



## the president's message

*Rachel Moran, University of California, Berkeley*

*The following is the Presidential Address of Rachel Moran before the House of Representatives at the AALS Annual Meeting on January 9, 2009.*

I first want to thank all of the individuals, too numerous to mention here, who have supported me throughout my career and have placed their confidence in me as I embark on my term as President of the Association of American Law Schools. A few people do deserve special mention, however. They are my friend and mentor, Herma Hill Kay, who nominated me for this position, as well as my colleagues Carrie Menkel-Meadow, Gerald Torres, and Charles Weisselberg, who wrote letters on my behalf. Then, of course, there are the wonderful members of the AALS staff, who enable every President to do his or her work. I appreciate all of their efforts but especially those of previous Executive Director Carl Monk, current Executive Director Susan Prager, Deputy Director David

Brennen, and Managing Director Jane La Barbera. I am indebted to Joe Knight for a provocative discussion that greatly helped in my thinking on this topic and to Greg Diamond for his invaluable research assistance in preparing this talk. Last but certainly not least, I want to express my deep gratitude to my parents for their love and guidance throughout the years and to acknowledge my mother who is here in the audience today.

Next year, we will be meeting in New Orleans for the first time since Hurricane Katrina forced the relocation of our 2006 Annual Meeting. During my Presidential year, I am adopting the theme of "Transformative Law," mindful of the symbolic significance of our return there as well as of the successes and failures of the legal profession in addressing this perilous past decade. Our meeting this year takes place at a time of crisis in our economy, our ecology, and our international standing as the leader of the free world. Many lawyers (including our President-Elect, Vice-President-Elect, and many Cabinet officials, and congressional leaders) must tackle these challenges. Media coverage of their efforts, however, portrays these public servants as people who happen to be lawyers, not as lawyers whose leadership grows out



of their mastery of law and whose accomplishments represent the pinnacle of their professional pursuits. To a significant degree, the accounts reflect the fact that these leaders have not pursued a traditional law firm practice but instead have devoted themselves to government and public service. The image of the citizen-lawyer, whose training can be used to advance the common good, has so thoroughly disappeared from the popular imagination that those who pursue this path are no longer centrally defined as lawyers.

Contrast today's portrayals to those of fifty years ago, when the word "lawyer" might conjure up images of crusaders in the civil rights movement. Or, compare these images to those of an even earlier era, when attorneys entered public life as architects of the New Deal. When citizen-lawyers

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## President's Message

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embarked on these campaigns for change, the result was transformative law. By this, I mean that law became a powerful tool to challenge and reconfigure social institutions. Transformative law can take place at the national, state, or local level. Challenges can come through landmark Supreme Court decisions like *Brown v. Board of Education*, which ended state-mandated segregation and forced the nation to reconsider the meaning of racial equality. Or, change can be the product of groundbreaking statutes and administrative action, as the battle for the New Deal that President Franklin Delano Roosevelt waged with a reluctant Supreme Court reminds us.<sup>1</sup> Whatever the forum, though, citizen-lawyers have made transformative law because they understand their professional role as integral to achieving the American dream.

Today, when lawyers receive attention as lawyers, they are more likely to be defending the notorious than building the nation. Is there no greater role for lawyers as lawyers in our contemporary public life? Is the citizen-lawyer now largely relegated to some lost golden age of reform? I believe that law still has a vital role to play at moments of national crisis like this one, but we must once again recognize that lawyers can be powerful agents of change and not merely advocates for agendas

set by someone else. We, as members of a learned society, can play a critical role in resurrecting the citizen-lawyer and the possibilities for transformative law. In fact, the current crisis of confidence in our country provides an unparalleled opportunity for lawyers to answer the call of service and restore a sense of integrity and trust.

### The Citizen-Lawyer as the Architect of Transformative Law

Legal educators have long played a key part in efforts to define the role of the citizen-lawyer who does more than simply represent clients in an unquestioning way. In the 1930s, Harlan Fiske Stone, a law school dean and later Justice of the United States Supreme Court, considered it the obligation of professors to train students to become practitioners who made law and policy that would advance the general welfare, presumably by creating optimal conditions for business. Confronted with the stark evidence of the Great Depression, Felix Frankfurter, a law professor and Supreme Court Justice, rejected Stone's notion that the general welfare and the interests of business were necessarily aligned. Although some attorneys still rotated between law firms and public service, these paths began to diverge.<sup>2</sup> By the 1960s and 1970s, public service and private practice often were seen as irreconcilable opposites; a deep divide within the bar had become evident.

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<sup>1</sup> See, e.g., Linda Hamilton Krieger, *Sociological Backlash*, in *BACKLASH AGAINST THE ADA: REINTERPRETING DISABILITY RIGHTS* 340, 356-357 (Linda Hamilton Krieger ed. 2003) (discussing various successful paths of transformative law).

<sup>2</sup> See Robert W. Gordon, *Corporate Law Practice as a Public Calling*, 49 *Md. L. Rev.* 255, 268-69 (1990) (reviewing role of prominent commercial and academic attorneys in fashioning the New Deal).

## President's Message

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This divide in turn has had pernicious consequences for the citizen-lawyer. Attorneys in private practice increasingly have come to focus on the bottom line. In the frantic competition for revenue, these lawyers largely devote themselves to the narrowly defined interests of their clients. As law firms adopt a business model, the image of the wise counselor, sometimes referred to as the “statesman-lawyer,” has become a thing of the past. Meanwhile, government lawyers have confronted a rhetoric of deregulation that tends to identify law as “do-gooder” obstructionism that gets in the way of market efficiency. This deregulatory impulse has left little room for law of any kind, much less transformative law. Finally, there has been little official support for using law to advance social change, even for the neediest among us. Funding for legal services has declined steadily during this period.

The upshot has been that the notion of “lawyer” is increasingly divorced from the concept of “citizen.” So, perhaps it should come as no surprise that prominent public leaders are not defined primarily as lawyers but as politicians who happen to have a law degree. To overcome this pernicious trend, we must heed law professor Robert Gordon’s warning not to “fall[] into the habit of thinking that maintaining the integrity of the

legal framework is always someone else’s problem (even as, in their roles as lobbyists and power brokers, they may press for political change to weaken or alter that framework).”<sup>3</sup> Although the image of the citizen-lawyer has largely vanished from the popular and professional imagination, now is the time to revisit this concept and the promise it holds for transformative law.

### The Seeds of Renewal

The makings of a cadre of citizen-lawyers are not hard to find. Many students arrive at law school with a hunger to make a difference. Despite their eagerness and idealism, they often find their commitments tested in the crucible of legal education. This phenomenon is hardly new. Legal historian Jerold Auerbach describes his experience at law school during the 1950s:

Within a week disillusionment shattered my aspiration [to use law for social change] beyond repair. In my undergraduate innocence, it had never occurred to me that legal education was the finest preparation available for a career in business. Quite the opposite: I entered law school in avoidance, not in pursuit, of that objective. But not only were Columbia Law School and Wall Street stations on the same subway line; they were stations on the same career line. The message was never explicitly conveyed but it was communicated

through the curriculum we studied, the jackets and ties we wore, and the expected rewards for mastery of torts and contracts. Never was there a whisper of a suggestion that law related to choice, to history, to society, to justice. Its world was populated by appropriately anonymous A’s, who fired bullets across B’s land, wounding C’s, who tumbled into D’s well, after E’s rescue efforts were thwarted by F’s enraged bull.<sup>4</sup>

Present-day narratives often tell the same story of frustrated idealism. Sonya Pfeiffer, a law student turned film maker, remembers her experience this way:

When I applied to law school in 2003, I had no idea that my impression of law school—as an incubator for young activists desiring social change—was such a far cry from the reality of law school. It wasn’t that I was disillusioned, but I was disappointed. My image had been created after years of associating the practice of law with public service, civil rights struggles, and a general goal of sticking up for the little guy and questioning authority. I wasn’t so naive to ignore the reality of the thousands of corporate lawyers, but to me, lawyering was about social change, about activism, about fighting the good fight whenever a new cause needed an advocate.<sup>5</sup>

Even as some students succumb to cynicism and alienation, others still nurture the dream of becoming citizen-lawyers prepared to make transformative law.

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<sup>3</sup> Robert W. Gordon, *A Collective Failure of Nerve: The Bar’s Response to Kaye Scholer*, 23 *LAW & SOC. INQUIRY* 315, 321 (1998).

<sup>4</sup> Jerold S. Auerbach, *Unequal Justice: Lawyers and Social Change in Modern America* viii (1977).

<sup>5</sup> Sonya Pfeiffer, *Life, Liberty and the Pursuit of Social Justice: And [sic] independent study documentary film project 1*, available at <http://www.law.unc.edu/documents/poverty/publications/spfeiffer.pdf> (site last visited on Feb. 4, 2009).

## Section Chairs Named for 2009

### ACADEMIC SUPPORT

Pavel Wonsowicz, University of California, Los Angeles

### ADMINISTRATIVE LAW

Michael R. Asimow, University of California, Los Angeles

### ADMIRALTY AND MARITIME LAW

Joseph W. Dellapenna, Villanova University

### AFRICA

Penelope Andrews, Valparaiso University

### AGENCY, PARTNERSHIP, LLC'S AND UNINCORPORATED ASSOCIATIONS

Deborah Demott, Duke University

### AGING AND THE LAW

Nina A. Kohn, Syracuse University

### AGRICULTURAL LAW

Drew L. Kershen, University of Oklahoma

### ALTERNATIVE DISPUTE RESOLUTION

Nancy Welsh, The Pennsylvania State University

### ANIMAL LAW

Kathy Hessler, Lewis and Clark Law School

### ANTITRUST AND ECONOMIC REGULATION

Marina L. Lao, Seton Hall University

### ART LAW

Olufunmilayo B. Arewa, Northwestern University

### BALANCE IN LEGAL EDUCATION

Bruce J. Winick, University of Miami

### BUSINESS ASSOCIATIONS

Lisa M. Fairfax, University of Maryland

### CHILDREN AND THE LAW

Sacha M. Coupet, Loyola University

### CIVIL PROCEDURE

Patrick Woolley, The University of Texas

### CIVIL RIGHTS

Gilda Daniels, University of Baltimore

### CLINICAL LEGAL EDUCATION

Carol Suzuki, University of New Mexico

### COMMERCIAL AND RELATED CONSUMER LAW

Keith A. Rowley, University of Nevada, Las Vegas

### COMPARATIVE LAW

Russell A. Miller, Washington and Lee University

### CONFLICT OF LAWS

Erin A. O'Hara, Vanderbilt University

### CONSTITUTIONAL LAW

Richard W. Garnett, Notre Dame Law School

### CONTINUING LEGAL EDUCATION

Lana Corll, Loyola University New Orleans

### CONTRACTS

Martha M. Ertman, University of Maryland

### CREDITORS' AND DEBTORS' RIGHTS

Jason J. Kilborn, The John Marshall Law School

### CRIMINAL JUSTICE

David A. Harris, University of Pittsburgh

### FOR THE LAW SCHOOL DEAN

Maureen A. O'Rourke, Boston University

### DEFAMATION AND PRIVACY

Danielle Keats Citron, University of Maryland

### DISABILITY LAW

Ani B. Satz, Emory University

### EDUCATION LAW

Mark D. Bauer, Stetson University

### EMPLOYEE BENEFITS

Janice K. McClendon, Stetson University  
Eric Chason, College of William and Mary

