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**2014 SALT**  
Teaching Conference Program

**LEGAL EDUCATION  
IN A TIME OF CHANGE:  
CHALLENGES & OPPORTUNITIES**

**&**

**12<sup>th</sup> Annual LatCrit-SALT  
Junior Faculty Development Workshop**

October 9-11, 2014

**UNLV** | **WILLIAM S. BOYD**  
**SCHOOL OF LAW**

Las Vegas, Nevada

**SALT**  
Society of American Law Teachers  
A community of progressive law teachers working  
for justice, diversity and academic excellence

**SPECIAL THANKS TO THE 2014 PREMIER SPONSOR AND HOST**



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**SALT IS ESPECIALLY GRATEFUL TO**

**DEAN DAN HAMILTON, ASSOCIATE DEAN NGAI PINDELL, ELAINA BHATTACHARYYA, DON CASTLE, CARMEN CHANG, SHWETA KADAM, & ANNETTE MANN**

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**ORGANIZATIONAL SPONSORS**



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Saru M. Matambanadzo, Co-Chair, Tulane University Law School  
Charlotte Garden, Seattle University School of Law  
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Colin Starger, University of Baltimore  
Bela August Walker, Roger Williams University School of Law

# LEGAL EDUCATION IN A TIME OF CHANGE: Challenges and Opportunities

**O**n behalf of the entire Board of the Society of American Law Teachers, we are absolutely thrilled to welcome you to the 2014 Faculty Development Workshop and Teaching Conference. SALT is proud to organize the teaching conference. The biennial event allows us to reconnect with our extended family, focus on critical issues facing the academy and work together to create solutions.

This year's conference recognizes that in every crisis there is an opportunity that should not be "wasted." Rather, we should unite in our efforts to meet the challenges facing legal education and create new opportunities for our communities. During these transformational times, we must envision what law school can and should be. Over this weekend, SALT seeks to reframe the polarized debate about the value of a legal education, rejuvenate legal education, and reform the profession to ensure its path towards social justice and access to legal services for all. We hope that these conference sessions, the conversations they spark, and the relationships they foster, will inspire us to engage challenges. We hope that your participation in this conference informs your vision for the role you can play in this new world ahead.

We are especially grateful Dean Daniel Hamilton, Vice Dean and SALT Immediate Past Co-President Ngai Pindell, and everyone at the University of Nevada Las Vegas, William S. Boyd School of Law, for hosting this event. We are also indebted to LatCrit for the opportunity to collaborate on the Faculty Development Workshop. And we are grateful to you – our colleagues and allies – for joining us in Las Vegas.

Thank you to our generous sponsor: **University of Nevada, Las Vegas, William S. Boyd School of Law.** We are also grateful to Carolina Academic Press, CALI and West for their financial support. Thanks to PDQ Printing in Las Vegas for designing and printing this wonderful program.

We would also like to recognize all of the people who spent countless hours organizing the conference. Elaina Bhattacharyya provided on the ground, logistics support. On the Faculty Development Workshop, Atiba Ellis and Saru Matambandzo did a stellar job in creating a rich program to promote a community of committed teachers and scholars. Conference Co-Chairs Kim Chanbonpin and Sara Rankin led an amazing team of Eliva Arriola, Eric Franklin, Lydia Nussbaum and Hazel Weiser. Everyone gave generously of their time, possesses an exceptional awareness to detail, and displays a passion for social justice. And we extend many, many thanks to Blake Johnson, SALT's Social Justice Fellow, for his invaluable role in this conference.

Thank you, everyone, for being a part of this event. We hope you enjoy the conference!

**Olympia Duhart and Ruben Garcia**  
*Co-Presidents, SALT*





**Twelfth Annual LatCrit-SALT  
Junior Faculty Development Workshop**

**October 9, 2014**

**University of Nevada-Las Vegas  
Las Vegas, NV**

LatCrit, Inc. and the Society of American Law Teachers (SALT) are pleased to welcome you to the Twelfth Annual Junior Faculty Development Workshop (FDW), immediately preceding the 2014 SALT Teaching Conference. This annual workshop is designed to support critical, progressive, and social justice oriented pre-tenure professors, including clinicians and legal writing professors, as well as those who may be contemplating a teaching career. However, we also encourage more senior members of the profession to attend, share their experiences, and serve as resources and mentors.

The FDW is designed to familiarize critical, progressive, and social justice oriented junior faculty with LatCrit and SALT principles and values and support them in the scholarship, teaching, and service aspects of professional success. In addition, the FDW seeks to foster scholarship in progressive, social justice, and critical outsider jurisprudence, including LatCrit theory, among new and junior faculty, students, and practitioners. Finally, the FDW aims to cultivate a community of scholars interested in the continuation of this and similar projects over the years.

**To facilitate community building through shared experiences and the exchange of ideas, we strongly encourage all participants to attend the entire workshop.**

## Thursday, October 9, 2014

### UNLV Foundations Building

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**8:30 A.M. – 9:00 A.M. BREAKFAST SERVICE**

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**8:30 A.M. – 4:00 P.M. CONFERENCE REGISTRATION**

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**9:00 A.M. – 9:30 A.M. WELCOME BREAKFAST AND OUTLINE OF THE DAY (PLEASE BE SEATED BY 9:00 A.M.)**

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Facilitators: Saru M. Matambanadzo (Tulane)  
Atiba R. Ellis (West Virginia)

The introduction session is designed to allow for an overview of the day's program, a discussion of the objectives for the day, and the opportunity for all the participants to begin to get to know each other.

#### WELCOME FROM UNLV WILLIAM S. BOYD SCHOOL OF LAW

Dean Daniel W. Hamilton; Introduction by Olympia Duhart and Ruben Garcia, Co-Presidents, Society of American Law Teachers (SALT)

#### GREETINGS AND INTRODUCTION OF PROGRAM

A welcome and an overview of the day, including a description of the objectives of the workshop and the process by which the workshop will proceed.

#### PARTICIPANT INTRODUCTIONS

Everyone in the room will participate in a group activity designed to allow everyone in the workshop to be introduced to each other.

## PART ONE: VALUES, SCHOLARSHIP, AND PROFESSIONALISM

This first section of the program is designed to allow for a sustained discussion of the values and aims of progressive and critical teaching and scholarship. It is also designed to provide the participants with the opportunity to discuss their own personal aims and goals as a scholar and how the values of SALT and LatCrit can be incorporated into each participant's professional endeavors. This part of the program will also provide opportunity to discuss the scholarly and professional challenges that come with working from a progressive or critical outsider perspective.

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**9:30 – 11:00 A.M. DISCUSSION OF LATCRIT AND SALT PRINCIPLES AND VALUES**

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Facilitator: Jasmine B. Gonzales Rose (Pittsburgh)  
Speakers: Steven Bender (Seattle)  
Olympia Duhart (Nova Southeastern University)  
Charles R. P. Pouncy (Florida International)  
Ruben J. Garcia (UNLV)  
Francisco Valdes (Miami)  
Tayyab Mahmud (Seattle)

This session is designed to introduce participants to the principles and values that guide SALT and LatCrit, and influence our approaches to critical and progressive scholarship and to critical pedagogy. There

will be an introduction to LatCrit as a community of scholars committed to the principle of anti-subordination and discussion of LatCrit's intellectual precursors in Legal Realism, Critical Legal Studies, and Critical Race Theory. The session will also provide a brief introduction to the Society of American Law Teachers (SALT), a community of activist law professors allied with LatCrit and focused on teaching a progressive curriculum and educating from a social justice perspective. This session ends with open discussion and questions/answers.

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**11:00 A.M. – 11:50 P.M. BREAK OUT GROUP DISCUSSIONS**

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Facilitator: Atiba R. Ellis (West Virginia)

This small group session is designed to allow each participant to reflect on and continue the values started earlier. Each participant should discuss his or her goals as a progressive and/or critical scholar and how those goals relate to LatCrit and SALT principles and values. The other members of the group (including the other junior faculty participants and the senior faculty participants) can then provide reflections on each individual participant's insights and offer further reflections on the ways SALT and LatCrit principles and values can support each individual's goals.

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**12:00 – 1:00 P.M. LUNCH AND FURTHER DISCUSSION OF VALUES AND PROFESSIONAL GOALS**

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The lunch period is intended to allow the small groups to have further discussion and conversation about each individual participant's goals and to think about the ways that utilizing the SALT and LatCrit values and resources can support each individual participant.

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**1:00 – 1:15 P.M. BREAK**

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**1:15 – 2:30 P.M. ON SCHOLARSHIP: WRITING CRITICAL AND PROGRESSIVE SCHOLARSHIP**

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Facilitator: Bela August Walker (Roger Williams)  
Speakers: Sumi Cho (DePaul)  
Adrien K. Wing (Iowa)  
andré douglas pond cummings (Indiana Tech)  
William M. Carter, Jr. (Pittsburgh)

This session focuses on identifying and developing a scholarly agenda, conducting/overseeing research, and completing a scholarly project. It includes brief presentations on basic rules and norms of legal scholarship and associated challenges for critical, progressive, and social justice oriented scholars. It also addresses publication choices for legal academics. This session ends with open discussion and questions/answers.

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**2:30 – 3:30 P.M. ON PROFESSIONALISM & BALANCE: ACADEMIC AND PERSONAL SUCCESS**

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Facilitator: Darrell D. Jackson (Wyoming)  
Speakers: Rachel J. Anderson (UNLV)  
Roberto Corrada (Denver)  
Cynthia M. Ho (Loyola Chicago)  
Neil Gotanda (Western State)  
Francine J. Lipman (UNLV)

This session focuses on weaving together all aspects of life as critical, progressive, and social justice oriented legal academics and succeeding without “selling out” your identity. This session discusses the basics of professionalism in the context of the North American legal academy, including key questions on institutional politics, “collegiality,” and similar topics that are elemental to academic success. It also incorporates reflections upon ways and means of balancing the various demands on our time and energy as critical and progressive scholars and teachers. This session ends with open discussion and questions/answers.

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**3:30 – 3:45 P.M.      BREAK**

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## **PART TWO: APPROACHES TO ACHIEVING PROFESSIONAL SUCCESS**

The sessions in this part of the program are designed to focus specifically on the professional challenges current junior members of the academy face as well as to provide support to students, fellows, practitioners, and activists who are seeking their first job in the legal academy. The activities in this part are divided into separate events to allow each of these groups to focus on their specific issues and to gain specific advice.

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**3:45 – 4:30 P.M.**

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### **ROOM 1: MOCK AALS INTERVIEW**

Facilitator: Mariela Olivares (Howard)  
Mock Interviewee: Margaret Kwoka (Denver)  
Mock Interviewers: Danielle Kie Hart (Southwestern)  
M. Isabel Medina (Loyola New Orleans)  
Adele M. Morrison (Wayne State)  
M. Michele Anglade (Florida International)

This session gives candidates an opportunity to get a sense of what happens at an AALS interview and highlights high stakes issues underlying certain types of questions for critical, progressive, and social justice oriented scholars and teachers. This session has two parts: 20 minutes are devoted to a simulated interview and 25 minutes are allocated for discussion and questions.

### **ROOM 2: NETWORKING CHALLENGES AND OPPORTUNITIES**

Facilitator: Saru Matambanadzo (Tulane)  
Speakers: Sahar F. Aziz (Texas A&M)  
Sara Rankin (Seattle)  
César Cuauhtémoc García Hernández (Denver)

This session addresses the status issues affecting critical, progressive, and social justice oriented scholars and law teachers along multiple axes. It explores models of podium, clinical, and legal writing positions, and forms of adjunct, contract, and other contingent faculty status. It is also an opportunity to address lateral moves and visiting and administrative positions. This session explores some of these axes, current movements within the academy, and ways for individuals to navigate status issues, including available choices.

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**4:30 – 6:00 P.M.**

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### **ROOM 1: MOCK JOB TALK (BREAKOUT SESSIONS)**

Facilitator: Charlotte Garden (Seattle)  
Mock Job Talk Candidate: Atiba R. Ellis (West Virginia)  
Mock Job Talk Lead  
Questioners: Marc-Tizoc González (St. Thomas)  
Stephen Lee (UC Irvine)  
Anjana Malhotra (SUNY Buffalo)  
Elizabeth MacDowell (UNLV)

This session gives job market candidates an opportunity to get a sense of what happens at a job talk and highlights high stakes issues underlying certain types of questions for critical, progressive, and social justice oriented scholars and teachers. These sessions have two parts: 20 minutes are devoted to a simulated job talk, including questions from the audience, and 45 minutes are allocated for discussion and questions.

