

# SALT EQUALIZER

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## SALT EQUALIZER

The SALT *Equalizer* is a publication of the Society of American Law Teachers.

Raleigh Hannah Levine	Editor
Virginia Sutton	Layout
Margaret Martin Barry	Co-President
Deborah Waire Post	Co-President
Robert Lancaster	Secretary
Patricia A. Cain	Treasurer
Hazel Weiser	Executive Director

To contact the SALT *Equalizer*, write the editor at William Mitchell College of Law, 875 Summit Ave., St. Paul, MN 55105-3076; call (651) 290-7503; or e-mail [raleigh.levine@wmitchell.edu](mailto:raleigh.levine@wmitchell.edu). Visit the SALT website at [www.saltlaw.org](http://www.saltlaw.org).

## Co-Presidents' Column

Deborah Waire Post, Touro College, Jacob D. Fuchsberg Law Center, and Margaret Martin Barry, Catholic University of America, Columbus School of Law

This is our last *Equalizer* column as Co-Presidents of SALT. As we look back on the work that has been done during our tenure, we are humbled by the dedication of those who have joined us in keeping SALT's mission alive. The SALT Board and SALT members have worked on human rights issues, including torture and immigration; on efforts to counter the anti-affirmative action initiatives; on policies and practices that increase diversity and inclusion within law schools and the legal profession; on teaching techniques and pedagogy that will inspire law students to think about and to work for social justice; and on issues that affect academic freedom and meaningful participation by all educators in the governance of law schools.



Margaret Martin Barry and Deborah Waire Post

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## Executive Director's Column

Hazel Weiser

**Have you taken a moment to browse the new SALT<sup>LAW</sup>.org website?** In under two months, more than 2,100 unique visitors have toured the website, spending more than three minutes on each visit. We want that trend to continue. Revamping the SALT<sup>LAW</sup>.org website is just one way we are improving communications. Along with the SALT committee chairs, we are committed to keeping the website current and informative. Connected by links to the website is the weekly electronic newsletter that alerts SALT members, and lapsed ones, too, to calendar events, calls for proposals, jobs, and SALT committee activities and statements. We want an informed



SALT Executive Director Hazel Weiser

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## Co-Presidents:

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In September, the SALT Board of Governors met for its first retreat in two years. We met all day the Thursday before the Workshop on Promoting Diversity in Law School Leadership that SALT co-sponsored with the Fred T. Korematsu Center at Seattle University Law School. The Board used the retreat to consider how this organization can be most effective in pursuing its mission and achieving the goals it set out in five- and ten-year plans finalized at the last retreat. We were struck by the energy and dedication of the Board members as they identified strategies to promote SALT's mission and to involve more members in SALT projects. Don't be surprised if someone from SALT — a Board member or a SALT rep from your school or a nearby school — shows up to ask your opinion or to request your participation in some event that SALT will be sponsoring in your area.

As the Board considered our next steps as an organization, we realized that issues today are addressed rapidly through a wide range of publications. It is important not only to speak out, but to be heard. Making sure that SALT is heard even though we are primarily a volunteer organization is challenging. There are many issues that our Board and membership care deeply about. While we cannot speak to all of them, the Board had little interest in artificially narrowing the range of issues we address. SALT speaks out most authoritatively when the issues we address connect with the legal academy, the legal profession and the rule of law. We know this mandate is large; it can and will encompass issues in education, law and politics. The articles in this issue of the *Equalizer* illustrate the breadth of our concerns and our attempt to address them in a way that uses the talents and skills of progressive law professors in the most effective way.

SALT is making itself heard with the help of emerging technology. Two years ago, Professor Conrad Johnson launched a website that was a joint project of Columbia University Law School and SALT. The website documented the declining enrollment of African-American and Mexican-American students in law schools. Last summer, we asked Professor Johnson if he could update the website and he came back with an intriguing offer. SALT is now a client of the Lawyering in the Digital Age Clinic at Columbia. We had our first meeting as clients of the clinic and those of us who participated were impressed by the presentation, the explanations, and the questions posed by student attorneys. The clinical students will update the website and give it a new look. They will also work with SALT to develop a media communications strategy and a broader repertoire of advocacy tools that we hope will be transferable to other SALT initiatives. We are excited about the prospect of using electronic media and the internet in new ways. There is now a plan for a project which we hope will also amplify SALT's messages. SALT plans to start a blog early in 2010. Angela Onwuachi-Willig, Hari Osofsky and Ben Davis have agreed to act as editors and managers of the site. The blog will be a place where individual SALT members can promote the ideas developed in their research and writing, where they can respond quickly to events that are relevant to SALT's mission, and where members of the SALT Board or committee members may choose to discuss SALT projects. The blog will be moderated and we will have guest bloggers. Your participation and feedback will be important to making this a meaningful contribution to progressive scholarship and debate.

The past two years have also been eventful as SALT has become involved with other national organizations on the issue of diversity and equal opportunity. This process is not always visible to SALT members and so we wanted to share some of these experienc-

es with the membership. SALT has worked in collaboration with other groups in the academy including CLEA, ALWD and AALL, especially with respect to our status as affiliates of the American Bar Association Council on Legal Education and Admission to the Bar, and with LatCrit in the junior faculty mentoring programs. In the last two years, SALT also has participated in workshops and meetings convened by the Howard Samuels Center at City University of New York and the Leadership Conference on Civil Rights. Both of these organizations were involved, as was SALT, in countering the pernicious effects of anti-affirmative action referenda. The Howard Samuels Center held a workshop at the Ford Foundation for activist organizations involved in the fight against anti-affirmative action initiatives in Oklahoma, Nebraska, Colorado, Arizona and Missouri. The Leadership Conference convened a meeting after the fact, a National Strategy Convening on Equal Opportunity, to assess the strategies that had been used to fight the ballot initiatives and to consider the way forward.

