

Program Booklet



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

June 8 – 10, 2023 | Washington, DC



Association of American Law Schools

NLT.AALS.ORG
#AALSNT

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Twitter

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

Evaluation

An evaluation will be emailed to you at the conclusion of the workshop. Your feedback and suggestions will assist the Planning Committee with improvements to the 2024 workshop.

Welcome to the 2023 AALS Workshop for New Law School Teachers and to the legal academy!

Over the next few days, the Planning Committee hopes that you will gain valuable insights on how to become an effective classroom teacher, a productive scholar, and an active citizen in your law school while maintaining the balance that you need to nurture family and other relationships outside of your career.

We have an all-star cast of presenters committed to helping you succeed in your academic career, but don't expect to just sit quietly and listen to their words of wisdom and advice. The sessions are intended to be interactive, and your presenters and session leaders are as interested in hearing from you as you are in hearing from them. You may also be involved in group exercises, role-playing, or quick breakout sessions. The interactivity serves dual purposes: helping you to learn and modeling ideas for effective, innovative teaching. Please ask questions, share your concerns, and take advantage of the opportunities to learn from the presenters and from each other.

Sessions will include topics such as learning theory, course design, diversity and inclusion in and out of the classroom, developing a research agenda, promoting your research, and wellness including setting professional boundaries.

The rewarding and sustaining professional relationships and friendships that you will begin to build over the next few days will be as important as the content of the workshop. Many of the speakers that you will hear from benefited from this workshop when we started teaching. So, we are all delighted to be with you at the beginning of your journey and look forward to an exciting and productive workshop.

Congratulations and welcome!

Carla D. Pratt

University of Oklahoma College of Law and

Chair, Planning Committee for the 2023 AALS Workshop for New Law School Teachers

AALS EXECUTIVE COMMITTEE

Mark C. Alexander, Villanova University Charles Widger School of Law, **President**

Melanie D. Wilson, University of Tennessee College of Law, **President-Elect**

Erwin Chemerinsky, University of California, Berkeley School of Law, **Past-President**

Danielle Conway, Pennsylvania State University, Dickinson Law

Anthony W. Crowell, New York Law School

Daniel M. Filler, Drexel University Thomas R. Kline School of Law

Renee McDonald Hutchins, University of Maryland Francis King Carey School of Law

Eloise C. Rodriguez-Dod, Florida International University College of Law

Kevin Washburn, University of Iowa College of Law

Welcome

Dear Colleagues,

On behalf of President Mark Alexander and the AALS Executive Committee, it is my privilege to welcome you to the Association and to the law teaching profession. We are absolutely delighted that you are here.

Established in 1900, AALS is an association of 176 law schools committed to promoting excellence in legal education. As the learned society for legal education, we are also very much your organization. Over the years, many law faculty members have benefited from the work we have done under the AALS umbrella. Our involvement has connected us to faculty beyond our home law schools and has led to career-enriching collaborations in both scholarship and teaching.

AALS values and expects its membership 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 and a dynamic curriculum that is both broad and deep.
4. A diverse faculty and staff hired, promoted, and retained based on high standards of teaching and scholarship and in accordance with principles of non-discrimination.
5. The selection of students based upon intellectual ability and potential for success in the study and practice of law, through a fair and non-discriminatory process designed to produce a 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. Detailed information on the professional development schedule for the coming academic year can be found on our website at <https://www.aals.org/events/>.

Year-round activities are organized largely through AALS sections. There are 106 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 plan most of the Annual Meeting programs and will provide you throughout the year with an ongoing source of information and conversation in your fields of interest.

The 2024 Annual Meeting will be in Washington, DC, Wednesday, January 3 through Saturday, January 6, 2024. The meeting is packed with section programs and sessions from calls for papers, including some based on this year's theme "Defending Democracy," selected by AALS President Mark Alexander. Faculty report that perhaps the most important part of the Annual Meeting is the opportunity to meet colleagues informally and to develop ongoing interactions with them over the years.

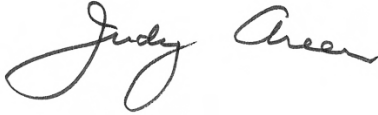
AALS also sponsors a scholarly papers competition for those who have been in law teaching for five years or less. To learn more, see the competition announcement at the end of this program.

The Association's *Journal of Legal Education*, 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 American University, Washington College of Law, and the Northeastern University School of Law. The Association also co-sponsors the Journal of Clinical Legal Education.

The AALS *Directory of Law Teachers* is available year-round online and 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 AALS as well. This is just the beginning of what we hope will be a long, productive, and satisfying career.

Sincerely,

A handwritten signature in cursive script that reads "Judy Areen". The signature is fluid and elegant, with the first name "Judy" and the last name "Areen" clearly distinguishable.

Judith Areen
AALS Executive Director

Need-to-Know

HEALTH & SAFETY

Masking

Participants at AALS events are encouraged to wear masks in all meeting event spaces, except while presenting or actively eating/drinking. Please honor any requests from your fellow attendees to mask up and/or maintain physical distancing.

Social Distancing Stickers

AALS will have badge stickers available near registration. Sticker colors will let others know your level of comfort about distance and touching. Displaying a sticker on your badge is optional.

Red sticker – “Hi! I’m keeping my distance.”

Yellow sticker – “Okay with talking but not touching.”

Green sticker – “Okay with handshakes and high-fives.”

CONSENT TO USE OF PHOTOGRAPHIC, AND AUDIO MATERIALS

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

CONTINUING EDUCATION CREDIT

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

LUGGAGE STORAGE

There is no fee for AALS attendees to store luggage at the Mayflower Hotel. To store luggage, see an attendant at the bell stand.

PRIVATE ROOM FOR PARENTS

Nursing parents may use Suite 232 on the second floor as private space. The room has outlets, a refrigerator, and a locking door. Please visit the registration table (District Ballroom Foyer, Lower Level) to request the key to this room.

SESSION MATERIALS

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

If you are a speaker: If you would like to submit presentations or materials to be posted on the website, please do so as soon as possible. PDF files are preferable, and all files must be accessible.

Internet Access

In common areas:

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Program Schedule

As of May 15, 2023

Thurs., June 8

4 – 7 pm

Registration

District Foyer, Lower Level

5:30 – 6:15 pm

Small Group Discussions | Setting the Stage

See handout for the location of your small group meeting room.

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

6:30 – 7 pm

Welcome and Keynote Speaker

District Ballroom, Lower Level

Welcome & Introduction:

Carla D. Pratt, University of Oklahoma College of Law, Chair, Workshop for New School Teachers

Speaker: Mark C. Alexander, AALS President, Villanova University Charles Widger School of Law

Fri., June 9

8 – 8:45 am

AALS Section on Minority Groups - Informal Gathering and Q&A

Palm Court Ballroom, Lobby Level

Facilitators:

Rose Cuisson-Villazor, Rutgers Law School, Newark
Patricia Winograd, Loyola Law School, Los Angeles

8:45– 9 am

Refreshment Break

District Ballroom, Lower Level

9 – 9:15 am

Opening Session

District Ballroom, Lower Level

Welcome and Workshop Overview:

Carla D. Pratt, University of Oklahoma College of Law, Chair, Workshop for New School Teachers

9:15 – 10:45 am

General Session: Foundations for Excellent Teaching

District Ballroom, Lower Level

Effective teachers understand that what learners bring to the classroom is just as important as what the teachers bring. This plenary session will review academic research on student learning, teaching theory, and teaching strategies and then link that discussion to practical advice for excellence in classroom teaching. Awareness of the learning and teaching research can help teachers to promote a positive classroom experience and improve outcomes.

Moderator: Carla D. Pratt,
University of Oklahoma College of Law, Chair, Workshop for New School Teachers

Panelists:

Jamie R. Abrams, American University, Washington College of Law
Lisa A. Crooms-Robinson, Howard University School of Law
Jerome M. Organ, University of St. Thomas

10:45 – 11 am

Refreshment Break

District Ballroom, Lower Level

11 am – 12:15 pm

CONCURRENT SESSIONS ON TEACHING

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

• Course Design

District Ballroom, Lower Level

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

Facilitators:

Jamie R. Abrams, American University, Washington College of Law
Jerome M. Organ, University of St. Thomas School of Law

- **Inside the Classroom**

Rhode Island, Second Floor

How to be an effective teacher in the law school classroom: ideas on how to develop your own teaching style, give students more assessment during the semester, and make class more interactive.

Facilitators:

Howard E. Katz, Cleveland State University College of Law
Kris Franklin, New York Law School

- **Outside the Classroom**

Constitution, Lower Level

How to interact with students outside the classroom including supervising research assistants, mentoring a broad range of students, and setting appropriate boundaries.

Facilitators:

Lisa A. Crooms-Robinson, Howard University School of Law
Olympia R. Duhart, Nova Southeastern University
Shepard Broad College of Law

- **Teaching with Technology**

Independence, Lower Level

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

Facilitators:

Rory D. Bahadur, Washburn University School of Law
Priya Baskaran, American University, Washington College of Law

- **Faculty Teaching Legal Analysis, Writing, and Research**

Pennsylvania, Second Floor

How to get the most teaching bang for your buck out of every legal writing assignment. Whether you are teaching a traditional legal writing course or are looking for ways to incorporate writing assignments into a doctrinal course, maximizing

the value your students get out of an assignment is challenging. This session will introduce several techniques, grounded in learning theory, that maximize how much students learn from each writing assignment.

