

ASSOCIATION OF AMERICAN LAW SCHOOLS
SECTION ON SEXUAL ORIENTATION AND GENDER IDENTITY ISSUES

SOGII NEWSLETTER

NOVEMBER 2008

OUR SECTION'S FIRST FULL-DAY PROGRAM

Sexual Orientation and Gender Identity Across the Curriculum: The Challenge of Keeping Law Schools Current with LGBT Issues

The Section will hold its first full-day program to examine the most important developments in legal issues relating to sexual orientation and gender identity across the curriculum.

A morning plenary session will discuss same-sex marriage and other developments in same-sex marriage. Breakout sessions in the morning and afternoon will allow faculty members to consider how LGBT issues have arisen in cting subjects across the curriculum. What will be the legal status of same-sex marriages in California after Proposition 8? What legal rights do couples have when the state no longer recognizes their marriage? How should other states treat those marriages? What is the future of civil unions after the Connecticut Supreme Court found them to be an unconstitutional substitute for full marriage?

Issues will be discussed in practical contexts across the law school curriculum, with special sessions as well on gender identity, legal research, career services, and a wide range of substantive law areas. Please join us for all or part of the day.

Mark E. Wojcik
The John Marshall Law School—Chicago
SOGII Section Chair



A QUICK OVERVIEW OF OUR FULL-DAY PROGRAM

Wednesday, January 7, 2009

8:45 a.m. to 9:10 a.m. Opening Plenary: California Proposition 8 and Why We Are Not Meeting at the Manchester Grand Hyatt

9:10 a.m. to 10:30 a.m. Plenary Session on Same-Sex Marriage and Other Important LGBT Developments

10:45 a.m. to 12:15 p.m.

Morning Breakout Sessions (details on page 2)

- Family Law, International Law, and Immigration
- Transgender 101
- Employment Law, Employment Discrimination, and Clinical Legal Education
- Legal Research, Legal Writing, and Moot Court

12:15 to 1:45 p.m. Section Luncheon (Ticketed)

2:00 to 3:30 p.m.

Afternoon Breakout Sessions (details on page 3)

- Constitutional Law, Criminal Law, and Evidence
- Torts, Contracts, and Professional Responsibility
- Property, Conflicts of Law, Income Tax, and Employee Benefits
- Admissions, Student Services, Student Development, and Career Services

3:45 to 5:15 p.m.

Closing Plenary: Solomon Amendment and Beyond: Does Amelioration Ameliorate?

6:30 p.m.

Section Business Meeting and Lavender Law Conference Planning for Law Faculty

Sexual Orientation and Gender Identity Across the Curriculum: The Challenge of Keeping Law Schools Current with LGBT Issues

Morning Plenary Sessions (Jan. 7, 2009)

8:45 to 9:10 a.m.

Solana, South Tower/Level 1, San Diego Marriott Hotel

Why We Are Not Meeting at The Manchester Grand Hyatt – Did the AALS Win a Gold Medal by Moving to the Marriott?

Ruth Anne Robbins, Legal Writing Institute President

Hazel Weiser, Society of American Law Teachers

Mark E. Wojcik, SOGII Section Chair

9:10 to 10:30 a.m.

Solana, South Tower/Level 1, San Diego Marriott Hotel

Same-Sex Marriage and Beyond – Recent Developments in Sexual Orientation and Gender Identity Issues

William N. Eskridge, Jr., Yale Law School

Holning Lau, Hofstra Law School

Nan D. Hunter, Georgetown University Law Center

Arthur S. Leonard, New York Law School

Adele M. Morrison, Northern Illinois Univ. College of Law

Kellye Y. Testy, Seattle University School of Law

Mark E. Wojcik (Moderator)

Morning Breakout Sessions

(Concurrent)

10:45 a.m. to 12:15 p.m.

Breakout Session 1.

Family Law, International Law, and Immigration

Solana, South Tower/Level 1, San Diego Marriott

Same-sex marriage, civil unions, and domestic partnership arrangements have fundamentally changed how we teach family law and domestic relations. Other issues to be covered include developments in adoption law, immigration status for same-sex partners, and other foreign and international law developments.

Ian Curry-Sumner, Utrecht Univ. Faculty of Law

Nancy Maxwell, Washburn University School of Law

Jeffrey Redding, St. Louis University School of Law

Clifford Rosky, S.J. Quinney College of Law, Univ. of Utah

Debra Poggrund Stark, The John Marshall Law School-Chicago

Breakout Session 2.

Transgender 101: A Beginner's Guide to Transgender Issues

Newport Beach, South Tower/Level 4, San Diego Marriott

Transgender issues can arise in almost any subject in law school.

This session provides a background on the medical issues of transgendered persons and an overview of the more common legal issues that can arise in law school classrooms.

David B. Cruz, University of Southern California

Taylor Flynn, Western New England College School of Law

Julie Greenberg, Thomas Jefferson School of Law

Dean Spade, Seattle University School of Law

Breakout Session 3.

