Planning Committee for the AALS Workshop on Pro Bono and Public Service

9:00 - 10:30 am

Exploring the Role of Pro Bono

Moderator: William M. Treanor, Fordham University School of Law

Speakers: Cynthia F. Adcock, Charlotte School of Law
Bryant G. Garth, Southwestern Law School
Deborah L. Rhode, Stanford Law School

The panel will discuss what pro bono practice is and what purposes pro bono work should serve in legal education. Should it, for example, assist in skills training?

AALS Workshop on Pro Bono and Public Service, continued

Should it have as a primary goal inculcating a commitment to doing pro bono work after graduation? Finally, the panel will discuss how effective pro bono work in law school is at achieving these goals.

10:30 - 10:45 am

Refreshment Break

10:45 - 12:15 pm

Developing Best Realistic Practices in Pro Bono Programs

Moderator: Jack McMahon, University of Idaho College of Law

Speakers: Eve Biskind Klothen, Rutgers School of Law - Camden,
Pamela D. Robinson, University of South Carolina School of Law
Deborah A. Schmedemann, William Mitchell College of Law

This panel will discuss how award winning programs have arrived at best practices that are both inspiring and workable and what empirical research reveals about the different models of law school pro bono programs. Topics to be explored include the goals of a pro bono program; the role of students in generating and monitoring projects; a program's role in students' ethical and skills development; and a program's fit with and enhancement of the law school curriculum.

12:15 - 2:00 pm

Lunch on your own

2:00 - 3:30 pm

Engaging Faculty: Using Pro Bono to Teach Doctrine and Skills

Moderator and Speaker: Anita Bernstein, Brooklyn Law School

Speakers: Victor B. Flatt, University of North Carolina School of Law
Karen A. Lash, Consultant, Irvine, California
Susan Maze Rothstein, Northeastern University School of Law
Hari Michele Osofsky, Washington and Lee University School of Law

This panel will examine the way in which pro bono is integrated into the curriculum and campus culture through an exploration of various course models. Panelists will share specific examples of techniques, exercises and opportunities created in the classroom and beyond.

3:30 pm - 3:45 pm

Refreshment Break

AALS Workshop on Pro Bono and Public Service, continued

3:45 - 5:00 pm

Transforming Campus Culture: Enriching the Law School Experience for Students and Faculty Through Pro Bono Programs

Grand Ballroom A, First Floor, Hilton New Orleans Riverside

Moderator: Arlene R. Finkelstein, University of Pennsylvania Law School

Speakers: Linda L. Ammons, Widener University School of Law
Charlene Gomes, American University Washington College of Law
Thomas J. Schoenherr, Fordham University School of Law
Patricia D. White, University of Miami School of Law

This panel will focus on effectively weaving the culture of pro bono throughout every facet of a law school in order to instill an ethic of service in the students, faculty, and staff, while contributing to our communities, and enhancing legal education. The panel will examine ways in which this culture of service has effectively been fostered, while exploring mechanisms for furthering the role of pro bono as a transformative agent in law schools.

AALS EXTENDED PROGRAM

12:15 - 5:00 pm

AALS Committee on International Cooperation Program

All sessions will be held in the Grand Ballroom B, First Floor, Hilton New Orleans Riverside, unless otherwise noted

12:15 - 1:45 pm

AALS Committee on International Cooperation Luncheon

Grand Salon Sections 12 & 15, First Floor, Hilton New Orleans Riverside

Speaker: José Miguel Insulza Secretary General of the Organization of American States

Insulza will provide a critical overview on the two panels on comparative scholarship and student exchanges, facilitating the discussion of the two panels that follow.

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

2:00 - 5:00 pm

Sharing Opportunities to Promote International Cooperation Among Law Schools

This program seeks to share information among law schools on scholarship and international student exchanges for the purpose of identifying experiences, best practices as well as the underlying theoretical notions of international cooperation.

AALS Committee on International Cooperation Luncheon, continued

The committee plans to provide a clearinghouse function, receiving and distributing information (one of the strategic roles of the committee.) This program is designed to open opportunities for all schools, including those who lack access to resources and information to engage in transnational legal education initiatives.

2:00 - 3:30 pm

Roundtable Discussion on Comparative Scholarship

Moderator: Linda D. Jellum, Mercer University Law School

Speakers: Daniel D. Bradlow, American University Washington College of Law
 Joan M. Heminway, University of Tennessee College of Law
 John C. Knechtle, Florida Coastal School of Law
 Ronald J. Krotoszynski, Jr., University of Alabama School of Law
 Clive Walker, Professor, University of Leeds Department of Law,
 Leeds, United Kingdom
 Russell L. Weaver, University of Louisville Louis D. Brandeis
 School of Law

Many scholars understand the potential benefits of comparative legal scholarship (as a window to the world and as providing insights into their own legal systems), but are daunted by the idea of doing research regarding the law of another country. Scholars may fear whether they have an adequate understanding of the legal system and cultures of other nations, and may also face language and translation problems. In addition, scholars may be concerned about how they might make contact with possible coauthors, as well as about intensely practical issues (e.g., how do I fund comparative research?). This panel will provide a primer on comparative legal research, examining not only how to formulate and fund a comparative project, but also how to carry it out. This panel brings together a wealth of comparative experience from a unique group of scholars engaged in projects including diverse subject matter issues as well as areas of the world.

3:30 - 5:00 pm

International Cooperation to Create Opportunities for Students

Moderator: Claudio Grossman, American University Washington College of Law

Speakers: Adam Kolker, Georgetown University Law Center
 Bert Lazerow, University of San Diego School of Law
 Sophie Robin Olivier, Co-Directrice du Centre D'Etudes Juridiques
 Europeennes et Comparees, Universite de Paris X, Nanterre,
 France
 Juan Enrique Vargas, Dean, Universidad Diego Portales, Santiago,
 Chile
 Hariolf Wenzler, Ph.D., Chief Executive Officer, Bucerius Law
 School, Hamburg, Germany

U.S. law schools have developed dramatically the number of programs with an international component, exposing thousands of students to foreign and comparative legal knowledge and experiences in different degrees. Yet there is still no comprehensive typology of these kinds of programs or evaluation of the successes

AALS Committee on International Cooperation Program, continued

and failures encountered in their development. International cooperation that create opportunities for students include summer programs, semester abroad programs, dual J.D. programs, LL.Ms and dual LL.Ms, international externships and the like. This panel seeks to analyze the impact of these programs in fulfilling the educational mission of law schools, both at home and abroad while identifying best practices, challenges and means to promote these endeavors.

AALS DAY-LONG SECTION EVENTS

9:00 am - 5:00 pm

Section on Children and the Law

Rosedown, Third Floor, Hilton New Orleans Riverside

Meeting the Needs of Children During Times of Crisis: Hurricane Katrina and Beyond

(Program to be published in *Whittier Journal of Child and Family Advocacy*)

- Moderator: Joan M. Shaughnessy, Washington and Lee University School of Law
Speakers: Kristi L. Bowman, Michigan State University College of Law
Abigail English, Director, Center for Adolescent Health & the Law,
Chapel Hill, North Carolina
Gerard F. Glynn, Barry University Dwayne O. Andreas School of Law
David R. Katner, Tulane University School of Law
Charles Ogletree, Harvard Law School
Anna W. Shavers, University of Nebraska College of Law

Reflecting the theme of this year's annual meeting, the Section invites AALS conference attendees to participate in an extended discussion focused on law as a transformative force in the lives of children. This program will address the effect on children of acute crises, such as Hurricane Katrina, and the underlying chronic challenges that such crises both reveal and exacerbate. Diverse panels of legal scholars, practitioners, and social scientists will focus on the needs of children in the domains of juvenile justice, education and health. In addition to the panel presentations, we invite AALS Annual Meeting attendees to participate in a screening of the documentary film, "Left Behind: The Story of the New Orleans Public Schools" which will be shown immediately preceding the panel.

Business Meeting at Program Conclusion.

9:00 am - 5:00 pm

Section on Institutional Advancement

All sessions will be held in Jefferson, Third Floor, Hilton New Orleans Riverside unless otherwise noted

Effective Development: Advice in Challenging Times (Managing Expectations; Managing Leaner Budgets and Staff; Campaign Planning and Major Gifts; Annual Fund Performance and Stewardship)

This day long program is targeted toward managers looking at short term and long term strategies to succeed during economically challenging times. Topics will include: managing expectations; managing leaner budgets and staff; campaign planning and major gifts; annual fund performance and stewardship. Deans are encouraged to attend afternoon sessions.

9:00 - 9:15 am

Welcome

Speaker: Richard Collins, The George Washington University Law School

9:15 - 10:30 am

Plenary Session

Major Gifts: What the Donors Are Telling Us

A discussion with donors and donor advisors regarding strategies in the current economy.

10:30 - 10:45 am

Refreshment Break

10:45 am - 12:00 pm

Plenary Session

Development: What the Fundraising Experts Are Telling Us

A nationally recognized campaign consultant will provide perspective for campaign planning and execution. What strategies should we be thinking about today?

12:00 - 1:30 pm

Section on Institutional Advancement Luncheon

Grand Salon Sections 4 & 7, First Floor, Hilton New Orleans Riverside

Development: What the Law Firms Are Telling Us

The model used by national law firms continues to evolve. What managing partners are thinking, and implications for recruitment, philanthropy, and the legal profession.

(Tickets were sold in advance of the Annual Meeting. If space is available, tickets may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

Section on Institutional Advancement, continued

1:30 - 2:45 pm

Concurrent Sessions

• **Annual Giving/Alumni Relations**

Jefferson, Third Floor, Hilton New Orleans Riverside

• **Public Schools**

Windsor, Third Floor, Hilton New Orleans Riverside

• **Communications**

Fountain Room, Third Floor, Hilton New Orleans Riverside

3:00 - 4:30 pm

Plenary Session

Managing Expectations, Goal Setting, Stretching Leaner Budgets: A Conversation with the Deans

Deans and Development Officers are encouraged to attend this session.

5:30 - 6:30 pm

Section on Institutional Advancement Reception

Melrose, Third Floor, Hilton New Orleans Riverside

8:45 am - 5:15 pm

Section on Socio-Economics

All sessions will be held in Belle Chasse, Third Floor, Hilton New Orleans Riverside unless otherwise noted.

Economic Recovery and The Obama Presidency

This program features thirty-five participants including, six law school deans, thirty law professors, six economists, two criminologists, two sociologists, and one highly successful businessman and shareholder activist. This year's luncheon speaker is Robert A.G. Monks, well-known around the world for his great contributions to the reform of corporate governance. A number of the sessions will focus on macro-economic issues related to the current recession by considering what business and government have done and should do to fulfill their responsibilities. The program provides a rich array of sessions on socio economic theory and practice regarding a diverse range of law related economic issues that will prove both accessible to the law teacher generalist and satisfying to those well schooled in economic theory.

8:45 - 9:00 am

Welcoming Remarks

Speaker: Donald J. Polden, Santa Clara University School of Law

Section on Socio-Economics, continued

9:00 - 9:30 am

Plenary Session

Preview of the Day's Program

Speaker: Robert H.A. Ashford, Syracuse University College of Law

In this session presenters from all the day's sessions will provide brief cameo descriptions of the sessions that will follow.

9:40 - 10:40 am

Concurrent Sessions

• **Efficiency, Distribution, and Growth**

Speakers: Morris Altman, Professor and Head of Department of Economics,
University of Saskatchewan, Saskatoon, Saskatchewan, Canada
Robert H.A. Ashford, Syracuse University College of Law
Timothy A. Canova, Chapman University School of Law
Paul Davidson, Editor, *Journal of Post Keynesian Economics*,
New York, New York
Steven Ramirez, Loyola University Chicago School of Law
Charles J. Whalen, Professor of Economics, Utica College, Geneva,
New York

• **White Collar Crime's Contribution to Financial Crisis**

Trafalgar, Third Floor, Hilton New Orleans Riverside

Speaker: William K. Black, University of Missouri-Kansas City School of Law

• **Workplace Mobbing and Academic Freedom: The Socio Economic Connections**

Norwich, Third Floor, Hilton New Orleans Riverside

Moderator: Mark A. Schneider, Southern Illinois University,
Carbondale, Illinois

Speakers: Joan E. Friedenber, Project Assistant Director of Bilingual
Education, Florida Atlantic University, Davie, Florida
Richard John Peltz, University of Arkansas at Little Rock William
H. Bowen School of Law
Kenneth Westhues, Professor, University of Waterloo, Waterloo, Canada

• **The Relationship of Faith and Law: The Example of Corporate Law**

Durham, Third Floor, Hilton New Orleans Riverside

Moderator: Lyman P.Q. Johnson, Washington and Lee University School of Law

Speakers: Sarah H. Duggin, The Catholic University of America Columbus
School of Law
David Opderbeck, Seton Hall University School of Law
Gordon Smith, Franklin Pierce Law Center
Susan J. Stabile, University of St. Thomas School of Law

Section on Socio-Economics, continued

10:50 - 11:50 am

Open Roundtable: The Socio Economic Road to Economic Recovery

Speakers: Morris Altman, Professor and Head of Department of Economics,
University of Saskatchewan, Saskatoon, Saskatchewan, Canada
Paul Davidson, Editor, *Journal of Post Keynesian Economics*,
New York, New York
Charles J. Whalen, Professor of Economics, Utica College, Geneva,
New York

This session will consider what has been done and what should be done to promote recovery and sustainable, green growth.

12:00 - 1:00 pm

Section on Socio-Economics Luncheon

Jasperwood, Third Floor, Hilton New Orleans Riverside

**Corporate Governance, Fiduciary Duties,
and Social Responsibility**

Speaker: Robert A.G. Monks, Esquire, Lens Governance Advisors, P.A.,
Portland, Maine

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

1:10 - 2:10 pm

Corporate Governance, Fiduciary Duties, and Social Responsibility

Speaker: Robert A.G. Monks, Esquire, Lens Governance Advisors, P.A.,
Portland, Maine

2:20 - 3:20 pm

Concurrent Sessions

• Emotions and Behavior

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Moderator: Jeffrey L. Harrison, University of Florida Fredric G. Levin College
of Law

Speakers: Susan A. Bandes, DePaul University College of Law
Jeremy A. Blumenthal, Syracuse University College of Law
John Bronsteen, Loyola University Chicago School of Law
Christopher J. Buccafusco, Illinois Institute of Technology Chicago
Kent College of Law
Peter H. Huang, Temple University James E. Beasley School of Law
Terry A. Maroney, Vanderbilt University Law School

Section on Socio-Economics, continued

• **Redefining Regulation in the Post Neoclassical Era**

Trafalgar, Third Floor, Hilton New Orleans Riverside

Moderator: June Rose Carbone, University of Missouri-Kansas City School of Law

Speakers: Rebecca M. Bratspies, City University of New York School of Law

Judith F. Daar, Whittier Law School

Martha M. Ertman, University of Maryland School of Law

Radhika Rao, University of California, Hastings, College of the Law

• **Socio Economic Perspectives on the Concept of Efficient Breach**

Norwich, Third Floor, Hilton New Orleans Riverside

Speaker: Joseph M. Perillo, Fordham University School of Law

Edward L. Rubin, Vanderbilt University Law School

Irma S. Russell, University of Montana College of Law

• **Socio-Economics and the Critical Schools**

Durham, Third Floor, Hilton New Orleans Riverside

Speakers: Tayyab Mahmud, Seattle University School of Law

Robert S. Westley, Tulane University School of Law

2:45 - 3:00 pm

Refreshment Break

3:30 - 4:30 pm

Deans' Forum on Socio-Economics

Speakers: James Ming Chen, University of Louisville Louis D. Brandeis School of Law

Dennis R. Honabach, Northern Kentucky University Salmon P. Chase College of Law

Peter Pitegoff, University of Maine School of Law

Donald J. Polden, Santa Clara University School of Law

Edward L. Rubin, Vanderbilt University Law School

Irma S. Russell, University of Montana College of Law

Kellye Y. Testy, University of Washington School of Law

Six law school deans supportive of Socio-Economics share their views on (1) the importance of the socio economic approach in legal education, (2) ways to enhance the understanding and use of socio economic analysis in legal education, and (3) things that law deans can do to promote socio economic teaching, scholarship, and service at their schools.

4:30 - 5:30 pm

The Future of Socio-Economics

All the day's participants will join in an open roundtable to discuss the future of Socio-Economics.

Business Meeting at Program Conclusion.

9:00 am - 5:30 pm

Section on Student Services

All sessions will be held in the Grand Ballroom C, First Floor, Hilton New Orleans Riverside unless otherwise noted.

From Student to Lawyer: Educating Beyond the Classroom

9:00 - 9:15 am

Welcome

Speaker: Deborah R. Felice, Oklahoma City University School of Law

9:15 - 10:30 am

Plenary I

**From Canary in the Coal Mine to a Symphony of Support:
Cultivating the Collaborative Relationships that Support Our
Students**

Speakers: Rodney O. Fong, Golden Gate University School of Law
Catherine Glaze, Stanford Law School
Jeanne Merino, Stanford Law School

Law students face many challenges in and out of the classroom that affect their studies in profound ways. Those who work in Student Services, Legal Research and Writing, and Academic Support are usually the first to see a student flounder. Those in Career Services are not immune from hearing about these challenges either. Each of us has a different perspective and different skills and experience to bring to the table to support our students. This panel will discuss ways we can synergistically mesh our collective skills to better identify and better resolve the varied issues that many times inhibit our students' success.

10:45 am - 12:00 pm

Plenary II

**Transforming an Economic Downturn into an Opportunity to
Teach Professionalism**

Speakers: Andriel M. Dees, William Mitchell College of Law
Jeff Hanson, Director, Borrower Education Services, Access Group, Inc.,
Wilmington, Delaware
Sandra Magliozzi, Santa Clara University School of Law

A downturn in the economy provides an excellent opportunity for law schools to implement and/or enhance programming targeting issues of professionalism. How can we as student services professionals best assist students in cultivating an attitude and reputation of the highest professionalism? Panelists will address how our students

Section on Student Services, continued

can most professionally handle layoffs, delayed start dates, and offers reneged upon by firms. In addition, panelists will discuss establishing and maintaining appropriate professional relationships, diversity awareness and the changing face of diversity, and the impact of personal debt and lack of financial literacy on a student's legal career.

12:00 - 1:30 pm

Section on Student Services Luncheon

Oak Alley, Third Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

1:45 - 3:00 pm

Plenary III

Emerging Topics, Epiphanies, and Transformative Moments

As student affairs professionals working on the front lines, our daily lives are conducted in a dynamic and constantly evolving field which is regularly and inevitably affected by changes in legislation, the enactment of new regulations, judicial opinions, and current headlines of the day. This session will provide updates and provoke discussion of the latest and hottest of topics affecting all of us, whatever those topics might be as of January 2010. FERPA? The Americans with Disabilities Act? Changes in federal financial aid policies? What about the influx of veterans into our law schools with their unique set of issues? Or maybe other yet unknown topics, that will become "hot," depending on how the extraordinary year of 2009 unfolded. In addition, we invite you as a conference participant to bring examples of your own "transformative moments" to share; that is, occasions when you have helped a student turn a moment of crisis into a positive outcome or when you yourself have been transformed by a moment, an event, or a student situation. We can all learn so much from each other's experiences in the trenches!

3:15 - 4:30 pm

Plenary IV

Managing Energy: The Key to Your Success

Speaker: Debby Stone, Professional Coach and Co-Founder, Corner Office Coaching, Alpharetta, Georgia

As a student services professional, you, no doubt, find yourself running on fumes from time to time since you give so much of yourself to your students. You may also find that you push yourself until you are depleted and feel completely overwhelmed. What if instead you regularly refueled before you reached empty? How much more effective would you be? By shifting your focus away from time management and toward energy management, you can become more energetic, productive and engaged

Section on Student Services, continued

in everything you do. In this interactive program, Ms. Stone, former practicing attorney and now a certified life coach, returns this year to introduce the core concepts of energy management so that you will walk away with concrete tools and ideas for refilling your energy tanks.

4:30 - 5:00 pm

Business Meeting

AALS SECTION EVENTS

9:00 am - 12:00 pm

Section on Academic Support

Grand Ballroom D, First Floor, Hilton New Orleans Riverside

Transforming Learning in the Classroom: the 21st Century Law Professor

Co-Moderators: Robin A. Boyle, St. John's University School of Law

Kathy L. Garcia, University of La Verne

Emily Randon, University of California, Davis, School of Law

Speakers: Hillary Burgess, Hofstra University School of Law

Barbara A. Glesner Fines, University of Missouri-Kansas City
School of Law

Susan Keller, Western State University College of Law

Barbara B. Mc Farland, Northern Kentucky University Salmon P.
Chase College of Law

Sophie M. Sparrow, Franklin Pierce Law Center

Pavel Wonsowicz, University of California, Los Angeles, School of Law

The Section program will showcase how professors are transforming the learning environment of their classrooms through innovative and creative methods. Many of these methods have their roots in traditional academic support tenets of varying lesson plans to reach different learning styles, providing feedback throughout the semester, assessing students in creative ways, engaging students both in and out of the classroom, and encouraging students to take responsibility for their own learning. The presenters will demonstrate modern classroom and teaching techniques including but not limited to: active learning activities engaging individual and groups of students, using technology to reach different learning styles, skills development in doctrinal courses, and innovative lesson plans. Participants should expect to be actively involved in the program: each portion will offer hands on participation, and will model some of the kinds of interactive exercises and dialogue that can be adapted for classroom use. The program is geared towards both casebook and skills professors.

9:00 am - 12:00 pm

Section on Federal Courts

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

Re-Examining Customary International Law and the Federal Courts

(Program to be published in *Notre Dame Law Review*)

Moderator: Anthony J. Bellia, Jr., Notre Dame Law School

Speakers: Curtis A. Bradley, Duke University School of Law
Bradford R. Clark, The George Washington University Law School
Sarah H. Cleveland, Columbia University School of Law
Carlos M. Vazquez, Georgetown University Law Center
Ingrid B. Wuerth, Vanderbilt University Law School

Courts and scholars have vigorously debated the proper role of customary international law in federal courts. Despite an impressive body of scholarship, no consensus has emerged on its proper role. The question of how customary international law relates to the federal courts and the federal system remains as important as ever. This program will examine various positions on this question, aspiring to further the debate by identifying points of contention, generating new insights, and exploring new paradigms.

Business Meeting at Program Conclusion.

12:00 - 1:30 pm

Section on Institutional Advancement Luncheon

Grand Salon Sections 4 & 7, First Floor, Hilton New Orleans Riverside

Development: What the Law Firms Are Telling Us

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

12:00 - 1:30 pm

Section on Labor Relations and Employment Law Luncheon

Melrose, Third Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

12:00 - 1:00 pm

Section on Socio-Economics Luncheon

Jasperwood, Third Floor, Hilton New Orleans Riverside

Corporate Governance, Fiduciary Duties, and Social Responsibility

Speakers: Robert A.G. Monks, Esquire, Lens Governance Advisors, P.A.,
Portland, Maine

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

12:00 - 1:30 pm

Section on Student Services Luncheon

Oak Alley, Third Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 9:00 pm on Wednesday, January 6. Tickets will be not for sale at the luncheon.)

AALS SECTION EVENTS

2:00 - 5:00 pm

Section on Employee Benefits

Elmwood, Third Floor, Hilton New Orleans Riverside

Executive Compensation, Retirement Policy, and the Great Recession

Moderator: Eric D. Chason, College of William and Mary Marshall Wythe
School of Law

Speakers: Barry Kozak, The John Marshall Law School
Janice Kay Mc Clendon, Stetson University College of Law
David A. Pratt, Albany Law School
Susan J. Stabile, University of St. Thomas School of Law

The financial crisis and recession of 2008-2009 have already brought new reforms and additional scrutiny to executive compensation. Moreover, rising unemployment, falling corporate profits, and collapsing equity markets all threaten the retirement security of millions of workers. The panel will consider what if anything policy makers can and should do to regulate executive compensation and stabilize retirement savings in the new economic environment.

Business Meeting at Program Conclusion.

2:00 - 5:00 pm

Joint Program of Sections on Legal Writing, Reasoning and Research and Teaching Methods

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Teaching Law to Students from Other Countries

Speakers: Cary A. Bricker, University of the Pacific McGeorge School of Law
Juliana V. Campagna, The John Marshall Law School
Leah M. Christensen, Thomas Jefferson School of Law
John Haberstroh, Northwestern University School of Law
Elizabeth L. Inglehart, Northwestern University School of Law
Brian K. Landsberg, University of the Pacific McGeorge School of Law
Deborah B. Mc Gregor, Indiana University, Indianapolis School of Law
Mark E. Wojcik, The John Marshall Law School

One or more presenters were selected from a call for papers.

Business Meeting for Legal Writing, Reasoning and Research at Program Conclusion.
Business Meeting for Teaching Methods at Program Conclusion.

