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President's Message

Are We Good Neighbors? Academic Duty and Service Obligations

Michael A. Olivas, University of Houston Law Center, AALS President

My wife and I recently changed our life together radically, by moving from our suburban Houston four bedroom home to a two bedroom loft apartment near the UH Law Center. Earlier this week, I set a new land-speed, non-Olympic-Year record of 3 minutes and 20 seconds, walking from the 8th floor of the Calhoun Lofts to my UHLC office. Whereas we had defined our neighborly life by how we kept the lawn, whether we were in compliance with the neighborhood association requirements for house maintenance, and how we watched each other's property when on vacation or away—today our neighborly concern is how to maintain a secure facility in an urban area, watching who comes and goes in the locked building, and keeping the music down with shared walls. This move from the more independent single home dwelling norm to the shared collective norm is one I first encountered when I moved in the 1960's to my first dormitory, as a high school seminarian in Santa Fe, New Mexico. In a sense, as the oldest of ten children, my family life has always been a collective enterprise, as was that of my wife, who is the oldest daughter of ten children as well.

[in this issue]

Being a good neighbor is highly contextual and individualistic, and many of us struggle with this Robert Frost-paradox of fences and walls making us good neighbors, not denizens of gated communities. I know that when I size up potential colleagues in hiring meetings, I assume the basic merit badges of academic and professional accomplishments, but I also place weight upon citizenship, whether a person will likely be a good colleague and contributor to the overall enterprise.

By this, I do not mean the "collegiality" criterion that has been used to punish faculty for their views, as has happened, where courts assessed the extent to which the use of such a metric is discriminatory and unfair.[1] The AAUP, for example, discourages the use of collegiality as a separate and independent measure:

"Relatively little is to be gained by establishing collegiality as a separate criterion of assessment. A fundamental absence of collegiality will no doubt manifest itself in the dimensions of teaching, scholarship, or, most probably, service, though here we would add that

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we all know colleagues whose distinctive contribution to their institution or their profession may not lie so much in service as in teaching and research. Professional misconduct or malfeasance should constitute an independently relevant matter for faculty evaluation. So, too, should efforts to obstruct the ability of colleagues to carry out their normal functions, to engage in personal attacks, or to violate ethical standards. The elevation of collegiality into a separate and discrete standard is not only inconsistent with the long-term vigor and health of academic institutions and dangerous to academic freedom, it is also unnecessary.[2] "

And I acknowledge that the line between being a law professor who is a good colleague and one who is a schnook is often blurred and very personal. The AAUP notes this as well: "Criticism and opposition do not necessarily conflict with collegiality. Gadflies, critics of institutional practices or collegial norms, even the occasional malcontent, have all been known to play an invaluable and constructive role in the life of academic departments and institutions. They have sometimes proved collegial in the deepest and truest sense."[3] I cringe when I recall some of the fights I have picked over my 30 years at UHLC, but I would probably run after and chase some of the same fire trucks again. I have caught my fair share of these trucks over the years. Rather, I want to hire people who will contribute to the overall health of the enterprise, and who will leave the trail cleaner than they found it. If they have some evidence of volunteer activities, professional contributions, or personal participation in an organization, they are more likely to become a good colleague, with all the other traits one wants in a fellow worker.

The issue I write about in this, my final column, is being a good neighbor in our overall service and professional obligations. Our Association has a very large number of volunteers, most of whom give selflessly and freely to improve the overall work of our enterprise. This year, I appointed almost a hundred such persons to committees, task forces, planning groups, and the many other bodies that carry out the daily work of the AALS. Only a handful of persons I called to service turned me down, and it was, in virtually all instances, with their regret that a personal circumstance or other professional obligation precluded them from accepting my invitation. Some of these appointments were to quite time-consuming tasks, especially the colleagues who accepted a position on the Membership Review Committee. MRC is the James Brown of legal education, attracting the hardest-working persons in a service capacity. But all of these responsibilities—advising the AALS Executive Committee on government relations, library issues, and international programs, or putting on a workshop in intellectual property and other important topics—all have their place in our system, and we could not function without this group of workhorses who shoulder the load of planning our activities and advising our members. I believe this to be a covenant with our collective selves, as part of good governance.

Ironically, the nature of becoming a successful law professor is one that combines talent, hard work, good fortune, and self-motivation, and there are many whose fame or reputation has been hard won through sheer indi-

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vidual achievement. These colleagues have divined that the path forward or upward is through being a successful and efficacious independent contractor, and so their career trajectories have been carved out by individual and personal accomplishment. Others, having earned tenure and security of position, seek a more balanced career by undertaking the many forms of service that are available to legal educators and lawyers: in the various general and specialized bar groups, in public office or appointments, in the professional associations and learned societies that allow tribal interests to flourish, and in the many "pipeline" programs that present themselves and allow us to replenish our ranks.

In his January, 1997 AALS Presidential Lecture, my predecessor and friend John Sexton (NYU), wrote in "The Academic Calling: From Independent Contractor to Common Enterprise":

> "There is, I submit, an interesting analogy between the way most legal academics view themselves and the way most law schools view themselves. Specifically, I believe that the dominant model that we employ to define the relationship of the 180 or so member schools in this Association is that each school is an independent contractor. Rarely do we view our member schools as participants in a common enterprise."

What does that mean for us as an Association? We know that the Association is legal education's learned society. The word 'learned' describes our core function: education and research. The word 'society' masks a lot. In other disciplines, the learned societies are collections of individual professors—to wit, they are aggregations of independent contractors. We are not only a society of professors but also a society of schools. This means that we can choose an identity for ourselves across a spectrum of possible identities.[4]

I write to affirm these remarks, and to issue a challenge to all our members to become part of the solution and undertake service that does not merely advance the specialized interest of our own research and scholarship, but that advances the interests of others, and particularly those not as fortunate as we have been. Some faculty teach prelaw programs, conduct street law classes, raise scholarship funds, lobby legislators, perform pro bono work, draft legislation, testify before various legislative and administrative bodies, and write op-eds to influence important public policy decisions. I am not speaking here of taking on paid clients as their counsel or consultant, which is a perfectly appropriate activity, within bounds and institutional obligations, but I consider these part of the independent contractor side of law professor lives.

I have done these, and find that they enrich my teaching and scholarship. But no one will pay me for sitting with 17 prelaw sophomores last Saturday morning, rehearsing them for taking the LSAT and advising them about how to write admissions essays and apply to law schools. These activities enrich me beyond measure, even if they have no specific resume value. Not one of us arrived on our own merits, but all have relied upon the kindness and achievements of others who encouraged us, mentored us, and shaped us. It is our reciprocal obligation to do unto others. I invite colleagues to attend the Presidential Session on public service activities on the Friday afternoon after the Annual Meeting lunch, which will include Harold Koh (Yale), Nancy Rogers (Ohio State), and Linda S. Greene (Wisconsin)—all colleagues who have undertaken significant public service.

I end my term by asking all of us to give ourselves away, to at least one unpaid pro bono, non-legal education activity each semester. This is a modest and completely voluntary task, but many of us teach in schools where our students are required to undertake such work in much larger amounts (and to pay for the privilege by virtue of tuition). Every legal educator (and there are over 6,000 of us) should commit to involve himself or herself in one scholarship fund, one event to speak to schoolchildren, or one similar obligation each semester. Much has been given to each of us, and I believe that we all should give back, and give freely. Doing so is the proverbial bread cast upon the waters.

The second Mexican American lawyer ever to practice in Texas, Alonso S. Perales, wrote *Are We Good Neighbors?*,[5] a 1948 book in which he outlined the many depredations practiced in Jim Crow and Jaime Crow Texas, post-WWII, where many Mexican American and African Americans served in the military and died for their country, or survived and returned to a United States that did not accord them the basic civil rights and dignity accorded white citizens. In *Good Neighbors*,

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through a careful series of testimonios and affidavits describing many humiliating incidents of exclusion from restaurants, bars, barber shops, and theaters and other private accommodations, and of refusals to sell property because of racial restrictive covenants, Perales not only challenged elected and appointed officials to accord civil rights to these populations of color, but he also challenged Mexican Americans to stand up for their rights, to press legislators and hold them accountable, and to behave as good neighbors to the larger community. That same challenge is still appropriate today, when legal education is being criticized for a variety of good and not-so-good reasons: Are we being good neighbors?

