FIELD NOTES

Empirical Study of Legal Education and the Legal Profession Winter 2023 Newsletter
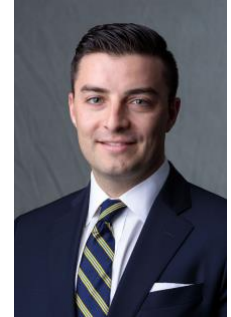
Message from the chair

It is the time of year when, in a collective way, we give thanks. I am grateful for my relationships with colleagues, friends, and family. I am grateful for chances to get together with the same, like we will be able to do in the new year. It will not be long until we convene for the Annual Meeting in Washington DC this coming January, and I hope to see many of you there. And I am particularly grateful for having had the opportunity to serve such a robust, engaging Section—this Section—as Chair over the last year.

*Section Chair
CJ Ryan*

As I complete my term as Chair, I am truly filled with gratitude. I am especially thankful for the amazing sounding board that is the Executive Committee of this Section and the unfailing efforts of our Section's leadership team. All the work that goes on behind the scenes to put on programming for our Section throughout the year is accomplished because of their work—so much of which I have benefitted from and from which you benefit as well as Section members.

We have grown in membership over the last year. I attribute this growth to the crucial role that our Section's focus plays in several national and international conversations about the future of legal education and the legal profession— all of which are enhanced through empirical study.

I am also excited about what this next year holds for our Section, and not just because it includes an excellent set of sessions at the Annual Meeting in just a couple of months. As I have mentioned before, we have grown in membership over the last year. I attribute this growth to the crucial role that our Section's focus plays in several national and international conversations about the future of legal education and the legal profession—all of which are enhanced through empirical study. Part of these conversations involve defining, designing, and deploying innovative methods to develop a strong sense of professional identity for our students. To that end, our main program this year will focus on exactly that task and more. We will also hear from emerging and established empirical scholars to learn how they employ cutting-edge empirical research methods to advance our field. And finally, related to the Annual Meeting's theme of "Defending Democracy," we will learn about the role of lawyers and jurists in shaping campaign finance litigation from one of our own Executive Committee members, Ann Southworth.

All of these programs allow our Section to be at the forefront of important and relevant dialogue taking place in our law schools and throughout the country. But none of them would have been possible without the work of our Section Officers and Executive Committee. We have opportunities to join both in 2024, and I sincerely hope you will consider serving the Section in this way. We will hold our elections for these positions at the Annual Meeting, and if you would like to be considered, please contact me at your soonest convenience but no later than December 10, 2023.

I cannot wait to reconnect with many of you at our Annual Meeting. Until then, take good care—and I look forward to seeing you all in January.

CJ Ryan, Chair
University of Louisville Brandeis School of Law

MEMBER PUBLICATIONS AND PRESENTATIONS

Deborah Jones Merritt, Andrea Anne Curcio & Eileen Kaufman, Enhancing the Validity and Fairness of Lawyer Licensing: Empirical Evidence Supporting Innovative Pathways, 73 WASH. U. J.L. & POL'Y ___ (forthcoming 2024)

Deborah Jones Merritt, Client-Centered Legal Education and Licensing, 107 MINN. L. REV. 2729 (2023)

Sam Barder & Jennifer K. Robbennolt, Optimistic Overconfidence: A Study of Law Student Academic Predictions, UNIV. ILLINOIS L. REV. ONLINE, (2023)

Debra Moss Vollweiler, *Legal Malpractice in Florida: A Statistical Profile*, 14 St. Mary's Law Journal on Legal Malpractice & Ethics, Forthcoming

Patrick H. Gaughan, En Cheng, Taylor Burgess and Aine Bolton, *Using L.D.A to Explore the Structure of the U.S. Practice of Law*, *in* 4th INT'L CONF. ON NLP & TEXT MINING, January 27 ~ 28, 2024 (Copenhagen, Denmark)

2024 AALS ANNUAL MEETING MAIN PANEL

Professional Identity in the Legal Academy

Thursday, January 4, 3:00-4:40 pm

The American Bar Association has released new requirements for the incorporation of professional identity, which will have enduring impacts on legal education and the legal profession. But the meaning of "professional identity" is capacious and amorphous. This program will examine the many facets of legal professional identity and how law schools have and should be developing young lawyers. The program will focus on empirical scholarship addressing the following topics: novel operationalizations of professional identity; measurement of professional identity; development of innovative professional identity curriculum; and efforts to inculcate professional identity within the legal profession.

Speakers (selected from a call for papers):

Swethaa Ballakrishnen, University of California, Irvine School of Law
Megan Bess, University of Illinois Chicago School of Law
Neil W. Hamilton, University of St. Thomas School of Law
Neha Lall, University of Baltimore School of Law
Carolyn Larmore, Chapman University, Fowler School of Law

OTHER EVENTS & ANNOUNCEMENTS

Works-in-Progress Incubator Panel
Friday, January 5, 12:00-1:40 pm

Works in progress to be workshopped in small groups:

Shih-Chun "Steven" Chien
Cleveland State University College of Law

Jennifer L. Koh
Pepperdine University, Caruso School of Law

Benjamin Pyle
Boston University School of Law

Judith Welch Wegner Award

Saturday, January 6, 12:00 pm

Join us as we present our Section award for the first time

Interested in joining our Executive Team?

The Section is looking for members to serve on the executive committee and leadership team next year (2024)

If you are interested in serving on the Executive Committee, or being the Section's Secretary or Chair-Elect, please reach out to Rachel Moran at moran@law.tamu.edu or CJ Ryan at cj.ryan@louisville.edu by Monday, December 11, 2023.

Author-Meets-Reader Panel -
Big Money Unleashed
with Ann Southworth

Saturday, January 6, 8:00-9:40 am

(co-sponsored by the Section on Professional Responsibility)

This session explores a new book documenting the story of how the First Amendment became an obstacle to campaign finance regulation—a history that began much earlier than most imagine. Americans across party lines believe that public policy is rigged in favor of those who wield big money in elections. Yet, legislators are restricted in addressing these concerns due to a series of Supreme Court decisions that ruled that campaign finance regulations violate the First Amendment. *Big Money Unleashed* shows that our current impasse is the result of a long-term process involving many players. Naturally, the justices played critical roles—but so did the lawyers who developed the theories necessary to support the legal doctrine, the legal advocacy groups that advanced those arguments, the patrons who financed these efforts, and the networks through which they coordinated strategy and held the Court accountable. Drawing from interviews, public records, and archival materials, *Big Money Unleashed* chronicles how these groups borrowed a litigation strategy pioneered by the NAACP to dismantle racial segregation and used it to advance a very different type of cause. The panelists will explore these questions and react to Professor Southworth's newly released book from a wide variety of perspectives.

Additional Speakers:

Tabatha Abu El-Haj, Drexel University, Kline School of Law
Susan D. Carle, American University, Washington College of Law
Lawrence Lessig, Harvard Law School
Reva B. Siegel, Yale Law School
Bradley A. Smith, Capital University Law School
Mark V. Tushnet, Harvard Law School