



2014 Annual Meeting

JANUARY 2-5, 2014
NEW YORK, NY
WWW.AALS.ORG/AM2014



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Legal Education and Change

Leo P. Martinez¹

While it borders on the banal to state that the only constant is change, change is omnipresent and unavoidable. Three examples are sufficient to set the stage. Nancy Rogers, one of my many esteemed predecessors, talked about “reassessing our roles in light of change” in her January 2007 AALS Presidential address.² In particular, she suggested “examining changes that affect legal education and assessing, even considering modifications in, our roles as professors and law schools in response to those changes.”³ She encouraged such self-examination with the confidence of her observation that we have an excellent record of adjusting to change when we apply our collective candlepower to the task.



In her 2012 AALS Presidential address,⁴ Lauren Robel talked about the challenges of global change. Like Nancy Rogers, Lauren Robel made the very basic point that we are perpetually dealing with change, and that one of the key responses to change is hard work in going about the task of adapting. A recent report from the American Council on Education highlighted Robel’s predicted effect of globalization, noting that American schools must now ensure graduates are prepared to “access and navigate global networks and to identify and develop modes of being both competitive and collaborative simultaneously.”⁵

A third aspect of change is brought to mind by Ronald G. Ehrenberg, a Cornell economist, who will publish an article titled “American Law Schools in a Time of Transition” in this summer’s *Journal of Legal Education*. The title is narrower than the scope of his work. He makes the broad point that legal education does not exist in a vacuum. As he comments, “[b]ecause [law schools] are part of a much broader higher education system, there are lessons from that broader academic experience that may prove useful to them.”⁶ Like others, he observes

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¹ 2013 President of the Association of American Law Schools and Albert Abramson Professor of Law at the University of California, Hastings College of the Law. I am grateful to the many who provided both inspiration and substantive comments on this piece. These include my friends and colleagues David Faigman, Mary Kay Kane, Susan Westerberg Prager, Lauren K. Robel, Reuel Schiller, Todd Rakoff, and Frank Wu. I also appreciate the ever sharp editorial eye of Emily Goldberg, Hastings class of 2015. Despite all their efforts, errors are entirely mine.

² Nancy Rogers, President, Assoc. of American Law Schools, Presidential Address (January 2007) (transcript available at http://www.aals.org/services_newsletter_presfeb07.php).

³ *Id.*

⁴ Lauren Robel, President, Assoc. of American Law Schools, Presidential Address (2012) (transcript available at http://www.aals.org/services_newsletter_presFeb12.php).

⁵ Strength Through Global Leadership and Engagement: U.S. Higher Educ. in the 21st Century, Ctr. for Internationalization and Global Engagement & American Council on Education 5, 7 (Nov. 2011), <http://www.acenet.edu/news-room/Documents/2011-CIGE-BRPRReport.pdf>.

⁶ Ronald G. Ehrenberg, *American Law Schools in a Time of Transition*, 63 J. LEGAL ED. (forthcoming Aug. 2013).

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President's Message (continued from cover)

that the cost of attending law school has far exceeded the pace of inflation. However, he notes that legal education has essentially paralleled the general cost of higher education across the board.⁷ While Ehrenberg states that this parallel applies to public schools, he also notes that the data does not, in his words, “provide strong support for the proposition that more rapid increases in law school tuitions were attributable to the need to raise revenue for law school faculty salaries.”⁸

These various aspects of change were swirling in my head as I recalled an article by the Honorable Michael Kirby, a former Justice of the High Court of Australia. Justice Kirby wrote about Charles Darwin’s explanation “that all living organisms need adaptation and variation to survive and to adapt to new times and circumstances. Reproduction by identical or near-identical cloning would endanger the capacity of the organism to cope with contemporary challenges, even perhaps to survive.”⁹ Although Justice Kirby was applying Darwin’s principles to Australian judicial appointments, his observation about Darwinian survival applies equally well to contemporary legal education.

We in legal education must adapt in order to survive in these changing times. However, as Justice Kirby and Charles Darwin might agree, identical adaptation would ultimately threaten our collective ability to survive. I stated in my AALS Presidential address this past January that our member schools are remarkably different. To apply the contemporary SWOT analysis pioneered by Stanford Research International¹⁰, our member schools vary in their strengths, weakness, opportunities and threats. The combination of these four attributes is unique to each school. By recognizing this simple fact, each school can respond to change in a way that works best given the school’s unique combination of attributes. Indeed there is much to suggest that adaptation in the Darwinian sense is taking place.

Recently, Harvard Law Professor Todd Rakoff, Chair of the AALS Curriculum Committee, solicited input as to what positive curricular responses our member schools were implementing in response to hard times. The preliminary returns, which include more than 40 responses within three weeks of the solicitation, show a diversity of programs tailored to each school’s unique circumstances and which draws on their strengths and resources. A description of a few of these programs and other programs extant illustrates the kinds of adaptation and innovation that is occurring.

American University’s Washington College of Law (WCL) has developed an Integrated Curriculum Program in an attempt to “highlight the

continued on next page

⁷ *Id.* at 13.

⁸ *Id.* Ehrenberg’s work harmonizes with economists Robert Archibald and David Feldman who note that the high cost of human capital, especially well-educated workers like university professors, has also been one of the primary drivers of cost in higher education. ROBERT B. ARCHIBALD & DAVID H. FELDMAN, WHY DOES COLLEGE COST SO MUCH? 108 (2011). Interestingly, they compare the costs of elite four-year research-oriented universities with two-year community colleges in which the focus is not on research but on teaching. They conclude that the costs of both have risen at effectively the same rate – a rate that has substantially outpaced inflation. *Id.* At the least, their research suggests that a conversion away from research may not yield much in terms of cost-saving.

⁹ Michael Kirby, *Appointment to Final National Courts – Lessons from Charles Darwin*, 22 NAT’L LAW SCHOOL OF INDIA REV. 17, 18 (2010).

¹⁰ SWOT analysis investigates internal and external, as well as positive and negative factors of an organization. An analysis of an organization’s strengths, weaknesses, opportunities and threats (SWOT) provides information regarding an organization’s capacities in the competitive environment in which it operates. ANJA BÖHM, THE SWOT ANALYSIS 2 (2008).

AALS Executive Director Transition



Judith Areen

As many of you know, Susan Prager, our Executive Director and Chief Executive Officer, will be leaving the AALS in the fall to become the new Dean and Chief Executive Officer at Southwestern Law School. We are grateful for Susan's vision, indefatigable energy, and ever-present optimism that have ably guided the AALS for these past 5 years. While she will be missed at the AALS, like all good leaders she leaves a better organization than she inherited.

I am pleased to announce that Paul Regis Dean Professor Judith Areen of the Georgetown University Law Center has agreed to serve as interim AALS Executive Director, effective December 1st. Judith Areen is a well-known and well-respected figure in legal education. She served as Executive Vice President for Law Affairs of Georgetown University and Dean of the Law Center for 15 years. Her 20 years of service to the AALS culminated in her term as AALS President in 2006. We are fortunate that a colleague of Judith Areen's stature, scholarly focus on higher education, and extensive experience with AALS is willing to serve as Interim Executive Director and Chief Executive Officer.

These two extraordinary women look forward to working together over the next five months and we are confident that they and the AALS staff will manage the transition seamlessly.

I will be writing to you shortly as we finalize our plans regarding the search for our next Executive Director.



Susan Prager

Leo P. Martinez,
University of California, Hastings College of the Law and AALS President

President's Message (continued from page 2)

interdependent nature of the curriculum and the practice of law."¹¹

The program, which WCL implemented in 1999, but was refreshed in 2009, offers team-teaching; sectional commons; panels presented by Deans' Fellows and faculty; peer mentoring; and substantive programs in fields that cross various subject matters. The faculty commons, where faculty members plan and implement supplemental programming designed to enrich the existing course content, and the team-teaching, where faculty members coordinate syllabi to emphasize synergies across subjects, are perhaps the most intriguing aspects of this program.¹² In an additional effort to emphasize real-life lawyering skills, first-year students must take a course in Legal Rhetoric, where students engage in pre-litigation case planning; draft complaints, responsive pleadings, and interrogatories; and engage in negotiation and settlement.¹³

In 2012, The University of North Dakota (UND) revamped its curriculum to focus more on foundational knowledge and skills; ethics and professionalism; leadership, collaborative, and adaptive skills; and service to society. Each course in the updated curriculum must include instruction in and an assessment of an ethics or professionalism issue, as well as a writing assignment. Beginning in Spring 2014, UND will begin offering a two credit class, Professional Foundations, that will offer students the ability to "cultivate a reflective mindset and the habits of being that are vital to the development of professional identity and the exercise of sound professional judgment."¹⁴ The class will focus on the fundamentals of professional roles and identities, the lawyer-client relationship, and an exploration of practice environments. The course will be taught by a team of faculty, intended to expose students to a myriad of options and ensure a diverse educational experience.

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¹¹ *Integrated Curriculum Dean's Fellows*, American Univ. Washington Coll. of Law, <http://www.wcl.american.edu/icdf/> (last visited May 29, 2013).

¹² Jamie R. Abrams, *A Synergistic Pedagogical Approach to First-Year Teaching*, 48 DUQ. L. REV. 423, 438 (2010).

¹³ *Id.* at 442-444.

¹⁴ *Professional Foundations: An Innovative Component of the First-Year Curriculum*, Univ. of North Dakota School of Law, <http://law.und.edu/students/general/profound.cfm> (last visited May 29, 2013).

President's Message (continued from page 3)

Other schools, including the University of Kansas School of Law (KU), the University of Miami School of Law (UM), and the University of California, Hastings College of the Law (UC Hastings), offer medical-legal clinics that provide students with hands-on experience addressing a wide range of issues pertaining to health law. In each case the law schools are taking advantage of the proximity and association with a prominent medical school. KU's Medical-Legal Partnership Clinic is a collaboration between the School of Law and the Department of Family Medicine at the University of Kansas Medical Center.¹⁵ The clinic not only provides free legal assistance to low-income patients at the hospital, it also affords KU students the opportunity to conduct intake interviews, develop case strategies, conduct legal research, prepare legal documents, and provide representation in administrative hearings and court (where permitted). Student participants bring their services to the community, doing in-home visits and assisting those who have not sought medical attention because of immigration issues or lack of insurance.¹⁶

Similarly, UM students have the opportunity to participate in the Medical Legal Partnership (MLP) in collaboration with the University of Miami Miller School of Medicine, through the Health Rights Clinic. Students become members of the healthcare team and assist patients with their legal issues.¹⁷ Participants function as the client's primary advocate in all aspects of the client's case, including interviewing and counseling, fact investigation, drafting and filing briefs, and participating in negotiations and hearings.¹⁸

Likewise, UC Hastings' students have the opportunity to participate in the Medical-Legal Partnership for Seniors Clinic in collaboration with the University of California, San Francisco (UCSF).¹⁹ Hastings students develop key lawyering skills through representation of low-income elderly patients at a UCSF medical clinic. Through the clinic, students are exposed to transactional lawyering skills, including drafting advance health care directives and simple wills, and advising patients on their eligibility for public benefits.²⁰

Alternatively, some schools have implemented "bridge-to-practice" programs in which third-year students, or even recent graduates, may apply for a defined term project with an approved employer to the opportunity to enhance their practical legal skills. UC Hastings, for example, has partnered with governmental organizations and legal nonprofits to create two-year fellowships encompassing law students' final year of law school and their first as new attorneys through a newly created not-for-profit Lawyers for America.²¹ Participants work at a partner legal office full time and attend a classroom component as well.