2:00 - 5:00 pm

Section on New Law Professors

Grand Ballroom D, First Floor, Hilton New Orleans Riverside

Call for Papers in Transformational Law

(Program to be published in Stetson Law Review)

Moderator: Joseph F. Morrissey, Stetson University College of Law

Presenters were selected from a call for papers.

This year the Section is having a call for papers and four top quality papers will be selected from the submissions and each author will be invited to speak at the section's program. The goal of the call for papers is to give newer law professors opportunities to present and get feedback on their work, network with more established scholars in their field and hone their presentation skills. Submissions were due in mid-August of 2009. Only faculty members who have been full time law teachers for five years or fewer as of July 1, 2009 will be eligible to submit works. The papers will be published by the *Stetson Law Review* in a special volume devoted to this call for papers. As with our section's first call for papers in 2008, the theme of the submissions will coordinate with the theme for the AALS Annual Meeting, which this year is "Transformative Law." Included in that broad category are any papers that suggest legal reform. Papers might focus on legal initiatives to help remediate the current economic crisis. Papers might more generally suggest legislative reform, policy initiatives, or particular judicial perspectives or interpretations. Papers might also focus on the intersection of law with other social sciences to better address needs and suggestions for social and political transformation.

Business Meeting at Program Conclusion.

2:00 - 5:00 pm

Section on Real Estate Transactions, Co-Sponsored by Section on Property Law

Magnolia, Third Floor, Hilton New Orleans Riverside

Law as Transformative Agent: Thinking and Doing Property in New Categories

(Program will be published in the *Indiana Law Review*.)

Co-Moderators: Carol N. Brown, University of North Carolina School of Law
Lloyd T. Wilson, Jr., Indiana University, Indianapolis School of Law

One or more presenters were selected from a call for papers.

As scholars in the areas of property law and the law of real estate transactions, we want to explore proposals for change in property theory and praxis. The mortgage foreclosure, credit, and housing crises have prompted re-examination of established categories of legal analysis, but that analysis does not capture the breadth of innovative thinking by scholars in the academy. This program seeks to explore all approaches to property and real property transactions, including proposals that have been previously rejected as well as new ideas.

The program will include discussions of the transformative power of thinking in new categories concerning the nature and uses of property. Is it appropriate to recognize new forms of property, new interests in property, or new interest holders? How can theory transform practice? Similarly, the program will examine the transformative power of praxis. How can responses to transactional challenges serve as transformative agent? How can transactional innovations promote reflection and new theorizing?

The Real Estate Transactions and Property Law Sections have issued a joint call for papers that advance the program theme. Papers will be published in the *Indiana Law Review*.

Business Meeting for Property Law at Program Conclusion.

Business Meeting for Real Estate Transactions at Program Conclusion.

AALS EVENTS

5:15 - 6:30 pm

First Meeting of AALS House of Representatives

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

Presiding: Rachel F. Moran, AALS President and University of California,
Berkeley, School of Law

Parliamentarian: Elliott S. Milstein, American University Washington College of Law

Clerk: Elizabeth Hayes Patterson, AALS Deputy Director

- Call to Order
- Adoption of Agenda
- Report of AALS Executive Director, Chief Executive Officer, Susan Westerberg Prager
- Report of AALS President Rachel F. Moran, University of California, Berkeley,
School of Law
- Memorials

Representatives from all member schools are expected to attend this meeting of the House of Representatives. All law school teachers are invited to attend.

6:30 - 7:30 pm

AALS Reception for Law School Teachers of the Year and Emeriti Faculty Members

Jasperwood, Third Floor, Hilton New Orleans Riverside

This reception recognizes those professors and Emeriti faculty members who have been honored by their schools as Teachers of the Year.

8:30 pm

AALS Presidential Program

Film Screening of *Trouble the Water*

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Winner of the Grand Jury Prize at the 2008 Sundance Film Festival, this astonishingly powerful documentary takes you inside Hurricane Katrina in a way never before seen on screen. Incorporating remarkable home video footage shot by Kimberly Rivers Roberts—an aspiring rap artist trapped with her husband in the 9th Ward—*Fahrenheit 9/11* and *Bowling for Columbine* producers Tia Lessin and Carl Deal weave this insider's view of Katrina with a devastating portrait of the hurricane's aftermath. *Trouble the Water* is a redemptive tale of self-described street hustlers who become heroes—two unforgettable people who survive the storm and then seize a chance for a new beginning. Watch the trailer at www.troublethewaterfilm.com

SECTION BUSINESS MEETINGS

6:30 - 7:30 pm

Section on Academic Support Business Meeting

Eglinton & Winton, Second Floor, Hilton New Orleans Riverside

6:30 - 7:30 pm

Section on Africa Business Meeting

Chequers, Second Floor, Hilton New Orleans Riverside

6:30 - 7:30 pm

Section on Balance in Legal Education Business Meeting

Cambridge, Second Floor, Hilton New Orleans Riverside

AALS MEMBER AND FEE-PAID SCHOOL EVENTS

6:30 - 8:30 pm

American University Washington College of Law Alumni and Friends Reception

Norwich, Third Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

The Catholic University of America Columbus School of Law Alumni, Faculty and Friends Reception

Executive Room, Twelfth Floor, Westin New Orleans Canal Place

6:30 - 8:00 pm

Consortium for Innovative Legal Education (California Western School of Law, New England Law-Boston, South Texas College of Law, William Mitchell College of Law) Reception

Grand Salon Section 9, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Georgetown University Law Center Faculty and Alumni Reception

Grand Salon Section 6, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Golden Gate University School of Law Reception

Natchez, Second Floor, Marriott New Orleans at the Convention Center

6:30 - 8:30 pm

Hamline University School of Law Reception

Trafalgar, Third Floor, Hilton New Orleans Riverside

6:30 - 8:00 pm

Harvard Law School Association Reception

Grand Salon Section 13, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Hofstra University School of Law Reception

Mississippi Queen, Second Floor, Marriott New Orleans at the Convention Center

6:30 - 8:30 pm

University of Illinois College of Law Reception for Alumni and Friends

Grand Salon Section 12, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Indiana University Maurer School of Law Alumni Reception

River Room I, Twelfth Floor, Westin New Orleans Canal Place

6:30 - 8:00 pm

University of Iowa College of Law Alumni and Friends Reception

Grand Salon Section 3, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

The John Marshall Law School, Chicago Alumni and Friends Reception

Grand Salon Section 16, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

University of Kentucky College of Law Welcome Reception for Dean David A. Brennen and Friends

Fountain Room, Third Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Louisiana State University Law Center Gumbo and Jazz Reception

The Plimsoll Club, 30th Floor, World Trade Center (1 block from the Hilton on Canal Street)

6:30 - 8:30 pm

New York University School of Law Reception

Grand Salon Section 15, First Floor, Hilton New Orleans Riverside

6:30 - 8:00 pm

North Carolina Central University School of Law Reception

Prince of Wales, Third Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

University of Pennsylvania Law School Reception

Creole Queen, Second Floor, Marriott New Orleans at the Convention Center

6:30 - 8:30 pm

Pepperdine University School of Law "Napa In New Orleans" Reception

Salon, Twelfth Floor, Westin New Orleans Canal Place

6:30 - 8:30 pm

Seattle University School of Law Washington Wine Tasting Reception

Port & Starboard, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:00 pm

Southern University Law Center Alumni and Friends Reception

Grand Salon Section 18, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

St. John's University School of Law Reception

Pelican, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:30 pm

Texas Wesleyan University School of Law "A Taste of Texas" Reception

Grand Salon Section 4, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Vermont Law School "Taste of Vermont" Reception

Grand Salon Section 7, First Floor, Hilton New Orleans Riverside

6:30 - 8:30 pm

Whittier Law School Alumni Reception

Bridge, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:30 pm

Willamette University College of Law "A Taste of Oregon" Reception

Grand Salon Section 10, First Floor, Hilton New Orleans Riverside

7:00 - 9:00 pm

University at Buffalo Law School, The State University of New York Reception

Durham, Third Floor, Hilton New Orleans Riverside

7:00 - 9:00 pm

Columbia University School of Law Reception

Magnolia I, Third Floor, Westin New Orleans Canal Place

7:00 - 9:00 pm

Loyola University New Orleans College of Law New Orleans Jazz Night

Louis J. Russell Performance Hall, Loyola University New Orleans, 6363 St. Charles Avenue

Busing will be provided to and from the Louis J. Russell Performance Hall

7:00 - 9:00 pm

Santa Clara University School of Law Reception

Delta Queen, Second Floor, Marriott New Orleans at the Convention Center

7:00 - 9:00 pm

Tulane University School of Law Cocktail Reception for AALS Alumni and Friends

The Napoleon House, 500 Chartres Street

7:00 - 8:30 pm

University of Michigan Law School Alumni and Friends Sesquicentennial Reception

Grand Salon Section 19, First Floor, Hilton New Orleans Riverside

OTHER ORGANIZATION EVENTS

6:30 - 8:30 pm

Animal Legal Defense Fund Reception for AALS Section on Animal Law

Chairman's Room, Twelfth Floor, Westin New Orleans Canal Place

6:30 - 8:30 pm

**Association of Legal Writing Directors and The Legal Writing Institute
Thomas F. Blackwell Memorial Award Reception**

Fulton, Second Floor, Marriott New Orleans at the Convention Center

7:00 - 10:30 pm

Carolina Academic Press Reception for Authors and Friends

Steering, Riverside Building, Hilton New Orleans Riverside

8:00 - 10:00 pm

Society of American Law Teachers (SALT) Program

Compass, Riverside Building, Hilton New Orleans Riverside

**In the Public Interest: Exploring the Legacy of Robert Cover:
Professor, Advisor & Scholar**

FRIDAY, JANUARY 8, 2010

AALS EVENTS

7:00 am - 7:00 pm

AALS Registration

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

7:00 am - 7:00 pm

AALS Office and Information Center

Marlborough, Second Floor, Hilton New Orleans Riverside

7:30 - 8:30 am

Twelve Step Meeting

Windsor, Third Floor, Hilton New Orleans Riverside

8:00 am - 5:00 pm

AALS Exhibit Hall Open House

“The Meeting Place”

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

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 SECTION EVENTS

7:00 - 8:30 am

Section on Academic Support Continental Breakfast

Grand Salon Section 12, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Joint Breakfast of Sections on Africa, Comparative Law, Graduate Programs for Foreign Lawyers, International Human Rights, International Law, International Legal Exchange, North American Cooperation

Grand Salon Sections 4 & 7, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Alternative Dispute Resolution Breakfast

Grand Salon Section 15, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Financial Institutions and Consumer Financial Services Breakfast

Grand Salon Section 16, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Indian Nations and Indigenous Peoples Breakfast

Grand Salon Section 9, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Law Libraries Breakfast

Grand Salon Sections 3 & 6, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Law, Medicine and Health Care Continental Breakfast

Grand Salon Section 13, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on National Security Law Breakfast

Grand Salon Section 18, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on State and Local Government Law Continental Breakfast

Grand Salon Section 19, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Thursday, January 7. Tickets will be not for sale at the breakfast.)

AALS EVENT

8:30 - 10:15 am

AALS Site Evaluators Workshop

Oak Alley, Third Floor, Hilton New Orleans Riverside

Moderator: Elizabeth Hayes Patterson, AALS Deputy Director

Speakers: Camille deJorna, Associate Consultant, American Bar Association
Section on Legal Education and Admissions to the Bar, Chicago,
Illinois

Stephanie J. Willbanks, Vermont Law School

Adrien Katherine Wing, University of Iowa College of Law

This program is particularly designed for those who serve, or are interested in serving, the AALS in the capacity of site visitor on ABA accreditation/AALS membership review site visit teams to member schools or schools applying for AALS membership. The AALS appoints one member to ABA/AALS “sabbatical” site visit teams and appoints the entire team when a school applies for AALS membership and in other special circumstances. The program will discuss the purposes of AALS membership review and the role of the site visitor in that review.

AALS SECTION EVENTS

8:30 - 10:15 am

Section on Africa, Co-Sponsored by Section on Minority Groups

Melrose, Third Floor, Hilton New Orleans Riverside

Food Security, the Financial Crisis, and International Regulation: Perspectives from Africa

Moderator: Penelope Andrews, Valparaiso University School of Law

Speakers: Waheeda Amien, Lecturer in Law, University of Cape Town,
Rondebosch, South Africa

Daniel D. Bradlow, American University Washington College of Law

Erika George, University of Utah S. J. Quinney College of Law

Carmen G. Gonzalez, Seattle University School of Law

Lisa R. Pruitt, University of California, Davis, School of Law

This panel will consider the issue of food security as outlined in several international documents, and the impact of the financial crisis on the promise to provide food security for the world's poorest, who are mostly in Africa. Although the promise of food security was barely fulfilled before this current financial crisis, there is no doubt that the crisis has exacerbated the problem. The panel will therefore consider steps that the global community should take to ensure that the promise of food security is pursued through international law and international regulation. The panel will consider these issues in the context of economic development, particularly rural economic development, in Africa. The panel will focus on several regions in Africa, including the Horn of Africa, West and Southern Africa. It will also focus on women's roles as the architects of food security and in particular social, political, and cultural constraints that deny women access to resources such as credit, marketing and other services.

8:30 - 10:15 am

Section on Animal Law

Eglinton & Winton, Second Floor, Hilton New Orleans Riverside

Working on the Wild Side: Wildlife and Animal Law

Moderator: Rebecca J. Huss, Valparaiso University School of Law

Speakers: Taimie L. Bryant, University of California, Los Angeles, School of Law
Holly D. Doremus, University of California, Berkeley, School of Law
David S. Favre, Michigan State University College of Law
Katherine Anne Meyer, Esquire, Meyer Glitzenstein & Crystal,
Washington, D.C.

As wildlife law and animal law continue to evolve there are more instances in which they intersect. Scholars and practitioners in both fields have much to learn from each other. This panel presents one opportunity for such learning.

Speakers will address international and domestic wildlife matters. They will also look at the Ringling Brothers’s case which, when decided, will offer the latest judicial thinking about intersection and development of both of these areas of law, and could expand upon the protections necessary for threatened species held in captivity in the United States.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Creditors' and Debtors' Rights

Rosedown, Third Floor, Hilton New Orleans Riverside

The Future of Debtor-Creditor Scholarship

One or more presenters were selected from a call for papers.

Both domestically and internationally, for both well known businesses and anonymous consumers, world events lately have thrust issues of debt, creditor rights, and debtor protection into the spotlight. The field of debtor-creditor scholarship has perhaps never been as fertile as it is today. Its future will ultimately become the responsibility of those having entered the academy during this most robust period. This year’s program is designed to highlight the contributions of those who have just begun to toil in this field, to reveal for the section the newest ideas from recent newcomers, to give these developing scholars an opportunity to present their thoughts and receive feedback in a friendly and receptive forum, and to give more experienced section members a chance to mold and inspire these developing producers—and the future of our section—with constructive questions and comments. Three work in progress presentations of 15-20 minutes will be followed by 10-15 minutes of questions and comments from the audience.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section for the Law School Dean

Grand Ballroom C, First Floor, Hilton New Orleans Riverside

Deaning: Myths and Realities

Speakers: Peter C. Alexander, Southern Illinois University School of Law
Judith C. Areen, Georgetown University Law Center

This panel is intended to provide a perspective on the life of a Dean and a forum for discussion for those who think they may have an interest in becoming a Dean. The panel will explore such topics as:

- What does the Dean’s job entail? Panelists will consider this topic from the perspective of both public and private institutions.
- How does the Dean work with different constituencies including the larger university (if there is one)?
- How is the Dean’s job different from an associate dean’s?
- What are common career paths to becoming a Dean?

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Indian Nations and Indigenous Peoples

Prince of Wales, Third Floor, Hilton New Orleans Riverside

Tribal Nation Economics and Legal Infrastructure

(Program to be published in *Washburn Law Journal*)

Moderator: Angelique A. EagleWoman, University of Idaho College of Law
Speakers: Helaman S. Hancock, Legislative Director, Coeur D’Alene Tribe,
Plummer, Idaho
Robert J. Miller, Lewis and Clark Law School
Judith V. Royster, The University of Tulsa College of Law

This year’s section symposium will address the themes of Tribal Nation economics and law. Law and economics are intertwined fields. As Tribal Nations rebuild economies in the wake of failed federal policies, legal infrastructure promoting a climate of healthy economics has become vitally important. The panel will discuss topics on contemporary reservation economies, successful practices in tribal commercial law, assessing federal economic incentives for Tribes, legal code development to facilitate economic opportunities, evaluation of the tribal corporate mode, creative thinking regarding tribal economic development in the era of federal Indian self determination, and review of sustainable tribal economic strategies.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Jewish Law

Elmwood, Third Floor, Hilton New Orleans Riverside

Is Halakha Jewish Law?

Speakers to be announced.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Law and Interpretation

Magnolia, Third Floor, Hilton New Orleans Riverside

Interdisciplinary Interpretation

Discussant: Thomas Ulen, University of Illinois College of Law

Moderator: Jeremy A. Blumenthal, Syracuse University College of Law

Speakers: Keith J. Bybee, Syracuse University College of Law

Kenneth G. Dau-Schmidt, Indiana University Maurer School of Law

Richard L. Wiener, University of Nebraska College of Law

The role of interdisciplinary research and pedagogy is increasingly debated in legal academia. Does an interdisciplinary approach to the law broaden academics' and practitioners' perspectives, or does it lead to a disconnect with doctrine and with the practice of law? What contributions has such an approach made, and what can (and should) it do in the future? The panel brings together experts from a range of disciplines—psychology, economics, and political science—to provide insight and discussion about what each of those fields specifically, and the interdisciplinary approach more broadly, can bring to legal interpretation. As discussant, one of the foremost scholars conducting interdisciplinary work brings together the three fields and addresses their potential contributions. Overall, the panel identifies some benefits and costs to interdisciplinary approaches, and makes suggestions for the future of interdisciplinary interpretation.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Nonprofit and Philanthropy Law

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Rebuilding New Orleans, Transforming America: The Role of Nonprofit Organizations in New Orleans and National Recovery

Presenters were selected from a call for papers.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Prelegal Education and Admission to Law School

Grand Ballroom D, First Floor, Hilton New Orleans Riverside

Disclosures – Advice from Deans of Students, Admissions Professionals and Attorneys, and Why This Leads to Issues with Moral Character and Fitness Applications

Moderator: Tracy L. Simmons, Chapman University School of Law

Speakers: Hollis L. Kulwin, University of California, Davis, School of Law

Kathy S. Northern, The Ohio State University Michael E. Moritz College of Law

Kelly L. Podger-Smith, University of North Carolina School of Law

Chloe T. Reid, University of Southern California Gould School of Law

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Torts and Compensation Systems

Jasperwood, Third Floor, Hilton New Orleans Riverside

Richard Epstein's Legacy in Torts

(Program to be published in *Journal of Tort Law*)

Moderator: John C. Goldberg, Harvard Law School

Speakers: Jules L. Coleman, Yale Law School

Richard A. Epstein, The University of Chicago Law School

Joshua Getzler, University Lecturer in Law; Reader in Legal History, Oxford University Law Faculty, Oxford, United Kingdom

Jill R. Horwitz, The University of Michigan Law School

Benjamin C. Zipursky, Fordham University School of Law

Richard Epstein is among the most prominent and influential torts scholars of our times. Perhaps unparalleled in its breadth, his scholarly corpus displays a remarkable command of doctrinal, historical, institutional and philosophical analysis. A fiercely independent thinker, Professor Epstein has challenged conventional wisdom as to the centrality of fault to modern accident law, the desirability of flexible liability standards over rigid rules, the soundness of *New York Times v. Sullivan*, and the lack of meaningful constitutional limits on tort reform legislation. The Executive Committee of the Section is delighted to have assembled for the 2010 Annual AALS Meeting a panel of world renowned tort scholars. The panel will critically examine various dimensions of Professor Epstein's work, and its potential significance for future tort law and scholarship, including his treatment of defamation and privacy law, his reliance on Roman and common law doctrines and concepts, and his blending of libertarian and utilitarian theory. After Professor Epstein has an opportunity to respond, a question and answer session will follow.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Art Law

Prince of Wales, Third Floor, Hilton New Orleans Riverside

Mapping Art Spaces I: University and Nonprofit Art

Presenters were selected from a call for papers.

Moderator: Olufunmilayo B. Arewa, Northwestern University School of Law

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Civil Procedure, Co-Sponsored by Section on Litigation

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Revisiting Discovery

Presenters were selected from a call for papers.

Since the Federal Rules of Civil Procedure were adopted in 1938, discovery has played a central role in the American litigation system. Indeed, for many years, pleading was considered of little importance compared to discovery. But as courts and commentators have focused on the costs of discovery, there have been multiple efforts with varying degrees of success to rein in discovery. One recent example has been the apparent tightening of pleading standards in *Twombly*, a tightening which the Court justified in part by noting the high cost of discovery in complex antitrust actions. In light of *Twombly* and other developments, the time is right for a renewed focus on the relationship between discovery and other aspects of the litigation system, including pleading and summary judgment. The need for further consideration of the role of discovery in the litigation process as a whole led to our call for papers. The papers selected will be the foundation of our program.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Contracts

Melrose, Third Floor, Hilton New Orleans Riverside

New Approaches to Teaching Contracts: A Teach-In

Two presenters were selected from a call for papers.

Moderator: Martha M. Ertman, University of Maryland School of Law

Speakers: Douglas G. Baird, The University of Chicago Law School
Scott J. Burnham, University of Montana School of Law
Carol L. Chomsky, University of Minnesota Law School
Emily E. Kadens, The University of Texas School of Law
Christina L. Kunz, William Mitchell College of Law

This panel explores a variety of approaches to teaching contracts. We will begin with a defense of the Langdellian method which centers on teaching classic cases, and then look at a number of alternative approaches minted in recent years. Our goal is to give even those wedded to traditional teaching, new approaches that they might begin slowly to introduce in the classroom. The motivation for the panel is, in part, changes in the structure of practice that provide less time for mentoring and learning, and will require new lawyers to hit the ground running. It also aims to help professors respond to a new generation of students who are wired and thus synthesizing material and acquiring skills in new ways. Invited presentations will defend the Socratic method using canonical cases, and present alternatives including problem methods, drafting, negotiation, and interactive case books. In addition, a call for papers will produce two presentations of other innovations in teaching contracts. As a whole, the panel strives to provide models for experienced contracts professors to de-laminate their notes, and newer professors to move beyond their own professors in developing new ways to convey the beauty, complexity, and occasional imperfections of contract law.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Criminal Justice

Belle Chasse, Third Floor, Hilton New Orleans Riverside

**Neuroscience, Cognitive Psychology and the
Criminal Justice System**

Moderator: Susan A. Bandes, DePaul University College of Law

Speakers: Alafair S. Burke, Hofstra University School of Law
John Darley, Warren Professor of Psychology, Princeton University,
Princeton, New Jersey
Nita Farahany, Vanderbilt University Law School
Andrew Eric Taslitz, Howard University School of Law

One or more presenters were selected from a call for papers.

The explosive growth of knowledge in the field of cognitive neuroscience provides both opportunities and challenges for the criminal justice system. This panel will explore the potential, as well as the pitfalls, of using cognitive neuroscience to shed light on criminal justice theory and practice. Topics include, among others, implicit bias in decision making, the dynamics of tunnel vision, brain imaging to assess prior knowledge or veracity, group level emotion and jury dynamics, the effects of emotionally charged evidence on reasoning, and the effects of brain injury on criminal responsibility.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Education Law

Jefferson, Third Floor, Hilton New Orleans Riverside

Five Years After Katrina: Access to Education

Presenters were selected from a call for papers

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Family and Juvenile Law, Co-Sponsored by Sections on Children and the Law, Poverty Law, Sexual Orientation and Gender Identity Issues, and Women in Legal Education

Elmwood, Third Floor, Hilton New Orleans Riverside

Money, Intimacy, Law and the Contours of Inequality

(Program to be published in *Journal of Law & Family Studies*)

One or more presenters were selected from a call for papers.

Moderator: Alicia B. Kelly, Widener University School of Law

Speakers: John G. Culhane, Widener University School of Law

Maxine S. Eichner, University of North Carolina School of Law

Increasingly, there is a call for restraint in or even abandonment of law's regulation of intimate life, allowing for relationships forged from self-determination and free choice. This ideal, attractive as it may be, often defies reality. It remains the case that individuals are not all equally free. What is the appropriate role for law regarding inequalities manifested in family life? With a focus on wealth disparities, this program will explore various interactions between money, intimacy and law and the degree to which law serves the goal of equality across gender, sexual orientation, race and class. Because the topic is potentially so broad, the panelists will highlight a few instances where these issues converge. Discussion will include the legal regulation of economic activity in committed adult intimate relationships, and in parent-child relationships.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Financial Institutions and Consumer Financial Services

Magnolia, Third Floor, Hilton New Orleans Riverside

Reforming the Institutional Structure of Financial Regulation

One or more presenters were selected from a call for papers.