### EMPLOYMENT DISCRIMINATION LAW

Scott A. Moss, University of Colorado

### ENVIRONMENTAL LAW

Douglas A. Kysar, Yale Law School

### EVIDENCE

Joelle Anne Moreno, Florida International University

### FAMILY AND JUVENILE LAW

Robin F. Wilson, Washington and Lee University

### FEDERAL COURTS

Trevor W. Morrison, Columbia University

### FINANCIAL INSTITUTIONS AND CONSUMER FINANCIAL SERVICES

Heidi M. Schooner, The Catholic University of America

### GRADUATE PROGRAMS FOR FOREIGN LAWYERS

Cynthia Adams, Indiana University, Indianapolis

### IMMIGRATION LAW

Leti Volpp, University of California, Berkeley

### INDIAN NATIONS AND INDIGENOUS PEOPLES

Angelique A. Eaglewoman, University of Idaho

### INSTITUTIONAL ADVANCEMENT

Richard Collins, The George Washington University

### INSURANCE LAW

Lawrence M. Solan, Brooklyn Law School

### INTELLECTUAL PROPERTY LAW

Stacey L. Dogan, Northeastern University

### INTERNATIONAL HUMAN RIGHTS LAW

Christiana Ochoa, Indiana University at Bloomington

### INTERNATIONAL LAW

Diane Marie Amann, University of California at Davis

### INTERNATIONAL LEGAL EXCHANGE

Larry S. Bush, Cornell Law School

### ISLAMIC LAW

Sadiq Reza, New York Law School

### JEWISH LAW

Chaim N. Saiman, Villanova University

### JURISPRUDENCE

Scott Shapiro, Yale Law School

### LABOR RELATIONS AND EMPLOYMENT LAW

Paul M Secunda, Marquette University Law School

### LAW AND ANTHROPOLOGY

Elizabeth A. Kronk, University of Montana

### LAW AND COMMUNITARIAN STUDIES

Aderson Francois, Howard University

### LAW AND COMPUTERS

Eric Goldman, Santa Clara University

### LAW AND ECONOMICS

Margaret Friedl Brinig, Notre Dame Law School

### LAW AND THE HUMANITIES

David T. Ritchie, Mercer University Law School

### LAW AND INTERPRETATION

Jeremy A. Blumenthal, Syracuse University

### LAW LIBRARIES

Penelope A. Hazelton, University of Washington

### LAW, MEDICINE AND HEALTH CARE

Diane E. Hoffmann, University of Maryland

### LAW AND MENTAL DISABILITY

Stacey A. Tovino, Drake University Law School

### LAW AND RELIGION

Samuel J. Levine, Pepperdine University

Mark C. Modak-Truran, Mississippi College

## AALS Recognizes Teachers of the Year

One of the roles of the AALS is to serve as the learned society for law teachers. To highlight the importance of excellence in teaching, we recognize and honor law faculty who have been selected as “outstanding teachers” at their law schools by listing their names in the Annual Meeting Luncheon program and by hosting a reception for them at the Annual Meeting. The following professors were honored by their law schools as Teachers of the Year for the 2007-2008 Academic Year.

Jensie L. Anderson, University of Utah	Karl E. Klare, Northeastern University
Paul G. Arshagouni, California Western School of Law	Andrew Kull, Boston University
Stephen M. Bainbridge, University of California, Los Angeles	Susan S. Kuo, University of South Carolina
Richard L. Barnes, University of Mississippi	Thomas A. Lambert, University of Missouri
Roger M. Baron, University of South Dakota	Wayne K. Lewis, DePaul University
Robert D. Bartels, Arizona State University	Joseph W. Little, University of Florida
Patrick B. Bauer, University of Iowa	Robert M. Lloyd, University of Tennessee
Stephen F. Befort, University of Minnesota	Shirley Lung, City University of New York
Julia Belian, University of Detroit Mercy	William C. Lynch, California Western School of Law
Anthony J. Bellia, Notre Dame Law School	William H. Lyons, University of Nebraska
Leonard E. Birdsong, Barry University	William E. Martin, Hamline University
Irving A. Breitowitz, University of Maryland	Mark R. Matthews, Whittier Law School
William J. Brown, University of Pittsburgh	Patricia R. Mc Cubbin, Southern Illinois University
Pamela H. Bucy, The University of Alabama	Sandra K. Mc Glothlin, Appalachian School of Law
Annette Burkeen, Northern Kentucky University	Denis F. Mc Laughlin, Seton Hall University
Steve P. Calandrillo, University of Washington	Michael McCann, Mississippi College
David L. Callies, University of Hawaii	Troy A. McKenzie, New York University
James P. Carey, Loyola University	Alexander M. Meiklejohn, Quinnipiac University
Linda E. Carter, University of the Pacific	John B. Mitchell, Seattle University
Douglas K. Chapman, University of Toledo	Dale L. Moore, Albany Law School
Robert M. Chesney, Wake Forest University	Brian C. Murchison, Washington and Lee University
Mark A. Chinen, Seattle University	Helen L. Norton, University of Colorado
Johnny C. Chriscoe, Campbell University	Dale A. Oesterle, The Ohio State University
Mary L. Clark, American University	Timothy P. O'Neill, The John Marshall Law School
Carin A. Clauss, University of Wisconsin	John L. Orcutt, Franklin Pierce Law Center
Dan T. Coenen, University of Georgia	Matthew J. Parlow, Chapman University
Jeffrey O. Cooper, Indiana University, Indianapolis	Stephen P. Parsons, Appalachian School of Law
John K. Cornwell, Seton Hall University	Gregory C. Pingree, University of the Pacific
Michael Cozzillio, Widener University	Jedediah S. Purdy, Duke University
andré douglas pond cummings, West Virginia University	James R. Ratner, The University of Arizona
Peggy C. Davis, New York University	Paul L. Regan, Widener University
Diana R. Donahoe, Georgetown University Law Center	Daniel S. Reynolds, Northern Illinois University
Samuel A. Donaldson, University of Washington	Charles P. Rose, Wake Forest University
N. Jeremi Duru, Temple University	Charles H. Rose, Stetson University
N.B. Duthu, Vermont Law School	Kenneth M. Rosen, The University of Alabama
William G. Eckhardt, University of Missouri-Kansas City	Judith V. Royster, The University of Tulsa
Cynthia L. Estlund, New York University	Douglas D. Scherer, Touro College
Floyd F. Feeney, University of California at Davis	Margo Schlanger, Washington University
Barry C. Feld, University of Minnesota	Daniel Schwarcz, University of Minnesota
Frances S. Fendler, University of Arkansas at Little Rock	Richard H. Seamon, University of Idaho
Heather M. Field, University of California, Hastings	Kathryn J. Sedo, University of Minnesota Law School
James P. Fleissner, Mercer University	Stephen C. Sieberson, Creighton University
Richard Flint, St. Mary's University of San Antonio	D. Gordon Smith, Brigham Young University
David F. Forte, Cleveland State University	Dan R. Smulian, Brooklyn Law School
Richard D. Freer, Emory University	Ned Snow, University of Arkansas, Fayetteville
Lawrence A. Frolik, University of Pittsburgh	Ralph G. Steinhardt, The George Washington University
Adam Gershowitz, South Texas College of Law	Nat S. Stern, Florida State University
Steven G. Gey, Florida State University	Jon H. Sylvester, Golden Gate University
Charles G. Geyh, Indiana University at Bloomington	D.A. Jeremy Telman, Valparaiso University
Clayton P. Gillette, New York University	Keeva Terry, Roger Williams University
Steven H. Goldberg, Pace University	Paul R. Tremblay, Boston College
Michael Goldsmith, Brigham Young University	Margaret V. Turano, St. John's University
Jennifer Lynn Gordon, Fordham University	James M. Vache, Gonzaga University
Christopher J. Gulinello, Northern Kentucky University	Michael P. Van Alstine, University of Maryland
Peter Joseph Hammer, Wayne State University	Elaine A. Welle, University of Wyoming
Stewart Lee Harris, Appalachian School of Law	Peter Wendel, Santa Clara University Law School
Grant M. Hayden, Hofstra University	Nicholas L. White, The University of Memphis
Neil S. Hecht, Boston University	William C. Whitford, University of Wisconsin
Nicole Huberfeld, University of Kentucky	Vickie J. Williams, Gonzaga University
Pamela S. Karlan, Stanford Law School	Robert F. Williams, Rutgers, The State University of New Jersey, Camden
Anders J. Kaye, Thomas Jefferson School of Law	Jane K. Winn, University of Washington
Vikramaditya S. Khanna, The University of Michigan	Michael T. Yu, California Western School of Law



## Section Chairs Named for 2009

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### **LAW AND THE SOCIAL SCIENCES**

