



Borrowing from Bob Dylan, “The Times They Are a-Changin’”

By Paul Marcus, AALS President

For the past decade or two, we have seen tremendous changes in U.S. higher education in general, and legal education in particular. There have been amazing highs involving giant leaps forward with clinical and experiential learning, outreach for international and comparative studies, closer connections to the practicing bar and the judiciary, and innovative interdisciplinary programs. At the same time, the lows have been low indeed: strong reliance on rankings, heavy student debt loads, declining bar pass rates, and a shrinking applicant pool. For this issue of *AALS News*, I am doing something different from the usual presidential essay. I have asked five wonderful legal educators to share their thoughts on specific areas of American legal education, as those areas have changed in recent years. Each contributor is a national figure who has made significant contributions to the high quality of our system.



Paul Marcus, Haynes Professor of Law, William & Mary Law School

At the same time, the lows have been low indeed: strong reliance on rankings, heavy student debt loads, declining bar pass rates, and a shrinking applicant pool. For this issue of *AALS News*, I am doing something different from the usual presidential essay. I have asked five wonderful legal educators to share their thoughts on specific areas of American legal education, as those areas have changed in recent years. Each contributor is a national figure who has made significant contributions to the high quality of our system.

- **Barbara A. Bintliff**, Joseph C. Hutcheson Professor in Law and Director, Tarlton Law Library/Jamail Center for Legal Research at the University of Texas School of Law.

Continued on page 2

2018 AALS Annual Meeting



Approximately 2,500 law faculty, deans, administrators, and scholars will gather in San Diego from January 3-6, 2018 for the 112th AALS Annual Meeting. Under the theme of “Access to Justice,” the meeting is an opportunity to connect and collaborate with colleagues, discuss critical and emerging legal issues, and attend programs focused on fresh perspectives on law and legal education.

The meeting will feature more than 800 moderators, speakers, and discussion leaders at over 250 sessions planned and selected by the Annual Meeting Program Committee and the association’s 102 sections. In addition, attendees can connect and share ideas at more than 50 networking events and opportunities. The Exhibit Hall gives attendees the chance to meet with representatives from a diverse group of exhibitors and publishers as well as explore new products and services available for the law school community.

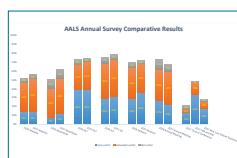
Programming will take place at the Marriott Marquis San Diego Marina, a newly-renovated hotel on the waterfront of San Diego Bay, and at the Manchester Grand Hyatt. Situated just steps from the Gaslamp Quarter, the hotels are an ideal location from which to explore all San Diego has to offer.

Learn more at www.aals.org/am2018.

Turn to page 26 for more on:

- Annual Meeting Theme: Access to Justice
- Updated programming at the Annual Meeting
- Programs for new law school teachers
- Section calls for papers
- Hot Topic call for proposals

Inside



4 2017 Annual Membership Survey Results



9 AALS Opposes Changes to ABA Standard on Full-Time Teachers



10 Spotlight on Sections: Immigration Law, National Security Law



20 Meeting Wrap-ups: Clinical, Midyear, New Law Teachers

Association of American Law Schools

President

Paul Marcus

College of William & Mary

President-Elect

Wendy Collins Perdue

University of Richmond

Immediate Past President

Kellye Y. Testy

University of Washington

Serving through 2017

Darby Dickerson, The John Marshall Law School

Avi Soifer, University of Hawai'i

Serving through 2018

Alicia Alvarez, The University of Michigan

Vincent D. Rougeau, Boston College

Serving through 2019

Erwin Chemerinsky, University of California, Berkeley

Camille A. Nelson, American University

Executive Director

Judith Areen

Associate Director

Elizabeth Patterson

General Counsel

Assistant Director

Jeremy Merkelson

Editor, AALS News

Director of Communications

James Greif

jgreif@aals.org

Writer/Editor

Barbra Elenbaas

belenbaas@aals.org

Published in Winter, Spring, Summer, and Fall by:

Association of American Law Schools
1614 20th Street, NW
Washington, D.C. 20009-1001

©2017, Association of American Law Schools
All rights reserved. ISSN 0519-1025

Continued from cover

- **Susan L. Krinsky**, Associate Dean for Student Affairs and Communications at the University of Maryland Francis King Carey School of Law and Immediate-Past Chair of the Board of Trustees of the Law School Admission Council.
- **Katherine Kruse**, Associate Dean for Academic Affairs and Professor of Law at the Mitchell/Hamline School of Law.
- **Vincent D. Rougeau**, Dean at Boston College Law School and member of the AALS Executive Committee.
- **Kellye Y. Testy**, President of the Law School Admission Council and AALS Immediate Past President.

Barbara A. Bintliff: Library

The law school library used to be a destination, a “place,” with students and faculty sitting at long rows of desks, poring over print indexes and digests and gathering stacks of reports and journals in search of “the law.” This kind of library use was a shared—and likely universal—experience of students and faculty. Generations of lawyers experienced hours of book-based library research as part of their legal education. The quest for the law was aided by law librarians, who searched Pimsleur’s checklist, the MoCat, Bieber’s abbreviations, Julius Marke’s NYU catalog, the NUC, and other then-indispensable reference tools for needed information.

And so it was when I entered law librarianship. Computers, online catalogs, and Westlaw and Lexis were barely beginning to be available to the mass market. Only those on the cutting edge dreamed about the kind of database

Continued on page 5

In this issue

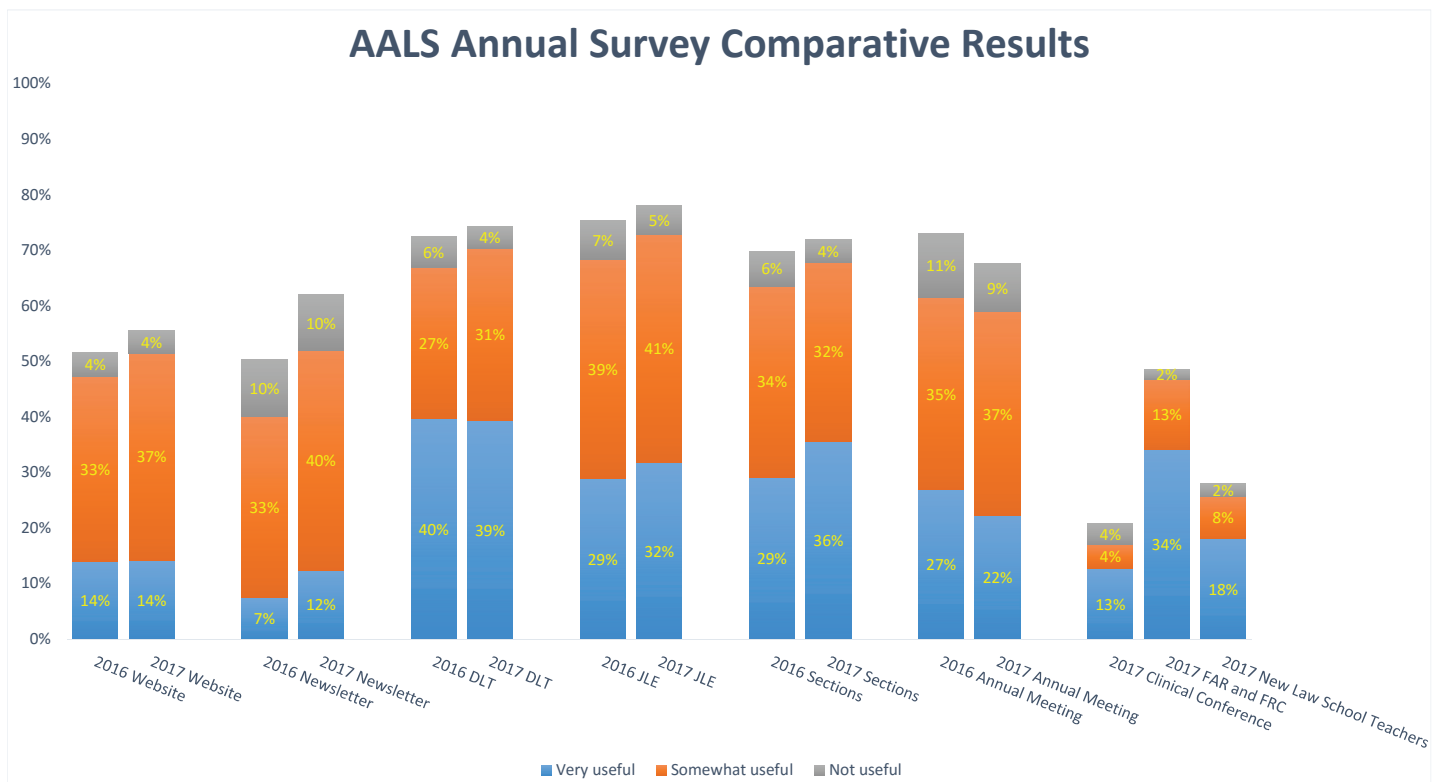
- Cover Paul Marcus, AALS President – The Times, They Are a-Changin'
- Cover 2018 AALS Annual Meeting
- 3 2017 AALS Membership Survey
- 4 Biography Updates Available for Directory of Law Teachers
- 9 AALS Opposes Changes to ABA Standard on Full-Time Teachers
- 10 Spotlight: Section on Immigration Law
- 15 Spotlight: Section on National Security Law
- 18 *Journal of Legal Education* Releases Summer 2017 Issue
- 19 AALS Relocates 2018 Conference on Clinical Legal Education from Texas
- 20 Wrap-Up: 2017 Conference on Clinical Legal Education
- 23 Wrap-Up: 2017 Midyear Meeting
- 24 Wrap-Up: 2017 Workshop for New Law School Teachers

2017 AALS Membership Survey

By James Greif

This year, AALS conducted its second-ever survey of faculty and staff from AALS member schools about their opinions regarding the association's activities.

According to the 660 members who responded to our survey, the four most used member resources are the *Journal of Legal Education*, the Directory of Law Teachers, Sections, and the AALS Annual Meeting; these resources also made up the top four in 2016, when AALS conducted its first member survey.



The Top Four

The Journal of Legal Education (JLE) publishes articles on important issues confronting legal educators and acts as an outlet for emerging areas of scholarship. This year, the *JLE* enjoyed a five percent increase in reported usefulness: 73 percent of respondents found the *JLE* very or somewhat useful compared to 68 percent in 2016. In addition to the print edition and its permanent home at www.aals.org/jle, AALS staff took steps over the last year to make the *JLE* even more accessible. This includes distributing each new issue of the journal to members via email, and featuring highlights of the latest issue in *AALS News* each quarter.

The association continues to make improvements to the *Directory of Law Teachers* including the addition of an online version with a new search function. Seventy percent of respondents said they find the directory useful, compared to 67 percent in 2016.

Attendees of the 2017 AALS Annual Meeting in San Francisco continued to enjoy the program enhancements that have been made to the meeting in recent years. More than 2,500 law school faculty, deans, and staff attended, and 63 percent of respondents to our survey found it useful to attend. In accordance with the theme of “Why Law Matters,” the programs at the January meeting focused on novel thinking and fresh perspectives on law and legal education during a time of profound change in the profession. For a more complete overview of the most recent Annual Meeting, visit www.aals.org/aals-newsroom/2017-aals-annual-meeting-highlights.

