AALS Section on New
Law Professors

Summer 2020
Newsletter

Greetings,

This newsletter compiles
various notices, publications,
presentations, and other
relevant information about
our members. I hope you
enjoy it!

Nancy Soonpaa, Editor

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SECTION LEADERSHIP

Chair:
Maybell Romero, Northern Illinois University   College
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Chair-Elect:
Timothy J. Duff, Suffolk University Law School,
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nancy.soonpaa@ttu.edu

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MESSAGE FROM THE CHAIR

Dear Colleagues,

I'm writing this to you from my (somewhat cluttered) home office in Lexington, Kentucky, where a week-long trip for spring break has turned into a five-month pandemic lockdown stay. This has been a very strange year to serve as chair of the AALS New Law Professors Section in that it has felt like it has passed in both the blink of an eye but also at a glacial pace. I guess this is the new normal when our perception of time is thrown off through isolation!

In any event, serving as Chair has been a true honor and privilege. I've been so lucky to get to know and meet, if electronically, so many of you! While I was looking forward to meeting you all in person in San Francisco in January, I'm grateful that the AALS made the call to take this year's annual meeting online. It's what's best for all of our health, safety, and wellbeing.

While we had intended to continue last year's format of concurrent discussion groups on different topics, given the transition to an entirely online meeting we're going to be running on a format that's a bit more streamlined. The title of this year's program is "Spreading the Word: Law Professors as Teachers, Scholars, and Legal Influencers," to be held on **Friday, January 8, 2021 from 2:45-4:00 PM**. Rather than one long presentation on one topic, however, we will have three mini-panels, each with its own Q&A, on teaching, scholarship, and influencing. We'll be hearing from **Carliss Chatman** from Washington & Lee, **Anthony Michael Kreis** from Georgia State, **Brian Frye** from the University of Kentucky, **Howard Katz** from Cleveland-Marshall College of Law, among others. These promise to be lively conversations, so make sure to join us and to not feel shy about asking questions.

Immediately following our program will be the section business meeting, where we will have the privilege of electing and inducting in new board members for the next year. **Timothy Duff** (Suffolk) will be taking the helm of the section as Chair, **Nancy Soonpaa** (Texas Tech) will become Chair-Elect, and **Paul Figueroa** (New Mexico) will become Secretary. Please join us as we will be taking nominations for other positions on the Executive Board, as well. Let me stress that you **do not** need to be a new law professor to join the Executive Committee. If you're committed to supporting new faculty on their journey into the legal academy, we want you!

During these difficult times, please know that the New Law Professors Section is here for you, be it helping with making connections for mentoring, providing advice, or just for giving you a listening ear. Please let me know what I, as Chair, can do to help you. Especially as a still junior faculty member myself, I am grateful to have the chance to serve and support you however I can, and I know that the rest of the incredible section Executive Board feel the same way. My deep and sincere gratitude to them for their dedication, creativity, and flexibility as we move forward with plans for our online programming in January. I hope to see many of you "there."

Warmly,

Maybell

Maybell Romero
Chair, AALS Section on New Law Professors
Associate Professor, Northern Illinois University College of law
mromero@niu.edu

PANDEMIC TEACHING TIPS AND MATERIALS

Natalie Rodriguez
Southwestern Law School

Forging Relationships with New Students and Encouraging a Sense of Community

There is one area in online teaching that is critical to your students' success - forging relationships and creating a sense of community. Fortunately, today's technology affords professors ample opportunities for you to get to know your students and for them to get to know you and your course.

About Them Quizzes: Google Forms is a great tool for creating quizzes. It offers a good selection of questions types, such as multiple-choice, short or long answers, dropdown, and check box options. Create a quiz with questions designed to get to know your students. Just make sure to include "name" as a question, otherwise you will have a difficult time matching the answers to a student.

Discussion Forum: Most schools use some form of Learning Management System (LMS) such as TWEN or Canvas. Create a welcome post and ask your students to share something about themselves. Alternatively, ask them what they hope to get out of the course (if it is a required course) or why they are taking the course (for elective courses).

Intro Videos: Ask students to create a short video and provide some guidelines or sample prompts. Most LMS have an option for uploading audio/video files. Alternatively, you could take advantage of cloud services and create a folder where students can upload files but will not be able to see files posted by others. Your students will appreciate an intro video from you as well. The video can be course specific and include an overview of the course and syllabus or you could make the video more personal and include information such as, your undergrad and law school, area of practice, and/or scholarship interests. If you are comfortable, you can add more personal information such as your hobby or interests outside of teaching, your family, pets, etc. Any combination of these will help your students feel like they know you and more comfortable coming to you outside of class time.