Facilitators:

Cheryl Berg, University of California, Berkeley School of Law
Stephen Mortellaro, The Catholic University of America, Columbus School of Law

12:30 – 2 pm

AALS Luncheon - Fostering Diversity and Academic Freedom Without Divisiveness

Palm Court Ballroom, Lobby Level

All law teachers must think about ways to teach, mentor, and collaborate effectively in a diverse community. This session will discuss the special challenges all faculty members sometimes face in their roles of teacher, mentor, and institutional citizen at a time of political polarization. It will also address the responsibility that all faculty members have to promote the meaningful inclusion of all students and discuss strategies for doing so both inside and outside the classroom.

Moderators:

Marina C. Hsieh, Santa Clara University School of Law
Douglas NeJaime, Yale Law School

Panelists:

Priya Baskaran, American University, Washington College of Law
Michelle E. Boardman, Antonin Scalia Law School at George Mason University
Alicia E. Plerhoples, Georgetown University Law Center
Carlton M. Waterhouse, Howard University School of Law

2:15– 3:45 pm

General Session on Assessment

District Ballroom, Lower Level

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

Introduction: Carla D. Pratt,

University of Oklahoma College of Law, Chair, Workshop for New School Teachers

Speakers:

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

3:45– 4 pm

Refreshment Break

District Ballroom, Lower Level

4 – 5:15 pm

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

District Ballroom, Lower Level

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

Moderator: Marina C. Hsieh, Santa Clara University School of Law

Speakers:

Eric R. Claeys, Antonin Scalia
Law School at George Mason
University
Lia Epperson, American University,
Washington College of Law
Tianna Gibbs, University of the
District of Columbia, David A.
Clarke School of Law

5:30 – 6:30 pm

AALS Reception

Palm Court Ballroom, Lobby
Level

6:30 – 7:30 pm

**AALS Section on Sexual
Orientation and Gender
Identity Issues - Informal
Gathering and Q & A**

Georgia Room, Second Floor

Facilitator: Douglas NeJaime, Yale
Law School

Sat., June 10

8 – 8:45 am

**AALS Section on Women in
Legal Education - Informal
Gathering and Q & A**

Palm Court Ballroom, Lobby
Level

Facilitators:

Jamie Rene Abrams, American
University, Washington College
of Law
Okianer Christian Dark, Howard
University School of Law
Seema Mohapatra, SMU Dedman
School of Law

8:45 – 9 am

Refreshment Break

District Ballroom, Lower Level

9 – 9:45 am

**General Session - Why
Scholarship Matters**

District Ballroom, Lower Level

In an era of “alternative facts,” good legal scholarship is of the highest importance. Law is essential to constitutionalism, democracy, and markets, but law is often in need of improvement. Good legal scholarship fosters better understanding of law and how law operates. In so doing, it provides a foundation for reform where needed. This panel will discuss these points and explore how many different forms of legal scholarship contribute to law’s ability to provide both needed stability and needed change.

Introduction: Olympia R. Duhart,
Nova Southeastern University
Shepard Broad College of
Law

Speakers:

Paul Butler, Georgetown University
Law Center
David Fontana, The George
Washington University School
of Law
Maya Manian, American University,
Washington College of law

9:45 – 10:45 am

CONCURRENT SESSIONS

ON SCHOLARSHIP (TOPICS

REPEATED FROM 11 AM – 12 PM)

The following concurrent sessions offer focused discussion on a variety of topics important to legal scholarship. Each session will be offered twice so that you can attend two of your choosing.

• **Designing Your Research
Agenda**

District Ballroom, Lower Level

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

Facilitator: Sherally Munshi,
Georgetown University Law
Center

• **Building a Scholarly
Community/Network**
Georgia, Second Floor

How to form a community of readers and like-minded scholars inside and outside of your institution.

Facilitators:

Eric R. Claeys, Antonin Scalia
Law School at George Mason
University
Lia Epperson, American University,
Washington College of Law

• **Distributing Your Ideas**
Pennsylvania, Second Floor

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

Facilitators:

David Fontana, The George
Washington University School
of Law
Spencer Overton, The George
Washington University School
of Law

- **Challenges of Interdisciplinary Scholarship**

Constitution, Lower Level

How to do research in multiple fields and speak to multiple audiences in your scholarship.

Facilitators:

Carla D. Pratt, University of Oklahoma College of Law
Carlton M. Waterhouse, Howard University School of Law

- **Engaged Scholarship and Advocacy**

Rhode Island, Second Floor

How to maximize the impact of your scholarship.

Facilitators:

Olympia R. Duhart, Nova Southeastern University
Shepard Broad College of Law
Maya Manian, American University, Washington College of Law

- **Scholarship for Faculty Teaching Legal Analysis, Research, and Writing**

Independence, Lower Level

How to develop an authentic research agenda and stay engaged with your scholarly agenda while also teaching time-intensive legal writing and skills courses.

Facilitators:

Bruce Ching, University of the District of Columbia, David A. Clarke School of Law
Sherri Lee Keene, Georgetown University Law Center

10:45 – 11 am

Refreshment Break

District Ballroom, Lower Level

11 am – 12 pm

CONCURRENT SESSIONS ON SCHOLARSHIP

This is the second offering of sessions with focused discussion on a variety of topics important to legal scholarship.

- **Designing Your Research Agenda**

District Ballroom, Lower Level

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

Facilitators: Sherrily Munshi, Georgetown University Law Center

- **Building a Scholarly Community/Network**

Georgia, Second Floor

How to form a community of readers and like-minded scholars inside and outside of your institution.

Facilitators:

Eric R. Claeys, Antonin Scalia Law School at George Mason University
Lia Epperson, American University, Washington College of Law

- **Distributing Your Ideas**

Pennsylvania, Second Floor

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

Facilitators:

David Fontana, The George Washington University School of Law
Spencer Overton, The George Washington University School of Law

- **Challenges of Interdisciplinary Scholarship**

Constitution, Lower Level

How to do research in multiple fields and speak to multiple audiences in your scholarship.

Facilitators:

Carla D. Pratt, University of Oklahoma College of Law
Carlton M. Waterhouse, Howard University School of Law

- **Engaged Scholarship and Advocacy**

Rhode Island, Second Floor

How to maximize the impact of your scholarship.

Facilitators:

Olympia R. Duhart, Nova Southeastern University
Shepard Broad College of Law
Maya Manian, American University, Washington College of Law

- **Scholarship for Faculty Teaching Legal Analysis, Research, and Writing**

Independence, Lower Level

Facilitators:

Bruce Ching, University of the District of Columbia, David A. Clarke School of Law
Sherri Lee Keene, Georgetown University Law Center

How to develop an authentic research agenda and stay engaged with your scholarly agenda while also teaching time-intensive legal writing and skills courses.

12 – 1:15 pm

AALS Luncheon

Palm Court Ballroom, Lobby Level

The lunch provides an opportunity to meet others teaching in the same subject area.

Introduction: Carla D. Pratt,
University of Oklahoma College
of Law, Chair, Workshop for
New School Teachers

Speaker: Dayna Bowen Matthew,
The George Washington
University Law School

3:15 – 4:15 pm

Small Group Discussions II - Reflections

See handout for the location of your
small group meeting room.

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

1:30 – 3 pm

General Session: Keeping it All Together

District Ballroom, Lower Level

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

Moderator/Introduction: Carla D.
Pratt, University of Oklahoma
College of Law, Chair,
Workshop for New School
Teachers

Speakers:

Olympia R. Duhart, Nova
Southeastern University
Shepard Broad College of Law
Martha M. Ertman, University of
Maryland Francis King Carey
Law
Howard E. Katz, Cleveland State
University College of Law
Asma Uddin, The Catholic
University of America,
Columbus School of Law

3– 3:15 pm

Refreshment Break

District Ballroom, Lower Level

Planning Committee for the 2023 Workshop for New Law School Teachers



Marina C. Hsieh, Senior Fellow, Santa Clara University School of Law



Carla D. Pratt, Ada Lois Sipuel Fisher Chair in Civil Rights, Race, and Justice in the Law, University of Oklahoma College of Law, **Chair**



Patricia Hurley, Herma Hill Kay Lecturer in Residence Professor of Legal Writing, University of California, Berkeley School of Law



Douglas NeJaime, Anne Urowsky Professor of Law, Yale Law School



Ezra Ross, Professor of Lawyering Skills, University of California, Irvine School of Law

Presenters



Jamie R. Abrams, Professor of Law, American University, Washington College of Law



Mark C. Alexander, Arthur J. Kania Dean and Professor of Law, Villanova University Charles Widger School of Law



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



Priya Baskaran, Assistant Professor of Law, American University, Washington College of Law



Cheryl Berg, Professor of Legal Writing, University of California, Berkeley School of Law