In three states, the initiatives never made it to the ballot, but in Colorado, the initiative was defeated and in Nebraska it passed. The struggle to preserve civil rights that were fought for and won over the past half century or more is not over yet. Language mandating a "colorblind" and "gender neutral" distribution of opportunities and resources is on the ballot in Arizona again this November. SALT members Roberto Corrada and Melissa Hart were leaders in the opposition to the Ward Connerly ballot initiative in Colorado that was defeated. The lessons learned and the role that law professors played in the Colorado victory will be the subject of the presentation by Melissa Hart at SALT's Cover Workshop at AALS this January. Her talk will introduce the workshop SALT will sponsor with the support of Denver University School of Law on April

**Co-Presidents** *continued on page 3*

## Co-Presidents

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15 and 16, 2010. The workshop will provide an opportunity for law professors concerned about the anti-affirmative action initiatives and ballot initiatives in general to learn from those who worked to construct the counter-initiative in Colorado.

We are pleased to be able to hand over the responsibility of leading SALT to our incoming Co-Presidents, Raquel Aldana and Steven Bender. They will preside over an expansive offering of events and activities for progressive faculty that are being planned for the new year. On March 19 and 20, 2010, SALT will co-sponsor with Golden Gate University School of Law a conference entitled: "Vulnerable Populations and Economic Realities: An Interdisciplinary

Approach to Law Teaching." This conference, coming in the same year as SALT's Teaching Conference, focuses on the impact of poverty. In September, President Obama said this in his speech at the United Nations: "We will support the Millennium Development Goals [to halve extreme poverty by 2015], and approach next year's summit with a global plan to make them a reality. And we will set our sights on the eradication of extreme poverty in our time." How is such a statement implemented? What does this level of commitment mean for the poor in this country? What impact should it have on people who are vulnerable in every aspect of their lives because of poverty? These are some of the questions that this conference raises. The organizers, Golden Gate and its funder the Elfin Foundation, along with the Poverty Law Section of AALS and SALT, invite

you to attend and ask you to consider and to teach about the persistence of poverty, its causes and possible solutions.

It has been nothing less than a privilege to work with a dedicated Board, our Executive Director and Administrative Assistant, and our members on so many compelling issues. We look forward to a future under the leadership of Raquel and Steven as the organization continues to grow and to reach out, as it always has, inviting us all to use our expertise and training to effect change through our teaching, our scholarship and our advocacy.

We look forward to seeing as many of you as are able to join us in New Orleans in January for the very exciting SALT events that will take place there. Till then, our best wishes for a productive remainder of 2009.

## Executive Director

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membership that is engaged in SALT's vision and work.

***We are recruiting SALT members to get involved in the work of the organization.*** SALT's vitality requires your talent, expertise, and geography. When you read about the work of the Equal Opportunity, Issues in Legal Education, Human Rights, Academic Freedom, or LBGT committees, have you got some ideas that you would like to share? Is your law school doing something particularly effective that begs to be broadcasted? Are you ready to engage in work that will further social justice, equity and equality, and academic excellence on a national scale?

***The SALT.org website makes it easier to engage.*** First, by clicking on the "About Us" menu, you will find a list of SALT committees with live links to the email addresses of the chairs. Those live links can facilitate communication between interested

SALT members and the committees. Do get involved. Do consider offering to volunteer with a SALT committee that coincides with your interests and passion. And across the top menu, there is a "Contact" tab that brings you to my email address. Finally, across the bottom of every page of the website is the telephone number for the SALT office. I'd love to hear from you about the issues that ignite your imagination and enthusiasm.

Like many organizations started in the fervor of the civil rights and Vietnam era, SALT is transitioning to a new generation of leadership. In January 2010, Raquel Aldana and Steve Bender will become the co-presidents of the organization, bringing with them the sensibilities of a younger era. For SALT to remain a legitimate voice for social justice, diversity, and academic excellence, we need our members to represent the generations of faculty, administrators, and adjuncts who are teaching law across the country. We need members across the generations in your law school. Do you want to become a SALT rep at your school and

spread the word about SALT among your colleagues? Our committees will be reorganizing in January when the new co-presidents and new board members take their places, so now is the time to consider how you want to engage with SALT.

***Now is also the time to renew your SALT membership!***

We have made several attempts to collect information on SALT members, through the voluntary directory on the former SALT.org website and in welcoming emails to new members. Neither was consistently effective. Over the next few months, we will be deciding on a method to gather this information: either through a space on the membership form or through a survey. No matter which method we choose, I hope you will take a moment to participate in the survey, so that we have a registry of SALT members' expertise to call upon when we need ideas, media contacts, and folks to work on specific issues as they arise. ***Are you willing to make that commitment to SALT?***

I welcome your calls (631-650-2310) and emails ([hweiser@saltlaw.org](mailto:hweiser@saltlaw.org)).



## January 2010 Cover Workshop at the AALS Annual Meeting: “In the Public Interest: Exploring the Legacy of Robert Cover as Professor, Activist, and Scholar”

Camille Nelson, Saint Louis University School of Law

The theme of this year's SALT Cover Workshop at the AALS Annual Meeting will be “In the Public Interest: Exploring the Legacy of Robert Cover as Professor, Activist, and Scholar.” The event will be held on January 8, 1020, at the Hilton New Orleans Riverside, Port & Starboard, Riverside Building, in New Orleans, from 8:00 p.m. to 10:00pm. Please join us for this important event.

