



2014

AALS WORKSHOP FOR NEW LAW SCHOOL TEACHERS

Washington, D.C. | June 18 - June 21



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Association of American Law Schools

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Workshop for New Law School Teachers

June 18-21, 2014
Washington, DC

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IMPORTANT

The Evaluation Survey is not included in this booklet.
It will be emailed to you soon after the conclusion of the Workshop.
Your comments will assist us in planning future workshops.







Introduction

Welcome to the AALS Workshop for New Law School Teachers and to the legal academy! This is an exciting time in your career as you begin to establish your identity as a teacher, scholar, and community citizen. This is also an exciting time as legal education and our roles as faculty are undergoing significant transformations. You are uniquely poised to bring your energy, insights, and leadership to our profession's future.

Over the next few days, the Planning Committee members hope that you will gain some valuable insights and practical information on how to be an effective classroom teacher, a productive scholar, and an active citizen in your institution and beyond. We have recruited a diverse group of professors with a wide range of experience and expertise. What all the presenters share, however, is a generosity of spirit and a commitment to helping you develop your career. So please ask questions, share your concerns, and take advantage of the opportunities to learn from such a devoted and talented group of colleagues.

This workshop is unique in that it brings together law teachers from all different fields, including clinical and legal writing. The Planning Committee recognized the value of learning from each other without boundaries or distinctions, right from the beginning of your academic career. Our roles are more similar than they are different, and we become even better teachers and scholars when we integrate ideas and pedagogy from other fields.

We are all delighted to be with you at the beginning of this journey and look forward to an exciting workshop.

Congratulations!

Jennifer Rosato Perea
Northern Illinois University College of Law
Chair, Planning Committee for 2014 AALS Workshop for New Law School Teachers

Fabio Arcila, Jr.
Touro College, Jacob D. Fuchsberg Law Center

Cheryl Hanna
Vermont Law School

Carol L. Izumi
University of California Hastings College of the Law

Barbara A. Schatz
Columbia University School of Law







Welcome

Dear Colleague:

On behalf of AALS President Daniel B. Rodriguez, President-Elect Blake D. Morant, and the Executive Committee of the Association of American Law Schools (AALS), it is my privilege to welcome you to the AALS and to the law teaching profession.

Established in 1900, the AALS is an association of 178 law schools, committed to promoting excellence in legal education. As the learned society for legal education, we are also very much your organization and that of your nearly 10,000 law faculty colleagues throughout the nation. Over the years, many of us have benefited from work we have done under the umbrella of the AALS. Our AALS involvement has connected us to faculty beyond our home law schools and has led to career-enhancing collaborations in both scholarship and teaching.

The Association values and expects its member schools to value:

- 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) scholarship, academic freedom, and diversity of viewpoints;
- 3) a rigorous academic program built upon strong teaching in the context of a dynamic curriculum that is both broad and deep;
- 4) a diverse faculty and staff hired, promoted, and retained based on meeting and supporting high standards of teaching and scholarship and in accordance with principles of non-discrimination; and
- 5) the selection of students based upon intellectual ability and personal potential for success in the study and practice of law, through a fair and non-discriminatory process designed to produce a diverse student body and a broadly representative legal profession.

Association activities encompass many areas that may be of interest to you, particularly our professional development programs for law faculty. In May and June of 2015, for example, AALS will hold a Conference on Clinical Legal Education and a Midyear Meeting that includes a Conference on Measuring Learning Gains, a Workshop on Family Law, and a Workshop on Forty Years for Formal Equality. Detailed information on the professional development schedule for the coming academic year can be found on our website at www.aals.org/calendar/





The work of the AALS is done largely by volunteers through its committees and sections. There are more than 90 AALS sections representing subject matter areas and other common interests. Becoming involved in one or more Sections will connect you to colleagues all over the country. Sections also construct the majority of the Annual Meeting program, and will provide you throughout the year with an ongoing source of information on your fields of interest through the AALS web-based community platform that many sections use.

The next AALS Annual Meeting, which will be held on Friday, January 2 through Monday, January 5, 2015, in Washington, DC, will bring together more than 3,000 law faculty and administrators. At the Annual Meeting, each section presents a program of interest to its members. There are also workshops (day-long professional programs) and other special programs, including some based on the theme selected by the president of the Association for the year. The theme of President Daniel B. Rodriguez is “Legal Education at the Crossroads.”

The AALS also sponsors a scholarly papers competition for those who have been in law teaching for five years or less. The winning author presents the paper at the Annual Meeting. The deadline for the 2015 Scholarly Papers Competition is August 8, 2014. To learn more about the competition go to <http://www.aals.org/services/deansmemos.php> and select AALS Deans Memo 14 - 13. The competition announcement is also included in this booklet. At the Annual Meeting we will celebrate the previous year’s teaching award honorees from member schools. Faculty often tell us that perhaps the most important part of the Annual Meeting is the opportunity to meet colleagues informally across generations and to develop ongoing interactions with them over the years.

The Association currently has fourteen standing and special committees, composed of law teachers appointed by AALS Presidents. Appointments are typically for three-year terms, and each standing committee includes members appointed by three successive Presidents of the organization. The subjects covered by the committees range from membership review to recruitment and retention of minority law teachers and students. Nominations for these committee positions are encouraged and should be made in the spring.

The Association’s *Journal of Legal Education*, which is published quarterly and distributed to all law faculty, is an excellent platform for the exchange of ideas and information about legal education, legal scholarship, and innovative teaching. The *Journal* is currently co-edited at Northeastern University School of Law in Boston and Southwestern Law School in Los Angeles. The co-editors are Jeremy R. Paul and Margaret Y. Woo of Northeastern University School of Law. Molly Selvin of Southwestern Law School is associate editor. The Association also co-sponsors the *Journal of Clinical Legal Education*. The *AALS Directory of Law Teachers* is published annually. Your Dean’s office can assist in ensuring that you are included in the *Directory* listings.

As you begin your career in law teaching and are understandably focused on developing your own courses and advancing your scholarly agenda, I encourage you to become involved in the AALS as you begin what we hope will be a long, productive, and satisfying career.

Sincerely,

Judith Areen
AALS Executive Director



UPCOMING EVENTS

www.aals.org/calendar

2014

Faculty Recruitment Conference

Washington, D.C.

Thursday, October 16 –

Saturday, October 18, 2014

2015

Annual Meeting

Washington, D.C.

Friday, January 2 –

Monday, January 5, 2015

Law Clinic Directors Workshop

Rancho Mirage, CA

Sunday, May 3 –

Monday, May 4, 2015

Conference on Clinical Legal Education

Rancho Mirage, CA

Monday, May 4 –

Thursday, May 7, 2015

Early June 2015 Midyear Meeting

Locations not yet determined

Workshop on Measuring
Learning Gains

Workshop on Next
Generation Issues of Sex,
Gender, and the Law

Workshop on Shifting
Foundations in Family Law

SPONSORS

AALS would like to thank and recognize the following companies for their generous contributions to support the association's many goals and activities.

Foundational Gifts (\$100,000 and over)

West Academic

Foundation Press

Sponsor Gifts (\$15,000 and over)

LexisNexis

Wolters Kluwer Law & Business

Contributor Gift (\$10,000 to \$15,000)

Law School Admission Council (LSAC)

We would like to thank the following for their donations to AALS for the 2014-2015 Academic Year

Carolina Academic Press

Complete Equity Markets, Inc.

Howard University School of Law

The John Marshall Law School





Association of American Law Schools

WORKSHOP FOR NEW LAW SCHOOL TEACHERS

Wednesday, June 18, 2014

4:00 – 8:00 p.m.

Registration

Grand Ballroom Foyer
Lobby Level

6:00 – 7:15 p.m.

Small Group Discussions

See your handout for small group assignment and meeting room location.

- First Year Teachers
- Experienced Teachers
- Clinical Teachers
- Legal Writing Teachers

7:30 pm

AALS Sponsored Dinner

Colonial Room
Lower Level

Introduction

Jennifer Rosato Perea, Northern Illinois University College of Law, and Chair, Planning Committee for 2014 AALS Workshop for New Law School Teachers and Workshop for Pretenured People of Color Law School Teachers

Speaker: Frank H. Wu, University of California, Hastings College of the Law

8:45 – 9:30 p.m.

Dessert and Coffee Reception

Colonial Room
Lower Level

Attendees can mingle and enjoy a reception of mini desserts and coffee in a relaxed atmosphere after the opening dinner.



Thursday, June 19, 2014

8:45 - 8:55 a.m.

Welcome

Judith C. Areen, AALS Executive Director

Grand Ballroom
Lobby Level

8:55 - 9:30 a.m.

Introduction and Overview of the Legal Profession

Jennifer Rosato Perea, Northern Illinois University College of Law, and Chair, Planning Committee for 2014 AALS Workshop for New Law School Teachers and Workshop for Pretenured People of Color Law School Teachers

9:30 - 10:00 a.m.

Plenary Session: What Makes an Effective Law Teacher?

Michael H. Schwartz, University of Arkansas at Little Rock, William H. Bowen School of Law

Grand Ballroom
Lobby Level

Educational experts have found that many factors contribute to significant and lasting learning in students. Dean Schwartz will discuss some of the attributes and behaviors shared by extraordinary teachers.

10:00 - 10:30 a.m.

Plenary Session: Differences in How Students Learn and Are Motivated

Emily B. Zimmerman, Drexel University School of Law

Grand Ballroom
Lobby Level

Effective teachers understand that what learners bring to the classroom is just as important as what the teachers bring. This session will help new law teachers learn more about students' perspectives in order to facilitate learning and promote a positive classroom experience for both students and teachers.

10:30 - 10:45 a.m.

Refreshment Break

Grand Ballroom Foyer
Lobby Level

10:45 - 11:35 a.m.

Introduction: Designing Courses and Classes to Maximize Student Engagement and Learning

Jane H. Aiken, Georgetown University Law Center

Grand Ballroom
Lobby Level

11:45 a.m. - 1:00 p.m.

AALS Luncheon on Teaching - Small Group Discussions with Box Lunch

(see your handout for small group assignment and meeting room location)





1:15 - 2:30 p.m.

Grand Ballroom
Lobby Level

Plenary Session: Modeling Teaching Methods

Susan J. Bryant, City University of New York School of Law
Lawrence C. Levine, University of the Pacific, McGeorge School of Law
Nancy Levit, University of Missouri-Kansas City School of Law

Effective teachers often use a variety of teaching methods to maximize student engagement and learning. In this session, three “master” teachers will demonstrate some of those teaching methods, which can be adapted to different learning environments.

2:30 - 2:45 p.m.

Grand Ballroom Foyer
Lobby Level

Refreshment Break

2:45 - 4:05 p.m.

CONCURRENT SESSIONS: DESIGNING COURSES AND CLASSES TO MAXIMIZE STUDENT ENGAGEMENT AND LEARNING

These concurrent sessions will build on the previous sessions, as successful law professors discuss how knowledge about teaching and learning can be incorporated into law courses across the curriculum as best practices.

Clinical Courses

Susan J. Bryant, City University of New York School of Law

Virginia
Second Floor

Legal Writing Courses

Anne M. Enquist, Seattle University School of Law

South Carolina
Second Floor

Large Classes

Lawrence C. Levine, University of the Pacific, McGeorge School of Law

Pennsylvania
Second Floor

Seminars

Robert Jackson, Columbia University School of Law

Delaware
Second Floor

1L Courses

Meredith J. Duncan, University of Houston Law Center

Grand Ballroom
Lobby Level





Thursday, June 19 continued

4:15 – 5:15 p.m.

CONCURRENT SESSIONS

These hands-on sessions will focus on the role of a law teacher as a supervisor of clinical students or a supervisor or advisor to student writing projects. The third concurrent session is intended for law teachers without significant experience in the classroom, and will include topics such as identifying class goals and creating a syllabus, selecting a casebook, preparing for class, and use of technology.

Supervising Clinical Students

Elliott S. Milstein, American University Washington College of Law

Virginia
Second Floor

Supervising Student Writing (First Year, Seminar)

Daniel L. Barnett, Lewis and Clark Law School (University of Hawaii, William S. Richardson School of Law - July 1, 2014)

South Carolina
Second Floor

Teaching 101

Michael H. Schwartz, University of Arkansas at Little Rock, William H. Bowen School of Law

Grand Ballroom
Lobby Level

5:30 – 6:30 p.m.

AALS Reception

Colonial Room
Lower Level

Friday, June 20, 2014

7:45 – 8:45 a.m.

AALS Section on Minority Groups Q & A with Coffee and Breakfast Pastry

Colonial Room
Lower Level

Moderator: Katrice Bridges Copeland, Pennsylvania State University The Dickinson School of Law

8:30 – 8:45 a.m.

Coffee, Tea and Breakfast Pastry

Grand Ballroom Foyer
Lobby Level

9:00 – 10:00 a.m.

Plenary Session: Assessment

Grand Ballroom
Lobby Level

Rory D. Bahadur, Washburn University School of Law

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.

10:00 – 10:30 a.m.

Refreshment Break

Grand Ballroom Foyer
Lobby Level





10:30 am - 12:00 p.m.

Grand Ballroom
Lobby Level

Plenary Session: Managing Student Challenges in the Classroom and Beyond

Josephine Ross, Howard University School of Law
Gemma Solimene, Fordham University School of Law
Ron Tyler, Stanford Law School

Students can pose challenges to law teachers ranging from disrupting the classroom to challenging the teacher's authority in grading. The presenters will offer expert advice for navigating these kinds of issues.

12:15 - 1:45 p.m.

Colonial Room
Lower Level

AALS Luncheon - Diversity and Current Research on Implicit Bias

Rachel Godsil, Seton Hall University School of Law

2:00 - 3:15 p.m.

CONCURRENT SESSIONS: INSTITUTIONAL RELATIONSHIPS, COMMITMENTS AND SERVICE

How can you find a good balance so you can be an effective teacher, a productive scholar and a good citizen? When should you say "yes" or "no" to service, and what kinds of relationships should you build with the time that you devote to service? The first three concurrent sessions will focus on service and professionalism for tenure-track, clinical, and legal writing faculty -who have similar but sometimes distinct commitments inside and outside the law school.

Tenure Track

Veryl Victoria Miles, The Catholic University of America, Columbus School of Law

Grand Ballroom
Lobby Level

Clinical

Michael Pinard, University of Maryland Francis King Carey School of Law

Virginia
Second Floor

Legal Writing

Christy Hallam DeSanctis, The George Washington University Law School

South Carolina
Second Floor

In the session below, Dean Rosato Perea will provide a dean's perspective to assist VAPs, Fellow, and other teaching candidates to better understand legal academia and navigate through the hiring expectations.

Entry Level/Job Market Track (Visiting Assistant Professors, Fellowships)

Jennifer Rosato Perea, Northern Illinois University College of Law

Delaware
Second Floor

3:15 - 3:30 p.m.

Refreshment Break

Grand Ballroom Foyer
Lobby Level





Friday, June 20 continued

3:30 - 4:30 p.m.

CONCURRENT SESSIONS: MANAGING AND BUILDING INSTITUTIONAL RELATIONSHIPS – THE “SHADOW WORK” OF BEING A LAW PROFESSOR

**Concurrent Session #1
For Attendees with Last Names from A-C**

Grand Ballroom
Lobby Level

Co-Facilitators:

Fabio Arcila, Jr., Touro College, Jacob D. Fuchsberg Law Center
Christy Hallam DeSanctis, The George Washington University Law School
Josephine Ross, Howard University School of Law

**Concurrent Session #2
For Attendees with Last Names from D-M**

Pennsylvania
Second Floor

Co-Facilitators:

I. Bennett Capers, Brooklyn Law School
Gabriel “Jack” Chin, University of California at Davis School of Law

**Concurrent Session #3
For Attendees with Last Names from N-Z**

Georgia
Second Floor

Co-Facilitators:

Carol L. Izumi, University of California, Hastings College of the Law
Michael Pinard, University of Maryland Francis King Carey School of Law

In addition to producing scholarship, teaching classes, and providing service, part of being a law professor entails managing and building multiple institutional relationships – formally and informally – with students, faculty, and staff. Interactions with each of these constituencies can present challenges for which there is no law school handbook. For example, students often turn to faculty with personal and career challenges in addition to educational questions. Faculty and staff do the same, sometimes explicitly asking a colleague – a junior colleague – to intervene on their behalf. Navigating these and other demands is part of the “shadow work” law professors invariably are called upon to perform. At the same time, this “shadow work” can present important opportunities – such as building a relationship with the development officer - which may provide an important prism through which to see the law school and may even lead to resources in the form of grants. In this session, the facilitators will discuss the many opportunities and challenges presented by the important, if informal, institutional relationships law faculty build.

4:30 - 5:30 pm

AALS Reception

Colonial Room
Lower Level

5:30 - 6:30 p.m.

AALS Section on Sexual Orientation and Gender Identity Issues – Informal Gathering

Rhode Island
Second Floor

Co-Moderators:

I. Bennett Capers, Brooklyn Law School
Josephine Ross, Howard University School of Law





Saturday, June 21, 2014

7:45 - 8:45 a.m.

**AALS Section on Women in Legal Education Q & A with
Coffee and Breakfast Pastry**

Colonial Room
Lower Level

Co-Moderators:

Leigh Goodmark, University of Baltimore School of Law

Wendy Greene, Samford University, Cumberland School of Law

Speakers:

Megan LaBelle, The Catholic University of America, Columbus School of Law

Naomi Schoenbaum, The George Washington University Law School

8:30 - 9:00 a.m.

Coffee and Tea and Breakfast Pastry

Grand Ballroom Foyer
Lobby Level

9:00 - 10:00 a.m.

Plenary Session: Different Methodologies and Approaches to Scholarship

Grand Ballroom
Lobby Level

Gabriel "Jack" Chin, University of California at Davis School of Law

L. Song Richardson, University of Iowa College of Law (University of California Irvine
School of Law - July 1, 2014)

There is not a one-size fits all approach to the development of scholarship. The presenters will provide an overview of different methodologies and approaches that might be used in the life cycle of one's scholarly career.

10:10 - 11:15 a.m.

CONCURRENT SESSIONS - SCHOLARSHIP

New Teachers

Pennsylvania
Second Floor

I. Bennett Capers, Brooklyn Law School

This session will guide new writers on how to develop a coherent scholarly agenda and get started on a first publication.

Experienced Teachers/Those Who Have Already Written

Grand Ballroom
Lobby Level

Lisa H. Nicholson, University of Louisville, Louis D. Brandeis School of Law

If you already have a few publications under your belt, this session will provide advice on how to reassess your scholarly agenda and continue the path of finding your voice through scholarship.

11:15 - 11:25 a.m.

Refreshment Break

Grand Ballroom
Lobby Level

11:25 am - 12:15 p.m.

Small Group Discussions

See your handout for small group assignment and meeting room location.







Planning Committee for 2014 AALS Workshop for New Law School Teachers

Fabio Arcila, Jr., Touro College, Jacob D. Fuchsberg Law Center
Cheryl Hanna, Vermont Law School
Carol L. Izumi, University of California, Hastings College of the Law
Jennifer Rosato Perea, Northern Illinois University College of Law, **Chair**
Barbara A. Schatz, Columbia University School of Law

2014 Committee on Professional Development

I. Bennett Capers, Brooklyn Law School
Susan D. Carle, American University, Washington College of Law, **Chair**
Sheila Foster, Fordham University School of Law
Shauna I. Marshall, University of California, Hastings College of the Law
Elizabeth E. Mertz, University of Wisconsin Law School
Carol A. Needham, Saint Louis University School of Law
Jason Palmer, Stetson University College of Law
Barbara Schatz, Columbia University School of Law
Michael Waterstone, Loyola Law School

AALS Executive Committee

Daniel B. Rodriguez, Northwestern University School of Law, **President**
Blake D. Morant, Wake Forest University School of Law, **President-Elect**
Leo P. Martinez, University of California, Hastings College of the Law, **Immediate Past President**

D. Benjamin Barros, Widener University School of Law
Devon Wayne Carbado, University of California, Los Angeles
Guy-Uriel E. Charles, Duke University School of Law
Vicki C. Jackson, Harvard Law School
Wendy C. Perdue, The University of Richmond School of Law
Kellye Y. Testy, University of Washington School of Law





Biographies of Planning Committee Members and Presenters

Aiken, Jane H. Professor & Director, Community Justice Project, Georgetown University Law Center. JD, 1983, New York Univ.; BA, 1977, Hollins Coll.; MA, 1985, Georgetown.. Professor of Law, Georgetown University Law Center; William M. Van Cleve Professor of Law, Washington University School of Law (04-07); Prof., Wash. St. Louis (97-04); Prof., South Carolina (92-98); Prof., Ariz. State (85-91); Advoc. Fellow/Clin. Instr., Cntr. for Applied Legal Studies Georgetown (83-85) *Subjects:* Clinical Teaching (15); Evidence (15); Family Law (10); Torts (10); AIDS & the Law (5) *Books and Awards:* Gerry & Bob Virgil Ethic of Serv. Award *Memberships:* American Law Institute; American Bar Foundation Fellow; Carnegie Acad. for the Scholarship of Tchg. & Learning (Fellow, 2000).; Order of the Coif

Arcila, Fabio Professor, Touro College Jacob D. Fuchsberg Law Center. JD, 1994, Cal., Berkeley.; BA, 1991, Michigan. Visiting Prof., Brooklyn Law School (11-12); Visiting Assoc. Prof., Fordham Univ. Law School (08-09); Prof., Touro Law Center Litig. Assoc., Fried Frank (01-04); Clerk, Hon. Julio M. Fuentes U.S.C.A. 3rd Cir. (00-01); Clerk, Hon. Julian Abele Cook Jr. U.S.E.D. MI (97-99); Staff Att'y, Legal Services of Southeastern MI (94-97) *Subjects:* Civil Procedure (9); Criminal Procedure (5); Administrative Law (4); Federal Courts (2); Welfare Law *Books and Awards:* James Madison Prize (from Soc'y Hist. in the Fed. Gov't) for 50 B.C. L. Rev. 363 (2009): (10); Professor of the Year: (07) *Memberships:* ; 3d Nat'l People of Color Legal Scholarship Conf.-Planning Comm.-2010; Northeast People of Color Legal Scholarship Conf.-Planning Comm. NY

Areen, Judith C. Paul Regis Dean Professor, Georgetown University Law Center; Executive Director, AALS. BA, 1966, Cornell; JD, 1969, Yale.. Dean Emer.; Interim Dean, Georgetown University Law Center (10-10); Exec. V.P. & Dean, Georgetown (89-04); Fellow, Woodrow Wilson Int'l Cntr. for Scholars DC (88-89); Assoc. Dean, Georgetown (84-87); Prof., Community & Fam. Med. Georgetown Med. Cntr. (82-89); Gen. Counsel & Domestic Reorg.

Coord'r (79-80); Dir., Fed. Leg. Rep. Proj. Pres.'s Reorg. Proj. Off. Mgt. & Budget DC (77-79); Prof.; Vis. Assoc. Prof., Michigan (75-76); Assoc. Prof., Georgetown (72-76); Fellow & Dir., Educ. Voucher Study Cntr. for the Study of Public Policy Cambridge MA (70-72); Prog. Planner for Higher Educ., Budget Bur. Off. of the Mayor NYC (69-70) *Subjects:* Family Law (35); Judgement & Decisionmaking (15); Higher Education Law (8) *Books and Awards:* Cases and Materials on Family Law (with Spindelman and Tsoukala), 6th ed...; Higher Education and the Law; Cases and Materials on Law, Science and Medicine (with King, Goldberg... *Memberships:* ALI; ABF (Fellow).