In a similar vein, this summer the Sandra Day O'Connor College of Law at Arizona State University (ASU) will be launching the ASU Alumni Law Group, a teaching law firm that will hire and mentor recent graduates of the law school.²² The Law Group, modeled after a teaching hospital, will be a stand-alone, nonprofit firm that will

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¹⁵ *Medical-Legal Partnership Clinic*, The Univ. of Kansas School of Law, <http://www.law.ku.edu/mlpclinic> (last visited May 29, 2013).

¹⁶ *KU Medical, Law Student Collaboration Expanded*, KU NEWS SERVICE (Feb. 8, 2013), <http://www.news.ku.edu/2013/02/08/ku-medical-law-student-collaboration-expanded>.

¹⁷ *Health and Elder Law Medical Legal Partnership*, Educating Tomorrows Lawyers, <http://educatingtomorrowslawyers.du.edu/course-portfolios/health-and-elder-law-medical-legal-partnership> (last visited May 29, 2013).

¹⁸ *Health Rights Clinic*, Univ. of Miami School of Law, <http://www.law.miami.edu/clinics/health-rights/> (last visited May 29, 2013).

¹⁹ *Medical Legal Partnership for Seniors Clinic*, UCSF / UC Hastings Consortium on Law, Science & Health, <http://ucsfconsortium.uchastings.edu/clinical/medicallawpartnership/index.php> (last visited May 29, 2013).

²⁰ See Paula Span, *The Doctor's New Prescription: A Lawyer*, N.Y. TIMES (March 31, 2013), <http://newoldage.blogs.nytimes.com/2013/03/21/lawyers-join-a-seniors-clinic/#more-14910>.

²¹ Jamie R. Abrams, *A Synergistic Pedagogical Approach to First-Year Teaching*, 48 DUQ. L. REV. 423, 438 (2010).

²² *Id.* at 442-444.

¹⁴ *Professional Foundations: An Innovative Component of the First-Year Curriculum*, Univ. of North Dakota School of Law, <http://law.und.edu/students/general/profound.cfm> (last visited May 29, 2013).

¹⁵ *Medical-Legal Partnership Clinic*, The Univ. of Kansas School of Law, <http://www.law.ku.edu/mlpclinic> (last visited May 29, 2013).

¹⁶ *KU Medical, Law Student Collaboration Expanded*, KU NEWS SERVICE (Feb. 8, 2013), <http://www.news.ku.edu/2013/02/08/ku-medical-law-student-collaboration-expanded>.

¹⁷ *Health and Elder Law Medical Legal Partnership*, Educating Tomorrows Lawyers, <http://educatingtomorrowslawyers.du.edu/course-portfolios/health-and-elder-law-medical-legal-partnership> (last visited May 29, 2013).

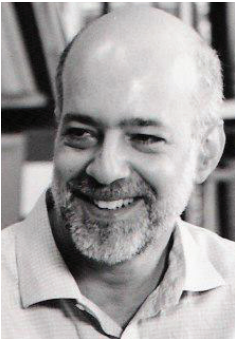
¹⁸ *Health Rights Clinic*, Univ. of Miami School of Law, <http://www.law.miami.edu/clinics/health-rights/> (last visited May 29, 2013).

¹⁹ *Medical Legal Partnership for Seniors Clinic*, UCSF / UC Hastings Consortium on Law, Science & Health, <http://ucsfconsortium.uchastings.edu/clinical/medicallawpartnership/index.php> (last visited May 29, 2013).

²⁰ See Paula Span, *The Doctor's New Prescription: A Lawyer*, N.Y. TIMES (March 31, 2013), <http://newoldage.blogs.nytimes.com/2013/03/21/lawyers-join-a-seniors-clinic/#more-14910>.

²¹ *About Lawyers For America*, Univ. of California Hastings Coll. of the Law, <http://www.uchastings.edu/academics/clinical-programs/lawyers-for-america/index.php> (last visited May 29, 2013).

²² *College of Law to Launch Teaching Law Firm in Summer*, ASU NEWS [BUSINESS, CULTURE & AFFAIRS] (March 7, 2013), https://asunews.asu.edu/20130307_lawteachingfirm.



Titles of Nobility: Poverty, Immigration, and Property in a Free and Democratic Society

Joseph William Singer¹

Excerpted from a talk given at the 2013 AALS Midyear Meeting Conference on Property, Immigration, and Poverty. Full speech is available at: www.aals.org/singer

SHERLOCK HOLMES AND DR. WATSON go on a camping trip. They set up their tent, have a modest meal, and go to sleep. In the middle of the night, Holmes wakes Watson up and asks him, “What do you see?” Watson looks up and sees the night sky and he tells Holmes so. “What does it mean?” Holmes asks. Watson looks at Holmes, trying to figure out what he’s getting at. He’s sure to be wrong, of course, whatever he says, but he gives it a try nevertheless: “It means,” Watson says, “that the universe is vast and mysterious and our knowledge limited. It means that we only understand what we can observe and that—” Holmes interrupts him. “No, you idiot,” he says. “It means someone has stolen our tent.”

Sometimes it is important to state the obvious, to confront truths so fundamental we have forgotten to see them. Here is a simple truth. Human beings have needs, and we cannot live without access to the things we need. Here is another truth: both sovereignty and property are premised on exclusion.² That leaves us with a problem. How do we reconcile our needs and our borders?

The American tradition emphasizes the equal status of all persons. “We hold these truths to be self-evident, that all [human beings] are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.” If all human beings are free and equal, then each person is entitled to belong somewhere and to obtain the things they need to live and to be free. If people cannot obtain what they need where they are, or if they have no place where they are entitled to be, then our exclusion of them denies their humanity.

What do immigration and poverty have in common? They concern the economy of belonging; they distinguish insiders and outsiders.

The problem of access is not limited to entry to the land; it also concerns entry to opportunity. I grew up in New Jersey. All right, I’ve heard all the New Jersey jokes; I’ve even told a few of them myself. And I admit it – the New Jersey Turnpike is one of the ugliest pieces of real estate on the eastern seaboard. But I am proud of my roots. New Jersey is called the Garden State and for good reason. I grew up near woods and farms and sandy beaches.

My parents moved to New Jersey in the 1950s because my father could not find an engineering job in New York City. At that time, many companies in New York would not hire Jewish engineers. Discrimination was widespread. But Monmouth County in New Jersey was home to Fort Monmouth and to Bell Laboratories and both of them hired Jews. I grew up in New Jersey because it let us in. I grew up in New Jersey because the United States gave my father a job; he was not turned away because he was different. New Jersey saved my father’s life.

And yet no sovereign has open borders and no owner can let everyone in. Owners and non-owners are not on equal footing; nor are citizens and noncitizens. Equality before the law does not mean that we do not allocate entitlements; I have rights in my home that you do not have. And this does not, by itself, treat you unequally or deny you equal concern and respect. The law makes distinctions and the distinction between those who are entitled to be in a place and those who are not is one of the most fundamental. It is a core norm of both sovereignty and ownership.

Borders protect those who are entitled to be inside but they leave others out in the cold. If a city prohibits

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¹ Bussey Professor of Law, Harvard Law School. Thanks and affection go to Martha Minow, Mira Singer.

² LAURA S. UNDERKUFFLER, *THE IDEA OF PROPERTY: ITS MEANING AND POWER* 141 (2003) (“The very nature of these resources, and of individual property claims to them, means that the extension of property protection in such resources to one person necessarily and inevitably denies the same rights to others.”).



Regina Burch Appointed as AALS Associate Director

Effective June 17, 2013, Professor Regina Burch of Capital University Law School began her term as AALS Associate Director.

Professor Burch currently serves as the Associate Dean for Graduate Programs and is responsible for the administration of the Master of Laws (LL.M.) and Master of Taxation (M.T.) programs at Capital. Burch has served in a number of administrative and leadership roles at Capital University Law School since 2008, including Director of Faculty Development, Strategic Planning Subcommittee Chairperson, and Director of Graduate Law Programs.

She has also served in a university-wide administrative capacity as Chair of the Capital University Senate Graduate Programs Committee. Burch teaches Business Associations, Corporate Finance, Mergers and Acquisitions, Securities Regulation and a seminar in corporate governance.

Additionally, Professor Burch has great talent and experience within the realm of technology. Prior to attending law school and entering the academy, Burch obtained a Master of Science in Administration from the Massachusetts Institute of Technology Sloan School of Management and worked for approximately ten years as an in-house and outside management and information systems consultant. Her extensive knowledge surrounding information systems and product development combined with her perspective as a faculty member should serve the AALS well as we work to design future ways of serving faculty and member schools.

Professor Joseph Grant (Capital) lauded Professor Burch for her “determination, effort, organization, and work ethic.” Grant explained that she consistently “brings a level of dedication and commitment that is absolutely supreme.” According to Grant, she demonstrates commendable leadership in the law school and within the community. She handles these different roles “gracefully and effortlessly.”

Professor Mike Distelhorst (Capital) described Professor Burch as “a facilitative leader who is always thoughtful

and considerate of others. She is enthusiastic and energetic. She is a person of integrity and principle. Overall, she is a wonderful colleague to work with. She draws people together in a project with a sense of purpose and excellence.”

One of Burch’s former colleagues, Professor Susan Rozelle (Stetson), said that “Regina is the perfect person for this role; she is just so capable in everything she does. She’s an esteemed scholar and a thoughtful teacher, and -- probably most important for the AALS -- she gets things done. Regina is the kind of administrator who can handle anything that comes, and does so with grace. She’s extremely organized, and so considerate of others.”

Professor Richard Simpson (Capital) stated that “Professor Regina Burch is a popular and productive member of our faculty. She possesses a rare combination of intellect and judgment that has served us well in leadership positions at the school. We will miss her quiet demeanor and thoughtful responses whenever challenging issues are on our agenda but we know the legal academy will benefit from her service at AALS.”

Regina Burch writes about corporate governance structures and the law’s ability to effectuate change in executive decision-making, among other topics. Her publications include: *The Myth of the Unbiased Director*, Akron University Law Review; *Worldview Diversity in the Boardroom: A Law and Social Equity Rationale*, Loyola University Chicago Law Journal; and *Financial Regulatory Reform Post-Financial Crisis: Unintended Consequences for Small Businesses*, Penn State Law Review.

AALS Executive Director Susan Westerberg Prager shared that “the AALS is fortunate to have Professor and Associate Dean Regina Burch join the staff, especially because she is a seasoned and wise leader. I very much look forward to working with Regina during the final months of my term as Executive Director, and I know the AALS will benefit from her service in many ways, including her ability to use her technology background to help assess choices AALS will be making in technology to better serve our faculties and the AALS’ programmatic aspirations.”

