

Program



ASSOCIATION OF AMERICAN LAW SCHOOLS **WORKSHOP FOR NEW LAW SCHOOL TEACHERS**

June 5 – 7, 2025 | Washington, DC



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Twitter

Tweet about your experiences during your time with us. Use hashtag #AALSNTL.

Evaluation

An evaluation will be emailed to you at the conclusion of the workshop. Your feedback and suggestions will assist the Planning Committee with improvements to the 2026 workshop.

Welcome to the 2025 AALS Workshop for New Law School Teachers and to the legal academy!

Thank you for agreeing to share your wisdom as part of the 2025 AALS Workshop for New Law School Teachers!

The Planning Committee has set an ambitious agenda for the two days of the conference, and your contribution is essential to us achieving our goals. We hope that you will gain valuable insights and practical information on how to become an effective classroom teacher, a productive scholar, and a valued member of the legal academy—all balanced with the nurturing of your personal and family life.

We have a slate of amazing presenters who are committed to helping you succeed in your career! We designed our interactive sessions to ensure that you have plenty of opportunities to talk with new colleagues from across the nation and explore ideas with them and with our presenters. As you participate in group exercises, enjoy break-out sessions, and share meals, you will become a part of a law-teaching cohort for the future. We want you to approach that awesome privilege with seriousness, curiosity, and excitement.

AALS President Austen Parrish will start the conference with a keynote welcome on Thursday night. On Friday and Saturday, our sessions include sessions focusing on teaching, research, service, and work/life balance. You will also have a chance for more focused conversations about research in breakout sessions and even have a chance either to do a mini-teaching demonstration and receive feedback on your efforts or work on your syllabus for a course or two and get feedback on those efforts. For more information about the teaching demonstration and syllabus workshop, see the attached materials.

During your time here, you will create relationships that might well last a lifetime. Moreover, this is a special time for all of you: you are embarking on a career choice that will shape the future of countless attorneys, who will in turn shape the outcomes for countless clients.

Teaching is a privilege, and your being here admits you into a special group. Many of those who will lead sessions here in 2025 were in your place, at this workshop, at the start of their careers. We hope that your career path leads you back here to continue that pattern as you mature in the legal academy.

Congratulations, and, again, welcome!

Melanie Jacobs,
Chair, AALS Planning Committee and
Dean and Professor of Law, Louis D. Brandeis School of Law, University of Louisville

PLANNING COMMITTEE FOR THE 2025 WORKSHOP FOR NEW LAW SCHOOL TEACHERS

Renee Allen, Associate Professor and Faculty Director, Center for Race and Law, St. John's University School of Law
Nicola "Nicky" Boothe, Dean and Professor of Law, University of Illinois – Chicago School of Law
Michael Hunter Schwartz, Dean and Professor of Law, McGeorge School of Law, University of the Pacific
Melanie B. Jacobs, Dean and Professor of Law, Louis D. Brandeis School of Law, University of Louisville, **Chair**
Heather M. Kolinsky, Legal Skills Professor, University of Florida Fredric G. Levin College of Law

Welcome

Dear Colleague,

It is my privilege to welcome you to the Association and to the legal academy. We are absolutely delighted that you are here.

Established in 1900, AALS is a community of 176 members and 18 fee-paid law schools. Our mission is to uphold and enhance excellence in legal education. As the learned society for legal education, we are also your organization. It is my goal that AALS be a partner to you throughout your career. Many law faculty members benefit from work accomplished under our umbrella, creating connections with faculty beyond their home law schools and leading to career-enriching collaborations in both scholarship and teaching.

The AALS membership values are:

1. a faculty composed primarily of full-time teacher-scholars who constitute a self-governing intellectual community engaged in the creation and dissemination of knowledge about law, legal processes, and legal systems, and who are devoted to fostering justice and public service in the legal community;
2. academic freedom;
3. diversity of viewpoints;
4. excellent scholarship and teaching;
5. a rigorous academic program built upon strong teaching and a dynamic curriculum that is both broad and deep;
6. a faculty hired, promoted, and retained based on meeting and supporting high standards of teaching and scholarship and in accordance with principles of non-discrimination;
7. competent and professional staff to support the mission of the law school;
8. selection of students based upon intellectual ability and potential for success in the study and practice of law, through a fair and non-discriminatory process designed to produce a broadly representative legal profession; and
9. honesty, integrity, and professionalism in dealing with students, faculty, staff, the public, and the Association.

AALS is active in many areas that may interest you, particularly our professional development programs for law faculty. We host more than 100 Sections organized around various academic disciplines, affinity groups, and areas of professional interest. I encourage you to join one or more sections and connect with colleagues across the country. In addition to planning sessions at the AALS Annual Meeting each January, most sections are active year-round with email discussion groups, webinars, annual awards, mentorship programs, works-in-progress opportunities, sharing teaching resources, and other activities. For a full list of sections and information on how to join, please visit www.aals.org/sections.

The 2026 Annual Meeting will be in New Orleans, Tuesday, January 6 through Friday, January 9, 2026. The meeting provides many opportunities for networking and to present your work. Please plan to attend and to find out further details at am.aals.org.

Another opportunity for recognition as a newer scholar is the AALS Scholarly Papers Competition for those who have been teaching law for five years or less. Find more details at www.aals.org/new-faculty/scholarly-papers. We also sponsor two journals where you may find opportunities to be published: the *Journal of Legal Education* (jle.aals.org), published quarterly and distributed to all law faculty, is an excellent platform for scholarship about legal education and innovative teaching and the *Clinical Law Review* provides similar visibility for experiential education.

As you begin your career in the legal academy and are understandably focused on developing your own courses and advancing your scholarly agenda, I encourage you to make time for AALS as well. This is just the beginning of what we hope will be a long, productive, and satisfying career and we will be here for you at each step of the journey.

Sincerely,



Kellye Y. Testy
Chief Executive Officer

AALS EXECUTIVE COMMITTEE

Austen L. Parrish, University of California, Irvine School of Law, **President**
 Melanie Wilson, Washington and Lee University School of Law, **Past President**
 Danielle M. Conway, Penn State Dickinson Law, **President-Elect**
 Kellye Y. Testy, Executive Director and Chief Executive Officer
 Leonard M. Baynes, University of Houston Law Center
 Anthony W. Crowell, New York Law School
 Risa Goluboff, University of Virginia School of Law
 Renée McDonald Hutchins, University of Maryland Francis King Carey School of Law
 Stacy Leeds, Arizona State University, Sandra Day O'Connor College of Law
 John Valery White, University of Nevada, Las Vegas, William S. Boyd School of Law

Need-to-Know

CONSENT TO USE OF PHOTOGRAPHIC MATERIALS

AALS will have a photographer at general sessions and meals during the workshop. Photos taken during the workshop will remain the property of AALS and may be distributed or used in future marketing materials. Your attendance at the Workshop indicates your acceptance to be photographed and to AALS's use of your image, without payment of any kind, in program(s) and for other purposes designated by AALS in the future.

CONTINUING EDUCATION CREDIT

After the workshop, AALS can provide you with a letter of attendance to support continuing education documentation as required by your specific state's accrediting agency. To request a letter, email registration@aals.org.

LUGGAGE STORAGE

There is no fee for AALS attendees to store luggage at Westin Georgetown. To store luggage, see an attendant at the bell stand in the Lobby.

PRIVATE ROOM FOR PARENTS

Nursing parents may use Kalorama Room on the Lobby Level as private space. The room has outlets, a refrigerator, and a locking door. Please visit the registration table (Washington Ballroom Foyer, Lower Level) to request the key to this room.

RECORDING (AUDIO AND VIDEO)

Please note that workshop sessions will not be recorded in either audio or video format.

SESSION MATERIALS

Materials provided by session panelists will be available online after the workshop at nlt.aals.org/program/materials.

Internet Access

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Program Schedule

As of May 16, 2025

Thurs., June 5

4 – 7 pm

Registration

Washington Ballroom Foyer,
Conference Level

5:30 – 6:15 pm

Small Group Discussions | Setting the Stage

Please refer to the handout for your small group assignment and the meeting room location.

These small groups will be your cohort for the workshop, providing an opportunity to meet some of your peers and discuss your expectations for the workshop and your career. These small groups will reconvene on Saturday afternoon. Presenters from the workshop will facilitate these discussions in a conference style setting.

6:30 – 7 pm

Welcome and Keynote

Washington Ballroom,
Conference Level

Join us for the Welcome and Keynote Speaker session. Melanie Jacobs will introduce the keynote address speaker, Dean Austen L. Parrish. Dean Parrish will share insights on “The Joy of Law Teaching and Scholarship.” This session promises to be an inspiring start to our event.

Introduction: Melanie B. Jacobs, University of Louisville, Louis D. Brandeis School of Law, Chair, Workshop for New School Teachers

The Joy of Law Teaching and Scholarship

Speaker: Austen L. Parrish, AALS President and University of California, Irvine School of Law

Fri., June 6

7 am – 6 pm

Registration

Washington Ballroom Foyer,
Conference Level

8 – 9 am

Coffee with Your Colleagues

Washington Ballroom Foyer,
Conference Level

Start your day by connecting with fellow attendees and workshop presenters and take the opportunity to visit with the various exhibitors to learn more about their products and services. Enjoy these early morning breaks with a selection of coffee, tea, and breakfast pastries before heading to the first session of the day at 9 am.

8 – 8:45 am

AALS Sections on Professional Responsibility, Education Law, and Women in Legal Education Informal Networking

Scott, Conference Level

Join section representatives and fellow event attendees for an informal gathering to network, connect, and learn more about section opportunities. This will be a chance to meet with other new faculty to share ideas and build professional relationships within the section community. Whether to collaborate, learn, or expand your network, this will be a space to discover a section's activities, mentoring, programs, and leadership opportunities.

Whether you are already a section member or simply interested in the section's subject matter, everyone is welcome to join and learn about the valuable resources that sections

can offer! Enjoy a selection of coffee, tea, and breakfast pastries before heading to the first session of the day which follows at 9 am.

Facilitators:

Okianer Christian Dark, Howard
University School of Law

Billie Jo Kaufman, University of the
District of Columbia, David A.
Clarke School of Law

Blake D. Morant, The George
Washington University Law
School

Jonah Perlin, Georgetown University
Law Center

9 – 9:15 am

Opening Session

Washington Ballroom,
Conference Level

Join us for this opening session where Kellye Y. Testy will extend a warm welcome to all attendees. Following this, Melanie B. Jacobs will provide an overview of the workshop. This session will set the stage for an engaging and informative two days.

Welcome: Kellye Y. Testy, AALS
Executive Director and CEO

Welcome and Workshop Overview:

Melanie B. Jacobs, University
of Louisville, Louis D. Brandeis
School of Law, Chair, AALS
Workshop for New School
Teachers

9:15 – 10:45 am

General Session: Foundations for Excellent Teaching

Washington Ballroom,
Conference Level

Effective teachers understand that what learners bring to the classroom is just as important as what the teachers bring. This plenary session will review academic research on student learning, teaching theory, and teaching strategies and then

General Session, cont.

link that discussion to practical advice for excellence in classroom teaching. Awareness of the learning and teaching research can help teachers to promote a positive classroom experience and improve outcomes.

Moderator: Michael Hunter Schwartz, University of the Pacific, McGeorge School of Law

Panelists:

Olympia R. Duhart, Nova Southeastern University
Shepard Broad College of Law
Lawrence C. Levine, University of the Pacific, McGeorge School of Law
Russell A. McClain, University of Maryland Francis King Carey School of Law

10:45 – 11 am

Coffee with Your Colleagues
Washington Ballroom Foyer,
Conference Level

11 am – 12:15 pm

**CONCURRENT SESSIONS ON
TEACHING**

The following concurrent sessions offer focused discussion on a variety of topics important to law teaching.

Classroom 101 (Course Design + Teaching with Technology)

Washington Ballroom,
Conference Level

How to plan your course for the best effect, considering topics such as choosing a casebook, constructing a syllabus, and deciding what to cover and in what order.

How to use information technology effectively, including visual aids, polling, class websites, distance learning, and student use of computers in the classroom.

Introductions and Moderator:

Michael Hunter Schwartz,
University of the Pacific,
McGeorge School of Law

Facilitators:

Jamie R. Abrams, American
University, Washington College
of Law
Howard E. Katz, Cleveland State
University College of Law
Susan S. Kuo, University of South
Carolina Joseph F. Rice School
of Law

**Course Design
and Classroom
Implementation for
Faculty Teaching Legal
Analysis, Writing, and
Research**

Chevy Chase, Conference
Level

Moderator: Heather M. Kolinsky,
University of Florida Fredric G.
Levin College of Law

Facilitators:

Brenda D. Gibson, Wake Forest
University School of Law
Catlin Meade, The George
Washington University Law
School
Kayonia Whetstone, The George
Washington University Law
School

12:30 – 2 pm

**AALS Luncheon - Fostering
Diversity and Academic
Freedom Without
Divisiveness, Inside the
Classroom**

The Promenade, Lobby Level

Enjoy lunch with your fellow attendees, followed by an engaging panel discussion during dessert.

