

Poverty Prof Newsletter Dec. 2023

Editor's Note

There were very few submissions so I tracked down some articles not emailed to me. Nevertheless, this is a very incomplete list of what you all have been doing. As always, the hope is that the annual newsletter will help us know what others have been doing and allow for connections that might not otherwise occur.

AALS Jan. 2024 Poverty Law Extended Program January 3, 2024

Part I: New Voices in Poverty Law from 1:00 - 2:10 pm

In part I of this extended program, junior scholars will present works-in-progress in the area of poverty law, broadly defined.

Moderators:

- Mira K. Edmonds, Clinical Assistant Professor of Law, Pediatric Advocacy Clinic & Civil-Criminal Litigation Clinic, University of Michigan Law School.

Speakers:

1. *Rehabilitating Tenants' Rights: Lessons Learned through COVID-19 Innovations* by Aissatou Barry, Assistant Professor of Law, Brooklyn Law School
2. *Caring Like a State: The Public/Private Boundary Under the Medicalization of Home Care* by Yiran Zhang, Assistant Professor of Law, Cornell Industrial and Labor Relations School/Cornell Law School
3. *New Tech, Old Problem: The Rise of Virtual Rent-to-Own Agreements in the Service Industry* by Carrie Floyd, Clinical Teaching Fellow, Veterans Legal Clinic, University of Michigan Law School
4. *Just a Place or a Just Place: Domestic Violence, Rural Courts, and Access to Justice* by Cassie Chambers Armstrong, Assistant Professor of Law, University of Louisville
5. *Preventing Displacement by Granting Preferential Purchase Rights to Communities* by Whitney Holmes, Assistant Professor of Law, Baylor Law School

Part II: Poverty Law Scholars from 2:15 - 3:25 pm

The American Dream is not a dream. Class mobility has become stagnant. Systemic factors contributing to inter-generational poverty are largely ignored by policymakers, largely due to American mythology. Meritocratic assumptions and narratives of self-sufficiency find their way into public policy, upending support for more equitable and sustainable approaches. To illustrate these structural barriers and illuminate the systemic interventions needed for economic and social mobility, panelists will discuss biases embedded in emergency healthcare, municipal debt, commerce, and worker credentialing systems. Panelists will share insights into how law can be both an obstacle and a tool for mitigating economic and social inequality.

Moderators:

- Verónica C. Gonzales, Associate Professor of Law, University of New Mexico School of Law

- Tomar Pierson-Brown, Assistant Professor of Law, University of Pittsburgh School of Law

Speakers:

1. *“Deadbeat” Cities: Racial Discrimination in Municipal Bonds for Majority BIPOC Governments* by Jade A. Craig, Assistant Professor of Law, Nova Southeastern University Shepard Broad College of Law
2. *Race, Solidarity & Commerce: Work Law as Privatized Public Law* by Shirley Lin, Assistant Professor of Law, Brooklyn Law School
3. *Job Credentialism as Manifestation of Meritocracy Narrative* by Jonathan F. Harris, Associate Professor of Law, LMU Loyola Law School Los Angeles
4. *Health Emergencies in Law: Do they Reinforce or Mitigate Structural Inequalities?* by Medha D. Makhoul, Elsie de R. and Samuel Orlando Distinguished Professor and Director of the Medical-Legal Partnership Clinic, Penn State Dickinson Law and co-presenter Jin K. Park, Student, Harvard Medical School

Part III: Poverty Law Pedagogy from 3:30 - 4:40 pm

As successful constitutional litigation feels further out of reach, national government funding for legal services decreases, and legislative protections for the poor are limited, law students must be trained and supported in ways that are reflective of the current conditions of poverty law practice. Many who practice and teach in this space, recognize that meaningful legal strategy must be collaborative in nature and approach and designed in partnership with community organizations and movements. This session will showcase the creative ways that law faculty are responding to the opportunity to innovate and inspire the next generation of collaborative social justice advocates.