Katherine Y. Barnes, The University of Arizona

### **LAW AND SPORTS**

David S. Caudill, Villanova University

### **LEGAL HISTORY**

Gregory A. Mark, Rutgers, The State University of New Jersey, Newark

### **LEGAL WRITING, REASONING AND RESEARCH**

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

### **LEGISLATION & LAW OF THE POLITICAL PROCESS**

Neal E. Devins, College of William and Mary

### **LITIGATION**

Ronald G. Aronovsky, Southwestern Law School

### **MASS COMMUNICATION LAW**

Jonathan Weinberg, Wayne State University

### **MINORITY GROUPS**

Angela I. Onwuachi-Willig, University of Iowa

### **NATIONAL SECURITY LAW**

Michael J. Kelly, Creighton University

### **NATURAL RESOURCES LAW**

Alejandro E. Camacho, Notre Dame Law School

### **NEW LAW PROFESSORS**

Joseph F. Morrissey, Stetson University

### **NONPROFIT LAW AND PHILANTHROPY**

Mark Sidel, University of Iowa

### **NORTH AMERICAN COOPERATION**

Jose Roble Flores Fernandez, Facultad Libre de Derecho de Monterrey, Mexico

### **PART TIME DIVISION PROGRAMS**

John A. Lynch, Jr., University of Baltimore

### **POST-GRADUATE LEGAL EDUCATION**

Michael B. Lang, Chapman University

### **POVERTY LAW**

Sameer Ashar, City University of New York

### **PRELEGAL EDUCATION AND ADMISSION TO LAW SCHOOL**

Tracy L. Simmons, Chapman University

### **PRO-BONO & PUBLIC SERVICE OPPORTUNITIES**

Arlene R. Finkelstein, University of Pennsylvania

### **PROFESSIONAL RESPONSIBILITY**

Laurel S. Terry, The Pennsylvania State University

### **PROPERTY LAW**

Carol N. Brown, University of North Carolina

### **REAL ESTATE TRANSACTIONS**

Lloyd T. Wilson, Jr., Indiana University, Indianapolis

### **REMEDIES**

Caprice L. Roberts, West Virginia University

### **SCHOLARSHIP**

John Oberdiek, Rutgers, The State University of New Jersey, Camden

### **SECURITIES REGULATION**

Therese H. Maynard, Loyola Law School

### **SEXUAL ORIENTATION AND GENDER IDENTITY ISSUES**

Suzanne B. Goldberg, Columbia University

### **SOCIO-ECONOMICS**

Donald J. Polden, Santa Clara University

### **STATE AND LOCAL GOVERNMENT LAW**

Richard Briffault, Columbia University

### **STUDENT SERVICES**

Deborah R. Felice, Oklahoma City University

### **TAXATION**

Nancy Christine Staudt, Northwestern University

### **TEACHING METHODS**

Louis J. Sirico, Jr., Villanova University

### **TORTS AND COMPENSATION SYSTEMS**

John C. Goldberg, Harvard Law School

### **TRUSTS AND ESTATES**

Robert H. Sitkoff, Harvard Law School

### **WOMEN IN LEGAL EDUCATION**

Elizabeth A. Nowicki, Tulane University

## President's Message

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Of course, the problem is not merely one of high hopes dashed by the harsh realities of law school. Graduating students follow a well-worn path towards commercial legal careers that, for most, leave contributions to transformative law an afterthought at best. Some of the reasons for this are largely outside the law schools' control: the declining number of public interest jobs, the tendency to treat pro bono work as a luxury rather than an integral part of professional practice, and the growing income gap between lawyers who join firms and those who pursue public interest or government employment. The structure of legal education can exacerbate these conditions: high tuition, including a dramatic spike in costs at public institutions; the crushing burden of student loans; and the limits of loan forgiveness programs for those who go into public service.

Despite these challenges, legal educators continue to inspire students to pursue their dreams of making a difference. Sonya Pfeiffer, the lawyer turned film maker, remembers the remarkable difference that "several incredibly dedicated, passionate professors" made in her life. She singles out Professor John Calmore, whose "life experience and . . . emphasis on social and economic stratification came through in bits and pieces as we slogged through cases on proximate cause and contribu-

tory negligence." In her second year of law school, Pfeiffer signed up for more courses with Professor Calmore, which she describes as "possibly the best decision I made in my law school career" because she got the tools that she needed to pursue her vision of community-based lawyering.<sup>6</sup>

Students themselves have taken ingenious steps to keep the dream of the citizen-lawyer and transformative law alive. At Stanford Law School, two third-year students, Andrew Bruck and Andrew Canter, launched Building a Better Legal Profession, which sought to counter the "churn and burn" business model at large law firms, a model that forces associates to bill long hours "until finally they burn out and are replaced by new fuel for the furnace."<sup>7</sup> In October 2007, Building a Better Legal Profession released a report card that ranked firms with over 100 attorneys in Boston, Chicago, Los Angeles, New York, San Francisco, and Washington, D.C. on, among other things, diversity, work/life balance, and average pro bono hours.<sup>8</sup> The rankings were posted on a website so that students could consider them in choosing a job, and the information was sent to Fortune 500 companies for use in deciding which firms to hire as outside counsel. Though neither Bruck nor Canter plans to pursue a position as an associate at a large firm, these efforts show that the

desire to be citizen-lawyers pervades all sectors of the legal profession, not just the public interest or government bar.

Stories like these can be told at every law school every year. Dedicated faculty reach out to students to help them keep their dreams alive. Students organize programs and activities that maintain their sense of professional possibilities. The importance of these efforts can not be gainsaid, but there is more work to be done. Precisely because of the current crisis in which our country finds itself, now is a moment of unique opportunity to resurrect a model of the citizen-lawyer and the prospects for transformative law.

### Crisis as Opportunity

For the past several years and particularly in the last several months, our nation has been re-examining its views about the role of government. After Hurricane Katrina struck New Orleans, Americans were shocked by the lack of leadership at the federal, state, and local level in dealing with this natural disaster. More recently, the collapse of the financial sector has left our country wondering about the wisdom of decades of deregulation and a naive faith in the free-market system. As the ranks of the jobless swell and families are evicted from their homes, the nation is re-considering the importance of a social safety net

<sup>6</sup> Id. at 2.

<sup>7</sup> Michael Rappaport, Stanford Law Students Issue Law Firm Report Cards, *The Lawyers Weekly*, May 9, 2008, available at <http://www.lawyersweekly.ca/index.php?section=article&articleid=679> (site last visited on Feb. 4, 2009).

<sup>8</sup> Available at <http://www.BetterLegalProfession.org> (site last visited on Feb. 4, 2009).

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## AALS Conference on Clinical Legal Education:

Emerging Lawyers: Clients, Complexity and Collaboration in a Cross-disciplinary Lens

(May 6-9, 2009)

and

## Law Clinic Directors Workshop

(May 5-6, 2009)

Cleveland, Ohio

Our students are adult learners entering a multifaceted profession. We expect them to learn how to interact professionally with us, with each other, and most importantly, with clients. They are faced with complex problems to solve just as they are trying on their new professional role. When we ask them to commit a semester, a year or even multiple terms to this endeavor, they rightfully expect that we are aware of how to teach adults about the ethical, legal and practical complexity of this unfamiliar role. They may also expect that we will draw on the expertise of teachers of other professional disciplines to shape our approaches to their learning.

This conference will help clinical teachers meet these expectations by inviting adult learning experts and colleagues from multiple professional disciplines to shape our discussion of three specific issues clinical teachers

routinely face: how do lawyers solve complex problems; how do lawyers learn to shoulder the moral responsibility and weight of representing clients; and how do clinical teachers ensure and enhance their students' abilities to learn from the classmates who will soon be their colleagues.

To shake us all up a little as we address these issues, we have reorganized the structure of the conference. The most significant change is that we are organizing working groups by level of experience rather than affinity groups (don't worry; there's a significant opportunity for affinity group meetings as you'll read below). Working groups will also play a more central role in the overall conference, allowing the groups to grapple with the issues presented by the plenary presentations. The concurrent sessions, which will occur only twice, will be structured around these learning themes. The last afternoon will be set aside for affinity group meetings which the planning committee will assist the groups in organizing.

Cleveland will provide us with two organizing principles: addressing social justice and having fun. We will be identifying ways in which legal and social justice organizations are tackling Cleveland's stark reality of being the poorest big city in the United States and integrating that knowledge into the program. But Cleveland is also a city rich in activities we all enjoy: baseball, art, classical music, and of course, rock and roll. We'll find time for all of these plus, in honor of our rock and roll location, the program will include opportunities for clinicians to sing, make music and boogie the night away.

The Law Clinic Directors Workshop will open with a reception or dinner May 5, 2009 and end at 4:45 p.m. on May 6, 2009.

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### Planning Committee for the Conference on Clinical Legal Education

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



## Conference on Clinical Legal Education

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### Law Clinic Directors Workshop Topics:

Complex Personnel Issues (Hiring, Training, Supporting a Diverse Group of Clinicians); Personnel Problem-solving; Lawyering in the Academy: The Intersection of Academic Freedom and Professional Responsibility; Making the Most of Carnegie and Best Practices; How Mandatory Experiential Learning Courses Are Transforming Legal Education and Shaping Effective Problem-Solvers

### Law Clinic Directors Workshop Speakers:

Bryan L. Adamson, (Seattle); Brenda B. Blom (Maryland); Scott Boone (Appalachian); Christine N. Cimini (Denver); Pamela S. Glean (North Carolina Central); Eden E. Harrington (Texas); Carrie L. Hempel, (California, Irvine); David J. Herring (Pittsburgh); Peter Joy (Washington); Lisa A. Kloppenberg (Dayton); Robert R. Kuehn (Alabama); Monique B. Lampke (Dayton)

The Conference on Clinical Legal Education will begin with the reception with posters on May 6, 2009 at 6:30 p.m. and end on May 9, 2009 at 5:00 p.m.