All law teachers must think about ways to teach, mentor, and collaborate effectively in a diverse community. This session will discuss the special challenges all faculty members sometimes face in their roles of teacher, mentor, and

institutional citizen at a time of political polarization. It will also address the responsibility that all faculty members must promote the meaningful inclusion of all students and discuss strategies for doing so both inside and outside the classroom.

Moderator: Nicola Boothe,
University of Illinois Chicago
School of Law

Panelists:

Michelle E. Boardman, Antonin
Scalia Law School at George
Mason University
Llezie L. Green, Georgetown
University Law Center
Elizabeth A. Keyes, University of
Baltimore School of Law

2:15– 3:45 pm

**General Session on
Assessment**
Washington Ballroom,
Conference Level

In this interactive session, participants will learn different methods to evaluate students and provide feedback throughout the semester. The session will also cover exam creation, grading, and post-exam review.

Introduction: Nicola Boothe,
University of Illinois Chicago
School of Law

Speakers:

Rory D. Bahadur, Washburn
University School of Law
Kris L. Franklin, New York Law
School

3:45 – 4 pm

Coffee with Your Colleagues
Washington Ballroom Foyer,
Conference Level

4 – 5:15 pm

General Session: The Demands and Delights of Institutional Citizenship: Exploring a Range of Service Opportunities

Washington Ballroom, Conference Level

In addition to producing influential scholarship and facilitating effective student learning, law professors are also called upon to be good institutional citizens (and committee members) by furthering law school priorities and contributing to multiple institutional relationships with students, staff, faculty, university officials, community members, alumni, and practicing lawyers and judges. Such interactions can present exciting opportunities, but it is especially important for junior faculty to consider how to prioritize among them and balance the competing demands on their time.

Moderator: Melanie B. Jacobs, University of Louisville, Louis D. Brandeis School of Law

Speakers:

Eric R. Claeys, Antonin Scalia Law School at George Mason University

Tianna Gibbs, American University, Washington College of Law

5:30 – 6:30 pm

AALS Reception

The Promenade, Lobby Level

Join your fellow attendees for an end-of-day reception where you can connect, network, and get to know one another in a relaxed setting. Enjoy some light refreshments as you unwind and share experiences, take aways from the day's sessions. This is a great opportunity to build relationships and engage with your peers in the new law teachers' community.

Sat., June 7

7:30 am – 3 pm

Registration

Washington Ballroom Foyer, Conference Level

8 – 9 am

Coffee with Your Colleagues

Washington Ballroom Foyer, Conference Level

Start your day by connecting with fellow attendees and workshop presenters and take the opportunity to visit with the various exhibitors to learn more about their products and services. Enjoy these early morning breaks with a selection of coffee, tea, and breakfast pastries before heading to the first sessions of the day, which begin at 9:00 am.

8 – 8:45 am

AALS Sections on Constitutional Law and Criminal Procedure Informal Networking

Scott, Conference Level

Join section representatives and fellow event attendees for an informal gathering to network, connect, and learn more about section opportunities. This will be a chance to meet with other new faculty to share ideas and build professional relationships within the section community. Whether to collaborate, learn, or expand your network, this will be a space to discover a section's activities, mentoring, programs, and leadership opportunities.

Whether you are already a section member or simply interested in the section's subject matter, everyone is welcome to join and learn about the valuable resources that sections can offer! Enjoy a selection of coffee, tea, and breakfast pastries before heading to the first session of the day which follows at 9:00 am.

Facilitators:

Franciska A. Coleman, University of Wisconsin Law School
Joseph E. Kennedy, University of North Carolina School of Law

9 – 10:30 am

CONCURRENT SESSIONS ON SCHOLARSHIP

The following concurrent sessions offer focused discussion on topics important to legal scholarship.

Designing Your Research Agenda and Building a Scholarly Community/Network

Washington Ballroom, Conference Level

How to conceptualize and articulate the themes of your scholarship and research trajectory.

Facilitators:

Hilary J. Allen, American University, Washington College of Law
Kevin Tobia, Georgetown University Law Center

Distributing Your Ideas and Engaged Scholarship and Advocacy

Thomas, Conference Level

How to distribute your scholarship and build your reputation through both academic channels and popular media.

Facilitators:

Spencer Overton, The George Washington University Law School
Cedric Merlin Powell, Howard University School of Law

Scholarship for Faculty Teaching Legal Analysis, Research and Writing
Chevy Chase, Conference Level

Moderator: Renee Nicole Allen, St. John's University School of Law

Facilitators:

Brenda D. Gibson, Wake Forest University School of Law
Tiffany N. Jeffers, Georgetown University Law Center

10:30 – 10:45 am

Coffee with Your Colleagues

Washington Ballroom Foyer,
Conference Level

10:45 am – 12 pm

**CONCURRENT SESSIONS ON
PUTTING IT INTO PRACTICE**

Introductions:

Michael Hunter Schwartz,
University of the Pacific,
McGeorge School of Law

**Putting It Into Practice—
Teaching**

*See the handout for your name and
the assigned meeting room location
for your demo group.*

New law teachers almost never have an opportunity to grow their teaching skills by receiving supportive, non-judgmental but meaningful feedback from teaching experts. This session will put the new law teachers in the front of the room to do short, ten-minute mock classes on a topic of their choosing from among the courses they will be teaching. Each will be asked to use at least two teaching techniques other than Socratic questioning in their mini-mock class session. Fellow new law teachers will serve as the mock students, and experts will model best practices for providing feedback after each demonstration and invite other participants to share their reactions.

Presenters from the workshop will serve as facilitators, guiding feedback discussion and activities to ensure an engaging and interactive experience for all participants.

**Putting It Into Practice
— Course Design
Demonstrations**

*See the handout for your name
and the assigned meeting room
location for your demo group.*

New law teachers almost never have an opportunity to get specific, concrete feedback on their course designs. In this session, attendees will work on creating or editing a syllabus for a course they will be teaching in the coming year with a particular focus on key elements: learning goals, assessment and grading planning, variety of teaching methods, creating an inclusive, supportive and respectful classroom culture, and the quality and clarity of assignments. Each attendee will work on a syllabus throughout the session (from scratch or by modifying an existing syllabus) as one or more experts walk around the room providing feedback individually (and, where appropriate, share their observations with the group as a whole). Two or three model syllabi will be provided.

Presenters from the workshop will serve as facilitators, guiding feedback discussion and activities to ensure an engaging and interactive experience for all participants.

12 – 1:15 pm

AALS Luncheon

The Promenade, Lobby Level

This luncheon is a chance to socialize and network with peers in your same teaching subject area. Lunch will be served buffet style.

1:30 – 3 pm

**General Session: Keeping it
All Together**

Washington Ballroom,
Conference Level

Law can be a demanding profession, for both practitioners and for legal academics. This panel considers ways to enhance work and life satisfaction for law teachers and considers the teacher's role in helping students pursue professional fulfillment and personal well-being.

Moderator: Melanie B. Jacobs,
University of Louisville, Louis D.
Brandeis School of Law

Speakers:

Renee Nicole Allen, St. John's
University School of Law
Janice L. Craft, The University of
Richmond School of Law
Russell A. McClain, University of
Maryland Francis King Carey
School of Law

3 – 3:15 pm

Coffee with Your Colleagues

Washington Ballroom Foyer,
Conference Level

3:15 – 4:15 pm

**Small Group Discussions II -
Reflections**

*Please refer to the handout for your
small group assignment and the
meeting room location.*

Participants will reconvene in their small group cohorts from Thursday night to reflect on ideas related to teaching, scholarship, and service that have been raised during the workshop.

Planning Committee for the 2025 Workshop for New Law School Teachers



Renee Nicole Allen, Associate Professor of Law and Faculty Director of the Center for Race and Law, St. John's University School of Law



Nicola Boothe, Dean and Professor of Law, University of Illinois Chicago School of Law



Melanie B. Jacobs, Dean and Professor of Law, University of Louisville Louis D. Brandeis School of Law, Chair



Heather M. Kolinsky, Legal Skills Professor, University of Florida Fredric G. Levin College of Law



Michael Hunter Schwartz, Dean and Professor of Law, University of the Pacific, McGeorge School of Law

Presenters



Jamie R. Abrams, Professor of Law and Director of Legal Rhetoric Program, American University, Washington College of Law



Hilary J. Allen, Professor of Law, American University, Washington College of Law



Renee Nicole Allen, Associate Professor of Law and Faculty Director of the Center for Race and Law, St. John's University School of Law



Rory D. Bahadur, James R. Ahrens Chair in Tort Law, Professor of Law, Washburn University School of Law



Michelle E. Boardman, Associate Professor of Law, Antonin Scalia Law School at George Mason University



Nicola Boothe, Dean and Professor of Law, University of Illinois Chicago School of Law



Eric R. Claeys, Professor of Law, Antonin Scalia Law School at George Mason University



Franciska A. Coleman, Assistant Professor of Law and Associate Director of the East Asian Legal Studies Center, University of Wisconsin Law School



Janice L. Craft, Associate Professor of Law, Legal Practice, and Director of Professional Identity Formation, University of Richmond School of Law



Okianer Christian Dark, Associate Provost for Faculty Development and Professor of Law, Howard University School of Law



Olympia R. Duhart, Interim Dean and Professor of Law, Nova Southeastern University Shepard Broad College of Law



Kris Franklin, Wallace Stevens Professor of Law, Director, Academic Initiatives, Co-Director, Initiative for Excellence in Law Teaching, New York Law School



Tianna Gibbs, Professor of Law; Director, Gender Justice Clinic, American University, Washington College of Law



Brenda D. Gibson, Professor of Legal Writing, Wake Forest University School of Law



Llezlie L. Green, Professor of Law, Anne Fleming Research Professor, Director of the Civil Justice Clinic, Georgetown University Law Center



Melanie B. Jacobs, Dean and Professor of Law, University of Louisville Louis D. Brandeis School of Law



Tiffany N. Jeffers, Associate Professor of Law, Legal Practice, Georgetown University Law Center



Howard E. Katz, Legal Educator in Residence, Cleveland State University College of Law



Billie Jo Kaufman, Associate Dean for Law Library and IT Services, University of the District of Columbia, David A. Clarke School of Law



Joseph E. Kennedy, Willie Person Mangum Distinguished Professor, University of North Carolina School of Law



Elizabeth A. Keyes, Professor of Law, University of Baltimore School of Law



Heather M. Kolinsky, Legal Skills Professor, University of Florida Fredric G. Levin College of Law



Susan S. Kuo, Associate Dean for Academic Affairs, Professor of Law & Class of 1969 Chair for Teaching Excellence, University of South Carolina Joseph F. Rice School of Law



Lawrence C. Levine, Associate Dean for Diversity, Equity and Inclusion and Professor of Law, University of the Pacific, McGeorge School of Law



Russell A. McClain, Law School Professor, Associate Dean, Diversity & Inclusion and Director, Academic Achievement Program, University of Maryland Francis King Carey School of Law



Catlin Meade, Associate Professor of Fundamentals of Lawyering, The George Washington University Law School



Blake D. Morant, Robert Kramer Research Professor of Law, The George Washington University Law School



Spencer Overton, The Patricia Roberts Harris Research Professor of Law, The George Washington University Law School



Austen L. Parrish, Dean and Chancellor's Professor of Law, University of California, Irvine School of Law



Jonah Perlin, Associate Professor of Law, Legal Practice, Georgetown University Law Center



Cedric Merlin Powell, Broady Endowed Chair & Professor of Law, Howard University School of Law



Michael Hunter Schwartz, Dean and Professor of Law, University of the Pacific, McGeorge School of Law



Kellye Y. Testy, AALS Executive Director and CEO



Kevin Tobia, Professor of Law, Georgetown University Law Center



Kayonia Whetstone, Associate Professor of Fundamentals of Lawyering, The George Washington University Law School

Presentation Outlines and Materials

Workshop speakers were invited to submit discussion outlines for those in attendance.
These outlines and other materials are presented in alphabetical order.

General Session on Assessment

Kris Franklin

New York Law School

Chapter 8*

Agreed Damages

Exercise 8-1: Chapter Problem

You are a new associate in a law firm. The senior partner in your law firm has just dropped a project in your lap. She told you that the firm represents a small motorcycle manufacturing company and she asked you to draft what she calls a “bullet-proof liquidated damages clause.”