Endnotes

1. There is a remarkable number of cases in this area, suggesting that tenure reviews do indeed take into account collegiality. See, e.g., Mayberry v. Dees, 663 F.2d 502, 517, 518-519 (4th Cir. 1981) (a "candidate's relationship to other professors in the department'' appropriate in tenure review, including judgment whether faculty is ``the kind of person with the requisite degree of collegiality''); Staheli v. University of Mississippi, 854 F.2d 121 (5th Cir. 1988) (denial of tenure may consider whether actions constituted "divisive influence on the faculty''); McGill v. Regents of University of California, 52 Cal. Rptr. 2d 466, 472 (Cal. Ct. App. 1996) (colleges may consider ``person's ability and willingness to work effectively with his or her colleagues'' in personnel reviews). It should come as no surprise that there is a substantial legal literature on this phenomenon as well: Michael L. Seigel, On Collegiality, 54 J. Legal Educ. 406 (2004); Sumi Cho, "Unwise," "Untimely," and "Extreme": Redefining Collegial Culture in the Workplace and Revaluing the Role of Social Change, 39 *U.C. Davis L. Rev.* 805 (2006); Michael L. Seigel & Kathi Miner-Rubino, Measuring the Value of Collegiality Among Law Professors, *1 Faulkner L. Rev.* 257 (2010).

2. AAUP, On Collegiality as a Criterion for Faculty Evaluation (1999), available at: http://www.aaup.org/AAUP/pubsres/policydocs/contents/collegiality.htm

3. *Id.*

4. John Sexton, "The Academic Calling: From Independent Contractor to Common Enterprise," (January, 1997 AALS Presidential Lecture), available at: http://www.aals.org/presidentsmessages/calling.html

5. The book, long out of print and unavailable, is cited in Lupe S. Salinas, Gus Garcia and Thurgood Marshall: Two Legal Giants Fighting for Justice, 28 *T. Marshall L Rev* 145, 159-160 (2002-2003), and will be reprinted in 2012 by Arte Publico Press, following a conference on Perales. See http://www.law.uh.edu/ihelg/Perales-Conference.html. See also Michael A. Olivas, The "Trial of the Century" That Never Was: Staff Sgt. Macario Garcia, The Congressional Medal of Honor, and the Oasis Café, 83 Ind. L. J. 1391 (2008).

Crosscutting Programs to be Presented at AALS Annual Meeting

January 5-6, 2012
Washington, D.C.

The Crosscutting Programs bring back and build on a well-received feature of prior years' Annual Meetings, formerly called "Open Source Programs." Crosscutting Programs feature an innovative approach to presenting legal topics and can also be interdisciplinary. These programs attract a wide audience of faculty teaching in multiple subjects, and are creative in topic and presentation. Proposals for Crosscutting Programs were submitted by faculty at AALS member law schools and were due April 15, 2011. Three Crosscutting Programs were selected from the proposals submitted for the 2012 Annual Meeting. The date, time and topic for each Crosscutting Program is listed on the following pages.

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Cross Cutting Programs to be Presented at AALS Annual Meeting

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Thursday, January 5, from 9:00 a.m.-12:00 p.m.

The Law and Science of Trustworthy Elections: Facing the Challenges of Internet Voting and Other E-Voting Technologies will be presented. Sign-up for this program using session code [4110] when you register.

In the heated 2012 presidential election cycle, most Americans will cast primary and general election ballots on aging computer-based voting systems whose designs date to the early 2000s. States have also moved rapidly to allow internet transmission of voted ballots. At least 33 States now permit email, e-fax, or other internet voting methods for overseas absentee voters, both civilian and military. Some states have seen proposals to extend online balloting options to all voters.

Premier computer scientists have evaluated both precinct-based and internet electronic voting methods. Their scientific assessments identified seriously flawed software and revealed the ease of tampering (even by hackers with little expertise), but those findings have had little effect on the technology in use. States that produced 170 electoral votes in 2008 made exclusive or widespread use of the voting equipment that has received most criticism and is easiest to manipulate in ways that may be undetectable. Substantial portions of the U.S. Senate and House are elected from those jurisdictions. In recent years, states that planned to purchase more secure voting devices postponed the change because of fiscal pressures.

This program seeks to bridge the understandings of security, risk, and public values between computer scientists and legal academics, and to facilitate new scholarship by law professors that will address persistent regulatory and legal issues. Three panels will explore distinct sets of issues.

In Part I, distinguished computer scientists known for translating complex science into comprehensible insights for policymakers will provide an overview of the ways in which computers have been integrated into the election process. They will explain the types of design flaws that can cause serious problems in election results and the safeguards their field considers essential to assuring that votes are recorded and counted accurately. Examples of voting devices will be present.

Part II will present three papers on internet voting and its regulation. Two law professors will present critical studies of a pilot project and federal agency activities that sought to establish that the internet can transmit voted ballots securely in accordance with laws requiring accuracy and ballot secrecy. A computer science professor will explain the lessons of the District of Columbia internet voting public test in 2010 and how his team broke in, took control, and secretly re-voted all cast ballots for write-in science fiction characters.

Part III brings together experts and law professors with diverse specialties in a roundtable exchange on developing and implementing responses to these technological issues in an area--elections--that demands high levels of certainty about results. The discussion may include analogies and differences between previous election issues and current technological developments; constitutional and legal principles that apply to selection and use of technology and to new evidentiary challenges that may emerge in election disputes; particular challenges in regulating technology during periods of rapid change; and whether a moratorium on internet voting is appropriate and, if so, the standards or thresholds that should determine its scope. The panel will identify areas where new scholarship will be important and particular areas that may see new urgent questions during the coming year. (Please check online for updated list of participants.)

Cross Cutting Programs to be Presented at AALS Annual Meeting

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Thursday, January 5 from 10:30 a.m.-12:15 p.m.

The Antibalkanization Turn in Antidiscrimination Law and Theory? Sign-up for this program using session code [4135] when you register.

The program will inquire whether antidiscrimination law and doctrine has added a new antidiscrimination principle that some scholars have termed antibalkanization. Among the issues that the panel will explore include: (a) whether the concept of antibalkanization is descriptively accurate; (b) whether it is normatively defensible; (c) whether this new principle applies symmetrically to state action that disadvantages citizens of color as well as state action that disadvantages white citizens; and (d) whether this principle applies to other areas of constitutional law

Friday, January 6 from 4:00-5:45 p.m.

Preventing Legal Problems will be presented. Sign-up for this program using session code [5340] when you register.

Preventive medicine helps patients stay healthy and capable, so that they will rarely require extensive treatment. Energy planning promotes efficiency and independence. Legal education and research, however, have largely neglected preventive concepts.

Practicing lawyers manage legal risks in many situations: tax planning, estate planning, employment planning, and others. What both the profession and legal education have lacked is a systematic way of thinking about planning apart from the substantive particulars of any one field. Law schools teach "Trial Practice" rather than separate courses on Contracts Trial Practice, Torts Trial Practice, or Estates Trials Practice. The same should be possible for "Planning."

The "Preventing Legal Problems" program addresses these shortcomings, alerting legal educators to the needs and benefits of bringing planning ideas into the classroom. Speakers will discuss (1) preventive thinking among lawyers; (2) how prevention relates to professional responsibility and emerging structural changes in the legal profession; (3) communication skills associated with preventive practice; (4) samples of how preventive lawyering can be applied to corporate law and governance, health care, and contract law; and (5) obstacles to bringing planning into the classroom and possibilities for surmounting those difficulties.

2012 AALS Conference on Clinical Legal Education

Takeaways for Clinical Teaching and Assessment in a Changing Environment

April 30 – May 3, 2012
Los Angeles, California

The conference's overarching goal is to provide clinical educators with concrete lessons, examples, and ideas for improving teaching, student assessment, and clinical program self-evaluation in the face of a changing legal profession and world. Plenary sessions, mini-plenary sessions, concurrent sessions, and working groups will be structured to emphasize and produce takeaways for improving the teaching of lawyering skills and professional values, incorporating reflection components into externships and in-house clinical courses, successfully meeting the teaching challenges of today, designing effective student assessment instruments, and engaging in meaningful self-evaluation of clinical programs.

The legal profession and needs of law school graduates have been rapidly changing. The last five years have brought profound changes in the legal profession, including law firm downsizing, a weak legal employment market, and an increasing call for practice-ready law graduates. At the same time, the needs of our client communities continue to evolve, as do our students' goals and expectations for their clinical experience. These changes have placed, and will continue to place,

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AALS Conference on Clinical Legal Education

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more demands on clinical legal education within law schools. This conference will explore what these changes mean for clinical faculty while providing attendees with concrete tools they can use at their home institutions.

The conference this year will take place over three and one-half days and will address the changing environment by examining three major themes: (1) setting goals and structuring in-house and externship clinical courses in an environment in which student goals, client needs, and the profession itself are changing; (2) developing effective techniques for teaching skills, given how the practice of law has evolved and expanded in the 21st century; and (3) measuring the effectiveness of our teaching by learning from different clinical models (simulations, externships, and in-house clinics).

There will be a plenary for each of these major themes, and presenters will include faculty who focus on externships, in-house clinics, and simulation skills teaching as well as experts from other disciplines. A subtheme of the conference will be to compare and contrast what occurs in each type of clinical pedagogy and what we can learn from each other as legal educators in our common enterprise to prepare students for the practice of law.

