



## President's Message

# Challenges, Opportunities, and Law School Finances

By Wendy Perdue, AALS President and Dean, University of Richmond School of Law

As each academic year draws to a close, I like to reflect back on what went well along with areas of potential improvement. Each law school has its own unique list, no doubt, but some successes and challenges are shared across legal education.

In the good news category, law schools have seen an increase in applications, particularly from applicants with higher LSAT scores. Surveys and anecdotal evidence suggest that the increased interest in law school reflects a renewed sense that law matters and that lawyers can be agents of change. We see this commitment to service reflected in the admissions essays of prospective students and in the millions of hours of *pro bono* service that current students are providing within their communities.



On the challenges side, proposed changes in the federal education loan program have brought into sharp focus the obstacles that law schools—and all of higher education—face with respect to finances. Quality legal education, like other types of quality higher education, is expensive, and there are relatively few funding options beyond tuition. For the last decade, the federal government has been the primary education loan lender. The PROSPER Act, pending in the U.S. House of Representatives,

would change that by capping the amount that graduate students can borrow per year at \$28,500, and would also eliminate Public Service Loan Forgiveness. Whether or not this law passes, it has brought into focus an obvious point: most students today cannot fund their legal education from accumulated wealth or current income. If we want a legal profession that is diverse and open to all students with the requisite drive and ability, we will need to continue to look hard at both the cost and the financing mechanisms for legal education.

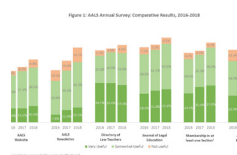
Even as we explore new financing mechanisms and ways to keep costs down, we must make the case to policy makers and the public that high quality education is, at least in part, a public good that warrants public investment. Just as society needs well-educated engineers to build and maintain our physical infrastructure, we need well-educated lawyers to build and maintain our legal infrastructure. As Carel Stolker puts it in his book, *Rethinking the Law School*, “No matter where you find yourself in today’s globalized world, good legal education and research are of utmost importance for social stability, the rule of law, and economic growth.”

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Looking at both the challenges and the opportunities, I see reason for optimism. In March, Congress increased funding for the Legal Services Corporation by \$25 million, giving LSC its largest budget allocation since 2010. Also in March, we saw hundreds of thousands of high school students become energized about law reform. The challenges confronting law schools will not magically disappear, but they will be easier to solve against a public backdrop that recognizes the importance of law and justice—and the education that makes them both possible.



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## Sean Scott Named AALS Associate Director

AALS has selected Loyola Law School, Los Angeles Professor Sean M. Scott as its new associate director. During her two-year appointment, set to begin in August 2018, Scott will be on leave from Loyola Law School, Los Angeles, working for AALS at its Washington, D.C. headquarters. She will be charged with developing and overseeing programs to further the association's goal of improving legal education. In this role, Scott will staff several key AALS committees, advise staff on legal education issues, and work with the association's faculty volunteers.



*Photo courtesy of Loyola Law School, Los Angeles*

"I am honored to be appointed to a leadership role at AALS, with which I share many of the same values: promoting diversity in the academy and the legal profession, innovating in the classroom and improving awareness of the role law schools play in society," said Scott. "I look forward to working toward these and other goals on behalf of my colleagues and peers nationwide."

An author of numerous op-eds on advances in legal education, Scott has a long history of innovation as a law school administrator and professor. Scott has been instrumental in the re-engineering of Loyola's curriculum to add subject-matter concentrations and first-year electives.

As a professor of Contracts, Gender & the Law, and Law of Sales, Scott has received several honors from law student groups including the Excellence in Teaching Award by the school's Student Bar Association and the Distinguished Faculty Award by the Black Law Students Association. She also played an integral role in the restructuring of the school's Career Development Office, including bolstering its staff and helping to create a social justice incubator for recent graduates.

Scott serves on the Board of Governors of the Society of American Law Teachers (SALT) and is a past member of the Board of Directors of the California Women's Law Center. Before joining academia, Scott was an associate in the Los Angeles office of Manatt, Phelps & Phillips, LLP. She earned a JD from New York University.

Scott succeeds retired Georgetown Law professor Elizabeth "Ginger" Hayes Patterson, who will be wrapping up her third separate term as associate director this summer.



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# Third Annual Survey Reveals Most Useful AALS Services

## JLE, Sections, DLT, and the Annual Meeting

By Katie Russell, AALS Data Analyst & Project Specialist

The results from the third Annual Survey of faculty and staff from AALS member schools show increases in reported usefulness of most member services, continuing a trend that started in 2017. Just as in 2017, this year's respondents rated the *Journal of Legal Education (JLE)*, membership in at least one AALS Section, the *Directory of Law Teachers*, and the Annual Meeting as the most useful of all AALS services. Three of these four were rated as even more useful than last year. Underscoring the significance of the findings, the 2018 survey collected nearly double the number of responses that the 2017 survey did.

### The Journal of Legal Education

Nearly four in five respondents (79 percent) reported that the *Journal of Legal Education (JLE)* is somewhat or very useful. The modest increase (six percentage points more than in 2017) may be attributed to the increase in response rate, but also demonstrates continued engagement with this important resource.

Building on past efforts to make the *JLE* as accessible as possible, AALS instituted some important changes to the subscription process this year. In an effort to "go green" and produce fewer paper copies of the *JLE*, AALS invited member schools to reduce the number of hard copies of the journal delivered to their schools. Ninety-six AALS member law schools

responded to the request, resulting in a 40 percent reduction in print production. The *JLE* remains accessible online at <https://jle.aals.org/home> and includes a searchable repository for current and past issues of the journal as well as subscription and submission information.

*If you missed the chance to request a reduced number of copies, please email Maddi Durbin at [mdurbin@aals.org](mailto:mdurbin@aals.org) to adjust for the next issue.*

### Membership in at least one AALS Section

AALS Sections continue to be useful to law school staff and faculty, with 75 percent of respondents reporting membership in at least one section was somewhat or very useful. This is up from 68 percent in 2017. AALS has 103 sections which, in addition to planning the majority of programming at the Annual Meeting, provide forums for law school faculty and staff to engage around affinity groups or specific areas of expertise.

As part of our effort to continue improving Section services, AALS added a dedicated staff member to strengthen and support Sections. New materials including newsletter templates and planning guides have also been introduced and revised to better assist Sections. This year more Section newsletters are being created, more Sections are using their community listservs, and programming for the Annual Meeting is more effective than ever before.

*Questions about Sections or want to join? Contact Section Services Manager Josh Albertson at [jalbertson@aals.org](mailto:jalbertson@aals.org) or visit [www.aals.org/sections](http://www.aals.org/sections).*

### The Directory of Law Teachers

The *Directory of Law Teachers (DLT)* remains a valuable resource for faculty at AALS member and fee-paid law schools. Seventy percent of respondents to the 2018 AALS Annual Survey indicated that the *DLT* is somewhat or very useful. Its 70 percent usefulness rating matched 2017 results and it remains the third most useful AALS member service.