### Conference on Clinical Legal Education Topics:

Adult Learning Theory and the Role of Cognitive Coaching; Social Justice and the Cleveland Experience; Complex Crises and Training Young Lawyers; How do Multiple Professional Disciplines Teach Students the Moral Responsibility of Assisting Clients?; Students are from Mars, Faculty are from Venus: Generational Differences and Clinical Legal Education; When is the Personal, Professional?; Thinking Outside the Trial Paradigm: Preparing Students to Master "The Informal Encounter;" Students and Professionalism; Teaching Ourselves/Students to Work with Other Professionals; Teaching Students to Learn and Work Collaboratively; Teaching Students to Collaborate and Assessing the Results; Dealing with Race, Culture and Gender in Clinical Teaching and the Classroom – Factors Which May Affect Learning; Teaching Legal Problem-Solving in a Stand Alone Course; Filmmaking as Advocacy Tool in Clinical Legal Education; Emotional Intelligence: Collaboration/Constructive Discontent; Student Stories as Self-Reflections; Coaching Millennials: Re-examining the Foundations and Future of Clinical Legal Education in Teaching to a New Generation; Cross-Border Collaboration: Unique Challenges and Teaching Opportunities; Collaboration in Progress: Facilitating a Productive

Critical Dialog Among Clinical Peers in Rounds Discussions; Teaching Collaboration in One-Semester Clinics: So Many Goals, So Little Time; Using Adult Learning Theory and Collaborative Learning Approaches in Developing Clinical Law Student Leadership in Setting Forth Learning Agendas, Initiating Legal Problem-Solving and Conducting Self-Assessment in Evaluation; Representing Individuals Through the Lens of Tribal Sovereignty: What Lessons Can Be Learned about Problem Solving and Professional Responsibility and How Can We Effectively Guide Our Students in This Work?; Teaching Complex Problem Solving of Environmental Justice Problems; Collaborative Learning Across Disciplines Through Clinics; Complex Problem Solving Using Relationship-Centered Approach; Externships and the Formation of Professional Identity; Crossing the Rubicon: Attorney-Client Collaboration and the Dynamics of Initiating Litigation; Love Thy Neighbor: Teaching Students to Grapple with Morality in Legal Practice; Clinic Administrators: Integral Members of the Interdisciplinary Team; Teaching Courage in Family/Domestic Violence Clinics; Professional Norms and Identity; Integrating Literature on Leadership and Decision Making in Complex Organizations and Public Arenas into the Clinical Curriculum; Learning Opportunities in a Multi-Disciplinary Collaborative

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## Conference on Clinical Legal Education

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Teaching Environment; Impact Litigation or Impact Education? Striking the Right Balance in Law-School Clinics; Building the “Bridge to Everywhere:” Improving Transfer of Legal Skills from Legal Writing to Clinic and Beyond; Externships; Interdisciplinary Clinics – Pitfalls and Possibilities; Practice and Pedagogy Issues for Clinics Litigating the “War on Terror;” Clinicians Engaged in Reconstruction, Renovation and Re-creation; Representing Veterans; Training Teachers Using Rounds; Clinical Scholarship and Scholarship by Clinicians; Defending the Guilty/Defending the Innocent: A Conversation Among Clinicians with Criminal Law Focus; Working with the Global Alliance for Justice Education (GAJE); Therapeutic Jurisprudence; The Time is NOW: Adding Clinicians’ Voices to the ABA’s Outcome Measures Conversation; Teaching Legislative and Policy Clinics : A Vision and Its Challenges

### Conference on Clinical Legal Education Speakers:

Muneer I. Ahmad (American); Jane H. Aiken (Georgetown); Alicia Alvarez (Michigan); Frances L. Ansley (Tennessee); Maria Arias (CUNY); Maureen N. Armour (Southern Methodist); Sameer Ashar (CUNY); Michael Babbitt (Case Western); Lynn Barenberg (Boston College); Benjamin H. Barton (Tennessee); Jennifer Baum (St. John’s); David

Benjamin (Case Western); Steven K. Berenson (Thomas Jefferson); Warren Binford (Willamette); Wendi W. Binford (Willamette); Beryl S. Blaustone (CUNY); Diego Martin Blazquez (Universidad Carlos Tercero, Madrid, Spain); Lisa R. Bliss (Georgia State); Susan L. Brooks (Drexel); Susan J. Bryant (CUNY); Kate Bunker (American); Joseph R. Butler, (John Marshall); Paul J. Cain (Northern Illinois); Sylvia Caley (Georgia State); Janet M. Calvo (CUNY); Deborah Cantrell (Colorado); Stacy Caplow (Brooklyn); Lynn Capuano (Hofstra); Bridgette A. Carr (Toledo); William Tucker Carrington (Mississippi); Francis J. Catania, Jr. (Widener); Marisa S. Cianciarulo (Chapman); Christine N. Cimini (Denver); Kim Diana Connolly (South Carolina); Barbara Creel (New Mexico); Kia Johnson Dennis (Baltimore); Kathleen C. Engel (Cleveland State); Deborah Epstein (Georgetown); Leticia Flores (William and Mary); Timothy W. Floyd (Mercer); Aderson Francois (Howard); Laura Garcia (Baltimore); Elizabeth Gaufberg (M.D., M.P.H., Staff Psychiatrist, Consultation-Liaison Psychiatry, Staff Physician, Primary Care Center, Instructor in Psychiatry, Harvard Medical School, Cambridge Health Alliance, Cambridge, Massachusetts); Sarah L. Gerwig-Moore (Mercer); Phyllis Goldfarb (George Washington); Christine Gottlieb (New York University);

Carolyn B. Grose (Brooklyn); Eden E. Harrington (Texas); Maria Hermann (Harvard); K. Babe Howell (Hofstra); Elizabeth J. Hubertz (Washington); Carmen V. Huertas (CUNY); D’lorah L. Hughes (Arkansas, Fayetteville); Valeria Ilareva (University of Sofia, Sofia, Bulgaria); Meetal Jain (American); Vickie Eaton Johnson (Executive Director, Fairfax Renaissance Development Corporation, Cleveland, Ohio); Lucy Johnston-Walsh (Penn State); Robert L. Jones, Jr. (Notre Dame); Helen H. Kang (Golden Gate); Maritza Karmely (Boston College); Harriet N. Katz (Rutgers, Camden); James J. Kelly, Jr. (Baltimore); Kevin B. Kelly (Seton Hall); Dennis E. Kenny (M. Div., D. Min., Department of Pastoral Care, Cleveland Clinic, Cleveland, Ohio); Leena Khandwala (Seton Hall); Catherine F. Klein (Catholic); Praveen Kosuri (Pennsylvania); Minna J. Kotkin (Brooklyn); Tonya Kowalski (Washburn); Norman Krumholz (Professor, Maxine Goodman Levin College of Urban Affairs Cleveland State University, Cleveland, Ohio); Katherine R. Kruse (Nevada, Las Vegas); Robert Edward Lancaster (Louisiana State); April Land (New Mexico); Kate Cramer Lawrence (Penn State); Donna H. Lee (CUNY); Kermit J. Lind (Cleveland State); Yuri R. Linetsky (Case Western); Judith P. Lipton (Case Western); Grace Lozito (Fordham); Dale Margolin (Richmond);

## Nominations for AALS Executive Committee and President-Elect

The Nominating Committee for 2010 Officers and Members of the Executive Committee, chaired by Martha L. Minow, Harvard Law School, invites suggestions for candidates for President-Elect of the Association and for two positions on the Executive Committee for a three-year term. The nominating committee will meet in September to recommend candidates for these positions to the House of Representatives at the January 2010 Annual Meeting in New Orleans.

Suggestions of persons to be considered and relevant comments should be sent to Executive Director Susan Westerberg Prager at 1201 Connecticut Avenue, N.W., Suite 800, Washington, DC 20036-2717. To ensure full consideration please send your recommendations by August 1, 2009. President Rachel Moran has appointed an able, informed, and representative Nominating Committee. The nominating committee would very much appreciate your help in identifying strong candidates. To be eligible, a person must have a faculty appointment at a member school.

In addition to Minow, the members of the Nominating Committee for 2010 Officers and Members of the Executive Committee are: William Hines, University of Iowa College of Law; Herma H. Kay, University of California, Berkeley School of Law; Antoinette Sedillo Lopez, University of New Mexico School of Law; Blake D. Morant, Wake Forest University School of Law; Ruth L. Okediji, University of Minnesota Law School, immediate past chair; and Edward L. Rubin, Vanderbilt University Law School.

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## Conference on Clinical Legal Education

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Kenneth R. Margolis (Case Western); Lawrence C. Marshall (Stanford); Lisa Martin (Catholic); Susan K. McClellan (Seattle); Susan Woods McGraugh (Saint Louis); Carolyn McKanders (M.A., M.S.W., Co-Director, Center for Adaptive Schools, Belleville, Michigan); Karla M. McKanders (Tennessee); Louise E. McKinney (Case Western); Kim McLaurin (Suffolk); Laura Elizabeth McNally (Case Western); Jean M. McQuillan (Case Western); Kathryn L. Mercer (Case Western); Vanessa Merton (Pace); Jerry Miller, Ph.D. (Director, University of Michigan, Department of Psychology and Director, University Center for the Child and the Family, Faculty Coordinator, Project Outreach, Ann Arbor, Michigan); Elliott S. Milstein (American); Linda H. Morton (California Western); David R. Moss (Wayne State); Sarah Calli Mourer (Miami); Lori A. Nessel (Seton Hall); J.M. Norwood (New Mexico); J.P. Ogilvy (Catholic); Catherine G. O'Grady (Arizona State); Aliza G. Organick (Washburn); Robert A. Parker (McGeorge); Trena Paulas (Ph.D., Assistant Professor, Collaborative Learning and Applied Educational Psychology, Department of Educational Psychology and Counseling, University of Tennessee, Knoxville, Tennessee); Michele R. Pistone (Villanova); Erik S. Pitchal (Suffolk); Jeffrey Jude Pokorak (Suffolk); Andrew S. Pollis (Case Western); Mae C. Quinn (Tennessee); Raja Raghunath (Denver); Spencer Rand (Temple); Stephen Reed (Northwestern); Thomas J. Reed (Widener); Kathleen Ridolfi (Santa Clara); Dean H. Rivkin (Tennessee); Patricia E. Roberts (William and Mary); Colene F. Robinson (Colorado); James Rokakis (County Treasurer, City of Cleveland, Cleveland, Ohio); Jamie Baker Roskie (Georgia); Jack L. Sammons (Mercer); Avis L. Sanders (American); Ellen M. Scully (Catholic); Andrea M. Seielstad (Dayton); Mark Seifert (Executive Director, East Side Organizing Project, Cleveland, Ohio); Jeffrey Selbin (California, Berkeley); Ann C. Shalleck (American); Gary I. Shuey (Penn State); Stacey-Rae Simcox (William and Mary); Mano Singham (Associate Director, University Center for Innovation in Teaching and Education, Case Western Reserve University, Cleveland, Ohio); Abbe Smith (Georgetown); Linda F. Smith (Utah); Carol M. Suzuki (New Mexico); Howard Taras, M.D. (University of California San Diego Medical School); Susan Terwilliger (Albany); Richard S. Ugelow (American); Michael Scott Vastine (St. Thomas); Wendy Vaughn (Northern Illinois); Anita M. Weinberg (Loyola); Carwina Weng (Indiana); Kathleen A. Weston (Minnesota); Jennifer Zawid (Miami); Christina A. Zawisza (Memphis).