This year's Cover Workshop marks a special occasion, as we gather to celebrate the life and legacy of the late Professor Robert Cover, for



Robert Cover at a Yale teach-in

### SALT at the AALS in January

SALT is planning some extraordinary events this year at the AALS Annual Meeting in New Orleans. Mark your calendar! Be sure to register on the SALT website, as noted.

Thursday, January 7th 9:00 am-1:00 pm	Day of Service: Tour of the Ninth Ward, a chance to get your hands dirty, and lunch with community activists  Bus pick up at Hilton	Registration \$60.00 on SALT <sup>LAW</sup> .org website under Conferences & Dinner
Friday, January 8th 8:00 pm-10:00 pm	Cover Workshop Anniversary Session: “In the Public Interest: Exploring the Legacy of Robert Cover as Professor, Activist, and Scholar”  Hilton New Orleans Riverside, Port & Starboard	Free! No registration necessary!
Saturday, January 9th 5:00 pm-7:00 pm	Sneak preview of Abby Ginzberg's new documentary, “Cruz Reynoso: Sowing the Seeds of Justice,” co-sponsored by UC Davis School of Law, Dean Kevin Johnson moderating  Hotel Monteleone	Free! No registration necessary!
Saturday, January 9th 7:00 pm-10:00 pm	SALT Annual Dinner, honoring Frank Valdés as SALT's Great Teacher, with a jazz concert by the Victor Atkins Trio  Hotel Monteleone	Registration \$95.00 before December 15th on the SALT <sup>LAW</sup> .org website under Conferences & Dinner (special offer – put together your own table and save!)
Sunday, January 10th 11:00 am-2:30 pm	SALT Board of Governors Meeting  Hilton New Orleans Riverside, River Room	Open to members

whom the workshop, and a SALT retreat, are named. While Professor Cover was truly gone too soon, his scholarship continues to have poignant resonance today. Our panelists will include professors and activists whose work follows Robert Cover's dream of supporting public service through legal activism. At this point, we have confirmed a number of panelists including a legal activist who will explore the recent use of state ballot initiatives to implement conservative political agendas. She will focus specifically on the Colorado affirmative action battle to engage Professor Cover's notion of the need for serious scholarship that is committed to social activism. Another panelist will use Cover's work, “Justice Accused,” as a starting point for a discussion of whether the tendency towards positivism in civil procedure is consistent with conceptions of progressive justice. This re-engagement with Professor Cover's scholarship and principles of legal activism promises to spark a fruitful and inspirational discussion that will include ample time for audience dialogue. We very much look forward to your attendance and participation, for, as Professor Cover remarked, “careers in public service work seem more exciting and worthwhile when there is a sense of movement – of common effort and common commitment.”

A full bibliography of Professor Cover's considerable scholarship can be accessed through the SALT website ([www.saltlaw.org](http://www.saltlaw.org)).

Be sure to submit calendar items to [info@saltlaw.org](mailto:info@saltlaw.org) for posting on the SALT<sup>LAW</sup>.org website.

## “Sowing the Seeds of Justice”: Sneak Preview Saturday, January 9, in NOLA

Hazel Weiser, Executive Director, SALT

When Abby Ginzberg, long-time SALT member and documentary filmmaker, made the suggestion, we knew it was an offer we couldn't refuse. Abby has been working on an hour-long feature on Cruz Reynoso, former member of the California Supreme Court and founding board member of SALT. How about previewing the film at the AALS Annual Meeting?

“Sowing the Seeds of Justice” will be shown in sneak preview on Saturday, January 9, from 5:00 p.m. to 7:00 p.m., at the Hotel Monteleone, preceding the SALT Annual Dinner.

UC Davis School of Law will be co-sponsoring the preview with SALT. In addition to showing the film, which is currently being edited for distribution, Kevin R. Johnson,

Dean of UC Davis School of Law, will moderate a discussion about the career of Cruz Reynoso, who is now a professor at UC Davis.

This film follows Abby's last film, “Soul of Justice: Thelton Henderson's American Journey,” which won a number of awards, including a Silver Gavel from the ABA and a CINE Golden Eagle.

“Sowing the Seeds of Justice” has been supported by Latino Public Broadcasting and the California Council for the Humanities as well as a number of foundations, law firms, and UC Davis and UC Berkeley Law Schools.

This event is free! However, if you are planning to attend the SALT Annual Dinner after the movie, you must purchase a dinner ticket beforehand. Tickets can be purchased online at “Conferences & Dinner” on the



Cruz Reynoso

SALT LAW.org website. Don't miss a great evening: Saturday, January 9 — rooted in social justice!

## 2010 SALT Annual Dinner Promises to Be a Jazzy Affair

Ruben Garcia, California Western School of Law

The next SALT Annual Dinner will take place on Saturday, January 9, 2010, at the Hotel Monteleone in New Orleans. The Monteleone is ideally situated in the French Quarter — a ten-minute walk from the AALS conference hotel and a block away from the rowdy style of Bourbon Street. The dinner's location in

New Orleans allows SALT to contribute to the local economy and also reflect on the city's cultural and artistic heritage. We are fortunate this year to host the Victor Atkins Trio to play jazz music during the dinner. These local artistic highlights will complement the fine NOLA cuisine and beverages!

This year we will honor Frank Valdés of the University of Miami Law School with our Great Teacher Award. Professor Valdés is a founder and leader of LatCrit, an intellectual movement within outsider jurisprudence. Valdés has mentored countless law students and junior faculty members within and outside of the institu-

tions where he has taught, which include the University of Miami, California Western School of Law, and Golden Gate Law School. We believe that Valdés represents the core values of SALT: diversity, academic excellence, and justice.