As the international community struggles to manage the current global financial and economic crisis, policy makers around the globe have proclaimed their commitment to domestic and international regulatory reform. There is widespread agreement that the current framework for financial regulation is ill suited for promoting efficient financial markets or for preventing crises. In April of 2009, the G-20 countries expressly committed to strengthening their domestic financial regulatory regimes. In the U.S., the Obama Administration has stated that it intends to adopt significant reforms in the near and medium term. The U.S. policy agenda already includes creating an entity charged with ensuring systemic stability, eliminating gaps in the current regulatory framework (especially with regard to derivatives and hedge funds), reexamining capital requirements for certain financial institutions, and extending resolution powers to non-depository financial institutions. Commentators, policy makers, and scholars have also proposed that the U.S. restructure its existing arrangement of financial regulators, adopt stronger substantive regulation of consumer financial products, and enhance oversight of credit rating agencies and institutions that comprise the system for payments and settlements. This program will evaluate the reform agendas articulated by the official sector in the U.S. and abroad in light of the broader discussion about financial regulation among commentators, industry, and academics. It will examine the merits of various proposals now on the table as well as the practical challenges for successfully implementing these proposals.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Joint Program of Sections on Graduate Programs for Foreign Lawyers and International Legal Exchange

Grand Ballroom D, First Floor, Hilton New Orleans Riverside

Hard Sell: Job Search Strategies for Non U.S. LL.M. Graduates and for J.D. Graduates Wanting to Practice International Law in Local/Regional Job Markets

Moderator: Cynthia Adams, Indiana University, Indianapolis School of Law

Speakers: Charles D. Cramton, Cornell Law School

Valeria Elliott, University of Denver Sturm College of Law

Timothy M. Henderson, Director of Recruitment and Professional Development, Holland & Hart, Denver, Colorado

Clara Solomon, New York University School of Law

Both J.D. graduates who have participated in international programs and non-U.S. graduates of our LL.M. and J.S.D. programs face daunting prospects in finding employment that will allow them to draw on their international experiences, especially in the current economic environment. Arguably, law schools should assist these students by preparing them for the job market and helping them to carry out their job searches. Ideally, this assistance should begin early in a student's law school career and continue through the hiring process. Unfortunately, law schools often do not have the resources to support students with international backgrounds in their unique job searches. This program addresses the challenges of law schools in fostering the international careers of these students beyond graduation without overburdening limited law school resources. With this in mind, panelists will look at ways law schools may help J.D. graduates who have participated in international programs find local and regional employment that will make use of their cross cultural legal education. The panelists also will address ways law schools may help non-U.S. graduates of LL.M. and J.S.D. programs obtain short- or long-term employment in the U.S. or elsewhere.

Business Meeting of Section on Graduate Programs for Foreign Lawyers at Program Conclusion.

Business Meeting of Section on International Legal Exchange at Program Conclusion.

10:30 am - 12:15 pm

Section on Law Libraries

Oak Alley, Third Floor, Hilton New Orleans Riverside

Law Librarian as Scholar: Legal Authority and Research in an Age of Accessibility

Moderator: Anne Klinefelter, University of North Carolina School of Law

Speakers: Joe Custer, University of Kansas School of Law

Stephanie Davidson, University of Illinois College of Law

Nancy P. Johnson, Georgia State University College of Law

Raizel Liebler, The John Marshall Law School

Kent Olson, University of Virginia School of Law

Michael Whiteman, Northern Kentucky University Salmon P. Chase College of Law

Law librarians are uniquely situated within the academy to explore how expanded information access has transformed both law and research. This program features new librarian scholarship that will: 1) track new sources of legal authority and law related information; 2) examine empirically how a multiplicity of research tools affects lawyers' legal analysis; 3) use qualitative techniques to explore the research process of doctrinal and interdisciplinary legal scholars; and 4) analyze how user generated content in interactive research environments creates new intellectual property. Two commenters will add synthesizing insights and point the way towards related areas for further research.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Law, Medicine and Health Care, Co-Sponsored by Section on Constitutional Law

Fountain Room, Third Floor, Hilton New Orleans Riverside

Constitutional Health Law: Pharmaceutical Regulation and Commercial Speech

One or more presenters were selected from a call for papers.

Moderator: Kevin Outterson, Boston University School of Law

Speaker: Aaron S. Kesselheim, Instructor in Medicine, Harvard School of Public Health, Boston, Massachusetts

In the past few years, the drug and device industry have used Constitutional litigation, sometimes with spectacular effectiveness, to overturn statutes and challenge regulations. Examples include *Wyeth v. Levine*; *Riegel v. Medtronic*; and *Abigail Alliance*.

Even more remarkable has been the commercial speech litigation. *United States v. Caronia* (DC case on free speech and off label promotion); and *IMS v. NH* (1st Cir; first amendment claim against a data privacy statute aimed to curb marketing abuses). Other important 1st amendment FDA cases include *Thompson v. Western States Medical Center*, 535 U.S. 357 (2002) (advertising unapproved pharmacy compounding); *Washington Legal Foundation v. Henney*, 128 F. Supp. 2d 11 (Dist Ct. D.C., 2000) (off label promotion).

Clearly, something is afoot, with powerful Constitutional arguments deployed to challenge democratically enacted statutes. But the plaintiffs aren't oppressed minorities, but some of the world's most powerful corporations, with incredible lobbying resources in Washington, D.C., the states, and around the globe. How do we mesh theories of the Constitution with these cases?

The focus of the panel will be commercial speech litigation in the drug industry. We will discuss the cases mentioned above, with significant discussion of the broader Constitutional issues and impact on theory.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on National Security Law

Jasperwood, Third Floor, Hilton New Orleans Riverside

Barbarians at the Gate (or Within?): New Developments in the Detention and Prosecution of Terrorist Suspects

(Program to be published in *Journal of National Security Law & Policy*)

Presenters were selected from a call for papers.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Pro Bono and Public Service Opportunities

Rosedown, Third Floor, Hilton New Orleans Riverside

Pro Bono Responses to Crisis: Past, Present and Future

Moderator: Sande Buhai, Loyola Law School

Speakers: William P. Quigley, Loyola University New Orleans College of Law
Anita Santos Singh, Executive Director, Philadelphia Legal Assistance, Philadelphia, Pennsylvania
Morgan Williams, Fair Housing Specialist, Greater New Orleans Fair Housing Action Center, New Orleans, Louisiana

Crisis yields both devastation and opportunity. The harsh reality of the mortgage foreclosure crisis, and before it, of Hurricane Katrina, was of unimaginable scope. Such dire circumstances, however, did have an undeniable benefit: they gave rise to inspiration in our communities. Strategic, creative, and determined individuals rose to these challenges by producing exceptional models of collaboration that could at least start to address the burgeoning need. Many of these models involved out-of-the-box solutions that brought together multiple constituencies and yielded unexpected leaders. The best of these models drew upon the resources of the private sector to bolster the efforts of non-profit organizations by mobilizing a volunteer work force.

This panel takes a closer look at models of pro bono representation that evolved from Katrina relief efforts, and that again emerged in the mortgage foreclosure crisis. Our panelists are individuals who have been on the front lines of developing, implementing, and managing programs that have helped countless people in crisis. In examining these models, we hope to identify the essential elements of the most successful pro bono programs so that we may distill a formula that can be readily replicated – offering effective solutions for society’s most complex and urgent problems.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Professional Responsibility

Grand Ballroom C, First Floor, Hilton New Orleans Riverside

The Transformative Effect of International Initiatives on Lawyer Practice and Regulation: A Case Study Focusing on FATF and Its 2008 Lawyer Guidance

One or more presenters were selected from a call for papers.

Moderator: Laurel S. Terry, Pennsylvania State University The Dickinson School of Law

Speakers: James Thuo Gathii, Albany Law School
Thomas D. Morgan, The George Washington University Law School
Ellen S. Podgor, Stetson University College of Law
Kevin L. Shepherd, Esquire, Venable LL.P., Baltimore, Maryland
Colin Tyre, QC, Esquire, Arnot Manderson Advocates, Edinburgh, United Kingdom

This panel will consider the impact of international initiatives and their potential for having a transformative effect on lawyer practice and regulation. The panel will do so by focusing on the FATF 40+ 9 Recommendations and the 2008 FATF Lawyer Guidance. Many U.S. lawyers and academics are not familiar with the FATF, but it is a 30 country intergovernmental organization whose recent actions will affect a broad swath of U.S. lawyers, including transactional lawyers who help their clients buy or sell real estate, manage trusts, or help their clients create, buy, sell, or manage corporations. The first part of the session will feature two of the lawyers who negotiated with the FATF on behalf the world's legal profession. They will address the history and negotiating dynamics that led to the FATF 2008 Lawyer Guidance and explain how it is being implemented in the U.S. and in other countries. The second part of the session will consist of reflections and reactions from leading academics from various disciplines, including legal ethics, white collar crime, and international commercial (and comparative) law.

Business Meeting at Program Conclusion.

12:30 - 2:00 pm

Grand Ballrooms A & B, First Floor, Hilton New Orleans Riverside

ASSOCIATION OF AMERICAN LAW SCHOOLS LUNCHEON

Luncheon Speaker
Honorable Guido Calabresi

Prior to Judge Calabresi's remarks, President Rachel F. Moran will present the AALS Award for Lifetime Service to Legal Education and to the Law* to Professor, Dean and Judge Calabresi.

The Honorable Guido Calabresi, Judge, United States Court of Appeals for the Second Circuit, and Sterling Professor Emeritus and Professorial Lecturer, Yale Law School received his B.S. degree, *summa cum laude*, from Yale College in 1953, a B.A. degree with First Class Honors from Magdalene College, Oxford University, in 1955, an LL.B. degree, *magna cum laude*, in 1958 from Yale Law School, and an M.A. in Politics, Philosophy and Economics from Oxford University in 1959. A Rhodes Scholar and member of Phi Beta Kappa and Order of the Coif, Judge Calabresi served as the Note Editor of *The Yale Law Journal*, 1957-58, while graduating first in his law school class. He began his teaching career at Yale Law School in 1959 and served as Dean from 1985-1994. On February 9, 1994, President William Jefferson Clinton nominated Calabresi as circuit judge to the U.S. Court of Appeals for the Second Circuit and he was confirmed by the United States Senate on July 18.

Professor, Dean and Judge Calabresi's service "to the law" is best exemplified in the body of his scholarship which transformed our profession's thinking about tort doctrine and policy. Two of his four books earned recognition from the American Bar Association, and one received the Order of the Coif's Triennial Book Award. The American Bar Foundation honored him with its Award for Outstanding Research in Law and Government. He has received the Morton A. Brody Distinguished Judicial Service Award and continues his active judicial service after fifteen years as a Judge on the U.S. Court of Appeals for the Second Circuit. Judge Calabresi's service "to legal education" is multi-faceted. It includes nine years as Dean of the Yale Law School, membership during the late 1980s on the AALS Executive Committee,

(Advance ticket purchase is necessary to attend the luncheon. See the Annual Meeting Registration form or register online at www.aals.org/am2010. If available, tickets may also be purchased on-site by those already registered for the Annual Meeting until 12:00 pm on Thursday, January 7.)

*The AALS Award for Lifetime Service to Legal Education and to the Law was established in 2006 to formally recognize lifetime contributions made by a faculty member or retired faculty member at an AALS member school. The award is made every three years.

AALS Luncheon, continued

an exceptionally high degree of informal mentoring of law students and graduates over the generations, continued law school teaching despite the demands and satisfactions of his judicial role, willingness to participate in furthering the transition of individuals into law teaching through, for example, his frequent participation in the AALS's Workshop for New Law School Teachers, and his service to law schools other than his own exemplified in over 70 named lectures and service on advisory boards.

“It is hard to imagine a more deserving winner of this award. Judge Calabresi’s scholarship has been transformative, his teaching and mentoring exceptional, and his generosity to legal education and the profession unparalleled,” says AALS President Rachel F. Moran. “In fact, he is so admired and beloved among colleagues, students, and law clerks that he is affectionately known by his first name alone: Guido! That, of course, says a lot about the measure of the man. He is that rare person who combines a great intellect with a great heart.”

The Order of the Coif Book Award Winner will also be honored during the AALS Luncheon.

2:15 - 4:00 pm

Presidential Program I

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Transformative Scholarship

Moderator: Robert C. Post, Yale Law School

Speakers: Dana Berliner, Senior Attorney, Institute for Justice, Arlington, Virginia
Richard A. Epstein, The University of Chicago Law School

Neal K. Katyal, Principal Deputy Solicitor General of the United States,
U.S. Department of Justice, Washington, D.C.

Charles Swift, Esquire, Swift & McDonald, P.S., Seattle, Washington

Catharine A. Mac Kinnon, The University of Michigan Law School

Maria T. Vullo, Esquire, Paul, Weiss, Rifkind, Wharton & Garrison
LLP, New York, New York

Professors enjoy remarkable opportunities to capitalize on their research and expertise to forge partnerships to transform law and policy. The faculty on this panel will share the podium with practicing attorneys who collaborated on important reform efforts in a wide range of areas. These initiatives all required creativity, commitment, and courage to pursue change both in the United States and abroad. In each instance, a theory of rights whether related to real property, the criminal process, or international law was tested in the crucible of real world cases.

2:15 - 4:00 pm

Presidential Program II

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

Transformative Teaching and Institution-Building

Moderator: Devon Wayne Carbado, University of California, Los Angeles, School of Law

Speakers: Cheryl Hanna, Vermont Law School
Elizabeth M. Schneider, Brooklyn Law School School of LawMichael H. Schwartz, Washburn University School of Law
(With audience as his partner)Kyle Homstead, Chief Technology Officer, Chronicle Technologies, Florence,
Massachusetts

Susan P. Sturm, Columbia University School of Law

Professors enjoy the great privilege of shaping a future generation of legal thinkers through teaching and institution-building. The faculty on this panel will describe how they reach students in the classroom, how they form mentoring relationships that transcend a particular course, and how they work on curricular change to improve what law schools have to offer. The participants will be paired with partners, whether a former student, a talented professional from another field, or even the audience itself to explore how innovation can begin at our home institutions.

2:15 - 4:00 pm

Presidential Program III

Jefferson, Third Floor, Hilton New Orleans Riverside

Transformative Advocacy

Moderator: Elliott S. Milstein, American University Washington College of Law

Speakers: Lael R. Echo-Hawk, Reservation Attorney, The Tulalip Tribes of Washington,
Tulalip, Washington

Ron J. Whitener, University of Washington School of Law

Robert R. Kuehn, Washington University School of Law

Marylee Orr, Executive Director, Louisiana Environmental Action Network, Baton
Rouge, LouisianaRaul Pinto, Law Student, City University of New York School of Law, Flushing,
New York

Jenny Rivera, City University of New York School of Law

Professors enjoy an increasing number of ways to combine teaching and advocacy through clinics and centers devoted to research, policy, and practice. These programs represent a profound and continuing transformation in legal education, and they are reaching an increasingly broad cross-section of the communities they serve. The professors on this panel will share the experience of partnering with students, organizers, and activists to address controversial issues of pressing concern. This transformative advocacy often has given a voice to those in need of legal assistance, whose concerns about injustice might otherwise go unheard.

AALS EVENTS

4:00 - 5:45 pm

AALS Executive Committee Forum with the ABA Section on Legal Education and Admissions to the Bar

Napoleon Ballroom, Third Floor, Hilton New Orleans, Riverside

Requiring Law Schools to Measure Student Learning: A Forum on ABA Accreditation Standards

Speakers to be announced.

The Council of the ABA Section on Legal Education has directed its Standards Review Committee to “move toward incorporation of outcome measures in the accreditation standards”, and the Committee is now actively exploring a framework where law schools will be required to articulate appropriate student learning outcomes and periodically assess how well students are acquiring relevant skills and abilities. The Standards Review Committee requested an opportunity to present their thinking about this directional change in the ABA Standards to Annual Meeting attendees. The AALS Executive Committee chose to present this Forum so that you can both learn directly from the ABA Standards Review Committee about their deliberations and have an opportunity to express views and ask questions.

This program is designed to (1) demonstrate how other professional disciplines—such as medicine, pharmacy and dentistry—require their schools to articulate student learning goals and periodically measure student achievement of those goals, (2) provide examples of how learning outcomes and assessment practices are being implemented at some American law schools, (3) present and discuss a draft of a new accreditation standard that would require law schools to describe and assess student learning outcomes, and (4) provide an opportunity to consider the counter arguments to mandatory student learning goal assessment in the context of legal education.

4:00 - 5:45 pm

AALS Scholarly Paper Presentation

Cambridge, Second Floor, Hilton New Orleans Riverside

Now in its twenty fifth year, the AALS Scholarly Papers competition is open to individuals who have been in law teaching five years or less. The winners, who will present and discuss their papers, were chosen by a panel of eleven distinguished law scholars.

AALS OPEN SOURCE PROGRAM

4:00 - 5:45 pm

Open Source

(A program competitively selected by the AALS Committee on Open Source Proposals)

Fountain Room, Third Floor, Hilton New Orleans Riverside

Food, Law and Values

Speakers: Bret C. Birdsong, University of Nevada, Las Vegas, William S. Boyd
School of Law
Donna M. Byrne, William Mitchell College of Law
James Ming Chen, University of Louisville Louis D. Brandeis School of
Law
Marne Coit, Esquire, Coit Consulting, Fayetteville, Arkansas
Neil D. Hamilton, Drake University Law School
Gregg W. Kettles, Mississippi College School of Law
Guadalupe T. Luna, Northern Illinois University College of Law
Margaret E. Sova Mc Cabe, Franklin Pierce Law Center
Susan Schneider, University of Arkansas, Fayetteville Leflar Law
Center
Stephanie Tai, University of Wisconsin Law School
Thomas Wilson, Professor, Alabama A&M University School of
Agricultural & Environmental Sciences, Normal, Alabama

Food law issues arise in the production, marketing, and consumption of food and touch nearly every area of law. Some arise at the agricultural end of the food chain, such as patent rights to the genetic makeup of food crops, or the regulation of environmental and energy impacts in food production. Outbreaks of food-borne illness lead to products liability litigation, as well as calls for agency intervention to protect the food supply. A maze of administrative agency rules confronts those bringing new food products to market. And local legislatures try to influence dietary choices by mandating label information or banning certain ingredients, or by limiting food company liability for diet-related health outcomes.

How do we as a society integrate the contributions of science, culture, and culinary diversity? To what extent are our food laws based on untested assumptions about consumer preferences or knowledge? How well can consumers be trusted to make their own dietary choices and to what extent do our current laws dictate dietary choices? Legal scholars are uniquely positioned to explore the interlinking web of law and food, to examine the effect of law on food choices, and to identify and analyze the underlying values on which the system is based.

AALS SECTION EVENTS

4:00 - 5:45 pm

Section on Alternative Dispute Resolution, Co-Sponsored by Section on Professional Responsibility

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Overcoming the Difficulties of Teaching Negotiation Ethics

Moderator: Art Hinshaw, Arizona State University Sandra Day O'Connor College of Law

Speakers: Charles B. Craver, The George Washington University Law School
Mark Robert Dauber, Arizona State University Sandra Day O'Connor College of Law
Rebecca Hollander-Blumoff, Washington University School of Law

Many law professors find teaching negotiation ethics to be particularly dissatisfying and disappointing. The Model Rules set such a low ethical floor that anything short of making a fraudulent misrepresentation is deemed “ethical,” and as a result, students believe that distasteful tactics pushing that line are appropriate. Furthermore, many students, unaware of what constitutes a fraudulent misrepresentation, willingly engage in them. What’s worse is that it’s not clear that our lessons about the topic stick as recent research shows that a significant minority of attorneys also run afoul of this low standard.

Approaching this topic from three separate fields – professional responsibility, negotiation, and clinical teaching – this program takes a deeper look at the hurdles inherent in teaching attorney negotiation ethics and suggests various methods for overcoming these difficulties.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Balance in Legal Education

Jefferson, Third Floor, Hilton New Orleans Riverside

Who Am I? The Role of Legal Education in Shaping Professional Identities

Moderator: Marjorie A. Silver, Touro College Jacob D. Fuchsberg Law Center

Speakers: Susan S. Daicoff, Florida Coastal School of Law

Rhonda Magee, University of San Francisco School of Law

John V. McShane, Esquire, The Law Offices of John V. McShane, P.C.,
Dallas, Texas

Bruce J. Winick, University of Miami School of Law

Students enter law school with basic intrinsic values such as community, the desire to make a contribution, autonomy, personal growth and emotional intimacy. As Elizabeth Mertz, author of the American Bar Foundation study, *The Language of Law School: Learning to “Think Like a Lawyer”* observed, traditional legal education undermines these values in the process of teaching students to “think like lawyers.” The Carnegie report, *Educating Lawyers*, which relied heavily on the Mertz study, argues for greater focus on the role of law schools in nurturing the development of professional identities.

This interactive panel will explore the why and how of helping our students to develop humanistically oriented and balanced professional identities. Drawing from perspectives such as therapeutic jurisprudence, contemplative practice, collaborative law, and critical race theory, speakers will offer discreet, simple exercises and interventions adaptable by attendees for use in their classes that will support students in discovering their own core values and professional identities. A practitioner will share his experiences, which will demonstrate the importance to successful and fulfilling practice of designing a professional identity that is consistent with one’s core values.

4:00 - 5:45 pm

Section on Conflict of Laws

Elmwood, Third Floor, Hilton New Orleans Riverside

The Law and Economics of Conflict of Laws: A Useful Paradigm?

Speakers to be announced.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Defamation and Privacy

Oak Alley, Third Floor, Hilton New Orleans Riverside

Fusion Centers and Beyond: New Challenges to Privacy

- Moderator: Danielle Keats Citron, University of Maryland School of Law
Speakers: Mike German, Policy Counsel, American Civil Liberties Union
Washington Legislative Office, Washington, D.C.
James Grimmelman, New York Law School
Paul Ohm, University of Colorado Law School
Frank A. Pasquale, Seton Hall University School of Law
Joel R. Reidenberg, Fordham University School of Law

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Immigration Law, Co-Sponsored by Section on Administrative Law

Jasperwood, Third Floor, Hilton New Orleans Riverside

Adjudication in Immigration Law: Concerns and Realities

- Moderator: Lenni Beth Benson, New York Law School
Speakers: Mathilde Cohen, Columbia University School of Law
Jill E. Family, Widener University School of Law
Honorable Michael C. McGoings, Assistant Chief Immigration Judge,
U.S. Department of Justice, Falls Church, Virginia
Jaya E. Ramji Nogales, Temple University James E. Beasley
School of Law

This program explores administrative adjudication in the context of immigration law. In recent years, immigration cases have represented over 85% of the federal cases seeking judicial review of agency adjudication. The speakers will discuss a variety of forms of immigration adjudication. Professor Family will examine the increasing number of agency adjudications that Congress has authorized to take place outside of the immigration courts, e.g., expedited removal and administrative removal. Many of these adjudications are also largely immune from judicial review. Building on her empirical investigations, Professor Nogales will discuss arbitrariness in administrative adjudication in the U.S. asylum system, examining asylum determinations by the Department of Homeland Security's asylum offices and the Department of Justice's immigration courts. She will examine possible factors that influence asylum adjudication and will provide suggestions for increasing transparency and professionalism in these administrative decision making bodies. Professor Cohen will discuss the role of "giving reasons" in adjudication and its relation to democratic society. Articulating the basis of decisions is critical in many areas of administrative law but is particularly important in immigration decisions

Section on Immigration Law, Co-Sponsored by Section on Administrative Law, continued

because the class of people involved are usually inadequately represented and because the immigration issues are increasingly at the center of debates on the limits of social democracy. She will build upon her empirical assessment of reason giving in French deportation cases and her dissertation on the theoretical underpinnings of reason giving in adjudication. Finally, Judge McGoings will address the realities of managing immigration adjudication for the Executive Office for Immigration Review which currently handles more than 300,000 removal hearings annually. Professor Benson will moderate the discussion that follows the formal presentations.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Insurance Law

Eglinton & Winton, Second Floor, Hilton New Orleans Riverside

The Collapse of AIG: Insurance and the Law in an Age of Economic Disaster

(Program to be published in *Connecticut Insurance Law Journal*)

Moderator: Aviva Abramovsky, Syracuse University College of Law

Speakers: Congressman (R-LA), Joseph Cao, United States House of Representatives, Washington, D.C.

Thomas Murphy, Principal, Valuation Risk & Strategy LLC, Skaneateles, New York

A.V. Narsimha Rao, Legal Consultant and Solicitor, The ICFAI Foundation for Higher Education, Hyderabad, India

Jeffrey Ellis Thomas, University of Missouri-Kansas City School of Law

There simply has been no insurance story in decades to match the epic sweep of the trillion dollar meltdown that is still ongoing, the collapse of insurance giant AIG. These presenters, representing the academic, economic, political and international perspectives will talk on various aspects of the AIG collapse. They will address issues of systemic risk, regulatory reform, potential criminality, credit default swap products, executive compensation and more.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Joint Program of Sections on International Law and Law and the Social Sciences

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Empiricism and Transformations in International Law

Speakers to be announced.