For updated information, go to [www.aals.org/clinical2009/](http://www.aals.org/clinical2009/).

## President's Message

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that ensures a minimum level of security and dignity to every individual facing the ravages of hard times.

Rocked by these recent developments, the American public is eager to listen to what experts have to say about solutions to the compound social and economic problems that threaten the health of our democracy. Consider, for example, the way that economists have played a starring role, marching across the stage as potential heroes and saviors in the current fiscal crisis. There is, of course, a profound irony in this display of professional star power. After all, it is the failure of economics to anticipate this collapse—think of Alan Greenspan, testifying that he did not foresee how unregulated and unsupervised markets would fuel debilitating greed—that has spawned the present downturn.<sup>9</sup> At the heart of this market meltdown has been a deep hostility to law—a rejection of norms of transparency, of the individual's right to seek legal relief, of deference to courts and legislatures, and of the lawyer's role as watchdog.

At times, the legal profession has been complicit in its own marginalization, but now is the moment when legal educators can play a pivotal role in resurrecting the citizen-lawyer and the public-spiritedness that should pervade all aspects of legal practice. This regard for the common good as

well as the needs of individual clients is what makes transformative law possible. We as legal educators must prepare students to assume these responsibilities by teaching them that a true professional takes the long view in advising clients about legal obligations, puts disputes in context by acknowledging the multiple interests at stake, contributes to efforts to reform and improve the law, and helps to educate the public about the role of law in a democracy.

Yet, even the best training, standing alone, cannot overcome structural barriers to reviving the citizen-lawyer and realizing the promise of transformative law. Collectively, we as a learned society must make clear that the legal profession has a unique role to play in addressing the current national crisis. To that end, I offer a proposal that enables students to think differently about their career trajectories by giving them a way to participate in the nation-building process and to take the lessons that they learn—both technical and ethical—to other realms of practice, whether at law firms, public interest organizations, or law schools.

In his memoir of Harvard Law School, Richard Kahlenberg suggests that despite all the obstacles to pursuing a career in public service, law students might keep this dream alive if:

An inspired President could fashion a domestic peace corps, aimed at professionals: doctors who would otherwise go to the fancy hospitals; lawyers who would otherwise go to Cravath; writers who would otherwise go to Madison Avenue. The corps, if properly structured, could remove the impediments to public service—the low status, the problem of educational debt, the poor timing of recruitment, the lack of training opportunity.<sup>10</sup>

Building on Kahlenberg's notion, I propose a program of national service for recent law graduates. These positions would be paid and would be coupled with assistance in paying for legal training. That assistance could take the form of scholarships for those who commit to performing national service when they apply to law school, loan forgiveness for those who already have graduated, or at least a moratorium on repayment of loans during the period of service.<sup>11</sup>

A national service corps of lawyers would require an investment of government funds. If this proposal seems expensive, however, consider this. If the Obama Administration proceeds with its plans for major infrastructure investments as a means of stimulating the economy, there will be many contracts to negotiate and much regulatory oversight to be done, a great deal of it for a relatively temporary period. Liberals

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<sup>9</sup> See Andrew Clark and Jill Treanor, Greenspan - I was wrong about the economy. Sort of, *The Guardian*, Oct. 24, 2008, available at <http://www.guardian.co.uk/business/2008/oct/24/economics-creditrunch-federal-reserve-greenspan> (site last visited on Feb. 4, 2009).

<sup>10</sup> Richard D. Kahlenberg, *Broken Contract* 236 (1992).

<sup>11</sup> The 2007 College Cost Reduction Act lowered the repayment requirements for lower income graduates and established loan forgiveness for those who spend 10 years in government agencies or non-profit organizations.

## President's Message

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and conservatives alike should be asking the same question: How will we prevent massive fraud and abuse of these staggering sums of federal money? I submit that young lawyers can be trained in short order to provide much better oversight of these expenditures than we are likely to find otherwise. Money spent on a corps of budding citizen-lawyers is likely to be dwarfed by the savings that come from preventing waste and misappropriation of taxpayer dollars.

Is this a serious concern? We might ask that question of Elizabeth Warren, the Harvard Law School Professor who has been appointed to chair the congressional advisory committee that will audit the \$700 billion bailout for America's banking and financial system. While countries like Great Britain have kept track of the money they loan out, the United States has relied on private companies to administer its loans, a process that has led to a lack of transparency and challenges for overseers like Professor Warren.<sup>12</sup> To the extent that young lawyers and seasoned supervisors could supplement government workers in extraordinary situations like the one we face now, these efforts could bolster public confidence that taxpayer dollars are being used wisely to build the infrastructure that we want to leave to future generations.

### Conclusion

A national service corps of young lawyers could yield many benefits. The time spent in temporary government employment would hone lawyering skills and give participants a powerful sense of their professional identities and obligations. The program could sow the seeds of a revitalized image of the citizen-lawyer, as young attorneys enter practice imbued with respect for law as the foundation of a democratic society. Even in the current crisis, creating this type of national service program will be an uphill struggle. Kahlenberg himself recognized the challenges but also the opportunities:

It's extremely difficult to communicate idealism without sounding sappy and tired and insincere. Somehow, J.F.K. pulled it off, inspiring large numbers of young people to enter public-service careers. No President has since. Most haven't even tried. At a Kennedy School forum during my last week at Harvard Law, Richard Neustadt said that he took it for granted that public service was noble, growing up under Roosevelt, and Ellen Hume said the same was true for Kennedy. . . . Most of my law school class was born too late for Kennedy—many of us, in fact had been born in 1963, the beginning of the end. Who knows what would happen if we somehow elected another President who asked us to give of our very best?<sup>13</sup>

Who knows, indeed?



*Rachel Moran,  
University of California, Berkeley  
2009 AALS President*

<sup>12</sup> See David Goldman, *Bailout efforts lacking - Oversight board*, CNNMoney.com, December 10, 2008, available at [http://money.cnn.com/2008/12/10/news/economy/TARP\\_oversight/index.htm](http://money.cnn.com/2008/12/10/news/economy/TARP_oversight/index.htm).

<sup>13</sup> Kahlenberg, *supra* note 10, at 236.



## 2009 Annual Meeting Sightings



The 2009 Annual Meeting took place in San Diego, California, January 6-10, 2009 at the San Diego Marriott Hotel & Marina. The AALS Annual Meeting is the largest annual gathering of legal educators in the world. In addition to the networking opportunities, the "Meeting Place" in the exhibit hall, and the various organization receptions and breakfasts, AALS provided conference attendees the opportunity to organize an informal gathering with colleagues that share similar interests.







## 2009 AALS Mid-Year Meeting

The seventh annual AALS Mid-Year Meeting will include an offering of three professional development programs, to be held June 7–12, 2009 (registration begins June 7) in Long Beach, California. Registrants can sign up for the conference, the two workshops or register for the entire Mid-Year Meeting and go to any session. The workshops and conference registration fee is discounted by 30% when signing up for the entire Mid-Year Meeting.

Type of Registration	Received by May 20	Received After May 20
<b>Conference on Business Associations</b>		
Faculty of Member and Fee-Paid Schools	\$535	\$595
Faculty of Non Fee-Paid Law Schools	\$585	\$645
<b>Workshops on Transactional Law and Work Law</b>		
Faculty of Member and Fee-Paid Schools	\$495	\$545
Faculty of Non Fee-Paid Law Schools	\$545	\$595
<b>Entire Mid-Year Meeting</b> (includes conference and both workshops)		
Faculty of Member and Fee-Paid Schools	\$780	\$865
Faculty of Non Fee-Paid Law Schools	\$830	\$915

### Mid-Year Meeting Conference on Business Associations:

#### Taking Stock of the Field and Corporate Social Accountability

June 7-10, 2009

Long Beach, California

Since the last AALS Conference on Business Associations in 1998, business, law, and legal education have all undergone profound change, rendering the field of business associations teaching and scholarship an even more robust and exciting one. Significant changes in business and law have included high-profile corporate failures and scandals in the U.S. and abroad; rapidly growing numbers of new, unincorporated enterprises; expanding globalization of business and capital market activities; increasing influence of private equity and the privatization of companies seeking shelter from new legislation such as the

Sarbanes Oxley Act of 2002; and heightened focus on corporate governance, shareholder voice, environmental and other forms of sustainability, and international human rights. Likewise, law and legal education have witnessed equally significant changes during this same time that impact teaching and scholarship in the business associations area. Some of those changes include new reforms in legal education being spurred by the recent Carnegie study; advances in pedagogy gained from legal education's more vigorous engagement with teaching and learning theory and with skills education; renewed attention to ethics and professionalism; continued expan-

sion of the diversity of scholarly approaches to the field, including empirical, psychological, historic, economic, and critical perspectives; and the growing privatization of dispute resolution, especially for business and commercial matters. Reexamination of scholarship and teaching in the business associations area is particularly imperative now in light of the recent financial crisis and the likely change of regulatory philosophy in Washington.

Characteristic of the growing richness of the business associations field, the AALS received two particularly strong program proposals for this conference.

## Conference on Business Associations

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Rather than choose just one, the program committee was charged with blending the two in order to better canvas the field and include a wider array of viewpoints and topics. As a result, the 2009 AALS Conference on Business Associations will appeal to the full range of teachers and scholars working in the field, for the first time creating an opportunity for diverse theories and analyses of business associations to be in dialogue with one another. The conference will thus be useful to new and experienced teachers and scholars, as well as to those who might characterize their approach to the field as either “traditional” or as “critical” or somewhere in between. Sessions will focus on teaching and on scholarship, will feature leaders in the field and emerging voices, and will include academic as well as practice perspectives.

The substantive sessions will begin on Monday, June 8, with an opening plenary focused on the role of the basic business associa-

tions course. Senior, mid-level, and junior professors will discuss not only what is currently being included in the course but what should be in the future. Small group breakout sessions will follow the plenary to allow fuller discussion among colleagues about the content of and pedagogical approaches to the basic course. A second plenary will launch the afternoon sessions, this one devoted to pedagogical techniques and created from proposals selected through a competitive review process. Staying within the teaching methods theme, the second afternoon session will feature a choice among several concurrent sessions, including sessions on teaching and learning technology, and transactional emphasis.

