

**AALS 2023  
Annual Meeting**

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&  
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# Don't Stop at the D: Incorporating the E(quity) and I(nclusion) of DEI Into Law School Teaching

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## **Inclusion & Building Community**

It is key that students build community and network with their colleagues. In particular, this is true with a first semester law student. So before the first semester of classes begin, we open a discussion board. Rather than just ask students the generic “where are you from, why are you here” questions, we try to prompt a fostering of inclusivity and community with the prompts. In addition, we have multiple 2L & 3L students post to spur the conversation. We try to make sure that their discussion comments reflect the broad array of demographics that our student populations represent. As a result, the new-student responses can be used to ascertain and assess where we need to address inclusivity issues. Here are some example post prompts:

- Hi, I'm [student]. I'm a member of the Florida Association of Women Lawyers and the Hispanic Law Association and am looking to also get involved with the trial team this term.
- My name is [student], and I am a parent of two (10-year-old and 6-year-old) and decided to come to law school to change careers. Let me know if you would like to chat!
- I'm [student]. Moving to [city] from 400 miles away was quite a change as I had never been away from my family before law school. I'm now a part of the Black Law Student Association and volunteer at the Domestic Violence Assistance Program. You will usually find me in the library, so don't be shy if you want to talk about law school.



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## Anonymous Reflection Assignment Example

Throughout the course of the semester, it is important to continue addressing the needs of students in regard to equity and inclusion. In many instances, a student may not feel comfortable identifying themselves when raising a concern. To make sure those students have a platform, we give out anonymous reflection assignments so the students have a platform to voice their thoughts. Here is an example:

**\*\*This is an anonymous assignment\*\*** meaning that I have changed the settings to "hide" student names, and I will be grading for completion only. So, feel free to take full advantage of this assignment.

Ideally, you will complete this in a quiet, calm space. But if that is not possible, that is ok.

- (1) Start by taking a few deep breaths to center yourself.
- (2) Write three things that you are struggling with.
- (3) Write three things that you are grateful for.
- (4) Free write for 5 minutes about whatever is on your mind.

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## Inclusion in Legal Writing

There are many common words and phrases used in the practice of law that are rooted in historical exclusion. The following chart gives some examples of words to consider when drafting legal documents:

Word	Merriam-Webster Definition	Examples and Explanations	Issue
Hysterical	Feeling or showing extreme and unrestrained emotion	Greek origination; Medical diagnosis meaning "suffering in the womb"	Gender
Seminal	Contributes to the seed of later development; "Of, relating to, or consisting of semen"	"The seminal case . . ."	Gender
Grandfathered/ Grandfather clause	A clause creating an exemption based on circumstances previously existing	A provision in several southern state constitutions designed to enfranchise poor white people and disenfranchise Black	Gender, Race

		people by waiving high voting requirements for descendants of men voting before 1867	
Delicate Condition	None available	Used to describe a pregnant woman; equates pregnancy with disability	Gender
Master	A male teacher; one having authority over another; a person who holds another person in slavery; the male head of a household; to become skilled or proficient in the use of	Mastering a skill.	Race, Gender
Partner (romantically)	A person with whom one shares an intimate relationship; one member of a couple	Partner allows people who are not cis-gendered a way to express long term relationships; also indicates a permanence to a relationship between two people without the ownership properties inherent in husband/wife	LGBTQ+, Gender
Husband	A male partner in a marriage; a frugal manage; to manage prudently and economically	Used to describe marital status	Gender, LGBTQ+
Wife	A female partner in a marriage	Used to describe marital status	Gender, LGBTQ+

## Additional Resources for Inclusivity and Equity in the Classroom

Amanda Fisher & Matthew Marin, Inclusion in Legal Writing: A Practitioner's Guide, American Bar Association After the Bar (November 9, 2022).

Teri A. McMurtry-Chubb, Strategies & Techniques for Integrating DEI into the Core Law Curriculum.



David Dominguez, Laurie Zimet, Fran Ansley & Charles Daye, Inclusive Teaching Methods Across the Curriculum: Academic Resource and Law Teachers Tie a Knot at the AALS, 31 U.S.F. L. Rev. 875 (1997).

