

AALS

New Law Professors Section

A Message from the Chair

Dear Colleagues,

The Section on New Law Professors provides a place for new law professors to come together to express their joys and anxieties, as well as to receive guidance about navigating a career in legal academia. We organize panels for new law professors on teaching, scholarship, and service, and we also put together an annual newsletter on a theme of interest to junior scholars. These allow new law professors to hopefully come together and form a community that is uniquely their own.

The title of our AALS panel this year is “Building Bridges: Teaching to Students of Different Backgrounds, Interests, and Strengths.” This panel will address how to effectively engage the incredibly diverse student bodies new law professors are likely to encounter. I think it will be useful for all junior law professors interested in receiving more in-depth advice about how to become an expert teacher. The panel will be a roundtable, which I will moderate. Our panelists include Carliss Chatman (Washington & Lee), DJ Jackson (Wyoming), Howard Katz (Cleveland State), and Susan Kuo (South Carolina).

Continued on page 2

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Inside This Issue

Page

- | | |
|----------|--|
| 1 | Message from the Chair
(Dov Waisman) |
| 2 | The Ways In Which We Fail
Our Lower Socio-Economic
Status (SES) Students
(Lawprofblog) |
| 4 | Diversifying Your Roster of Guest
Speakers for Your Law School
Course
(Yolanda M. King) |
| 6 | Teaching Students of Diverse
Ideologies
(Jeremy Kidd) |

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A Message from the Chair (continued)

Our newsletter this year was put together by Maybell Romero, Section Secretary. The theme of the newsletter is “Prioritizing Diversity and Inclusion.” I would like to thank all our contributors to the Newsletter for their outstanding contributions!

There will be a business meeting immediately after the program where we will elect officers. I invite you to attend the meeting and become a member of the leadership team. The NLP Section seeks to have a diverse set of voices as we work to help you (and ourselves) become the best scholar and teacher possible.

My thanks to the officers of the section: chair-elect Mary Pareja, University of New Mexico; secretary Maybell Romero, Northern Illinois; treasurer Timothy Duff, Case Western Reserve; and the members of the Executive Committee. I look forward to meeting with everyone in a few weeks!

Warm regards,

Dov

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Prioritizing Diversity and Inclusion

The Ways In Which We Fail Our Lower Socio-Economic Status (SES) Students

[Lawprofblawg](#)

Pop Quiz, Law Professors! You are pulled over for speeding. The police officer asks if he can search your car. You:

- a) Decline, as he has no probable cause to search your vehicle.
- b) Let the officer search, because you feel you have nothing to hide.
- c) Let the officer search, because you don't want to get killed.

- d) Decline, because you are afraid the officer will plant something.

If you answered “a” or “b,” chances are you haven't had the same experiences with police officers I have had. Nor would I expect many academics to have had those [experiences](#), based upon what I know about which SES groups are most likely to get to be academics. But, if you're teaching crim pro and you suggest that someone was being stupid because they let the officer search,

understand answer “c” and “d” is something people in lower SES consider every time.

Let’s try another one:

A student walks in late to class more than a few times during the semester. The student is:

- a. Being deliberately disrespectful.
- b. Leaving too late and not allowing sufficient time to find adequate parking.
- c. Completely absent-minded and needs better time-management skills.
- d. On the bus route from hell and there’s no other choice.

If answer “d” never occurred to you, then you understand my point: Our own upbringing and class perspective bias what we observe in others. These are extreme examples, but the reality runs parallel: The world in which lower SES students live may be a complete unknown to their professor. The professor may have read cases or even practiced for a period of time, but many professors in legal academia have not stepped outside an insular world and do not know the plight of some of their [most vulnerable students](#). My recent discussions about [classism in academia](#) have done little to assuage my fears that this bias is deep-seated and unlikely to go away any time soon. While that may be incredibly true for the higher ranked law schools, it’s also true where one is more likely to find students of lower SES (which [academic research](#) shows isn’t very likely to be at Harvard or Yale).

[Low SES students](#) have a more difficult time transitioning to college (and are less likely to appear in graduate school). In graduate school, they may have great feelings of imposter syndrome and be more likely to

consider dropping out. These students may employ different study techniques from the core group. They will also attempt to blend in and [appear middle-class](#) to avoid stigma. Their undergraduate GPA might have suffered as they [worked their way through college](#). They may have already struggled getting into law school because LSAT and other graduate testing biases against students of lower SES. They are likely (with good reason) to have lower expectations for success after graduation, as data suggests they are less likely to reap the financial rewards from law school as much as those of higher SES. In short, the path from [lower SES to law school](#), particularly at a higher-ranked school, is not an easy one.