Employment Law, Employment Discrimination, and Clinical Legal Education

Irvine, South Tower/Level 4, San Diego Marriott

There is still no federal anti-discrimination law to ban discrimination on the basis of sexual orientation, but state and local laws do include such prohibitions. What do we need to be teaching our students about these state and local discrimination laws?

Erin E. Buzuvis, Western New England School of Law

Elizabeth M. Glazer, Hofstra University School of Law

Suzanne B. Goldberg, Columbia University School of Law

Zachary A. Kramer, The Pennsylvania State University

Breakout Session 4.

Legal Research, Legal Writing, and Moot Court: Pink Ink and Beyond

Warner Center, South Tower/Level 4, San Diego Marriott

The session will discuss using sexual orientation and gender identity issues in legal writing problems, and examine specific topics (such as criminal and civil actions for hate crimes) that have made for particularly effective legal writing assignments. The session will also provide information on the sexual orientation moot court competition, and on using past problems from that competition as the basis for future moot court problems and legal writing assignments.

James G. Durham, Touro College Law Center

Greg Johnson, Vermont Law School

Lyonette Louis-Jacques, The University of Chicago

Anthony S. Niedwiecki, Nova Southeastern University

Robert Bradley Sears, *Williams Institute on Sexual Orientation Law and Public Policy*, Los Angeles, California
 Robert Volk, Boston University School of Law
 Nancy A. Wanderer, University of Maine School of Law

Section Luncheon

12:15 p.m. to 1:30 p.m. (Ticketed Event, buy tickets by January 6, 2009 at 9:00 p.m.)

Afternoon Breakout Sessions

(Concurrent)

2:00 to 3:30 p.m.

Breakout Session 5

Constitutional Law, Criminal Law, and Evidence

Solana, South Tower/Level 1, San Diego Marriott
The constitutional and criminal law landscape was fundamentally changed by decisions such as Lawrence v. Texas and Roemer v. Evans. How have federal and state courts adapted to the new landscape, and what changes may still go unnoticed in classrooms where we teach constitutional law and criminal law. Additionally, new issues continue to arise relating to criminal procedure, civil procedure, and evidence, including whether the spousal testimonial privilege and the marital confidence privileges apply to same-sex marriages, domestic partnerships, and civil unions.

Bennett Capers, Hofstra University School of Law
 Taylor Flynn, Western New England College School of Law
 Jean C. Love, Santa Clara University School of Law
 Ellen S. Podgor, Stetson University College of Law
 Corey Yung, The John Marshall Law School—Chicago

Breakout Session 6

Torts, Contracts, and Professional Responsibility

Newport Beach, South Tower/Level 4, San Diego Marriott

What particular torts issues affecting sexual orientation and gender identity might be covered in basic courses such as torts, contracts, and professional responsibility? How are same-sex partners recognized in torts and contracts law? What is the status on defamation and privacy? How should we teach about changes to state rules of professional responsibility that prohibit discrimination based on sexual orientation and gender identity?

Lawrence C. Levine, University of the Pacific, McGeorge School of Law

Martha Ertman, University of Maryland School of Law

Mark E. Wojcik, The John Marshall Law School—Chicago

Breakout Session 7

Property, Conflict of Laws, Income Tax, and Employee Benefits

Irvine, South Tower/Level 4, San Diego Marriott

Same-sex marriage, civil unions, and domestic partnerships frequently conflict with state constitutional amendments and statutes that deny recognition to same-sex partnerships. How should we teach concurrent ownership interests between unmarried couples where interstate issues are involved? What advice should lawyers give to same-sex couples who were lawfully married in Massachusetts but whose marriage will not be recognized by the federal government or another state? Federal and state tax law often builds upon the recognition of property rights under state law. What issues arise when states recognize some form of same-sex relationships, each carrying significant property rights? And in California and Washington, what is the status of community income and community property law? This session will also discuss developments in income tax, bankruptcy, and employee benefits.

Patricia A. Cain, Santa Clara Law School

Chuck Cohen, Capital University Law School

Anthony C. Infanti, University of Pittsburgh School of Law

Barry Kozak, The John Marshall Law School—Chicago

Janice Kay McClendon, Stetson University College of Law

Breakout Session 8

Admissions, Student Services, Student Development, and Career Services

Warner Center, South Tower/Level 4, San Diego Marriott

This session will explore student services, recruiting, and development. Included among the topics are LGBT student organizations, student housing and medical care, safety and support issues, the Lavender Law Career Fair, and career services for LGBT students who might still be in the closet.

Andrew Chapin, Fordham Law School

Michael A. Farley, Stetson University College of Law

CLOSING PLENARY

3:45 to 5:15 p.m.

Solomon Amendment and Beyond: Does Amelioration Ameliorate?

Solana, South Tower/Level 1, San Diego Marriott

David A. Brennan, Association of American Law Schools

Jose M. Gabilondo, Florida International University

Jackie A. Gardina, Vermont Law School

Tayyab Mahmud, Seattle University School of Law

Mark E. Wojcik, The John Marshall Law School—Chicago

Suzanne Goldberg, Columbia University School of Law
 (Moderator)



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