Bahadur, Rory D. Associate Professor of Law, Washburn university School of Law. JD, 2003, St. Thomas University; MA, 1992, Rosenstiel School of Marine and Atmospheric Science, University of Miami; BSc, 1990, University of the West Indies. Associate, Downs & Associates, P.A. (03-04) *Books and Awards:* West Outstanding Scholastic Achievement Award: (03); West Outstanding Scholastic Achievement Award: (01)

Barnett, Daniel Distinguished Professor of Legal Writing at Lewis and Clark Law School, Lewis and Clark Law School. BA, 1982, University of the Pacific. Visiting Distinguished Professor of Legal Writing, Lewis and Clark Law School (09-09); Associate Professor of Legal Reasoning, Research & Writing, Boston College Law School (95-12); Assistant Professor of Legal Reasoning, Research & Writing, Boston College Law School (92-95); Visiting Assistant Professor of Legal Reasoning, Research & Writing, Boston College Law School (90-92) Distinguished Professor of Legal Writing, Lewis and Clark Law School *Subjects:* *Other/Non-Listed *Books and Awards:* Boston College Distinguished Teaching Award: (04); Boston College Teaching with New Technology Award : (07) *Memberships:* ; Board of Directors:Legal Writing Institute; Chair:Section on Legal Writing, Analysis and Research, Association of American Law Schools Massachusetts; California



Bryant, Susan J. Professor, CUNY School of Law. JD, 1973, Georgetown University Law Center - Test; BA, 1970, Xavier; LLM, 1980, Georgetown.. Prof., CUNY School of Law; Acting Assoc. Dean, Acad. Affrs. (94-96); Dir., Clinical Programs (89-08); professor, CUNY School of Law; Dir., Clin. Prog. Hofstra (76-83); Dep. Dir., Com. on Defense Servs. DC Bar (75-76); Fellow, Prettyman Legal Intern Prog. Georgetown (74-76); Att'y, Defender Ass'n of Phila. (73-74) Clinical Teaching (36); Family Law (15); Legal Research & Writing (15); Trial & Appellate Advocacy (10) *Books and Awards:* AALS CLinical Section Award Contributions to Clinical Education: (96) *Memberships:* ; SALT, Board of Governors, CLEA; AALS (Chair, Sect. on CLE, 1981-83).

Capers, Bennett Associate Dean for Intellectual Life and Associate Professor of Law, Hofstra Law School. JD, 1991, Columbia.; BA, 1988, Princeton. Ass't U.S. Att'y, NY (95-04) Criminal Law (7); Evidence (5); Criminal Procedure (5); Law & Literature (3) *Books and Awards:* Hofstra Univ. Dist. Lecture Stessin Award: (09)

Chin, Gabriel "Jack" Professor, University of California at Davis School of Law. LLM, 1995, Yale.; BA, 1985, Wesleyan Univ.; JD, 1988, Michigan. Professor of Law, UC, Davis; Chester H. Smith Prof., University of Arizona, Rogers College of Law (04-11); Dir., Program in Criminal Law and Policy (04-11); Prof. of Public Admin. & Policy, University of Arizona, School of Government and Public Policy (04-11); Prof., Univ. of Ariz. (03-04); Interim Assoc. Dean, Cincinnati (02-02); Vis. Prof., New York Univ. (01-01); Rufus King Prof., Cincinnati (01-03); Prof., Cincinnati (99-01); Assoc. Prof., Cincinnati (98-99); Ass't Prof., Western New England (95-98); Assoc. Appellate Counsel, Legal Aid Soc. of NY Crim. App. Bur. NYC (92-94); Assoc., Skadden Arps Slate Meagher & Flom (90-91); Clerk, Hon. Richard P. Matsch U.S.D.J. (89-89) Criminal Law (15); Criminal Procedure (15) *Books and Awards:* Immigration and the Constitution; Affirmative Action and the Constitution; New York City Police Corruption Investigations, 1894-1994 *Memberships:* ALI; Am. Soc. for Legal Hist.; Reporter, ABA Standards for Criminal Justice: Collateral Sanctions

and Discretionary Disqualification of Convicted Persons: American Bar Association; Reporter, Uniform Collateral Consequences of Conviction Act: Uniform Law Commission New York

Copeland, Katrice Bridges Assistant Professor, Penn State University.

DeSanctis, Christy Hallam Prof. of Legal Writing & Dir. of Legal Writing Prog., Geo. Was. BA, 1992, Duke; JD, 1995, New York Univ; MA, 2006, Maryland; ABD, 2009, Maryland. N.Y.U. Rev. L. & Soc. Change. *Admitted:* NY, 1996; DC, 1999. Prof. of Legal Writing and Director of Legal Writing Dep., The George Washington Univ. Law Sch., 2004 - Pres. *Subjects:* Intro to Advocacy; Law and Literature (S); Legal Research & Writing. *Books & Awards:* Legal Res. & Writing (with M. Murray), 2005; Legal Writing & Analysis, 2009; Legal Res. Methods, 2009; Advanced Legal Writing, 2009. *Member:* Legal Writing Inst.; Ass'n of Legal Writing Dirs. *Consultantships:* Lect., Institute for U.S. Law, 2010-10; Fac. Member, Workshop Series, Thomson Reuters, since 2010.

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EXHIBITORS

Workshop for New Law School Teachers, Including Track for Legal Writing and Clinical Teachers June 18 - 21, 2014

Take the opportunity during refreshment breaks to visit the display tables of the exhibiting companies to view and discuss products, teaching methods and new technologies that can enhance your teaching and career. The display tables are located in the foyer, directly outside of the Grand Ballroom.

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Workshop Materials

Workshop speakers were invited to submit discussion outlines for those in attendance.
These outlines and other materials are presented in sequence of the program.







Note-Taking Guide

MICHAEL H. SCHWARTZ

University of Arkansas at Little Rock, William H. Bowen School of Law

I. Goals: By the end of this session, attendees will

- A. Be able to identify the characteristics of those law teachers whose classes and lessons the students are most likely to remember
- B. Be inspired
- C. Be able to emulate some of the key strategies used by the best law teachers

II. Frustrations in Teaching

In the space below, respond in writing to any or all of the following questions:

- What are your greatest frustrations as a law teacher?
- What drives you crazy when you teach?
- What would you like to wave a wand and change in your classes?

III. Best Teacher Exercise

In the space below, do the following:

1. Identify the teacher or professor from whom you learned the most, the instructor whose lessons have most stuck with you to this day.
2. Describe why the teacher was so effective. What was his/her attitude about the subject? How did s/he approach student learning? What were his/her expectations of students? What kinds of things did s/he have students do in class? What did s/he think of the students in your class?

Teacher: _____

Why my teacher/professor was so effective: _____

B. Common qualities of best teachers?



Results of Best Law Teachers Study

- I. How the best law teachers prepare for courses and class sessions

- II. How the best law teachers teach

- III. Other common qualities of the best law teachers

Methodology Lessons of Best Law Teachers Study

- I. Classroom observations (*see p. 3*)

- II. Small Group Instructional Diagnosis (*see p. 4*)

- III. Self-Evaluation Tool (*see p. 4*)

- IV. Exceptional learning: What is exceptional intellectual and personal learning in the context in which you teach?
(*see p. 5*)





Observation Form

Make a hash mark for each instance a particular type of event.

Types of Questions Asked

Open-ended	
Closed-ended (yes/no)	

Inappropriate Tech Use

10 Mins.	
40 Mins.	
End of Class	

Who Speaks in Class (Male-Female)

of men in class: _____

of women in class: _____

Male	
Female	

Who Speaks in Class (Race)

of SOC in class: _____

of WS in class: _____

Students of Color (SOC)	
White Students (WS)	

Activities Log

At each of the two minute intervals below, indicate the learning activity (e.g., lecture, Q & A, cooperative learning activity, writing) that is happening in the room. The results can provide faculty members interesting data about their teaching methods.





Questions for Students and Alumni

1. What does _____ do that fosters your learning?
2. How would you characterize the nature of your learning in _____'s classes?
3. What changes in the way _____ conducts classes would better foster your learning?
4. How is _____ different from other teachers you have (have had)?
5. What things (if any) that you learned from _____ will stay with you? What did _____ do that caused those things to stay with you?

Teacher Questions

Learning

1. What is your understanding of how humans learn?
2. What do you want your students to learn?
3. Where does learning take place in your courses?
4. What do you do to motivate students to learn?
5. What do you do to help students learn?
6. What challenges do students have in learning in your classes?
7. What challenges do you have in helping them learn?

Teaching

8. How do you prepare to teach? What questions do you ask yourself as you prepare?
9. What are your primary teaching methods?
10. What are your key assignments?
11. What do students find exciting in your course(s)?
12. How do you start each course? End it?
13. Are there any good metaphors for your approach to teaching?

Relationships

14. How would you describe your relationship with students?
15. What do you like most about your students? Least about your students?

Assessment

16. How do you provide feedback to students during the course?
17. How do you evaluate students?
18. How do you check your progress and evaluate your own efforts?
19. How do you know when you have done a good job in teaching a class?
20. How do you know when you have done a good job in teaching a course?

Global

21. Do you have any evidence of the success of your students in learning what you wish them to learn?
22. Do you have any evidence that your teaching methods contribute significantly to that learning?
23. What is a good metaphor for your courses? (a game, a journey, an obstacle course) How does that metaphor illuminate something about your teaching?





Exceptional Learning

Law School Version

Revised Definition of “Exceptional Learning” in Legal Education

Exceptional teachers produce exceptional learning. Exceptional learning has two main components: exceptional intellectual development and exceptional personal development.

Exceptional intellectual development includes:

- gaining deep, nuanced understanding of a sizeable body of legal doctrine, theory, and policy;
- developing general lawyering skills (e.g., legal analysis and reasoning, case and statute reading, legal research, legal writing, policy analysis and synthesis, critical thinking);
- developing specific law practice skills, such as drafting legal documents (e.g., contracts, pleadings, briefs and memoranda) and interactive skills (e.g., negotiation, client counseling, oral advocacy, mediation, arbitration, trial advocacy, fact investigation); and
- acquiring professional judgment, asking sophisticated questions, and applying concepts and skills to new problems, law practice, and life.

Exceptional personal development includes significant growth in:

- understanding one’s self (one’s history, emotions, dispositions, abilities, insights, limitations, prejudices, assumptions) and what it means to be human;
- gaining confidence, skill, and intrinsic motivation to grow beyond one’s own expectations and to pursue lifelong learning;
- developing a sense of responsibility to one’s self and others (including moral development);
- enhancing the ability to understand emotions and exercise compassion; and
- developing professionalism and professional identity (e.g., values of the profession, purpose, and the thirst for justice).

Your Version: What would you change, add?

Recommended Reading: MICHAEL HUNTER SCHWARTZ, GERALD F. HESS, & SOPHIE SPARROW, WHAT THE BEST LAW TEACHERS DO (2013).





Differences in How Students Learn and Are Motivated

EMILY B. ZIMMERMAN
Drexel University School of Law

Effective teachers understand that what learners bring to the classroom is just as important as what the teachers bring. This session will help new law teachers learn more about students' perspectives in order to facilitate learning and promote a positive classroom experience for both students and teachers.

I. Introduction

- A. A teachable moment – for the teacher
- B. What kinds of differences are we talking about?
 - 1. Differences among students
 - 2. Differences between students and professors

II. Law Student Enthusiasm

- A. What is it?
- B. How much of it do students actually have?
- C. Implications for teaching

III. Law Students' Learning and Assessment Preferences

- A. Empirical research
- B. Implications for teaching

IV. Law Students and Motivation

- A. Intrinsic motivation/Extrinsic motivation
- B. Mastery goals/Performance goals
- C. Incremental theory of intelligence/Entity theory of intelligence
- D. Implications for teaching

V. Conclusion

- A. “Don't judge a book by its cover”
- B. The “Golden Rule” of teaching (with a caveat)
- C. Inspiration for students and law professors



Selected Resources

Robin A. Boyle & Rita Dunn, *Teaching Law Students Through Individual Learning Styles*, 62 Alb. L. Rev. 213 (1998).

Robin Boyle, Jeffrey Minneti, & Andrea Honigsfeld, *Law Students Are Different from the General Population: Empirical Findings Regarding Learning Styles*, 17 Persp.: Teaching Legal Res. & Writing 153 (2009).

Leah M. Christensen, *Enhancing Law School Success: A Study of Goal Orientations, Academic Achievement and the Declining Self-Efficacy of Our Law Students*, 33 Law & Psychol. Rev. 57 (2009).

Amy Cuddy, *Your Body Language Shapes Who You Are*, TED, http://www.ted.com/talks/amy_cuddy_your_body_language_shapes_who_you_are (last visited May 6, 2014).

David Glenn, *Matching Teaching Style to Learning Style May Not Help Students*, *The Chronicle of Higher Education* (Dec. 15, 2009), <http://chronicle.com/article/Matching-Teaching-Style-to/49497/>.

Melanie C. Green, *Storytelling in Teaching*, 17 Observer 37 (2004), available at <https://www.psychologicalscience.org/index.php/publications/observer/2004/april-04/storytelling-in-teaching.html>.

John F. Kihlstrom, *How Students Learn – and How We Can Help Them*, http://socrates.berkeley.edu/~kihlstrm/GSI_2011.htm (last visited May 6, 2014).

Corie Rosen, *The Method and the Message*, 12 Nev. L.J. 160 (2011).

Carol Springer Sargent & Andrea A. Curcio, *Empirical Evidence That Formative Assessments Improve Final Exams*, 61 J. Legal Educ. 379 (2012).

Dale H. Schunk, *Learning Theories: An Educational Perspective* (6th ed. 2012).

Michael Hunter Schwartz, *Teaching Law Students To Be Self-Regulated Learners*, 2 Mich. St. DCL L. Rev. 447 (2003).

Massimiliano Tani & Prue Vines, *Law Students' Attitudes to Education: Pointers to Depression in the Legal Academy and the Profession*, 19 Legal Educ. Rev. 3 (2009).

Jeffrey C. Valentine, David L. DuBois, & Harris Cooper, *The Relation Between Self-Beliefs and Academic Achievement: A Meta-Analytic Review*, 39 Educ. Psychologist 111 (2004).

Emily Zimmerman, *An Interdisciplinary Framework for Understanding and Cultivating Law Student Enthusiasm*, 58 DePaul L. Rev. 851 (2009).

Emily Zimmerman, *Do Grades Matter?*, 35 Seattle U. L. Rev. 305 (2012).

Emily Zimmerman, *What Do Law Students Want?: The Missing Piece of the Assessment Puzzle*, 42 Rutgers L.J. 1 (2010).





Designing Courses and Classes to Maximize Student Engagement and Learning

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In this session, we will explore a methodology to develop classes that accomplish your goals. Below are some materials that may be of use in inspiring discussion and crafting simulations in your class. This also includes a blank worksheet employing the *Backwards Design*¹ concept to assist you in thinking through planning classes and offers an example of what the form might look like filled out using a torts example.

I also include Bloom's Taxonomy of Learning As Applied to Law Teaching. This taxonomy identifies the critical stages of learning: Knowledge, Comprehension, Application, Analysis, Synthesis and Evaluation and offers examples of how you will know if your students are progressing.

Here is an approach created by Grant Wiggins called **WHERE TO** that helps you think through how to ensure you have effective learning activities in your class.

Consider:

Will the students...

- W** Know **Where** they're going (the learning goals), **Why** (reason for learning the content), and **What** is required of them (unit goal, performance requirements, and evaluative criteria)?
- H** Be **Hooked**– engaged in digging into the Big Ideas (e.g., through inquiry, research, problem-solving, experimentation)?
- E** Have adequate opportunities to **Explore** an experience Big Ideas and receive instruction to **equip** them for the required performances?
- R** Have sufficient opportunities to **Rethink**, **Rehearse**, **Revise** and **Refine** their work based upon timely feedback?
- E** Have an opportunity to **Evaluate** their work and set future goals?

Consider the extent to which the learning plan is...

- T** Tailored and flexible to address the interests and learning styles of all students.
- O** **Organized** and sequenced to maximize engagement and effectiveness.

¹ Grant Wiggins & JayMcTighe, *THE UNDERSTANDING BY DESIGN GUIDE TO CREATING HIGH-QUALITY UNITS*, ASCD Publishing (2011).





It is also difficult to decide when we should use traditional didactic learning or teach the material through some experiential activity. Below is one way to make that assessment, again drawn from UNDERSTANDING BY DESIGN:

What is most appropriately and effectively covered in a linear and didactic fashion?

The Logic of “Coverage”

- Present information in a logical, step-by-step fashion. (Teacher as tour guide.)
- Follow the sequence of the book.
- Move from the facts and basic skills to move advanced concepts and processes.
- Expose students to a breadth of material dictated by established goals.
- Use hands-on and other experiential activities selectively because these can take considerable time.
- Teach and test the discrete pieces before having students apply what they are learning.

What is most appropriately and effectively “uncovered” in an inductive, inquiry-oriented, experiential manner?

The Logic of “Uncoverage”

- Think of the unit as an unfolding story or problem rather than as a guided tour or an encyclopedia article.
- Begin with a hook and teach on an as-needed basis. Don’t front load all of the information before application.
- Make the sequence more surprising and less predictable.
- Ensure that there are ongoing cycles of model, practice, feedback, and adjustment built into the unit.
- Focus on Transferable, Big Ideas.
- Move back and forth between the whole and the parts rather than teaching all the little bits first, out of context. (Think of sports, the arts, and vocational technical projects.)





A Few Teaching Tips for Engaged Learning

Effective simulations

- o Consider using simulations to have your students:
 - Learn new skills
 - Demonstrate mastery of a subject matter
 - Cover a seemingly large amount of content (this might seem counter-intuitive but it can help synthesize large amounts of material)
 - Gain confidence by having a “stand up” experience
- o Have small goals in terms of what you want the simulation to achieve; many times simulations fail because they try to do too much.
- o Realize that students really enjoy doing simulations and learn a lot by doing them. Students like acting like the lawyer they hope to become.
- o Think about simulating what logically is something that happens for lawyers in this point of the course and give them a chance to act at that level in the classroom.
- o Plan for both the simulation and the debrief; debrief can be just as important as what the students do in the simulation, so make sure you leave time for this. Many simulations fail because the faculty members run out of time, and the students don't learn what worked and didn't and fail to take the lesson from the simulation.
- o Have the other students participate in the debrief/critique.
- o With critique, always start with the positive. Start with a question such as “what worked well?”
- o Make scenarios realistic and give the role players some meaningful choice, decision, or conflict of motives.
- o Consider involving the students not actively participating in the role play in supporting roles, like the judge, client, in-house counsel, etc.
- o Cut off the role play at a high point. There is no need to let the role play go all the way through. If there is enough to prompt a good debrief, stop it there.

Effective Classroom Discussion

Many faculty members find it difficult to stimulate discussion in class. Below are some hints/techniques that have proven effective.

- o Prepare questions for students to consider while they are doing their homework assigned for each class. This can serve as a departure point for in-class discussions.
- o Ask the students to come to class with questions from their reading or fieldwork.
- o Ask students to write down and hand in (or email you) three questions that arose for them from the class discussion. You can use these to start the next class. Just be sure to answer some of them or students will stop participating.
- o Phrase questions so that students feel comfortable responding. Avoid right or wrong answer questions and choose questions that do not have a single correct answer.
- o Use quick writes and small groups to “prime the pump,” that is, to allow those students who are internal processors as opposed to external thinkers to be on a level playing field at the time of the discussion.





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- o Pose questions based on a shared experience so that one student's unique experience doesn't get the discussion off-track.
 - o Ask students to pose the dumbest question they can think of.
 - o Use brainstorming as a technique to consider range of possible solutions to problems, explanations for behavior, etc.
 - o Develop a tolerance for silence. (This can be very effective!)
 - o Assign roles to students.
 - o Balance the kind of questions you ask:
 - Exploratory questions that probe facts and basic knowledge
 - Challenge questions that explore assumptions, conclusions, interpretations
 - Relational questions that compare ideas, approaches
 - Diagnostic questions probing motives and causes
 - Action questions which call for a conclusion or action
 - Cause-and-effect questions asking for causal relationships between ideas, actions or events
 - Extension questions that link to other parts of the discussion
 - Hypothetical questions
 - Priority questions seeking to identify the most important issue
 - Summary questions that elicit syntheses
 - o Vary the cognitive skills your questions call for
 - Knowledge skills
 - Comprehension skills
 - Application skills
 - Analysis skills
 - Synthesis skills
 - Evaluation skills





Class Design Worksheet for Backwards Design

I. Goal:

II. Assessment:

- A. What predictable misunderstandings or naïve conceptions might students bring to learning with respect to this goal?
- 1.
 - 2.
- B. What concrete student behaviors would demonstrate successful learning with respect to this goal? What actions/statements will you be looking for?
- 1.
 - 2.
- C. What concrete student behaviors would be indicators that successful learning has NOT occurred?
- 1.
 - 2.

III. Class Design:

- A. What learning activity could help students achieve this insight and allow you to observe and assess behavior changes that reflect successful learning?
- B. How will the learning activity be structured?
- C. How might you narrow the activity sufficiently so that:
- * Students will learn and be able to name and transfer the learning; and
 - * You will be able to assess success and failure?

Additional issues to consider:

- How much class time will you devote to this learning activity?
- How many students will actively participate?
- Will you assign reading, reflective exercises, or other activities in advance of class?
- Does the activity require that you provide a substantive introduction in advance of the student activity? What? How much time?
- How will you wrap up the activity and transition to the next teaching segment?





Example of Class Design Worksheet: Torts

IV. Your learning goal for this torts class session is to have the students begin to understand that there are kinds of harms that give rise to a cause of action but not all harms are actionable.

V. Assessment:

- C. What predictable misunderstandings or naïve conceptions might students bring to learning with respect to this goal?
1. All harms result in a cause of action or all harms result in liability
 2. Facts are fixed and context has no impact.
- D. What concrete student behaviors would demonstrate successful learning with respect to this goal? What actions/statements will you be looking for?
1. Student can articulate what a summary judgment motion is and what evidence is pertinent to that decision.
 2. Student can marshal facts in support of or against a motion for summary judgment and recognize the social, political and economic realities that are likely to have an impact on whether the harm is legally recognizable.
- C. What concrete student behaviors would be indicators that successful learning has NOT occurred?
1. Student cannot articulate the factors and standard that influenced a decision for or against summary judgment.
 2. Student cannot distinguish between material and immaterial facts nor articulate how materiality changes depending on context.

VI. Class Design:

- D. What learning activity could help students achieve this insight and allow you to observe and assess behavior changes that reflect successful learning?
- a. Performance tasks: Develop a fact-investigation plan for the parties supporting an opposing a motion for summary judgment; Identify the equitable arguments that might make a harm more or less legally recognized; Argue a motion for summary judgment.
 - b. Informal checks on understanding: Ask students to identify the critical facts that establish or undermine a claim of negligence
- E. How will the learning activity be structured?
- a. This learning goal can be introduced after the students demonstrate a basic understanding of what constitutes either an intentional tort or the tort of negligence. It should be introduced in stages.
 - b. Before giving them a formal lawyer activity (like arguing a motion for summary judgment), I will appeal to their basic knowledge/common sense and describe a situation in which there are arguably relevant and irrelevant facts (an ill-formed problem). I will divide the class in half: one





side argues that this is a harm that should be recognized by the law; the other side argues that this is not something the law should address. I will then ask the students to turn to the person next to them and identify the facts that they believe will make the strongest argument in their favor, the facts that are the most difficult to deal with. I will then ask them to come back to the whole group and report on the results of this discussion. I will put the facts on the board. As the groups report, I will ask them why this fact is material. I assume that we will develop on the board something that looks like a Venn diagram. I will then ask the students to return to their partners and discuss fact investigation plan to develop more information that will undermine the evidence that undercuts their claim and support for the equivocal facts that will lend support to their claim. Return to the group and report on the fact investigation. I will ask the reporters to discuss why they believe what facts they are seeking and why such facts will help their claim. Finally, I will ask the class to reflect on what this means about what harms are recognized as legally actionable.

F. How might you narrow the activity sufficiently so that:

- * Students will learn and be able to name and transfer the learning; and
- * You will be able to assess success and failure?

I might have had the students focus only on one type of facts (negative or equivocal) to get more precision in the activity. I would want to make sure that my ill-defined problem is simple enough to generate the range of facts I am seeking and sufficient equivocal (or underdeveloped) facts but not so complicated as to confuse the students or make the discussion veer away from my learning goal. I want to make sure that I ask the probing questions that will help the students see the contextual aspect of facts.