So, if we’re serious about assuring that academia isn’t just a replicated hierarchy of class bias, we ought to be [mindful](#) of our own biases and correct them. Not that we will change the deep-seated classism in legal academia. But the choices we make before class starts to our conduct inside the classroom all matter.

Here are some examples:

1. Do you consider the cost of the casebook in making your book choice? Do you even know the cost of your book?
2. Do you glare at students who don’t have the book [the first day of class](#) because they ordered it on Amazon even though it is available at the monopoly priced university bookstore?
3. Do you assume students who are [struggling](#) will seek you out? Many students of lower SES not only don’t know they are struggling, but also are so used to going it solo that asking for help is a sign of failure.

4. Do you assume the person who doesn't [engage in the classroom](#) is of lower intelligence?
5. Do your students only have access to you during your office hours, and after that someone could actually rent out space in your office?
6. Do you have a ton of "recommended reading" on the syllabus that might cause the wallets of the lower SES students to scream?
7. Do you schedule make-up classes and expect that students will have an easy time coming back to school for them?
8. Do you offer the simplest explanations or do you like to demonstrate your [impressive vocabulary](#)?
9. Do you vary your teaching style to accommodate all types of learning possibilities?
10. Do you tell students up front and in your syllabus the [importance of diversity](#) for their own educational experience?

For some students, things you might think are ordinary no-effort activities might actually present significant challenges. But, damned if it isn't difficult to pay attention in a 1 p.m. class when you left your lunch at home because you were running late to the bus and can't afford the campus cuisine as you're stressing because financial aid has yet again screwed up and failed to issue your money. Poverty affects [classroom engagement](#) in many ways.

This short column has only showed you a few of the ways a student's SES may affect their ability to learn information in your class or avail themselves fully of the law school experience. Many of the barriers students of lower SES face are beyond our control. But let's work on the ones that are within our ability to change.

LawProfBlawg is an anonymous law professor at a top 100 law school. You can see more of his musings on [Above the Law](#). He is way funnier on social media, he claims. Please follow him on Twitter ([@lawprofblawg](#)) or Facebook. Email him at lawprofblawg@gmail.com.

Diversifying Your Roster of Guest Speakers for Your Law School Course

Yolanda M. King

As a new law teacher, you have a number of considerations: casebooks, supplemental teaching materials, syllabi, learning styles, teaching methods, assessments, and more. You also may think about the incorporation of guest lecturers or speakers into your course. This article concerns the importance of diversifying your roster of guest speakers so students have the opportunity to see diverse professionals (who may or may not

look like them) at the head of the classroom and benefit from learning about their backgrounds and experiences.

When I was in law school, a professor told me that if I wanted to teach law, the best thing that I could do for my students would be to practice law so my students would benefit from the wisdom of my practical experience in the field. I followed my mentor's advice and practiced intellectual

property law for several years before I started teaching. I continue to practice law on a part-time basis, and I value the importance of balancing theory and practice.

One of my objectives as a new law teacher was to incorporate guest speakers into my pedagogical approach to teaching Entertainment Law. Because my course covers various areas of law and their effects on the music, television, film, and publishing industries, I thought it was important for students to hear from attorneys and businesspeople who have practical experiences in those industries. I also sought to invite a diverse group of guest speakers so my diverse group of students could see people who looked like them in these desirable positions of authority. I did not practice in the field of entertainment law, and I only had one contact in the television industry. I developed my roster of guest speakers by:

1. Checking with current contact(s). I started the process by reaching out to my contact in the television industry and asking her if she could identify any attorneys or other professionals who would be interested in speaking to law students.
2. Talking to colleagues. I asked the faculty at my law school if they knew anyone who practiced entertainment law or worked in one of the entertainment industries. I learned that one of our faculty worked in the entertainment industry for decades before becoming a law professor, and he was a wonderful guest speaker.
3. Reaching out to alumni of the law school. I asked the law school administrators in alumni events and

career opportunities for contact information for any alumni who practiced entertainment law or worked in one of the entertainment industries. There were a few alumni who had the relevant experience, and they were excited about the opportunity to speak to current law students.

4. Contacting my former classmates. Former classmates have myriad experiences in the legal field, and they can be a great resource for guest speakers.
5. Contacting my peers at other law schools. Through the AALS Workshop for New Law School Teachers and other conferences, I developed a network of peers with contacts in various industries, and they were happy to help.
6. Contacting local bar associations, especially minority organizations, and industry groups. Local bar associations, minority organizations, and industry groups may have lists of attorneys and other professionals with the relevant expertise who would be interested in speaking at a law school.