AALS has 102 sections organized around various areas of expertise for faculty members and professional staff of AALS member schools. Sixty-eight percent of survey respondents said sections are useful to them, up from 62 percent last year. Sections develop the majority of programming at the AALS Annual Meeting and may also provide support throughout the year via

newsletters, mentorship programs, and discussion on listservs. The association has been focused on improving services to sections including a new *AALS Section Counselor* e-newsletter for section chairs and enhanced resources for section listservs and webpages.

Responding to Feedback

Over the last two years, AALS has received feedback on some of the core services provided by the association. We've listed some of the more common requests and how AALS has worked to address them.

Comment: *Put the Directory of Law Teachers online.*

In September 2016, *AALS Directory of Law Teachers* premiered an online search function. This password-protected tool is available to deans and tenured, tenure-track, long-term contract, and emeritus faculty members.

In addition to searching by name and school, the new search function can sort faculty members by subjects taught. Users may also execute sub-searches, including whether the instructor is currently teaching, for how many years the instructor has been teaching, and their seminar offering, among others. It also allows users to cross-search for multiple faculty and multiple subject areas at the same time.

The new online portal presents advantages over the printed directory. Because it is constantly accessible for updates, it provides a more complete snapshot of an instructor's profile in "real time." Participants in the directory may adjust privacy settings so their listing reflects the amount of information they would like to be available online.

The association will continue to publish the popular print edition of the *Directory of Law Teachers*, printed annually as a donation from West Academic Publishing and Foundation Press.

Comment: *AALS has been very slow to adapt to new technologies, especially social media, and to provide sections with better ways to interact with members.*

Over the last few years, AALS has launched social media accounts on Twitter, Facebook, LinkedIn, YouTube, Instagram, and Flickr along with regular content on each of these channels. The association has also improved resources for our sections, including the launch of a better platform in 2016 for the members of our 102 sections to connect and share materials with each other.

Comment: *There is an inconvenience posed to the members by the AALS not providing laptops at [Annual Meeting] panel sessions for PowerPoint presentations.*

Although we still ask speakers to bring their own laptops, we have provided a speaker ready room in 2016 and 2017 where speakers have a place to test their equipment, print notes, and practice their presentations. The association also created a list of Frequently Asked Questions for speakers to help presenters prepare for their panels (available on the respective meeting websites).

Comment: *I like the new website, but some pages can be difficult to find.*

AALS recently made upgrades, including an improved search function, to aals.org. The association has also made efforts to group similar content into categories to make content easier to find. For example, a landing page was created for podcasts (www.aals.org/podcasts) AALS Sections (www.aals.org/sections), and data resources (www.aals.org/data-resources).

AALS continue to respond to feedback, and looks for ways to improve services to our members. Please reach out to us at aals@aals.org to leave feedback or to make a comment/request.



BIOGRAPHY UPDATES AVAILABLE FOR DIRECTORY OF LAW TEACHERS

In September, information will be culled from the online directory to be used in the 2017-18 *Directory of Law Teachers*. Tenured, tenure-track, long-term contract, and emeritus faculty are encouraged to update their biographies at <https://dlt.aals.org/>.

AALS launched an online search function for the directory last fall. 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.

Continued from page 2

content we have today. Libraries were typically early adopters of technology, often being the first department in a law school that automated operations and used databases. And as soon as the hardware entered the library, the nature of law libraries began changing.

Issues regarding managing technology and the rapidly increasing volume of electronic publications and resources took center stage, dominating the discussion in individual libraries and across law schools. The questions raised were huge, complex, and interrelated: Must we offer resources in both print and electronic formats? Can we afford to do so? Should we spend our money on databases that we license but don’t own? Can we trust that the databases will be available permanently? Are we concerned that information found in a print search is different from that found in an electronic search, or that two search engines provide different results with the same search? Is it possible to have an all-electronic library? Why do we have to license this whole bundle of e-journals when we only want one or two? How do we teach electronic legal research? Should we still teach print research? How do we organize and describe electronic resources in our catalog? What new services can we develop to better meet information needs? Does copyright allow print materials to be digitized? Is it a violation of copyright to provide print copies of electronic resources to others via interlibrary loan? How can we continue to ensure student and faculty confidentiality in their use of library resources? Should we reconfigure the library facility to accommodate computers and other technologies?

It seemed like the questions were never-ending, coming from all directions: the library itself, vendors, students, faculty, and law school and university administration, among others. I feel like my job started evolving the day I walked in the library door, and it hasn’t settled down yet!

Every academic law library has considered these questions, and most have concluded that there is no single right answer. In fact, most law libraries have realized that, just as there is no single right answer to the questions, there often is no firm answer and each law library will have different results depending on the local situation. What worked in 1985 was likely hopelessly outdated by 1998, and the solutions for 1998 have become creaky antiques by 2017. The individual law library’s and law school’s programs,



Barbara Bintliff, Joseph C. Hutcheson Professor in Law and Director, Tarlton Law Library/Jamail Center for Legal Research at the University of Texas School of Law

Photo courtesy of University of Texas School of Law

preferences, and priorities determine how the library proceeds. Changes to Lexis and Westlaw access provide great examples of the need for continual consideration of a question, the question being “how can the legal research services be best made available to library users?” When first introduced in the late 1970s, dedicated terminals for Lexis and Westlaw were kept in a locked room. Passwords were secret, available only to librarians who often did all the searching—library users could not be trusted! By the 1990s, there was enough demand for access that everyone in the law school community had a personal password and libraries had Westlaw and Lexis terminals throughout their facilities. Today, the system-specific terminals are gone and personalized access is available on desktops, laptops, tablets, and cellphones. Library practices, information availability, and vendor licensing terms have evolved throughout this period, causing reconsideration of already answered questions.

What is certain, however, is that the law library is no longer only a place. Law libraries are also portals, providing information in a variety of formats directly to faculty and students. Many times today, however, neither students nor faculty regularly come to the “place” of the library to engage in research or prepare for classes; remote access to electronic information sources suffices. No one would argue that we should abandon electronic resources and return to the print research experience of generations past, but has the law school community lost some of the connection created by consulting resources in a shared space? Is that the ultimate effect on the law school of the many changes in law libraries over the last decades?

Susan Krinsky: Students

I’ve been involved in legal education (not counting my own three years in law school) for 35 years. (I find this so surprising that, in an abundance of caution, I used a calculator to subtract my start year from 2017 to make sure I hadn’t stuck in an extra decade by accident.)

It’s hard not to long for the days of high application volumes and a world in which more applicants wanted to come to law school than we could possibly accept. It’s also hard not to miss the days prior to email when applicants wrote letters, the days prior to the Internet when there was still a little mystery in our lives.

The applicants of today are both more informed and less informed. They have more information at their fingertips, but it’s not necessarily accurate information. It is easy for them to find facts and opinions—much easier than it was 35 years ago—but it seems harder than ever for our students (indeed, perhaps for much of the population) to distinguish between fact and opinion.

For what seemed like a very long time, law school faculty and administrators (and the authors of *The Paper Chase* and *One L*) were the source of information about legal education. We were certainly the source of information about admission

to law school. That is simply no longer true. Though it sounds like I'm complaining, I believe that more information is a good thing, and that the dramatic increase in sources of information is a positive development. Students are forced to distinguish between good and bad sources of information, to juggle the myriad facts and opinions, and to make decisions for themselves about whether to go to law school, where to go to law school, and what to do afterwards.

Because of the environment in which we all find ourselves—200-plus law schools, but almost 40 percent fewer applicants than in 2010 and almost 50 percent fewer than in 2004—many law school applicants find themselves in a very strong position with respect to admission and scholarships. They are being offered admission at higher rates than was the case a decade ago, and they are (successfully) negotiating on price. That success can make it difficult for them to settle back into what many of us recall as the role of a student. They have become consumers as much as students, and for many, their attention is focused on a cost-benefit analysis.

The rankings barely existed when I entered legal education, and to the extent that they did, little attention was paid to them. Prospective students today have a different definition of “the best law school for me”—one that seems less focused on curriculum and environment, and more focused on price, employment data, and rank. Again, though the change in attitude can be very difficult for those of us who have been involved in legal education for a long time, these students are much more critical of rules, and they are refreshingly willing to challenge the status quo and to engage—exactly what we want them to do.

The combination of the Internet as well as the rise of the rankings and of critics of legal education has led to another phenomenon that simply didn't exist 35 years ago. There exists a cohort of law students who enroll in whatever school admits them and provides the best economic package for the first year, with the explicit plan to “trade up” at the end of the first year. This is not a development about which I can say anything positive from the perspective of someone who is trying to maintain a community.



Associate Dean for Student Affairs and Communications at the University of Maryland Francis King Carey School of Law and Immediate-Past Chair of the Board of Trustees of the Law School Admission Council

Photo courtesy of University of Maryland Francis King Carey School of Law

The students who make the decision to come to law school are doing so with their eyes wide open. They know what kinds of jobs are out there; they understand what the market is like. They are not attending because they can't think of what else to do, or because a parent told them that they should be a lawyer, or because they think law school is a direct route to riches. There is very little ambivalence. They are attending because they want to acquire the skills that will enable them to do any of the many kinds of work that lawyers do. They are focused, they are engaged, and they are committed.

Kate Kruse: Clinical and Experiential Education

When I began as a clinical instructor in 1990, law school clinical programs were a well-established, though not very well-understood, aspect of legal education. There was a general sense that clinics were a good thing for students, because students needed to learn lawyering skills and gain practice experience. But the rest of the law school had very little idea of what actually went on in clinical programs. Moreover, although clinics and externships were, at most schools, upper-level electives in which substantially less than half the student body participated, the presence of clinical programs largely relieved the rest of the faculty from worrying about how to provide students with experiential education.

Much has changed in the past quarter-century. Legal academia has begun to both better understand and more highly value experiential education. The MacCrate and Carnegie reports on legal education emphasized the importance of focusing, not just on acquiring cognitive and analytical skills (the infamous “thinking like a lawyer”), but on mastering practical skills and forming professional identity. The ABA accreditation standards have shifted to an outcome-based framework, forcing law schools to articulate practice-based learning outcomes for all students. Legal publishers have scrambled to provide a diverse array of teaching materials to integrate skills training throughout the law school curriculum. New types of experiential opportunities are cropping up at all stages of law school: first-year lawyering courses, practicum courses, skills labs, service learning projects, and post-graduate incubator programs.

Market pressures have also increased the demand for practice-based experiences. Legal employers have retreated from offering paid employment for new graduates as a *de facto* apprenticeship



Katherine Kruse, Associate Dean for Academic Affairs and Professor of Law at the Mitchell/Hamline School of Law

Photo courtesy of Mitchell/Hamline School of Law

system. Law students have increasingly seen that their path to employment will depend not on getting an offer from firms with whom they interview on campus and for whom they clerk over the summer, but from networking more widely in the legal community through a variety of practice-based experiences. In an atmosphere of fierce competition for students, law schools are falling over each other to emphasize the breadth and uniqueness of their experiential offerings.

The fluorescence of experiential education has created new challenges and opportunities for the legal education community. No longer the sole purveyors of experiential education, clinicians have had to more carefully articulate and differentiate the unique benefits of different forms of experiential education: clinics, externships, and simulations. Rather than viewing experiential courses as isolated electives, law schools are beginning to stage their experiential offerings into a systematic progression designed to bridge students to practice. And, an increasing number of law schools mandate clinics or externships as a graduation requirement.