By using the term “bullet-proof liquidated damages clause,” the partner means that she wants you to draft a clause that is so unquestionably enforceable that no rational lawyer would challenge the clause. The partner told you that the assignment of drafting the entire contract has been divided up among several associates. Your only task is to draft the liquidated damages clause.

The clause will be used as part of a contract between your client and a construction company that is building the client a new manufacturing factory. The partner provided you with the following additional information about the deal:

- The contract will have a construction completion date of July 1, 2022.
 - The client wants the project finished on time and, therefore, wants the clause to address what will happen if the construction company does not complete construction on time.
 - The client estimates that the new plant will save the client \$4,000,000 per year over the fifteen-year useful life of the plant. These savings stem from a number of factors; specifically, the new factory will allow the client to reduce its number of employees because it will automate more of the client’s manufacturing processes, and the new machinery will require less power to operate than the machinery in the existing factory.
 - The client also believes that the new factory will allow the client to produce better, more reliable motorcycles — thereby increasing the client’s profits, although the client has stated that it cannot determine how much its profits will increase.
-

*Materials excerpted from MICHAEL HUNTER SCHWARTZ, ADRIAN WALTERS & KRIS FRANKLIN, *CONTRACTS: A CONTEXT AND PRACTICE CASEBOOK* (4th ed. 2025).

[Diagram
8-1
omitted
for AALS
New Law
Teachers’
Conference]

Introduction to Agreed Damages

You are about to learn about a particular type of contract clause frequently included in contracts: “agreed” or “liquidated” damages clauses. Lawyers use these two terms interchangeably and so will we in this chapter.

...

You need to learn about liquidated damage clauses because they are a common type of clause that lawyers draft and use. There are also many other types of commonly used contract clauses. For example, earlier in this text you were introduced to covenants not to compete and damages waiver clauses. To give you more insight into commonly used clauses, Table 8-1 on the next page provides a non-exhaustive list of common contract terms and a summary explanation of each type of clause. As you work your way through your study of contract law, look for all of these clauses and make sure you understand the effect of each.

Introduction to the Validity of Liquidated Damages Clauses

Courts use a set of specialized rules to determine the validity of liquidated damages clauses, although courts vary greatly in how they frame their tests. Liquidated damages clauses are generally enforceable, but courts strike down such clauses if they are found to be a “penalty.” “Penalty” is just a label attached by a court when it concludes that a clause is unenforceable. The “penalty” label does not provide a rule.

Table 8-1: Common Contract Clauses

Name of Clause	Goal of Clause
Covenant not to compete	Communicates that an employee or a seller of a business cannot compete (for a specified period of time and within a specified locale) with the employer or buyer.
Liquidated damages	States an amount a party should be awarded by a court if the other party breaches the contract.
Merger	Communicates that the written document contains all of the terms to which the parties have agreed and that prior agreements that are not reflected in the written document are not part of the parties’ contract.
No oral modification	Indicates the parties can modify the contract only in writing.
Force majeure	Lists circumstances, usually natural disasters and wars, under which a party can avoid having to perform the contract without penalty.
Time is of the essence	Uses the words “time is of the essence” to communicate an expectation about timely performance of the parties’ contract promises.

Choice of law	States the body of law that will govern any dispute between the parties. May also limit the state or city in which either party may file suit. (Lawyers may refer to this latter provision as a “jurisdiction clause.”)
Arbitration	States that disputes under the contract will not be decided by a court but, rather, by an arbitrator. Usually includes a specified process for the arbitration (i.e., what rules will be followed and how the arbitrator will be selected).
Indemnification	Communicates that, if one party is sued for a matter relating to the contract, the other party will pay for the costs of defending the suit and will pay any award of damages ordered by the court.
No assignments	States that the rights conferred under the contract (and, in some instances, the duties imposed under the contract) cannot be transferred to someone else.
Savings	Indicates the parties have agreed that, if a court invalidates a particular term of the parties’ contract, the rest of the contract will remain enforceable.

Courts generally use a two-part test to determine if a liquidated damages clause is valid (not a “penalty”):

1. Were the damages difficult to ascertain when the contract was made; and
2. Is the amount stated as liquidated damages reasonable in light of the actual and/or anticipated damages?

In the second prong of the test, the terms “and/or” reflect the fact that courts are split in their articulations of the rule. Also note that the two prongs tend to have an inverse relationship; the more difficult damages are to ascertain, the more leeway courts give parties’ efforts to estimate damages (and, conversely, the easier damages are to ascertain, the less leeway courts give parties’ efforts to estimate damages). The cases and materials below illustrate the application of these principles.

Overview of Chapter 8

In this chapter, you will learn the tests used to evaluate liquidated damages clauses and how courts apply those tests. You will also learn how to draft a valid and enforceable liquidated damages clause.

Evaluating the Enforceability of an Agreed Damages Clause

Leeber v. Deltona Corp.

546 A.2d 452 (1988) Supreme Judicial Court of Maine

[Text of case and exercises omitted for AALS New Law Teachers' Conference]

Summary: Contract between Florida condo developer and condo buyer. Agreed price for purchase of the unit was \$152,000 with 15% downpayment (\$22,530), to be retained as liquid damages if buyers breached. When building was completed two years later the buyers did breach, whereupon developer resold unit for \$167,500. Since developer benefitted from the breach, original buyer sued to recover deposit. Court found liquidated damages clause generally enforceable, concluding that Florida law favors such provisions when damages not ascertainable when contract made, and concluded the 15% figure was reasonable, and therefore neither a penalty nor unconscionable.

United States v. Hayes

633 F. Supp. 1183 (1986) USDC, Middle District NC

[Text of case and exercises omitted for AALS New Law Teachers' Conference]

Summary: Defendant doctor had entered a contract as a medical student to accept \$29,000 in tuition assistance in exchange for working two years' post-graduation in a government program to provide medical services to underserved locales. Standard fellowship contract provided treble damages of \$90,000 if graduating physician breached. Court determines damages clause enforceable because calculating harm to government would be "virtually impossible," so treble damages clause was fair and reasonable, and had discernable relationship to actual costs of harm.

[Text of additional chapter material omitted for AALS New Law Teachers' Conference]

Chapter Problem Revisited

Exercise 8-1 at the beginning of this chapter asked you to draft a liquidated damages clause. To do so, use what you have learned about liquidated damages clauses in this chapter and the drafting guidance below:

1. Implement your client's goals: Your client wants to encourage the contractor to complete the job on time; to maximize its recovery if the contractor delays completion; to have a court, if necessary, affirm the enforceability of the clause; and to have a clause that is so clearly enforceable that the contractor would not even litigate the issue.
2. Be explicit about the effect you want the contract term to have.
3. Use clear and simple language. Ineffective lawyers draft obscure contract terms, which often become the subjects of litigation.
4. Carefully edit your work product. Your work product will reflect on your level of professionalism and effectiveness as a lawyer. Ensure that any work product you produce is polished.

In addition, it may be helpful to review some sample liquidated damages clauses in formbooks and to read some articles about liquidated damages. Both are available in your law school library. For example, one article that is useful for understanding drafting principles is *How to Draft and Enforce a Liquidated Damages Clause* by Henry Luepke. While we encourage you to read the entire article, below we are providing some key points and excerpts from the article:

1. Express your client's intent. As Luepke states, "If the parties intended the clause to serve as compensation for the damages likely to result from a breach, the court will uphold the clause and enforce it as written. If, on the other hand, the clause was intended to serve as punishment for a breach, the court will refuse to enforce it." Thus, "when drafting a liquidated damages clause, counsel should use language demonstrating that, at the time of contracting, the parties intended the liquidated amount to fully compensate, but not punish, for a breach of the contract." Luepke specifically advises:

The simplest way to demonstrate that the intent of a provision for liquidated damages is compensatory rather than punitive is to explicitly state this intent in the clause itself. Specifically, the clause should provide that the liquidated amount to which the parties have agreed is intended as compensation and is not intended as punishment.

2. Label the clause as a "liquidated" or "agreed" damages clause. As Luepke notes:

It is true that labeling a liquidated damages provision as either one for compensation or as one for a penalty is not conclusive on the issue of whether it will or will not be enforced. Nevertheless, courts are generally constrained to give effect to the parties' intention as expressed by the plain terms of the contract.

3. Be cognizant of the enforceability test your clause will have to pass. As Luepke states:

[A] court will have to answer two threshold questions, *i.e.*, 1) is the liquidated amount a reasonable forecast of just compensation in the event of a breach?; and 2) is the liquidated amount for a harm that was incapable or very difficult of accurate estimation at the time the contract was made?

Because the intent of the parties is to be ascertained from the plain language of the contract, the answers to these questions should be made explicit in the terms of the liquidated damages clause. For example, the liquidated damages clause might state explicitly and explain why the damages to be suffered in the event of breach are very difficult of accurate estimation and, for this reason, the parties have agreed that the amount fixed by the clause is a reasonable forecast of just compensation in the event of breach.

4. Specify the type of breach for which the liquidated amount is intended as compensation. Luepke explains:

All breaches are not alike, and a liquidated damages clause should not treat them as if they were. . . . Where a liquidated damages clause applies equally to multiple types of breaches, regardless of the significance or magnitude of the breach, the scope of the clause is overly broad, and a court will likely find that the intent of the provision is punitive, regardless of statements indicating a contrary intent.

The terms of the clause, therefore, should specify the types of breaches to which it applies and should clearly show that it is intended to provide compensation only for the type of breach that would result in the damages that are difficult or impossible to calculate.

5. Specify the type of harm for which the liquidated amount is intended as compensation. As Luepke notes, “the anticipated harm for which a liquidated damages clause is intended to compensate may not always be obvious to a court.” Accordingly, parties to a “liquidated damages clause . . . would do well to specify the types of difficult-to-quantify harm for which the clause is intended to provide compensation.” For example, “where breach of a contract may result in a loss of profits . . . the clause should state that the liquidated amount is intended to compensate for the difficult-to-calculate loss of anticipated profits that the parties agree would result from the type of breach in question.”
6. Provide a formula for calculating the liquidated amount. A formula is preferable to a lump sum because the amount of damages will vary with the type and duration of breach. For example, a clause could state that a certain amount is to be added to a base liquidated amount for each day contract performance is delayed. Or, where the anticipated harm is lost profits, the liquidated sum could be set as a percentage of the gross amount yet to be paid under the contract. The advantage in using a formula is that it ensures “that the liquidated amount will be adjusted according to the relative degree or magnitude of the breach.” Accordingly, a court is more likely to find that “the amount to be recovered as liquidated damages is intended to bear some relationship to a reasonable forecast of the probable damages and, therefore, is intended to compensate, not punish, for a breach. On this basis, a liquidated damages clause will likely be enforced.”

Course Sequencing and Design

Howard E. Katz

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The basic premise: strategy precedes tactics, and tactics precede implementation.

"The job is to figure out what to say and when and how to say it. First, you have to get your audience's attention. Once you've done that, you have to present your message in a clear, logical fashion – the beginning, then the middle, and then the end. You have to deliver information the way people absorb it, a bit at a time, a layer at a time, and in the proper sequence. If you don't get their attention first, nothing that follows will register. If you tell too much too soon, you'll overload them and they'll give up. If you confuse them, they'll ignore the message altogether."

from *Why We Buy: The Science of Shopping* by Paco Underhill

The following excerpts are adapted from *Strategies and Techniques of Law School Teaching: A Primer for New (And Not So New) Professors* by Howard E. Katz and Kevin Francis O'Neill:

Ordering the Progression of Topics: Logical Isn't Necessarily Pedagogical

A very important question is whether there are any topics to which the students must first be exposed in order to understand certain other topics. Not every foundational concept must be *mastered* before proceeding. If students would not be ready to tackle such a concept at the semester's outset, simply *introduce* the concept, proceed to less challenging topics, and then circle back to it later in your course. Another way of dealing with a foundational concept is to identify it for your students and then, before proceeding onward, ask them to make an *assumption* about it. More generally, you should be asking yourself how the topics may be sequenced so as to give your students the best opportunity to understand the material.

Ordering your topics in a seemingly logical progression is not always pedagogically sound. It's often true that you can greatly enhance your students' understanding of the material by arraying the topics in the sequence that would seem logical to someone who is already familiar with the topic. But there are at least two situations where logical is not pedagogical.

First (and this is a point that does not only apply to first-year, first-semester students) you don't want to begin the semester with an exceedingly difficult, recondite, or abstract topic. This can leave a large number of students confused and demoralized at the very outset. It's better to begin the semester with a doctrinal overview of your subject, or to present an introductory hypothetical that foreshadows themes or doctrines central to your course. Then, to give them a sense of confidence and to get them accustomed to your classroom methods, begin with material that is comparatively less difficult and less important.