“I am thrilled that the AALS staff has asked me to join them,” stated Professor Burch. “I look forward to serving the AALS’ constituencies.”

The Association continues to be exceptionally fortunate to have such talented and thoughtful individuals assume the role of Associate Director and the AALS looks forward to Professor Burch continuing this long-standing tradition.

2014 AALS ANNUAL MEETING

Overview and Theme

THURSDAY, JANUARY 2 - SUNDAY, JANUARY 5, 2014
NEW YORK, NY
WWW.AALS.ORG/AM2014

We are thrilled to return to the Big Apple for the 2014 AALS Annual Meeting!

In 2008, we had the highest attendance ever in the vibrant city of New York. We foresee another successful meeting this coming January and we hope you will plan to be there. The Annual Meeting will take place at the New York Hilton Midtown, located in the heart of New York City in Midtown Manhattan, within walking distance from New York's premier attractions such as Times Square, Radio City Music Hall, Fifth Avenue shopping, the Broadway Theatre district, Central Park, The Museum of Modern Art (MoMA) and many more iconic New York landmarks.

Looking Forward: Legal Education in the 21st Century

As the legal academy's learned society, AALS will engage with the challenges and criticisms facing law schools and legal education.

Questions about the value and future of legal education have repeatedly dominated academic conversations and commanded news headlines in recent years. Recognizing that criticism is not crisis is the first step to engaging productively in these challenges in an effective way. Our schools are not homogenous, and neither will the solutions be, but there are fundamental tensions that all law schools experience and much to be learned from the exchange of strategies and ideas. By looking at the shared challenges facing legal education in an organized and comprehensive manner, we can address the issues that we all encounter as educators and members of the academy such as technology in the classroom, distance education, the expansion of non-JD graduate degrees, access to legal education, diversity in the classroom and faculty, the provision of legal services in a broad way, globalization, the cost of legal education, and many other relevant topics.

As we consider what the future holds for legal education and the academy, this annual meeting will play a crucial role in encouraging active engagement and debate. The Annual Meeting will provide opportunities to map out effective strategies tailored to the particular needs, resources, and students of different schools. It will also serve as an important step towards engaging with fellow faculty members in shaping legal education and its future leaders.

Leo P. Martinez,
 AALS President and University of California, Hastings College of Law

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2014 AALS ANNUAL MEETING

Meeting Highlights

PRESIDENTIAL PROGRAM - A JOINT PROGRAM OF THE AALS AND EUROPEAN LAW FACULTY ASSOCIATION ON EUROPEAN LEGAL EDUCATION This Presidential Program will take place on Friday, January 3 from 10:30 a.m. – 12:15 p.m.

WORKSHOP ON TOMORROW'S LAW SCHOOLS: ECONOMICS, GOVERNANCE AND JUSTICE a follow up program to the highly attended 2011 Annual Meeting Workshop "The Future of the Legal Profession" will take place on Sunday, January 5, from 8:45 a.m. – 3:15 p.m.

QUANTITATIVE EMPIRICAL TRAINING WORKSHOP, an intensive 10-hour course on statistical analysis in the legal context. There is an additional registration fee of \$100 which includes a box lunch. Advance registration is required and homework will be assigned. The workshop will take place Saturday, January 4, from 2:00 – 5:00 p.m. and continue on Sunday, January 5, from 9:00 a.m. – 5:00 p.m.

QUALITATIVE EMPIRICAL RESEARCH WORKSHOP, a 10-hour course providing an overview of qualitative research approaches. There is an additional registration fee of \$100 which includes a box lunch. Advance registration is required and optional homework will be assigned. The workshop will take place Saturday January 4, from 2:00 – 5:00 p.m. and continue on Sunday, January 5, from 9:00 a.m. – 5:00 p.m.

AALS COMMITTEE PROGRAMS -

The AALS Advisory Group on Global Engagement coordinated two programs for this Annual Meeting: The interactive workshop "What We Have Done, What We Are Doing and a Time to Engage" on Friday, January 3 from 3:30 to 5:15 p.m. and on Saturday, January 4 at 2:00 p.m. the program "Globalization Models – Developing Optimal Models for Your Law School." Also on Friday, the AALS Committee on Curriculum will present its "Positive Responses to Declining Resources" at 1:30 p.m. and at 3:30 p.m. the AALS Committee on Libraries and Technology will offer "The Law Library: Creative and Strategic Innovation in the Midst of Change." Finally, on Saturday at 10:30 a.m., the AALS Committee on Research will present "Faculty/Student Scholarship: Opportunities for Collaboration and Teaching."

LAW AND FILM SERIES Join us on Friday, January 3, at 7:30 p.m. for a double feature of two classic feature films, "The Wrong Man" and "Inherit the Wind." On Saturday, January 4, at 8:00 p.m. a double feature of competitively selected documentaries "Central Park Five" and "Art of the Steal" will be shown. These films have been identified for their cinematic and legal value and for possible classroom use.

AALS GALA RECEPTION Mingle with your colleagues and enjoy a reception in a relaxed and festive atmosphere on Saturday, January 4, from 7:30 – 9:30 p.m.

EXHIBIT HALL The AALS Exhibit Hall gives attendees the opportunity to discuss teaching methods and new technologies in legal education with exhibiting companies and view and discuss products that can enhance your teaching and career. The Exhibit Hall also serves as a "Meeting Place" for attendees to interact and exchange ideas and includes a lounge area with coffee, tea, pastries or cookies served in the mornings and afternoons. Review the program for the open hours of the Exhibit Hall.

HOUSE OF REPRESENTATIVES The AALS House of Representatives will meet on Friday, January 3, at 5:15 p.m. and again on Saturday, January 4, at 5:45 p.m. Designated representatives from all member law schools are expected to attend the meeting of the House of Representatives. All law school teacher attendees are invited to attend.

NETWORKING The AALS Annual Meeting is an excellent opportunity to connect with colleagues from different law schools around matters of common interest. Law schools hold receptions for graduates and friends and many other legal education organizations hold meetings in conjunction with the Association's Annual Meeting.

PROGRAM UPDATES For up-to-date information about the meeting, please visit our frequently updated website at www.aals.org/am2014/. Click on the "Program" tab at the top of the page to find the program schedule, and then click on the program name link to see the list of current speakers and a program description.

2014 AALS ANNUAL MEETING

General Information

DATES AND LOCATION

The 2014 AALS Annual Meeting will be held in New York City, Thursday, January 2 through Sunday, January 5, 2014. The convention hotels are centrally located in the heart of New York City in midtown Manhattan, within walking distance from New York's premier attractions such as Times Square, Radio City Music Hall, Fifth Avenue shopping, the Broadway Theatre district, Central Park, The Museum of Modern Art (MoMA) and many more iconic New York landmarks.

REGISTRATION

You may register online at www.aals.org/am2014/ if you are listed in the *AALS Directory of Law Teachers*. If you are not in the Directory, ask your Dean's office to add you to the AALS Law School Roster, so that you can register online. The printed program will be mailed in early September. **The early bird registration deadline date is November 14.**

MEETING REGISTRATION FEE

Includes admission to all AALS programs (excluding AALS Luncheon and Section ticketed events).

FACULTY & EMPLOYEES OF AALS MEMBER & FEE-PAID SCHOOLS

\$425 if received by November 14

\$475 if received after November 14

- Meeting Sign Up: Review the program and indicate the sessions you plan to attend by selecting the "Session Code." You can find the codes listed immediately to the left of the program names throughout the program (e.g. [4180] Section on Constitutional Law).

- Registration Questions? Contact AALS registration at (202) 296-2355, fax (202) 872-1829, or email: registration@aals.org.

HEADQUARTER HOTEL

AALS Registration, Exhibit Hall, Section Programs, and the House of Representatives meetings will be held at the New York Hilton Midtown.

OTHER HOTELS

Sheraton New York, New York Marriott Marquis and Renaissance New York, Times Square.

HOTEL RESERVATIONS

After completion of the registration process, you will receive a confirmation email from AALS with instructions for booking a hotel reservation along with a list of AALS convention hotels, locations, group rates, and a link to book reservations online. AALS convention hotels will only accept reservations made through Official Housing. The housing process is designed to ensure that AALS group rate hotel rooms are reserved by those that support the Annual Meeting – its attendees and exhibitors.

ADMISSION POLICY

Admission to all programs requires your AALS qualifying name badge. Admission to ticketed events requires both your name badge and a purchased ticket for the meal event.

2014 AALS ANNUAL MEETING

Request for Bridge Program Proposals

AALS is requesting proposals for “Bridge Programs” for the 2014 AALS Annual Meeting in New York City. The purpose of the Bridge Program time slot is to provide a forum for a panel presentation on a timely and important issue of general interest that arises after the March 15, 2013 deadline for Sections and typically other program topics. Bridge Programs are also programs involving many subject interests, are also typically multidisciplinary, are not usual topics presented by a Section, and may not overlap with any Annual Meeting programs.

Faculty members at AALS member law schools who are interested in organizing a one-hour and 45-minute Bridge Program panel presentation have the opportunity to submit a proposal by October 25, 2013. Proposals should be submitted by email to bridgeprogram@aals.org.

Bridge Program proposals may only be submitted by individuals or groups of individuals from AALS member law schools. Proposals may not be submitted by Sections or organizations. Additionally, only faculty members at AALS member law schools may submit. Foreign, visiting, and adjunct faculty members, graduate students, and fellows are not eligible to submit a proposal. Faculty members at fee-paid schools are also not eligible.

When developing the Bridge Program proposal you should consider the following:

- Is there a diversity of presenters?
 - Is there junior and senior teacher involvement?
- Bridge Program proposals should not feature a program or subject that is already addressed elsewhere in the Annual Meeting program. Please review the Annual Meeting schedule on the website at www.aals.org/am2014/ for scheduled programs to make sure the Bridge Program proposal is not duplicating an existing AALS, Committee, or Section program already being presented.

Each Bridge Program proposal should contain the following information:

- 1) Title of the proposed Bridge Program;
- 2) Description of the program;
- 3) Confirmed list of panel members, their full names, and school; and
- 4) Explanation as to why the proposal topic is one or more of the following:
 - “hot,” timely, or late-breaking legal issue that could not be identified prior to March 15, 2013;
 - one that brings together multiple subject areas;
 - multidisciplinary;
 - one that involves issues not usually presented by Sections;
 - not duplicative of any 2014 Annual Meeting program.

Bridge Program proposals will be evaluated by the AALS Committee on Special Programs for the Annual Meeting. Bridge Program proposals that are selected by the committee will be assigned a program time slot and cannot be changed for accommodation of speakers because space and time are limited.

AALS will notify proposers of the committee’s decisions by December 2.

If no Bridge Program proposals are chosen for a particular year, the Bridge Program slots will not otherwise be filled. If you have questions, please contact, AALS Managing Director at jlabarbera@aals.org.