Despite these changes, law still lags far behind other professions in its failure to mandate a substantial period of hands-on training or supervised practice prior to licensure. The nature of law practice is evolving rapidly, creating an inexorable shift away from the importance of knowledge acquisition and toward proficiency across a broader range of interpersonal and professional skills. The bar licensing framework, still based primarily on pencil-and-paper examinations, has yet to confront this shift. Until that changes, the role of experiential education is likely to remain secondary to doctrinal learning. In the meantime, the methods of experiential education are continuing to proliferate in the spaces that legal education is making for them and to develop in sophistication. When the legal profession is ready to require more of law graduates, legal education will be ready to offer it.

Vincent Rougeau: Faculty

This past academic year was my 26th in legal education and my sixth as Dean at Boston College Law. From my perspective, I think it is fair to say that American legal education has changed more in the last six or seven years than it has in decades. When I look back on my experiences as a faculty member at Loyola University Chicago in the 1990s and Notre Dame Law School in the 2000s, I remember an environment very similar to one I encountered as a law student in the 1980s. I think it is fair to say that while legal education at that time still benefitted from much of what was excellent about the past, the students I teach now are having an experience that has changed fundamentally in a number of ways.

I first entered law teaching around the time of the release of the MacCrate Report, which essentially argued that American legal education over-emphasized doctrine and needed to offer more instruction on skills and values. I remember an early flurry of

discussion (and criticism) in response to the report, but that soon subsided and, frankly, not much changed. There were, of course, a few innovations here and there—particularly the creation of more clinics—but there was no real consensus on the need for any major revisions to the American legal education model.

For the most part, this period saw rising applications to law school and relatively modest attention to tuition costs. Teaching loads fell, publication expectations increased, and many new academic programs were created. There was an expansion of international engagement through LL.M. programs in the U.S. and exchange programs abroad. I look back on it as a very intellectually vibrant period that was accompanied by more than a little bit of political turmoil, and marked profoundly by the tragic events of September 11, 2001.

Fundamental change came in the wake of the Great Recession of 2008-2009. Since then, there has been a surge in attention to skills training and “outcomes,” related both to student learning and employment. It is a story that we all have been living for close to a decade now, so the particulars do not need repeating here. What does bear reflection is an important truth that emerged from the difficulties both legal education and the legal profession have encountered over the last several years: No profession, industry, or institution is immune from rapid and destabilizing change. It is not something that we can prepare for in advance—who knows exactly when and how it is coming? Nevertheless, there tend to be early warning signs that should lurch us from complacency.

The MacCrate report was one early signal to legal education that something was amiss. Whatever its failures or missteps, the report correctly sensed a challenge to the status quo that ultimately had to be reckoned with.

Kellye Y. Testy: Engaging with our World

The other contributors to President Marcus’s feature on current issues in legal education have covered important topics that are undergoing significant evolution within our law schools. While taking note of those distinct areas of change, I will focus my attention here on three significant societal issues with which our schools are and should be engaging. As we welcome the Class of 2020 this fall, several major factors provide critical context for our work and for our students’ futures. I focus here on access to



Vincent D. Rougeau, Dean at Boston College Law School and member of the AALS Executive Committee

Photo courtesy of Boston College Law School

justice, technology, and the rule of law. The more we integrate these issues into our schools, the more we will contribute to our students’ educations and our service to society.

One of the most salient features external to our law schools, but highly relevant to our work, is the wide access to justice gap in the U.S. (and around the world). I applaud President Marcus for focusing the theme of his presidency on this issue. A June 2017 study by the Legal Services Corporation (LSC) reports that 86 percent of the civil legal problems of low-income Americans received no or inadequate legal help. There are 60 million Americans in this category, representing those with incomes at or below 125 percent of the federal poverty level. Even more concerning, these Americans seek legal help for only around 20 percent of their legal problems in the first place, meaning that even for the small number of legal problems for which they seek help, they are usually not getting it. Within this group are millions of seniors, veterans, rural families, persons with disabilities, survivors of domestic violence and sexual assault, and other people without the means to protect their basic rights in critical areas such as health care, education, housing, child custody, and commerce.

The access to justice gap facing the poor in our civil justice system is not confined there. People of moderate means—those who cannot afford legal services but do not qualify for legal aid—are likewise affected. Moreover, widening income inequality in the U.S. means that increasing numbers of poor and moderate means people are left out of our justice system. While there are many charts and statistics measuring income inequality in various ways, and much disagreement about its causes and consequences, there is little dispute that it has widened significantly. The top one percent of U.S. adults now earn on average 81 times more than the bottom 50 percent of adults. For comparison, in 1980 that number was 27 times. Income based differences permeate our criminal justice system as well, from the too-heavy caseloads of public defenders to the pernicious effects of legal financial obligations on incarceration rates. Because economic inequality often correlates with other forms of inequality such as racial and gender hierarchies, additional gaps based on those and other demographics are perpetuated in our justice system.

These and other access to justice gaps (including global ones) deserve serious attention in our law schools, attention that should not be limited to students choosing to study poverty law. Rather, we are all responsible for the health of our justice system



Kellye Y. Testy, President of the Law School Admission Council and AALS Immediate Past President

Photo courtesy of Law School Admission Council

and for making the promise of equal justice real. When we bring these admittedly challenging issues into our law schools, it opens the door for legal education to play a role in finding solutions. We need new solutions and schools should continue to consider how to help address this gap.

It will not be enough to urge more *pro bono* efforts or to encourage more students to enter public interest law when funding for public interest positions remains glaringly insufficient. Rather, we need to see additional efforts such as “low-bono” incubators to help graduates launch their own moderate means practices; educational programs for new categories of legal professionals who can supplement services provided by licensed lawyers just as nurses and other medical professionals supplement the work of doctors; innovative uses of technology to leverage the time and expertise of lawyers; and sustained focus on other legal and policy solutions to close the access to justice gap and advance the health of our justice system. Part of that focus should continue to be upon enhancing the accessibility and affordability of legal education so that our graduates have the financial ability to serve those who need their help rather than only those who can afford their help.

Technology is another significant force changing almost everything about our world, from what work we do and how we do it to how we buy our products to how we drive our cars (or how they are driven for us) to how we communicate with our colleagues, families, and friends. No industry or profession has been immune from technology’s “better, faster, cheaper” forces, and the legal profession is also experiencing significant changes brought about by technology. The profession our students enter is and will increasingly be one that demands technological literacy and that will continue to operate differently, both in the problems it addresses and the solutions it offers, because of technology’s influence. We will better help our students prepare to meet their employers’ and their clients’ expectations if we are successful in bringing more consideration of technology’s influence into our law schools. We must consider not only how technology is changing the methods of lawyering but also how technology is changing our subject areas themselves, changing our legal and political institutions, and changing the very nature of how humans experience the world. Of course, change in technology has always made a difference in these matters, but there is little dispute that the pace of change is now far greater than we have ever experienced and continuing to accelerate.

It is easy to fear technology, especially when the specter of lawyers being replaced by machines is the go-to trope when the subject of technology’s influence upon law is addressed. But there is much more to the story and our law schools are bringing this story to light. The innovation and investment in the legal technology business is expanding significantly and moving into our law schools. Many schools now have some form of “law lab” or other hub for this work and it is sparking creativity and engagement and connecting groups in new interdisciplinary configurations. The task will be to make sure that these innovations are tied

to the needs of clients and our world—that they are justice-directed innovations rather than the-next-great-gadget form of innovation. Given the access to justice gap noted above, this work has the potential to leverage technology and innovation to help our profession serve more clients more fully, perhaps even helping lawyers devote their time to work they find more fulfilling professionally (or to gaining healthier work/life balances). Moreover, bringing technology more fully into legal education may attract additional students from disciplines such as computer science and engineering (who often do very well on the LSAT!) to help address some of society’s most pressing problems arising at the intersections of law and technology.

As for the rule of law, we have all experienced complaints from our students from time to time that law school can be insular, with our classrooms insufficiently connected to the pressing issues of the day. Today, however, it is far more common than in the past for law professors and senior staff to seek to bring the world into our schools, both in classrooms and in co- and extra-curricular activities. While our schools have (and should have) significant diversity of viewpoint among students, staff, and faculty, one common thread is our shared commitment to the rule of law. Surely there are many views about what it means in particular instances and how to best to serve as its guardians. But these questions about the rule of law are exactly the kinds of issues that should be and are being debated fully and respectfully in our schools.

Not only can our law schools bring concerns about the health of the rule in, but they can also take those concerns out to the community, creating and engaging in projects that advance public understanding of law. Many polls today show that public knowledge about law and legal institutions, including very basic concepts such as the names of the three branches of government in the U.S., is quite low. The continued growth of clinics, *pro bono* projects, street law courses, and other (often student-led) projects that reach outward from the school to engage with communities are excellent examples of how the legal academy can add to the influence we wield through our scholarship and teaching to advance legal knowledge. Increasing public understanding of law not only can help people protect their own rights but can also encourage appreciation of and engagement with democratic institutions that can advance the common good.

Access to justice, technology, and the rule of law are just three examples of significant societal issues and forces that are increasingly being engaged in our law schools. As we increasingly both welcome these forces into our schools and also bring our work more fully back out, we do better by our students, our universities, our communities, and our profession and the world it serves.



AALS Opposes Proposed Revision to ABA Standard on Use of Part-Time Faculty After First Year of Law School

The Association of American Law Schools (AALS) submitted the following comment on August 1, 2017, to the American Bar Association (ABA) Section of Legal Education and Admissions to the Bar on the proposed revision to ABA Standard 403(a):

We write as the Executive Committee of the Association of American Law Schools to express our opposition to the proposed revision to ABA Standard 403(a). The proposal would eliminate any restriction on using part-time faculty to teach after the first year of law school. In fact, as written, the new version of Standard 403(a) would permit more than two-thirds of all law school instruction to be provided by part-time faculty.

Full-time faculty are essential to providing quality professional legal education. Part-time law teachers enrich the curriculum, to be sure. Nonetheless, they cannot substitute for the focus of full-time faculty on teaching, availability to students, curriculum design and assessment, scholarship, and sustained engagement for educating professionals for the multiple roles they will play as lawyers and leaders.

A key distinction between ABA accredited and unaccredited law schools has been the role of full-time faculty. ABA accreditation has carried with it an imprimatur of quality that state supreme courts rely on. If the proposed change is enacted, this difference will erode, accompanied by a corresponding diminution in the significance of accreditation, and of quality in legal education.

We, of course, share the desire to facilitate innovations in legal education, especially those that will help law schools reduce their costs, but we respectfully suggest that not everything that is less expensive should be considered an “innovation.” Some changes are cheaper because they produce lower quality.

Spotlight on Sections

By Barbra Elenbaas

AALS Sections provide opportunities for law school faculty and staff to connect on issues of shared interest. Each of the 102 AALS sections 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.

AALS officially welcomes the Section on Election Law which was approved as permanent at the July 2017 meeting of the Executive Committee. At the same meeting of the Executive Committee, AALS also provisionally approved one new section, raising the total number of sections to 102. AALS welcomes the new Section on Empirical Study of Legal Education and the Legal Profession.