For example, if you're teaching Torts, it might occur to you that negligence is the most important and central topic, and therefore the right one with which to start the course. Once students have learned this material, you might think to yourself, you can breeze through intentional torts at the very end of the semester or year. But if you think about the perspective of a student in the first weeks of law school, it may be better to *begin* with intentional torts. In contrast to the

murky waters of negligence, the law of intentional torts is comparatively easy to grasp. The elements are clearer and the material is more straightforward. Though it may not be the *logical* place to start, it's *pedagogically* advantageous for being less likely to overwhelm your students when they are first learning how to study, how to conduct themselves in class, and how to gauge your expectations. Justiciability in constitutional law is another example. It logically precedes deciding the case on the merits. But it is extremely difficult for students to understand what is at stake when they haven't yet studied any of the substantive areas of the course.

Second, you don't want to leave a key section of the course until the very end of the semester. The danger of doing this is that you may not reach the final reading assignment in your syllabus. Thus, you'll come to the end of the semester without having covered a key section of your course. Or, in order to reach that final section, you'll hurry through the preceding sections and leave your students confused and dismayed. Do this even if it means departing from a logical progression of topics. Students are capable of understanding a topic encountered out of order, particularly if care is taken to explain where that topic fits in the larger scheme of your course. Then, develop a list of new topics or elaborations of earlier topics that can be introduced in the final week or two of the semester. It can actually be an advantage to come back to a topic for greater depth of coverage, or to explore a sub-topic that relates to material previously covered, as it provides a good vehicle for review. In this way, you can take the awkward problem of how to end the semester and turn it to your advantage by making it an opportunity for review.

A word of caution about how to begin your course: Don't get trapped into spending too much time on introductory material. Instead of spending two or three weeks, keep it short. Then, five weeks into the semester, come back to those introductory themes and your students will get more out of them. Once you spend that second or third week, it's gone — and you may be sorry in Week 13 when you're trying not to rush the end of your course.

One thing to keep in mind more generally about *any* sequence you decide on is to constantly "situate the material" – explain to the students what you are covering and how it relates to what has gone before and what will come after.

Avoiding the "Marbury Gap"

By exhorting you to avoid the "Marbury Gap," here is what we mean: When charting the sequence of your reading assignments, try to avoid long passages that provide background rather than conventionally-tested material. The classic example relates to the famous case of *Marbury v. Madison*. It is typical of many Constitutional Law books to present the case and then follow it with extended textual material on the decision's validity and implications. Logically, the issue of *Marbury*'s "correctness" comes up at this point in the course. But a careful examination of *Marbury* and the follow-up material can easily consume two or three weeks of class time or more. Thus, a "Marbury Gap" is a long stretch of textual material, often theoretical or historical, that is so basic, or so remote, or so abstract as to be unlikely to be tested in a conventional manner, thus causing problems in the parceling out of assignments.

You need to consider what the reading assignments during this portion of the course will look like, and what sort of class discussion you can expect to generate if the assignment for the day is simply textual reading. This same concern arises in other law school courses. In Criminal Law, for example, many casebooks devote a long section to theories of punishment.

There is another aspect to this, and *Marbury* again serves as an example. In the pages following *Marbury*, most casebooks raise the question of whether or not judicial review is a good idea. But at this point in the course, your students probably haven't read a single substantive decision of the Supreme Court other than *Marbury* itself. Thus, your debate on judicial review takes place in a vacuum. Such material may be better handled by raising the broad question

and themes, but returning to the particulars later, once the students have more of the course under their belts.

How do you deal with a Marbury Gap? Consider breaking up the background or theoretical material into smaller pieces and turning it into a recurrent theme — one that you briefly introduce and later return to from time to time, tying it (if you can) to what your students are currently learning. Let's again look at *Marbury*. Use it initially to introduce the concept of judicial review. Come back to it later, especially when examining the separation of powers and the Supreme Court's role in construing individual liberties and the scope of federal legislative power. Viewed from those perspectives later in the semester, the legitimacy of judicial review and its crucial role in our system of checks and balances will have more meaning for your students. On those later occasions, you can assign some of the note material following *Marbury* to explore questions of theory or policy that your students would have been less able to appreciate at the semester's outset.

Waiting for the Right Time to Address Theory or Policy

The proper *sequencing* of the information you convey is critical to effective teaching. We must be sensitive to sequencing on both the micro level (ordering the progression of ideas when introducing a new topic or doctrine) and the macro level (ordering the progression of topics or doctrines over the span of a whole semester). When it comes to sequencing, be particularly careful about when to expose your students to theory or policy.

Students are much more receptive to discussions of theory or policy if they have first been exposed to some concrete examples of the *context* in which that theory or policy will play out. Thus, when charting the sequence of materials you will cover, our advice is this: Don't front-load theory or policy without first giving the students a real case to sink their teeth into. Particularly with any first-year course, you risk losing your students if you start out with abstractions. Let them see some facts and rules first. Then, after two weeks or so, go *back* over the same material and tease out the strands of theory and policy. Your students will be better equipped to grasp such material then.

The following is from *Best Practice for Legal Education* by Roy Stuckey and others:

Particularly given the intellectual demands of the skills and values law students are learning, law professors should sequence instruction so that students have early success and therefore build self-efficacy. In other words, law professors interested in teaching students case analysis skills would order their syllabi so that the students start with easier cases and build to more difficult ones. Likewise, all law professors should consider the order in which they teach the concepts under study. Perhaps, highly theoretical and difficult concepts such as estates in property law, personal jurisdiction in civil procedure, and consideration in contract law are not good places to start for new law school learners.

Whether you were able to attend the concurrent session on course design or not, if you have a question about course design, assessment, exam writing, teaching methods, or any other teaching-related topic, please feel free to contact me at h.katz@csuohio.edu. I love working with new professors on their teaching and welcome the opportunity to be of assistance. Best of luck to you.

Howard E. Katz

Free Teaching Resources

Howard E. Katz

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Strategies and Techniques of Law School Teaching: A Primer for New (and Not So New) Professors by Howard E. Katz and Kevin Francis O'Neill

Available at no cost from your Aspen representative or on my SSRN site

The Strategies and Techniques series (course-specific teaching advice):

Integrating Diversity, Equity, and Inclusion into Core Courses; Constitutional Law; Criminal Procedure; Torts; Contracts; Property; Civil Procedure; Legal Analysis and Writing; Criminal Law; Family Law; Evidence; Professional Responsibility; Administrative Law; Federal Income Tax; Environmental Law; Academic Support

Available at no cost from your Aspen representative or on the [aspenpublishing.com](https://www.aspenpublishing.com/faculty-resources) faculty resources page

AALS Teaching Materials Network (professors who have agreed to share teaching notes with newer professors):

<https://secure.stetson.edu/law/teaching-network> or google “Stetson AALS teaching materials network”

Videos with advice on constructing useful visual aids:

www.lls.edu/CaplanVisualAids

Advice on constructing and using PowerPoint slides:

Lynn M. LoPucki, *The PowerPoint Channel*, 17 U. Mass. L. Rev. 41 (2021)

[Teaching-Law-3-compressed.pdf \(aals.org\)](#) (AALS Workshop for New Law Teachers 2024 - slides 46-61)

Software to capture and display anonymous class comments and feedback, debriefings from breakout groups, etc.

easyretro.io

AALS Section on New Law Professors webinar on constructing and grading exams

(AALS.org section webinars page April 2021)

AALS Section on New Law Professors webinar on the art of choosing a textbook

(AALS.org section webinars page October 2021)

Perhaps of interest to those teaching first-year courses (draft available on my SSRN site):

Teaching Legal Analysis Using the Unified Field Theory: The “unified field theory of legal analysis” method draws on learning theory as well as the experience of professors, especially those who teach element-driven courses. It emphasizes rules, the elements that comprise those rules, and application of new facts to those rules, as the fundamental organizing principle of how to discuss cases in class and how to do legal analysis. The coverage of each case in class models how to outline and how to write a good exam answer. The method embeds a variety of sound pedagogical techniques, including formative assessment and retrieval (without taking any extra class time), and makes clear early in the course what is expected in answering an exam question, which is especially helpful for those students who have less access to the unwritten rules of how to do law school. You will also get a glimpse of one format for teaching notes.

Please feel free to follow up with me after the conference if you have any questions. I love working with new professors on their teaching and welcome the opportunity to be of assistance. Best of luck to you.

Howard E. Katz

Preparation Materials for the New Law Teachers Participating in the Session Entitled “Putting It Into Practice—Course Design”

The goal for this session is to assist participants in planning at least one of their fall or spring classes by working on their syllabi during the session and having an opportunity to receive no stakes, formative feedback on their efforts.

For this session, you will be subdivided into smaller sub-groups. Each participant will choose the course(s) on which they wish to work. On the pages that follow, you will find a syllabus template from which you can work (if you wish) with comments and explanations in **[bracketed bold font]**.

If you would like more information about the range of teaching techniques available to you as you plan your course, the syllabus template includes a list of teaching techniques. If you would like to learn more, the following article is helpful: Steven I. Friedland, *How We Teach: A Survey of Teaching Techniques in American Law Schools*, 20 SEATTLE U L. REV. 1 (1996), available here: <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1489&context=sulr>. Helpful books include the books listed here: <https://libguides.law.umn.edu/c.php?g=296857&p=6441304>.

Feel free to prepare in advance as little or as much as you wish.

If you have any questions or wish to consult with someone regarding your syllabus before the conference, please email Dean Michael Hunter Schwartz of McGeorge School of Law at mschwartz@pacific.edu. Dean Schwartz designed these materials and has been a frequent author and speaker on topics relating to teaching and learning law.

The experts will be walking around the room and offering best practices feedback. For a two-page discussion of best practices feedback, see Paula Manning, *Affective, Effective Feedback*, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3443214.

COURSE POLICIES AND ASSIGNMENTS FOR [INSERT COURSE NAME]

SEMESTER:

CLASS MEETINGS:

TEXT:

[Some professors include both optional and required texts here.]

PROFESSOR:

Michael Hunter Schwartz

Pronouns:

[Students experience this choice as welcoming. It may not be possible at your institution.]

Office number:

Cell number:

[Many professors do not include this.]

E-mail:

OFFICE HOURS:

My office hours will be . . . [Insert hours and how students may schedule appointments if you will allow them.]

COMMUNICATION:

[Explain the easiest way to reach you and provide expected response times, e.g., within 24 hours on weekdays and 48 hours on weekends.]

EXPECTATIONS:

- [Explain your classroom culture expectations, e.g., treat the class as a professional obligation, have fun, respectfully disagree, etc.]]
 -
 -
 -
 -
 -
- **Course Learning Outcomes:** [Articulate your course goals. As indicated below, goals can include affective goals, values goals, skills goals, and content goals.]
 - **Affective Outcomes:**
 -
 -
 - **Values Outcomes:**
 -
 -

- **Skills Outcomes:** Students will be able to:

-
-

- **Content Outcomes:**

-
-

TEACHING AND LEARNING METHODS [Consider whether you want to articulate how you teach. There is good evidence that such transparency enhances the student experience. Even better is if the professor, on the first day of class, gives students a chance to articulate what methods they prefer and edits those into the syllabus. Student input into course design correlates with greater student learning. Below is a non-exhaustive list of possible methods from the materials for the teaching session.

- Socratic-Style Questioning
- Lecture
- Role playing
- Visuals
- Storytelling
- Peer interactions (small group, think-pair-share, group-pair solo, etc.)
- Writing
- Thinking/Reflecting]

COURSE GRADING AND PRACTICE AND FEEDBACK [The more information you can provide, the better. At least include whether you will have a midterm and its weight, whether you will be grading class participation (and, if so, its weight). Some professors also provide grading rubrics so that students can get a sense, right from the beginning, of not only how they will be assessed but what is important. If you are providing practice and feedback via one or more ungraded assessments, indicate that plan here and how students will receive feedback, i.e., comments from you, a model answer, an issue outline, peer feedback, or other.]

OTHER POLICIES

- **Timely Attendance.** []
- **Credit-Hour Policy.** [Some professors like to explain the expectation for out-of-class work in terms of faculty determinations of the time expectation for each hour allocated, e.g., 2-3 hours of work outside of class for every hour in the class.]
- **Course webpage.** [Explain how to access your course webpage and what is available on that page.]
- **Welcoming Classroom.** [Some professors explain here what they do to create a welcoming classroom, such as knowing and properly pronouncing the names by which students would like to be referred, their

- **Academic Integrity.** [Many professors reference and link to their law school's code of conduct here. Many professors also address the use of AI here.]
- **ADA Accommodations.** [Many professors reference and link to information about how to access accommodations.]
- **Basic Needs.** [Some professors acknowledge that some students are experiencing food or shelter insecurity and reference and link to their law school's student services department. food pantry and career clothing closet here.]
- **Assignments:** [If you include assignments from sources other than your required text, it is helpful to mention that point here. If you anticipate adjusting the assignments based on your assessment of how well the students are learning, it is very helpful to mention that in your syllabus here.]