Bridge Program proposals should be emailed to bridgeprogram@aals.org by October 25, 2013.

2014 AALS ANNUAL MEETING

Schedule-At-A-Glance

This program schedule-at-a-glance will help you register and sign-up for program sessions for the 2014 AALS Annual Meeting in New York City. To view a program's descriptions and speakers, visit www.aals.org/am2014 and click on the "Program" tab at the top of the page. You may download and search the whole PDF program included on that page by using "Ctrl F" on your keyboard. When registering, please list the four-digit session code on your registration form to indicate the sessions you will be attending. You can find the session codes listed immediately to the left of the program name in the schedule below.

There are 45 Section programs holding a "Call for Papers" to select at least one panel presenter from a "Call for Papers" proposal.

THURSDAY, JANUARY 2, 2014**7:30 P.M.**

[4050] AALS Law and Film Series – The Classic Film Selections

FRIDAY, JANUARY 3, 2014**8:00 A.M. - 4:30 P.M.**

[1402] Environmental Law and Natural Resources and Energy Law Joint Field Trip – *Disaster Management, Climate Adaptation, and Building Resilience: The Lessons from Hurricane Sandy*

8:30 A.M. - 12:30 P.M.

[5050] Poverty Law Service Project

AALS Program**8:30 - 10:15 A.M.**

[5060] AALS Site Evaluators Workshop

AALS Day-Long Section Program**9:00 A.M. - 5:15 P.M.**


[5070] Institutional Advancement – *Advancing Legal Education: Meeting the Alumni, Development, and Communication Challenges of the 21st Century*


AALS Section Programs**8:30 - 10:15 A.M.**


[5075] Administrative Law – *New Voices in Administrative Law*


[5080] Animal Law – *Ag-Gag Laws, Animals, Agriculture and Speech*

[5090] Antitrust and Economic Regulation – *Old Agency in a New Bottle? Contemplating the 100th Birthday of the Federal Trade Commission*

[5100] Civil Rights, Co-Sponsored by Sections on Employment Discrimination and Minority Groups – *50th Anniversary of the Civil Rights Act of 1964: Examining its Future (Part I)* – 

[5120] Comparative Law – *Works-in-Progress Program in Comparative Law* – 

[5130] Constitutional Law – *The Importance of Constitutionalism Part I* (This program will be continued at 3:30 p.m.) – 

[5140] International Law – *International Law-Making and the United Nations* – 

[5150] Law School Administration and Finance – To be announced.

[5160] Legal Writing, Reasoning, and Research – *Reading Comprehension in the Age of Twitter: Teaching Law Students to Read for Meaning and Materiality*


[5170] Trusts and Estates – *The Next Generation of Trusts and Estates Scholarship*


10:30 A.M. - 12:15 P.M.

[5200] Conflict of Laws, Co-Sponsored by Section on International Law – *The New Territorialism and the Supreme Court*

[5205] European Law and Financial Institutions and Consumer Financial Services Joint Program – *Taking Stock of Post-Crisis Reforms: Local, Global, and Comparative Perspectives on Financial Sector Regulation* 


[5210] Federal Courts – *Standing in the Roberts Court*

[5220] Internet and Computer Law – *The Disruptive Rise of the Mobile Internet* 

[5230] Labor Relations and Employment Law – *Making Visible the Invisible: Reimagining Labor* 

[5240] Litigation – *Preparing the 21st Century Litigator* 

FRIDAY, JANUARY 3, 2014 (Continued)

[5250] Nonprofit and Philanthropy Law, Co-Sponsored by Section on Law, Medicine and Health Care – *The Role of Nonprofits Under the Affordable Care Act* 

[5260] Part-Time Division – *Reaching Our Part-Time Students – Flipped, MOOC'd or Blended: Developing Strategies to Engage the Part-Time Curriculum*

[5270] Women in Legal Education – *Speed Mentoring* 

AALS Section Luncheons

12:15 - 1:30 P.M.

[1403] Clinical Legal Education Luncheon and Business Meeting

[1404] Financial Institutions and Consumer Financial Services Luncheon

[1405] Labor Relations and Employment Law Luncheon

[1406] Law Libraries and Legal Information Luncheon

[1407] Legal Writing, Reasoning and Research Luncheon

[1408] Institutional Advancement Luncheon

[1409] Prelegal Education and Admission to Law School Luncheon

[1410] Women in Legal Education Luncheon

AALS Committee Programs

1:30 - 3:15 P.M.

[5275] Committee on Curriculum – *Positive Responses to Declining Resources*


AALS Section Programs

1:30 - 3:15 P.M.


[5280] Administrative Law – *Empirical Research in Administrative Law: Why and How*

[5290] Art Law – *A2A (Access to Art) and IP Law* 

[5300] Graduate Programs for Non-U.S. Lawyers – *Educating Non-U.S. Law Professors*

[5310] International Human Rights – *Gains and Domestic Hurdles in the Enforcement of International Human Rights Laws* 

[5320] Law Libraries and Legal Information – *What Students Don't Know (But Should Know) About Research in Practice*

[5330] Legislation and Law of the Political Process – *Right to Vote: From Reynolds v. Sims to Shelby County and Beyond* 

[5340] Mass Communication Law – *The U.S. Supreme Court and the Press: Tensions and Trends*

[5350] Securities Regulation – *Securities Fraud in the U.S. and Abroad* 

[5360] Scholarship – *Legal Scholarship Beyond the Law Review: Books, Briefs, Letters, and Other Avenues of Influence*

AALS Presidential Program

3:30 - 5:15 P.M.

[5365] Presidential Program – Joint Program of AALS and European Law Faculty Association – *European Legal Education – Developments and Trends in European Legal Education: What Can We Learn*

AALS Committee Programs

3:30 - 5:15 P.M.

[5370] AALS Advisory Group on Global Engagement – Interactive Workshop: *What We Have Done, What We Are Doing and a Time to Engage*

[5380] AALS Committee on Libraries and Technology – *The Law Library: Creative and Strategic Innovation in the Midst of Change*

AALS Section Programs

3:30 - 5:15 P.M.


[5390] Aging and the Law – *From the Affordable Care Act to Aging in Place: What You Need to Know As You Grow Older*

[5400] Agricultural and Food Law – *Innovations in Teaching Food Law and Policy: Definitions, Fellowships, Clinics and Local Food Initiatives*


[5410] Children and the Law, Co-Sponsored by Section on International Human Rights – *Guns, Violence and Children* 

[5420] Constitutional Law – *The Importance of Constitutionalism Part II* (Continued from 8:30 a.m.) 

[5430] Jurisprudence – *Markets, Market Regulation and the Philosophy of Contract: Tensions and Opportunities for Reconciliation*

[5440] Minority Groups, Co-Sponsored by Sections on Civil Rights and Employment Discrimination – *50th Anniversary of the Civil Rights Act of 1964: Examining Its Past and Contemporary Effects (Part II)* 

[5450] Post-Graduate Legal Education – *Legal Education for a New Audience – Law School Programs for Non-J.D.s/LL.M.s*

[5460] Pro Bono and Public Service Opportunities – *Building Support for Pro Bono and Public Service: Identifying and Cultivating Allies and Partners* 

[5470] Taxation – *Now You See It, Now You Don't: Salience in Taxation*

FRIDAY, JANUARY 3, 2014 (Continued)

AALS Programs

5:15 - 6:30 P.M.

[5480] First Meeting of AALS House of Representatives

6:30 - 7:30 P.M.

[5490] AALS Reception for Law School Teachers of the Year and Emeriti Faculty Members

AALS Section Business Meetings

6:30 P.M.

[5510] Academic Support Business Meeting

[5520] Agency, Partnership, LLCs, and Unincorporated Associations Business Meeting

[5530] Balance in Legal Education Business Meeting

[5540] Pro Bono and Public Service Opportunities Business Meeting

[5570] Women in Legal Education Business Meeting

SATURDAY, JANUARY 4, 2014

AALS Section Breakfasts

7:00 - 8:30 A.M.

[1411] Indian Nations and Indigenous Peoples Breakfast

[1412] Property Law Breakfast

AALS Committee Programs

2:00 - 5:00 P.M.

[1418] Committee on Research Workshop – *Quantitative Workshop* (There is an additional fee of \$100 to attend this 1 ½ day workshop which continues Sunday from 9:00 a.m. – 5:00 p.m.)

[1420] Committee on Research Workshop – *Qualitative Workshop* (There is an additional fee of \$100 to attend this 1 ½ day workshop which continues Sunday from 9:00 a.m. – 5:00 p.m.)

AALS Day-Long Section Program

8:30 A.M. - 5:15 P.M.

[6050] Institutional Advancement – *Advancing Legal Education: Meeting the Alumni, Development, and Communication Challenges of the 21st Century*

AALS Section Programs

8:30 - 10:15 A.M.

[5145] Law and Anthropology – *The Language of the Law in Indigenous Rights*

[6060] Civil Procedure – *Innovations in the District Courts: How Judges and Districts Can Address Cost, Delay and Access to Justice*

[6070] Continuing Legal Education – *Digitally Global: The Role of Digital Technology in the Rise of CLE's Focus Upon Global Lawyering*

[6080] Creditors' and Debtors Rights – *Empirical Studies in Bankruptcy*

[6090] Criminal Justice – *The Coming Decarceration*

[6100] for the Law School Dean – *Managing the Transformation of Legal Education: Lessons from Other Disciplines – A Roundtable Discussion*

[6110] Education Law, Co-Sponsored by Section on Disability Law – *Law and the Education of Children with Disabilities* 

[6120] Employee Benefits and Executive Compensation – *What Every Law Professor Needs to Know, and Do Today to Have a Financially Secure Retirement*

[6130] Environmental Law and Natural Resources and Energy Law Joint Program – *The Emergence of Global Environmental and Natural Resources Law*

[6140] Law and Interpretation – *Law as Interpretation*

[6150] Legal History – *U.S. Extraterritorial Courts Before Guantanamo*

AALS Committee Program


10:30 A.M. - 12:15 P.M.


[6160] AALS Committee on Research – *Faculty/Student Scholarship: Opportunities for Collaboration and Teaching*

AALS Section Program


10:30 A.M. - 12:15 P.M.

[6170] Academic Support – *Early Intervention for At-Risk Students* 

[6180] Africa and Law and South Asian Studies Joint Program, Co-Sponsored by Sections on Comparative Law and Constitutional Law – *Constitutional Conflict and Development: Perspectives from South Asia and Africa* 

[6190] Agency, Partnership, LLCs, and Unincorporated Associations – *Effective Methods for Teaching LLCs and Unincorporated Business Arrangements* 

[6200] Biolaw – *Risk and Regulation: Biosecurity and the Law*

[6210] Clinical Legal Education and Poverty Law Joint Program – *Fifty Years After the War on Poverty: Evaluating Past Enactments and Interdisciplinary Approaches for Addressing Poverty in the 21st Century* 

[6220] for the Law School Dean (*A Deans-only program*) – *Using Tools of Awareness for Coping with the New Reality*

[6230] Defamation and Privacy, Co-Sponsored by Sections on Children and the Law and Family and Juvenile Law – *Under the Parental Gaze in the 21st Century: Children Privacy Rights Against Their Parents* 

SATURDAY, JANUARY 4, 2014 (Continued)

[6240] Insurance Law and Torts and Compensation Systems Joint Program – *On the Unavoidable Intersection of Torts and Insurance*

[6250] Law and Mental Disability, Co-Sponsored by Section on Disability Law – *Guns, Violence and Mental Disability: Examining the Legal Political and Public Policy Issues*

[6260] Property Law and Real Estate Transactions Joint Program – *The Suburbs in Flux: Perspectives from Property and Real Estate Law*

AALS Luncheon

12:30 - 2:00 P.M.