As part of the ongoing “Spotlight on Sections” series, AALS sat down with the Sections on Immigration Law and National Security Law to discuss recent developments in those fields and section activities at the AALS Annual Meeting and beyond.

Section on Immigration Law

The Section on Immigration Law promotes the communication of ideas, interests, and activities among members and makes recommendations on matters of interest in the teaching and improvement of the law relating to immigration.

Chair: Rose Cuison Villazor, University of California, Davis, School of Law

Chair-Elect: Anil Kalhan, Drexel University Thomas R. Kline School of Law

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

Rose Cuison Villazor: Our membership is unique compared to many other AALS sections in that we have a strong collaboration between clinical law and non-clinical professors and practitioners who are adjuncts or lecturers in other institutions are able to participate as well. This has given our members rich and robust opportunities for engaging in each other’s work—including co-writing law review articles, drafting and signing-on to amicus briefs, or organizing symposia on various immigration law topics, among others—regardless of one’s academic status (whether tenured, tenure-track or not). The Section is also extremely active on current events and members are willing to share theories, victories, and



Rose Cuison Villazor, University of California, Davis, School of Law

Photo courtesy of University of California, Davis, School of Law

best practices. Often during exchanges among our members, someone will comment about a case that just came out and someone else will say, “Oh, this is also happening in this part of the country and here’s what we did.” I am often in awe of how collaborative this section is and its members’ generous willingness to share ideas, learn from each other, celebrate victories, and help each other when immigration law cases do not turn out well.

Anil Kalhan: There’s a lot of fluidity in our section between our members who do doctrinal teaching and those who do clinical experiential work in one form or another. Those perspectives inform each other quite a bit within the community of immigration law scholars and teachers, and that fluidity is an important part of the ethos of the section.



Anil Kalhan, Drexel University Thomas R. Kline School of Law

Photo courtesy of Drexel University Thomas R. Kline School of Law

That’s interesting because that is unique, at least among the sections I have talked to.

AK: This is also a field that has grown in a relatively short period. When the section was founded in the mid-1980s, there were probably only somewhere between 15 and 20 members. Immigration law was not a subject that many law schools would have been prioritizing for full-time positions. Immigration-focused clinics are also relatively recent.

I entered law teaching around 2004 and the first time I was at a national gathering of immigration law scholars and teachers, there were something like 80-90 people in attendance and that was the largest it had ever been. Especially after the enactment of major immigration legislation in 1996 and the 2001 terrorist attacks, immigration law issues became

increasingly prominent and salient, and faculty hiring in the field increased. Now, many law schools have full-time faculty members with expertise in immigration law, but that's a relatively recent phenomenon.

What are the important conversations happening right now in legal education regarding immigration law?

RCV: Based on the first six months of the Trump administration, quite a lot. I'm not sure where to begin. Arguably at the top would be the case before the Supreme Court right now about whether the President possesses executive power to limit who can come to the country based on religion and national origin. The power of the presidency regarding immigration law is a larger ongoing discussion that began with President George W. Bush and later President Obama. A second important issue focuses on sanctuary cities. Like the question regarding the President's executive authority, issues about sanctuary cities and federalism have been part of a broader discussion in legal education for some time. What is different is that far more cities and even states (such as California) have enacted sanctuary-like policies since the election. The third is detention, including the rights of children who are being detained and whether their rights should be treated differently from adults who are detained, and what does the right against unlawful detention mean today in light of ongoing exclusionary and removal proceedings during the Trump Administration. Another issue centers on DACA and the "Dreamers." The Trump administration has said on the one hand that recipients of DACA are "special" and on the other hand, removed some DACA recipients. What will happen to these undocumented immigrants who grew up here? These are some of the critical conversations happening right now. They raise questions about human rights and civil rights, and also larger discussions about plenary power, the ability of the country to exclude people, and determine who should be allowed in and who can stay.

AK: In addition to the specific issues that Rose has identified, at a broader level immigration law scholars and teachers have increasingly focused on the intersections between immigration law and other areas of law. For example, intersections between immigration and constitutional law issues (whether that's federalism or the role of the judiciary or executive power), immigration and criminal law, immigration and labor law, immigration and family law, immigration and humanitarian protection, immigration and international human rights law.

Scholarship examining these and other intersections has developed significantly in recent years, and I think something that undoubtedly will happen under Trump is that scholars who have not necessarily had an interest in immigration law as such, but are in these other areas of law, will increasingly find this field to be relevant and of interest to their study of those areas. I've seen increasing conversation and collaboration between people who work primarily in immigration law and people whose primary interests fall in these other areas. Immigration law is a technical and specialized area which requires knowledge and understanding of a very long, complicated, and confusing statute. It takes a lot of work and expertise for people to wrap their heads around that statute and basic immigration law doctrine, which can make it intimidating or tedious for folks working in other areas. But as immigration law has become more of an issue in the public conversation in a broad range of settings, the interest in exploring those relationships to other areas of law has continued to increase significantly.

The Section on State and Local Government Law discussed sanctuary cities in our previous Spotlight on Sections.

AK: Questions about federalism and the role of state and local governments in federal immigration control have been percolating for a while, but they have become particularly salient in the last

several years. Those questions can be quite complex and novel. When Arizona adopted its aggressive immigration enforcement measures in 2010, the new law raised issues touching on a variety of different areas of law, including constitutional law and criminal law, and ultimately its constitutionality was addressed by the Supreme Court. Many states and localities have continued to try to become involved in immigration policy from an enforcement perspective, but there are also states and localities that have instituted policies seeking to protect and integrate immigrants in their communities. The Trump executive order on so-called "sanctuary cities" has drawn attention to these developments, and I believe these issues will remain salient in the years to come—particularly as the disjunction between the immigration-related policies sought by many states and localities and those advanced by the federal government continues to widen under the Trump administration.

How do you see this playing out?

AK: This is a critical turning point for the United States with respect to immigration law and policy, which intersects with a much broader and more fundamental set of questions about where we're going politically and legally as a country. This administration has tried to put a lot of basic, longstanding principles about immigration law and policy on the table in the last several months—sometimes in ways that raise novel legal issues, and sometimes in ways that raise issues that have not required attention in some time. Things may not ultimately change very much in a number of areas, but particularly where the executive branch has authority to act on its own, the shift toward more aggressive enforcement along the lines that Rose described earlier has been very significant.

RCV: One way to respond to litigation around sanctuary cities and whether the President has the power to issue an executive order punishing sanctuary cities is to think of it in broad terms. Right now in the courts, we're seeing challenges—individual and state responses to Trump's

policy—and the judiciary taking those cases and ruling positively (though not always) in favor of non-citizens. In the past, the courts were less than willing to impose limits on the executive power. Thus, in addressing the issue of the constitutionality of sanctuary cities, it is important to remember that the issue raises a broader question about the judiciary's ability or inclination to limit the President's power.

The other way to think about sanctuary cities is that they reflect the tension between Congress and states and localities. There are bills gaining support in Congress that seek to punish sanctuary cities. Courts will need to address the scope of congressional power to punish or restrict the ability of sanctuary cities to exercise their own local power and authority to integrate and protect non-citizens within their own jurisdiction without violating the anti-commandeering principles embedded in federalism principles.

What has it been like to teach and focus your scholarly efforts on immigration law as President Trump first campaigned and now governs with a focus on immigration? What are some of the more interesting developments or lessons that you have learned?

RCV: I taught Immigration Law in the fall as a visiting professor at Columbia Law School. In the syllabus that I prepared for that semester, I anticipated that Clinton would win. I was going to devote my post-election class to what immigration reform would look like under the Clinton presidency. After the election, I had to quickly change my plan for that day. Instead of talking about comprehensive immigration reform, I went through Trump's 10 points on his website about all the things he wanted to change about immigration law.

Also, within two weeks of the election, some Columbia Law School faculty members and I, along with lawyers from non-profit organizations and students,

put together a Teach-In and Know Your Rights presentation that was open to the public. We provided information about basic rights—when you are stopped by the police, when ICE is at your door, if you are detained, etc.—because students, faculty, and people in the neighborhood expressed massive fear about deportation, detention, and racial profiling by immigration authorities.

“I am often in awe of how collaborative this section is and its members' generous willingness to share ideas, and learn from each other.”

– Rose Cuison Villazor

In the spring, when I returned to UC Davis Law, my colleagues there and I put together a “teach-in” about the travel ban. I also incorporated a “know your rights” workshop as a project my Advanced Immigration Law seminar students could do for schools and communities. I had students writing about how churches, public schools, neighborhoods, and others can better protect undocumented immigrants.

In sum, my teaching has become more proactive and community-based in ways I haven't been before. My Advanced Immigration Seminar, for example, is a class about scholarship—the students write research papers and I help them get published—but that focus certainly changed in the spring semester. My students and I worked closely with one of my colleagues in the Immigration Law Clinic, Amagda Perez, in developing “know your rights” presentations. I'm not sure if I will teach it that way again in the spring of 2018. But I felt a need to contribute in that way this past spring semester.

AK: I wasn't teaching immigration law in the spring semester, but I did teach the course in the fall semester of 2016, and in the immediate aftermath of the election students had lots of questions about the direction that immigration law and policy would take under the new administration, and like Rose, I adjusted my coverage accordingly. In the months since the election, it's true for me, and I think it's been true for a lot of people in our section, that our expertise and knowledge has been in demand. People from the community have been looking for support, knowledge, and information. I think the longstanding ethos of our section that we were discussing earlier has been helpful as all of us have responded to these demands because while we're not all clinical faculty, the fluidity of different perspectives within our section and the values of seeking to serve the community in various ways has been a natural part of how members of our section understand their role as scholars and teachers.

To give a few examples, members have met with local officials and brought our knowledge to bear about the law and policy questions that might arise if local law enforcement agencies formally enter into agreements to enforce immigration law, which is something that the Trump administration is aggressively pursuing. Not every locality wants to do that, and members of our section have been active in engaging these questions in their communities. With respect to the Trump executive order banning the entry of many Muslims into the United States, one of the early challenges to the travel ban in late January filed by immigration law faculty and students working in the Yale Law School clinic, who did remarkable work in a short time after the first executive order was issued on Friday to get it stayed by a federal court in Brooklyn by the next evening. And since then, other members of our section have engaged the issues arising from the Muslim entry ban in other ways—for example, by writing and signing amicus briefs in the litigation challenging that executive order. University central administrations have turned to members of our section as they have faced

questions arising from the Muslim entry ban: what happens to faculty and students and staff from the affected countries? Many universities suddenly found themselves confronting these questions, and at least in the short term, many of them turned to members of our section teaching at their institutions to provide this sort of emergency guidance.

There is a pretty broad range of things that people have been doing in addition to writing traditional scholarly articles and teaching students about these issues. Traditional scholarship in law reviews develops more slowly, but members of our section have actively been contributing to both academic and public discussions about immigration law under the Trump administration by writing op-eds and blog posts and doing interviews with journalists. And it's been pretty relentless, because of the sheer number of substantive immigration law issues that the Trump administration has aggressively sought to put on the table. In May, I was a panelist at a conference that primarily included junior immigration law scholars and teachers. People were exhausted. It was very taxing semester, and many of the individuals facing these demands are junior faculty who of course have a lot of other demands on their time in the first place.