Class	Assignments and Activities [You should be indicating what the students need to do to be prepared for each class session. Thus, this column addresses what the students should read, write, draft, think about, etc. For the first day of class, some professors include the syllabus on the list of reading assignments. Many professors find it helpful to include a key hypo you want students to think deeply about in preparation for class because that thinking time enhances the quality of the class discussion.]	Learning Objectives [Objectives are the conclusion to the following: By the end of the class session, students will be able to _____. Consider both skills goals (e.g., articulate legal issues) and doctrinal goals (e.g., articulate the law of battery and the policy choice implicated by that doctrine)].
Session 1 8-__-25	<ul style="list-style-type: none"> • [Think deeply about what you want students to experience on the first day of class to get them excited about the subject. First impressions create the culture for the course. Thus, some professors introduce problems that will be recurring throughout the course, engage the broad themes of the course, or even include a role play, such as having the students interview the professor or each other (playing a mock client).] 	<ul style="list-style-type: none"> •
Session 2 8-__-25	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
[Insert additional rows as needed]	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
[Insert additional rows as needed]	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
[Insert additional rows as needed]	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
[Insert additional rows as needed]	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
[Insert additional rows as needed]	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
Session Last 11-__-25	<ul style="list-style-type: none"> • [Think deeply about what you want students to experience on the last day of class. Try to make the end of the class memorable. Some professors review and highlight experiences from the course. Others review major themes. Still others focus on thanking the students.] 	<ul style="list-style-type: none"> •

Preparation Materials for the New Law Teachers Participating in the Session Entitled “Putting It Into Practice—Teaching”

The goal for this session is to enhance the teaching skills of participants by providing as many participants as possible with an opportunity to do a mini-teaching demonstration and receive no stakes, formative feedback on their efforts.

For this session, you will be subdivided into smaller sub-groups. Our goal is to allow each participant who is interested to have an opportunity to try out a teaching technique or two that you, perhaps, have never used.¹ You will have ten minutes to do so. You will identify what you are looking for in terms of the feedback you will be receiving, teach for the ten minutes, and then get feedback from teaching experts.

If you would like more information about the range of teaching techniques available to you, the following page includes a list of nine teaching techniques (and includes a tenth “other” category). If you would like to learn more, the following article is helpful: Steven I. Friedland, *How We Teach: A Survey of Teaching Techniques in American Law Schools*, 20 SEATTLE U L. REV. 1 (1996), available here: <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1489&context=sulr>. Helpful books include the books listed here: <https://libguides.law.umn.edu/c.php?g=296857&p=6441304>.

Feel free to prepare in advance as little or as much as you wish. During the teaching-related sessions for this conference, the speakers will be endeavoring to model best practices and a variety of teaching techniques so you may want to edit your plans after the first day of the conference.

One genuine challenge is that you will not be able to assign each other reading in advance of the session. However, it would be possible to share a squib description of a case, a copy of a statute, etc., especially if the handout were quickly scannable and would support the teaching you want to try out. In addition, all or almost all of us were excellent law students so you have an astute audience, and each of you will want to be excellent students for each other (in the hope that your peers reciprocate).

If you have any questions or wish to consult with someone regarding your mini-teaching demonstration, please email Dean Michael Hunter Schwartz of McGeorge School of Law at mschwartz@pacific.edu. Dean Schwartz designed these materials and has been a frequent author and speaker on topics relating to teaching and learning law.

The page below is a tool that could be used for these observations (but subject to your preferences for feedback). For a two-page discussion of best practices feedback, see Paula Manning, *Affective, Effective Feedback*, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3443214.

¹ As this exercise is a new one for the New Law Teachers Conference, we cannot guarantee that everyone will get a chance to teach.

Teaching Observations Form

1. Who is speaking and about what? (write down what you observe every two minutes)

00

02

04

06

08

10

2. Relational observations (report, humility, respect for students, etc.)

3. Teaching techniques observed (check each that applies and provide feedback)

<input type="checkbox"/> Lecture	Feedback: _____
<input type="checkbox"/> Questioning	Feedback: _____
<input type="checkbox"/> Peer Interactions	Feedback: _____
<input type="checkbox"/> Role Playing	Feedback: _____
<input type="checkbox"/> Writing	Feedback: _____
<input type="checkbox"/> Thinking/Reflecting	Feedback: _____
<input type="checkbox"/> Storytelling	Feedback: _____
<input type="checkbox"/> Repetition	Feedback: _____
<input type="checkbox"/> Visuals	Feedback: _____
<input type="checkbox"/> Other _____	Feedback: _____

Connect with AALS

Support for new law professors does not end at the conclusion of this Workshop. We hope you stay in touch with your cohort of new professors and connect with the wider legal academy via subject area groups, events, and online communities.

The easiest way to plug into AALS is by exploring our New Faculty Resources at www.aals.org/new-faculty. This comprehensive resource aggregate includes:

- Tips on how to get the most out of AALS events and services, including speaking, mentorship, and networking opportunities at the AALS Annual Meeting.
- How to join AALS Sections, including specific sections that may be of interest to new faculty.
- Teaching resources, including a curated list of AALS videos on topics such as creating an inclusive classroom, establishing presence in the classroom, supporting struggling students, best practices for online classes, teaching responsible use of AI, integrating technology in law school courses, and navigating faculty politics.
- The AALS Scholarly Papers Competition for faculty in their first five years of teaching.
- Links to commonly used pages.

You will also find information about AALS publications, including the *Journal of Legal Education* and AALS LENS (lens.aals.org) The regularly updated list of recent books by law faculty may be helpful for use in the classroom. Additionally, there are aggregate lists of law school conferences and symposia online and around the country, as well as the latest legal education-related news articles and blog posts. The page also includes the *Directory of Law Teachers* and information on how to use it.

We encourage you to take advantage of these resources and stay connected with the AALS community.

Directory of Law Teachers

The AALS *Directory of Law Teachers* (DLT) is a comprehensive listing of AALS members and fee-paid law schools and their faculty, administrators and staff. The online AALS *Directory of Law Teachers* is more commonly used to search for colleagues and update your biography. Having up to date information in the DLT online database allows you to gain full access to AALS services and aals.org, and to register for events in the future.

Join your school's roster

To access AALS services, you must be in the DLT database and, therefore, listed on your law school's roster. Since you successfully registered for this workshop, chances are you're in the database already! To check, try a login retrieval on the AALS website:

- Go to www.aals.org, click Login, and select Member Login in the dropdown menu
- Click the 'Forgot your Password?' link on the bottom of the page
- Enter your email address and click the 'Submit' button
 - If your email address is found, then you are already on your school's roster and in our database! You'll get an email with instructions on logging in.
 - If you get the message 'Email address not found in database,' you are likely not listed on your law school's roster. Ask your law school dean's office to add you and to list your position, (tenure track, VAP, fellow, visitor, other teacher, or adjunct). Only your dean's office can add you to the roster.

Once you are on your law school's roster and in our database, you should log into the AALS website and the DLT online platform. Passwords are not automatically assigned; follow the steps at the link above to set a password for both sites.

If you need assistance, contact dltsupport@aals.org

Submit your biography in the AALS Directory of Law Teachers

Being on your school's roster also allows your profile to appear in the printed DLT if you have a tenured, tenure-track, or long-term contract position. Update your biography in the DLT database at any time; your updated info will be reflected in real time. It is especially important to ensure your information is up to date by fall. Our team will reach out later this summer letting you know the biography submission deadline for the 2025-2026 academic year.

You can search for colleagues by name or school in the online DLT, but the search function can do much more. Sort faculty members by subjects taught, years teaching, and seminar offerings, among other things.

If you don't want to share too much in your own listing, simply log in and adjust your privacy settings to reflect the amount of information you would like to be available online.

AALS Sections

AALS hosts more than 100 sections for law school faculty, administrators, and staff that are organized around various academic disciplines, affinity groups, and areas of professional interest. New law faculty are encouraged to join one or more sections and connect with colleagues across the country. There is no charge to join a section.

Sections engage their membership throughout the year through a variety of efforts. Most sections host email discussion groups where members have conversations about the latest developments and scholarship in their field. Section leaders also keep members informed through newsletters and organize webinars on timely topics. Many sections also host annual awards, offer mentorship programs for early career faculty, produce works-in-progress programs, and compile teaching resources, among other activities. Sections also plan most of the programs at the Annual Meeting.

The AALS Section for New Law Professors exists to provide advice, guidance, and support to professors in their first seven years of law teaching. We encourage you to join the section, which offers informative panels, networking opportunities, teaching assistance, and scholarship opportunities for members.

Learn more and join sections at www.aals.org/sections.

Section Chairs and Chairs-Elect for 2025

Academic Support

Titichia M. Jackson, Penn State Dickinson Law, **Chair**
Tina Benigno, Saint Louis University School of Law,
Chair-Elect

Administrative Law

Anuj C. Desai, University of Wisconsin Law School,
Chair
Timothy D. Lytton, Georgia State University College of
Law, **Chair-Elect**

Admiralty and Maritime Law

Kristen van de Biezenbos, California Western School of
Law, **Chair**

Africa

Ifeoma Ajunwa, Emory University School of Law, **Chair**

Agency, Partnership, LLC's and Unincorporated Associations

Christine Hurt, SMU Dedman School of Law, **Chair**
Benjamin Means, University of South Carolina Joseph
F. Rice School of Law, **Chair-Elect**

Aging and the Law

Kendall L. Kerew, Georgia State University College of
Law, **Chair**
Victoria J. Haneman, Creighton University School of
Law, **Chair-Elect**

Agricultural and Food Law

Andrea Freeman, Southwestern Law School, **Chair**

Alternative Dispute Resolution

Katrina Lee, The Ohio State University, Michael E.
Moritz College of Law, **Chair**
Ronald G. Aronovsky, Southwestern Law School,
Chair-Elect

Animal Law

Katherine Hessler, The George Washington University
Law School, **Chair**
Sarah Schindler, University of Denver Sturm College of
Law, **Chair-Elect**

Antitrust and Economic Regulation

Christopher Sagers, Cleveland State University College
of Law, **Chair**
Hiba Hafiz, Boston College Law School, **Chair-Elect**

Art Law

Peter J. Karol, University of New Hampshire Franklin
Pierce School of Law, **Chair**
Victoria Schwartz, Pepperdine University, Rick J.
Caruso School of Law, **Chair-Elect**

Associate Deans for Academic Affairs and Research

Jason Jarvis, Pepperdine University, Rick J. Caruso
School of Law, **Chair**
Michael Gentithes, University of Akron School of Law,
Chair-Elect

Balance & Well-Being in Legal Education

Shailini J. George, Suffolk University Law School, **Chair**
Michael Murphy, Duke University School of Law,
Chair-Elect

Biolaw

Jennifer D. Oliva, Indiana University Maurer School of Law, **Chair**
Jordan Paradise, Loyola University Chicago School of Law, **Chair-Elect**

Business Associations

Eric C. Chaffee, Case Western Reserve University School of Law, **Chair**
Geeyoung Min, Michigan State University College of Law, **Chair-Elect**

Children and the Law

Jonathan Todres, Georgia State University College of Law, **Chair**
Michael J. Higdon, University of Tennessee College of Law, **Chair-Elect**

Civil Procedure

Andrew Hammond, Indiana University Maurer School of Law, **Chair**
Robin J. Effron, Brooklyn Law School, **Chair-Elect**

Civil Rights

Angela Addae, University of Oregon School of Law, **Chair**
Jeremiah A. Chin, University of Washington School of Law, **Chair-Elect**

Clinical Legal Education

Julie Dahlstrom, Boston University School of Law, **Co-Chair**
Natalie Nanasi, SMU Dedman School of Law, **Co-Chair**
Allison Freedman, University of New Mexico School of Law, **Co-Chair Elect**
Nira Geevargis, University of California College of the Law, San Francisco, **Co-Chair Elect**

Commercial and Consumer Law

Kara Bruce, University of North Carolina School of Law, **Chair**
Stacy-Ann Elvy, University of California, Davis, School of Law, **Chair-Elect**

Communication, Media & Information Law

Christina Koningisor, University of California College of the Law, San Francisco, **Chair**
Mailyn Fidler, University of New Hampshire Franklin Pierce School of Law, **Chair-Elect**

Community Economic Development

Ann M. Eisenberg, West Virginia University College of Law, **Chair**

Comparative Law

Afra Afsharipour, University of California, Davis, School of Law, **Chair**
Claudia E. Haupt, Northeastern University School of Law, **Chair-Elect**

Conflict of Laws

William S. Dodge, The George Washington University Law School, **Chair**
Christopher A. Whytock, University of California, Irvine School of Law, **Chair-Elect**