Mini-plenaries and concurrent sessions will explore issues roughly broken into six categories: general clinical pedagogy; teaching and assessing specific lawyering skills and professional values; sessions with externship emphasis; sessions with in-house clinic emphasis; professional development for faculty; and sessions addressing diverse areas such as case and data management in clinics, and preparing students for today's legal market.

The conference structure will have fewer large plenary sessions, and some mini-plenaries and concurrent sessions will be structured to run in tracks (e.g., in-house and externship tracks) to minimize conflicts within areas of interest. There will also be four slots on different days of the conference for committee meetings in the morning or mid-afternoon that will not conflict with substantive conference sessions.

While the emphasis of the plenaries and concurrent sessions will be on concrete tools faculty will be able to use, the sessions will also explore the underlying educational theories necessary to understand, modify, and develop these tools. Working groups will be organized to examine topics generated by the plenaries and to help answer questions about the effective use of the takeaways in the context of the teaching we do.

In addition to the general conference, there will be a special session and orientation to clinical teaching and the conference for new clinical faculty the morning of the first day of the conference, and sessions will be planned for clinic administrators. Also, during the conference, there will multiple concurrent sessions for works-in-progress.

Topics:

- Structuring Clinics in a Changing Environment: What Generation Y Students Want, What Today's Clients Need and What 21st Century Must Know
- Teaching Lawyering Skills to the 21st Century
- Measuring the Effectiveness of our Teaching: Learning from Different Clinical Models (Simulations, Externships, In-House)
- Final Takeaways from the Conference

Planning Committee for AALS Conference on Clinical Legal Education

Jon C. Dubin, Rutgers University School of Law - Newark
Margaret M. Jackson, University of North Dakota School of Law
Peter Joy, Washington University School of Law, **Chair**
Luz M. Molina, Loyola University New Orleans College of Law
Jayesh Rathod, American University Washington College of Law

2012 AALS Annual Meeting Workshop on the Future of the Legal Profession and Legal Education: Changes in Law Practice: Implications for Legal Education

Thursday, January 5th from 8:45 a.m. - 5:00 p.m.

The Kelley Institute of Ethics and the Legal Profession at the Michigan State University College of Law has provided a grant to augment the AALS support for speakers from the legal profession and other disciplines.

Major changes in the legal profession raise important questions about the future of legal education. These changes in the legal profession reflect both long term trends, such as increasing globalization and cross-border practice, advances in technology, and a shift from internal to external sources of regulation and policing of professional misconduct, and recent developments, such as a worldwide economic recession and a global political situation that has heightened both national security and civil liberties concerns. In turn, these changes raise important questions about the future, not only regarding how law will be practiced and what professional skills our students will need, but also how law schools will operate and how professionals dedicated to legal education will teach and otherwise conceive of their missions.

Among the questions these many developments raise: What new or different kinds of training will the law schools of the future need to provide? How can law schools better serve students seeking to develop critical skills in the areas demanded by changes in legal practice, including advanced problem identification and problem solving, entrepreneurism, legal judgment, creativity, and complex case management? How can and should law schools respond to critiques from both practitioners and educators (such as in the Carnegie Foundation report) urging an expansion in the range of cognitive skills addressed through legal education and a broadening of the scope of law school pedagogy beyond traditional methods?

A second set of questions focuses on changes in the legal academy: What innovations are currently underway in law schools to respond to changes taking place in the legal profession and in legal education? How will projected changes in the economics of the legal profession affect law students' priorities and law schools' budgets? Most fundamentally, what could and should members of the legal academy be doing to plan for the future in response to the many changes currently underway and to be expected in the near future in both the legal profession and in legal education?

The 2012 AALS Annual Meeting Workshop will take up these and other related questions. This one-day workshop aims to stimulate thought and the sharing of ideas throughout the legal academy about the many interrelated issues raised by change in both the legal profession and legal education. Participants will have the chance to hear from expert observers and to offer their own ideas, in frank and open exchanges featuring a wide range of perspectives and approaches.

The Workshop will involve a series of discussions organized around two plenary sessions. The first plenary will be held in the morning and is entitled "Changes in the Legal Profession and Regulation." Featuring experienced observers of the profession, including both practitioners and law professors, this plenary will explore and link together the many facets of change currently underway, addressing topics including developments in large firm practice, public interest practice, legal regulation, legal education, and regulation of legal education. A second plenary, to be held in the afternoon, is entitled "Innovations in Legal Education," and will focus on legal education and innovations currently underway that respond to the changing conditions of law practice or point the way towards the future of legal education in other respects.

After each plenary session, workshop participants will be invited to choose among a range of concurrent sessions that will explore in more depth particular aspects of the general themes raised by the plenary sessions. These sessions will include both morning and afternoon panel discussions on innovations in teaching, which will feature some invited speakers and some speakers selected from proposals submitted in response to an AALS Request for Proposals (RFP) seeking descriptions of innovative teaching currently taking place. Another panel will focus on innovative work of many kinds currently being done at the intersections among teaching, scholarship and service, and will also include speakers selected through a RFP.

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2012 AALS Annual Meeting Workshop on the Future of the Legal Profession and Legal Education

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Other concurrent sessions will address topics related to changes in the legal profession, such as globalization, access to justice, technological innovation, innovations in delivery of law and law-related services, and government lawyering, with time reserved for audience discussion. Still other sessions will focus on subjects related to legal education, including the innovations in teaching and scholarship panels already mentioned as well as a session on financing and organizing law schools of the future. Participants especially interested in either "side" of the interrelated subjects of change in the legal profession and change in legal education should find ample choices to pursue the topics of most interest to them during both the morning and afternoon concurrent sessions.

Confirmed Speakers:

Jane H. Aiken(Georgetown); Amy G. Applegate (Indiana); Judith C. Areen (Georgetown); Amy Bach, Author, Rochester, New York; Leonard M. Baynes (St. John's); Susan D. Bennett, (American University); David S. Bogen (Maryland); Kathleen Clark (Washington University); Laura J. Cooper (Minnesota); Michele DeStefano Beardslee (Miami); Roger J. Dennis (Drexel); Stephen Denyer, Allen & Overy, LLP, Frankfurt, Germany; Mary Jean Dolan (John Marshall); Tanya M. Evans (Widener); Bryant G. Garth (Southwestern Law School); Stephen Gillers (New York University); Bruce A. Green, (Fordham); Susan Hackett, Legal Executive Leadership, Washington, DC (formerly with the Association of Corporate Counsels); Gillian K. Hadfield (Southern California); Thomas Harvey, ArchCity Defenders, Inc., St. Louis, Missouri; Ramzi Kassem (City University of New York); Stephanie Kimbro, Kimbro Legal Services, Wilmington, North Carolina; Angela Mae Kupenda (Mississippi College); John Leubsdorf, (Rutgers – Newark); Leslie C. Levin (Connecticut); Paul Lippe, CEO, Legal OnRamp, San Francisco, California; Peter Margulies (Roger Williams); Richard A. Matasar (New York Law School); Lynn Mather (Buffalo); Therese H. Maynard (Loyola); James E. Moliterno (Washington and Lee); Thomas D. Morgan (George Washington University); Ashish Nanda (Harvard); Ira S. Nathanson (St. Thomas); Paul D. Paton (Pacific); Andrew Perlman (Suffolk); Burnele V. Powell (South Carolina); Margaret Jane Radin (Michigan); Deborah L. Rhode (Stanford); Irma Russell (Montana); Paul Salsich, Jr. (St. Louis); Paula Schaefer (Tennessee); Ann C. Shalleck (American University); Carole Silver (Indiana); Kenneth W. Starr, President, Baylor University; Ronald W. Staudt (Chicago-Kent); Gary Tamsitt (Australian National University); Aaron Taylor(Arkansas at Little Rock); Laurel S. Terry (Pennsylvania State University); Paul R. Tremblay (Boston College); Craig Watkins, Dallas District Attorneys' Office, Dallas, Texas; Judith Welch Wegner (North Carolina)

Topics:

- Changes in Legal Profession and Regulation
- Teaching Innovations
- Globalization
- Technological Innovation in Practice and Education
- Innovation in Delivering Legal and Law Related Services
- Government Lawyering
- Innovations in Legal Education
- Teaching Innovations
- Financing and Organizing Law Schools of the Future
- Innovations at the Intersections of Scholarship, Teaching, and Practice
- Regulation of the Legal Profession and the Academy
- Access to Justice
- Organizing and Financing Law Schools

Planning Committee for Workshop on the Future of the Legal Profession and Legal Education

Susan D. Carle, American University, Washington College of Law, **Chair**

Renee Newman Knake, Michigan State University College of Law

Carol A. Needham, St. Louis University School of Law

Carla D. Pratt, Pennsylvania State University, Dickinson School of Law

Milton C. Regan, Georgetown University Law Center

Hot Topic Workshop Scheduled for 2012 Annual Meeting on Political Crises and Constitutionalism: War and Money

Saturday, January 7, 2012

The AALS Committee on Professional Development has planned a hot topic Workshop on Political Crises and Constitutionalism: War and Money.