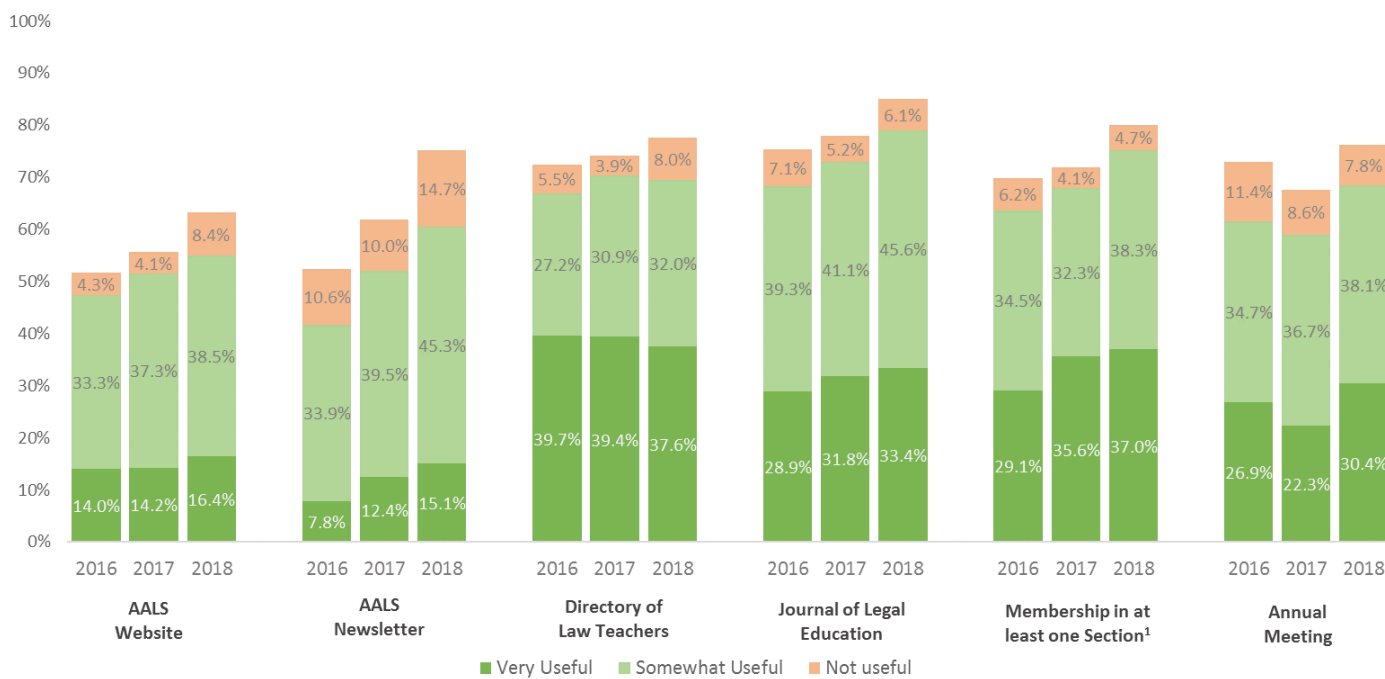
The *Directory of Law Teachers* is available online for deans and faculty to update their profiles. New in 2016, AALS debuted a multifaceted online search function featuring name, school, subjects taught, and tenure status. Faculty members in the *Directory* can adjust their privacy settings to specify what information they are willing to have displayed online.

*Have questions about the DLT, or need to update your profile? Please email [dltsupport@aals.org](mailto:dltsupport@aals.org).*

### The Annual Meeting

As the flagship AALS conference, the Annual Meeting continues to be one of the most meaningful gatherings for law school faculty and staff to connect with and learn from colleagues. Sixty-nine percent of this year's respondents rated the Annual Meeting somewhat or very useful, compared with 59 percent of 2017 respondents.

Figure 1: AALS Annual Survey: Comparative Results, 2016-2018



1. In 2016, respondents were asked to evaluate "Sections".

Figure 1. Please note: responses not displayed here were "I do not use this resource" or "I am not aware of this resource".

## Other Meetings

AALS holds several other meetings throughout the year for specific groups or audiences: the Annual Conference on Clinical Legal Education, the Faculty Recruitment Conference, and the Workshop for New Law Teachers. This means that in the general survey responses, many faculty and staff responded that they do not use these services. A closer look at these data (see Figure 2) reveals more about the usefulness of more focused meetings.

Of the 351 respondents who rated the Annual Conference on Clinical Legal Education, 57 percent indicated it was very useful. This is down slightly from 61 percent in 2017.

Of the 783 respondents who rated the Faculty Recruitment Conference and the related Faculty Appointments

Register, almost 77 percent said they were very useful, up from about 70 percent in 2017.

And lastly, of the 484 respondents who rated the Workshop for New Law Teachers, 63 percent said it was very useful, on par with the 64 percent who did the same last year. Respondents who rated these more targeted meetings did not necessarily attend in the past year, so these data should be interpreted more broadly rather than as evaluations of 2017 conferences specifically.