Constitutional Law

Franciska A. Coleman, University of Wisconsin Law School, **Chair**
Richard Albert, The University of Texas School of Law, **Chair-Elect**

Contracts

Colin P. Marks, St. Mary's University School of Law, **Co-Chair**
Jennifer Martin, Albany Law School, **Co-Chair**

Creditors' and Debtors' Rights

Lindsey Simon, Emory University School of Law, **Chair**
John P. Hunt, University of California, Davis, School of Law, **Chair-Elect**

Criminal Law

Benjamin Levin, Washington University in St. Louis School of Law, **Chair**
Valena E. Beety, Indiana University Maurer School of Law, **Chair-Elect**

Criminal Procedure

Russell M. Gold, University of Alabama School of Law, **Chair**
Evelyn Malavé, St. John's University School of Law, **Chair-Elect**

Critical Theories

Marc-Tizoc González, University of New Mexico School of Law, **Chair**
Emile Loza de Siles, University of Hawai'i at Mānoa William S. Richardson School of Law, **Chair-Elect**

Dean, for the Law School

Patricia E. Roberts, St. Mary's University School of Law, **Co-Chair**
Sean M. Scott, California Western School of Law, **Co-Chair**
Melanie B. Jacobs, University of Louisville, Louis D. Brandeis School of Law, **Co-Chair Elect**
Emily Janoski-Haehlen, University of Akron School of Law, **Co-Chair Elect**

Disability Law

Sarah Lorr, University of Maryland Francis King Carey School of Law, **Chair**
 Jessica Gunder, University of Idaho College of Law, **Chair-Elect**

East Asian Law and Society

Margaret K. Lewis, Seton Hall University School of Law, **Chair**
 Trang (Mae) Nguyen, Temple University, James E. Beasley School of Law, **Chair-Elect**

Education Law

Karen Halverson Cross, University of Illinois Chicago School of Law, **Chair**
 Janel George, Georgetown University Law Center, **Chair-Elect**

Election Law

Rebecca Green, William & Mary Law School, **Chair**
 Franciska A. Coleman, University of Wisconsin Law School, **Chair-Elect**

Empirical Study of Legal Education and the Legal Profession

Deborah J. Merritt, The Ohio State University, Michael E. Moritz College of Law, **Chair**
 Amy Widman, Rutgers Law School, **Chair-Elect**

Employee Benefits and Executive Compensation

Jade A. Craig, University of Mississippi School of Law, **Chair**
 Samantha Prince, Penn State Dickinson Law, **Chair-Elect**

Employment Discrimination Law

Blair Druhan Bullock, University of Arkansas School of Law, **Chair**
 Sherley Cruz, University of Tennessee College of Law, **Chair-Elect**

Environmental Law

Michelle B. Nowlin, Duke University School of Law, **Chair**
 Nicholas Bryner, Louisiana State University, Paul M. Hebert Law Center, **Chair-Elect**

European Law

Irene Calboli, Texas A&M University School of Law, **Chair**
 Dagmar R. Myslinska, Creighton University School of Law, **Chair-Elect**

Evidence

James Steiner-Dillon, University of Akron School of Law, **Chair**
 Mary D. Fan, University of Washington School of Law, **Chair-Elect**

Family and Juvenile Law

Lisa Washington, University of Wisconsin Law School, **Chair**
 Stephanie Tang, Baylor University School of Law, **Chair-Elect**

Federal Courts

Richard Re, University of Virginia School of Law, **Chair**
 Fred O. Smith, Emory University School of Law, **Chair-Elect**

Financial Regulation

Jeremy Kress, University of Michigan Ross School of Business, **Chair**
 Jeffery Zhang, The University of Michigan Law School, **Chair-Elect**

Firearms Law

Timothy D. Lytton, Georgia State University College of Law, **Chair**
 Jody Madeira, Indiana University Maurer School of Law, **Chair-Elect**

Global Engagement

Adi Altshuler, Northwestern University Pritzker School of Law, **Chair**
 David W. Austin, California Western School of Law, **Chair-Elect**

Immigration Law

Kathleen C. Kim, LMU Loyola Law School, Los Angeles, **Chair**
 Michael Kagan, University of Nevada, Las Vegas, William S. Boyd School of Law, **Chair-Elect**

Indian Nations and Indigenous Peoples

Kekek Stark, Alexander Blewett III School of Law at the University of Montana, **Chair**
 Lauren van Schilfgaarde, University of California, Los Angeles School of Law, **Chair-Elect**

Institutional Advancement

Judy Asbury, Lewis and Clark Law School, **Chair**
 Heather Rappaport, University of Nevada, Las Vegas, William S. Boyd School of Law, **Chair-Elect**

Insurance Law

Asaf Lubin, Indiana University Maurer School of Law, **Chair**
 Travis Pantin, University of Connecticut School of Law, **Chair-Elect**

Intellectual Property

Amy Landers, Drexel University Thomas R. Kline School of Law, **Chair**
 Matthew Sipe, University of Baltimore School of Law, **Chair-Elect**

International Human Rights

Stephen S. Cody, Suffolk University Law School, **Chair**
Jonathan Hafetz, Seton Hall University School of Law,
Chair-Elect

International Law

Victoria S. Sahani, Boston University School of Law,
Chair
Craig Martin, Washburn University School of Law,
Chair-Elect

Internet and Computer Law

Asaf Lubin, Indiana University Maurer School of Law,
Chair
Carla L. Reyes, SMU Dedman School of Law, **Chair-Elect**

Islamic Law

Rabea N. Benhalim, University of Colorado Law
School, **Chair**
Sahar Aziz, Rutgers Law School, **Chair-Elect**

Jewish Law

Samuel J. Levine, Touro University Jacob D. Fuchsberg
Law Center, **Chair**

Jurisprudence

Emad H. Atiq, Cornell Law School, **Chair**
Raff Donelson, Chicago-Kent College of Law, Illinois
Institute of Technology, **Chair-Elect**

Labor Relations and Employment Law

Shirley Lin, Brooklyn Law School, **Chair**
Andrew Elmore, Boston University School of Law,
Chair-Elect

Law and Anthropology

Jeffrey Omari, Gonzaga University School of Law,
Chair
Pilar Margarita Hernández Escontrías, Seattle
University School of Law, **Chair-Elect**

Law and Economics

Jens Frankenreiter, Washington University in St. Louis
School of Law, **Chair-Elect**

Law and Mental Disability

Laura Hoffman, Cleveland State University College of
Law, **Chair**
Amy T. Campbell, University of Illinois Chicago School
of Law, **Chair-Elect**

Law and Religion

Stephanie Barclay, Georgetown University Law Center,
Chair
Sherif Girgis, Notre Dame Law School, **Chair-Elect**

Law and South Asian Studies

Zina Makar, University of Baltimore School of Law,
Chair
Natasha Varyani, Roger Williams University School of
Law, **Chair-Elect**

Law and Sports

Kenneth D. Ferguson, University of Missouri-Kansas
City School of Law, **Chair**
Daniel Gandert, Northwestern University Pritzker
School of Law, **Chair-Elect**

Law and the Humanities

Nina Farnia, Albany Law School, **Chair**
Jonathan Hafetz, Seton Hall University School of Law,
Chair-Elect

Law in the Americas

Mark E. Wojcik, University of Illinois Chicago School
of Law, **Chair**
John B. Thornton, Northwestern University Pritzker
School of Law, **Chair-Elect**

Law Libraries and Legal Information

Susan D. deMaine, Indiana University Maurer School of
Law, **Chair**
Jane O'Connell, University of Florida Fredric G. Levin
College of Law, **Chair-Elect**

Law Professors with Disabilities and Allies

Stacey A. Tovino, University of Oklahoma College of
Law, **Chair**
Laura Hoffman, Cleveland State University College of
Law, **Chair-Elect**

Law School Administration and Finance

Ray Sykes, University of Oregon School of Law, **Chair**
Amanda DiPolvere, Penn State Dickinson Law, **Chair-Elect**

Law, Medicine and Health Care

Seema Mohapatra, SMU Dedman School of Law, **Chair**
Doron Dorfman, Seton Hall University School of Law,
Chair-Elect

Leadership

Joan M. Heminway, University of Tennessee College of
Law, **Chair**
Tania Luma, Loyola University Chicago School of Law,
Chair-Elect

Legal History

Carlton F.W. Larson, University of California, Davis,
School of Law, **Chair**
Timothy H. Lovelace Jr., Duke University School of
Law, **Chair-Elect**

Legal Writing, Reasoning, and Research

Rachel Stabler, Arizona State University Sandra Day
O'Connor College of Law, **Chair**
Abigail A. Patthoff, Chapman University Dale E. Fowler
School of Law, **Chair-Elect**

Legislation & Law of the Political Process

Kevin Tobia, Georgetown University Law Center, **Chair**
Jonathan H. Choi, University of Southern California
Gould School of Law, **Chair-Elect**

Litigation

Danielle C. Jefferis, University of Nebraska College of
Law, **Chair**
Nicole B. Godfrey, University of Denver Sturm College
of Law, **Chair-Elect**

Minority Groups

Prianka Nair, Brooklyn Law School, **Chair**

National Security Law

Rachel E. VanLandingham, Southwestern Law School,
Chair
Jeffrey D. Kahn, SMU Dedman School of Law, **Chair-**
Elect

Natural Resources and Energy Law

Monika U. Ehrman, SMU Dedman School of Law,
Chair
Vanessa Casado Pérez, Texas A&M University School of
Law, **Chair-Elect**

New Law Professors

Tiffany Williams Brewer, Howard University School of
Law, **Chair**
Debra Moss Vollweiler, Nova Southeastern University
Shepard Broad College of Law, **Chair-Elect**

Part-Time Division Programs

Michael Hunter Schwartz, University of the Pacific,
McGeorge School of Law, **Chair**
Lindsey P. Gustafson, University of Arkansas at Little
Rock, William H. Bowen School of Law, **Chair-**
Elect

Post-Graduate Legal Education

Dana Raigrodski, University of Washington School of
Law, **Chair**
Terry Price, University of Washington School of Law,
Chair-Elect

Poverty Law

Mira Edmonds, The University of Michigan Law
School, **Chair**
Rachel J. Anderson, University of Nevada, Las Vegas,
William S. Boyd School of Law, **Chair-Elect**

Pre-Law Education and Admission to Law School

Valerie D. James, Penn State Dickinson Law, **Chair**
Ella Mae Estrada, New York Law School, **Chair-Elect**

Pro Bono & Access to Justice

Marni B. Lennon, University of Miami School of Law,
Co-Chair
Grace Meng, University of California, Los Angeles
School of Law, **Co-Chair**
Jennifer Safstrom, Vanderbilt University Law School,
Co-Chair Elect

Professional Responsibility

Jon J. Lee, University of Oklahoma College of Law,
Chair
Sarah Cravens, University of Arkansas School of Law,
Chair-Elect

Property Law

Matthew J. Festa, South Texas College of Law Houston,
Chair
Kalyani Robbins, Loyola University Chicago School of
Law, **Chair-Elect**

Race and Private Law

Carliss N. Chatman, SMU Dedman School of Law,
Chair
Chaumtoli Huq, City University of New York School of
Law, **Chair-Elect**

Real Estate Transactions

Celeste M. Hammond, University of Illinois Chicago
School of Law, **Chair**

Remedies

Jorge L. Contreras, University of Utah, S. J. Quinney
College of Law, **Chair**
Caprice Roberts, Louisiana State University, Paul M.
Hebert Law Center, **Chair-Elect**

Scholarship

Sarah C. Haan, Washington and Lee University School
of Law, **Chair**
Eugene D. Mazo, Thomas R. Kline School of Law of
Duquesne University, **Chair-Elect**

Securities Regulation

Nicole Iannarone, Drexel University Thomas R. Kline
School of Law, **Chair**
George S. Georgiev, Emory University School of Law,
Chair-Elect

Sexual Orientation and Gender Identity Issues

Grant Christensen, Stetson University College of Law,
Chair

Socio-Economics

Thomas Geu, University of South Dakota Knudson School of Law, **Chair**
Richard S. Markovits, The University of Texas School of Law, **Chair-Elect**

State and Local Government Law

Gregory H. Shill, University of Iowa College of Law, **Chair**
Kelly Deere, Rutgers Law School, **Chair-Elect**

Student Services

Bayrex Martí, University of California, Los Angeles School of Law, **Chair**
Jennifer Espinola, University of Oregon School of Law, **Chair-Elect**

Taxation

Roberta Mann, University of Oregon School of Law, **Chair**
Phyllis Taite, University of Oklahoma College of Law, **Chair-Elect**

Teaching Methods

Rachel Croskery-Roberts, University of California, Irvine School of Law, **Chair**
Emily Yaun, Georgia State University College of Law, **Chair-Elect**

Technology, Law and Legal Education

Ashley Krenelka Chase, Stetson University College of Law, **Chair**
Brittany Persson, Brooklyn Law School, **Chair-Elect**

Torts and Compensation Systems

Thomas E. Kadri, University of Georgia School of Law, **Chair**
Melissa Mortazavi, University of Oklahoma College of Law, **Chair-Elect**

Transactional Law and Skills

Emily Winston, University of South Carolina Joseph F. Rice School of Law, **Chair**
David B. Lourie, University of Detroit Mercy School of Law, **Chair-Elect**

Trusts and Estates

Reid K. Weisbord, Rutgers Law School, **Chair**
Naomi R. Cahn, University of Virginia School of Law, **Chair-Elect**

Women in Legal Education

Angela Onwuachi-Willig, Boston University School of Law, **Chair**
Katherine Macfarlane, Syracuse University College of Law, **Chair-Elect**

Annual AALS Scholarly Papers Competition

To encourage and recognize outstanding legal scholarship and to broaden participation by newer faculty in the Annual Meeting program, AALS is sponsoring the 41st annual Scholarly Papers Competition—now accepting submissions. The competition is open to full-time law faculty who have been teaching for five academic years or less as of July 1, 2025—please note that time spent as a law fellow or VAP counts toward the requirement of being a full-time educator for five years or less. Eligible faculty are invited to submit a paper on a topic related to or concerning law by August 1, 2025, 5:00 p.m. Eastern Time.

