

Final Program

Amended December 9, 2011



A A L S

ACADEMIC FREEDOM and ACADEMIC DUTY

2012 ANNUAL MEETING
JANUARY 4-8, 2012
WASHINGTON, DC

www.aals.org/am2012/

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Tuesday, June 14, 2011 at the Sheraton Seattle

The Kelley Institute of Ethics and the Legal Profession at the Michigan State University College of Law

Provided a Grant to Augment the AALS Support for Speakers from the Legal Profession and
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Association of American
Law Schools

2012 Annual Meeting
January 4-8, 2012
Washington, D.C.

FINAL PROGRAM
Amended December 9th, 2011

The preliminary program was printed in early fall, 2011. This final program was printed in December 9th and reflects all speaker and session changes up to that point. Additionally, new sessions that were not included in the preliminary program are included in the front section of this final program. Also included in the front of this program are Section programs that will be published in academic journals, Sections that issued a call for papers, and the poster sessions' schedule.

For additional changes please review the Annual Meeting Newspaper.

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2012 AALS Annual Meeting Theme: **ACADEMIC FREEDOM AND ACADEMIC DUTY**

The theme for the 2012 Annual Meeting centers around academic freedom and academic duty—including threats to tenure and to academic freedom, and the concomitant academic duty obligations that arise out of our status as tenured professors. There have been many serious threats to academic freedom arising from the environment and the polity: a law faculty member arrested in Rwanda for his pro bono representation of an opposition candidate in an election matter there; a law faculty-journal editor sued for criminal libel in France for publishing a book review; law school clinics reviled for their work as well as threatened legislatively and in the courts in Maryland, Louisiana, Michigan, New Jersey, and in several other states; a law scholar sued for her research on family law, whose university chose not to indemnify her; a law review that pulled a piece from publication following threats from the company criticized in the article; and other law faculty and non-law faculty punished for their views.

The zone of protected professorial speech is shrinking. In the 2006 *Garcetti v. Ceballos* case, the Supreme Court ruled that when public employees speak “pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline,” regardless of whether or not the speech involves a “matter of public concern.” Almost immediately, this limited decision was used by lower courts to allow public colleges to sanction faculty who would not have been punished for their views before *Garcetti*. Legal scholars and the academy have begun to recognize that this case will likely negatively impact college governance policies and practices.

The academy must identify and contend with these external threats as they arise both in legal education and in other fields of study. These programs will draw additional attention to international threats to law professors and academics around the world, as exemplified by the admirable work conducted by Scholars at Risk, who try and rescue these imperiled colleagues to safer situations. Attention must be paid to these examples, which are too common and which diminish us all, even when seemingly remote threats arise; the bell tolls on behalf of us all. In addition, sessions will spell out the correlative obligations to undertake service and draw attention to the features inherent in academic duty.

There are many other threats as well, such as law school accreditors considering de-coupling their tenure requirements from their insistence upon academic freedom, and no longer requiring a system of tenure or security of position. It is difficult to square these developments with the increased attention we at AALS have paid to our core values. Arguments for tenure include that the promise of continual employment gives faculty an incentive to work on behalf of the institution and that good faculty governance requires a tenure system. Even at major institutions, particularly public universities with the decline of state support so evident, faculty governance is rapidly eroding as changed economic conditions are undermining longstanding governance structures.

Part of our social contract is that we contribute, particularly to legal reform—however defined—and not just work for hire and pay. In fair exchange for extraordinary discretion and deference accorded us, we must repay these privileges with our academic duty. We need not merely speculate about this responsibility, as it is explicated in substantial detail in the Statement of Good Practices by Law Professors in the Discharge of their Ethical and Professional Responsibilities (“Responsibilities to the Bar and General Public”), available at www.aals.org/statements/. These are aspirational, but lay out the premise of Academic Duty.

The 2012 Annual Meeting’s presidential sessions in Washington, D.C., will examine these and related issues of legal education in this new century. Those crucial issues are: financing legal education and its implications on financial aid and student debt; the restructuring of the professoriate; the institutional balance of instructional technology, distance learning, and asynchronous faculty-student interaction; service learning and skills training issues; and more creative curricular developments in the third year of the J.D. Moreover, General Agreement on Trade in Services, 1995 treaty (GATS) and other international negotiations will affect bar membership and legal practice eligibility, in ways not yet divined. All these issues and others are worthy of attention in our deliberations and ongoing dialogues. We do not have a single answer for any of these complex and interlocking issues, but we feel that these likely are among the right questions.

*Michael A. Olivas, AALS President and
University of Houston Law Center*

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CONFERENCE HIGHLIGHTS

Presidential Programs – The Presidential programs will be held on Friday, January 6, from 2:15 – 4:00 p.m. Each program will focus on the meeting’s theme, Academic Freedom and Academic Duty. Please see page 66 for the specific topics and speakers.

AALS Luncheon – The AALS Luncheon will be held on Friday, January 6, from 12:30 – 2:00 p.m. We are pleased to have the Honorable José A. Cabranes, United States Court of Appeals for the Second Circuit, New York, New York as the AALS Luncheon speaker. The Honorable Sonia M. Sotomayor, Associate Justice of the Supreme Court will introduce Judge Cabranes. The AALS luncheon fee is \$65 and it is to be purchased no later than 7:00 PM on Thursday, January 5th if space is still available.

Exhibit Hall – Visit the Exhibit Hall to view and discuss products that can enhance your teaching and career. The Exhibit Hall is also the location of the “Meeting Place”— a lounge area with coffee, tea, pastries and refreshments served in the mornings and afternoons. Review the program for the open hours of the Exhibit Hall.

House of Representatives – The AALS House of Representatives will meet on Thursday, January 5 at 5:15 p.m. and again on Saturday, January 7 at 5:45 p.m. These meeting will feature speeches by AALS President Michael A. Olivas, University of Houston Law Center; AALS Executive Director and Chief Executive Officer, Susan Westerberg Prager; and AALS President-Elect Lauren K. Robel, Indiana University, Maurer School of Law. Four law schools will also be nominated for membership — The Earle Mack School of Law at Drexel University, North Carolina Central University School of Law, University of St. Thomas School of Law and Texas Wesleyan University School of Law. Designated representatives from all member schools are expected to attend the meeting of the House of Representatives. All law school teachers are invited to attend.

A Conversation with Justice Stephen G. Breyer, Supreme Court of the United States – On Saturday, January 7th, Justice Breyer will speak and answer questions from the audience.

American University Washington College of Law Opening Reception – All meeting registrants are invited to enjoy a night of food, music and entertainment and a tour of the Dr. Martin Luther King Jr. national memorial on January 4, 6:30 - 9:00 PM. See page 1 for more information.

AALS Gala Reception – On Friday, January 6, the AALS Gala Reception will be held at National Building Museum. See page 77 for more information.

EXPLANATION OF PROGRAM TYPES

Joint Programs of Sections is a designation 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.

Call for Papers indicates a Section selected at least one panel presenter from a “Call for Papers” proposal.

Crosscutting Programs are competitively selected from proposals due on April 15, 2011 by the AALS Committee on Special Programs for the Annual Meeting.

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

Hot Topic Programs are competitively selected from proposals submitted by November 10, 2011. These sessions provide a forum for a panel presentation on a timely and important issues of interest that arises after April 2011.

Law Review Published Programs are programs that will be published in Law Reviews and have the journal name listed directly under the program title.

Business Meetings: It is necessary for each AALS Section to hold an in-person “business meeting” sometime during the AALS Annual Meeting. Many of these business meetings are quite short and take place immediately following the Section’s Annual Meeting program. During the business meeting, Sections elect officers and Executive Committee members for 2012.

All Section members are encouraged to stay for the business meeting and many Sections particularly encourage attendance by those who are relatively new to teaching. Business meetings can provide a good opportunity to meet others in the field (and to express willingness to serve in the work of the Section). AALS policy encourages each AALS Section to have a diverse Executive Committee, with representatives from different geographic regions, types of schools, and length-of-experience in teaching.

**AALS COMMITTEE ON PROFESSIONAL DEVELOPMENT
HOT TOPIC WORKSHOP ON POLITICAL CRISES AND
CONSTITUTIONALISM: WAR AND MONEY**

SATURDAY, JANUARY 7, 2012

The AALS Committee on Professional Development has planned a Hot Topic Workshop on Political Crises and Constitutionalism: War and Money.

Political crises relating to war and money involve serious questions about how much we think the President can do alone, and what Congress can do (including to limit the President). Although we have planned separate panels for each, we anticipate that interesting linkages will emerge in the discussions.

Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

8:30 - 10:15 AM

Plenary Session I: Money

Moderator: Richard Albert, Boston College Law School

Speakers: Jack M. Balkin, Yale Law School

Neil H. Buchanan, The George Washington University Law School

Emma C. Jordan, Georgetown University Law Center

Michael W. McConnell, Stanford Law School

This panel will discuss financial crises, with a focus on last summer's debt ceiling controversy. Panelists will consider questions such as whether the Fourteenth Amendment required Congress to raise the ceiling, whether in the absence of such action the President could have ignored it, and whether aspects of the constitutional structure (e.g., the rule of *Chadha*) increase the difficulty of resolving such crises.

10:30 AM - 12:00 PM

Plenary Session II: War

Moderator: Vicki C. Jackson, Harvard Law School

Speakers: Curtis A. Bradley, Duke University School of Law

Martin S. Lederman, Georgetown University Law Center Law Center

Trevor W. Morrison, Columbia University School of Law

Matthew C. Waxman, Columbia University School of Law

This panel will discuss war and the use of force, with a focus on Libya. Panelists will consider a number of questions, not only about the constitutional allocation of authority over the use of military force as between the President and Congress, but also about the relationship (vel non) between international authorization and domestic authority, and about the role, and capacity, and limits, of intra-executive branch advice on legal matters that do not come before courts.

AALS HOT TOPICS

THURSDAY, JANUARY 5, 2012

10:30 AM - 12:15 PM

Occupy Wall Street as Transformative Social Movement: Its Meaning and Prospects for the Future

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator

and Speaker: Gerald Torres, The University of Texas School of Law

Speakers: Timothy A. Canova, Chapman University School of Law

Erwin Chemerinsky, University of California, Irvine School of Law

M. Todd Henderson, The University of Chicago, The Law School

John Powell, University of California, Berkeley School of Law

Adrien Katherine Wing, Chapman University School of Law

Beginning in mid-September 2011, the Occupy Wall Street movement grew quickly in size and scale, spreading to every corner of the country. This panel explores the meaning of Occupy Wall Street and other mass protest movements. Adrien Wing considers the mass demonstrations that have shaken regimes in North Africa and the Middle East since early 2011. Across the region and around the world, including the United States, a generation of young men and women find themselves without decent jobs or economic opportunities. By occupying public space, they have demanded attention and raised troubling questions about systematic inequalities in our law, politics, and economy. Professor Torres considers the Occupy movement as a failure of democracy as elite politics, raising questions about the substantive prerequisites of democracy. Professor Chemerinsky analyzes the First Amendment speech and assembly issues raised by Occupy Wall Street as governments at all levels and corporate media conglomerates seek to contain and marginalize the movement. Professor Powell explores the legacies of race and class, the contested meaning of political community, and the rise of corporate constitutional personhood. Professor Henderson argues that some of the Occupy critique is based on false assumptions and where well grounded, offers the

wrong set of solutions. Professor Canova considers the Occupy agenda and its critique of financial institutions and policies as excluding and harming the bottom 99 percent. The panel will discuss how Occupy Wall Street and other mass movements challenge us to rethink our own work and what such movements say about our legal regimes, public and private institutions, and political freedoms and civic obligations.

FRIDAY, JANUARY 6, 2012

8:30 - 10:15 AM

The ESA Implementation Tipping Point: Can the U.S. Fish & Wildlife Service Keep Up with Multiple New Demands?

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Kalyani Robbins, University of Akron, C. Blake McDowell Law Center

Speakers: Gary Frazer, Assistant Director for Endangered Species, U.S. Fish & Wildlife Service, Washington, DC
Robert L. Glicksman, The George Washington University Law School
Madeline June Kass, Thomas Jefferson School of Law
Daniel J. Rohlf, Lewis and Clark Law School

The demands of implementing the Endangered Species Act (ESA) have always stretched the U.S. Fish & Wildlife Service's (FWS) resources thin. The resulting backlog of species in need of listing (the only way to receive the full protections provided by the ESA) has led to regular litigation with biodiversity advocacy groups. In May and July of 2011, plaintiffs WildEarth Guardians and the Center for Biological Diversity (CBD) entered into major settlement agreements with FWS. The settlements set a schedule for FWS to resolve the backlog of candidate species, requiring that a determination be made for every species on the 2010 candidate list by the end of fiscal year 2017. The panel will discuss the issues that led to this settlement, its implications for ESA implementation in the coming years, and some of the concerns that have made the settlement controversial. Of particular concern are recent cases (including since the settlement) that have required time-consuming NEPA documentation for certain FWS actions, some of which will be necessary during settlement compliance. Finally, the panel will discuss the carving-out of climate-change related harms from the ESA's reach, especially as it relates to settlement compliance (by requiring additional procedures recently held to be covered by NEPA).

10:30 AM - 12:15 PM

The Dictatorship of Law: The Khodorkovsky Case, Human Rights, and the Rule of Law in Russia

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Bruce Winfield Bean, Michigan State University College of Law
Christopher M. Bruner, Washington and Lee University School of Law
Jeffrey D. Kahn, Southern Methodist University, Dedman School of Law
William Pomeranz, Deputy Director, Kennan Institute, Woodrow Wilson International Center for Scholars, Washington, DC
Kim Lane Scheppele, University of Pennsylvania Law School
Alexei Trochev, Professor, Nazarbayev University School of Humanities & Social Sciences, Astana, Kazakhstan

In 2000, President Vladimir Putin said Russia needed a “dictatorship of law.” In the shadow of the Russian presidential election scheduled for March 2012, this panel examines what measure of dictatorship and law Russia enjoys twenty years after the collapse of Soviet rule. Discussion will highlight developments in the most well-known case in the courts of both Russia and the Council of Europe.

In 2005, Mikhail Khodorkovsky, the CEO of Russia’s most profitable private corporation, Yukos Oil, was convicted of fraud and tax evasion. Yukos was seized and sold to state-controlled companies. Last year, as potential release approached, Khodorkovsky was convicted again, on new charges arising out of the old evidence used for his first conviction. On the eve of that verdict, Putin (now Prime Minister) informed a nationwide television audience that “a thief should sit in jail.” Khodorkovsky’s new sentence, upheld on appeal, runs to 2016. In four separate judgments in the Khodorkovsky matter, the European Court of Human Rights has found procedures wanting.

Do Khodorkovsky’s trials reflect the state of justice in Russia or is it an unrepresentative political case? This panel examines the impact of Khodorkovsky’s case on reform of both private and public law in Russia.

10:30 AM - 12:15 PM

Our Intensifying National Debate: Is Health Care Reform Constitutional?

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Laura S. Underkuffler, Cornell Law School

Speakers: Jack M. Balkin, Yale Law School

Randy E. Barnett, Georgetown University Law Center

Erwin Chemerinsky, University of California, Irvine School of Law

David G. Oedel, Mercer University, Walter F. George School of Law

With the Supreme Court having granted five and one-half hours of oral argument over two days concerning the constitutionality of health care reform – the most time allotted for oral argument in the past 46 years – one of the most hotly debated constitutional cases in a generation has now reached the Supreme Court. This panel will preview arguments being heard by the Court. Two architects of the constitutional challenge, Professors Barnett and Oedel, the only two law professors who are counsel in the case, will offer some personal views of the challengers' main arguments. Two highly prominent defenders of the constitutionality of health care reform, Professor Balkin and Dean Chemerinsky, will offer contrasting views. Dean Underkuffler will moderate an intimate exploration of the latest, still-evolving thinking about what has become a set of landmark legal issues in the nation's life.

4:00 - 5:45 PM

The Singular Legacy of Professor Derrick Bell

Washington Room 3, Exhibition Level, Washington Marriott Wardman Park Hotel

Moderator: Linda S. Greene, University of Wisconsin Law School

Speakers: John C. Brittain, University of the District of Columbia, David A. Clarke School of Law

Pat K. Chew, University of Pittsburgh School of Law

Frederick D. Greene, University of Dayton School of Law

Kevin L. Hopkins, The John Marshall Law School

Gerald Torres, The University of Texas School of Law

Patricia J. Williams, Columbia University School of Law

This 2012 Annual Meeting is a first opportunity for AALS to acknowledge the debt legal education owes to Professor Derrick Bell (1930-2011), the first African American professor at Harvard and a world-renowned scholar-teacher-activist. His signature written work includes his path breaking 1973 casebook *Race, Racism, And American Law*, his 1985 *Harvard Law Review* Foreword: *The Civil Rights Chronicles*, and his numerous books--*And We Are Not Saved*; *Faces at the Bottom of the Well: The Permanence of Racism*; *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform* (2004); *Confronting Authority: Reflections of an Ardent Protester*; *Ethical Ambition: Living a Life of Meaning and Worth*. Not only did he enrich our scholarly debate. He acted to confront our complacency with the racial and gender status quo.

This panel reviews his legacy and discusses the relevance of that legacy for our present and future. That legacy includes his critique of law as a limited path to equality for African Americans, his critique of *Brown's* integration remedy, his work to diversify law school student and professorial ranks, the founding of critical race theory which examines the role of law in the maintenance and elimination of racial subordination, his specific narrative and interdisciplinary scholarly innovations, his pedagogical commitment to place students at the center of the learning process, his commitment to the mentoring of a broad scholarly community, and his insistence that conscience, morality, and protest remain an integral part of academic duty.

4:00 - 5:45 PM

Politics, Ethics, and the Supreme Court: The Present and Future of Supreme Court Recusal

Washington Room 5, Exhibition Level, Washington Marriott Wardman Park Hotel

Speakers: Sherrilyn Ifill, University of Maryland Francis King Carey School of Law
Dahlia Lithwick, Senior Editor, Slate Magazine, Charlottesville, VA
Jeffrey Stempel, University of Nevada, Las Vegas, William S. Boyd School of Law
Louis J. Virelli, III, Stetson University College of Law
Russell Wheeler, Visiting Fellow, Brookings Institution, Washington, DC

Supreme Court ethics and recusal standards—the criteria and procedures by which a justice withdraws from participating in a specific case—are fundamental to preserving the role of the Court as the final judicial arbiter in a society governed by the rule of law. The existing law, policy, and practice of Supreme Court recusal, however, is woefully incomplete and opaque, and raises unresolved questions about judicial ethics, the constitutional separation of powers, and the unique role of the Court in our judicial system. In the last year, debates over these questions have resulted in public calls for justices to recuse themselves from future cases (most notably the Court’s pending review of the *Affordable Care Act*), congressional testimony about recusal from sitting Supreme Court justices, and proposed federal legislation seeking to dramatically change the standards governing Supreme Court recusal. All of these events have ramifications for the Court’s integrity and for the public perception of its legitimacy.

This panel will look at the renewed controversy over Supreme Court recusal and address questions about how best to use the law of recusal to promote public confidence and integrity in the Court, as well as the legislative and constitutional issues surrounding the justices’ recusal decisions

SATURDAY, JANUARY 7, 2012

10:30 AM - 12:15 PM

Alternatives to Mass Incarceration: Taking Advantage of the Budget Crisis

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Christopher Slobogin, Vanderbilt University Law School
Speakers: Todd R. Clear, Dean, Rutgers University School of Criminal Justice - Center for Law and Justice, Newark, NJ
Walter J. Dickey, University of Wisconsin Law School
Mary D. Fan, University of Washington School of Law
Spurgeon Kennedy, Director of Research, Analysis and Development, DC Pretrial Services Agency, Washington, DC

In 1973 the imprisonment rate in this country was 96 per 100,000. Today it is 482 per 100,000. Many commentators have proposed methods of reducing American reliance on incarceration, including diversion, intermediate sanctions, earlier release, and shorter determinate sentences. Only recently have most states taken these proposals seriously, in large part because incarceration costs so much. The Supreme Court's decision in *Brown v. La Plata* (requiring reductions in California's prison population), the Model Penal Code's new sentencing policies, and recent proposals in Congress to reform the federal criminal justice system could also accelerate adoption of new approaches to sentencing.

This panel will discuss recent developments in correctional policy that can help reduce reliance on incarceration. The specific topics covered will include: the opportunity the budget crisis provides to nudge states toward "rehabilitation pragmatism and penal impact analysis;" the advent of new types of intermediate sanctions, diversion programs, and pretrial release mechanisms; and the political economy behind mass incarceration.

10:30 AM - 12:15 PM

Church Autonomy, the Ministerial Exception, and *Hosanna-Tabor v. EEOC*

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Richard W. Garnett, Notre Dame Law School

Speakers: Caroline Mala Corbin, University of Miami School of Law
Leslie C. Griffin, University of Houston Law Center
Douglas Laycock, University of Virginia School of Law
Christopher C. Lund, Wayne State University Law School
Robert W. Tuttle, The George Washington University Law School

Over the past forty years, courts have developed the “ministerial exception,” a legal doctrine which has immunized churches from employment-based claims brought by their clergy (and others with significant religious duties). The lower courts have generally recognized the exception, though they have disagreed on when exactly it applies and what exactly it covers. The Supreme Court, however, has never clarified its boundaries or even said it exists at all.

This fall, the United States Supreme Court heard argument in *Hosanna-Tabor v. EEOC*, its first ministerial exception case. The case involves Cheryl Perich, a teacher at a Lutheran parochial school and commissioned minister in the faith, who brought state and federal retaliation claims against the church that had employed her. *Hosanna-Tabor* raises various issues about the ministerial exception itself—whether it exists, how it applies, and who it covers. It also raises larger questions about the right of church autonomy, the meaning of *Employment Division v. Smith*, 494 U.S. 872 (1990), and the intersection of equality and liberty.

1:30 - 3:30 PM

A World Without DOMA: Bankruptcy, Immigration and Tax Implications

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: William Nichol Eskridge, Jr., Georgetown University Law Center

Speakers: Patricia A. Cain, Santa Clara University School of Law

Jackie A. Gardina, Vermont Law School

Geoffrey Heeren, Georgetown University Law Center

David Herzig, Valparaiso University School of Law

Two recent Massachusetts federal district courts held unconstitutional Section 3 of the Defense of Marriage Act (DOMA), which denies federal rights to same-sex couples. While those decisions' immediate impact was limited to Massachusetts, the Department of Justice (DOJ) endorsed the district courts' conclusion that DOMA was unconstitutional and thus announced that it would no longer defend DOMA. The Attorney General's letter does say that DOMA will continue to be enforced by Executive branch agencies. But it provides no further guidance to other administrative agencies affected by DOMA.

This panel will look at recent developments in the DOMA litigation. The frame of the discussion will be on the practical implications of the cases challenging DOMA and the DOJ Pronouncement specifically addressing the constitutionality of the statute and the DOJ action. Also, the panel will discuss the future administrative law problems inherent in the piecemeal approach taken by the DOJ. Finally, the panel will look at what life after DOMA would look like in the respective fields of immigration, tax and bankruptcy.

POSTER PRESENTATION SCHEDULE

Poster sessions are a common way for researchers in the sciences and the social sciences to present research results at a conference in a way that will be accessible to everyone who attends—not just those who are able to come to a specific presentation. Posters are an opportunity to see a faculty member's thesis and conclusion of their research in a clear and succinct fashion, to see a description of teaching innovations outside formal program presentations and to see descriptions of innovative faculty service projects. Faculty members of AALS member law schools were invited to submit a proposal for a poster presentation for the 2012 AALS Annual Meeting.

Posters are displayed in the Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel.

FRIDAY, JANUARY 6, 2012

9:00 - 10:00 AM

Posters Sponsored by Section on Africa

Training a Countervailing Elite

Kirsten A. Dauphinais, University of North Dakota School of Law

9:00 - 10:00 AM

Posters Sponsored by Committee on Sections and Annual Meeting

Competition and Crisis in Mortgage Securitization

Michael N. Simkovic, Seton Hall University School of Law

Introducing Law Students to Bloom's Taxonomy

Carol Tyler Fox, Visiting Associate Professor, Case Western Reserve
University School of Law

The Three Point Shot: Politics, Desegregation, and Basketball in Indiana

Elizabeth B. Ludwin King, Visiting Assistant Professor, Wake Forest
University School of Law

10:30 - 11:30 AM

Posters Sponsored by Section on Teaching Methods

*Combining Experiential Learning & Formative Evaluation in
Teaching Sustainability*

Jonathan Rosenbloom, Drake University Law School

The One Click Classroom Makeover

Kimberly Y.W. Holst, Arizona State University, Sandra Day O'Connor College
of Law

10:30 - 11:30 AM

Posters Sponsored by Section on Clinical Legal Education

Curriculum Mapping – Charting the Course for the Archetypal Law Graduate

Melissa H. Weresh, Drake University Law School

Pedagogical Modules for Community Economic Development Law Clinic

Engagement: An Innovative Teaching Approach For Community Economic Development High-Impact Legal Initiatives

Nicole S. Dandridge, Michigan State University College of Law

4:00 - 5:00 PM

Posters Sponsored by Section on Academic Support

“Oh, the Farmer and Cowman Should be Friends:” The Integration of Legal Writing and Academic Support

Jamie A. Kleppetsch and Mary Nagel, The John Marshall Law School

Demand More from Your Academic Success Students: Achieving Multiple

Goals Across the Law School Curriculum by Teaching Summary Judgment in an Academic Success Course

Alison M. Nissen, Rutgers School of Law - Camden

Millennial Students & Guided Self-Assessment

Mary Largent Purvis, Mississippi College School of Law

4:00 - 5:00 PM

Poster Sponsored by Section on Women in Legal Education

Rethinking Gender Equality in the Legal Profession’s Pipeline to Power: A

Study on Media Coverage of Supreme Court Nominees

Renee Newman Knake and Hannah Brenner, Michigan State University College of Law

AALS ANNUAL MEETING SECTION PROGRAMS TO BE PUBLISHED IN ACADEMIC JOURNALS

Over 20 Section programs will be published in academic journals following the 2012 Annual Meeting in January. Descriptions and speakers can be found on the page listed immediately after the sponsoring Section.

THURSDAY, JANUARY 5, 2012

Section on Disability Law (*page 13*)

Disaster, Disability and Law

(Papers to be published in *University of Washington Law Review*)

Joint Program of Sections on International Law and North American Cooperation (*page 18*)

North American Legal Developments – 2011 and Beyond

(Papers to be published in *Southern Illinois Law Review*)

Joint Program of Sections on Education Law and Law and Sports, Co-Spon- sored by Section on Sexual Orientation and Gender Identity Issues (*page 34*)

Taking Stock at Title IX's 40th Anniversary: Athletics, Single-Sex Education, and Bullying/Harassment

(Papers to be published in *Western New England College Law Review*)

Section on Labor Relations and Employment Law, Co-Sponsored by Section on Employee Benefits and Executive Compensation (*page 35*)

Public Employees: Labor Issues in a Era of Economic Recession

(Papers to be published in *Employee Rights and Employment Policy Journal*)

Joint Program of Sections on Property Law and Real Estate Transactions (*page 37*)

Rethinking Urban Development

(Papers to be published in *George Mason Law Review*)

Section on Balance in Legal Education (*page 51*)

**Effective Faculty/Student Collaborations and Student Initiatives:
Working Together to Enhance Students' Professional Identity and
Personal Integrity**

(Papers to be published in *Touro Law School Review*)

FRIDAY, JANUARY 6, 2012

Section on Law and Religion (*page 55*)

**Blasphemy, Religious Defamation, and Religious Nationalism:
Threats to Civil Society from Religious Speech and Its
Suppression**

(Papers to be published in *Case Western Reserve Law Review*)

**Joint Program of Sections on Antitrust and Economic Regulation and
Law and Economics** (*page 58*)

Behavioral Economics and Antitrust Law

(Papers to be published in *Journal of Law, Economics & Policy*)

**Section on Children and the Law, Co-Sponsored by Section on Mass
Communication Law** (*page 59*)

Children and the Media

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

Section on Law and the Humanities (*page 60*)

**Excavating and Integrating Law and Humanities in the
Core Curriculum**

(Papers to be published in *California Law Review - The Circuit*)

Section on Natural Resources Law Co-Sponsored by Section on Environmental Law *(page 62)*

**Adaptation Strategies:
Responding to Climate Changes as the New Normal**

(Papers to be published in West Virginia Law Review)

Section on Professional Responsibility *(page 63)*

**Does the First Amendment Protect Attorney Advice, Assistance,
and Representation?**

(Papers to be published in Journal of the Professional Lawyer)

Section on Law and Interpretation, Co-Sponsored by Section on Legal Writing Reasoning and Research *(page 73)*

**Law as a Discourse Community:
Critical Perspectives on Legal Discourse**

(Papers to be published in book form by Carolina Academic Press)

Section on Litigation Co-Sponsored by Section on Alternative Dispute Resolution *(page 74)*

**Large-Scale Litigation Issues: Class Actions and Mass Tort
Cases in 2012 and Beyond**

(Papers to be published in The Review of Litigation)

SATURDAY, JANUARY 7, 2012

Section on Creditors' and Debtors' Rights *(page 86)*

**Marathon at 30: A Retrospective on Bankruptcy Court
Jurisdiction in the Shadow of Article III**

(Papers to be published in The American Bankruptcy Law Journal)

Section on Law, Medicine and Health Care, Co-Sponsored by Section on Clinical Legal Education *(page 88)*

**Reaching Out Beyond the Classroom: Health Law Professors
Interacting with the Real World**

(Papers to be published in Indiana University Law School's Health Law Review)

Section on Remedies *(page 90)*

**Remedies for Disasters: BP, Exxon, and the Quest for
Complete Justice**

(Papers to be published in Akron Law Review)

Section on Alternative Dispute Resolution Co-Sponsored by Sections on Civil Procedure and Litigation *(page 92)*

The Supreme Court and the Future of Arbitration

(Papers to be published in Southwestern Law Review)

Section on Civil Rights *(page 93)*

National Security and Civil Rights

(Papers to be published in The Urban Lawyer)

Section on Environmental Law Co-Sponsored by Section on Natural Resources Law *(page 93)*

Climate Justice: Domestic and International Dimensions

(Papers to be published in Environmental Law Reporter)

Section on Evidence *(page 94)*

Theorizing Standards of Proof

(Papers to be published in International Commentary on Evidence)

Section on Sexual Orientation and Gender Identity Issues (*page 97*)

**Violence and the LGBT Community:
Bullying, Bashing, and Sex Crimes**

(Papers to be published in *Southwestern Law Review*)

Joint Program of Sections on Clinical Legal Education and Poverty Law
(*page 101*)

Theory and Praxis in Reducing Women's Poverty

(Papers to be published in *American University Washington College of Law
Journal of Gender, Social Policy and the Law*)

Section on Federal Courts (*page 102*)

War, Terror, and the Federal Courts, Ten Years After 9/11

(Papers to be published in *American University Law Review*)

Section on Indian Nations and Indigenous Peoples (*page 108*)

The Alaska Native Claims Settlement Act at 40

(Papers to be published in *American Indian Law Review*)

**Section on State and Local Government Law Co-Sponsored by Section on
Law and Religion** (*page 111*)

**The Impact of the Religious Land Use and Institutionalized
Persons Act on States and Local Governments**

(Papers to be published in *Fordham Urban Law Journal*)

SUNDAY, JANUARY 8, 2012

Section on Sexual Orientation and Gender Identity Issues (*page 119*)

Out in the Classroom and in Academe

(Papers to be published in *Journal of Legal Education*)

SECTION PROGRAMS THAT ISSUED A CALL FOR PAPERS

There are 26 Section programs that selected at least one panel presenter from a “Call for Papers” proposal. These programs are listed below. Descriptions and speakers can be found on the page listed immediately after the sponsoring section.