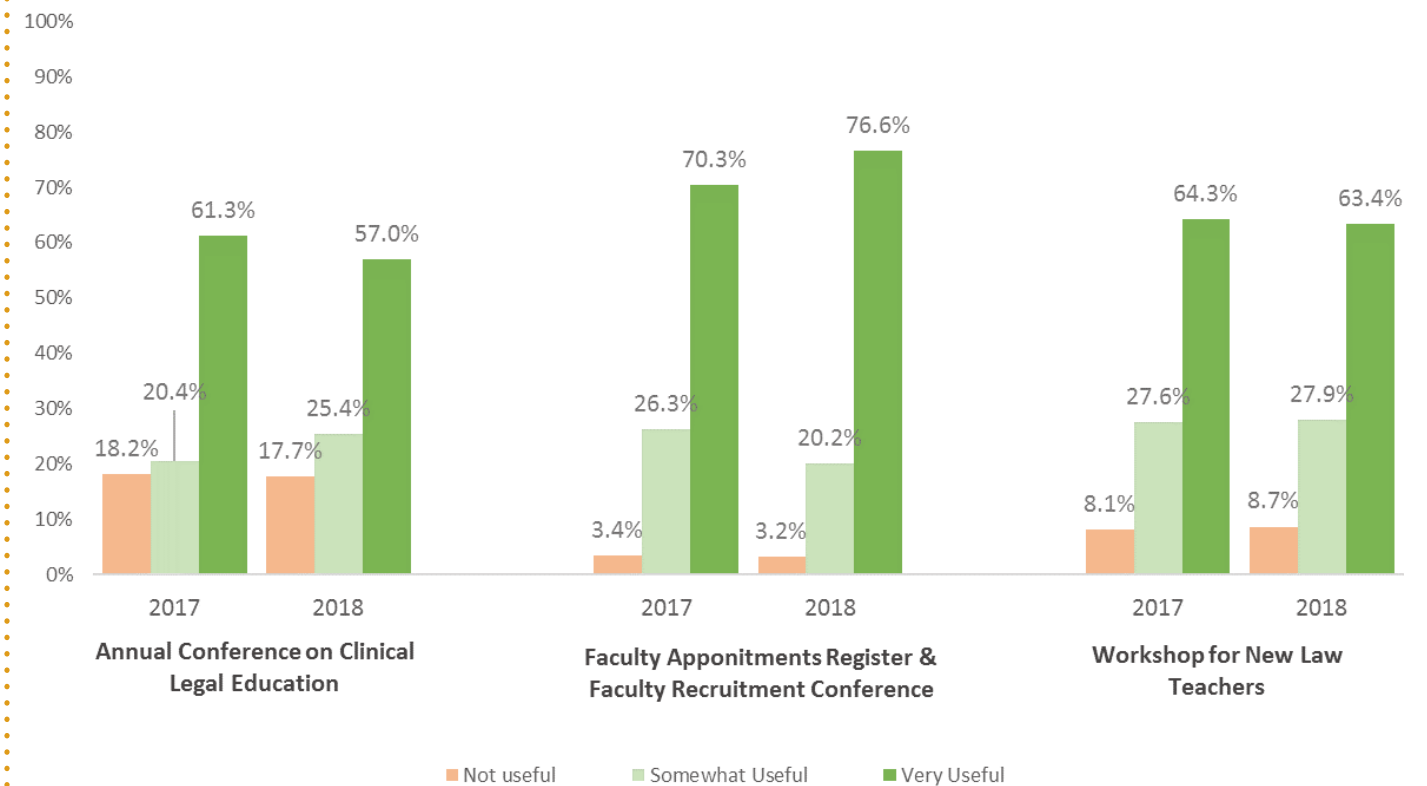
## AALS News

When the Annual Survey was conducted for the first time in 2016, 52.3 percent of respondents indicated that they were aware of or used the quarterly newsletter, with 41.7 percent of all respondents reporting that they found it somewhat or very use-

ful. The latest data show significant increases: 75.1 percent of faculty are now aware of and use *AALS News* as a resource, with 60.4 percent of survey respondents reporting that it is somewhat or very useful. These are the greatest increases in awareness and usefulness across all services.

AALS has dedicated resources and staff time to improving *AALS News*. The newsletter now contains original interviews with AALS section leaders and staff, opinion pieces from deans and faculty, and enhanced online content including videos, podcasts, and photo galleries.

**Figure 2: Other Meetings and Conferences**



## About the Survey

The 2018 AALS Annual Survey was conducted in March. A brief online questionnaire was distributed to all deans and faculty of AALS member and fee-paid law schools asking them to rate the usefulness of nine AALS member services. While this year's survey was similar in structure to the 2016 and 2017 AALS Annual Surveys, the response rate was nearly double. The 2018 survey yielded 1,219 responses, compared with 660 in 2017 and 577 in 2016.

Want to learn more about AALS services? The AALS website, [www.aals.org](http://www.aals.org), showcases innovative and outstanding law school programs and faculty as well as current issues facing the legal academy. It also provides extensive coverage of current news about legal education and the legal profession and a calendar of upcoming symposia at member law schools. The site also features details on the association's professional development offerings, its publications including an online version of *AALS News*, the *Journal of Legal Education* archive, and other popular services such as Faculty Recruitment Services and Sections.



## AALS Legal Education News Weekly Digest

Since 2014, AALS has been collecting news articles related to legal education, higher education, and the legal profession. AALS now has a feature where faculty, staff and the general public can subscribe to a weekly email digest to get those same stories sent directly to your email inbox. Just follow the instructions on right hand side of the Legal Education News page (at the bottom for mobile devices) at [www.aals.org/news](http://www.aals.org/news) to sign up for the weekly emails.

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# Jeff Allum Named AALS Director of Research

By Jim Greif

Jeff Allum has been leading the *Before the JD* project for AALS since 2016 as a consultant with a broad background in higher education research and survey project management. He has now joined AALS full-time as the association's first Director of Research, continuing the work of the *Before the JD* project as it nears completion and delving into additional legal education research projects. *AALS News* spent a few minutes with Jeff discussing the position and future research projects at AALS.

## Welcome officially to AALS. Can you talk about your position and your goals?

As the Director of Research, my goal is really quite simple: to provide evidence-based insights to help support AALS member law schools and their faculty, deans, and administrators. By extension, that includes the students who are considering law school, students who are in law school, and graduates who have gone on to have careers in the legal profession and elsewhere. Anything I can do to bring evidence to inform legal education issues and decisions, I hope I can do that.



## Can you give us an update on the *Before the JD* project?

*Before the JD* is national study of undergraduate students and first-year law students to understand the factors contributing to their intention/decision to pursue a JD or not. I'm pleased to report that the project remains on time, on schedule, and on point. The project successfully fielded two large surveys this past fall. Gallup was contracted to conduct the work and a survey of undergraduate students went to more than 200,000 students at 25 universities and colleges around the country. It generated over 22,000 survey responses. We were hoping to get about 3,000 responses and we received seven times that. There was a parallel survey that went to 44 law schools across the country, and that survey generated a little over 2,700

responses. We were hoping to get around 1,000 law student responses, so we are excited that our goals for this were exceeded as well. Gallup is sorting through lots of data, and they are drafting a report that will be released sometime over the summer.

## What are some ways schools will be able to make use of the results?

Amongst other areas, we think that the results will help law schools better communicate with potential and current law students so they better understand how legal education aligns with their career aspirations. The survey collected information on what factors contribute to a student's decision to go to law school. This will be useful to admissions professionals and pre-law advisors to help them understand what students are looking for in an advanced education, including a law degree. We also asked about the sources of information students use to make decisions about pursuing graduate and professional degrees in general, including a JD. Are students hearing from parents? Professionals in the field? Advisors? Faculty?

Those are the questions that we've had for a long time, and *Before the JD* will be able to provide some answers.

## Can you tell us a little more about the announced collaboration with LSAC regarding pre-law advisors?

This collaboration was inspired, in part, by some work related to *Before the JD*. As we were thinking about the student survey questions, we also wanted to know what pre-law advisors thought were some of the factors that contributed to a student's decision to go to law school. We did a small pilot survey of pre-law advisors associated with two regional pre-law advisor associations (SAPLA and SWAPLA) and presented the findings at one of the regional pre-law advisor meetings last fall.

That gave us the idea to work with LSAC, because they have a long history of working with this group and we thought there could be a great opportunity to help strengthen the relationship with pre-law advisors even further.

### **Can you tell us a little more about the pilot survey of pre-law advisors?**

This was a small pilot survey, but it did reveal some interesting things. When we asked pre-law advisors what they thought contributed to the decision to go to law school, they indicated that students are passionate about change and want to make a difference. The advisors also stated that students are motivated by earnings and prestige and perhaps a career in law will provide a better salary than other options they have considered. The advisors also indicated that students decide to attend law school because a member of their family is a lawyer or has a strong interest in them pursuing a career in law.

We also asked pre-law advisors what factors might be dissuading students from going to law school and the number one reason given was the cost of obtaining the degree. Another dissuading factor was this sense of a “reality check.” In other words, undergraduate students might initially think about attending law school, but as they reflect on their academic record, LSAT scores, or the length of time it takes to get the degree, they find that they don’t really have the passion to put in the time and effort that one needs to go to law school.

Those were two big categories of findings that we learned, and with our partnership with LSAC, we hope to expand this survey to all pre-law advisors across the country and learn even more.