Arecia Aguirre, Rafael Carballo & Rosario Lopez-Gavira, Improving the academic experience of students with disabilities in higher education: faculty members of Social Sciences and Law speak out, Innovation: The European Journal of Social Science Research, 34:3, 305-320, DOI: 10.1080/13511610.2020.1828047 (2021).

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## Vignettes for Breakout Groups

Thank you to the following people who helped film the video vignettes: Marybeth Marin, Esq.; Professor Emily Horvath, Esq.; Fifi Hussein, MBA; Courtney Yonker, J.D. Candidate; Philistine Hamdan, Esq.; Harp Gill, B.A.; and Patrick O'Boyle, BSN. The video vignettes can be found at [matthewpmarin.com/portfolio-2](http://matthewpmarin.com/portfolio-2).

	<h3 style="text-align: center;">Race &amp; Ethnicity</h3> <p>This interaction takes place in a classroom after most students have left for the day. The professor is speaking with a student at the front of the classroom, and there are a few small groups of students talking and debriefing the lecture. The following interaction occurs between one of the groups of students:</p> <p>“That was a tough Tax class today. Do you understand everything about calculating depreciation? I thought I understood the Internal Revenue Code, but I feel really lost now that we are on to these new calculations.”</p> <p>“I actually found the reading fascinating, and I believe I have a grasp on how the calculations work.”</p> <p>“Well of course you understand it. What are you? Chinese or Japanese? Everyone knows that Asian people do well at school and are good at math.”</p>
	<h3 style="text-align: center;">Disability</h3> <p>Professor X sees professor Y in the breakroom, and the following conversation occurs:</p> <p>“Hi, Professor Y. How was your holiday break? Can you believe the new semester is starting next week?”</p> <p>“Nice to see you, Professor X. The break was not long enough, but I am glad to be back because I seems like I have a good group of incoming students. I did have something come up, though, and I would like your insight and if you have any suggestions. One of the students in my class emailed me saying that she is visually impaired. What, if anything, do you suggest I do? I’ve never dealt with someone in this situation before.”</p>



## Language Barriers

It is after class, and Professor A is in his office. Student knocks on the door and asks if she can come in. The following exchange occurs between the two:

“Good afternoon, professor, and thanks for agreeing to meet with me. Last week after class, I stayed around with a group of other students to discuss what we went over in class. The conversation shifted to a social event going on next weekend, and one of the other students asked if they could “crash at my place.” As you know, English is not my first language, and I had no idea what they were saying. They all laughed when I told them I was not sure why someone would want to crash. It has been hard for me being away from home, and I feel like I have no one who understand me here. Do you think law school is not for me?”



## Misgendering

This conversation takes place in the classroom during a formal discussion of the assigned memo. One person in the memo problem who recorded an author’s conversation is non-binary and uses the pronouns they/them. The following question is asked by a student:

Student: “Professor, I just have a question about what happened here factually. It seems like if he was recording the author’s conversation, then he would be the consenting party. So, when I write about the privacy factor that addresses consenting and non-consenting parties, should I be discussing him as the consenting party?”



## Religion

This conversation takes place during office hours.

Hi, Professor. I just wanted to get your advice on something. There was a hypo that was used in one of my classes this week, and there was a specific term used in the hypo that is actually a really derogatory term to people who practice the Muslim faith. I know the professor probably doesn't know and that she means well. I want to address this somehow, but I am worried about getting the professor in trouble. I am also worried that she will know exactly who complained, because I am the one person in class who is transparent about my Muslim faith. What do you think I should do?



## Ungrading/Inclusive Methodologies

Professor 1 is a 60-year-old white male tenured professor who teaches doctrinal courses. Professor 2 is a 39-year-old woman of color in a non-tenure eligible role teaching skills courses. Both professors highly value teaching innovation, student-centered pedagogy, and inclusivity. They are in constant conversation about how to make the student experience better in the classroom so their students can focus on learning.

Prof 1: Hey, professor 2! How did your experience with flexible deadlines go last semester? Mine was so great. The students really rose to the occasion. They barely even used the automatic extensions that I provided to them.

Prof 2: Hey, Professor 1! Wow, really? I am glad it went so well for you. Unfortunately, I did not have the same experience. I received some significant pushback from the students because I did not give them hard, set deadlines. A couple of students even complained about it to the dean mid-semester.

## Contact Information

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