RCV: The lawyers who rushed to the airports certainly received incredible support from the public, as we saw in the news during the travel ban. One thing I've heard since then is that people wish they could have that kind of support for immigrants who are already here, who are undocumented and are being detained or removed. We're not seeing a flock of people protesting in the same way people protested at the airports. Right now the travel ban has garnered, rightly so, a lot of criticism, but there are so many other issues in immigration law that should also warrant the same kind of attention.

What can you tell me about your program at the 2018 Annual Meeting?



Section on Immigration Law panel at the 2017 AALS Annual Meeting

RCV: We have one main program and one co-sponsored program. The main program will be centered on mass deportation in the era of Trump and we have issued a call for papers in which we will select one or two speakers who will join our invited speakers. Our program's goal is to highlight how Trump's deportation policies are affecting non-citizens and their families on the ground, in immigration courts, and federal courts. The program will also examine the challenges that non-citizens who have been removed face in the countries to which they have deported. The other program is co-sponsored with the Human Rights Law section, and it's more a general response to various Trump policies and how those issues, whether it's the building of the wall or the travel ban, implicate civil rights and human rights. We're also doing a border tour on the first day. We did this the last time the Annual Meeting was in San Diego.

AK: That last border tour in 2009 was really enlightening and informative. It's not always possible, but when we can, we've tried to have some kind of engagement with the local community at the Annual Meeting so we can learn about immigration issues from a local perspective. In addition to the San Diego border tour, the other activity along those lines that immediately comes to mind is

a tour of the Port of New Orleans that the section organized when the Annual Meeting was held in New Orleans a few years ago. That was also quite fascinating.

RCV: In January 2017, we went to the historic Angel Island immigration station in San Francisco Bay.

How do your section members interact and collaborate outside of the AALS Annual Meeting?

RCV: This is outside of the context of the AALS itself, but there have been periodic workshops for immigration law teachers and scholars—Anil is hosting the next one at Drexel. In recent years, a group of emerging immigration law teachers and scholars have also organized a periodic workshop to focus on the particular interests and concerns of junior faculty members teaching immigration law.

AK: The last time a large gathering of immigration law professors occurred, there were somewhere on the order of 120-130 participants. The conference started with a day focused on the specific interests of immigration clinicians, and then proceeded with a day and a half that was not as specialized—there was some discussion of teaching and pedagogy, some discussion of issues of broad interest to the field, and smaller breakout

sessions for individuals to present and get feedback on works-in-progress. There also were opportunities to interact with immigration lawyers and advocates in the local community.

RCV: Members of the section also end up engaging with each other's work outside of these formal meetings. Our section has a norm of being supportive to junior scholars and others in general. I've always felt comfortable asking my colleagues on the listserv if they would be interested in providing comments to something I'm working on.

AK: There's also a terrific and very active immigration prof blog that Kevin Johnson of UC Davis and Bill Ong Hing of University of San Francisco started some years ago. A number of different folks have rotated through as contributors to that blog, and both Kevin and Bill have been very open and welcoming of guest contributions. Those guest posts have often been useful vehicles for people to incubate new scholarly ideas, to present their scholarship in shorter and more accessible forms, or to apply the ideas in their scholarship to new developments as they arise in real time.

How does your section support the scholarship of your members?

AK: Providing opportunities for scholars to present and share works-in-progress is a big priority for members of this section—it's a very supportive section and community and folks do prioritize that in both formal and informal ways.

RCV: In addition to the periodic workshops, this year at AALS, we're including a works-in-progress session at the Annual Meeting to provide additional space for people to support our members' scholarship.

What improvements to law school curriculums have you seen as a direct or indirect result of the work of this section? How has the study of immigration

law changed since you've been teaching it?

RCV: I am not sure if these can really be attributed to the section. There are a lot more specialized courses related to immigration law, including criminal law and immigration law, family law and immigration law, business immigration law. Those courses were certainly not around when I was in law school. That's not to say that all law schools are offering those classes, but there have been a number of them who do. To fill the demand, many law schools have hired practitioners as adjuncts and lecturers to help students learn the more technical and specialized side of immigration law. Perhaps because of the move in legal education toward more experiential opportunities for law students, law schools have offered specialized classes on how to draft contracts for employment-based immigration, or how to put together an adoption petition for U.S. citizens who are petitioning for kids from abroad. That's certainly a welcome development because in the general immigration law survey that many of us teach, one really can't spend as much time focusing on those specialized areas.

AK: And as we discussed earlier, even making sure that the basic immigration law doctrinal course is regularly offered at all is a recent development. When I was in law school, immigration law was not regularly offered as a doctrinal survey course—there was a seminar, but I don't think it was offered regularly. I think a lot of schools now recognize the importance of offering the course more regularly and hiring people to teach it.

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?

RCV: I would love to figure out how to honor those who are retiring and contributed significantly to the section, legal academy and the development of immigration law. This is not to say that

their work hasn't been recognized—again, through our active listserv, we have honored and recognized the many contributions of our members—but it would be great to do a send-off for people who are retiring or about to retire.

AK: The members of this section have done amazing work to build this community. One of the things we haven't talked about in detail as yet is building our relationships with scholars and teachers who work primarily in other areas of law. Immigration law can be a very technical field because the statute is so complex and intricate in detail, so it can be very easy to focus inward. But especially as immigration law issues have become more intertwined with developments in other areas of law, and scholars and teachers primarily working outside of immigration law have become more interested in this field, the intellectual connections across these different areas have become more important. I think it will be important to continue to develop and build upon those connections. That's been happening already for a long time, but there may be new areas in which those connections become more salient. For example, some of my scholarship has focused on the intersection between immigration law and privacy and surveillance issues. There may be other areas where those kinds of intersections have not received as much attention, and we should keep our eyes open for that.

This is also increasingly a very interdisciplinary field. Finding spaces for cross disciplinary conversations with people outside of the legal academy has become important to people in our section, to a greater extent over time. We have more people now with PhDs in other fields or other disciplines, and facilitating relationships to scholars working in other disciplines is going to be something that continues to grow in importance for our section.

RCV: In terms of initiatives, I would like to see the section, through its AALS programs, examine more deeply questions of citizenship. The U.S. Supreme

Court takes on a case every year about citizenship and these cases affect citizens and non-citizens alike. Most of the people in the section work on and explore immigration law issues. There are some who focus on citizenship, and sometimes the citizenship aspect gets pushed aside. Thus, for me, I would suggest more panels and conversations regarding citizenship and how the federal, state and local governments define who belongs.

Section on National Security Law

The Section on National Security Law provides for the exchange of information among, and the professional development of, law school faculty members interested in and involved with the laws governing national security.

Chair: Jennifer Daskal, American University, Washington College of Law

Chair-Elect: Rachel VanLandingham, Southwestern Law School

What can you tell us about the membership of the AALS Section on National Security Law and their work?

Jennifer Daskal: There are a growing number of national security law scholars at schools across the country, and we have seen real growth in our membership over the years as a result. Our primary focus is on the programming that takes place at the Annual Meeting. In 2018, we have two events planned. The first includes a stellar group of panelists: Avril Haynes, the former Deputy National Security Advisor; Gen. John R. Allen, a retired four-star general who was Commander of the International Security Assistance Forces and U.S. forces in Afghanistan; Oona Hathaway, a Yale Law School professor and former Special Counsel to the General Counsel at the Department of Defense; and Heidi Kitrosser, a renowned Minnesota Law School professor who was recently awarded a Guggenheim Foundation Fellowship. That panel, which is titled “National Security in a Time

of Trump,” will address the latest and greatest national security issues come January 2018.

Rachel VanLandingham: The second panel focuses on works-in-progress by junior scholars—those who have fewer than seven years in the academy. When we held [this program] last year, which was the first time, we chose articles from a call for papers that were not yet published, so we truly made it a works-in-progress to help scholars improve their papers. We had articles on cyber security, as well as articles regarding particular methods that the FBI uses and how they contravene, or seem to contravene, international law. Disparate topics, but exciting. We had a good turnout for the panel last year and great interaction. The format will be the same this year: we’ll select papers from a call, then assign a discussant to present the paper and highlight components of it to the general audience. Then the junior scholar gets a chance to respond. That’s a little different from a traditional works-in-progress session.

What are the important conversations happening right now in legal education regarding national security?

JD: I think it’s an important and exciting time to be working in the field and to be engaging with other scholars and teaching students. This field existed before September 11, 2001, but only a small number of scholars engaged in the field. After the attack, the prominence of national security blossomed. I think we’re at a significant point right now where a lot of scholars, commentators, and students are focused on what’s happening with the current administration and looking at the wide array of national security threats and the ways in which claims of national security have been used to justify a host of disparate policy responses. You see national security scholars and former government officials—who often were scholars before they went into the government and continue to teach after they leave government—writing briefs and otherwise engaging in a whole range of issues from immigration to use of force



Jennifer Daskal, American University, Washington College of Law

Photo courtesy of American University, Washington College of Law



Rachel VanLandingham, Southwestern Law School

Photo courtesy of Southwestern Law School

to surveillance to foreign relations. The voices of people who have studied or are studying these issues are more important than ever.

RV: I have more of an anecdotal, personal observation about being at a law school that is not on the East Coast, and not at the epicenter of politics as Washington, D.C. is. I am in Los Angeles at a law school that is known more for entertainment law. When I asked to teach this course when I got here three years ago, it had not been taught in years, so I’ve been pleasantly surprised by the interest and by the number of students in my classes.

Even more importantly, I love the fact that so many students become interested in federal government service after taking this class. They had no idea what was out there because they grew up and

went to school in Los Angeles and are focused on the things that don't have anything to do with federal service. I believe there's a nexus between exposure to national security law and the many subjects it covers and federal service. I've had a few students from my national security law course who have applied to become judge advocates in the military. One former student is interning for the Department of Homeland Security. I have another student interested in the CIA, and they said they'd never considered it before taking National Security Law. I would hazard a guess that's not unique to Southwestern Law. This kind of course is good exposure for different kinds of service and employment that individuals wouldn't have considered otherwise.

“National security has been on the agenda and on the national consciousness, especially in the post-9/11 world....”

– Rachel VanLandingham

JD: I think one of the most exciting and challenging aspects of national security law is that it's so broad. People can enter the field with an array of different expertise and interests. You could have a national security law class focused on any one of a number of topics—such as cyber security, energy policy, environmental policy, immigration law, international law, or, surveillance policy. Or a class that tries to do it all. That means the faculty members who are engaged in this section come at it with all kinds of perspectives and expertise. It also means that there's a lot of room for innovation in teaching. And there here are many opportunities for students to get engaged in the issues from a variety of perspectives as well.

Do you collaborate often, either as a section with other sections or personally within your scholarship, with scholars in other fields?

JD: There are very few faculty members who are purely national security law scholars. Most national security faculty come at it with some other substantive expertise. For me, it's criminal law, constitutional law, and national security law. For others, it's international law and national security law. I think most of us are actively engaged in conversations in other substantive areas of the law in addition to the conversations that are more exclusively focused on national security.

How do you choose, with so many angles and points of entry, what to cover or not cover in national security law survey courses?