### **I imagine there are also some answers from the pre-law advisors survey that you would want to compare to the *Before the JD* answers from college and law school students.**

There will certainly be parallels. If we learn from *Before the JD*, for example, that students seek out information about law school from one primary source—such as family members—but pre-law advisors think that students are getting most of their information through the internet, that might highlight a gap we can explore further. Once this work is done with LSAC, we would like to have a conference or workshop where we can bring in pre-law advisors, leaders from law schools and talk about the results.

### **What sort of research do you hope to conduct beyond *Before the JD*?**

It can go a lot of different ways, and I think it’s safe to say that one of the driving factors will be the AALS membership’s needs and desires. If, say, there’s a real need for faculty to understand more about curriculum innovation, or degree completion or attrition, then we can possibly conduct research in those areas. We’re going to really have to listen to the membership. We are also going to have to find funding and resources for these projects. There are foundations, organizations, federal agencies, and others interested in these topics, and if we can align their interests with those of AALS members, then we have an opportunity.

I also want to make a point that *Before the JD* will not end once we issue a report over the summer. It’s very common for research studies like this to release a final report with lots of fanfare, and then the project ends. We would rather the project live on for some time. We want to write a couple of additional reports. One might be aimed at university presidents or provosts to talk about more generally why students are going to graduate and professional school. That could be one interesting piece. We would also like to have a second report that’s focused on the general public—something you might read in your local daily newspaper or other media outlet.

But we also hope to customize selected findings to specific audiences that might be interested in them. We might commission papers or short research briefs on behalf of others with a focus on specific topics. We could also write short papers on, say, the factors contributing to going to law school as viewed through a particular demographic such as first-generation college students. We also think there could be an opportunity to license parts of the dataset to scholars in the field. There are PhDs and doctoral students all over the country doing research on these kinds of topics. Through a licensing arrangement, we might be able to give them an opportunity to conduct some research on their own. *Before the JD* generated a massive database, and we can’t expect that everything can be reported in our first report.

### **Anything else that you would like to add?**

I’m delighted to be here. It’s a very exciting time for AALS and the field of research. We’re on the cusp of some potentially significant changes, ultimately for the better. It’s exciting to be a part of it and working for the benefit of law schools and legal education.





## Spotlight on Sections

# Section on Leadership

By Barbra Elenbaas

The purpose of this Section is to promote scholarship, teaching, and related activities that will help prepare lawyers and law students to serve in leadership roles. The Section also will make recommendations to the Association on matters of interest with respect to the research and teaching concerning leadership development in the legal profession.

**Chair:** Deborah Rhode, Stanford Law School

**Chair-Elect:** Leah Witcher Teague, Baylor University School of Law

### What is the Section on Leadership about?

**Deborah Rhode:** The most crucial challenges of our time involve issues of leadership. In the U.S., no occupation is more responsible for producing leaders than law. We supply a majority of American presidents and almost half the members of Congress, and even when lawyers are not occupying top positions in their workplaces, they head teams, committees, task forces, and charitable initiatives. The lawyers who lead in legal policy and business settings make decisions that affect thousands of individuals. Although lawyers represent less than one percent of the population, they are well represented in all levels and types of leadership. A lawyer's leadership capacities matter, particularly when society faces problems of growing scale and complexity.

Our need for leaders who have vision, values, and technical competence has never been greater. But our ability to meet this need is in real question. A survey by the Harvard Center for

AALS Sections provide opportunities for law school faculty and staff to connect on issues of shared interest. Each section is focused on a different academic discipline, affinity group, or administrative area. For a full list of AALS sections and information on how to join, please visit [www.aals.org/services/sections](http://www.aals.org/services/sections).

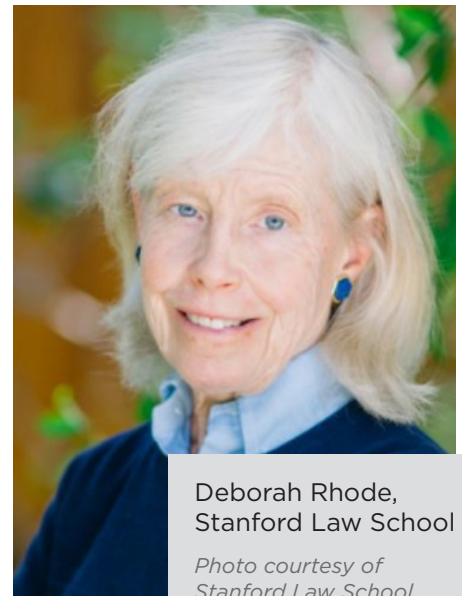
As part of the ongoing "Spotlight on Sections" series, AALS sat down with the leadership of the Section on New Law Professors and the recently created Section on Leadership to discuss section activities at the AALS Annual Meeting and beyond.

Public Leadership found that over two-thirds of Americans think the nation has a leadership crisis. The latest Gallup poll reported that only a fifth of the public rates the honesty and ethical standards of lawyers as high. And a Harris poll found that only 11 percent of the public has a great deal of confidence in people running law firms. In this context, leadership development takes on a new urgency.

Although a common assumption is that lawyers are "born not made," research suggests the opposite. Leadership capabilities can be learned, and law schools need to play a role in making that happen.

**Leah Witcher Teague:** That's what brings us to this section. Law schools have not been intentional about any effort to develop the skills sets, character, vision, or value system that are necessary to be effective leaders. Business schools, for example, have been doing this for decades.

While we are still producing the highest number of leaders, we have comparatively fewer lawyers in leadership positions than in the past. In the 1880s, 80 percent of the members of Congress were lawyers—far greater than any other profession. That number is down to about 40 percent now, at a time when our country needs leadership that is effective. Lawyers offer many skill sets that are helpful in accomplishing goals and effectuating change. Law schools develop



Deborah Rhode,  
Stanford Law School

*Photo courtesy of  
Stanford Law School*



Leah Witcher Teague, Baylor  
University School of Law

*Photo courtesy of Baylor  
University School of Law*

students' proficiencies in identifying and analyzing issues and problems, and communicating clearly and persuasively as necessary. Lawyers know that negotiation and compromise may be necessary to move past gridlock. Our code of professional conduct establishes an expectation of civility and integrity in our actions.

### Why is organizing around leadership particularly important right now?

**LWT:** The legal profession is at a crossroads. It's a matter of establishing the future role of lawyers in society. The profession is forever changed—we have an inkling of what's to come with technology and the impact of artificial intelligence on our profession, but we don't really know the full implications. We do know that many tasks performed by lawyers in the past will be automated. We have to adapt to that sooner rather than later. We also have to be concerned about the lack of trust in lawyers and lack of faith in the institution that is our system of democracy and its rule of law.

Planning for what society needs from lawyers in the future is why we should begin to think about skills beyond learning substantive law or technical skills, which have been the focus of law schools traditionally. The skill sets needed as a counselor or leader—those who are going to help clients and organizations work through their issues—are going to be even more important to lawyers in the future. They will be just as important as professional responsibility, ethics, and service to the public. Leadership should be equally pervasive in our language as we teach our students about our obligations and opportunities as lawyers.

**DR:** Leadership development is a \$43 billion-dollar industry with almost no solid empirical research on what difference any of it makes. That's fairly shocking. Whether or not people

found a particular leadership workshop valuable or not immediately after the fact is not all that relevant. What's important is whether they did anything differently six months or five years later. Institutions are starting to do that kind of monitoring, but the data isn't really there—as a field generally, and certainly not for law school teaching.