THURSDAY, JANUARY 5, 2012

Section on Business Associations (*page 32*)

The “New” Corporate Governance

Joint Program of Sections on Education Law and Law and Sports, Co-Sponsored by Section on Sexual Orientation and Gender Identity Issues
(*page 34*)

Taking Stock at Title IX’s 40th Anniversary: Athletics, Single-Sex Education, and Bullying/Harassment

Section on Labor Relations and Employment Law, Co-Sponsored by Section on Employee Benefits and Executive Compensation (*page 35*)

Public Employees: Labor Issues in a Era of Economic Recession

Section on Law Libraries (*page 36*)

Libraries and Copyright: Friends, Enemies, or Strangers on a Common Path?

Joint Program of Sections on Property Law and Real Estate Transactions
(*page 37*)

Rethinking Urban Development

Call for Paper Programs, continued

Section on Women in Legal Education (*page 30*)

New Voices in Gender

FRIDAY, JANUARY 6, 2012

**Section on Agency, Partnerships, LLC's and Unincorporated
Business Associations** (*page 49*)

**Using Unincorporated Business Entities for
Non-Business Purposes**

**Joint Program of Sections on Antitrust and Economic Regulation and
Law and Economics** (*page 58*)

Behavioral Economics and Antitrust Law

Section on Balance in Legal Education (*page 51*)

**Effective Faculty/Student Collaborations and Student Initiatives:
Working Together to Enhance Students' Professional Identity and
Personal Integrity**

**Section on Children and the Law, Co-Sponsored by Section on Mass
Communication Law** (*page 59*)

Children and the Media

Section on Civil Procedure (*page 93*)

Procedural Reform: Rulemaking v. Legislation

Section on International Human Rights (page 53)

New Voices in Human Rights

Section on Law and the Humanities (page 60)

**Excavating and Integrating Law and Humanities
in the Core Curriculum**

**Section on Law and Mental Disability, Co-Sponsored by Section on
Disability Law (page 54)**

**Institutionalization and Incarceration: New Legal Strategies for
Advocating on Behalf of Individuals With Mental Disabilities**

Section on Legal Writing, Reasoning and Research (page 61)

**In the New Millennium, What Are the Best Practices in Legal
Writing, Reasoning and Research**

**Section on Litigation, Co-Sponsored by Section on Alternative Dispute
Resolution (page 74)**

**Large-Scale Litigation Issues: Class Actions and Mass Tort Cases
in 2012 and Beyond**

**Section on Natural Resources Law, Co-Sponsored by Section on
Environmental Law (page 62)**

**Adaptation Strategies: Responding to Climate Changes as the
New Normal**

Call for Paper Programs, continued

Section on Pro Bono and Public Service Opportunities *(page 57)*

**Teaching and Learning in Pro Bono and
Service Learning Programs**

Section on Professional Responsibility *(page 63)*

**Does the First Amendment Protect Attorney Advice, Assistance,
and Representation?**

Section on Securities Regulation *(page 63)*

Exploring the Regulatory Response to the Financial Crisis

SATURDAY, JANUARY 7, 2012

**Section on Alternative Dispute Resolution, Co-Sponsored by Sections on
Civil Procedure and Litigation** *(page 92)*

The Supreme Court and the Future of Arbitration

Section on Animal Law *(page 100)*

Animals in a Legal Context

Joint Program of Sections on Clinical Legal Education and Poverty Law
(page 101)

Theory and Praxis in Reducing Women's Poverty

Section on Contracts *(page 101)*

New Voices in Contracts Scholarship

**Section on Graduate Programs for Non-U.S. Lawyers, Co-Sponsored by
Section on Legal Writing, Reasoning, and Research** *(page 107)*

Teaching Legal Writing and Reasoning to Non-U.S. Lawyers

Section on Intellectual Property *(page 95)*

Intellectual Property and International Trade

**Section on Law, Medicine and Health Care, Co-Sponsored by Section on
Clinical Legal Education** *(page 88)*

**Reaching Out Beyond the Classroom: Health Law Professors
Interacting with the Real World**

**Section on National Security Law, Co-Sponsored by Section on Mass
Communication Law** *(page 89)*

Government Transparency in the Digital Age

Section on Nonprofit and Philanthropy Law *(page 96)*

The Personal Price of Nonprofit Activity

Section on Transactional Law and Skills *(page 111)*

Transactional Law Teaching: Moving Forward

SUNDAY, JANUARY 8, 2012

Section on Criminal Justice *(page 116)*

**The Importance of the Pretrial Process in Reducing Mass
Incarceration and Protecting the Innocent**

Section on Financial Institutions and Consumer Financial Services
(page 117)

**Rubber Hits the Road: Implementing Dodd-Frank
Amid Reform Fatigue**

Section on Legal Writing, Reasoning and Research *(page 118)*

**Legal Writing in the 21st Century: Practical Teaching Tips for
Legal Skills Professors**

Section on Women in Legal Education *(page 119)*

Busting Out In Scholarship

WEDNESDAY JANUARY 4, 2012

6:00 - 9:00 PM

[3000] AALS Registration

Atrium, Exhibition Level, Washington Marriott Wardman Park Hotel

6:00 - 9:00 PM

[3010] AALS Office and Information Center

Coolidge, Mezzanine Level, Washington Marriott Wardman Park Hotel

6:00 - 9:00 PM

[3020] AALS Exhibit Hall Open House - "The Meeting Place"

Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel

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 "Meeting Place" in the Exhibit Hall.**

RECEPTION FOR ALL MEETING REGISTRANTS

6:30 - 9:00 PM

[3030] American University, Washington College of Law Reception

American University, Washington College of Law, 4801 Massachusetts Ave., NW

Celebrating Diversity in Legal Education

All meeting registrants are invited to enjoy a night of food, music, entertainment and a tour of the Dr. Martin Luther King Jr. national memorial. Shuttle buses to the law school will depart at 6:15 p.m. from the 24th Street entrance, Lobby Level, Marriott Wardman Park Hotel. If weather permits, buses will leave the law school for the Martin Luther King Jr. memorial after 8:00 PM.

AALS MEMBER SCHOOL EVENING EVENTS

(alphabetized by school name)

5:30 - 7:00 PM

University of Akron School of Law Reception

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

6:00 - 8:00 PM

Brooklyn Law School Alumni Reception

CANCELLED

6:00 - 8:00 PM

Widener University School of Law Alumni Reception

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

OTHER ORGANIZATION EVENTS

8:30 AM - 6:00 PM

Society of Socio-Economics Program: Socio-Economics in the Academy and the Economy

Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel

4:00 - 5:30 PM

LSSSE (Law School Survey of Student Engagement) Program: Understanding Student Engagement Through LSSSE

McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel

Topic: Using Student Engagement Findings to Inform Innovation and Improve the Law School Experience

THURSDAY, JANUARY 5, 2012

7:00 AM - 7:00 PM

AALS Registration

Atrium, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 AM - 7:00 PM

AALS Office and Information Center

Coolidge, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:00 AM - 5:00 PM

AALS Exhibit Hall Open House - “The Meeting Place”

Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel

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.

7:30 - 8:30 AM

Twelve Step Meeting

Park Tower Suite 8224, Lobby Level, Washington Marriott Wardman Park Hotel

AALS SECTION FIELD TRIPS AND SERVICE PROJECTS

7:45 AM - 5:00 PM

[1404] Sections on Environmental Law and Natural Resources Law Joint Field Trip to Smithsonian Museum of Natural History

Biodiversity, Urban Parks and Academics in Government

The bus will depart from the 24th Street entrance, Lobby Level, Marriott Wardman Park Hotel.

(Advance ticket purchase is required for the field trip. Priority is given to faculty and space is limited. One ticket per registrant may be pre-purchased and, if space is available, tickets may be purchased on-site for faculty and spouses/significant others.)

8:00 AM - 1:00 PM

[4240] Section on Pro Bono and Public Service Opportunities Service Project – D.C. Central Kitchen

D.C. Central Kitchen uses food as a tool to strengthen its community. Through job training, meal distribution, and supporting local food systems, D.C. Central Kitchen is building long-term solutions to the interconnected problems of poverty, hunger, and homelessness. Each year, more than 14,000 volunteers work side-by-side with the men and women of the Culinary Job Training program, preparing more than 4,500 meals a day, 365 days a year. Volunteer activities include chopping, sorting and vacuum-sealing fresh produce that they get from local farms; mixing salads; portioning meals; de-boning meat; baking healthy snacks; and sorting cans.

D. C. Central Kitchen provides a comprehensive continuum of care to the people it serves. First, it provides breakfast, outreach, and counseling services to chronically homeless people living on the streets. Next it recycles 3,000 pounds of food each day, converting it into 4,500 meals distributed to 100 shelters, transitional homes, and rehabilitation clinics throughout the D.C. area. These partner agencies then refer clients to the Culinary Job Training program, where they receive the tools to start new careers. Then it completes the empowerment process by employing its graduates in their full-service catering company or by placing them in full-time jobs at restaurants and hotels throughout the region. Today, it is expanding its operations, partnering with local farmers to procure fresh produce and begin new revenue-generating social enterprises.

Bus will depart from the 24th Street entrance, Lobby Level, Marriott Wardman Park Hotel.

(It is necessary to sign up for the service project in advance. If space is available, you may board the bus at departure.)

9:00 AM - 1:00 PM

[4230] Section on Poverty Law Service Project – Martha’s Table

For more than thirty years, Martha’s Table has served those in our nation’s capital who are living in poverty. The organization addresses poverty in the short term with food and clothing programs and in the long term by with education and programs to strengthen families and empower individuals.

Participants in the service project will volunteer with Martha’s Table mobile soup kitchen, clothing distributor, and children’s program, and will have the opportunity to engage with local practitioners to discuss the legal challenges facing Washington’s homeless population and children living in poverty.

Bus will depart from the 24th Street entrance, Lobby Level, Marriott Wardman Park Hotel.

(It is necessary to sign up for the service project in advance. If space is available, you may board the bus at departure.)

9:15 AM - 4:45 PM

[1405] Section on Legal Writing, Reasoning and Research Field Trip

Law Library of the Library of Congress

The Law Library of the Library of Congress is the largest law library in the world. This full-day field trip will introduce state, federal, and international materials available in the law collection and its online resources. Participants will enjoy behind-the-scenes access to parts of the library not open to the general public and special exhibits prepared just for our visit. Participants will learn how to teach students about tools often overlooked in many legal research classes. We will also meet many of the staff attorneys who have built the collection of more than 2.78 million volumes and who can respond to research and reference requests.

The bus will depart from the 24th Street entrance, Lobby Level, Marriott Wardman Park Hotel.

(Advance ticket purchase is required for the field trip. Priority is given to faculty and space is limited. One ticket per registrant may be pre-purchased and, if space is available, tickets may be purchased on-site for faculty, and spouses/significant others.)

AALS WORKSHOP

8:45 AM - 5:00 PM

[4040] AALS Workshop on the Future of the Legal Profession and Legal Education – Changes in Law Practice: Implications for Legal Education

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

The Kelley Institute of Ethics and the Legal Profession at the Michigan State University College of Law has provided a grant to augment the AALS support for speakers from the legal profession and other disciplines.

Major changes in the legal profession raise important questions about the future of legal education. These changes in the legal profession reflect both long term trends, such as increasing globalization and cross-border practice, advances in technology, and a shift from internal to external sources of regulation and policing of professional misconduct, and recent developments, such as a worldwide economic recession and a global political situation that has heightened both national security and civil liberties concerns. In turn, these changes raise important questions about the future, not only regarding how law will be practiced and what professional skills our students will need, but also how law schools will operate and how professionals dedicated to legal education will teach and otherwise conceive of their missions.

Among the questions these many developments raise: What new or different kinds of training will the law schools of the future need to provide? How can law schools better serve students seeking to develop critical skills in the areas demanded by changes in legal practice, including advanced problem identification and problem solving, entrepreneurship, legal judgment, creativity, and complex case management? How can and should law schools respond to critiques from both practitioners and educators (such as in the Carnegie Foundation report) urging an expansion in the range of cognitive skills addressed through legal education and a broadening of the scope of law school pedagogy beyond traditional methods?

A second set of questions focuses on changes in the legal academy: What innovations are currently underway in law schools to respond to changes taking place in the legal profession and in legal education? How will projected changes in the economics of the legal profession affect law students' priorities and law schools' budgets? Most fundamentally, what could and should members of the legal academy be doing to plan for the future in response to the many changes currently underway and to be expected in the near future in both the legal profession and in legal education?

The 2012 AALS Annual Meeting Workshop will take up these and other related questions. This one-day workshop aims to stimulate thought and the sharing of ideas throughout the legal academy about the many interrelated issues raised by change in both the legal profession and legal education. Participants will have the chance to hear from expert observers and to offer their own ideas, in frank and open exchanges featuring a wide range of perspectives and approaches.

The Workshop will involve a series of discussions organized around two plenary sessions. The first plenary will be held in the morning and is entitled "Changes in the Legal Profession and Regulation." Featuring experienced observers of the profession, including both practitioners and law professors, this plenary will explore and link together the many facets of change currently underway, addressing topics including developments in large firm practice, public interest

Workshop on the Future of the Legal Profession and Legal Education, continued

practice, legal regulation, legal education, and regulation of legal education. A second plenary, to be held in the afternoon, is entitled “Innovations in Legal Education,” and will focus on legal education and innovations currently underway that respond to the changing conditions of law practice or point the way towards the future of legal education in other respects.

After each plenary session, workshop participants will be invited to choose among a range of concurrent sessions that will explore in more depth particular aspects of the general themes raised by the plenary sessions. These sessions will include both morning and afternoon panel discussions on innovations in teaching, which will feature some invited speakers and some speakers selected from proposals submitted in response to an AALS Request for Proposals (RFP) seeking descriptions of innovative teaching currently taking place. Another panel will focus on innovative work of many kinds currently being done at the intersections among teaching, scholarship and service, and will also include speakers selected through a RFP.

Other concurrent sessions will address topics related to changes in the legal profession, such as globalization, access to justice, technological innovation, innovations in delivery of law and law-related services, and government lawyering, with time reserved for audience discussion. Still other sessions will focus on subjects related to legal education, including the innovations in teaching and scholarship panels already mentioned, as well as a session on financing and organizing law schools of the future. Participants especially interested in either “side” of the interrelated subjects of change in the legal profession and change in legal education should find ample choices to pursue the topics of most interest to them during both the morning and afternoon concurrent sessions.

8:45 - 9:00 AM

[4040A] Welcome and Introduction

Welcome:

Lauren K. Robel, AALS President-Elect and Indiana University, Maurer School of Law

Introduction:

Susan D. Carle, Chair, Planning Committee for 2012 Annual Meeting Workshop on the Future of the Legal Profession and Legal Education and American University, Washington College of Law

9:00 - 10:00 AM

[4040B] Plenary Session: Changes in Legal Profession and Regulation

Moderator: Carol A. Needham, Saint Louis University School of Law

Speakers: Susan Hackett, CEO/Principal, Legal Executive Leadership, LLC, Washington, DC
 Thomas Harvey, Partner, ArchCity Defenders, Inc., St. Louis, MO
 Paul Lippe, Founder, Legal OnRamp, San Francisco, CA
 Thomas D. Morgan, The George Washington University Law School

The world in which our graduates practice is rapidly evolving. Major changes in the legal profession raise important questions about the future of legal education. These changes reflect long term trends, such as increasing globalization and cross-border practice, advances in technology, and a shift from internal to external sources of regulation and policing of professional misconduct. In turn, these interrelated changes raise important questions about the future, not only regarding how law will be practiced and what professional skills our students will need, but also how law

schools will operate and how professionals dedicated to legal education will teach and otherwise conceive of their missions. The panelists in this plenary which includes both practitioners and law professors, bring a mix of perspectives on the changing market for legal services. The plenary will explore these developments as they relate to large firm practice, holistic representation of indigent individuals facing state prosecution, corporate counsel working in-house at multinational corporations seeking least-cost providers of legal services and the evolving requirements of the regulatory backdrop.

10:00 - 10:30 AM

[4040C] Plenary Discussion

10:30 - 10:45 AM

Refreshment Break

10:45 AM - 12:00 PM

Concurrent Sessions

• **[4040E] Teaching Innovations**

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Carla D. Pratt, Pennsylvania State University, Dickinson School of Law
 Speakers: Jane H. Aiken, Georgetown University Law Center
 Mary Jean Dolan, The John Marshall Law School
 James E. Moliterno, Washington and Lee University School of Law

This panel is designed to spark discussion about innovations in teaching and legal education. Several educators will share their experiences utilizing new teaching methods in a variety of ways. These experiences might include innovations that engage with changes in law practice and/or respond to the changing economic realities of the profession; involve interdisciplinary collaborations; cultivate experiential learning; address differences in learning styles; give meaningful feedback and evaluation to students; reflect expansive conceptions of the cognitive abilities and skills needed for law practice beyond traditional conceptions of legal analysis; and/or address gender and racial disparity among positions of leadership and power in the legal profession. Some of the participants on this panel will be selected in response to a request for proposals.

• **[4040F] Globalization**

Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Burnele Venable Powell, University of South Carolina School of Law
 Speakers: Stephen Denyer, Partner, Allen & Overy LLP, Frankfurt, Germany
 Carole Silver, Indiana University, Maurer School of Law
 Laurel S. Terry, Pennsylvania State University, Dickinson School of Law

The global dimension of law practice is now a pervasive and unavoidable dimension in an increasing number of contexts. This panel will discuss the challenges that globalization poses for coordinating legal work across national boundaries; achieving a coordinated and consistent regime for the regulation of lawyers; and fashioning approaches to legal education that equip students to navigate the global landscape and be sensitive to multiple legal and cultural systems.

- **[4040G] Technological Innovation in Practice and Education**

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Tonya M. Evans, Widener University School of Law
 Speakers: Stephanie Kimbro, Owner, Kimbro Legal Services, Wilmington, NC
 Andrew M. Perlman, Suffolk University Law School
 Paula Schaefer, University of Tennessee College of Law

This panel will expose the audience to the technological realities of modern practice, and generate discussion about how the academy might respond in our teaching and scholarship to address advances in technology. The discussion will include an update about the ABA Commission on Ethics 20/20's work on lawyer regulation and technology, as well as insights from a legal practitioner who conducts her entire law practice virtually and a law professor who has designed an innovative e-discovery course.

- **[4040H] Innovation in Delivering Legal and Law Related Services**

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Milton C. Regan, Jr., Georgetown University Law Center
 Speakers: Gillian K. Hadfield, University of Southern California, Gould School of Law
 Paul D. Paton, University of the Pacific, McGeorge School of Law
 Peter W. Salsich Jr., Saint Louis University School of Law
 Paul R. Tremblay, Boston College Law School

Profound changes are underway that are reshaping how lawyers organize and provide legal services. Information and communications technology has made legal information widely available, developments in process engineering are allowing sharper distinctions among activities of varying degrees of complexity, newly emerging actors and organizations are performing work that used to be the sole province of lawyers, and interest is re-emerging in some quarters in multi-disciplinary practice organizations. This panel will describe major changes that are occurring and discuss their implications for how law is practiced, the trajectory of legal careers, and regulation of the profession.

- **[4040I] Government Lawyering**

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Peter Margulies, Roger Williams University School of Law
 Speakers: Kathleen Clark, Washington University in St. Louis School of Law
 Bruce A. Green, Fordham University School of Law
 Craig Watkins, District Attorney, Dallas County District Attorney's Office, Dallas, TX

This session will explore issues involving government lawyering in the present political and legal climate. The session will examine the complex professional responsibility issues facing government lawyers. These issues include the role of the government lawyer at both the federal and state level, including the lawyer's role in determining and furthering the public interest. The session will also explore issues related to the role of the government lawyer in maintaining and defending the nation's security and in protecting rule of law values.

12:00 - 2:00 PM

[1403] Workshop Luncheon

Financing and Organizing Law Schools of the Future

Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Susan D. Carle, American University, Washington College of Law

Speakers: Judith C. Areen, Georgetown University Law Center

Richard A. Matasar, New York Law School

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Wednesday, January 4 if space is available. Tickets will not be for sale at the luncheon.)

2:00 - 3:15 PM

[4040J] Plenary Session: Innovations in Legal Education

Moderator: Milton C. Regan, Jr., Georgetown University Law Center

Speakers: Michael Bossone, University of Miami School of Law

Deborah L. Rhode, Stanford Law School

Gary Tamsitt, Director, Legal Workshop, Australian National University, Canberra, Australia

Judith W. Wegner, University of North Carolina School of Law

Legal educators increasingly are experimenting with a wide range of innovations designed to take account of the changing demands of law practice. This panel will highlight approaches that include attention to the role of lawyers as leaders, the use of technology to create a simulated practice environment in which students perform activities, collaboration on investigating and designing innovations in legal practice and legal education, and giving students opportunities to engage in problem-solving in complex situations that require a range of skills and analytical approaches.

3:15 - 3:30 PM

Refreshment Break

3:30 - 5:15 PM

Concurrent Sessions• **[4040L] Teaching Innovations**

Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Angela Mae Kupenda, Mississippi College School of Law
 Speakers: David S. Bogen University of Maryland, Francis King Carey School of Law
 Laura J. Cooper, University of Minnesota Law School
 Leslie C. Levin, University of Connecticut School of Law
 Lynn Mather, University at Buffalo Law School
 Therese H. Maynard, Loyola Law School
 Ira S. Nathenson, St. Thomas University School of Law

This panel is designed to spark discussion about innovations in teaching and legal education. Several educators will share their experiences utilizing new teaching methods in a variety of ways. These experiences might include innovations that engage with changes in law practice and/or respond to the changing economic realities of the profession; involve interdisciplinary collaborations; cultivate experiential learning; address differences in learning styles; give meaningful feedback and evaluation to students; reflect expansive conceptions of the cognitive abilities and skills needed for law practice beyond traditional conceptions of legal analysis; and/or address gender and racial disparity among positions of leadership and power in the legal profession. Some of the participants on this panel will be selected in response to a request for proposals.

• **[4040L2] Organizing and Financing Legal Education**

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Carla D. Pratt, Pennsylvania State University, Dickinson School of Law
 Speakers: Leonard M. Baynes, St. John's University School of Law
 Roger J. Dennis, Drexel University, Earle Mack School of Law
 Bryant G. Garth, Southwestern Law School
 Irma S. Russell, University of Montana School of Law
 Aaron Taylor, University of Arkansas at Little Rock William H. Bowen School of Law

This session will examine several questions related to how the current restructuring of law practice likely will affect the organization and economics of law schools. Questions examined may include: How will uncertainties associated with the changing economics and organization of law practice affect law students' abilities and willingness to take on large debt burdens to finance their legal education? How will changing economics affect diversity in law school admissions? How could law schools be reorganized to expand the pipeline of diverse students matriculating to and graduating from law school? How should law schools decide on budget priorities in the face of an uncertain and changing practice world?

- **[4040M] Innovations at the Intersection of Scholarship, Teaching and Practice**

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Renee Newman Knake, Michigan State University College of Law
 Speakers: Amy G. Applegate, Indiana University Maurer School of Law
 Susan D. Bennett, American University Washington College of Law
 Ashish Nanda, Harvard Law School
 Margaret Jane Radin, The University of Michigan Law School

This session will present examples of innovative work currently underway in law schools across the country at the intersections among scholarship, teaching and service. Most of the speakers for this session have been chosen from a Request for Proposals the AALS issued last summer. The kinds of projects presented will likely include: innovations in scholarly activity that involve different kinds of critical inquiry beyond the traditional law review article, such as a sabbatical engaged in law practice; innovations involving interdisciplinary scholarship and/or service projects; and innovations in scholarship designed to engage with pressing contemporary issues through collaborations with policymakers.

- **[4040N] Regulation of the Legal Profession and the Academy**

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Carol A. Needham, Saint Louis University School of Law
 Speakers: Stephen Gillers, New York University School of Law
 John Leubsdorf, Rutgers School of Law - Newark
 Ann C. Shalleck, American University, Washington College of Law

This panel will provide a succinct overview of some of the key issues in the regulation of the legal profession, focusing on some of the significant developments in the current discussion regarding priorities in the education of those entering the legal profession. The panel will also feature discussion of the work of the ABA 20/20 Commission, which is moving towards the culmination of its three-year review of the U.S. system of lawyer regulation and the current Model Rules in light of advances in technology and developments in global legal practice.

- **[4040O] Access to Justice**

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Susan D. Carle, American University, Washington College of Law
 Speakers: Amy Bach, Author, *Ordinary Injustice: How America Holds Court*, New York, NY
 Kenneth W. Starr, President, Baylor University, Waco, TX
 Ronald W. Staudt, Illinois Institute of Technology, Chicago-Kent College of Law
 Monika Kalra Varma, Executive Director, DC Bar Pro Bono Program, Washington, DC

This session will explore the present state of affairs concerning meaningful access to justice in the United States. How, if at all, do or can changes in the nature of legal practice affect the provision and quality of legal service provided to those of modest means, those who are unpopular, and those who have found it difficult to obtain effective legal representation for any number of other reasons? How are access to justice issues implicated by recent political attacks on lawyers' representation of particular kinds of clients, such as law firms that have undertaken to represent terrorism suspects, or law school clinics that have undertaken client representations that conflict with powerful political or business interests? This session will explore these and other access to justice issues, drawing on the perspectives of experts with widely disparate vantage points on these questions.

AALS DAY-LONG SECTION PROGRAMS

9:00 AM - 5:00 PM

[4060] **Section on Disability Law**

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Disaster, Disability and Law

(Papers to be published in *University of Washington Law Review*)

9:00 AM

[4060A] **Introduction**

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

9:15 - 10:45 AM

[4060B] **Panel I: Disaster, Disability and Law**

Speakers: Leslie P. Francis, University of Utah S. J. Quinney College of Law
Shawna Parks, Loyola Law School
Paula D. Pearlman, Loyola Law School

Panelists will discuss the following topics:

1. The understanding of disability—the social model of disability and the challenges natural and man-made disasters present for it
2. Vulnerability of people with disabilities to harms that follow disasters
3. Treatment of people who acquire disabilities from natural disasters or man-made events (wars and other conflicts)
4. Loss of infrastructure to accommodate disabilities

10:45 - 11:00 AM

Break

11:00 AM - 12:30 PM

[4060D] **Panel II: Haiti After Two Years**

Speaker: David Morrissey, Executive Director, United States International Council on Disabilities, Washington, DC

Panelists will discuss the following topics:

1. The Haiti earthquake and its effects on people with disabilities
2. The needs of people with disabilities as demonstrated by events in Haiti
3. The role of infrastructure in minimizing the impact of disaster
4. The role of international structures and organizations in minimizing the impact of disaster on people with disabilities
5. Comparison with Japan

12:30 - 1:30 PM

Lunch (on your own)

1:30 - 3:00 PM

[4060E] Panel III: Considerations In Rebuilding

Speakers: Eric Rosenthal, Executive Director, Disability Rights International, Washington, DC
Marcie Roth, Director, Office of Disability Integration and Coordination, Federal
Emergency Management Agency, U.S. Department of Homeland Security,
Washington, DC

Panelists will discuss the following topics:

1. Rebuilding physical spaces
2. Rebuilding educational institutions
3. Rebuilding communications

3:00 - 3:15 PM

Break

3:15 - 4:30 PM

[4060F] Panel IV: The Future of International Cooperation

Panelists will discuss the following topics:

1. Coordinating international efforts
2. The role of the U.N. Convention on the Rights of Persons with Disabilities, especially Article 11
3. The role of domestic law
4. The role of international law

Speakers to be announced.

4:30 - 4:50 PM

[4060G] General Discussion of the Day's Topics: What Does the Future Hold?

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

4:50 - 5:00 PM

[4060H] Wrap-Up

Speaker: Leslie P. Francis, University of Utah, S. J. Quinney College of Law

Business Meeting at Program Conclusion.

9:00 AM - 5:00 PM

[4070] Section on Institutional Advancement

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

**Meeting the Needs of Our Stakeholders in the Midst
of a Changing Legal Landscape**

8:00 AM

Coffee, Tea, Breakfast Pastries

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

9:00 - 9:15 AM

[4070B] Welcome

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Welcome: Peter Cronin, Cornell Law School

9:15 - 10:30 AM

[4070C] Plenary Session I - Adapting to a Changing Profession

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speaker: James G. Leipold, Executive Director, National Association for Law Placement,
Washington, DC

The last several years have seen dramatic changes in the job market for lawyers at every level, and as a result, more fundamental changes to the profession are underway. The roots of some of these changes predate the recession, but were accelerated by the economic downturn. Longstanding patterns of lawyer employment have been interrupted not only by the slowdown in economic activity, but also by the globalization of the legal services industry, the growth of both domestic and offshore legal process outsourcers, and the accelerated commoditization of certain kinds of legal work through advances in technology. This session will examine some of these changes, with a particular focus on the entry-level job market, and will provide an excellent basis for a discussion about why advancement offices need to understand these issues, adapt, and respond.

10:30 - 10:45 AM

Refreshment Break

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

10:45 AM - 12:00 PM

Concurrent Sessions

- [4070E] **(Alumni Affairs Track) - Partnering with Law Firms for Fun and Profit**

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Elizabeth Coplan, University of Washington School of Law
Julia A. Yaffee, Santa Clara University School of Law

- [4070F] **(Communications Track) - Digital Communications: Integrating Social Media, Electronic Publications, and Online Information Into Strategic Communications Planning**

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speaker: Debra Amirin, University of Florida, Fredric G. Levin College of Law

- [4070G] **(Fund-Raising Track) - Raising Major Gifts in Challenging Economic Times**

Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Betsy Brown, New York University School of Law
Julia Erwin-Weiner, Stanford Law School
Michelle L. Glennon, Senior Director of Gift Planning, Johns Hopkins
Institutions Baltimore, MD

12:00 - 1:30 PM

[1406] **Institutional Advancement Luncheon and Business Meeting**

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

New Realities of the Practicing Bar

Speaker: Joseph L. Dunn, Executive Director, The State Bar of California, San Francisco, CA

Retired State Senator Joseph Dunn will assess the state of the legal profession at a time of historic upheaval, with particular focus on the impact of current changes on law school advancement efforts.

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Wednesday, January 4 if space is available. Tickets will not be for sale at the luncheon.)

Section on Institutional Advancement, continued

1:30 - 2:45 PM

Concurrent Sessions

- [4070H] **(Alumni Affairs Track) - CLE and Alumni Affairs Programs Working Together, Co-Sponsored by Section on Continuing Legal Education**

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Andrew Beckerman-Rodau, Suffolk University Law School
 Matthew F. Calise, Georgetown University Law Center
 Lawrence J. Center, Georgetown University Law Center
 Mary K. Murray, Principal, Hamilton, Brook, Smith, & Reynolds, PC, Concord, MA
 Thomas F. O'Neil, Founder and President, The Saranac Group LLC, Baltimore, MD
 Carole Wagan, Suffolk University Law School

Business Meeting of the Section on Continuing Legal Education at session conclusion.