A committee of established scholars will review the submitted papers with the authors' identities concealed. The competition winner(s) will be recognized at the 2026 AALS Annual Meeting in New Orleans, LA. For additional guidelines and complete submission instructions, visit www.aals.org/new-faculty/scholarly-papers/. Questions may be directed to scholarlypapers@aals.org.

AALS Annual Meeting

January 6 – 9, 2026 | New Orleans

AALS is excited to return to New Orleans for the 2026 Annual Meeting. The meeting will take place Tuesday, January 6 through Friday, January 9, 2026. The theme, selected by AALS President Austen Parrish, is “Impact. Excellence. Resilience. The Enduring Contributions of Legal Education.”

The Annual Meeting is an opportunity to connect and collaborate with colleagues, discuss critical and emerging legal issues, and attend programs focused on fresh perspectives on law and legal education. Programming for the 2026 Annual Meeting is currently under development. Our 107 sections and the Annual Meeting program committees are working on a schedule filled with sessions that appeal to law school deans, faculty, and administrators at any level of their careers. Be on the lookout for more details in the coming months.

New law faculty members with 0-3 years of teaching experience are eligible for a discounted registration rate. This fee includes three and half days of concurrent sessions, mostly organized by AALS Sections and some (Arc of Career, Discussion Groups, Open Source, Symposium, and Hot Topic sessions) chosen from AALS calls for proposals. Your registration also includes the AALS Opening Plenary session, Opening Reception, Exhibit Hall, and morning and afternoon refreshment breaks.

Registration will open in the fall. Stay tuned to am.aals.org for more information.

FOR NEW TEACHERS AT THE ANNUAL MEETING

TUESDAY, JANUARY 6, 2026

Session for First Time Meeting Attendees - What is AALS and Why Does It Matter for My Career? And How Do I Get the Most Out of the Annual Meeting?

5 – 6 pm

This session is for new law professors and administrators, especially those who have never attended an AALS Annual Meeting. After a quick introduction to the organization, members at various stages of their careers will briefly discuss their experiences with AALS. There will also be a candid discussion of why people attend the Annual Meeting and what they hope to get out of it. Members of the AALS leadership structure will be in attendance, and there will be time to have a dialogue with them about their AALS experiences.

AALS Reception for New Law Teachers

6 – 7 pm

This informal event will bring together the new law teacher community and we welcome anyone who attended the AALS New Law Teachers Workshop in the past several years, plus planning committee members and speakers from the Workshop. We hope the reception will provide an opportunity to reconnect with past attendees, and to bond with this year's cohort of new teachers.

Statement of Good Practices by Law Professors in the Discharge of their Ethical and Professional Responsibilities

A law professor occupies a unique role in the legal profession. As detailed below, among other commitments, law faculty hold responsibilities as teachers and scholars, and as community members, mentors, advocates, leaders, and guardians of the rule of law. Law professors help prepare students to become active and capable members of the legal profession. In furtherance of this role, law professors bear a special relationship to the law and hold a close connection to the bench and bar.

As role models for students and other members of the legal profession, law professors should act with the highest ideals and ethics. As members of a learned profession, law professors have a duty to uphold the rule of law, to seek justice, to share knowledge, and to improve the lives of others. Law professors should adhere to the Code or Rules of Professional Conduct of the state bars to which they belong as well as the professional guidelines of the institutions in which they teach. Law professors are also dedicated to excellence in teaching and scholarship, and support academic freedom and diversity, including diversity of backgrounds and viewpoints, while seeking to foster justice in serving our many communities—local, national, and international.

This Statement is intended to provide general guidance to law professors concerning ethical and professional standards of our profession. While this Statement is primarily directed to full-time law faculty, much of the advice may also assist part-time faculty. The Statement recognizes that full-time law faculty may have different responsibilities, depending upon the nature of their school and the specifics of their faculty role. The effort here is to provide guidance at a level of generality to assist most law faculty and to provide guidance to law professors concerning their responsibilities (1) to students, (2) as scholars, (3) to colleagues, (4) to the law school and university at which they teach, and (5) to the bar and the general public.

I. RESPONSIBILITIES TO STUDENTS

As teachers, scholars, counselors, mentors, and friends, law professors can profoundly influence students' attitudes concerning professional competence and responsibility. Professors should assist students in recognizing the responsibility of lawyers to advance justice.

Because they function as role models, professors should be guided by relevant ethical and professional standards. In all their pursuits, professors should seek to model and encourage in others the highest standards of professionalism, anti-bias, and justice.

Law professors should aspire to excellence in teaching and to mastery of the doctrines and theories of the subjects they teach. They should prepare conscientiously for class and employ teaching methods appropriate for the subject matter and objectives of their courses. The objectives and requirements of their courses, including applicable attendance and grading rules, should be clearly stated. Classes should meet as scheduled or, when this is impracticable, classes should be rescheduled at a time reasonably convenient for students, or alternative means of instruction should be provided.

Law professors have an obligation to treat students professionally and with respect and to foster a stimulating and productive learning environment in which the pros and cons of debatable issues are fairly acknowledged. Teachers should nurture and protect intellectual freedom for their students and colleagues and should nurture a sense of belonging and an inclusive environment where all voices matter. If a professor expresses views in class that were espoused in representing a client or in consulting, the professor should make appropriate disclosure.

Evaluation of student work is one of the fundamental obligations of law professors. Examinations and assignments should be conscientiously designed and all student work should be evaluated with impartiality. Grading should be done in a timely fashion and should be consistent with standards recognized as legitimate within the professor's institution and the profession. A student who so requests should be given an opportunity to discuss the graded material with their professor and should be provided with an explanation of the grade assigned.

Law professors should be reasonably available to counsel students about academic matters, career choices, and professional interests. In performing this function, professors should make reasonable efforts to ensure that the information they share is timely and accurate. When in the course of counseling a student a professor receives information that the student may reasonably expect to be confidential, the professor should not disclose that information to anyone unless required to do so by a university or law school rule or applicable law. Professors should inform students concerning the possibility of such disclosure.

Professors should be as fair and complete as possible when communicating evaluative recommendations for students and should not permit invidious or irrelevant considerations to infect these recommendations. If information disclosed in confidence by the student to the professor makes it impossible for the professor to write a fair and complete recommendation without revealing the information, the professor should so inform the student and respectfully decline to provide the recommendation unless the student consents to full disclosure.

Discriminatory conduct based on factors such as race, color, religion, national origin, sex, sexual orientation, gender identity and expression, ability or handicap, age, or political beliefs is unacceptable in the law school community. Law professors should seek to make the law school an inclusive and equitable community for all students and should be sensitive to the harmful consequences of professorial or student conduct or comments in classroom discussions or elsewhere that perpetuate stereotypes or prejudices involving such factors.

Sexual or romantic relationships between a professor and a student who are not already married to each other or who do not have an analogous relationship are inappropriate. A professor who is closely related to a student by blood or marriage, or who has a preexisting analogous relationship with a student, normally should eschew roles involving professional responsibility for the student.

II. RESPONSIBILITIES AS SCHOLARS

A basic responsibility of the community of higher education in the United States is to refine, extend, and transmit knowledge. As members of that community, law professors share with their colleagues in the other disciplines the obligation to discharge that responsibility. Law schools also have a responsibility to maintain an atmosphere of academic freedom and respect for diverse viewpoints in which knowledge can be sought and shared without hindrance. Law professors are obligated, in turn, to make the best and fullest use of that freedom to fulfill their scholarly responsibilities.

In teaching, as well as in research, writing, and publication, the scholarship of others is indispensable to one's own. A law professor thus has a responsibility to be informed concerning the relevant scholarship of others in the fields in which the professor writes and teaches. To keep current in any field of law requires continuing study. To this extent the professor, as a scholar, must remain a student. As a corollary, law professors have a responsibility to engage in their own research and publish their conclusions. In this way, law professors participate in an intellectual exchange that tests and improves their knowledge of the field, to the ultimate benefit of their students, the profession, and society.

The scholar's commitment to truth requires intellectual honesty and open-mindedness. Academic freedom enables and encourages a professor to state arguments and conclusions frankly, even if unpopular. Although a law professor should feel free to criticize another's work, misrepresenting facts or another's work is always unacceptable. Relevant evidence and arguments should be addressed, not elided or distorted.

When another's scholarship is used—whether that of another professor or that of a student—it should be fairly summarized and candidly acknowledged. The same is true when using artificial intelligence or other evolving technologies. Significant contributions require acknowledgement in every context in which ideas are exchanged. Publication permits at least three ways of doing this: shared authorship, attribution by footnote or endnote, and discussion of another's contribution within the main text. Which of these will suffice to acknowledge scholarly contributions by others will, of course, depend on the extent of the contribution.

To preserve scholarly integrity, a law professor should disclose material facts in each covered activity (defined below) concerning any receipt of direct or indirect payment for, or any personal or familial economic interest in, the subject of the publication. Disclosure is not required for normal academic compensation, such as salary, internal research grants, and honoraria and compensation for travel expenses from academic institutions, or for book royalties. Disclosure of material facts should include: (1) the conditions imposed or expected by the funding source on views expressed in the covered activity and (2) the identity of any funding source, except where the professor has provided legal representation to a client in a matter external to legal scholarship under circumstances that require the identity to remain privileged under applicable law. If such a privilege prohibits disclosure the professor shall generally describe the interest represented.

A law professor should also disclose the fact that views or analysis expressed in any covered activity were espoused or developed in the course of either paid or unpaid representation of or consultation with a client when a reasonable person would be likely to see that fact as having influenced the position taken by the professor. Disclosure is not required for representation or consultation that is sufficiently remote in time that a reasonable person would not expect it to be disclosed. Disclosure should include the identity of any client, where practicable and where not prohibited by the governing Code or Rules of Professional Conduct. If such Code or Rules prohibit a professor from revealing the identity of the client, then the professor shall generally describe the client or interest represented or both. Covered activities include any published work, oral or written presentation to conferences, drafting committees, legislatures, law reform bodies and the like, and any expert testimony submitted in legal proceedings.

A law professor should make, to the extent possible, all disclosures discussed in this policy at the earliest possible time. The earliest possible time should be when the professor is invited to produce the written work for publication or to make a presentation or when the professor submits the written work for publication or delivers the presentation.

III. RESPONSIBILITIES TO COLLEAGUES

Law professors should treat colleagues and staff members professionally and with respect. Tenured law professors should be particularly sensitive to the terms of any debate involving their untenured colleagues and should so conduct themselves that those colleagues will understand that no adverse professional consequences would follow from expression of, or action based upon, beliefs or opinions contrary to those held by the tenured professor.

Matters of law school governance deserve the exercise of independent judgment by each voting member of the faculty. It is therefore inappropriate for a law professor to apply any sort of pressure other than persuasion on the merits in an effort to influence the vote of another member of the faculty.

Law professors should comply with institutional rules and policies requiring confidentiality concerning oral or written communications. Such rules or policies frequently will exist with respect to personnel matters and evaluations of student performance. The Family Educational Rights and Privacy Act (FERPA), for instance, has strict rules about student privacy and professors should become familiar with its requirements. If there is doubt whether such a rule or policy is in effect, a law professor should seek clarification.