Political crises relating to war and money involve serious questions about how much we think the President can do alone, and what Congress can do (including to limit the President). Although we have planned separate panels for each, we anticipate that interesting linkages will emerge in the discussions.

8:30 – 10:15 am

Plenary Session I: Money

SPEAKERS:
Jack M. Balkin, Yale Law School
Neil H. Buchanan, The George Washington University Law School
Emma C. Jordan, Georgetown University Law Center
Michael W. McConnell, Stanford Law School

MODERATOR: Richard Albert, Boston College Law School

This panel will discuss financial crises, with a focus on last summer's debt ceiling controversy. Panelists will consider questions such as whether the Fourteenth Amendment required Congress to raise the ceiling, whether in the absence of such action the President could have ignored it, and whether aspects of the constitutional structure (e.g., the rule of Chadha) increase the difficulty of resolving such crises.

10:30 am – 12:00 pm

Plenary Session II: War

SPEAKERS:
Curtis A. Bradley, Duke University School of Law
Martin S. Lederman, Georgetown University Law Center Law Center
Trevor W. Morrison, Columbia University School of Law
Matthew C. Waxman, Columbia University School of Law

MODERATOR: Vicki C. Jackson, Harvard Law School

This panel will discuss war and the use of force, with a focus on Libya. Panelists will consider a number of questions, not only about the constitutional allocation of authority over the use of military force as between the President and Congress, but also about the relationship (vel non) between international authorization and domestic authority, and about the role, and capacity, and limits, of intra-executive branch advice on legal matters that do not come before courts.

ATTENTION DEANS AND ASSOCIATE DEANS:
Three Upcoming AALS Workshops for Your New Law Faculty

Workshop for Beginning Clinical Law School Teachers
June 20-21, 2012
Washington, D.C.

Why Attend?

This Workshop is designed to offer new law faculty an introduction to clinical teaching, and to the challenges of balancing the various roles that clinical teachers are expected to perform. The Workshop will address the basic tasks of the clinical teacher – setting goals for clinical courses, teaching professional skills and values, supervising students and producing scholarship – and will provide the perspective of clinicians who were recently new teachers themselves. Concurrent sessions will focus on clinical program design and navigating the academy. At lunch, the "Future Trends" session will present a role play on modeling an integration project.

Who Should Attend?

This Workshop should be of interest to new teachers of in-house and externship clinical courses and to all new teachers interested in clinical teaching methodology.

Topics:

- History and Current Trends in Clinical Legal Education
- Teaching Goals, Skills and Values of Clinical Legal Education
- Future Trends
- Program/Clinic Design
- Navigating the Academy
- Scholarship
- Things I Wish Someone Had Told Me When I Started

Speakers:

Bryan L. Adamson (Seattle); Okianer Christian Dark (Howard); Phyllis Goldfarb (George Washington); Leigh Goodmark (Baltimore); Renee M. Hutchins (Maryland); Katherine R. Kruse (Nevada, Las Vegas); Antoinette Sedillo Lopez, (New Mexico); Tamar Meekins (Howard); J. P. "Sandy" Ogilvy (Catholic); Brenda V. Smith (American); Jessica Steinberg, (George Washington); Valorie K. Vojdik (Tennessee)

30th Annual Workshop for New Law School Teachers
June 21-23, 2012
Washington, DC

Why Attend?

At the 30th annual Workshop, new law teachers will share their excitement, experiences and concerns with each other and with a roster of senior and junior faculty chosen for their track record of success and their diversity of scholarly and teaching approaches. These professors will pass along invaluable advice about teaching and testing techniques and tips for developing, placing and promoting one's scholarship. Speakers will also address how to manage the demands of institutional service, as well as the expectations of students and colleagues, along with special challenges that arise when confronting controversial topics.

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2012 AALS Workshops for New Law Faculty

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Who Should Attend?

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

Topics:

- Nuts and Bolts – Tips and Tricks of Scholarship
- Getting Started with Scholarly Agenda – Identity, Scholarship, Networking
- Those Who Have Already Written - Where Are You on Your Scholarly Agenda
- Teaching: Learning Styles
- Teaching: Preparation and Methods
- Managing the Classroom; A Dean's Perspective: Service and Institutional Citizenship
- Tenure Track (Service and Professionalism for Junior Faculty)
- Entry Level/Job Market Track (Visiting Assistant Professors, Fellowship)
- Evaluation
- Reports from the Early Years

Speakers:

Rory D. Badahur (Washburn); Zachary Bray (Houston); Erika George (Utah); Phoebe A. Haddon (Maryland); Kevin R. Johnson (California, Davis); Lawrence C. Levine (Pacific); Paula Lustbader, (Seattle); Jeffrey A. Maine (Maine); Russell A. McClain (Maryland); Lisa H. Nicholson (Louisville); Mariela Olivares (Howard); Jennifer L. Rosato (Northern Illinois); Rose Cuison Villazor (Hofstra); Lu-in Wang (Pittsburgh); Serena M. Williams (Widener); Laurie B. Zimet (California, Hastings)

Workshop for Pretenured People of Color Law School Teachers

June 23-24, 2012
Washington, D.C.

Why Attend?

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

Who Should Attend?

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

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2012 AALS Workshops for New Law Faculty

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Topics:

- Teaching
- Scholarship Overview
- Getting Started with Scholarly Agenda – Identity, Scholarship, Networking
- Preparing the Tenure File
- Service: When to Say No, When to Say Yes
- Beyond Getting Tenure: Why a Plan is Important

Speakers:

Steven Bender (Seattle); Henry L. Chambers, Jr. (Richmond); Robert S. Chang (Seattle); Angela J. Davis (American); Tanya Kateri Hernandez (Fordham); Ernesto A. Hernández-Lopez (Chapman); Gilbert A. Holmes (Baltimore); Susan R. Jones (George Washington); Veryl Victoria Miles (Catholic); Angela I. Onwuachi-Willig (Iowa); Margaret M. Russell (Santa Clara)

Planning Committee for the 2012 Workshop for New Law School Teachers, Workshop for Beginning Clinical Law School Teachers, Workshop for Pretenured People of Color Law School Teachers

Okianer Christian Dark, Howard University School of Law

Susan R. Jones, The George Washington University Law School

Sapna Kumar, University of Houston Law Center

Xuan-Thao Nguyen, Southern Methodist University Dedman School of Law, **Chair**

Laurie B. Zimet, University of California Hastings College of Law

AALS Workshop on When Technology Disrupts Law: How Can Intellectual Property, Internet, and Biolaw Adapt?

June 10-12, 2012
Berkeley, California

Why Attend?

Synthetic biology, regenerative stem cells, chimera, fMRI, nanotechnology, cloud computing, social networks, and web 2.0 are just a few of the many technological advances of the first decade of the twenty-first century to which intellectual property (IP), internet and biolaw professionals are having to help the law adapt. This workshop will bring together leading thinkers not only from the legal academy, but also from fields of economics, business, biology, and computer science, to share insights about these technologies and how the law and lawyers can best adapt to these new phenomena.

The conventional wisdom in the IP field has long been that the grant of exclusive rights such as patents and copyrights is essential to foster innovation in virtually all fields of endeavor. This wisdom has been called into question to some degree by the rise of peer production processes, such as open source development, and by other modes of open innovation. How has and how should the law respond to open innovation? If users are innovating by tinkering with products that are patented or copyrighted, should special rules privilege this tinkering? The internet and other advances in informa-

2012 AALS Workshop on When Technology Disrupts Law: How Can Intellectual Property, Internet, and Biolaw Adapt?

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tion technology have made it possible for people to collaborate at a distance to construct significant information resources such as Wikipedia. Who owns what has been created collaboratively? What role do commons play in promoting innovation and progress? The rise of amateur creations such as remixes and mashups of copyrighted content, which are widely available on sites such as YouTube, have generated more legal questions than answers.

Social networks allow sharing of information beyond anything that could have been imagined a decade ago. What responsibilities do the operators of these networks have toward their users, particularly as to data mining with personal data about the users? Data mining has also become extremely important with large data sets, and bioinformatics is a new field of research that does not fit within standard models of disciplinary fields. Among the challenging questions that have arisen in the biological sciences have been whether products of synthetic biology can be copyrighted or subject to Creative Commons licenses. Thickets of patents on stem cell innovations and genetic materials are said by some to pose threats to the ongoing progress of research in these fields, and law professors, among others, are offering suggestions about how to overcome obstacles of this sort.