Moderators:

- Lauren Katz Smith, Assistant Clinical Professor of Law, Drexel University Thomas R. Kline School of Law
- Jenna Prochaska, Assistant Professor of Law, University of Illinois Chicago School of Law

Speakers:

1. *Housing and a Holistic Framework for Student Skill Building: The Warrior Housing Corps.* by Daniel Ellman, Assistant Clinical Professor and Director of Externships, Wayne State University Law School; Rebecca Robichaud, Assistant (Clinical) Professor and Director of Experiential Education and Pro Bono Initiatives, Wayne State University Law School; and Jane Warkentin, Director Warrior Housing Corps, Assistant Director Experiential Education, Wayne State University Law School
2. *The Color of Law: An Across the Curriculum Collaborative Model for Satisfying the Educational Requirement of ABA Standard 303 (c)* by Melinda S. Molina, Associate Professor of Law, Capital University Law School
3. *Case Study: A Community Approach to the Criminalization of Poverty* by Scott Holms, Senior Clinical Professor of Law & Director of the Civil Litigation Clinic, Co-Director of the Social Justice and Racial Equity Institute (SJREI), North Carolina Central University School of Law
4. *New Poverty Law and Policy Clinic* by Rachel J. Anderson, Professor of Law, William S. Boyd School of Law at UNLV

Upcoming Conferences

Jan. 3-6, 2024: [AALS Annual Conference](#), Washington, DC

Feb. 9-10, 2024: [ClassCrits](#), Southwestern Law School, Los Angeles, CA

May 1-5, 2024: [AALS Conference on Clinical Legal Education](#), St. Louis, MO

June 6-9, 2024: [Law & Society](#), Denver, CO

Sept. 13-14, 2024: [Poverty Law Conference](#), Indiana Maurer School of Law, Bloomington, IN

Books

Jon Dubin (Rutgers-Newark): SOCIAL SECURITY DISABILITY LAW AND PROCEDURE IN FEDERAL COURT (2023 ed.) (co-authored with Carolyn A. Kubitschek); SUPPLEMENT TO SOCIAL SECURITY LAW, POLICY AND PRACTICE: CASES AND MATERIALS (2023 Cumulative Supp.) (co-authored with Frank S. Bloch); TEACHER'S MANUAL TO SOCIAL SECURITY LAW, POLICY AND PRACTICE (2023 Updated ed.) (co-authored with Frank S. Bloch).

Daniel L. Hatcher (Baltimore): [INJUSTICE, INC.: HOW AMERICA'S JUSTICE SYSTEM COMMODIFIES CHILDREN AND THE POOR](#) (2023).

Nicole Huberfeld (Boston University): THE LAW OF AMERICAN HEALTH CARE (3d ed. 2023) (with Weeks, Outterson & Lawrence).

Articles and Other Publications

Juliet M. Brodie (Stanford): [Lawyers Aren't Rent](#), 75 STAN. L. REV. ONLINE 132 (2023) (with Larissa G. Bowman).

Naomi Cahn (Virginia): [Supporting Families in a Post- Dobbs World: Politics and the Winner-Take-All-Economy](#), 101 N.C. L. Rev. 1549 (2023) (with June Carbone); [The Blue Family Constitution](#), 35 J. AM. ACAD. MATRIMONIAL LAWYERS 505 (2023); [Title IX and 'Menstruation or Related Conditions'](#), 30 MICH. J. GENDER & THE LAW 25 (2023) (with Marcy Lynn Karin, Elizabeth B. Cooper, Bridget J. Crawford, Margaret E. Johnson, and Emily Gold Waldman); [Reflections on Singlehood](#), 72 Wash. U. J. L. & Pol'y 27 (2023).

Yael Cannon (Georgetown): [Medical-Legal Partnership As a Model for Access to Justice](#), 75 STAN. L. REV. ONLINE 73 (2023); [Critical Perspectives to Advance Educational Equity and Health Justice](#), 50 J. L., MEDICINE & ETHICS 776 (2023) (with Nicole Tuchinda); [Advancing Racial Justice through Civil and Criminal Academic Medical-Legal Partnerships](#), 30 CLINICAL L. REV. 29 (2023) (with Vida Johnson).