- [4070I] **(Communications Track) - Blogs and Social Media**

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Rex Bossert, University of California, Irvine, School of Law
 Richard L. Hasen, University of California, Irvine, School of Law
 Ashby Jones, Writer, *The Wall Street Journal Law Blog*, New York, NY
 Elie Mystal, Editor, *Above the Law*, New York, NY

- [4070J] **(Fund-Raising Track) - Annual Giving Back to Basics**

Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Megan Daly Farmer, Georgetown University Law Center
 R. Dan Shephard, Northern Kentucky University Salmon P. Chase College of Law
 Eric Stoddard, Yale Law School
 Amy Wilson, Northwestern University School of Law

3:00 - 4:30 PM

[4070L] Plenary Session II - Working with Deans

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Chris Higgins, University of Illinois College of Law
 Speakers: Darby Dickerson, Texas Tech University School of Law
 Michael M. Martin, Fordham University School of Law
 Donald J. Polden, Santa Clara University School of Law

In this session you will hear from some of the top deans in the country regarding best practices in advancement and how to work most effectively with your dean. Come listen to our panel to discuss dean transition, dean's expectations of the Alumni and Advancement Office, do's and don'ts when working with your dean, how best to set your dean and your office up for success, and personal stories from the road.

5:00 - 6:30 PM

[4070M] Reception for Section on Institutional Advancement

George Washington University Law Center, Michael Young Faculty Conference Center, 5th Floor, Jacob Burns Hall

Dean Paul Schiff Berman and the George Washington University Law School is pleased to host the Section for a reception. The Law School is located on the main campus of The George Washington University in D.C.'s historic Foggy Bottom neighborhood. The address is 2000 H Street, NW (20th & H Streets, NW). The Michael Young Faculty Conference Center is located on the 5th Floor of Jacob Burns Hall. Enter the law complex via the Lerner Hall entrance at 20th and H St and follow the signs to the elevator to Burns 5th Floor.

9:00 AM - 5:00 PM

[4080] Sections on International Law and North American Cooperation Joint Program

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

North American Legal Developments – 2011 and Beyond(Papers to be published in *Southern Illinois Law Review*)

The Northwest Passage, the Arctic Ocean, and North American Free Trade Agreement are the most obvious concerns for a North American year in review. The first two topics involve the struggle over whether the U.S. should ratify the Law of the Sea Convention, a matter that bears close watching. As for NAFTA, it is a paradigm for the U.S. for non-global trade pacts, so it is natural to look beyond it to the newer U.S. bilateral treaties for a broader context. Also, NAFTA was not just about trade – it raised concerns about labor and environmental issues, and now is a good time to take stock of those matters – in context. Finally, panels on the foregoing topics invoke pragmatic concerns and provide an occasion to interact with practitioners of international law; for teachers of international law this is a valuable opportunity to hear those practitioners tell us what they wish we were teaching our students.

9:00 - 10:30 AM

Arctic Ocean and Northwest Passage Problems

Moderator and Speaker: Daniel H. Derby, Touro College, Jacob D. Fuchsberg Law Center
 Speaker: Caitlyn Antrim, Executive Director, Rule of Law Committee for the
 Oceans, Washington, DC
 Betsy Baker, Vermont Law School
 Jordan Diamond, Staff Attorney, The Environmental Law Institute,
 Washington, DC
 David VanderZwaag, Dalhousie University Faculty of Law, Halifax,
 Nova Scotia, Canada

10:45 AM - 12:15 PM

NAFTA and other Regional Trade Developments

Moderator and Speaker: Charles A. Marvin, Georgia State University College of Law
 Speakers: David A. Gantz, University of Arizona, James E. Rogers College of Law
 Fernando Villareal-Gonda, Academic Dean, Free Faculty of Law,
 Monterrey, Mexico

12:00 PM

Break

1:30 - 3:00 PM

Environmental and Labor Issues in North American Regional Trade

Moderator and Speaker: Elizabeth Burleson, Pace University School of Law

3:15 - 4:45 PM

Pedagogy for International Law Practice

Moderator and Speaker: Stephanie Farrier, Vermont Law School
 Speakers: Bruce Rashkow, Minister Counselor, U.S. Mission to the United
 Nations, New York, NY
 Peter Trooboff, Senior Counselor, Covington & Burling, Washington, DC

Business Meeting of Section on North American Cooperation at Program Conclusion.

8:45 AM - 5:00 PM

[4100] Section on Socio-Economics

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**The Socio-Economics in the Academy and the Economy:
Changing the Economic Debate**

8:45 - 9:00 AM

[4100a] Introduction and Welcoming Remarks

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speaker: Irma S. Russell, University of Montana School of Law

9:00 - 10:10 AM

[4100b] Plenary Session – Economics and Socio-Economics in the Academy and the Economy

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

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

This plenary session will provide an introduction and overview for the entire daylong program. It will explore the positive and normative contribution made by the socio-economic approach to the analysis of law-related economic issues both in the academy and the economy. Specific attention will be given to the subject matter to be explored in greater detail in each of the day's sessions. These include (1) socio-economic approaches to recovery; (2) economic perspectives on academic freedom, academic capitalism and accountability discourses; (3) corporate fiduciary duties, social responsibility and governance; (4) race, gender, class and economic justice; (5) what property professors need to know about title security and the mortgage crisis; (6) role of law in achieving sustainable development; and (7) socio-economic perspective on the financial crisis. The discussion will include commentary from the organizers and participants of each of the day's concurrent sessions along with other invited participants and members of the audience.

10:10 - 10:20 AM

Break

10:20 - 11:30 AM

Concurrent Sessions

• **[4100D] Socio-Economic Approaches to Economic Recovery - Part I**

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: William K. Black, University of Missouri-Kansas City School of Law
I. Michael Greenberger, University of Maryland Francis King Carey School of Law
Charles R. Taylor, Director, Financial Reform Project, Pew Charitable Trusts,
Washington, DC
Arthur E. Wilmarth, Jr., The George Washington University Law School

• **[4100E] Economic Perspectives on Academic Freedom**

Park Tower Suite 8216, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: José M. Gabilondo, Florida International University College of Law
José R. Juárez, University of Denver, Sturm College of Law
Kellye Y. Testy, University of Washington School of Law
Steven L. Winter, Wayne State University Law School

• **[4100F] Corporate Fiduciary Duties, Social Responsibility and Governance - Part I**

Park Tower Suite 8219, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Jena Martin Amerson, West Virginia University College of Law
andré douglas pond cummings, West Virginia University College of Law
Christian A. Johnson, University of Utah, S. J. Quinney College of Law
Lyman P.Q. Johnson, Washington and Lee University School of Law
Michael P. Malloy, University of the Pacific, McGeorge School of Law
Steven Ramirez, Loyola University, Chicago, School of Law
Jeff Schwartz, California Western School of Law
Nicola F. Sharpe, University of Illinois College of Law

• **[4100G] The Role of Law in Achieving Sustainable Development**

Park Tower Suite 8222, Lobby Level, Washington Marriott Wardman Park Hotel

Speaker: Nicholas A. Ashford, Professor, Massachusetts Institute of Technology School
of Engineering, Cambridge, MA

11:40 AM - 1:00 PM

[1410] Section on Socio-Economics Luncheon

Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speaker to be announced.

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Wednesday, January 4 if space is available. Tickets will not be for sale at the luncheon.)

Section on Socio-Economics, continued

1:10 - 2:20 PM

[4100H] Plenary Session - Socio Economic Perspectives on the Financial Crisis

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Robert H.A. Ashford, Syracuse University College of Law
 Dean Baker, Co-Director, Center for Economic and Policy Research,
 Washington, DC
 William Greider, National Affairs Correspondent, The Nation, Washington, DC
 David Cay Johnston, Syracuse University College of Law

2:20 - 2:30 PM

Break

2:30 - 3:40 PM

Concurrent Sessions• **[4100J] Concurrent Session - Race, Gender, Class and Economic Justice**

Park Tower Suite 8216, Lobby Level, Washington Marriott Wardman Park Hotel

Speaker: Regina Burch, Capital University Law School
 Francine J. Lipman, Chapman University School of Law
 Tayyab Mahmud, Seattle University School of Law

• **[4100K] Socio-Economic Approaches to Economic Recovery - Part II**

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Timothy A. Canova, Chapman University School of Law
 Richard E. Hattwick, Founding Editor, Journal of Socio-Economics, Macomb, IL
 Timothy Lynch, University of Missouri-Kansas City School of Law

• **[4100L] What Property Professors Need to Know About the Mortgage Crisis: De Soto and the Title Security in the U.S.**

Park Tower Suite 8219, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: June Rose Carbone, University of Missouri-Kansas City School of Law
 Speakers: Nestor M. Davidson, Fordham University School of Law
 Rashmi Dyal-Chand, Northeastern University School of Law
 James J. Kelly, Jr., University of Notre Dame Law School

• **[4100M] Corporate Fiduciary Duties, Social Responsibility and Governance - Part II**

Park Tower Suite 8222, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Jena Martin Amerson, West Virginia University
 andré douglas pond cummings, West Virginia University
 Lyman P.Q. Johnson, Washington and Lee University School of Law
 Christian A. Johnson, University of Utah, S. J. Quinney College of Law
 Michael P. Malloy, University of the Pacific, McGeorge School of Law
 Steven Ramirez, Loyola University, Chicago, School of Law
 Jeff Schwartz, California Western School of Law
 Nicola F. Sharpe, University of Illinois College of Law

Section on Socio-Economics, continued

3:50 - 4:30 PM

[4100N] Plenary Session - Dean's Forum on Socio-Economics

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Donald J. Polden, Santa Clara University School of Law
Irma S. Russell, University of Montana School of Law
Kellye Y. Testy, University of Washington School of Law

Law school deans join in a forum to discuss how socio-economics can enrich teaching, scholarship and service.

4:30 - 5:00 PM

[4100O] Plenary Session - The Future of Socio-Economics

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Speaker: Paul F. Rothstein, Georgetown University Law Center

Participants include all the day's participants plus one additional participant, Professor Rothstein. All participants and attendees are invited to participate in an open roundtable. The floor will be open to proposals for future programs and activities of the Section.

Business Meeting at Program Conclusion.

9:00 AM - 4:30 PM

[4090] Section on Student Services

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

The Duty to Develop Our Students: Enrollment to Endowment

9:00 - 9:10 AM

[4090A] Welcome

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Welcome: Nancy L. Benavides, Florida State University College of Law

9:10 - 10:30 AM

[4090B] Orientation: Creating Order Out of Chaos

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Jennifer T. DiSanza, Capital University Law School
David B. Jaffe, American University, Washington College of Law
Michelle D. Mason, Florida International University College of Law

The transition into law school can be a difficult one for our students. This panel was developed to provide participants with a toolkit from which to enhance their current orientation programs.

The discussion will cover the following orientation sub-topics:

- Articulating specific orientation programming goals;
- Identifying various components and program structures;
- Assessing orientation programming through instruments such as student surveys and other types of feedback; and
- Highlighting some innovative best practices.

10:45 - 11:45 AM

[4090C] Positive Partnering, Communication and Collaboration Across the Administration

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: José Bahamonde-González, University of Maryland Francis King Carey School of Law
Mitchell C. Bailin, Georgetown University Law Center
Nancy L. Benavides, Florida State University College of Law

In this session we will discuss partnering with other offices including Admissions, Financial Aid, Registrar, Career Services, Dean of Students, Alumni Development, Administration/Fiscal, Library and Technology. This session will explore the benefits to both students and institutions when law school offices combine their efforts and resources in order to better serve the law school community. Panelists will discuss some of the particular challenges faced when coordinating efforts among offices and also highlight examples of innovative collaborative approaches to student services and the positive impacts these initiatives have made school-wide.

2:00 - 4:30 PM

[4090D] Outcomes, Measures, and Reflections: Moving Student Services Toward the Continuous Improvement Ideal

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Speaker: Michael H. Schwartz, Washburn University School of Law

This three-part interactive workshop will focus on identifying learning outcomes for student services departments, providing categories of tools that might be used to measure specific outcomes; and aiding participants in constructing individual curriculum maps unique to their programs and desired outcomes.

By the end of the workshop, participants will

- Be able to construct learning outcomes;
- Have a list of possible outcomes they can adapt to the particulars of their programs;
- Be familiar with the range of options for assessing their outcomes;
- Have a list of possible measures for the outcomes the group has identified;
- Be able to construct a curriculum map; and
- Have developed a curriculum map of their school's outcomes and/or have reflected on their school's efficacy to date in achieving their outcomes.

2:00 - 2:50 PM – Part I: Outcomes

2:50 - 3:30 PM – Part II: Measures

3:30 - 4:00 PM – Part III: Reflections

4:00 - 4:30 PM – Business Meeting at Program Conclusion

AALS PROGRAMS

9:00 AM - 12:00 PM

[4110] **Crosscutting Program** (*a program competitively selected by the AALS Committee on Special Programs for the Annual Meeting*)

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

The Law and Science of Trustworthy Elections: Facing the Challenges of Internet Voting and Other E-Voting Technologies

Panel I

Speakers: Andrew W. Appel, Ph.D., Professor and Chair, Department of Computer Science, Princeton University, Princeton, NJ
David R. Jefferson, Ph.D., Computer Scientist, Center for Applied Scientific Computing, Lawrence Livermore National Laboratory, Livermore, CA

Panel II

Speakers: J. Alex Halderman, Ph.D., Assistant Professor of Electrical Engineering and Computer Science, University of Michigan, Ann Arbor, MI
Candice Hoke, Cleveland State University, Cleveland-Marshall College of Law
Martha Mahoney, University of Miami School of Law

Panel III

Speakers: Richard L. Hasen, University of California, Irvine, School of Law
Walter R. Mebane, Jr., Ph.D., Professor of Political Science and Statistics, Center for Political Studies, Department of Political Science, University of Michigan, Ann Arbor, MI
Daniel P. Tokaji, The Ohio State University, Michael E. Moritz College of Law

In the heated 2012 presidential election cycle, most Americans will cast primary and general election ballots on aging computer-based voting systems whose designs date to the early 2000s. States have also moved rapidly to allow internet transmission of voted ballots. At least 33 States now permit email, e-fax, or other internet voting methods for overseas absentee voters, both civilian and military. Some states have seen proposals to extend online balloting options to all voters.

Premier computer scientists have evaluated both precinct-based and internet electronic voting methods. Their scientific assessments identified seriously flawed software and revealed the ease of tampering (even by hackers with little expertise), but those findings have had little effect on the technology in use. States that produced 170 electoral votes in 2008 made exclusive or widespread use of the voting equipment that has received most criticism and is easiest to manipulate in ways that may be undetectable. Substantial portions of the U.S. Senate and House are elected from those jurisdictions. In recent years, states that planned to purchase more secure voting devices postponed the change because of fiscal pressures.

This program seeks to bridge the understandings of security, risk, and public values between computer scientists and legal academics, and to facilitate new scholarship by law professors that will address persistent regulatory and legal issues. Three panels will explore distinct sets of issues.

In Part I, distinguished computer scientists known for translating complex science into comprehensible insights for policymakers will provide an overview of the ways in which computers have been integrated into the election process. They will explain the types of design flaws that can cause serious problems in election results and the safeguards their field considers essential to assuring that votes are recorded and counted accurately. Examples of voting devices will be present.

Part II will present three papers on internet voting and its regulation. Two law professors will present critical studies of a pilot project and federal agency activities that sought to establish that the internet can transmit voted ballots securely in accordance with laws requiring accuracy and ballot secrecy. A computer science professor will explain the lessons of the District of Columbia internet voting public test in 2010 and how his team broke in, took control, and secretly re-voted all cast ballots for write-in science fiction characters.

Part III brings together experts and law professors with diverse specialties in a roundtable exchange on developing and implementing responses to these technological issues in an area—elections—that demands high levels of certainty about results. The discussion may include analogies and differences between previous election issues and current technological developments; constitutional and legal principles that apply to selection and use of technology and to new evidentiary challenges that may emerge in election disputes; particular challenges in regulating technology during periods of rapid change; and whether a moratorium on internet voting is appropriate and, if so, the standards or thresholds that should determine its scope. The panel will identify areas where new scholarship will be important and particular areas that may see new urgent questions during the coming year.

10:30 AM - 12:00 PM

[4135] **Crosscutting Program** (*a program competitively selected by the AALS Committee on Special Programs for the Annual Meeting*)

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

The Antibalkanization Turn in Antidiscrimination Law and Theory?

Speakers: Guy-Uriel E. Charles, Duke University School of Law
 Justin A. Driver, The University of Texas School of Law
 Pamela S. Karlan, Stanford Law School
 Robert C. Post, Yale Law School
 Neil S. Siegel, Duke University School of Law
 Reva B. Siegel, Yale Law School

The program will inquire whether antidiscrimination law and doctrine has added a new antidiscrimination principle that some scholars have termed antibalkanization. Among the issues that the panel will explore include: (a) whether the concept of antibalkanization is descriptively accurate; (b) whether it is normatively defensible; (c) whether this new principle applies symmetrically to state action that disadvantages citizens of color as well as state action that disadvantages white citizens; and (d) whether this principle applies to other areas of constitutional law.

AALS SECTION PROGRAMS

9:00 - 10:30 AM

[4130] Section on Employment Discrimination

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Solidarity: The New Antidiscrimination Law?

Moderator: Julie C. Suk, Yeshiva University, Benjamin N. Cardozo School of Law
 Speakers: Devon Wayne Carbado, University of California, Los Angeles, School of Law
 Jennifer Gordon, Fordham University School of Law
 David A. Hollinger, Preston Hotchkis Professor of American History, Department
 of History, University of California, Berkeley, Berkeley, CA
 Sophia Z. Lee, University of Pennsylvania Law School
 Robin A. Lenhardt, Fordham University School of Law
 Reva B. Siegel, Yale Law School

This panel will address the concept of solidarity in the law of equal employment opportunity. The relationship between equality and social cohesion is behind the new “post-racial” or “post-civil-rights” paradigm, and will be significant to the employment discrimination doctrine that evolves after *Ricci v. DeStefano*. Our aim is to generate an interdisciplinary conversation about the following set of questions: What is the relationship of solidarity to different understandings of equality? Why and how is solidarity important in the workplace? Does the enforcement of civil rights by racial minorities and women lead to balkanization in the workplace? To the extent that U.S. employment discrimination law is thought to catalyze the promotion of diversity, does it foster bonds between individuals from different backgrounds in a pluralistic society? In what ways can we understand antidiscrimination law as promoting/forging solidarity in the workplace? Under what circumstances will antidiscrimination law threaten cohesion/solidarity?

This debate should generate questions about what we might mean by solidarity. For instance, does solidarity presuppose existing distributions and baselines or provide critical tools for describing and challenging them? What are the social, economic, and cultural forces that lead the redistributive function of employment discrimination law to be understood as a zero-sum game in the United States? In what ways have anti-classification/individualist or anti-subordination/group status approaches to employment equality been concerned all along with questions of solidarity? Or, would a focus on solidarity change the logic of employment discrimination law? What tools does this inquiry into solidarity in the workplace give us for understanding current Title VII and Equal Protection doctrine, or for imagining changing doctrine?

Business Meeting at Program Conclusion.

9:00 AM - 12:00 PM

[4140] Section on Jewish Law

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Jewish Law at Harvard: Rediscovering Nathan Isaacs

Moderator: Samuel J. Levine, Touro College, Jacob D. Fuchsberg Law Center

Speakers: Larry DiMatteo, Professor, Department of Management, University of Florida,
Warrington College of Business Administration, Gainesville, FL
Samuel Flaks, Agency Attorney, Teachers' Retirement System of the City of New
York, New York, NY
Sanford Levinson, The University of Texas School of Law
Jed H. Shugerman, Harvard Law School
Aviam Soifer, University of Hawaii, William S. Richardson School of Law
Carol A. Weisbrod, University of Connecticut School of Law

Nathan Isaacs (1886-1941) was one of the first Jewish tenured professors at Harvard University. Isaacs made groundbreaking contributions in the pages of the *Harvard Law Review* and the *Yale Law Journal*, identifying contracts of adhesion and absolute tort liability as aspects of the new legal order that emerged in the early 20th century. A key member of the Harvard Business School faculty in the 1920s and 1930s, and closely associated with Harvard Law School Dean Roscoe Pound, Isaacs advocated emphasizing the business function of legal devices rather than doctrine.

However, Isaacs's most lasting legacy may be that of a professor teaching at Harvard at the height of the University's infamous quota system on Jewish enrollment. Notably, Isaacs was a Jewish communal leader, was deeply knowledgeable of Jewish texts and history, and was observant of Jewish law. He was also associated with Harvard Judaic Studies scholar Harry Wolfson.

Moreover, on a scholarly level, Isaacs's study of Jewish law influenced his perception of American law, while his conception of secular law shaped his understanding of Jewish law. For example, drawing upon the history of Jewish law, Isaacs developed a "cycle theory" of law that he believed applied to all legal systems.

A panel of distinguished scholars will reflect upon the lessons and legacy of Nathan Isaacs's life and work.

Business Meeting at Program Conclusion.

9:00 AM - 12:00 PM

[4150] Section on Torts and Compensation Systems

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Twenty-First Century Tort Theories: A New Audit of Civil Recourse Theory

Moderator: Michael L. Rustad, Suffolk University Law School

Speakers: Guido Calabresi, Judge, U.S. Court of Appeals, 2nd Circuit, New York, NY
 Martha E. Chamallas, The Ohio State University, Michael E. Moritz College of Law
 John C. Goldberg, Harvard Law School
 Christopher J. Robinette, Widener University School of Law
 Benjamin C. Zipursky, Fordham University School of Law

Recently, civil recourse theory has emerged as an attempt to unify tort law around the concept of private wrongs. By arguing that the point of tort law is to empower victims to rectify civil wrongs against them, civil recourse theory offers an elegant means to reduce the plurality of theories that have dominated tort scholarship since the 1970's. This panel will explore the implications of paring down tort law to civil recourse. Professors Goldberg and Zipursky, who have been pioneers in developing civil recourse theory, will present the concepts and methods of this theory. Judge Calabresi, the 2010 Prosser Award recipient, will explore the implications of deemphasizing loss-spreading and deterrence. Professor Chamallas will examine civil recourse theory drawing upon her work on how race, gender, and class interrelate with tort law developments. Finally, Professor Robinette will address the question of whether civil recourse can unify the law focusing on whether it is a complete account. Panelists will also address whether tort law should have a public purpose beyond civil recourse.

Business Meeting at Program Conclusion.

9:00 AM - 12:00 PM

[4160] Section on Women in Legal Education

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Speed Mentoring and New Voices in Gender

9:00 - 10:15 AM

Speed Mentoring

Moderator: Bridget J. Crawford, Pace University School of Law

Want to network with other professors but don't know where to start? Willing to share some wisdom or ask questions? Whether you are a new law teacher or an experienced law teacher, please join us for the Section on Women in Legal Education's first-ever "Speed Mentoring" program. After a brief overview, we will divide all program attendees into two groups, based on number of years of attendees' teaching experience. We will then pair experienced faculty members with newer faculty members for facilitated networking sessions. Every 10 minutes, conversation partners will change in a designated order.

The program chair will suggest topics for each 10-minute conversation, but pairs are welcome to follow any conversational direction. The goal of this session is to facilitate connections between and among professors across subject matters and viewpoints. Mentees will benefit from the insights and wisdom of more experienced teachers. Mentors will benefit from the fresh perspectives of newer colleagues. All participants will benefit from active listening, exchanging information, sharing experiences and making new connections with national colleagues. At the end of the program, concluding remarks will be followed by free time for open networking. Bring your business cards!

10:30 AM - 12:00 PM

New Voices in Gender

Moderator: Linda D. Jellum, Mercer University, Walter F. George School of Law

Speakers: Jennifer H. Arlen, New York University School of Law, *Speaker from a Call for Papers*
 Francine Banner, Phoenix School of Law, *Speaker from a Call for Papers*
 Hannah Brenner, Michigan State University College of Law, *Speaker from a Call for Papers*
 Jeannette Cox, University of Dayton School of Law, *Speaker from a Call for Papers*
 Mary Anne Franks, University of Miami School of Law, *Speaker from a Call for Papers*
 Courtney G. Joslin, University of California at Davis School of Law, *Speaker from a Call for Papers*
 Renee Newman Knake, Michigan State University College of Law, *Speaker from a Call for Papers*

This panel offers paper presentations selected from the call for papers for New Voices in Gender Studies. The papers relate to women in legal education, any aspect of women's or men's relationship to the law, or gender, sexuality and the law. This call for papers for innovative works of scholarship was open to law professors who have been teaching for seven years or less.

AALS WORKSHOP LUNCHEON

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Wednesday, January 4 if space is available. Tickets will not be for sale at the luncheon.)

12:00 - 2:00 PM

[1403] AALS Workshop on the Future of the Legal Profession and Legal Education: Changes in Law Practice: Implications for Legal Education Luncheon

Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

Financing and Organizing Law Schools of the Future

Speakers: Judith C. Areen, Georgetown University Law Center
Richard A. Matasar, New York Law School

Moderator: Susan D. Carle, American University, Washington College of Law

AALS SECTION LUNCHEONS

(All Thursday luncheon tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Wednesday, January 4 if space is available. Tickets will not be for sale at the luncheon.)

11:40 AM - 1:00 PM

[1410] Socio-Economics Luncheon

Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speaker to be announced.

12:00 - 1:30 PM

[1406] Institutional Advancement Luncheon and Business Meeting

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

New Realities of the Practicing Bar

Speaker: Joseph L. Dunn, Executive Director, The State Bar of California, San Francisco, CA

Retired Senator Joseph Dunn will assess the state of the legal profession at a time of historic upheaval, with particular focus on the impact of current changes on law school advancement efforts.

12:00 - 1:30 PM

[1407] Labor Relations and Employment Law Luncheon

Washington Room 5, Exhibition Level, Washington Marriott Wardman Park Hotel

12:00 - 1:30 PM

[1408] Law Libraries Luncheon

Washington Room 3, Exhibition Level, Washington Marriott Wardman Park Hotel

12:00 - 1:30 PM

[1409] Minority Groups Luncheon

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

12:00 - 1:30 PM

[1411] Student Services Luncheon

Washington Room 6, Exhibition Level, Washington Marriott Wardman Park Hotel

AALS SECTION PROGRAMS

2:00 - 5:00 PM

[4170] Section on Business Associations

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

The “New” Corporate Governance

Moderator: Hillary A. Sale, Washington University in St. Louis School of Law

Speakers: Jennifer H. Arlen, New York University School of Law, *Speaker from a Call for Papers*

Robert Charles Clark, Harvard Law School

Meredith B. Cross, Director, Division of Corporation Finance, Securities and Exchange Commission, Washington, DC

Michele DeStefano, University of Miami School of Law, *Speaker from a Call for Papers*

Margaret M. Foran, Chief Governance Officer, Vice President and Corporate Secretary, Prudential Financial Inc., Newark, NJ

Kara Scannell, Correspondent, *The Financial Times*, New York, NY

J. Travis Laster, Vice Chancellor, Delaware Court of Chancery, Wilmington, DE

Commentators: Jayne W. Barnard, William & Mary Law School

Samuel W. Buell, Duke University School of Law

Sean J. Griffith, Fordham University School of Law

Nicola F. Sharpe, University of Illinois College of Law

The two panels will explore the transformation of the definition of “corporate governance.”

The public’s view of the corporation and corporate governance has grown. Arguably, corporate governance is no longer just about the relationship between officers, directors, and shareholders in the private-law, state-dominated sphere. The federal government and the media have increasing influence over public corporations and their governance. International norms also play a role.

2:00 - 3:20 PM – Call for Papers Panel with Commentators

3:30 - 5:00 PM – The “New” Corporate Governance

This portion of the program will be a discussion about corporate governance and how it is defined in today’s world, as well as who the players are.

Business Meeting at Program Conclusion.

2:00 - 5:00 PM

[4180] Section on Constitutional Law

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

American Citizenship in the 21st Century

Panel I: American Citizenship in the 21st Century

Moderator: Garrett Epps, University of Baltimore School of Law

Speakers: Kevin R. Johnson, University of California, Davis School of Law
 Rogers M. Smith, Professor of Political Science, University of Pennsylvania
 Department of Political Science, Philadelphia, PA
 Rose Cuison Villazor, Hofstra University School of Law

American citizenship has become intensely controversial in the past five years. Congress and state legislatures are debating proposals to amend the Fourteenth Amendment to eliminate birthright citizenship or to seek to do the same thing by state or federal statute. Others insist that Congress lacks authority to vary the current rule, and that states have no role to play in regulating or determining citizenship. In the immigration context, proposals to provide a “path to citizenship” for undocumented aliens are seen by some as indispensable to comprehensive immigration reform, while others decry any measure to do this as “amnesty.” In either case, the presence of as many as 12 million undocumented aliens exerts a significant effect on the machinery designed to regulate immigration and citizenship. Beyond this, the nature of American citizenship is contested at the philosophical and political level, with arguments drawing on history, political theory, and comparative law and policy. What does American citizenship mean today? How has its meaning changed over time? What is the future of the concept and the policy and legal apparatus that maintains it?

Panel II: Article V: To All Intent and Purposes

Moderator: Amy Barrett, University of Notre Dame Law School

Speakers: Richard Albert, Boston College Law School
 Walter E. Dellinger, Duke University School of Law
 Mark A. Graber, University of Maryland Francis King Carey School of Law

Proposals to amend the Constitution have arisen in a variety of contexts in the last decade, quickening in pace as the ideological gulf within our society widens. Activists of both parties have repeatedly called for specific amendments to change certain features of the Constitution or overturn Supreme Court interpretations of its meaning. Others have begun to organize a serious effort to spark a call from Congress for a new Constitutional Convention to propose amendments. Article V, the mechanisms setting up the amendment process, is little understood and seldom taught as part of the Constitutional Law curriculum. How does Article V really work? What are the perils and promises of the Convention mechanism? What is the role of Congress in the process? How does popular constitutionalism play into the process? Is it time to use Article V to amend Article V?

Business Meeting at Program Conclusion.

2:00 - 5:00 PM

[4190] Sections on Education Law and Law and Sports Joint Program, Co-Sponsored by Section on Sexual Orientation and Gender Identity Issues

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Taking Stock at Title IX's 40th Anniversary: Athletics, Single-Sex Education, and Bullying/Harassment

(Papers to be published in *Western New England College Law Review*)

- Moderators:** Erin E. Buzuvis, Western New England University School of Law
 Kimberly Jenkins Robinson, The University of Richmond School of Law
 Emily Gold Waldman, Pace University School of Law
- Speakers:** Deborah L. Brake, University of Pittsburgh School of Law
 Nancy C. Cantalupo, Temple University, James E. Beasley School of Law, *Speaker from a Call for Papers*
 David S. Cohen, Drexel University, Earle Mack School of Law
 John G. Culhane, Widener University School of Law, *Speaker from a Call for Papers*
 Timothy Davis, Wake Forest University School of Law
 B. Glenn George, The University of Arizona, James E. Rogers College of Law
 Nancy Hogshead-Makar, Florida Coastal School of Law
 Nancy Levit, University of Missouri-Kansas City School of Law
 Gary R. Roberts, Indiana University, Indianapolis, School of Law
 Rosemary C. Salomone, St. John's University School of Law
 Susan P. Stuart, Valparaiso University School of Law, *Speaker from a Call for Papers*
 Daniel Weddle, University of Missouri-Kansas City School of Law

In 1972, Congress passed Title IX, a law seeking to eliminate sex discrimination in all facets of federally funded education. Forty years later, we will assess the extent to which Title IX has achieved this goal. This extended program will examine current issues about the statute's application in three contexts. First, a panel of Title IX experts will debate the law's ever-controversial measure for equity in athletic opportunities (including the proportionality test as one means of compliance) as well as other legal issues on the horizon for Title IX's application to athletics. Next, panelists will examine the 2006 regulatory amendments that provided more latitude for single-sex classrooms in K-12 public education, evaluating whether such reform might address the achievement gap and/or promote gender stereotypes. Finally, a panel of scholars will discuss Title IX's application to bullying and harassment, which has captured public attention in the wake of recent events in both K-12 and higher education. Responding to increasing awareness of bullying that targets students because of their actual or perceived sexual orientation, government regulators have committed to stronger enforcement of this aspect of the law. These efforts raise questions about the standard for holding schools liable for peer abuse, the concurrent roles of public and private enforcement, and best practices for protecting students from peer abuse.