Beyond IP, advances in biology and biotechnology increasingly challenge not just the margins, but the core of the law as well. Functional brain scanning can now provide a detailed picture of the living, thinking human brain, complicating our understanding of such legal concepts as scienter, responsibility, guilt, and punishment. Rapid, inexpensive genome sequencing allows patients intimate knowledge of their genetic heritages, with consequences for employment, insurance, health, and family law. Embryonic stem cells raise myriad bioethical issues, renewing legal debates over property rights in human body parts and abortion rights. And, synthetic biology raises concerns biosafety, biosecurity, and the democratization of biotechnology.

This workshop will not only consider these types of questions, but also what kinds of changes to legal institutions might be necessary or desirable to render the institutions better able to adapt to the rapidly changing technological environment in which we live. Should the Federal Communications Commission have more regulatory authority over the internet? Do we need to recreate the Office of Technology Assessment inside the U.S. Congress? Is the Patent & Trademark Office able to handle the influx of applications in new fields of technology? How might the U.S. Copyright Office be revamped to make better use of information technolo-

Topics:

- Open Innovation and Governance
- User-Generated Content on Social Networks and Other Collaborative Websites
- Open Biology
- Commercializing Open Innovations
- Social Networks and Privacy
- Updating the Regulatory Infrastructure – Domestic Regulatory
- Challenges of Updating International Regulatory Infrastructure
- Teaching Biotech
- Teaching with Digital Technology
- Teaching Cyber Law
- Clinical Education; Debate
- Conversation with Senior Women in the Intellectual Property Field
- New Institutional Economics: Behavioral Economics
- Neuroscience/Cognitive Psychology/Marketing Behavior
- Experimental
- Big Data / Evolutionary / Geonomics; Technology as Policy

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2012 AALS Workshop on When Technology Disrupts Law: How Can Intellectual Property, Internet, and Biolaw Adapt?

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gies and the Internet? Does the Food & Drug Administration need to be redesigned? Because so many of the technology challenges today are not just national, but global in character, how does or should the regulatory infrastructure on an international scale need to be reconfigured to respond to these changes? To what extent do technologies themselves express policy and even regulatory choices?

This two and a half day workshop will feature three keynote speakers, several plenary panels on substantive issues such as those mentioned above, a debate about the patenting of genetic information by lawyers who have been involved in active litigation on these matters, an opportunity to converse with a remarkable group of senior women in the IP field, and breakout sessions to discuss open innovation in various fields, creative ways to teach difficult subjects with and about technology, and influences from other fields of knowledge that have a bearing on the work of IP, Internet, and biolaw professionals.

Speakers: Carliss Y. Baldwin (Harvard Business School); Tenielle Brown (Utah); Dan L. Burk (California, Irvine); Rochelle C. Dreyfuss (New York University); Rebecca S. Eisenberg (Michigan); Andrew Endy (Stanford School of Medicine); William W. "Terry" Fisher III (Harvard); Brett Frischmann (Yeshiva); Daniel J. Gervais (Vanderbilt); Wendy Jane Gordon (Boston University); Stuart Graham (The Business School at Georgia Tech); Henry T. Greely (Stanford); Christopher M. Holman (Missouri, Kansas City); Chris Hoofnagle (California at Berkeley); Joseph P. Jackson III (Open Science Summit); Jeff Jonas (IBM Research); Christine Jolls (Yale); Amy N. Kapczynski (California at Berkeley); Dan Katz (Michigan State); Edward Lee (Chicago-Kent); Jessica Litman (Michigan); Lydia P. Loren (Lewis & Clark); Deirdre K. Mulligan (UC Berkeley School of Information); Ira S. Nathenson (St. Thomas University); Kevin E. Noonan (McDonnell Boehnen Hulbert & Berghoff LLP); Sean O'Connor (University of Washington); Ruth Okediji (Minnesota); Dave Opderbeck (Seton Hall); Frank A. Pasquale (Seton Hall); Victoria Phillips (American); Arti K. Rai (Duke); Daniel Ravicher (Yeshiva); Christopher Sprigman (Virginia); Victoria C. Stodden (Columbia University); Rebecca Tushnet (Georgetown); Greg Vetter (Houston); Eric Von Hippel (Massachusetts Institute of Technology); Fred von Lohmann (Google, Inc.); Philip J. Weiser (Colorado).

Planning Committee for 2012 AALS Workshop on Intellectual Property

Margo A. Bagley, University of Virginia School of Law
Mark P. McKenna, Notre Dame Law School
Paul Ohm, University of Colorado Law School
Pamela Samuelson, University of California Berkeley School of Law, **Chair**
Andrew W. Torrance, University of Kansas School of Law

2012 AALS Workshop on Torts, Environment and Disaster

June 8-10, 2012
Berkeley, California

Rather than a singular catastrophic event, Hurricane Katrina seems more and more like the opening act in what will become known as an age of disaster. Since Katrina, not only hurricanes, but also oil spills, earthquakes, floods, tornadoes, terrorist attacks, volcanoes, heat waves, blizzards, and all manner of other disasters seem to be occurring in the United States and across the globe with increasing regularity and destructiveness. The sober predictions of climate models suggest that the frequency and scale of weather-related events will continue to increase. The implications of this age of disaster for environmental law are profound, including the rise of vulnerability assessment and adaptation planning as new areas of expertise, the renewal of debate over scientific uncertainty and worst case scenarios as key drivers of policy, and the challenge of defining and achieving justice for disaster victims.

Disaster takes center stage for this Mid-Year Meeting, the first in Environmental Law since 2004 and the first to be organized concurrently with a Tort Law event. This Workshop – Torts, Environment and Disaster – will bring together scholars and teachers for two days of intensive presentations and discussion on disaster. Plenary sessions for both Environmental Law and Tort Law attendees will consider such topics as the history and psychology of disaster and perspectives on the precautionary principle. Environmental Law sessions will include such topics as disaster planning and prevention, federalism and disaster, and climate change adaptation. Engaging lunchtime speakers, professional development and teaching sessions, and breakout group discussion will round out the program.

Tort scholarship and tort practice has been concerned with large-scale losses since the advent of the class action. Recent events, such as the attacks of 9/11 and the BP oil spill, have illustrated that the tools of aggregate litigation may not be enough to handle the job of ascertaining both responsibility and compensation after a disaster. The Torts and Compensation Law Section will take advantage of its joint meeting with the Environmental Law Section to provide a fresh look at the special problem that disasters pose for tort law in the 21st Century.

The topics covered by the torts portion of the joint meeting will include whether tort law should be limited in times of disasters, the role (if any) of tort principles in the design of public compensation and private settlement funds, and the relationship between tort and insurance law in times of disaster. At the end of the program there will be a session on the incorporation of issues relating to disaster in the torts curriculum. The program will provide torts and insurance scholars of all levels of seniority with new insights into their own research and teaching.

Planning Committee for AALS Workshop on Torts, Environment and Disaster

Robin K. Craig, Florida State University College of Law
Eileen Gauna, University of New Mexico School of Law
Laura Hines, University of Kansas School of Law, **Chair**
Douglas A. Kysar, Yale Law School
Robert L. Rabin, Stanford Law School
Anthony J. Sebok, Yeshiva University Benjamin N. Cardozo School of Law
Lisa Grow Sun, Brigham Young University J. Reuben Clark Law School

General Topics: History of Disaster; Psychology of Disaster; Precautionary Principle: Regulatory and Tort Perspective; Disaster Celebrity; Disaster Federalism; Disaster Justice: The Advocacy of Redress

Torts Topics: Tort Principles in the Context of Disaster; Principles for Compensation Programs and Mass Settlements: Public and Private; Interaction of Tort and Insurance Law; How to Teach Disaster as Part of a Torts Curriculum; Disaster Justice: The Advocacy of Redress

Environmental Law Topics: The Social Cost of Carbon; Generations of Environmental Law; Disaster Prevention; Climate Adaptation

AALS to Offer Child Care at 2012 Annual Meeting in Washington, DC

The AALS Executive Committee has agreed to offer for 2012 an AALS Annual Meeting child care center. Depending on participation, the center would be subject to sunsetting after a two year offering.

ACCENT on Children's Arrangements, Inc. is again partnering with AALS to provide the on-site children's Activity Center at the meeting. Children ages 6 months to 12 years old are welcome to participate. The Activity Center will be located in the Washington Marriott Wardman Park Hotel. ACCENT's professional, specially trained supervisors are CPR & Pediatric First Aid certified. The staff consists of teachers, professional Children's Program providers or mothers who simply love working with children and have completed ACCENT's specialized training program. Play materials, toys for all age groups, games, videos, etc. will be provided, and age-oriented activities will be planned for the children. The child care fees are based on age of the child, number of days the Activity Center is used, and whether half-day or full-day services are required.

Sample Pricing - There is a $10 per child initial non-refundable registration fee.