Anna E. Carpenter (Utah): [Lawyerless Law Development](#), 75 STAN. L. REV. ONLINE 64 (2023) (with Alyx Mark, Jessica Steinburg, and Colleen F. Shanahan).

Sherley E. Cruz (Tennessee): *Working Towards Justice on Difficult Ground, Justice for Migrants at Work and in the Community*, 90 TENN. L. REV. 3 (2023); ABA Standard 303(c) and Divisive Concepts States and Regulations: Challenges and Opportunities, WASHINGTON UNIVERSITY JOURNAL OF LAW AND POLICY, co-authored with Karen Tokarz, Becky L. Jacobs, Kendall L. Kerew, Andrew King-Ries, and Carwina Weng (*forthcoming*); Four Ways to Update Personnel Policies that Need to Become Part of Your Annual Reviews, Knoxville Bar Association's DICTA, Vol. 51, Issue 9, 25 (October 2023).

Edward W. De Barbieri (Albany): [Purchasing Population Growth](#), 98 INDIANA L. J. 573 (2023), [Digitizing the Warranty of Habitability](#), (with Jordan Fruchter) 13 UC IRVINE L. REV. 513 (2023), [Lawmakers and Economic Othering](#) 76 OKLAHOMA L. REV. __ (forthcoming), [LOCAL GOVERNMENT LAW](#) (West Academic Hornbook Series, 6th ed. 2023).

Jon Dubin (Rutgers-Newark): [The Color of Social Security: Race and Unequal Protection in the Crown Jewel of the American Welfare State](#), 35 STAN. L. & POL'Y REV. (forthcoming 2024).

Lee Anne Fennell (Chicago): [Property as Service Streams](#), HANDBOOK ON PROPERTY LAW & THEORY (Chris Bevan, ed., Forthcoming); [Residents Against Housing](#), 72 FLORIDA L. REV. FORUM 171 (2023); [Optional Price Discrimination](#), 10 TEXAS A&M L. REV. 485 (2023).

Michele Gilman (Baltimore): [Democratizing AI: Principles for Meaningful Public Participation](#), DATA & SOCIETY (2023); [Beyond Window Dressing: Public Participation for Marginalized Communities in the Datafied Society](#), 91 FORDHAM L. REV. 503 (2022); [Me, Myself and My Digital Double: Extending Sara Greene's Stealing \(Identity\) from the Poor to the Challenges of Identity Verification](#), 106 MINN. L. REV. HEADNOTES 301 (2022); [Expanding Civil Rights to Combat Digital Discrimination on the Basis of Poverty](#), 75 SMU L. REV. 571 (2022) (symposium on AI, Algorithms and Inequality).

Verónica C. Gonzales-Zamora (New Mexico): [The COVID Ceiling](#), 39 UCLA CHICANX-LATINX L. REV. 105 (2023).

Andrew Hammond (Indiana Maurer): [The Future of Anti-Poverty Legislation](#), GEO. L.J. (forthcoming 2024) (with Ariel Jurow Kleiman & Gabriel Scheffler); [On Fires, Floods, and Federalism](#), 111 CALIF. L. REV. 1067 (2023).

Jonathan Harris (LMU Loyola Law School Los Angeles): [Consumer Law as Work Law](#), 112 CALIF. L. REV. (forthcoming 2024) (selected for Harvard/Stanford/Yale Junior Faculty Forum); [Economic Duress in United States Employment](#), 42 COMPAR. LAB. L. & POL'Y J. (forthcoming) (invited); [The "Protecting the Right to Organize Act" and the Radical Roots of Labor Law Reform](#) (with Dylan Holmes), ABA HUM. RTS. MAG. (Oct. 2023).

Daniel L. Hatcher (Baltimore): [Commodified Inequality: Racialized Harm to Children and Families in the Injustice Enterprise](#), 61 FAMILY CT REV. (2023).