### **ROOM 2: SCHOLARSHIP PLANNING AND PROFESSIONAL STRATEGY**

Facilitator: Saru M. Matambanadzo (Tulane)

This small group breakout session is designed to allow current junior scholars further small group opportunity to discuss each participant's goals as a progressive and/or critical scholar in light of the issues arising over the day of the workshop. This also provides an opportunity to seek answers to questions in a safe space. The hope of this part of the program is that each participant will leave with a working outline of their own professional goals and strategy.

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**6:00 – 6:30 P.M.      BREAK**

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## **PART THREE: COMMUNITY BUILDING**

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### **6:30 – 8:00 P.M.      COMMUNITY BUILDING DINNER**

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Facilitators: Justin Hansford (St. Louis)  
Bela August Walker (Roger Williams)

The Community Building Dinner is specifically designed to create a welcoming space for FDW participants to cultivate supportive personal, professional, and social networks. Striving for individual success in the legal academy can often feel isolating, discouraging, and even dehumanizing. The Community Building Dinner provides a counterweight to those experiences by emphasizing aspects of ourselves that help create our identity as a community, even if they don't make it into our tenure files or dean's reports. In this spirit, this year's dinner will feature an open mic. We invite you to share your poetry, song, dance, and other talents with the group. Group performances are highly encouraged! Additional opportunities for participation in the open mic night may include karaoke, group games of Celebrity, Dictionary, and other icebreakers.





# THE 2014 SALT TEACHING CONFERENCE PROGRAM

## LEGAL EDUCATION IN A TIME OF CHANGE: Challenges and Opportunities

October 10-11, 2014 in Las Vegas, Nevada  
UNLV William S. Boyd School of Law

- TRACK 1: Innovations in Pedagogy and Curriculum  
TRACK 2: Integrating Skills and Theory  
TRACK 3: Well Being & Professional Identity  
TRACK 4: Bias, Racism & Inequality in the Classroom  
TRACK 5: Outside of the Classroom

### Friday, October 10, 2014

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#### 7:30 A.M. - 9:00 A.M. REGISTRATION & CONTINENTAL BREAKFAST

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Main Floor of William S. Boyd School of Law  
*Hosted by CALI (Computer Assisted Legal Instruction)*

#### 9:00 A.M. - 10:30 A.M. WELCOME PLENARY

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Moot Court Room, William S. Boyd School of Law

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#### COALITION BUILDING: THE IMPORTANCE OF SISTER ORGANIZATIONS IN A TIME OF CHALLENGE AND OPPORTUNITY

Olympia Duhart, Nova Southeastern University, SALT Co-President  
Ruben Garcia, UNLV, William S. Boyd School of Law, SALT Co-President  
William Adams, Jr., Deputy Managing Director, Section on Legal Education and Admissions to the Bar, American Bar Association  
Linda Berger, UNLV, William S. Boyd School of Law, Legal Writing Institute President  
Tayyab Mahmud, Seattle University, LatCrit Steering Committee & SALT Past Co-President  
Mary-Beth Moylan, University of the Pacific, McGeorge, ALWD President  
Francisco Valdes, University of Miami, LatCrit Steering Committee  
Ian Weinstein, Fordham University, CLEA Past President

This plenary will introduce the principles that guide SALT's efforts to improve the legal profession, advance the legal academy and expand the power of law to underserved communities. SALT is a community of activist law teachers, law school administrators, librarians, academic support experts, students and affiliates who work in the classroom and the community to promote social justice, diversity and teaching excellence. As legal education faces increasing challenges from both

within and outside the academy, the role of support organizations is more important than ever. In this plenary panel, leaders from several partner organizations will discuss the ways in which SALT and its allies collaborate in pursuit of mutual goals. Panelists will explore the critical value of coalitions building legal education during the current climate.

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#### 10:30 - 10:45 A.M. BREAK

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Coffee on Main Floor of William S. Boyd School of Law

#### 10:45 - 11:45 A.M. CONCURRENT SESSIONS I

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Locations Listed Before Each Presentation

### TRACK 1

#### RM 101 HEALTH CARE, HEALTH LAW, AND SOCIAL JUSTICE

Max Gakh, UNLV School of Community Health Sciences  
Ann McGinley, University of Nevada Las Vegas, William S. Boyd School of Law  
Stacey A. Tovino, University of Nevada Las Vegas, William S. Boyd School of Law

This panel will address social justice issues in the context of health care and health law. More specifically, this panel examines the ways in which public health law, private health law, and disability law scholars incorporate social justice issues into their classrooms and how they teach law and non-law students to use the law to build consensus and community for purposes of identifying and remedying health-related inequalities and exclusions.

## TRACK 2

### RM 102 INCORPORATING SOCIAL JUSTICE THEMES INTO THE 1L WRITING CURRICULUM TO PROMPT STUDENTS TO DEVELOP A BROADER COMMUNITY-BASED MINDSET

Heidi Brown, New York Law School  
Kim Hawkins, New York Law School  
Lynnise Pantin, New York Law School  
Erika Wood, New York Law School

This panel presents creative ideas for incorporating social justice themes into the 1L legal writing curriculum to inspire law students to use the law to build consensus and community to solve social justice issues. The presentation will describe the developmental arc of a successful new writing assignment: cultivating kernels of social justice-based ideas/themes, vetting the research, choosing a jurisdiction, crafting well-balanced fact patterns, developing the case file, and packaging teaching materials.

### RM 105 EXPERIENTIAL LEARNING AND THE LAW SCHOOL EXPERIENCE: A DISCUSSION

Faith Rivers James, Elon University School of Law  
Adele M. Morrison, Wayne State University Law School

This discussion seeks to explore what law schools and legal educators mean when we speak about and seek to implement experiential learning. Discussion conveners will pose questions and facilitate discussion on whether and how clinical education, professional and/or practice skills and externships and internships, fit or do not fit into or with an experiential learning paradigm. Also on the table will be questions relating to whether doctrinal courses can be “experiential” and what other sorts of innovations, including, but not limited to, leadership training, semesters abroad, third year in practice and legal incubators may fulfill what seems to be a desire to produce graduates who are “practice ready.” Grounding the discussion of the ways in which these changes to legal education (if indeed experiential learning is a change in the way law schools educate) is how issues of social justice are or can be incorporated into experiential learning and impacts of these courses and programs on practical matters such as school and university resources, student and faculty diversity and the financial and time-commitment issues students currently face.

## TRACK 3

### RM 106 NOT JUST A RIPPLE, BUT A RISING TIDE: IMPROVING LEGAL EDUCATION THROUGH THE CREATION OF A LAW SCHOOL COLLECTIVE FOCUSED ON RACE, PLACE, AND LAW

Roberto Corrada, University of Denver Sturm College of Law  
Alexi Freeman, University of Denver Sturm College of Law  
Rashmi Goel, University of Denver Sturm College of Law  
Robin Walker Sterling, University of Denver Sturm College of Law  
Lindsey Webb, University of Denver Sturm College of Law

Because law schools often fail to incorporate the study of racial and other inequities into their curricula in a sustained and meaningful way, law students and faculty are deprived of an opportunity to deeply engage in the study of the complex dynamics of power, locality, and law, and

the impact of these forces on subordinated communities. To address this deficiency, members of the Denver Law faculty formed the Rocky Mountain Collective on Race, Place, and Law (RPL). This panel will provide participants with practical advice about the structure and development of this collective, with opportunities to discuss the challenges inherent to the creation of this type of initiative. We will describe the projects RPL has undertaken thus far – including faculty reading groups, conferences and a speaker series, a Critical Race Reading Seminar for law school students, and an Equal Protection Initiative – and will discuss the benefits of these efforts and opportunities for improvement. We will discuss the role that groups like RPL can play in attracting and sustaining progressive, diverse students; creating coalitions among varied members of the law school community; and promoting the use of the law as a tool to dismantle rather than perpetuate inequality.

## TRACK 4

### RM 110 INFUSING CULTURAL NARRATIVES INTO A TIME OF CHANGE IN LEGAL EDUCATION

Susan Brody, The John Marshall Law School  
Julie Spanbauer, The John Marshall Law School

Legal education suffers from a narrow focus on tightly defined legal categories, rules, and analytical paradigms. The traditional conventions used in legal education stifle—perhaps even ignore—context, which is integral to understanding human situations, the very source of legal conflict. Even more importantly, a narrow focus implicitly excludes “outsider” perspectives, especially critical to understanding legal conflict in a diverse and global 21st century society. This presentation will illustrate how narrative from other disciplines can bring broader, more diverse, perspectives of equality and fairness into the law classroom. It will include examples designed to introduce wider cultural perspectives into traditional doctrinal courses, skills courses, and even upper-level seminars, where challenging conventional legal understanding and critical thinking about a multitude of viewpoints should be even more important to the educational experience. Various forms of narrative will be introduced to supplement traditional legal narratives, including history, personal stories, literature, film and television. The presentation will demonstrate how legal educators can begin, in the first-year law school classroom, to present a broader view of context and a wider perspective, thereby validating diverse student experiences, while also encouraging students to imagine other cultural viewpoints. This approach, if carried through the entire law school curriculum, will ensure that the students who will become twenty-first century attorneys, are committed to membership in a profession that reflects the rich diversity of this country and are equipped to effect valuable social and legal change.

## TRACK 5

### RM 112 THE NEW REGULATORY ENVIRONMENT IN LEGAL EDUCATION: EMERGING RULES FOR ACCREDITATION AND FOR STATE BAR LICENSURE

Claudia Angelos, New York University School of Law  
Carol Chomsky, University of Minnesota Law School  
Kate Kruse, Hamline University School of Law

This presentation, by SALT members who have been very closely

involved in monitoring and commenting on proposed regulatory changes, will begin with an overview of activities within the ABA (i.e., in the Section of Legal Education and Admissions to the Bar and by the Task Force on the Future of Legal Education) and state bar associations (e.g., California, New York, Iowa, and Arizona). The program will then turn to how these regulatory changes may and should affect legal education, and whether we should regard them as promising or worrisome. We will engage participants on the questions of how to productively support these new requirements to the extent that they are promising and how to resist or work around them to the extent that they pose challenges or obstacles. The purpose of the session is initially to educate the audience about the proposed and adopted regulatory changes but then, more important, to develop strategies to influence, adapt to, and take advantage of the changes.

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**11:45 A.M. - 12:00 P.M. BREAK**

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**12:00 - 1:30 P.M. LUNCH & PLENARY**

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Hendrix Auditorium, North of Boyd School of Law Building  
*Hosted by West Academic*

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**CHALLENGES TO INCLUSION: CONFRONTING THE LSAT & BAR EXAM, AND CONSIDERING ALTERNATIVE ADMISSIONS PROGRAMS TO INCREASE DIVERSITY**

Carol Chomsky, University of Minnesota  
Tim Arcaro, Nova Southeastern University, Shepard Broad Law Center  
Alicia Jackson, Director of Academic Success and Bar Preparation Department  
Joe Rosenberg, City University of New York School of Law  
Jay Rosner, The Princeton Review Foundation

Of all the many factors impeding the pursuit of greater diversity in the legal profession, two gatekeepers merit more scrutiny than they receive: the LSAT and the bar exam. The plenary will explore the status of the two exams and the presenters' research on and experience with the use of these tests. We will engage attendees in discussion of creative approaches that may be tried in the future. Several aspects of the LSAT will be discussed: its structure and content, the weight placed upon it, its discriminatory results, and the realm of LSAT preparation. This plenary panel will challenge participants to consider the ways in which alternative access channels to law school can improve the diversity of the law school class. Access to legal education is even more important than ever in today's world. To ensure that membership in the legal profession reflects the country's diversity, law schools must push themselves to develop creative ways to boost access to law school for students from diverse backgrounds. The impact of the bar exam on the law school curriculum in most schools is undeniable, and the economics of law school and the profession make it essential that students be prepared to pass the bar exam. As teachers, we "work backwards" and start with our goals and then decide how we will accomplish those goals through activities, assessments, and evaluations. The format of the bar exam—including the numerous topics, "speededness," and excessive focus on doctrine over practical lawyering skills has a substantial impact on the law school curriculum of most schools. The time is right to consider strategies for developing pilot programs for alternative paths to bar admission.