I will assess success or failure by seeing if the students can identify material facts and can articulate why certain other facts might change the weight of that fact.

I will build into future classes more opportunity for this including arguing a motion for summary judgment (or preparing a plan for that argument and bringing it to class for discussion)

Additional issues to consider:

- How much class time will you devote to this learning activity? This activity will take considerable time in class but not the whole class hour.
- How many students will actively participate? I will try to engage as many students as possible.
- Will you assign reading, reflective exercises, or other activities in advance of class? Since much of this is inductive, I will not have any additional material other than their homework assignment. I might ask them to think about how lawyers find out the facts that eventually get adopted (or not) by the decision.
- Does the activity require that you provide a substantive introduction in advance of the student activity? What? How much time? Not here, other than pressing them to identify the component facts (rather than conclusions)
- How will you wrap up the activity and transition to the next teaching segment? I will draw conclusions about how once we know what might move a court materially, we can focus our attention on gathering those facts. I will also point out the importance of deconstructing conclusions. Finally, I will foreshadow that once the facts are gathered, how and whether they are presented becomes much more important.





Bloom's Taxonomy of Learning Applied to Law Teaching

<p>Knowledge: Recall of Data</p>	<p>Examples: Case Names; Facts of Case; Language of Statute; Procedural Posture</p> <p>Key Words: Define, describe, identify, know, label, list, match, name, outline, recall, recognize, reproduce, select, state</p>
<p>Comprehension: Understand the meaning, translation, interpolation, and interpretation of instructions and problems. State a problem in one's own words.</p>	<p>Examples: Case Holding; Material Facts; Applicability of Statute, distinguish the case</p> <p>Key words: Comprehend, convert, defend, distinguish, estimate, explain, extend, generalize, give examples, infer, interpret, paraphrase, predict, rewrite, summarize, translate</p>
<p>Application: Use a concept in a new situation or unprompted use of abstraction.</p>	<p>Examples: Can cope with hypothetical problems posed by the professor, can create hypothetical problems, can predict outcomes for simple problems</p> <p>Key words: apply, change, compute, construct, demonstrate, discover, manipulate, modify, operate, predict, prepare produce relate, show, solve, use</p>
<p>Analysis: Separates material or concepts into component parts so that its organizational structure may be understood. Distinguishes between facts and inferences</p>	<p>Examples: Can deal with raw facts and determine where the legal issues are, understands how each segment of the course fits together; can distinguish between a fact and a conclusion, can identify logical fallacies</p> <p>Key words: Analyze, break down, compare, contrast, diagram, deconstruct differentiates, discriminate, distinguish, identify, illustrate, infer, outline, relate, select, separate</p>
<p>Synthesis: Builds a structure or pattern from diverse elements. Puts parts together to form a whole with an emphasis on creating a new meaning structure</p>	<p>Examples: Can encounter fact patterns, identify issues and can integrate the learning so to problem solve effectively, can create a usable outline of the material, can make arguments from differing perspectives</p> <p>Key words: categorize, combine, compile, compose, create, devise, design, explain, generate, modify, organize, plan, rearrange, reconstruct, relate, reorganize, revise, rewrite, summarize, tell, write</p>
<p>Evaluation: Make judgments about the value of ideas or materials</p>	<p>Examples: Can cope with ambiguous facts within a problem, predict outcome, and articulate reasoning for prediction</p> <p>Key words: appraise, compare, conclude, contrast, criticize, critique, defend, describe, discriminate, evaluate, explain, interpret, justify, relate, summarize, support</p>





Experiential Learning Demonstration¹

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Tell me, and I will forget. Show me, and I may remember. Involve me, and I will understand.
Confucius, circa 450 BC.

I. INTRODUCTION

A. A Word on Experiential Learning

Using the “experiential learning” model, educators intentionally engage learners in direct experience and focused reflections to accomplish various teaching goals, which may include increasing knowledge, developing skills, and clarifying values. Clinical faculty often summarize the model with three stages that form a cycle: **Plan, Do, Reflect**. Others add additional steps such as **Generalize/Hypothesize** to explicitly recognize that from the reflection students are expected to develop or refine ideas that will influence planning the next time the activity is repeated. What sets this model apart from simply “learning by doing” is the reflective processing that comes after the doing.

Experiential Learning is a point in the range of Active Learning strategies or techniques devised to better engage students in the learning process. Active Learning is the opposite of Passive Learning, which occurs when students simply await the dispensing of information from instructors. While all of Experiential Learning is Active Learning, not all of Active Learning is Experiential Learning.

In Experiential Learning, students are asked to pay attention to the process: (1) to plan it (2) do it; (3) think about what happened; (4) figure out what was important from the experience; (4) find general trends or truths in the experience; and (5) apply these to a similar or different situation. Plan, Do, Reflect, and Plan again
In law schools, Experiential Learning reaches its zenith in the clinical legal education program where experiences with real clients or simulated lawyering activities provide fertile opportunities to Plan, Do, and Reflect. However, non-clinical faculty can add Experiential Learning to the mix of teaching techniques employed in doctrinal or “casebook” courses to enhance doctrinal learning and prepare students for their clinical work in later years. Experiential learning bridges the divide between knowledge and ideas and where and how they might be used. Authentic learning increases motivation and integration promotes transfer.

B. Experiential Learning Opportunities in the Doctrinal Classroom

In a more traditional “casebook course,” Experiential Learning typically takes the form of periodic role playing in a simulated lawyering task, or in other role-playing that provides support for traditional case analysis.

¹ This is an edited version of a handout prepared for a panel on experiential learning by Susan J. Bryant, City University of New York School of Law, Charles R. Calleros, Arizona State University Sandra Day O’Connor College of Law, Mehmet K. Konar-Steenberg, William Mitchell College of Law Calvin Pang, University of Hawaii William S. Richardson School of Law. With permission, I have edited it and repurposed it for this conference.





To illustrate, here are ways that Charles R. Calleros uses Experiential Learning in a contracts class, starting from the end of the spectrum in which the experiential component is most subtle:

- Conducting a simulation simply to make some doctrinal material more concrete or subject to visualization, such as acting out an exchange transaction or inviting students to work through documents and transcripts in a file to immerse them in the facts of a judicial opinion or a hypothetical case prior to group discussion;
- Relating classroom lessons to the “real world,” such as through students taking note of contracts or warning labels that they encounter in their daily lives and explaining how they illustrate doctrine being discussed in the classroom;
- Asking students to prepare for class by writing a segment of a brief for each side of a dispute presented in a problem, or by writing a majority and dissenting opinion in resolution of the problem;
- Using simulation to walk students through legal matters that are difficult to teach through readings, charts, and lecture, such as by assigning roles and leading students through an international sales negotiation and letter-of-credit financing through the banking system;
- Helping students consolidate their study of doctrinal law while developing professional identity, skills and values by asking them to work with the doctrine in a professional task, such as by drafting an enforceable non-competition agreement, simulating the counseling of a client about legal rights, or advocating for a client in simulated oral argument or brief writing.

II. BENEFITS OF EXPERIENTIAL LEARNING²

A. Deep Learning through Doing: Experiential learning engages students, requiring more in-depth understanding to apply knowledge and the knowledge is more likely “to stick” when the student uses it. The learning is multidimensional, engaging emotional, cognitive and skill dimensions.

B. Adding Variety to Teaching Methods: Experience shows that the risk of students “zoning out” is lessened when they are actively engaged and when the teacher varies teaching techniques. For example, simply switching for a few minutes from traditional Socratic method to small-group discussions can dramatically increase the energy and breadth of participation in a classroom. Breaking up the traditional case method with an occasional supporting simulation can result in additional intellectual stimulation.

C. Helping Students to Imagine Themselves as Professionals: Leading students in role-playing can help them to identify as lawyers rather than simply as students. For some students it is their first introduction to the work of lawyers. Experiential learning helps them contemplate the responsibilities and challenges that arise from client representation. When they see how their learning is connected to their future work, they are motivated to learn not just for learning sake but for future clients.

² A growing body of learning theory and empirical scholarship backs these claims. See, e.g., Carole Silver, Amy Garver, Lindsay Watkins, *Unpacking the Apprenticeship of Professional Identity and Purpose: Insights from the Law School Survey of Student Engagement*, 17 J. Legal Writing Institute (forthcoming) (empirical study of how clinical experience furthers professional identity and purpose learning); ROY STUCKEY, BEST PRACTICES FOR LEGAL EDUCATION 149-157 (2007) (early exposure to simulation and actual law practice vital to development of problem-solving skills and judgment); Paul S. Ferber, *Adult Learning Theory and Simulations—Designing Simulations to Educate Lawyers*, 9 Clinical L. Rev. 417 (2002-2003) (simulations enhance motivation and develop self-teaching capacity).





III. CHALLENGES TO ACCOMPLISHING LEARNING GOALS

A. Scarcity of Time: In the typical casebook course, the perennial challenge is to squeeze critically important topics into the allocated classroom hours. Much ground can be covered through assigning reading and providing lecture, but engagement and deep learning is unlikely to take place. Socratic method takes time, and Experiential Learning typically requires significantly more time. Consequently, deriving benefits from the exceptional engagement provided by Experiential Learning requires reduced coverage or covering some topics through lecture.

Potential Solutions:

- *Let Go of Topics:* Or as a compromise, cover some topics through lecture, not for deep learning but simply to highlight them as issues.
- *Adopt A Text That Incorporates Experiential Learning:* Many new texts are including experiential exercises in the book and teachers' manuals include ideas about how to teach from the exercises.
- *Add Time:* If you have control over the time allotted to your course, such as by converting a 2-unit upper-division course to a 3-unit course, expand your course to permit Experiential Learning and reinforcing currently covered topics rather than cutting them.

B. Added Preparation: Adding Experiential Learning to a course may require additional infusions of creative pedagogy, preparation of supporting materials, and planning the logistics of executing the exercise.

Potential Solutions:

- *Add Experiential Learning Incrementally:* To minimize the burdens of pedagogic change, add one or two new Experiential Learning exercises each year.
- *Benefit from In-House Collaboration:* Ask a colleague who teaches a skills course to lend you a time-tested exercise or teach the class for you.
- *Benefit from the Work of Colleagues Throughout the Academy:* Books, articles, listserv discussions, and web sites can provide classroom-tested ideas and resources for you to adopt or adapt to your needs. For example, the new Lexis-Nexis Skills and Values series and accompanying web course material; various websites on teaching like:
 - <http://educatingtomorrowlawyers.du.edu/>;
 - <http://library.law.umn.edu/researchguides/teachingtools.html>;
 - http://www.aals.org/services_curriculum_committee.php
 - http://www.ssrn.com/update/lsn/lsn_lsn-educator.html
 - Bridge to Practice Series from West Publishers
 - The Skills and Values Series from Lexis Nexis

C. Difficulty of Using Experiential Learning in Large Classes: Actively engaging a large class is difficult. Using Experiential Learning in a large class may appear even more difficult. In reality, it increases engagement throughout the classroom, including in the back row. When a teacher moves from Socratic questioning of a single student to assigning students to negotiate a contract in pairs, the engagement of all students increases. Experiential Learning activities provide great benefits to a large classroom, albeit while raising some logistical challenges.

Potential Solutions to Logistical Problems are discussed more fully in section IV, below.





D. Fear of Negative Reactions for Departing from Traditional Methods: Because many law faculty who teach doctrinal courses have never had instruction in pedagogy, we often replicate the teaching methods that we experienced as law students. Faculty who break out of this mold may wonder whether other faculty will view non-traditional teaching methods as less rigorous, or may fear that some students will believe that the time devoted to Experiential Learning in a “casebook course” is wasted.

Potential Solutions:

- *The Fears are Exaggerated:* Avoid exaggerating the risk of negative reactions. If you display competence in traditional methods such as Socratic questioning, all but the most hopelessly conservative of faculty are likely to view with approval, if not envy, your ability to employ various teaching methods. Because students have different learning styles, they too are likely to appreciate being exposed to a number of teaching methods.
- *Explain Your Pedagogy:* Even the skeptical students will appreciate your methods if you explain your teaching goals and connect earlier experiential exercises to doctrinal learning. Skeptical faculty, too, may be positively influenced by explanations of your pedagogy.
- *Use Classroom Time Efficiently:* If you plan and execute an Experiential Learning activity carefully, achieving its goals efficiently, then students and others will be less apt to wonder whether the activity is displacing other teaching and learning opportunities to an excessive degree.

IV. CONSTRUCTING EXPERIENTIAL LEARNING ACTIVITIES TO PROMOTE LEARNING

Choose when to use Experiential Learning, design the context for the experience, identify the tasks for each stage of the activity, and pay careful attention to logistics.

A. Choose When to Use Experiential Learning: match benefits to goals

1. **Employ experiential exercises purposefully.** Identify those aspects of doctrine, theory, lawyer’s role or practice where student engagement in an activity and reflecting on that activity will teach something necessary and valuable to the student.
2. **Identify difficult concepts** where greater contextual understanding will increase student learning and plan Experiential Learning around these. For example, use a contract negotiations exercise to provide a foundation for raising issues regarding the parol evidence rule, a conceptually difficult doctrine for some students.
3. **Identify how lawyers use the law** to benefit clients or broader societal interests and plan an activity giving students insight into the connection between doctrine and lawyers’ work. For example, engage students in drafting a non-competition agreement that requires choices about what to disclose to adversaries about missing or ambiguous clauses, especially when the client has requested a contract clause that is not enforceable. Such an exercise teaches ethical issues and the doctrine of mistake or conscious ambiguity in contract formation.
4. **Make intentional choices about role.** Where students are in role as lawyers, pay attention to explicit and implicit messages about professional values, about lawyer’s work, the law and lawyer’s role in promoting justice and access.





B. Identify Context. How close to law practice should the activity be to meet learning goals? Use a variety of contexts including non-litigation contexts to teach lawyer's identity and purpose.

- 1. Exercises:** Context for activities is a non-legal context that promotes learning of underlying concepts. For example, interviewing clinical classmates and using that experience to develop understanding of lawyer-client interviewing, or engaging students in non-legal bargaining exercise to teach concepts of developing contractual obligations.
- 2. Role-play:** Context for activity involves students playing a role in a setting that is not designed to be fully faithful to the real world. For example, students are asked to explain the law to a client in a counseling session. Or students are asked to argue the benefits of a statute pending before a legislature. Students do not know the full context of either activity. The counseling exercise drops the student into an on-going attorney client relationship whereas the legislative advocacy role-play involves acting without knowing all of the specifics of the legislative committee.
- 3. Simulation:** Students play a role in a situation designed to replicate significant aspects of the real world. Students in the lawyer's role, in an ongoing and developing matter, exercise choices that have consequences as the representation continues. For example, students may represent a client in an ongoing dispute and take the client through the stages of litigation. Students may also become players in a semester-long simulation playing other roles for example, as students playing workers and teacher playing employer in a semester-long simulation

C. Focus on the Process and Tasks of the Exercise. Using the stages of Experiential Learning—**Plan, Do, Reflect, Hypothesize**—identify the tasks and stages for the exercise. While these stages can be and often are jumped, good Experiential Learning has aspects of these stages even if they are not followed in a linear fashion. In designing an experiential exercise, identify what if any tasks you want students to do and what the teacher's role will be.

- 1. Plan:** Students identify purpose, options, and develop a plan for the activity or task (Teaching decisions: How much time to plan the exercise and how to memorialize the plan? For example, an in-class minute-write or a highly structured plan developed as homework? How much direction should teacher give about content and process of planning?)
- 2. Do:** Students carry out plan, make adjustments as needed. (Teaching decisions: what tasks will students do? Not every activity will be suitable for a large class. Simpler more limited exercises may be most appropriate. What roles if any will they play? How long will the exercise run? Will it be in or out of class? What will the teacher's role be during the exercise?)
- 3. Reflect:** Students identify what happened, why it happened, how it is the same or different than student planned. What are lessons or insights about law and lawyering? About myself as a developing lawyer? (Teaching decisions: how to engage students: individualized writing or a short e-mailed reflection submitted after class with later summary by teacher; teacher-led large group or teacher-directed pairs/smaller groups. Devise specific questions or topics to reflect upon? Or more open-ended? Bring small group insights to larger group through discussion?)
- 4. Hypothesize:** Generalization that applies to new situation? What would you repeat? What would you do differently? What are the key features that will enable you to recognize similar situations so as to transfer learning?





D. Pay careful attention to logistics of running activities in classroom:

- 1. Plan timing of each aspect of the activity: plan, do, reflect, hypothesize.** Do not be afraid to shorten any stage as short intense experiences can teach valuable lessons and longer exercises can sometimes result in a loss of classroom energy. (Think speed dating.) Make sure to allocate time for debriefing and synthesizing lessons.
- 2. Put exercise in context.** What do they need to know about the setting? For example, where in the life of the client or lawyer relationship is the task situated? What has already happened? Or how much does it resemble “real?”
- 3. Identify the activity’s place and setting.** Will it be individual, small group or large class? In or out of class? If small group consider time allocated to exercise in setting group number.
- 4. Clearly define students’ tasks and roles.** Write these out on a smartboard, class website or a hand-out. A classroom full of small groups of people asking “what should we be doing?” is wasted time. Make instructions clear. Moving students quickly into and out of role and task is essential to building students’ confidence that learning is occurring.
- 5. Plan teacher’s role.** In allocating time to the stages and planning the teacher’s role, think about how where the teacher’s expertise can add to the learning. For example, how much will the exercise teach by itself vs. how much teacher-led reflection is necessary to tease out the full potential of the activity? If the concepts are difficult, teachers may need to play a role in the planning or even in the doing by role-playing with the students.





Teaching Bibliography for New Law Teachers

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University of Missouri-Kansas City School of Law *

Assessment

Andrea A. Curcio, *Moving in the Direction of Best Practices and the Carnegie Report: Reflections on Using Multiple Assessments in a Large-Section Doctrinal Course*, 19 WIDENER L.J. 159 (2009).

Kirsten K. Davis, *Designing and Using Peer Review in a First-Year Legal Research and Writing Course*, 9 LEGAL WRITING: J. LEGAL WRITING INST. 1 (2003).

Fred Galves, *Objection! Irrelevant and Unrealistic: It's Time for Evidence Exams to Evolve*, 50 ST. LOUIS U. L.J. 1223 (2006).

Cassandra L. Hill, *The Elephant in the Law School Assessment Room: The Role of Student Responsibility and Motivating Our Students to Learn*, 56 HOW. L.J. 447 (2013).

Grant H. Morris, *Preparing Law Students for Disappointing Exam Results: Lessons From Casey at the Bat*, 45 SAN DIEGO L. REV. 441 (2008).

Gregory S. Munro, *How Do We Know If We Are Achieving Our Goals? Strategies for Assessing the Outcome of Curricular Innovation*, 1 J. ASS'N LEGAL WRITING DIRECTORS 229 (2002).

Ian Weinstein, *Testing Multiple Intelligences: Comparing Evaluation by Simulation and Written Exam*, 8 CLINICAL L. REV. 247 (2001).

The Emotional Lives of Law Students

MIHALY CSIKSZENTMIHALYI, *FINDING FLOW: THE PSYCHOLOGY OF ENGAGEMENT WITH EVERYDAY LIFE* (1997).

DANIEL GILBERT, *STUMBLING ON HAPPINESS* (2006).

JONATHAN HAIDT, *THE HAPPINESS HYPOTHESIS* (2006).

RICHARD LAYARD, *HAPPINESS: LESSONS FROM A NEW SCIENCE* (2005).

NANCY LEVIT & DOUGLAS O. LINDER, *THE HAPPY LAWYER: MAKING A GOOD LIFE IN THE LAW* (2010).

SONJA LYUBOMIRSKY, *THE HOW OF HAPPINESS: A NEW APPROACH TO GETTING THE LIFE YOU WANT* (2007).

MICHAEL F. MELCHER, *THE CREATIVE LAWYER: A PRACTICAL GUIDE TO AUTHENTIC PROFESSIONAL SATISFACTION* (2007).

Daniel Nettle, *Happiness: The Science Behind Your Smile* (2005).

Eduardo Punset, *The Happiness Trip: A Scientific Journey* (2007).

DEBORAH L. RHODE, *BALANCED LIVES: CHANGING THE CULTURE OF LEGAL PRACTICE* (2001).

* Curators' and Edward D. Ellison Professor of Law, University of Missouri-Kansas City School of Law.





MARTIN E.P. SELIGMAN, *AUTHENTIC HAPPINESS: USING THE NEW POSITIVE PSYCHOLOGY TO REALIZE YOUR POTENTIAL FOR LASTING FULFILLMENT* (2002).

RICHARD H. THALER & CASS R. SUNSTEIN, *NUDGE: IMPROVING DECISIONS ABOUT HEALTH, WEALTH, AND HAPPINESS* (2009).

Susan Daicoff, *Lawyer, Be Thyself: An Empirical Investigation of the Relationship Between the Ethic of Care, the Feeling Decisionmaking Preference, and Lawyer Wellbeing*, 16 VA. J. SOC. POL'Y & L. 87 (2008).

Kenneth G. Dau-Schmidt & Kaushik Mukhopadhaya, *The Fruits of Our Labors: An Empirical Study of the Distribution of Income and Job Satisfaction Across the Legal Profession*, 49 J. LEGAL EDUC. 342 (1999).

Ronit Dinovitzer & Bryant G. Garth, *Lawyer Satisfaction in the Process of Structuring Legal Careers*, 41 LAW & SOC'Y REV. 1 (2007).

Nisha C. Gottfredson et al., *Identifying Predictors of Law Student Life Satisfaction*, 58 J. LEGAL EDUC. 520 (2008).

John Hagan & Fiona Kay, *Even Lawyers Get the Blues: Gender, Depression, and Job Satisfaction in Legal Practice*, 41 LAW & SOC'Y REV. 51 (2007).

Daniel Kahneman, et al., *Would You Be Happier If You Were Richer? A Focusing Illusion*, 312 SCIENCE 1908, June 30, 2006, available at <http://www.sciencemag.org/cgi/content/full/312/5782/1908>

Lawrence S. Krieger, *The Inseparability of Professionalism and Personal Satisfaction: Perspectives on Values, Integrity and Happiness*, 11 CLINICAL L. REV. 425 (2005).

Lawrence S. Krieger & Kennon M. Sheldon, *What Makes Lawyers Happy? Transcending the Anecdotes With Data From 6200 Lawyers* (Feb. 20, 2014), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2398989.

Nancy Levit & Douglas O. Linder, *Happy Law Students, Happy Lawyers*, 58 SYRACUSE L. REV. 351 (2008).

Deborah Rhode, *Profits and Professionalism*, 33 FORDHAM URB. L.J. 49 (2005).

Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 VAND. L. REV. 871 (1999).

Michael Hunter Schwartz, *Humanizing Legal Education: An Introduction to a Symposium Whose Time Came*, 47 WASHBURN L.J. 235 (2008).

Michael Hunter Schwartz, *Teaching Law Students To Be Self-Regulated Learners*, 2003 MICH. ST. DCL L. REV. 447.

Innovations in Classroom Teaching

JONATHAN BERGMANN & AARON SAMS, *FLIP YOUR CLASSROOM* (2012).

GERALD F. HESS & STEVEN FRIEDLAND, *TECHNIQUES FOR TEACHING LAW* (1999).

MICHAEL HUNTER SCHWARTZ, GERALD F. HESS & SOPHIE M. SPARROW, *WHAT THE BEST LAW TEACHERS DO* (2013).

Micah L. Berman et al., *From Fenway Park to the Mall of America: A Multi-Collaborative Approach to Teaching and Learning*, 38 U. DAYTON L. REV. 157 (2012).

Anna E. Carpenter, *The Project Model of Clinical Education: Eight Principles to Maximize Student Learning and Social Justice Impact*, 20 CLINICAL L. REV. 39 (2013).