**Our need for leaders who have vision, values, and technical competence has never been greater. But our ability to meet this need is in real question.**

— *Deborah Rhode*

It's ironic that even though law produces the most leaders, law schools have been especially slow to embrace the need for formal training. Although leadership responsibilities are a dominant theme in commencement speeches and mission statements, the topic is missing in our day-to-day teaching. Law schools are producing leaders; they're just not being intentional about preparing them for that role. That's what needs to change, and that's why we're so grateful to have the section, which will try to encourage more professors to integrate some of what we know about leadership education into their core courses, even if they're not teaching classes centering on leadership.

We particularly need to know what difference leadership courses and programming is making in graduates' experience in law school and later in life. A number of schools are pioneer-

ing ways to monitor the effectiveness of teaching and programmatic initiatives. Collectively, I think the section can be a vehicle for bringing those people involved in those evaluation efforts together.

### How did the idea for this section arise?

**LWT:** When I created a leadership development program at Baylor Law in 2014, I searched for course and program descriptions and found almost none in our American law schools. My list of law professors who were teaching, speaking about, or writing about leadership was very small, but there was Deborah. She had a book on leadership that we used as a resource in our Leadership Engagement and Development (LEAD) course created as part of our leadership development program.

I actually met Deborah through her work in the area of women's leadership development. Deborah and I served on a panel discussing women's leadership development at the annual International Leadership Association meeting in 2015, and I told her about the program I had created at Baylor Law. She told me about her *Lawyers as Leaders* book that was about to be published. She also identified other law professors to add to the list. After some further conversations, we agreed to co-host a breakfast at the 2016 AALS Annual Meeting.

The 2016 AALS Annual Meeting had several programs with a leadership component, thanks to then-President Kellye Testy's interest in leadership development for lawyers. It was very heartening to me, not having been to AALS meetings for a long time, to come back and to hear leadership language being used. At our breakfast, about 20 of us met and generated several ideas about modes of collaboration, including the creation of a new section.

**DR:** Together, we figured out a process for making the section happen. A lot of people with a lot of good ideas volunteered to be on the executive committee—I am grateful to the people who stepped up to serve on both the nominating committee and the opening slate of officers. This is uncompensated and unrewarded labor in the academic world, which would rather see you publish than do a lot of committee work.

### What made you interested in the scholarship and teaching of leadership to begin with?

**DR:** It became clear to me that there were many professors incorporating leadership development into their classes but they were doing it without using the label of “leadership,” sometimes very intentionally. Schools still do not recognize the value and the need for nontraditional, non-substantive, non-Socratic-based knowledge building. Faculty would leave “leadership” out of a title or description for fear that that might not make it through a curriculum process.

Women, especially, have a complicated relationship with power because it’s punished in women. I initially worried that classes wouldn’t get a lot of women because they don’t want to be thought of as wanting power. We talked in the section about different strategies for dealing with student concerns—such as calling a leadership development course something else. Earlier in my career, I had the same discussion around ethics, which a lot of faculty thought of as kind of touchy-feely and moralistic and unnecessary to integrate in the core curriculum. I think the consensus today around leadership is that it matters less what you call it and more that you include the content.

**LWT:** It is more about being intentional in preparing students to successfully navigate scenarios and opportunities, so strategies might



2018 Annual Meeting Arc of Career Program, “Leadership Development in Law School.”

differ depending on what is most effective. We want to develop future lawyers who will be better equipped to serve and to lead.

### What is particularly useful about leadership skills and training that you’d like law schools to take note of?

**DR:** The same skill sets that are crucial for leaders—emotional intelligence, or decision making, for example—are crucial for lawyers in all aspects of their practice. Leadership literature teaches those skills which turn out to matter much more in certain situations than cognitive ability. In law schools we reward analytic ability. But the literature shows that the best leaders are not necessarily the smartest people in the room. The best leaders are people who have a range of cognitive and interpersonal skills. Everything that we do in a leadership class is going to be immediately useful for lawyers, whatever role they end up playing.

**LWT:** I used to emphasize the importance of leadership from the perspective that we know lawyers are going to serve as leaders in their communities and in organizations; therefore, law schools should incorporate these skills into their core curriculum. I got pushback from that, which required me to rethink why I thought it was so vitally important for today’s law stu-



dents. I then realized the topics covered in leadership development programming also help each one of us to be a more effective lawyer and more valuable employee. The skill sets are advantageous for both scenarios.

**DR:** One final example: I’m currently organizing a program on stress management and substance abuse, which is another life skill we don’t spend time in law schools dealing with. It’s a crucial issue for lawyers in general, as well as a leadership issue, because the time commitments and stress of being responsible for an organization often takes an enormous toll. People have to learn how to manage that. Lawyers have one of the highest rates of substance abuse and depression of any profession. Law schools need to play a leading role in helping their graduates learn how to deal with what they will encounter in practice.

**LWT:** As we think about how to most effectively teach and train our current students, we're focusing on many different aspects: stress management, grit, resilience, and ability to accept feedback constructively in a healthy manner. All of these are essential parts of leadership development and are not matters that have been part of the law school curriculum or programming in the past. We mentioned earlier the adage about lawyers being born, not made. What I love about leadership development programs is the recognition that the characteristics you're born with don't define you. There is room to grow.

Students in a leadership development program are collectively going through a journey of self-discovery, assessment, and growth in an environment that allows the freedom to think about who they want to be and to have some guidelines in place that will help them stay true to that path.

### Is there a long-term vision for what you would like the section to become?

**LWT:** We hope the concept of developing lawyers to be leaders will eventually be part of the fabric of law schools and that our students graduate with a vision of themselves as leaders in their communities. Every law graduate will be better equipped for the challenges they will face because they worked on developing skills, vision, and a moral compass that will facilitate their success and enhance their ability to make a difference in the world.

**DR:** Martha Barnett, the second-ever woman President of the ABA, and I were both known for saying that one goal of the events we were doing for the advancement of women was to make a world in which these sorts of events were no longer necessary. We would already have leveled the

playing field for women. Similarly, I would like to see a world in which some of what we are doing in the Leadership section is no longer necessary because we have addressed those problems elsewhere—other sections are focusing on the issue, and leadership is fully integrated in the law school curriculum.

But there will always be a need for leaders. And lawyers, given this country's history and tradition, will always play a central role in that. As long as there is an AALS, I suspect there will be a need for a Leadership section. I hope that as long as the United States has a rule of law and a role for lawyers in national governance, there will be a role for law schools in leadership development.



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## Workshop to Support Transition to Teaching for New Law Faculty

AALS will again welcome new law school faculty with one to three years of experience to a specialized workshop from June 7–9 in Washington, D.C. The Workshop for New Law School Teachers is designed to support faculty in their transition into full-time teaching, as they learn to balance and embrace the competing demands of teaching, scholarship, and institutional service required in an academic career.