Business Meeting of Section on Education Law at Program Conclusion.

Business Meeting of Section on Law and Sports at Program Conclusion.

2:00 - 5:00 PM

[4200] Section on Labor Relations and Employment Law, Co-Sponsored by Section on Employee Benefits and Executive Compensation

McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel

Public Employees: Labor Issues in an Era of Economic Recession

(Papers to be published in *Employee Rights and Employment Policy Journal*)

Introduction: Ann C. McGinley, University of Nevada, Las Vegas, William S. Boyd School of Law

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

Speakers: Rafael Gely, University of Missouri School of Law

Michael Z. Green, Texas Wesleyan University School of Law, *Speaker from a Call for Papers*

Ann C. Hodges, The University of Richmond School of Law

Jeffrey H. Keefe, Associate Professor, School of Management and Labor Relations, Rutgers University, New Brunswick, NJ

Martin H. Malin, Illinois Institute of Technology, Chicago-Kent College of Law

Judy Neumann, Commissioner, Wisconsin Employment Relations Commission, Madison, WI

Joseph E. Slater, University of Toledo College of Law

Peggie Smith, Washington University in St. Louis School of Law

Given the economic recession, public employees are in a particularly precarious position. A number of jurisdictions have challenged the collective bargaining rights of public employees. Public employees risk losing employment, job security and pension benefits. The program will examine the legal, political and economic issues surrounding public employees' employment relationships. Noted scholars and practitioners will focus on the history of public employee collective bargaining, circumstances occurring in Wisconsin, Ohio and other states that are attempting to restrict bargaining rights, how employees fare in states that do not have collective bargaining rights, empirical research concerning the unionization of public employees through card-checks, the employment conditions of marginal public employees, and other related topics. Scholars will also consider the economics leading to this situation and make suggestions for change.

Business Meeting at Program Conclusion.

2:00 - 5:00 PM

[4210] **Section on Law Libraries**

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

**Libraries and Copyright: Friends, Enemies,
or Strangers on a Common Path?**

Moderator: Michelle M. Wu, Georgetown University Law Center

Speakers: Bobby Glushko, Copyright Specialist, University of Michigan Library,
Ann Arbor, MI

David Robert Hansen, University of California, Berkeley School of Law, *Speaker
from a Call for Papers*

Hannibal Travis, Florida International University College of Law, *Speaker from a
Call for Papers*

Library activities surrounding the management, dissemination, and creation of information require close attention to copyright law, its underlying intentions, and its restrictions. As libraries develop scholarship repositories, digitize collections, and preserve born-digital information, for instance, they may challenge the limits of copyright and find themselves confronting new issues, such as access to born-digital information when the author requests removal of material already publicly posted, liability for copyright infringement in other countries when lending resources to foreign libraries, and restrictions on use of library-licensed materials in online classrooms. These and many other copyright-related issues challenge library administrators in the effective, legal presentation of library services.

Presenters, chosen from a Call for Papers, will explore how copyright currently impacts libraries; how it might affect future library endeavors; how it has been, or may be, (mis)interpreted in library practices; and how it might be changed to better reflect the reality in which libraries exist today. Papers may cover topics examining any aspect of copyright, including but not limited to those relating to licensing, collection sharing arrangements, digitization, scholarly repositories, and challenges to common assumptions about copyright in library activities.

Business Meeting at Program Conclusion.

2:00 - 5:00 PM

[4220] Sections on Property Law and Real Estate Transactions Joint Program

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Rethinking Urban Development

(Papers to be published in *George Mason Law Review*)

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

Speakers: J. Peter Byrne, Georgetown University Law Center, *Speaker from a Call for Papers*

David A. Dana, Northwestern University School of Law, *Speaker from a Call for Papers*

Julia P. Forrester, Southern Methodist University, Dedman School of Law, *Speaker from a Call for Papers*

Steven J. Eagle, George Mason University School of Law

Jerome M. Organ, University of St. Thomas School of Law, *Speaker from a Call for Papers*

Edward Pinto, Resident Fellow, American Enterprise Institute, Washington DC

David J. Reiss, Brooklyn Law School, *Speaker from a Call for Papers*

Daniel B. Rodriguez, Northwestern University School of Law, *Speaker from a Call for Papers*

Peter W. Salsich, Saint Louis University School of Law, *Speaker from a Call for Papers*

David Schleicher, George Mason University School of Law, *Speaker from a Call for Papers*

In recent decades, many approaches to the development and redevelopment of cities have been tried. While these range from small free-market construction to massive government projects, states and localities recently have favored various forms of public-private partnerships. Some development efforts have been integrated with massive transportation infrastructure projects, often with the idea of furthering sustainable development. Downtown entertainment districts have been the core of some efforts. Large private projects often have benefited from the assembly of small parcels through extensive condemnation. And, business improvement districts often have played a prominent role in the operations of urban projects. The financing of projects also has taken various forms, including government ownership and leasing to commercial operators, extensive direct subsidies, and tax increment financing. Large, mixed-use projects typically involve complex financing arrangements as well as intricate structures of fee ownership, leasing, and easements. These require the attention of sophisticated transactional lawyers. Our joint program will consider new approaches to the spatial organization of urban areas, and financing of urban development after the Great Recession. The extended joint program will consist of two panels. The first panel will explore the physical organization of cities, including high-density, laissez-faire, insights from agglomeration economics, and views favoring and disfavoring mandatory densification of residential neighborhoods. The second panel will consider methods of financing urban development after the Great Recession. These include renewed requirement for substantial down payments and residential construction that is not federally insured or subsidized, new privately financed and lightly regulated neighborhoods, and alternatives for affordable housing finance in an era of government retrenchment.

The Section on Property Law and the Section on Real Estate Transactions issued a joint Call for Papers that advances the program theme. Authors of selected papers will be invited to present their work at the program and will have their papers published in the *George Mason Law Review*.

Business Meeting of Section on Property Law at Program Conclusion.

Business Meeting of Section on Real Estate Transactions at Program Conclusion.

AALS PROGRAMS

5:15 - 7:00 PM

[4250] **First Meeting of AALS House of Representatives**

Thurgood Marshall North & West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Presiding: Michael A. Olivas, AALS President and University of Houston Law Center

Parliamentarian: Elizabeth Hayes Patterson, Georgetown University Law Center

Clerk: Linda D. Jellum, AALS Associate Director

- Call to Order
- Adoption of Agenda
- Report of AALS Executive Committee on Membership, Kevin J. Worthen, Brigham Young University, J. Reuben Clark School of Law
- Report of AALS Executive Director, Chief Executive Officer, Susan Westerberg Prager
- Remarks by William (Bill) T. Robinson, III, ABA President
- Remarks by AALS President, Michael A. Olivas, University of Houston Law Center
- Memorials

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

8:30 PM

[4260] **AALS Inaugural Law and Film Series**

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

AALS would like to thank and recognize Carolina Academic Press for their financial support of the 2012 Annual Meeting Inaugural Law and Film Series.

Welcome: Michael A. Olivas, AALS President and University of Houston Law Center

Introduction and Commentary: Jessica Silbey, Suffolk University Law School

The AALS 2012 Annual Meeting will introduce the Law and Film Series, featuring films on legal topics, chosen for their cinematic and legal value, identifying film resources for possible classroom instructional purposes, as well as raising general awareness for law and film appreciation purposes. We hope that this film series will enhance the Annual Meeting experience for attendees. For each of two nights, we will show films chosen by the Annual Meeting Film Advisory Committee, including double features. There will be brief discussions and commentary in connection with the films. Instructional materials will be made available.

8:30 PM “Fury” (Fritz Lang, 1936) (92 minutes)

Starring Spencer Tracy, Sylvia Sidney, and Walter Abel

Fritz Lang’s first American film, this drama tells the story of an innocent man who narrowly escapes being lynched and the revenge he seeks. It features an interesting use of photography in the trial scenes when Spencer Tracy’s murder trial is shown.

10:00 PM “Adam’s Rib” (George Cukor, 1949) (101 minutes)

Starring Spencer Tracy, Katharine Hepburn, Judy Holliday

Domestic and professional tensions mount when a husband and wife work as opposing lawyers in a case involving a woman who shot her husband.

AALS SECTION BUSINESS MEETINGS

6:30 PM

[4269] **Balance in Legal Education Business Meeting**

Park Tower Suite 8217, Lobby Level, Washington Marriott Wardman Park Hotel

6:30 PM

[4270] **International Human Rights Business Meeting**

Park Tower Suite 8224, Lobby Level, Washington Marriott Wardman Park Hotel

6:30 PM

[4275] **International Law Business Meeting**

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

6:30 PM

[4280] **Legal Writing, Reasoning and Research Business Meeting**

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

6:30 PM

[4290] **Women in Legal Education Business Meeting**

Park Tower Suite 8210, Lobby Level, Washington Marriott Wardman Park Hotel

AALS MEMBER SCHOOL EVENTS

(alphabetized by school name)

7:00 - 9:00 PM

University of Baltimore School of Law Reception

Tono Sushi, 2605 Connecticut Avenue, NW

7:00 - 8:30 PM

Boston University School of Law Alumni Reception

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of California, Davis, School of Law Alumni, Faculty and Friends Reception

Jackson, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of California, Los Angeles, School of Law Alumni Reception

McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Case Western Reserve University School of Law Reception with Dean Lawrence E. Mitchell

Kalorama, Lobby Level, Washington Hilton

AALS Member Schools Events, continued

7:00 - 9:00 PM

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

Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

The University of Chicago, The Law School Wine Mess

Tyler, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Columbia University School of Law Alumni Reception

Marriott Balcony B, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

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

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Cornell Law School Alumni Reception

CANCELLED

7:00 - 9:00 PM

Duke University School of Law Reception

New Heights Restaurant, 2317 Calvert Street, NW

7:00 - 9:00 PM

Emory University School of Law Reception

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Fordham University School of Law Reception

Park Tower Suite 8222, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Georgetown University Law Center Faculty and Alumni Reception with Dean William Michael Treanor

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

Hofstra University School of Law Alumni and Friends Reception

Cleveland 2, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of Illinois College of Law Alumni and Friends Reception

Taylor, Mezzanine Level, Washington Marriott Wardman Park Hotel

AALS Member Schools Events, continued

7:00 - 9:00 PM

Indiana University, Maurer School of Law Alumni Reception

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

University of Iowa College of Law Reception

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

University of Kentucky College of Law Reception Honoring ABA President, William T. (Bill) Robinson III

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Loyola University, Chicago, School of Law Reception

Jefferson, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of Maryland Francis King Carey School of Law Reception

Washington Room 2, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

University of Michigan Law School Alumni and Friends Reception

Cafe Paradiso, 2649 Connecticut Avenue, N.W.

7:00 - 8:30 PM

University of Minnesota Law School Alumni Reception

Park Tower Suite 8212, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of Pennsylvania Law School Penn Law and DC Alumni Club Reception

Johnson, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Pepperdine University School of Law Hosts a Tasting with Dean Deanell Reece Tacha

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of San Diego School of Law Washington, D.C. Alumni Reception

Lebanese Taverna, 2641 Connecticut Avenue, NW

7:00 - 9:00 PM

Santa Clara University School of Law Reception

Thomas Paine, Wardman Tower, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Seattle University School of Law, Wines of Washington Reception

Washington Room 1, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

Southern University Law Center “A Taste of Louisiana Flair” Reception

Nathan Hale, Wardman Tower, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

University of Southern California, Gould School of Law Reception for Alumni and Friends

Park Tower Suite 8216, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Southwestern Law School Centennial Reception for Alumni and Friends

Embassy, Wardman Tower, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

St. John’s University School of Law Reception

Truman, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

Stanford Law School Reception

Stanford in Washington, 2661 Connecticut Avenue, NW

7:00 - 10:00 PM

Suffolk University Law School Micro Brew and Boston Chowdah Reception

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

Tulane University School of Law Reception for Alumni and Friends

Location to be announced

7:00 - 9:00 PM

Vermont Law School “Taste of Vermont” Reception

Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 9:00 PM

West Virginia University College of Law Alumni and Friends Reception

Ethan Allen, Lobby Level, Washington Marriott Wardman Park Hotel

AALS NON-MEMBER SCHOOL EVENTS

(alphabetized by school name)

7:00 - 9:00 PM

University of California, Irvine, School of Law Reception

Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:00 PM

Lincoln Memorial University, Duncan School of Law Reception

Park Tower Suite 8209, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

North Carolina Central University School of Law Alumni and Friends Reception

Park Tower Suite 8219, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 PM

Texas Wesleyan University School of Law “Taste of Texas” Reception

Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel

OTHER ORGANIZATION EVENTS

(alphabetized by organization name)

8:00 - 10:00 PM

Association of Legal Writing Directors Blackwell Award Reception

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 11:00 PM

Carolina Academic Press Reception for Authors and Friends

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 8:00 PM

The American College of Trust and Estate Counsel (ACTEC) Reception

Park Tower Suite 8206, Lobby Level, Washington Marriott Wardman Park Hotel

7:00 - 8:00 PM

The Federalist Society Reception

Diplomat Ballroom, B1, Omni Shoreham Hotel, 2500 Calvert Street, NW

8:00 - 10:00 PM

Society of American Law Teachers (SALT) Cover Workshop – The Urgent and Often Ignored Crisis in Political and Civil Rights: Mass Incarceration in Communities of Color

The George Washington University Law School, 2000 H Street, NW

FRIDAY, JANUARY 6, 2012

7:00 AM - 7:00 PM

AALS Registration

Atrium, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 AM - 7:00 PM

AALS Office and Information Center

Coolidge, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:00 AM - 5:00 PM

AALS Exhibit Hall Open House – “The Meeting Place”

Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel

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.

7:30 - 8:30 AM

Twelve Step Meeting

Park Tower Suite 8224, Lobby Level, Washington Marriott Wardman Park Hotel

AALS PROGRAM

7:00 - 8:30 AM

[5040] Special Meeting and Continental Breakfast for Beginning Law School Teachers

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

AALS SECTION BREAKFASTS

(All Friday breakfast tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Thursday, January 5 if space is available. Tickets will not be for sale at the breakfast. Type of breakfast is predetermined by section.)

7:00 - 8:30 AM
[1412] **Federal Courts Continental Breakfast**

Washington Room 2, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM
[1413] **Indian Nations and Indigenous Peoples Breakfast**

Washington Room 1, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM
[1414] **Legislation and Law of the Political Process Continental Breakfast**

Washington Room 3, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM
[1415] **Poverty Law Continental Breakfast**

Truman, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM
[1416] **Property Law Breakfast**

Washington Room 5, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM
[1417] **State and Local Government Law Breakfast**

Taylor, Mezzanine Level, Washington Marriott Wardman Park Hotel

AALS PROGRAM

8:30 AM - 12:15 PM

[5050] AALS Site Evaluators Workshop

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Catherine L. Carpenter, Southwestern Law School
 R. Lawrence Dessem, University of Missouri School of Law
 Barbara Holden-Smith, Cornell Law School
 Stephanie J. Willbanks, Vermont Law School

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 primary focus of the program is the purposes and details of AALS membership review and the role of the site visitor in that review. However, the program will also provide essential information about the ABA accreditation process and criteria, as the AALS member also functions as a full member of the joint team and will have responsibility for a portion of the ABA report.

AALS SECTION DAYLONG PROGRAM

8:30 AM - 5:45 PM

[5060] Section on Institutional Advancement

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Meeting the Needs of Our Stakeholders in the Midst of a Changing Legal Landscape

8:00 AM

Coffee, Tea, Breakfast Pastries

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:30 - 10:15 AM

[5060B] Plenary Session III - The State of Advancement: Facts Figures and Trends

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speaker: Rae Goldsmith, Vice President for Advancement Resources, Council for
 Advancement and Support of Education, Washington, DC

10:15 - 10:30 AM

Refreshment Break

10:30 AM - 12:15 PM

Concurrent Sessions

- [5060C] **(Alumni Affairs Track) - Metrics for Your Alumni Relations Program**

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers to be announced.

- [5060D] **(Communications Track) - Strategies for Sanity: Survival Skills for Meeting the Communications Needs of Admissions, Alumni Affairs, Development, the Dean and Everyone Else!**

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Leslie R. Steinberg, Southwestern Law School

Speakers: Lisa Lomba, Golden Gate University School of Law

Lisa O'Rourke, Loyola Law School

Grace Renshaw, Vanderbilt University Law School

- [5060E] **(Fund-Raising Track) - Revitalizing Reunions: Best Practices and Innovative Approaches**

Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers: Allison Neumeister, Stanford Law School

Gina M. Sholtis, Washington University in St. Louis School of Law

Kristine Werlinich, University of California, Los Angeles School of Law

2:15 - 4:00 PM

Concurrent Sessions

- [5060F] **(Alumni Affairs Track) - Using Boards to Succeed**

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Speakers to be announced.

- [5060G] **(Communications Track) - Branding and Its Importance to Multiple Departments Across The Law School**

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Chato Hazelbaker, University of St. Thomas School of Law

Speakers: Elizabeth Coplan, University of Washington School of Law

Grace Renshaw, Vanderbilt University Law School

- [5060H] **(Fund-Raising Track) - Bridging the Gap Between Stewardship and Major Gifts**

Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel

Moderator: Julia Carter, Stanford Law School

Speakers: Trishana E. Bowden, American University, Washington College of Law

Vicki Fleischer, Seton Hall University School of Law

Eric Lundstedt, University of Denver College of Law

AALS SECTION PROGRAMS

8:30 - 10:15 AM

[5070] Section on Agency, Partnerships, LLC's and Unincorporated Business Associations

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Using Unincorporated Business Entities for Nonbusiness Purposes

Moderator: Rutheford B. Campbell, University of Kentucky College of Law

Speakers: Dana Brakman Reiser, Brooklyn Law School

“Unincorporated and Incorporated Forms of Social Enterprise”

Walter Effross, American University, Washington College of Law

“Conflicts, Contracts, Confidentiality, and Causes: How Lawyers Can Satisfy

Their Ethical Responsibilities To (or As) Unincorporated Social Enterprises”

Franklin A. Gevurtz, University of the Pacific, McGeorge School of Law

“Disregarding LLCs Formed for Nonbusiness Purposes”

Larry E. Ribstein, University of Illinois College of Law

“The Incorporation, Regulatory Arbitrage and the Nonbusiness Business”

One or more additional presenters will be selected from a Call for Papers.

Business entities may be created for purposes that do not include, or at least are not limited to, the pursuit of business or profit activities. In such instances, unincorporated business entities may offer advantages over incorporated entities. At the same time, unincorporated entities may create complex issues for the entities' stakeholders and managers.

Business Meeting at Program Conclusion.

8:30 - 10:30 AM

[5080] Section on Aging and the Law

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Guardianship: Reconsidering the Reality of Reform

Moderator: Lawrence A. Frolik, University of Pittsburgh School of Law

Speakers: A. K. Dayton, William Mitchell College of Law

Linda S. Whitton, Valparaiso University School of Law

Erica F. Wood, Assistant Director, American Bar Association Commission on Law
and Aging, Chicago, IL

Reform of guardianship has been discussed, analyzed and promoted for over 30 years. Why after all this time and effort do we still sense the need for reform? The panel will discuss the improvements to guardianship that resulted from past reform efforts, the practical effect of those reforms and if there is yet more “reform” needed. Is the problem with our expectations of how guardianship should work or have we not yet instituted the proper legal structure or failed to identify and implement best practices? The latest iteration of guardianship reform took place at the Third National Guardianship Summit held in Salt Lake City in October 2011. The panel will discuss the findings and recommendations of the National Guardianship Summit as well as other possible reforms of guardianship – both modest and fundamental.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[5090] **Section on Balance in Legal Education**

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Effective Faculty/Student Collaborations and Student Initiatives: Working Together to Enhance Students' Professional Identity and Personal Integrity

(Program to be published in *Touro Law School Review*)

Moderator: Julie K. Sandine, Vanderbilt University

Speakers: Kimberly Ambrose, University of Washington School of Law, *Speaker from a Call for Papers*

Jane Gish, Law Student, City University of New York School of Law

Victor M. Goode, City University of New York School of Law

Mary Dolores Guerra, Phoenix School of Law, *Speaker from a Call for Papers*

Amanda Leipold, Law Student, University of Miami School of Law

Scott Rogers, University of Miami School of Law

Amy Sanders, Law Student, Vanderbilt University Law School

Michele Storms, University of Washington School of Law, *Speaker from a Call for Papers*

As noted in the Carnegie Institute's Educating Lawyers, law schools play an integral role in the development of our students' values and interpretations of the legal world, as well as their understanding of their roles and responsibilities as lawyers and how their professional success is to be defined and evaluated. Research has demonstrated losses of intrinsic valuing, altruism, and well-being among law students. As such, it is troubling that engaging law students directly in conversations about their sense of self, their values, and their future careers is not part of the typical law school curriculum.

This year's program will address these concerns by highlighting collaborative efforts (among faculty, students, and administrators) and student initiatives that succeeded in enhancing student professional identity and overall well-being. Attendees will learn about a number of successful programs, including credit-bearing courses, offerings in professional identity and contemplative practice, extracurricular activities, and innovative student-led initiatives. A variety of student and faculty speakers, some paired by program, will share their experiences with these emerging programs designed to strengthen student integrity and values, enhance professional development, increase well-being and engagement, and promote more satisfying and successful lives as lawyers.

8:30 - 10:15 AM

[5100] Section on Civil Procedure

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Procedural Reform: Rulemaking v. Legislation

Moderator: Mary Kay Kane, University of California, Hastings College of the Law

Speakers: Robin J. Effron, Brooklyn Law School, *Speaker from a Call for Papers*

Sean Farhang, Assistant Professor of Public Policy, University of California, Berkeley, Goldman School of Public Policy, Berkeley, CA

Alexandra D. Lahav, University of Connecticut School of Law, *Speaker from a Call for Papers*

Procedural reform has enjoyed (or suffered from, depending on one's point of view) considerable attention in recent years. Procedural topics are in the mainstream media. Supreme Court cases have reformed bedrock principles. Rulemakers regularly debate amendments to an ever-expanding corpus of rules. And the legislative branch seeks to undo some reforms while initiating still others. Papers presented by the panel will put this constellation of procedural reforms into a broader perspective. The debate about whether procedural reform is more properly the province of rulemakers or lawmakers is neither new nor, perhaps, even resolvable. Yet it remains relevant — urgent even — given the stakes.

Business Meeting at Program Conclusion.

8:30 - 10:30 AM

[5110] Section for the Law School Dean

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

Deaning in the Weird Wired World

Introduction: Darby Dickerson, Texas Tech University School of Law

Moderator: Aviam Soifer, University of Hawaii, William S. Richardson School of Law

Speakers: Katherine S. Broderick, University of the District of Columbia, David A. Clarke School of Law

Darby Dickerson, Texas Tech University School of Law

Camille A. Nelson, Suffolk University Law School

Paul M. Schwartz, University of California, Berkeley, School of Law

Daniel Weddle, University of Missouri-Kansas City School of Law

This interactive program will explore the complexities of serving as a dean in today's environment of ever-present, ever-changing technology. Topics to be explored include handling crises that can "go viral" and extend far beyond the campus community; responding to faculty and student problems that arise through or about technology; "best practices," security, and ethical concerns regarding online activities; and how to achieve some semblance of work-life balance in the context of ubiquitous communication devices.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[5120] Section on International Human Rights

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

New Voices in Human Rights

Moderator: Bert B. Lockwood, University of Cincinnati College of Law

Speakers: Elizabeth N. Bursleson, Pace University School of Law, *Speaker from a Call for Papers*
Cyra A. Choudhury, Florida International University College of Law, *Speaker from a Call for Papers*

Stuart Ford, The John Marshall Law School, *Speaker from a Call for Papers*

Penny Venetis, Rutgers School of Law - Newark, *Speaker from a Call for Papers*

Once again, this year, the Section presents “New Voices in Human Rights.” This is an opportunity to hear cutting-edge scholarship by new scholars on a variety of human rights topics. This year the panels will be moderated by Professor Lockwood, the longtime Editor-in-Chief of *Human Rights Quarterly*, the pre-eminent forum for human rights scholarship. Professor Lockwood will also share his perspective about human rights scholarship and provide some insights about current trends and hot topics.

8:30 - 10:15 AM

[5130] Section on Jurisprudence

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Law, Plans, and Coordination: A Roundtable on Scott Shapiro’s “Legality”

Moderator: Benjamin C. Zipursky, Fordham University School of Law

Respondent: Scott Shapiro, Yale Law School Law School

Commentators: Michelle Dempsey, Villanova University School of Law

William Nichol Eskridge, Georgetown University Law Center

Scott Hershovitz, The University of Michigan Law School

Martin J. Stone, Yeshiva University, Benjamin N. Cardozo School of Law

Professor Shapiro’s 2011 book *Legality* is a tour de force. Just as Bentham offered utility, Hart proffered rules, and Dworkin asserted rights as the key idea for jurisprudential theory, Professor Shapiro has put forward one idea that he believes will open the door to numerous difficult problems in jurisprudence. It is the idea of plans. Legal systems, on Professor Shapiro’s account, are elaborate and multi-tiered plans with which people are able to live together in constructive communities. Simple as it is, a plans-based theory of law promises to offer insights on the nature of statutory and constitutional interpretation, the relationship between law and morality, and the nature of law more generally. Four speakers from different backgrounds will provide commentary on the book, to which Professor Shapiro will respond.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[5140] Section on Law and Mental Disability, Co-Sponsored by Section on Disability Law

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Institutionalization and Incarceration: New Legal Strategies for Advocating on Behalf of Individuals With Mental Disabilities

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

Speakers: William M. Brooks, Touro College, Jacob D. Fuchsberg Law Center, *Speaker from a Call for Papers*James W. Ellis, University of New Mexico School of Law, *Speaker from a Call for Papers*Arlene S. Kanter, Syracuse University College of Law, *Speaker from a Call for Papers*Robert F. Schopp, University of Nebraska College of Law, *Speaker from a Call for Papers*

Over 10 years ago, the Supreme Court's landmark decision in *Olmstead v. L.C.* held that unjustified isolation of mentally disabled individuals in institutions is a form of disability discrimination prohibited by the Americans with Disabilities Act (ADA). Since *Olmstead*, states have continued to rethink their commitments to massive levels of imprisonment. Concerns continue, however. States are still moving individuals into prisons, as well as mental institutions, via faulty commitment and competency proceedings rather than developing comprehensive community care. There is a need to address conditions of institutionalization, including mental health parity. Some recent initiatives include mental health courts, changes in state laws, and most recently the influence of the federal mental health parity law. The new Convention on the Rights of People with Disabilities, adopted by the UN in 2006, adds an international human rights law dimension to the right to live in the community and to receive services there.

James Ellis begins the panel with historical perspectives in "The Past as Prologue: Shifting Legal Theories before *Olmstead*." Arlene Kanter adds an international dimension with "There's No Place Like Home: The Right to Live in the Community for People with Disabilities Under International Human Rights Law and the Domestic Laws of the United States." William Brooks addresses the civil commitment process in "The Tail Still Wags the Dog: The Pervasive and Inappropriate Influence by the Psychiatric Profession on the Civil Commitment Process" and Robert Schopp discusses mental health courts in "Mental Health Courts: Competence, Responsibility, and Proportionality."

Business Meeting at Program Conclusion

8:30 - 10:15 AM

[5145] **Section on Law and Religion**

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

**Blasphemy, Religious Defamation, and Religious Nationalism:
Threats to Civil Society from Religious Speech and Its Suppression**

(Papers to be published in *Case Western Reserve Law Review*)

Moderator: Mark S. Scarberry, Pepperdine University School of Law
 Speakers: Robert C. Blitt, University of Tennessee College of Law
 Andrew March, Assistant Professor, Department of Political Science, Yale University, New Haven, CT
 Moria Paz, Stanford Law School
 Anat Scolnicov, Deputy Director for Centre for Public Law, University of Cambridge Faculty of Law, Cambridge, United Kingdom
 Eugene Volokh, University of California, Los Angeles, School of Law

Various countries have recently used laws against hate speech and blasphemy to prohibit certain kinds of criticism of religion and even to criminally prosecute and convict those engaging in speech targeting a particular religion. This trend clearly contrasts with the protections for religious and anti-religious speech provided by the First Amendment of the U.S. Constitution. The intersection between religious speech and individual privacy is, however, at issue in the recent U.S. Supreme Court case of *Snyder v. Phelps*. This session will investigate international developments involving religious defamation, the comparative dimensions of the issue, and potential domestic analogues.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[5150] Section on Mass Communication Law

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

Minding Media: The Future and the FCC

Moderator: Amy Gajda, Tulane University School of Law

Speakers: John Bergmayer, Staff Attorney, Public Knowledge, Washington, DC
Reed Hundt, Chief Executive Officer, Coalition for Green Capital, Washington, DC
Peter M. Shane, The Ohio State University, Michael E. Moritz College of Law
Philip J. Weiser, University of Colorado Law School
Kevin Werbach, Associate Professor of Legal Studies and Business Ethics, Legal
Studies and Business Ethics Department, University of Pennsylvania,
The Wharton School, Philadelphia, PA

The Federal Communications Commission of 2012 is not your grandparents' FCC. It has played a key role recently in issues as diverse as profanity and nudity on television, net neutrality, and the future of news media and news access in the United States. But the FCC's power to shape the future of media and communications through these policies and actions and investigations is not without its critics. This interactive panel of FCC professionals, scholars, and practitioners will take a critical look at the future of media and communications and the role the FCC will and should play in that future.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[5160] Section on Pro Bono and Public Service Opportunities

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Teaching and Learning in Pro Bono and Service Learning Programs

Moderator: Sande Buhai, Loyola Law School

Speakers: Eve Biskind Klothen, Rutgers School of Law - Camden, *Speaker from a Call for Papers*
 J. P. "Sandy" Ogilvy, The Catholic University of America, Columbus School of Law
 Sarah E. Ricks, Rutgers School of Law - Camden, *Speaker from a Call for Papers*
 Susan B. Schechter, University of California, Berkeley, School of Law

The Section's program will focus on what we hope we are teaching and our students are learning through participation in pro bono and service learning programs. The theme for the Annual Meeting is Academic Freedom and Academic Duty. In the pursuit of academic duty, AALS President Michael Olivas calls on us to turn our attention to the crucial issues including service learning and skills training. This section program will examine what service learning or pro bono programs teach our students. Professor Ogilvy will be the introductory speaker. He will outline the history of pro bono and service-learning programs and briefly discuss some of the basic skills that students learn from such experiences. Professor Schechter will start off the discussion by describing her work with her Berkeley colleague, David Oppenheimer, in using service learning and pro bono programs as a means of teaching leadership skills. Speakers selected from a Call for Papers will address this topic from many different approaches. For example, a paper may be descriptive of an ongoing program that teaches some specific lawyering skill or skills. Another approach might be more theoretical and discuss possibilities for teaching through these types of programs but not describe any particular existing program. Service learning and pro bono programs hold great value for the teaching of many of the lawyering skills and qualities needed by our profession. This session promises to be useful and inspiring.