The dinner will be in that delicious New Orleans style with plenty of gourmet flourishes. The Monteleone is a full-service, small, charming hotel on Royal Street with nice views of the French Quarter. Cocktails will begin at 7:00 p.m., with dinner starting at 8:00 p.m. and the awards program going from 9:00 to 10:00 p.m. Many will arrive directly from the 5:00 p.m. free showing of “Cruz Reynoso: Sowing the Seeds of Justice,” also at the Hotel Monteleone.

There are still a number of ways for you or your school to get involved in the dinner. Hopefully, your school has already signed up as a Gold Sponsoring Law School, which

**Annual Dinner** continued on page 6



Frank Valdés and Margaret Montoya at LatCrit

## SALT Board of Governors Welcomes New and Returning Board Members

Hazel Weiser, Executive Director, SALT

Although it was an uncontested ballot, we thank SALT members for supporting the work of the SALT Board of Governors through their voting. In just the first four days of the election, we surpassed the percentage of voting members from the last two years!

Joining the SALT board at its January 10th meeting will be: Elvia Arriola (Northern Illinois) who served previously on the SALT board; Michael Avery (Suffolk); Barbara Bernier (Florida A&M); Karla McKanders (Tennessee); and Hari Osofsky (Washington & Lee). These new members will be joining five incumbent members of the Board who were re-elected: Pat Cain (Santa Clara); Ruben Garcia (California Western); Beth Lyon (Villanova); Denise Roy (William Mitchell); and Natsu Saito (Georgia State).

Raquel Aldana (Pacific-McGeorge) and Steven Bender (Oregon) will be taking the reins as co-presidents at the January 10th meeting, beginning their two-year terms.



Raquel Aldana and Steve Bender.

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### Annual Dinner

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includes a table of ten seats and a full-page ad in the dinner journal. There is also a silver option, which includes a half table and a half-page ad. Individual tickets purchased before December 15 are \$95, and if you get together a table with your friends and colleagues, the price for a table of ten is \$900, if purchased before December 15. There is a discount, then, to buying in bulk.

The SALT Dinner Committee consists of me as chair, Bryan Adamson (Seattle), Steve Bender (Oregon), Bob Lancaster (Louisiana State), Joan Mahoney (Wayne State), and Etheldra Scoggins (Loyola New Orleans). Please contact me at [rgarcia@cwsu.edu](mailto:rgarcia@cwsu.edu) if you have any questions or suggestions.

In these hard economic times, we are calling on all SALT members and friends to do what they can to support the dinner. Please encourage your colleagues and your school to attend the dinner and buy tables and ads. Ads are a good way to show your appreciation of Frank's contributions to legal education, or your school's commitment to social justice. Keep an eye on [www.saltlaw.org](http://www.saltlaw.org) and your e-mail for further details!

### 2010 Trina Grillo Retreat to Emphasize Globalization, Economic Justice, and Climate Change

Steven Bender, University of Oregon School of Law

The 2010 Trina Grillo Public Interest and Social Justice Law Retreat, carrying the theme "Globalization, Economic Justice, and Climate Change," will be held at the University of Oregon law school in Eugene, Oregon, on the weekend of March 6-7, 2010. Although the agenda is still taking shape, we are working to bring Rizwana Hasan, the Executive Director of Bangladesh Environmental Lawyers Association, to deliver the opening keynote. Ms. Hasan was just named one of Time Magazine's "2009 Heroes of the Environment" and won the Goldman Environmental Prize for Asia in April 2009. Discussions and panels will follow, focusing on "Economic and Social Justice Lawyering," and on "Climate Change and the Tasks for a New Generation." Other panels will include "How to Do Good and Survive," describing think-outside-the-box options for law students who want a rewarding career focused on their ideals, with practical advice on how it can be economically feasible.

Brent Newell, the Legal Director of the

Center for Race, Poverty, and Environment, will deliver the Ralph Abascal Memorial Keynote Address in honor of Ralph and of activist Luke Cole. Brent and Luke (until Luke's death) served as counsel in the major ongoing climate change case, *Native Village of Kivalina v. Exxon, et al.* The people of Kivalina, Alaska, are suing in nuisance for the expense of moving their village away from the sea that is eating away at their homes as a result of global warming.

Organized and sponsored by a consortium of law schools — Denver, Golden Gate, McGeorge, Oregon, Santa Clara, Seattle, Stanford, UCLA, UNLV, USE, and Washington — the Trina Grillo Public Interest and Social Justice Law Retreat honors the legacy of the late Trina Grillo, a beloved and influential law professor who last taught at the University of San Francisco. The Trina Grillo Retreat allows law students to interact with lawyers, legal academics, and other professionals serving the public interest who can

*Grillo Retreat continued on page 7*



## 2010 Cover Retreat to Focus on the Future

### **TURNING POINT** Shaping Public Interest Law for 2015

This year, students from Western New England College of Law are organizing the Cover Retreat, which is back at Camp Sargent for another year. The retreat theme is “Turning Point: Shaping Public Interest Law for 2015.” The student planning committee includes Imran A. Siddiqui, Erin Wilson, and Maren Law. These students have been working with Gina Chirichigno, from the Charles Hamilton Houston Institute at Harvard Law School, and Giovanna Shay, a Yale Law School alumna. In addition, Steve Wizner, Danny Greenberg, Hazel Weiser, and Maria Chvirko are working with these volunteers to infuse the retreat with the spirit that Robert Cover brought to his teaching, service, and scholarship.

In addition to plenary sessions that will offer participants an opportunity to listen and learn from each other, there will be a series of break-out sessions to permit concentrated work in particular areas: LGBT, juvenile rights, human rights, national security, and immigration, to name a few. And both the Cover and Grillo Retreats this year will introduce a session on becoming a progressive law teacher, in order to create a pipeline from law schools into judicial clerkships and fellowships and back into teaching.