7:30 AM – 1:00 PM Session I - $50 for 3-12 years of age or $65 for 6 to 35 months

1:00 PM – 6:30 PM Session II - $50 for 3-12 years of age or $65 for 6 to 35 months

7:30 AM – 6:30 PM Full Day - $80 for 3 – 12 years of age or $100 for 6 to 35 months

Lunch is not included in the fees. However, parents can purchase a lunch in advance at $15.

Registration

Detailed information can be found on the AALS website at www.aals.org/2012 / . You may also register online with ACCENT at http://www.accentregister.com/events/ch_events.asp?eId=6300 . Please register as early as possible; space is limited. For additional information not listed on the registration form, please contact ACCENT on Children's Arrangements directly at (504) 524-1227, Toll Free: 1-800-539-1227 or visit their website at www.accentoca.com

AALS 2012 Annual Meeting to be held in Washington, D.C.

January 4-8, 2012

The AALS Annual Meeting is the largest gathering of law faculty in the world. Over 3,500 law teachers, scholars, librarians, and administrators from member law schools, non-member schools, and law schools of other nations attend the Annual Meeting to discuss and share their best practices on teaching, research and service.

On behalf of the AALS, it is a pleasure to invite you to register for the 2012 Annual Meeting, January 4-8, 2012 in Washington, DC.

You may register online at www.aals.org/am2012/ if you are listed in the AALS Directory of Law Teachers. If you are not listed in the Directory you may fax or mail your registration form.

For Registration Questions, please contact Registration at (202) 296-8851; fax (202) 872-1829; or email registration@aals.org.

Come, listen, network and join the discussions with your colleagues at this crucial time in legal education and leave with ideas and strategies for action in your work and at your own institution. Your participation at the Annual Meeting will offer you:

Substantive and Forward-Looking Programming

Presidential Programs – Three concurrent programs: Law School Faculty Demographics and Law School Finances; Threats to Academic Freedom: Domestic and Universal/Internal and External; and Academic Duty and Public Service.

Two full-day Workshops – AALS Workshop on the Future of the Legal Profession and Legal Education: Changes in Law Practice: Implications for Legal Education; the AALS Workshop on Academic Support-Got ASP?: Leveraging Academic Support Principles and Programs to Meet Strategic Institutional Goals.

A Conversation with Justice Stephen G. Breyer, Supreme Court of the United States

Hot Topic Workshop on Political Crises and Constitutionalism: War and Money

Outstanding Networking Opportunities with Your Colleagues

Luncheon -The Honorable José A. Cabranes, United States Court of Appeals for the Second Circuit, New York, New York as the keynote luncheon speaker.

AALS Gala Reception at the National Building Museum.

AALS Inaugural Law and Film Series - Featuring "Fury"; "Adam's Rib"; "Cruz Reynoso: Sowing the Seeds of Justice"; and "Brazil in Black and White".

American University Washington College of Law Opening Reception for all Meeting Registrants.

Poster Sessions by law teachers on research and teaching - selected law faculty member from AALS member law schools, will present the thesis and conclusion of their research, describe teaching innovations or service projects outside formal program presentations.

Exhibits - Publications, electronic media and other products of interest to law faculty and staff are on display throughout the four-day Annual Meeting in the Exhibit Hall.

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2012 AALS Annual Meeting

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Hotel Reservations - After completing the registration process, you will receive a confirmation email from AALS containing a link with instructions for making a hotel reservation along with a list of AALS convention hotels, group rates and reservation methods (online, phone, mail, fax). The housing process is designed to ensure that the AALS group rate hotel rooms are reserved by those registered for the Annual Meeting - its attendees and exhibitors.

Child Care - For those in need of child care services during hours in which AALS meetings and activities are occurring, once again, ACCENT on Children's Arrangements, Inc. is partnering with AALS to provide an exciting on-site children's camp in Washington DC during the 2012 AALS Annual Meeting. Children ages 6 months to 12 years old are welcome to participate. The Children's Activity Center will be located in the Washington Marriott Wardman Park Hotel. For more information, including fees, hours, registration procedures, visit www.aals.org/am2012/ and click on the "child care" tab at the top of the page.

We look forward to seeing you in January!

Third Triennial AALS Award for Lifetime Service to Legal Education and the Law

In May 2006 the Association of American Law Schools Executive Committee established the "AALS Triennial Award for Lifetime Service to Legal Education and the Law," an award presented every three years to recognize lifetime contributions to service to legal education and the law made by a faculty member of retired faculty member of an AALS Member Law School. Past recipients include Norman Dorsen, Frederick I. and Grace A. Stokes Professor of Law and Counselor to the President of the University, New York University School of Law (2007) and the Honorable Guido Calabresi, Senior Judge, US Court of Appeals, Second Circuit and Sterling Professor Emeritus of Law and Professional Lecturer of Law (2010).

The selection of recipients will be made by a subcommittee of the AALS Executive Committee. The award will be presented at the 2013 AALS Annual Meeting Association Luncheon in New Orleans.

Nominees must be a faculty member or retired faculty member from an AALS member school having demonstrated lifetime contributions to service to legal education and the law. Current members of the AALS Executive Committee or those who have served on the Committee for the past five years are not eligible for this award.

Nominations should be in the form of a letter providing sufficient information about the nominee to enable the selection committee to determine the specific contributions of the nominee both to legal education and to the law. You may also include other materials that evidence the contributions of the nominee, including work product relating to the service, or news or magazine articles that describe accomplishments of the nominee. The deadline for submissions is June 8, 2012. All nominations should be e-mailed with the subject line "Award for Lifetime Service Nomination" to 2013award@aals.org or submitted to:

Susan Westerberg Prager
Award for Lifetime Service Nominations
The Association of American Law Schools
1201 Connecticut Avenue, NW, Suite 800
Washington, DC 20037

Sections Programs to be Published and/or held Calls for Papers

There are twenty-six section programs that will be published (P) in academic journals and twenty-one sections with Calls for Papers (CFP) at the 2012 Annual Meeting in January.

Thursday, January 5, 2012

Section on Business Associations (CFP)

Topic: The "New" Corporate Governance

Section on Disability Law (P)

Topic: Disaster, Disability and Law

(Papers to be published in *University of Washington Law Review*)

Joint Program of Sections on Education Law and Law and Sports, Co-Sponsored by Section on Sexual Orientation and Gender Identity Issues (P)(CFP)

Topic: Taking Stock at Title IX's 40th Anniversary: Athletics, Single-Sex Education, and Bullying/Harassment

(Papers to be published in *Western New England College Law Review*)

Joint Program of Sections on International Law and North American Cooperation (P)(CFP)

Topic: North American Legal Developments – 2011 and Beyond

(Papers to be published in *Southern Illinois Law Review*)

Section on Labor Relations and Employment Law, Co-Sponsored by Section on Employee Benefits and Executive Compensation (P)(CFP)

Topic: Public Employees: Labor Issues in a Era of Economic Recession

(Papers to be published in *Employee Rights and Employment Policy Journal*)

Section on Law Libraries (CFP)

Topic: Libraries and Copyright: Friends, Enemies, or Strangers on a Common Path?

Joint Program of Sections on Property Law and Real Estate Transactions (P)(CFP)

Topic: Rethinking Urban Development

(Papers to be published in *George Mason Law Review*)

Section on Women in Legal Education (CFP)

Topic: New Voices in Gender

Friday, January 6, 2012

Section on Africa (CFP)

Topic: The International Criminal Court and Its Focus on Africa: Helping or Hindering Peace on the Continent?

Section on Agency, Partnerships, LLC's and Unincorporated Business Associations (CFP)

Topic: Using Unincorporated Business Entities for Non-Business Purposes

Section on Aging and the Law (CFP)

Topic: Guardianship: Reconsidering the Reality of Reform

Joint Program of Sections on Antitrust and Economic Regulation and Law and Economics (P)(CFP)

Topic: Behavioral Economics and Antitrust Law

(Papers to be published in *Journal of Law, Economics & Policy*)

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Section Programs that held Calls for Papers and/or are to be Published

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Section on Balance in Legal Education (P)(CFP)

Topic: Effective Faculty/Student Collaborations and Student Initiatives: Working Together to Enhance Students' Professional Identity and Personal Integrity

(Papers to be published in *Touro Law School Review*)

Section on Children and the Law, Co-Sponsored by Section on Mass Communication Law (P)(CFP)

Topic: Children and the Media

(Papers to be published in *Whittier Journal of Child and Family Advocacy*)

Section on Civil Procedure (CFP)

Topic: Procedural Reform: Rulemaking v. Legislation

Section on International Human Rights (CFP)

Topic: New Voices in Human Rights

Section on Law and the Humanities (P)(CFP)

Topic: Excavating and Integrating Law and Humanities in the Core Curriculum

(Papers to be published in *California Law Review – The Circuit*)