The second day of the conference, June 9, will more intentionally engage the rich diversity of thought about business associations. The opening plenary will be directed at the topic of the objectives of public companies and the important question of “who decides” what those objectives are and should be. To permit fuller discussion of this interesting issue, the plenary will be followed by small group breakout sessions about whether and how to address ideological issues in business associations courses. The afternoon of the second day will turn to scholarship, with an opening plenary on current approaches to business associations scholarship. The plenary will engage a variety of ap-

proaches, including comparative, empirical, critical, doctrinal, and economic. Concurrent sessions on each of those areas will follow in order to provide attendees the opportunity for more in depth exploration of scholarly perspectives. Concurrent session leaders will be selected from proposals submitted through a competitive review process.

The final day of the conference, June 10, will open with a plenary that directs attention to perspectives from practice. A range of practice perspectives will be featured, including government, venture capital, shareholder litigation (both plaintiff and defense), general counsel, corporate social responsibility, private equity, and small to large firm practices. Small group breakout sessions following the plenary will provide more extended opportunities for discussion with practitioners, with the plenary speakers serving as the conveners of the small groups. The afternoon presents attendees a choice of sessions, both of which are co-sponsored by other AALS Workshops. One track is a Workshop on Transactional Law, which focuses upon the challenge of integrating transactional law into traditional courses, including Business Associations, Bankruptcy, Commercial Law, Labor/Employment, Tax, and Intellectual Property. A second choice of track is a Workshop on Work Law, focusing on corporate law approaches for protecting employee/labor interests.

### Planning Committee for the Conference on Business Associations

Stephen M. Bainbridge, University of California, Los Angeles  
 Dorothy Andrea Brown, Emory University  
 Thomas W. Joo, University of California at Davis  
 Donna M. Nagy, Indiana University-Bloomington, **Chair**  
 Steven Ramirez, Loyola University, Chicago  
 Larry E. Ribstein, University of Illinois  
 Kellye Y. Testy, Seattle University

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## Conference on Business Associations

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This conference has been planned for teachers and scholars in the field of business associations (including corporate and non-corporate business forms) and related subjects (including securities regulation, corporate finance, mergers/acquisitions). The conference may also be useful to teachers and scholars working in other substantive areas in which the role and function of the business association (particularly the corporation) in society is of significant academic and/or practical interest.

The conference will be held at the Westin Long Beach Hotel in Long Beach, California June 7–10, 2009. The conference will begin on Sunday, June 7, with an opening reception from 6:00 to 8:00 p.m., followed by three days (June 8–10) of plenary and concurrent sessions. Starting at 2:00 p.m. on the third day, the conference will feature sessions planned in collaboration with two AALS Workshops, one on Transactional Law and the other on Work Law. In addition to the conference sessions, receptions will be held on Sunday, Monday and Tuesday evenings and luncheons will be held on Monday, Tuesday and Wednesday.

### Topics:

Role of Basic Course: What it is and Where it is Going?; Business Associations Pedagogy: Innovative Approaches to Teaching Basic and Advanced Courses; What are the Objectives of the Public Companies and Who Decides?; Trends in Business Associations Scholarship; Perspectives from Practice; Concurrent Sessions: (Case Studies in Business Associations Courses; Corporate Finance; Teaching Transactional Courses in Conjunction with Lawyers; Transaction Approaches to Business Associations Pedagogy; Teaching Business Associations Through Other Lenses; How Do Academics and Judges Value Corporate Scholarship?; Interdisciplinary Scholarship; Transaction-Focused Scholarship); Integrating Transactional Law in the Traditional Courses; Joint with Conference on Business Associations Works-in-Progress (Is Breaking Up that Hard to Do? Reverse Termination Fees and Board Fiduciary Duties in Private Equity Related Transactions; How Complete are our Capital Markets? Assessing the Role of Financial Derivatives in Going-Private Transactions; Should Partnership Tax Define "Merger" and "Division"? (And If so, How?); The Search for an Unbiased Fiduciary in Corporate Reorganizations); Corporate Law Approaches to Employee/Labor Interests

### Speakers:

Afra Afsharipour (California, Davis); Iman Anabtawi (UCLA); Robert P. Bartlett III (Georgia); Matthew T. Bodie (Saint Louis); William J. Carney (Emory); Donald C. Clarke (George Washington); Allison Danner (Assistant U.S. Attorney, U.S. Department of Justice, Northern District of California); Alicia Davis Evans (Michigan); Lisa M. Fairfax (Maryland); Heather M. Field (California, Hastings); Jose M. Gabilondo (Florida International); George S. Geis (Virginia); Erik F. Gerding (New Mexico); Franklin Gevurtz (McGeorge); H. Kent Greenfield (Boston College); Michelle M. Harner (Nebraska); Peter H. Huang (Temple); Joan Macleod Heminway (Tennessee); Paul L. Hoffman (Schonbrun, DeSimone, Seplov, Harris and Hoffman, LLP, Venice, California); Christine Hurt (Illinois); Robert C. Illig (Oregon); Lyman P.Q. Johnson (Washington and Lee); Donald C. Langevoort (Georgetown); John Linarelli (LaVerne); Jeffrey M. Lipshaw (Suffolk); Jonathan C. Lipson (Temple); Jacqueline Deborah Lipton (Case Western); Kate Litvak (Texas); Therese H. Maynard (Loyola); Lawrence E. Mitchell (George Washington); Elizabeth Nowicki (Tulane); Peter B. Oh (Pittsburgh); Karl S. Okamoto (Drexel); The Honorable Troy A. Paredes (Commissioner, U.S. Securities and Exchange Commission, Washington, D.C.);



## Conference on Business Associations

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Frank Partnoy (San Diego); Usha R. Rodrigues (Georgia); Hillary A. Sale (Iowa); D. Gordon Smith (Brigham Young); Mei-lan Stark, Vice President (Intellectual Property, Fox Entertainment Group, Los Angeles, California); Tina L. Stark (Emory); Faith Stevelman (New York Law School); David R. Stickney, Partner (Bernstein Litowitz Berger & Grossman LLP, San Francisco, California); Lynn A. Stout (UCLA); The Honorable Leo E. Strine (Vice Chancellor, Court of Chancery, Delaware); Eric L. Talley (California, Berkeley); Robert B. Thompson (Vanderbilt); Frederick Tung (Emory); Cheryl Lyn Wade (St. John's), Charles K. Whitehead (Boston); Cynthia Williams (Illinois); Michael A. Woronoff (Head of the Corporate Securities Practice, Proskauer Rose, Los Angeles, California)

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## Request for Nominations for AALS Award for Lifetime Service to Legal Education and to the Law

In 2006 the Association of American Law Schools established the "AALS Award for Lifetime Service to Legal Education and to the Law," an award presented every three years. The award was designed to formally recognize lifetime contributions to service made by a faculty member or retired faculty member at an AALS member school. The 2006 award was presented to Norman Dorsen, New York University School of Law. The 2009 recipient will be selected by a subcommittee of the AALS Executive Committee.

Nominations should be in the form of a letter providing **sufficient information about the nominee to enable the selection committee to determine the specific contributions of the nominee both to legal education and to the law.** You may also include other materials that evidence the contributions of the nominee, including work product relating to the service, or news or magazine articles that describe accomplishments of the nominee.

All nominations should be e-mailed with the subject line "Award for Lifetime Service Nomination" to sprager@aals.org or submitted to:

Susan Westerberg Prager  
Award for Lifetime Service Nomination  
The Association of American Law Schools  
1201 Connecticut Avenue, NW Suite 800  
Washington, D.C., 20037

All materials must be received by **May 4, 2009.**

Current members of the AALS Executive Committee or those who have served on the Committee at any time during the previous five years are not eligible.

The AALS looks forward to recognizing the importance of service through this award, which will be presented at the 2010 Annual Meeting in New Orleans.

## Mid-Year Meeting: AALS Workshop on Transactional Law

June 10-12, 2009 Long Beach, CA

“Transactional law” refers to the various substantive legal rules that influence or constrain planning, negotiating, and document drafting in connection with business transactions, as well as the “law of the deal” (i.e., the negotiated contracts) produced by the parties to those transactions. Traditionally, the law school curriculum has emphasized litigation over transactional law. However, many modern lawyers serve corporate clients, and a significant percentage of lawyers engage in some form of transactional practice. Hence, law schools must place greater emphasis on training law students to be transactional lawyers, and should support law faculty engaged in scholarship focused on transactional law. To this end, in 1994, the AALS held a workshop on the transactional approach to law, which sparked experimentation and innovation in teaching and scholarship related to transactional law. Since that time, there have been significant developments in transactional law. This Workshop not only will take stock of those developments, but also will enable participants to gain some in-depth perspective regarding the relative benefits and drawbacks of those developments.

Law schools have attempted to respond to the demand for increased transactional training in a variety of ways, from integrating transactional law into traditional law school courses to developing stand alone “Deals” or “Business Planning” courses. A number of law schools have developed innovative programs in transactional law. This Workshop will enable participants to discuss specific methods of teaching transactional skills with an eye towards ferreting out best practices. Should professors interested in teaching transactional law focus on substantive law, “transactional skills,” (i.e., planning, negotiating, and drafting), economic or other theories of business transactions, or all of the above? Should transactional skills be taught in separate courses or integrated into substantive courses? If taught in separate courses, should such courses be part of the first-year curriculum, integrated throughout the three years, or focused on the upper-level curriculum? How do you modify or supplement the traditional case method to teach students useful transactional skills?

The Workshop also will explore the challenges and benefits that arise for those who write or would like to write transactional scholarship. And as an initial matter, the Workshop will address how best to define “transactional scholarship” in a way that accurately captures the potential breadth and depth of transactional law, and how transactional scholarship differs from

traditional legal scholarship. The Workshop also will explore best practices for writing scholarship in this area, including methodologies for researching the legal, financial and practical effects of various corporate transactions. The Workshop will feature concurrent works-in-progress sessions, enabling participants to exchange ideas and insights regarding new scholarship related to transactional law.

One important goal of the Workshop is to bring together faculty from different doctrinal areas of law, including faculty who teach in the clinical setting. Transactional law touches many substantive areas of law, and it is closely identified with bankruptcy, business associations, contracts, commercial law, intellectual property, labor and employment law, securities regulation, and taxation. The Workshop will provide a unique opportunity for faculty members to make connections between their primary fields and transactional law, and thus should appeal to a broad spectrum of scholars and teachers.