RV: For a lot of us, we teach what we're comfortable with because we're coming in with pre-existing work expertise in certain areas, as well as having expertise gleaned from one's complementary teaching load. This is purely anecdotal, but I know quite a few folks who teach national security law and have professional government or human rights experience, so they focus on those areas. Another thing that's neat about teaching this course: there are more casebooks now than there ever have been, and most of them are quite comprehensive. You can pick the subjects for that particular semester that are the most topical given current events. For a while, drone warfare and the use of drones was a topic of huge interest, so professors would tie in this interest when teaching relevant legal frameworks in national security law. I think there are many different ways to go about it, and it would be beneficial to folks teaching and writing to discuss what they teach and develop best practices. I think our section is uniquely poised to do that kind of work.

JD: Because the topic is so broad, I think a lot of teachers end up ultimately coming up with their own materials instead of using a casebook.

What has it been like to teach and focus your scholarly efforts on national security during a period when there are many

proposed and implemented changes in the field by the current administration? What are some of the more interesting developments or lessons you have observed in this period of change?

RV: I haven't taught it yet since President Trump was elected—I teach it in the fall, so we were just finishing up when the election happened. I think it's going to be interesting, but I think it's always interesting with national security law. There are always things in the news that are quite relevant. I don't think that is going to change. Maybe it will be amplified or people will notice it a bit more. National security has been on the agenda and on the national consciousness, especially in the post-9/11 world in which we have been at war for the entire duration.

What do you see still playing out?

JD: Scholars can have a voice and influence in developments going forward in the whole range of areas from cybersecurity to surveillance policy to questions about use of force. These are not all new issues, but changes in technology, power structures, and threat vectors require a re-evaluation, in some cases, of the adoption of old rules to new circumstances. That makes the field incredibly exciting and relevant. I expect, for better or for worse, that it will stay that way for quite some time.

Do you think there will be an increased interest in national security law classes from students?

RV: I started getting questions about the travel ban from students in my criminal law and criminal procedure classes this spring. I tried to answer the questions while putting a plug in and would say, “If you'd like to be able to answer these yourself, take my national security law class!” I think there is already greater awareness of national security law issues, especially with regard to its



National Security Law panel at the 2017 AALS Annual Meeting

nexus to immigration, for example. This connection between immigration and national security law is raising students' awareness that national security law encompasses a wide swathe of legal and policy issues. I see my students currently grappling with such connections in criminal procedure, where they're making connections among surveillance, criminal procedure, and the federal government under the auspices of national security—which fuels an interest in national security law.

How do your section members interact and collaborate outside of the AALS Annual Meeting?

RV: Several of us share our works-in-progress with each other informally for feedback.

How does your section support the scholarship of your members?

JD: The works-in-progress session [at the Annual Meeting] is the primary formal support. There are many other informal mechanisms by which people communicate with each other. Since people in our section have far ranging expertise, there's no single body of knowledge that everybody shares in the same way. Through informal networks, people tend to find the other members that are interested in the same aspects of national security law, communicate with them and bounce ideas off of them.

What does your section do to recognize new scholars or particularly great scholarship from longtime members?

RV: We'll be unveiling a new award at the January meeting. It's to honor Professor Mike Lewis at Ohio Northern University, a retired naval officer who wrote quite a bit on international humanitarian law and law of war issues who passed away. The section, along with several different universities, are sponsoring a scholarship award in his honor. The scholarship is linked to the subject matter and area he wrote in: the law of war. That'll be our first reoccurring annual award for scholarship specifically in honor of a former member of the section.

What improvements to law school curricula have you seen as a direct or indirect result of the work of this section? How has the study of national security law changed since you've been teaching it?

JD: I don't know how much you can trace it to our section, but I think before September 11, 2001, only a very small number of schools taught national security law and a very small handful of scholars existed. Now, just about every school in the country has some sort of national security law class and many schools, like ours, have multiple classes. We've also seen a proliferation of journals. There's the *Journal of National Security Law and Policy*, a peer-edited journal that a number

of our members are on the editorial board and review the submissions. There is a journal of national security law at Harvard now as well. You also now see national security law-related articles in many of the mainstream journals.

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?

JD: I'm hopeful there'll be a strong turnout at the AALS Annual Meeting because we have such a great program, and that will continue to facilitate the formal and informal networks. The community of national security scholars is a very supportive and warm group of scholars. I'm hopeful and fully expect that to continue over the next year.

RV: I would like to encourage discussion about curriculum, books, and different teaching methods currently used. As Jen mentioned, some of the larger schools, especially on the east coast and in Washington have numerous national security law courses, whereas other schools have one such course. It can be rather overwhelming to try to navigate the numerous issues that we're all excited about as scholars, but as a teacher, of course you have to limit it to what is manageable in a three-credit class. I would love to have a discussion about what's the best approach or approaches to use in teaching such a course. That is, more of a structured discussion and dialogue regarding approaches for a basic survey course on national security law.



Journal of Legal Education Releases Summer 2017 Issue

The *Journal of Legal Education (JLE)* recently released its Summer 2017 issue. This edition begins by diving into issues on campus related to sexual harassment, Title IX, and academic policies, including the following articles:

- “Safety and Freedom: Let’s Get It Together” by Hiram E. Chodosh, Matthew Bibbens, Nyree Gray, and Dianna Graves
- “Shame Agent” by Joan W. Howarth
- “Assaultive Words and Constitutional Norms” by Catherine J. Ross
- “Campus Misconduct, Sexual Harm, and Appropriate Process: The Essential Sexuality of It All” by Katharine K. Baker
- “Consensual Sexual Dysphoria: A Challenge for Campus Life” by Robin West

• “A Rising Tide: Learning About Fair Disciplinary Process from Title IX” by Alexandra Brodsky

• “Mapping the Title IX Iceberg: Sexual Harassment (Mostly) in Graduate School by College Faculty” by Nancy Chi Cantalupo and William C. Kidder

• “Trigger Warnings: From Panic to Data” by Francesca Laguardia, Venezia Michalsen and Holly Rider-Milkovic

This issue also features articles for its ongoing “At the Lectern” series:

• “Transactional Skills Training Across the Curriculum” by Carol Goforth

• “Real + Imaginary = Complex: Toward a Better Property Course” by James Grimmelmann

Book reviews in this issue include: “Captured by Evil: The Idea of Corruption in Law by Laura Underkuffler” reviewed by Jennifer W. Reynolds; “Engines of Anxiety: Academic Rankings, Reputation, and Accountability by Wendy Nelson Espeland and Michael Sauder” reviewed by Richard Abel; and “Elizabeth Cady Stanton and the Feminist Foundations of Family Law by Tracy A. Thomas” reviewed by Paula A. Monopoli.

The Journal of Legal Education, under the editorial leadership of Northeastern University School of Law and the University of Washington School of Law, 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* website (jle.aals.org/home/) run by AALS serves as a repository for current and past issues of the *JLE* as well as subscription, submission, and copyright information.



AALS Relocates 2018 Conference on Clinical Legal Education from Texas to Chicago

The Association of American Law Schools (AALS) in June sent the following letter to several Texas state legislative leaders:

I write today to announce that the Association of American Law Schools (AALS) is relocating its 2018 Conference on Clinical Legal Education from Austin, Texas, to Chicago, Illinois. It will be held there on April 29 to May 2, 2018. AALS has decided to make the move, and will not hold any other meetings in Texas because of actions by the legislature to discriminate against individuals seeking to immigrate to the United States and against members of the LGBTQ community.

The AALS, founded in 1900, is a nonprofit association of 200 member and fee-paid law schools. Its members enroll most of the nation's law students and produce the majority of the country's lawyers and judges, as well as many of its lawmakers. The mission of AALS is to uphold and advance excellence in legal education. Now in its 41st year, the annual AALS Conference on Clinical Legal Education attracts more than 600 legal educators for interactive professional development and networking opportunities.

Our decisions were not made lightly, and withdrawing from the clinical conference in Texas comes at a substantial financial cost to the association. We made these decisions, nonetheless, because we are deeply concerned with the legislative actions recently taken in your state. As you know, Texas SB-4 which goes into effect on September 1, 2017, authorizes local police to inquire about immigration status when an individual is detained, regardless of being charged with a crime. SB-6, if passed, would require that bathrooms in schools must be designated for, and used only by, persons based on the person's "biological sex."

Many of our member law schools have clinical programs that serve individuals seeking to immigrate to the United States or members of the LGBTQ community. AALS is concerned about the impact these laws will have on the non-discrimination and due process rights of individuals in violation of the association's core values. AALS Bylaws specifically prohibit "discrimination or segregation on the grounds of race, color, religion, national origin, sex, gender (including identity and expression), sexual orientation, age, or disability."

We hope that our action will encourage Texas state lawmakers to reconsider these policies. We look forward to returning to Texas when they do.

Sincerely,

Paul Marcus
President, Association of American Law Schools



2017 AALS Conference on Clinical Legal Education Highlights

More than 650 legal educators attended the 40th AALS Conference on Clinical Legal Education, May 6-9, 2017 in Denver, Colorado. The meeting's theme, "Serving the Client in Tumultuous Times: Fostering Responsibility to Individuals, Communities, and Society in Clinical Legal Education," served as a unifying concept for the programming.

"Tumult in the legal academy has been developing over time," said Carol Suzuki, professor, University of New Mexico School of Law and chair of the conference planning committee. "Declining student applications, bar passage rates, and job opportunities raise important questions about our approach to legal education. The new ABA standards regarding experiential learning and student assessment have added new pressures. Our continuing duty to teach professional skills, judgment, and values brings its own ongoing challenges, as well."

Much like the 2017 Annual Meeting theme of "Why Law Matters," the Clinical Conference theme was developed before the U.S. Presidential election, but the current political environment and recent policy changes were addressed by a number of sessions and fit into the theme well.

"Program content evolved over time as presenters developed their sessions throughout the winter and spring, and as the new administration and local government decisions produced adverse effects for clients and in the communities served by law school clinics," Suzuki said.

The event featured more than 300 speakers covering a broad range of topics including utilizing technology, teaching students to manage client relationships, and preparing students for a legal career. This year's conference offered an opportunity to look back at the growth and development of clinical legal education and the impact it had on legal education since its inception.

"For the 40th anniversary of the conference, we reflected on the advancement of clinical education to prepare students for law practice and promote social justice in underserved communities, and considered the tremendous work ahead of us to continue to address educational and societal needs," Suzuki said. "We also see the influence that clinical legal education has had in the development of ABA standards relating to experiential learning and student learning outcomes that include professional skills and values at the core of clinical teaching and learning."

The pre-conference AALS Clinical and Experiential Law Program Directors Workshop kicked off the meeting on May 5-6, which addressed ABA experiential requirements, managing externship programs, and developing core values for law school clinics. Previously named the Law Clinic Directors Workshop, the meeting was renamed in recognition of the expanding range of law school faculty who hold leadership positions in clinical law, externship, and experiential learning programs.

The reception on Saturday marked the start of the full conference and provided an opportunity for poster presenters to showcase their clinics, projects and concepts related to clinical legal education. Preparing students for a global job market, teaching ethics, integrating clinical education in the first-year, client interviewing, teaching methods, and international clinical education were among the issues covered by the poster displays.

The first full day of the conference kicked off on Sunday with the plenary session "Pushing On and Pushing Through in Tumultuous Times" with Craig B. Futterman (The University of Chicago, The Law School), Bill O. Hing (University of San Francisco School of Law), and

Poster Presentation:
"Implementing Grand Rounds: Using a Medical Education Model to Teach Legal Clinic Courses" by Erin McBride, University of Wisconsin Law School.