[1401] Association Luncheon

AALS Program

2:00 - 3:45 P.M.

[6270] AALS Scholarly Paper Presentation

AALS Committee Program

2:00 - 5:45 P.M.

[6280] AALS Advisory Group on Global Engagement – *Globalization of Legal Education: Developing Optimal Models for Your Law School*

AALS Section Programs

2:00 - 3:45 P.M.

[6290] Business Associations – *The Value Proposition for Business Associations in Tomorrow's Legal Education*

[6300] Comparative Law and State and Local Government Law Joint Program – *Comparative Urban Governance*

[6310] Employment Discrimination, Co-Sponsored by Sections on Civil Rights and Minority Groups – *Title VII at Fifty: Looking Forward and Looking Back*

[6320] Law and Economics and Law and the Social Sciences Joint Program – *Empirical Legal Studies: Advances in Pedagogy and Research*

[6330] Law, Medicine and Health Care – *Sustainability and Health*

[6340] Law and Religion – *Cooperating with Evil, Complicity with Sin*

[6350] Law and Sports – *O'Bannon v. NCAA: Is There An Unprecedented Change To Intercollegiate Sports Just Over The Horizon?*

[6360] Professional Responsibility – *The Lost Lawyer and the Lawyer-Statesman Ideal: A Generation Later – the Shifting Sands of Professional Identity*

[6370] Remedies – *New Voices in Public Remedies*

[6380] Teaching Methods – *Masters at Work: The Many Facets of Effective Teaching*

[6390] Alternative Dispute Resolution – *ADR and the Regulatory State*

4:00 - 5:45 P.M.

[6400] Disability Law, Co-Sponsored by Section on Law and Mental Disability – *The Persistent Societal Habits of Bullying, Harassing and Excluding: Exploring the Current Legal and Public Policy Issues at the Forefront of Efforts Combating Such Discrimination*

[6410] Evidence – *Forensic Evidence and the Confrontation Clause: Where Now?*

[6415] Family and Juvenile Law and Immigration Law Joint Program – *Families and Immigration*

[6420] Indian Nations and Indigenous Peoples – *The Relationship Between Federal Indian Law and Tribal Law*

[6430] Intellectual Property Law – *Protecting Design*

[6440] Law and the Humanities – *Law and Music*

[6450] New Law Professors – *Developing as a Legal Scholar: Thoughts for New Law Professors*

[6460] Prelegal Education and Admission to Law School, Co-Sponsored by Section on Student Services – *Transfer Students – The Impact on Admissions and Student Services*

[6470] National Security Law – *What Happens With the End of Al Qaeda?*

[6480] Transactional Law and Skills – *Value Creation By Business Lawyers in the 21st Century*

AALS Programs

5:45 - 7:00 P.M.

[6490] Second Meeting of AALS House of Representatives

5:45 - 7:00 P.M.

[6500] Association on American Law Schools Gala Reception

8:00 P.M. [6510] AALS Law and Film Series – The Documentary Film Selections

SUNDAY, JANUARY 5, 2014

AALS Presidential Program

8:45 A.M. - 3:15 P.M.

[7060] *AALS Presidential Workshop on Tomorrow's Law Schools: Economics, Governance and Justice*

AALS Committee Programs

9:00 A.M. - 5:00 P.M.

[1419] Committee on Research Workshop – *Quantitative Workshop* (There is an additional fee of \$100 to attend this 1 ½ day program. This program is a continuation from Saturday.)

[1421] Committee on Research Workshop – *Qualitative Workshop* (There is an additional fee of \$100 to attend this 1 ½ day program. This program is a continuation from Saturday.)

AALS Program

9:00 A.M. - 5:00 P.M.

[7070] AALS Academic Symposium – *Comparative Constitutional Change: New Perspectives on Formal and Informal Amendment*

9:00 A.M. - 12:00 P.M.

[7075] AALS Crosscutting Program – *Harnessing Psychological Research to Reform the Criminal Justice Process*

AALS Day-Long Section Programs

9:00 A.M. - 5:00 P.M.

[7080] Student Services – *Shaping Our Students' Future: Critical Issues from Admissions to the Practice of Law*

[7090] Socio Economics – *Socio-Economics: The Ethical Foundation for Analyzing Law-Related Economic Issue*

9:00 A.M. - 12:00 P.M.

[7110] Admiralty and Maritime Law and North American Cooperation Joint Program – *Legal Issues of the Arctic*

[7120] Commercial and Related Consumer Law and Contracts Joint Program – *The Restatement (Third) of Consumer Contracts and the Future of Consumer Law*

[7130] Islamic Law and Jewish Law Joint Program – *Islamic and Jewish Law in the 21st Century: Contemporary Challenges*

AALS Section Luncheons

12:15 - 1:45 P.M.

[1413] Criminal Justice Luncheon

[1414] Minority Groups Luncheon


[1415] Sexual Orientation & Gender Identity Issues Luncheon

[1416] Socio Economics Luncheon

[1417] Student Services Luncheon

AALS Section Programs

2:00 - 5:00 P.M.


[7140] Balance in Legal Education, Co-Sponsored by Section on Teaching Methods – *The Many Connections Between Well-Being and Professionalism in the Practice of Law* 

[7150] International Legal Exchange – *Preparing 21st Century Lawyers: Professional Development and Readiness Through International Legal Exchange*

[7160] Sexual Orientation & Gender Identity Issues – *Courting Justices: LGBT Law Advances in the Twenty-First Century* 

2:00 - 3:45 P.M.

[7170] Criminal Justice – *Guns, Drugs and Child Pornography*

[7180] Law Libraries and Legal Information – *The Reimagined Law Library: Reflecting the Shift from Collections to Services* 

[7190] Legal Writing, Reasoning and Research – *Erasing Boundaries: Inter-School Collaboration and Its Pedagogical Opportunities*

[7200] Taxation – *Tax Reform and the Legislative Process*

[7210] Women in Legal Education – *New Voices in Gender Studies*

5:00 - 6:00 P.M.

[7220] AALS Reception for Legal Educators from Law Schools Outside the United States

Please take note of a few changes to the 2014 Annual Meeting schedule from previous publications:

The AALS Gala Reception will now be held on Saturday, January 4, from 7:30-9:30 p.m. It was previously scheduled on Friday, January 3.

The second night of the AALS Law & Film Series (documentary film selections) will now be held on Saturday, January 4, starting at 8:00 p.m. It was previously scheduled on Friday, January 3.

2014 AALS ANNUAL MEETING

Presidential Workshop on Tomorrow's Law Schools: Economics, Governance and Justice

SUNDAY, JANUARY 5, 2014 | 8:45 A.M. – 3:15 P.M.

PLENARY SESSION I: THE ECONOMIC CONTEXT IN WHICH LEGAL EDUCATION IS SITUATED

The criticism focused on law schools in recent years tends to ignore that legal education does not exist in a vacuum. We operate among pressures for change that confront all of higher education and our graduates seek to enter a profession that is itself undergoing rapid change. This panel will introduce us to the context and issues with which any consideration of the future of legal education must deal.

MORNING AND AFTERNOON CONCURRENT SESSIONS

Access to Legal Education

The decline in the number of well-paying law firm jobs, rising tuition costs, increases in the level of student debt and the adverse publicity regarding legal education have discouraged some potential lawyers from applying to law school. Schools also may be experiencing a decline in the number of racial minorities and women applicants. This session is designed to discuss the impact of declining applications and enrollment and consider alternatives for strategic adjustments and best practices in transparency and budgeting for financial aid, placement office, academic support and other staffing.

Access to Legal Services

In the midst of discussions of the future of legal education, debate continues on whether there are too many lawyers or a maldistribution of those in the profession. This session focuses on whether proposed changes in legal education, and the cost, will offer a solution to this problem or further exacerbate efforts to provide free or affordable legal services to all citizens by directing graduates towards employment options that allow them to pay off their indebtedness. Presenters will also discuss the continuing need to provide low cost legal services through clinical education and recent innovations such as the provision incubator law firms and the use of technology.

Comparative Models for Legal Education: Lessons from Abroad

While U.S. legal education experiences challenges from several dimensions domestically, it remains an important model for efforts to reform legal education outside of the U.S. At the same time, U.S. legal education is significant for many lawyers first educated outside of the U.S. as an element in building their careers. In this session, speakers will draw from their research on legal education outside of the U.S. to highlight the impact and role of U.S. legal education in other countries. Their comments will contextualize the conversation about reforming U.S. legal education and provide insight into how it is valued and evaluated.

Cultural Competency/Multilingual Legal Education

Medical and other professional schools have incorporated “cultural competency” course work to prepare graduates to better work with racial and ethnic minorities, women, elderly, gay & lesbian and disabled clients. Moreover, the increasing international nature of law practice also calls for professionals equipped with multilingual proficiency and multicultural sensitivity. Participants in this session will discuss the pros and cons of such course work in the law school of the future and potential budgetary impacts of curriculum and other modifications in the program of legal education needed to include such training.

Developing Proposals at the State Level

Proposals have popped up in jurisdictions across the country for two-year law schools, tuition decreases and other modifications in the program of legal education. In some states, new requirements for admission to the bar are being discussed. Others are evaluating programs intended to mentor and assimilate newly admitted lawyers which have been in place for some time. Speakers at this session will discuss recent developments from a number of states and consider how legal education can be tailored to meet the changing nature of the environment in which legal services are delivered.

2014 AALS ANNUAL MEETING

Law Professors of the Future: A New Balance of Teaching, Scholarship and Service?

If tomorrow's law school will look different than today's law school, the law professor of the future will look different as well. Therefore, discussions of the changes needed in legal education require us to reexamine the current balance of teaching, scholarship and service in the academy. While the current model generally accepts the trade-off between teaching loads and the production of scholarship as a given, the law professor of the future may be required to spend less time on scholarship and be better equipped to spend more time in practice-oriented, skills training than classroom teaching. This new balance may also redefine the meaning of "scholarship." In addition, the need for tenured faculty may decline as part of the effort to keep tuition costs down. This session will examine whether and how the law professor of the future will differ from the current model of the legal educator.

The Future of Skills Training

Some have argued that legal education does not adequately prepare students for all the situations they will encounter when they practice law. While law schools have responded to this critique in various ways, the demand is growing for the expansion of experiential learning opportunities. This session will look closely at the budgetary implications of this trend and at the ways in which schools are scaling up skills training programs so that many more students can participate. The session will also discuss how technology is changing practice and the impact of technology in skills training.