-
- Paul S. Farber, *Adult Learning Theory and Simulations—Designing Simulations to Educate Lawyers*, 9 CLINICAL L. REV. 417 (2002).
- Steven I. Friedland, *Outcomes and the Ownership Conception of Law School Courses*, 38 WM. MITCHELL L. REV. 947 (2012).
- Shailini Jandial George, *Teaching the Smartphone Generation: How Cognitive Science Can Improve Learning in Law School*, 66 ME. L. REV. 163 (2013).
- Nira Hativa, *Teaching Large Classes Well: An Outsider's View*, 50 J. LEGAL EDUC. 95 (2000).
- Gerald F. Hess, *The Legal Educator's Guide to Periodicals on Teaching and Learning*, 67 UMKC L. REV. 367 (1998).
- Anthony J. Luppino, *Minding More Than Our Own Business: Educating Entrepreneurial Lawyers Through Law School—Business School Collaborations*, 30 W. NEW ENG. L. REV. 151 (2007).
- Deborah Maranville, *Infusing Passion and Context into the Traditional Law Curriculum Through Experiential Learning*, 51 J. LEGAL EDUC. 51 (2001).
- Andrew J. McClurg, *Poetry in Commotion: Katko v. Briney and the Bards of First Year Torts*, 74 OR. L. REV. 823 (1995).
- Gary Monserud, *An Essay on Teaching Contracts and Commercial Law for the First Time (Even If You Have Taught These Courses Many Times Before)*, 82 N.D. L. REV. 113 (2006).
- Sarah E. Ricks, *Some Strategies to Teach Reluctant Talkers to Talk About Law*, 54 J. LEGAL EDUC. 570 (2004).
- Douglas K. Rush & Suzanne J. Schmitz, *Universal Instructional Design: Engaging the Whole Class*, 19 WIDENER L.J. 183 (2009).
- Michael Hunter Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design Can Inform and Reform Law Teaching*, 38 SAN DIEGO L. REV. 347 (2001).
- Tracy A. Thomas, *Teaching Remedies as Problem-Solving: Keeping it Real*, 57 ST. LOUIS U. L.J. 673 (2013).
- Roberta K. Thyfault & Kathryn Fehrman, *Interactive Group Learning in the Legal Writing Classroom: An International Primer on Student Collaboration and Cooperation in Large Classrooms*, 3 J. MARSHALL L.J. 135 (2009).
- Arturo L. Torres, *MacCrate Goes to Law School: An Annotated Bibliography of Methods for Teaching Lawyering Skills in the Classroom*, 77 NEB. L. REV. 132 (1998).
- Edith R. Warkentine, *Kingsfield Doesn't Teach My Contracts Class: Using Contracts to Teach Contracts*, 50 J. LEGAL EDUC. 112 (2000).
- Peter T. Wendel, *Using Property to Teach Students How to "Think Like A Lawyer": Whetting Their Appetites and Aptitudes*, 46 ST. LOUIS U. L.J. 733 (2002).
- Carolyn A. Young & Barbara A. Blanco, *What Students Don't Know Will Hurt Them: A Frank View from the Field on How to Better Prepare Our Clinic and Externship Students*, 14 CLINICAL L. REV. 105 (2007).

Journaling, Storytelling, Writing Across the Curriculum, and Creative Writing Projects

Kenneth D. Chestek, *MacCrate (In)Action: The Case for Enhancing the Upper-Level Writing Requirement in Law*





-
- Schools*, 78 U. COLO. L. REV. 115 (2007).
- Anahid Gharakhanian, *ABA Standard 305's "Guided Reflections": A Perfect Fit for Guided Fieldwork*, 14 CLINICAL L. REV. 61 (2007).
- Laurie C. Kadoch, *The Third Paradigm: Bringing Legal Writing "Out of the Box" and Into the Mainstream: A Marriage of Doctrinal Subject Matter and Legal Writing Doctrine*, 13 LEG. WRITING 55 (2007).
- Mae Kuykendall. *No Imagination: The Marginal Role of Narrative in Corporate Law*, 55 BUFF. L. REV. 537 (2007).
- Cheri Wyron Levin, *The Doctor Is In: Prescriptions for Teaching Writing in a Live-Client In-House Clinic*, 15 CLINICAL L. REV. 157 (2008).
- Nancy Levit, *Expository Writing Across the Curriculum—Legal Storytelling: The Theory and the Practice*, 15 LEGAL WRITING: J. LEGAL WRITING INST. 253 (2009).
- Pamela Lysaght & Cristina D. Lockwood, *Writing-Across-the-Law-School Curriculum: Theoretical Justifications, Curricular Implications*, 2 J. ALWD 73 (2004).
- Catharine A MacKinnon, *Law's Stories as Reality and Politics*, in *LAW'S STORIES: NARRATIVE AND RHETORIC IN THE LAW* 232 (Peter Brooks & Paul Gewirtz eds., Yale U. Press 1996).
- Michael J. Madsen, *Writing to Learn in Law and Writing in Law: An Intellectual Property Illustration*, 52 ST. LOUIS U. L.J. 823 (2008).
- Kathleen Magone & Steven I. Friedland, *The Paradox of Creative Legal Analysis: Venturing into the Wilderness*, 79 U. DET. MERCY L. REV. 571 (2002).
- Andrea McArdle, *Teaching Writing in Clinical, Lawyering, and Legal Writing Courses: Negotiating Professional and Personal Voice*, 12 CLINICAL L. REV. 501 (2006).
- J.P. Ogilvy, *The Use of Journals in Legal Education: A Tool for Reflection*, 3 CLINICAL L. REV. 55 (1996).
- Carol McCrehan Parker. *Writing Throughout the Curriculum: Why Law Schools Need It and How to Achieve It*, 76 NEB. L. REV. 561, 565 (1997).
- Scott A. Schumacher, *Learning to Write in Code: The Value of Using Legal Writing Exercises to Teach Tax Law*, 4 PITT. TAX REV. 103 (2007).
- Using Storytelling Techniques to Craft a Persuasive Legal Story, Decision Points*, <http://www.decisionquest.com/utility/showArticle/?objectID=509> (last visited March 20, 2014).

Online Resources

- AALS Women in Legal Education, *Mentoring Women in Legal Education*, <http://law.unl.edu/wile/> (last visited Mar. 21, 2014).
- Center for Computer Assisted Legal Instruction, *CALI Topics*, <http://www.cali.org/> (last visited Mar. 20, 2014).
- Center for Faculty Development, University of Colorado, Denver, http://www.ucdenver.edu/faculty_staff/faculty/center-for-faculty-development/Pages/default.aspx last visited Mar. 20, 2014).
- Barbara Glesner Fines, *Teaching and Learning Law Resources for Legal Education*, <http://law2.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm> (last visited Mar. 20, 2014).





Institute for Law Teaching and Learning, <http://lawteaching.org/> (last visited Mar. 20, 2014).

Douglas O. Linder, *The Quest for a Satisfying Career in Law* (Spring 2014), <http://law2.umkc.edu/faculty/projects/ftrials/happylawyers/questions.html>.

University of Minnesota Law Library, *Teaching Tools for Law School Faculty* (2012) <http://library.law.umn.edu/researchguides/teachingtools.html>.

Teaching “Soft Skills”

DOUGLAS O. LINDER & NANCY LEVIT, *THE GOOD LAWYER: SEEKING QUALITY IN THE PRACTICE OF LAW* (Oxford University Press 2014).

Susan L. Brooks, *Meeting the Professional Identity Challenge in Legal Education Through a Relationship-Centered Experiential Curriculum*, 41 U. BALT. L. REV. 395 (2012).

Susan Daicoff, *Expanding the Lawyer’s Toolkit of Skills and Competencies: Synthesizing Leadership, Professionalism, Emotional Intelligence, Conflict Resolution, and Comprehensive Law*, 52 SANTA CLARA L. REV. 795 (2012).

Susan Daicoff, *Lawyer, Know Thyself: A Review of Empirical Research on Attorney Attributes Bearing on Professionalism*, 46 AM. U. L. REV. 1337 (1997).

Laurel E. Fletcher & Harvey M. Weinstein, *When Students Lose Perspective: Clinical Supervision and the Management of Empathy*, 9 CLINICAL L. REV. 135 (2002).

Kristin B. Gerdy, *Clients, Empathy, and Compassion: Introducing Students to the “Heart” of Lawyering*, 87 NEB. L. REV. 1 (2008).

Patrick J. Schiltz, *Making Ethical Lawyers*, 45 S. TEX. L. REV. 875 (2004).

Sophie Sparrow, *Practicing Civility in the Legal Writing Course: Helping Law Students Learn Professionalism*, 13 LEGAL WRITING: J. LEGAL WRITING INST. 113 (2007).

Susan Sturm & Lani Guinier, *The Law School Matrix: Reforming Legal Education in a Culture of Competition and Conformity*, 60 VAND. L. REV. 515 (2007).

Janet Weinstein et al., *Teaching Teamwork to Law Students*, 63 J. LEGAL EDUC. 36 (2013).

Janet Weinstein & Linda Morton, *Interdisciplinary Problem Solving Courses as a Context for Nurturing Intrinsic Values*, 13 CLINICAL L. REV. 839 (2007).

Technology

Joan Catherine Bohl, *Generations X and Y in Law School: Practical Strategies for Teaching the “MTV/Google” Generation*, 54 LOY. L. REV. 775 (2008).

Camille Broussard, *Teaching With Technology: Is the Pedagogical Fulcrum Shifting?*, 53 N.Y.L. SCH. L. REV. 903 (2009).

Paul L. Caron & Rafael Gely, *Taking Back the Law School Classroom: Using Technology to Foster Active Student Learning*, 54 J. LEGAL EDUC. 551 (2004).





Diana R. Donahoe, *Bridging the Digital Divide Between Law Professor and Law Student*, 5 VA. J.L. & TECH. 13 (2000).

Michael A. Geist, *Where Can You Go Today?: The Computerization of Legal Education from Workbooks to the Web*, 11 HARV. J.L. & TECH. 141 (1997).

Dan Hunter, *Walled Gardens*, 62 WASH. & LEE L. REV. 607 (2005).

Leslie Larkin Kooney, *Giving Millennials a Leg-Up: How to Avoid the “If I Knew Then What I Know Now” Syndrome*, 96 KY. L.J. 505 (2008).

Robert Laurence, *Casebooks Are Toast*, 26 SEATTLE U. L. REV. 1 (2002)

Law School Innovation Blog, <http://lsi.typepad.com/lsi/> (last visited Mar. 20, 2014).

Deborah J. Merritt, *Legal Education in the Age of Cognitive Science and Advanced Classroom Technology*, 14 B.U. J. SCI. & TECH. L. 39 (2008).

Ira Steven Nathenson, *Navigating the Uncharted Waters of Teaching Law With Online Simulations*, 38 OHIO N.U. L. REV. 535 (2012).

Shelley Ross Saxer, *One Professor’s Approach to Increasing Technology Use in Legal Education*, 6 RICH. J.L. & TECH. 1 (2000).

Laptops

Diana R. Donahoe, *An Autobiography of a Digital Idea: From Waging War Against Laptops to Engaging Students with Laptops*, 59 J. LEGAL EDUC. 485 (2010).

Nancy G. Maxwell, *From Facebook to Folsom Prison Blues: How Banning Laptops in the Classroom Made Me a Better Law School Teacher*, 14 J. LEGAL EDUC. 4 (2007).

Jana R. McCreary, *The Laptop-Free Zone*, 43 VAL. U. L. REV. 989 (2009).

Kristen E. Murray, *Let Them Use Laptops: Debunking the Assumptions Underlying the Debate Over Laptops in the Classroom*, 36 OKLA. CITY U. L. REV. 185 (2011).

Kevin Yamamoto, *Banning Laptops in the Classroom: Is it Worth the Hassles?*, 57 OKLA. CITY U. L. REV. 477 (2007).





A Dozen Tips For Student Engagement in Classroom Discussions

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- 1. Set Participation Expectations In Your Syllabus.** Announce that participation and contributions as well as good listening are expected of everyone. Explain that learning how to participate and share conversation space are professional skills that lawyers need. Explain why you value all voices to enrich the conversation. Students have previous participation patterns that may be difficult to disrupt. The “talkers” are used to having the floor and the “lurkers” are used to giving it to them and worse may be otherwise engaged. Importantly, these roles can be gendered and racialized. When that happens, the diversity we seek in classroom conversation is lost.
- 2. Model Participation Early and Reinforce It With Ground Rules.** Disrupting previous patterns and establishing new ones needs to be set from the beginning. From the first day, make sure everyone is participating and keep rough track of contributions to make sure no one is dominating. Set ground rules that disrupt patterns and promote trust. For example – establish a norm that no one talks again until all have spoken at least once unless it is to follow-up in a back and forth discussion. If the same hands go up or jump into conversations, ask for new voices to join the conversation.
- 3. Make Goals for Conversations Clear.** Outlining goals of the discussion allow students to monitor their understanding as the discussion ensues. Clearly articulated goals also help the faculty member to structure the discussion so that is productive. Students have a better idea of what a valuable contribution is and appropriate behavior when they know the purpose of the discussion.
- 4. Develop Low Stake Ways to Contribute.** Ask for a report on work in small group. “Tell us one idea your group developed.” Or give people a quick write to allow them to formulate thoughts to a prompt before you ask for discussion. Warm ups to broader conversations enable greater and often better participation in large group conversations. If the students hesitate to join a conversation or conversation is heated among only a few, call a time out for a quick write.
- 5. Reward Participation.** Some teachers grade contributions but those that don’t reward participation in other ways such as thanking students for participating, affirming their participation through nodding, eye contact, smiling, or moving closer to the speaker.
- 6. Use Large Group Discussion Techniques that Promote Participation.** Start an idea chain that goes around the room with each student contributing an idea. Call on students who are not regulars when they volunteer and do not be afraid to cold call on them if they do not volunteer. Or, let students call on each other after they talk with the only caveat that they cannot call on someone who has already spoken. (Over the years, I have had many students comment that they never participated in class before and they really enjoyed participating in class. They thanked me for calling on them.)





7. Assign Roles in the Discussion. Assign Roles whether in small group or large – people who are hesitant to give their own opinion will often offer an opinion when in role of another. Or, assign facilitative roles in the discussion – e.g. some students are assigned to ask others questions about their ideas, others are asked to make contributions that continue a line of conversation, others to surface assumptions, while others summarize/synthesize the conversation.

8. Include Participation Instructions in Exercises or Role Plays. For example, “each person will do xxx” or “first one will, then the next will do or tell xxx.” Announce in the middle of the exercise that it is time to change, i.e. “If you have not switched story tellers do that now. “

9. Motivate Students By Connecting Conversation To Their Work As Lawyers. When students find positive value in a learning goal or activity, see achievement as possible, and perceive support from their environment, they are motivated to learn and participate.

10. Use Questions That Spark Conversation. Generally, questions that ask for multiple interpretations or approaches, different theories to connect to, build on other comments, or ask for facts to support or oppose are ones that will continue conversations. Vary questions used to vary the discussion (e.g., exploratory, relational, diagnostic, cause-and-effect, summary). Avoid questions that have right or wrong answers, as they often will kill conversations.

11. Live with Silence. Do not answer your own questions. Reframe them or try to figure out why you are getting silence. (Are they too obvious, too confusing, or do they just take some thought before answering?) Most often students will attempt to answer your question if you give them time.

12. Build a Community of Learner/Practitioners. Clinical students are engaged in a common endeavor of representing clients and becoming excellent lawyers. An ethic of commitment to life-long learning and collaborative purpose includes students’ ability to have frank conversations about strengths and weaknesses with each other; to reflect together about ways to improve the practice; and to agree and disagree while listening to each other. A clinical classroom that teaches students these skills is educating students in ways that enable them to be leaders and learners.





Designing 1L Courses and Classes to Maximize Student Engagement and Learning

MEREDITH J. DUNCAN

University of Houston Law Center

I. Being Deliberate: Beginning with the End in Mind

A. Identifying Goals

1. Choosing Subject Matter and Course Content
2. Developing Successful Law Students

B. Contemplating Differing Learning Styles

1. Auditory
2. Visual
3. Tactile

II. Teaching 1Ls: Shaping Overall Success in Law School

- A. Briefing cases
- B. Reading critically
- C. Preparing for class
- D. Developing good habits
- E. Outlining
- F. Exam preparation

III. Creating Course Content

- A. Selection of Materials
 1. Casebooks
 2. Teachers' Manuals
 3. Supplements
- B. Creation of syllabus

IV. Crafting Effective Communication with Your Class

- A. Your expectations
- B. Your style
- C. Your goals

V. Contemplating the Classroom

- A. Your Notes
- B. Classroom Slides?
- C. Class Handouts?
- D. Panels

VI. Developing Student Assessments

- A. Exams
- B. Quizzes
- C. Alternative Assessment Tools







Preparation for Session on Goals of Clinical Education

ELLIOTT S. MILSTEIN

American University, Washington College of Law

Attached is a post-interview memo written by your two supervisees (who work as a team) after their first client interview in a civil clinic.

Please read the memo and think about what you would like to accomplish in your supervision session with the team. We will work together to make a list of possible goals and then discuss how to achieve them.

To whet your appetite for the session, I have attached the first five pages from the introductory chapter on supervision from the new book, Bryant, Milstein and Shalleck, *Transforming the Education of Lawyers: The Theory and Practice of Clinical Supervision* (Carolina Academic Press 2014). In that chapter, Ann Shalleck and Jane Aiken challenge us to be attentive to two arcs, “The Arc of Client Representation” and “The Arc of Student Learning,” in order both to ensure that the case or matter is handled competently and that the students learn at a high level from the experience of being responsible.

TO: Clinic Supervisor, Civil Advocacy Clinic

FROM: Art and Alexandra, Student Attorneys

Supervision Memo for Sept 15

This week we interviewed our new client, Eduardo Gonzales. Mr. Gonzales does not speak English so we arranged for one of the clinic interpreters to interpret for us. That turned out to be unnecessary, however, because Mr. Gonzales brought a friend with him (Carlos) who was able to interpret. Since the clinic interpreter was only available for one hour, it turned out to be a good thing that his friend (who also drove him to the school) was there to interpret.

Eduardo came 45 minutes late to his interview so we had to cut it short to get because Art has a class at 4. We were upset that he kept us waiting for so long since it took us a long time to set up the interview, reserve the interview room, arrange an interpreter. But, we think we did a good job hiding our feelings from him.

Eduardo is a cook at Canale Seafood in Northeast DC. It is a take-out restaurant that sells fried fish and crab cake sandwiches and the like. He says that he works 70 or 80 hours each week and is paid in cash every two weeks. He says that Carlos told him that he wasn't being paid enough. Carlos says that Eduardo isn't paid the minimum wage and isn't paid time and a half for overtime. Carlos used to work there as well and so has a lot of knowledge of the facts.

Eduardo says his boss is very mean and yells at him and the other Salvadorans who work in the kitchen. She is nicer to the workers who serve as cashiers and they are all African-Americans. The client and (most or all) of the Salvadorans are undocumented.

He would like to get paid what he is owed. He has worked under these conditions for 23 months. He is worried that if he complains he will be fired and worse, deported. He sends more than half of his pay home to his family in El Salvador.





Eduardo has no pay stubs or time sheets. When he hurt his back two months ago and missed 3 days of work, his pay check was much smaller and his boss threatened to hire someone to replace him.

We tried to explain to him what it means to file a law suit but we are not sure that he understood us. We told him that the best thing would for us to write a letter to his employer that explained her obligations under the Wage and Hour Law and demand that she pay him what she owes. We think that we should do that before we file an action. Alexandra thinks that we can file an anonymous complaint with DC Labor Department and get him paid without revealing that he is the complainant. We want to discuss that with you.

He signed a retainer so we could represent him. We added a clause to the retainer agreement that he agrees to come to future appointments on time and to cooperate with us.





Supervising Student Writing

DANIEL L. BARNETT

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(University of Hawaii Williams S. Richardson School of Law – July 1, 2014)

Outline of Presentation

Understanding the task

- Comparing first-year courses, advanced writing classes, and upper-level seminars
- Focus of supervision: Mentor, teacher, or reader (expert, or novice).

Review of the writing process

Working with different types of writers

- Identifying different types of learners
- Strategies to adapt to different learning styles in writing classes

Getting students started on their projects

- Assisting with topic selection in seminars
- Designing problems in writing classes
 - How easy is too easy?
 - Expertise in subject area

In-class Writing Exercises

- Free writing
- Peer-review
- Other writing workshop ideas
 - Topic selection
 - Topic focus
 - Organizational options

Providing Feedback

- Importance of critique
- Prioritize
 - Ideas over other problems
- Know the substance—different strategies
 - Seminars
 - Writing classes
- Nuts and bolts of doing the critique
 - Pre-critique reading
 - Initial Review of a paper
 - Determine best type of critique
 - Consider amount of detail for comments
 - Provide guidance on priority of problems
 - Positive vs. constructive
 - Prioritize problem areas
 - Assume good faith effort
 - Mechanics of critique
 - Handwritten, electronic, or voice
 - Comment placement: margins or end comments





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- o Tone of critique
 - o Rewriting strategy

Writers block and other writing challenges

- Students from different backgrounds
- Writers block in legal writing

Helping students make the transition to practice

- Working with supervisors
- Dealing with feedback in practice

Bibliography

The Art of Critiquing Written Work, 1 Legal Writing Inst. (2008), http://www.lwionline.org/monograph_volume_one.html, which includes reprints of the following articles:

Teacher Critique, Written and Oral

Daniel L. Barnett, “Form Ever Follows Function”: Using Technology to Improve Feedback on Student Writing in Law School, 42 Val. U. L. Rev. 755 (2008).

Daniel L. Barnett, Triage in the Trenches of the Legal Writing Course: The Theory and Methodology of Analytical Critique, 38 U. Tol. L. Rev. 651 (2007).

Linda L. Berger, A Reflective Rhetorical Model: The Legal Writing Teacher as Reader and Writer, 6 Legal Writing: J. Legal Writing Inst. 57 (2000).

Kirsten K. Davis, Building Credibility in the Margins: An Ethos-Based Perspective for Commenting on Student Papers, 12 Legal Writing: J. Legal Writing Inst. 73 (2006).

Anne Enquist, Critiquing and Evaluating Law Students’ Writing: Advice from Thirty-Five Experts, 22 Seattle U. L. Rev. 1119 (1999).

Anne Enquist, Critiquing Law Students’ Writing: What the Students Say Is Effective, 2 Legal Writing: J. Legal Writing Inst. 145 (1996).

Jane Kent Gionfriddo, The “Reasonable Zone of Right Answers”: Analytical Feedback on Student Writing, 40 Gonz. L. Rev. 427 (2004/05).

Jane Kent Gionfriddo, Daniel L. Barnett & E. Joan Blum, A Methodology for Mentoring Writing in Law Practice: Using Textual Clues to Provide Effective and Efficient Feedback, 27 Quinnipiac L. Rev. 171 (2009).

Jessie C. Grearson, From Editor to Mentor: Considering the Effect of Your Commenting Style, 8 Legal Writing: J. Legal Writing Inst. 147 (2002).

Mary Kate Kearney & Mary Beth Beazley, Teaching Students How to “Think Like Lawyers”: Integrating Socratic Method with the Writing Process, 64 Temp. L. Rev. 885 (1991).

Richard K. Neumann, Jr., A Preliminary Inquiry into the Art of Critique, 40 Hastings L.J. 725 (1989).

Robin S. Wellford-Slocum, The Law School Student-Faculty Conference: Towards a Transformative Learning Experience, 45 S. Tex. L. Rev. 255 (2004).





Peer Review Critique

Linda L. Berger, *Applying New Rhetoric to Legal Discourse: The Ebb and Flow of Reader and Writer, Text and Context*, 49 *J. Legal Educ.* 155 (1999).

Kirsten K. Davis, *Designing and Using Peer Review in a First-Year Legal Research and Writing Course*, 9 *Legal Writing: J. Legal Writing Inst.* 1 (2003).

Author Self-Critique

Mary Beth Beazley, *The Self-Graded Draft: Teaching Students to Revise Using Guided Self-Critique*, 3 *Legal Writing: J. Legal Writing Inst.* 175 (1997).