### **Grillo Retreat**

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offer guidance and act as role models. The Retreat also sparks creative ways to use law as an instrument for social change.

If your school is interested in joining the Grillo consortium, please contact [sbender@uoregon.edu](mailto:sbender@uoregon.edu) for details.

## “Vulnerable Populations and Economic Realities”: Teaching Workshop at Golden Gate, March 19-20, 2010

Nancy Cook, University of Minnesota Law School

Golden Gate University School of Law and SALT are co-sponsoring a two-day teaching workshop in San Francisco on March 19-20, 2010. The focus of the two-day event is “Vulnerable Populations and Economic

*The teaching workshop promises to bring together new data and theories from the social sciences, communications and media, and legal education about the nation's most vulnerable populations for use in law teaching across the curriculum. Participants will explore questions such as: How can law teachers integrate economic issues precipitated by class, race, and gender into a broad range of courses?*

Realities: An Interdisciplinary Approach to Law Teaching.” The workshop promises to bring together new data and theories from the social sciences, communications and media, and legal education about the

nation's most vulnerable populations for use in law teaching across the curriculum. Participants will explore questions such as: How can law teachers integrate economic issues precipitated by class, race, and gender into a broad range of courses, including, for example, first-year Contracts or Professional Responsibility, Health or Environmental Law, Clinics and Externships? What types of non-traditional classes would most effectively focus student interest on the economic needs of vulnerable populations? How do law schools initiate and encourage collaborative alliances in teaching, service, and scholarship to broaden discussions and promote positive change? The conference will consider these issues from the perspectives of interdisciplinary academics, practitioners, and activists.

Confirmed presenters at the conference include Paul Butler, Professor of Law at George Washington University, and John Payton, President and Director-Counsel of the NAACP Legal Defense Fund. Professor Butler's most recent book, “Let's Get Free: A Hip-Hop Theory of Justice,” has been described by ACLU director Anthony Romero as a “provocative and intelligent analysis of U.S. justice” and a “tour de force” by Harvard law professor Charles Ogletree, Jr. Among his many achievements, Mr. Payton successfully argued on behalf of the University of Michigan in two recent landmark Supreme Court cases regarding diversity in higher education. Look for additional information about the conference schedule and registration on the SALT website ([www.saltlaw.org](http://www.saltlaw.org)) soon. Questions about the conference can be directed to Professor Michele Benedetto Neitz at [MNeitz@ggu.edu](mailto:MNeitz@ggu.edu).

## “Teaching in a Transformative Era: The Law School of the Future”: SALT Teaching Conference, Honolulu, Hawai’i, December 2010

*Raquel Aldana, University of the Pacific McGeorge School of Law*

At our September SALT Board Retreat in Seattle, when asked to name one of their most memorable SALT events, several new and former Board members remembered teaching conferences. Some noted specific moments of profound reflection and others remembered the conferences for difficult confrontations on issues that matter to progressive law teachers. We are proud of our teaching conference tradition, not only for providing meaningful spaces for sharing and celebrating teaching innovation inside and beyond the classroom, but also for forcing us to address when law schools fail to remain relevant or to adequately prepare students for lives as social justice lawyers.

Preparations are underway for what promises to be a thought-provoking teaching conference that will force us to confront the most pressing challenges law schools face in the 21st century. The theme of the conference, to be held December 10-11, 2010, at the University of Hawai’i’s William S. Richardson School of Law, is “Teaching in a Transformative Era: The Law School of the Future.” In the midst of the nation’s worst economic crisis since the Great Depression, law schools must stay relevant and incorporate a curriculum that keeps pace with recent macroeconomic and social changes. Too many law schools have academic programs today that simply mirror the moral deficiencies of laws and legal systems narrowly focused on individual civil liberties, when the extreme poverty of too many across the world screams out for economic justice. Law professors have an obligation to better address a new phase of corporate and collective responsibility that recognizes the true dynamics of power and engages the moral bankruptcy of unregulated profit-making. In addition, law schools must improve the admission and graduation of lawyers from

a broad range of racial and ethnic backgrounds who will be prepared to serve their communities in the wake of the current global economic crisis. To remain relevant, law schools must also address rising student indebtedness without sacrificing quality. Because the conference coincides with the American Bar Association’s review of law school accreditation standards, it provides an opportunity to examine structural issues such as erosion of tenure, evolution in status relationships among law faculty, and the broader tensions between accreditation standards and economic and social trends in America.

This conference provides an opportunity to engage in broad, supportive discussions about teaching. We have already received proposals from many of you based on our first call for papers sent a few months ago, but there is still room for more. We are seeking ideas for a range of sessions, including panels and workshops that fit within the conference themes, and we encourage proposals from small groups of three or four as well as from individuals. If you are propos-

ing a panel discussion, please note whether you would be open to an additional speaker. We welcome a variety of session formats from formal papers to more informal discussion topics.

**Please send your proposals to Ngai Pindell ([ngai.pindell@unlv.edu](mailto:ngai.pindell@unlv.edu)) by January 15, 2010.** We are currently seeking journal commitments for publication of conference papers.

In addition to Professor Pindell, other members of the SALT Teaching Conference Committee include Raquel Aldana ([raldana@pacific.edu](mailto:raldana@pacific.edu)), Fabio Arcila ([FArcila@tourolaw.edu](mailto:FArcila@tourolaw.edu)), Elvia Arriola ([earriola@niu.edu](mailto:earriola@niu.edu)), Margaret Martin Barry ([barry@law.edu](mailto:barry@law.edu)), Patti Falk ([patricia.falk@law.csuohio.edu](mailto:patricia.falk@law.csuohio.edu)), Angela Onwuachi-Willig ([angela-onwuachi@uiowa.edu](mailto:angela-onwuachi@uiowa.edu)), and Aviam Soifer ([soifer@hawaii.edu](mailto:soifer@hawaii.edu)).