The planning committee has arranged strong programming, including several opportunities for the incoming faculty cohort to network and build relationships. This year's program also includes sessions designed for clinical and experiential faculty. Attendees will participate in interactive sessions with experienced law school teachers focused on the following topics:

- Why Scholarship Matters
- Breakout Sessions on Scholarship: Clinical/ Experiential Legal Education, Designing Your Research Agenda from Scratch, Pursuing Your Research Agenda
- Building Relationships and Distributing Your Ideas
- AALS Luncheon on How to Become an Excellent Classroom Teacher
- Exploring the Range of Service Opportunities
- Breakout Sessions on Clinicians and Service, Internal Service Requirements, Service Outside the Academy
- Diversity and Inclusion Inside and Outside the Classroom
- Teaching Techniques
- Assessment
- Reflections on Teaching
- Learning Theory

The knowledge shared and gained during this annual workshop is valuable for more than incoming first-year teachers; AALS will welcome a diverse group of faculty hired over the past three years as tenure-track, contract, or visiting assistant professors.

For more information about the AALS Workshop for New Law School Teachers, visit the conference website at [www.aals.org/nlt2018/](http://www.aals.org/nlt2018/).

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## Spotlight on Sections

# Section on New Law Professors

By Barbra Elenbaas

The Section on New Law Professors promotes the communication of ideas, interests, and activities among members of the section and makes recommendations to the Association on matters concerning new law professors.

**Chair:** Dov Waisman, Southwestern Law School

**Chair-Elect:** Mary Leto Pareja, University of New Mexico School of Law

### What can you tell us about the membership of the Section on New Law Professors and their work?

**Dov Waisman:** Most of our members join the section as new law professors. Some of them decide to stay involved because they care about Annual Meeting programming for new law teachers. Others want to serve on the executive committee because they found the section useful back when they were first law professors. I don't think it's correct to say that all or even the vast majority of the members are actually new law professors. New law professors may drive the membership, but there are also more seasoned law professors that care about AALS programming and other opportunities for new law professors.

**Mary Leto Pareja:** The section has evolved over the last decade; I know a little bit about how it started because one of my colleagues was in the group that started it 16 years ago. New people who went to the AALS Annual Meeting for the first time felt very lost. They didn't know what to do,



Dov Waisman,  
Southwestern Law School

*Photo courtesy of  
Southwestern Law School*



Mary Leto Pareja, University  
of New Mexico School of Law

*Photo courtesy of University of  
New Mexico School of Law*

how to network, what programs to go to. They found themselves relying on each other as a support, which I think is normal. Eventually, they decided to formalize this section as a place for new law professors where they knew they belonged, and they could find guidance on how to get the most out of AALS.

It began as more of a support group. As AALS has taken on the task of providing more programming specific to new teachers, I think the nature of our section has evolved.

### How many years of experience do you consider to be in the “new law teacher” category?

**DW:** I would say it's any amount of time pre-tenure, for folks on that track. That could be, depending on the institution and their particular case, as long as five years. For folks who are not on the tenure track, one to five years.

In my experience, most of the feeling of “new-ness” happens in the first three years—that's when I got the most benefit from section programming at the Annual Meeting. By the time you're three years into teaching

and scholarship, you usually have your feet under you. You have direction. You've probably learned some painful lessons. Even if you are still pre-tenure, you no longer feel like the total newcomer that our programming is mostly directed to.

**MLP:** That seems right, though I'm always surprised at how many tenured or long-time teachers come to our programming, particularly when we put on teaching panels. Innovation in teaching is the expected norm for newer faculty. We find many seasoned professors are interested in learning about new teaching techniques or new ways of thinking about teaching.

We also attract a small subset of people who come to our programming to become section members so they can network. These folks may be visiting professors, fellows, or adjuncts who are new and still trying to break in because they don't have a permanent position and are trying to get an appointment. It makes sense, because there are so many people in that position right now. If the starting point is that all-important first permanent position, our experience range might be more like negative two or three years through three or five years.

**There seems to be a difference between truly new law professors and early-career law professors. Your purpose as a section is to support the truly new faculty members.**

**DW:** The section is really for folks who are doing these things—teaching class, writing—for the first time. For most people, what they're working on as a new professor is not their first or even second piece of scholarship, but they are still in the process of defining their research agenda and who they are as a scholar. The section is targeted for folks who are very early on in those processes.

For example, I got tenure last year after four years in the tenure track and six years before that teaching legal writing. I still consider myself early career in the sense that I haven't taught the wide range of classes that I'd like to. I've defined a research agenda and written a number of pieces in one area, but I would like to branch out to others. Still, most of the programming for this section is not targeted at folks like me. This is a section for new law professors and not just early-career law professors.

We do occasionally, as Mary said, provide programming that even mid- or late-career professors find valuable. Programs related to teaching, for example, even if they are about revisiting the fundamentals of the modified Socratic method rather than something new and dynamic. There are folks who care so much about their teaching that they will attend these programs, even if they are 20 or 30 years into the profession, because they still want to get better.

**What are some important conversations happening right now regarding new law faculty?**

**MLP:** I think the three pillars of an academic career—teaching, scholarship, and service—have been relatively static, because that is how we're judged for tenure. That's what we need to be concerned about as new law professors embarking on the tenure track, so those have remained the major conversations.

Teaching and scholarship are more often the non-negotiable parts, but I think where the conversation has shifted is in some of the newer ideas about combining service as part of either scholarship or teaching. This comes mainly from the clinical area, though not exclusively, and has been a contribution from newer professors who are interested in those styles of learning and teaching.

**Innovation in teaching is the expected norm for newer faculty. We find many seasoned professors are [also] interested in learning about new teaching techniques...**

*— Mary Leto Pareja*

**DW:** Also, the emphasis on the different pillars can differ from school to school. Here at Southwestern Law School, traditionally our focus has been on teaching, but scholarship has become much more important in the last 20-30 years. At the same time, teaching continues to be extremely important for tenure. That may not be the case at other law schools. People who want to get tenure will try to do all three things—scholarship, teaching, and service—well, but should also take their school's particular emphasis into account.

**MLP:** When we design our section newsletters and Annual Meeting programming, we try to speak to people at different kinds of institutions. For example, one of our speakers at the 2018 Annual Meeting talked about incorporating non-traditional styles of teaching. What I really appreciated was that he talked about making sure that's valued by senior faculty who will be voting for you on tenure. We try to strike that balance—this may be new and exciting, but you still have to take into account the particular emphases that your institution has and their expectations for teachers. Be innovative, but do it in a way that the people who are voting on you can appreciate.

**DW:** I've heard some folks say that in order to get hired into a tenure-track position these days, you must have a pretty well-thought out research agenda because you'll need to talk about it with hiring committees and during job talks. You should already have one or more articles published. That may have not been true 20 years ago where you could be hired on the tenure track just by doing well in law school and working for your school's law review or having a clerkship. Now, it's a different situation at many institutions.

**What changes in the experience of law school teaching have you seen as a direct or indirect result of the section?**

**DW:** I think the barometer of the section's success is that we have a pretty good section membership—around 800 people. We have excellent attendance at our Annual Meeting panels, whether they are focused on scholarship or teaching. I take those two facts to be suggestive that we're making a valuable contribution.

**MLP:** Anecdotally, it seems we are making a difference from the long view. We were started in 2002

because there was a dearth of programming focused on new professors. Obviously, AALS has taken up that mantle with their annual Workshop for New Law School Teachers. There's also been a trend toward providing more support and professional development for newer professors, which is tied in with diversity initiatives. I think we've played a part in that because we've demonstrated desire for it in some respect.