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



Paul Butler, The Albert Brick Professor in Law, Georgetown University Law Center



Bruce Ching, Associate Professor, University of the District of Columbia, David A. Clarke School of Law



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



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



Lisa A. Crooms-Robinson, Professor of Law, Howard University School of Law



Rose Cuison-Villazor, Interim Dean, Professor of Law, & Chancellor's Social Justice Scholar



Olympia R. Duhart, Associate Dean for Faculty Development, Nova Southeastern University Shepard Broad College of Law



Lia Epperson, Professor of Law, American University, Washington College of Law



Martha M. Ertman, Carole & Hanan Sibel Professor of Law, University of Maryland Francis King Carey School of Law



David Fontana, Samuel Tyler Research Professor, The George Washington University Law School



Kris Franklin, Wallace Stevens Professor of Law, New York Law School



Tianna Gibbs, Associate Professor of Law, University of the District of Columbia, David A. Clarke School of Law



Marina C. Hsieh, Senior Fellow, Santa Clara University School of Law



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



Sherri Lee Keene, Associate Professor of Law, Legal Practice, Georgetown University Law Center



Maya Manian, Professor of Law, American University, Washington College of Law



Dayna Bowen Matthew, Dean and Harold H. Greene Professor of Law, The George Washington University Law School



Seema Mohapatra, M.D. Anderson Foundation Endowed Professor in Health Law and Professor of Law, SMU Dedman School of Law



Stephen Mortellaro, Visiting Clinical Assistant Professor, The Catholic University of America, Columbus School of Law



Sherally Munshi, Professor of Law, Georgetown University Law Center



Douglas NeJaime, Anne Urowsky Professor of Law, Yale Law School



Jerome M. Organ, Bakken Professor of Law and Co-director, Holloran Center for Ethical Leadership in the Professions, University of St. Thomas School of Law



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



Alicia E. Plerhoples, Anne Fleming Research Professor; Professor of Law; Associate Dean for Clinics and Experiential Learning, Georgetown University Law Center



Carla D. Pratt, Ada Lois Sipuel Fisher Chair in Civil Rights, Race, and Justice in the Law, University of Oklahoma College of Law



Ezra Ross, Professor of Lawyering Skills, University of California, Irvine School of Law



Urmila Taylor, Professor of Legal Writing, University of California, Berkeley, School of Law



Asma Uddin, Visiting Assistant Professor, The Catholic University of America, Columbus School of Law



Carlton M. Waterhouse, Professor of Law, Howard University School of Law



Patricia Winograd, Associate Clinical Professor of Law, Loyola Law School, Los Angeles

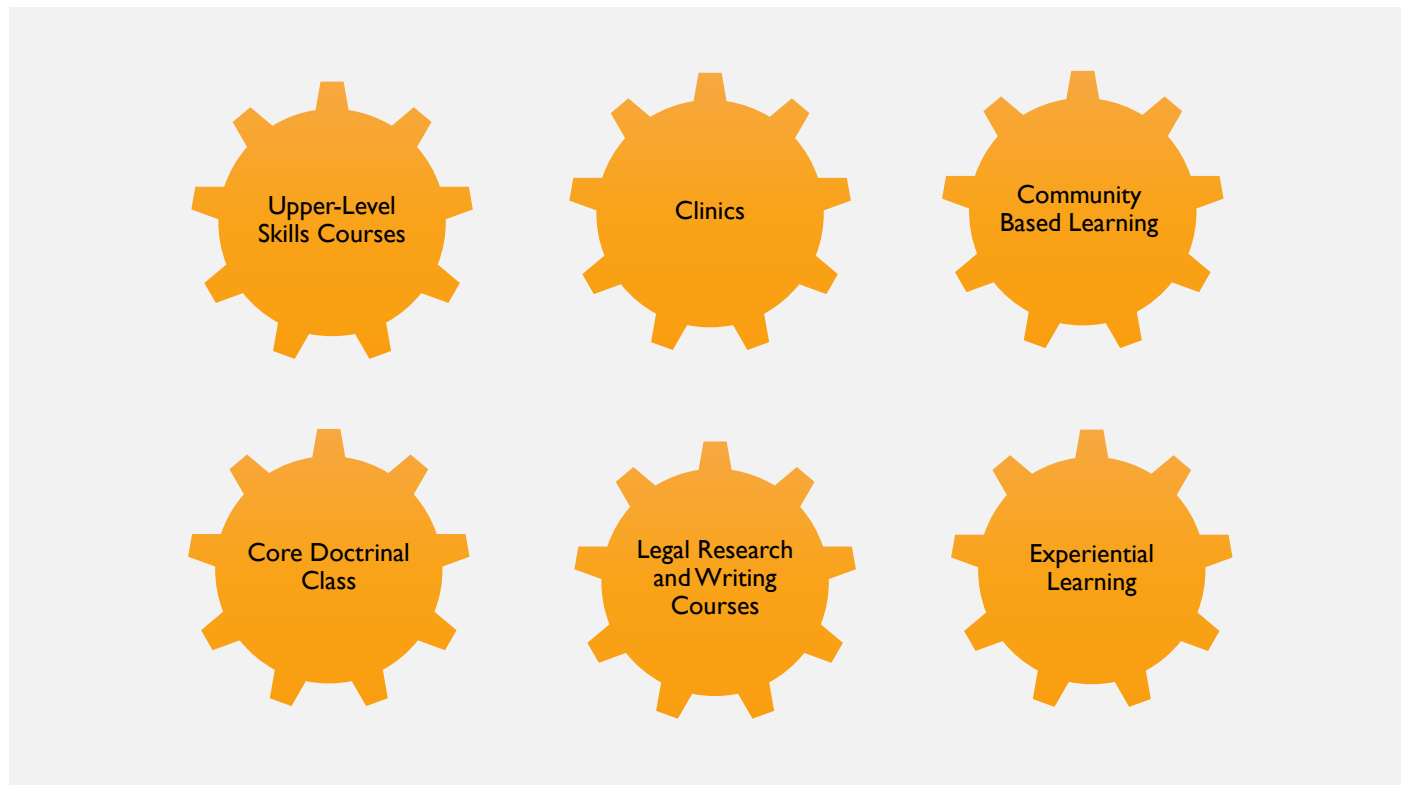
Presentation Outlines and Materials

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

Inclusive Socratic Teaching: Why We Need It and How to Achieve It

Jamie R. Abrams

American University, Washington College of Law



MODERN LEGAL EDUCATION

- Economics still built on traditional large lecture Socratic classroom
- Enduring reverence of this teaching approach
- Innovations happening *around* this enduring curricular architecture



PROPOSALS

Ending

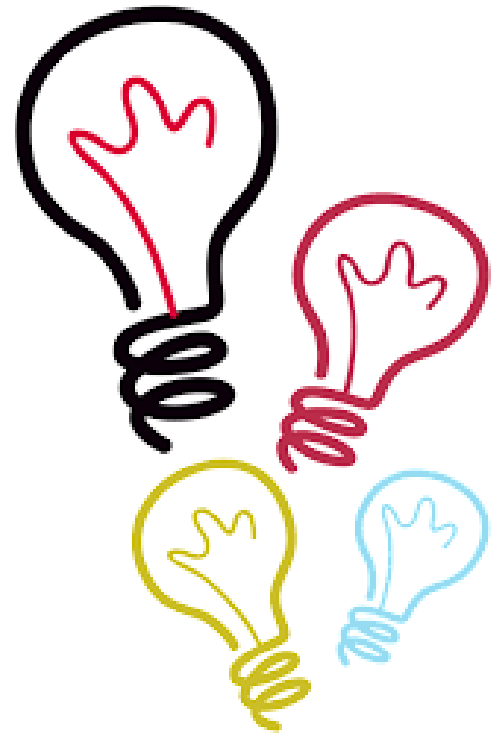
Ending the presumptive reverence given to problematic performances of the Socratic method

Building

Building shared institutional values shaping the Socratic method to catalyze other reforms

Expanding

Holding Socratic classrooms accountable for achieving learning outcomes, including inclusive classrooms and equitable outcomes



WHY FACULTY REPORT USING SOCRACTIC TEACHING

most
effective
(90%)

comfortable
to the faculty
(59%)

how *they*
learned
(32%)

aligned with
colleagues
(4%)

PROBLEMATIC SOCRATIC PERFORMANCES

Professor-centered teaching with a professor perpetually positioned in the center of the room with students engaging in serial participation with the professor. Students are positioned as subordinate absorbers of the professor's knowledge.

Power-centered with the professor leading the dialogue, holding all the answers – often tauntingly – while the students perform for the professor and their peers.

Wielding tools of **fear** and, to a lesser extent, shame to motivate student participation and underscore the inadequacies of the students.

Abstract teaching of rules using teaching notes that rarely need adapting across institution or time.

Appellate case focus using a diluted case book collecting cases from various times and geographies.

Summative assessment provided only with little to no transparency of performance metrics.