Section on Law and Interpretation, Co-Sponsored by Section on Legal Writing Reasoning and Research (P)

Topic: Law as a Discourse Community: Critical Perspectives on Legal Discourse

(Papers to be published in book form by *Carolina Academic Press*)

Section on Law and Mental Disability, Co-Sponsored by Section on Disability Law (CFP)

Topic: Institutionalization and Incarceration: New Legal Strategies for Advocating on Behalf of Individuals With Mental Disabilities

Section on Law and Religion (P)

Topic: Blasphemy, Religious Defamation, and Religious Nationalism: Threats to Civil Society from Religious Speech and Its Suppression

(Papers to be published in *Case Western Reserve Law Review*)

Section on Legal Writing, Reasoning and Research (CFP)

Topic: In the New Millennium, What Are the Best Practices in Legal Writing, Reasoning and Research

Section on Litigation, Co-Sponsored by Section on Alternative Dispute Resolution (P)(CFP)

Topic: Large-Scale Litigation Issues: Class Actions and Mass Tort Cases in 2012 and Beyond

(Papers to be published in *The Review of Litigation*)

Section on Natural Resources Law, Co-Sponsored by Section on Environmental Law (P)(CFP)

Topic: Adaptation Strategies: Responding to Climate Changes as the New Normal

(Papers to be published in *West Virginia Law Review*)

Section on Pro Bono and Public Service Opportunities (CFP)

Topic: Teaching and Learning in Pro Bono and Service Learning Programs

Section on Professional Responsibility (P)(CFP)

Topic: Does the First Amendment Protect Attorney Advice, Assistance, and Representation?

(Papers to be published in *Journal of the Professional Lawyer*)

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Section Programs that held Calls for Papers and/or are to be Published

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Section on Securities Regulation (CFP)

Topic: Exploring the Regulatory Response to the Financial Crisis

Saturday, January 7, 2012

Section on Alternative Dispute Resolution, Co-Sponsored by Sections on Civil Procedure and Litigation (P)(CFP)

Topic: The Supreme Court and the Future of Arbitration
(Papers to be published in *Southwestern Law Review*)

Section on Civil Rights (P)

Topic: National Security and Civil Rights
(Papers to be published in *The Urban Lawyer*)

Joint Program of Sections on Clinical Legal Education and Poverty Law (P)(CFP)

Topic: Theory and Praxis in Reducing Women's Poverty
(Papers to be published in *American University Washington College of Law Journal of Gender, Social Policy and the Law*)

Section on Contracts (CFP)

Topic: New Voices in Contracts Scholarship

Section on Creditors' and Debtors' Rights (P)

Topic: Marathon at 30: A Retrospective on Bankruptcy Court Jurisdiction in the Shadow of Article III
(Papers to be published in *The American Bankruptcy Law Journal*)

Section on Environmental Law, Co-Sponsored by Section on Natural Resources Law (P)

Topic: Climate Justice: Domestic and International Dimensions
(Papers to be published in *Environmental Law Reporter*)

Section on Evidence (P)

Topic: Theorizing Standards of Proof
(Papers to be published in *International Commentary on Evidence*)

Section on Federal Courts (P)(CFP)

Topic: War, Terror, and the Federal Courts, Ten Years After 9/11
(Papers to be published in *American University Law Review*)

Section on Graduate Programs for Non-U.S. Lawyers, Co-Sponsored by Section on Legal Writing, Reasoning, and Research (CFP)

Topic: Teaching Legal Writing and Reasoning to Non-U.S. Lawyers

Section on Indian Nations and Indigenous Peoples (P)

Topic: The Alaska Native Claims Settlement Act at 40
(Papers to be published in *American Indian Law Review*)

Section on Intellectual Property (CFP)

Topic: Intellectual Property and International Trade

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Section Programs that held Calls for Papers and/or are to be Published

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Section on Law, Medicine and Health Care, Co-Sponsored by Section on Clinical Legal Education (P)(CFP)
Topic: Reaching Out Beyond the Classroom: Health Law Professors Interacting with the Real World
(Papers to be published in *Indiana University Law School's Health Law Review*)

Section on National Security Law, Co-Sponsored by Section on Mass Communication Law (CFP)
Topic: Government Transparency in the Digital Age

Section on Nonprofit and Philanthropy Law (CFP)
Topic: The Personal Price of Nonprofit Activity

Section on Remedies (P)(CFP)
Topic: Remedies for Disasters: BP, Exxon, and the Quest for Complete Justice
(Papers to be published in *Akron Law Review*)

Section on Sexual Orientation and Gender Identity Issues (P)
Topic: Violence and the LGBT Community: Bullying, Bashing, and Sex Crimes
(Papers to be published in *Southwestern Law Review*)

Section on State and Local Government Law, Co-Sponsored by Section on Law and Religion (P)
Topic: The Impact of the Religious Land Use and Institutionalized Persons Act on States and Local Governments
(Papers to be published in *Fordham Urban Law Journal*)

Section on Transactional Law and Skills (CFP)
Topic: Transactional Law Teaching: Moving Forward

Sunday, January 8, 2012

Section on Criminal Justice (CFP)
Topic: The Importance of the Pretrial Process in Reducing Mass Incarceration and Protecting the Innocent

Section on Financial Institutions and Consumer Financial Services (CFP)
Topic: Rubber Hits Road: Implementing Dodd-Frank Amid Reform Fatigue

Section on Legal Writing, Reasoning and Research (CFP)
Topic: Legal Writing in the 21st Century: Practical Teaching Tips for Legal Skills Professors

Section on Sexual Orientation and Gender Identity Issues (P)
Topic: Out in the Classroom and in Academe
(Papers to be published in *Journal of Legal Education*)

Section on Women in Legal Education (CFP)
Topic: Busting Out In Scholarship

Poster Presentation Schedule

Over 10 AALS Annual Meeting Poster Presentations on Display

Poster sessions are a common way for researchers in the sciences and the social sciences to present research results at a conference in a way that will be accessible to everyone who attends—not just those who are able to come to a specific presentation. These posters are an opportunity to see a faculty member's thesis and conclusion of their research in a clear and succinct fashion, to see a description of teaching innovations outside formal program presentations and to see descriptions of faculty service projects.

Friday, January 6, 2012

9:00-10:00 am

Posters sponsored by Section on Africa

Training a Countervailing Elite
Kirsten A. Dauphinais, University of North Dakota

9:00-10:00 am

Posters sponsored by Committee on Sections and Annual Meeting

Competition and Crisis in Mortgage Securitization
Michael N. Simkovic, Seton Hall University

Introducing Law Students to Bloom's Taxonomy
Carol Tyler Fox, Case Western Reserve University

The Three Point Shot: Politics, Desegregation, and Basketball in Indiana
Elizabeth B. Ludwin King, Wake Forest University

9:00-10:00 am

Posters sponsored by Section on Legal Writing, Reasoning and Research

Live Commenting
Emily Grant, Washburn University

10:30-11:30 am

Posters Sponsored by Section on Teaching Methods

Explicitly Integrating Academic and Legal Reasoning Skill Instruction into Doctrinal Courses
David Nadvorney and Deborah Zalesne, City University of New York

Combining Experiential Learning & Formative Evaluation in Teaching Sustainability
Jonathan Rosenbloom, Drake University

The One Click Classroom Makeover
Kimberly Y.W. Holst, Arizona State University

10:30-11:30 am

Posters Sponsored by Section on Clinical Legal Education

Curriculum Mapping — Charting the Course for the Archetypal Law Graduate
Melissa H. Weresh, Drake University

Pedagogical Modules for Community Economic Development Law Clinic Engagement: An Innovative Teaching Approach For Community Economic Development High-Impact Legal Initiatives
Nicole S. Dandridge, Michigan State University

4:00-5:00 pm

Posters sponsored by Section on Academic Support

"Oh, the Farmer and Cowman Should be Friends": The Integration of Legal Writing and Academic Support
Jamie A. Kleppetsch and Mary Nagel, The John Marshall Law School

Demand More from Your Academic Success Students: Achieving Multiple Goals Across the Law School Curriculum by Teaching Summary Judgment in an Academic Success Course
Alison M. Nissen, Rutgers School of Law - Camden

Millenial Students & Guided Self-Assessment
Mary Largent Purvis, Mississippi College

2012 AALS Executive Committee Nominees

The Association extends its appreciation to the Members of the AALS Committee on Nominations for 2012 Officers and Members of the Executive Committee: Alicia Alvarez, University of Michigan Law School; Barbara J. Cox, California Western School of Law; Thomas Morgan (immediate past chair), George Washington University School of Law; Victor C. Romero, Pennsylvania State University Dickinson School of Law; Rosemary Salomone, St. John's University School of Law; and John Valery White, University of Nevada, Las Vegas William S. Boyd School of Law; and a special thanks to Committee Chair Kevin R. Johnson, University of California Davis School of Law.