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I believe that this multi-step approach to identifying guest speakers better assures you can find female professionals and

professionals from historically underrepresented backgrounds. Even if a particular guest speaker is not available any given academic year, having a diverse list of guest speakers increases the likelihood that at least a few of them will be available each year. A diverse roster of guest speakers provides unique perspectives to my students that they would not otherwise learn from the relevant casebooks or guest speakers from the same or similar backgrounds. It also can empower students when they see diverse

images of success. Diverse guest speakers exemplify the importance of diversity and inclusion in the entertainment industry and sometimes open my students' eyes to different communities and cultures.

Yolanda M. King is Interim Assistant Dean for Student Affairs and Associate Professor of Law at Northern Illinois University College of Law.

Teaching Students of Diverse Ideologies

Jeremy Kidd

When we teach, we are appropriately asked to consider the cultural background of our students. Doing so is appropriate because our job is to teach all of our students, not only those that share a common background with us; consideration of cultural differences opens doors to making connections with a broader range of students.

The cultural differences that can create barriers to learning extend beyond the better-understood differences in race, ethnicity, religion, sex, and so on. Students also come to us with ideologies and philosophical backgrounds that form an important part of their identity, often tying back to formative experiences in their childhood. We should be just as willing to consider and tailor our teaching to the ideological and philosophical culture of our students as we would be to their other cultural characteristics.

One of the most obvious of the ideological or philosophical characteristics is political ideology. I would never argue that we must pretend to adopt the political preferences of our students, but I would argue that we must be careful not to project disdain for their preferences in our teaching. Some teachers

are meticulous about keeping politics out of the classroom and, notwithstanding much of the public to-do about bias in the classroom, I believe they are largely successful. What I would suggest, however, is that there is a better way—showing our students that their political preferences are compatible with the professional journey upon which they have embarked. They need to see that we understand their ideological foundations, even if we don't agree with them, and that the law does not rely on any specific ideology.

That is often a tall order, given the personal journey that most of us have taken to reach our ideological conclusions. The stronger our personal beliefs, the more difficult it can be to acknowledge that opposing views can be just as valid. And yet, our students' journey is just as valid as our own. And, as teachers, we *must* find that understanding and tolerance within ourselves; otherwise, students will recognize that we don't believe them, and they will begin to tune us out. When that happens, we have failed as teachers. Once we have found it, we recognize that, outside of exceptionally rare cases of extreme ideological and political preferences, all of our students can make a

positive contribution to the law. If we make the effort to reach them where they stand, rather than insisting that they learn the law as filtered through our political viewpoints, or even presenting the law as entirely apolitical (something our students are likely to reject as unrealistic), we will have far greater success in helping to train the next generation of lawyers.

Those lawyers will be the ones who represent clients who are just as deserving of representation but who represent causes that we cannot defend. Those lawyers will be the ones who, having learned from us the importance of welcoming all political views into the law, will turn away from bitterly partisan rhetoric. Those lawyers will be the ones who can provide advice and/or employment for our future students that also inhabit other areas of the political spectrum. On a more personal level, they will enrich our lives by enlarging our network to include those with whom we disagree, but who we trust as honest brokers.

Our students will also come to law school with a variety of non-political ideologies and philosophical backgrounds, each of which can make our jobs both more complicated and more enriching. Teaching administrative law to an avowed libertarian or anarcho-capitalist, for example, will raise a host of questions regarding the moral justification for government intrusion into otherwise

voluntary transactions. Similarly, teaching private ordering to an avowed collectivist can generate questions about why formal, public law should ever take a backseat to less formal, interpersonal agreements. And yet, both scenarios, if handled appropriately, can help our students understand how the law evolves and how concerns like theirs have been expressed in the past and have had an impact on the law's evolution over time.

Each student who enters our classroom is a unique aggregation of characteristics. Some are immutable, others will change over time, but we are expected to educate the entire student, not just a few characteristics. For some of our students, ideology and philosophy will have only minimal effect on the way they view the world. For many others, however, ideology will comprise a significant portion of their world view and, potentially, their self-image. We cannot afford to neglect any portion of our students, which means that part of our journey as teachers is to expose ourselves to those who are different from us—including politically, ideologically, and philosophically—so that we are credible as we teach each individual student.

Jeremy Kidd is a Professor of Law at Mercer University School of Law. He is a law and economics scholar who specializes in public choice theory.

Many thanks to our contributors. If you have suggestions or ideas for future newsletters, please feel free to e-mail the incoming secretary, Timothy Duff, at timothy.duff@case.edu.