

Call for Participation in a Discussion Group on Teaching State Constitutional Law – Why, How, and Who?

Abstracts due: Wednesday, August 28, 2024

Introduction

This is a Call for Participation in the Discussion Group “**Teaching State Constitutional Law – Why, How, and Who?**” to be held during the in-person AALS Annual Meeting from January 7-11, 2025, in San Francisco.

Discussion groups allow a small group of faculty to engage in a sustained conversation about a topic of interest. This discussion group’s participants are expected to write and share a short abstract (3 pages, double-spaced) to begin their participation in the discussion. The rest of the session will feature a lively and engaging discussion among the small group of participants. The participants in this discussion group will be the individuals identified in the original proposal submitted to the Program Committee, plus additional individuals selected from this “call for participation.” There will be limited audience seating for those not selected in advance to be discussion participants.

Description

The United States is entering a new era of state constitutional law urgency. The U.S. Supreme Court has embarked on a project of interpreting the Federal Bill of Rights in such a way that the right to religious exercise and the right to bear arms are given increasing protection, while the Court has wholly erased the right to obtain an abortion, which in turn has threatened an entire body of jurisprudence related to self-determination and autonomy.

In contrast, state courts have preserved individual rights and liberties that are no longer subject to federal protection, and have continued to protect rights found only in state constitutions. Furthermore, efforts are underway throughout the country to use state constitutions’ more malleable amendment processes as tools to reach a new equilibrium regarding newly threatened civil liberties. State constitutional law has, as a result, garnered increased attention among legal scholars in the last few years.

However, this new state constitutional law urgency is not reflected in the law school curriculum. Only about half of all accredited law schools offer courses on state constitutional law at all, much less through the kind of large, required 1L class format that is the national norm for teaching the U.S. Constitution to law students. We seek to interest

more faculty in teaching in this field, and thus to improve the delivery of state constitutional law knowledge to law students.

This discussion will bring together leading national experts on state constitutional law, who will – as the discussion title suggests – offer their views on why teaching state constitutional law courses is critical to the mission of every law school, how it can be taught, and who can or should teach it. The discussants will explain different options for teaching such a class, and will offer resources for those interested in teaching a new course or improving or updating an existing one. The audience will be encouraged to both ask questions of the discussants, and to share their own observations, success stories, and institutional obstacles to teaching state constitutional law.

Call for Abstracts

The Annual Meeting Program Committee invites faculty and administrators who would like to join this Discussion Group to submit a three-page abstract that explains 1) the genesis of their interest in this discussion, 2) the perspective they hope to contribute to the discussion, and 3) their relevant teaching, scholarly, and/or administrative experience. Please submit **by Wednesday, August 28, 2024**.

Current organizers and confirmed discussion participants include:

Organizers:

- Rutgers Center for State Constitutional Studies (Professor Robert F. Williams, Director; Professor Leonore F. Carpenter, co-organizer)

Moderator:

- Robert F. Williams, Distinguished Professor of Law Emeritus, Rutgers School of Law

Confirmed Discussants:

- Alicia Bannon, Brennan Center for Justice
- Ronald Chen, University Professor of Law, Rutgers Law School
- Meryl J. Chertoff, Executive Director, Georgetown Project on State and Local Government Policy and Law
- Lawrence Friedman, Professor of Law, New England Law
- Marcus Gadson, Assistant Professor, Campbell Norman Adrian Wiggins School of Law

- Ellie Margolis, Professor of Law, Temple University James Beasley School of Law

Space in this Discussion Group is limited; the Committee, along with the faculty organizer who proposed this discussion, will select the remaining discussion participants from the abstracts submitted. At the AALS Annual Meeting in January, selected participants will make a one-two minute presentation during the Discussion Group. The remaining time will be devoted to a moderated, roundtable group discussion.

Each submission for this Discussion Group should include:

- The title of the submitted presentation;
- The name, school and email of the applying participant;
- A three-page, double-spaced abstract that explains 1) the genesis of the applying participant's interest in this discussion, 2) the perspective they hope to contribute to the discussion, and 3) their relevant teaching, scholarly, and/or administrative experience; and
- The curriculum vitae of the applying participant.

In reviewing the submitted abstracts, the discussion group organizer and selection committee will consider the following:

- The fit and overall quality of the abstract for the Discussion Group; and
- The diversity that the applying participant may bring in terms of a variety of factors including viewpoint diversity, institutional affiliation, and status (tenure-track, non-tenure track, tenured).

Abstracts are due by **Wednesday, August 28, 2024** and should be submitted at <https://aalsweb.wufoo.com/forms/wb2dffk1xw6pbv/>.