Business Meeting at Program Conclusion.

AALS COMMITTEE PROGRAM

10:30 AM - 12:15 PM

[5170] AALS Committee on Research

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Empirical Research

Moderator: Elizabeth C. Mertz, University of Wisconsin Law School

Speakers: Jess Bravin, Supreme Court Correspondent, *The Wall Street Journal*, Washington, DC
Cyrus Mehri, Partner, Mehri & Skalet, PLLC, Washington, DC
Barbara J. Rothstein, Senior Judge, United States District Court for the District of Columbia, Washington, DC

AALS SECTION PROGRAMS

10:30 AM - 12:15 PM

[5180] Sections on Antitrust and Economic Regulation and Law and Economics Joint Program

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Behavioral Economics and Antitrust Law

(Papers to be published in *Journal of Law, Economics & Policy*)

Moderator: Bruce H. Kobayashi, George Mason University School of Law

Speakers: James C. Cooper, Adjunct Professor, George Mason University, Arlington, VA
William E. Kovacic, The George Washington University Law School, *Speaker from a Call for Papers*
Steven C. Salop, Georgetown University Law Center
Maurice E. Stucke, University of Tennessee College of Law
Avishalom Tor, University of Notre Dame Law School
Joshua Wright, George Mason University School of Law

The program will focus on the influence of behavioral economics on antitrust law and policy. Behavioral economics, which examines how individual and market behavior are affected by deviations from the rationality assumptions underlying conventional economics, has generated significant attention from both academics and policy makers. The program will feature presentations by leading scholars who have addressed how behavioral economics impacts antitrust law and policy.

Business Meeting for Section on Antitrust and Economic Regulation at Program Conclusion.
Business Meeting for Section on Law and Economics at Program Conclusion.

10:30 AM - 12:15 PM

[5190] Sections on Biolaw and Defamation and Privacy Joint Program

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Privacy and Innovation in Pharmacogenomics

Moderators: Christopher M. Holman, University of Missouri-Kansas City School of Law

Frank A. Pasquale, Seton Hall University School of Law

Speakers: Ken Chahine, University of Utah, S. J. Quinney College of Law

Barbara J. Evans, University of Houston Law Center

Laura L. Rodriguez, Director of the Office of Policy, Communications and
Education, National Institute of Health, National Human Genome Research
Institute, Bethesda, MD

Sonia M. Suter, The George Washington University Law School

This panel will discuss long-standing tensions between privacy and innovation in contemporary medical research. Panelists will also explore new understandings of the mutually reinforcing character of privacy and innovation. For example, innovative deidentification methods might better protect privacy, and stronger legal protections for privacy may lead more patients to “buy in” and participate in research. Bringing together leading academic, industry, and government perspectives, the panel promises to spark a lively discussion on how best to realize the promise of pharmacogenomic research.

Business Meeting for Section on Biolaw at Program Conclusion.

Business Meeting for Section on Defamation and Privacy at Program Conclusion.

10:30 AM - 12:15 PM

[5200] Section on Children and the Law, Co-Sponsored by Section on Mass Communication Law

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Children and the Media

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

Moderator: Jessica Dixon Weaver, Southern Methodist University, Dedman School of Law

Speakers: Cynthia M. Godsoe, Brooklyn Law School, *Speaker from a Call for Papers*

Lili Levi, University of Miami School of Law

William W. Patton, Whittier Law School

Nareissa Smith, North Carolina Central University School of Law

This program explores the intimate connection between the media and children’s lives. Whether children are merely watching television or surfing the net, the media help shape their general perceptions of the universe. In addition, the media frame the public’s attitudes toward legal questions involving children. This panel will explore the relationships among children, the media and the law on such diverse issues as child victim publicity, the quality of children’s educational television, and on issues regarding gender, sexuality, and punishment.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5210] Section for the Law School Dean (*Deans-only program. Attendance is open only to Deans and Interim Deans of AALS member and fee-paid law schools*)

Marriott Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

Deans' Forum: An Open Discussion of Current Issues

Moderators: Aviam Soifer, University of Hawaii, William S. Richardson School of Law
Kellye Y. Testy, University of Washington School of Law

This program is open only to Deans and Interim Deans of AALS member and fee-paid law schools. A Dean may not send a representative in his/her absence.

10:30 AM - 12:15 PM

[5220] Section on Law and the Humanities

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Excavating and Integrating Law and Humanities in the Core Curriculum

(Papers to be published in *California Law Review - The Circuit*)

Moderator: Melissa E. Murray, University of California, Berkeley, School of Law

Speakers: Bret Asbury, Drexel University, Earle Mack School of Law, *Speaker from a Call for Papers*

Ariela J. Gross, University of Southern California, Gould School of Law

Zahr Said, University of Washington School of Law, *Speaker from a Call for Papers*

Carol Sanger, Columbia University School of Law

David A. Sklansky, University of California, Berkeley, School of Law

Rose Cuison Villazor, Hofstra University School of Law

The Section will hold a program with panelists who will share methods of teaching law and humanities perspectives in "core courses" such as property, torts, contracts, corporations, federal income tax, civil procedure, contracts or criminal law, and others not traditionally understood to include these perspectives.

Many agree that law and humanities perspectives are important vehicles for unpacking the substantive content of the core curriculum, as well as for building and honing key skills necessary for legal practice.

Though many acknowledge that these perspectives are vitally important, there is less agreement as to how faculty can successfully implement these perspectives in their classrooms. This program will include a variety of panelists and will explore ways law and humanities perspectives can be used successfully to enrich law school teaching.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5230] Section on Legal Writing, Reasoning and Research

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

**In the New Millennium, What Are the Best Practices in
Legal Writing, Reasoning and Research?**

Moderators: Kathleen Elliott Vinson, Suffolk University Law School

Mark E. Wojcik, The John Marshall Law School

Speakers: Tracy L. Bach, Vermont Law School, *Speaker from a Call for Papers*

Mary Bowman, Seattle University School of Law, *Speaker from a Call for Papers*

Lisa E. Brodoff, Seattle University School of Law, *Speaker from a Call for Papers*

Sara Rankin, Seattle University School of Law, *Speaker from a Call for Papers*

Ruth Anne Robbins, Rutgers School of Law - Camden, *Speaker from a Call for Papers*

Grace C. Tonner, University of California, Irvine School of Law, *Speaker from a
Call for Papers*

Technological advances have changed fundamentally how lawyers and law students locate, evaluate, and communicate information. Professors who teach legal writing, research, and analysis face an ever-shifting landscape of technology and skills. This session evaluates both the educational challenges and solutions discovered to teach successfully in the new millennium. Audience members will be encouraged to share their experiences and ideas on effective and innovative teaching methods.

10:30 AM - 12:15 PM

[5240] Section on Minority Groups, Co-Sponsored by Section on Africa

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

Minority Conservatives and Their Impact on Legal Theory

Moderator: Penelope Andrews, City University of New York School of Law

Speakers: Christopher Brace, The George Washington University Law School

Sherrilyn Ifill, University of Maryland Francis King Carey School of Law

Ruthann Robson, City University of New York School of Law

Terry Smith, DePaul University College of Law

The American Constitution and Bill of Rights were drafted in response to historical imperatives and remain embedded in particular historical moments. How to interpret the text of the Constitution and Bill of Rights continues to be a major source of conflict among scholars, lawyers and judges, with those who favor an originalist approach pitted against those who see the Constitution as a living document, responding to contemporary realities.

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

Reflecting the tremendous societal change since the Constitution's ratification, identity issues of race, gender and sexuality often trigger these discussions, with those identified as "the other", namely people of color, women, sexual minorities, as objects of these interpretive differences. Recently several conservative scholars who happen to be members of these identity groups have emerged who insist on a strict formalist approach to constitutional interpretation. Their approach to constitutional interpretation places them outside the mainstream of their identity communities, where reliance on a living constitution has provided the context for societal change, such as the eradication of racial and gender discrimination. This panel will raise the following questions: Does, and/or should, one's identity influence one's interpretation of the Constitution and Bill of Rights? Is and should one's philosophical approach to constitutional interpretation be guided by one's identity? Is it possible to balance one's identity group membership with a strict constructionist approach to constitutional interpretation and still achieve meaningful and even transformation social equality under law?

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5250] Section on Natural Resources Law, Co-Sponsored by Section on Environmental Law

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Adaptation Strategies: Responding to Climate Changes as the New Normal

(Papers to be published in *West Virginia Law Review*)

Moderator: Joyce E. McConnell, West Virginia University College of Law

Speakers: Vicki Arroyo, Georgetown University Law Center
Michael B. Gerrard, Columbia University School of Law
Emily H. Meazell, University of Oklahoma College of Law
James M. Van Nostrand, West Virginia University College of Law

Climate change and its impacts are the new normal, yet until very recently most scholarly attention focused on mitigation of greenhouse gas emissions and not on adaptation strategies. While mitigating climate change is essential, adaptation is critical to the survival of the natural and built environment, which in turn is critical to human health, economic prosperity and government stability. This panel of scholars will start with the assumption that adaptation is an internationally critical issue and will explore adaptation strategies in law and policy.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5260] Section on Professional Responsibility

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Does the First Amendment Protect Attorney Advice, Assistance, and Representation?

(Papers to be published in *Journal of the Professional Lawyer*)

Moderator: Peter Joy, Washington University in St. Louis School of Law

Speakers: Renee Newman Knake, Michigan State University College of Law, *Speaker from Call for Papers*

Adam Liptak, Supreme Court Correspondent and Sidebar Columnist, *New York Times*, Washington, DC

David Mc Gowan, University of San Diego School of Law, *Speaker from Call for Papers*

David Udell, Yeshiva University, Benjamin N. Cardozo School of Law

This program explores the intersection of First Amendment rights of lawyers and clients when faced with government attempts to limit attorney advice, assistance, and representation. A series of Supreme Court cases, some of them decided very recently, raise significant questions about the constraints on government attempts to limit lawyers in providing advice and legal services to clients. Issues to be explored include: *Legal Services Corp. v. Velazquez* and legal advice and advocacy as protected speech; how *Citizens United* intersects with *NAACP v. Button*; implications of *Holder v. Humanitarian Law Project* on limiting lawyer's advice in other areas; *Milavetz v. United States* and issues of forced speech and disclosure requirements in connection with the delivery of legal services; and other First Amendment implications for the practice of law including lawyers' use of social media, advertising, and criticism of the judiciary.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5270] Section on Securities Regulation

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Exploring the Regulatory Response to the Financial Crisis

Moderator: William K. Sjostrom, The University of Arizona, James E. Rogers College of Law

Speakers: Christoph Henkel, Mississippi College School of Law, *Speaker from Call for Papers*
Troy Allan Paredes, Commissioner, U.S. Securities and Exchange Commission, Washington, DC

James C. Spindler, The University of Texas School of Law, *Speaker from Call for Papers*

Lynn A. Stout, University of California, Los Angeles, School of Law

Robert B. Thompson, Georgetown University Law Center

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[5280] Sections on Taxation and Trusts and Estates Joint Program

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Death and Taxes: Now and Beyond 2012

- Moderators:** James R. Repetti, Boston College Law School
Laura A. Rosenbury, Washington University in St. Louis School of Law
- Speakers:** Paul L. Caron, University of Cincinnati College of Law
Bridget J. Crawford, Pace University School of Law
Joseph M. Dodge, Florida State University College of Law
Miranda Perry Fleischer, University of Colorado Law School
Elaine H. Gagliardi, University of Montana School of Law
Wendy Carol Gerzog, University of Baltimore School of Law
David Joulfaian, Economist, U.S. Department of Treasury, Washington, DC
William H. Lyons, University of Nebraska College of Law
Beverly I. Moran, Vanderbilt University Law School
Richard L. Schmalbeck, Duke University School of Law
Phyllis C. Smith, Florida A&M University College of Law

January 2012 marks the beginning of the second and final year of a political compromise that established a unified federal estate and gift tax with a \$5 million exemption and a 35 percent top rate. If no new law is passed, the estate tax in 2013 will revert to its pre-2001 status with a \$1 million exemption and 55 percent top rate. This session will use this state of flux as an opportunity to examine some fundamental questions facing all tax and trusts and estates scholars: (1) Should we tax inherited wealth? (2) If so, should we retain the estate tax or instead replace it with an inheritance tax or, alternatively, impose the income tax on gifts and inheritances by repealing section 102? and (3) If we do not replace the estate tax, what changes should we make within the current estate tax system? A half hour will be devoted to each question, with scholars providing brief contrasting opinions in a moderated format based on their past and current research.

Business Meeting of Section on Taxation at Program Conclusion.

Business Meeting of Section on Trusts and Estate at Program Conclusion.

ASSOCIATION OF AMERICAN LAW SCHOOLS LUNCHEON

12:30 - 2:00 PM

[1401] Association of American Law Schools Luncheon

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

Introduction: **Sonia Sotomayor, Associate Justice, The Supreme Court
of the United States, Washington, DC**

Luncheon Speaker: **José A. Cabranes, Judge, U.S. Court of Appeals for the
Second Circuit, New York, NY**

José A. Cabranes was appointed judge of the United States Court of Appeals for the Second Circuit in 1994. He served as a United States District Judge for the District of Connecticut for fifteen years and was serving as Chief Judge of that court when he was appointed to the Court of Appeals.

Judge Cabranes was a Kellett Research Fellow of Columbia College at the University of Cambridge (Queens' College, 1965-1967). He practiced law in New York City, taught on the full-time faculty of law of Rutgers University and served as Special Counsel to the Governor of Puerto Rico and head of the Commonwealth's Washington office, before moving to New Haven as General Counsel of Yale University in 1975.

He is a founding member of the Board of Directors of the Puerto Rican Legal Defense and Education Fund, of which he later served as chairman, and he served also as chairman of a second leading Hispanic organization, Aspira of New York, the Hispanic community organization that helps inner city youth advance through education. From 1987 to 1999 he served as a trustee of Yale University (Fellow of the Yale Corporation). Judge Cabranes has served also as a trustee of Colgate University and of the Yale-New Haven Hospital.

He is the author of *Citizenship and the American Empire* (Yale University Press, 1979), a legislative history of the American citizenship of the people of Puerto Rico, and with Kate Stith, *Fear of Judging: Sentencing Guidelines in the Federal Courts* (University of Chicago Press, 1998) (Certificate of Merit, ABA) and articles in law journals.

AALS President Michael A. Olivas extended the speaking invitation to him, particularly with the Annual Meeting theme of Academic Freedom and Academic Duty. He noted, "I asked Judge Cabranes to speak, particularly given his longstanding involvement in law teaching, his serving as Yale's General Counsel, and his experience as a college trustee. He is an exceptional scholar, and he brings extensive experience to us at this important time in legal education."

AALS Scholarly Paper Award Recognition Order of the Coif Book Award Winner Recognition

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at AALS On-Site Registration until 7:00 p.m. on Thursday, January 5 if space is available. Tickets will not be for sale at the luncheon.)

AALS PRESIDENTIAL PROGRAMS

2:15 - 4:00 PM

[5290] AALS Presidential Program I – Law School Faculty Demographics and Law School Finances

Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Pat K. Chew, University of Pittsburgh School of Law

Speakers: Ronald G. Ehrenberg, Irving M. Ives Professor Industrial and Labor Relations and Economics and a Stephen H. Weiss Presidential Fellow, Cornell University School of Industrial and Labor Relations, Ithaca, NY

In this session, Professor Ehrenberg, one of the country's most accomplished labor economists, will review law school teaching demographics and data on the professoriate. He will analyze this data, and will comment upon the changes in demography and the restructuring of the professoriate, in particular, the shift to the use of more contingent faculty. Professor Ehrenberg is also actively engaged in the governance of higher education, and serves as a Faculty Trustee on the Cornell Board as well as a Regent of the SUNY system.

2:15 - 4:00 PM

[5300] AALS Presidential Program II – Threats to Academic Freedom: Domestic and Universal/Internal and External

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Amy Gajda, Tulane University School of Law

Speakers: Robert Quinn, Executive Director, Scholars at Risk Network, New York, NY
Joseph H.H. Weiler, New York University School of Law

In his 2011 Presidential Address, Professor Michael A. Olivas identified a number of issues that had recently arisen in U.S law schools that threatened faculty autonomy and independence, as well as international threats to college professors throughout the world. In 2010, a New York University law professor was sued in an international forum for his having been editor of an academic journal that published a book review. While he was fully exonerated in the matter, this event became a cause célèbre, and drew attention to issues of academic freedom, the civil procedure of international defamation litigation, and risks inherent in academic publishing. In this session, Professor Weiler, the editor sued for publishing the review, will discuss the case and its implications. Robert Quinn, the Director of the Scholars at Risk (SAR) Network, will discuss the work of the SAR program, which attempts to provide safe havens and relocation for international scholars across field, whose viewpoints have put them at risk.

2:15 - 4:00 PM

[5310] AALS Presidential Program III – Academic Duty and Public Service

Maryland Suite, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Linda S. Greene, University of Wisconsin Law School

Speakers: Harold Hongju Koh, Legal Advisor, U.S. Department of State, Washington, DC
Nancy H. Rogers, The Ohio State University Michael E. Moritz College of Law

Many law faculty become involved in service in their professional associations and in other groups where their legal expertise is called upon. In addition, it is not uncommon for such faculty to take leaves from academe to provide formal public service by holding appointive office. In this session, the recent experiences of two highly visible law deans who have undertaken public service will discuss the circumstances that led to their appointments (one following an elected state official's resignation due to a scandal, and the other a more traditional appointment to federal service), the nature of their engagement, and the appropriate role of faculty in engaging in this type of Academic Duty.

AALS COMMITTEE PROGRAM

4:00 - 5:45 PM

[5320] AALS Committee on Bar Admission and Lawyer Performance

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

**Unplanned Interactions: Practical, Ethical and Legal Guidance
for Faculty Working With Students in Distress**

Moderator: Lisa Gabrielle Lerman, The Catholic University of America, Columbus School of Law

Speakers: Toi Y. Carter, Associate General Counsel, Office of the Senior Vice President and
General Counsel, The George Washington University, Washington, DC
Wanda Collins, Ph.D., Licensed Psychologist, Director, American University
Counseling Center, Washington, DC
Lawrence S. Krieger, Florida State University College of Law
Lucinda Roy, Alumni Distinguished Professor, Department of English, Virginia
Tech University Blacksburg, VA

It is widely recognized that, like practicing lawyers and other professionals, a significant percentage of law students suffer from problems involving anxiety and depression, addiction, other mental health problems, and problems relating to learning disabilities. For many law students, the “first responders” to these problems are the students’ professors. A student might behave strangely in class (perhaps displaying agitation or talking out of turn) or might be unaccountably absent. The professor might contact the student to find out what is going on and learn that the student is thinking about dropping out of school or even considering suicide. Another student in distress might make an appointment to speak with one of her professors to talk about why she can’t sleep or study effectively. During the meeting, the professor might learn that the student is beset by overwhelming anxiety and seldom sleeps more than two hours a night.

The goal of this program is to provide law professors with guidance on and an opportunity to discuss how to respond when students in distress ask for support and advice. Some student services staff members possess professional training in counseling, but relatively few faculty members are trained counselors. Nevertheless, for some law professors, a significant part of their de facto job description is to provide support and advice to students about personal crises and mental health issues. These professors can provide critically important help to students in distress and can serve as models for their students as to how to assist colleagues who are facing complex personal problems. This program aspires to offer practical, ethical and legal guidance to professors who counsel students on these issues.

The program will bring together a panel that will include some law professors with extensive experience in advising students in distress, a university counseling center professional whose practice has included a large number of law students, and a lawyer from a university general counsel's office or a law school administrator who is familiar with the regulatory and liability issues that may arise.

The program will open with introductory comments from the panel, offering an overview of the problem to be addressed and framing the issues to be discussed. The program will move expeditiously into an interactive discussion of a series of hypothetical problems. The panelists will present hypothetical situations in narrative form or through role plays and ask the audience to divide into small groups to play out their responses and to discuss the issues presented.

Some of the issues that this panel will explore include:

- Should law professors talk to students in distress, or should they just refer them to the professionals? Why might a law student prefer to confide in a professor than in a therapist, a law school administrator, a parent, a friend, or a religious adviser? Is professional training a prerequisite to such discussions?
- When and under what circumstances should a law professor agree to talk with a student in confidence, and when is such an agreement legally proper? If a law professor later receives a query from a state bar about a student the law professor has counseled, how should the professor respond?
- How can a law professor be most helpful in referring a student to a mental health professional? If the student is hesitant to seek counseling because of fear of having to disclose the counseling to bar admissions personnel, how best can a law professor advise a student?
- If a law professor is to meet with a student who seems seriously disturbed, what precautions are appropriate?
- When should a law professor report to the dean's office on students who have exhibited serious mental health issues?
- What should law professors say to students in their classes about their availability to discuss issues that trouble their students?
- What should law professors know about federal and other law on student privacy and other issues that should inform their student guidance?
- How can law schools recognize such student counseling as a part of the performance evaluation of law professors?

AALS PROGRAMS

4:00 - 5:45 PM

[5330] AALS Scholarly Paper Presentation

Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel

- Moderator:** Michele Goodwin, University of Minnesota Law School, Chair, Committee to Review Scholarly Papers for the 2012 Annual Meeting
- Winner:** Daniel J. Sharfstein, Vanderbilt University Law School:
Atrocity, Entitlement, and Personhood: The Value of Violence in Property Law
- Honorable Mentions:** Rachel Harmon, University of Virginia School of Law
The Problem of Policing
- Chimène I. Keitner, University of California Hastings College of Law
The Forgotten History of Foreign Official Immunity

To encourage and recognize excellent legal scholarship and to broaden participation by new law teachers in the Annual Meeting program, the Association sponsored its twenty-sixth annual Call for Scholarly Papers. The AALS Scholarly Papers competition is open to full-time law faculty members who have been in law teaching for five or fewer years on July 1, 2011, and who hold a full-time faculty appointment at an AALS member or fee-paid school. The winners, who will present and discuss their papers, were selected out of a record breaking 116 submissions by a panel of ten distinguished law scholars.

4:00 - 5:45 PM

[5340] Crosscutting Program (*a program competitively selected by the AALS Committee on Crosscutting Programs*)

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Preventing Legal Problems

- Moderator:** Edward A. Dauer, California Western School of Law
- Speakers:** Z. Jill Barclift, Hamline University School of Law
Thomas D. Barton, California Western School of Law
Jonathan R. Cohen, University of Florida, Fredric G. Levin College of Law
Susan S. Daicoff, Florida Coastal School of Law
Edward A. Dauer, California Western School of Law

Preventive medicine helps patients stay healthy and capable, so that they will rarely require extensive treatment. Energy planning promotes efficiency and independence. Legal education and research, however, have largely neglected preventive concepts.

Practicing lawyers manage legal risks in many situations: tax planning, estate planning, employment planning, and others. What both the profession and legal education have lacked is a systematic way of thinking about planning apart from the substantive particulars of any one field. Law schools teach "Trial Practice" rather than separate courses on Contracts Trial Practice, Torts Trial Practice, or Estates Trials Practice. The same should be possible for "Planning."

The "Preventing Legal Problems" program addresses these shortcomings, alerting legal educators to the needs and benefits of bringing planning ideas into the classroom. Speakers will discuss (1) preventive thinking among lawyers; (2) how prevention relates to professional responsibility and emerging structural changes in the legal profession; (3) communication skills associated with preventive practice; (4) samples of how preventive lawyering can be applied to corporate law and governance, health care, and contract law; and (5) obstacles to bringing planning into the classroom and possibilities for surmounting those difficulties.

AALS SECTION PROGRAMS

4:00 - 5:45 PM

[5345] Section on Africa

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

The International Criminal Court and Its Focus on Africa: Helping or Hindering Peace on the Continent?

Moderator: Paolo Galizzi, Fordham University School of Law

Speakers: Ernest Kofi Abotsi, Executive Director, African Centre for Development Law and Policy, Achimota, Ghana

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

Joel M. Ngugi, University of Washington School of Law

Bruce Wharton, Deputy Assistant Secretary for Public Diplomacy, U.S.
Department of State Bureau of African Affairs, Washington, DC

All the cases currently pending at various stages before the International Criminal Court (ICC) are related to situations on the African continent. By focusing all of its efforts on Africa, is the ICC targeting the continent, or is it merely attempting to deliver justice where the needs are allegedly greater? Have the repercussions of requesting a warrant of arrest for Sudanese president Omar Hassan Ahmad al Bashir renewed a need to more fully support the ICC, or has it revealed the ICC's lack of power and encouraged other leaders to act with impunity? Currently, Libya is not a party to the ICC, but the ICC's prosecutor has asked for an arrest warrant to be issued for Libyan leaders including Muammar Qaddafi and his son and the Libyan intelligence head. Is the role of the ICC to exercise justice even in nations that have not ratified the Treaty of Rome? Is this a further example of the Court's success, or will this result in further embarrassment? The newly installed President of the Ivory Coast has asked the assistance of the ICC to investigate alleged crimes committed during the civil conflict that has devastated the country. Is this the demonstration that African countries support and indeed need the ICC in many instances? The panel will address these and many other provocative questions. Ultimately, the panel will ask whether the ICC is helping or hindering peace and justice on the African continent and what changes need to be made.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5350] Section on Commercial and Related Consumer Law

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

The Uniform Commercial Code and the Mortgage Crisis

Speakers: Amelia H. Boss, Drexel University, Earle Mack School of Law
 Neil B. Cohen, Brooklyn Law School
 Adam J. Levitin, Georgetown University Law Center
 Dale A. Whitman, University of Missouri School of Law

The unfolding mortgage crisis has brought to the forefront the critical role played by commercial law rules in the Uniform Commercial Code on the creation and transfer of obligations secured by real property. Article 3 of the Uniform Commercial Code governs rights under negotiable mortgage notes, and Article 9 governs the sale of payment obligations (whether or not evidenced by negotiable notes) that are secured by real property. The impact of those commercial law rules on the enforcement of obligations secured by mortgages (few of which are still owned by the original lending institutions) has been largely ignored by some courts and commentators and hotly debated by others. This program will address both the current state of the law and the need for law reform.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5360] Section on Family and Juvenile Law

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Federal Family Law and Family Law Federalism

Moderator: Theresa Glennon, Temple University, James E. Beasley School of Law
Speakers: Seth Chamberlain, Senior Social Science Research Analyst, U.S. Department of Health and Human Services, Administration for Children and Families, Washington, DC
 Sarah Lipton Lubet, Policy Counsel, American Civil Liberties Union, Washington DC
 Mark Strasser, Capital University Law School
 Rose Cuisson Villazor, Hofstra University School of Law

The federal government plays a strong and growing role in the regulation and legal recognition of families. This panel addresses fundamental and controversial questions concerning the federal government's approach to such regulation and the federalism concerns it raises.

Section on Family and Juvenile Law, continued

Federal law defines family relationships for immigration, recognition of marriage, and access to benefits for unmarried cohabitants, their children and other family members. Federal law increasingly dominates state approaches to child welfare, adoption and child support. The federalization of family law also reflects the development of international treaties regarding family law. The federal government uses federal funds to promote marriage and responsible fatherhood, while funding restrictions limit access to reproductive health services. This expansive federal role reduces individual state autonomy regarding family law matters. This panel examines the appropriate division between state and federal responsibility for family law and evaluates federal approaches to regulation of the family and intimate private lives.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5370] Section on Internet and Computer Law

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

The Legal and Policy Implications of an Internet Kill Switch

Moderator: Annemarie Bridy, University of Idaho College of Law

Speakers: Jack M. Balkin, Yale Law School

A. Michael Froomkin, University of Miami School of Law

Robert Heverly, Albany Law School

Governments all over the world (including our own) are becoming more active in their desire to control the inner workings of the Internet as a means of controlling the flow of information to crush dissent or to help defend the network from a crippling cyber attack, depending on whom you believe. What are the legal and policy implications of direct government intervention in the operation of the internet? What do such interventions portend for the future of the internet as a truly global, boundary-free telecommunications medium? Conversely, what are the ways in which government's relation to the internet can be democracy-enhancing? Is greater governmental control of the Internet necessary for cyber-security? With attention to both state and corporate interests in the control of online data flows, this panel will consider the government of information on the Internet.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5380] Section on Law and Interpretation, Co-Sponsored by Section on Legal Writing Reasoning and Research

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Law as a Discourse Community: Critical Perspectives on Legal Discourse

(Papers to be published in book form by Carolina Academic Press)

Moderator: David T. Ritchie, Mercer University, Walter F. George School of Law

Speakers: David S. Caudill, Villanova University School of Law
Angela I. Onwuachi-Willig, University of Iowa College of Law
Teresa Godwin Phelps, American University, Washington College of Law

Proponents of critical legal studies, critical race theory, feminist legal theory, lat crit, and postmodern legal theory have all critiqued traditional foundationalist legal discourse, and have attempted to construct alternative discursive accounts of law and its relationship to society. Peter Goodrich has argued that these critical perspectives are all located within legal discourse. Many critical and postmodern theorists, however, have maintained that their critiques are external to legal discourse (i.e., that they are essentially meta-critiques of the domain itself). If Goodrich is correct, then how can critical perspectives really fundamentally change the discourse community? Alternatively, if the latter position is correct how can legal discourse evolve in order to accommodate the perspectives of these “outsider” narratives?

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5390] Section on Law and South Asian Studies

McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel

Is There a South Asian Jurisprudence?