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**1:30 - 1:45 P.M.**

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**BREAK**

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**1:45 P.M. - 2:45 P.M.**

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**CONCURRENT SESSIONS II**

Locations Listed Before Each Presentation

**TRACK 1**

**RM 101 TEACHING TAX/BUSINESS LAW COURSES THROUGH A SOCIAL JUSTICE LENS**

Anthony Infanti, University of Pittsburgh School of Law  
Francine J. Lipman, University of Nevada Las Vegas, William S. Boyd School of Law  
Leo Martinez, University of California, Hastings College of the Law

As Congress continues to use the federal tax systems (e.g., income, FICA, Medicare) for delivering social benefits and redistributing wealth these concepts are critical to understanding tax theory and practice generally. Moreover as our tax systems become more opaque, the public and political discourse regarding how these systems work or don't work has become disconnected from the facts. As tax policy and administration have become increasingly politicized, presenting these issues to our law students has become even more critical and challenging. This group of tax faculty will discuss these issues generally and specifically will discuss techniques and strategies for incorporating consideration of race, gender, sexual orientation, poverty, and politicization of tax matters into the basic tax law course.

**RM 102 HE SAID/SHE SAID: MELDING TORTS AND CIVIL PROCEDURE FOR THE 21ST CENTURY CLASSROOM**

Laura Dooley, Valparaiso University Law School/Arizona Summit Law School  
Brigham Fordham, Arizona Summit Law School

This presentation discusses a new combined course called Introduction to Civil Litigation, which combines material traditionally taught in Torts and Civil Procedure courses. This integrated course was designed to deliver content preparing students for bar testing in both torts and civil procedure, and to give them classroom opportunities to practice what they are learning in realistic "practicum" settings. This project exposed areas of congruence and incongruence in interesting ways that changed the way each of us approached the teaching of subjects that we had taught for many years. In this presentation, a torts scholar ("he said!") and a civil procedure scholar ("she said!") will identify how moving outside their respective comfort zones inspired new insights and highlighted opportunities for helping students achieve a deeper understanding of both subjects.

## TRACK 2

### **RM 105 INTEGRATING SKILLS IN THE FIRST YEAR CURRICULUM: RISKS, REWARDS, AND OUTCOMES**

Shahabudeen Khan, Nova Southeastern University, Shepard Broad Law Center  
Camille Lamar, Nova Southeastern University, Shepard Broad Law Center  
Hugh Mundy, The John Marshall Law School  
Michele Struffolino, Nova Southeastern University, Shepard Broad Law Center

This presentation, moderated by four professors who teach legal writing and doctrinal courses, will explore the challenges of integrating experiential learning into the first-year curriculum and suggest additional experiential learning opportunities such as integrating presentation skills into the first-year curriculum, developing “Outreach Programs” utilizing legal community, law school and university resources to reinforce classroom skills lessons, and designing problems and exercises that simulate “real life” issues that challenge bias and misconceptions about the practice of law. Finally, it will explore ways such a course can position students and law schools to meet the call for change in today’s legal academy.

### **RM 106 SERVICE-LEARNING IN THE LAW SCHOOL CURRICULUM: TEACHING AND LEARNING SOCIAL JUSTICE THROUGH HUMANITARIAN ACTION**

Kristina Campbell, University of the District of Columbia Clarke School of Law  
LaShanda Taylor Adams, University of the District of Columbia Clarke School of Law  
Emily Torstveit Ngara, University of Baltimore School of Law

In this presentation, panelists will discuss the ways in which service-learning can be integrated into the law school curriculum to promote and affect social justice by participating in humanitarian action. Service-learning is a pedagogical model that provides unique and transformative opportunities for law students and professors to work together on social justice service projects, by partnering with community and non-governmental organizations to provide humanitarian aid, problem-solving, and/or disaster assistance. As the legal academy is currently engaged in serious reflection about the overall meaning and relevancy of modern legal education, the time is ripe for the creation and development of learning opportunities that deviate substantially from the traditional law school curriculum. In this spirit, panelists will share their insights and reflections on the importance of service-learning as a transformative experience for both law students and faculty, and engage audience members in thinking about how service-learning can be implemented across the curriculum in various models.

## TRACK 3

### **RM 110 HOW TEACHING ABOUT THERAPEUTIC JURISPRUDENCE CAN BE A TOOL OF SOCIAL JUSTICE, AND LEAD LAW STUDENTS TO PERSONALLY AND SOCIALLY REWARDING CAREERS: SEXUALITY AND DISABILITY AS A CASE EXAMPLE**

Alison J. Lynch, Staff Attorney, Disability Rights of New York  
Michael L. Perlin, New York Law School

In many cases, law students’ desire to engage in social issues fades as they become disillusioned over the course of their law school experience. This disillusionment is often abetted by the attitudes of professors and the way that law school is traditionally taught. Therapeutic jurisprudence (TJ) asks us to look at law as it actually impacts people’s lives and focuses on the law’s influence on emotional life and psychological well-being. One of TJ’s central principles is a commitment to dignity. We believe that the adoption of TJ principles, especially the commitment to dignity and well-being in marginalized populations, can help end this disillusionment and return students to a focus on social justice, as a way of better insuring more personally enriching and rewarding careers. We will discuss these issues, as well as examine the ways in which intersectionality—including factors such as race, sex, gender, and sexual orientation—can compound the difficulty of discussing this topic, in the specific context of the intersection between sexuality and mental disability. We also hope to lay out a blueprint for other faculty members to employ in teaching about marginalized populations, especially in such substantive areas that often evoke wildly negative reactions.

## TRACK 4

### **RM 112 CURRICULAR INNOVATIONS IN A TIME OF CRISIS: HOW TO MOVE LAW SCHOOLS TO EMBRACE THE INTERCULTURAL**

Raquel Aldana, University of the Pacific, McGeorge School of Law  
Andi Curcio, Georgia State University College of Law  
Beto Juarez, University of Denver Sturm College of Law  
Beth Lyon, Villanova University School of Law  
Mary-Beth Moylan, University of the Pacific, McGeorge School of Law  
Tanya Washington, Georgia State University College of Law

U.S. law schools are being asked to do more to prepare lawyers for practice as well as to assess the success of their innovative education curriculum at a time of limited resources. Understandably, law schools need to prioritize and to maximize resources when designing a curriculum responsive to multiple goals. Despite the obvious connection of intercultural training to lawyering, it is unlikely that without advocacy and strategy, intercultural legal education will be considered core to the mission of legal education at most U.S. law schools. Some schools will either know little about how to infuse the curriculum with intercultural training and/or will consider the task too expensive as well as less important than other skills necessary for students to pass the bar or to get a job. To facilitate the integration of intercultural competence into the law school curriculum, this session engages participants in a dialogue about concrete steps we can take to infuse intercultural competence into the law school curriculum and ideas we can use to raise awareness of the need to develop interculturally competent lawyers and to address student and faculty resistance to including intercultural legal training as a core competency for law students.

## TRACK 5

### **RM 117 THE CRISIS IN LEGAL EDUCATION: LESSONS FROM THE PAST AND RESPONSIBLE SOLUTIONS**

Rebecca Roiphe, New York Law School  
Jay Silver, St. Thomas University School of Law

The first presentation addresses the suggestion of critics that we divide law schools into an elite tier whose graduates serve global business clients and a lower tier, which would prepare lawyers for simple disputes. This idea is not new. A similar proposal emerged in the early twentieth century. The presenter will draw on this history to argue that the proposal for two tiers of law schools threatens professional identity. This sort of divide need not and ought not accompany increased specialization among degrees. The presenter concludes that all law schools should engage students in a complex understanding of jurisprudence and legal method. The second presentation addresses the plan of Brian Tamanaha and an ABA Task Force to resolve the crisis in legal education by eliminating tenure, discarding the third year, relying on adjuncts, and loosening accreditation standards to allow the marketplace to fashion alternatives. The presenter offers a radically different set of solutions and criticizes Tamanaha's plan on the basis it subjects legal education to the same market forces that ratcheted up tuition and debt, institutionalizes stratification, jeopardizes pedagogical rigor, suffocates the critique of law in the common interest, and demotes legal education from the academy to the trade schools.

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**2:45 P.M. - 3:00 P.M. BREAK**

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Coffee and Refreshments on Main Floor of William S. Boyd School of Law

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**3:00 P.M. - 4:00 P.M. CONCURRENT SESSIONS III**

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Locations Listed Before Each Presentation

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## TRACK 1

### RM 101 TEACHING NATIONAL SECURITY & SOCIAL JUSTICE

Mario Barnes, University of California, Irvine School of Law  
Ernesto Hernández-López, Chapman University Dale E. Fowler School of Law  
Margaret Kwoka, University of Denver Sturm College of Law

This panel will present different aspects of teaching national security from a social justice perspective, and will invite audience comments and questions to facilitate discussion and dialogue. Presenters will focus on issues such as how to choose topics to cover in class, select a casebook and other learning materials, balance doctrinal analysis with social justice perspectives, and develop experiential learning and practical skill exercises. Presenters will also describe their experiences, including detailing what works and what may be challenging, covering issues that arise in courses that include national security topics within a larger set of issues; focus solely on national security; test students with exams; include research papers or oral presentations; interrogate mercurial news developments; and challenge student and professor perspectives.

### RM 102 TEACHING SOCIAL JUSTICE THROUGH HOUSING LAW

Margaret Moore Jackson, University of North Dakota School of Law  
Marilyn Uzdavines, Nova Southeastern University, Shepard Broad Law Center

Connecting history, legal theory, and concrete current events can help students understand the societal impacts of the law and inspire

them toward careers that are personally and socially rewarding. This presentation examines methods of bringing the discussion about equality and inclusion into in courses on housing law, including Housing Discrimination and Real Estate & Finance courses. We will discuss how the topic of housing code enforcement can be used to bring awareness about social justice aspects of the law, specifically the legal substance and societal implications that have resulted from the housing market crash. Classroom discussions lead students to consider how shaping local and state laws can stabilize neighborhoods that have been deteriorating because of the mortgage foreclosure crisis. We also will explore issues common to many social justice-related courses, through the lens of a Housing Discrimination course. How do we inspire students with the weight of civil rights history without allowing them to view the past as detached from the present and future? We will offer concrete examples of classroom methods designed to show students how they can advance civil rights principles that are being ignored or threatened today. These examples reach beyond traditional litigation advocacy and involve strategizing about how to effectively communicate with diverse audiences about civil rights issues. Using these teaching methods, we hope to show students an alternative way to use a law degree to promote social justice.

## TRACK 2

### RM 105 TEACHING IN 2015: THE INTEGRATION OF SKILLS AND SOCIAL JUSTICE FOR MODERN LAWYERING

Elizabeth Jones, Western State College of Law  
Jennifer Lee Koh, Western State College of Law  
Paula Manning, Western State College of Law  
Lori Roberts, Western State College of Law  
Ryan Williams, Western State College of Law

This presentation unites faculty who teach in doctrinal, legal writing, academic support, and clinical capacities to (1) discuss how faculty can increase institutional commitments to teaching social justice as part of the law school curriculum and (2) share concrete examples of how they individually promote skills training and social justice goals in the classroom. Questions to be addressed will include whether integrating skills requires teachers to make sacrifices with respect to substantive coverage; whether certain subject matter areas lend themselves to skills training better than others; how drawing from best practices in the clinical, legal writing, and academic support settings can strengthen doctrinal teaching; and whether skills training is at odds with or supports bar pass goals. The panelists will share their teaching materials and exercises with participants through a combination of PowerPoint and handouts, and will also encourage participants to describe specific strategies they have adopted to incorporate skills training into courses that are not live-client or skills-based.