Business Meeting for International Law at Program Conclusion.

Business Meeting for Law and the Social Sciences at Program Conclusion.

4:00 - 5:45 pm

Section on Legal History

Melrose, Third Floor, Hilton New Orleans Riverside

Habeas Corpus in War and Peace in the 18th and 19th Centuries

Commentator: Robert J. Cottrol, The George Washington University Law School

Moderator: John P. Reid, New York University School of Law

Speakers: Paul Finkelman, Albany Law School

Eric M. Freedman, Hofstra University School of Law

William E. Nelson, New York University School of Law

This panel will present the results of new historical research into the development of habeas corpus as a protector of liberty in the colonial, early national and antebellum periods.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Poverty Law

Prince of Wales, Third Floor, Hilton New Orleans Riverside

The New Anti Poverty Advocacy: Constructs, Strategies, and Tactics

Presenters were selected from a call for papers.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on Remedies

Magnolia, Third Floor, Hilton New Orleans Riverside

Remedies in Times of Economic Crisis and Financial Scandal

Moderator: Caprice L. Roberts, West Virginia University College of Law

Speakers: John C. Coffee, Jr., Columbia University School of Law

Lisa M. Fairfax, The George Washington University Law School

Jack B. Jacobs, Justice, Supreme Court of Delaware, Wilmington,
Delaware

Andrew Kull, Boston University School of Law

Russell L. Weaver, University of Louisville Louis D. Brandeis
School of Law

The climate of financial scandal signals the human hands at work in causing economic crises, and dire economic times raise the practical import of meaningful access to and execution of legal remedies. Assuming we can identify blameworthy actors amid the real victims, a host of remedial issues abound. What goals are most important to remedying the problems: compensation, restoration, accountability, redistribution, deterrence, or punishment? The challenge in economic crisis is that a shrinking pie diminishes the law's ability to deliver a full measure of compensation. The IMF projects that the world economy will shrink 1.3% in 2009. Meanwhile more responsible parties will be implicated, and more victims will suffer. Recent scandals—such as the Madoff ponzi scheme, the Cunningham bribery debacle, and the subprime mortgage securitization crisis—provide ripe examples for exploring an array of remedial issues, including: restitution, asset tracing, unwinding, accounting, public remedies, corporate governance and accountability, and maximization of recovery for victims. This panel will explore how best to effectuate justice via legal remedies. The legal system's ability to render meaningful remedies in the face of crises will say much about the purpose and limits of our substantive rights.

Business Meeting at Program Conclusion.

4:00 - 5:45 pm

Section on State and Local Government Law

Rosedown, Third Floor, Hilton New Orleans Riverside

**The City as a Political Actor: Powers, Boundaries,
Responsibilities**

Moderator: Richard Briffault, Columbia University School of Law

Speakers: Michelle W. Anderson, University of California, Berkeley, School of Law

Lynn A. Baker, The University of Texas School of Law

Clayton P. Gillette, New York University School of Law

Daniel B. Rodriguez, The University of Texas School of Law

Aaron J. Saiger, Fordham University School of Law

The central questions in state and local government law have long turned on the legal and territorial scope of local policy making autonomy. Lawmakers, judges, and scholars have frequently clashed over the meaning and dimensions of home rule, the external effects of local actions, the resolution of conflicts among local governments, and the tax and service inequalities that typically result from the delegation of regulatory, revenue raising and service delivery powers to local governments with sharply different resources. This year's program will focus on cutting edge scholarship that addresses different facets of the city as political actor. Our panelists will discuss fiscal home rule, the relationship between home rule and federalism, the obligations of cities and counties to address the needs of poor unincorporated communities, and the case for redrawing municipal boundaries to mitigate interlocal inequalities. These presentations will set the stage for a dialogue among panelists and audience members about the implications of political decision making at the local level.

Business Meeting at Program Conclusion.

AALS EVENT

6:30 - 8:30 pm

Association on American Law Schools Gala Reception

Grand Ballroom, First Floor, Hilton New Orleans Riverside

AALS MEMBER SCHOOL EVENTS

7:00 - 8:30 am

Brigham Young University J. Reuben Clark Law School Alumni and Friends Breakfast

Bridge, Riverside Building, Hilton New Orleans Riverside

7:00 - 8:30 am

University of the Pacific, McGeorge School of Law Breakfast for Advocacy Law Faculties

Steering, Riverside Building, Hilton New Orleans Riverside

7:00 - 8:30 am

Stetson University College of Law Associate Deans of Faculty Development and Research Breakfast

Port, Riverside Building, Hilton New Orleans Riverside

7:00 - 8:30 am

Vermont Law School Breakfast for Academic Deans

Starboard, Riverside Building, Hilton New Orleans Riverside

7:30 - 8:30 am

University of California, Hastings, College of the Law Breakfast

Trafalgar, Third Floor, Hilton New Orleans Riverside

8:00 - 10:00 pm

University of Washington School of Law Welcome Reception for Dean Kellye Y. Testy

Compass, Riverside Building, Hilton New Orleans Riverside

OTHER ORGANIZATION EVENT

7:00 - 8:00 am

American Law Deans Association Annual Meeting

Compass, Riverside Building, Hilton New Orleans Riverside

SATURDAY, JANUARY 9, 2010

AALS EVENTS

7:00 am - 6:00 pm

AALS Registration

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

7:00 am - 6:00 pm

AALS Office and Information Center

Marlborough, Second Floor, Hilton New Orleans Riverside

7:00 - 8:30 am

Special Meeting and Continental Breakfast for Beginning Law Teachers

Grand Salon Sections 3 & 6, First Floor, Hilton New Orleans Riverside

8:00 am - 2:00 pm

AALS Exhibit Hall Open House

Hilton Exhibition Center, Second Floor, Hilton New Orleans Riverside

“The Meeting Place”

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

8:30 am - 5:15 pm

Informal Networking Sessions

Grand Ballroom D, First Floor, Hilton New Orleans Riverside

Do you have an interesting topic outside of the area of interest of an AALS Section you want to discuss? Colleagues with similar interests or dilemmas you want to meet? If so, take charge and organize an informal networking gathering that could meet any time on Saturday, January 9th for one hour and forty five minutes. Simply post a notice on the bulletin board directly outside the Hilton Exhibition Center located on the 2nd Floor, Hilton New Orleans Riverside. Indicate the topic/interest you want to discuss and select a time to meet at a designated table assigned to a designated meeting room. Sign your name as Moderator and see who joins you!

AALS SECTION EVENTS

7:00 - 8:30 am

Section on Property Law Breakfast

Grand Salon Section 4, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Friday, January 8. Tickets will be not for sale at the breakfast.)

7:00 - 8:30 am

Section on Women in Legal Education Continental Breakfast

Grand Salon Sections 7 & 10, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 8:30 am on Friday, January 8. Tickets will be not for sale at the breakfast.)

AALS SECTION EVENTS

8:30 - 10:15 am

Section on Administrative Law

Belle Chasse, Third Floor, Hilton New Orleans Riverside

The Obama Administration – The First Year – Oversight, Transparency, and Re-regulation

Moderator: Michael R. Asimow, University of California, Los Angeles,
School of Law

Speakers: William F. Funk, Lewis and Clark Law School
Nina A. Mendelson, The University of Michigan Law School
Sidney A. Shapiro, Wake Forest University School of Law

In the areas of government oversight, transparency, and regulation, the Obama Administration has made several sharp turns from the policies of the Bush Administration. The economic downturn has given rise to proposals for major changes in the regulation of the financial sector, including a new agency devoted to consumer protection in financial transactions. Various other regulatory schemes in the area of environmental law, health care, energy trading, and financial devices such as derivatives, are all on the table. Thus re-regulation has supplanted de-regulation as the overarching policy of the federal government. In the area of information policy, Obama has adopted a FOIA friendly regime that entails a presumption of disclosure. In the area of oversight of rulemaking, OIRA will undoubtedly differ quite sharply from Bush era practices. The nature of cost benefit analysis and the role of the President are also under serious reconsideration. The panel of speakers will consider all these transformative changes in a roundtable discussion format.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Agency, Partnership, LLC's , and Unincorporated Associations

Fountain Room, Third Floor, Hilton New Orleans Riverside

Vicarious, Individual, and Limited Liability: Responsibility for Wrongful Conduct and Unincorporated Firms

Presenters were selected from a call for papers.

Tort claims raise both theoretical and practical questions when an individual tortfeasor is associated with an unincorporated firm. Should the firm's organizational status shield the individual from liability, comparable to a shield against contract claim? When does an individual's conduct constitute tortious conduct, especially when the individual works as part of a group? And when and to what extent is the firm itself—or its owners—subject to liability? The circumstances under which any firm—whether or not incorporated—should be subject to vicarious liability are highly contested, most recently in the Exxon Valdez litigation before the United States Supreme Court. More generally, should the law differentiate between unincorporated and incorporated firms and their owners in resolving such questions? We anticipate that these issues will lend themselves to multiple methodologies and approaches and will generate lively discussion.

Business Meeting at Program Conclusion.

Section on Agricultural Law, continued

Four speakers will explain: first, the theory for why the Agricultural Law Section has adopted this open source approach for agricultural law materials; second, the practical explanation of how we have accomplished the task of uploading and using wiki technology in cooperation with CALI; and third, two speakers will demonstrate the use of the online material for teaching and customization.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Civil Rights

Magnolia, Third Floor, Hilton New Orleans Riverside

The Census, Redistricting and Displaced Voters

Moderator: Gilda Daniels, University of Baltimore School of Law

Speakers: Kareem U. Crayton, University of Southern California Gould
School of Law

Damon Hewitt, Esquire, NAACP Legal Defense Fund, Inc., New York,
New York

John Valery White, University of Nevada, Las Vegas, William S. Boyd
School of Law

This program will explore the myriad of issues surrounding the decennial census, including redistricting implications and counting displaced voters. The panel consists of legal scholars and civil rights experts who specialize in voting rights and other areas.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Continuing Legal Education, Co-Sponsored by Section for the Law School Dean

Prince of Wales, Third Floor, Hilton New Orleans Riverside

Exploring the Options for the Future of Legal Education

Moderator: Carole Wagan, Suffolk University Law School

Speakers: Brian Bromberger, Loyola University New Orleans College of Law

Lawrence J. Center, Georgetown University Law Center

Erwin Chemerinsky, University of California, Irvine, Donald Bren School of Law

Richard P. DiCarlo, Assistant Dean for Undergraduate Education, Louisiana State University Health Sciences Center, New Orleans, Louisiana

Law schools strive to build and maintain comprehensive curricula that meet the needs of all students and that reflect the realities of the legal profession. Turmoil in law firms and the profession, reports such as the MacCrate Report and studies like the recent Carnegie Foundation effort have motivated law school deans and faculty members to examine how law schools can better prepare graduates for today's global market. What should the law school's role be within the educational continuum? Should traditional pedagogical approaches to legal education be modified to respond to the realities of today's legal world? Should law schools be balancing the various pressures to provide a combination of legal reasoning, substantive law and preparation for practice?

The "Critical Issues Summit" sponsored by The Association for Continuing Legal Education (ACLEA) and the American Law Institute/American Bar Association (ALI ABA), involving law schools, judges, practitioners, CLE providers and regulators focused on these and other issues. The discussion begun at that Summit will continue at this session, giving members of the academy an opportunity to contribute to the dialogue and exchange ideas about the future of legal education and the appropriate role of law schools. Some law schools have already begun implementing innovative changes to their curricula. This panel provides a forum to discuss these developments and competing visions.

Topics include:

- Are there innovations in teaching practical skills in law school?
- Should law schools help with graduates' transition to practice?
- What can law schools learn from other professions about preparing their graduates for practice?
- Should law schools be embracing opportunities to cooperate with the bar?
- What role should law schools play in preparing graduates for an increasingly global environment with an expanding diverse client base?
- How can law school pro bono requirements contribute to access to justice?

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Environmental Law, Co-Sponsored by Section on Natural Resources

Jefferson, Third Floor, Hilton New Orleans Riverside

Climate Change and Legal Education: It's Getting Hot in Here

Moderator: Douglas A. Kysar, Yale Law School

Speakers: Maxine Burkett, University of Hawaii William S. Richardson School of Law

Michael B. Gerrard, Columbia University School of Law

Maxine I. Lipeles, Washington University School of Law

John C. Nagle, Notre Dame Law School

Rapid developments in the field of climate change law are now being reflected in legal education, as schools have introduced a variety of innovative courses, teaching materials, research programs, and service activities centered around climate change. This program will feature speakers with a range of perspectives and experiences relating to climate change in legal education. Time will be reserved for questions and discussion.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on International Human Rights

Jasperwood, Third Floor, Hilton New Orleans Riverside

New Voices in Human Rights

Presenters were selected from a call for papers

The Section invited abstract proposals from all faculty members whose research focuses on human rights.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Islamic Law

Oak Alley, Third Floor, Hilton New Orleans Riverside

**Beyond Theory, Beneath the State: Islamic Legal Counseling,
Mediation and Arbitration**

Moderator: Sadiq Reza, New York Law School

Speakers: Michael Jay Broyde, Emory University School of Law

Yusuf Talal DeLorenzo, Chief Shariah Officer and Board Member,
Shariah Capital Inc., New Canaan, Connecticut

Talal Y. Eid, Executive/Religious Director, Islamic Institute of Boston,
Quincy, Massachusetts

Anver Emon, Professor, University of Toronto Faculty of Law, Toronto,
Ontario, Canada

The program focuses on routine applications of Islamic law that are central to the lives of observant Muslims but largely unaddressed in scholarly literature: practices of alternative dispute resolution (ADR). Observant Muslims regularly consult imams (religious leaders), legal scholars, and other non-state actors for Islamic legal answers and guidance in a variety of personal matters and business affairs – when getting married or divorced, writing wills, making investments, structuring commercial transactions, and more. In many instances these answers are sought and dispensed informally: in a mosque or living room, on the telephone, via email, even online. In others the exchange is more formal, as in mediation sessions or arbitration tribunals. Whatever their form, these practices constitute the most direct and immediate interactions many Muslims have with Islamic law. In this program, leading practitioners and scholars from the U.S. and Canada will explain and illustrate how these practices translate legal theory into practical answers for Muslims who seek to resolve disputes and conduct their affairs pursuant to Islamic legal rules and norms. Analogous practices in Jewish communities will also be addressed, as will ADR practices generally, providing a comparative perspective and broader context within which to assess the Islamic ADR practices.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Labor Relations and Employment Law

Elmwood, Third Floor, Hilton New Orleans Riverside

The Future of OSHA Reform

(Program to be published in *Employee Rights & Employment Policy Journal*)

- Moderator: Paul M. Secunda, Marquette University Law School
 Speakers: Susan Bisom-Rapp, Thomas Jefferson School of Law
 Jarod S. Gonzalez, Texas Tech University School of Law
 John Howard, Distinguished Consultant, Public Health Law Program,
 Centers for Disease Control and Prevention, Washington, D.C.
 Jayesh Rathod, American University Washington College of Law

One of the most criticized federal agencies in all of the federal government is the Occupational Safety and Health Administration (OSHA). Through a combination of a stultifying statutory scheme, lack of funding, and lack of political will, this agency has managed to only pass around forty permanent safety and health workplace standards in the last thirty seven years. The purpose of this panel is to consider to what degree OSHA and its related agencies should be reformed to better meet the purpose of the OSHA, which is to protect employee safety and health in the workplace. The panel consists of the former director of National Institute of Occupational Safety and Health (NIOSH) and three law professors who will address: the actions of the International Labour Organization (ILO) as a way to figure out ways we might reform our own regulatory processes; OSHA problems through the lens of immigration law; and one of the more unsatisfactory aspects of the current law, whistleblower protection.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Part-Time Division Programs

Melrose, Third Floor, Hilton New Orleans Riverside

Out of the Box Alternatives for Teaching Part-Time Students

- Moderator: John A. Lynch, Jr., University of Baltimore School of Law
 Speakers: Linda S. Anderson, Stetson University College of Law
 Regina Cyrus, Public Information Officer, Saint Charles District
 Attorney's Office, Hahnville, Louisiana
 Ian S. Weinstein, Fordham University School of Law

It has been twenty five years since Tony Amsterdam observed that we repeat one lesson over and over again in an effort to teach our students how to do the many tasks lawyers need to do. He reminded us that while all lawyers need to parse doctrine, they also need to develop a range of other skills, talents, and habits. More recently,

Section on Part-Time Division Programs, continued

the Carnegie Report has reinforced this insight by observing that legal education today is essentially one dimensional, effective in addressing the “apprenticeship” of cognitive development but underdeveloped in two other “apprenticeships” essential to professional education – teaching students about the actual practice of law and what it means to be a part of the legal profession. The problem may be even more acute for part-time students, whose competing demands on their time affect their learning and for whom the “traditional,” one dimensional way of teaching law may not be as effective.

Contemporary research on intelligence, assessment of lawyers, development of expertise, and professional excellence suggests that success in a complex endeavor like lawyering flows from diverse combinations of independent problem-solving abilities that have both cognitive and affective elements and must be developed through different kinds of rigorous work over time. Theories of adult learning suggest that teaching less content, while exploring the stories behind casebook appellate opinions, can help students learn practice skills and professional identity and, at the same time, allow part-time students to engage more thoroughly and learn more effectively, despite those competing demands. This panel will explore these and other ways that we might improve part-time legal education and, simultaneously, begin to improve the under-developed apprenticeships of legal practice skills and professional identity.

Business Meeting at Program Conclusion.

8:30 - 10:15 am

Section on Women in Legal Education, Co-Sponsored by Section on Defamation and Privacy

Rosedown, Third Floor, Hilton New Orleans Riverside

The First Amendment Meets Cyber-Stalking Meets Character and Fitness

One or more presenters were selected from a call for papers.

Moderator: Elizabeth A. Nowicki, Tulane University School of Law

Speakers: Jack M. Balkin, Yale Law School

Deborah L. Rhode, Stanford Law School

W. Bradley Wendel, Cornell Law School

Cyber-harassment has made its way to the legal academy, in part by way of the Auto Admit debacle, implicating several law students, and in part by way of other similar situations. The resulting dialogue has raised legal issues related to ethics, gender equality, freedom of speech, and internet regulation and liability. Some legal scholars say that online attacks by law students, prospective law students, or lawyers, while noxious, constitute protected speech that should not be penalized. Others say that online attacks can raise sexual harassment or civil rights concerns given that the conduct often targets women. Still others say that outrageous online conduct by law

Section on Women in Legal Education, Co-Sponsored by Section on Defamation and Privacy, continued

students, prospective law students, or lawyers raises character and fitness concerns, particularly when the conduct is overtly racist or gendered.

Discussion about these issues is complicated by internet anonymity and evolving internet related case law, and more questions are raised than are answered. Is it a problem when gender or race specific comments are made by law students, prospective law students, jurists, or lawyers on the internet? How, if at all, should law schools, bar examiners, or state disciplinary counsel respond to this sort of conduct? More generally and not specific to law students or lawyers, should cyber harassment be addressed by legislation, litigation, regulation, or prosecution? How?

AALS COMMITTEE EVENT

10:30 am - 12:15 pm

Committee on Libraries and Technology Program

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Roundtable: The Electronification of Law Libraries and Its Implications for the Legal Academy

Moderator: Frank G. Houdek, Southern Illinois University School of Law

Building on the success of the roundtable discussion at the 2009 Annual Meeting, “Using Libraries to Help Transform Legal Education,” this program will offer another opportunity for attendees to engage in a thought provoking discussion on a topic of critical importance not only to librarians but to all members of the legal academy.

The increasing “electronification” of today’s law school library—in its resources, certainly, but also in its operation—has implications for law professors pursuing their scholarship, law students pursuing their education, non-law school library users pursuing legal knowledge, and, of course, librarians pursuing their vision of the library as a vital component of the twenty-first century law school. These implications will serve as the overarching theme of the roundtable, with particular attention paid to such topics as:

- The role of electronic publications in the tenure process
- Rewriting ABA standards to allow the substitution of electronic resources for print resources
- AALS’s role in guiding the evolution toward electronification
- Open access in the electronic library world
- Legal citation and electronic publications

While a few committee members and others will offer brief, initial remarks to jumpstart the conversation, the “audience” will serve as the program’s primary “speakers.” With that in mind, come prepared not only to listen, but also to actively contribute your ideas and experiences to what promises to be an invigorating forum on a compelling topic.

AALS SECTION EVENTS

10:30 am - 12:15 pm

Section on Commercial and Related Consumer Law

Magnolia, Third Floor, Hilton New Orleans Riverside

The Principles of the Law of Software Contracts: A Phoenix Rising from the Ashes of Article 2B and UCITA?

One or more presenters were selected from a call for papers.

Moderator: Keith A. Rowley, University of Nevada, Las Vegas, William S. Boyd
School of Law

Speakers: Amelia H. Boss, Earle Mack School of Law at Drexel University
Robert A. Hillman, Cornell Law School
Maureen Anne O'Rourke, Boston University School of Law

The Principles of the Law of Software Contracts seek to weave the currently divergent threads of law governing software contracts (including the threshold questions of whether they are contracts or licenses and whether software is a good, a tangible non-good, or an intangible) into a coherent whole that will guide parties in drafting, performing, and enforcing software contracts and courts and other arbiters in resolving disputes involving software contracts. Professor Hillman and Dean O'Rourke, the Principles' reporter and associate reporter, will offer their unique insights on the Principles' evolution, some key substantive provisions, and their legal and practical implications. Other speakers, chosen from among those who responded to a call for papers, will offer their perspectives on the Principles, the economic, historical, policy, and political forces that motivated and shaped them, and their likely impact on the law and practice of software transactions.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Constitutional Law

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

The Interpretation – Construction Distinction in Constitutional Law

One or more presenters were selected from a call for papers.

Moderator: Amy C. Barrett, Notre Dame Law School

Speakers: Ian Bartrum, Drake University Law School

Mitchell N. Berman, The University of Texas School of Law

Laura A. Cisneros, Texas Southern University Thurgood Marshall
School of Law

Roderick Hills, Jr., New York University School of Law

Lawrence B. Solum, University of Illinois College of Law

Keith E. Whittington, William Nelson Cromwell Professor of Politics,
Princeton University, Princeton, New Jersey

Recent work in Constitutional theory has suggested a distinction between “Constitutional interpretation” and “Constitutional construction.” The core idea is that interpretation is concerned with the linguistic meaning of the Constitutional text, whereas construction implements and supplements that meaning. This idea is related to other recent conversations in Constitutional theory, including discussion of “the new doctrinalism,” Constitutional implementation, and the distinction between Constitutional rights and remedies.

Constitutional theorists have discussed the interpretation construction distinction in diverse ways. Some scholars have proposed that originalist Constitutional interpretation can be reconciled with a living Constitutionalist approach to Constitutional construction. Others have suggested that judicial review should be limited to the activity of Constitutional interpretation, while the political branches should bear primary responsibility for construction. Some originalists criticize the distinction on the ground that it opens the door to judicial construction that is unconstrained by original meaning. In an earlier era, legal realists critiqued the distinction on the ground that interpretation of linguistic meaning and construction of legal doctrine cannot be separated in practice.

This program will evaluate, explore, and challenge – from a variety of perspectives and angles – the interpretation construction distinction, its justifications, and its implications.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Disability Law

Cambridge, Second Floor, Hilton New Orleans Riverside

Disability Discrimination After the ADA Amendments Act of 2008

(Papers will be published in the *Utah Law Review*)

Presenters were selected from a call for papers.

This panel will address issues of disability discrimination after the ADA amendments Act of 2008 (AAA). The AAA expands the definition of disability but does not cover all individuals with functional impairments, address many barriers to employment, or speak to the need for material resources such as health care and transportation.

Speakers will discuss difficulties with the implementation of the AAA as well as disability discrimination that is not addressed by the Act.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Intellectual Property

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Intellectual Property and Private Ordering: Opportunity for Openness or Oppression?

