

EQUIPOISE

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A state of balance, engagement and well-being in legal education

DECEMBER 2010

EQUIPOISE is the newsletter of the Association of American Law Schools Section on Balance in Legal Education

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Greetings from the Chair

**Kathy Hessler, Professor of Law and Animal Law Clinic Director
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It has been an honor and a privilege to serve as the Chair of the Balance in Legal Education Section of the AALS. We have a wonderful board which represents many different levels of experience. With Amy Bushaw, our secretary, and Marjorie Silver, our Chair-Elect, we have focused on a number of projects.

As I write this I reflect on our past year of joint endeavors and recognize that much work has been done to improve the lives of law students and their teachers, as well as their institutions, and the clients and public they serve. There is, of course, much work still to be done, but it is useful to take a moment to appreciate the hard work of so many people.

First of course, our Section is co-sponsoring, with the Student Services and Academic Support Sections, what promises to be a wonderful joint program at the January 2011 AALS Meeting in San Francisco – “Beyond Humanizing: Can – and Should – Law Schools Strive to Graduate Happy Students?” Many thanks to those involved from our Section, Andrew Faltin, Michael Schwarz, Larry Krieger, Paula Lustbader, and Marjorie Silver, as well as the whole board for their input, guidance and support in the development of this program. (More on this elsewhere in the newsletter.)

I have been impressed by, and grateful for, the conversations of the board with respect to the difficulty of planning our program within the context of a labor dispute at the AALS hotel. Alignment with personal, political and other views is definitely a Balance goal for us as well as our students. How we model support for marginalized people and causes within our professional roles and responsibilities is something our students learn from. Also, how we manage these conversations when there are many different perspectives is another evolving

lesson. I am so pleased to part of a group that engages in these activities so thoughtfully and respectfully!

Next, we have been working on the issue of the size and composition of our board. We have always wanted to involve some of the leading lights in this movement and have had the privilege of their engagement over the years. However, the AALS notified us that those faculty members and administrators who work at non-AALS member schools cannot be members of the board even in an advisory capacity. We have had some discussions about our concerns with the AALS and are still looking for appropriate ways to balance our goals of inclusivity and engagement while respecting the AALS' perspective.

A positive addition to our routine this year was initiated by the AALS, which asked whether the Section wanted to send a representative to the 2010 AALS New Law Teachers Conference in Washington, D.C. There was a reception with representatives from various invited Sections on June 17th. Bob Schuwerk attended for the Section and was able to let many of the newest law teachers know about the ideas and resources available in the balance in legal education movement and the work of the Section particularly. Thanks Bob! The Section will continue to see whether it will be possible to get on the agenda of the New Law Teachers Conference on a regular basis.

The work of our committees this year includes many wonderful projects. Descriptions of some of the work are below:

Scholarship Committee. The committee worked hard to put together essays on “What Balance in Legal Education Means to Me” for publication in the *Journal of Legal Education*,

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Mark Your Calendars

*Wednesday,
January 5, 2011*

SECTIONS ON ACADEMIC SUPPORT AND BALANCE IN LEGAL EDUCATION JOINT PROGRAM, CO-SPONSORED BY SECTION ON STUDENT SERVICES

2:00-5:00 p.m., *Beyond Humanizing: Can – and Should – Law Schools Strive to Graduate Happy Students?*
Embarcadero Room, Third Floor Level, Parc 55 Wyndham Union Square Hotel, San Francisco

BALANCE SECTION BUSINESS MEETING

5:30-6:30 p.m., Powell Room, Third Floor Level, Parc 55 Wyndham Union Square Hotel, San Francisco

INFORMAL GATHERING AT THE CITYHOUSE BAR

Following the Balance Section Business Meeting, Parc 55 Wyndham Union Square Hotel, San Francisco

GREETINGS FROM THE CHAIR *continued from first page*

August 2010. This represented a lot of hard work and was wonderfully successful – thanks to the committee members!

Web-Site Committee. Many thanks to the committee, Carol Wallinger, Larry Krieger, and his tech person, Sally Bowman, who have been working to update and restyle the “humanizing legal education” website at Florida State University (FSU) to serve as a Section website. A “beta version” has already been distributed to the board for input and we are on schedule to send an updated version out to the folks on the list for input early in the spring semester. This is very exciting and will be a wonderful resource for our community, building on the work that has already been done – thanks all!

Calvin Pang is also working with the AALS to establish a “mini” website using the AALS Platform. As one needs a password to access the AALS site, the committee decided that it would be best to include most of the content on the FSU site, with the AALS site serving as a conduit to the more extensive FSU site.

By-Laws Committee. Larry Krieger and Bob Schuwerk are working to update the Section’s by-laws. Initially, we decided to use the basic AALS by-laws while we began to get organized as a Section. Now that we have been operating as a Section for a few years, we realize that we operate a little differently from the structure of the basic by-laws so we need to make edits to conform our by-laws to our actual practice.

Memorial for Bruce Winick. The members of the board noted with great sadness the passing of our mentor, colleague and friend – Bruce Winick. We decided to include a moment to share an

appreciation of his work and life at the program in January, and we’ll be doing more to share our thoughts later in the spring semester. [See article on page 4.]

I want to recognize all the members of the board this year. I feel privileged to have been able to work with these wonderful teachers, scholars, mentors and human beings!