Technology in Legal Education

This session will focus on the various ways in which technology is changing the nature of practice and the delivery of legal instruction.

PLENARY SESSION II: PRODUCTIVELY PARTICIPATING IN SHARED GOVERNANCE

As a result of our background and experience, many law school faculty and administrators can make a significant contribution to the governance of our respective institutions. What's the learning curve needed to participate effectively? How do members of a governing board view faculty? Are there certain moments in the life of a university, such as transitions in leadership, at which faculty involvement can be particularly important in sustaining the academic focus of the enterprise? Speakers in this session will discuss developing concepts in university governance, including "data-driven practice," "quantified deliverables" and "strategic dynamism." They will also discuss lessons learned from their experiences as participants in university governance.

2014 Presidential Workshop Planning Committee

Thomas D. Morgan, The George Washington University Law School

Carol A. Needham, Saint Louis University School of Law, **Chair**

Wendy B. Scott, North Carolina Central University School of Law

Carole Silver, Indiana University Maurer School of Law

2014 AALS ANNUAL MEETING

Academic Symposium on Comparative Constitutional Change

SUNDAY, JANUARY 5, 2014 | 9:00 A.M. – 5:00 P.M.

For the first time, the 2014 Annual Meeting will feature a program expressly structured as an academic symposium. The Committee on Sections and the Annual Meeting has selected a program on “Comparative Constitutional Change: New Perspectives on Formal and Informal Amendment” for this year’s inaugural academic symposium.

Organized by Professor Richard Albert (Boston College Law School), the symposium will include the following scholars exploring formal and informal amendment rules from a comparative perspective:

- Richard Albert, Boston College Law School: *Constitutional Amendment by Constitutional Desuetude and The Design of Formal Amendment Rules in Canada*
- Rosalind Dixon, University of New South Wales: *Transnational Constitutionalism and Unconstitutional Constitutional Amendment*
- James Fleming, Boston University School of Law: *Fidelity and Change in Constitutional Interpretation*
- Stephen Gardbaum, University of California, Los Angeles School of Law: *Separation of Powers and the Growth of Judicial Review in Established Democracies (or Why has the Model of Legislative Supremacy Mostly been Withdrawn from Sale?)*
- Tom Ginsburg, University of Chicago Law School: *The Challenges of Measuring Amendment Difficulty*
- Ran Hirschl, University of Toronto: *Grappling with the Laws of Others: Adaptation and Resistance in Constitutional Law and in Religious Law*
- Samuel Issacharoff, New York University School of Law: *Constitutions and Constitutional Courts in Fragile Democracies*
- Vicki Jackson, Harvard Law School: *The Myth of Impossibility of Amendment*
- Sanford Levinson, The University of Texas School of Law: *The More Things Change, the More They Stay the Same: The Limits of Non-Article V Theories of Constitutional Amendment (and What Might be Learned from American State Constitutions)*
- Kim Lane Scheppele, Princeton Law School: *Can a Constitution be Unconstitutional?*
- Mark Tushnet, Harvard Law School: *Constituent Power and Unconstitutional Constitutional Amendments*

The symposium will be moderated by Joel Colón-Ríos, Victoria University of Wellington and David Landau, Florida State University College of Law. The four scheduled panels will discuss both unconventional forms of constitutional change and structural constitutional change in order to facilitate a better understanding of the comparative analysis of constitutional amendments and to inspire further scholarship in this area. Publications from this symposium will appear in the AMERICAN JOURNAL OF COMPARATIVE LAW and the INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW.

AALS Resource Corps: Providing Meaningful Retreat Facilitation to AALS Member Schools

The AALS Resource Corps includes respected and experienced legal educators from diverse schools throughout the country. It was designed as a means to facilitate effective planning and decision-making within law schools through assistance from trained colleagues who could help manage the process of deliberation. The ultimate goal is to establish a diverse group of colleagues skilled in group deliberation processes, which would make it easier and less expensive for law schools to engage effectively in planning and similar processes.

The Resource Corps was created in 1995 as an initiative that Judith Wegner (University of North Carolina School of Law) proposed during her tenure as AALS President. The idea was modeled on a program that had been created by the National League of Cities in which she participated when she was a town council member several years before.

In 1996, the Association of American Law Schools trained a group of ten faculty members to provide retreat facilitation to law schools requesting their services. A second cohort of Resource Corps members was trained in June 2000. Resource Corps members receive special training in effective group processes and in using collaborative problem-solving techniques to address issues commonly confronting law schools. As a side benefit, those who serve as members of the Resource Corps gain insight about the experiences of diverse law schools and become more effective leaders in their own right.

The members of the Resource Corps are available to work with law schools trying to develop an enduring capacity for collaborative problem-solving while at the same time addressing one or more specific issues of current concern. These issues could include: (1) clarification of institutional mission and creation of an effective action plan to address changes in priorities, applicant pools, or financial resources; (2) reassessment of academic program or pedagogy; (3) development of goals and objectives to guide an upcoming dean search; (4) creation and retention of a more diverse faculty and student body; or (5) development of an institutional climate more conducive to outstanding scholarship.

Resource Corps members facilitate an off-site school retreat lasting between one and two days and assist the school with follow-through after the retreat. It is critical to the success of this project that schools have identified a particular project and that the dean and faculty both

understand the purpose of the Resource Corps and be committed to the concept of outside facilitation.

AALS President Leo Martinez (University of California, Hastings College of the Law) has served as a member of the Resource Corps since 2000. As a member, Martinez enjoys helping “faculty members think critically about the enterprise of legal education at their particular school in a systematic way. This process forces faculty members to take a particularized approach as opposed to a ‘one size fits all’ approach in an effort to address school specific challenges. We do not provide answers. Rather we help the faculty themselves come to grips with their situation and help them think about the answers that work for them.”

Professor Wegner “enjoys learning about the dilemmas faced by schools in different parts of the country, assisting them in their discussions, and modeling effective approaches to deliberation.”

Former AALS President Nancy Rogers (The Ohio State University, Michael E. Moritz College of Law), who has visited over 15 schools as a member of the Resource Corps, believes that Professor Wegner’s idea behind the Resource Corps was very sound.

“Legal academics can be trained as facilitators so that they may more effectively help their colleagues at other law schools,” she said. “Additionally, Wegner’s concept that members of the Resource Corps would volunteer their service was vitally important to the success of the Resource Corps because it emphasizes the collegial nature of the facilitation.”

Todd Rakoff (Harvard Law School) found that working in pairs is useful because it “allows each member to pick up on vibrations and issues that one might otherwise miss. Also, participating in these visits provides a tremendous education in two ways: 1) you learn about what faculties are concerned about around the country; and 2) you also learn so much about the person with whom you are working. Nancy Rogers has the ability to work towards an amicable solution of issues in a highly effective way and I have learned a lot from working with her.”

Barbara Cox (California Western School of Law) observed that “as both a Resource Corps member and as a faculty member at a school that had a retreat facilitated

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Faculty Recruitment Conference

WASHINGTON, D.C.

THURSDAY, OCTOBER 17 - SATURDAY, OCTOBER 19, 2013

WWW.AALS.ORG/FRC

The Faculty Recruitment Conference (FRC) offers a centralized meeting space for law school recruitment teams to meet and interview Faculty Appointments Registrants in a short period of time. Schools prearrange the interviews they will conduct at the Conference. The Conference will be held at the Marriott Wardman Park Hotel in Washington, D.C., Thursday-Saturday, October 17-19, 2013.

Prior to the conference, registrants submit their Faculty Appointments Register form to be included in one of the three 2013 Faculty Appointments Register distributions on or before September 25, 2013, for a fee of \$450. There is no additional fee for a registrant's attendance at the Conference, or for a subscription to the *AALS Placement Bulletin*, where law schools advertise positions.

For more information on the Faculty Recruitment Conference and other Faculty Recruitment Services visit: www.aals.org/frc

Visiting Faculty Register

The Visiting Faculty Register is compiled as a service to AALS member law schools and to law schools enrolled in our service plan. This register includes only full-time and emeriti tenure-track or equivalent (meaning long-term contract) law faculty who are currently (or were within the last two academic years) permanently associated with an AALS member or fee-paid law school. Visiting positions do not qualify. To be listed in this visiting faculty register, a person must have completed three years of full-time law teaching. Individuals with three years of law teaching experience who are not currently or who have not been permanently associated with an AALS member of fee-paid law school within the last two academic years may register for the visiting faculty register for a cost of \$450. This register, which is sent to deans and is made available to appointments committees, lists information such as the subjects a visitor is interested in teaching, as well as time period and location preferences. It is a service available to those interested in considering invitations to visit for all or part of an academic year, but does not apply to summer visiting positions. The Visiting Faculty Register is published online. Email visitingfaculty@aals.org with any further questions. As of 2012, the Retiring Faculty Register has been combined with the Visiting Faculty Register.

Foreign Visiting Faculty Register

The Foreign Visiting Faculty Register is for faculty who are faculty members at non-U.S. law schools seeking to visit at a U.S. law school. Twice each year the Association circulates to law school deans a list of foreign legal scholars interested in visiting at a U.S. law school. The Foreign Visiting Faculty Register contains a summary of biographical information on each registrant, including his or her education, present law school affiliation, teaching experience in common law countries, U.S. law teacher references, and dates of availability. The Foreign Visiting Faculty Register is published in October and February, with respective deadlines for submission of the register form on October 10 (for the October edition) and February 10 (for the February edition). Email foreignvisitingfaculty@aals.org with any further questions.

AALS Resource Corps (continued from previous page)

by Resource Corps members, I'd encourage other schools to make use of this important resource offered by the AALS. Because schools are getting trained facilitators and experts on legal education for the cost of their travel expenses alone, it's a great resource especially during these difficult financial times at many law schools."

Resource Corps arrangements should be made by contacting the Executive Director Susan Prager, who makes Resource Corps assignments. We strongly recommend that schools contact AALS at least five months in advance in order to gain access to a Resource Corps team.

Workshop for Transnational Perspectives of Equality Law

SUNDAY, JUNE 22 - TUESDAY, JUNE 24, 2014
WASHINGTON, DC

Antidiscrimination law is an American invention that has spread all around the world. During the American civil rights movement of the 1960s, antidiscrimination law promised radical social transformations towards equality for women and minorities in the workplace, in politics, and in education. But recent developments in Equal Protection and Title VII doctrine have paralyzed this trajectory. Meanwhile, the last decade has seen the unprecedented globalization of antidiscrimination law, as well as its expansion and alternative development outside the United States, catalyzed largely by the European Union's two directives in 2000, on race equality and on equal treatment in employment. Over the last few years, a new body of equality law and policy experimentation has emerged not only in the EU and in European countries, but also in South Africa, Canada, Latin America, and Asia. There is a range of public policies adopted to mitigate the disadvantages of vulnerable groups such as racial, ethnic, and religious minorities, women, the disabled, the elderly, and the poor, constituting an "equality law" that goes beyond norms prohibiting discrimination.