"CANCELING KINGSFIELD"



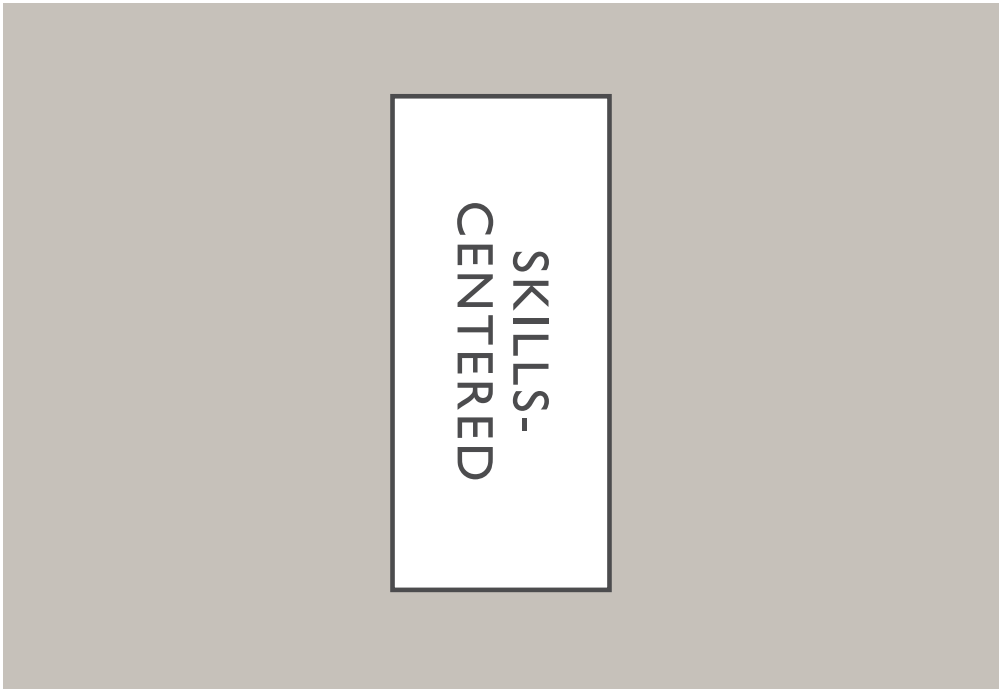


BUILDING A SHARED SET OF INSTITUTIONAL SOCRATIC VALUES



STUDENT-CENTERED

- Abandon “skull full of mush” or “blank slate” approach
- Engaging in reverse course design
- Actively manage Socratic engagement
- Student experiences are part of authentic Socratic dialogue
 - Using technology to increase voices
- Teaching students in ways that promote their career trajectories and cultivate strong wellness habits



Institute for the Advancement of the American Legal System

The ability to act professionally and in accordance with the rules of professional conduct

An understanding of legal processes and sources of law

An understanding of threshold concepts in many subjects

The ability to interpret legal materials

The ability to interact effectively with clients

The ability to identify legal issues

The ability to conduct research

The ability to communicate as a lawyer

The ability to see the "big picture" of client matters

The ability to manage a law-related workload responsibly

The ability to cope with the stresses of legal practice

The ability to pursue self-directed learning

DEBORAH JONES MERRITT & LOGAN CORNETT, BUILDING A BETTER BAR: THE TWELVE BUILDING BLOCKS OF MINIMUM COMPETENCE (2020) (conducting fifty focus groups with 200 participants, of which 139 were junior attorneys and forty-two were supervising attorneys).

Abstract Socratic Content Q&A <i>Instead of</i>	Skills-Centered Socratic Content Q&A <i>Try</i>
<p>What are the facts of the case?</p> <p><i>Student outcome:</i> Remembering the tidy facts of <i>this</i> case episodically.</p>	<ul style="list-style-type: none"> - What facts did the plaintiff have when they first hired a lawyer? - What facts did the defendant have when they first hired a lawyer? - What facts were missing / unknown? - What tools would the lawyer use to uncover / prove the facts that we now read in an appellate casebook? <p><i>Student outcome:</i> Sensitized to the underlying skills and tasks leading to this appellate opinion (e.g., client interviewing, discovery). Connect subject matter to other courses, like civil procedure and clinic.</p>
<p>What is the issue in the case?</p> <p><i>Student outcome:</i> Remembering <i>this</i> issue as it is already polished and presented.</p>	<ul style="list-style-type: none"> - What did the plaintiff want to get out of the case? - What did the defendant want to get out of the case? - What legal theories helped each side pursue their objectives? - What uncertainty did the law present in seeking each side's desired outcome? - How did the trial court resolve that uncertainty? On what sources did it rely? - How does the petitioner want the appellate court to resolve the uncertainty? On what sources does it rely? <p><i>Student outcome:</i> Sensitized to the presence of uncertainty and the role of research, judgment, and strategy shaping the case outcome.</p>
<p>What was the trial court's holding?</p> <p><i>Student outcome:</i> Remembering <i>this</i> case path.</p>	<ul style="list-style-type: none"> - Who prevailed at the trial court level? - What options are available to the losing party? - What standard of review governs on appeal? - How does the possibility of appeal shape the client counseling for the prevailing party? - What resources will an appeal take? What considerations might shape whether to appeal? <p><i>Student outcome:</i> Sensitized to the hierarchies of legal processes and to the nuances of client counseling within those layers.</p>



C. Client-Centered Framing

<ul style="list-style-type: none">• Organizes analysis clearly and thoughtfully to maximize client understanding.• Explains in a client-centered manner why the rule is what it is, particularly when the outcome is <u>adverse</u> to the client's expectations or needs.• Explains <i>who</i> specifically will raise each claim and counter claim.• Grounds legal analysis of each legal claim in appropriate level of coverage given the viability of the claim consistent with client resources.• Clearly advises client of why particular claims may be advantageous or disadvantageous, particularly where multiple claims are analyzed.• Appropriately explains the result to the client in procedural, evidentiary, and litigation-based context. Not just "who will win," but "when" and "how" this might occur in the process.	
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Professor Jamie R. Abrams
GENERAL GRADING CRITERIA

The descriptions below will give you some idea of the reasons behind each grade.³⁷

An 'A' exam would make a supervising attorney (client) (the intended audience) feel confident about relying on your work with little or no corrections or interventions. A client would be pleased that you prepared her for all possible counter arguments and legal obstacles that the case would likely encounter. The reader would understand "what" the law is, "how" it applies to her case, and (where appropriate) "why" the law is what it is or why it is as uncertain as it is.

An 'A' exam will:

- (a) be easy to read due to strong large-scale organization, clarity, and focus;
- (b) have missed no major causes of action or misstated any major rules of law;
- (c) have further analyzed the minor or more subtle legal issues in the fact pattern;
- (d) connect fact and law seamlessly to reason to legal conclusions;
- (e) be based on a close, accurate, and thorough reading of the facts;
- (f) ground legal advice in a sophisticated understanding of how a family law case proceeds through the legal process

A 'B' exam would make a favorable impression on the intended audience. It would communicate that you know the law and legal analysis well. A supervising attorney would enjoy watching your growth and would feel confident that, with guidance, you will be a very good attorney. The work product might require some "gap filling" to thoroughly address all issues, to refine the precise terminology, or to tighten the analytical structure. The intended audience would generally understand the law, the conclusions, and the legal advice with strong clarity.

A 'B' exam will:

- (a) be similar to, but lack the thoroughness, power, or polish of an 'A' paper;
- (b) have generally hit "the big issues" and stated the law accurately, but missed some of the minor nuances and complexities;
- (c) be generally well-organized, but may require the reader to reread certain sentences or paragraphs before fully grasping the author's point or may use excessive space to make minor points;
- (d) state defensible legal conclusions, but further clarity may be necessary to understand the reasoning in all its contours;
- (e) explain the "what" and "how" of the law, but may leave the client with further follow-up questions regarding why the result is as you suggest it is or why the other side might prevail

A 'C' exam would leave the intended audience uneasy about relying unguardedly on your work or unclear on how you produced the work. Your intended audience might pick up some interesting points of law from the work, but would feel compelled to rethink the legal reasoning and/or closely research your legal rules. However, a supervising attorney would likely see

Adapted from a model
provided by the University of
North Carolina Center for
Teaching and Learning and by
Professor Ruth McKinney of
the University of North
Carolina School of Law and
from Mary Beth Beazley at
Ohio State Law School.

COMMUNITY-CENTERED

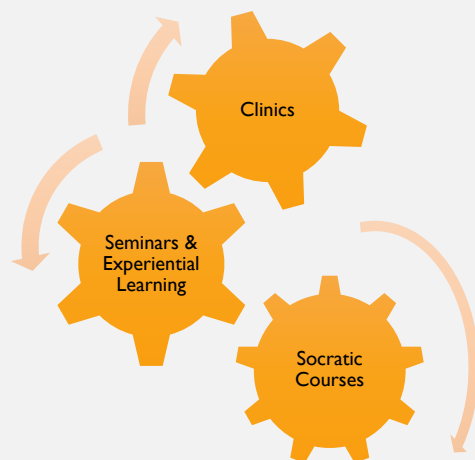
Fostering

- Fostering Inclusive Classrooms
 - “[Inclusive instructors] take responsibility for making their teaching and their curriculum inclusive. They continue to learn about both their students and teaching. They care about and for each and every student they teach. They change their teaching based on evidence about the practices that support and challenge all students to thrive.”
Buffie Longmire-Avital & Peter Felter, Foreword to Tracie Marcella Addy, Derek Dube, Khadijah A. Mitchell & Mallory E. SoRell, What Inclusive Instructors Do, at x (2021).