Laura Hermer (Mitchell Hamline): *Municipal Anti-Abortion Ordinances: Local Control Clashes with State Power*, 32 AM. U. J. GENDER, SOCIAL POL'Y, & L. (forthcoming, 2024); *Intentional Parenthood, Contingent Fetal Personhood, and the Right to Reproductive Self-Determination*, 56 U. MICH. J. L. REFORM (forthcoming, 2023); [Section 1115 Waivers for Health-Related Social Needs: A Problematic Tool](#), HEALTH AFFAIRS FOREFRONT (August 1, 2023).

Nicole Huberfeld (Boston University): [Federalism, Leadership, and COVID-19: Evolving Lessons for the Public's Health](#), in COVID-19 AND THE LAW: DISRUPTION, IMPACT, LEGACY (I. Glenn Cohen & Abbe R. Gluck eds., 2023); [High Stakes, Bad Odds: Health Laws and the Revived Federalism Revolution](#), 57 U.C. DAVIS L. REV. (forthcoming 2023); [Georgia Pathways—Partial Medicaid Expansion With Work Requirements and Premiums](#), 330 J. AM. MED. ASSN. (2023) (w/S.H. Gordon & M.B. Cole); [Making pandemic era Medicaid continuous coverage automatic in future crises](#), 2023 HEALTH SERV. RES. 1-4 (w/P. Shafer, K. Lim, D. Goutos, J. Benitez, K. Hsu, J. Raifman); [Private Actions to Protect Medicaid Live to See Another Day](#), 330 J. AM. MED. ASSN. 411 (2023); [Medicaid, the Supreme Court, and Safe Care for Nursing Home Residents](#), 329 J. AM. MED. ASSN. 17 (2023); [Public Health Messages And The First Amendment: Graphic Warning Labels Struck Down](#), HEALTH AFF. FOREFRONT, March 22, 2023 (w/G. Curfman); [The End of Public Health? It's Not Dead Yet](#), in THE END OF PUBLIC HEALTH?, HARVARD LAW BILL OF HEALTH (2023); [A Win with the Status Quo for Social Programs](#), ACS BLOG (June 15, 2023); [Abortion rights victories show this issue is unlikely to fade in 2024 elections – 3 things to know](#), THE CONVERSATION (Nov. 9, 2023) (w/L.C. McClain).

Creola Johnson (Ohio State): [The Modern Family Debacle: Bankruptcy Judges Decide That Some of the Debtors' Loved Ones Do Not Count as Household Members](#), 111 CAL. L. REV. 1027 (2023).

Shirley Lin (Brooklyn Law School): [Race, Solidarity, and Commerce: Work Law as Privatized Public Law](#), 55 ARIZ. ST. L.J. 813 (2023); [Affirmative Action and the Supreme Court's Alternate Racial Universe](#), JURIST, June 26, 2023 (with Clara Williams).

Sarah H. Lorr (Brooklyn Law School), [Disabling Families](#), 76 STAN. L. REV. (forthcoming 2024) (Honorable mention in the Association of American Law Schools 2024 Scholarly Papers Competition); *Symposium: Set Up to Fail: Disabled Parents in the Family Regulation System*, OKLA. L. REV. (forthcoming 2024).

Timothy M. Mulvaney (Texas A&M): [Beneath the Property Taxes that Finance Education](#), 123 COLUM. L. REV. 1325 (2023); [Property and Education](#), 123 COLUM. L. REV. 1189 (2023) (with Latoya Baldwin Clark); [Essential Property](#), 107 MINN. L. REV. 605 (2022) (with Joseph W. Singer); [Property's Compulsory Terms](#), 117 NW. UNIV. L. REV. 191 (2022).

JoNel Newman (Miami): [How to Set Up and Run a Law Clinic – Principles and Practice](#) (with Donald Nicolson & Richard Grimes) (Edward Elgar Publishing, December 2023).

Lisa R. Pruitt (UC-Davis): [Rural Bashing](#), 57 U. RICH. L. REV. 965 (2023).