For a list of topics and speakers for the Mid-Year Meeting Workshop on Transactional Law see page 21.

### Planning Committee for the AALS Workshop on Transactional Law

Lisa M. Fairfax, University of Maryland,  
**Chair**

Victor Fleischer, University of Illinois

Peter Pitegoff, University of Maine

D. Gordon Smith, Brigham Young  
University

Alfred Chueh-Chin Yen, Boston College



## Topics and Speakers at the AALS Workshop on Transactional Law

### Topics:

- Integrating Transactional Law in the Traditional Courses
- Joint with Conference on Business Associations  
Works-in-Progress: Transactional Scholarship in Business Associations (Is Breaking Up that Hard to Do? Reverse Termination Fees and Board Fiduciary Duties in Private Equity Related Transactions; How Complete Are Our Capital Markets? Assessing the Role of Financial Derivatives in Going-Private Transactions; Should Partnership Tax Define “Merger” and “Division”? (And If so, How?); The Search for an Unbiased Fiduciary in Corporate Reorganizations)
- What is the Big Idea?
- Concurrent Sessions:
  - Empirical Study of Contracts
  - Ethics and Social Responsibility of Business Transactions
  - Non-Profits
- Methods of Scholarship
- Innovations in Transactional Scholarship
- Information Flow and Fraud Interdiction: An Empirical Study of Law Firm Due Diligence
- How Transactional Structures Create Value; More Than Merely Incidental: An Argument for Third Party Beneficiary Rights in Inner-City Redevelopment Contracts
- Report on Empirical Investigation of Outsourcing Agreements
- Finance Transactions Concentration
- Mittal Steel in Liberia
- Teaching Transactional Business Law Skills Through an Intellectual Property Lens
- Small Groups on Teaching (Real Estate Transactions Teaching; Entrepreneurship; Intellectual Property; Corporate and Finance Teaching; International and Comparative Teaching)

### Speakers:

- Afra Afsharipour (California, Davis)
- Iman Anabtawi (UCLA)
- Robert P. Bartlett III (Georgia)
- Margaret M. Blair (Vanderbilt)
- Evelyn Brody (Chicago-Kent)
- Elizabeth F. Brown (St. Thomas)
- Dan L. Burk (Minnesota)
- Patience A. Crowder (Tulsa)
- Scott L. Cummings (UCLA)
- Kenneth G. Dau-Schmidt (Indiana, Bloomington)
- Thomas F. Disare (SUNY)
- Heather M. Field (California, Hastings)
- George S. Geis (Virginia)
- Eric F. Gerding (New Mexico)
- Franklin Gevurtz (Mc George)
- Gaurang Mitu Gulati (Duke)
- Shubha Ghosh (Wisconsin)
- Philip Halpern (SUNY)
- Celeste M. Hammond (John Marshall)
- Michelle Morgan Harner (Nebraska)
- Joan Heminway (Tennessee)
- Michael S. Knoll (Pennsylvania)
- Russell Korobkin (UCLA)
- Therese H. Maynard (Loyola, Los Angeles)
- Lisa H. Nicholson (Louisville)
- Christiana Ochoa (Indiana, Bloomington)
- Erin O’Hara (Vanderbilt)
- Karl S. Okamoto (Drexel)
- Daniel M.G. Raff (Wharton School, University of Pennsylvania)
- Usha R. L. Rodrigues (Georgia)
- James C. Smith (Georgia)
- Tina L. Stark (Emory)
- Frederick Tung (Emory)
- Amy Deen Westbrook (SUNY)
- David A. Westbrook (SUNY)
- David Zaring (Wharton School, University of Pennsylvania)

## AALS Mid-Year Meeting Workshop on Work Law

June 10-12, 2009

Long Beach, California

The law of the workplace, including labor, employment, antidiscrimination, and employee benefits law, is an important and pervasive part of people's lives, and the social and economic culture of the United States and the world. It has also changed substantially in the last 20 years. The physical and organizational contexts in which people work and the nature of work have changed, as have workers' backgrounds, expectations, commitments, and competing obligations. The relationship between work and other fundamental social and legal regimes, such as the regulation and provision of health insurance and care and the debates around government-provided social safety nets, becomes ever more apparent as the gap widens between the haves and the have-nots in America and around the world.

These remarkable changes in the context and content of work life require significant development and reevaluation of Work Law. Labor and employment litigation now accounts for about 12 to 14 percent of the federal courts' docket. Work Law scholarship is increasingly empirical, interdisciplinary, and international. The teaching of Work Law has expanded, even while several of the traditional law school courses that comprise the field have undergone dramatic changes in the last several decades. Labor Law, traditionally focused on collective bargaining in an industrial economy, has been

transformed by the globalization of the economy and the diversity of the workforce to include issues of race, gender and immigration status. The at-will paradigm that dominated Employment Law has been modified in important respects by case law and a proliferation of statutes that apply to individual employees. And the content of Employment Discrimination courses has grown with the enactment of new federal and state laws, including those prohibiting discrimination based on disability and sexual orientation, and the adoption of new frameworks for analyzing forms of discrimination, and institutional dynamics that affect the law. Laws regulating leave, benefits, wages and hours, and a host of other issues have grown and changed. Finally, international issues now find their way into Work Law courses, and are now forming the basis for casebooks and stand-alone courses.

Participants in the 2009 Workshop on Work Law will have a chance to consider these and many other topics. The panels will appeal to law teachers in a diverse group of fields. Panels will address the institutional dynamics of the discrimination law, how Work Law teachers are incorporating the findings of the Carnegie Report into their teaching, and recent Supreme Court decisions.

The Workshop on Work Law will overlap with the Conference on Business Associations: Taking Stock of the Field and the concurrent Workshop on Transactional Law. We think scholars and teachers in diverse and related areas will make connections between their primary fields and Work Law. It is our hope that by attending you come away from the workshop with new ideas for your scholarship and teaching.

### Topics:

- Corporate Law Approaches to Employee/Labor Interests
- Changing Nature of Contemporary Employment Discrimination
- How Does Law Change Organizational Culture? The Problems of Compliance with Workplace Law
- Conducting Empirical Research on the Workplace
- Small Group Discussion on Empirical Research on the Workplace
- Teaching Work Law through Simulation and Other Skills-Oriented Methods
- National Origin and Immigration
- Supreme Court Update and Legislation
- Labor Law in the 21st Century
- Concurrent Sessions:
  - Low Wage Work
  - Health Benefits and ERISA Preemption
  - Arbitration
  - Reforming the Content of Work Law Courses

## Speakers at the AALS Workshop on Work Law

### Speakers:

- Sameer Ashar (CUNY)
- Samuel R. Bagenstos (Washington)
- Richard A. Bales (Northern Kentucky)
- Robert Belton (Vanderbilt)
- Marsha L. Berzon, Federal Appeals Judge, U.S. Court of Appeals, for the Ninth Circuit, San Francisco, California
- William T. Bielby (University of Illinois, Department of Sociology, Chicago, IL)
- Susan Bisom-Rapp (Thomas Jefferson)
- Matthew T. Bodie (Saint Louis)
- Christopher David Ruiz Cameron (Southwestern)
- Laura J. Cooper (Minnesota)
- Roberto L. Corrada (Denver)
- Scott L. Cummings (UCLA)
- Lauren B. Edelman (California, Berkeley)
- Ann Mc Ginley (Nevada, Las Vegas)
- Timothy Glynn (Seton Hall)
- Michael Z. Green (Texas Wesleyan)
- David L. Gregory (St. John's)
- Seth D. Harris (New York Law School)
- Jeffrey M. Hirsch (Tennessee)
- Ann C. Hodges (Richmond)
- Paul L. Hoffman (Schonbrun, De Simone, Seplow, Harris and Hoffman LLP Venice, California)
- Sharona Hoffman (Case Western)
- Maria O. Hylton (Boston University)
- Thomas C. Kohler (Boston College)
- Orly Lobel (San Diego)
- Coleen E. Medill (Nebraska)
- Camille G. Rich (Southern California)
- Leticia Saucedo (Nevada)
- Vicki Schultz (Yale)
- Judith Scott (General Counsel, Service Employees International Union, Washington, DC)
- Paul M. Secunda (Marquette)
- Joseph E. Slater (Toledo)
- Peggie Smith (Iowa)
- Katherine Stone (UCLA)
- Susan P. Sturm (Columbia)
- Dorian Warren (Assistant Professor, Department of Political Science, School of International and Public Affairs, Columbia University)
- Steven L. Willborn (Nebraska)
- Cynthia Williams (Illinois)
- Michael J. Zimmer (Northwestern)

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## Open Source Programming at 2010 Annual Meeting

AALS is requesting proposals for Open Source programs for the 2010 AALS Annual Meeting in New Orleans, Louisiana. Open Source sessions at the Annual Meeting are novel ideas for programs proposed by groups of faculty members and selected by a committee in a competitive search. The programs should be innovative and include interactive and out of the ordinary approaches to presenting the topics.

The goal is to encourage a “bottom up” process in which scholars collaborate to develop fresh and exciting ideas for a program at the Annual Meeting. These are not Section, law school, organization, or institution-sponsored programs. An Open Source Program is one developed by a group of faculty members in various subject matters, who have an original topic that they would like to present at the Annual Meeting.

To ensure exceptional topics for the Open Source programs, proposals should not feature a program or subject that could be offered by an AALS Section or conflict with other programs being presented at the 2010 AALS Annual Meeting.

Submission of ideas for programs with a detailed explanation of the program topic along with possible speakers should be e-mailed to [opensource@aals.org](mailto:opensource@aals.org) by **April 17, 2009**.

## Planning Committee for AALS Workshop for New Law School Teachers,

### Workshop for Pretenured Minority Law School Teachers *and*

### Workshop for Beginning Legal Writing Teachers

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

## AALS Workshop for New Law School Teachers

**June 18-20, 2009**

**Washington, DC**

At the 27th annual Workshop for New Law School Teachers, new law teachers will share their excitement, experiences and concerns with each other and with a roster of senior and junior faculty chosen for their track record of success and their diversity of scholarly and teaching approaches. These professors will pass along invaluable advice about teaching and testing techniques and tips for developing, placing and promoting one's scholarship. Speakers will also address how to manage the demands of institutional service, as well as the expectations of students and colleagues, along with special challenges that arise when confronting controversial topics. This year's Workshop has been restructured to provide expanded opportunities for small group interaction with speakers and other participants.