Michael Gentithes
University of Akron School of Law

Whenever possible, give students an opportunity to interact with each other. Students (like all of us) crave that human connection desperately. Group work, though sometimes clunky, is essential. There are opportunity costs involved in generating breakout rooms with any online learning platform, but those costs are usually worth it. Just remember to plan as much as you can in advance. Think about how you will distribute any necessary handouts (email can be helpful), what work product you expect the groups to produce (perhaps a shared Google doc or something similar), how much you will interact during the breakout session (most platforms allow you to quickly join the breakout groups), and how you will debrief after the class returns to the main room. With enough foresight, you can find great ways to engage students by letting them interact with one another, even in an online environment.

Amy B. Levin,
Loyola Law School, Los Angeles

Using Audio and Video Feedback to Connect with Our Students Online

A challenge with remote learning is fostering meaningful connections with students. This is especially difficult when providing feedback because students are more anxious when receiving grades and comments. An easy, effective solution is adding audio or video recordings to your written feedback. By incorporating your voice or face into the feedback, you personalize it, and students are more apt to receive it. You lessen the distance students may feel with remote learning.

With audio and video feedback, we are essentially "speaking" with students, so we convey a more nurturing tone and create more social presence than with a red pen or typewritten comments. Students can visualize us. And we can dive deeper into issues such as structure, organization, and case selection than with written comments alone. Our feedback is more explanatory and motivating and less susceptible to our students' misinterpreting or blindly accepting our corrections.

Creating audio and video feedback is easy and efficient. You can record audio comments with a handheld MP3 recorder, with apps like Audacity or Apple's Voice Memos, through voice memos on your LMS, or through plug-in programs such as Kaizena. You can then insert the audio files into a Word document with your other corrections. You can record videos through Zoom (and this provides a transcript for accessibility purposes), webcam software, or video memos on your LMS. You then upload the MP4 files to the LMS to disseminate to students. Some programs have time limits for recordings, but you typically can record as many files as you like. Others like an MP3 recorder or Zoom don't have time limits.

Give audio and video a try. You won't be disappointed, and your students will thank you for the personal, in-depth help.

Catherine Cameron
Stetson University College of Law

Small group work can be done during a synchronous online class! It took much trial and error to get it right, so learn from my mistakes:
1) Try to place students in a group of 4-5 people they know. Too many students allows non-participators to hide in the crowd. And the lack of face-to-face exposure online means students that aren't familiar with each other may find it hard to gain a comfort level that fosters discussion. Ask students to sign up for a group they want to be with or group students according to where they sit in a live class. If students know the folks they are grouped with, discussions will be more robust.
2) Give students a well-defined goal for each group session. If you want them to discuss what arguments should be made in a brief, tell them someone from their group will have to present their arguments to the class when you reconvene. Working towards a goal will keep the students focused in their discussion.

3) Pop in and out of group discussions. Group discussions have a way of getting off track without some oversight. Many of the class management platforms allow professors to pop in to individual breakout groups to keep everyone on task.
4) When sending students off to any online breakout group, give an exact time you will be reconvening the class as a whole, and stick to it. There is nothing worse than students being pulled out of breakout groups and back into the full class when they have just gotten to a productive part of their discussion. If you give students a specific timestamp for reconvening class, not just a vague "15 minutes", they will learn to wind their conversation down before that time so no one is left hanging.

Rozelle Stetson
University College of Law School

Take advantage of the Teaching Materials Network, a database of contact information for people in every law school subject who have offered to share teaching notes, PowerPoints, etc. with colleagues who could use a hand. LawProfs helping LawProfs since 2003!

Note: No actual materials are hosted on the site, since materials go stale and we'd have to worry about security issues. Instead, it's just contact information, searchable by subject, casebook, and credit hours.

Create an account (it's free, never used for any other purpose, and never getting sold to anyone for anything) to search for people teaching what you need from the book you're using (or choose your book based on whose help you get), and if you're able to pay it forward, list the subjects you can offer help with:

https://www.stetson.edu/law/teaching-network/

(Some of you might have seen an old URL that no longer works; the above is the new link. But if you lose this one, you can just search for "Teaching Materials Network" and it'll come right up.)