Jenny Roberts (American): [Defense Lawyering in the Progressive Prosecution Era](#), 109 CORNELL L. REV. (forthcoming 2024).

Henry Rose (Loyola Chicago): [A Federal Legislative Proposal to Address the Demise of the Bivens Remedy](#), 49 NOTRE DAME J. LEG. 376 (2023).

Ezra Rosser (American): Executive Editor of the 2023 Supplement/Update, COHEN'S HANDBOOK OF FEDERAL INDIAN LAW; [Navajo Statehood: From Domestic Dependent Nation to 51st State](#), 101 OREGON LAW REVIEW 307 (2023) (with Philip Mullenix); [Affirmatively Resisting](#), 50 FLORIDA STATE UNIVERSITY LAW REVIEW 123 (2023); Symposium on Ezra Rosser, *A Nation Within* (2021), LPE Blog, <https://lpeproject.org/symposia/a-nation-within/>; [With Gratitude](#), 52 SOUTHWESTERN LAW REVIEW 281 (2023) (author response for a symposium on EZRA ROSSER, A NATION WITHIN: NAVAJO LAND AND ECONOMIC DEVELOPMENT (2021)); [Natural Law, Assumptions, and Humility](#), 9 TEXAS A&M JOURNAL OF PROPERTY LAW 653 (2023) (reviewing ERIC CLAEYS, NATURAL PROPERTY LAW (2023)) (note the cover says 2021, but it was published in 2023); [Bounties for Animal Eradication as a Private Property Subsidy](#), JOTWELL, Oct. 20, 2023 (reviewing Jack H.L. Whiteley, *Property in Wolves*, 108 CORNELL L. REV. 617 (2023)); [Building Community in Poor Towns and Cities](#), JOTWELL, Jun. 29, 2023 (reviewing Michelle Wilde Anderson, THE FIGHT TO SAVE THE TOWN: REIMAGINING DISCARDED AMERICA (2022)).

Kathryn A. Sabbeth (Rutgers): [The Gender of Gideon](#), 69 UCLA L. Rev. 1130 (2023) (with Jessica Steinberg).

Colleen F. Shanahan (Columbia): [Lawyerless Law Development](#), 75 STAN. L. REV. ONLINE 64 (2023) (with Alyx Mark, Anna E. Carpenter, and Jessica Steinberg).

Jessica Steinberg (George Washington): [Lawyerless Law Development](#), 75 STAN. L. REV. ONLINE 64 (2023) (with Colleen F. Shanahan, Alyx Mark, and Anna E. Carpenter); [The Gender of Gideon](#), 69 UCLA L. Rev. 1130 (2023) (with Kathryn A. Sabbeth).

Lauren Sudeall (Georgia State): [Creating a People-First Court Data Framework](#), 58 HARV. C.R.-C.L. L. REV. 731 (2023) (with Charlotte S. Alexander); [Disaster Discordance: Local Court Implementation of State and Federal Eviction Policies During the COVID-19 Pandemic](#), 30 GEO. J. ON POVERTY L. & POL'Y 545 (2023) (with Elora L. Raymond and Philip M.E. Garboden); [Delegalization](#), 75 STAN. L. REV. ONLINE 116 (2023).

Shanta Trivedi (Baltimore): [The Adoption and Safe Families Act is Not Worth Saving: The Case for Repeal](#), 61 FAM. CT. REV. 315 (2023); *Surviving the 'Child Welfare System*, in POLICING AND PROVIDING: THE CHILD WELFARE SYSTEM AS POVERTY GOVERNANCE (2023); [Mandating Support for Survivors](#), 30 VA. J. SOC. POL'Y & L. 85 (2023).

Yiran Zhang (Cornell Industrial Labor Relations School), [The Care Bureaucracy](#), 99 IND. L.J. (forthcoming 2024).

Other Activities and Personal Announcements

Sherley E. Cruz (Tennessee): 2023 University of Tennessee College of Law's John Reginal Hill Faculty Scholar Award; My son, Theodore, was born in September.