Moderator: Shubha Ghosh, University of Wisconsin Law School

Speakers: Daniel A. Crane, The University of Michigan Law School

Niva Elkin-Koren, University of Haifa, Israel Faculty of Law Mount Carmel, Haifa, Israel

Peter Lee, University of California, Davis, School of Law

Jennifer E. Rothman, Loyola Law School

In recent years, scholars, activists, lawyers, and policy makers have both celebrated and decried the increasing role of private ordering as a means of creating, disseminating, sharing, and controlling intellectual works. From TPM to open science, from metered use to patent pools, private ordering models are emerging and affecting both creators and users. This panel will explore both the promise and drawbacks of private ordering as an adjunct or alternative to traditional intellectual property law.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Law and the Humanities

Elmwood, Third Floor, Hilton New Orleans Riverside

Reasoning From Literature

(Papers from the panel will be published as a symposium in Vol. 22, issue 2 of the *Yale Journal of Law and Humanities* [2010])

Moderator: Jessica Silbey, Suffolk University Law School

Speakers: Peter Brooks, Mellon Visiting Professor, Princeton University,
Princeton, New Jersey

Laura A. Heymann, College of William and Mary Marshall Wythe
School of Law

Bernadette A. Meyler, Cornell Law School

Carol Marguerite Rose, The University of Arizona James E. Rogers
College of Law

Kenji Yoshino, New York University School of Law

The “literary turn” in legal studies manifests in many ways in our legal discipline and practice. Be it with the birth of the study of law and literature in the 1980’s, the growing attention to narrative theory and storytelling in the law in the 1990’s, or the “cultural turn” in legal studies in the 21st century (as some scholars have called the cultural analysis of law), reasoning from literature seems commonplace. And yet it feels still marginalized in legal studies, as not “really law,” and lacking in the core persuasive power that legal argumentation and doctrinal analysis have. This panel has been put together to wrestle with what it means to “reason from literature” and to contest the boundaries between legal reasoning and literary logic.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Litigation, Co-Sponsored by Section on Civil Procedure

Oak Alley, Third Floor, Hilton New Orleans Riverside

The Future of Summary Judgment

(Program to be published in *Akron Law Review*)

One or more presenters were selected from a call for papers.

Moderator: Ronald G. Aronovsky, Southwestern Law School

Speakers: Edward J. Brunet, Lewis and Clark Law School

Stephen B. Burbank, University of Pennsylvania Law School

Linda S. Mullenix, The University of Texas School of Law

Adam N. Steinman, University of Cincinnati College of Law

Suja A. Thomas, University of Illinois College of Law

Over the past forty years, summary judgment has played an increasingly prominent role in federal and state civil litigation. Some hail the expanded availability of summary judgment as promoting efficiency, preserving judicial resources and relieving pressure on overcrowded dockets. Others criticize the current state of summary judgment practice as promoting needless pre-trial transaction costs, undermining the role of jury trials, and disadvantaging employment discrimination, civil rights and other plaintiffs. Recent proposed amendments to Rule 56 have further fueled the debate about the proper role for summary judgment. In addition, some think the U.S. Supreme Court's May 2009 decision in *Ashcroft v. Iqbal* will impact the future role of summary judgment and accelerate pre-trial dispositive motion practice by increasing the number of cases dismissed at the pre-answer motion stage of litigation.

Speakers will address a range of issues relating to the future of summary judgment, such as the evolution of federal summary judgment law and practice since the 1970s, whether the transsubstantive model for summary judgment remains effective or normatively preferable, the proposed changes to Rule 56, and whether the *Iqbal* decision will affect the role of summary judgment.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Natural Resources, Co-Sponsored by Section on Environmental Law

Rosedown, Third Floor, Hilton New Orleans Riverside

Climate Change and Adaptation in a Federal System

Moderator: Alejandro E. Camacho, Notre Dame Law School

Speakers: Vicki Arroyo, Georgetown University Law Center

Robin K. Craig, Florida State University College of Law

Daniel A. Farber, University of California, Berkeley, School of Law

Victor B. Flatt, University of North Carolina School of Law

The President, Congress, and regulators are actively contemplating the direction of climate policy for the next several decades. Perhaps understandably, most scholars, legislators and regulators have focused on considering potential ways to prevent further climate change. However, at least some adverse climate change appears inescapable for at least the next few decades. This panel considers a vital but often neglected issue in discussions on climate change—how to best cope with and prepare for the detrimental effects of a changing climate on human health and the natural and built environment.

In particular, adaptation to climate change in the United States inevitably implicates the relationship among federal, state, and local governments in protecting health and managing natural resources. Focusing on particular regulatory matters such as adaptation funding, public health, natural resources, and natural disaster prevention and response, speakers will discuss what local governments, states, and federal agencies have been and should be doing to prepare for and manage the effects of climate change. Panelists will also discuss the implications of climate change adaptation on the relationship between federal, state, and local authorities and on Constitutional federalism jurisprudence.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Scholarship

Jefferson, Third Floor, Hilton New Orleans Riverside

The Trend Towards Peer Reviewed Law Journals

Moderator: John Oberdiek, Rutgers School of Law - Camden

Speakers: Lawrence A. Alexander, University of San Diego School of Law

Omri Ben-Shahar, The University of Chicago Law School

Alex Guerrero, Research Scholar, New York University, New York,
New York

Ewan McKendrick, Pro Vice Chancellor, Oxford University, Oxford,
United Kingdom

J. M. Ramseyer, Harvard Law School

While American legal scholarship is predominantly published in student-edited law reviews, there is a growing trend in the legal academy towards peer-reviewed journals. This panel brings together distinguished editors and recent former editors of some of the most prestigious journals in legal academia *Legal Theory*, the *Journal of Legal Studies*, the *Journal of Legal Analysis*, the *Oxford Journal of Legal Studies*, as well as the *New York University Law Review* to review the explanations, assess the merits, and canvass the prospects of this trend.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Securities Regulations

Fountain Room, Third Floor, Hilton New Orleans Riverside

Responding to the Financial Crisis: Change is in the Air

Presenters were selected from a call for papers.

Moderator: Therese H. Maynard, Loyola Law School

In keeping with the theme of this year's Annual Meeting, the Section's Executive Committee invited papers that explore the transformative power of the law in addressing the ongoing economic crisis. The panel seeks to address the fundamental question of how to respond to the current crisis by asking: Where have we been? Where are we now? And, finally, where are we going? Without a doubt, financial products and financial markets have played a pivotal role in contributing to the recent downturn in economic activity and thus raise a host of important and pressing questions regarding securities regulation. These questions include:

- To what extent did gaps in the financial regulatory system generally, and securities regulation in particular, contribute to the recent financial turmoil?
- How can organizational reform help improve the efficacy and independence of securities regulation?

Section on Securities Regulations, continued

- What should be the primary focus of future securities regulation efforts: Consumer protection? Investor protection? Financial market efficiency? Systemic risk containment? All of the above?
- In what ways should the regulation of derivatives markets, futures markets, money market funds, private equity funds, or hedge funds be modified in light of recent developments?
- Given recent events, should the definition of a sophisticated investor be revised? If so, to what degree?
- What are the similarities and differences between the current financial crisis and previous financial crises? What is the relevance of these parallels to securities regulation?
- How does the current crisis impact efforts to coordinate securities regulation on a global basis?
- Should financial accounting standards and the process by which these standards are established be modified?
- How can a regulatory agency charged with reducing systemic risk best achieve this objective? Is there a role for securities regulation in achieving the objective of reducing systemic risk?

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Sexual Orientation and Gender Identity Issues

Melrose, Third Floor, Hilton New Orleans Riverside

On the Cutting Edge: Charting the Future of Sexual Orientation and Gender Identity Scholarship

(Program to be published in *Law & Sexuality*)

One or more presenters were selected from a call for papers.

Moderator: Suzanne B. Goldberg, Columbia University School of Law

Speakers: Carlos A. Ball, Rutgers School of Law - Newark
 William Nichol Eskridge, Jr., Yale Law School
 Nan D. Hunter, Georgetown University Law Center
 Darren Lenard Hutchinson, American University Washington College of Law
 Ruthann Robson, City University of New York School of Law
 Dean Spade, Seattle University School of Law

Thirty years ago, Rhonda Rivera published "*Our Straight-laced Judges: The Legal Position of Homosexual Persons in the United States*," the first comprehensive law review article of its kind. Since then, the sexual orientation and gender identity legal literature has exploded, with hundreds of articles considering all imaginable aspects of the law's relationship to gender identity and sexual orientation. At the

Section on Sexual Orientation and Gender Identity Issues, continued

same time, political demands of lesbian, gay men, bisexuals, and transgender have both multiplied and moved to the center of cultural debates, and the body of case law addressing these issues has likewise grown exponentially. What, then, are the next steps for legal scholarship?

This program will begin with a brief look back over the past decades' major ideas and contributions and then will move forward quickly to highlight new issues, new theories, and the possibilities for linking theory and practice. Each panelist will concentrate briefly on one major issue or idea with an eye toward envisioning the field for the decade(s) to come.

Business Meeting at Program Conclusion.

10:30 am - 12:15 pm

Section on Taxation

Jasperwood, Third Floor, Hilton New Orleans Riverside

Taxation for a Successful Economy

(Program to be published in *Northwestern Journal of Law and Policy*)

Moderator: Nancy Christine Staudt, Northwestern University School of Law

Speakers: Thomas Brennan, Northwestern University School of Law
Allison Christians, University of Wisconsin Law School
Edward Kleinbard, University of Southern California Gould
School of Law
Yair Listokin, Yale Law School
Chris W. Sanchirico, University of Pennsylvania Law School

This year's panelists will explore taxation from various theoretical and applied perspectives. The papers will explore the ways in which tax experts work collaboratively in an effort to promote national economic prosperity; how the results of these efforts often have hidden (and negative) effects on the economy; and how current theories of taxation operate to unnecessarily constrain Congress and the President. Panelists will explore these issues in the context of recent national and international tax initiatives.

Business Meeting at Program Conclusion.

12:15 - 1:30 pm

Section on Clinical Legal Education Luncheon

Grand Salon C, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 7:00 pm on Friday, January 8. Tickets will be not for sale at the luncheon.)

12:15 - 1:30 pm

Section on Criminal Justice Luncheon

Grand Salon Section 6, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 7:00 pm on Friday, January 8. Tickets will be not for sale at the luncheon.)

12:15 - 1:30 pm

Section on Evidence Luncheon

Grand Salon Section 3, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 7:00 pm on Friday, January 8. Tickets will be not for sale at the luncheon.)

12:15 - 1:30 pm

Section on Minority Groups Luncheon

Grand Salon D, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 7:00 pm on Friday, January 8. Tickets will be not for sale at the luncheon.)

12:15 - 1:30 pm

Section on Scholarship Luncheon

Grand Salon Section 4, First Floor, Hilton New Orleans Riverside

(Tickets were sold in advance of the Annual Meeting. If space is available, a ticket may be purchased at On-site Registration until 7:00 pm on Friday, January 8. Tickets will be not for sale at the luncheon.)

AALS COMMITTEE EVENT

1:30 - 3:15 pm

AALS Committee on Curriculum Issues Program

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

Teaching Beyond the Appellate Opinion

Welcome: Elizabeth M. Schneider, Brooklyn Law School

Moderator: Lawrence C. Marshall, Stanford Law School

Speakers: Linda M. Beale, Wayne State University Law School

Gabriel "Jack" Chin, The University of Arizona James E. Rogers
College of Law

Kevin M. Clermont, Cornell Law School

Deborah J. Merritt, The Ohio State University Michael E. Moritz
College of Law

D. Gordon Smith, Brigham Young University J. Reuben Clark Law School

Analysis of judicial opinions—especially appellate opinions—has long been recognized as an excellent way to immerse law students into legal language, doctrine and analysis. Judicial opinions are the focus of most law school classes. Yet, despite their value, these opinions are inherently limited as teaching tools. For example, they discount lawyers' roles in developing facts and theories of a case, ignore myriad strategic and ethical dilemmas lawyers face and fail to expose students directly to qualities and weaknesses of the lawyers' advocacy. They also do not typically fill in the social, political and historical context that can be important to understanding the issues confronting the court or put a human face on the parties and events that led to the decision. In addition, many kinds of law practice, such as transactional work, have relatively little connection to appellate opinions compared to other sources of law or bodies of knowledge, such as accounting and finance.

Many law school teachers seek to retain the benefits of studying appellate opinions but to overcome limitations by replacing or supplementing opinions with different or additional materials that provide students with a deeper, more nuanced and multi-dimensional understanding of studied cases and lawyers' roles in representing clients. Replacement or supplemental materials include hearing transcripts and case briefs; case studies more familiar in business than in law schools; transactional documents such as contracts and disclosure statements; analytical or historical narratives and stories about the background of a judicial opinion; video productions; and interviews or other direct interactions with parties, lawyers, judges or other officials.

In this session, law school teachers who use such materials in various courses will demonstrate their methods and discuss their experiences. The session will focus on the use of these materials in core law school courses, either required courses or electives which attract large numbers of students. Presenters will reflect on how using such materials can expose students to a more complete understanding of what lawyers do, and to a more robust understanding of the lawyering process and the law. They will also address challenges posed when moving beyond the appellate opinion.

AALS SECTION EVENTS

1:30 - 3:15 pm

Section on Antitrust and Economic Regulation

Jasperwood, Third Floor, Hilton New Orleans Riverside

Effect of Eco Crisis on Antitrust Policy

(Program to be published in *Antitrust Law Journal*)

Moderator: Marina L. Lao, Seton Hall University School of Law

Speakers: Jonathan B. Baker, American University Washington College of Law
 Darren D. Bush, University of Houston Law Center
 Keith Norman Hylton, Boston University School of Law
 Howard A. Shelanski, Georgetown University Law Center
 Maurice E. Stucke, University of Tennessee College of Law

The program will present different perspectives on the implications of economic crises on antitrust policy. Among the topics to be explored will be the principles that should guide antitrust policy in periods of economic distress, the potential consequences of mergers approved based on “merge to survive” arguments, and questions more specifically raised by the current crisis in the financial sector.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Comparative Law, Co-Sponsored by Section on National Security Law

Jefferson, Third Floor, Hilton New Orleans Riverside

Transforming National Security Law: Comparative Perspectives

Moderator: Russell A. Miller, Washington and Lee University School of Law

Speakers: Robert M. Chesney, The University of Texas School of Law
 Jacques de Lisle, University of Pennsylvania Law School
 Adedeji Ebo, Chief Security Sector Reform, United Nations, New York, New York
 Oren Gross, University of Minnesota Law School
 Kim L. Scheppelle, University of Pennsylvania Law School

United States security law is in the process of significant reform. Too little attention has been paid to parallel reform undertaken elsewhere. First and foremost, this panel will correct that deficit by bringing together experts on security law from various regions and perspectives to illuminate the American reform debate. Secondly, the panel is meant to exemplify the persistent pathologies that plague comparative law theory and methodology. Rather than agonizing over whether a comparison of national security law would be fruitful or even plausible, the panel simply undertakes

Section on Comparative Law, Co-Sponsored by Section on National Security Law, continued

to do so. The panel has applied ambitions, with Professor Chesney participating not as a comparativist but as a leading commentator on and contributor to the American security reform debate. The propriety of traditional classifications like “Western” and “Asian” will be self-consciously treated even while they form useful demarcations for the panel presentations. Postcolonial criticism and the trend towards the globalization and harmonization of law, both of which are seen as significant challenges to the comparative law tradition, are given their due on the panel.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Evidence

Belle Chasse, Third Floor, Hilton New Orleans Riverside

**Transformative Evidence: Changes Inside the Courtroom and
Outside the Courthouse**

Moderator: Joelle Anne Moreno, Florida International University College of Law

Speakers: Geoffrey S. Mearns, Cleveland State University Cleveland Marshall
College of Law

Daniel S. Medwed, University of Utah S. J. Quinney College of Law

Stacey A. Tovino, Drake University Law School

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Jurisprudence

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Legal Positivism: For and Against

Moderator: Scott Shapiro, Yale Law School

Speakers: Leslie J. Green, Professor, Oxford University, Oxford, United Kingdom

Mark Greenberg, University of California, Los Angeles, School of Law

Brian Leiter, The University of Chicago Law School

Jeremy James Waldron, New York University School of Law

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Law and Anthropology

Fountain Room, Third Floor, Hilton New Orleans Riverside

Law and Anthropology: The Intersection of Law, Culture and Religion

Moderator: Elizabeth A. Kronk, University of Montana School of Law

Speakers: Rebecca R. French, University at Buffalo Law School

Frank S. Ravitch, Michigan State University College of Law

Melissa L. Tatum, The University of Arizona James E. Rogers
College of Law

This year's program focuses on the intersection of law, culture and religion. Panelists will explore topics within this subject, including religious pluralism and cultural property.

Religious pluralism is often explored in terms of the variety of sects and faiths that exist in a given geographic area. This is often connected by courts and in the literature to the perceived interests that a given faith or sect may have regarding a Constitutional right or political issue. While people may perceive religious pluralism as a monolithic concept of different faiths and sects, it often involves more nuanced patterns within faiths and sects. The panel will address how these dynamics affect the horizons of judges and others who grapple with religious pluralism.

The panel will also evaluate definitions of cultural property, using the dispute between the United States and the Sioux over the Black Hills as a vehicle for that exploration. Existing laws contain definitions of cultural property that are narrower than the theory of cultural property, and these narrow definitions are a result of the strong influence of Western European definitions of property. A new definition of cultural property, one that more fully comports with theory, will be proposed.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Law and Computers

Melrose, Third Floor, Hilton New Orleans Riverside

Law and Wikis

One or more presenters were selected from a call for papers.

Moderator: Timothy K. Armstrong, University of Cincinnati College of Law

Speakers: Jon M. Garon, Hamline University School of Law

Jacqueline D. Lipton, Case Western Reserve University School of Law

Wiki technologies offer novel and interesting ways for people to work online collaboratively. The best known wiki application is Wikipedia, a highly successful website that has generated millions of encyclopedic articles from volunteer contributors. This panel, composed of refereed abstracts submitted in response to the Section's Call for Papers, will explore the interaction between law and wiki technologies, including Wikipedia.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Law and Sports

Elmwood, Third Floor, Hilton New Orleans Riverside

The New NFL/NFLPA Collective Bargaining Agreement: Avoiding a Catastrophe?

When the NFL opted out of the current collective bargaining agreement with the NFLPA, the stage was set for contentious negotiations lasting well into the 2009 season and potentially beyond. A labor-related stoppage or lockout could result from the failure to come to terms. The topic for this year's sports law panel will be the present state of labor negotiations within the NFL.

Speakers will explain each side's bargaining position in the conflict over whether the players or the team owners are asking for too much money—the owners predict an economic crisis, while the players (using an economic study of league profits) claim the owners have never had it so good. Perhaps the real Super Bowl for sports lawyers will take place around the bargaining table.

Speakers to be announced.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Minority Groups

Oak Alley, Third Floor, Hilton New Orleans Riverside

Black Leadership in the Wake of the Obama Election

Moderator: Guy Uriel E. Charles, Duke University School of Law

Speakers: Randall L. Kennedy, Harvard Law School

Heinz J. Klug, University of Wisconsin Law School

Sylvia Lazos, University of Nevada, Las Vegas William S. Boyd
School of Law

Terry Smith, DePaul University College of Law

This panel explores the impact of the Obama Presidency on black leadership and examines the possibilities for racial, ethnic, class, and other coalitions of politically marginalized communities. This panel also provides a comparative perspective by reference to the Southern Africa experience. Professor Kennedy examines the changing environment for black political leadership that is reflected and encouraged by Barack Obama's ascendancy to the Presidency. Professor Smith analyzes the moderation of black politics and evaluates the impact of the Obama presidency on the discourse of race and class in the United States. Professor Lazos considers whether Obama's election signals a move beyond identity politics. She argues that, while his election may represent a generational shift in racial attitudes, it does not represent a solution to the cultural divide and more importantly, to how we talk about race. Professor Klug discusses the relationship between the politics and rhetoric of law articulated by various Black Southern African leaders over the last twenty five year—including Mugabe, Mandela, Mbeki, Zums—and analyzes how this relationship interacts with the issue of trust, by their political supporters and opponents, local and international markets, and the international media.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Post-Graduate Legal Education

Rosedown, Third Floor, Hilton New Orleans Riverside

LL.M.s and J.D.s Together: Synergies and Problems

Moderator: Michael B. Lang, Chapman University School of Law

Speakers: Kevin L. Cole, University of San Diego School of Law
Dorsey D. Ellis, Jr., Washington University School of Law
Diane L. Fahey, New York Law School
Jennifer Kowal, Loyola Law School
G. Ray Warner, St. John's University School of Law

LL.M. students generally come to a law school with either a J.D. from an ABA accredited law school or a legal education from a foreign institution. Some also have substantial experience in law practice. By contrast, for most J.D. students the J.D. program is their initial entry into the law as a career. Many know little about the U.S. legal system before starting the J.D. program. Mixing J.D. and LL.M. students in classes, student activities, career services efforts and the life of the typical law school can offer benefits to both, but also create difficulties. After law school, again there are both advantages and disadvantages to including both groups of alumni in the same alumni, development and networking efforts. Indeed, at times, just as separate classes for LL.M. students may be necessary in some contexts, so may law schools find it useful to arrange separate alumni gatherings or fundraising campaigns for LL.M. alumni. The speakers, representing a variety of LL.M./J.D. situations, will provide insights on these issues.

Business Meeting at Program Conclusion.

1:30 - 3:15 pm

Section on Trusts and Estates

Magnolia, Third Floor, Hilton New Orleans Riverside

Changing Times, Changing Law: Evaluating Legal Trends in Trusts and Estates Law

Presenters were selected from a call for papers.

Trusts and estates law was for centuries a fairly stable, if dusty, body of doctrine. Over the past few decades, however, striking changes in the economic, legal and social landscape have prompted an explosion of new doctrinal developments. Major trends in banking and tax law – including the gradual elimination of Glass Steagall, which resulted in mergers of investment and commercial banking institutions and increased competition for trust business, and the Economic Growth and Tax Relief Reconciliation Act of 2001, which is set to expire next year spurred the development of dynasty and domestic asset protection trusts and significant changes in fiduciary duty law governing trustees' management and investment duties. Banks' demand

Section on Trusts and Estates, continued

for more predictability in law helped jump start a trend away from common law and toward codification, which produced the Uniform Trust Code and increasingly detailed revisions to the Uniform Probate Code. Cultural changes and scientific and medical advances caused states to grapple with their conception of family relationships, and with treatment of end of life issues. Presenters and selected commentators will lead the section in a discussion aimed at evaluating these and other trends and developments in trusts and estates law. Panelists were selected in response to the section's call for papers.

Business Meeting at Program Conclusion

AALS PRESIDENTIAL EVENT

1:45 - 5:00 pm

New Orleans Neighborhood Solidarity Tour

The Solidarity Tour will visit New Orleans neighborhoods to illustrate the progress made so far and the challenges that remain since Hurricane Katrina. If the weather cooperates, the buses will stop for brief walks in some of the more distressed areas. The tour will be led by law professors from Loyola University, New Orleans and Tulane University who will explain the legal and social justice context.

The buses will depart from the Hilton New Orleans Riverside Hotel, at the side driveway of the hotel at the second set of glass entrance doors (right past the gift shop).

(Tickets were sold in advance of the Annual Meeting. Priority is given to faculty first and space is limited. One ticket per registrant may be pre purchased and, if space is available, additional tickets may be purchased on-site at bus departure point for spouses/significant others. Price \$25)

AALS SECTION EVENTS

3:30 - 5:15 pm

Section on Clinical Legal Education

Jefferson, Third Floor, Hilton New Orleans Riverside

Cultivating Values: Developing Law Students into Citizen Lawyers

Moderator: Catherine G. O'Grady, Arizona State University Sandra Day O'Connor College of Law

Speakers: Martha F. Davis, Northeastern University School of Law
Emily A. Spieler, Northeastern University School of Law

The Section's program will encourage an interactive look at three fundamental questions concerning the role of clinical law teachers in nurturing in their students the idea of building a meaningful life as lawyers with the values of integrity, trust and the inspiration to create positive change. These questions are:

1. Can/does clinical legal education have an impact on our students' career values?
2. Should clinicians attempt to teach certain values such as social justice lawyering and citizen lawyer responsibility?
3. If we should, how can we do it?

The program will consist of four parts:

1. Our moderator will present the three questions and introduce the program.
2. An expert in the field of adult moral/value education will present some of the recent research.
3. We will have an interactive discussion of the three basic questions.
4. We will have a moderated panel react to what has been presented and discussed.

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Employment Discrimination Law

Jasperwood, Third Floor, Hilton New Orleans Riverside

Reviving Employee Rights? Recent and Upcoming Employment Discrimination Legislation

Moderator: Scott A. Moss, University of Colorado Law School

Speakers: Chai R. Feldblum, Georgetown University Law Center
Charles A. Sullivan, Seton Hall University School of Law

This panel along with additional speakers to be announced will discuss the recent flurry of major employment discrimination legislation, some recently passed and some still pending. Among the numerous bills to be discussed may be the following:

Section on Employment Discrimination Law, continued

(1) the 2008 expansion of Americans with Disabilities Act coverage; (2) the 2009 Lily Ledbetter Act liberalizing the deadlines to file pay discrimination claims; (3) the Employment Non-Discrimination Act (ENDA), which would ban sexual orientation discrimination; (4) the Arbitration Fairness Act, which would bar mandatory arbitration of employment discrimination and other statutory claims; and (5) various bills that would broaden certain employee rights statutes' damages (such as the proposed Paycheck Fairness Act expanding pay discrimination damages) and coverage (such as expanding Family Medical Leave Act coverage for smaller employers).