At the same time, antidiscrimination law in the United States is changing. U.S. Supreme Court decisions over the last several years (*Ricci v. DeStefano*, *Parents Involved in Community Schools v. Seattle School District*, *Wal-Mart v. Dukes*) have signaled the end of antidiscrimination law as envisioned by the civil rights movement in the United States. In response, there is growing scholarly interest in finding new approaches to the persistent problem of structural inequality. Comparative reflection is a productive tool, particularly when energy and optimism surrounds the trajectory of antidiscrimination law and equality policy outside of the United States. Now that there is over a decade's worth of new antidiscrimination activity in the EU countries following the 2000 equality directives, the time is ripe for scholarly reflection and evaluation of these developments. From an intellectual, practical, and strategic perspective, antidiscrimination scholars in the United States can no longer ignore developments in antidiscrimination law in other countries.

While a growing number of American legal scholars are lamenting the limits of antidiscrimination law, the recent growth of this body of law outside of the United States has largely gone unnoticed. The central purpose of this midyear meeting is to widen the comparative

lens on U.S. equality law – its failures, its achievements, and its potential – across a variety of subject areas. The meeting will provide a unique and much-needed opportunity to bring together scholars from various fields – constitutional law, employment discrimination law, comparative law, comparative constitutional law, election law, education law – to deepen and enrich the scholarship and teaching of equality. The meeting will also provide a unique opportunity for U.S. scholars to interact with a wide, varied, and stimulating group of antidiscrimination scholars working around the world.

Additionally, law schools are increasingly making their curricula more transnational and comparative. This workshop will assist teachers in integrating comparative perspectives to illuminate constitutional law, employment discrimination law, employment law, and other traditional subjects.

The workshop will explore a number of critical questions including what is at stake in looking comparatively when doing equality law; how affirmative action is understood in other legal systems; understanding disparate impact, accommodation, and positive rights. There will be sessions on religion, profiling, and equality and social movements. Transnational perspectives on equality law will be a greater component of antidiscrimination scholarship going forward.

Planning Committee for the Workshop on Transnational Perspectives of Equality Law

Guy-Uriel E. Charles, Duke University School of Law, **Chair**

Timothy A. Canova, Nova Southeastern University Shepard Broad Law Center

Richard T. Ford, Stanford Law School

Reva B. Siegel, Yale Law School

Julie C. Suk, Benjamin N. Cardozo School of Law

2013 Conference on Clinical Legal Education in San Juan, Puerto Rico

The Association of American Law Schools hosted the Law Clinic Directors Workshop on May 27-28, 2013 and the Conference on Clinical Legal Education in San Juan, Puerto Rico from April 28 - May 1, 2013. The theme of this year's Conference on Clinical Legal Education was The Value of Variety: Opportunities, Implications, and Challenges of Diversification in Clinical Programs. While the attendance for clinical conferences in the past five years has hovered between 500-600 attendees, this year there were 702 attendees. In total, 173 law schools attended this year's clinical conference, as compared to 161 in 2012.

The impetus of this theme was an observation made by Bob Jones (Notre Dame), then Immediate Past Chair of the AALS Section on Clinical Legal Education, that there has been "steady proliferation of clinical programs other than traditional in-house litigation clinics and the related development of pedagogies tailored to those types of clinics," along with "an increasing tendency of clinicians to engage in professional development in 'silos' focused on particular types of clinical practice."

Clinical conferences are typically structured to highlight common themes in large plenary sessions; explore them in more depth and specificity in multiple concurrent sessions; and provide participants with opportunities for small group discussion in working groups, which are commonly organized according to clinic subject matters such as criminal law, family law, domestic violence, environmental law, and so forth. Because the plenary sessions attempt to appeal to the broadest



Law Clinic Directors Workshop: Phyllis Goldfarb (GWU), Ann Juergens (William Mitchell), Joan Howarth (Michigan State University), Scott Schumacher (Washington) and Julie D. Lawton (DePaul).

audience, they typically explore the themes through examples and role-plays drawn from what is understood as the most typical type of clinic teaching setting: an in-house litigation clinic. As clinical legal education has diversified, clinicians who teach in less traditional settings, such as transactional clinics, policy clinics, mediation clinics, and externships, have been left to adapt the common themes to their different teaching settings and pedagogical methods in the small working group discussions.

The Puerto Rico conference turned the typical structure of clinical conferences on its head by using the plenaries

Improving the AALS Member Experience with Technology

At AALS, we're hard at work redesigning and reengineering many of our products and services with the goal of providing an easier, faster, and more efficient experience to our member school faculty and staff. If you attended one of our conferences this year, you may have already noticed shorter lines (7 minutes peak for the 2103 Annual Meeting vs. 60 minutes peak for the prior year) at our preregistration tables thanks to the new on-demand badge printing system.

We are happy to announce that another key service that the AALS offers – the Faculty Appointment Register - has been replaced with a brand new web application that offers a more informative and user-friendly process for both law teaching applicants and member school recruitment teams. We encourage you to direct all of your former students who are seeking employment in the legal academy to take advantage of this exciting new application. We hope that it will assist aspiring law teachers connect with schools that can make the best use of their talents and experience.

For more information please visit: www.aals.org/frs/far.php



Clinical Conference: Ann Shalleck (American), Elizabeth Cooper (Fordham), Art Hirshaw (Arizona State), and Alicia Alvarez (Michigan)

to highlight clinical teaching challenges in non-traditional clinic settings. The first plenary included an extended discussion about teaching methods and included Art Hinshaw (Arizona State), who teaches a mediation clinic, Elizabeth Cooper (Fordham), who teaches a legislative policy clinic, and Alicia Alvarez (Michigan), who teaches a community-based transactional clinic. The second plenary highlighted the pedagogical challenges of externship teaching where, as moderator Nancy Maurer (Albany) explained, the faculty supervisor is in a triangular relationship that includes supervision of the student's educational experience, training and support of the attorneys who directly supervise the students' work in the field placement, and overseeing the relationship between the student and the field supervisor.

The smaller working groups, which traditionally create the "silos" into which clinicians teaching in similar settings usually retreat to digest the material together, were disrupted during the first day of the conference by deliberately mixing participants up to interact in small groups with clinicians doing a variety of different types of teaching. The final plenary highlighted clinicians teaching in hybrid models that combine litigation with other types of non-litigation work or involve clinic-externship "hybrids" that divide student work between in-house and field placement lawyering experiences.

The conference took full advantage of its setting in Puerto Rico. Luncheon speaker Charles Hey-Maestre, Executive Director of Legal Services of Puerto Rico, gave an overview of some of the burning issues for



Chair, Katherine R. Kruse (Hamine)



Jim Leipold (NALP)

legal services attorneys in Puerto Rico as well as the challenges facing Puerto Rico as a United States Territory. The conference also offered two field trips that highlighted social justice-related issues and projects on the island: (1) a G-8 Communities neighborhood tour, which included resident-led tours in urban neighborhoods of San Juan where community members have organized to respond to government urban redevelopment projects; and (2) a Coquí Llanero Frog Habitat hike, which took participants to a wetland area where recent environmental advocacy by many interested parties, including the Vermont Law School's Environmental and Natural Resources Law Clinic, prevented a pipeline from destroying the habitat. Finally, a concurrent session organized in conjunction with the University of Puerto Rico Law School took participants to local courtrooms to demonstrate pedagogical techniques to facilitate the experience of students in courtroom observation assignments.

The conference came at a timely moment in clinical legal education. As in many other sectors of legal education, the market pressure to provide more experiential learning in law school and the challenges of dwindling enrollments and law school revenue are affecting clinical programs, forcing schools to be more diligent, creative, and cost-effective in the ways they deliver skills instruction. A one-day Clinic Directors Workshop, which preceded the Clinical Conference, explored these challenges in more depth. Dean Joan Howarth, (Michigan State), described the effect these pressures are having on the willingness of deans to expand and

continued on next page

Conference on Clinical Legal Education (continued from previous page)

support clinical education, sharing the results of an informal survey she conducted of law deans. Panelists at the Directors' conference described best practices for staffing clinics with the creation of short-term VAP or Clinic Fellow positions, and for integrating adjuncts to increase clinical course offerings. Deborah Epstein, (Georgetown), described their new practicum program that integrates clinic methods into substantive law courses, and Sue Bryant and Fred Rooney described a number of initiatives at CUNY to extend educational support for law graduates through incubator and other "bridge to practice" programs. Luncheon speakers Jim Leipold from the National Association of Law Placement (NALP) and Judy Gunderson from the National Conference of Bar Examiners (NCBE) described the results from empirical studies of their respective associations that show where recent law graduates are going and what lawyering knowledge and skills they are expected to possess in entry-level positions.

Former member of the AALS Membership Review Committee, Jane Aiken, (Georgetown), described the program as being "extremely coherent. It was strikingly apparent that the Planning Committee thought deliberately and carefully about how to create a conference that built on itself so that attendees left with new insights, ideas, and excitement." Aiken went on to say that "some clinicians who primarily worked in traditional litigation clinics shared their desire to help students think about structural change, legislation, and administrative policy to enhance their clinic's litigation offerings."

Chair of the AALS Membership Review Committee, Alicia Alvarez, (Michigan), thought that the conference was successful on many fronts. Alvarez noted that it was encouraging "to see the locality incorporated into the conference through trips to a local courthouse in San Juan, and G8 communities. It was wonderful that the Puerto Rican clinics participated in the conference. The diversity of clinics and teaching methodologies presented a positive opportunity to discuss the differences between these programs. The theme of the conference itself allowed and forced the participants to have conversations that they may not otherwise have as a community."

Former member of the AALS Executive Committee, Ann Shalleck (American), explained that "the focus on evolution, change and development felt like a very useful part of the Conference. The Conference served as a rediscovery of the kinds of insights that exist across different substantive areas and allowed people to learn from each other. The clinical community is a wonderful community and I feel lucky to be a part of it."

Look for details on the 2014 Conference on Clinical Legal Education in our November newsletter.

Planning Committee for the 2013 Conference on Clinical Legal Education

Patience A. Crowder, University of Denver Sturm College of Law

Phyllis Goldfarb, The George Washington University Law School

Alan Kirtley, University of Washington School of Law

Katherine R. Kruse, Hamline University School of Law, **Chair**

Alexander Scherr, University of Georgia School of Law

Midyear Meeting Wrap Up

The Association of American Law Schools hosted the 2013 Midyear Meeting in San Diego, California from June 9-12. This year, the meeting included the One-Day Joint Program of the AALS Section of Criminal Justice and the ABA Section on Criminal Justice for Legal Educators, Judges, Practitioners, and Prosecutors; the Conference on Criminal Justice; and the Workshop on Poverty, Immigration, and Property.