The Workshop will benefit newly appointed faculty members, including teachers with up to two years of teaching experience, and those with appointments as visiting assistant professors.

For more information visit:  
[www.aals.org/nlt09/](http://www.aals.org/nlt09/).

### Topics:

- Scholarship
- Preparing for Your First Semester of Teaching
- Biggest Triumphs and Mistakes: Junior Faculty Perspectives
- Learning Theory
- Challenging Conversations
- Blogging
- Exam Preparation, Reading, Grading, Review and Course Evaluation
- Navigating Law School Politics

### Speakers:

Douglas A. Berman (Ohio State); Christopher J. Borgen (St. John's); Dorothy Andrea Brown (Emory); The Honorable Guido Calabresi (U.S. Circuit Judge, U.S. Court of Appeals, New Haven, Connecticut); Eric R. Claeys (George Mason); Shahram Dana (John Marshall); Angela J. Davis (American); Graeme B. Dinwoodie (Chicago-Kent); Cara H. Drinan (Catholic); William N. Eskridge, Jr. (Yale); Cheryl Hanna (Vermont); Paula Lustbader (Seattle); Janai S. Nelson (St. John's); Lawrence B. Solum (Illinois); Andrew E. Taslitz (Howard); Francisco X. Valdes (Miami); Laurie B. Zimet (California, Hastings)

## Proposals for Professional Development Programs

In preparation for the submission of proposals on professional development programs to the Executive Committee, the Committee on Professional Development will convene at the AALS headquarters this fall. Among other things on the Agenda, the Committee will recommend the Association's professional development calendar for the 2010-2011 academic year.

If your section believes that it would be an opportune time for the AALS to offer a professional development program in areas of interest to your section during 2010-2011, the Professional Development Committee invites you to submit a proposal for such a program. To ensure a comprehensive review of these proposals and facilitate the request for any additional information, the deadline for submission is **May 29, 2009**. Proposals received by then will receive preference in the selection process.

The Association's professional development programming consists primarily of one-day workshops at the Annual Meeting and two-day workshops and three- to five-day conferences at the Mid-Year meeting. Programs need not fit any particular format, but many past conferences and workshops have fallen into one of the following categories:

(1) subject matter programs aimed at faculty who teach particular subjects or types of courses such as the 2008 Mid-Year Meeting Conference on Evidence and the 2009 Mid-Year Meeting Conference on Business Associations;

(2) programs for groups with similar interests other than subject matter such as the 2004 Mid-Year Meeting: Workshop On Racial Justice In A New Millennium: From *Brown* to *Grutter*: Methods to Achieve Non Discrimination and Comparable Racial Equality and 2003 Workshop on Taking Stock: Women of All Colors in Law School;

(3) programs that cut across subject matter lines or integrate traditional subject matter such as the 2005 Annual Meeting Workshop on Evaluating Students and Evaluating Outputs: Vision, Revision, Envision: Critical Perspectives in Assessment and the 2009 Mid-Year Meeting Workshop on Transactional Law;

(4) programs that focus upon a type of skill or discipline as in the 2006 Mid-Year Meeting Conference on New Ideas for Law School Teachers and the 2009 Annual Meeting Workshop: Progress? The Academy, Profession, Race and Gender: Empirical Findings, Research Issues, Potential Projects and Funding Opportunities;

(5) programs dealing with matters of law school administration or legal education generally such as the 2008 Mid-Year Meeting Workshop for Law Librarians and the 2010 Annual Meeting Workshop on Pro Bono Public Service; and

(6) programs exploring the ramifications of significant developments in or affecting the law such as the 2008 Annual Meeting Workshop on Fair and Independent Courts.

Proposals should be as specific as possible, including a description of the areas or topics that might be covered, in as much detail as possible, and an explanation of why it would be important and timely to undertake such a program in 2010-2011. The Professional Development Committee particularly encourages proposals for programs that are sufficiently broad that they will interest more than the membership of a single AALS section. The AALS strongly encourages proposals that contemplate different or innovative types of programming or develop interdisciplinary themes. A sample of a well-developed proposal is available for review on the AALS Web site at: <http://www.aals.org/profdev/>

The Association welcomes suggestions for members of the planning committee and potential speakers, along with a brief explanation as to their particular qualifications. It is helpful to the planning committee to have as much information as possible about potential speakers in advance of its meeting. Since planning committees value diversity of all sorts, we encourage recommendations of women, minorities, those with differing viewpoints, and new teachers as speakers. Specific information regarding the potential speaker's scholarship, writings, speaking ability, and teaching methodology is particularly valuable.

## Workshop for Pretenured Minority Law School Teachers

June 17-18, 2009

Washington, DC

From their first day of teaching until tenure, minority law teachers face special challenges in the legal academy. At this workshop, diverse panels of experienced and successful law professors will focus on these issues as they arise in the context of scholarship, teaching, and the tenure process. The workshop dovetails with the AALS Workshop for New Law School Teachers by providing sustained emphasis on the distinctive situations of pretenured minority law school teachers.

The Workshop will be of interest to newly appointed minority law teachers as well as junior professors who are navigating the tenure process and looking for guidance and support.

For more information, visit [www.aals.org/pretenured/](http://www.aals.org/pretenured/)

### Topics:

- Promotion and Tenure: Getting to Yes
- Teaching: Strategies to Success
- History of People of Color in the Academy
- Service: Strategies to Success
- Scholarship: Strategies to Success
- You Can Do This

### Speakers Include:

Larry Cata Backer (Penn State); G. Marcus Cole (Stanford); Adrienne D. Davis (Washington); A. Mechele Dickerson (Texas); Joseph D. Harbaugh (Nova Southeastern); Tanya Kateri Hernandez (George Washington); Rachel Moran (AALS President and California, Berkeley); Blake D. Morant (Wake Forest); Mark Niles (American); Enid Trucios-Haynes (Louisville); Xuan-Thao Nguyen (Southern Methodist); Serena Maria Williams (American)

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## Workshop for Beginning Legal Writing Teachers

June 20-21, 2009

Washington, DC

The Workshop is designed to offer new law faculty an introduction to the teaching of legal writing, research, and analysis. The workshop will address the basic tasks of the teacher of legal writing: classroom teaching, designing problems, conducting effective individual conferences, incorporating the teaching of legal research, and critiquing students' written work. Additionally, the workshop will address new teachers' scholarly development as well as institutional status issues.

The Workshop will be of interest to new legal writing teachers and to all new teachers whose responsibilities include some teaching of legal writing.

### Topics:

- The History and Mission of Legal Writing Programs
- Designing Assignments
- Critiquing
- Scholarship
- Teaching Legal Research
- Managing Your Student Conferences
- Putting It All Together: Constructing Your Course

### Speakers Include:

Mary Beth Beazley (Ohio State); Patricia Broussard (Florida A & M); Diana Donahoe (Georgetown); Anne Enquist (Seattle); Amy E. Sloan (Baltimore); Craig T. Smith (Vanderbilt); Nancy J. Soonpaa (Texas Tech)

For more information, visit [www.aals.org/beginning/](http://www.aals.org/beginning/)



## Proposals for Professional Development Programs

*Continued from page 25*

While proposals are solicited from sections and those proposals are extremely valuable as a starting point for the planning committee, the Association's professional development programs are not section programs. Rather, they are Association-sponsored programs recommended by the Professional Development Committee and approved by the Executive Committee. Planning the actual program, including the choice of specific topics and speakers, is the responsibility of the planning committee, which is appointed by the AALS President. The planning committees normally include one or more individuals who are in leadership positions in the relevant section or sections, but also will include others who are knowledgeable about the program topic or have general experience with AALS professional development programs. Because the planning committee is asked to bring its own perspectives to the planning of the program, it is not customary to appoint the author of a proposal to the planning committee. Instead the proposal is given to the planning committee in advance of its meeting, and members of the planning committee may consult with the proposer and a host of other faculty before the planning committee meeting.

As indicated above, proposals should be submitted to AALS Deputy Director, David A. Brennen, by **May 29, 2009**. Please send an electronic copy of your proposal by e-mail to [profdev@aals.org](mailto:profdev@aals.org). Deputy Director Brennen also would be pleased to discuss proposal ideas with you and to answer any questions you have about the Association's professional development programs. Please send your questions by e-mail to [dbrennen@aals.org](mailto:dbrennen@aals.org).

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## 2009 Annual Meeting Podcasts Now Online

Over 100 sessions from the 2009 AALS Annual Meeting have been digitally audio recorded. These recordings, known as 'podcasts,' are available to anyone for no charge from the AALS web site.

Links to the podcasts are available from the online Annual Meeting program. Go to [www.aals.org/am2009/](http://www.aals.org/am2009/) and click the "Podcasts" link.

You can browse the program by scrolling down, or search for a specific session by typing 'Ctrl F' and then typing a keyword.

Click the session you are interested in and a new window will open. If a podcast is available for that session, a link that says 'click here to listen to podcast' will be below the session description.

To download the podcast to your computer or MP3 player, right click the link and select 'save target as', and then choose the folder to save the file.

# aalscalendar

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## Upcoming Meetings and Events

### May 5- 6, 2009

Law Clinic Directors Workshop  
Cleveland, Ohio

### May 6-9, 2009

Conference on Clinical Legal Education  
Cleveland, Ohio

### June 7 - 12, 2009

Mid-Year Meeting  
Long Beach, California

### June 7-10, 2009

Conference on Business Associations: Taking Stock of  
the Field and Corporate Social Accountability

### June 10-12, 2009

Workshop on Transactional Law

### June 10-12, 2009

Workshop on Work Law

### June 17-18, 2009

Workshop for Pretenured Minority Law School Teachers  
Washington, D.C.

### June 18-20, 2009

Workshop for New Law School Teachers  
Washington, D.C.

### June 20-21, 2009

Workshop for Beginning Legal Writing Teachers  
Washington, D.C.

### November 5-7, 2009

Faculty Recruitment Conference (FRC)  
Washington, D.C.

## Future Annual Meeting Dates and Locations

- January 6-10, 2010, New Orleans
- January 4-8, 2011, San Francisco
- January 4-8, 2012, Washington, D.C.
- January 4-8, 2013, New Orleans



Association of American Law Schools

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