## TRACK 3

### RM 106 ADVANCING SOCIAL JUSTICE BY TEACHING INTERPERSONAL COMPETENCIES

Cynthia Adcock, Charlotte School of Law  
Rob Durr, Northwestern University School of Law  
Marjorie Silver, Touro Law Center

Peaceful resolution of conflict—whether between individuals,

communities, or nation states—ultimately requires that the parties at the table have the necessary interpersonal competencies to achieve such goals. These competencies include self-awareness and awareness of the psychodynamic processes of those with whom they interact. Such skills are rarely taught in law school. The co-presenters, however, are actively involved in infusing such education into training for teachers, law students, and lawyers. This interactive workshop will focus on the role of relational competencies in legal education and practice, and their relationship to the peaceful resolution of controversy. The session will begin by grounding the importance of relational skills in empirical work drawn from fields including positive psychology and neuroscience. It will include a brief overview of the latest theory in emotional intelligence (EI) as linked to essential legal practice areas related to peaceful conflict resolution. The overview will present empirical research demonstrating that these skills can be learned and that their learning both demands and facilitates students' concurrent development of EI. Most of the session will consist of opportunities for participants to learn experientially. These exercises will reflect the expertise of the co-presenters, each of whom is teaching relational skills in different contexts within their own institutions.

## TRACK 4

### RM 110 HISTORY & HYBRIDS: LESSONS LEARNED TO EXPAND ACCESS TO LEGAL EDUCATION AND JUSTICE

M. Isabel Medina, Loyola University New Orleans College of Law  
Denise Roy, William Mitchell College of Law

Much of the discussion today about the challenges facing legal education echo much of the debate around the formation of night law schools in the early 1900's. The debate surrounding night schools reflected a debate about the role of law schools and law in society, whether law was best viewed as an academic discipline or a profession, and the extent to which professionals should be involved in the training of attorneys. The discourse around hybrid programs, feature intensive experiential learning both on-campus and in the home community as well as online components that integrate foundational doctrine and skills, continues the debate on how best to move legal education, the profession and access to justice forward. The focus of this panel will be on how historical lessons and hybrid education may be used to expand access to justice by expanding access to legal education.

## TRACK 5

### RM 112 LAWYERING FOR SOCIAL JUSTICE MOVEMENTS: HOW THE LEGAL ACADEMY CAN MAXIMIZE IMPACT

Alina Ball, University of California, Hastings College of the Law  
Patience Crowder, University of Denver Sturm College of Law  
Alexi Freeman, University of Denver Sturm College of Law  
Sara Jackson, Georgetown University Law Center

While “social justice movement lawyering” has been discussed conceptually in legal scholarship (under various names and approaches), much less has been put forth about how various components of legal education can better support and train social justice-minded law students for this work. What courses should we offer? What should be covered within social justice concentrations? What interdisciplinary learning should be encouraged? How should schools market themselves

to attract future movement lawyers? What is the appropriate synergy between public interest staff and faculty? How do we promote “community as partner,” and what impact does this have on student understanding of “clients”? How do faculty and staff expose students to organizing? And more broadly, what should be the role of lawyers in social justice movements? With the changing landscape of legal education – and an increasing emphasis on experiential learning – now is the time to explore these questions. We will: (1) Discuss movement lawyering, including why it is important for advancing social and racial justice; (2) Share suggestions for how faculty and staff can better support and train future movement lawyers; (3) Provide examples of how professors can incorporate principles of movement lawyering into classes; and (4) Solicit ideas and challenges from participants.

### RM 117 HARD TO BUILD, BUT EASY TO DESTROY?: CHAOS IN LEGAL EDUCATION AND CHANGING REPERCUSSIONS ON LAW FACULTY

Katerina Lewinbuk, South Texas College of Law  
Odeana R. Neal, University of Baltimore School of Law

Recently, legal education has endured a multitude of seismic shifts which have created a chaos-ridden environment with detrimental repercussions on law faculty. Law professors currently struggle to balance the demands of students, deans, colleagues, and their own ambitions in this transformed climate. This presentation will address the effect of the changing law school environment on the modern tenure system in American law schools and will examine its background and history, as well as pros and cons, in legal education. The presentation will also examine methods of adapting to these changes and the positive and negative consequences of resistance to institutional strictures. *The Wire*, a television series aired by cable network HBO between 2002 and 2008, provides examples from which law professors can draw that demonstrate how to maintain integrity, autonomy, and progressive teaching measures, despite institutional pressures to homogenize the classrooms, privilege the quantifiable over the qualitative, and maneuver around systems created to maintain the status quo. The presentation will conclude with a group discussion of whether any specific measures pertaining to the existing tenure system are necessary and should be implemented, and how law professors can maintain progressive teaching environments within resistant institutions.

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4:00 P.M. - 4:15 P.M. BREAK

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4:15 P.M. - 5:15 P.M. CONCURRENT SESSIONS IV

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Locations Listed Before Each Presentation

## TRACK 1

### RM 101 TEACHING CRIMMIGRATION LAW

Ingrid Eagly, UCLA School of Law  
César Cuauhtémoc García Hernández, University of Denver Sturm College of Law  
Raha Jorjani, Immigration Defense Attorney Office of the Public Defender, Berkeley Law  
Annie Lai, University of California, Irvine School of Law  
Christopher N. Lasch, University of Denver Sturm College of Law

This panel will address efforts by law professors to teach crimmigration law to a new generation of lawyers who will advocate in criminal or immigration proceedings, and sometimes in both. Considering their experiences in a variety of law school settings—clinics, seminars, and lecture-based courses—the panelists will discuss the challenges and opportunities facing legal educators interested in preparing students to understand, grapple with, and shape crimmigration law. Panelists will also consider crimmigration law’s potential to build productive working relationships with academics or advocates outside one’s own institution, including local and national nongovernmental organizations. Crimmigration law’s outgrowth from criminal and immigration law means that racial and class dynamics—from the lack of appointed counsel for the poor in immigration proceedings to facially-neutral criminal prosecutions that heavily affect Latina/os—are an ever-present concern. Accordingly, panelists will address challenges and successes incorporating racial and other social justice goals into their courses.

## TRACK 2

### RM 102 THE NEW ATTORNEY: THINKING (EVEN MORE THAN) LIKE A LAWYER

Deirdre Bowen, Seattle University School of Law  
Colin Crawford, Tulane University School of Law  
Becky Jacobs, University of Tennessee

Over five years ago, before the effects of the economic crash had been fully realized in legal education and legal practice, Professor Julie Macfarlane published a book titled, *The New Lawyer*. The book details the evolution in the practice of law and law schools’ glacial pace in responding to these changes. She noted that law schools and the legal profession had not yet reflected or reexamined its traditional norms and values in light of the law’s significant transformation. However, in the last three years, law schools have been forced to confront these changes in the face of crisis in legal education and practice. A broad based set of skills has now become the “thing” that law schools pitch to a shrinking pool of applicants. The challenge is how best to implement a legal education that responds to the new demands of the legal profession and effectively incorporates the skills needed to carry out these demands. One of Professor Macfarlane’s key insights is the call for a new paradigm of legal practice she calls Conflict Resolution Advocacy (CRA). In this presentation, we use this theme as it relates to courses that engage students in multi-leveled advocacy and client-focused projects in both the U.S. and abroad. The goal of this panel is to open a dialogue among faculty and practitioners on the pedagogical value of increasing student skills beyond traditional notions of “thinking like a lawyer.” Session objectives are to discuss and articulate teaching approaches that not only expand the concept of what it means to “think like a lawyer,” but also demonstrate specific tools professors can bring into the classroom to create “the new lawyer”—one who is focused more on settlement and negotiation, transparency in process, and client partnership.

## TRACK 3

### RM 105 SIT DOWN, RISE UP: MINDFUL PATHWAYS TO CONNECTION, COLLECTIVE CONSCIENCE, & JUSTICE

Jennifer Carr, University of Nevada Las Vegas, William S. Boyd School of Law  
Angela Gius, Georgetown University Law Center

Teaching mindfulness meditation to future social justice lawyers can be profound—our students might re-connect with an authentic sense of self, find new meaning in their work, and develop empathy and compassion. These personal insights are crucial; critical studies scholars have long recognized the systematic oppression of authentic identity and whole-personhood in our laws and law schools. This lost sense of self is also tied to burnout, which is heaviest among social justice practitioners. Yet teaching mindfulness meditation need not (and cannot) be limited to helping students cope with the burnout-inducing stress and alienation of the current legal system. It can also transform that system. This session will explicitly bridge the personal insights of mindfulness with interpersonal and institutional dimensions of the practice, and it will recognize that this isn’t an easy task: How can we teach mindfulness as a practice that helps us students develop new awareness of themselves and their world, build authentic connection and community, and recognize that unjust structures aren’t “just the way it is”? How do we teach students to be present and change that present? We will invite participants to participate in various forms of mindfulness meditation, and we will explore how these practices not only inoculate against personal burnout and alienation, but stir us towards collective social change.

## TRACK 4

### RM 106 CRITICAL JUSTICE: DEVELOPING A MULTI-MEDIA SOCIAL JUSTICE COURSEBOOK

Steve Bender, Seattle University School of Law  
Charles Pouncy, Florida International University College of Law  
Frank Valdes, University of Miami School of Law

This panel previews and engages the design, themes, innovations, and pedagogy surrounding an innovative, forthcoming Coursebook that responds to the growing list of legal courses and the significant number of teachers, particularly those within SALT and LatCrit, focused on social justice learning in the classroom. In addition to previewing and surveying the Coursebook project, the panel will aim to solicit feedback to the themes and design of this project that we hope will transform the social justice classroom. This panel will emphasize one of the Coursebook’s four parts titled Racialized Materialism: Color and Class in Law and Society.

## TRACK 5

### RM 110 NEW YORK’S PRO BONO SCHOLARS PROGRAM-- OPPORTUNITIES AND CHALLENGES

Beth Schwartz, Fordham Law School  
Marcella Silverman, Fordham Law School  
Ian Weinstein, Fordham Law School

In February 2014 Jonathan Lippman, Chief Judge of the New York Courts, announced the creation of a new Pro Bono Scholars Program that will allow students to sit for the bar exam in February of their third year of law school, followed by performance of 500 hours of pro bono legal service prior to graduation. We will offer a contextualized view of the challenges and opportunities posed by this innovative new program, as well as a few lessons already learned. Our presentation model will be “flipped”—we will do this by producing a video introduction, to be made available to conference participants before we meet in Las Vegas, thereby allowing

us to devote most of the concurrent session to questions, discussion and reflection on the PBS Program as well as the “flipped classroom,” a teaching method that has received a lot of attention recently.

**RM 112 SHOULD LAW TEACHERS COMMITTED TO SOCIAL JUSTICE CHAMPION THE DE-STRUCTURING OF THE LEGAL PROFESSION?: FAST-TRACK JD PROGRAMS, “PRACTICE READY” EDUCATION, REDUCED LEGAL SCHOLARSHIP, LEGAL TECHNICIAN LICENSE PROGRAMS, LEGAL SELF-HELP PRODUCTS, NON-LAWYER-LED LAW FIRM MODELS, AND OTHER PROPOSED PATHWAYS TO AFFORDABLE AND ACCESSIBLE LEGAL SERVICES**

George Critchlow, Gonzaga University School of Law  
Olympia Duhart, Nova Southeastern University, Shepard Broad Law Center

Brooks Holland, Gonzaga University School of Law  
Michele Pistone, Villanova University School of Law

This panel first will discuss some of proposals for de-structuring legal services to make the legal services market more democratic, several of which are outlined in Professor Critchlow’s article. Concrete proposals include calls to open legal practice to non-JD legal service providers, and to make law degrees less expensive and time-consuming to obtain, more accessible to students with diverse academic credentials, and more “practice”-oriented. Afterwards the panel will explore whether and how social justice law teachers should champion legal education reforms that seek to de-structure the legal services market.

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**5:30 P.M. - 6:15 P.M. SHUTTLES TO MGM CONFERENCE CENTER**

West side (back) of William S. Boyd School of Law

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**6:30 P.M. - 8:00 P.M. RECEPTION, OPEN MEETING, AND AWARD PRESENTATION**

MGM Conference Center

The inaugural SALT Junior Faculty Teaching Award recognizes an outstanding, recent entrant into the legal academy who demonstrates a commitment to justice, equality and academic excellence through teaching. Designed to honor an emerging teacher and support an outstanding individual, the award will be presented annually at the SALT Teaching Conference or SALT-LatCrit Junior Faculty Development Workshop. SALT is proud to announce that this year’s recipient of the inaugural Junior Faculty Teaching Award is Assistant Professor Margaret Kwoka.