Grounding

- Grounding Content & Context in Communities
 - Engaging students in discussions of how the doctrine shapes communities

STUDENT-CENTERED, SKILLS-CENTERED, CLIENT-CENTERED, AND COMMUNITY-CENTERED INSTITUTIONAL VALUES



How to get the most teaching bang for your buck out of every legal writing assignment

Cheryl Berg

Berkeley Law

Whether in doctrinal or skills classes, legal writing assignments can teach students useful lawyering skills. In addition, legal writing assignments can deepen students' understanding of the substantive topics they write about. Ideally, students become better thinkers as a result.

But the value of writing assignments ultimately depends on the staying-power of students' learning. To succeed as lawyers, students need skills and knowledge they can transfer from one context to the next, including from law school to practice. In addition, they must be "expert learners," capable of constantly mastering new topics and content on their own.

Legal writing assignments can be designed and implemented to support these various teaching goals. When designing a legal writing assignment, faculty should consider:

- What skills and/or content is the assignment teaching? How can the assignment be tailored to help students focus on this learning?
- Will the context of the assignment engage students, without distracting or overloading them? How "real" can the assignment seem?
- How can the work be phased to keep students on-track?

Even a well-designed legal writing assignment can go off-track if not properly managed.

Therefore, when implementing an assignment faculty should:

- Be explicit in framing the assignment so that students recognize the skills they are learning – e.g., legal analysis; careful reading; the role of a lawyer.
- Provide useful feedback, which may vary in form from project to project – e.g., line edits and endnotes vs. rubrics or live-grading.
- Help students "transfer" their learning – e.g., assign projects that require skills they practiced before; refer explicitly to the overlap; identify future potential projects which could require the same skills.

The following articles are useful resources to learn more about metacognition and "transfer" as they relate to legal writing:

- Mary Nicol Bowman, *et al.*, *Cracking Student Silos: Linking Legal Writing and Clinical Learning Through Transference*, 25 Clinical L. Rev. 269 (2019)
- Shaun Archer *et al.*, *Reaching Backward and Stretching Forward: Teaching for Transfer in Law School Clinics*, 64 J. Legal Educ. 258 (2014)
- Katherine R. Kruse, *Legal Education and Professional Skills: Myths and Misconceptions About Theory and Practice*, 45 McGeorge L. Rev. 7 (2013)
- Anthony Niedwiecki, *Teaching for Lifelong Learning: Improving the Metacognitive Skills of Law Students Through More Effective Formative Assessment Techniques*, 40 Cap. U. L. Rev. 149 (2012)

Kris Franklin
New York Law School

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

-----X)	
Ida Relich)	
)	
<i>Plaintiff,</i>)	
- v. -)	
)	Case Number 011013
)	
Maurice Leigh,)	COMPLAINT
)	
<i>Defendant.</i>)	
-----X		

Plaintiff Ida Relich, by her attorney Tomasa Tirado, comes now before this court and says:

A Complaint is supposed to set out the factual and legal bases for each of the complaining party's claims. Most lawyers find drafting complaints to be a demanding art. They must be specific enough to meet statutory requirements and to survive expected motions to dismiss. Nonetheless, attorneys sometimes aim to draft complaints that are as loose and general as they can get away with. In part this is to avoid contradicting facts which may emerge later, but it is also to avoid giving more information to the other side than is strictly required. As you read through this Complaint see if you agree with the way that Ms. Tirado balanced those competing interests in this particular Complaint.

1. On or about October 18, 20__, Defendant entered into a Contract of Sale with Plaintiff for the residential property located at 305 Oakmont Avenue (hereinafter "Property").

2. The sale of the subject Property was predicated upon the representations made by Defendant seller in the Disclosure Statement attached to this Complaint as Exhibit A.

3. Defendant's Disclosure Statement omits important and material information about the Property.

4. The omitted information affects the value of the Property.

5. The omitted information would, if known, have affected Plaintiff's decision-making process regarding the purchase of the Property.

6. The Property is widely reputed to be possessed by poltergeists.

7. Defendant and his visitors have reportedly seen these poltergeists on numerous occasions, and the presence of poltergeists has been reported upon in the local press. Defendant himself gave an interview with local news station KNXV approximately two years before listing the house for sale, in which he reported having seen the specter of an elderly woman hovering near the rear entrance to the Property, and of a younger man "walking" near its kitchen.

8. Plaintiff is relocating to Arizona from Texas, and had no reason to be familiar with the local lore regarding the Property.

When you review the elements of the contracts defenses at issue in this case, come back to consider these points and ask yourself what each numbered paragraph contributes and why the attorney framed them the way she did.

Proximity and juxtaposition suggest meaning to readers (whether they register it consciously or not). Consider the attorney's reasons for placing this point immediately after the one that precedes it.

This use of an evocative word like "grisly" stands out in the otherwise detached tone of this document. Why do you think the attorney included the term?

9. Upon learning of the reputation of the Property's haunting, Plaintiff undertook to research its history and discovered at the local library a newspaper report describing a grisly multiple homicide that took place in the Property in 1932. The murder victims included an elderly woman and her younger nephew. Plaintiff has reason to believe that the haunted reputation of the Property stems from this established event.

Do you see how this story is designed to allude to the elderly woman and the younger man from paragraph 8 without having to explicitly contend that they are the ghosts of the murder victims?

10. Defendant was under a duty to disclose what he knew regarding the Property's reputation.

11. Defendant was aware of the Property's reputation for paranormal activity.

12. Defendant may have known, and/or should have known, about the homicides previously committed on the Property.

13. If defendant was unaware of the homicides in the Property's past, then this history would constitute a mistake by both parties.

14. The mistake referenced in paragraph 14, if there was one, is basic to the agreement reached between the Plaintiff and Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court issue an order:

1. Rescinding the sale between the parties of the Property, located at 305 Oakmont Avenue, AND
2. Awarding consequential damages in the amount of \$28,052.00, OR
3. In the alternative, awarding restitution for the diminished value of the property.
4. Together with awarding such other relief as may be just and proper.

DATED this 17th day of December, 20____.

THE CULPEPPER LAW FIRM, LLC

By /s/ Thomasa Tirado

2203 30th Street, Suite 200
Phoenix, Arizona, 85014

Attorneys for Plaintiff

Restatement (Second) of Contracts

Chapter 6. Mistake

§ 151 Mistake Defined

A mistake is a belief that is not in accord with the facts.

§ 152 When Mistake of Both Parties Makes a Contract Voidable

(1) Where a mistake of both parties at the time a contract was made as to a basic assumption on which the contract was made has a material effect on the agreed exchange of performances, the contract is voidable by the adversely affected party unless he bears the risk of the mistake under the rule stated in [§ 154](#).

(2) In determining whether the mistake has a material effect on the agreed exchange of performances, account is taken of any relief by way of reformation, restitution, or otherwise.

§ 153 When Mistake of One Party Makes a Contract Voidable

Where a mistake of one party at the time a contract was made as to a basic assumption on which he made the contract has a material effect on the agreed exchange of performances that is adverse to him, the contract is voidable by him if he does not bear the risk of the mistake under the rule stated in [§ 154](#), and

- (a) the effect of the mistake is such that enforcement of the contract would be unconscionable, or
- (b) the other party had reason to know of the mistake or his fault caused the mistake.

Law students frequently struggle to differentiate mistake from misrepresentation claims. In part this may be because the same core facts can give rise to both defenses. But the elements of the two are quite different, so naturally the facts needed to support the defenses are quite distinct. Pay careful attention here to how a mistake is defined, and compare with the definition of a misrepresentation in § 159 below. Do you see the difference in emphasis?

Restatement (Second) of Contracts

Chapter 7. Misrepresentation, Duress and Undue Influence

Topic 1. Misrepresentation

§ 159 Misrepresentation Defined

A misrepresentation is an assertion that is not in accord with the facts.

§ 160 When Action is Equivalent to an Assertion (Concealment)

Action intended or known to be likely to prevent another from learning a fact is equivalent to an assertion that the fact does not exist.

§ 162 When a Misrepresentation Is Fraudulent or Material

(1) A misrepresentation is fraudulent if the maker intends his assertion to induce a party to manifest his assent and the maker

- (a) knows or believes that the assertion is not in accord with the facts, or
- (b) does not have the confidence that he states or implies in the truth of the assertion, or
- (c) knows that he does not have the basis that he states or implies for the assertion.

(2) A misrepresentation is material if it would be likely to induce a reasonable person to manifest his assent, or if the maker knows that it would be likely to induce the recipient to do so.

§ 164 When a Misrepresentation Makes a Contract Voidable

(1) If a party's manifestation of assent is induced by either a fraudulent or a material misrepresentation by the other party upon which the recipient is justified in relying, the contract is voidable by the recipient.