Moderator: Shubha Ghosh, University of Wisconsin Law School

Speakers: Amy J. Cohen, The Ohio State University, Michael E. Moritz College of Law
Vikramaditya S. Khanna, The University of Michigan Law School
Jeff A. Redding, Saint Louis University School of Law
Sudha N. Setty, Western New England University School of Law

This year’s program addresses the question of what is distinctive about jurisprudence in the South Asia context. Drawing on the expertise of the panelists in the fields of national security, labor and development, separation of powers, and corporate law, the panel gleans from these specialties elements of a distinctive South Asian Jurisprudence, if any. Topics to be considered including specific developments in these fields as well as lessons to be learned in constructing a South Asian Jurisprudence and in developing a theory of jurisprudence that draws on multiple histories and experiences.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5400] Section on Litigation, Co-Sponsored by Sections on Alternative Dispute Resolution and Civil Procedure

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

Large-Scale Litigation Issues: Class Actions and Mass Tort Cases in 2012 and Beyond

(Papers to be published in *The Review of Litigation*)

Moderator: Ettie Ward, St. John's University School of Law
 Speakers: Emery G. Lee, Senior Researcher, Federal Judicial Center, Washington, DC
 Linda S. Mullenix, The University of Texas School of Law
 Morris Ratner, Harvard Law School, *Speaker from a Call for Papers*
 Michelle R. Slack, University of Pittsburgh School of Law
 Rhonda S. Wasserman, University of Pittsburgh School of Law

Large-scale litigation—whether in the form of class actions, multi-district litigation or mass tort cases—continues to generate significant issues within the legal community and society at large. Large-scale litigation often drives procedural, process, and substantive law modifications of rules, statutes and common law. Courts, legislators, and commentators have focused in recent years on the costs of discovery, tightening pleading standards, improving management of cases, regulating court choice and access, and modification of substantive law standards—often through the prism of large-scale litigation. This program explores selected large-scale litigation issues likely to arise in 2012 and beyond. Often mass tort cases proceed on parallel tracks in both state and federal courts. Mr. Lee will use empirical data to shed light on the state of coordination in such cases, focusing on the efforts of federal judges presiding over multi-district litigation to work with their state counterparts. Professor Mullenix will examine certain issues arising from the large number of litigation claims filed in response to the BP oil spill. Professor Slack will focus on issues that arise in class actions brought against the federal government. Professor Wasserman will discuss “secret” settlements in class actions. An additional presentation will be drawn from a Call for Papers.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5410] Section on Part-Time Division Programs

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**The Effects of *U.S. News & World Report* Rankings
on Part-Time Legal Education**

Moderator: Dennis R. Honabach, Northern Kentucky University, Salmon P. Chase College of Law
Speakers: Jon M. Garon, Northern Kentucky University, Salmon P. Chase College of Law
 Ellen Keane Rutt, University of Connecticut School of Law
 Athornia Steele, Nova Southeastern University, Shepard Broad Law Center

That the *U.S. News & World Report* annual rankings of law schools are inaccurate and misleading is no secret. Nevertheless, many law schools, having found themselves trapped in the rankings game, have made decisions affecting their law schools to improve their ranking rather than improve their program or benefit the profession. Indeed, some critics assert that some law schools have directed their efforts to gaming the system. For example, when the credentials of part-time students were not taken into account in determining the qualifications of entering classes, some schools enrolled many lower-credentialed students into their part-time program with the implicit promise that they could quickly transfer to the full-time program. When *U.S. News & World Report* responded by changing its methodology to include all entering students, deans and others predicted dire consequences, asserting that law schools would respond by reducing the size of their part-time programs or by reducing the number of highly qualified but low credentialed students they admitted to their part-time programs. This program will explore the actual effect the new *U.S. News & World Report* ranking methodology has had on part-time programs and the market for legal education.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5420] Section on Pre-Legal Education and Admission to Law School

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

**What They See and Hear Is What They Get! Or Is It? Making Sure Your
Marketing Messages Are Consistent With Your Institutional Identity!**

Moderator: Traci D. Howard, California Western School of Law
Speakers: Alicia K. Cramer, South Texas College of Law
 Mara R. Duffy, The Catholic University of America, Columbus School of Law
 David B. Jaffe, American University, Washington College of Law
 Tracy L. Simmons, Chapman University School of Law

During this interactive session, presenters will lead a discussion about issues that arise when student expectations do not match their actual experiences once they enroll in your law school. Representatives from Admissions and Student Services will also share ideas about how they have been able to closely align their marketing messages with their institutional identity to ensure student success.

Business Meeting at Program Conclusion.

4:00 - 5:45 PM

[5430] Section on Teaching Methods

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

**Teaching Professional Values Across the Curriculum:
Engaging Student Learners in the Process of Becoming Lawyers**

Moderator: Kathleen O'Neill, University of Washington School of Law

Speakers: Heather Baum, Villanova University School of Law
Alison D. Kehner, Widener University School of Law
Christine G. Mooney, Villanova University School of Law
Mary Ann Robinson, Widener University School of Law
Jean K. Sbarge, Widener University School of Law
Libby A. White, Villanova University School of Law

Although students must begin to adopt standards of professionalism in law school that they will carry with them when they become lawyers, the traditional law school curriculum has not heavily focused on teaching professional values. The purpose of this panel is to describe, demonstrate, and engage participants in a variety of techniques for teaching professional values across the curriculum. Presenters will discuss several key issues, including (1) building partnerships between legal educators and practicing attorneys that help inform curricular innovations which incorporate professionalism training; (2) incorporating professional values into the law school curriculum; and (3) addressing the difficulties in (and advantages of) requiring professional behavior and the practice of professional values in law students.

Presenters will also show a series of short films to be used in teaching law students about various concepts of professionalism (including the responsible use of technology, the importance of timeliness, and the duty of candor). The film vignettes will be made available to participants after the presentation. Finally, panelists will demonstrate teaching techniques pertaining to classroom dynamics and management; assignments; and forums outside the classroom. Many of these teaching techniques make students responsible for contributing to the professionalism curriculum and incorporate active learning methods.

Business Meeting at Program Conclusion.

AALS GALA RECEPTION

6:30 - 8:30 PM

[5440] **Association of American Law Schools Gala Reception**

National Building Museum

The historic home of the National Building Museum is one of the great American buildings of the 19th Century and one of Washington, D.C.'s most spectacular works of public architecture. Built between 1882 and 1887 for the United States Pension Bureau's headquarters, the design was inspired by two Roman palaces. The exterior was modeled closely on the brick, monumentally scaled Palazzo Farnese, completed to Michelangelo's specifications in 1589. The Pension Building continued to serve as office space for the government through the 1960s. Congress passed a resolution in 1978 calling for the preservation of the building as a national treasure, and a 1980 Act of Congress mandated the creation of the National Building Museum as a private, nonprofit educational institution.

Buses will board at the 24th Street entrance of the Washington Marriott Wardman Park Hotel and the T Street entrance of the Washington Hilton at 6:00 p.m. The buses will shuttle between the National Building Museum, the Washington Marriott Wardman Park Hotel, and the Washington Hilton until the conclusion of the reception.

The 2012 AALS white full registration badge is required for admission into the reception for both registrant and spouse/significant other.

AALS MEMBER SCHOOL EVENTS

(alphabetized by school name)

7:00 - 8:30 AM

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

McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:00 - 9:30 PM

University of Denver, Sturm College of Law Faculty and Alumni Reception

Stone's Throw Restaurant, Lobby Level, Washington Marriott Wardman Park Hotel

8:00 - 10:00 PM

University of Houston Law Center Reception

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Member School Events, continued

7:00 - 8:30 AM

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

Nathan Hale, Wardman Tower, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM

Stetson University College of Law Faculty Research Deans Breakfast

Jackson, Mezzanine Level, Washington Marriott Wardman Park Hotel

OTHER ORGANIZATION EVENTS

(alphabetized by organization name)

7:30 - 8:30 AM

American Law Deans Association (ALDA) Annual Meeting

Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM

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

Marriott Balcony B, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:30 - 8:30 AM

National Association for Law Placement (NALP) Breakfast for AALS Section on Student Services

Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:00 - 10:00 PM

Animal Legal Defense Fund Animal Law Reception

Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel

SATURDAY, JANUARY 7, 2012

7:00 AM - 7:00 PM

AALS Registration

Atrium, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 AM - 7:00 PM

AALS Office and Information Center

Coolidge, Mezzanine Level, Washington Marriott Wardman Park Hotel

8:00 AM - 3:00 PM

AALS Exhibit Hall Open House – “The Meeting Place”

Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel

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.

8:30 AM - 5:15 PM

[6030] Informal Networking Sessions

Madison A & B, Mezzanine Level, Washington Marriott Wardman Park Hotel

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 7 for one hour and forty-five minutes. Simply post a notice on the bulletin board in the Convention Registration Foyer on the lobby level. 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 BREAKFAST

(All Saturday breakfast tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Friday, January 6 if space is available. Tickets will not be for sale at the breakfast. Type of breakfast is predetermined by section.)

7:00 - 8:30 AM

[1418] **Africa Continental Breakfast**

Washington Room 3, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM

[1420] **Law, Medicine and Health Care Breakfast**

Washington Room 2, Exhibition Level, Washington Marriott Wardman Park Hotel

Speaker: Peter M. Leibold, Executive Vice President/Chief Executive Officer, American Health Lawyers Association, Washington, DC

7:00 - 8:30 AM

[1421] **Women in Legal Education Continental Breakfast**

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

AALS WORKSHOP

8:45 AM - 5:00 PM

[6040] **AALS Workshop on Academic Support – Got ASP? Leveraging Academic Support Principles and Programs to Meet Strategic Institutional Goals**

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

The current challenges facing legal education include increasing diversity, sustaining student enrollment, preparing students to practice law effectively, ensuring strong bar passage, complying with evolving ABA accreditation standards, enhancing student learning for this generation, measuring learning outcomes, and providing an overall educational experience that engage students and motivates them to become excellent lawyers and generous alumni. We encourage deans, faculty members, and senior administrators to attend this special workshop to learn how Academic Support principles and programs can help law schools meet a number of their strategic goals.

Law school academic support programs were initially charged with supporting access-admission students to increase diversity and help ensure their success. Today, Academic Support Programs (ASP) have evolved and now assume a variety of forms to provide a range of services for all

AALS Workshop on Academic Support, continued

students, including providing intense intervention for the academically at-risk students. The ASP mission has also expanded from providing programs that help students transition into the first year of law school to include programs that provide specific interventions in upper-level courses and support bar passage. In some schools, ASPs are also a resource for faculty members who want to innovate inside and outside the classroom. Consequently, ASPs can be a center for effective, creative teaching and learning as schools seek to support pedagogy development.

As a group, ASP professionals have experimented with and developed particular pedagogical strategies that support student learning and enable all levels of students to reach their potential. During this daylong workshop, our goal is to explore what law schools can learn from ASP and how we, as educators, can best maximize these programs as we continue to improve upon the curriculum, pedagogy, and law school environment to produce effective, ethical, and engaged lawyers.

8:45 AM - 9:00 PM

[6040a] Welcome and Introduction

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Welcome: Michael A. Olivas, AALS President and University of Houston Law Center

Introduction: Darby Dickerson, Texas Tech University School of Law

9:00 - 10:30 AM

**[6040b] Plenary Session – Maximizing the Academic Support Investment:
Understanding ASP Programs**

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Laurie B. Zimet, University of California, Hastings College of Law

Speakers: Ruth A. McKinney, University of North Carolina School of Law
Herbert N. Ramy, Suffolk University Law School

In this session participants will provide perspectives on what Academic Support means today, how ASPs have evolved, and how they serve students, and law schools more generally, through a variety of important components such as orientation programs, legal analysis courses, individual counseling and bar passage initiatives.

10:30 - 10:45 AM

Refreshment Break

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

10:45 AM - 12:15 PM

[6040d] Plenary Session – A Vision for Maximizing ASP

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Speakers: Okianer Christian Dark, Howard University School of Law
Phoebe A. Haddon, University of Maryland Francis King Carey School of Law
Laurie B. Zimet, University of California, Hastings College of Law

Presenters will offer a vision for the future of academic support programs and explore some of the myths and challenges around ASPs. Participants will generate ideas about the challenges for creating an ASP or expanding or modifying an existing ASP, and how their institutions can best support a sustainable ASP and maximize its potential. Professor Dark will discuss “Developing a Comprehensive Vision.” Dean Haddon and Professor Zimet will “Explore the Myths and Challenges of ASP.” Finally, Professor Zimet will discuss “Maximizing the Benefits of ASP in Your School.”

12:15 - 1:45 PM

[1402] Workshop Luncheon

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Introduction: Darby Dickerson, Texas Tech University School of Law

Speaker: Stephen N. Zack, Administrative Partner, Boies, Schiller & Flexner LLP, Miami, FL and 2010-2011 ABA President

During his presentation, Mr. Zack will address the importance of diversity to legal education and the legal profession and why providing practical skills training in law school benefits the profession and the greater community.

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Friday, January 6 if space is available. Tickets will not be for sale at the luncheon.)

2:00 - 3:15 PM

[6040f] Plenary Session – Principles of Academic Support Pedagogy (with Table Discussions)

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Paula Lustbader, Seattle University School of Law
Speakers: Rory D. Bahadur, Washburn University School of Law
Linda B. Feldman, Brooklyn Law School

After reviewing the core principles of ASP pedagogy and learning theory, participants will explore ways they can creatively and effectively employ these principles when working with students. Professor Feldman will discuss “Teaching the Whole Student and Establish Learning Communities.” Professor Bahadur will discuss “Creating Context.”

AALS Workshop on Academic Support, continued

3:15 - 3:30 PM

Refreshment Break

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

3:30 - 5:00 PM

[6040h] Plenary Session – Principles of Academic Support Pedagogy (with Table Discussions)

Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: Robin A. Boyle, St. John's University School of Law

Speakers: Kirsten K. Davis, Stetson University College of Law
Pavel Wonsowicz, University of California, Los Angeles, School of Law

Discussion Groups, Debriefing Q & A

Moderators: Paula Lustbader, Seattle University School of Law

Russell A. McClain, University of Maryland Francis King Carey School of Law

This session will explain what learning style is and how to teach to the diverse learning styles of our students. An active learning exercise will be demonstrated. The session will also explore different types of feedback that students could receive both in and out of class. Within groups, we will identify ways that these principles can be incorporated in your schools. A debriefing and Q & A will conclude the session.

IALS PROGRAM

8:30 AM - 12:15 PM

[6050] **International Association of Law Schools Program**

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

Enriching Legal Education Globally – Curriculum, Legal Methodology and Public Service Prototype Innovations

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

Speakers: Nicole Kornet, Assistant Professor of Commercial Law, University of Maastricht, Maastricht, Netherlands

Jeffrey Lehman, Peking University School of Transnational Law University, Shenzhen, China

Molly O'Brien, Director, Teaching and Learning, Australian National University, Canberra, Australia

Todd D. Rakoff, Harvard Law School

Aifheli Enos Tshivhase, Lecturer, University of Cape Town, Rondebosch, South Africa

Oscar Vilhena Vieira, Coordenador do Mestrado, Fundacao Getulio Vargas Sao Paulo Law School, Sao Paulo, Brazil

In today's world of many legal cultures and traditions, development of optimal curriculum and legal methodologies by law schools with varying financial resources and diverse missions and cultures generates a wide range of combinations of curriculum and legal methodology choices. This panel will identify and address differences and similarities in defining and developing these choices.

As legal educators we balance advantages and disadvantages of various curricula and legal education methodologies including use of case law, case problem, lecture, simulation, externships, clinical and other methodologies to meet unique economic, political, and societal needs of differing legal systems, cultures, and law schools around the world. To facilitate general discussion of this process by law schools in diverse legal systems and cultures, this symposium uses recent experiences of the University of Cape Town Law School in South Africa (forging a curriculum facilitating implementation of a post apartheid constitutional system); the University of Maastricht Law School in The Netherlands (setting up a European Law School); the new curriculum and legal methodology at the Sao Paulo University School of Law; the experience of the Peking University School of Transnational Law; and the decision of the Harvard Law School to supplement its use in the first-year curriculum of case law methodology with case problem methodology and also to add courses in international and comparative law and legislation and regulation.

AALS SECTION PROGRAMS

8:30 - 10:15 AM

[6060] Section on Administrative Law

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Presidential Review in the Obama Administration

Moderator: M. Elizabeth Magill, University of Virginia School of Law

Speakers: Mariano-Florentino Cuellar, Stanford Law School

Jacob Gersen, Harvard Law School

Michael Alan Livermore, New York University School of Law

Aaron J. Saiger, Fordham University School of Law

Focusing on the Obama Administration, this panel will explore the role of the President in supervising, directing, and reviewing the work of government agencies. Panelists will explore what is, and is not, distinctive about the Obama Administration's approach to the relationship between the White House and agencies. Topics will include cost-benefit analysis, White House policy czars, and Presidential regulatory initiatives, among others.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6070] Section on Agricultural Law

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Contemporary Issues in the Federal Regulation of Agriculture

Moderator: Joseph G. Hylton, Marquette University

Speakers: Neil D. Hamilton, Drake University Law School

Alison Peck, West Virginia University College of Law

Susan Schneider, University of Arkansas, Fayetteville Leflar Law Center

As we enter the second decade of the 21st century and the second half of the first Obama administration, issues pertaining to the federal government's role in the regulation of agricultural industry, agricultural issues seem to rarely capture center stage. However, outside the limelight, a number of significant issues have arisen and the Obama Administration has begun a number of potentially significant agriculture-related initiatives. The panel, composed of leading agricultural law professors and representatives of the Department of Agriculture, will explore the current state of federal regulation of agriculture, food, and related sustainability questions.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6080] Section on Art Law

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

From Creation to Curation: The Law of Museums

Moderator: Jeff W. Slattery, Thomas Jefferson School of Law

Speakers: Sherri L. Burr, University of New Mexico School of Law

Megan Margaret Carpenter, Texas Wesleyan University School of Law

Jennifer Anglim Kreder, Northern Kentucky University, Salmon P. Chase College of Law

Capitalizing on the rich museum culture of Washington, D.C., “From Creation to Curation” explores the law of museums in the 21st century. From acquisitions to exhibits, this panel will present modern-day challenges that museums face in preserving a rich artistic heritage.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6110] Section on Creditors’ and Debtors’ Rights

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Marathon at 30: A Retrospective on Bankruptcy Court Jurisdiction in the Shadow of Article III

(Papers to be published in *The American Bankruptcy Law Journal*)

Moderator: The Honorable J. Rich Leonard, Bankruptcy Judge, United States Bankruptcy Court, Raleigh, NC

Speakers: Douglas G. Baird, The University of Chicago Law School

Susan Block-Lieb, Fordham University School of Law

Troy A. McKenzie, New York University School of Law

The year 2012 will mark the 30th anniversary of the Supreme Court’s landmark decision in *Northern Pipeline Construction Co. v. Marathon Pipe Line Co.* The Court in *Marathon* confronted the fundamental question of whether the Bankruptcy Reform Act of 1978 violated Article III of the Constitution by vesting the federal judicial power in non-Article III bankruptcy courts. A fractured Court ultimately found the 1978 Act’s structure for federal bankruptcy jurisdiction to be unconstitutional.

Section on Creditors' and Debtors' Rights, continued

Under the Bankruptcy Amendments and Federal Judgeship Act of 1984, Congress sought to cure the constitutional infirmity by restructuring the jurisdictional structure—specifically by designating the bankruptcy courts as units of the federal district courts. Since then some uncertainty has been expressed—including in oral argument before the Court in *Stern v. Marshall* (No. 10-179)—over whether the 1984 Amendments effectively restored the constitutional validity of the bankruptcy jurisdictional scheme.

The panelists for this program will reflect on the Marathon decision, evaluate the current state of federal bankruptcy jurisdiction, and offer their thoughts on the path that lies ahead.

Business Meeting at Program Conclusion

8:30 - 10:15 AM

[6120] Section on Islamic Law, Co-Sponsored by Section on Family and Juvenile Law

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Legal Issues Arising Out of Marriage and Divorce in Islam

Moderator: Russell Powell, Seattle University School of Law

Speakers: Mark E. Cammack, Southwestern Law School
 Arzoo Osanloo, Associate Professor, University of Washington, Law, Societies and Justice Program, Seattle, WA
 Seval Yildirim, Whittier Law School

Family law (including marriage, divorce, parental rights, and inheritance) is a core foundation of any legal system. In Islamic jurisprudence it has a special character, rooted in sacred texts and tradition. Panelists will consider critical questions related to marriage and divorce in three jurisdictions. Professor Cammack will explore the role of “adat” (a form of local customary law) in family law in Indonesia, Professor Yildirim will consider the treatment of Islamic family law norms in Turkey (with a particular emphasis on polygamy), and Professor Osanloo will address developments in Iranian divorce law.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6130] Section on Law, Medicine and Health Care, Co-Sponsored by Section on Clinical Legal Education

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

**Reaching Out Beyond the Classroom: Health Law Professors
Interacting with the Real World**(Papers to be published in *Indiana University Law School's Health and Law Review*)

Moderator and Speaker: Jennifer S. Bard, Texas Tech University School of Law
 Speakers: Marshall B. Kapp, Florida State University College of Law
 JoNel Newman, University of Miami School of Law
 Wendy E. Parmet, Northeastern University School of Law
 Sallie T. Sanford, University of Washington School of Law, *Speaker from a Call for Papers*
 Charity Scott, Georgia State University College of Law

In addition to the law school clinical programs that directly represent hospital patients, there are many ways in which health law professors are interacting with the medical community outside of the classroom. Professor Bard will moderate and speak of her experience as a professor in a law and medical school. Professor Newman, Director of the Health and Elder Law Clinic at the University of Miami Law School, will discuss her innovative program at the University of Miami in which a hospital-based clinic has developed into a setting for law students and medical students work together to learn about, and address, patients' legal and medical needs. Third, Professor Kapp from Florida State Medical School will discuss his Center for Innovative Collaboration in Medicine & Law, which is devoted to bringing the legal and medical professions closer together through joint projects. Finally, Professor Parmet will discuss the role of Northeastern's innovative co-op program in bringing students with interests in health law directly into health care settings beyond what would be possible in an externship or summer clerkship.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6140] Section on Law and Anthropology

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

The Role of Anthropologists in Establishing Native Identity

Moderator: Melissa L. Tatum, The University of Arizona, James E. Rogers College of Law
 Speaker: Patrice H. Kunesch, Deputy Solicitor - Indian Affairs, U.S. Department of the Interior, Office of the Solicitor, Washington, DC
 Lorinda Riley, Tribal Liaison, Office of Intelligence and Analysis, Department of Homeland Security, Washington, DC
 Rebecca A. Tsosie, Arizona State University, Sandra Day O'Connor College of Law

Anthropologists almost by definition are outsiders studying a culture, and anthropological evidence is almost always important in establishing Native identity for a number of purposes, ranging from federal recognition to child custody to ownership of cultural property. The panel will explore the advantages and disadvantages to having outsiders provide evidence about group identity.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6150] Section on National Security Law, Co-Sponsored by Section on Mass Communication Law

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Government Transparency in the Digital Age

Moderator: Mary-Rose Papandrea, Boston College Law School

Speakers: Derek E. Bambauer, Brooklyn Law School, *Speaker from a Call for Papers*
 Barton Gellman, Lecturer of Public and International Affairs, Woodrow Wilson
 School of Public and International Affairs, Princeton University, Princeton, NJ
 Jameel Jaffer, Deputy Legal Director, American Civil Liberties Union Foundation,
 New York, NY
 Heidi D. Kitrosser, University of Minnesota Law School

This panel brings together some of the country's leading experts on national security information and government transparency. The panel will evaluate the Obama administration's commitment to an open and accountable government and consider whether its record is significantly different from that of the notoriously secretive Bush administration. In addition, the panelists will discuss the challenges technological developments pose to the government's ability to control the dissemination of legitimate national security secrets. Among other things, topics will include the controversy surrounding WikiLeaks and the difficulties of prosecuting Julian Assange; the United States' commitment to "Internet freedom" and the role private U.S. companies increasingly play in undermining that freedom at home and abroad; and the state secrets privilege.

Business Meeting at Program Conclusion.

8:30 - 10:15 AM

[6160] Section on Remedies

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Remedies for Disasters: BP, Exxon, and the Quest for Complete Justice

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

Moderator: Tracy A. Thomas, University of Akron, C. Blake McDowell Law Center

Speakers: Kenneth R. Feinberg, Founder and Managing Partner, Feinberg Rozen LLP,
Washington, DC

Myriam Elizabeth Gilles, Yeshiva University, Benjamin N. Cardozo School of Law
John C. Goldberg, Harvard Law School

Kate Konschnik, Environmental Counsel, U.S. Senate - Office of Senator Sheldon
Whitehouse, Washington, DC

Big environmental disasters like the Gulf Oil Spill and the Exxon Valdez spill require creative remedial solutions. The extent of the economic losses, the intangibility of environmental harms, and the practical limits of defendants' resources call for approaches that balance all of the concerns while effectuating justice. Compensation payment funds, such as the one created after 9/11 and for the BP Oil Spill, are one way to resolve the problem. Strong deterrent remedies like punitive damages are another approach. This panel explores the spectrum of remedial approaches that have been considered to address disasters of national impact in the courts, Congress, and alternative compensation systems.

Business Meeting at Program Conclusion.

AALS COMMITTEE PROGRAM

10:30 AM - 12:15 PM

[6170] **AALS Committee on Law Libraries and Technology**

Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel

When Worlds Collide: Keeping the Planets Aligned During Times of Opportunity and Change for Law Schools and Law Libraries

Moderators

and Introductions: Joan S. Howland, University of Minnesota Law School
Kory D. Staheli, Brigham Young University, J. Reuben Clark Law School

Speakers: Hannah R. Arterian, Syracuse University College of Law
Paul George, University of Pennsylvania Law School
Joan S. Howland, University of Minnesota Law School
Blake D. Morant, Wake Forest University School of Law
Bruce P. Smith, University of Illinois College of Law
Steven R. Smith, California Western School of Law
Victoria K. Trotta, Arizona State University, Sandra Day O'Connor College of Law
Judith Margaret Wright, The University of Chicago Law School

The universe of legal education continues to evolve and expand during this time of unlimited opportunity and dramatic change. Curricular reform, new approaches to skills training, increased interdisciplinary collaboration, globalization, and ever stronger and more diverse student bodies combine to push all aspects of the traditional law school environment in directions barely conceivable a decade ago. However, especially during this era of economic crisis, to embrace opportunities and respond to necessary changes, law schools are reevaluating their missions and operations while, at the same time, not losing sight of core values. Deans, faculty, and law librarians are rethinking how law libraries, historically the heart of the academic enterprise, can become even more valuable to the greater institution. Simultaneously, consideration is being given to the role of law libraries with an emphasis on the strategic deployment of institutional resources, the relevancy of long-established services, and whether some aspects of library operations can be reduced or even eliminated. This program will focus on how law libraries can creatively and boldly respond to the changing scholarly and curricular needs of faculty and students during this period of constrained resources. The speakers and panelists will address how law librarians, working with their deans and faculty, can reevaluate their roles and ensure that law libraries, no matter what form they may take in the future, will remain relevant and critical to the larger educational enterprise.

AALS SECTION PROGRAMS

10:30 AM - 12:15 PM

[6180] Section on Alternative Dispute Resolution, Co-Sponsored by Sections on Civil Procedure and Litigation

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

The Supreme Court and the Future of Arbitration

(Papers to be published in *Southwestern Law Review*)

Moderator: Ronald G. Aronovsky, Southwestern Law School

Speakers: Sarah R. Cole, The Ohio State University, Michael E. Moritz College of Law,
Speaker from a Call for Papers

Cornelia Pillard, Georgetown University Law Center

Jill I. Gross, Pace University School of Law

Jean Sternlight, University of Nevada, Las Vegas, William S. Boyd School of Law

Nancy Welsh, Pennsylvania State University, Dickinson School of Law

Over the past twenty-five years, the volume and types of disputes subject to binding arbitration—particularly as a result of pre-dispute arbitration agreements included in consumer, employment and health care insurance contracts—have grown dramatically. During this period, the U.S. Supreme Court has issued a series of arbitration law decisions on such topics as the availability of class arbitration, the preemptive effect of the Federal Arbitration Act (FAA), the scope of judicial review of arbitral awards under the FAA, the enforceability of mandatory pre-dispute arbitration agreements, and the arbitrability of public law claims. These often controversial decisions have had a significant impact on businesses, consumers and the workplace and have transformed much of the economy's dispute resolution landscape. This program will explore the future of arbitration in light of these Supreme Court decisions, including the federalism, class litigation, and access to justice implications of these cases.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6190] Section on Civil Rights

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

National Security and Civil Rights

(Papers to be published in *The Urban Lawyer*)

Moderator: Alexander A. Reinert, Yeshiva University, Benjamin N. Cardozo School of Law

Speakers: Laura K. Donohue, Georgetown University Law Center

Jonathan Hafetz, Seton Hall University School of Law

Kit Kinports, Pennsylvania State University, Dickinson School of Law

Stephen I. Vladeck, American University, Washington College of Law

In recent years, the Supreme Court has announced decisions in the area of national security that have significant and broad implications for civil rights law and litigation. This panel of distinguished speakers will explore the impact of decisions in the area of immunity, state secrets doctrine, and Bivens liability, with a special emphasis on what they mean for various areas of civil rights law. The speakers bring a wide range of experience to the endeavor, as their perspectives are enriched by both academic engagement and on the ground experience with many of the leading national security cases from the past several years.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6200] Section on Environmental Law, Co-Sponsored by Section on Natural Resources Law

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Climate Justice: Domestic and International Dimensions

(Papers to be published in *Environmental Law Reporter*)

Moderator: Carmen G. Gonzalez, Seattle University School of Law

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

Ruth E. Gordon, Villanova University School of Law

Rebecca A. Tsosie, Arizona State University, Sandra Day O'Connor College of Law

Robert R.M. Verchick, Loyola University, New Orleans, College of Law

The world's wealthiest nations are responsible for the vast majority of greenhouse gases emitted since the Industrial Revolution. However, the impact of climate change will be borne disproportionately by developing countries, indigenous peoples, low-income communities, and people of color throughout the world who often occupy high-risk geographic locations and lack the resources for adaptation.

How do we equitably allocate responsibility for climate change mitigation and adaptation? What are the obligations of wealthy nations to poor countries, historically subordinated communities, and future generations?

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

Climate justice scholars and activists have expressed concern that international and domestic efforts to reduce greenhouse gas emissions through market-based mechanisms (such as emissions trading), technological solutions (such as carbon capture and storage), and some alternative fuel and energy production processes (biofuels, nuclear power, and hydrofracturing) may compound the unjust burden on the poor and vulnerable. In addition, we may not be doing enough to address the urgent need for climate change adaptation and disaster preparation. Too much emphasis on these conventional approaches may also foreclose alternative paths that will promote renewable, carbon-free energy, create green jobs, and revitalize economically depressed communities.