**2014 JUNIOR FACULTY TEACHING AWARD**

**MARGARET KWOKA, UNIVERSITY OF DENVER STURM COLLEGE OF LAW**

*Professor Kwoka is a graduate of Brown University and Northeastern University School of Law and a former education volunteer with Peace Corps in Burkina Faso. She clerked for Chief Justice Phillip Rapoza, Massachusetts Appeals Court, and Judge Michael Murphy, U.S. Court of Appeals for the Tenth Circuit. Prior to joining the faculty at the University of Denver, Professor Kwoka was an Assistant Professor at John Marshall Law School in Chicago and a Lecturer at George Washington University School of Law. She also practiced as an attorney at Public Citizen*

*Litigation Group, a public interest law firm in Washington, D.C., where she focused on government transparency litigation in federal court.*

*Professor Kwoka’s research and teaching interests center on civil procedure and procedural justice, administrative law and judicial review of agency actions, federal court litigation, and government transparency. Her articles have appeared in the Boston College Law Review, the American University Law Review, the Harvard Journal on Legislation, and the Loyola University Chicago Law Journal, among others.*

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**Saturday, October 11, 2014**

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**8:00 A.M. - 8:30 A.M. MEDITATION PRACTICUM**

MGM Signature Poolside

Start your morning with a 20-minute Zen meditation practice (or bring in another quiet practice you already follow), and then a slow walking practice. We will end by 8:30 for breakfast. Those interested can converse over breakfast about legal education, legal practice, and meditation. Led by Professor Marc Poirier, Seton Hall University School of Law. Professor Poirier leads a meditation group at Seton Hall, and also coordinates a Contemplative Lawyers Group at the New York City Bar Association. He is a student of Zen teacher Barry Magid and is an authorized lay Zen teacher.

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**8:00 A.M. - 9:00 A.M. CONTINENTAL BREAKFAST**

MGM Conference Center Ballroom 113-114

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**9:00 A.M. - 10:30 A.M. ROUNDTABLE FORUM**

MGM Conference Center Ballroom 111-112 (all sessions)

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**TRACK 1**

**A. SOCIAL JUSTICE ISSUES AND CRIMINAL LAW/JUSTICE CURRICULUM**

Adele M. Morrison, Wayne State University Law School  
Taja-Nia Henderson, Rutgers School of Law—Newark

This roundtable seeks to identify the social justice issues missing from the criminal law and procedure courses and to discuss ways in which to address these issues in the classroom (including clinical and intern/externship classroom components). Given that substantive criminal law is a required first year course and criminal procedure is a Bar Exam topic, students not interested in or planning a career in criminal law/justice or related fields are in these classes offering an opportunity to reach those students who do not self-identify as progressive or interested in social justice issues. This roundtable offers an opportunity to discuss practical methods of introducing these issues and engaging students. Participants will be encouraged to familiarize themselves with Professor Henderson’s article (Teaching the Carceral Crisis: An Ethical and Pedagogical Imperative, 13 U. Md. L.J. Race Relig. Gender & Class 104 (2013)) and SALT’s Access to Justice work prior to participating in the roundtable, which will be a facilitated discussion divided into identifying missing social justice issues and determining practical methods of addressing them in the classroom.



## TRACK 2

### **B. INCREASING ACCESS, ENSURING DIVERSITY: INTEGRATING ACADEMIC, LEGAL REASONING, AND THEORETICAL PERSPECTIVE SKILLS INTO A DOCTRINAL COURSE**

David Nadvorney, City University of New York School of Law  
Deborah Zalesne, City University of New York School of Law

Although doctrinal law professors know they are teaching academic and legal reasoning skills in their courses, often all students see is doctrine. This is exacerbated by the perception of many professors that there's barely enough time to cover just the doctrine, let alone additional "topics." This presentation will demonstrate ways in which academic skills (such as case briefing, close case reading, note taking, outlining, and exam preparation) and legal reasoning skills (such as fact identification and analysis, issue spotting, and working with rules) can be incorporated directly and explicitly into a first-year doctrinal course syllabus without detracting from coverage and in a way that actually reinforces the acquisition and comprehension of the doctrine itself.

### **C. BREACHING THE BARRICADE BETWEEN THEORY & PRACTICE: REALIGNING LEGAL EDUCATION WITH ITS TRUE PURPOSE**

Robert Parrish, Elon University School of Law  
Patricia Perkins, Elon University School of Law  
Catherine Wasson, Elon University School of Law

Drawing on their experience as "skills" teachers who have breached the divide between theory and practice, the roundtable participants will explain and demonstrate methods and techniques that they use to teach a variety of traditional "doctrinal" subjects, from 1L Property, to Family Law, to a seminar on Prisoners' Rights. Presenters will describe their course design and teaching objectives and discuss assessment methodology, time spent designing these courses, how to manage student expectations of what a law school class should look like, and field additional questions from the audience for an engaging and interactive discussion.

## TRACK 3

### **D. TEACHING LAWYERING VALUES**

Amber Baylor, Georgetown University Law Center  
Daria Fisher Page, Georgetown University Law Center

This roundtable will discuss the challenges of teaching lawyering values, with a specific focus on the challenge of teaching the value of community engagement in the context of lawyering for social justice organizations. The facilitators will share two illustrative experiences supervising clinic students that had different outcomes: the first involved representation of a non-profit seeking to increase services for the homeless and the second involved representation of a coalition promoting anti-discrimination legislation on behalf of previously incarcerated individuals. The students formally represented the organizations, but struggled with how to engage the voices of the affected constituents (in these cases homeless and previously incarcerated people) throughout the project. From a pedagogical perspective, the core issues were how to impart the lesson that direct

engagement with the affected communities was not only a wise strategic decision, but a moral imperative and whether, as instructors, to be explicit about personal beliefs. The discussion asks the larger question of how to guide students beyond ethical obligations and client directives to ensure their work is responsive both to marginalized communities and the students' own value systems.

### **E. FACULTY-STUDENT COLLABORATION AS SOCIAL JUSTICE PEDAGOGY**

Elizabeth L. MacDowell, University of Nevada Las Vegas, William S. Boyd School of Law  
Addie Rolnick, University of Nevada Las Vegas, William S. Boyd School of Law  
Stephanie Smith Ledesma, Texas Southern University, Thurgood Marshall School of Law  
Spearit, Texas Southern University, Thurgood Marshall School of Law

This roundtable will explore the relationship between teaching methodology and practice; between a legal academy that embraces a social justice mission, and preparing "persons of the law" who are ready, willing and able to help build a more just world. Many of us are engaging social justice-oriented pedagogies as part of a larger social justice commitment in our work. However, this commitment, and especially its pursuit through experiential learning models (e.g., clinical courses, experiential components of traditionally "doctrinal" classes, externships and service learning, and emerging hybrid models), is time-intensive and often relatively unsupported in the tenure and promotion process, which tends to reward scholarship above teaching and to disaggregate both from "service." Faculty committed to social justice pedagogies may feel stretched thin, and an ambitious teaching agenda can feel impossibly at odds with seemingly competing commitments to service and scholarship. Students may also resist the introduction of social justice themes, which they may perceive as intruding on the "objectivity" of the law, and the inclusion of skills they view as tangential to their work as lawyers. This roundtable will explore the possibilities for addressing these challenges by rethinking our relationships with students. In particular, it will explore the benefits, challenges, and transformative potential for teachers, students, and the profession of greater collaboration with students in scholarship, service, and teaching.

### **F. CULTIVATING PROBLEM SOLVING LAWYERS**

Lydia Nussbaum, University of Nevada Las Vegas, William S. Boyd School of Law  
Jean Sternlight, University of Nevada Las Vegas, William S. Boyd School of Law

Many current and prospective law students are drawn to law school to learn how to solve legal problems with transactional, policy-based, or other alternative approaches, rather than courtroom litigation. Even within the litigation context, the proliferation of alternative dispute resolution (ADR) processes like mediation, group conferencing, arbitration, early neutral evaluation, and judge-facilitated settlement, have altered the nature of advocacy and client counseling. This roundtable discussion will focus on how legal educators dedicated to advancing social justice should respond to the changing nature of legal practice, students' career interests, and a more expansive definition of lawyering. The facilitators will structure the conversation around questions and topics of interest elicited from the roundtable participants.

## TRACK 5

### G. **EXCEEDING THE ABA'S NEW ACCREDITATION REQUIREMENTS TO MEET THE NEEDS OF CURRENT STUDENTS AND THE COMMUNITIES THEY WILL SERVE**

Cara Cunningham Warren, University of Detroit Mercy School of Law  
Lydia D. Johnson, Thurgood Marshall School of Law

The new Standards mark a “quantum shift” in legal education. Roundtable participants will explore two distinct areas where embracing or exceeding these Standards may benefit law students and the communities they ultimately will serve: (1) increased teaching effectiveness at the individual course level and (2) experiential course opportunities in the form of apprenticeships. In this context, Professor Warren will introduce a teaching effectiveness framework that was created by experts from the National Research Council of the National Academies and was adapted recently for use in legal education. Its focus on assessment and learning outcomes promotes self-regulated learning and the transfer of learned material from the classroom into the “real world.” Professor Johnson will explain apprenticeship or “Reading-for-the-Law” programs in the UK, as well as models from California and Vermont, and will discuss how schools might embrace the best of these programs to better train students for the demands of today’s law practice.

### WORKS-IN-PROGRESS

#### H. **1: OUTSIDER JURISPRUDENCE: CULTIVATING EMERGING VOICES AND AUDACIOUS IDEAS**

Shalanda Baker, University of Hawai‘i at Manoa William S. Richardson School of Law  
Kim D. Chanbonpin, The John Marshall Law School  
Atiba R. Ellis, West Virginia University College of Law  
Marc-Tizoc González, St. Thomas University School of Law  
Tayyab Mahmud, Seattle University School of Law  
Sheila I. Velez Martinez, University of Pittsburgh School of Law  
Willmai Rivera-Perez, Southern University Law Center  
Speartt, Texas Southern University Thurgood Marshall School of Law  
Frank Valdes, University of Miami School of Law  
Rose Cuison Villazor, University of California Davis School of Law

With the premises that critical teaching and critical scholarship must be reinforced, a project to cultivate fresh voices to produce cutting-edge scholarship has been launched. Twelve young faculty members, most LatCrit Student Scholar Program (SSP) veterans, have been inducted into a project to produce a symposium issue and book entitled “Critical Justice: Legal Frontiers in Theory, Society and Praxis.” Shifting paradigms of social order that roll back progressive advances and entrench systems of caste call for innovative interventions toward antistatist social change. As daily news reports make plain, the post-2008 crisis has brought into question the foundations of longstanding social accords and understandings within and beyond the nation-state. Because law is a central instrument in these unfolding dynamics, both as a strategy of power and as a tool of resistance, legal scholars bear an urgent and unique responsibility to act now. Consequently, these works are dedicated to identifying emerging issues of justice, identity and structure at this particular moment of local and

global upheaval. In so doing, this collaboration also is designed to help advance the next wave of critical outsider jurisprudence.

#### I. **2: OUTSIDER JURISPRUDENCE: CULTIVATING EMERGING VOICES AND AUDACIOUS IDEAS**

This table will feature some portion of the preceding WIP Roundtable participants.

#### J. **SEX DISCRIMINATION AND CARIBBEAN IMMIGRATION**

Commentator: Adrien Wing, University of Iowa College of Law

#### **THE FOUR WORLDS OF SEX DISCRIMINATION IN LAW**

Saru Matambanadzo, Tulane University Law School

This paper provides a novel theoretical account of sex discrimination protections in the United States for women workers. First, it argues that the operation of sex discrimination in the United States can only be understood by examining both private law and public law protections that operate to differentiate workers. If we take seriously how both private law and public law function together to produce our current regime of protections against sex discrimination, it will reveal how anti-discrimination protections, “market conditions” have created four separate but interlocking regimes. The four regimes include: a world of robust private law protections that also enjoys public law protections, a world of quasi-private law protections that also enjoys public protections, a world where at-will employees enjoy only public law protections, and a world where employees lack market power to demand robust private law protections and are uncovered by the current public law protections of anti-discrimination law.