RonNell Andersen Jones,
University of Utah SJ Quinney College of Law

In March, when I transitioned my Constitutional Law class from a traditional in-person classroom setting to an online format, I found myself grateful every single day that I had already developed a real, personal relationship of trust with my students. When things went wrong with the technology or problems emerged in the content delivery, the students were almost uniformly patient and forgiving, because we already had a rapport, and they'd seen from our exchanges in the "real world" that I was devoted to them as people and had their best interests at heart. The online setting robs you of some of the small but meaningful opportunities to make those connections and build that rapport. Zoom meetings don't have the naturally occurring before- and after-class chitchat. The norm of keeping everyone on mute robs you of some of the inside jokes that emerge and give a class a group

identity. The ability to read faces and respond in real time to reactions is diminished. So when I launched my summer semester course, which was entirely online, I wanted to do something to try to replicate that personal connectivity and build those teacher-student bonds. In the three days before the class started, I had a short one-on-one Zoom meeting with every student in the course. They were only 10 minutes long, and I had no agenda other than meeting the student, putting a name to a face, telling them how much I wanted to know them as people and compensate for those drawbacks of Zoom, and having a conversation that conveyed actual interest in each student as a human being. It was time-intensive and exhausting—and next time, I will probably spread it out over a few more days—but it paid huge dividends. I started the class feeling connected on a human level with my students—and, more importantly, feeling like they had connected with me. I'm convinced that it makes all the difference.

Whitney Werich Heard
University of Houston Law Center

Remember the 3Cs: Clear, Consistent Communication

The fall is rife with unsettling unknowns. When will the semester start? How will classes be taught? What campus activities will return? Given the many unknowns, my advice is to communicate clearly and consistently with students using multiple modes of communication to provide certainty and reduce stress. This spring, I recorded short videos to teach my students about contract drafting. At the end of each video, I made important announcements. In addition to each weekly video, I posted a PowerPoint slide with the same announcements to my course webpage, and I emailed those same announcements to the class distribution list. The weekly announcements in the video, slide, and email were identical in content. Even though the students had multiple options to access important announcements, they never received mixed messages about what they had to do or when they had to do it. Beyond being consistent, the written announcements were clear and concise. For example, I numbered each announcement and introduced it with descriptive heading that was bolded. With a quick glance, the student could locate the announcement that pertained to my office hours or a writing assignment. Most importantly, each announcement had the same final reminder: "If you have any questions or concerns, please don't hesitate to reach out to me. I am always happy to help." This fall, relying upon multiple modes of clear and consistent communication will be more important than ever to help students successfully navigate the unsettling unknowns.

Margaret Ryznar
Indiana University McKinney School of Law

I have recently written a longer article on this very topic: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3634399.

Heidi K. Brown
Brooklyn Law School

Amplifying Our Quiet Students in Remote Teaching: Let's Reimagine "Participation"

Midway through pandemic lockdown in New York City, my television was tuned to CNN one morning while I exercised in my kitchen. My ears perked up at hearing an elementary school principal in Washington, D.C., Dr. Sundai Riggins, relay in an interview how students who were not talkative in in-person classes were expressing themselves more frequently in distance learning. I thought, *Wow, I wish every educator (especially law professors) could hear that message!* Since then, teachers in various levels of education have anecdotally reported an uptick in participation by introverted, shy, or socially anxious students in online classrooms. Remote classrooms can reduce the levels of overstimulation, noise, perceived disorder, distraction, and intimidation present in live classrooms that can hinder naturally quiet students from readily sharing ideas.

Introverts prefer to articulate thoughts and ideas in writing (before speaking) and crave time for independent reflection before jumping into the fray. They also resist interruption—to themselves and others. Shy and socially anxious students might buzz with ideas, but grapple with fear of judgment, criticism, rejection, and exclusion by teachers and peers. Professor Katherine Schultz wrote an impactful book called *Rethinking Classroom Participation: Listening to Silent Voices,* urging teachers to stop defining class participation solely as "a verbal response that fits into a routine or a teacher-established pattern of classroom discourse." Schultz explains that silence, once understood, can serve as a *form* of student participation. We must not assume that our quiet students are disengaged or unprepared.