An evaluation made of any colleague for purposes of promotion or tenure should be based exclusively upon appropriate academic and service criteria fairly weighted in accordance with standards understood by the faculty and communicated to the subject of the evaluation.

Law professors should make themselves reasonably available to colleagues to discuss teaching methods, content of courses, possible topics of scholarship, scholarly work in progress, and related matters. Professors should honor requests from their own law schools for evaluation of scholarship and teaching in connection with promotion or tenure decisions. Law professors should also give sympathetic consideration to similar requests from other law schools.

As is the case with respect to students (Part I), sexual harassment, or discriminatory conduct involving colleagues or staff members on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, ability or handicap, age, or political beliefs is unacceptable.

IV. RESPONSIBILITIES TO THE LAW SCHOOL AND UNIVERSITY

Law professors have a responsibility to participate in the governance of their university and particularly the law school itself. Although many duties within modern universities are assumed by professional administrators, the faculty retains substantial collective responsibility to provide academic leadership. Individual professors have a responsibility to assume a fair share of that leadership, including the duty to serve on faculty committees and to participate in faculty deliberations.

Law professors are frequently in demand to participate in activities outside the law school. Such involvement may help bring fresh insights to the professor's classes and writing. Excessive involvement in outside activities, however, reduces the time that the professor has to meet obligations to students, colleagues, and the law school. A professor thus has a responsibility both to adhere to a university's specific limitations on outside activity and to assure that outside activities do not significantly diminish the professor's availability to meet law school obligations. Professors should comply with applicable laws and university regulations and policies concerning the use of university funds, personnel, and property in connection with such activities.

When a law professor resigns from a university to assume another position, or seeks a leave of absence to teach at another institution, or assumes a temporary position in practice, government or other sector, the professor should provide reasonable advance notice.

Although all law professors have the right as citizens to take positions on public questions, each professor has a duty not to imply that the professor speaks on behalf of the law school or university. A professor should take steps to assure that any designation of the professor's institution in connection with the professor's name is for identification only. A professor may face other limitations under applicable laws and university regulations and policies.

V. RESPONSIBILITIES TO THE BAR AND GENERAL PUBLIC

One of the traditional obligations of members of the bar is to engage in uncompensated public service or pro bono legal activities. As role models for students and as members of the legal profession, law professors should accept this responsibility with enthusiasm. This responsibility can be met in many ways,

including direct client contact through legal aid or public defender offices (whether or not through the law school), participating in the legal work of public interest organizations, lecturing in continuing legal education programs, educating public school students, advising local, state and national government officials on legal issues, engaging in legislative drafting, or other law reform activities.

Law professors' responsibilities extend beyond the classroom to include out-of-class mentoring of students and other professional activities in support of students' professional development. Members of the law teaching profession should have a strong sense of the special obligations that attach to their calling. They should recognize their responsibility to serve others and not be limited to pursuit of self-interest. This general aspiration cannot be achieved by edict, for moral integrity and dedication to the welfare of others cannot be legislated. Nevertheless, a public statement of good practices concerning ethical and professional responsibility can enlighten newcomers and remind experienced teachers about basic ethical and professional tenets—the ethos—of their profession.

Although the norms of conduct set forth in this Statement may be relevant when questions concerning propriety of conduct arise in a particular institutional context, the Statement is not promulgated as a disciplinary code.

Adopted by the Executive Committee, November 17, 1989

Amended May 22, 2024

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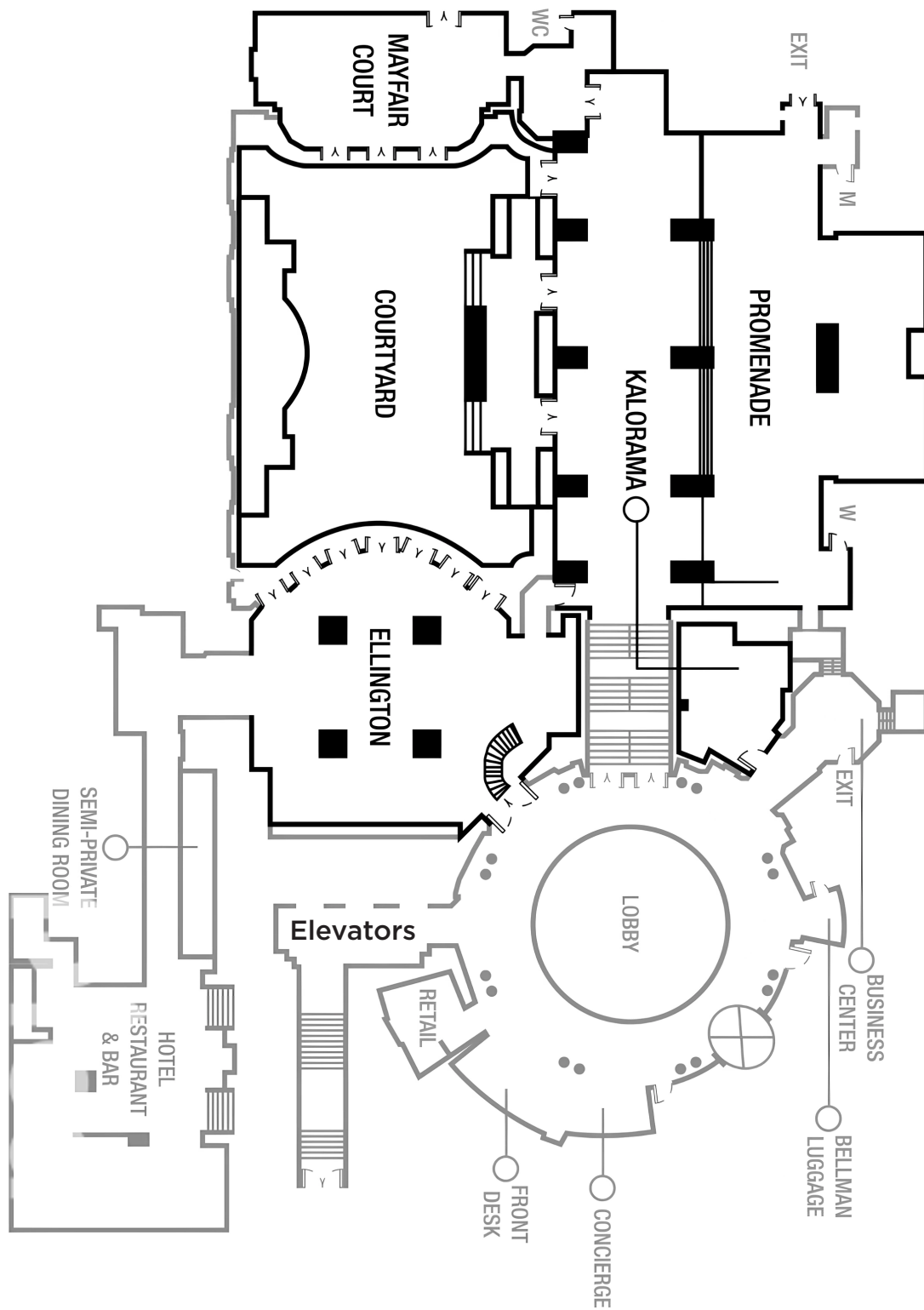
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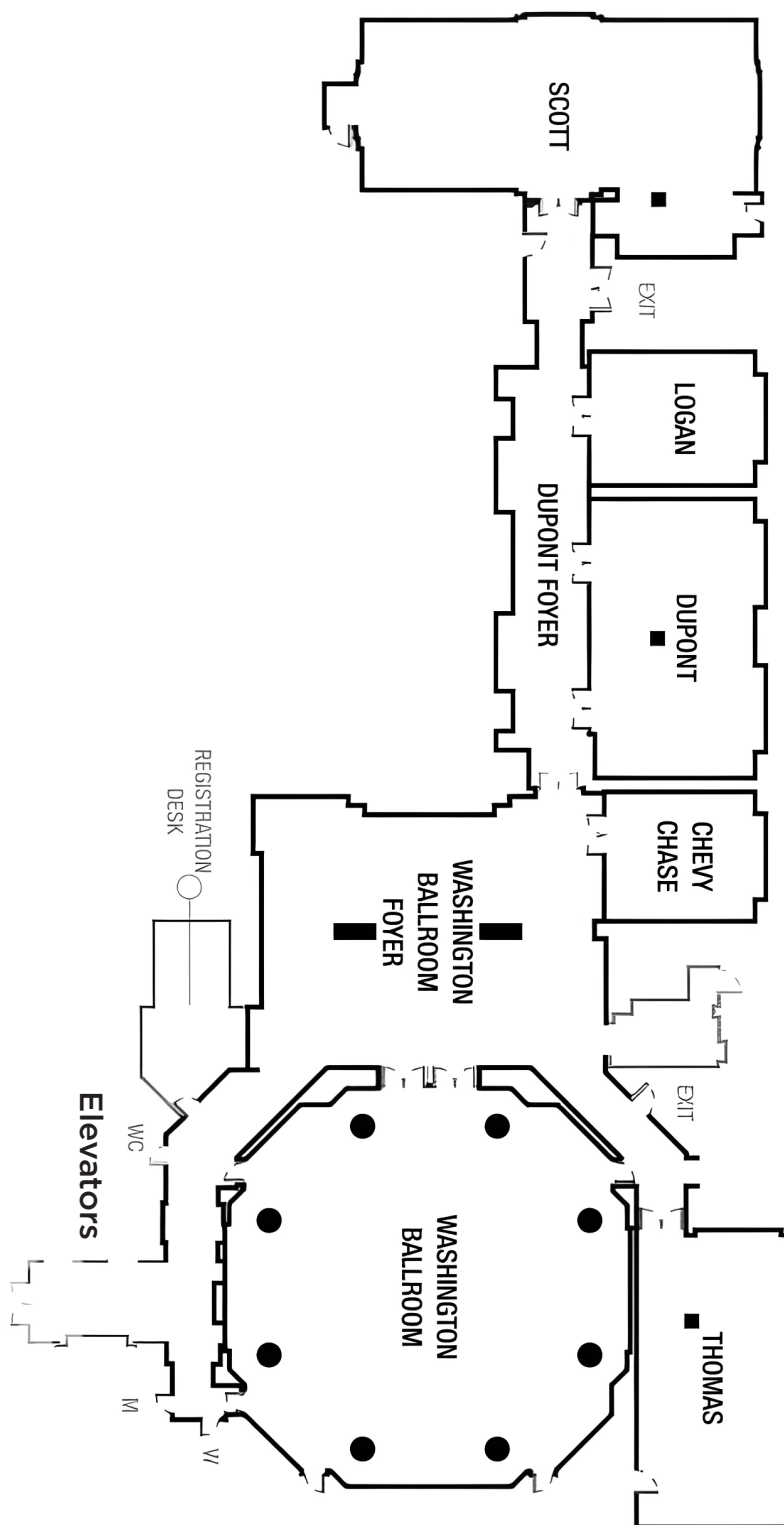
Westin Georgetown Hotel Floor Plan

Lobby Level



Westin Georgetown Hotel Floor Plan

Conference Level



RECOMMENDED RESTAURANTS

Breakfast + Brunch

Bluestone Lane

- aussie-style coffee and premium café fare

718.374.6858

1100 23rd Street NW

Bread & Chocolate

- european bakery and café

202.833.8360

2301 M Street NW

Chef Geoff West End

- contemporary american cuisine

202.524.7815

2201 M Street NW

Tatte Bakery & Café

- contemporary bakery & café

202.919.8300

1200 23rd Street NW

Carry Out

Call Your Mother

- neighborhood bagel shop and deli

202.524.7815

1143 New Hampshire Avenue NW

Pizzeria Paradiso

- local favorite for wood fire pizza and craft beer

202.337.1245

3282 M Street NW

Starbucks

- coffeehouse chain known for signature coffee blends

202.728.0312

2400 M Street NW

Sweetgreen

- fast casual fresh salads and grain bowls

202.629.2100

2239 M Street NW

Lunch + Dinner + Bars

Blue Duck Tavern

- locally sourced new american

202.419.6755

1201 24th Street NW

Circa Foggy Bottom

- creative new american fare with a popular patio

202.506.5589

2221 I Street NW

Clyde's of Georgetown

- relaxed american restaurant & bar in georgetown

202.333.9180

3236 M Street NW

Filomena Restaurante

- authentic italian cuisine in an elegant atmosphere

202.338.8800

1063 Wisconsin Avenue NW

Martin's Tavern

- beloved local landmark with savory american cuisine

202.333.7370

1264 Wisconsin Avenue NW

Nobu

- high end social japanese peruvian dining

202.871.6565

2525 M Street NW

Proper 21K

- sports centric pub with global bites and beer

202.450.4485

2033 K Street NW

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202.466.2500

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2026

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May 1 – 5

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June 4 – 6

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2027

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June 3 – 5

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