(2) If a party's manifestation of assent is induced by either a fraudulent or a material misrepresentation by one who is not a party to the transaction upon which the recipient is justified in relying, the contract is voidable by the recipient, unless the other party to the transaction in good faith and without reason to know of the misrepresentation either gives value or relies materially on the transaction.

§ 167 When a Misrepresentation Is an Inducing Cause

A misrepresentation induces a party's manifestation of assent if it substantially contributes to his decision to manifest his assent.

Kris Franklin
New York Law School

Class 8
Working Group Problem

A sou-sou/susu (also known by many other names) is a rotating savings club commonly used in African, Caribbean, in some U.S. immigrant communities. The concept is simple: a group of people commit to putting an equal sum of money into a pool on a regular basis, and each collects the full amount paid in by all members when it is their turn. If ten people joined a sou-sou and each contributed \$100 per week, at the end of every week one club member would receive a \$1,000 lump sum. Eight people in the savings club would mean an eight-week cycle, with the sou-sou ending or beginning a new cycle after that. Many members use the payouts from these savings clubs to finance new businesses, make down payments, or even pay for college tuition.

An agreed-upon treasurer manages the pool and creates the payout schedule. Interest is not collected or paid on club assets, and members are not required to complete credit checks or sign any official paperwork. These groups operate based on established trust among their community members, and therefore often comprise close-knit groups of extended family, co-workers, or fellow churchgoers.

Jaden is deeply knowledgeable about antique teacup sets. He wanted to start an online antique ceramics business and needs funds to purchase inventory. A cousin told him about a sou-sou that was beginning in June. He joined the sou-sou with ten other people. The members decided to contribute \$1,000 per month each, and selected Landa as treasurer.

Four months into the eleven-month cycle, club member Ajay failed to make his monthly payment. This put Landa in a difficult position because tradition held her responsible for covering Ajay's missing contribution. Landa was unable to come up with the additional money, which means the pool is now short \$1,000, just when Jaden is scheduled to receive this month's payout.

1. Is there consideration in this agreement? Explain why or why not.

2. Is there mutual assent? Is it sufficient to form an enforceable contract?

What is Jaden's strongest argument in favor of contract formation?

What is Ajay's strongest argument against the formation of a legally binding contract?

3. Is Landa legally obliged to pay Ajay's portion?

What facts support an argument that she is?

What facts support an argument that she is not?

Free Teaching Resources
Howard E. Katz
Cleveland State University College of Law
h.katz@csuohio.edu

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

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

The Strategies and Techniques series (teaching advice on specific courses):

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

Available at no cost from your Aspen representative or on the aspenpublishing.com faculty resources page

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

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

Videos with advice on constructing useful visual aids:

www.lls.edu/CaplanVisualAids

Advice on constructing and using PowerPoint slides:

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

AALS Section on New Law Professors webinar on constructing and grading exams (AALS.org section webinars page April 2021)

AALS Section on New Law Professors webinar on the art of choosing a textbook (AALS.org section webinars page October 2021)

Perhaps of interest to those teaching first-year courses:

Teaching Legal Analysis Using the Unified Field Theory

The “unified field theory of legal analysis” method draws on learning theory as well as the experience of professors, especially those who teach element-driven courses. It emphasizes rules, the elements that comprise those rules, and application of new facts to those rules, as the fundamental organizing principal of how to discuss cases in class and how to do legal analysis. This allows the coverage of each case in class to model how to outline and how to write a good exam answer. The method embeds a variety of sound pedagogical techniques, including formative assessment and retrieval (without taking any extra class time). Use of the method makes clear early in the course what is expected in answering an exam question, which is especially helpful for those students who have less access to the unwritten rules of how to do law school. A draft is posted on my SSRN site.

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

Howard E. Katz

Thoughts on Legal Education as Professional Formation

Jerome M. Organ

University of St. Thomas School of Law (Minnesota)

Law school undoubtedly is a formation experience – a process of socialization as students evolve from students to lawyers.

What happens during the socialization process?

Shifts in thinking/motivation

Declines in well being

The law school experience is forming students – but not in a positive way.

Thinking like a lawyer – the “bread and butter” of a legal education – is a necessary competency for lawyers – but it is not sufficient.

Carnegie’s Three Apprenticeships -- Thinking like a lawyer and doing what lawyers do and being a lawyer

We should help students transition from student to lawyer with a focus on two FOUNDATIONAL LEARNING OUTCOMES – Each student should demonstrate an understanding and integration of:

pro-active professional development toward excellence at all the competencies needed to serve others well in meaningful employment (self-directedness); and

an internalized deep responsibility to others whom the student/lawyer serves as a professional in widening circles as the student matures.

How can we do this?

Be more intentional and work collectively.

Provide opportunities for students to do things lawyers do and to reflect on being in role.

Help students develop greater self-awareness and self-understanding – building on their experiences and competencies and honoring their motivations and passions and values.

Help students appreciate that relational skills will be important for them.

Connect with AALS

THE DIRECTORY OF LAW TEACHERS

The AALS Directory of Law Teachers is mainly used as an online database these days rather than as a physical phone book, but being listed is still a rite of passage in the academy. It's also necessary for you to gain full access to AALS services and aals.org, and to register for events in the future.

Join your school's roster

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

- 1) Go to www.aals.org/login/
- 2) Click the 'Lost Password' link on the bottom of the page
- 3) Type your email address and click the 'go' button
 - If your email address is found, then you are already on your school's roster! The system will perform a login retrieval and send your password to the email on file.
 - If you get the message 'Email address not found in database,' you are not in your law school's roster. Ask your dean's office to add you and to list your position, (tenure track, VAP, fellow, visitor, other teacher, or adjunct). Only your dean's office can add you.

Either way, once you are in your law school's roster, you should log into the AALS website. Passwords are not automatically assigned; follow the steps above to choose a permanent password to replace the temporary one.

If you need assistance, contact dltsupport@aals.org

Submit your biography in the AALS Directory of Law Teachers

Being in your school's roster also allows your profile to appear in the printed DLT if you have a tenure-track position. Update your biography in the DLT database at any time; your updated info will be reflected in real time. It is especially important to ensure your information is up to date before fall—we still print some hard copies of the DLT each year, and the information is collected during the fall semester.

You can look by name or school in the online DLT, but the new search function can do much more. Sort faculty members by subjects taught, currently teaching, years teaching, and seminar offerings, among others. You can also cross search for multiple faculty and multiple subject areas at the same time.

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

Section Chairs and Chairs-Elect for 2023

AALS Sections are interest groups for faculty members and professional staff of AALS member schools, organized around subject matter, administrative area, or affinity. Sections present programs at the AALS Annual Meeting, host networking events and webinars, present awards, offer mentoring programs, and provide exam exchanges, directories, and discussion lists. Sections steer the intellectual programming and activity that make AALS a learned society.

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

There are 107 sections, providing a forum for almost every area of law. Depending on the subjects you teach and your scholarly interests, you may find it useful to sign up for several sections.

Academic Support

Marsha Griggs, Washburn University School of Law,
Chair

Susan Landrum, University of Illinois College of Law,
Chair-Elect

Administrative Law

Jamelle Sharpe, University of Illinois College of Law,
Chair

Glen Staszewski, Michigan State University College of
Law, **Chair-Elect**

Admiralty and Maritime Law

Martin Davies, Tulane University School of Law, **Chair**
Chair-Elect: William Dunlap, Quinnipiac University
School of Law, **Chair-Elect**

Africa

Aman Gebru, University of Houston Law Center, **Chair**
Matiangai Sirleaf, University of Maryland Francis King
Carey School of Law, **Chair-Elect**

Agency, Partnership, LLC's and Unincorporated Associations

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Chair

Joan Heminway, The University of Tennessee College of
Law, **Chair-Elect**

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Joan Foley, Touro University Jacob D. Fuchsberg Law
Center, **Chair**

Tara Sklar, University of Arizona James E. Rogers College
of Law, **Chair-Elect**

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Delcianna Winders, Vermont Law School, **Chair**
Jennifer Zwagerman, Drake University Law School,
Chair-Elect

Alternative Dispute Resolution

Donna Shestowsky, The University of California, Davis
School of Law, **Chair**

Kristen Blankley, University of Nevada, Las Vegas,
William S. Boyd School of Law, **Chair-Elect**

Animal Law

Matthew Liebman, University of San Francisco School of
Law, **Chair**

Iselin Gambert, The George Washington University Law
School, **Chair-Elect**

Antitrust and Economic Regulation

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Chair

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College of Law, **Chair-Elect**

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Jasmine Abdel-khalik, University of Missouri-Kansas City
School of Law, **Chair-Elect**

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Broad College of Law, **Chair-Elect**

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 Athena Mutua, University of Buffalo School of Law, **Chair-Elect**

Dean, for the Law School

Angela Onwuachi-Willig, Boston University School of Law, **Chair**

Defamation and Privacy

Jake Linford, Florida State University College of Law, **Chair**

Disability Law

Doron Dorfman, Seton Hall University School of Law, **Chair**
 D'Andra Millsap Shu, South Texas College of Law Houston, **Chair-Elect**

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Belinda Dantley, Saint Louis University School of Law, **Chair**

East Asian Law and Society

Margaret Woo, Northeastern University School of Law, **Chair**
 Mark Levin, University of Hawaii William S. Richardson School of Law, **Chair-Elect**

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Miranda Johnson, Loyola University Chicago School of Law, **Chair**
 Ben Trachtenberg, University of Missouri School of Law, **Chair-Elect**

Election Law

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AALS Annual Meeting

January 3 – 6, 2024 | Washington, DC

AALS is excited to return to Washington, DC for the 2024 Annual Meeting. The meeting will take place Wednesday, January 3 through Saturday, January 6, 2024. The theme, selected by President Mark Alexander, is “Defending Democracy.”