Michele Gilman (Baltimore): I am a Visiting Professor for the 2023-2024 academic year at Georgetown Law, where I am the Acting Director the Communications & Technology Law Clinic.

Jonathan Harris (LMU Loyola Law School Los Angeles): [Testimony before CA Assembly Judiciary Committee on Training Repayment Agreement Provisions \(TRAPs\)](#) (Apr. 25, 2023); [Comment Letter to FTC on Proposed Rule on Non-Compete Clauses](#) (Apr. 19, 2023). Named a senior fellow of the Student Borrower Protection Center, where he researches employer-driven debt. Other: Over 80 academics, regulators, advocates, and workers attended the December 4-5, 2023 conference, "Workers, Training Repayment Agreement Provisions (TRAPs), and the Economy," hosted by UC Irvine School of Law, the University of California Student Loan Law Initiative, and the Student Borrower Protection Center. In conjunction with the conference, the sponsors issued the following compendium of memos on taking a "whole of government" approach to ending abusive TRAPs and other stay-or-pay contracts that force workers to pay to leave: "STAY OR PAY: FEDERAL ACTIONS TO END MODERN-DAY INDENTURED SERVITUDE ACROSS THE ECONOMY" (contributing authors: Jonathan Harris, Reed Shaw, & Anna Rodriguez), https://protectborrowers.org/wp-content/uploads/2023/12/stay-or-pay-compendium_12-2023_FINAL.pdf. Be on the lookout for federal, state, and local actions to stop TRAPs in 2024.

Nicole Huberfeld (Boston University): nominee, Mark Pettit Teaching Award, BU Law School, 2023; nominee, SPH Faculty Award for Excellence in Research and Scholarship, 2023; Research Director, Health Law Joint Editorial Board, Uniform Law Commission.

Shirley Lin (Brooklyn Law School): On behalf of the Critical (Legal) Collective, launched the [Critical Teaching Resources](#) hub, including current CRT and CRT-adjacent syllabi, exercises, and more. Our thanks to all of the colleagues who have been generous with their materials. Contributions, questions, and requests to join our CLC Curriculum & Pedagogy Committee may be submitted to Shirley Lin & Colleen Campbell via this [form](#).

Ezra Rosser (American): Co-Author, [Amicus Brief, Arizona v. Navajo Nation](#), No. 21-1484 (on Navajo treaty-based rights to water) (with Daniel McCool and David Wilkins); visiting at Georgetown University Law Center (Spring 2024).

Lauren Sudeall (Georgia State): Joined the faculty at Vanderbilt Law School as Professor and Director, Vanderbilt Access to Justice Initiative in August 2023; Selected to serve as Associate Reporter for American Law Institute project [Principles of the Law, High-Volume Civil Adjudication](#); Awarded \$49,382 by the National Science Foundation to support a workshop convening empirical researchers and federal agency principals to develop a research agenda and partnerships for data access and funding (Co-Principal Investigator with Rebecca L. Sandefur, Arizona State University; Matthew Burnett, American Bar Foundation; and Emily S. Taylor Poppe, University of California, Irvine).

Final Note Regarding the Listserv and Blog

There are two poverty law listservs. The first is the official one and there is another poverty listserv that is loosely associated with the AALS Poverty Section. If you are not getting emails from the unofficial listserv and would like to get them, or if you are getting them and would like not to get them, please email the administrator at erosser@wcl.american.edu. To post to the listserv, you email POVERTYLIST@ROSTER.WCL.AMERICAN.EDU, but you have to be properly enrolled so if you have any problems, email erosser@wcl.american.edu.

The Poverty Law Blog, <https://maximinlaw.wordpress.com/>, also allows you to sign up for an email subscription. You can also find materials on the blog such as articles by topic using the categories tab on the left of the blog. I am also posting some material that does not appear on the blog to the associated twitter feed: [@EzraRosser](https://twitter.com/EzraRosser). If you have something (a forthcoming paper, a paper just published, or news of interest) that would be good for the blog, PLEASE email, erosser@wcl.american.edu.

The End