Teaching 101 Workshop Note-Taking Guide

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Unit One: Introduction

- I. Goals: By the end of the workshop, you will
- A. Be able to write effective learning objectives
 - B. Be able to articulate and have articulated a teaching philosophy
 - C. Be able to implement best practices for selecting course materials
 - D. Be able to make criteria-based decisions about using technology in teaching law
 - E. Be able to create a model syllabus

Unit Two: Learning Objectives

Objectives for this Session

After this session, you will be able to:

- Articulate the role of learning objectives in course design
- Write goals and objectives, appropriate for your courses

Role of Learning Objectives





Criteria for Effective Goals/Objectives

- Learner-centered
- Encompassing doctrine, thinking skills, lawyering skills, and professional values
- Clear and measurable

Tips for identifying goals objectives:

- Why is my course in the curriculum?
- What is the difference between what a student can do at the beginning of my course and what the student can at the end of my course?
- What do I expect a student to remember and do six months after the end of the course? A year? Five years?
- Is broad or deep learning more important for my students?

Examples of Course Goals and Objectives

Knowledge/Content Learning Objectives

Contracts

Students will be able to articulate and apply, with accuracy, the law that governs:

1. Contract formation
2. Defenses to lawsuits for breach of contract
3. Remedies for breach of contract
4. The parol evidence rule
5. Contract interpretation
6. Third party beneficiaries
7. Assignment and delegation

Thinking Skills Learning Objectives

Environmental Law

Students will:

1. Refine statutory analysis skills by applying these elements of statutory analysis in the context of environmental disputes: standard of review, statutory language, statutory purpose and policy, overall statutory scheme, legislative history, regulations applying the statute, cases interpreting the statute
2. Apply key elements of the Clean Water Act, Clean Air Act, Endangered Species Act, and National Environmental Policy Act to real life problems.





Lawyering Skills Learning Objectives

Contracts

Students will be able to draft effective versions of the following common contract terms: liquidated damages clause, merger clause, express condition, force majeure clause, clause making timely performance an express condition

Civil Procedure

Students will be able to effectively:

- Draft a complaint that complies with the Federal Rules of Civil Procedure and applicable case law
- Draft discovery documents that comply with the Federal Rules of Civil Procedure and applicable case law
- Make an oral argument on a pretrial motion.

Professional Values Learning Objectives

Civil Procedure

Students will:

1. Demonstrate respect for students, staff, and faculty.
2. Develop an attitude of cooperation with students, faculty, lawyers, judges.
3. Identify ethical issues involved in civil dispute resolution.
4. Begin to formulate his or her version of the moral lawyer.
5. Demonstrate honesty, reliability, responsibility, judgment, self-motivation, hard work, and critical self-reflection.

Writing Effective Learning Objectives

Step 1: Begin with: “After this course, students will be able to...”

Step 2: Select an action verb that describes what the students will be able to do: “define” “articulate” “solve” “produce” “design” “organize” “critique”

Step 3: Complete the objective with the appropriate content: The important doctrine, theory, thinking skills, performance skills, values you want every student to learn





Articulate at Least One Learning Objective for a Course You Will Teach

Knowledge

Thinking Skill

Lawyering Skill

Professional Value

Unit 3: Teaching Philosophy

Syllabus Excerpt Example: Contract Drafting

Teaching Philosophy

The only meaningful measure of effective teaching is student learning. If my students learn, my teaching has been successful. If not, I need to find a different way. I regard my students as colleagues, and I take a personal interest in every student I teach. Students respond to high expectations, both in terms of what they must accomplish and in terms of their capabilities. Students learn best when they think, do, write, speak, collaborate, and reflect. If I am doing most of the talking, my students are unlikely to be learning much.

Your Teaching Philosophy: What do you stand for as a teacher?

Unit 4: Selecting Course Materials

Design Sequence

1. Goals and objectives
2. Formative and Summative Assessment
3. Teaching and Learning Methods
4. *Materials*





Purposes of Materials

- Achieve goals/objectives_____
- Guide preparation_____
- Support methods_____
- Facilitate feedback_____

Types of Materials

What materials are appropriate for students before, during, and after your classes?

Selecting and Using Appropriate Materials		
Type of material	How you and students will use the material in your course?	How to make the material interactive?
Readings (books, articles, codes, etc.)		
White boards and flip charts		
Diagrams, flow charts, and tables		
Handouts		
Videos		
Computer projections		
Websites		
Other		





Unit 5: Making Good Technology Decisions

Technology Choices Chart

Available Technologies	Uses or Learning Benefits

Factors to Weigh in Making Good Technology Decisions

- Learning Goals
- Active Learning
- Benefits and Trade-Offs of the Technology(ies) and all other alternatives
- Alternative Uses of Classroom Time
- Practical Considerations

Best Practices for Using Technology

1. Consider the student perspective
2. Set-up and practice using the technology before you use it with your students
3. Have a back-up plan
4. Use the technology with your students
5. You and your students evaluate the use
6. Plan future uses





Unit 6: Checklist of Syllabus Components

1. Course Objectives
2. Teaching Philosophy
3. Teaching Methods (e.g., Socratic, lecture, small group) and Expectations of Students (e.g., preparation, attendance, computer use, etc.)
4. Assessment and Grading (specify date, types, weight)
5. Required University Components
6. Other Basics (texts, office hours, etc.)
7. Schedule of Assignments and Learning Activities (pages and dates)







Managing Student Challenges in the Classroom and Beyond

JOSEPHINE ROSS

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GEMMA SOLIMENE

Fordham University School of Law

RON TYLER

Stanford Law School

At various points during your teaching career, you are bound to find yourself in challenging situations in your encounters with students. You will be responsible for managing the classroom, which will require you to, among other things, be able to assess the level of understanding of the material you are trying to teach and the effectiveness of your teaching, decide what to do about disruptions caused by different behaviors, and respond to statements that are deemed to be problematic. In addition, your interactions and work with students may place you in a position to have to engage with students who are acting unprofessional or irresponsible in some way, students who present with personal difficulties that affect their education, or students who even challenge your authority in some way. You can imagine that in any given situation, with some time and reflection, you would come up with the perfect response or solution to the challenge you are facing, but you often times will not have the luxury of time and need to come up with an appropriate response in the moment. It is difficult to know what to do.

While there are no magic answers to the myriad of challenges that professors may face, this plenary will demonstrate some of the challenges by simulating three situations that involve the use of technology in class, being caught off guard with questions about areas one is not prepared to discuss, and responding to comments in class that can be seen as offensive. Through questions, answers and comments, our goal is to have new teachers recognize the choice points that arise during a class and other encounters with students, and to become comfortable navigating hard situations.

Bibliography of Suggested Readings:

Richard C. Reuben, *Bringing Mindfulness into the Classroom: A Personal Journey*, 61 J. LEGAL EDUC. 674 (2012)

Kevin Yamamoto, *Banning Laptops in the Classroom: Is it Worth the Hassles?* 57 J. LEGAL EDUC. 477 (2007)

James B. Levy, *As A Last Resort, Ask the Students: What They Say Makes Someone an Effective Law Teacher*, 58 ME. L. REV. 49 (2006)

Debra Moss Curtis, *Everything I Wanted to Know About Teaching Law School I learned from being a Kindergarten Teacher: Ethics in the Law School Classroom*, B.Y.U. EDUC. & L.J. 455 (2006)

Lisa G. Lerman, *First Do No Harm: Law Professor Misconduct Toward Law Students*, 56 J. LEGAL EDUC. 86 (2006)

Kathryn M. Stanchi, *Dealing with Hate in the Feminist Classroom: Re-Thinking the Balance*, 11 MICH. J. GENDER & L. (2005)





Susan Gooding, *Elizabeth Mertz, Wamucii Njogu, What Difference Does the Difference Make? The Challenge for Legal Education*, 48 J. LEGAL EDUC. 1 (1998)

Jane Harris Aiken, *Striving to Teach "Justice, Fairness, and Morality,"* 4 CLINICAL L. REV. 1 (1997)

Margaret Martin Barry, *Clinical Supervision: Walking That Fine Line*, 2 CLINICAL L. REV. 137 (1995)

Okianer Chistian Dark, *Just My 'Magination*, 10 HARV. BLACKLETTER L.J. 21 (1993)



Institutional Relationships, Commitments and Service

MICHAEL PINARD

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This concurrent session will be comprised of a conversation between me and the attendees that will focus on service opportunities and challenges for clinical legal educators. I will first establish that the three pillars—teaching, scholarship and service—are particularly challenging for clinical legal because of the intense teaching and practice requirements. I will then ask the participants a series of questions, including the following:

What constraints have you faced in your teaching, scholarship and service?

How have you dealt with those constraints?

What strategies have you employed to facilitate teaching, scholarship and service?

After further conversation stemming from these questions I will offer several tips for teaching, scholarship and service, including the following:

Teaching

- Rely on External Constituencies
 - o Clinical Legal Education Association
 - Collects scholarship related to teaching
 - New Clinicians Conference
- Other Steps
 - o Seek out great teachers and get ideas
 - o Read scholarship focused on innovative teaching (Clinical Law Review)
 - o Look for opportunities to teach a doctrinal class if your school allows
 - Greater exposure to students
 - Improves teaching

Scholarship

- Write about your work
 - o Use your work to inform your scholarship and your scholarship to inform your work
 - o Often have unique insights because of your work
- Rely on external constituencies
 - o AALS Section on Clinical Legal Education Scholarship Committee
 - Present work-in progress at clinical conference and
 - Be paired with a mentor
 - o Clinical Law Review
 - Hosts a writers' workshop each fall.



Service

- Get involved!
 - o CLEA, AALS Committee on Clinical Legal Education and regional clinical conferences
 - o Submit proposals for concurrent sessions at clinical conference or other conferences.
 - o **YOU ARE AN ASSET TO YOUR SCHOOL IF OTHERS KNOW YOU AND KNOW OF YOUR GREAT WORK**
 - o Local Service is critical –
 - Be involved with community boards -- fulfills you and benefits your work
 - o Institutional service is critical
 - Exceed expectations
 - o Make sure that your clinical director sends particulars about your accomplishments to CLEA Newsletter and AALS Newsletter





Managing and Building Institutional Relationships: The Shadow Work of Being a Law Professor

CAROL L. IZUMI

University of California, Hastings College of the Law

MICHAEL PINARD

University of Maryland Francis King Carey School of Law

We will conduct this session by leading a conversation with the participants that focuses on the “shadow work” of being a law professor. We will begin the conversation by first setting out the three core duties of teaching, scholarship and service

- teaching includes prepping the classes, teaching the classes, meeting with students, representing clients (if a clinical legal education), developing external relationships that enhance teaching (i.e., guest speakers), writing exams and grading
- scholarship includes researching, writing and presenting law review articles and/or bar journal articles, amicus briefs etc. (depending upon the ways in which the institution defines scholarship_
- service can be amorphous.
 - o Most think of service as participating in the inner-workings of the law school (committee work), furthering the intellectual enterprise of the law school (i.e., student advisors, journal advisors, moot court advisors) and serving externally external capacities (board service, AALS etc.)
 - o However, all law professors are called upon to work on tasks that might not fit neatly into these categories.
 - New professors soon learn that other duties are asked and/or expected of us
 - Professors are sounding boards, conduits, crisis managers, formal and informal advisors and mentors. Some of these duties fall particularly on new professors, professors of color, women professors and LGBT professors.
- Professors have to navigate these various roles. This process including figuring out how to balance these roles and determining when professors can say no to particular requests or demands, all while making sure that they are doing everything necessary to fulfill their core roles related to teaching, scholarship and service.

We will then explain to the participants that our goals are to talk about these various roles and devise strategies for navigating the terrain. We will then post questions that will draw out these issues. The questions include:

What are your professional goals at this point?

To what extent have your various duties been consistent with or furthered your teaching, scholarship and service obligations?

To what extent have your various duties been different than your service, scholarship and teaching obligations?

Where any of you asked to perform any duties that you had not anticipated?

How did you balance these various demands/obligations with your teaching, scholarship and service?





After facilitating the conversation based on the answers to these questions we will offer several “survival” tips, which include:

- Put everything you do on your cv (i.e., calling admitted students, mooted the trial team, mentoring students). The faculty who are evaluating you for promotion need to know all of your work
- Write everything you do on giant calendar sheets, for easing reference that will be needed when you are writing your Year-end/annual report
- You need to figure out when you can say no
 - o This can depend on what is asked as well as who is asking (i.e., your Dean vs. another faculty member)
 - o Sometimes you are asked to teach a different class (this furthers teaching)
 - o Sometimes you are asked to do something that is unrelated to teaching, scholarship, service
 - Is it something that can be done relatively easily but is significant to someone?
 - Is it something that will cause you undue hardship?
 - o You do not have to say yes immediately – you can ask for time.
- You need to have powerful allies/mentors within the institution
- You need to develop very positive relationships with staff
- You need to develop good relationships with alums
- You need to have a mentor/sounding board outside the institution.
 - o You need to get the advice of someone outside the institution
- You need to focus on developing a reputation both inside the institution (i.e., through your teaching and service) and outside the institution (through your scholarship and service)

We will conclude the session by offering tips on finding mentors and perhaps sharing personal stories related to the above.





Legal Scholarship Bibliography

GABRIEL “JACK” CHIN

University of California at Davis School of Law

L. SONG RICHARDSON

University of Iowa College of Law (University of California, Irvine School of Law – July 1, 2014)

Books

Paul W. Kahn, *THE CULTURAL STUDY OF LAW: RECONSTRUCTING LEGAL SCHOLARSHIP*, Chicago: University of Chicago Press, 1999

Symposia

David P. Bryden, *Scholarship About Scholarship*, 63 U. COLO. L. REV. 641 (1992)

Erwin Chemerinsky & Catherine Fisk, *In Defense of the Big Tent: The Importance of Recognizing the Many Audiences for Legal Scholarship*, 34 TULSA L.J. 667 (1999)

Theodore Eisenberg, *Why Do Empirical Legal Scholarship?*, 41 SAN DIEGO L. REV. 1741 (2004)

Michael Heise, *An Empirical Analysis of Empirical Legal Scholarship Production, 1990-2009*, 2011 U. ILL. L. REV. 1739 (2011)

Michael Heise, *The Past, Present, and Future of Empirical Legal Scholarship: Judicial Decision Making and the New Empiricism*, 2002 U. ILL. L. REV. 819 (2002)

Robert E. Lutz, *On Scholarship in the American Legal Academy: An Essay*, 46 INT'L LAW. 673 (2012)

Lee Petherbridge & David L. Schwartz, *The End of an Epithet? An Exploration of the Use of Legal Scholarship in Intellectual Property Decisions*, 50 HOUS. L. REV. 523 (2012)

Deborah L. Rhode, *Legal Scholarship*, 115 HARV. L. REV. 1327 (2002)

Steven D. Smith, *Legal Scholarship As Resistance to “Science”*, 41 SAN DIEGO L. REV. 1775 (2004)

Lawrence B. Solum, *Download It While It's Hot: Open Access and Legal Scholarship*, 10 LEWIS & CLARK L. REV. 841 (2006)

Articles

Larry Catá Backer, *Defining, Measuring, and Judging Scholarly Productivity: Working Toward A Rigorous and Flexible Approach*, 52 J. LEGAL EDUC. 317 (2002)

Mary Beth Beazley and Linda H. Edwards, *The Process and the Product: A Bibliography of Scholarship about Legal Scholarship*, 49 MERCER L. REV. 741 (1997-1998)

Douglas A. Berman, *Scholarship in Action: The Power, Possibilities, and Pitfalls for Law Professor Blogs*, 84 WASH. U.L. REV. 1043 (2006)

Matthew T. Bodie, *Law Students and Legal Scholarship*, 1 J.L.: Periodical Laboratory of Leg. Scholarship 223 (2011)





-
- David P. Bryden, *Scholarship About Scholarship*, 63 U. COLO. L. REV. 641 (1992)
- Guido Calabresi, *An Introduction to Legal Thought: Four Approaches to Law and to the Allocation of Body Parts*, 55 STAN. L. REV. 2113 (2002-2003)
- Paul L. Caron, *The Long Tail of Legal Scholarship*, 116 YALE L.J. POCKET PART 38 (2006)
- Paul L. Caron, *Are Scholars Better Bloggers? Bloggership: How Blogs Are Transforming Legal Scholarship*, 84 WASH. U.L. REV. 1025 (2006)
- Erwin Chemerinsky, *Why Write?*, 107 MICH. L. REV. 881 (2009)
- David R. Cleveland, *Clarion Call or Sturm Und Drang: A Response to Pierre Schlag's Lecture on the State of Legal Scholarship*, 35 NOVA L. REV. 503 (2011)
- Douglas L. Colbert, *Broadening Scholarship: Embracing Law Reform and Justice*, 52 J. LEGAL EDUC. 540 (2002)
- Olympia Duhart, *Reflections on Rothko and Writing: A Response to Pierre Schlag's Lecture on the State of Legal Scholarship*, 35 NOVA L. REV. 513 (2011)
- Jack Goldsmith & Adrian Vermeule, *Empirical Methodology and Legal Scholarship*, 69 U. CHI. L. REV. 153 (2002)
- Michelle M. Harner & Jason A. Cantone, *Is Legal Scholarship Out of Touch? An Empirical Analysis of the Use of Scholarship in Business Law Cases*, 19 U. MIAMI BUS. L. REV. 1 (2011)
- Michael Heise, *The Importance of Being Empirical*, 26 PEPP. L. REV. 807 (1999)
- David Hricik, Victoria S. Salzman, *Why There Should Be Fewer Articles Like This One: Law Professors Should Write More for Legal Decision-Makers and Less for Themselves*, 38 SUFFOLK U. L. REV. 761 (2005)
- Steven Keslowitz, *The Transformative Nature of Blogs and Their Effects on Legal Scholarship*, 2009 CARDOZO L. REV. DE NOVO 252 (2009)
- Ronald J. Krotoszynski, Jr., *Legal Scholarship at the Crossroads: On Farce, Tragedy, and Redemption*, 77 TEX. L. REV. 321 (1998)
- Brian Leiter, *Why Blogs Are Bad for Legal Scholarship*, 116 YALE L.J. POCKET PART 53 (2006)
- James S. Liebman, *Towards A New Scholarship for Equal Justice*, 30 WM. MITCHELL L. REV. 273 (2003)
- Susan P. Liemer, *The Quest for Scholarship: The Legal Writing Professor's Paradox*, 80 OR. L. REV. 1007 (2001)
- Kate Litvak, *Blog As A Bugged Water Cooler*, 84 WASH. U.L. REV. 1061 (2006)
- Catharine A. MacKinnon, *Engaged Scholarship As Method and Vocation*, 22 YALE J.L. & FEMINISM 193 (2010)
- Melissa J. Marlow, *Scholarship Buddies*, 56 J. LEGAL EDUC. 56 (2006)
- Martha Minnow, *Archetypal Legal Scholarship: A Field Guide*, 63 J. LEGAL EDUC. 65 (2013)
- Mitchell Nathanson, *Taking the Road Less Traveled: Why Practical Scholarship Makes Sense for the Legal Writing Professor*, 11 LEGAL WRITING: J. LEGAL WRITING INST. 329 (2005)
- Michael P. O'Connor, *Perish the Thought of Publication?: Scholarship's Critical Role in Effective Teaching*, 3 PHOENIX L. REV. 417 (2010)
- Lee Petherbridge, David L. Schwartz, *An Empirical Assessment of the Supreme Court's Use of Legal Scholarship*, 106
-





-
- Nw. U. L. REV. 995 (2012)
- Karen Petroski, *Does It Matter What We Say About Legal Interpretation?*, 43 MCGEORGE L. REV. 359 (2012)
- Richard A. Posner, *Legal Scholarship Today*, 115 HARV. L. REV. 1314 (2002)
- Richard A. Posner, *Past-Dependency, Pragmatism, and Critique of History in Adjudication and Legal Scholarship*, 67 UNIVERSITY OF CHICAGO LAW REVIEW 573 (2000)
- Deborah L. Rhode, *Legal Scholarship*, 115 HARV L REV 1327 (2002)
- Laurie Ristino, *In Support of Practical Legal Scholarship*, 27-SPG NAT. RESOURCES & ENV'T 55, (2013)
- Ruthann Robson, *Law Students As Legal Scholars: An Essay/review of Scholarly Writing for Law Students and Academic Legal Writing*, 7 N.Y. CITY L. REV. 195 (2004)
- John Sanchez, *Legal Scholarship Introduction*, 35 NOVA L. REV. 501 (2011)
- Pierre Schlag, *Spam Jurisprudence, Air Law, and the Rank Anxiety of Nothing Happening (A Report on the State of the Art)*, 97 GEO. L.J. 803 (2009)
- David L. Schwartz & Lee Petherbridge, *Legal Scholarship and the United States Court of Appeals for the Federal Circuit: An Empirical Study of A National Circuit*, 26 BERKELEY TECH. L.J. 1561 (2011)
- Marin Roger Scordato, *Reflections on the Nature of Legal Scholarship in the Post-Realist Era*, 48 SANTA CLARA L. REV. 353 (2008)
- Derek Simpson, Lee Petherbridge, *An Empirical Study of the Use of Legal Scholarship in Supreme Court Trademark Jurisprudence*, 35 CARDOZO L. REV. 931 (2014)
- Lawrence B. Solum, *Blogging and the Transformation of Legal Scholarship*, 84 WASH. U.L. REV. 1071 (2006)
- Judith M. Stinson, *Generating Interest, Enthusiasm, and Opportunity for Scholarship: How Law Schools and Law Firms Can Create A Community and Culture Supportive of Scholarship*, 9 LEGAL COMM. & RHETORIC: JALWD 315 (2012)
- Stephen I. Vladeck, *The Law Reviews vs. the Courts: Two Thoughts from the Ivory Tower*, 39 CONNTEMPLATIONS 1 (2007)
- Robin West, *A Reply to Pierre*, 97 GEO. L.J. 865 (2009)
- Andrew Yaphe, *Taking Note of Notes: Student Legal Scholarship in Theory and Practice*, 62 J. LEGAL EDUC. 259 (2012)
- David M. Zlotnick, *The Buddha's Parable and Legal Rhetoric*, 58 WASH. & LEE L. REV. 957 (2001)







Scholarship: Where Are You on Your Scholarly Agenda?

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I. Is it Time to Revisit Your Scholarly Agenda?

A. Is "It" still Relevant?

1. Are your Themes still Connected?
2. Are you still Intellectually Excited?
3. Have your Skills changed to better enable you to address new matters?
4. Have recent Developments in the Law changed your viewpoint?

B. Type of Scholarship?

1. Descriptive scholarship – has limited intellectual value and may not be substantial for tenure and promotions. However, it is very beneficial if it will introduce a new scholarly agenda.
2. Analytical scholarship – traditional type that challenges both the writer and the reader; identifies problem and suggests solution(s)

C. Has your Target Audience Changed?

1. Lawyers, judges, legislators, regulatory authorities; if you seek to make a change in the status quo; or
2. Academics and students; if you seek to inform others or enhance teaching.

D. Is the Methodology still Functional?

II. Redefining the Methodology/Perspective

A. Empirical Analysis – qualitative versus quantitative

B. Philosophical Perspective

C. Social Science Perspective

D. Historical Perspective

E. Interdisciplinary

1. Law and Economics
2. Law and Literature

F. Collaborative

III. Finding New Topics for Existing or Amended Scholarly Agenda

A. Use Open Call for Papers

B. Accept Symposia Invitations

C. Attend More Conferences and Workshops

IV. Finding Time to Write

A. Set writing office hours (and use them only for writing)

B. Schedule writing time during summer and semester breaks

V. Getting Back to Scholarly Writing

A. Don't forget what you did to be successful in the past

B. Remember the Process

1. One sentence at a time
2. It is okay to scrap and rewrite
3. Write, then edit
4. Write footnotes as you go with proper citations
5. Keep a file of sources – with mark-ups and other notes
6. Use footnotes to record rough thoughts and reminders





C. Properly Use Librarians and Research Assistants

1. Have them keep you current on recent developments
2. They can read drafts
3. They can check citations

D. Show Drafts to Others

1. Why? Provides the ability to receive different perspectives on topic
2. Differentiate what you want:
 - a. Closed readings and written comments, or
 - b. Quick readings and verbal comments
3. Using Workshops and Colloquia

VI. Publication Venues

A. Journals

1. Law Reviews
 - a. General Interest
 - b. Specialized
2. Peer-Review Law Journals
3. Non-Law Academic Journals

B. Books and Related Formats





Supplemental Materials







Call for Scholarly Papers for Presentation at 2015 AALS Annual Meeting

To encourage and recognize excellent legal scholarship and to broaden participation by new law teachers in the Annual Meeting program, the Association is sponsoring its twenty-eighth annual *Call for Scholarly Papers*. Those who will have been full-time law teachers at an AALS member or fee-paid school for five years or fewer on July 1, 2014, are invited to submit a paper on a topic related to or concerning law. A committee of established scholars will review the submitted papers with the authors' identities concealed.