Professor Bennett Capers (Brooklyn Law School), chair of both Criminal Justice planning committees, explained that the Joint Program sought to feature topics that “appeal to both academics and practitioners, and that would help foster a dialogue between the two.” Plenary panels highlighted new scholarship that could be incorporated by practitioners. Following this program, the Conference on Criminal Justice featured panels that presented new topics and fresh approaches to issues of interest to criminal law and procedure scholars. Pedagogy roundtables and works-in-progress sessions served to deepen these conversations. Capers explained that attendees “ranged from scholars who literally will be starting their first tenure-track job this fall to folks who will soon be claiming emeritus status. The attendees came from all across the country, from all types of schools.” The diversity of topics at the works-in-progress sessions speaks to the breadth of work scholars are undertaking.

Professor Sheila Foster (Fordham Law School), chair of the Poverty, Immigration, and Property Planning Committee, believes the Workshop helped to encourage “greater interaction between property and immigration law scholars and to highlight the work of some scholars who have been writing at the intersection of these two fields.” At a time when these issues are at the forefront of national debates, both presenters and attendees “gained a greater appreciation of the work being done by advocates and scholars on the rights of undocumented residents, on the tensions between property rights and immigration status, and on the push for property law to account for a broader set of norms and values.”

Planning Committee for the Joint Program of the ABA Criminal Justice Section and AALS Section on Criminal Justice

I. Bennett Capers, Brooklyn Law School, **Chair**

Nita Farahany, Duke University School of Law

Andrew G. Ferguson, University of District of Columbia, David A. Clarke School of Law

Jonathan N. Rosen, Esq., Polsinelli PC

Planning Committee for Conference on Criminal Justice

I. Bennett Capers, Brooklyn Law School, **Chair**

Lisa Kern Griffin, Duke University School of Law

Cynthia Lee, The George Washington University Law School

Ryan W. Scott, Indiana University Maurer School of Law

Christopher Slobogin, Vanderbilt University Law School

Planning Committee for the Workshop on Poverty, Immigration, and Property

D. Benjamin Barros, Widener University School of Law

Sheila R. Foster, Fordham University School of Law, **Chair**

Bill O. Hing, University of San Francisco School of Law

Beth Lyon, Villanova University School of Law

Ezra E.S. Rosser, American University, Washington College of Law

President's Message (continued from page 4)

help prepare new and recent graduates to practice law. The firm will focus its services on those who cannot afford to pay current market rates and will use graduates supervised by experienced attorneys.²³ It is envisioned that the firm will hire about 10 ASU law graduates per year for a total of 30 associates at a time.²⁴

A recent report from the New York City Bar Association (NYCBA), a body independent of the law schools, has recommended that other schools implement similar pilot programs.²⁵ If nothing else, this demonstrates that what UC Hastings and ASU are doing has currency in the profession.

Equally important, other schools have adopted innovative ways to use technology, expanding student opportunities. For example, the Virtual Classrooms at North Carolina Central University (NCCU) School of Law employ synchronous learning, real-time or live-distance learning from remote or separate locations.²⁶ The Virtual Classrooms, which feature an actual teaching space, were built in response to the school's distance-education program. In addition to using Panopto, software that records lectures and allows students to access them when convenient, the program features real-time video interaction between the professor and students regardless of their location.²⁷ The Dean of the law school has expressed hope that the Virtual Classrooms will expand the budding environmental law partnership with Vermont Law School.²⁸

Drexel University's Law School is also attempting to address the challenges of today's legal education through LawMeets, an online, interactive teaching tool. LawMeets is "a virtual sandbox for law students to learn through real-world experiences."²⁹ The program, currently being expanded, allows users to video themselves acting out responses to client-based legal

scenarios that are reviewed by other participants. Users eventually gain access to an expert's response.³⁰ The platform offers online courses that can be adopted in whole or modified by professors.

Students at the University of Miami School of Law also have access to cutting-edge technological learning tools, specifically LawWithoutWalls.³¹ LawWithoutWalls, a "part virtual educational collaboratory," brings together various institutions from around the world in an attempt to eliminate barriers between the participants (even those as far away as Shenzhen).³² Students develop a Project of Worth designed to solve an identified problem in legal education or practice. Students take part in Virtual Thought Leader Sessions where experts share their perspectives on desired changes in legal education and practice, and mentor the students.³³

The few examples described above, and numerous others that space does not allow me to mention, should let us take heart that our member schools are each responding, and adapting, in ways that is tailored to their circumstances. We should also note that law schools, their leaders and their faculties, are taking the duty to be responsible stewards of their institutions seriously.

In his recent thought-provoking book *Tomorrow's Lawyers* Richard Susskind has tried to prepare us for, or at least warn us about, the sea changes to the profession.³⁴ While Susskind admits that his prognostications may not accurately capture all the details, he is sure that change will come and the unprepared will suffer. He is likely right. Darwin's shadow looms over us. Whatever change we face requires some sort of adaptation.³⁵ As the foregoing shows, we are not standing still.

²³ *Id.*

²⁴ *Id.*

²⁵ NYCBA Task Force on New Lawyers, *Employer Partnerships and Practice-Oriented Training Working Group: Objectives, Issues, Conclusions and Suggested Pilot Programs* (May 14, 2013) (unpublished working paper).

²⁶ *NCCU School of Law Unveils Virtual Classroom*, NCCU NEWS (July 30, 2010), <http://www.nccu.edu/news/index.cfm?id=23a17f9c-19b9-b859-78d8d281313c2e54>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ Rachel M. Zahorsky, *Drexel University's Law School Takes Practical Training Online with LawMeets Course*, A.B.A. J. (January 1, 2013), http://www.abajournal.com/magazine/article/drexel_universitys_law_school_takes_practical_training_online_with_lawmeets/.

³⁰ *Id.*

³¹ *LawWithoutWalls*, Univ. of Miami School of Law, <http://www.law.miami.edu/academics/law-without-walls.php> (last visited May 30, 2013).

³² *About*, LawWithoutWalls, <http://www.lawwithoutwalls.org/about/> (last visited May 30, 2013).

³³ *Id.*

³⁴ RICHARD SUSSKIND, *TOMORROW'S LAWYERS* (2013).

³⁵ Susskind mentions other schools that are also changing their curricula to adapt. *Id.* at 138 (mentioning Michigan State University and Harvard University in addition to the University of Miami).

Titles of Nobility: Poverty, Immigration, and Property in a Free and Democratic Society (continued from page 5)

homeless persons from sleeping in public parks, and it does not provide sufficient shelters for them, then it has effectively passed a law forbidding the homeless to sleep. If all cities can do this, they would turn homeless persons into outlaws. Denying a person a place to be denies that person's humanity. Nations cannot make it illegal for a person to exist but neither nations nor owners can open themselves to all comers.

The line between lawful and unlawful residence in a place is more complicated than we may assume. The hue and cry about so-called "illegal immigration" should lead us to a greater humility than we may yet have found. After all, if the forced seizure of land from Indian nations cannot be justified from a moral point of view, then illegal immigration is a greater problem than we have imagined. But it is not Mexican immigrants we should be worrying about; it is the ninety-eight percent of us who are non-Indians occupying tribal lands.

We do not like to think about this painful fact from our history. After all, the land seizures happened long ago. Well, how long does it take before a resident has the right to be treated like a citizen? This is a question that millions of undocumented persons would like to know. If time heals no wounds and confers no rights, then the entire country is in jeopardy. Our nation was founded on illegal immigration. The arguments against rewarding wrongdoing and law breaking are ones we should be hesitant to make; they may come back to haunt us.

The current debates about immigration reform should lead us to reflect on – and to better understand – the historical origins of tribal sovereignty and its place within the United States. If we do that, we will recognize that almost all of us are immigrants and that we settled this land illegally; colonialism violates international law as we now understand it.

The image of the immigrant as the poor supplicant ignores the economic reality that the United States is dependent on immigrant labor, both documented and undocumented. The low wages paid to many workers brings us to the problem of poverty.

Poverty has been surprisingly hard to abolish. Yet if we understand the ideals on which our country was founded, we will discover that doing so is a moral imperative.

Jeremy Waldron has argued we should support the institution of private property because it promotes liberty. But because we also believe in equality, we must enable every person to become an owner so every person can be free.³ Poverty is, in principle, incompatible with democracy. And we will not solve poverty simply by redistributing money from the rich to the poor. The poor do not need charity; what they need is equality. What they need is what the United States and the state of New Jersey did for my family; they let us in. We tend to naturalize the results of the market economy, contrasting the free market and government regulation. But markets do not exist in nature; they are established and defined by law. Poverty results not from natural market forces but from the way we have shaped corporate law, labor law, employment law, trade law, education law, and yes property law. Poverty is neither a natural disaster nor an act of God. It is a preventable disease. The question is not whether we can do anything about it; the question is whether we want to.

We have no titles of nobility in America; we have no lords, no commoners. And yet we continue to treat some as more worthy than others. Some of those distinctions can be justified, but others cannot be defended from a moral point of view. We may have title to land but we have no titles of nobility. We cannot benefit from the labor of millions of immigrants and then deny their humanity. We cannot organize our economy so that its bounty is captured by the top one-tenth of one percent. We cannot allow poverty to persist and then call ourselves a democracy. We cannot claim we have an immigration problem while refusing to recognize that we are the immigrants. We cannot wrong the stranger while forgetting that we are strangers ourselves.

³ See JEREMY WALDRON, *THE RIGHT TO PRIVATE PROPERTY* 329 (1988) (stating that "people need private property for the development and exercise of their liberty; that is why it is wrong to take all of a person's private property away from him, and . . . why it is wrong that some individuals should have no private property at all"). See also JOSEPH WILLIAM SINGER, *ENTITLEMENT: THE PARADOXES OF PROPERTY* 167-71 (2000) (asserting that everyone deserves the right to private property).

2013

FACULTY RECRUITMENT CONFERENCE

Washington, D.C.

Thursday, October 17 - Saturday, October 19, 2013

2014

ANNUAL MEETING

New York, New York

Thursday, January 2 - Sunday, January 5, 2014

CONFERENCE ON CLINICAL LEGAL EDUCATION

Location to be announced

May 2014

MIDYEAR MEETING

Location to be announced

CONFERENCE ON BLURRING BOUNDARIES IN FINANCIAL AND CORPORATE LAW

June 2014

WORKSHOP ON SEXUAL ORIENTATION AND GENDER ISSUES

June 2014

SUMMER 2014 WORKSHOPS

Washington, D.C.

NEW LAW SCHOOL TEACHERS

Wednesday, June 18 - Saturday, June 21, 2014

PRETENUED PEOPLE OF COLOR LAW SCHOOL TEACHERS

Saturday, June 21 - Sunday, June 22, 2014

TRANSNATIONAL PERSPECTIVES ON EQUALITY LAW

Washington, D.C.

Monday, June 23 - Tuesday, June 24, 2014

FACULTY RECRUITMENT CONFERENCE

Washington, D.C.

Thursday, October 16 - Saturday, October 18, 2014

2015

ANNUAL MEETING

Washington, D.C.

Friday, January 2 - Monday, January 5, 2015

2016

ANNUAL MEETING

New York, New York

Wednesday, January 6 - Saturday, January 9, 2016