**DW:** I went to the AALS Workshop for New Law School Teachers when I started teaching legal writing back in 2007. Most folks only go to that once, in their very first year. You're still a deer in the headlights for a few years after that, so it's good to have somewhere else to go with continuing questions. I've learned a lot since 2007, but I still have a lot left to learn. The section provides that opportunity.

**How do your section members interact and collaborate outside of the annual meetings?**

**MLP:** We produce an annual newsletter. I did the last one, focused on "Engaging in Social Activism as a Law Professor," which was a different topic for us. I was struck by the conversations I was having with younger faculty members coming from backgrounds in social or community activism, and people interested in getting more involved in the community. We've always done social



The Section on New Law Professors panel at the 2017 AALS Annual Meeting.



The Section on New Law Professors program at the 2018 AALS Annual Meeting.

activism in clinical law teaching, but I've been struck lately at the number of people who want to bring social activism into the doctrinal classroom or whose scholarship is an offshoot of their outside service activities. We published a newsletter specifically devoted to using your scholarship as a platform for social activism: what it looks like, the risks and the rewards (especially as a pre-tenure teacher), and being heavily involved in the community in addition to what you do as a scholar.

**DW:** We also have the section list-serve, which is useful for communicating around the time of the Annual Meeting and for disseminating the newsletter. Its main purpose is spreading the word about opportunities for new law teachers. We are

often contacted by people from conferences or workshops that target newer scholars because our section is the best way to reach that audience. We also pass quite a few "calls for papers" and scholarship opportunities along.

**How does your section support the scholarship of your members, and engage in mentorship of new law faculty?**

**DW:** Longtime section members, particularly current and former executive committee members, are presented as resources for any new law professor. We list everyone on our section website that way.

Membership in our section also gets you access to the Teaching Materials Network, which is sponsored by Stetson Law School. It's a database where you can select your course and the case book you're using, press a button, and receive a list of professors who've taught that course using that casebook. Then those professors can serve as a resource if you want their PowerPoint slides or advice about syllabus, *et cetera*.

We don't have a formal mechanism for mentorship, but I think my own view is that informal mentorship is the best anyway. When people find each other, those tend to make some of the most lasting mentorship connections. I like to think that our section is a place where those kinds of meetings can happen.

**MLP:** I think that's right, and I don't know if I would advocate for anything more formal. Every once in a while, we have an Annual Meeting program or newsletter focus on how to find a mentor and how to make the best use of a mentor once you find one.

### What programming do you have in the works for the next AALS Annual Meeting?

**DW:** We're co-sponsoring a panel with the Section on Law & the Social Sciences and we hope that a lot of our members who are interested in an empirical focus for their scholarship will come to that panel.

We're spending most of our time now working on our own program, which we've tentatively agreed will focus on how to teach to all different types of students. We hope to cover engaging students with different interests, students from different backgrounds,

and students with different strengths or different levels of aptitudes.

### What is your vision for the section, this year and in the years to come? What new initiatives, project-based or ongoing, would you like to see as part of the section?

**MLP:** I would like us to be more actively involved in collaboration with different sections and with the umbrella efforts from AALS focused on new law professors. Many substantive academic areas have programming for new law professors, and I believe there's room for us to be involved in that way. I would like to see us complete simple record-keeping goals, like cleaning up our website and locating old section materials to show where we've been and where we're going.

**DW:** One possible area for growth is facilitating member-to-member connections and networking. A lot of what we do tends to be dissemination of knowledge and guidance to new law professors from more experienced folks. It would be great if we could make the section more of a communications hub. What if a new faculty member teaching a course for the first time at UC Irvine could connect with a new faculty member teaching the same course at Villanova? When I was starting out teaching contracts, I relied heavily on my colleagues who had already done it. What if I could have been connected to the 10 or 20 other people at AALS member law schools who were also teaching contracts for the first time? Everybody ends up making those connections anyway, but they do it informally. Our section would be a great place to structure that collaboration.



## Speaking Opportunities at 2019 AALS Annual Meeting

Any full-time faculty member or administrator at an AALS member or fee-paid school can organize a program for the Annual Meeting without being affiliated with any particular AALS Section via Open Submission programs. Proposals for these program categories are solicited each year by the Program Committee.

The request for proposals for Hot Topic programs, focusing on topics that emerged too late in the year to be included in other types of programs, is still open. Read the full request for proposals and submit via the Annual Meeting website at <https://am.aals.org/program-proposals>.

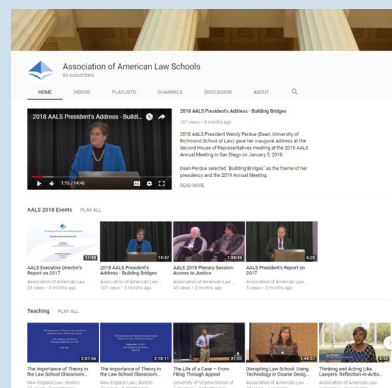


Hot Topic proposals are due October 19.

## AALS on YouTube



Visit the AALS YouTube channel to check out hundreds of videos on law school programs, clinics, teaching, lectures and advice for prospective students. The channel also hosts a selection of videos from AALS meetings. Subscribe to the AALS YouTube channel at [www.aals.org/youtube](http://www.aals.org/youtube).





# Winter 2018 Issue of *JLE* Focuses on Outcomes Assessment

The Winter 2018 issue of the *Journal of Legal Education* (*JLE*) takes an in-depth look at the revised ABA standards on assessment and learning outcomes. The issue includes the following symposium articles:

- “Adoption of Student Learning Outcomes: Lessons for Systemic Change in Legal Education” by Steven C. Bahls;
- “Law School Assessment in the Context of Accreditation: Critical Questions, What We Know and Don’t Know, and What We Should Do Next” by Judith Welch Wegner;
- “They’re Back! The New Accreditation Standards Coming to a Law School Near You—A 2018 Update, Guide to Compliance, and Dean’s Role in Implementing” by Susan Hanley Duncan;
- “A Simple Low-Cost Institutional Learning-Outcomes Assessment Process” by Andrea A. Curcio;
- “The ‘F’ Word: The Top Five Complaints (and Solutions) About Formative Assessment” by Olympia Duhart;
- “Teaching and Assessing Soft Skills” by Sophie M. Sparrow;
- “What Did They Know and When Did They Know It? Pretesting as a Means Setting a Baseline for Assessing Learning Outcomes” by Jeffrey L. Harrison; and
- “Rescuing Pluto from the Cold: Creating an Assessment-Centered Legal Education” by Steven I. Friedland.

The ongoing “At the Lectern” series continues with Martin H. Malin and Deborah I. Ginsberg’s “Flipping the Classroom to Teach Workplace ADR in an Intensive Environment.”



Book reviews in this issue include:

- “Law Professors: Three Centuries of Shaping American Law—Stephen Presser” reviewed by Bernard W. Bell;
- “Law Professors: Three Centuries of Shaping American Law—Stephen Presser” reviewed by Scott Douglas Gerber; and
- “Review Essay: Wrongful Convictions and the DNA Revolution: Twenty-Five Years of Freeing the Innocent—Daniel S. Medwed & The New Criminal Justice Thinking —Sharon Dolovich and Alexandra Natapoff” reviewed by Thomas Morawetz.