- Josh Rosenberg (San Francisco)
- Carol Wallinger (Rutgers – Camden)
- D’Lorah Hughes (Arkansas – Fayetteville)
- Timothy Floyd (Mercer)
- Victor Goode (CUNY)
- Nancy Soonpaa (Texas Tech)
- Keith Sealing (Widener, Harrisburg)
- Calvin Pang (Hawai’i)
- Paula Lustbader (Seattle)
- Gerry Hess (Gonzaga)
- Bob Schuwerk (Houston)
- Rhonda McGee (San Francisco)
- Amy Bushaw (Lewis & Clark)
- Andrew Faltin (Marquette)
- Marjorie Silver (Touro)
- Ex Officio:
- Larry Krieger (Florida State)
- Michael Schwartz (Washburn)

I also want to thank three people in particular who have been available to the board for consultation and advice:

- Susan Daicoff (Florida Coastal)
- Marty Peters (Elon)
- Justine Dunlap (SNESL)

Here’s to a wonderful holiday season for all of us, our students, and the communities we serve. I wish for a good year to come and success in our work on behalf of others.

Peace, Kathy Hessler

If You're Going to San Francisco...

Beyond Humanizing: Can – and Should – Law Schools Strive to Graduate Happy Students?

The Section is joining with the Section on Academic Support and the Section on Student Services to present a program at the 2011 AALS Annual Meeting in San Francisco. The joint program will question whether law schools can, or should, strive to graduate happy students. Catherine Glaze, Mike Schwartz and Emily Scivoletto will moderate the program, while presenters will include Richard Delgado, Andrew Faltin, Rebecca Flanagan, Larry Krieger, Nancy Levit, Paula Lustbader, Paula Manning, Russell McClain, Deborah Rhode, Corie Rosen, Jean Stefancic and Laurie Zimet. Presenters will explore the causes of lawyer distress and the role that legal education plays in producing unhappy law students and lawyers. The program will weave the thoughts of leading researchers in the field with practical demonstrations of techniques and approaches professors and student services professionals are using to address issues of law student dissatisfaction and distress.

This year's joint program follows a provocative and multi-faceted Balance Section program at the 2010 AALS

Annual Meeting in New Orleans. The program posed the question "Who Am I? The Role of Legal Education in Shaping Professional Identities." Marjorie Silver, Mike Schwartz, John McShane and Rhonda V. Magee drew on perspectives from therapeutic jurisprudence, contemplative practice, collaborative law, critical race theory and the world of legal practice to explore the role law schools play in shaping the professional identities of their students. After some opening remarks, Marjorie Silver led participants through a values inventory exercise developed by Susan Daicoff. Mike Schwartz provided concrete examples of techniques he used to allow students to discover and connect with their values in the context of substantive law school classes. John McShane remarked on the role of professional identity and values in legal practice, and discussed the importance of maintaining a focus on one's professional identity throughout a professional career. Rhonda Magee shared some personal reflections as well as some of the results of her research, and guided participants through a short meditation. The

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IF YOU'RE GOING TO SAN FRANCISCO... *continued from page 3*

discussion among participants was vibrant and thought-provoking.

Beyond its substantive content, the 2010 program was a demonstration of the collaborative skills and flexibility exhibited by members of our Section. Bruce Winick and Susan Daicoff were both scheduled to present, but at the eleventh hour neither were able to travel to New Orleans. Both worked at a distance with the moderator, Marjorie Silver, to share the substance of their remarks, and Mike Schwartz agreed to supplement the planned presentations



with one of his own. In the end, it was a rich, thoughtful and informative session. Thanks to all who helped to make it a success. The 2010 Joint Program promises to follow in this tradition, and to provide both inspiration and practical suggestions. We hope that you are able to attend, and encourage others to do the same.

We also invite you to join us for a brief business meeting for the Section, scheduled after the conclusion of the Joint Program. In the business meeting, we will elect new board members and other officers, and will discuss plans for the upcoming year. The business meeting will also give us a chance to gather and set off for what is becoming a tradition for our Section, an informal social event at the AALS Annual Meeting. Last year, we gathered at the Sazerac Bar in the historic Roosevelt Hotel in New Orleans. This year, we plan to gather informally at the Cityhouse Bar located in the Parc 55 Hotel. Please join us there for conversation and relaxation, and bring along your colleagues, family and friends.



We Remember Our Dear Colleague and Friend, Bruce Winick, 1944-2010

With sadness, we mark the passing of our dear colleague and friend, Bruce Winick, on August 26, 2010. We have planned a few opportunities to share remembrances of Bruce at the AALS Annual Meeting in San Francisco. We plan to include some of these remembrances in a special edition of the newsletter to be issued early next spring. If you are not able to attend the Annual Meeting and would like to share a word or two about your interactions with Bruce, please do. They may be as short as a statement such as “we miss you, Bruce” or as long as your inspiration and memories dictate. Please send any remembrances you would like to include in the newsletter to bushaw@lclark.edu by February 15, 2011.

Please Keep in Touch

If you have any comments or suggestions for future editions of this newsletter, please send them to the editor, Amy Bushaw at bushaw@lclark.edu. Our plan is to use the information we gather from time to time to help build content on our Section's website, so your contributions are always welcome.

Section newsletters only come out sporadically. The humanizing legal

education listserv is available every day. If you do not yet subscribe to the listserv, we encourage you to do so. To subscribe, go to <https://lists.fsu.edu/mailman/listinfo/law-legal> and follow the instructions. If you do subscribe to the listserv, please post your thoughts, questions, insights and accomplishments on a regular basis. You will find you have an appreciative and responsive audience.

Please Become a Member of the Section

If you are not yet a member of the Section on Balance in Legal Education, we encourage you to join. Section membership is open to faculty and professional staff of AALS membership schools; others may join as associate members. To become a member or an associate member, please contact the AALS National Office at (202) 296-8851 or aals@aals.org, and indicate your interest in joining the Section.

This newsletter is a forum for the exchange of points of view. Opinions expressed here are not necessarily those of the Section and do not necessarily represent the position of the Association of American Law Schools.