Papers that make a substantial contribution to legal literature may be selected for distribution and oral presentation at a special program to be held at the AALS Annual Meeting in Washington DC, in January 2015. Authors of the presented papers will also be recognized at the Annual Meeting Luncheon. The selection committee must determine that a paper is of sufficient quality to deserve this special recognition, and the AALS is not obligated to select any paper.

Deadline: To be considered in the competition three hard copies of the manuscript must be postmarked no later than August 9, 2014, and sent to: Call for Scholarly Papers, Association of American Law Schools, 1614 20th Street, N.W. Washington, DC 20009-1001. Also, an electronic version must be emailed to scholarlypapers@aals.org no later than August 9, 2014.

Anonymity: The manuscript should be accompanied by a cover letter with the author's name and contact information. The manuscript itself, including title page and footnotes, must not contain any references that identify the author or the author's school. The submitting author is responsible for taking any steps necessary to redact self-identifying text or footnotes.

Form and Length: The manuscript must be typed, double-spaced, on 8 1/2" by 11" paper in 12-point (or larger) type with ample (at least 1") margins on all sides and must have sequential page numbers on each page of the submitted article. Footnotes should be 10-point or larger, single-spaced, and preferably on the same page as the referenced text. Each submission must be prepared using either Microsoft Word or otherwise submitted in rich text format. Submissions are limited to articles, essays and book chapters. There is a maximum word limit of 30,000 words (inclusive of footnotes) for the submitted manuscripts. Manuscripts will not be returned.

Eligibility: Faculty members of AALS member and fee-paid schools, including visiting faculty whose "home" school is also an AALS member or fee-paid school, are eligible to submit papers. Fellows and adjuncts are ineligible, as are visiting faculty whose "home" school is not a member or fee-paid school. The competition is open to those who have been full-time law teachers for five years or fewer as of July 1, 2014, (for these purposes, one is considered a full-time faculty member while officially "on leave" from the law school). Co-authored papers are eligible for consideration, but each of the co-authors must meet the eligibility criteria established above. Professors are limited to one submission each. A co-authored submission is treated as an individual submission by each author, and precludes additional submissions by either author. No one who has won the AALS Scholarly Papers Competition is eligible to compete again. Honorable Mention recipients are eligible to enter again.

Papers are expected to reflect original research or major developments in previously reported research. Papers are not eligible for consideration if they will have been published before February 2015. However, inclusion of a version of the paper on the Social Science Research Network (SSRN) or similar pre-publication resources does not count





as “publication” for purposes of this competition. Submitted papers, whether or not selected for recognition, may be subsequently published as arranged by the authors. Papers may have been revised on the basis of review by colleagues.

Statement of Compliance: The cover letter accompanying each submission must include a statement verifying:

1. The author holds a faculty appointment at a member or fee-paid school;
2. The author has been engaged in full-time teaching for five years or fewer as of July 1, 2014;
3. All information identifying the author or author’s school has been removed from the manuscript;
4. The paper has not been previously published and is not committed for publication prior to February 2015;
5. The content of the hard copy version of the paper is, in all respects, identical to the electronic version of the paper; and
6. The author must agree to notify the AALS if and as soon as s/he learns that the submitted paper will be published before February 2015.

Each paper author is to indicate up to four subject categories from the list below that best describe the paper. In the event that none of the categories listed captures the essence of the paper or the author feels that another category not listed below best describes the paper, the author is permitted to write-in one topic under “other” that best describes the paper.

Subject Categories: Administrative Law; Admiralty; Agency/Partnership; Agricultural Law; Animal Law; Antitrust; Alternative Dispute Resolution; American Indian Law; Arts and Literature; Bank and Finance; Bankruptcy and Creditor’s Rights; Civil Procedure; Civil Rights; Commercial Law; Communications Law; Community Property; Comparative Law; Computer and Internet Law; Conflict of Laws; Constitutional Law; Consumer Law; Contracts; Corporations; Courts; Criminal Law; Criminal Procedure; Critical Legal Theory; Disability Law; Dispute Resolution; Domestic Relations; Economics, Law and; Education Law; Elder Law; Employment Practice; Energy and Utilities; Environmental Law; Entertainment Law; Estate Planning and Probate; Evidence; Family Law; Federal Jurisdiction and Procedure; Foreign Relations/National Security; Gender Law; Health Law and Policy; Housing Law; Human Rights Law; Immigration Law; Insurance Law; Intellectual Property; International Law – Public; International Law – Private; Jurisprudence; Juveniles; Labor; Law and Society; Law and Technology; Law Enforcement and Corrections; Legal Analysis and Writing; Legal Education; Legal History; Legal Profession; Legislation; Local Government; Mergers and Acquisitions; Military Law; Natural Resources Law; Nonprofit Organization; Organizations; Poverty Law; Products Liability; Professional Responsibility; Property Law; Race and the Law; Real Estate Transactions; Religion, Law and; Remedies; Securities; Sexuality and the Law; Social Justice; Social Sciences, Law and; State and Local Government Law; Taxation – Federal; Taxation – State & Local; Terrorism; Torts; Trade; Trial and Appellate Advocacy; Trusts and Estates; Workers’ Compensation.

Presentation at the Annual Meeting: The author of any selected paper will present an oral summary of the paper at a special program to be held at the 2015 Annual Meeting. Copies of the paper will be made available for distribution to those attending the presentation.

Inquiries: Questions should be directed to scholarlypapers@aals.org





AALS Sections with Call for Papers

The following AALS Sections issued a call for papers to select one or more presenters from an AALS member law school for the Section's program at the upcoming 2015 AALS Annual Meeting to be held January 2-5, 2015 in Washington, DC.

Each Section appoints a review committee and announces the call for papers to its members. Section members submit detailed abstracts or papers for peer review by the Section's review committee. If you are interested, please contact the Section Chair directly for the call for papers details and the submission due date. Section Chairs can be found on pages 117-131.

Saturday, January 3, 2015

10:30 a.m. - 12:15 p.m.

Sections on Africa and Comparative Law Joint Program

Topic: Comparative Law Expanded: Methodology and Public Law in Nontraditional Comparative Legal Systems

Section on Antitrust and Economic Regulation, Co-Sponsored by Section on Law, Medicine and Health Care

Topic: Competition Policy in Health Care

Section on Civil Procedure

Topic: The Rising Bar to Federal Courts: Beyond Pleading and Discovery

(Papers to be published in *Journal of Civil Rights and Economic Development* at St. John's Law School)

Section on Indian Nations and Indigenous Peoples

Topic: Judicial Interpretation of Sovereign Immunity after Bay Mills

Section on National Security Law

Topic: National Security Surveillance and the Rule of Law

(Papers to be published in *Journal of National Security Law and Policy*)

Section on Nonprofit and Philanthropy Law, Co-Sponsored by Section on Taxation

Topic: IRS Oversight of Charitable and Other Exempt Organizations – Broken? Fixable?

(Papers to be published in *Pittsburgh Tax Review*)

1:30-3:15 PM

Section on Academic Support

Topic: ASP a Roadmap at the Crossroad: How Academic Support Will Meet Today's Varied Challenges

Section on Contracts

Topic: Mind the Gap: Contracts, Technology, and Legal Gaps

Section on International Human Rights

Topic: Global Perspectives on Human Rights

Section on Law and the Social Sciences

Topic: Extreme Empirical Methods





Section on Transactional Law and Skills

Topic: Agency Costs of Capitalism: The Governance Story of Public Companies vs. Private Companies

3:30-5:15 PM

Section on Immigration Law and Minority Groups Joint Program

Topic: The 1965 Immigration Act: Fifty Years of Race-Neutral (?) Immigration ?

Section on Securities Regulation

Topic: The Future of Rule 10B-5

Section on Sexual Orientation and Gender Identity Issues

Topic: Transgender Equality: Prisons, Workplace, and Academic Institutions

Sunday, January 4, 2015

8:30-10:15 a.m.

Section on Business Associations

Topic: The Future of the Corporate Board

Section on Clinical Legal Education, Co-Sponsored by Section on Teaching Methods

Topic: Integrating Clinical Pedagogy Across the Curriculum: Making It Work

Section on Property Law

Topic: The Place and Scope of Economic Analysis within Competing Conceptions of Property

10:30 a.m. - 12:15 p.m.

Section on Agency, Partnership, LLC's and Unincorporated Associations

Topic: Bringing Numbers into Basic and Advanced Business Associations Courses: How and Why to Teach Accounting, Finance, and Tax

Section on Commercial and Related Consumer Law

Topic: Emerging Scholars in Commercial and Consumer Law

Section on Education Law

Topic: The Higher Education Act at 50
(Papers to be published in *Kentucky Law Journal*)

Section on Family and Juvenile Law

Topic: The Future of Marriage

Section on Insurance Law

Topic: The Relationship between Insurance and Legal Regulation

Section on International Law

Topic: The Influence of International Law on Government Decisionmaking





2:00–3:45 p.m.

Section on Children and the Law

Topic: Dead Upon Birth: The Inter-Generational Cycle of Thwarted Lives in America's Poorest Neighborhoods

Section on Economic Globalization and Governance

Topic: Theorizing Global Administrative Law

Section on Law and the Humanities

Topic: Law and the Hero

Section on Remedies

Topic: Structural Reform Litigation at 60

Monday, January 5, 2015

10:30 a.m.–12:15 p.m.

Section on Labor Relations and Employment Law, Co-Sponsored by Sections on Socio-Economics and Women in Legal Education

Topic: Emotions at Work: The Employment Relationship During An Age of Anxiety
(Papers to be published in *Employee Rights and Employment Policy Journal*)







ASSOCIATION OF AMERICAN LAW SCHOOLS STATEMENT OF GOOD PRACTICES BY LAW PROFESSORS IN THE DISCHARGE OF THEIR ETHICAL AND PROFESSIONAL RESPONSIBILITIES

American law professors typically are members of two professions and thus should comply with the requirements and standards of each. Law professors who are lawyers are subject to the law of professional ethics in force in the relevant jurisdictions. Non-lawyers, in turn, should be guided by the norms associated with their disciplines. In addition, as members of the teaching profession, all law faculty members are subject to the regulations of the institutions at which they teach and to guidelines that are more generally applicable, such as the Statement of Professional Ethics of the American Association of University Professors.

This statement does not diminish the commands of other sources of ethical and professional conduct. Instead, it is intended to provide general guidance to law professors concerning ethical and professional standards both because of the intrinsic importance of those standards and because law professors serve as important role models for law students. In the words of the American Bar Association's Commission on Professionalism, since "the law school experience provides the student's first exposure to the profession and . . . professors inevitably serve as important role models for students, . . . the highest standards of ethics and professionalism should be adhered to within law schools."¹

Law professors' responsibilities extend beyond the classroom to include out of class associations with students and other professional activities. 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 the 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. Rather, the primary purpose of the Statement-couched for the most part in general aspirational terms-is 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 to recognize the responsibility of lawyers to advance individual and social justice.

Because of their inevitable function as role models, professors should be guided by the most sensitive ethical and professional standards.

¹ ". . .In the spirit of Public Service": A Blueprint for the Rekindling of Lawyer Professionalism 19 (1986).





Law professors should aspire to excellence in teaching and to mastery of the doctrines and theories of their subjects. They should prepare conscientiously for class and employ teaching methods appropriate for the subject matters and objectives of their courses. The objectives and requirements of their courses, including applicable attendance and grading rules, should be clearly stated. Classes should be met 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 with civility and 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. 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 university and the profession. A student who so requests should be given 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 every reasonable effort to ensure that the information they transmit is timely and accurate. When in the course of counseling a law professor receives information that the student may reasonably expect to be confidential, the professor should not disclose that information unless required to do so by university 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 refuse to provide the recommendation unless the student consents to full disclosure.

Discriminatory conduct based on such factors as race, color, religion, national origin, sex, sexual orientation, disability or handicap, age, or political beliefs is unacceptable in the law school community. Law professors should seek to make the law school a hospitable 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. Law professors should not sexually harass students and should not use their role or position to induce a student to enter into a sexual relationship, or to subject a student to a hostile academic environment based on any form of sexual harassment.

Sexual relationships between a professor and a student who are not married to each other or who do not have a preexisting analogous relationship are inappropriate whenever the professor has a professional responsibility for the student in such matters as teaching a course or in otherwise evaluating, supervising, or advising a student as part of a school program. Even when a professor has no professional responsibility for a student, the professor should be sensitive to the perceptions of other students that a student who has a sexual relationship with a professor may receive preferential treatment from the professor or the professor's colleagues. 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 a 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 are required by accreditation standards to limit the burden of teaching so that professors will have the time to do research and to share its results with others. Law schools also have a responsibility to maintain an atmosphere of freedom and tolerance 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. Although a law professor should feel free to criticize another's work, distortion or misrepresentation is always unacceptable. Relevant evidence and arguments should be addressed. Conclusions should be frankly stated, even if unpopular.

When another's scholarship is used—whether that of another professor or that of a student—it should be fairly summarized and candidly acknowledged. 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.

A law professor shall disclose the material facts relating to receipt of direct or indirect payment for, or any personal economic interest in, any covered activity that the professor undertakes in a professorial capacity. A professor is deemed to possess an economic interest if the professor or an immediate family member may receive a financial benefit from participation in the covered activity. 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 is not required for funding or an economic interest that is sufficiently modest or remote in time that a reasonable person would not expect it to be disclosed. Disclosure of material facts should include: (1) the conditions imposed or expected by the funding source on views expressed in any future 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 shall 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 the 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 with civility and respect. Senior law professors should be particularly sensitive to the terms of any debate involving their junior colleagues and should so conduct themselves that junior 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 senior 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 or 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. 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 for purposes of discussing teaching methods, content of courses, possible topics of scholarship, scholarly work in progress, and related matters. Except in rare cases and for compelling reasons, professors should always honor requests from their own law schools for evaluation of scholarship 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, disability 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 institutional 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, tends to reduce 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 institutional 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 the university to assume another position, or seeks a leave of absence to teach at another institution, or assumes a temporary position in practice or government, the professor should provide reasonable advance notice. Absent unusual circumstances, a professor should adhere to the dates established in the Statement of Good Practices for the Recruitment of and Resignation by Full-Time Faculty Members of the Association of American Law Schools.

Although all law professors have the right as citizens to take positions on public questions, each professor has a duty not to imply that he or she speaks on behalf of the law school or university. Thus, 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.

V. RESPONSIBILITIES TO THE BAR AND GENERAL PUBLIC

A law professor occupies a unique role as a bridge between the bar and students preparing to become members of the bar. It is important that professors accept the responsibilities of professional status. At a minimum, a law professor should adhere to the Code or Rules of Professional Conduct of the state bars to which the law professor may belong. A law professor may responsibly test the limits of professional rules in an effort to determine their constitutionality or proper application. Other conduct warranting discipline as a lawyer should be a matter of serious concern to the professor's law school and university.

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 share this responsibility. This responsibility can be met in a variety of 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 pupils or other groups concerning the legal system, advising local, state and national government officials on legal issues, engaging in legislative drafting, or other law reform activities.





The fact that a law professor's income does not depend on serving the interests of private clients permits a law professor to take positions on issues as to which practicing lawyers may be more inhibited. With that freedom from economic pressure goes an enhanced obligation to pursue individual and social justice.

Adopted by the Executive Committee,
November 17, 1989

Amended May 2003





**REPORT OF THE SPECIAL COMMITTEE ON TENURE
AND THE TENURING PROCESS FOR THE
ASSOCIATION OF AMERICAN LAW SCHOOLS**

Executive Summary

INTRODUCTION

Recent developments in and affecting legal education have ripened issues of tenure processes and practices in law schools for inquiry, analysis and evaluation. A number of “tension points” that were non-existent a generation or so ago contribute strongly to the problems of administering tenure today and to the need for studying them. These points include diversity of both the subject matter and instructional techniques of legal education; the rising level of faculty quality; disputes over openness versus confidentiality in appraising faculty performance; a trend toward closer university scrutiny of law school recommendations on tenure; and the experiences and perceptions of minority men and all women surrounding the formulation and administration of law school tenure standards and procedures.

The creation of a Special Committee on Tenure and the Tenuring Process was authorized by the Executive Committee of the Association of American Law Schools in November 1988 in response to a proposal by then President-Elect Herma Hill Kay. Professor Kay focused on the responsibilities, needs, and problems associated with evaluating law faculty and called for a special committee that would gather and evaluate data on law schools’ procedures and practices regarding tenure and would make appropriate recommendations to the AALS Executive Committee. The members of the Committee included: Professor Charles R. Lawrence, Stanford University; Professor Martha L. Minow, Harvard University; Professor Karen Nelson Moore, Case Western Reserve University; President Robert M. O’Neil, University of Virginia; Dean Susan Westerberg Prager, University of California at Los Angeles; Professor Theodore J. St. Antoine, University of Michigan; and Professor Victor G. Rosenblum, Northwestern University, CHAIR.

**ENDEAVORS OF THE SPECIAL COMMITTEE:
THE 1989 QUESTIONNAIRE**

The Committee sought to present a snapshot in its report on tenure standards in law schools and of the ways in which law school tenure criteria, procedures, and practices are formulated, disseminated, and applied. To develop a reliable empirical base for analysis, the Special Committee asked all 175 ABA-approved law schools to answer a 10-page Tenure Practices Questionnaire and to submit copies of any written statements of their procedures and criteria for the award of tenure. The questionnaire was designed both to obtain explicit quantitative data and to raise pertinent demographic and qualitative issues related to faculty retention.

A total of 141 law schools responded to the Special Committee’s questionnaire. Where feasible, the responses were compared to responses to equivalent questions on a similar survey undertaken by the AALS a decade earlier. The responses shed additional light upon such matters as:

- Revision of Procedures or Criteria for the Award of Tenure -- Over two-thirds of the schools responding have changed their procedures or criteria since 1979; of those that made changes, close to 50% have done so only in the last five years. Changes typically have placed heightened emphasis on scholarly productivity and increased the length of the probationary period.





- The Year in Which a Person is Normally Considered for the Award of Tenure -- The average is the fifth year, although the highest percentage (almost 40%) of those responding award tenure in the sixth year.
- Procedures Used to Assess the Teaching Competence of Untenured Faculty -- Of the 141 schools responding, 92% use both of these methods: classroom observations by faculty colleagues and anonymous student questionnaires.
- Procedures Used to Assess Scholarship of Untenured Faculty -- In addition to making their own assessments, nearly 70% of responding schools seek evaluations regularly from faculty at other law schools, and another 10% do so in “exceptional cases.” This compares with 40% using outside evaluations regularly, and another 20% using them in exceptional cases, in the 1979 survey.
- A Trend Toward Closer University Review of Law School Tenure Recommendations -- Almost half of the respondents perceived a trend.
- Percent of Those Eligible for Tenure Who Receive It -- Overall, tenure was granted to 70% of those eligible for consideration during the decade from 1979 to 1989. More than one-half of those not receiving tenure resigned before being considered. Of women who were eligible, 65% received tenure compared to 71% for men during 1979-1989. With regard to race, 72% of the whites, 65% of the blacks, and 53% of other minorities who were eligible received tenure during 1979-1989.
- Percent of those Resigning Before Consideration for Tenure -- A higher percentage of women and minorities eligible for tenure resigned before consideration. Approximately 21% of the women who were eligible for tenure resigned before being considered, compared to 16% of the men. Over 29% of blacks and 40% of the non-black minorities (Hispanic, Native American, and Asian American) who were eligible for tenure resigned before being considered, while the percentage of eligible whites (male and female) resigning was only 16%. The differences in resignation rates, both between women and men and between minorities and whites, are statistically significant.
- Percent of those Considered for Tenure Who Were Denied -- The difference in the rates at which women and men are granted or denied tenure is statistically insignificant. Similarly, although there are significant differences in the resignation rates before being considered, the differences in the rates at which whites and all minorities (also whites and blacks) are denied tenure is statistically insignificant.

STATEMENTS OF TENURE POLICY

Virtually every law school's statement of tenure policy professes allegiance to criteria of teaching, scholarship, and public service; the relative importance of each, however, has not typically been made explicit. Although few schools' statements proclaim it officially, there are frequent indicia of the primacy of scholarship in awarding tenure. While some schools set forth neither explicit qualitative nor quantitative requirements, a few schools identify traditional law review scholarship as essential for recognition of substantial scholarly achievement and specify a minimum number of published articles as a prerequisite to tenure. Typically, however, expectations regarding scholarship are stated in general terms. A prototype of such formulation is: Scholarship should be sufficient to demonstrate a devotion to intellectual inquiry and scholarly production that indicates a promise of scholarly productivity throughout the person's professional life.

Evaluation of teaching performance focuses typically on classroom visits by peers and assessments of student observations and comments. Whether classroom visits should be announced or spontaneous remains unsettled. Although utilized in virtually all schools, the anonymous student evaluations are often regarded with caution or skepticism.





Most schools accord public service minor status as a criterion of tenure evaluation.

Practices on confidentiality of tenure files vary considerably among responding schools. Whether accessibility of files to tenure candidates undermines or impairs frankness of assessments is and will no doubt continue as a major theme of debate for some time to come. The Supreme Court's decision in University of Pennsylvania v. EEOC, 100 S.Ct. 577 (1990), may well affect confidentiality policies in the tenure process, but the data submitted to the Committee predate the Supreme Court's ruling.

RECOMMENDATIONS

The Committee urges each law school to engage in self study, discussion, and debate about tenure requirements and practices. The mission and needs of each school should be addressed together with the wide ranging issues raised by an increasing variety of forms of scholarship, types of teaching, and diversity of people who are now candidates for tenure.

Each school should articulate its norms and standards for tenure as fully and as concretely as possible. This should be accompanied by programs to assist and guide faculty development for untenured professors. Among other priorities, attention should focus on support for research, mentoring, and also on assuring that the membership of internal review committees and outside review panels is and will be perceived to be balanced and fair. With regard to confidentiality, the Committee recommends full and timely disclosure to tenure candidates of the substance of serious criticism in their respective tenure files. Fair procedure should include meaningful opportunity for candidates to respond to serious criticism prior to the reaching of decisions about them.

Section 6-5(c) of the AALS bylaws should inform law school and university approaches to tenure decisions:

“A faculty's competence shall be . . . determined in the aggregate with emphasis upon the following criteria: (i) quality of teaching and attention given to law students both as individuals and as a group; (ii) breadth, depth and variety of the faculty's training and experience; (iii) scholarly interests and performance; and (iv) responsible participation in the group deliberative process of law faculty.”

Where university-wide tenure committees review law school recommendations about tenure, inclusion of at least one member of the law faculty on the university's committee would help to inform other committee members concerning special characteristics of legal scholarship, teaching, and service.







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TO: New Law Professor

FROM: The Officers of the AALS Section for New Law Professors

Congratulations on becoming a law professor! We write merely to inform you that support for new law professors does not end at the conclusion of this Workshop. 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 offer informative panels, networking opportunities, teaching assistance, and scholarship opportunities for our members. We would love to have you join the Section.

Before you can join the Section and access the resources it provides, you must first ask your law school dean's office to have you added to the law school roster with your position, whether it is a tenure track, contract, visiting, fellow or adjunct. Once added to the law school's roster, you will need to log into the AALS Website. Passwords are not automatically assigned, therefore, you will need to select "forgot your password" and follow the appropriate steps to have a temporary password sent to you. Only your dean's office can add you to the Law School's AALS roster.