In remote classrooms, let's amplify our quiet students' voices *authentically* by activating multiple access points for participation. In synchronous classes, the electronic hand-raise feature allows quiet students to signal a desire to share an idea, thought, question, or answer without the pressure of interrupting a teacher or classmate to be heard. The "chat" function enables students to participate *in writing* rather than speaking. Asynchronous learning affords quiet students the power of *time* and *space* to contemplate first, and then engage in thoughtful discourse through discussion forums and reflection papers.

Quiet is often where the magic happens. Let's create space for it.

Lisa Smith-Butler
Charleston School of Law

5 Tips for Teaching Online in the Midst of a Pandemic

While the Zoom parody to *I Will Survive* made many professors smile, it also conveyed the sense of urgency that higher education felt last spring as it scrambled to move in person classes online. While many were successful, others were frustrated with how their classes went so *how to teach online* classes and articles sprung up this summer. From my spring experiences, I created my top 5 tips for online teaching:

1. Decide
2. Create a community
3. Use visuals
4. Have discussions
5. Assess

Decide whether your course will be synchronous, i.e. live at your regularly scheduled class time, or asynchronous, i.e. prerecorded lectures that students listen to at a time that best suits their schedule. Be clear about what your expectations are for students. What are the learning objectives for each class? Must students have their cameras on during a live class? Should students use the *chat* feature in Zoom or the *raise your hand* feature? What are your Zoom office hours? If you award participation points, how are those points earned? Be clear.

Create a community. Ask students to introduce themselves and explain why they chose law school. Ask to meet pets, children, and other people in the household. Share favorite playlists, movies, and books. Start class with a news article that pertains to your subject. Create problems that small groups of students can work with and use the Zoom breakrooms for discussion.

Use visuals. Share your screen with students. Create power points. Ask multiple choice questions, using the polling feature in Zoom or CALI's Instapoll. Use the whiteboard to draw, write, or type on to emphasize key points. Use the Internet to teach research skills, locate relevant articles on point, and show videos from YouTube. Do remember bandwidth!

Have discussions. Use the discussion board in your learning management system (LMS) to pose questions. Ask students to respond to those questions and add other items of interest as appropriate. Break students into small groups in the Zoom breakout rooms.

Assess. Are your students learning what you are teaching? Use low stakes quizzes at the end of the week to determine whether the students understood. Use multiple choice questions and polling in classes. Draft essays that student's self grade.

Lastly remember that if things can go wrong, they will. There will be glitches. If your Internet fails and you are kicked out of class, quickly log back in. Start classes by asking "*can you see and hear me?*" If so, move along into the planned class. Let your students know that mistakes will happen. Keep your IT staff members' phone numbers nearby so that you can call if you must.

Good luck! You will survive, and online teaching and learning can be fun.

Nancy Soonpaa
Texas Tech University School of Law

Back-to-school shopping! Pencils . . . rulers . . . erasers . . . binders and paper. What's not to love? But this year, back-to-school shopping has some new items to consider:

- Devices: how many do you need? Certainly, a laptop or computer, plus another iPad/tablet. It's often easier to zoom on one device and have a second device available as well. You can even log in on the second device and use it as a participant in the zoom meeting. Share screen is a great feature, but it affects other content on the screen and may require toggling back and forth. Or you may need to access content while you're teaching. Duet Display can also turn a tablet into a second monitor. Having your students on one monitor and using the other for documents, etc., helps to keep your teaching experience organized. And with multiple devices, you need to experiment with stands as well.

- Headphones: even if you think that you don't have noise to cancel, headphones usually offer a better recording experience—even slight background noise can clutter and complicate transcription. You

have lots of choices here, including Bluetooth or wired. You might also decide that a desktop microphone works better for you in offering the best sound quality on recordings.

- Camera: a separate camera gives you more flexibility with placement. I have a laptop with an internal camera near the hinge, offering unflattering upward views of my neck and chin or requiring precarious stacking to raise the level of the camera. The camera clipped to the top of my screen works better than precariously balancing my laptop! OTOH, the clip-on camera obscures my view of the toolbar. A camera on a separate stand addresses those issues and can also be used as a document camera. Experimenting with all technology and technology changes before class is critical.

- Multi-extension USB port: my laptop is lightweight and perfect for travel. Alas, it has only one USB port. The multi-extension port lets me use both the aforementioned camera and headphones.

- Green screen: if you want to use a virtual background or simply mask your existing background, a green screen helps. You can get free-standing screens and clip-on screens for the back of your chair. Amazon has a number of options. Or you can do-it-yourself with a dyed sheet, sheets of green paper, or green tagboard.