Implementing "Grand Rounds"
Using a Medical Education Model To Teach Legal Clinic Courses
Erin Kelley McBride, University of Wisconsin Law School

Introduction
An established clinical and integral part of medical education is "Grand Rounds." This supervised teaching method calls on Supervising Physicians to present focused, substantive lectures and Medical Residents to present a medical problem and their treatment of a particular patient to an audience of other residents, medical students, physicians and guests.

Method
In the legal clinical setting, we use a three-prong approach to Grand Rounds. This methodology serves as an important component to legal education and on-the-job skills development.

Results
LEARNING OUTCOMES
• Encourages student discussion and participation
• Encourages benchmark and enables students to learn from each other's clinical experiences
• Provides the opportunity to discuss and weigh in on challenges faced by other students
• Allows students to acknowledge the uniqueness of their contribution to their placement site

CLINIC OUTCOMES
• 93% receive a 100% post law school placement of clinic graduates for over 100 students since adopting the Grand Rounds methodology
• Student satisfaction increased as did interest in the CLC among affected student populations with minimal increase in recruitment efforts
• On-site experiential satisfaction increased and new placement opportunities increased

Conclusion
In the legal clinical setting, Grand Rounds methodology provides the best model of clinical education. Through the utilization of the above cited methodology, Grand Rounds provides exposure to skills, growth and professional writing opportunities for students and provides a model for teaching and learning.



Attendees participating in an exercise during the session “Teaching Empathy to Millennials for These Tumultuous Times.”

Susan R. Jones (The George Washington University Law School). The session was moderated by Michael Pinard (University of Maryland Francis King Carey School of Law).

University of Denver Sturm College of Law and University of Colorado Law School hosted a reception for the clinical community at a venue in Denver’s River North Art District on Sunday evening, attended by approximately 200 registrants.

The conference continued on Monday with the plenary session “Client Relationships in Periods of Significant Legal and Political Change: Flexible Pedagogy to Maximize Skills Transfer” with Alicia Alvarez (The University of Michigan Law School), Sameer M. Ashar (University of California, Irvine School of Law), Jenny Roberts (American University, Washington College of Law), and Stephen Wizner (Yale Law School). Panelists discussed how clinics can adapt to a changing legal landscape and, as an example, Yale Law professor Muneer Ahmad shared the experiences of his students helping travelers affected by the Trump Administration’s travel ban issued in late February.

Monday evening featured the Clinic Community Town Hall “Building Our Collective Response and Vision of Social Justice in Tumultuous Times” with Patience A. Crowder (University of Denver Sturm College of Law), Carolyn

Grose (William Mitchell College of Law), Rachel López (Drexel University Thomas R. Kline School of Law), and Bill Quigley (Loyola University New Orleans College of Law). Presenters put the current legal and political environment in historical context and discussed how law school clinics can play a role in addressing the legal challenges of the day. The town hall concluded with breakout sessions dedicated to topics such as lawyering and social movements, and working with the needs of local immigrant and business communities in the wake of changing policies.

The conference luncheons served as a platform to honor many distinguished careers and accomplishments in the field of clinical legal education.

“The clinical law community is indebted to and honors the clinicians who first ventured into clinical legal education as a means of teaching law students professional skills and values while promoting social justice,” Suzuki said. “Their leadership, their welcoming of new generations, and their continuing contributions have enriched us all.”

On Sunday, Fordham University School of Law Professor Chi Adanna Mgbako received the 2017 Shanara Gilbert Award from the AALS Section on Clinical Legal Education, which honors an outstanding clinician with less than 10 years of experience in the field.



Chi Adanna Mgbako honored with the 2017 Shanara Gilbert Award from the AALS Section on Clinical Legal Education.



Elliott Milstein (American University, Washington College of Law) at the session “Utilizing Supervision Pedagogy to Teach for Transfer: Theory, Planning, and Practice.”

2017 Conference on Clinical Legal Education

On Monday, Colleen Shanahan, Clinical Law Professor & Director of Justice Lab at the Sheller Center for Social Justice at Temple University Beasley School of Law received the 2017 Outstanding Project Award from the Clinical Legal Education Association (CLEA). The organization then honored former AALS President (2000) Elliott Milstein, Professor, American University Washington College of Law, with their Outstanding Advocate for Clinical Teachers award.

“The warm welcome and celebration as Elliott Milstein was given his award demonstrated the appreciation of his contributions and reflected the progress that clinical legal education has made to the academy,” Suzuki said.

Over the four days, the conference featured workshops dedicated to working with various communities including the homeless, veterans, victims of domestic violence, and families seeking citizenship and asylum.

Participants also attended working sessions for alternative dispute resolution, civil rights, clinic administration, community economic development, education law, environmental law, immigration law, juvenile law, legal writing, and many others.

Workshops on making educational videos, the clinical teaching job market, designing a legal clinic, and scholarship support rounded out the conference’s offerings.

The 2017 AALS Conference on Clinical Legal Education was developed by the Planning Committee, who volunteered countless hours during the past year to organize the conference. The committee included:

Luz E. Herrera, Texas A&M University School of Law

Margaret M. Jackson, University of North Dakota School of Law

Lydia Johnson, Texas Southern University Thurgood Marshall School of Law

Paul Radvany, Fordham University School of Law

Alexander Scherr, University of Georgia School of Law

Robin Walker Sterling, University of Denver Sturm College of Law

Carol Suzuki, University of New Mexico School of Law, Chair

AALS thanks the committee for their dedication to making the conference a success.



Rachel E. Deming, Barry University Dwayne O. Andreas School of Law with AALS Clinical Conference attendees



Attendees at an AALS Clinical Conference working group



Caitlin Barry, Villanova University Charles Widger School of Law

2017 AALS Midyear Meeting



Rod Rosenstein, Deputy U.S. Attorney General addresses AALS Midyear Meeting attendees.



Works-in-Progress Workshop: Policing. L-R: Eisha Jain (U. of North Carolina), Josephine Ross (Howard U.), Rachel Moran (U. of Denver), Cynthia Lee (George Washington U.)

The 2017 AALS Midyear Meeting was held at American University Washington College of Law in Washington, D.C. with a kick-off dinner on Sunday, June 11 and sessions from Monday, June 12 through Wednesday, June 14. The meeting was sponsored by the AALS Section on Criminal Justice and co-hosted by CrimFest with approximately 100 law professors in attendance.

“The AALS Section on Criminal Justice was excited to pair up with CrimFest—an annual criminal law conference usually held in New York—because the joint effort allowed anyone who attended the meeting to present a work-in-progress as well,” said planning committee member Laurent Sacharoff, University of Arkansas School of Law. “As a consequence, we had a very high rate of participation, with two or three packed workshops running simultaneously, along with more traditional panels and speakers.”

Over the course of three days, the conference hosted discussions and panels on criminal justice topics including the future of policing, metrics and data, misdemeanors, and classroom textbooks. In addition, the meeting held 13 works-in-progress workshops, and eight “meet the author” book discussions.

Rod Rosenstein, Deputy Attorney General of the United States addressed attendees on Monday during a session moderated by Jennifer Collins, Dean of Southern Methodist University Dedman School of Law. Rosenstein said his top focus at the U.S. Department of Justice is to enhance public confidence in law enforcement. He took questions from attendees and discussed the priorities of the department under the new presidential administration as well as the decision to appoint a Special Counsel in the investigation into Russian interference related to the 2016 Presidential Election.

AALS President Paul Marcus gave welcoming remarks on Tuesday and introduced Deputy Solicitor General Michael Dreeben for a session moderated by Carissa B. Hessick, University of North Carolina School of Law. Dreeben discussed his approach to arguing cases before the U.S. Supreme Court and reflected upon his earliest cases.

In 2015, AALS revised the format for Midyear Meetings. Faculty or Sections looking to organize a Midyear Meeting select a topic that isn’t covered by another conference and partner with an AALS Member School to host the meeting. The new format helps reduce meeting costs and shortens the overall planning process.

“American University, Washington College of Law (WCL) was thrilled to be the first school to host an AALS Midyear Meeting under this format,” said presenter and planning committee member Jenny Roberts, American University Washington College of Law. “We hope that the participants enjoyed our beautiful new campus, and the many engaging exchanges about criminal justice theory, practice, and policy that happened during our plenaries, panels, and works-in-progress sessions. I encourage AALS to consider continuing this format for smaller meetings.”

AALS thanks the 2017 Midyear Meeting planning committee for their efforts in planning an outstanding meeting:

- Jennifer Collins, Southern Methodist University Dedman School of Law
- Carissa Byrne Hessick, University of North Carolina School of Law
- Eric J. Miller, Loyola Law School, Los Angeles
- Jenny Roberts, American University Washington College of Law
- Meghan Ryan, Southern Methodist University Dedman School of Law
- Laurent Sacharoff, University of Arkansas School of Law
- Sherod Thaxton, University of California, Los Angeles School of Law

New Law Teachers Gather in Washington, D.C.

Legal educators in their first three years of teaching gathered in late June in Washington, D.C. for the AALS Workshop for New Law School Teachers. This annual three-day workshop integrates new and emerging faculty and scholars into the legal education community.

The workshop is designed to give incoming professors a head start in their new career. Law schools nationwide have experienced shifting expectations for new hires, including simultaneous contributions as scholars, teachers, mentors, and active institutional citizens from their first year. The program at the workshop served as a guide for that transition, and included plenary speakers, panel presentations, small group discussions, and other formats.

The format of the workshop is designed to maximize time spent in small groups and informal, one-on-one interactions. Participants are encouraged to share their experiences and concerns both with each other and with the slate of speakers and presenters, all of whom are chosen by the Workshop Planning Committee for their commitment to legal education, the distinction they have achieved in their own careers, and the diversity of their scholarly efforts and approaches to teaching.

Participants discussed how to apply presented concepts within their own schools, as well as develop solutions to common areas of tension for incoming and transitioning faculty members.

“When I talk to participants here, what I see is people starting to formulate more specific plans around their teaching, scholarship, or citizenship that they didn’t have when they came in,” said Workshop Planning Committee Chair D. Gordon Smith, Dean of Brigham Young University, J. Reuben Clark Law School. “To me, that’s the sign of success. They’ve actually put something concrete into their hopes for their new career.”

The workshop began on the evening of Thursday, June 22, with small group discussions and a sponsored dinner and reception which included a plenary address from AALS Immediate Past President Kellye Y. Testy, University of Washington School of Law, on the “Relevance of Scholarship to the Practice of Law.”

On Friday, a full day of plenary and breakout sessions kicked off with a plenary from Robin West, Georgetown University Law Center, on “Why Scholarship Matters.” Smith said of the plenary: “One of the things we wanted to accomplish as an organizing committee was to get people to feel like they’re doing something bigger than themselves. They are part of a community of scholars, and the work they do makes a positive difference in the world. Robin conveyed that well in her keynote address.”

The day’s schedule covered topics ranging from building a personal scholarly profile to experiments in blending technology with teaching in legal education. Speakers passed along tips and techniques for successful student engagement and assessment, as well as advice about developing, placing, and promoting their scholarship in modern academia.