This panel will explore the implications of the climate crisis for vulnerable nations and communities so as to promote climate change mitigation and adaptation strategies that are grounded in climate justice.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6210] Section on Evidence

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Theorizing Standards of Proof

(Papers to be published in *International Commentary on Evidence*)

Moderator: Michael S. Pardo, The University of Alabama School of Law

Speakers: Ronald J. Allen, Northwestern University School of Law

Larry Laudan, Researcher, National Autonomous University of Mexico, Institute for Philosophical Investigations, Coyoacán, Mexico

Karen Petroski, Saint Louis University School of Law

Alex Stein, Yeshiva University, Benjamin N. Cardozo School of Law

This panel will explore recent theoretical work on standards of proof and related issues pertaining to sufficiency of evidence, including burdens of proof and evidentiary presumptions. Evidence law, scholarship, and courses focus to a large extent on issues regarding the admissibility, exclusion, and interpretation of individual items of evidence. Relatively less attention is given to issues relating to the sufficiency of evidence as a whole in proving contested issues at trial. These macro-level proof issues, however, are at least as important for carrying out the various goals underlying the law of evidence. Moreover, these proof issues not only structure and govern outcomes at trial; they also underlie various procedural issues controlling whether cases proceed — or ought to proceed — to trial in the first place (e.g., summary judgment in civil cases and motions to dismiss in criminal cases) and whether verdicts will—or ought to be — upheld or overturned (e.g., judgment as a matter of law in civil cases and challenges to sufficiency of the evidence in criminal cases). The panel will explore issues pertaining to these macro-level proof issues.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6220] Section on Financial Institutions and Consumer Financial Services

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

Reviving Financial Institutions

Moderator: Anna Gelpern, American University, Washington College of Law

Speakers: Peter Conti-Brown, Stanford Law School

Jill E. Fisch, University of Pennsylvania Law School

Howell Edmunds Jackson, Harvard Law School

Kimberly D. Krawiec, Duke University School of Law

Patricia A. Mc Coy, University of Connecticut School of Law

Katharina Pistor, Columbia University School of Law

Annelise Riles, Cornell Law School

This panel is part of a project to engage the legal academy in sustained theoretical and policy contributions to the regulation of financial institutions. We will step back from the daily news of reform to analyze the functions of today's financial institutions, revisiting the rationale for their regulation: what they do for their immediate constituents (debtors, creditors, shareholders) and for the economy as a whole (savings intermediation, liquidity, monetary policy transmission), as well as the risks they present. As we put the evolving U.S. regime in historical and comparative perspective, we will consider whether the focus on institutions detracts from regulating instruments, markets, economic functions and risks—and how to reconcile the proliferating regulatory objectives.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6230] Section on Intellectual Property

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Intellectual Property and International Trade

Moderator: Cynthia M. Ho, Loyola University, Chicago, School of Law

Speakers: Rochelle C. Dreyfuss, New York University School of Law

Sean Flynn, American University, Washington College of Law

David S. Levine, Elon University School of Law, *Speaker from a Call for Papers*

Keith E. Maskus, Professor and Associate Dean, Department of Economics,

University of Colorado at Boulder College of Arts and Sciences, Boulder, CO

Mark Wu, Harvard Law School

The panel will explore the role of intellectual property in international trade. Using recent developments such as negotiation of the Anti-Counterfeiting Trade Agreement (ACTA) and the Social Science Research Council's report on Media Piracy in Emerging Economies as points of departure, the panel will focus on the place of intellectual property in U.S. trade policy, the changing landscape of international negotiations, the impact of international trade agreements and intellectual property protection on global health, and the relevance of political boundaries in defining and enforcing intellectual property rights.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6250] Section on Legislation and the Law of the Political Process

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Statutory Interpretation and the Separation of Powers

Moderator: Anita S. Krishnakumar, St. John's University School of Law

Speakers: Aaron-Andrew P. Bruhl, University of Houston Law Center
 Abbe Gluck, Columbia University School of Law
 Victoria Nourse, University of Wisconsin Law School
 Nicholas Quinn Rosenkranz, Georgetown University Law Center

Panelists will discuss and debate how the separation of powers between the judicial, legislative, and executive branches should (or should not) influence the judiciary's interpretation of statutes. Expected topics of discussion include: how legislators' electoral and other incentives during the statute-drafting process should impact courts' interpretive approach; how state courts and legislatures have handled separation of powers issues; the viability of legislative attempts to dictate how courts should interpret statutes, and more.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6260] Section on Nonprofit and Philanthropy Law

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

The Personal Price of Nonprofit Activity

Moderator: Norman I. Silber, Hofstra University School of Law

Speakers: Judith C. Areen, Georgetown University Law Center
 Douglas Rutzen, President, International Center for Not-For-Profit Law,
 Washington, DC
 Elizabeth Schmidt, Vermont Law School, *Speaker from a Call for Papers*
 Linda F. Sugin, Fordham University School of Law
 Wan Yanhai, Director, Beijing Aizhixing Institute of Health Education, Beijing,
 China

In keeping with the theme for this year's conference, this session considers, in the context of nonprofit leadership, the degree to which law fosters civil society. It explores the personal price that citizens sometimes pay for their involvement in nonprofit organizations.

The speakers address this question in its domestic and its international dimensions. In the United States, benefactors have on occasion been excoriated for well-intentioned gifts; humiliated by accusations of wrongdoing; and tarnished by the shortcomings of the organizations they founded. Overseas, leaders of nonprofits sometimes have been financially ruined and physically imperiled.

Time will be reserved to hear perspectives from the audience.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6270] Section on Post-Graduate Legal Education

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

The Economics of Graduate Law Programs in the Changing Legal Marketplace

Moderator: Howard N. Fenton, Ohio Northern University Pettit College of Law

Speakers: Steven John, Managing Director, Major, Lindsey & Africa, San Francisco, CA
 Matthew Parker, University of Pennsylvania Law School, *Speaker from a Call for Papers*
 James H. Rosenblatt, Mississippi College School of Law
 Marshall E. Tracht, New York Law School

As the economics of the legal job market have changed, more graduates have become interested in post-J.D. degrees. Similarly, as the economics of law schools change, more law schools have begun post-J.D. programs. The panelists will discuss whether post-J.D. degrees enhance the marketability of lawyers, whether such programs add to or detract from the economics of law schools, and some of the academic and administrative costs of these programs. Panelists include a prominent legal placement expert and law school administrators involved with the decision to create an LL.M. program and the financial and academic impact of post-graduate legal education on their institutions.

Business Meeting at Program Conclusion.

10:30 AM - 12:15 PM

[6280] Section on Sexual Orientation and Gender Identity Issues

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Violence and the LGBT Community: Bullying, Bashing, and Sex Crimes(Papers to be published in *Southwestern Law Review*)

Speakers: Bennett Capers, Hofstra University School of Law
 Darby Dickerson, Texas Tech University School of Law
 James Esseks, Director, Lesbian Gay Bisexual Transgender & AIDS Project,
 American Civil Liberties Union Center for Liberty, New York, NY
 Cynthia Lee, The George Washington University Law School
 J. Kelly Strader, Southwestern Law School
 Margaret Winter, Associate Director, The National Prison Project, American Civil Liberties Union, Washington, DC

Violence against members of the LGBT community has long been endemic but rarely catches the public eye. Occasionally, a highly publicized event will focus attention on such violence. For example, assaults and murders fueled by homophobia have garnered the public's attention in cases ranging from the Matthew Shepard killing to the more recent killing of Lawrence King by a classmate at an Oxnard, California junior high school. And numerous instances of bullying and the resulting suicides have made headlines around the country. Far more often, however, violence against and among LGBT people simply goes unnoticed. Indeed, such violence also often meets with indifference or even hostility from law enforcement. This panel will explore the ways in

which our society responds to violence against and within the LGBT community. The panelists will focus on topics including bullying, cyber-bullying, hate crimes, the so-called “gay panic” defense, prison sexual violence, domestic violence, and same-sex sexual assault.

Business Meeting at Program Conclusion.

AALS PROGRAM

(This is an open event to registrants without lunch provided.)

12:15 - 1:30 PM

[6285] A Conversation with Justice Stephen G. Breyer, Supreme Court of the United States, Washington, DC

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

Moderator: John M. Golden, The University of Texas School of Law

Stephen G. Breyer, Associate Justice, was born in San Francisco, California. He received an A.B. from Stanford University, a B.A. from Magdalen College, Oxford, and an LL.B. from Harvard Law School. He served as a law clerk to Justice Arthur Goldberg of the Supreme Court of the United States during the 1964 Term, as a Special Assistant to the Assistant U.S. Attorney General for Antitrust, 1965–1967, as an Assistant Special Prosecutor of the Watergate Special Prosecution Force, 1973, as Special Counsel of the U.S. Senate Judiciary Committee, 1974–1975, and as Chief Counsel of the committee, 1979–1980. He was an Assistant Professor, Professor of Law, and Lecturer at Harvard Law School, 1967–1994, a Professor at the Harvard University Kennedy School of Government, 1977–1980, and a Visiting Professor at the College of Law, Sydney, Australia and at the University of Rome. From 1980–1990, he served as a Judge of the United States Court of Appeals for the First Circuit, and as its Chief Judge, 1990–1994. He also served as a member of the Judicial Conference of the United States, 1990–1994, and of the United States Sentencing Commission, 1985–1989. President Clinton nominated him as an Associate Justice of the Supreme Court, and he took his seat August 3, 1994.

AALS WORKSHOP LUNCHEON

(Tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Friday, January 6 if space is available. Tickets will not be for sale at the luncheon.)

12:15 - 1:45 PM

[1402] AALS Workshop on Academic Support Luncheon

Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel

Introduction: Darby Dickerson, Texas Tech University School of Law

Speaker: Stephen N. Zack, Administrative Partner, Boies, Schiller & Flexner LLP, Miami, FL and 2010-2011 ABA President

During his presentation, Mr. Zack will address the importance of diversity to legal education and the legal profession and why providing practical skills training in law school benefits the profession and the greater community.

AALS SECTION LUNCHEONS

(All Saturday luncheon tickets were sold in advance of the Annual Meeting. Tickets may be purchased at On-Site Registration until 7:00 p.m. on Friday, January 6 if space is available. Tickets will not be for sale at the luncheon.)

12:15 - 1:30 PM

[1422] Clinical Legal Education Luncheon

Washington Room 4, Exhibition Level, Washington Marriott Wardman Park Hotel

12:15 - 1:30 PM

[1423] Criminal Justice and Evidence Luncheon

CANCELLED

12:15 - 1:30 PM

[1425] Financial Institutions and Consumer Financial Services Luncheon

Washington Room 2, Exhibition Level, Washington Marriott Wardman Park Hotel

Introduction: Arthur E. Wilmarth, The George Washington University Law School

Speaker: Sarah Bloom Raskin, Governor, Board of Governors of the Federal Reserve System, Washington, DC

AALS COMMITTEE PROGRAM

1:30 - 3:15 PM

[6290] AALS Committee on Research

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Uses of Legal Scholarship by Courts and Media

Moderator: Mathew L.M. Fletcher, Michigan State University College of Law

Speakers: Jeff Amestoy, Fellow, Harvard Kennedy School Center for Public Leadership,
Cambridge, MA

Lee Petherbridge, Loyola Law School

Adam Liptak, Supreme Court Correspondent and Sidebar Columnist, *New York Times*,
Washington, DC

AALS SECTION PROGRAMS

1:30 - 3:15 PM

[6300] Section on Animal Law

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Animals in Legal Context

Moderator: David S. Favre, Michigan State University College of Law

Speakers: Rebecca J. Huss, Valparaiso University School of Law, *Speaker from a Call for Papers*

Ani B. Satz, Emory University School of Law, *Speaker from a Call for Papers*

Joan E. Schaffner, The George Washington University Law School, *Speaker from a
Call for Papers*

Sarah Schindler, University of Maine School of Law, *Speaker from a Call for Papers*

This program is based on the Section Executive Committee's assessment of responses to our Call for Papers. Several proposals could be subsumed under this title because they concern differential legal treatment of animals based primarily on human uses of animals. One presenter will approach the subject through the lens of laws pertaining to service animals, who are allowed in settings that other companion animals cannot enter. Another will consider the subject of raising chickens in urban settings in the context of the "locavore" movement. Owners of those chickens are under different constraints than are owners of chickens raised in concentrated animal feeding operations ("factory farms"). A third panelist will discuss differential legal treatment of one type of animal (animals raised for food) in different legal systems, such as the U.S. and Israel. And our fourth panelist approaches the topic from a theoretical standpoint, including questioning whether animal lawyers really need to be as invested in removing the status of property of animals before generating positive reform on their behalf. In addition, our moderator, David Favre, has written several scholarly articles about these subjects, including the question of legal reform without dismantling the legal status of animals as the property of humans.

Business Meeting at Program Conclusion.

1:30 - 3:15 PM

[6310] Sections on Clinical Legal Education and Poverty Law Joint Program

Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel

Theory and Praxis in Reducing Women's Poverty

(Papers to be published in American University, Washington College of Law *Journal of Gender, Social Policy and the Law*)

Moderator: Daniel L. Hatcher, University of Baltimore

Speakers: Beth Caldwell, Thomas Jefferson School of Law, *Speaker from a Call for Papers*
Karen Czapanskiy, University of Maryland Francis King Carey School of Law,
Speaker from a Call for Papers

Margo Lindauer, Georgetown University Law Center, *Speaker from a Call for Papers*

Robin R. Runge, University of North Dakota School of Law, *Speaker from a Call for Papers*

Dehlia Umunna, Harvard Law School, *Speaker from a Call for Papers*

Business Meeting of Section on Clinical Legal Education at Program Conclusion.

Business Meeting of Section on Poverty Law at Program Conclusion.

1:30 - 3:15 PM

[6325] Section on Contracts

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

New Voices in Contracts Scholarship

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

Speakers: Aditi Bagchi, University of Pennsylvania Law School, *Speaker from a Call for Papers*
Mohsen Manesh, University of Oregon School of Law, *Speaker from a Call for Papers*
Emmanuel Voyiakis, Lecturer, London School of Economics Law Department,
London, United Kingdom

This year's program will provide a forum for contracts scholars who have been full-time law faculty for five years or less or who, despite having been full-time law faculty for more than five years, have only recently begun teaching and writing about contracts. The selection committee will give some preference to junior scholars who have not previously been featured Annual Meeting presenters.

Business Meeting at Program Conclusion.

1:30 - 3:15 PM

[6330] Section on Employee Benefits and Executive Compensation, Co-Sponsored by Section on State and Local Government Law

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

An Objective Discussion on Public Sector Pension Plans

Moderator: Colleen E. Medill, University of Nebraska College of Law

Speakers: Cynthia A. Baker, Indiana University, Indianapolis, School of Law

Barry Kozak, The John Marshall Law School

Steven Maguire, Specialist in Public Finance, Library of Congress, Congressional Research Service, Washington, DC

Public-sector pension plans, which provide retirement benefits to retired state and local government employees, have been in the spotlight lately, either described as woefully underfunded, as a drain on public finances, or usually with some other negative description. This panel will provide an objective discussion of the rules that govern the plans, their impacts on state and local government budgets, and whether the United States Congress might legislate on how the respective states must promise, fund and deliver benefits in the future. The panel will not only educate on how the public sector plans affect their own retirement prospects, or at least on how the plans affect their own state and local government tax liabilities, but the panel will also explain how this whole issue can be incorporated into the pedagogy of many law school classes that do not directly relate to employee benefit plans or state and local governance. If time permits, the panel will discuss other aspects of benefits promised to public service employees, such as retiree health benefits.

Business Meeting at Program Conclusion.

1:30 - 3:15 PM

[6340] Section on Federal Courts

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

War, Terror, and the Federal Courts, Ten Years After 9/11(Papers to be published in *American University Law Review*)

Moderator: Martin S. Lederman, Georgetown University Law Center

Speakers: Curtis A. Bradley, Duke University School of Law

Sarah H. Cleveland, Columbia University School of Law

The Honorable Brett M. Kavanaugh, Judge, U.S. Court of Appeals, District of Columbia, Washington, DC

Judith Resnik, Yale Law School

Stephen I. Vladeck, American University, Washington College of Law

This panel will look back on how our response to the tragic events of 9/11 has (and has not) transformed the federal courts. The panelists will also discuss current issues relating to the role of the courts in cases involving terrorism, armed conflict, and intelligence-gathering. Issues to be discussed include the proper roles of Congress, the Executive, and the courts in this area; the power of Congress to control the federal courts' jurisdiction in cases implicating national security; constitutional limits on the permissible role of non-Article III tribunals for criminal or quasi-

Section on Federal Courts, continued

criminal proceedings; the availability of remedies for constitutional violations by federal officials and the scope of such officials' immunity in such cases; and the scope and availability of habeas review. The format of the program will be a moderated conversation, in which the moderator will pose questions to the panelists and field questions from the audience.

Business Meeting at Program Conclusion.

1:30 - 3:15 PM

[6350] Section on International Legal Exchange

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

**Theory into Practice: The Globalization of Legal Education
to Address the Changing Realities of Legal Practice**

Moderator: John F. Cooper, Stetson University College of Law

Speakers: Raquel E. Aldana, University of the Pacific, McGeorge School of Law
Catherine Arcabascio, Nova Southeastern University, Shepard Broad Law Center
Jeffrey Dodge, Hofstra University School of Law
Claudio Grossman, American University, Washington College of Law

What does it mean to be a lawyer in a world with mutable and permeable boundaries, and are U.S. law schools preparing their students for this reality? Are U.S. law schools giving their students the tools they need to succeed in a globalized legal environment?

Business Meeting at Program Conclusion.

1:30 - 3:30 PM

[6360] Section on Legal History

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**Was Emancipation Legal: Reflections on the Sesquicentennial
of the Emancipation Proclamation**

Moderator and Speaker: Sanford Levinson, The University of Texas School of Law

Speakers: Richard L. Aynes, University of Akron, C. Blake McDowell Law Center
Henry L. Chambers, The University of Richmond School of Law
Danielle Holley-Walker, University of South Carolina School of Law
Sandra L. Rierson, Thomas Jefferson School of Law
Alexander Tsesis, Loyola University, Chicago, School of Law
John F. Witt, Yale Law School

This session explores whether emancipation was legal or constitutional. Speakers will approach this from the historical perspectives of abolitionist legal theory, property law, the law of war, and constitutional law. Because we have seven panelists, we will have very short papers—sort of summary statements from each of the panelists—followed by audience participation.

Business Meeting at Program Conclusion.

1:30 - 3:15 PM

[6380] Section on Scholarship

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**Legal Scholarship's Balance of Trade:
We Import from Other Fields, But What Do We Export?**

Moderator: Robert G. Bone, The University of Texas School of Law

Speakers: Peter Decherney, Associate Professor of Cinema Studies and English, University of Pennsylvania School of Arts and Sciences, Philadelphia, PA
James L. Gibson, Sidney W. Souers Professor of Government, Washington University in St. Louis, Department of Political Science, St. Louis, MO
Lewis Kornhauser, New York University School of Law
John Mikhail, Georgetown University Law Center
David Zaring, Assistant Professor of Legal Studies, Legal Studies and Business Ethics Department, University of Pennsylvania, The Wharton School, Philadelphia, PA

Legal scholarship has become increasingly interdisciplinary over the past several decades. Scholars today draw on economics, philosophy, political science, international relations, literature and the arts, and other fields. But does the direction of influence go the other way? Does legal scholarship offer something of value to those working in other fields? Can it, for example, supply ideas, methods, insights, or even inspiration? What about interdisciplinary collaborations? Do they tell us anything about how law and non-law disciplines might interact for mutual intellectual gain?

The five panelists cover different fields, and each will discuss the impact of legal scholarship on the non-legal field(s) in which he or she works. Professor Kornhauser is well known for his innovative work at the intersection of law and economics. Professor Epstein is a political scientist highly regarded for her work on legal institutions, especially courts. Professor Decherney is known for his insightful work on media history that draws, among other things, on intellectual property law. Professor Mikhail is a distinguished legal philosopher who explores a range of issues in philosophy and cognitive science. Professor Zaring writes incisively at the intersection of law, business, and international relations.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6390] Section on Admiralty and Maritime Law

Wilson C, Mezzanine Level, Washington Marriott Wardman Park Hotel

**Where Should Admiralty Law Come From? Intranational, International
and Transnational Sources of Maritime Law**

Speakers to be announced.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6400] Section on Comparative Law

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**Comparative Law and the Evolution of the
Global Norms of Good Governance**

Moderator: Fernanda Giorgia Nicola, American University, Washington College of Law

Speakers: Padideh Alai, American University, Washington College of Law
H. P. Glenn, Professor, McGill University, Montreal, QC, Canada
Haider Ala Hamoudi, University of Pittsburgh School of Law
John W. Head, University of Kansas School of Law
David Hunter, American University, Washington College of Law
Alvaro Santos, Georgetown University Law Center

Since the end of the Cold War we have seen development of transnational norms of good governance, such as transparency, accountability, rule of law, participation, responsiveness, combating corruption etc. All these terms have been widely used by international organizations such as the World Bank and OECD as well as national aid agencies. The discipline of comparative law, however, with its depth of knowledge about different legal systems and traditions, has been largely absent from this transnational discourse. The goal of this panel is to draw from the discipline of comparative law new and perhaps heretofore unexplored perspectives on what constitutes “good governance” with specific emphasis on the concept of “transparency” and “rule of law”. The speakers will include those who have been active in promoting and developing transnational norms of good governance as well as comparative law scholars with in-depth knowledge of different legal traditions, including but not limited to, the Islamic or Chinese from both historical and modern day perspectives.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6320] Section on Conflict of Laws

Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel

Choice of Law and the General Common Law

Moderator and Speaker: Michael S. Green, William & Mary Law School
Speakers: Kermit Roosevelt, University of Pennsylvania Law School
Louise Weinberg, The University of Texas School of Law

State courts often apply sister state law even when the sister state's Supreme Court would not have applied its law to the facts. Does this mean that choice-of-law rules are treated as general common law – that is, law that does not have its source in the lawmaking power of any particular jurisdiction? If so, should choice of law be reformed in the light of Erie? Can continued commitment to the general common law be found in other areas? Is the appeal to the general common law an inescapable part of legal reasoning?

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6410] Section on Criminal Justice, Co-Sponsored by Section on Women in Legal Education

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Teaching Rape, Reforming Rape Law

Moderator: Bennett Capers, Hofstra University School of Law
Speakers: Michelle J. Anderson, City University of New York School of Law
Aya Gruber, University of Colorado Law School
Dan M. Kahan, Yale Law School
Corey Rayburn Yung, The John Marshall Law School

Rape remains a delicate subject even in the criminal law classroom. Many criminal law scholars forgo teaching it. Others teach it, but tread carefully, aware that few other law school subjects are as personal, or are as loaded with issues of sex, gender, race, and power, like landmines waiting to explode. Attempts to reform rape law are equally fraught. This panel asks two questions. How should we teach rape law? And how can we reform rape law? More importantly, this panel begins the process of answering these questions.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6420] Section on Graduate Programs for Non-U.S. Lawyers, Co-Sponsored by Section on Legal Writing, Reasoning, and Research

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

**Legal Research and Writing for Non-U.S. Lawyers:
What Resources Do Law Schools Need to Provide?**

Moderators: Matthew Cox, Santa Clara University School of Law

Mark R. Shulman Pace University School of Law

Mark E. Wojcik, The John Marshall Law School

Speakers: Howard Bromberg, The University of Michigan Law School, *Speaker from a Call for Papers*Teresa K. Brostoff, University of Pittsburgh School of Law, *Speaker from a Call for Papers*Nancy Burkoff, University of Pittsburgh School of Law, *Speaker from a Call for Papers*Anne Marie Burr, Wayne State University Law School, *Speaker from a Call for Papers*Khary Hornsby, University of Minnesota Law School, *Speaker from a Call for Papers*Michael D. Murray, Valparaiso University School of Law, *Speaker from a Call for Papers*Robin M. Nilon, Temple University, James E. Beasley School of Law, *Speaker from a Call for Papers*Ann M. Sinsheimer, University of Pittsburgh School of Law, *Speaker from a Call for Papers*

Many law schools who have LL.M. students from other countries provide little or no specialized courses to teach those students how to research U.S. law or how to write the academic papers and legal memoranda that might be expected of other law school graduates. This panel will explore the needs of non-U.S. lawyers, consider what law schools should be providing to these students, and what new curricular requirements state bar examiners (such as in New York) are imposing on law schools that have programs for non-U.S. lawyers.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6450] Section on Immigration Law

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

**Responding to Immigration Flows Resulting from Failed States and Civil Wars: From
Western Europe's Response to the Crisis in the Middle East and North Africa to the
United States' Response to Mexico**

Moderator: Nora V. Demleitner, Hofstra University School of Law

Speakers: Alan D. Bersin, Commissioner, U.S. Customs and Border Protection, Washington, DC

Mathilde Cohen, Columbia University School of Law

Uffe Host Jensen, Counselor, Political, Security and Development Section,

European Union Delegation to the United States of America

Audrey Macklin, Professor, University of Toronto Faculty of Law

The political situation in North Africa and the Middle East has already led to greater migration to Western Europe, with Western European countries reacting differently, and often very defensively to the (potential) influx of refugees and others. Many of these countries have had individual agreements with Libya, for example, to restrict and prevent migration from countries further South. The current political upheaval makes those countries unable, or unwilling, to police and enforce such agreements. As a result, some EU member states have begun to close their borders to their neighbors, endangering a core concept of the European Union. This situation presents an interesting contrast - or analogy - to the U.S. response to immigration resulting from the current violence in Mexico, potential political change in Cuba, and environmental and human rights problems in Haiti. Similarly, Canada has been faced with the influx of boat people who have been fleeing political oppression or economic deprivation farther away. The political and legal response has also often been to restrict access. What could the United States, Canada and Western Europe learn from each other regarding their responses to these situations? What best legal practices could they develop in addressing such situations before they arise? How have human rights considerations, including refugee protection, impacted political and legal decision-making in these different situations?

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6430] Section on Indian Nations and Indigenous Peoples

Wilson B, Mezzanine Level, Washington Marriott Wardman Park Hotel

The Alaska Native Claims Settlement Act at 40

(Papers to be published in *American Indian Law Review*)

Speaker: Erin C. Dougherty, Staff Attorney, Native American Rights Fund, Anchorage, AK
Matthew L.M. Fletcher, Michigan State University College of Law
Natalie Landreth, Staff Attorney, Native American Rights Fund, Anchorage, AK

In 1971, Congress enacted the Alaska Native Claims Settlement Act, the largest Indian land claims settlement act in history. In exchange for about one-ninth of the land mass of the state of Alaska, Alaskan Natives and their interests received nearly \$1 billion. Forty years have passed, and now is a time for reflection on the impacts ANSCA has had on Alaska Natives and federal Indian law in general. We will also honor the late Dean David Getches, whose impact on Alaskan Native affairs is enormous.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6440] Section on Insurance Law

Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

Regulating Risk Classification

Moderator: Michelle E. Boardman, George Mason University School of Law
Speakers: Ronen Avraham, The University of Texas School of Law
Mark A. Geistfeld, New York University School of Law
Amy Monahan, University of Minnesota Law School
Robert J. Rhee, University of Maryland Francis King Carey School of Law

Is it a sordid business, this divvying us up by race, sex, genes, age, credit score, etc.? Insurers spread risk by pooling risks, which requires dividing people into different pools or classes. Risk classification can be based on a current trait (being 65), a permanent trait (being a man), a hidden but knowable trait (genes), current actions (smoking), or the results of past actions (a credit score). How insurers classify risk affects who gets insurance, at what cost, and how risks are spread across society.

Section on Insurance Law, continued

And classification can create incentives to quit smoking or to pass up a genetic test. Should we insist on causation between a poor credit score, for example, and higher risk or is correlation enough? How do methods of risk classification play out in health insurance reform? Among other questions, this panel will discuss how we determine legitimate and illegitimate factors to be used in risk classification and who should decide—state regulators, legislatures, courts, or insurers alone.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6460] Section on Law and the Social Sciences

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Evidence-Based Approaches to Clinical Education and Legal Aid

Moderator: Kevin M. Quinn, University of California, Berkeley, School of Law

Speakers: Steven Eppler-Epstein, Executive Director, Connecticut Legal Services, Inc.,
Middletown, CT

D. James Greiner, Harvard Law School

Julie McCormack, Harvard Law School

Rebecca Sandefur, Professor, Department of Sociology, Stanford University,
Stanford, CA

Jeffrey Selbin, University of California, Berkeley, School of Law

Recent work suggests possible synergies between empirical work on program evaluation and the practice of clinical education and the provision of legal aid. This roundtable brings together leading empiricists, clinicians, and providers of legal aid for a discussion of evidence-based approaches to the clinical education and legal aid.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6370] Section on New Law Professors, Co-Sponsored by Section on Teaching Methods

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

**Teaching How We Teach: Lessons from the Classroom
for New Law Professors**

Moderator: Stephen I. Vladeck, American University, Washington College of Law

Speakers: Rachel E. Croskery-Roberts, University of California, Irvine, School of Law

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

Mary Anne Franks, University of Miami School of Law

Cynthia Jones, American University, Washington College of Law

Gowri Ramachandran, Southwestern Law School

Some of the thorniest issues that new law professors encounter in the classroom are those that we didn't anticipate in advance. For all the time we spend discussing how to select the right case-book, how to structure a syllabus, how to think about our pedagogical approach to our classes, or how to write (and grade) exams, we devote surprisingly little attention to more specific issues like how to deal with obstreperous students; how to manage conversations about politically sensitive and/or emotionally fraught topics; or a host of other recurring problems in graduate school classrooms. Although these lessons are usually learned over time, new law professors don't have the luxury of that experience. Thus, this panel hopes to bridge that gap by bringing together a cross-section of scholars from a variety of backgrounds, all of whom have been recognized for their exceptional teaching. Each of the panelists will offer their own views on particular issues they've confronted in their teaching careers, how they've handled them, and what lessons they'd pass along to their colleagues going forward.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6470] Section on State and Local Government Law, Co-Sponsored by Section on Law and Religion

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

The Impact of the Religious Land Use and Institutionalized Persons Act on States and Local Governments

(Papers to be published in *Fordham Urban Law Journal*)

Moderator: Patricia Salkin, Albany Law School

Speakers: Marci A. Hamilton, Yeshiva University, Benjamin N. Cardozo School of Law
Douglas Laycock, University of Virginia School of Law
Alan Weinstein, Cleveland State University, Cleveland-Marshall College of Law

Employment Division v. Smith, 494 U.S. 872 (1990), ruled that the Free Exercise Clause of the First Amendment did not require states to grant religious accommodations with respect to “neutral laws of general applicability” even when those laws imposed a substantial burden on a person’s religious practices. In 1997, *City of Boerne v. Flores*, 521 U.S. 507 (1997), held that Congress’s first attempt to overrule *Smith* legislatively was unconstitutional; and three years later, Congress enacted the Religious Land Use and Institutionalized Persons Act. The Act covers land use decisions of states and local governments when those decisions involve programs that receive federal assistance or affect interstate commerce or when they implement procedures involving individualized assessments of property. When it applies, the Act prohibits the imposition of a “substantial burden on the religious exercise of a person” unless the burden is the “least restrictive means” of furthering “a compelling governmental interest.” This panel will offer a diverse range of perspectives on the statute’s impact on the ability of states and local governments to perform their important land use functions.

Business Meeting at Program Conclusion.

3:30 - 5:15 PM

[6480] Section on Transactional Law and Skills

Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel

Transactional Law Teaching and Scholarship: Moving Forward

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

Speakers: Scott J. Burnham, Gonzaga University School of Law
James E. Moliterno, Washington and Lee University School of Law
Carol E. Morgan, University of Georgia School of Law, *Speaker from a Call for Papers*
Karl S. Okamoto, Drexel University, Earle Mack School of Law, *Speaker from a Call for Papers*
Robert K. Rasmussen, University of Southern California Gould School of Law
Tina L. Stark, Boston University School of Law
Janet Thompson Jackson, Washburn University School of Law

Business Meeting at Program Conclusion.

AALS PROGRAMS

5:15 - 6:30 PM

[6490] **Second Meeting of AALS House of Representatives**

Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel

Presiding: Michael A. Olivas, AALS President and University of Houston Law Center

Parliamentarian: Elizabeth Hayes Patterson, Georgetown University Law Center

Clerk: Linda D. Jellum, AALS Associate Director

- Address of AALS President-Elect, Lauren K. Robel, Indiana University, Maurer School of Law
- Report of the Nominating Committee, Kevin R. Johnson, Chair of the AALS Nominating Committee for 2012, and University of California, Davis, School of Law
- Other Business

Designated 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

[6500] **AALS Reception for Legal Educators from Law Schools Outside the United States**

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

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

Park Tower Suite 8224, Lobby Level, Washington Marriott Wardman Park Hotel

8:00 PM

[6520] AALS Inaugural Law and Film Series

Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel

Commentator: Abby Ginzberg, Producer and Director, Social Action Media, Berkeley, CA

The AALS 2012 Annual Meeting will introduce the Law and Film Series, featuring films on legal topics, chosen for their cinematic and legal value, identifying film resources for possible classroom instructional purposes, as well as raising general awareness for law and film appreciation purposes. We hope that this Film Series will enhance the Annual Meeting experience for attendees. For each of two nights, we will show films chosen by the Annual Meeting Film Advisory Committee, including Double Features. There will be brief discussions and commentary in connection with the films. Instructional materials will be made available.