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Law and Communitarian Studies

Oak Alley, Third Floor, Hilton New Orleans Riverside

Communitarianism in the Face of Crisis: Hurricane Katrina and the Uses and Limits of Private Voluntarism and Human Generosity

Moderator: Aderson Francois, Howard University School of Law
 Speakers to be announced.

In 2008, Professor Michael Olivas of the University of Houston School of Law described Hurricane Katrina as “one of the most important and tragic events of our time, combining elements of natural disaster, human tragedy, governmental incompetence, private sector indifference, racism, and extraordinary spectacle, as well as countervailing communitarian impulses and humanitarian generosity.” Today, nearly five years after the hurricane came ashore and washed over the levees of New Orleans, the City remains at best in limbo and at worst in ruins, with entire neighborhoods virtually unchanged from the damages of the storms, large segments of the city’s poor and black population still scattered to the four corners of the country, educational, social service, and criminal justice systems in varying states of dysfunction, and racial and class fault lines first exposed in the wake of the storm still evident in the relative slow pace of recovery for poor and black neighborhoods. The Section program will explore whether and how communitarian ideals and practices can adequately respond to crises by using New Orleans and Hurricane Katrina as a case study. The program aims to bring together legal scholars, political scientists, social workers and community activists to discuss the uses and limits of private voluntarism and human generosity in the face of human and natural disasters.

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Law and Economics

Magnolia, Third Floor, Hilton New Orleans Riverside

Law, Economics and Catastrophes

Moderator: Margaret Friedlander Brinig, Notre Dame Law School

Speakers: Michelle E. Boardman, George Mason University School of Law

Katherine M. Porter, University of Iowa College of Law

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Law and Mental Disability

Elmwood, Third Floor, Hilton New Orleans Riverside

**Mental Disability, Bar Admission, and Law School
Responsibilities**

Moderator: Robert D. Dinerstein, American University Washington College of Law

Speakers: Jennifer A. Gundlach, Hofstra University School of Law

David B. Jaffe, American University Washington College of Law

Laura F. Rothstein, University of Louisville Louis D. Brandeis
School of Law

Donald H. Stone, University of Baltimore School of Law

Increasingly, law school administrators are faced with difficult choices about whether, and what, to disclose to bar admission authorities regarding their law students' mental health status. Despite the initial wave of post ADA reform of bar admission standards, designed to narrow the contours of legitimate inquiry into applicants' mental health, many state bars continue to ask overbroad questions about applicants' mental health that focus on status or treatment rather than conduct. This panel will explore the rationale for bar authorities' inquiries into applicants' mental health and discuss ways in which conscientious administrators seek to balance their desire to encourage law students to seek mental health treatment against their possible obligation to report certain mental health conditions and treatment to state bar authorities.

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Law and Religion

Versailles Ballroom, Third Floor, Hilton New Orleans Riverside

Nonbelievers and the First Amendment

Moderator: Nelson Tebbe, Brooklyn Law School

Speakers: Caroline Corbin, University of Miami School of Law
 R. Kent Greenawalt, Columbia University School of Law
 Douglas Laycock, The University of Michigan Law School
 Bruce Lincoln, Caroline E. Haskell Professor of the History of Religions,
 The University of Chicago Divinity School, Chicago, Illinois
 Winnifred Sullivan, University at Buffalo Law School

In his inaugural address, President Obama said “we are a nation of Christians and Muslims, Jews and Hindus—and nonbelievers.” This panel will address the relationship between nonbelievers and the First Amendment, including its speech and religion aspects. Today, arguably, that relationship has become particularly fraught because of increased government support of mild religiosity. With regard to aid, think of President Obama’s proposal to continue and perhaps expand the faith-based initiatives program. And with regard to government expression, consider officials’ strong endorsement of the Pledge of Allegiance, the national motto “In God We Trust,” and legislative prayer. Before long, the Supreme Court will likely address the Constitutionality of these forms of governmental support for generic observance. That inquiry will draw the Justices into difficult questions concerning the Constitutional status of nonbelievers: Are nonbelievers excluded by government support of religiosity? If so, can they craft challenges based on the religion clauses of the First Amendment, which purport to protect the free exercise of “religion” alone? If they are not properly seen to be excluded, is that because non-belief should be considered a form of American faithfulness? The Court may also find itself addressing related matters, such as whether nonbelievers qualify for exemptions from general laws in the same way as traditional believers sometimes do and, finally and most generally, whether the Constitution requires or permits religion to be acknowledged and protected as a distinctive dimension of human flourishing.

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Legislation and Law of the Political Process

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Direct Democracy and State Constitutionalism: How Voter Initiatives Impact on Judicial and Legislative Decision-Making

Moderator: Neal E. Devins, College of William and Mary Marshall Wythe School of Law

Speakers: Bruce E. Cain, Professor, Department of Political Science, University of California, Berkeley, Washington, D.C.

Tonja Jacobi, Northwestern University School of Law

Robert C. Post, Yale Law School

Jamin Ben Raskin, American University Washington College of Law

Unlike the federal constitution, many states make use of direct democracy mechanisms to allow for voter involvement in amending state constitutions. In so doing, state supreme courts are far more vulnerable than federal courts to having "the people" repudiate their constitutional interpretations. What does this mean in terms of the ways state courts when interpreting state constitutions should interface with voters and elected officials? Should state courts be especially cautious when exercising judicial review? Should states with hard to amend constitutions make different calculations than states with easy to amend constitutions? What then of the role of state lawmakers; is the constitutional dialogue between state courts and state officials fundamentally different in states with easy to amend constitutions? And what about the sensibility of a system in which state voters can amend state constitutions through citizen initiatives? This panel will explore these and other questions. The focus will be on the practical implications for state courts, state lawmakers, and interest groups (social movements). Some attention will also be paid to the broader implications of all this—both theoretical questions about the nature of constitutional dialogues and practical questions about institutional design.

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on Mass Communication Law

Melrose, Third Floor, Hilton New Orleans Riverside

The Future of the Media Marketplace

- Moderator: Jonathan Weinberg, Wayne State University Law School
 Speakers: Jack M. Balkin, Yale Law School
 Joshua Benton, Director, The Nieman Foundation for Journalism at Harvard, Cambridge, Massachusetts
 Randall P. Bezanson, University of Iowa College of Law
 Ellen P. Goodman, Rutgers School of Law - Camden
 RonNell Andersen Jones, Brigham Young University J. Reuben Clark Law School

For years, big city newspapers were the anchors of the mass media world. Today, they're on the verge of collapse. The *Rocky Mountain News* is gone; the *Seattle Post Intelligencer* is almost surely gone (or switching to online only publication) as well; the *San Francisco Chronicle*, the *Philadelphia Daily News*, the *Minneapolis Star Tribune*, the *Miami Herald*, the *Detroit News*, the *Boston Globe* may be next. The old broadcast TV powerhouses have lost their dominant position as the video marketplace continues to fragment. What are the costs of losing the old media dinosaurs? Is this a permanent shift, reflecting new economic realities in the age of the Internet? How will journalism be different if Internet-based actors— folks outside what they derisively refer to as the "mainstream media"— come to play a dominant role in generating the news? What do we want as our future, and how do we get there?

Business Meeting at Program Conclusion.

3:30 - 5:15 pm

Section on North American Cooperation

Rosedown, Third Floor, Hilton New Orleans Riverside

Analysis of the Legal Education Systems Among NAFTA Countries

- Moderator: Josè Roble Flores Fernandez, Facultad Libre de Derecho de Monterrey
 Speakers: Bruce P. Elman, Dean, University of Windsor, Windsor, Ontario, Canada
 Luis Fernando Pérez Hurtado, Director, Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD), Monterrey, Nuevo Leon, Mexico
 Mark E. Wojcik, The John Marshall Law School

This program will consider recent developments in legal education, professional training, and continuing legal education for lawyers in Canada, Mexico, and the United States.

Business Meeting at Program Conclusion.

OPEN PROGRAMS

3:30 - 5:15pm

Open Program on Biolaw

Fountain Room, Third Floor, Hilton New Orleans Riverside

Biolaw: Biology Invading and Transforming The Law

Moderator and Speaker: Andrew W. Torrance, University of Kansas School of Law
Speakers: June Rose Carbone, University of Missouri-Kansas City School of Law
James Ming Chen, University of Louisville Louis D. Brandeis School of Law
Oliver R. Goodenough, Vermont Law School
Michele Goodwin, University of Minnesota Law School
Christopher M. Holman, University of Missouri-Kansas City School of Law
Jonathan Kahn, Hamline University School of Law
Eileen M. Kane, Pennsylvania State University The Dickinson School of Law
Radhika Rao, University of California, Hastings, College of the Law

Biological science increasingly challenges established legal rules and doctrines, even those fundamental to traditional conceptions of the American legal system. Genetics overturns criminal convictions, while simultaneously changing the balance of privacy rights.

Neuroscience changes our understanding of culpability, responsibility, capability, and gender. Evolutionary biology sparks controversy with respect to school curricula and the First Amendment. Traditional legal conceptions of race and ethnicity used in the approval of therapeutic drugs are confronted by scientific evidence suggesting that alternative legal models of drug approval would better serve the goal of equality of access to effective medicines. Ecology points out tensions between our current emphasis on private property rights over governmental regulation in areas such as endangered species and climate change. This panel explores how advances in biological science are transforming the law across a broad variety of dimensions, and critically considers the broader implications of this transformation.

3:30 - 5:15 pm

Open Program on Globalization and Corporate Social Accountability

Cambridge, Second Floor, Hilton New Orleans Riverside

Gathering to Consider Formation as an AALS Section

3:30 - 5:15 pm

Open Program on South Asia

Prince of Wales, Third Floor, Hilton New Orleans Riverside

Gathering to Consider Formation as an AALS Section

AALS EVENTS

5:15 - 6:30 pm

Second Meeting of AALS House of Representatives

Napoleon Ballroom, Third Floor, Hilton New Orleans Riverside

Presiding: Rachel F. Moran, AALS President and University of California,
Berkeley, School of Law

Parliamentarian: Elliott S. Milstein, American University Washington College of Law

Clerk: Elizabeth Hayes Patterson, AALS Deputy Director

- Address of AALS President-Elect, H. Reese Hansen, Brigham Young University J. Reuben Clark Law School
- Report of the Nominating Committee, Martha L. Minow, Chair of the AALS Nominating Committee for 2010 and Harvard Law School
- Other Business

Representatives of all member schools are expected to attend this meeting of the House of Representatives.

All law school teachers are invited to attend.

6:30 - 7:30 pm

AALS Reception for Legal Educators From Law Schools Outside the United States

Belle Chasse, Third Floor, Hilton New Orleans Riverside

Legal educators from outside the United States are invited to attend this reception held in their honor

6:30 - 7:30 pm

Twelve Step Meeting

Windsor, Third Floor, Hilton New Orleans Riverside

AALS SECTION EVENT

6:30 pm

Section on Women in Legal Education Business Meeting

Rosedown, Third Floor, Hilton New Orleans Riverside

AALS MEMBER SCHOOL EVENTS

7:00 - 8:30 am

University of the Pacific McGeorge School of Law Breakfast for International Law Faculties

Steering, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:30 pm

Nova Southeastern University Shepard Broad Law Center Reception for Alumni and Friends

Bridge, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:00 pm

Pace University School of Law Reception for AALS Section on Criminal Justice

Compass, Riverside Building, Hilton New Orleans Riverside

6:30 - 8:00 pm

Southern Methodist University Dedman School of Law Alumni and Friends Reception

AALS SERVICE FEE-PAID SCHOOL EVENTS

6:30 - 8:30 pm

University of California, Irvine, Donald Bren School of Law Reception

Steering, Riverside Building, Hilton New Orleans Riverside

OTHER ORGANIZATION EVENTS

7:00 - 8:30 am

Access Group's Deans Breakfast

Grand Salon Section 15, First Floor, Hilton New Orleans Riverside

7:00 - 8:30 am

American Society of International Law Teaching International Law Interest Group Breakfast - How to Publish International Law Textbooks and Other International Law Teaching Materials

Bridge, Riverside Building, Hilton New Orleans Riverside

7:00 - 8:30 am

CALI (Center for Computer Assisted Legal Instruction) Breakfast and Annual Members Meeting

Grand Salon Section 21, First Floor, Hilton New Orleans Riverside

7:00 - 10:00 pm

Society of American Law Teachers (SALT) Dinner

Hotel Monteleone, 214 Royal Street

SUNDAY, JANUARY 10, 2010

AALS EVENTS

7:00 - 10:30 am

AALS Registration

Marlborough, Second Floor, Hilton New Orleans Riverside

7:00 am - 12:00 pm

AALS Office and Information Center

Marlborough, Second Floor, Hilton New Orleans Riverside

7:30 - 8:30 am

Twelve Step Meeting

Windsor, Third Floor, Hilton New Orleans Riverside

7:00 - 9:00 am

AALS Workshop and Continental Breakfast for 2009 and 2010 Section Officers

Grand Ballroom A, First Floor, Hilton New Orleans Riverside

AALS SECTION EVENTS

9:00 - 10:45 am

Section on Admiralty and Maritime Law, Co-Sponsored by Sections on Conflict of Laws, Constitutional Law, Federal Courts

Eglinton & Winton, Second Floor, Hilton New Orleans Riverside

Originalism and Admiralty Law

Moderator: Joseph W. Dellapenna, Villanova University School of Law

Speakers: Robert Force, Tulane University School of Law

Andrew Kent, Fordham University School of Law

Garrick B. Pursley, The University of Texas School of Law

Recent years have seen recurring discussion of whether federal courts sitting on admiralty cases should apply federal common law or the common law that would be applied in the state in which they sit. A growing number of legal scholars have argued that consistent with the Erie Doctrine, state common law should apply, but the Supreme Court precedents, stressing the importance of uniformity in the law applicable to admiralty and maritime cases, continue to uphold the principle that judge-made law in these cases must be federal law. The question raises some basic

Section on Admiralty and Maritime Law, Co-Sponsored by Sections on Conflict of Laws, Constitutional Law, Federal Courts, continued

issues regarding the nature of judge-made (or judge-found) law in the United States that have broader implications than just for admiralty and maritime cases. The panel will explore these issues by considering the original meaning of the grant of admiralty and maritime jurisdiction to federal courts as well as the more than 200 years of judicial construction of that grant as shedding light on the proper role of federal and state courts in crafting and applying admiralty and maritime law.

Business Meeting at Program Conclusion.

9:00 am - 12:00 pm

Section on Business Associations

Belle Chasse, Third Floor, Hilton New Orleans Riverside

The Financial Collapse and Recovery Effort: What Does It Mean For Corporate Governance?

Moderator: Lisa M. Fairfax, The George Washington University Law School

Speakers: Stephen M. Bainbridge, University of California, Los Angeles,
School of Law

Alan L. Beller, Esquire, Cleary, Gottlieb Steen & Hamilton LLP,
New York, New York

Jeffrey N. Gordon, Columbia University School of Law

Renee M. Jones, Boston College Law School

Hillary A. Sale, Washington University School of Law

Teresa Tritch, Member, Editorial Board, New York Times Magazine,
New York, New York

One or more speakers were selected from a call for papers.

The severe global financial crisis has sparked an unprecedented response: billions of dollars in government bailout funds; the federal government taking equity stakes in private entities; major restructuring of automakers and other financial firms; federal and state initiatives focused on proxy access and say on pay. Both the crisis and recovery effort raise issues related to corporate governance including those involving the role of the board, executive compensation and decision making, the theory of the firm, and shareholder and stakeholder rights. The first half of the session brings together prominent legal scholars and experts to discuss these and other issues, with an eye towards understanding what the collapse and recovery effort means for corporate governance.

Business Meeting at Program Conclusion.

9:00 am - 12:00 pm

Section on Comparative Law, Co-Sponsored by Sections on Africa, International Legal Exchange, Post-Graduate Legal Education, and Women in Legal Education

Melrose, Third Floor, Hilton New Orleans Riverside

The Role of Law Schools and Law School Leadership in a Changing World

(Program to be published in *Penn State International Law Review*)

Moderator: Louis F. Del Duca, Pennsylvania State University The Dickinson School of Law

Speakers: Michael Coper, Dean, Australian National University, Canberra, Australia

Claudio Grossman, American University Washington College of Law
Aalt Willem Heringa, Dean, University of Maastricht, Maastricht, Netherlands

Chuma C. Himonga, Professor, University of Cape Town, Rondebosch, South Africa

Carl C. Monk, Washburn University School of Law

Elizabeth R. Parker, University of the Pacific McGeorge School of Law

Mónica Pinto, Professor, Universidad de Buenos Aires, Buenos Aires, Argentina

Cheng Han Tan, Dean, The National University of Singapore, Singapore, Singapore

Francis SL Wang, Professor, Kenneth Wang School of Law, Suzhou, China

This program provides the AALS general membership with an opportunity to discuss and develop ideas emanating from the May 25-27, 2009 International Association of Law Schools Canberra Conference which focused on "The Role of Law Schools and Law School Leadership in a Changing World." In Canberra, leading legal educators from around the world focused on a comparative perspective on the goals and objectives of their law schools in their primary role of educating students. They addressed a variety of issues. Should law schools go beyond producing competent and ethical lawyers? Should they train lawyers to stand up for the rule of law, to work for law reform, to be community leaders? Is this part of professional responsibility? What is the impact of globalization? Are we training lawyers for local, national, transnational, or international practice? What research, capacity building, community service projects should law schools undertake? How do we achieve our goals?

9:00 - 10:45 am

Section on Criminal Justice

Elmwood, Third Floor, Hilton New Orleans Riverside

The Lessons of DNA and the Innocence Revolution for the Criminal Justice System

Moderator: Mark A. Godsey, University of Cincinnati College of Law

Speakers: Brandon Garrett, University of Virginia School of Law
Cynthia Jones, American University Washington College of Law
Richard A. Leo, University of San Francisco School of Law
Daniel S. Medwed, University of Utah S. J. Quinney College of Law

Twenty years ago, post-conviction DNA testing was first used to prove that an American prisoner had been wrongfully convicted and imprisoned for a crime he did not commit. Since that time, more than 235 American inmates have been proven innocent through DNA testing, with the number growing almost weekly. We know that this number is just the tip of the iceberg, however, because the vast majority of inmates claiming innocence, perhaps 95%, do not have probative DNA available for testing in their cases.

The recent wave of DNA exonerations has spurred social scientists to study the causes of wrongful conviction. Studies have revealed, among other things, that eyewitness identification is not nearly as reliable as once believed, that innocent citizens confess to crimes they did not commit more readily than we previously believed, and that our system is not nearly as competent at separating the innocent from the guilty as we have always assumed. The information gained from the DNA era can be a great learning moment for our criminal justice system, and for our classrooms, if we are ready to listen, learn, and reform.

9:00 - 10:45 am

Section on Law Libraries

Oak Alley, Third Floor, Hilton New Orleans Riverside

Law Library Budgets in Hard Times: Workshop for New Academic Law Library Directors

Moderator: Penelope A. Hazelton, University of Washington School of Law

Speakers: Carolyn T. Fitchett, University of Virginia School of Law
James Hambleton, Texas Wesleyan University School of Law
Anne Klinefelter, University of North Carolina School of Law
Judith Margaret Wright, The University of Chicago Law School

How can directors manage a multi-million dollar budget in these tough economic times? Are the tough times permanent and if they are, what does that mean for law libraries of the future? Are there ways to be creative in the use of your library's resources within the scheme of your institution's budget and accounting framework? What are the best tools to use to make your case: ABA reports, statistics, user surveys? Join a panel of experts who will help answer these questions and more.

9:00 am - 12:00 pm

Section on Law and Religion, Co-Sponsored by Sections on Islamic Law, and Jewish Law

Jefferson, Third Floor, Hilton New Orleans Riverside

The Freedom of Religion and Belief Jurisprudence of the European Court of Human Rights: Legal, Moral, Political and Religious Perspectives

Moderator: Brett Gilbert Scharffs, Brigham Young University J. Reuben Clark Law School

Speakers: Zachary R. Calo, Valparaiso University School of Law
Peter G. Danchin, University of Maryland School of Law
W. Cole Durham, Jr., Brigham Young University J. Reuben Clark Law School
Carolyn Evans, Professor, University of Melbourne Law School, Victoria, Australia
Malcolm Evans, Dean, Bristol University School of Law, Bristol, United Kingdom
Gerhard Robbers, Professor, University of Trier Institute for European Constitutional Law, Trier, Germany

During the past fifteen years, the European Court of Human Rights has been engaging seriously with freedom of religion and belief rights under Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. In many ways the scope and ambition of the Court's jurisprudence has been breathtaking, especially when viewed from the United States, but many questions have begun to emerge about whether the Court has established an intellectual and conceptual architecture that is up to the task of dealing with the increasingly complex cases involving religious freedom that the Court is currently facing and will soon face. This panel, comprised of experts from Europe, the United States and Australia, will address a number of important issues that have been or are in the process of being addressed by the Court, including: wearing religious symbols and clothing in public places (including the headscarf controversies and cases from France and Turkey); the rights of religious groups to register and receive recognition (including issues that arise with tiered registration systems that provide special benefits to favored religious groups); rights of religious association, such as the right of churches to hire and fire personnel on the basis of religious qualifications; free speech rights, including the line between proper and improper proselytism, hate speech, and defamation of religion. The panel will also assess the contributions the Court has made to international conceptions and theories of human rights, as well as religious perspectives (in particular, Jewish, Christian and Islamic views) on the meaning of the law and religion jurisprudence of the Court for these religious traditions.

9:00 - 10:45 am

Section on Minority Groups

Magnolia, Third Floor, Hilton New Orleans Riverside

***U.S. News, the Economy, and the Incredibly Shrinking Minority
Law Student Population***

Moderator: Eboni S. Nelson, University of South Carolina School of Law

Speakers: William D. Henderson, Indiana University Maurer School of Law

Conrad Johnson, Columbia University School of Law

Jenny Rivera, City University of New York School of Law

Ediberto Roman, American University Washington College of Law

This panel focuses on the declining minority law student enrollment and includes a review of the effects of the economy, the success of President Obama, and the *U.S. News and World Report* rankings on minority law student enrollment. Drawing upon social intelligence and organizational psychology literature, Professor Henderson presents evidence that legal education places disproportionate weight on relatively small differences in analytical ability and virtually no weight on the non-analytical abilities required for long-term professional success and the health and vitality of legal service organizations. Professor Henderson argues that there are enormous institutional rewards for law schools that align admissions and curricular decisions with the skills and attributes associated with effective, innovative and ethical lawyering; under such a system, diversity is a source of competitive advantage. Professor Johnson will discuss his work in collecting data regarding minority student enrollment, disputing the notion that the low enrollment numbers among blacks and Latinos are due to dwindling applications from those groups. Professor Rivera analyzes trends in Latina/o enrollment and the implications of these trends on the legal profession and legal education and describes how programs can improve individual student success in admissions and retention. Professor Roman examines the relationship between faculty diversity and declining minority law student enrollment. Professor Nelson is the moderator for the panel.

9:00 - 10:45 am

**Section on National Security Law, Co-Sponsored by Sections on
International Human Rights and International Law**

Rosedown, Third Floor, Hilton New Orleans Riverside

**Cross-Currents in International Law, Human Rights Law and
National Security Law**

Presenters were selected from a call for papers.

9:00 - 10:45 am

Section on Nonprofit and Philanthropy Law

Cambridge, Second Floor, Hilton New Orleans Riverside

**Bridging the Gap between Non-Clinical and Clinical Teaching:
Lessons from Community Development and Nonprofit Law**

Speakers to be announced

9:00 - 10:45 am

Section on Property Law

Prince of Wales, Third Floor, Hilton New Orleans Riverside

Junior Property Scholars Works-in-Progress

(Program to be published in *Indiana Law Review*)

Presenters were selected from a call for papers.

9:00 - 10:45 am

Section on Women in Legal Education

Jasperwood, Third Floor, Hilton New Orleans Riverside

Succeeding in Legal Education

Moderator: Elizabeth A. Nowicki, Tulane University School of Law

Speakers: Dorothy Andrea Brown, Emory University School of Law
Okianer Christian Dark, Howard University School of Law
Phoebe A. Haddon, University of Maryland School of Law
Nancy B. Rapoport, University of Nevada, Las Vegas, William S. Boyd
School of Law

According to a 2007-2008 AALS statistical report, women comprised 61.3% of all law school lecturers and 53.9% of law school assistant professors, yet only 29.3% of all full professors and only 19.8% of all law school deans. To that end, this panel is focused on practical strategies for succeeding in legal education. Topics addressed will include becoming a dean, excelling at scholarship, creating a meaningful media presence, and moving to a different law school.