Please share information about the Teaching Conference with your colleagues, particularly new and junior faculty, who are not yet members of SALT. Visit [www.saltlaw.org](http://www.saltlaw.org) for additional details.



*Eileen Kaufman and Joan Howarth at the SALT Board retreat*



## Work of SALT's Committee on Issues in Legal Education Continues on Several Fronts

Andi Curcio, Georgia State University College of Law

The SALT Committee on Issues in Legal Education welcomes new members who would like to be involved with any of our projects or to help develop new ones. Our current projects include the following:

(1) We are working to support law faculty study of the impact of innovative teaching and assessment methods on student learning, especially investigations of whether such innovations narrow the performance gap between students of color and white students. SALT has recently developed a list of social scientists willing to collaborate with SALT members and others on teaching and assessment empirical studies. The collaborator list is posted on the SALT website ([www.saltlaw.org](http://www.saltlaw.org)).

The Committee plans to have a listserv for those interested in developing such scholarship on teaching and learning, and in particular empirical scholarship on law teaching and assessment issues. Those interested in subscribing to that listserv can contact Michael Schwartz at Washburn University ([michael.schwartz@washburn.edu](mailto:michael.schwartz@washburn.edu)).

(2) We are interested in developing alternative lawyer licensing models. The Committee is working with John Garvey, the Director of the New Hampshire Daniel Webster Honors Program, to expand knowledge about the program to other jurisdictions that might consider adopting a similar program. Students successfully completing the com-

prehensive New Hampshire program, which aims to make them "practice-ready," are exempt from taking the New Hampshire bar exam. Believing that similar programs will both lead to better educated new lawyers and increase the diversity of the bench and bar, SALT has been actively engaged in encouraging other states to look at adopting the New Hampshire model. We recently submitted a grant proposal to fund a small conference in New Hampshire for deans, bar examiners and state supreme court justices in other states who are interested in exploring the New Hampshire model. For more informa-

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## Study Shows LSAT Could Better Predict Lawyer Effectiveness

Andi Curcio, Georgia State University College of Law

SALT encourages all of its members to take a look at the ground-breaking empirical study by Professors Marjorie Shultz and Sheldon Zedeck, "Predicting Lawyer Effectiveness: A New Assessment for Use in Law School Admissions Decisions," available through SSRN. The multi-year study empirically developed a list of 26 factors that characterize effective lawyers and then demonstrated that some of those non-cognitive factors could be tested and predicted as part of the law school admissions process.

In their exploratory research, Professors Shultz and Zedeck found that different types of tests might validly be used in conjunction with the LSAT. Where the LSAT aims to predict first-year grades in law school, the new tests seek to predict a wide range of non-cognitive factors vital to lawyers' professional effectiveness. Their study further indicates that tests for these factors could sharply reduce or eliminate performance gaps between students of color and white students.

Professors Shultz and Zedeck hope to convince the LSAC to fund a follow-up national validation study of this ground-breaking work. The research will also need to identify successor Principal Investigators for the national validation study, as Shultz and Zedeck will shift to roles as advisor/consultants. Moving this project forward will likely require mobilizing faculty, schools, the ABA, foundations, and law firms to bring these new assessment methods to the point at which they can be used by law schools in admissions decisions and practices in the near future.

SALT believes that, as has been shown to be true in the world of employment selection, use of job-related tests like the ones the Shultz/Zedeck study explored would likely increase diversity in the legal profession because different racial/ethnic and gender groups perform similarly on these types of tests – something that is not true of the LSAT. In SALT's view, given that law schools

are professional schools, admissions policies should pay attention to predicted professional performance rather than simply to academic indicators. That is even more true if weighing professional potential increases diversity as well as professional effectiveness. Thus SALT strongly supports the efforts to move forward with this important work and hopes that any SALT members affiliated with the LSAC will work to encourage the LSAC to provide the resources necessary to further develop this ground-breaking study.

On a related note, SALT will be developing a response to the ABA Standard Review Committee's consideration of whether to eliminate or modify the accreditation standard that requires that law school applicants take a valid and reliable entrance examination (most often the LSAT). Anyone interested in working on this issue should contact Andi Curcio, chair of the Committee on Issues in Legal Education, at [acurcio@gsu.edu](mailto:acurcio@gsu.edu).

# SALT Comments on Proposed Outcome Measures Accreditation Standard

Andi Curcio, Georgia State University College of Law

The A.B.A. Standards Review Committee (SRC) is currently considering a new standard that would require law schools to articulate student learning outcomes and regularly assess both student progress in achieving them and the school's progress in helping students reach those goals. The most recent SRC proposed draft, available at: [www.abanet.org/legaled/committees/committees.html](http://www.abanet.org/legaled/committees/committees.html), lists the baseline knowledge, skills and values law graduates should possess but leaves it to individual schools to define the components of each broad category and to decide if other competencies should be added in light of the school's mission and goals.

SALT has long supported a shift in accreditation standards that would result in law schools consciously focusing on their students' acquisition of the knowledge, skills and values needed for the practice of law, and the SALT Committee on Issues in Legal Education has taken an active role in responding to the SRC's calls for comments on its various Outcome Measures Draft Standards. In its most recent comments, available at the ABA website noted above as well as on the SALT website ([www.saltlaw.org](http://www.saltlaw.org)), SALT commended the SRC for its thoughtful and measured approach in its proposed Outcome Measures Draft Standard, while suggesting some changes to the draft in accordance with our legal education goals.