8:00 PM “Cruz Reynoso: Sowing the Seeds of Justice” (Abby Ginzberg 2011) (58 minutes)

A film about lawyer, labor activist, Justice of California Supreme Court and law professor Cruz Reynoso. <http://www.reynosofilm.org/Home.html>

9:30 PM “Brazil in Black and White” (Adam Stepan 2007) (60 minutes)

The problems implementing affirmative action in higher education in Brazil, interesting take on racial identification and class. This documentary aired a few years ago on PBS’ “Wide Angle.”

AALS would like to thank and recognize Carolina Academic Press for their financial support of the 2012 Annual Meeting Inaugural Law and Film Series.

MEMBER SCHOOL EVENTS*(alphabetized by school name)*

7:00 - 8:30 AM

University of the Pacific, McGeorge School of Law Breakfast for International Law Faculties and Members of American Society of International Law’s Teaching International Law Interest Group

Nathan Hale, Wardman Tower, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM

Vermont Law School Academic Deans Breakfast

Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel

OTHER ORGANIZATION EVENTS

(alphabetized by organization name)

7:00 - 8:30 AM

Access Group’s Deans Breakfast

Marriott Balcony B, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:00 - 8:30 AM

American Bankruptcy Institute Breakfast

Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel

SUNDAY, JANUARY 8, 2012

7:00 - 10:00 AM

[7000] AALS Registration

Atrium, Exhibition Level, Washington Marriott Wardman Park Hotel

7:00 AM - 12:00 PM

[7010] AALS Office and Information Center

Coolidge, Mezzanine Level, Washington Marriott Wardman Park Hotel

7:30 - 8:30 AM

Twelve Step Meeting

Park Tower Suite 8224, Lobby Level, Washington Marriott Wardman Park Hotel

AALS PROGRAM

7:00 - 8:30 AM

[7020] AALS Workshop and Continental Breakfast for 2011 and 2012 Section Officers

Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel

AALS would like to thank and recognize Complete Equity Markets Inc. for their financial support of the 2012 Annual Meeting Workshop and Continental Breakfast for 2011 and 2012 Section Officers.

Opening:

Moderator: D. Benjamin Barros, Chair, AALS Committee on Sections and Annual Meeting
and Widener University Law School

AALS Themes:

Susan Westerberg Prager, AALS Executive Director, Chief Executive Officer

Presidential Theme for 2013 Annual Meeting:

Lauren K. Robel, AALS President-elect and Indiana University, Maurer School of Law

Basic Understanding of Section Operation:

D. Benjamin Barros, Widener University School of Law

Section Online Communications:

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

AALS Professional Development Programs:

Donna M. Nagy, Indiana University Mauer School of Law

AALS SECTION PROGRAMS

9:00 - 10:45 AM

[7050] **Section on Criminal Justice**

Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

The Importance of the Pretrial Process in Reducing Mass Incarceration and Protecting the Innocent

Moderator: Shima Baradaran, Brigham Young University, J. Reuben Clark Law School

Speakers: Ronald J. Allen, Northwestern University School of Law

Roger A. Fairfax, The George Washington University Law School

Lisa Kern Griffin, Duke University School of Law, *Speaker from Call for Papers*

Myrna S. Raeder, Southwestern Law School

An overwhelming majority of criminal cases are disposed of pretrial by a plea bargain. Many key decisions as far as whether a defendant will be found guilty, what her sentence will be, and wide-ranging effects on mass incarceration and conviction of the innocent are a result of important pretrial procedures. This panel focuses on the steps in the pretrial process that lead to mass incarceration and allow the conviction of innocent people. The specific pretrial steps focused on would be the pretrial decision to release or detain, right to counsel, eye witness identifications, plea bargaining, and pre-plea disclosures. The panel will discuss the effects of the pretrial detention decision and preventive detention on high incarceration rates and whether people receive custodial sentences. In regards to plea bargaining, panelists will discuss the pressure and calculus that allows innocent people to plead guilty. As far as pre-plea Brady disclosures panelists will discuss the impacts of prosecutor's obligation to turn over exculpatory evidence before plea bargain. Finally, panelists will discuss the pretrial right to counsel and its impacts on the release decision, plea bargaining and also delve into the quality and necessity of counsel in the early stages of a judicial proceeding.

9:00 - 10:45 AM

[7060] Section on Financial Institutions and Consumer Financial Services

Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Rubber Hits the Road: Implementing Dodd-Frank amid Reform Fatigue

Moderators: Erik F. Gerding, University of Colorado Law School

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

Speakers: Eric C. Chaffee, University of Dayton School of Law, *Speaker from a Call for Papers*
Stavros Gadinis, University of California, Berkeley School of Law, *Speaker from a Call for Papers*

Christoph Henkel, Mississippi College School of Law, *Speaker from a Call for Papers*

Anita K. Krug, University of Washington School of Law, *Speaker from a Call for Papers*

Geoffrey C. Rapp, University of Toledo College of Law, *Speaker from a Call for Papers*

Discussants: Mehrsa Baradaran, Brigham Young University, J. Reuben Clark Law School

Kristin N. Johnson, Seton Hall University School of Law

Shruti Rana, University of Maryland Francis King Carey School of Law

Andrew Verstein, Yale Law School

Authors will explore the state of financial reform implementation in a still-weak national and global economy, against reform fatigue, polarization, and the risks of regulatory capture. Among other topics, the papers address the challenges inherent in moving from the legislative to the administrative realm, meshing domestic, regional, and international initiatives, and institutional design for markets and regulation. The session is an opportunity to look at specific rulemakings in detail, as well as to address larger questions about the course of reform after laws are made.

9:00 - 10:45 AM

[7070] Section on Law Libraries

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

**Assessing the Effectiveness of Legal Research Instruction:
Are Our Students Learning What We Teach?**

Moderator: June Liebert, The John Marshall Law School

Speakers: Nancy P. Johnson, Georgia State University College of Law

Anthony Niedwiecki, The John Marshall Law School

Concern about students' and recent law school graduates' research skills has existed for decades. The Digital Revolution has added its own twist in that students consider Google an index and think everything can be found online simply by "googling" it. According to them, nothing more is needed.

We've often discovered, as have many of the firms that employ law students, that students don't know how to approach a research problem. In today's global economy, law students need to be able to leave school and be able to research effectively and efficiently from the first day that they are hired.

To address these concerns, the speakers at this program will be examining: what first year law students should know about legal research, what law school graduates should know about approaching a research problem, how to assess the effectiveness of research courses, and how to create effective legal research classes.

9:00 AM - 12:00 PM

[7040] Section on Legal Writing, Reasoning and Research

Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Legal Writing in the 21st Century: Practical Teaching Tips for Legal Skills Professors

Moderators: Mark E. Wojcik, The John Marshall Law School

Judith A. Rosenbaum, Northwestern University School of Law, *Speaker from a Call for Papers*Speakers: Jodi S. Balsam, New York Law School, *Speaker from a Call for Papers*Lisa M. Black, California Western School of Law, *Speaker from a Call for Papers*Heidi K. Brown, New York Law School, *Speaker from a Call for Papers*Mireille Butler, Pepperdine University School of Law, *Speaker from a Call for Papers*Elena Margolis, Temple University, James E. Beasley School of Law, *Speaker from a Call for Papers*Sarah J. Morath, University of Akron, C. Blake McDowell Law Center, *Speaker from a Call for Papers*Kristen E. Murray, Temple University, James E. Beasley School of Law, *Speaker from a Call for Papers*Lisa A. Penland, Drake University Law School, *Speaker from a Call for Papers*Rosemary Queenan, Albany Law School, *Speaker from a Call for Papers*Hilary Stirman Reed, Pepperdine University School of Law, *Speaker from a Call for Papers*Louis J. Sirico, Villanova University School of Law, *Speaker from a Call for Papers*Carrie Sperling, Arizona State University Sandra Day O'Connor College of Law, *Speaker from a Call for Papers*Amy R. Stein, Hofstra University School of Law, *Speaker from a Call for Papers*Jenean M. Taranto, Albany Law School, *Speaker from a Call for Papers*Kristen Konrad Tiscione, Georgetown University Law Center, *Speaker from a Call for Papers*Melissa H. Weresh, Drake University Law School, *Speaker from a Call for Papers*

This special three-hour panel presents practical exercises and teaching tips for professors of legal writing, reasoning, and research. At least twelve selected speakers will share their experiences and ideas for innovative and engaged teaching. Attendees can expect to take away materials and ideas that they can use for teaching in the spring semester and beyond. Audience members will be encouraged to share additional teaching tips and ideas.

9:00 - 10:45 AM

[7080] Section on Minority Groups

Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel

Fostering Diversity and Excellence during Challenging Economic Times

Moderator: Dorothy Andrea Brown, Emory University School of Law

Speakers: José M. Gabilondo, Florida International University College of Law

Phoebe A. Haddon, University of Maryland Francis King Carey School of Law

Rufina Hernández, Associate Director, External Partnerships/Advocacy, National Education Association, Washington, DC

Jerome M. Organ, University of St. Thomas School of Law

Deborah W. Post, Touro College, Jacob D. Fuchsberg Law Center

This panel takes to the next level the debate regarding the current economy's impact on law schools and the pressures generated by the *U.S. News & World Report* annual law school rankings. The panel discussion is designed around the beliefs that excellence, diversity, and core values will guide us in meeting these challenges and responding to these pressures. The panelists will address numerous questions, including the following: What is the effect of the economic crisis on those wishing to enter the legal profession? How do mandatory grade curves and merit scholarships affect recruitment and retention of students? How do the proposed changes by the American Bar Association to security of position standards affect hiring and retention decisions? We know that our distinguished moderator and outstanding speakers will provide a lively and thought-provoking session.

9:00 - 10:45 AM

[7090] Section on Sexual Orientation and Gender Identity Issues

Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Out in the Classroom and in Academy(Papers to be published in *Journal of Legal Education*)

Moderator: Saru Matambanadzo, Tulane University School of Law

Speakers: Jessica R. Feinberg, Mercer University, Walter F. George School of Law
 Angela Gilmore, North Carolina Central University School of Law
 Christine A. Littleton, University of California, Los Angeles, School of Law
 Dean Spade, Seattle University School of Law
 Francisco X. Valdes, University of Miami School of Law

This panel, with focus on the annual meeting theme of academic freedom and academic duty in the legal academy, will place the experiences, stories, and scholarship of sexual minorities at the center of the discussion. The panel will bring together leading legal academics who will address the challenges that gay, lesbian, bisexual, trans-identified, and queer law professors face as teachers, scholars, and colleagues in the legal academy. The panel will touch on issues relating to hiring, tenure, and scholarly endeavors of LGBT applicants and faculty.

9:00 - 10:45 AM

[7100] Section on Women in Legal Education

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

Busting Out In Scholarship

Moderator: Dorothy E. Roberts, Northwestern University School of Law

Speakers: Fionnuala Ni Aolain, University of Minnesota Law School
 Bernadette Atuahene, Chicago-Kent College of Law, Illinois Institute of Technology,
Speaker from a Call for Papers
 Michele DeStephano, University of Miami School of Law
 Rigel C. Oliveri, University of Missouri School of Law
 Lisa R. Pruitt, University of California at Davis School of Law
 Jaya E. Ramji-Nogales, Temple University, James E. Beasley School of Law
 Robin R. Runge, University of North Dakota School of Law

In recent years, scholars have begun to reach outside of the legal academy with their scholarship — on blogs and other social media, in articles and opinion pieces for newspapers and magazines, in amicus briefs and white papers, in popular books and novels, and through grant-funded research. The panelists will discuss their experiences with nontraditional forms of scholarship and debate its advantages and disadvantages in terms of the tenure and promotion processes, compensation and benefits, and the general public's perception of the legal academy.

2011 SECTION CHAIRS AND CHAIR-ELECTS

Academic Support

Robin A. Boyle, St. John's University School of Law, *Chair*

Rebecca Flanagan, University of Connecticut School of Law, *Chair-Elect*

Administrative Law

M. Elizabeth Magill, University of Virginia School of Law, *Chair*

Jeffrey S. Lubbers, American University, Washington College of Law, *Chair-Elect*

Admiralty and Maritime Law

Jonathan M. Gutoff, Roger Williams University School of Law, *Chair*

Charles Norchi, University of Maine School of Law, *Chair-Elect*

Africa

Margaret Maisel, Florida International University College of Law, *Chair*

Paolo Galizzi, Fordham University School of Law, *Chair-Elect*

Agency, Partnership, LLC's and Unincorporated Associations

Rutheford B. Campbell, Jr., University of Kentucky College of Law, *Chair*

Douglas K. Moll, University of Houston Law Center, *Chair-Elect*

Aging and Law

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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.

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WAYNE LOGAN, Florida State University College of Law

Term Expire 2013:

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CLAUDIO GROSSMAN, American University, Washington College of Law

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ELIZABETH PARKER, University of the Pacific, McGeorge School of Law

2011 PLANNING COMMITTEES FOR 2012 WORKSHOPS AND CONFERENCES

2012 ANNUAL MEETING WORKSHOP ON ACADEMIC SUPPORT - GOT ASP? LEVERAGING ACADEMIC SUPPORT PRINCIPLES AND PROGRAMS TO MEET STRATEGIC INSTITUTIONAL GOALS

ROBIN A. BOYLE, St. John's University School of Law
DARBY DICKERSON, Texas Tech University School of Law, **Chair**
PAULA LUSTBADER, Seattle University School of Law
RUSSELL A. MCCLAIN, University of Maryland Francis King Carey School of Law

2012 ANNUAL MEETING WORKSHOP ON THE FUTURE OF THE LEGAL PROFESSION AND LEGAL EDUCATION: CHANGES IN LAW PRACTICE: IMPLICATIONS FOR LEGAL EDUCATION

SUSAN D. CARLE, American University, Washington College of Law, **Chair**
RENEE NEWMAN KNAKE, Michigan State University College of Law
CAROL A. NEEDHAM, Saint Louis University School of Law
CARLA D. PRATT, Pennsylvania State University, Dickinson School of Law
MILTON C. REGAN, JR., Georgetown University Law Center

2012 MID-YEAR WORKSHOP ON WHEN TECHNOLOGY DISRUPTS LAW: HOW DO IP, INTERNET, AND BIOLAW ADAPT?

MARGO A. BAGLEY, University of Virginia School of Law
MARK P. MCKENNA, University of Notre Dame Law School
PAUL OHM, University of Colorado Law School
PAMELA SAMUELSON, University of California, Berkeley, School of Law, **Chair**
ANDREW W. TORRANCE, University of Kansas School of Law

2012 MID-YEAR CONFERENCE ON TORTS, ENVIRONMENT AND DISASTER

ROBIN K. CRAIG, Florida State University College of Law
EILEEN GAUNA, University of New Mexico School of Law
LAURA HINES, University of Kansas School of Law, **Chair**
DOUGLAS A. KYSAR, Yale Law School
ROBERT L. RABIN, Stanford Law School
ANTHONY J. SEBOK, Yeshiva University, Benjamin N. Cardozo School of Law
LISA GROW SUN, Brigham Young University, J. Reuben Clark Law School

2012 CONFERENCE ON CLINICAL LEGAL EDUCATION

JON C. DUBIN, Rutgers University School of Law - Newark
MARGARET M. JACKSON, University of North Dakota School of Law
PETER JOY, Washington University in St. Louis School of Law, **Chair**
LUZ M. MOLINA, Loyola University, New Orleans, College of Law
JAYESH RATHOD, American University, Washington College of Law

**2012 WORKSHOP ON NEW LAW TEACHERS, PRE-TENURED PEOPLE OF
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OKIANER CHRISTIAN DARK, Howard University School of Law
SUSAN R. JONES, The George Washington University Law School
SAPNA KUMAR, University of Houston Law Center
XUAN-THAO NGUYEN, Southern Methodist University, Dedman School of Law,
Chair
LAURIE B. ZIMET, University of California, Hastings College of Law

MEMBERS OF THE ASSOCIATION

As of January 2011

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 at Buffalo Law School, State University of New York, Buffalo, New York—1937
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
Benjamin N. Cardozo School of Law, New York, New York—1983
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
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, 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, 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
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 Francis King Carey 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
University of Pennsylvania Law School, Philadelphia, Pennsylvania—Charter Member
The 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, The State University of New Jersey, School of Law - Camden, Camden, New Jersey—1946
Rutgers, The State University of New Jersey, 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
Southern University Law Center, Baton Rouge, Louisiana—2011
Southwestern Law School, Los Angeles, California—1974
Stanford Law School, Stanford, California—Charter Member
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
Touro College, Jacob D. Fuchsberg Law Center, Huntington, New York—1994
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
William & Mary Law School, Williamsburg, Virginia—1936
William Mitchell College of Law, St. Paul, Minnesota—1982
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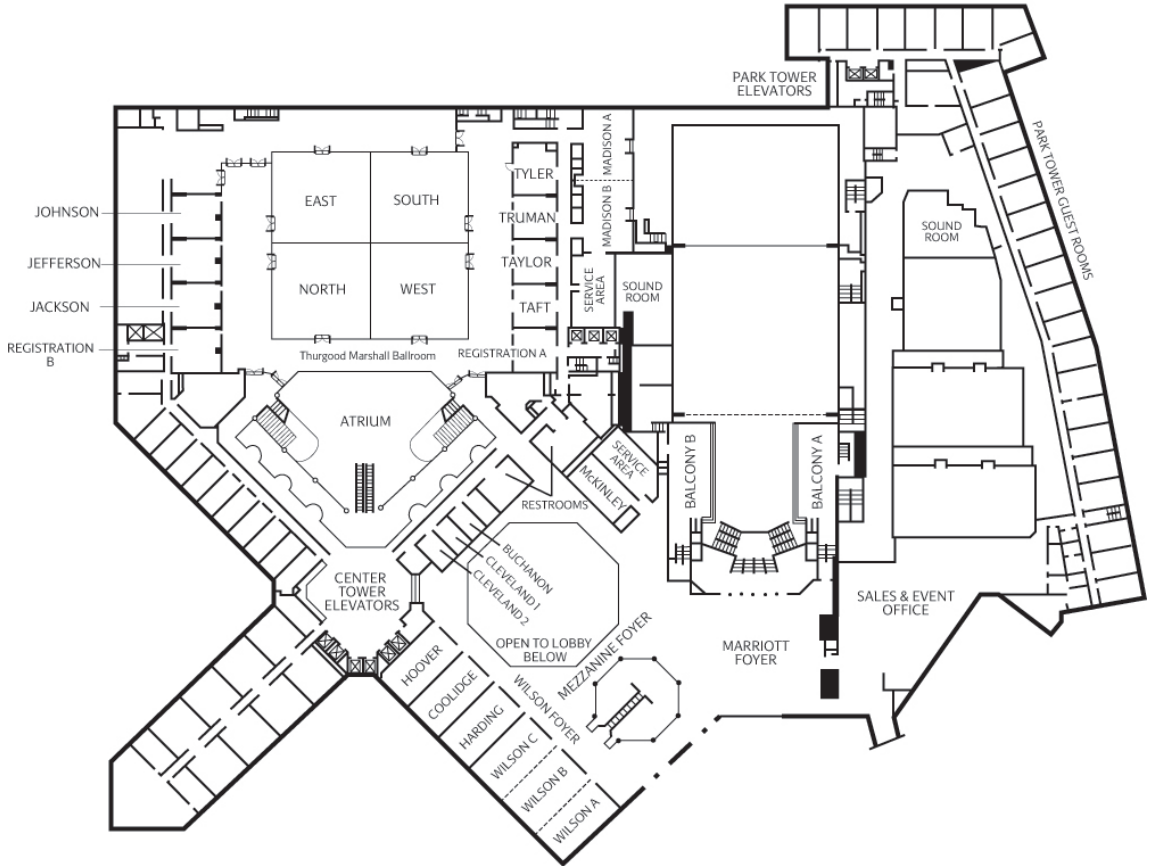
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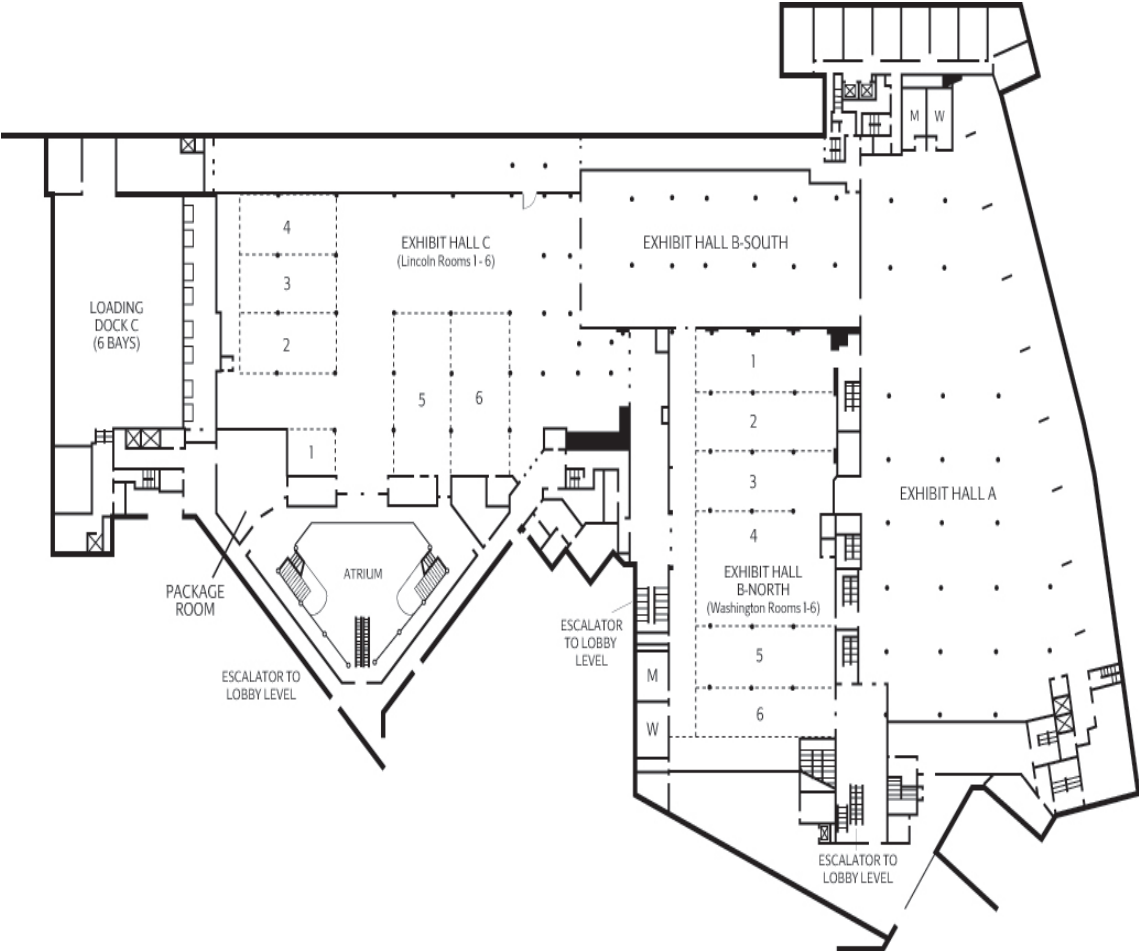
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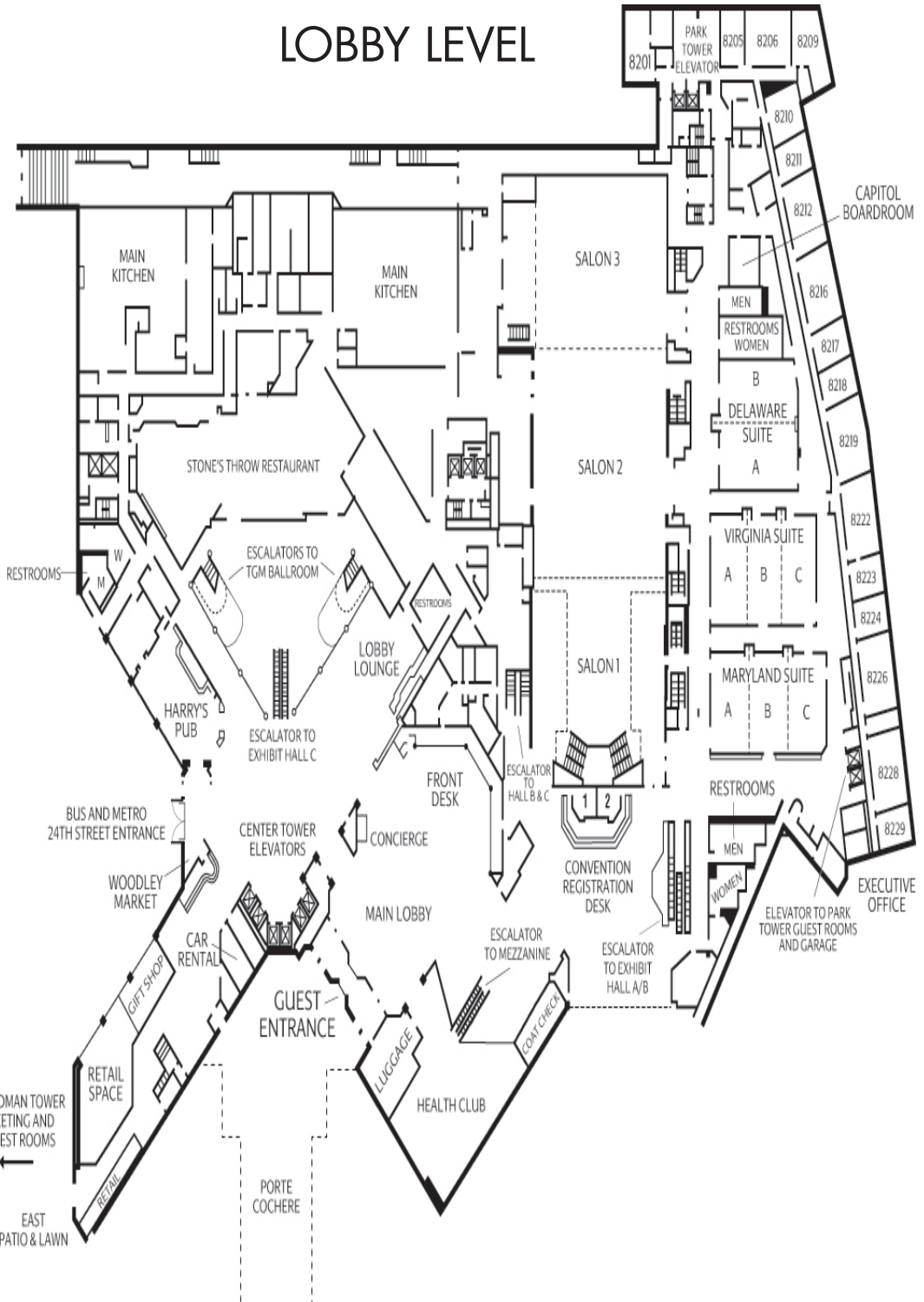
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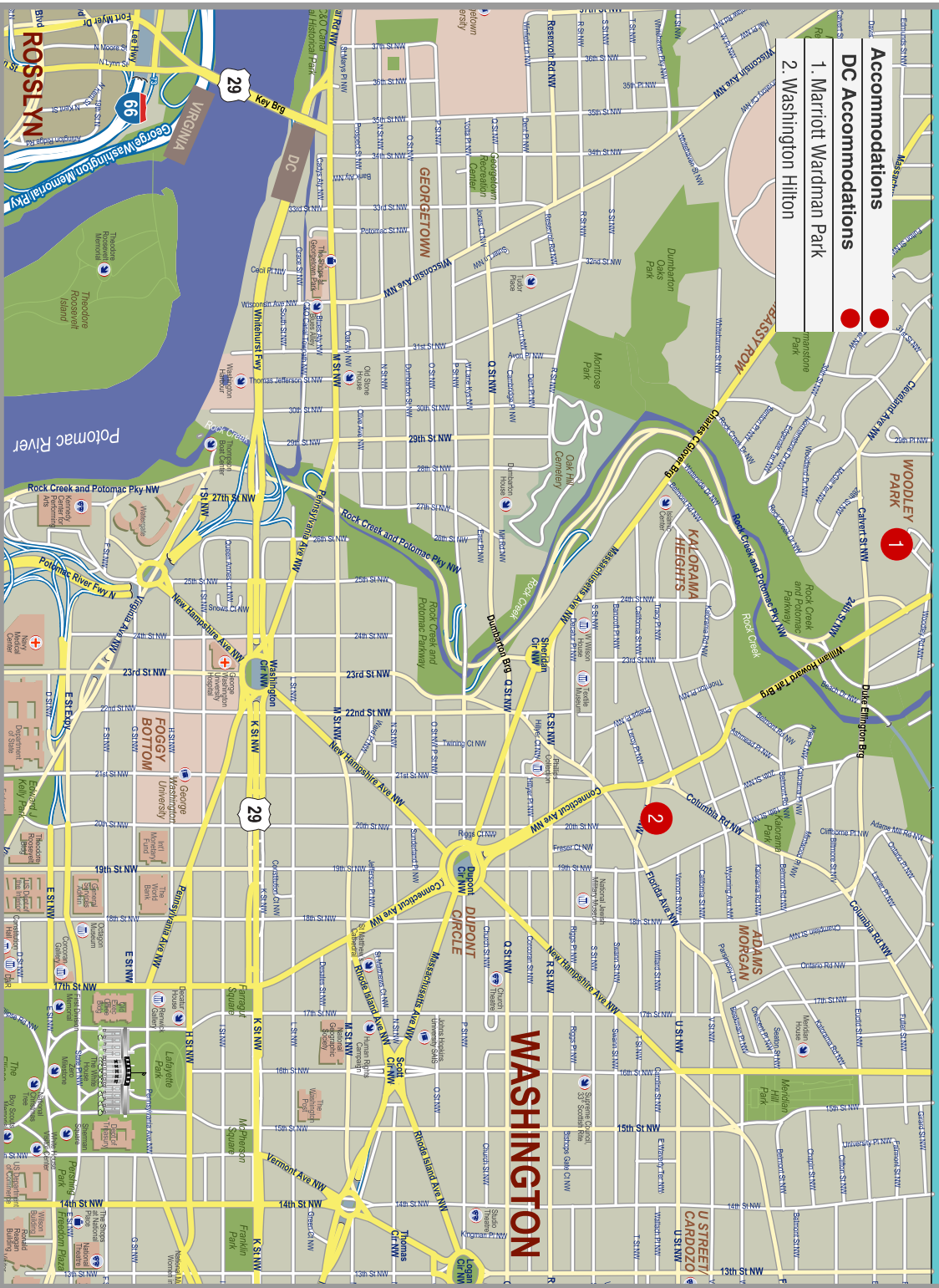


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