AALS SECTION CHAIRS FOR 2009

ACADEMIC SUPPORT

Pavel Wonsowicz, University of California, Los Angeles, School of Law

ADMINISTRATIVE LAW

Michael R. Asimow, University of California, Los Angeles, School of Law

ADMIRALTY AND MARITIME LAW

Joseph W. Dellapenna, Villanova University School of Law

AFRICA

Penelope Andrews, Valparaiso University School of Law

AGENCY, PARTNERSHIP, LLC'S AND UNINCORPORATED ASSOCIATIONS

Deborah Demott, Duke University School of Law

AGING AND THE LAW

Nina A. Kohn, Syracuse University College of Law

AGRICULTURAL LAW

Drew L. Kershen, University of Oklahoma Law Center

ALTERNATIVE DISPUTE RESOLUTION

Nancy Welsh, Pennsylvania State University The Dickinson School of Law

ANIMAL LAW

Kathy Hessler, Lewis and Clark Law School

ANTITRUST AND ECONOMIC REGULATION

Marina L. Lao, Seton Hall University School of Law

ART LAW

Olufunmilayo B. Arewa, Northwestern University School of Law

BALANCE IN LEGAL EDUCATION

Bruce J. Winick, University of Miami School of Law

BUSINESS ASSOCIATIONS

Lisa M. Fairfax, University of Maryland School of Law

CHILDREN AND THE LAW

Sacha M. Coupet, Loyola University, Chicago, School of Law

CIVIL PROCEDURE

Patrick Woolley, The University of Texas School of Law

CIVIL RIGHTS

Gilda Daniels, University of Baltimore School of Law

CLINICAL LEGAL EDUCATION

Carol Suzuki, University of New Mexico School of Law

COMMERCIAL AND RELATED CONSUMER LAW

Keith A. Rowley, University of Nevada, Las Vegas, William S. Boyd School of Law

COMPARATIVE LAW

Russell A. Miller, Washington and Lee University School of Law

CONFLICT OF LAWS

Erin A. O'Hara, Vanderbilt University Law School

CONSTITUTIONAL LAW

Richard W. Garnett, Notre Dame Law School

CONTINUING LEGAL EDUCATION

Lana Corll, Loyola University, New Orleans, School of Law

CONTRACTS

Martha M. Ertman, University of Maryland School of Law

CREDITORS' AND DEBTORS' RIGHTS

Jason J. Kilborn, The John Marshall Law School

CRIMINAL JUSTICE

David A. Harris, University of Pittsburgh School of Law

FOR THE LAW SCHOOL DEAN

Maureen A. O'Rourke, Boston University School of Law

DEFAMATION AND PRIVACY

Danielle Keats Citron, University of Maryland School of Law

DISABILITY LAW

Ani B. Satz, Emory University School of Law

EDUCATION LAW

Mark D. Bauer, Stetson University College of Law

EMPLOYEE BENEFITS

Janice K. McClendon, Stetson University College of Law

Eric Chason, College of William and Mary Marshall-Wythe School of Law

EMPLOYMENT DISCRIMINATION LAW

Scott A. Moss, University of Colorado School of Law

ENVIRONMENTAL LAW

Douglas A. Kysar, Yale Law School

EVIDENCE

Joelle Anne Moreno, Florida International University College of Law

FAMILY AND JUVENILE LAW

Robin F. Wilson, Washington and Lee University School of Law

FEDERAL COURTS

Anthony J. Bellia, Jr., Notre Dame Law School

FINANCIAL INSTITUTIONS AND CONSUMER FINANCIAL SERVICES

Heidi M. Schooner, The Catholic University of America, Columbus School of Law

GRADUATE PROGRAMS FOR FOREIGN LAWYERS

Cynthia Adams, Indiana University School of Law, Indianapolis

IMMIGRATION LAW

Leti Volpp, University of California, Berkeley, School of Law

INDIAN NATIONS AND INDIGENOUS PEOPLES

Angelique A. EagleWoman, University of Idaho College of Law

INSTITUTIONAL ADVANCEMENT

Richard Collins, The George Washington University Law School

INSURANCE LAW

Lawrence M. Solan, Brooklyn Law School

INTELLECTUAL PROPERTY LAW

Stacey L. Dogan, Northeastern University School of Law

INTERNATIONAL HUMAN RIGHTS LAW

Christiana Ochoa, Indiana University Maurer School of Law

INTERNATIONAL LAW

Diane Marie Amann, University of California, Davis, School of Law

INTERNATIONAL LEGAL EXCHANGE

Larry S. Bush, Cornell Law School

ISLAMIC LAW

Sadiq Reza, New York Law School

JEWISH LAW

Chain N. Saiman, Villanova University School of Law

JURISPRUDENCE

Scott Shapiro, Yale Law School

LABOR RELATIONS AND EMPLOYMENT LAW

Paul M Secunda, Marquette University Law School

LAW AND ANTHROPOLOGY

Elizabeth A. Kronk, University of Montana School of Law

LAW AND COMMUNITARIAN STUDIES

Aderson Francois, Howard University School of Law

LAW AND COMPUTERS

Eric Goldman, Santa Clara University School of Law

LAW AND ECONOMICS

Margaret Friedlander Brinig, Notre Dame Law School

LAW AND THE HUMANITIES

David T. Ritchie, Mercer University Law School

LAW AND INTERPRETATION

Jeremy A. Blumenthal, Syracuse University College of Law

LAW LIBRARIES

Penelope A. Hazelton, University of Washington School of Law

LAW, MEDICINE AND HEALTH CARE

Diane E. Hoffmann, University of Maryland School of Law

LAW AND MENTAL DISABILITY

Stacey A. Tovino, Drake University Law School

LAW AND RELIGION

Samuel J. Levine, Pepperdine University School of Law

Mark C. Modak-Truran, Mississippi College School of Law

LAW AND THE SOCIAL SCIENCES

Katherine Y. Barnes, The University of Arizona, James E. Rogers College of Law

LAW AND SPORTS

David S. Caudill, Villanova University School of Law

LEGAL HISTORY

Gregory A. Mark, Rutgers School of Law - Newark

LEGAL WRITING, REASONING AND RESEARCH

Rachel E. Croskery-Roberts, The University of Michigan Law School

LEGISLATION & LAW OF THE POLITICAL PROCESS

Neal E. Devins, College of William and Mary Marshall-Wythe School of Law

LITIGATION

Ronald G. Aronovsky, Southwestern Law School

MASS COMMUNICATION LAW

Jonathan Weinberg, Wayne State University Law School

MINORITY GROUPS

Angela I. Onwuachi-Willig, University of Iowa College of Law

NATIONAL SECURITY LAW

Michael J. Kelly, Creighton University School of Law

NATURAL RESOURCES LAW

Alejandro E. Camacho, Notre Dame Law School

NEW LAW PROFESSORS

Joseph F. Morrissey, Stetson University College of Law

NONPROFIT LAW AND PHILANTHROPY

Mark Sidel, University of Iowa College of Law

NORTH AMERICAN COOPERATION

Jose Roble Flores Fernandez, Facultad Libre de Derecho de Monterrey

PART TIME DIVISION PROGRAMS

John A. Lynch, Jr., University of Baltimore School of Law

POST-GRADUATE LEGAL EDUCATION

Michael B. Lang, Chapman University School of Law

POVERTY LAW

Sameer Ashar, City University of New York School of Law

PRELEGAL EDUCATION AND ADMISSION TO LAW SCHOOL

Tracy L. Simmons, Chapman University School of Law

Pro bono & PUBLIC SERVICE OPPORTUNITIES

Arlene R. Finkelstein, University of Pennsylvania Law School

PROFESSIONAL RESPONSIBILITY

Laurel S. Terry, Pennsylvania State University The Dickinson School of Law

PROPERTY LAW

Carol N. Brown, University of North Carolina School of Law

REAL ESTATE TRANSACTIONS

Lloyd T. Wilson, Jr., Indiana University School of Law, Indianapolis

REMEDIES

Caprice L. Roberts, West Virginia University College of Law

SCHOLARSHIP

John Oberdiek, Rutgers School of Law - Camden

SECURITIES REGULATION

Therese H. Maynard, Loyola Law School

SEXUAL ORIENTATION AND GENDER IDENTITY ISSUES

Suzanne B. Goldberg, Columbia University School of Law

SOCIO-ECONOMICS

Donald J. Polden, Santa Clara University School of Law

STATE AND LOCAL GOVERNMENT LAW

Richard Briffault, Columbia University School of Law

STUDENT SERVICES

Deborah R. Felice, Oklahoma City University School of Law

TAXATION

Nancy Christine Staudt, Northwestern University School of Law

TEACHING METHODS

Louis J. Sirico, Jr., Villanova University School of Law

TORTS AND COMPENSATION SYSTEMS

John C. Goldberg, Harvard Law School

TRUSTS AND ESTATES

Robert H. Sitkoff, Harvard Law School

WOMEN IN LEGAL EDUCATION

Elizabeth A. Nowicki, Tulane University School of Law

Rules of Procedure for the House of Representatives of the Association of American Law Schools

As last amended January 7, 1984

1. Credentials. The credentials of representatives of member schools in the House of Representatives must be filed with the Executive Director of the Association as much in advance of the Annual Meeting as possible. The credentials should include an alternate representative to serve in the absence of the regular representative. Credentials may take the form of a letter to the Executive Director from the Dean or Acting Dean of the member school. In the event of any dispute concerning the credentials of any representatives, the Membership Review Committee of the Association shall serve as the Credentials Committee.

2. Attendance. Meetings of the House of Representatives are open to members of the faculties of member schools and to the Executive Director and staff and, unless excluded by a ruling of the presiding officer, to others.

3. Seating. An area shall be maintained at meetings of the House for the exclusive use of members of the House of Representatives.

4. Presiding Officer. The President of the Association shall preside at the meetings of the House. In the absence of the President, the President-Elect of the Association shall preside. In the absence of both the President and President-Elect, the President's designee shall preside.

5. Agenda. The agenda for the Annual Meeting of the Association shall be prepared and presented by the Executive Committee for adoption by the House of Representatives at the beginning of the first business meeting of the Association.

6. Privileges of the Floor.

a. Representatives and Alternate Representatives. Each representative has the right to speak, to move, to vote, to object, to appeal, and other rights appropriate to members of parliamentary bodies; if the representative is absent, the duly accredited alternate becomes the representative. A representative or alternate may not delegate these privileges, unless specially authorized to do so by the school represented.

b. Faculty Members. Any member of the faculty of a member school may speak to a question before the House.

c. Committee and Section Officers. The Chair of a section or committee or other representative designated by it may speak and offer a motion in connection with a report submitted by the committee or section. If a minority report is filed, a representative of the minority of the committee or section may also speak and offer a motion in connection with the report.

d. Executive Director. If the presiding officer approves, the Executive Director may address the House.

e. Other Persons. Any other person may apply for recognition by the presiding officer. If recognition is denied by the presiding officer, or if objection to recognition is made, the applicant may be recognized upon affirmative vote of two-thirds of those voting.

7. Agenda Items Initiated by Others Than the Executive Committee.

a. A section or a representative of a member school may have a resolution or main motion placed on the agenda of the House by complying with Subsection (b).

b. **Resolutions or Main Motions.** Resolutions to be presented for consideration by the House of Representatives must be submitted in writing and received at the office of the Executive Director 45 days prior to the first business session of the Annual Meeting. When so submitted, such a main motion or resolution shall be placed on the agenda and promptly circulated to members of the House of Representatives. The 45-day notice requirement may be suspended by a two-thirds vote of the House upon a finding of an emergency.

c. **Other Matters.** Before a session of the House, a representative may request that the President set an order of business that authorizes discussion of a subject germane to the purposes of the Association. The President may authorize that a stated time, not exceeding 15 minutes, be allocated to a discussion of the subject by the requesting representative and an equal time to others to respond. At the beginning of the session the President shall state the requests received and the decision thereon.

8. Reports. Unless specific provision is made to the contrary, reports of standing and ad hoc committees shall be presented in writing.

9. House Record and Summary. The proceedings of the House of Representatives shall be recorded and a record of action taken shall be prepared by the Executive Director of the Association. As soon as practicable after the final business meeting, the record of action shall be sent to all member schools, the President, and members of the Executive Committee. A member of the House who believes that an error was made in that record should notify the Executive Director promptly. Action on a proposed correction shall be taken at the next session of the Executive Committee.

10. Voting. Voting by representatives shall be by voice, unless a vote by show of hands or by roll call is ordered by the presiding officer. A roll call vote shall be ordered on demand of three representatives.

11. Written Ballot. If there is more than one nomination for an office of the Association, or if there are more nominations than the number of persons to be elected to the Executive Committee the election must be by written ballot. The presiding officer shall appoint five members of the House to act as tellers. The tellers shall prepare, distribute, collect, and count the ballots.

12. Quorum. A quorum of the House of Representatives consists of representatives from a majority of the member schools.

13. Parliamentary Authority. The current edition of Roberts' Rules of Order governs the House of Representatives in parliamentary situations that are not covered by the constitution, the bylaws, or these rules of procedure.

14. Officers of the House. The presiding officer shall appoint such officers of the House as he or she considers appropriate, including the parliamentarian, clerk, and sergeant at arms.

15. Amendments. These rules of procedure may be amended by a vote of two-thirds of those voting, but not less than one third of the total number of member schools.

16. Suspension of Rules. Any provision of any rule may be suspended at any time by a vote of three-fourths of those voting but not less than one-half of the total number of member schools.

STANDING COMMITTEES FOR 2009

COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Term Expires 2009:

Peter C. Alexander, Southern Illinois University School of Law
William J. Rich, Washburn University School of Law, **Chair**
Joan E. Vogel, Vermont Law School

Term Expires 2010:

Patrick M. Brennan, Villanova University School of Law
Peter A. Joy, Washington University School of Law
Emily L. Sherwin, Cornell Law School

Term Expires 2011:

Bridget M. McCormack, The University of Michigan Law School
Robert C. Post, Yale Law School
Stephen Zamora, University of Houston Law Center

COMMITTEE ON AUDIT AND ASSOCIATION INVESTMENT POLICY

Term Expires 2009:

W. H. Knight, University of Washington School of Law

Term Expires 2010:

R. Lawrence Dessem, University of Missouri School of Law, **Chair**

Term Expires 2011:

Leo P. Martinez, University of California, Hastings, College of the Law
Donna M. Nagy, Indiana University Maurer School of Law

COMMITTEE ON BAR ADMISSION AND LAWYER PERFORMANCE

Term Expires 2009:

Lonnie T. Brown, University of Georgia School of Law
Rogelio A. Lasso, The John Marshall Law School
Laura M. Padilla, California Western School of Law

Term Expires 2010:

Ben Bratman, University of Pittsburgh School of Law
Gaurang Mitu Gulati, Duke University School of Law
Kimberly D. Phillips, Texas Tech University School of Law

Term Expires 2011:

David B. Jaffe, American University Washington College of Law
Alex M. Johnson, Jr., University of Virginia School of Law, **Chair**
Carol A. Needham, Saint Louis University School of Law

COMMITTEE ON CLINICAL LEGAL EDUCATION

Term Expires 2009:

Bryan L. Adamson, Seattle University School of Law, **Chair**
Judith F. Daar, Whittier Law School
Margaret L. Satterthwaite, New York University School of Law

Term Expires 2010:

Alexis Anderson, Boston College Law School
Robert H. Jerry, University of Florida Frederic G. Levin College of Law
Robert R. Kuehn, Washington University School of Law

Term Expires 2011:

Elizabeth B. Cooper, Fordham University School of Law
Lisa A. Kloppenberg, University of Dayton School of Law

COMMITTEE ON CURRICULUM ISSUES

Term Expires 2009:

Orly Lobel, University of San Diego School of Law
Lawrence C. Marshall, Stanford Law School
Brian Z. Tamanaha, St. John's University School of Law

Term Expires 2010:

Lawrence A. Cunningham, The George Washington University Law School
David E. Van Zandt, Northwestern University School of Law
Emily J. Sack, Roger Williams University School of Law

Term Expires 2011:

Peggy C. Davis, New York University School of Law
Bill O. Hing, University of California, Davis, School of Law
Elizabeth M. Schneider, Brooklyn Law School, **Chair**

COMMITTEE ON GOVERNMENT RELATIONS

Term Expires 2009:

Linda L. Ammons, Widener University School of Law
Steven Huefner, The Ohio State University Michael E. Moritz College of Law

Term Expires 2010:

Gerald G. Ashdown, West Virginia University College of Law
Kurt L. Schmoke, Howard University School of Law

Term Expires 2011:

Norma V. Cantu, The University of Texas School of Law
Linda S. Greene, University of Wisconsin Law School, **Chair**

THE JOURNAL OF LEGAL EDUCATION EDITORIAL BOARD

Term Expires 2009:

Arthur Best, University of Denver College of Law
Jacqueline Nolan-Haley, Fordham University School of Law
Nancy B. Rapoport, University of Nevada, Las Vegas, William S. Boyd School of Law
Lani Guinier, Harvard Law School

Term Expires 2010:

Mary S. Bilder, Boston College Law School
Alfred L. Brophy, University of North Carolina School of Law
Thomas D. Rowe, Duke University School of Law
David A. Strauss, The University of Chicago, The Law School

Term Expires 2011:

William D. Henderson, Indiana University Maurer School of Law
Deborah R. Hensler, Stanford Law School
Aviam Soifer, University of Hawaii William S. Richardson School of Law
Veronica L. Taylor, University of Washington School of Law

Co-Editors: Bryant G. Garth, Southwestern Law School
Angela R. Riley, Southwestern Law School

COMMITTEE ON LIBRARIES AND TECHNOLOGY

Term Expires 2009:

Frank G. Houdek, Southern Illinois University School of Law, **Chair**
Jacqueline D. Lipton, Case Western Reserve University School of Law
Cynthia E. Nance, University of Arkansas, Fayetteville Leflar Law Center
George H. Pike, University of Pittsburgh School of Law

Term Expires 2010:

Arthur R. Gaudio, Western New England College, School of Law
Kent Mc Keever, Columbia University School of Law
Michelle M. Wu, Hofstra University School of Law
David N. Yellen, Loyola University, Chicago, School of Law

Term Expires 2011:

Hannah R. Arterian, Syracuse University College of Law
Paul L. Caron, University of Cincinnati College of Law
Anne Klinefelter, University of North Carolina School of Law
Joyce M. Pearson, University of Kansas School of Law

MEMBERSHIP REVIEW COMMITTEE

Term Expires 2009:

Pedro A. Malavet, University of Florida Frederic G. Levin College of Law
Gail Levin Richmond, Nova Southeastern University Shepard Broad Law Center
Adrien Katherine Wing, University of Iowa College of Law, **Chair**
Michael Brintnall, American Political Science Association (Public Member)

Term Expires 2010:

Peter C. Alexander, Southern Illinois University School of Law
Billie Jo Kaufman, American University Washington College of Law
Deborah Minney, Florida Atlantic University (Public Member)
Kevin J. Worthen, Brigham Young University J. Reuben Clark Law School

Term Expires 2011:

Jane H. Aiken, Georgetown University Law Center
Keith Aoki, University of California, Davis, School of Law
Michael A. Olivas, University of Houston Law Center

COMMITTEE ON PROFESSIONAL DEVELOPMENT

Term Expires 2009:

Dorothy Andrea Brown, Emory University School of Law
Leonard L. Riskin, University of Florida Fredric G. Levin College of Law
Alfred Chueh-Chin Yen, Boston College Law School, **Chair**

Term Expires 2010:

Laura Hines, University of Kansas School of Law
Frederick M. Lawrence, The George Washington University Law School
Stephanie M. Wildman, Santa Clara University School of Law

Term Expires 2011:

Devon Wayne Carbado, University of California, Los Angeles, School of Law
Reva B. Siegel, Yale Law School
Charles D. Weisselberg, University of California, Berkeley, School of Law

**COMMITTEE ON RECRUITMENT AND RETENTION OF MINORITY LAW
TEACHERS AND STUDENTS**

Term Expires 2009:

Okianer Christian Dark, Howard University School of Law, **Chair**
Sarah H. Jenkins, University of Arkansas at Little Rock, William H. Bowen School of Law
Calvin Pang, University of Hawaii William S. Richardson School of Law
Kellye Y. Testy, Seattle University School of Law

Term Expires 2010:

Richard D. Geiger, Cornell Law School
Kevin R. Johnson, University of California, Davis, School of Law
Elizabeth H. Patterson, Georgetown University Law Center
Elbert L. Robertson, Suffolk University Law School

Term Expires 2011:

Michele Landis L. Dauber, Stanford Law School
Angela I. Onwuachi-Willig, University of Iowa College of Law
Rebecca A. Tsosie, Arizona State University Sandra Day O'Connor College of Law
Francisco X. Valdes, University of Miami School of Law

COMMITTEE ON RESEARCH

Term Expires 2009:

Tracey E. George, Vanderbilt University Law School
Juan F. Perea, University of Florida Frederic G. Levin College of Law
Rayman L. Solomon, Rutgers School of Law - Camden

Term Expires 2010:

Elizabeth Chambliss, New York Law School
Robin Paul Malloy, Syracuse University College of Law
Paul Marcus, College of William and Mary Marshall-Wythe School of Law, **Chair**

Term Expires 2011:

Lynn Mather, University at Buffalo Law School
Elizabeth E. Mertz, University of Wisconsin Law School
john a. powell, The Ohio State University Michael E. Moritz College of Law

COMMITTEE ON SECTIONS AND ANNUAL MEETING

Term Expires 2009:

Dorothy Andrea Brown, Emory University School of Law, **Chair**
Sharon L. Davies, The Ohio State University Michael E. Moritz College of Law
Richard A. Matasar, New York Law School

Term Expires 2010:

Walter F. Pratt, University of South Carolina School of Law
D. Michael Risinger, Seton Hall University School of Law
Mark E. Wojcik, The John Marshall Law School

Term Expires 2011:

Guy-Uriel E. Charles, University of Minnesota Law School
Cynthia Lee, The George Washington University Law School
Nell J. Newton, Notre Dame Law School

SPECIAL COMMITTEES FOR 2009

SPECIAL COMMITTEE ON INTERNATIONAL COOPERATION

T. Alexander Aleinikoff, Georgetown University Law Center
Rosa Brooks, Georgetown University Law Center
William W. Burke-White, University of Pennsylvania Law School
Alison W. Conner, University of Hawaii William S. Richardson School of Law
Christopher F. Edley, University of California, Berkeley, School of Law
Claudio Grossman, American University Washington College of Law, **Chair**
Ilhyung Lee, University of Missouri School of Law
Linda O. Smiddy, Vermont Law School
Russell L. Weaver, University of Louisville Louis D. Brandeis School of Law

NOMINATING COMMITTEE FOR 2010 OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE

N. William Hines, University of Iowa College of Law
Herma Hill Kay, University of California, Berkeley, School of Law
Antoinette Sedillo Lopez, University of New Mexico School of Law
Martha L. Minow, Harvard Law School, **Chair**
Blake D. Morant, Wake Forest University School of Law
Ruth L. Okediji, University of Minnesota Law School
Edward L. Rubin, Vanderbilt University Law School

COMMITTEE TO REVIEW SCHOLARLY PAPERS FOR THE 2010 ANNUAL MEETING

Steven A. Bank, University of California, Los Angeles, School of Law
Robert G. Bone, Boston University School of Law
Paul Butler, George Washington University Law School
John H. Garvey, Boston College Law School, **Chair**
Laura E. Gomez, University of New Mexico School of Law
Richard L. Hasen, Loyola Law School
Daniel R. Ortiz, University of Virginia School of Law
Michael J. Perry, Emory University School of Law
Gerald Torres, The University of Texas School of Law
Cheryl Wade, St. John's University School of Law
Deborah Widiss, Indiana University at Bloomington School of Law, 2009 co-winner

SPECIAL COMMITTEE ON OPEN SOURCE PROGRAMS AT THE 2010 ANNUAL MEETING

Dorothy Andrea Brown, Emory University School of Law
John H. Garvey, Boston College Law School, **Chair**
Nell J. Newton, Notre Dame Law School
Leonard L. Riskin, University of Florida Fredric G. Levin College of Law
Alfred Chueh-Chin Yen, Boston College Law School

PLANNING COMMITTEES FOR 2009 CONFERENCES AND WORKSHOPS

ANNUAL MEETING WORKSHOP ON PROGRESS? THE ACADEMY, PROFESSION, RACE AND GENDER: EMPIRICAL FINDINGS, RESEARCH ISSUES, POTENTIAL PROJECTS AND FUNDING OPPORTUNITIES

Leonard M. Baynes, St. John's University School of Law
Bryant G. Garth, Southwestern Law School
Beverly I. Moran, Vanderbilt University Law School, **Chair**
Ann C. Shalleck, American University Washington College of Law