SALT particularly applauded the current draft's inclusion as one of the specified learning outcomes "knowledge and understanding of a lawyer's ethical responsibilities as . . . [a] public citizen[] responsible for the quality and availability of justice" and its call for schools to "ensure that law students understand the law as a public profession calling for performance of pro bono legal services and law-related public service activities" and to provide substantial opportunities

for student participation in such activities. We supported the baseline list of knowledge, skills and values in the SRC draft but urged the SRC to add multi-cultural competence and interpersonal dynamics to the set of skills students should develop. SALT also encouraged the SRC to consider recommending that all students participate in some form of clinical education, or, if that was considered not financially feasible, at least to require that all schools offer students multiple opportunities to participate in courses that provide well-supervised authentic legal work on realistic legal problems. This recommendation was based upon the belief that students' appreciation of ethical issues and their acquisition of skills and understanding of doctrine deepen when students engage in experiential learning.

Finally, in accordance with its longstanding position that the current bar exam produces a disparate racial effect while failing to measure the vast array of skills that practicing lawyers actually need, SALT urged the SRC to consider eliminating the current accreditation Standard Interpretation 301-6 which requires a minimum bar passage rate. SALT noted that retaining the bar passage interpretation is inconsistent with the effort to revise the standards to reflect the full range of skills that law practice demands, and that Interpretation 301-6 dictates resource allocation toward bar passage rather than toward providing more opportunities for development of the wide range of skills law graduates should possess.

The SRC's work on an Outcome Measures accreditation standard is an ongoing process. The latest draft will be discussed at a panel at the upcoming AALS meeting in New Orleans and at the mid-year meeting of law school deans in Orlando. SALT will continue to provide comments and suggestions in light of our overall mission to improve

legal education by advancing social justice within the curriculum and promoting innovative teaching methodologies, create a more diverse bench and bar, and encourage law students, lawyers and academics to serve underserved individuals and communities. Those interested in getting involved with SALT's work on Outcome Measures should contact Andi Curcio, Chair of the Committee on Issues in Legal Education, at [acurcio@gsu.edu](mailto:acurcio@gsu.edu).

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tion about that program, see [www.piercelaw.edu/websterscholar](http://www.piercelaw.edu/websterscholar).

(3) Other issues on the Committee's horizon include developing a response to the move toward a uniform national bar exam; commenting on the ABA's consideration of whether the accreditation standards should continue requiring that schools use a law school admissions test as part of the admissions process and continuing work on Outcome Measures (see articles elsewhere in this issue); and working with the Academic Freedom Committee to develop a response to an ABA Report on Faculty Status and the Report's anticipated recommendations of new approaches to hiring, retention and the protection of academic freedom. The Committee welcomes new members interested in working on any of these issues. If you would like to join the committee, please contact Andi Curcio at [acurcio@gsu.edu](mailto:acurcio@gsu.edu).

## Still a Place for YOU among the SALT Law School Representatives

*Olympia Duhart, Nova Southeastern University Shepard Broad Law School*

Ninety-five and counting.

That's the number of SALT Representatives currently in place at law schools throughout the country. An impressive start, to be sure, but there are still opportunities for others to help. Since the project's inception, SALT's goal has always been to have a SALT Representative – or “SALT Rep” – in place at each of the close to 200 ABA-approved law schools. That means there are still several opportunities for new volunteers to join the SALT Reps. And there is still room at the table for you.

Since 2007, SALT has maintained a Rep program throughout the country to strengthen membership ties and foster community-building efforts on the local level. By the end of this academic school year, SALT hopes to meet its goal of having a SALT Rep at every law school in the nation. Each SALT Rep serves a term of two years.

SALT Reps are an integral part of SALT's successful service to its members. First, Reps are charged with keeping colleagues at their respective schools informed about the work

that SALT is doing. We rely on our Reps to publicize SALT events, including the Annual Awards Dinner and various local events. This past year, SALT has been proud to host a wide variety of both formal and informal local activities designed to support the network of progressive law teachers. Activities at schools ranged from teaching conferences to brown bag lunches to book-signings and wine-tastings. Because Reps are best suited to meet the local needs of their colleagues, they have a unique opportunity to build bridges.

Next, Reps are also needed to convey to the SALT Board policy proposals and important issues that affect SALT's agenda. Issues in academic freedom and social justice require close, local monitoring and responses. The Reps' role in supporting SALT's core mission is therefore critical.

Furthermore, we rely on Reps to help us connect with students and teachers we need to know. Who are the students in your schools who should attend regional public interest/social justice retreats? Who are the colleagues who should be considered for the

Board? And who should we be recruiting as new members?

“Reps are essential to maintaining, increasing and invigorating our membership,” said Adele Morrison, Associate Professor of Law, Wayne State University Law School, and Co-Chair of SALT's Membership Committee, which heads the SALT Rep initiative. “Our members make SALT what it is and Reps are key to keeping that membership informed and involved.”

SALT is committed to supporting the work of progressive law teachers, including adjuncts and practitioners. But to continue its work, it needs help from people like you.

If you have any questions, would like to volunteer to be your school's Rep, or want to find out if your school has a Rep, please contact Adele Morrison at [ammorrison@wayne.edu](mailto:ammorrison@wayne.edu), and follow the new SALT website at [www.saltlaw.org](http://www.saltlaw.org) for more information about this exciting opportunity. And if you are already a SALT Rep – thanks! – and please be sure your contact information is current.