#### **FREE MOVEMENT OF PEOPLE IN THE CARIBBEAN COMMUNITY: THE IMPLICATIONS OF MYRIE V. BARBADOS**

Jane Cross, Nova Southeastern University, Shepard Broad Law Center

This presentation will discuss the *Myrie v. Barbados* case decided by the Caribbean Court of Justice (CCJ) in October 2013. In this case, the CCJ upheld the right to freedom of movement under Article 45 of the Revised Treaty of Chaguaramas (RTC). This case required the CCJ to determine whether Article 45 of the RTC created any legally binding rights in Barbados. The CCJ found that, as implemented by the 2007 Conference Decision of the CARICOM Heads of State, the RTC entitles a CARICOM national to “an automatic stay” or “definite stay” of six months upon arrival in another CARICOM country. This construction of the RTC will have a profound impact on human rights in the region. Already this case is being used by a gay rights activist to challenge anti-gay immigration law in Belize. The challenged provisions allow Belize to bar homosexuals from entry. Thus, *Myrie v. Barbados* has potentially opened the door to striking down discriminatory immigration laws in CARICOM countries due to the CCJ’s purposive interpretation of the RTC.

#### K. **CONSTITUTIONAL DOCTRINE AND THE ROLE OF THE JUDICIARY**

Commentator: Anthony E. Varona, American University—Washington College of Law

## **THE FUNDAMENTALITY OF THE SEVENTH AMENDMENT CIVIL JURY TRIAL CLAUSE**

Shaakirrah R. Sanders, University of Idaho, College of Law

Through the lens of the recently incorporated Second Amendment this presentation explores whether the doctrine of selective incorporation applies to the Seventh Amendment Civil Jury Trial Clause. In *District of Columbia v. Heller*, 554 U.S. 570 (2008), the Court declared the Second Amendment independent of the need to maintain and establish a militia. Instead, the Second Amendment established an individual right to keep and bear arms for self-defense in the home. Soon after *Heller*, the forty-two year drought of selectively incorporated rights ended in *McDonald v. City of Chicago*, 561 U.S. 742 (2010), when the Court held the Second Amendment fully enforceable against the States. The *McDonald* Court upheld the central principle of selective incorporation: after a right was found to be fundamental it applied against the states via the Fourteenth Amendment's Due Process Clause. This developing work argues that like the Second Amendment, the Seventh Amendment right to a civil jury is fundamental and fully applicable against the states.

## **THEATER OR TRANSITIONAL JUSTICE: REFORMING THE EGYPTIAN JUDICIARY**

Sahar F. Aziz, Texas A&M University School of Law

Discussions on transitional justice in Egypt presuppose a political transition. More than three years after Egypt's historic January 25th uprising, nothing may be farther from the truth. Mass protests that had the potential to produce revolutionary changes in the political system were prematurely coopted to produce little more than a reshuffling of the elite coalition within an authoritarian system. State institutions were so deeply entrenched in a corrupt patronage system that, if overhauled, risked the liberty and livelihood of its top echelon. As a member of this so-called "deep state," the conservative judiciary's response to the uprisings was part of a larger phenomenon that ultimately left the authoritarian regime untouched but for a new president and his new elite inner circle. As a result, transitional justice proved elusive, leaving many Egyptians with no remedy for the decades of tyranny under Mubarak. Couched in the rule of law and transitional justice literature, this paper examines the judiciary's role in determining why the January 25th uprisings did not produce the political transition necessary for there to be transitional justice.

## **L. LEARNING POLICIES AND THEORIES**

Commentator: Steve Bender, Seattle University School of Law

## **RESPONSE TO INTERVENTION: A RISING TIDE OR LEAKY SHIP**

Erin R. Archerd, The Ohio State University, Moritz College of Law

This project focuses on two marginalized groups within the K-12 educational community: students with disabilities and English Language Learners (ELLs). These are both groups who are helped by law school clinics, though the clinical model is much more well-established in special education law. A previous article argued that ELLs should take greater advantage of the potential for educational services under statutes like the Individuals with Disabilities Education Act (IDEA). This presentation looks at how a practice called Response to Intervention (RTI), which bridges general and special education, might

provide ELLs who do not need special education the kind of services that will allow them to succeed in school, as well as critically examines RTI in light of the lack of legal redress available to students for failure by schools to provide students with appropriate educational services. RTI has been questioned by special education advocates, but students with disabilities still have recourse to remedies under the IDEA. For ELLs, the path for challenging these programs is less clear. This presentation begins to chart those waters.

## **AN EXAMINATION OF THE USE OF FUTURES IN CONTEMPORARY ANGLO-AMERICAN LEGAL THOUGHT**

Michael G. Bennett, Northeastern University School of Law

Assessments of possible futures and deployments of futural figures represent approaches to engaging the future that, though implicit in some traditional modes of legal thought and practice, are much less commonly explicitly invoked or situated at the center of legal strategy, research methods or theoretical framings. However, these modes have become more prominent in discourse of both legal practitioners and academic lawyers during the last two decades. Using four texts of considerable influence in contemporary legal thought, education and practice—Bell's (1992) *The Space Traders*, Posner's (2004) *Catastrophe*, Lessig's (2006) *Code 2.0* and Susskind's (2013) *Tomorrow's Lawyers*—this presentation will situate legal futures assessment and futural figure deployments within the context of future oriented analytical methods from science and technology studies literatures, particularly sociology of futures. The main goals of this exercise are to attempt to determine what type of work deployments of future assessments and futural figures do for legal scholars and practitioners, and to begin to assess the value that the legal academy might extract from a broader engagement with future-oriented studies.

## **M. MODELS OF LAWYERS AS SOCIAL CHANGE AGENTS**

Commentator: Ann McGinley, University of Nevada Las Vegas, William S. Boyd School of Law

## **LESSONS ON SOCIAL ENGINEERING: UNDERSTANDING THE ROLE OF LAWYER AS SOCIAL ARCHITECT THROUGH JUDGES ROBERT L. CARTER AND DAMON J. KEITH**

Isy India Geronimo Thusi, University of Witwatersrand

Charles Hamilton Houston famously proclaimed that a "lawyer who is not a social architect is a social parasite." While faced with contemporary challenges concerning the use and limitations of law in promotion democracy, it is helpful to reflect on how two African American jurists, Judges Robert L. Carter and Damon J. Keith, have exemplified the role of lawyers as social architects. Charles Hamilton Houston closely mentored both Robert L. Carter and Damon J. Keith while they were while students at Howard Law School. Throughout their legal careers, they adopted Houston's mantra of lawyer as social architect, exemplifying the importance of lawyers in shaping society. Robert L. Carter was the lead counsel in *Brown v. Board of Education*, the decision that eliminated racial segregation in the United States. Judge Damon J. Keith famously held that covert programs that violated individual rights were unconstitutional, standing up to Presidents Nixon and Bush. We can be inspired by the bravery of these two pioneers as we face contemporary challenges in employing the law to rectify structural injustices. Having clerked for both jurists,

the presentation will provide a personal perspective on the lessons we can learn from these heroes in contributing to the legacy of the law in promoting democracy.

### **NELSON MANDELA: THE LAWYER AS AUTHOR OF SOCIAL CHANGE**

Justin Hansford, St. Louis University School of Law

An enduring strain of social science and legal literature has maintained that the attempt to use law and the courts to promote progressive social movements represents a hollow hope. In accordance with this assertion, scholars interested in lawyering for social change have explored other ways for lawyers to advance their causes outside of doctrinal reform and public law litigation. These strategies have included law and organizing, the use of the court as a forum for protest, the promotion of social change through subversive courtroom performance, and civil disobedience. Through this lens, this article explores the law and advocacy career of Nelson Mandela, seeking to discern any lessons that his life's work may offer to enhance the content and methodologies of today's lawyers working to create social change.

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#### **10:30 - 10:45 A.M. BREAK**

Coffee Refreshed in MGM Conference Center Ballroom 113-114

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#### **10:45 A.M. - 12:15 P.M. PROGRESSIVE MARKETPLACE**

MGM Conference Center Ballroom 113-114 (all sessions)

## **TRACK 1**

### **A. ANSWERING THE CALL FOR REFORM IN LEGAL EDUCATION: THE STEPPS PROGRAM**

Timothy Casey, California Western School of Law

Recent critiques of legal education have focused on negative aspects of law school. This presentation changes the narrative by describing a program that has had an overwhelmingly positive impact on the professional development of students. The STEPPS Program aligns with recent recommendation for reform in legal education by focusing on the knowledge, skills, and values necessary for the practice of law in the 21st century. At a time when many law schools seek to develop and expand an experiential learning opportunities, the STEPPS Program offers helpful guidance. The presentation describes in detail three main aspects of the Program: (1) the integration of practitioners in a true joint venture aimed at producing law graduates who are equipped for today's market; (2) the pedagogic foundation of the Program and the degree to which each aspect of the Program relates to core pedagogic objectives; and (3) the transferability of concepts of the Program to other curricular offerings. In sum, this presentation does not merely describe a course, it presents a cost-effective, pedagogically-driven model for legal education.

### **B. EMPLOYING DESIGN THINKING TO TRANSFORM LEGAL EDUCATION AND INCREASE ACCESS TO JUSTICE**

Dan Jackson, Northeastern University School of Law

In response to the dual crises in legal education and access to justice, Northeastern University School of Law recently created the NuLawLab, an innovation laboratory that provides Northeastern law students with opportunities to imagine, design, test, and implement pioneering approaches to providing legal information, legal services, and legal education. What makes NuLawLab different from other legal innovation initiatives is our focus on joining the power of community-designed solutions with the insight derived from multi-disciplinary collaboration. We believe a community-based approach can make legal services, institutions and programs more responsive to human needs and, therefore, more successful by engaging the community "end user" as an active participant in surmounting legal, social and educational challenges.

### **C. DRAGGING OURSELVES INTO THE FUTURE: LAW TEACHING AND ONLINE LEARNING**

Esther Barron, Northwestern University School of Law  
Stephen Reed, Northwestern University School of Law

The purpose of this session is to explore the ways in which online educational tools, including MOOCs, can help law faculty reach their pedagogical goals. In keeping with the themes of the conference, the session will explore both pedagogy and ways online courses can address or help achieve social justice missions. The session will use discussion and demonstrations of online pedagogy from the presenters to explore ways in which online learning can effectively educate law students, particularly when coupled with an in-class component. The presenters will also discuss the use of MOOCs to broaden social justice-inspired outreach by law schools, drawing from their own experience teaching a MOOC designed for entrepreneurs. By the end of the session, we hope participants will have an understanding of the capabilities, and limitations, of online education as a way of preparing students and engaging with the community. The faculty spearheading this session taught a MOOC called Law and the Entrepreneur, which is directed at entrepreneurs themselves, rather than lawyers or law students.

## **TRACK 2**

### **D. RELATIONSHIP BETWEEN TEACHING METHODS AND INCLUSIVENESS**

Susannah Pollvogt, Washburn University School of Law  
Randy Wagner, University of Denver Sturm College of Law

We propose a specific and discrete modification in teaching methods: inserting performance tests (PTs) widely throughout the curriculum. PTs locate the student in the position of a lawyer, with a client and with real-world issues and conflicts to confront. PTs, which are staples of academic skills programs and bar prep courses, should be employed across the curriculum. We believe their use will contribute to two intertwined goals—to teach effectively and to teach inclusively. This kind of law teaching promotes social justice not, or not only, in the content that students master but also in their mastery of performance. In that mastery lies empowerment, the confidence and the ability of every student to become the kind of lawyer she or he wishes to be.

**E. BOTTOM UP: TEACHING REMEDIAL CRITICAL THINKING AND PROBLEM SOLVING**

John Murphy, Texas A&M University School of Law

The decline in law-school applications has many schools reaching “deeper into the barrel” and admitting less-qualified applicants. These new students present new challenges, particularly when teaching critical thinking, advanced reasoning, and problem-solving skills. To address these challenges, Texas A&M requires the bottom 25% of the 2L class to take a course euphemistically called “The Art of Lawyering.” This presentation describes the course, its pedagogical underpinnings, and its methods in detail. It also describes the course’s successes—both for the law school and its underperforming students. Using the methods described here, other schools should be able to achieve similar success with their underperforming students.