- Lighting: depending on the location where you set up for class, you could need either more or less light. The green screen can also mitigate back light from a window; a separate lamp can illuminate darker spaces for better viewing. Lighting from the front is better than back lighting.

- Whiteboard: if you want to simulate a classroom-like experience, a whiteboard or flip chart on an easel is one easy, low-tech option. You might find that easier than writing on a shared-screen white page.

- Memory: depending on your institution's requirements, you might need to record some classes/content to your computer. Class-session-long videos fill up memory quickly. Even the iCloud option in Zoom fills up fast if lots of faculty are recording to a shared pool. However, some schools have security concerns about recording classes to an unsecured storage device. Double-check your school's expectations for recording, storage, and access.

- Printer/scanner: my printing and scanning needs changed dramatically once I could no longer use the big copier/printer/scanner at work. Think through what you assign and how students will submit those assignments, how you prefer to comment on those assignments, how you will return those assignments. If you will be working from home but will have support staff at school, again, think through how that process will work.

Back-to-school shopping will be a different, and likely more expensive, experience this year!

MEMBER NEWS AND PUBLICATIONS

Benjamin Cover
University of Idaho College of Law

Benjamin Plener Cover, *Rucho for Minimalists*, 71 MERCER L. REV. 695 (2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3607520.

Benjamin Plener Cover, *Congressional Power to Guarantee State Democracy*, JOTWELL (March 3, 2020) (reviewing Carolyn Shapiro, *Democracy, Federalism, and the Guarantee Clause*, 62 Ariz. L. Rev. (forthcoming, 2020), available at SSRN), https://conlaw.jotwell.com/congressional-power-to-guarantee-state-democracy/.

Marsha Griggs
Washburn University School of Law

Marsha Griggs, *An Epic Fail*, 64 Howard L. J. Issue 1 (forthcoming Fall 2020). Here is a link to the article: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3657379. My article tracks and chronicles the pandemic impact on the administration of the bar exam and looks at thought theories that may be behind recent decisions made by bar licensure authorities.

Audra Savage
Emory University School of Law

Audra Savage is the recipient of a 2020 Innovation, Business & Law Center Prize from the University of Iowa Innovation, Business & Law Center for the development of a talk related to the topic of *Examining Institutional Structures: Race, Business and Law*. Her proposal is *Beyond Aunt Jemima: Holding Public Companies Accountable for Dismantling Systemic Racism*. She will receive $1500 to develop the proposal and will present her talk (online) as part of the fall 2020 IBL Center speaker series. More information is available here: https://ibl.law.uiowa.edu/article/recipients-innovation-business-law-center-prize.

Hannah Haksgaard
University of South Dakota School of Law

- *The Homesteading Rights of Deserted Wives: A History*, 99 NEBRASKA LAW REVIEW __ (forthcoming 2020).
- *Court-Appointment Compensation and Rural Access to Justice*, 14 UNIVERSITY OF ST. THOMAS JOURNAL OF LAW & PUBLIC POLICY __ (forthcoming 2020) (for the Inequality of Wealth, Race, and Class, Equality of Opportunity Symposium).
- *Traveling for Abortion Services and the Rural Women "We Must Not Forget,"* 65 SOUTH DAKOTA LAW REVIEW 1 (2020) (reviewing ABORTION ACROSS BORDERS: TRANSNATIONAL TRAVEL AND ACCESS TO ABORTION SERVICES by Christabell Sethna & Gayle Davis (2019)).

Joshua Aaron Jones
Indiana University Robert H. McKinney School of Law

Joshua Aaron Jones, *Title IX's Substantive Equity Mandate for Transgender Persons in American Law Schools: A Call for Disaggregated SOGI Data*, 44.3 NYU R. L. Soc. Change 399 (Summer 2020). (Professor Jones presented the piece at the AALS 2020 conference for the Section of Legal Writing, Rhetoric, and Research New Scholars Showcase.)

His work-in-progress, *Change the Narrative Change the Profession*, was recently awarded an ALWD/LWI Scholarship Grant, and he presented the draft at the SEALS Conference for the Jurisprudence, Statutory Interpretation, and Constitutional Law New Scholars Showcase. He is beginning the final year of his VAP at IU McKinney where he teaches Legal Communication and Analysis and Collaborative Family Law.