*Steve Bender, Adele Morrison, Olympia Duhart, Deborah Post and Ruben Garcia at the SALT Board retreat*



## SALT-LatCrit Junior Faculty Development Workshop Continues to Grow

Ruben Garcia, California Western School of Law

The 4th Annual SALT-LatCrit Junior Faculty Development Workshop (FDW) took place on October 1 and 2, 2009, in conjunction with the 14th Annual LatCrit Conference in Washington, D.C. This year's FDW was a terrific success, with panels on critical pedagogy, scholarship, and activism outside the

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*[O]ne of the great needs that SALT and LatCrit are committed to meeting is the need to groom the next generation of progressive legal scholars and teachers. To that end, discussions continue about how best to marshal the resources of the two organizations and like-minded partners to ensure that the playing field is level for progressive candidates in the job market.*

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academy. The attendees came from various institutional settings, such as teaching fellowships, tenure-track jobs, and law practice.

The FDW seeks to develop the savvy skills needed for law teachers currently in tenure-track positions to succeed, but also to inform those seeking to enter the academy

about issues related to clinical professors and teaching fellows. Indeed, one of the great needs that SALT and LatCrit are committed to meeting is the need to groom the next generation of progressive legal scholars and teachers. To that end, discussions continue about how best to marshal the resources of the two organizations and like-minded partners to ensure that the playing field is level for progressive candidates in the job market.

There were two sets of mock job talks for those entering the job market. The mock job talks proved to be a critical opportunity to get feedback on style, substance, and delivery. There was also a model job talk presented by Professor Frank Valdés of the University of Miami Law School, which will be posted on the AALS web site in conjunction with the AALS Committee on the Recruitment and Retention of Minority Law Professors.

We had panels on "Success outside the Ivory Tower;" "Moving (or Thinking about Moving) to Administration;" and "Professionalism and Balance."

The FDW is integral to SALT's

encouragement of the next generation. We hope that many of you can attend future events and encourage your progressive colleagues to attend. We especially hope to encourage those in teaching fellowships and pre-tenure track visitorships to attend. If you are interested generally in junior faculty mentoring, please email Ruben Garcia at [rgarcia@cwsu.edu](mailto:rgarcia@cwsu.edu). Please watch your email and [www.saltlaw.org](http://www.saltlaw.org) for more details.



Ruben Garcia and Deborah Post at LatCrit



Angela Harris at the Junior Faculty Development workshop



*Participants at the Junior Faculty Development Workshop*



*Catherine Smith and Camille Nelson at the Junior Faculty Development Workshop*



*Margaret Martin Barry at the Junior Faculty Development Workshop*



*Angela Onwuachi-Willig at LatCrit*



*Anthony Varona and Steve Bender at the Junior Faculty Development Workshop*



## Seattle University School of Law and SALT Partner on Efforts to Diversify Law School Deanships

*Katherine Hedland Hansen, Seattle University School of Law*

On September 25 and 26, 2009, SALT and Seattle University School of Law's Fred T. Korematsu Center on Law and Equality co-hosted, for the second time, a workshop on "Promoting Diversity in Law School Leadership." This biennial workshop helps members of underrepresented groups pursue deanships and other university and law school leadership positions.

"It's imperative that potential dean candidates, particularly women and persons of color, have access to mentors and advisors who can assist them in deciding whether and when to enter the dean market and in preparing to be a successful dean candidate," said Annette Clark, interim dean at Seattle University School of Law. "This conference helps to create those connections as well as provide information on how to negotiate the application and hiring process."

The Association of American Law School reports that of 199 schools for which it has data, 37 have female deans, and 31 have deans of color.

"It is increasingly important that law schools – and thus the legal profession – reflect the diversity of our communities and our world," said Professor Robert Chang, director of the Korematsu Center.

Professor Tayyab Mahmud, a past president of SALT who helped organize the conference, says that no other law school in the country has embarked on such an endeavor. He adds that business schools, medical schools and other graduate and professional schools should do the same.



*Bob Chang*

***Deaning Conference*** continued on page 15



*Diversifying Law School Leadership conference participants*



## Deaning Conference

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Past participants applaud the workshop.

Kevin R. Johnson, one of the participants in the inaugural conference in 2007, was appointed dean at University of California-Davis School of Law in 2008. He comments, "The conference was inspirational because of the super group of participants who were energized to become law school deans and literally change the 'face' of law deans across the United States," he said. "We need a diversity of law school deans for the same reasons that we need a diversity of law school students, faculty, and attorneys. Efforts like this conference help ensure that the ranks

of law school deans begin to more 'look like America.'"

Planning is already underway for the third biennial workshop to be held in the fall of 2011. It will include many of the successful aspects of the first two workshops but will pay greater attention to differences between public and private institutions.

## About SALT

Since 1973, the Society of American Law Teachers (SALT) has been an independent organization of law teachers, law deans, law librarians, and other legal educational professionals working to enhance the quality of legal education, make the legal profession more inclusive, and extend legal representation to under-served individuals and communities. SALT has been at the forefront of national debates about legal education and legal institutions. SALT challenges faculty, staff, and students to promote the profession's core values of equality and justice, and to oppose illegal and inequitable practices. You can learn more about SALT at [www.saltlaw.org](http://www.saltlaw.org). Please join us by registering to become a member online or with the membership application included below.

## Society of American Law Teachers

### *Membership Application (or Renewal) 2009–10 Academic Year*

You can register to become a member online and pay by credit card by going to [www.saltlaw.org](http://www.saltlaw.org), or you can complete and mail in this form, together with a check or credit card information.

#### Enroll me/renew my membership. I enclose:\*

- ☐ \$125 (for those earning \$125,000 or more per year)
- ☐ \$90 (for those earning at least \$100,000 but less than \$125,000 per year)
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- ☐ I am contributing \$\_\_\_\_\_ to the Norman Dorsen Fund to support public interest internships with SALT.
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875 Summit Avenue  
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