**F. CORE COMPETENCIES AND TRAINING ENGINEERS FOR SOCIAL JUSTICE**

Harold McDougall, Howard University School of Law  
Valerie Schneider, Howard University School of Law  
Patrice Simms, Howard University School of Law

It can be challenging to envision how core competency skills can be taught within traditional law school classrooms, and it can be particularly difficult to identify and teach those competencies that are particularly valued in 21st-century social justice work. This roundtable will focus on practical steps law faculty can take by discussing how to teach civil rights across the curriculum, how to prepare students for a variety of jobs beyond the “big firm,” and how to deepen clinical education to connect core competencies to social justice work. We will also look at how teaching in a “neoliberal university” might impact our pedagogy and our students’ career choices.

**TRACK 3**

**G. TEACHING SOCIAL JUSTICE AS DOING SOCIAL JUSTICE**

Dara E. Purvis, Penn State University School of Law

Any professor concerned with social justice outside the law school’s walls is also concerned by inequality inside the school. The two perspectives can be joined: that incorporating social justice questions into the classroom helps to equalize the experiences of students. A major effect of the standardized legal education method is to decrease student interest in public service and social justice issues. One reason for this is undoubtedly learning more about the market for lawyers, and what jobs will be available at graduation as well as sufficiently remunerative to begin making loan payments. However, another reason is that the traditional modes of teaching students to “think like a lawyer” remove the justice concerns that motivated many students to apply to law school in the first place. Legal education as a whole teaches students, particularly 1Ls, that thinking like a lawyer means taking justice off of the table. Not only does this affect their future career plans, but it exacerbates the alienation of non-white, non-male, and non-heterosexual students. In addition to any external benefits—students who enter social justice careers or who do social justice work as part of their workload, students who are more socially aware in their daily lives—students who are confronted with social justice questions in their classes are happier. Crucially, the students

who are traditionally most harmed emotionally by the experience of legal education are helped the most by integrating social justice into the entire educational process.

**H. USING FIRST-YEAR LEGAL WRITING TO COMBAT PROGRESSIVE LAW STUDENTS’ ALIENATION**

Leslie Rose, Golden Gate University School of Law

This presentation focuses on the challenges and opportunities we have in the legal writing classroom to support and encourage students who come to law school seeking to turn their progressive values into a meaningful career. The legal writing classroom presents a unique potential to combat feelings of alienation in our students. We have the smallest class sections in the first year and are not constrained in the substantive topics we can cover, in contrast to most doctrinal courses. We are likely to know our students well and have the opportunity to mentor students at this early stage, when they are most open to advice. And, perhaps most importantly, we have the ability to explicitly connect what we are doing in the classroom to what attorneys do in practice, and to expose students to a broader range of practice areas.

**I. INSTILLING CONFIDENCE AND RECEIVING FEEDBACK: CREATING OPPORTUNITIES FOR IMPROVED SATISFACTION IN LAW PRACTICE**

Deborah L. Borman, Northwestern University School of Law

Two obstacles to satisfaction in law practice are self-assurance and receipt of feedback. Our students enter law school with a myriad confidence levels and habits regarding receiving feedback. Some of our students, generally, but not exclusively the female students, may not feel that law practice is personally rewarding because they lack confidence. Other students lose the motivation to succeed as a result of perceived or real negative feedback on their work. Lack of confidence and difficulties in feedback continue into law practice, making the legal profession difficult and unrewarding. This presentation identifies potential obstacles to success faced by our students, discusses the interplay between confidence and feedback and submits ideas for increasing confidence and improving the receipt of feedback.

**J. ON TEACHING BUSINESS ETHICS TO BUSINESS STUDENTS**

Lydie Pierre Louis, University of San Francisco School of Management

As we read through the pages of the financial papers, we are often aghast at the almost relentless corporate scandals that occur with American business. Enron was not the first American corporate scandal, and it certainly will not be the last. The mortgage banking fiasco has certainly earned its place in the annals of American, and European hall of corporate shame. Federal legislation such as Sarbanes-Oxley and Dodd Frank have certainly provided the legal framework to assist in preventing future corporate scandals at least in the magnitude, and pervasiveness that we have seen in recent years. However, how do we as academics address the issue on a very visceral level; the decision-making processes of the business manager who permitted these gross errors of ethical violations to occur, and continue to occur while he watched and did nothing. How did a culture of business acquiescence to ethical violations become the norm in American business? Why

are business managers not better equipped to “simply say no” to inappropriate corporate behavior? How can we better train our students to object, and refrain from participating in ethical business violations that eventually lead to legal violations, a distrust of American business, and the laws that sustain it?

#### **K. LEVERAGING LEGAL EDUCATION FOR NONLAWYERS**

Jennifer Reynolds, University of Oregon School of Law  
Suzanne Rowe, University of Oregon School of Law

Not every student who desires social justice wants to become a lawyer. This presentation will explore ways that a portfolio of academic programs in a law school—including masters degrees in international law and conflict resolution as well as undergraduate studies— allows us to leverage our law school resources and faculty to the advantage of many different kinds of students.

#### **L. A MODEL FOR CHANGING LEGAL EDUCATION FOR THE GOOD OF THE STUDENT AND OF THE PROFESSION**

Cynthia F. Adcock, Charlotte School of Law  
Kathleen (Katie) Brown, Charlotte School of Law  
Jay Conison, Charlotte School of Law  
Carlos Pauling, Charlotte School of Law

InfiLaw is a consortium of law schools that was developed by law professors to address a need in legal education for a program that is inclusive, focused on student outcomes, and designed to overcome the inherent constraints on innovation, such as rankings. Charlotte School of Law faculty and administrators will shed light on how the consortium’s vision of unlocking human potential through outcome-focused programs is ensuring that membership in the legal profession reflects the rich diversity of this country and is leading students to careers that are personally and socially rewarding. Specifically, they will highlight four initiatives reflecting a different, more coordinated approach to the classroom, to service and to scholarship: 1) Charlotte Edge is the innovative new curriculum arising from an intense curriculum mapping and visioning process. It emphasizes practical training in the skills, values and knowledge required to practice law, run a law practice, communicate with clients, and manage cases and projects. 2) The Student Success Initiative aims to identify, define and prioritize the critical competencies for student success in law school, on the bar exam, and in their careers, and is building a multi-faceted model of delivery to ensure development of these critical success competencies during law school. 3) The Library and the Legal Discourse Zone have joined forces to change the appearance and role of law libraries in the legal academy by making structural changes to best facilitate students outcomes across interdependent departments. 4) Faculty scorecards are used to help faculty align their own goals with the student focused mission of the law school.

### **TRACK 4**

#### **M. CONVERSATIONS ON SOCIAL JUSTICE TEACHING**

Steve Bender, Seattle University School of Law  
Tayyab Mahmud, Seattle University School of Law  
Marc-Tizoc González, St. Thomas University School of Law  
Charles Pouncy, Florida International University College of Law  
Frank Valdes, University of Miami School of Law

These progressive marketplace presenters invite you to a personalized conversation: how can these faculty help to support you in bringing social justice materials and pedagogy into your classroom?

#### **N. TEACHING RACE TO PEOPLE OF COLOR: COMPARATIVE RACIALIZATION AND RACIAL GENEALOGIES**

Neil Gotanda, Western State College of Law

There is a literature devoted to “teaching race to white folks” to which many SALT scholars have contributed. This literature includes the description and history of different racial subordinations as well as the explanations of white racial privilege. There has been far less effort at describing the different forms racial subordination where the intended audience is not generic (white) Americans but rather particularized racial-ethnic communities. In this presentation, I adopt a particular racial-ethnic subject position: Asian American/Japanese American Buddhist. As a racial methodology, I propose that the paradigmatic American racial formation is the African-American and that the paradigmatic racial genealogy lies in the Black-White Racial paradigm. Using that as a model, I explore the different dimensions of teaching the racial formation of Asian Americans to different racialized audiences.

### **TRACK 5**

#### **O. THE SOCIAL JUSTICE OF OPEN EDUCATIONAL RESOURCES AND INFORMATION**

Sarah Glassmeyer, CALI/Chicago Kent College of Law

There is not a single crisis in legal education. There are many, all with different causes and solutions. Two major issues are the pedagogy and tools used in our courses as well as the overwhelming costs of a legal education for our students. Open Educational Resources (OER) seek to ameliorate the issues caused by locked and copyrighted educational materials. This presentation will explain the meaning and use of Open Educational Resources and Legal Information as well as offer examples of how to create them.

#### **P. THE INDIE LAWYER OF THE FUTURE: HOW TECHNOLOGY AND CULTURE HAVE THE POTENTIAL TO REVOLUTIONIZE THE SOLO PRACTICE OF LAW**

Lucy Jewel, University of Tennessee College of Law

Internet culture and technology are opening up innovative pathways for individual lawyers representing individual clients in a cooperative (rather than competitive) setting. Solo practitioners are perceived as occupying the lowest rung on the legal profession’s ladder; as receiving the most amount of professional discipline for ethics violations; and as being the most unethical segment of the legal profession. As we continue to confront the severe undersupply of legal jobs in relation to legal jobseekers, it is time to re-imagine solo practice. The sharing economy, coupled with the ability to connect with clients over the Internet, present new opportunities for sole practitioners (and lawyers practicing in small sized firms). However, in order to fully exploit these new professional pathways, we must revamp several key ethical regulations that both obstruct innovative thinking. These ethical rules include the stringent bars on direct solicitation, multi-jurisdictional practice, layperson participation in law firm structure, multi-disciplinary practice, and undue restrictions on lawyer speech.

**Q. LAW LIBRARIANS ARE GOOD WITH SALT: HELP WITH BYTE-SIZING YOUR LEGAL SCHOLARSHIP**

Mitchell L. Silverman, Nova Southeastern University, Shepard Broad Law Center

Law librarians and technologists like me can help legal scholars—be they aspiring or established, doctrinal or practical—become more effective, efficient, focused, and productive with their scholarship. The word processor revolutionized the technology of writing. But there are other tools—computer programs—that help other stages of the writing process. Many law professors do not know about these programs. Many are minimally technology-proficient. And the aspiring law professors that are SALT’s focus—minorities, people of color, the LGBT community—are, the literature shows, likely to be less technology-savvy than the general population. I propose to conduct, in the SALT Conference Progressive Marketplace, a demonstration, familiarization (hands-on, if possible), and discussion of several tools that help the scholarly process. These tools facilitate brainstorming, reduce or eliminate distraction; assist with research collection and organization; and ease—and fundamentally change—the cycle of organizing and writing papers.

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**12:15 P.M. - 1:00 P.M. SHUTTLES TO UNLV**

MGM Conference Center Circle Drive

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**1:00 P.M. - 2:30 P.M. LUNCH & PLENARY**

Hendrix Auditorium, North of Boyd School of Law Building

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**BEYOND MARRIAGE EQUALITY: A SOCIAL JUSTICE, PUBLIC INTEREST PERSPECTIVE FOR STUDENTS AND NEW LAWYERS**

Larry Levine, University of the Pacific, McGeorge School of Law  
Peter Nicolas, University of Washington School of Law  
Nancy Polikoff, American University College of Law  
Judge Zeke Zeidler, Los Angeles County Superior Court

The developments post-Perry v. Hollingsworth and Windsor v. U.S. might tempt the thought that teaching a course in sexuality and the law is over. That “gay marriage” has been the major civil rights concern of the persons who experience discrimination because of sexual orientation or gender identity because of the person they choose to love, and that soon we will see the movement’s goals coming to fruition. This panel would use the developments in the marriage equality movement in order to focus on how courts and educators need to be thinking “Beyond (Straight and Gay) Marriage” (from the title of long time SALT member Nancy Polikoff’s book).

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**2:30 P.M. - 2:45 P.M. BREAK**

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**2:45 P.M. - 3:45 P.M. CONCURRENT SESSIONS V**

Locations Listed Before Each Presentation

## TRACK 1

**RM 101 CREATING EFFECTIVE VIDEOS FOR THE FLIPPED LAW SCHOOL CLASSROOM: THEORY AND APPLICATION**

Aaron Dewald, University of Utah School of Law  
Eugene Y. Kim, University of San Francisco School of Law

As more and more professors turn to flipped classrooms in legal education, we should understand how to use the online medium effectively and understand what it can and cannot do. Multiple theories about how people learn and comprehend in online learning environments can inform how we create our videos. In this presentation, you will:

- Learn about a Cognitive Approach to Blended Learning in Legal Education (CABLE).
- Understand how to apply learning science to your videos.
- Hear about a practical framework that is used in designing blended learning videos.
- See practical examples of implementation.
- Not be bored. We’ll make learning about theory fun and interesting!