The Annual Meeting is an opportunity to connect and collaborate with colleagues, discuss critical and emerging legal issues, and attend programs focused on fresh perspectives on law and legal education. Program planning for the 2024 Annual Meeting is currently in progress. Our 106 sections and the Annual Meeting program committees are working on a schedule filled with sessions that appeal to law school deans, faculty, and administrators at any level of their careers. Be on the lookout for more details in the coming months.

New law faculty (0-3 years) qualify for a 50% discounted registration rate. This fee includes three and half days of concurrent sessions, most organized by AALS Sections and some (Arc of Career, Discussion Groups, Open Source, Symposium, and Hot Topic sessions) chosen from AALS calls for papers. Your registration also includes the AALS Opening Plenary session, Opening Reception, Exhibit Hall, and morning and afternoon refreshment breaks.

Registration will open later this summer. Stay tuned to am.aals.org for more information.

FOR NEW TEACHERS AT THE ANNUAL MEETING

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

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

AALS Reception for New Law Teachers

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

CALL FOR SCHOLARLY PAPERS FOR 2024 AALS ANNUAL MEETING

To encourage and recognize outstanding legal scholarship and to broaden participation by newer faculty in the Annual Meeting program, AALS is sponsoring a call for papers for the 39th Annual AALS Scholarly Papers Competition. The competition is open to full-time law faculty, who have been teaching for 5 years or less as of August 31, 2023. Time spent as a law fellow, or a VAP counts toward the requirement of being a full-time educator for five years or less. Eligible faculty are invited to submit a paper on a topic related to or concerning law by August 3, 2023, 5:00 p.m. Eastern Time.

A committee of established scholars will review the submitted papers with the authors' identities concealed. The competition winner(s) will be recognized at the 2024 AALS Annual Meeting in Washington, DC.

For additional guidelines and complete submission instructions, visit <https://am.aals.org/proposals/scholarly-papers/>. Questions may be directed to scholarlypapers@aals.org.

Faculty Focus Webinar Series

Faculty Focus is a recurring series of hour-long webinars featuring expert advice from law school leaders as well as shared experiences from early career law faculty. This series is designed to support new faculty, tenure-track faculty, fellows, and VAPs, but anyone in the legal academy is welcome to join.

Webinars are structured to encourage conversation and connection and include opportunities for participants to engage with speakers and crowdsource ideas across a range of law schools.

See upcoming topics and access the archive containing recordings of all previous Faculty Focus webinars at <https://www.aals.org/events/faculty-focus/>. Past Faculty Focus topics include:

- **Work-Life Balance and the Demands of Scholarship**
- **Meeting the Needs of All Students Online**
- **Effective Use of Research Assistants**
- **Supporting Struggling Students**
- **Pathways to Leadership**
- **Handling Sensitive Issues in the Classroom**
- **Drafting & Grading Exams & Providing Meaningful Feedback**
- **Navigating Faculty Politics**
- **The Importance of Service**
- **Establishing One's Presence in the Classroom**
- **Creating an Inclusive Classroom**

...and more!

AALS 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 need to comply with the requirements and standards of both. Law professors who practice law are subject to the law of professional ethics in force in the jurisdictions in which they are licensed to practice. 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 professional 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 significance of these other sources of ethical and professional conduct. Instead, it is intended to provide general guidance to law professors concerning ethical and professional standards because of the intrinsic importance of those standards and because law professors serve as important role models for law students. This Statement is primarily directed to full-time law faculty, although much of the advice may also assist part-time faculty. The Statement also recognizes that full-time law faculty may have different responsibilities depending upon the nature of their school and the specifics of their faculty role and employment terms. The effort here is to provide guidance at a level of generality that can assist most full-time law faculty.

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

Although the norms of conduct set forth in this Statement may be relevant when questions concerning propriety of conduct arise in a particular institutional context, the Statement is not promulgated as a disciplinary code. Rather, the 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 they function as role models, professors should be guided by relevant ethical and professional standards. In all their pursuits, professors should seek to model and encourage in others the highest standards of professionalism and civility.

Law professors should aspire to excellence in teaching and to mastery of the doctrines and theories of the subjects they teach. They should prepare conscientiously for class and employ teaching methods appropriate for the subject 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 meet as scheduled or, when this is impracticable, classes should be rescheduled at a time reasonably convenient for students, or alternative means of instruction should be provided.

Law professors have an obligation to treat students 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 professor's institution 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 reasonable efforts to ensure that the information they transmit is timely and accurate. When in the course of counseling a student, a professor receives information that the student may reasonably expect to be confidential, the professor should not disclose that information unless required to do so by university or law school rule or applicable law. Professors should inform students concerning the possibility of such disclosure.

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

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

Law professors should not sexually harass students and should not use their role or position to induce a student to enter into a sexual or romantic relationship, or to subject a student to a hostile academic environment based on any form of sexual harassment. Sexual or romantic 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 or romantic 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 professional responsibility for the student.

II. RESPONSIBILITIES AS SCHOLARS

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

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

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

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

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

A law professor should also disclose the fact that views or analysis expressed in any covered activity were espoused or developed in the course of either paid or unpaid representation of or consultation with a client when a reasonable person would be likely to see that fact as having influenced the position taken by the professor. Disclosure is not required for representation or consultation that is sufficiently remote in time that

a reasonable person would not expect it to be disclosed. Disclosure should include the identity of any client, where practicable and where not prohibited by the governing Code or Rules of Professional Conduct. If such Code or Rules prohibit a professor from revealing the identity of the client, then the professor shall generally describe the client or interest represented or both. Covered activities include any published work, oral or written presentation to conferences, drafting committees, legislatures, law reform bodies and the like, and any expert testimony submitted in legal proceedings. A law professor should make, to the extent possible, all disclosures discussed in this policy at the earliest possible time. The earliest possible time should be when the professor is invited to produce the written work for publication or to make a presentation or when the professor submits the written work for publication or delivers the presentation.

III. RESPONSIBILITIES TO COLLEAGUES

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

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

Law professors should comply with institutional rules 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. The Family Educational Rights and Privacy Act (FERPA), for instance, has strict rules about student privacy and professors should become familiar with its requirements. If there is doubt whether such a rule or policy is in effect, a law professor should seek clarification.

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

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

As is the case with respect to students (Part I), sexual harassment, or discriminatory conduct involving colleagues or staff members on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, 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 academic leadership. Individual professors have a responsibility to assume a fair share of that leadership, including the duty to serve on faculty committees and to participate in faculty deliberations.

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

When a law professor resigns from a university to assume another position, or seeks a leave of absence to teach at another institution, or assumes a temporary position in practice, government or other sector, the professor should provide reasonable advance notice. Absent unusual circumstances, a professor should adhere to the dates established in the Association of American Law Schools Statement of Good Practices for the Recruitment of and Resignation by Full-Time Faculty Members.

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 belongs. A law professor may responsibly test the limits of professional rules in an effort to determine their constitutionality or proper application. 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 students 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 about which practicing lawyers may be more inhibited. With that freedom from economic pressure goes an enhanced obligation to pursue individual and social justice. For the same reason, engaging in law reform activities or advocating for improvements in law and the legal system is a valued role of legal academics.