“One of the things you see in entry-level professors is an eagerness to share,” said Smith regarding the use of technology to disseminate scholarship. “Part of what we’ve talked about today is sharing that type of knowledge publicly through blogging, social media, and other media. Young professors in particular do not want to be confined to the classroom. They want to see how they can use modern technologies to make their views heard more broadly, and I think that’s terrific.”

Friday’s luncheon panel focused on “The Future of Legal Education,” and featured short presentations from Michele Pistone, Villanova University Charles Widger School of Law; Craig Boise, Syracuse

University College of Law; and Margaret Hagan, Stanford Law School.

Breakout sessions continued through the afternoon and into the evening, providing participants a venue in which to dig deeper into particular areas of concern. “Most of the breakout sessions have 10 or fewer participants,” Smith said, “So we’re able to get very granular.”

The AALS Sections on Women in Legal Education, Sexual Orientation and Gender Identity Issues, and Minority Groups held informal gatherings during the course of the workshop, welcoming new professionals from around the country into the AALS community.

The workshop came to a close on Saturday with a day of plenary sessions and small group discussions on “Learning Theory,” “Teaching Techniques,” “Assessment,” and “Navigating Tenure, Long-Term Contracts, and the Road Ahead.”

Reflecting on the three-day workshop, Smith said “It’s important to get more of our new law teachers at this conference. It’s not just about conveying knowledge or accumulated wisdom from the experienced professors. It’s about creating a sense of community among legal academics, a sense that they’re part of a group of people who are trying to make society better through law. That shared mission is something we can all get behind. I am still close friends and colleagues from people I met when I attended this workshop years ago.”



Plenary Session: Navigating Tenure, Long Term Contracts, and the Road Ahead. L-R. D. Gordon Smith, Brigham Young University, J. Reuben Clark Law School; Nancy J. Soonpaa, Texas Tech University; and Craig M. Boise, Syracuse College of Law.

AALS extends its thanks to the Planning Committee for the 2017 AALS Workshop for New Law School Teachers:

Randy Barnett, Georgetown Law Center

Hari M. Osofsky, The Pennsylvania State University – Penn State Law

D. Gordon Smith, J. Reuben Clark Law School, Brigham Young University, **Chair**

Nancy Soonpaa, Texas Tech University School of Law

Kimberly A. Yuracko, Northwestern University Pritzker School of Law



Attendees engage in small group discussions during a session



Plenary Session - Why Scholarship Still Matters. Robin L. West, Georgetown University Law Center



Hari M. Osofsky, Dean, Penn State Law



Plenary Session: Teaching Techniques. L-R. Howard E. Katz (Duquesne University), Gerry W. Beyer (Texas Tech), and Susan S. Kuo (U. of South Carolina).

Continued from cover

Theme: Access to Justice

Paul Marcus, AALS President and Haynes Professor of Law, William & Mary Law School

Access to justice is at the core of our constitutional society. Supreme Court Justice Lewis Powell once wrote, “Equal justice under law is not merely a caption on the facade of the Supreme Court building; it is perhaps the most inspiring ideal of our society.”

For a long time, many law schools recognized the importance of training students to work for this fundamental ideal. While much has been done, clearly the needs remain great. In the criminal justice area, a dearth of lawyers results in criminal defendants being deprived of their constitutional right to counsel. The difficulties on the civil side are just as troubling: for every client served by a legal aid group, one person who seeks help is turned down because of insufficient resources.

The story of the admirable efforts by law faculty members and students to meet these great needs is not well-publicized. But our story, as members of AALS, is all about dedicated students and faculty members across the United States who diligently pursue the goal of equal justice for all by providing sorely needed legal representation.

It is an exciting story of the recent explosion, in number and variety, of legal clinics at our member schools. These clinics focus on an enormously broad set of legal issues involving disabilities, Native American concerns, low income taxpayers, special education, social security, elder law, civil rights, domestic violence, criminal defense, and consumer issues among many other fields. Most recently, we have seen the tremendous efforts of law students and faculty members across the nation to assist in the lawful immigration process of many seeking to come to—or remain in—the United States.

Our story is what we are bound to do. As written by Supreme Court Justice Sonia Sotomayor, “We educated, privileged lawyers have a professional and moral duty to represent the underrepresented in our society, to ensure that justice exists for all, both legal and economic justice.”

This larger story of what we as legal educators can do, and what we and our students are doing, to assure fairness in law for our less fortunate citizens is an exhilarating and uplifting story.

Program Highlights

The 102 AALS Sections and the Annual Meeting Program Committee have organized a vibrant schedule of programs for the Annual Meeting, ranging in topic from discipline-specific hot topics to teaching and pedagogy. You will find sessions of interest for deans, faculty members both new and established, and administrators at any level of their careers. Browse the live program to view full descriptions and speakers. Please visit www.aals.org/am2018 for the most up-to-date information on the Annual Meeting.

Some highlights of this year’s program include:

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

A session to help first-time (or second-, or even third-time) attendees navigate the meeting.

AALS Opening Reception. Attending the Annual Meeting is as much about making connections with peers, mentors, and guests as it is about scholarship. Enjoy refreshments and light appetizers while mixing and mingling with your colleagues from law schools across the country.



Photo by Stuart Westmorland

AALS Opening Plenary Program on *Access to Justice*. Join AALS President Paul Marcus as he moderates a panel of speakers that includes Cara Drinan, The Catholic University of America; The Honorable S. Bernard Goodwyn, Justice, Supreme Court of Virginia; Alex R. Gulotta, Executive Director, Bay Area Legal Aid; and Martha Minow, Vice Chair, Legal Services Corporation and former dean of Harvard Law School.

AALS Symposium on *Why Intellectual Diversity Matters*.

Workshop for Pretenured Law School Teachers of Color. Minority law teachers face special challenges in the legal academy, starting from the first day of teaching. Diverse panels of experienced and successful law professors will offer ways to meet these challenges as they arise in the context of scholarship, teaching, service, and the tenure process.

Arc of Career Programs, which have been specifically designed for faculty at various stages of their law school careers.

- *Design Thinking for Law Professors*
- *Leadership Development in Law Schools*
- *Opportunities and Challenges for Faculty of Color in Skills-Focused Law Teaching and Law Administration*
- *So You Want to Publish a Book*

Open Source Programs, traditional scholarly programs outside of section programming.

- *Civil Rights Enforcement and Administrative Law in the Trump Era*
- *Empirical Research Methods and the Experiential Curriculum: "New" Tools for Securing Justice in a Post-Fact Era?*
- *Innovations in Teaching Access to Justice Across the Law School Curriculum*
- *Mainstreaming Feminism*
- *The Genetic Information Nondiscrimination Act (GINA) at 10 Years*
- *Visual and Popular Culture Imagery in Legal Education*

Discussion Groups, which facilitate scholarly discussion and engagement with a small group of faculty.

- *A New Era for Business Regulation?*
- *A Unique Approach to Access to Justice: Training Lawyers Ready to Serve*
- *Access to Justice in the Age of Technology, Television & Trump*
- *Community Economic Development is Access to Justice*
- *Foreign Interference in Elections*
- *Professional Identity Development Tools to Help Law Students Meet the Needs of Today's Clients*
- *What Is Fraud Anyway?*

SECTION CALLS FOR PAPERS

Many AALS Sections are also accepting proposals for their programs at the Annual Meeting. Topics and deadlines vary.

To see all calls for papers that are still accepting proposals, visit www.aals.org/am2018/call-for-proposals/.

Want to learn more about the types of programs offered at the meeting? Check the FAQ page at www.aals.org/am2018.

Sessions of Interest for New Law School Teachers

New law school teachers are the future of the legal academy. To encourage legal educators to take advantage of the networking and professional development opportunities at the 2018 AALS Annual Meeting in San Diego, AALS is again offering a 50 percent discounted registration rate for law school faculty in their first three years of teaching.

There are many sessions focusing on the issues and concerns shared by new law faculty. Several AALS sections have planned special programs that bring together junior and senior law faculty to help newer faculty develop their scholarship and teaching skills and connect with their more experienced colleagues. Other sessions at the meeting will consider how new law teachers can get the most out of becoming involved in AALS and succeed at each phase of their career.

Wednesday, January 3

3:30 – 5:15 pm

New Law Professors – *Enhancing Your Teaching Skills before, During, and After Class*

5:30 – 6:30 pm

A Session for First Time Meeting Attendees – *What is AALS and Why Does It Matter for My Career? And How do I get the Most Out of the Annual Meeting?*

Thursday, January 4

1:30 – 3:15 pm

AALS Arc of Career Program – *So You Want to Publish a Book*

3:30 – 4:45 pm

Administrative Law – *New Voices in Administrative Law*

Labor Relations and Employment Law, Co-Sponsored by
Employment Discrimination Law – *New and Emerging
Voices in Workplace Law*

Legal Writing, Reasoning, and Research – *New Scholars’
Showcase*

Legislation and Law of the Political Process – *New Voices in
Legislation*

Minority Groups – *Strategies and Support for Persons of
Color in New Law Teaching*

Securities Regulation – *Emerging Voices in Securities
Regulation*

Socio-Economics – *Teaching and Scholarship in a Polarized
Society: A Roundtable for New Law Teachers*

1:30 – 3:15 pm

Women in Legal Education – *Speed Mentoring*

3:30 – 5:15 pm

Criminal Justice – *Criminal Law and Procedure Works in
Progress*

Immigration Law – *Immigration Law Works in Progress*

Law, Medicine, and Health Care – *Works in Progress Session
for New Law and Medicine Scholars*

National Security Law – *New Voices in National Security
Scholarship Works-in-Progress*

Professional Responsibility – *Professional Responsibility
Works in Progress for Junior Professors*

Property Law – *New Voices in Property Law: Junior Scholars
Works-in-Progress Panel*

Saturday, January 6

8:45 am – 4 pm

AALS Workshop for Pretenured Law School Teachers of
Color

REQUESTS FOR HOT TOPIC SESSIONS

AALS seeks proposals and papers Hot Topic sessions, which focus on topics that emerged too late to be included in other types of programs. Proposals are due October 20 for Hot Topic sessions—we encourage submissions to consider the meeting’s theme of “Access to Justice” in framing your proposal.

Program organizers should allow time for audience participation in the proposals. The selection committee also welcomes proposals for programs that depart from the typical format of having participants present 10-20 minute talks. Organizers could, for example, submit a proposal for a roundtable style program in which participants answer a series of questions posed by the moderator and the audience. Hot Topic programs that are selected by the committee will be scheduled by the AALS staff for 1¾ hour sessions.

For more information and to submit a proposal, visit www.aals.org/am2018/call-for-papers.

AALS Calendar

2017

Faculty Recruitment Conference

Thursday, November 2 – Saturday, November 4
Washington, DC

2018

Annual Meeting

Wednesday, January 3 – Saturday, January 6
San Diego, CA

Conference on Clinical Legal Education

Sunday, April 29 – Wednesday, May 2
Chicago, IL

Workshop for New Law School Teachers

Thursday, June 7 – Saturday, June 9
Washington, DC

Faculty Recruitment Conference

Thursday, October 11 – Saturday, October 13
Washington, DC

2019

Annual Meeting

Wednesday, January 2 – Sunday, January 6
New Orleans, LA

Conference on Clinical Legal Education

Friday, May 3 – Tuesday, May 7
San Francisco, CA

Faculty Recruitment Conference

Thursday, October 3 – Saturday, October 5
Washington, DC