**RM 102 INTEGRATING (DELICATELY) SOCIAL JUSTICE ISSUES INTO FIRST YEAR COURSES**

Gabriel Arkles, Northeastern University School of Law  
Ann M. Cammett, City University of New York School of Law  
Jeremiah A. Ho, University of Massachusetts School of Law  
Larry Levine, University of the Pacific McGeorge School of Law  
J. Kelly Strader, Southwestern Law School

Many law professors wish to include social justice issues in their courses. Nowhere is this more important than in the first year of law school as we introduce our students to concepts of professionalism and give students their first sense of what it means to be a lawyer. We will briefly discuss areas in first-year doctrinal courses—Legal Research and Writing, Torts, Civil Procedure, Criminal Law, and Contracts—where social justice issues can and perhaps should be raised. By bringing current events such as the mortgage crisis into the classroom, students get to talk about not just reframing policy, but whether our laws ultimately serve the ends of social justice and how can we push laws forward if we believe justice lies elsewhere. We will then address some practical and pedagogical challenges in raising these issues.

## TRACK 2

**RM 105 THE INDIGENT, THE INNOCENT, AND THE CLINIC: USING LEGAL EDUCATION TO TRANSFORM CRIMINAL DEFENSE**

Heather Baxter, Nova Southeastern University, Shepard Broad Law Center  
Geneva Brown, Valparaiso University Law School  
Anthony Haughton, Thurgood Marshall School of Law, Texas Southern University

Three panelists will be exploring topics that combine criminal defense with law school education. One panelist will discuss the fact that many indigent are left without effective assistance of counsel--and many without lawyers at all. Meanwhile, law schools find themselves in the middle of a crisis because their graduates are unable to find jobs in this changing legal market. In evaluating these two crises,

there appears to be an intersection that could help solve both of these problems. Another presenter will deconstruct innocence. With her clinic students, she presents a paradigm that guilt or innocence is secondary to servicing the needs of the client and protecting the clients' rights through the maze of a convoluted and dispassionate court system. She will discuss how she creates a dialogue evolving from loaded terms such as guilt, truth, or innocence. Finally, the last presenter will discuss Innocence Project Education. With the resultant policy changes stemming from the Innocence Projects' examination of the causes of wrongful convictions, and their focus on educating the community, legislators, and other criminal justice stakeholders, in proper investigation and trial procedures as a preventive measure against wrongful convictions, several important questions emerge as to the future of innocence practice.

## TRACK 3

### RM 106 LEARNING COMPASSION THROUGH TEACHING LAW STUDENTS TO BE EMOTIONALLY INTELLIGENT

Christine Kelton, Whittier Law School  
Denise Roy, William Mitchell College of Law

Law school trains students to "think like lawyers." Thinking like a lawyer implies a deliberate absence of emotion. But, according to Anthony Kronman, former Dean of Yale Law School "to deliberate well—which requires both sympathy and detachment—one must therefore be able to not only think clearly but to feel in certain ways as well." Compassion can be a desirable trait in a lawyer. Teaching students to use emotional intelligence to facilitate their thinking may inspire them to become compassionate lawyers. Emotional intelligence incorporates the ability to reason with emotion, and the capacity of emotions to enhance thought. There are at least two related challenges to consider as we think about promoting compassion among law students and lawyers: (1) what does and should compassion mean (or look like) in the lawyering context, and (2) how can law teachers help students understand and practice compassion?

## TRACK 4

### RM 112 THEORIZING IDENTITY IN POST-IDENTITY CLASSROOMS

Kim Hai Pearson, Gonzaga University School of Law  
Addie Rolnick, University of Nevada Las Vegas, William S. Boyd School of Law  
Ann McGinley, University of Nevada Las Vegas, William S. Boyd School of Law  
Kim D. Chanbonpin, The John Marshall Law School  
Angela Mae Kupenda, Mississippi College School of Law  
Priscilla Ocen, Loyola Law School, Los Angeles

This panel will explore approaches to teaching identity-based critical theory courses (e.g., critical race theory, law and sexuality, feminist jurisprudence, disability law, etc.) in law schools where there is increasing pressure to focus on practice and bar preparation sometimes to the exclusion of courses and pedagogical approaches that treat the study of law as an intellectual exercise. The roundtable is part of a series of discussions with the goal of articulating a theoretical framework for teaching identity-based theories in post-identity classrooms. Our first panel at SALT in 2010 considered race and sexuality intersections and

naturally embedding both in classes that do not seem to implicate race or sexuality questions. Our second panel at LatCrit in 2011 considered the value of identity-based courses and questions about professor and student positionality. Our next step in articulating a framework for teaching these courses in law classrooms is to move the conversation beyond defending and explaining the value of teaching those topics. Today, we begin with the premise that identity-based critical theory courses are an important component of every legal education and are worth doing well. Our panelists, who specialize in different veins of critical theory, will discuss and compare various theoretical approaches to teaching these courses.

## TRACK 5

### RM 117 TAKING ACTION: COMMUNITY ENGAGEMENT ACROSS THE CURRICULUM

Anna E. Carpenter, University of Tulsa College of Law  
Annie B. Smith, University of Arkansas School of Law

Many professors want to incorporate community engagement or real-world experiences into their courses, but are unsure whether it is possible or how to best do it. Others may already offer these experiences, but want to rethink and refine their approach. This interactive session will help participants explore opportunities for incorporating community engagement into any law school course. We will explore why faculty might choose community engagement and how it can become a part of any course. In addition, we will consider a range of potential challenges and opportunities inherent in this work. This session is appropriate for faculty teaching courses on any subject or lawyering skill, including clinics, seminars, and large courses. The definition of community will be broad and the ideas transferrable to a variety of contexts.

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#### 3:45 P.M. - 4:00 P.M. BREAK

Coffee and Refreshments on Main Floor of William S. Boyd School of Law

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#### 4:00 P.M. - 5:00 P.M. CONCURRENT SESSIONS VI

Locations Listed Before Each Presentation

## TRACK 1

### RM 106 EXPLORING SOCIAL JUSTICE ISSUES IN CRIMINAL PROSECUTION CLINIC SEMINARS AND EVIDENCE COURSES

Jasmine Gonzales-Rose, University of Pittsburgh School of Law  
Lynn Su, New York Law School

It is often assumed that social justice and critical legal theory are not implicated in the study of prosecution-side criminal and evidence law. This interactive presentation will focus on how instructors teaching in these areas can introduce students to critical social justice analysis. The prosecutor's responsibility to promote social justice is highlighted in the criminal prosecution clinic seminars by having students engage in exercises illustrating how prosecutorial decisions impact victims, the accused, and society. Topics such as the legal implications of a criminal conviction, the rights of victims and the accused, and prosecutorial discretion provoke lively debate and self-reflection about what it means



to be a prosecutor. Students in the basic Evidence course can develop a heightened awareness of social justice issues by critically analyzing the disparate impact certain evidentiary rules have on traditionally marginalized groups, for example, the application of the spousal privilege to same sex partners, evidence of flight in areas plagued by racial or sexual violence, and minority culturally appropriate silence interpreted as an adoptive admission. This presentation will offer ideas on how to engage students in a critical dialogue and help them appreciate the role participants in the justice system should play in advancing social justice.

## TRACK 2

### RM 102 PREPARING PRACTICE-READY ATTORNEYS: A COMMITMENT TO CROSS-DISCIPLINE DOCTRINAL COLLABORATION IN THE CLASSROOM

Megan Chaney, Nova Southeastern University, Shepard Broad Law Center  
 Tiffany C. Graham, University of South Dakota School of Law  
 Victoria J. Haneman, Concordia University School of Law

This panel will illustrate the “common class session” approach: several professors, teaching in different doctrinal areas, dedicate one class session per semester to discussion of a current news event. A common class session, for all students in all of these courses, will be scheduled for this discussion. The goal of this common class session is to consider and discuss the legal issues raised by the current news event from a criminal and civil perspective, with emphasis upon both transactional and litigation practice. This is also a way to continually reinforce subjects that students have taken in the past, so that the doctrine stays fresh and accessible. In this roundtable, three faculty members with diverse expertise in tax, corporate law, legislative reform, trusts & estates, constitutional law, criminal procedure, and professional responsibility, will break down an event that took place in May 2014, when mentally disturbed 22-year old Elliot Rodger published a video promising “a day of retribution,” then stabbed his roommates and set out on a killing spree through Santa Barbara.

## TRACK 3

### RM 101 TEACHING SOCIAL JUSTICE THROUGH PROFESSIONAL RESPONSIBILITY

Doug Colbert, Maryland Francis King Carey School of Law  
 Claire Donohue, The George Washington University School of Law  
 JoNel Newman, University of Miami School of Law

As law schools embrace experiential learning and consider curriculum changes that help prepare students to enter the profession, many clinical faculty are relying on the ethical imperative to educate students about social justice and law reform as a way to enrich their understanding of what it means to be a member of the profession. Stand-up colleagues, too, are taking advantage of opportunities to connect social justice to a lawyer’s professional responsibilities. This panel affirms law faculty’s duty to instill in students a lawyer’s ethical obligations as a public citizen, described in the Preamble to the ABA Rules of Professional Conduct, to “enhance the administration of justice” and “seek improvement of the law, access to the legal system, [and to] be mindful of deficiencies . . . and of the fact that the poor, and sometimes persons who are not poor, cannot

afford adequate legal assistance.” Panelists suggest that clinicians and doctrinal faculty share a professional responsibility toward social justice education. Panelists will highlight means of linking social justice to professional responsibility through clinical law reform endeavors, curriculum design, and students’ reflection papers that demonstrate how these efforts have proven to be educationally and psychologically transformative. The panel will be interactive and designed to foster a lively discussion about the pedagogical value of teaching professionalism in various settings and through various methodologies.

## TRACK 4

### RM 105 TEACHING CULTURAL COMPETENCE TO MILLENNIALS

Margaret Reuter, Indiana University Maurer School of Law  
 Carwina Weng, Indiana University Maurer School of Law

This presentation will walk participants through a suggested method of teaching Millennials cultural competence. It takes Millennials as the starting point: exploring their own diversity and cultural identities, connecting their identities to the cultural and social groups to which they belong, and considering the expectations, burdens, risks, and advantages that come along with group membership. These associated attributes are further connected to patterns of White privilege to provide greater context for the different conditions in which cultural groups exist and are treated. Next, the exploration delves more directly into biased behavior. Students participate in implicit association tests to uncover implicit bias that can affect behavior unconsciously and learn about micromessages, one of the primary methods of (unintentionally) delivering subtly discriminatory expressions. Students then explore typical micromessages and discuss whether and how they would address them.

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### OUTSIDE LAWN

### LAUGHING YOGA SESSION

Outside Lawn (Weather Permitting) or  
 alternatively RM 203  
 Kate Benak, Olympia Laughter Yoga Club

Laughter Yoga is a breakthrough healthcare system where anyone can practice laughter as a group exercise without relying on humor, jokes or comedy. Laughter Yoga is a unique exercise which reduces physical, mental and emotional stress simultaneously and induces emotional balance. It increases positive emotions and decreases negative emotions. It helps to stimulate heart rate, increase blood circulation, supply oxygen and remove waste products. It increases the supply of oxygen which helps in optimal performance and boosts energy levels. The childlike playfulness of Laughter Yoga stimulates the right brain activity, which is the seat of creativity and imagination. This helps generate new ideas and new insights--which is great for the workplace, home life and interpersonal relationship development and maintenance. Laughter Yoga also helps to increase attention span, enhance learning skills, concentration powers, and potential. Class includes laughing exercises, gibberish, and meditation. No yoga experience necessary! No mats required! Bring an open mind and a willingness to laugh. Kate Benak studied with internationally acclaimed leaders Dr. Patch Adams and Dr. Madan Kataria who use joy and laughter as tools for improving healthcare and bringing levity to the human condition.

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5:00 P.M.

ADJOURN



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