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Restaurants in Proximity to the Mayflower Hotel

SIT DOWN RESTAURANTS

All Day by Kramers (\$\$)

<https://www.kramers.com>

- 12-minute walk
- American (New)

Boqueria – Dupont (\$\$)

<https://boqueriarestaurant.com/tapas-bar-dc-dupont/>

- 5-minute walk
- Spanish, Tapas

Dauphines (\$\$\$)

<https://www.dauphinesdc.com>

- 5-minute walk
- Seafood

Donburi (\$\$)

<https://www.donburidc.com>

- 6-minute walk
- Japanese

Founding Farmers (\$\$)

<https://www.wearefoundingfarmers.com>

- 12-minute walk
- American (Traditional)

Kellari Taverna (\$\$)

<https://kellaridc.com>

- 4-minute walk
- Greek, Dinner

La Tomate Bistro (\$\$)

<https://www.latomatebistro.com>

- 15-minute walk
- Italian

Lincoln (\$\$)

<https://www.lincolnrestaurant-dc.com>

- 8-minute walk
- American (Traditional)
- Lunch and dinner

Mari Vanna DC (\$\$\$)

<https://taplink.cc/marivannadc>

- 1-minute walk
- European Style
- Dinner and brunch

Mazi DC (\$\$)

<https://www.mazidc.com>

- 7-minute walk
- American (New)

Mi Casa (\$\$)

<https://www.micasa-mexico.com>

- 14-minute walk
- Tex-Mex

Nooshi (\$\$)

<https://www.nooshidc.com>

- 6-minute walk
- Sushi

Pisco y Nazca (\$\$)

<https://piscoynazca.com/washington-dc/>

- 4-minute walk
- Peruvian, Dinner

Pizzeria Paradiso (\$\$)

<https://www.eatyourpizza.com>

- 11-minute walk

Rare Steakhouse and Tavern (\$\$\$)

<https://www.raresteaks.com/location/dc-steakhouse-reservations/>

- 8-minute walk
- American (Traditional)

Rakuya (\$\$)

<https://www.rakuyarestaurant.com>

- 12-minute walk
- Japanese

Sakana (\$\$)

<http://sakana.juisyfood.com>

- 12-minute walk
- Japanese

Sette Osteria (\$\$)

<https://setteosteria.com>

- 14-minute walk
- Italian dinner

Teddy and The Bully Bar (\$\$\$)

<https://www.teddyandthebullybar.com>

- 6-minute walk
- American (New)

The Daily Grill (\$\$)

<https://www.dailygrill.com>

- 3-minute walk
- American (Traditional)

GRAB AND GO RESTAURANTS

Aloha Poke (\$\$)

<https://www.alohapokeco.com/about/>

- 8-minute walk
- Hawaiian

Gregorys Coffee (\$)

<http://www.gregoryscoffee.com/blog/hey-washington-d-c-it-s-us-gregorys>

- 1-minute walk
- Coffee shop

HipCity Veg (\$\$)

<https://hipcityveg.com/washington-dc/>

- 6-minute walk
- Vegetarian, Vegan

Little Sesame (\$\$)

<https://www.eatlittlesesame.com>

- 5-minute walk
- Middle Eastern

Surfside Taco Stand (\$)

<https://www.surfsidedc.com>

- 6-minute walk
- Mexican/Taco Stand
- Open 24 hours

Tatte Bakery and Café West End Location (\$\$)

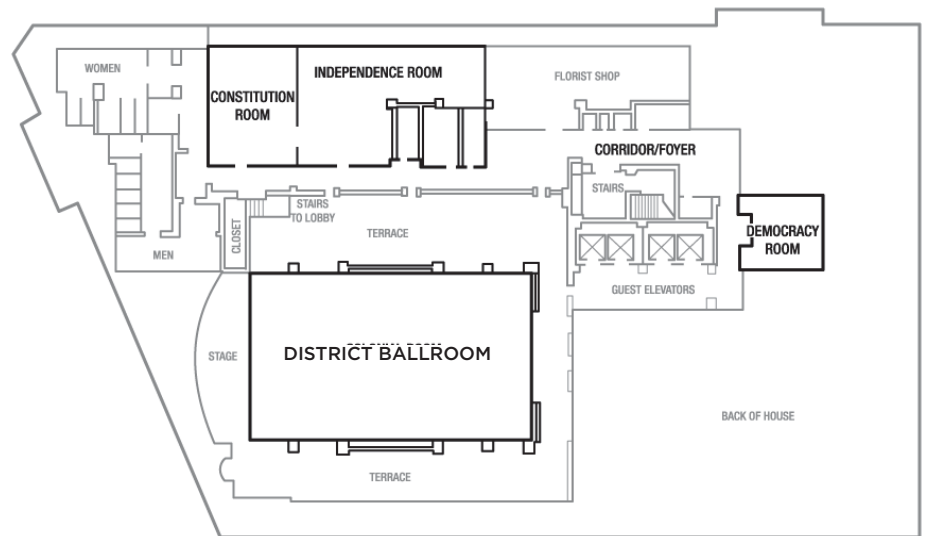
<https://tattebakery.com/washington-dc/>

- 5-minute walk

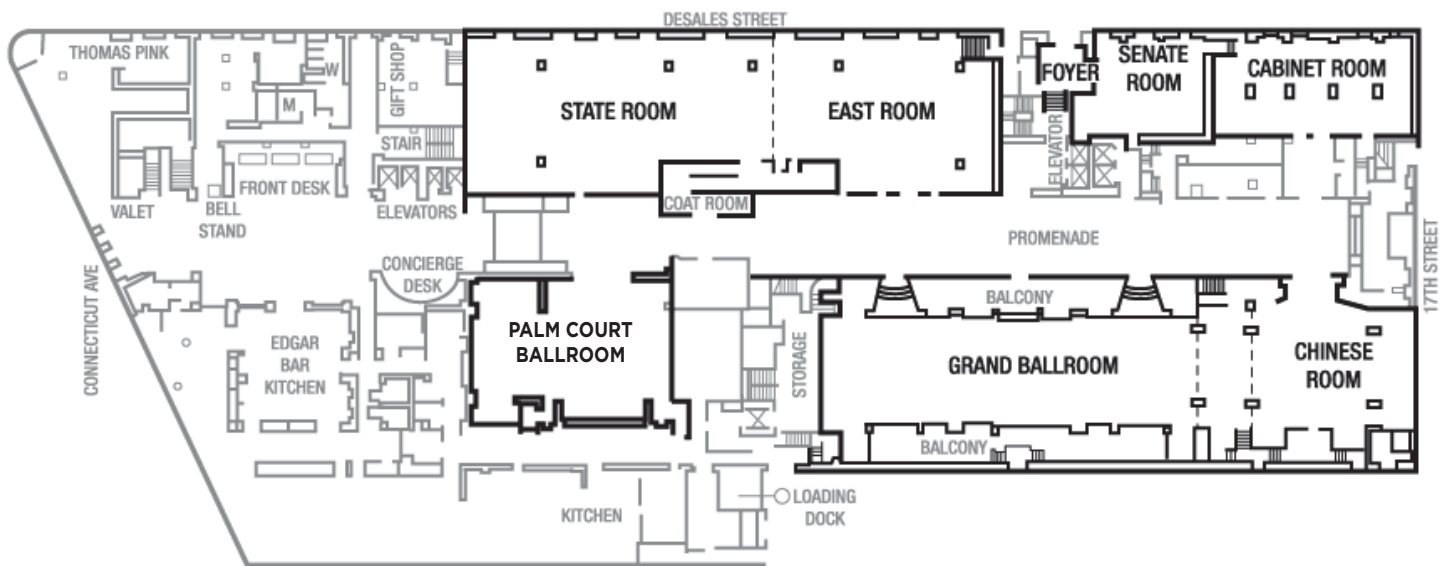
NOTES

The Mayflower Hotel Floor Plan

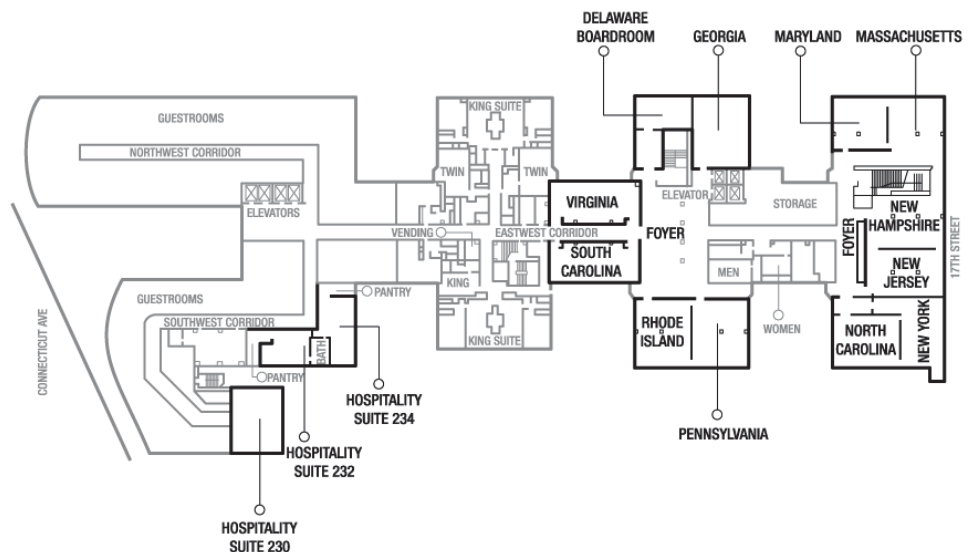
Lower Level



Lobby Level



Second Level



2023

INSTITUTIONAL ADVANCEMENT CONFERENCE

Wednesday, June 14 – Thursday, June 15

Virtual

CONFERENCE ON AFFIRMATIVE ACTION

Monday, July 10, 11 am – 4 pm Eastern

Virtual

SECTION ON CONSTITUTIONAL LAW WEBINAR

July 20, 12:30 – 2 pm Eastern

Virtual

SECTION ON TECHNOLOGY, LAW & LEGAL EDUCATION WEBINAR SERIES

Multiple dates across June - August

Virtual

2024

ANNUAL MEETING

Wednesday, January 3 – Saturday, January 6

Washington, DC

CONFERENCE ON CLINICAL LEGAL EDUCATION

Wednesday, May 1 – Sunday, May 5

St. Louis, MO