You can use the following procedure to check and see if your school has already added you the law school's AALS Roster:

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- Click the 'forgot password' link on the bottom of the page
- Type your e-mail address and click the 'go' button
 - If you get the message 'E-mail address not found in database.' Then you have not been added by your school to your law school's roster.
 - If your e-mail address was found, then you have already been added by your school's roster. Your password will be e-mailed to you, which will allow you to log in. After logging in, you can change your password under the 'My Information' link.
 - If you need assistance, contact dltsupport@aals.org

To Join a Section:

- Log in by using your username (e-mail address) and password at www.aals.org/login/
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- Browse the Sections by scrolling down, and click the 'select item' button on the Sections you want to join
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To Join the New Law Professors Discussion List-Serv:

- Go to www.aals.org/sections/
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- On the top right of the page, go to the 'My Options' then click 'My Subscriptions'
- On the 'Select Category' drop down, select 'Section', then select 'New Law Professors Discussion List-Serv'
- Click the 'add' button.





To Update your Biography in the AALS *Directory of Law Teachers*:

Each year law schools and faculty are asked to update their AALS profile for the *Directory of Law Teachers*. The Dean's office at each school updates their faculty roster, providing the AALS with basic status and demographic information on their faculty. Additional information is collected directly from faculty members. The information collected from the dean and faculty is combined to form the biographies that appear in the *Directory of Law Teachers*. Please be on the lookout for a notice from our office to update your AALS profile.

Finally, if you have any questions or ideas for the Section for New Law Professors, please feel free to contact any of the Section Officers. For 2014, the officers are:

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Congratulations again!





Workshop for New Law Teachers Bibliography

This bibliography was compiled by several law librarians at the University of Texas School of Law Tarlton Law Library.¹ It surveys the literature for law professors across five topics: (1) being a new faculty member, (2) scholarship, (3) teaching, (4) evaluation and assessment of law students, and (5) service.

Bibliography entries are listed in chronological order within each topic, with the most recent items listed first. This is intentional; it helps the user identify the newest ideas and discussions, and shows the development in these areas over time. The bibliography ends in Section VI with a compilation of online sources such as blogs and newsletters that law professors may find useful throughout their careers.

Altogether, the resources noted here represent many different viewpoints, some of which may conflict. Including this broad swath of approaches and opinions was done in an effort to provide a wide selection of resources that new law professors can review according to their own needs and interests. Nevertheless, this is by no means a comprehensive bibliography, but rather a snapshot of notable and primarily recent resources on these topics. The goal throughout the bibliography is to highlight pieces that will provide a basic knowledge of these areas and the corresponding range of opinions to assist new law professors in developing their own views and practices.

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I. Being a New Faculty Member

Stephen Wolfson & Joseph Noel

Entering legal academia offers unique challenges for which prior experience might not fully prepare new law professors. Accordingly, this section provides resources that can help new law faculty members better manage this transition into legal academia. It contains articles and books in four topics: general resources, getting started, work-life balance, and evaluation and assessment of faculty and tenure. Most of the resources in this section are relatively recent. However, it also includes older works that still offer relevant advice for new faculty members today. Several of the resources in this section provide practical advice based on the authors' personal experiences. Moreover, while most of what is included here was written by and for law professors specifically, this section also contains works from academics in other fields to provide broader insight into being a new faculty member.

A. General

¹ The authors would like to thank Professor Barbara A. Bintliff and the AALS Planning Committee for Workshop for New Law School Teachers for the opportunity to compile this bibliography for the annual workshop. The authors also wish to extend a special thanks to Professor Bintliff for her insightful comments and feedback on the substance of the bibliography. Nevertheless, any mistakes are ours alone.





MICHAEL SCHWARTZ, GERALD HESS & SOPHIE SPARROW, *WHAT THE BEST LAW TEACHERS DO*, Harvard University Press (forthcoming fall 2013).

Three experienced law professors have written this book based on case studies of some of the best teachers at law schools throughout the country. This book is meant to provide a concrete picture of excellent classroom teaching and a guide to how to best help students learn.

Robert C. Bird, *Advice for the New Legal Studies Professor*, 29 JOURNAL OF LEGAL STUDIES EDUCATION 239 (2012).

Professor Bird attempts to address what he perceives as a gap in the literature that offers advice to new academics by giving a short but broad introduction to life as a legal academic. Since he believes that a new faculty member must be proficient at research, teaching, service and networking, Professor Bird divides his article into four parts, one addressing each area. He then offers his observations and suggestions to excel in the legal academy. While the author admits that not all of the advice in the article may be universal, he hopes that any new professor will find his insights helpful

McKay Cunningham, *Freshman Professor: The First Year; The First Semester; The First Day*, 3 PHOENIX LAW REVIEW 389 (2010).

Professor Cunningham discusses what he learned from his experiences as a new law professor and passes on suggestions and advice for new professors on how to prepare for teaching legal classes on your first day, first semester, and first year.

RON STUCKEY ET AL., *BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROAD MAP* (New York: Clinical Legal Education Association, 2007), available at http://www.cleaweb.org/Resources/Documents/best_practices-full.pdf.

This book offers an idea of what legal education could be if law schools consider new ideas for how to effectively prepare students for practice. It is designed to offer a good roadmap for new law professors in designing their classes, presenting information, and assessing students. In this, the authors give “best practices” for various aspects of legal education.

MADELEINE SCHACHTER, *THE LAW PROFESSOR'S HANDBOOK: A PRACTICAL GUIDE TO TEACHING LAW* (Durham: Carolina Academic Press, 2004).

This book starts with the proposition that simply because someone is highly skilled in the law, does not mean that he/she is skilled at teaching the law. Accordingly, it sets out to help new faculty members transition from legal practitioner to law professor. It addresses many important areas for new professors, from deciding to enter academia to course design through teaching and evaluating students. In this, it can be a valuable resource for any new legal faculty member.

Arturo Lopez Torres & Mary Kay Lundwall, *Moving Beyond Langdell II: An Annotated Bibliography of Current Methods for Law Teaching*, 35 GONZAGA LAW REVIEW 1 (2000) (special issue).

This article presents an annotated bibliography of 209 articles about teaching law. It is organized by subject area, offering articles across a wide variety of law school classes.

Kent D. Syverud, *Taking Students Seriously: A Guide for New Law Teachers*, 43 JOURNAL OF LEGAL EDUCATION 247 (1993).

This article provides thoughtful advice from an experienced, outstanding law professor. Professor Syverund offers thoughts about teaching and managing your classroom like: respect your students, how to create the right atmosphere in class, remind your students that you know what they are going through, and take your student seriously. Further, he addresses topics like office hours, other contacts with students, how to handle students who are under stress, examinations, and helping students find jobs. All in all, this article provides many helpful thoughts about being a successful law professor.

Susan J. Becker, *Advice for the New Law Professor: A View from the Trenches*, 42 JOURNAL OF LEGAL EDUCATION 432 (1992).

This article follows up Professor Douglas Whaley's famous 1982 article, listed below, on legal academia with additional observations and thoughts from the author's own experiences in teaching.

Gail Levin Richmond, *Advice to the Untenured*, 13 NOVA LAW REVIEW 79 (1988).

This article offers practical advice for new and aspiring law professors about teaching, course selection, scholarship, service, and other general tips for success in legal academia.





Lucy S. McGough, *Staying Alive*, 10 NOVA LAW JOURNAL 671 (1986).

Professor McGough shares some insights she gained from keeping journals of her experience in her first year in legal academia. In doing this, she offers twenty-six rules new faculty should try to follow. A few examples of these rules are: “Bluffing an assertion is bravado better left to poker players”; “Trust your instincts”; “The Trap of Traps is agenda-obsessing: setting a goal of coverage is one thing; losing a class in the process is too high a price”; “If available time for preparation still leaves you feeling incompetent to teach some material, ask a colleague or practitioner to do a guest spot”; and “Take every opportunity to watch other teachers at work.”

Douglas K. Newell, *Ten Survival Suggestions for Rookie Law Teachers*, 33 JOURNAL OF LEGAL EDUCATION 693 (1983).

Professor Newell offers ten “Survival Suggestions” for new law professors. His goal with this article is not to provide a guide for excellence in teaching, but rather to make any new professor better at education. It includes suggestions like “enjoy yourself,” “personalize the class discussion,” and “set an example” for your students.

Douglas J. Whaley, *Teaching Law: Advice for the New Professor*, 43 OHIO STATE LAW JOURNAL 125 (1982).

In this famous paper for new law professors, Professor Whaley draws from his own experience and success in legal academia to offer some great suggestions and insights for young faculty. He gives advice about preparing for your first class, how to learn a subject, selecting a casebook, how to teach, and provides several classroom tricks he has learned.

B. Getting Started

Gerald F. Hess, *Collaborative Course Design: Not My Course, Not Their Course, but Our Course*, 47 WASHBURN LAW JOURNAL 367 (2008).

This article argues that some authority and decisions for creating law school classes should be made in collaboration with students. It points out that recent research suggests that building law school classes through collaborative design can improve students’ performance and motivation. In its final section, it describes results from shared design efforts in ten classes.

Eric L. Muller, *A New Law Teacher’s Guide to Choosing a Casebook*, 45 JOURNAL OF LEGAL EDUCATION 557 (1995).

Here, Professor Muller looks more closely at the issue of casebook selection than many of the other articles that address this topic. From his own experience, he offers some thoughts on how to choose a text book. He believes that there are more considerations than a new professor might first realize in making this decision, and he gives advice from his own experiences.

C. Work-Life Balance

RACHEL CONNELLY & KRISTEN GHODSEE, *PROFESSOR MOMMY: FINDING WORK-FAMILY BALANCE IN ACADEMIA* (Lanham, MD: Rowman & Littlefield Publishers, 2011).

The authors of this book set out to refute what they see as a false dichotomy among young female academics: either to have a career or a family. They designed it as a guide for young women to being both parents and professors, from graduate school through full professorship. They argue that, while having a family and a career in academia is not easy, it is not impossible, and, in fact, is worth the effort.

MARY RUTH MAROTTE ET AL., EDS., *PAPA, PHD: ESSAYS ON FATHERHOOD BY MEN IN THE ACADEMY* (New Brunswick: Rutgers University Press, 2011).

This book is a collection of essays by male professors who reflect on what being a father in academia means today. It is organized into three sections—“Fathers in Theory, Fathers in Praxis”; “Family Made”; and “Forging New Fatherhoods”—covering topics including the challenges of working and parenting, nontraditional fatherhood and academia, and how to balance fatherhood with professional ambition.





ELRENA EVANS & CAROLINE GRANT, EDS., *MAMA, PHD: WOMEN WRITE ABOUT MOTHERHOOD AND ACADEMIC LIFE*, (New Brunswick: Rutgers University Press, 2008).

Similar to *Papa, PhD*, this book collects essays from women in academia about their experiences balancing their careers and their families. It discusses the gender inequality in higher education and makes suggestions for how universities could be more family-friendly.

Laura T. Kessler, *Paid Family Leave in American Law Schools: Findings and Open Questions*, 38 ARIZONA STATE LAW JOURNAL 661 (2006).

This study looks at paid family leave in American law schools. The author's findings are that (i) many schools provide a more generous wage replacement program than required by law, (ii) there is a positive relationship between teaching at top tier and private law schools and receiving paid family leave, and (iii) most paid family leave is granted on a case-by-case basis. The author then discusses her findings, including what explains these results, how the profession stacks up against other employers, and whether this explains the underrepresentation of women among top law teaching positions.

Robert Drago & Joan Williams, *A Half-Time Tenure Track Proposal*, CHANGE, November/December 2000, at 47.

This article looks at the difficulties that women have had in balancing parenthood and academia, and argues that the solution is to redefine what an ideal worker in academia should be and offer a half-time tenure track model for parent-professors. In this plan, any tenure-track faculty member who is also a caregiver would have half-time status for one to twelve years, during which he/she would have a reduced workload as well as a tenure clock moving at half-speed as well. The authors describe what they see as the strengths of this approach, while also addressing a few possible objections/concerns that would arise from it.

D. Evaluation/Assessment of Faculty and Tenure issues

Katherine Barnes & Elizabeth Mertz, *Is It Fair? Law Professors' Perceptions of Tenure*, 61 JOURNAL OF LEGAL EDUCATION 511 (2012).

The authors examine what law professors think of the tenure process. Their study consists of two phases. First, they conducted a national survey of tenured law faculty. Then, they follow up those results with in-depth interviews.

Robert Steinbuch, *On the Leiter Side: Developing a Universal Assessment Tool for Measuring Scholarly Output by Law Professors and Ranking Law Schools*, 45 LOYOLA OF LOS ANGELES LAW REVIEW 87 (2011).

The author reviews previous scholarly output measuring systems by Brian Leiter and the Roger Williams University School of Law, and proposes his own system that takes into account a wider range of scholarly output. The author's system—which he calls “the Protocol”—is meant to be used as a measure for promotion and tenure.

Devon W. Carbado & Mitu Gulati, *Tenure*, 53 JOURNAL OF LEGAL EDUCATION 157 (2003).

The authors break down the role that service plays in the tenure process as a screening method for “good citizenship,” and how this creates problematic outcomes for minorities. The authors' goal in highlighting some of the informal rules of the tenure process is to help non-tenured professors to understand and navigate this informal system. The authors direct this advice to minority professors, though there is no reason that it would not also be helpful for non-minorities.

II. Scholarship

Casey Dwight Duncan

The process of researching, writing, and ultimately publishing legal scholarship is one of the most central and potentially daunting aspects of being a new law professor. The following selection of books and articles offers a range of pertinent advice on this subject. While preference was given to more recent examples better reflecting the current nature of legal scholarship, selections were made to provide a wide range of advice and insight that is both informative and applicable. Several articles offer very specific advice on such topics as working with co-authors or seeking support and advice from colleagues, while others were adapted from prior conferences held for new and emerging law faculty. Yet others offer techniques that will be useful to anyone wishing to become a better writer or which can assist even accomplished authors in the planning of a research agenda capable of extending throughout an academic career.





David A. Schlueter, *The Co-Author Prenup*, 44 ST. MARY'S LAW JOURNAL 451 (2013)

In this recently published essay, professor Schlueter offers a number of insights and suggestions about working with co-authors based on nearly three decades of personal experience as a co-author. Covered topics included deciding whether to form a co-author partnership and with how many co-authors, the different roles necessary within a co-author partnership, difficult issues that can arise between co-authors, and suggestions for a preliminary agreement between co-authors, including a sample "prenup."

Samuel W. Buell, *Becoming A Legal Scholar*, 110 MICHIGAN LAW REVIEW 1175 (2012).

Professor Buell addresses an issue that he believes has not received enough attention in the literature: The literature tells aspiring and new professors that they must write articles, but it does not explain how to become a good legal scholar. In this article, he reflects on the weaknesses he perceives in the current literature, and suggests several ideas for how the literature in this area can improve and be more valuable to new professors.

BRANNON P. DENNING ET AL., *BECOMING A LAW PROFESSOR: A CANDIDATE'S GUIDE* (Chicago: American Bar Association, 2010).

While this book is largely devoted to the process of successfully becoming a law professor, Appendix B summarizes the entire submission process including timing and strategy, SSRN drafts, and expedited review. Also covered are various submission mechanics and options such as LexOpus and ExpressO.

Linda H. Edwards, *A Writing Life*, 61 MERCER LAW REVIEW 867 (2010).

The article includes an essay by Professor Edwards as well as a collection of shorter essays by nearly twenty legal writing professors offering their individual advice on legal writing and scholarship. As the title suggests, the shared theme of every essay is the development of a career-long commitment and mastery of legal writing. A short bibliography of articles and books on legal scholarship is also included.

EUGENE VOLOKH, *ACADEMIC LEGAL WRITING: LAW REVIEW ARTICLES, STUDENT NOTES, AND SEMINAR PAPERS* (New York: Foundation Press, 4th ed. 2010).

Now in its fourth edition, Eugene Volokh's *Academic Legal Writing* is the definitive work on scholarly legal writing. In addition to chapters on research, topic selection, and well-crafted thesis statements, this book also offers keen insight into drafting an abstract, setting timelines and schedules, and working with law journal editors. The work also includes deep yet concise sections on writing style and editing.

Nancy Levit, *Scholarship Advice for New Law Professors in the Electronic Age*, 16 WIDENER LAW JOURNAL 947 (2007).

This article seeks to assist new scholars to comply with traditional tenure guidelines while still taking full advantage of the opportunities and resources presented by new and emerging forms of scholarly communication. The article is arranged as a series of categorical topics covering everything from understanding institutional tenure evaluation standards to topic selection to successfully placing completed works.

Melissa J. Marlow, *Scholarship Buddies*, 56 JOURNAL OF LEGAL EDUCATION 56 (2006).

This article sets forth Professor Marlow's idea of a "scholarship buddy," which she describes as sharing many of the same functions as an exercise or fitness regimen. As envisioned by the author, ideal scholarship buddies will have different personal skill sets and strengths but will share similar publication goals and experience levels.

Symposium, *Bloggership: How Blogs Are Transforming Legal Scholarship*, 84 WASHINGTON UNIVERSITY LAW REVIEW 1025 (2006).

Issue 5 of volume 84 of the Washington University Law Review contains a symposium featuring more than twenty entries devoted to the emergence and role of legal blogs in the legal academy. The first section of the symposium is highly recommended and features twelve contributions specifically on the topic of legal blogging as scholarly endeavor by notable academic legal bloggers including Lawrence Solum, Eugene Volokh, and Orin Kerr. Other segments of the symposium cover topics including free speech, privacy, and tenure-related concerns.





William R. Slomanson, *Legal Scholarship Blueprint*, 50 JOURNAL OF LEGAL EDUCATION 431 (2000).

As described by Professor Slomanson, a scholarship blueprint is the larger set of issues and considerations that a scholar should take into account when setting his or her research agenda. While his focus is on a set of core variables that he believes should be contained within every blueprint, the author also covers a number of less widely discussed issues such as copyright considerations and forming and sustaining strong working relationships with co-authors, student research assistants, research librarians, and peer reviewers.

Minority Law Teachers Conference 1990, *Nurturing Young Scholars: The Mission of Minority Law Teachers in the 1990s*, 10 SAINT LOUIS UNIVERSITY PUBLIC LAW REVIEW 145 (1991).

The articles in this issue of the Saint Louis University Public Law Review were taken from the 1990 Minority Law Teachers Conference. While the entire conference proceedings are certainly of interest to new and established faculty alike, the first sub-section is devoted explicitly to the scholarly agenda. The five included essays in this subsection cover setting a scholarly agenda, how a new faculty member's scholarly agenda may and should differ from that of an established professor, and the role of legal scholarship in social change.

Richard Delgado, *How to Write a Law Review Article*, 20 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 445 (1986).

This article was adapted from an address presented by the author at the Minority Law Professors Conference held in 1985. While an older article, the content consists of "observations, tips, and short cuts" that the author would have personally found helpful when first beginning his scholarly endeavors.

III. Teaching

Stacy E. Hays

There is an abundance of materials created to help new professors attain success in the classroom. The below books and articles focus on teaching the law and can be utilized by new law professors to design their courses and teach law school students. Preference was given to the most recent and significant scholarship that would also provide numerous perspectives. Some of the resources below are essentially practical "handbooks" that will help law professors successfully craft courses from conception to fruition. In addition, there are several materials that provide guidance and theory on a variety of effective teaching techniques that law professors can use to achieve a productive classroom environment.

MICHAEL SCHWARTZ, GERALD HESS & SOPHIE SPARROW, *WHAT THE BEST LAW TEACHERS DO* (Cambridge, Mass.: Harvard University Press, forthcoming fall 2013).

Three experienced law professors have written this book based on case studies of some of the best teachers at law schools throughout the country. This book is meant to provide a concrete picture of excellent classroom teaching and a guide to how to best help students learn.

JOEL ATLAS ET AL., *A GUIDE TO TEACHING LAWYERING SKILLS* (Durham: Carolina Academic Press, 2012).

This book is for legal research and writing professors and covers every step of the teaching process including teaching techniques, evaluating students, and professional development.

GERALD HESS ET AL., *TECHNIQUES FOR TEACHING LAW 2* (Durham: Carolina Academic Press, 2011).

This book includes material on legal education pedagogy from education research. The research results are used to support 160 specific ideas on how to implement effective teaching techniques gathered from teaching professionals.

Timothy W. Floyd et al., *Beyond Chalk and Talk: The Law Classroom of the Future*, 38 OHIO NORTHERN UNIVERSITY LAW REVIEW 257 (2011).

This article addresses how technology is affecting the learning processes of law students. It includes writing exercises that can be implemented in the classroom to make use of the new ways students are learning information.





VERNELIA R. RANDALL, *PLANNING FOR EFFECTIVE LEGAL INSTRUCTION: A WORKBOOK* (Durham: Carolina Academic Press, 2011).

Professor Randall utilizes this workbook to encourage professors to evaluate their own goals as well as those of their law school and guides them through designing their courses based on these objectives. The book helps scholars reflect on the decisions they make when planning courses to improve their teaching effectiveness.

David M. Becker, *Teaching Teachers about Teaching Students*, 87 WASHINGTON UNIVERSITY LAW REVIEW 1105 (2010).

Professor Becker addresses the complicated issue of how professors can help each other to improve their teaching techniques. The text analyzes whether “do as I do” is the best approach and suggests some ways to improve teaching in the legal classroom.

Lisa T. McElroy & Christine N. Coughlin, *The Other Side of the Story: Using Graphic Organizers to Counter the Counter-Analysis Quandary*, 39 UNIVERSITY OF BALTIMORE LAW REVIEW 227 (2010).

This article analyzes the difficulties in teaching counter-analysis to law school students and proposes a way to combat them in the classroom by applying cognitive learning with graphic organizers.

Jerry Kang & Kristin Lane, *Seeing Through Colorblindness: Implicit Bias and the Law*, 58 UCLA L. REV. 465 (2010).

The authors, one a law professor and the other a psychology professor, take recent findings from psychology about implicit bias and apply them to the law. They argue that the profession should take a “behavioral realist” approach to these issues, including making efforts to “debias” law school classrooms.

Guy A. Boysen & David L. Vogel, *Bias in the Classroom: Types, Frequencies, and Responses*, 36 TEACHING OF PSYCHOLOGY 12 (2009).

This article provides data about different biases in college classrooms, including the often-overlooked concept of implicit bias. The authors explain these biases, and provide examples and data collected from anonymous surveys of professors.

HOWARD E. KATZ & KEVIN FRANCIS O’NEILL, *STRATEGIES AND TECHNIQUES OF LAW SCHOOL TEACHING: A PRIMER FOR NEW (AND NOT SO NEW) PROFESSORS* (Cambridge, MA: Aspen Law & Business, 2009).

This book walks legal professors through the steps involved in planning a legal course, including deciding on the goals of the class, mastering the course topic, and teaching strategies.

Emily Zimmerman, *An Interdisciplinary Framework for Understanding and Cultivating Law Student Enthusiasm*, 58 DEPAUL LAW REVIEW 851 (2009).

This article addresses the issue of declining enthusiasm in law school students by analyzing the problem, developing “the enthusiasm paradigm,” and giving suggestions to reignite their interest.

The Law Library at New England Law, *Bibliography of Resources for Teaching Law*, <http://www.nesl.edu/library/teachingbib.cfm>.

This bibliography includes a plethora of valuable resources on a variety of topics including: learning styles, grading, academic support, classroom participation, and pedagogy.

MICHAEL HUNTER SCHWARTZ ET AL., *TEACHING LAW BY DESIGN: ENGAGING STUDENTS FROM THE SYLLABUS TO THE FINAL EXAM* (Durham: Carolina Academic Press, 2009).

This book applies the results of teaching and learning research to teaching the law. The text covers the process of planning coursework and looks at learning from the student’s perspective.

MICHAEL HUNTER SCHWARTZ, *EXPERT LEARNING FOR LAW STUDENTS* (Durham: Carolina Academic Press, 2008).

This book draws on the teaching and learning research of recent decades to provide advice to students on how to become expert learners, and get the most out of their law school courses.





James B. Levy, *As a Last Resort, Ask the Students: What They Say Makes Someone an Effective Law Teacher*, 58 MAINE LAW REVIEW 49 (2006).