2009 MID YEAR CONFERENCE ON BUSINESS ASSOCIATIONS

Stephen M. Bainbridge, University of California, Los Angeles, School of Law
Dorothy Andrea Brown, Emory University School of Law
Thomas W. Joo, University of California, Davis, School of Law
Donna M. Nagy, Indiana University Maurer School of Law, **Chair**
Steven Ramirez, Loyola University, Chicago School of Law
Larry E. Ribstein, New York University, School of Law
Kelye Y. Testy, Seattle University School of Law

CONFERENCE ON CLINICAL LEGAL EDUCATION

Elizabeth B. Cooper, Fordham University School of Law
David Anthony Santacroce, The University of Michigan Law School
Alexander Scherr, University of Georgia School of Law
Jane M. Spinak, Columbia University School of Law, **Chair**
Paulette J. Williams, University of Tennessee College of Law

2009 MID YEAR WORKSHOP ON TRANSACTIONAL LAW

Lisa M. Fairfax, University of Maryland School of Law, **Chair**
Victor Fleischer, University of Illinois College of Law
Peter Pitegoff, University of Maine School of Law
D. G. Smith, Brigham Young University J. Reuben Clark Law School
Alfred Yen, Boston College Law School

2009 MID YEAR WORKSHOP ON WORK LAW

Anthony Baldwin, Mercer University Law School
Catherine L. Fisk, Duke University School of Law
Ruben J. Garcia, California Western School of Law, **Chair**
Harry G. Hutchison, George Mason University School of Law
Kevin R. Johnson, University of California, Davis, School of Law
Michael L. Selmi, The George Washington University Law School
Jay Tidmarsh, Notre Dame Law School

**WORKSHOP FOR NEW LAW SCHOOL TEACHERS; WORKSHOP FOR
PRETENURED MINORITY LAW SCHOOL TEACHERS; WORKSHOP FOR
BEGINNING LEGAL WRITING TEACHERS**

Randy E. Barnett, Georgetown University Law Center, **Chair**
Leonard M. Baynes, St. John's University School of Law
Rachel E. Croskery-Roberts, University of Michigan Law School
Okianer Christian Dark, Howard University School of Law
Michael Green, Wake Forest School of Law
David Olson, Boston College Law School
Lisa Nicholson, University of Louisville Louis D. Brandeis School of Law

PLANNING COMMITTEES FOR 2010 CONFERENCES AND WORKSHOPS

2010 CONFERENCE ON CLINICAL LEGAL EDUCATION

Alicia Alvarez, The University of Michigan Law School
C. Elizabeth Belmont, Washington and Lee University School of Law
Susan J. Bryant, City University of New York School of Law, **Chair**
Kristin Henning, Georgetown University Law Center
Charles D. Weisselberg, University of California, Berkeley, School of Law

2010 MID-YEAR WORKSHOP ON RACE AND LAW: “POST RACIAL” CIVIL RIGHTS LAW, POLITICS AND LEGAL EDUCATION: NEW & OLD COLORLINES IN THE AGE OF OBAMA

Devon Wayne Carbado, University of California, Los Angeles, School of Law, **Chair**
Ian F. Haney Lopez, University of California, Berkeley, School of Law
Audrey McFarlane, University of Baltimore School of Law
Robert O. Porter, Syracuse University College of Law
Reva B. Siegel, Yale Law School
Stephanie M. Wildman, Santa Clara University School of Law

2010 MID-YEAR WORKSHOP ON CIVIL PROCEDURE: CHARTING YOUR COURSE IN A SHIFTING FIELD

Frederic M. Bloom, Brooklyn Law School
Laura Hines, University of Kansas School of Law
Richard A. Nagareda, Vanderbilt University Law School
Patrick Woolley, The University of Texas School of Law, **Chair**
Stephen C. Yeazell, University of California, Los Angeles, School of Law

2010 MID-YEAR WORKSHOP ON PROPERTY

Vicki L. Been, New York University Law School, **Chair**
Carol N. Brown, University of North Carolina School of Law
Eduardo Moises M. Penalver, Cornell Law School
Joseph W. Singer, Harvard Law School
Alfred Chueh-Chin Yen, Boston College Law School

2010 ANNUAL MEETING WORKSHOP ON PRO BONO & PUBLIC SERVICE

Arlene R. Finkelstein, University of Pennsylvania Law School
Marni B. Lennon, University of Miami School of Law
Jack McMahon, University of Idaho College of Law
Deborah Schmedemann, William Mitchell College of Law
William M. Treanor, Fordham University School of Law, **Chair**

2010 WORKSHOP FOR NEW LAW SCHOOL TEACHERS

Randy E. Barnett, Georgetown University Law Center
Mechele A. Dickerson, The University of Texas at Austin School of Law
Robert D. Dinerstein, American University Washington College of Law
Tanya Kateri Hernandez, George Washington University Law School
Kellye Y. Testy, University of Washington School of Law, **Chair**
Ronald F. Wright, Wake Forest University School of Law

MEMBERS OF THE ASSOCIATION

As of January 2009

Listed by current name of the school.

(With Dates of Admission; Charter Members, 1900)

University of Akron, C. Blake McDowell Law Center, Akron, Ohio—1974
The University of Alabama School of Law, Tuscaloosa, Alabama—1928
Albany Law School, Union University, Albany, New York—1947
American University, Washington College of Law, Washington, D.C.—1947
The University of Arizona, James E. Rogers College of Law, Tucson, Arizona—1931
Arizona State University College of Law, Tempe, Arizona—1969
University of Arkansas, Fayetteville, Leflar Law Center, Fayetteville, Arkansas—1927
University of Arkansas at Little Rock, William H. Bowen School of Law, Little Rock, Arkansas—1979
University of Baltimore School of Law, Baltimore, Maryland—1988
Baylor University School of Law, Waco, Texas—1938
Boston College Law School, Newton, Massachusetts—1937
Boston University School of Law, Boston, Massachusetts—Charter Member
Brigham Young University, J. Reuben Clark Law School, Provo, Utah—1982
Brooklyn Law School, Brooklyn, New York—1973
University of California, Berkeley, School of Law, Berkeley, California—1912
University of California, Davis, School of Law, Davis, California—1968
University of California, Hastings, College of the Law, San Francisco, California—Charter Member,
1900-1927; 1949
University of California, Los Angeles, School of Law, Los Angeles, California—1952
California Western School of Law, San Diego, California—1967
Capital University Law School, Columbus, Ohio—1983
Case Western Reserve University School of Law, Cleveland, Ohio—Charter Member
The Catholic University of America, Columbus School of Law, Washington, D.C.—1921
Chapman University School of Law, Orange, California—2006
The University of Chicago, The Law School, Chicago, Illinois—1902
Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, Illinois—1951
University of Cincinnati College of Law, Cincinnati, Ohio—Charter Member
City University of New York School of Law, Flushing, New York—2008
Cleveland State University, Cleveland-Marshall College of Law, Cleveland, Ohio—1970
University of Colorado School of Law, Boulder, Colorado—Charter Member
Columbia University School of Law, New York, New York—Charter Member
University of Connecticut School of Law, Hartford, Connecticut—1946
Cornell Law School, Ithaca, New York—Charter Member
Creighton University School of Law, Omaha, Nebraska—1907

(Members of the Association, continued)

University of Dayton School of Law, Dayton, Ohio—1984
University of Denver College of Law, Denver, Colorado—1929
De Paul University College of Law, Chicago, Illinois—1924
University of Detroit Mercy School of Law, Detroit, Michigan—1934
Drake University Law School, Des Moines, Iowa—Charter Member
Duke University School of Law, Durham, North Carolina—1905-1919
Duquesne University School of Law, Pittsburgh, Pennsylvania—1964
Emory University School of Law, Atlanta, Georgia—1920
University of Florida Frederic G. Levin College of Law, Gainesville, Florida—1920
Florida International University College of Law, Miami, Florida—2009
Florida State University College of Law, Tallahassee, Florida—1969
Fordham University School of Law, New York, New York—1936
George Mason University School of Law, Arlington, Virginia—1990
The George Washington University Law School, Washington, D.C.—Charter Member,
under name of Columbian University
Georgetown University Law Center, Washington, D.C.—1902
University of Georgia School of Law, Athens, Georgia—1931
Georgia State University College of Law, Atlanta, Georgia—1995
Golden Gate University School of Law, San Francisco, California—1980
Gonzaga University School of Law, Spokane, Washington—1977
Hamline University School of Law, St. Paul, Minnesota—1984
Harvard University Law School, Cambridge, Massachusetts—Charter Member
University of Hawaii, William S. Richardson School of Law, Honolulu, Hawaii—1989
Hofstra University School of Law, Hempstead, Long Island, New York—1972
University of Houston Law Center, Houston, Texas—1966
Howard University School of Law, Washington, D.C.—1931
University of Idaho College of Law, Moscow, Idaho—1914
University of Illinois College of Law, Champaign, Illinois—Charter Member
Indiana University Maurer School of Law, Bloomington, Indiana—Charter Member
Indiana University School of Law, Indianapolis, Indiana—Charter Member
University of Iowa College of Law, Iowa City, Iowa—Charter Member
John Marshall Law School, Chicago, Illinois—1979
University of Kansas School of Law, Lawrence, Kansas—Charter Member
University of Kentucky College of Law, Lexington, Kentucky—1912
Lewis and Clark Law School, Portland, Oregon—1973
Louisiana State University Law Center, Baton Rouge, Louisiana—1924
University of Louisville, Louis D. Brandeis School of Law, Louisville, Kentucky—1933
Loyola Law School, Los Angeles, California—1937
Loyola University, Chicago, School of Law, Chicago, Illinois—1924

(Members of the Association, continued)

Loyola University, New Orleans, School of Law, New Orleans, Louisiana—1934
University of Maine School of Law, Portland, Maine—Charter Member
Marquette University Law School, Milwaukee, Wisconsin—1912
University of Maryland School of Law, Baltimore, Maryland—1930
McGeorge School of Law, University of the Pacific, Sacramento, California—1974
The University of Memphis, Cecil C. Humphreys School of Law, Memphis, Tennessee—2001
Mercer University Law School, Macon, Georgia—1923
University of Miami School of Law, Coral Gables, Florida—1946
The University of Michigan Law School, Ann Arbor, Michigan—Charter Member
Michigan State University College of Law, East Lansing, Michigan,
admitted as Detroit College of Law—1946
University of Minnesota Law School, Minneapolis, Minnesota—Charter Member
Mississippi College School of Law, Jackson, Mississippi—1990
University of Mississippi School of Law, University, Mississippi—1929
University of Missouri School of Law, Columbia, Missouri—Charter Member
University of Missouri—Kansas City School of Law, Kansas City, Missouri—1938
University of Montana School of Law, Missoula, Montana—1914
University of Nebraska College of Law, Lincoln, Nebraska—1905
University of Nevada, Las Vegas, William S. Boyd School of Law, Las Vegas, Nevada—2004
New England Law - Boston, Boston, Massachusetts—1998
University of New Mexico School of Law, Albuquerque, New Mexico—1948
New York Law School, New York, New York—1974
New York University School of Law, New York, New York—Charter Member
University of North Carolina School of Law, Chapel Hill, North Carolina—1920
University of North Dakota School of Law, Grand Forks, North Dakota—1910
Northeastern University School of Law, Boston, Massachusetts—1945,
closed—1956; reopened—1968;—1970
Northern Illinois University College of Law, DeKalb, Illinois—1985
Northern Kentucky University, Salmon P. Chase College of Law, Highland Heights,
Kentucky—1984
Northwestern University School of Law, Chicago, Illinois—Charter Member
Notre Dame Law School, Notre Dame, Indiana—1924
Nova Southeastern University Shepard Broad Law Center, Fort Lauderdale, Florida—1989
Ohio Northern University Pettit College of Law, Ada, Ohio—1965
The Ohio State University Michael E. Moritz College of Law, Columbus,
Ohio—Charter Member
University of Oklahoma Law Center, Norman, Oklahoma—1911
Oklahoma City University School of Law, Oklahoma City, Oklahoma—2003
University of Oregon School of Law, Eugene, Oregon—1919
Pace University School of Law, White Plains, New York—1982

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University of Pennsylvania Law School, Philadelphia, Pennsylvania—Charter Member
Pennsylvania State University The Dickinson School of Law, Carlisle,
Pennsylvania—1912-1924 resigned;—1934
Pepperdine University School of Law, Malibu, California—1980
University of Pittsburgh School of Law, Pittsburgh, Pennsylvania—Charter Member
University of Puerto Rico School of Law, San Juan, Puerto Rico—1948
Quinnipiac University School of Law, Hamden, Connecticut—1985
The University of Richmond School of Law, University of Richmond, Virginia—1920
Roger Williams University, Ralph R. Papitto School of Law, Bristol, Rhode Island—2006
Rutgers School of Law - Camden, Camden, New Jersey—1946
Rutgers School of Law - Newark, Newark, New Jersey—1946
St. John's University School of Law, Jamaica, New York—1946
Saint Louis University School of Law, St. Louis, Missouri—1924
St. Mary's University of San Antonio School of Law, San Antonio, Texas—1949
St. Thomas University School of Law, Miami, Florida—2001
Samford University, Cumberland School of Law, Birmingham, Alabama—1952
University of San Diego School of Law, San Diego, California—1966
University of San Francisco School of Law, San Francisco, California—1937
Santa Clara University School of Law, Santa Clara, California—1940
Seattle University School of Law, Seattle, Washington—1974
Seton Hall University School of Law, Newark, New Jersey—1959
University of South Carolina School of Law, Columbia, South Carolina—1924
University of South Dakota School of Law, Vermillion, South Dakota—1907
South Texas College of Law, Houston, Texas—1998
University of Southern California Law School, Los Angeles, California—1907
Southern Illinois University School of Law, Carbondale, Illinois—1982
Southern Methodist University Dedman School of Law, Dallas, Texas—1929
Southwestern Law School, Los Angeles, California—1974
Stanford Law School, Stanford, California—Charter Member
University at Buffalo Law School, Buffalo, New York—1937
Stetson University College of Law, St. Petersburg, Florida—1931
Suffolk University Law School, Boston, Massachusetts—1977
Syracuse University College of Law, Syracuse, New York—Charter Member
Temple University James E. Beasley School of Law, Philadelphia, Pennsylvania—1935
University of Tennessee College of Law, Knoxville, Tennessee—Charter Member
The University of Texas School of Law, Austin, Texas—1907
Texas Tech University School of Law, Lubbock, Texas—1969
Thomas Jefferson School of Law, San Diego, California—2008
University of Toledo College of Law, Toledo, Ohio—1941

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Tulane University School of Law, New Orleans, Louisiana—1909
The University of Tulsa College of Law, Tulsa, Oklahoma—1966
University of Utah S.J. Quinney College of Law, Salt Lake City, Utah—1929
Valparaiso University School of Law, Valparaiso, Indiana—1930
Vanderbilt University Law School, Nashville, Tennessee—1910
Vermont Law School, South Royalton, Vermont—1982
Villanova University School of Law, Villanova, Pennsylvania—1957
University of Virginia School of Law, Charlottesville, Virginia—1916
Wake Forest University School of Law, Winston-Salem, North Carolina—1935
Washburn University School of Law, Topeka, Kansas—1905
University of Washington School of Law, Seattle, Washington—1909
Washington University School of Law, St. Louis, Missouri—Charter Member
Washington and Lee University School of Law, Lexington, Virginia—1920
Wayne State University Law School, Detroit, Michigan—1946
West Virginia University College of Law, Morgantown, West Virginia—1914
Western New England College School of Law, Springfield, Massachusetts—1981
Whittier Law School, Costa Mesa, California—1987
Widener University School of Law, Wilmington, Delaware—1987
Willamette University College of Law, Salem, Oregon—1946
College of William and Mary, Marshall-Wythe School of Law, Williamsburg, Virginia—1936
William Mitchell College of Law, St. Paul, Minnesota—1982
University of Wisconsin Law School, Madison, Wisconsin—Charter Member
University of Wyoming College of Law, Laramie, Wyoming—1923
Yale Law School, New Haven, Connecticut—Charter Member
Yeshiva University Benjamin N. Cardozo School of Law, New York, New York—1983

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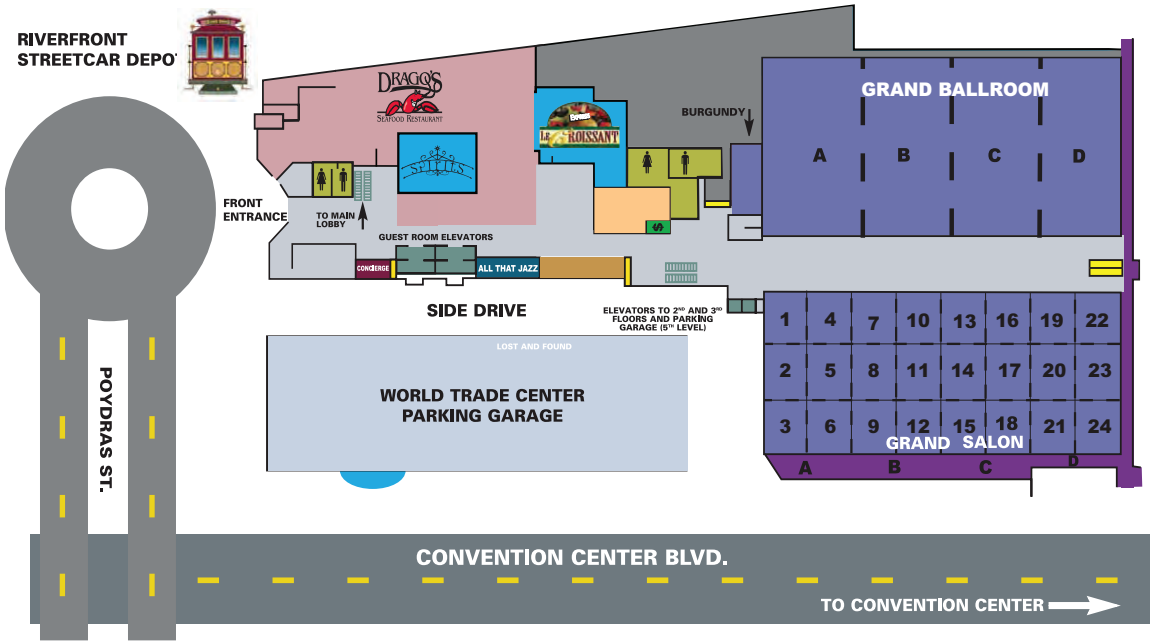
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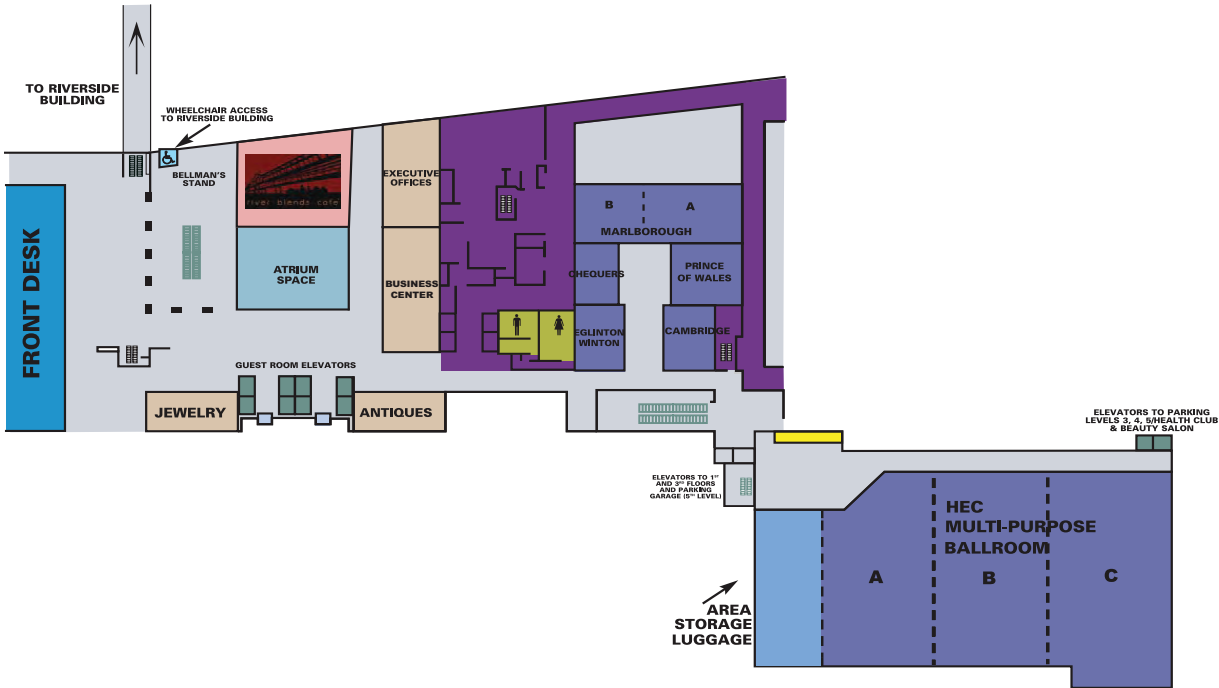
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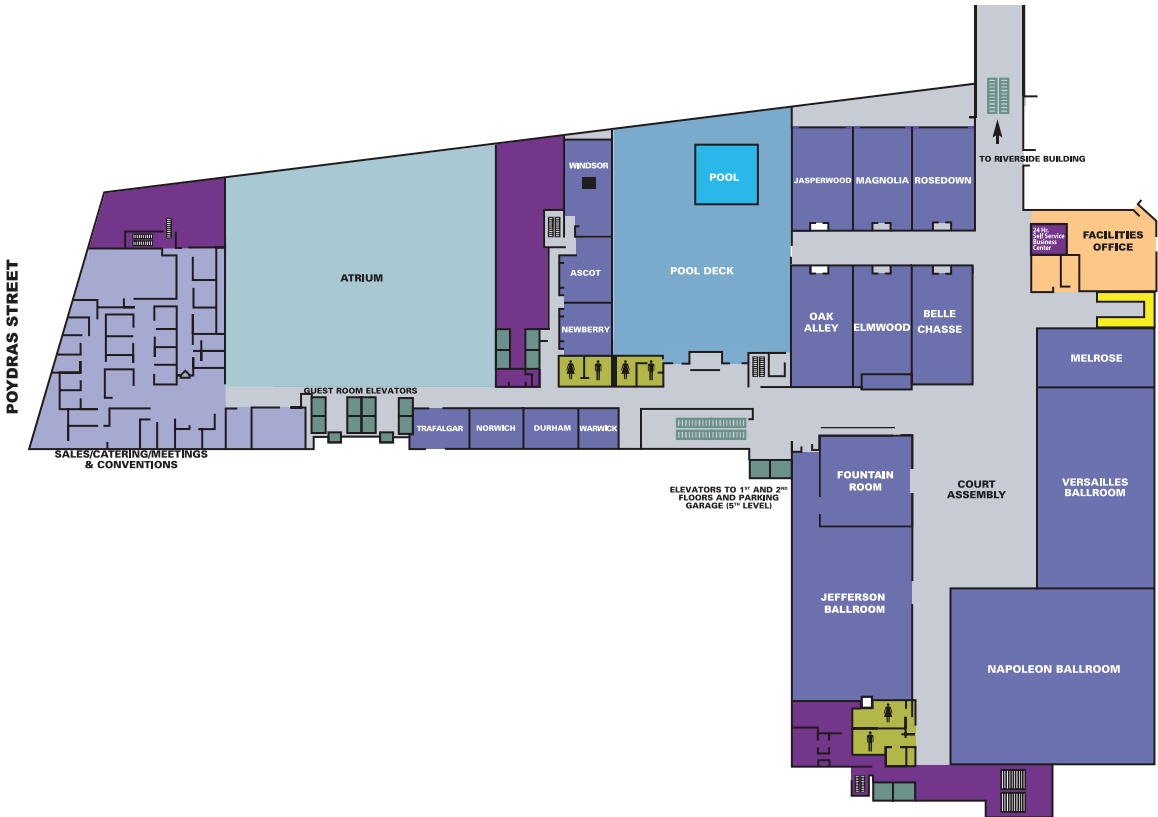
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Baltimore, Maryland

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June 8-12, 2010

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- **Workshop on Race and Law:**
"Post Racial" Civil Rights Law, Politics and Legal Education:
New & Old Colorlines in the Age Of Obama
June 8 – 10, 2010
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Charting Your Course in a Shifting Field
June 10-12, 2010
- **Workshop on Property**
June 10-12, 2010

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- January 4-8, 2011, San Francisco
- January 4-8, 2012, Washington, D.C.
- January 4-8, 2013, New Orleans

Future Faculty Recruitment Conference Dates

Washington, D.C.

- October 28-30, 2010
- October 13-15, 2011
- October 11-13, 2012
- October 17-19, 2013
- October 16-18, 2014

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