The Committee was pleased to have a large number of potential nominees for three positions. The group had impressive scholarly, service and teaching credentials; all would have been worthy nominees, which made the process of selecting the nominees by the Committee especially difficult.

At the Second Meeting of the 2012 AALS House of Representatives at the AALS Annual Meeting in Washington, DC on Saturday, January 7, 2012, the Committee will present to the House the following nominations:

For the Position of President-Elect:

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

For the Position of Member of the Executive Committee – Three-Year Term:

Blake D. Morant, Wake Forest University School of Law

Kellye Y. Testy, University of Washington School of Law

Biographical Sketches of the Nominees:

Executive Director, Susan Prager, has provided the following summaries of the background of the nominees. Fuller biographies can be found in Dean Memorandum 11-14.

Leo P. Martinez
President-Elect

Leo P. Martinez is Professor of Law at his alma mater, the University of California Hastings College of the Law. Professor Martinez received his B.S. from the University of Kansas (1971), his M.S. from the University of Southern California (1975), and his J.D. from U.C. Hastings (1978). Following his graduation from law school, Professor Martinez met his military commitment as a member of the U.S. Army JAG Corps, served as an Assistant U.S. Attorney, and built a private practice focused on tax issues with the San Francisco law firm of Howard Rice, et al. Then in 1985 he returned to his alma mater, Hastings, as a member of the faculty. Nine years later Professor Martinez became Associate Dean, and served in that role as Hastings' academic dean for an exceptionally long period of 12 years. Professor Martinez returned to full-time teaching in 2006. He returned to the Dean's office for the 2009-10 academic year to serve as Hastings' Acting Chancellor and Dean while the school conducted the search for a new dean.

photo care of the UC Hastings College of Law website

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Professor Martinez's teaching has been a combination of contracts, federal tax, tax policy, tax procedure, and insurance law. He is the author of the West casebook on insurance law and an editor of the four-volume treatise New Appleman Insurance Law and Practice Guide (Leo P. Martinez, Marc S. Mayerson & Douglas R. Richmond eds. LexisNexis 2011). He is the author of numerous articles on tax policy and insurance law. He is a member of the American Law Institute and was recently selected by the ALI Council to be an Adviser on the ALI's Principles of the Law of Liability Insurance project.

Professor Martinez has served the profession throughout his career. His AALS service has been extensive. He recently completed a three-year term on the AALS Executive Committee (2008-2010) during which time he also brought his extensive experience to the Committee on Audit and Association Investment Policy. Earlier he served as a member of the AALS Membership Review Committee (2003–2005) which is one of the Association's two most demanding committees. He also chaired the AALS Section on Insurance Law and currently co-chairs the AALS Resource Corps. Over the years Professor Martinez has done a number of Resource Corps visits at the request of AALS member schools. In addition to his service to the AALS, Professor Martinez has served as a member of the Nominations Committee of the ABA Section of Legal Education and Admission to the Bar (2007–2010) and has participated in more than 20 separate site visits at American law schools on behalf of the AALS and the ABA Section on Legal Education. In 2010 Chief Judge Vaughn Walker, Federal District Court for the Northern District of California, named him to the U.S. Magistrate Merit Selection Panel which filled two U.S. Magistrate positions.

The AALS will be fortunate to have a person of Martinez's depth of experience, sound judgment, and multi-faceted accomplishments assume the President-elect role during such a challenging time for legal education.

Blake D. Morant

For a 3-year Term on the Executive Committee

photo care of the Wake Forest School of Law Website

Blake D. Morant is Dean and Professor of Law at the Wake Forest University School of Law. Dean Morant received his B.A. with high distinction and Phi Betta Kappa honors from the University of Virginia (1975) and his J.D. three years later, also from the University of Virginia. He was a Ribble-Kennedy and Earl Warren scholar at the School of Law. Dean Morant has published extensively on topics including contract theory, media law, and administrative law and was the first American to Lecture at St. Dunstan's Church, Canterbury, England. From 1979-1985 Dean Morant served as a member of the U.S. Army JAG Corps, earning the Meritorious Service Medal, First Oak Leaf Cluster.

Morant first tested himself as a teacher as an adjunct at American University Washington College of Law, while he was practicing law at Braude, Marguiles, Sacks and Rephan. He began full time law teaching at the University of Toledo College of Law, where he was recognized with 5 awards for outstanding teaching and established himself as a scholar. He moved to Washington and Lee in 1997 where he served as a Roy L. Steinheimer, Jr. Professor of Law and as Director of the Frances Lewis Law Center. He then became Associate Dean for Academic Affairs. In Blake Morant Wake Forrest identified a faculty member with a record of excellence in teaching, research and service to assume the deanship in 2007. Morant's academic career has included visiting professorships at the University of Michigan Law School and the University of Alabama School of Law, where he occupied the John S. Stone Visiting Chair. In 2001,

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he was a Visiting Fellow at University College, Oxford University. His teachings and writings have concentrated on contract theory, media and first amendment law, and administrative law.

Dean Morant has been active in the AALS throughout his career. He is a current member of the AALS Committee on Libraries and Technology and the AALS Advisory Committee on ABA Accreditation Standards. He served on the AALS Nominating Committee (2009), the Professional Development Committee (2005-2007), and the Journal of Legal Education Editorial Board (2000-2002). He has served on two Planning Committees as well, one for the AALS Workshop on Family Law and Family Courts in a Time of Change (2007) and another more directly in his field of expertise for the Conference on Exploring the Boundaries of Contract Law (2004). Dean Morant is a frequent speaker at AALS programs, most recently at the Faculty Recruitment Conference and the Workshop for New Law School Teachers.

He was recently inducted into the Raven Society, an award bestowed upon by the University of Virginia alumni. In 2010, he received an honorary doctor of laws degree from Pepperdine University. That same year he was honored with the 2010 John R. Kramer Outstanding Law School Dean Award from Equal Justice Works.

Kellye Y. Testy

For a 3-year Term on the Executive Committee

Photo care of the University of Washington School of Law website

Kellye Testy is Dean and James W. Mifflin University Professor at the University of Washington School of Law. Dean Testy received her B.A. in 1982 and her J.D. summa cum laude in 1991 from Indiana University, Bloomington, where she was Editor In Chief of the Indiana Law Journal and elected to Order of the Coif. Dean Testy clerked for the Honorable Jesse E. Eschbach on the United States Court of Appeals for the 7th Circuit. In 1992 she began her career as a law professor at the University of Puget Sound, which soon became Seattle University. There she rose through the faculty ranks, became Associate Dean, and then served as Dean (2005-2009). While her leadership skills were widely evident, few outside the school may know that she was awarded Seattle's Outstanding Teacher Award three times. In 2009 Testy was named Dean of the University of Washington School of Law, the first woman to serve in that role. Testy's scholarship and teaching interests are in the areas of Business Entities, Securities Regulation, Gender and Law, and Economic Justice.

Dean Testy has engaged in significant service to AALS. She served a three-year term on the Committee on Recruitment and Retention of Minority Law Teachers and Students (2007-09), was a member of the 2009 Planning Committee for the highly successful Conference on Business Associations, and most recently chaired the Planning Committee for the AALS Workshop for New Law Teachers (2010). She is currently co-chair of the AALS Section for the Law School Dean.

Dean Testy has served on the Board of Governors of the Society of American Law Teachers, and several committees of the ABA Section on Legal Education. In 2010 she chaired the ABA New Dean's Workshop. While at Seattle University, Dean Testy's law school service before she entered administration was multifaceted and extensive. She founded and was the first Director of a Center on Corporations, Law and Society. Prior to that she was Co-Director of The Wismer Center of Seattle University (Center for diversity, justice and equality).

Dean Testy received the 2010 Women of Influence Award in Seattle and she has received five different awards from four different bar organizations in her state. She has lectured widely at other law schools. Dean Testy is widely recognized as a person of tremendous energy and purposeful leadership.

aalscalendar

2012 Annual Meeting

January 4-8, 2012
Washington, DC

Conference on Clinical Legal Education

April 30-May 3, 2012
Los Angeles, California

2012 Mid-Year Meeting

Workshop on Torts, Environment and Disaster

Workshop on When Technology Disrupts Law: How Do IP, Internet and Bio Law Adapt?

June 8-12, 2012

Berkeley, California

Workshop for Beginning Clinical Law School Teachers

June 20-21, 2012
Washington, D.C.

Workshop for New Law School Teachers

June 21-23, 2012
Washington, D.C.

Workshop for Pretenured People of Color Law School Teachers

June 23-24, 2012
Washington, D.C.

For more information go to www.aals.org/calendar/

Future Annual Meeting Dates

- January 4-8, 2013 - New Orleans

Future Faculty Recruitment Conference Dates

Washington, D.C.

- October 11-13, 2012
- October 17-19, 2013

Association of American Law Schools

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