Professor Levy performed a survey asking law students which traits make a professor effective. This article utilizes the results and suggests that the socio-emotional component of teaching is as important as the instructional element when evaluating a professor's performance.

STEVEN I. FRIEDLAND & GERALD F. HESS, *TEACHING THE LAW SCHOOL CURRICULUM* (Durham: Carolina Academic Press, 2004).

This book is a resource for professors of specific legal subjects. Each chapter covers a different course topic and guides professors through course planning. Topics that are covered include: exercises that can be used in the classroom, the professor's approach to teaching, and the best ways to evaluate students.

Judith Wegner, *Better Writing, Better Thinking: Thinking Like a Lawyer*, 10 JOURNAL OF THE LEGAL WRITING INSTITUTE 9 (2004).

This publication offers a good discussion of how the notion of "thinking like a lawyer" relates to the expert-novice and cognitive apprenticeship concepts fundamental in modern teaching and learning theory.

Paul L. Caron, *Back to the Future: Teaching Law Through Stories*, 71 UNIVERSITY OF CINCINNATI LAW REVIEW 405 (2002).

In this article, Professor Caron discusses how to infuse the classic case method of legal education with newer educational techniques or narrative and storytelling. He discusses both the pedagogical ideas behind the Law Stories series from Thomson West's Foundation Press and then explores the lessons that we can learn from this method of instruction.

Frances Lee Ansley, *Race and the Core Curriculum in Legal Education*, 79 CALIFORNIA LAW REVIEW 1511 (1991).

This article argues that integrating matters of racial justice into legal education is worth the difficulty. It also serves as an excellent starting point for further discussion which has followed.

John B. Mitchell, *Current Theories on Expert and Novice Thinking: A Full Faculty Considers the Implication for Legal Education*, 39 JOURNAL OF LEGAL EDUCATION 275 (1989).

This article introduces some highly relevant cognitive theory developed in the last quarter century and how it relates to legal pedagogy. Professor Mitchell starts by discussing several different learning theories and then shows how they might apply to legal education.

Alison G. Anderson, *Lawyering in the Classroom: An Address to First Year Students*, 10 NOVA LAW JOURNAL 271 (1986).

This article is a discussion written for first year students about the operation of the case system in the law school pedagogy and the importance of storytelling to the legal profession. It can be used to help new law professors frame what they are doing for students and to understand the system broadly themselves.

Charles R. Calleros, *Variations on the Problem Method in First-Year and Upper Division Classes*, 20 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 455 (1986).

This article proposes a more formal role for problem solving in law school classes, and provides sample contracts and civil rights legislation problems.

IV. Evaluation/Assessment of Law Students

Kasia Solon Cristobal

On the one hand, this topic of student evaluation is in many ways a subset of the preceding portion on teaching. On the other hand, given the critical role that grades play in the lives of students along with the many different schools of thought on grading, law student assessment could easily inspire a whole bibliography in and of itself. In fact, a whole book has been written on the topic, as the Munro title noted below demonstrates. Given the nature of the beast, most of these works are extremely practical in nature and often zero in on recurring debates such as mandatory curves and essay exams. Perspectives from other disciplines may also be more evident in this literature as the legal academy strives to achieve balance and uniformity in grading. Hopefully all these works will aid a new law professor in deciding how best to grade depending on the circumstances at an individual institution, type of class, or year of student.





Joshua M. Silverstein, *In Defense of Mandatory Curves*, 34 UNIVERSITY OF ARKANSAS LITTLE ROCK LAW REVIEW 253 (2012).

This article discusses mandatory curves and defends them as the best option for assessment. Although curves are problematic, the author argues that grade variances due to differences in professor grading philosophy are unfair and distort students' course selection.

Emily Zimmerman, *Do Grades Matter?*, 35 SEATTLE UNIVERSITY LAW REVIEW 305 (2012).

This article presents empirical research regarding law students' perspectives on grading. The author asserts that legal educators must take seriously the importance of grades to law students, but students' grades may be less salient in certain respects than many legal educators believe.

GERALD F. HESS ET AL., *TECHNIQUES FOR TEACHING LAW 2* (Durham: Carolina Academic Press, 2011).

This revised edition of an earlier work has two chapters focused on assessing law students, divided into formative assessment—feedback to students during a course—and summative assessment—evaluating and grading students at the end of a semester. The chapters introduce basic concepts, followed by individual comments from experienced law professors.

Lori A. Roberts, *Assessing Ourselves: Confirming Assumptions and Improving Student Learning by Efficiently and Fearlessly Assessing Student Learning Outcomes*, 3 DREXEL LAW REVIEW 457 (2011).

This article reviews law school accreditation standards, which are traditionally based on inputs, rather than evidence demonstrating actual student learning. It goes on to summarize two embedded assessment projects conducted at Western State University College of Law.

NELSON MILLER, *TEACHING LAW: A FRAMEWORK FOR INSTRUCTIONAL MASTERY* (Getzville, NY: Bridge Publishing Group, 2010).

This practical book from Professor Miller offers multiple chapters on the topic of law student assessment, including a general overview of assessment, making meaningful multiple-choice questions, writing essay questions to match course objectives, and scoring rubrics and grade ranges. It ends with sample exam-format, grading checklists, and an accompanying CD-ROM.

Rogelio A. Lasso, *Is Our Students Learning? Using Assessments to Measure and Improve Law School Learning and Performance*, 15 BARRY LAW REVIEW 73 (2010).

This article offers an overview of what assessment is, its purpose, history, and current practices. It then makes recommendations for best practices, and offers specific examples as models.

Andrea A. Curcio, *Assessing Differently and Using Empirical Studies to See If It Makes a Difference: Can Law Schools Do It Better?*, 27 QUINNIPIAC LAW REVIEW 899 (2009).

In this article, Professor Curcio undertakes a scholarly exploration of how best to assess law students. The author proposes alternative assessment ideas and explains how to develop empirical studies to measure the validity and reliability of assessments.

Lynn M. Daggett, *All of the Above: Computerized Exam Scoring of Multiple Choice Items Helps to: (a) Show How Exam Items Worked Technically, (b) Maximize Exam Fairness, (c) Justly Assign Letter Grades, and (d) Provide Feedback on Student Learning*, 57 JOURNAL OF LEGAL EDUCATION 391 (2007).

This article by Professor Daggett, who also has a Ph.D. in education, provides a brief overview of psychometrics, the branch of psychology that deals with standardized testing. The author then describes the typical data available and the uses of this data for law faculty, closing with some concrete examples.

WILLIAM M. SULLIVAN ET AL., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (San Francisco: Jossey-Bass, 2007).

Otherwise known as the "Carnegie Report," this influential study of legal education by the Carnegie Foundation for the Advancement of Teaching provides an outside and comparative perspective. It includes a final chapter on assessment that focuses on conceptual knowledge during the first phase of law school and makes recommendations for improvements.





Kenney F. Hegland, *On Essay Exams*, 56 JOURNAL OF LEGAL EDUCATION 140 (2006).

This article by Professor Hegland argues in favor of continued use of essay exams. After examining criticisms of essay exams, the author posits that such exams help law students become better writers.

Sophie M. Sparrow, *Describing the Ball: Improve Teaching by Using Rubrics—Explicit Grading Criteria*, 2004 MICHIGAN STATE LAW REVIEW 1 (2004).

This article describes what rubrics are: a set of detailed written criteria for student assessment. It then describes a method of developing them and offers samples for a variety of law school courses.

GREGORY S. MUNRO, *OUTCOME ASSESSMENT FOR LAW SCHOOLS* (Spokane: Institute for Law School Teaching, Gonzaga University School of Law, 2000).

This work was published by the Institute for Law Teaching and Learning that is co-sponsored by Washburn University School of Law as well as Gonzaga, and is devoted to the topic of law student assessment. Professor Munro has written chapters that include a discussion of what assessment is, why do it in law school, how to carry it out, and concludes with practical appendices of sample assessment tools.

Philip C. Kissam, *Law School Examinations*, 42 VANDERBILT LAW REVIEW 433 (1989).

This article provides an excellent discussion of the pedagogical implications of law schools' classic "Blue Book" exams.

V. Service

Joseph Noel

Service is an often overlooked area that can be used to supplement and even enhance one's scholarship and teaching. Unlike scholarship and teaching, however, service can take many different forms. The following selection of pieces shows just how widely service can vary, and how widely the opinions on it can as well. Some of the most recent pieces included hot topics like scholars' briefs and blogging, while some of the older pieces have stood the test of time for their perspectives on the proper role of law faculty in this realm. Together, they are meant to provide a basis to develop your own views and determine what role service will play in your career.

Richard H. Fallon, Jr., *Scholars' Briefs and the Vocation of a Law Professor*, 4 JOURNAL OF LEGAL ANALYSIS 223 (2012).

The author looks at the increasingly common occurrence of "scholars' briefs" and concludes that law professors have been compromising their integrity and signing on to far too many of them. He discusses the ethical obligations involved and proposes higher standards that faculty should consider before they sign on to such a brief.

Amanda Frost, *In Defense of Scholars' Briefs: A Response to Richard Fallon*, 16 GREEN BAG 135 (2012).

In response to Richard Fallon's piece that criticized the increase in "scholars' briefs," the author argues that law professors should instead not have to meet a higher standard similar to the standard for legal scholarship. The author also makes an argument for the numerous benefits of these briefs.

Anna Neumann & Aimee LaPointe Terosky, *To Give and to Receive: Recently Tenured Professors' Experiences of Service in Major Research Universities*, 78 JOURNAL OF HIGHER EDUCATION 282 (2007).

The authors use data from a three-year study of recently tenured university professors to look at the claim that faculty service to one's institution increases after tenure. Perhaps most helpful for our purposes, the authors also look at what form this service takes and what the professors believe they gained developmentally from engaging in this service.

Jammie Price & Shelia R. Cotten, *Teaching, Research, and Service: Expectations of Assistant Professors*, 37 AMERICAN SOCIOLOGIST 5 (2006).

This study analyzes the perceived expectations for assistant professors. Data for the study was gathered by interviewing 22 professors from seven disciplines at two different universities. Though the focus of the article is on sociology, it will likely also be helpful to law professors who want to learn about the perceived service expectations across many different fields.





Amy Gadja et al., *The Law Professor As Legal Commentator*, 10 LEGAL WRITING: THE JOURNAL OF THE LEGAL WRITING INSTITUTE 209 (2004).

This article, a compilation of short papers and panel discussions, discusses the role of the law professor as a legal commentator in the news. The contributors include both journalists and law professors, including Linda Greenhouse and

Erwin Chemerinsky. The contributors debate if and how professors should carry out this role, as well as how they should approach it before being granted tenure.

Erwin Chemerinsky, *A Pro Bono Requirement for Faculty Members*, 37 LOYOLA OF LOS ANGELES LAW REVIEW 1235 (2004).

Erwin Chemerinsky, now the Dean of the University of California, Irvine School of Law, makes the argument that law professors should be required to perform pro bono work. Though Chemerinsky admits at the outset that this suggestion is unlikely to be instituted, he nonetheless makes a very strong case for the benefits both for the profession itself and for the professors' individual development, and he refutes many of the arguments against such a requirement.

Robert R. Kuehn, *A Normative Analysis of the Rights and Duties of Law Professors to Speak Out*, 55 SOUTH CAROLINA LAW REVIEW 253 (2003).

The author breaks the issue of law professors doing public service down to (i) laws affecting the professors, (ii) precepts in the profession on the right and duty, and (iii) legal academy norms. The author covers each of these areas in fine detail, and concludes that despite legal norms and precepts pushing law professors to "speak out" and serve the public, professors are only doing a modest amount of this type of work. This article does an excellent job synthesizing the laws and other less visible forces and makes a credible argument for more public service by law professors.

KELLY WARD, *FACULTY SERVICE ROLES AND THE SCHOLARSHIP OF ENGAGEMENT* (San Francisco: Jossey-Bass, 2003).

This is a volume from the long running series of higher education reports from ASHE, the Association for the Study of Higher Education. If you only read one piece on faculty service, this would be the one to read. This book covers faculty service from its history and development to the different types of service to linking your service to your scholarship and thereby making it a part of your scholarly role instead of an additional burden to an already busy workload. This book also includes citations to much of the important research in this area.

Devon W. Carbado & Mitu Gulati, *Tenure*, 53 JOURNAL OF LEGAL EDUCATION 157 (2003).

The authors break down the role that service plays in the tenure process as a screening method for "good citizenship" and how this creates problematic outcomes for minorities. The authors' goal in highlighting some of the informal rules of the tenure process is to help non-tenured professors to understand and navigate this informal system. The authors direct this advice to minority professors, though there is no reason that it would not also be helpful for non-minorities.

Sam Magavern, *Integrating Scholarship, Teaching, and Service: How Four Law Professors Make It Work*, 59 BENCH & BAR OF MINNESOTA 5 (2002).

This short article from the Bench and Bar of Minnesota profiles how four law professors – David Weissbrodt, Eric Janus, Robin Magee, and Jerry Organ – make their efforts in scholarship, teaching, and community service a part of their quest for equal justice.

Jett Hanna, *Moonlighting Law Professors: Identifying and Minimizing the Professional Liability Risk*, 42 SOUTH TEXAS LAW REVIEW 421 (2001).

If Erwin Chemerinsky is leading the charge for more public service by law professors, then Jett Hanna is just making sure everyone buckles their seat belt and uses their turn signal along the way in this piece about the potential legal pitfalls involved. Hanna focuses on professors as lawyers and as experts, and identifies potential legal issues and ways to avoid them.





VI. Selected Additional Resources

Academic law blogs:

- BEST PRACTICES FOR LEGAL EDUCATION: <http://bestpracticeslegaled.albanylawblogs.org/>
- BRIAN LEITER'S LAW SCHOOL REPORTS: <http://leiterlawschool.typepad.com/>
- EDUCATING TOMORROW'S LAWYERS INITIATIVE:
<http://online.iaals.du.edu/category/educating-tomorrows-lawyers/>
- FACULTY LOUNGE: <http://www.thefacultylounge.org/>
- JOTWELL: <http://jotwell.com/>
- LAW PROFESSOR BLOGS NETWORK: <http://lawprofessors.typepad.com/>
- LEGAL SCHOLARSHIP BLOG: <http://legalscholarshipblog.com/>
- LEGAL THEORY BLOG: <http://lsolum.typepad.com/>
- THE LEGAL WHITEBOARD: <http://lawprofessors.typepad.com/legalwhiteboard/>
- PRAWFSBLAWG: <http://prawfsblawg.blogs.com/>

Newsletters:

- THE LAW TEACHER, from the Institute for Law Teaching and Learning, Gonzaga University School of Law and Washburn University School of Law: <http://lawteaching.org/lawteacher/>
- SALT EQUALIZER, from the Society of American Law Teachers: <http://www.saltlaw.org/contents/view/equalizer>
- SYLLABUS, from the ABA Section of Legal Education and Admission to the Bar:
http://www.americanbar.org/publications/syllabus_home.html

Law reviews and journals:

- CLINICAL LAW REVIEW, from the Association of American Law Schools, the Clinical Legal Education Association, and New York University School of Law: <http://www.law.nyu.edu/journals/clinicallylawreview/index.htm>
- JOURNAL OF LEGAL EDUCATION, from the American Association of Law Schools: <http://www.swlaw.edu/jle>

Law review and journal submission guides:

- Allen Rostron & Nancy Levitt, INFORMATION FOR SUBMITTING ARTICLES TO LAW REVIEWS & JOURNALS:
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1019029
- Catholic University of America Law Library, GUIDE TO SUBMITTING ARTICLES TO LAW REVIEWS:
<http://www.law.edu/res/docs/library/Submission.pdf>
- Columbia Law School, TIPS ON PUBLISHING: http://www.law.columbia.edu/careers/law_teaching/Publishing
- Georgetown Law Library, PUBLISHING ARTICLES IN LAW REVIEWS AND JOURNALS RESEARCH GUIDE:
<http://www.law.georgetown.edu/library/research/guides/Publishing.cfm>
- Harvard Law School Library, PUBLISHING IN LAW REVIEWS AND JOURNALS:
<http://libguides.law.harvard.edu/gettingpublished>
- Ken Strutin, LAW PERIODICAL PUBLISHING PRACTICES AND TRENDS,
<http://www.llrx.com/features/lawperiodicalpubpracttrends.htm>
- University of Washington Law Library, WRITING FOR & PUBLISHING IN LAW REVIEWS series:
 - o General Information, <https://lib.law.washington.edu/content/guides/lawrevs>
 - o Finding and Developing Topics,
<https://lib.law.washington.edu/content/guides/writing-for-and-publishing-in-law-reviews-topics>
 - o Preemption Checking, <https://lib.law.washington.edu/content/guides/lawrevs-preempt>
 - o Submitting Manuscripts, <https://lib.law.washington.edu/content/guides/lawrevs-sub>
 - o Where to Publish, <https://lib.law.washington.edu/content/guides/lawrevs-where>





Websites:

- Barbara Glesner Fines, TEACHING AND LEARNING LAW, RESOURCES FOR LEGAL EDUCATION:
<http://law2.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm>
- Georgetown Law Library, TEACHING AND SCHOLARSHIP GUIDE:
<http://www.law.georgetown.edu/library/research/guides/teachingscholarship.cfm>
- Michigan State University, ADVANCING DIVERSITY THROUGH THE ALIGNMENT OF POLICIES AND PRACTICES (IMPLICIT BIAS RESOURCES): <http://www.adapp-advance.msu.edu/implicit-bias-resources>
- Gonzaga University School of Law and Washburn University School of Law, INSTITUTE FOR LAW TEACHING AND LEARNING: <http://lawteaching.org/>
- INSPIRING IDEAS FOR THE TEACHING & LEARNING OF THE LAW: <http://teachinglaw.weebly.com/index.html>
- University of Denver, INSTITUTE FOR THE ADVANCEMENT OF THE AMERICAN LEGAL SYSTEM: EDUCATING TOMORROW'S LAWYERS: <http://educatingtomorrowlawyers.du.edu/>



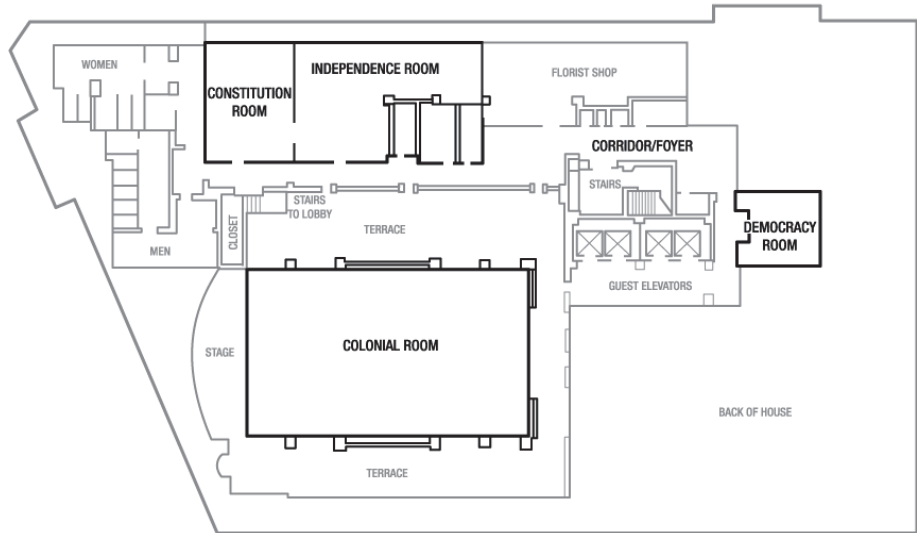




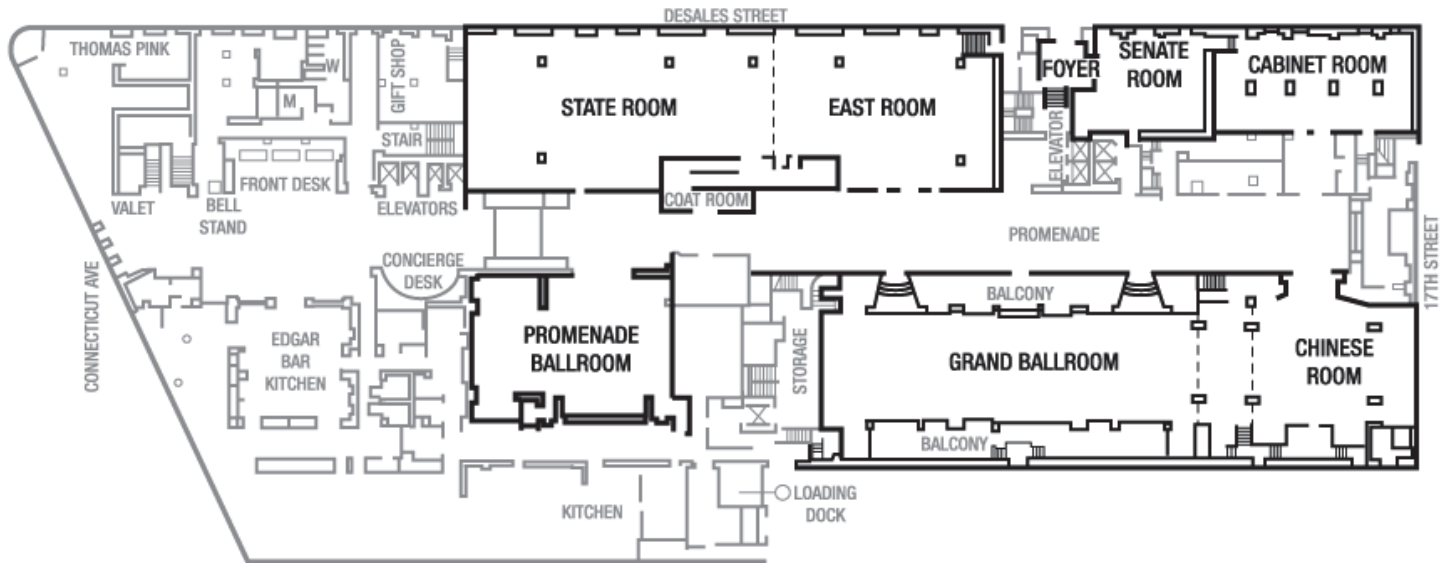
Hotel Floor Plans

The Renaissance Mayflower Hotel
Washington, D.C.

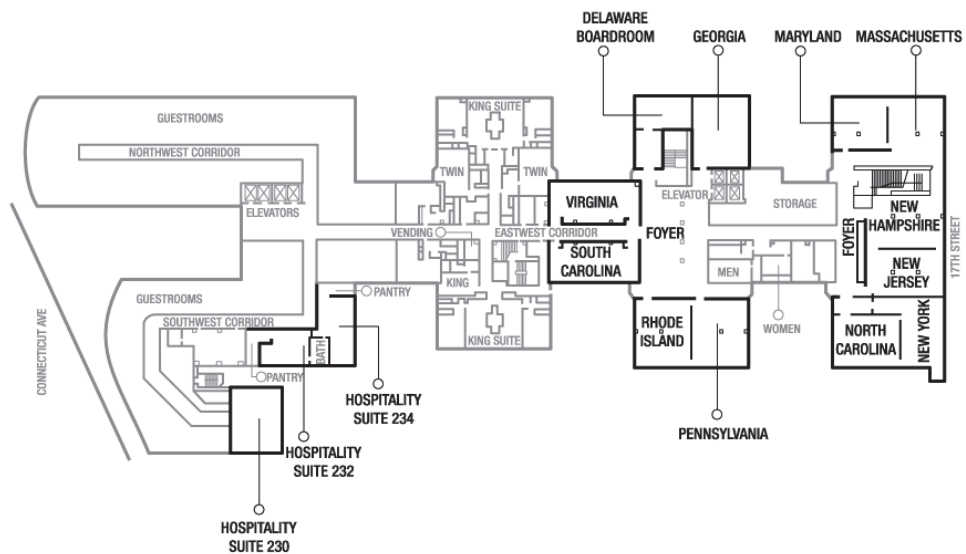
Lower Level



Lobby Level



Second Level







Lined writing area with 28 horizontal lines.