The *JLE* addresses issues of importance to legal educators, including curriculum development, teaching methods, and scholarship. Published since 1948, it is an outlet for emerging areas of scholarship and teaching.

The *JLE* has been under the editorial leadership of Northeastern University School of Law and American University Washington College of Law. Thank you to the deans, faculty, and staff of these schools for their support of the journal.

AALS runs the *JLE* website <https://jle.aals.org/home/>, as a repository for current and past issues of the *JLE* as well as subscription, submission, and copyright information.

# Highlights from the 2018 AALS Conference on Clinical Legal Education

Chicago, IL | April 29 – May 2



Attendees enjoy the keynote address on April 29.



James Forman, Jr., Yale Law School Professor and 2018 Pulitzer Prize winner for his book “Locking Up Our Own: Crime and Punishment in Black America,” delivers the keynote address.



Working Group on Externships.



Professor Alina Ball (University of California, Hastings College of the Law) was honored by the AALS Section on Clinical Legal Education with the 2018 Shanara Gilbert Award for emerging clinicians on May 30.



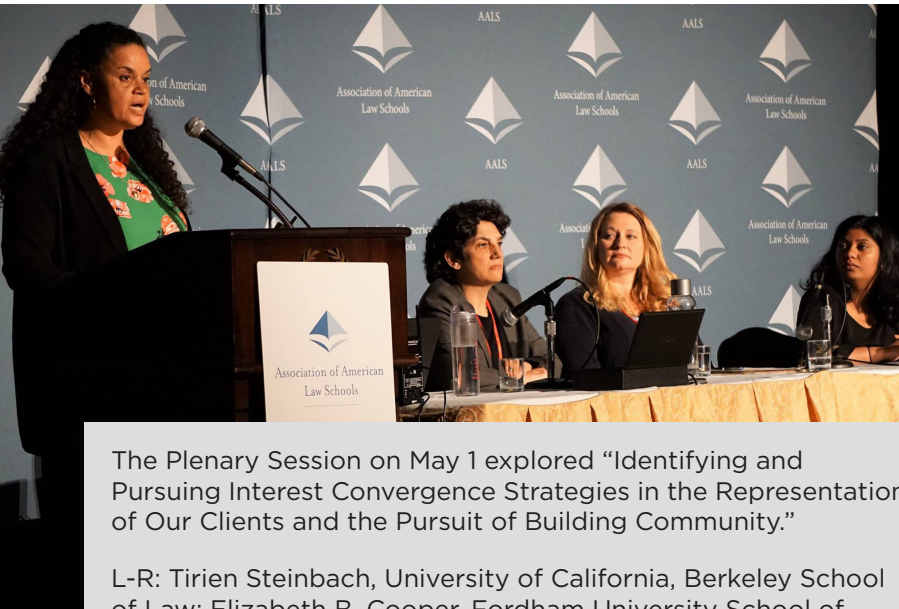
The Plenary Session on April 30 addressed “The Power of the State and Our Many Client Communities.” L-R: Amna Akbar, The Ohio State University Moritz College of Law; Sheila Bedi, Northwestern University Pritzker School of Law; Aderson Bellegarde Francois, Georgetown University Law Center; Alexi Freeman, University of Denver Sturm College of Law; and William P. Quigley, Loyola University New Orleans College of Law.



Conference Program Committee Chair, Cindy Wilson (Northwestern Law).



Carol Suzuki (University of New Mexico Law) discusses her poster “Promoting Student Learning and Breastfeeding Behind Bars Through Multi-Faceted Social Justice Advocacy.”



The Plenary Session on May 1 explored “Identifying and Pursuing Interest Convergence Strategies in the Representation of Our Clients and the Pursuit of Building Community.”

L-R: Tirien Steinbach, University of California, Berkeley School of Law; Elizabeth B. Cooper, Fordham University School of Law; Stacey-Rae Simcox, Stetson University College of Law; and Priya Baskaran, West Virginia University College of Law.

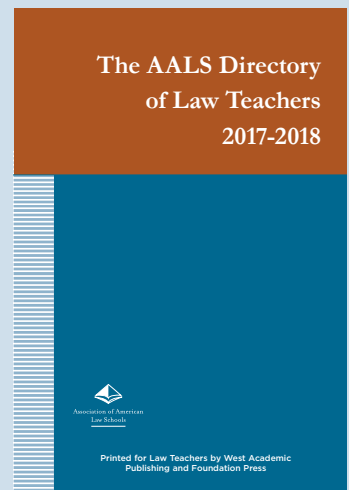


Working Group on Immigration.

## Update Your Bio Now for the *Directory of Law Teachers*

Have you published a new paper, chapter, or book? Won an award or moved to a different law school? Log on to <https://dlt.aals.org> and update your biography for the *AALS Directory of Law Teachers*. While the directory is still printed once a year, it is searchable online at any time. It is important to ensure your information is up to date in real time as well as in the fall when we collate and print the *DLT*.

In addition to searching by name and school, the new search function can sort faculty members by subjects taught. Users may also sub-search criteria including currently teaching, years teaching, and seminar offering, among others. It also allows users to cross-search for multiple faculty and multiple subject areas at the same time. Participants in the directory may adjust their privacy settings so their listing reflects the amount of information they would like to be available online.



# Call for Papers

## AALS Scholarly Papers Competition for Junior Faculty

To encourage and recognize outstanding legal scholarship and to broaden participation by junior faculty in the Annual Meeting program, AALS is sponsoring a call for papers for the 33<sup>rd</sup> Annual AALS Scholarly Papers Competition. The competition is open to law faculty, including VAPs (Visiting Assistant Professors), who have been teaching for 5 years or less as of July 1, 2018. Time spent as a VAP counts toward the requirement of being a full-time educator for five years or less. Eligible faculty are invited to submit a paper on a topic related to or concerning law by August 2, 2018.

A committee of established scholars will review the submitted papers with the authors' identities concealed. Papers that make a substantial contribution to legal literature will be selected for presentation at the 2019 AALS Annual Meeting in New Orleans. For additional guidelines and complete submission instructions, visit [www.aals.org/am2019/scholarly-papers](http://www.aals.org/am2019/scholarly-papers). Questions may be directed to [scholarlypapers@aals.org](mailto:scholarlypapers@aals.org).



Kent Greenfield, (Boston College Law) presents the 2018 AALS Scholarly Papers Competition Award to Aaron Tang (UC Davis Law).

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## AALS Calendar

### Workshop for New Law School Teachers

Thurs., June 7 – Sat., June 9, 2018, Washington, DC  
Thurs., June 6 – Sat., June 8, 2019, Washington, DC

### Faculty Recruitment Conference

Thurs., Oct. 11 – Sat., Oct. 13, 2018, Washington, DC  
Thurs., Oct. 3 – Sat., Oct. 5, 2019, Washington, DC

### Conference on Clinical Legal Education

Fri., May 3 – Tues., May 7, 2019, San Francisco, CA

### Annual Meeting

Wed., Jan. 2 – Sun., Jan. 6, 2019, New Orleans, LA  
Thurs., Jan 2 – Sun., Jan 5, 2020, Washington, DC