



“Rock and Roll Law Professor” Michael A. Olivas Honored with AALS Triennial Award

By Barbra Elenbaas

Michael A. Olivas is known around the Southwest as “the Rock and Roll Law Professor”—a moniker he’s happy to maintain as a lifelong connoisseur of popular music and media. Professor Olivas hosts a weekly radio show on KANW in Albuquerque, NM, that gives five-minute lessons on the law and its relationship to music and entertainment.

Around the legal academy, however, Olivas is a giant. In immigration law and the law of higher education, in scholarship and in service, through the lives of the innumerable faculty members he’s mentored and at every level of AALS leadership, his reputation precedes him.

AALS is proud to announce that Olivas is the recipient of the 2018 AALS Triennial Award for Lifetime Service to Legal Education and to the Legal Profession, an award which Executive Committee member Erwin Chemerinsky (Dean, University of

California, Berkeley School of Law) describes as “a law professor’s Hall of Fame.”

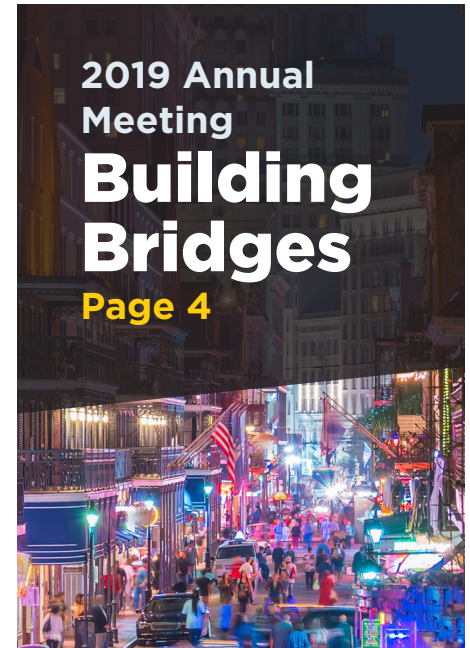
“Michael Olivas richly deserves this honor,” says Chemerinsky. “He has done so much to improve legal education, whether formally with his service as AALS President or informally in his efforts to enhance diversity in the legal academy.”

“He has made a huge difference in many law schools and in many law professors’ careers.”

A Backwards Journey into Law

Olivas, for his part, seems surprised to find himself in this position. “It never occurred to me that I would become a law professor,” he says. “I came at it diagonally.”

The oldest of 10 children born to a liquor store clerk and a home-



maker, Olivas was raised in what he describes as a “very Catholic” family. His father believed education and learning was the path to betterment and led by example: After the birth of his sixth child, he enrolled in college as an adult learner. It was an unusual move at the time.

“My father honored teachers,” Olivas says. “Everyone knew the Olivas boys because we’d be sent to cut our teachers’ grass, or to invite our teachers to breakfast.”

continued on page 7

..... Inside



3

President’s Message Happy New Year!

By Wendy Collins Perdue

12

Spotlight: Section on Antitrust & Economic Regulation

15

Spotlight: Section on Environmental Law

20

Highlights from the 2018 Workshop for New Law School Teachers

23

Journal of Legal Education Publishes Spring 2018 Issue

Association of American Law Schools

AALS Executive Committee

President

Wendy Collins Perdue
University of Richmond

President-Elect

Vicki Jackson
Harvard University

Immediate Past President

Paul Marcus
College of William & Mary

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

Serving Through 2020

Mark C. Alexander, Villanova University
Gillian Lester, Columbia University

Executive Director

Judith Aren

AALS Editorial Staff

Associate Director

Sean Megan Scott

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

Issue 2018-3

©2018, Association of American Law Schools

All rights reserved. ISSN 0519-1025

In This Issue

- 1** Triennial Award: Michael A. Olivas
- 3** President's Message: Happy New Year!
- 4** 2019 Annual Meeting: Building Bridges
- 12** Spotlight on Sections: Section on Antitrust and Economic Regulation
- 15** Spotlight on Sections: Section on Environmental Law
- 19** 2019 Clinical Conference Accepting Proposals through September 25
- 20** AALS Workshop Welcomes New Faculty to the Legal Academy
- 23** American University Washington College of Law Joins Northwestern Law as Co-Editors of the *Journal of Legal Education*
- 23** *Journal of Legal Education* Focuses Spring Issue on Foundational & Contemporary Issues in Legal Education
- 24** Update Your DLT Biography



9



20



23

President's Message

Happy New Year!

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

Happy academic new year! August and September are marked by the arrival of new students and the energy and excitement they bring. Each year at this time, deans and faculty hone their message of welcome. Some years we focus on the broad range of opportunities that a law degree offers; other years our welcome is filled with advice on how students can get the most from their education. This year, though, my focus will be more external: reminding our students of the role of lawyers in our society and the expectations that go with that role. From an informal survey of fellow deans, it sounds as though many others are planning to emphasize a similar theme.

The following is a brief version of my message to students.

To the class of 2021, welcome. You are in for an exciting and challenging education that we hope will provide the opportunity for an equally exciting and challenging career. Your education here will be transformative: You will acquire new knowledge and skills that will open your mind and open doors. And your education will enable you to transform the world. You'll soon find that law is the connective tissue of our social order. It structures everything from our most intimate family relationships to our most public political processes. Your legal education will enable you to be doctors of our social lives. People will turn to you for help both in their private affairs and their public interactions. When our democracy is ailing, it is lawyers who can, like doctors at an accident scene, step in to assist.



Becoming a JD—a doctor of laws—will require not only that you study hard, but also that you approach your studies with an openness and curiosity. Reading cases in law school is our equivalent of the human anatomy lab. You will be exposed to the hidden structures of our legal systems, and some of what you see will be beautiful and inspiring while some will seem to you ugly and pathological. But like a good doctor, you must try to understand it all. Do not isolate yourself from views that you disagree with. Engage, listen, and learn.

You are all no doubt excited about what awaits you, and maybe a bit apprehensive, too. You should know that your faculty and staff feel the same. We are excited to get to know you and to watch you develop your professional knowledge and skills. Like you, we may be a bit apprehensive—though for different reasons. We know that we are educating the lawyers who will shape our world for the next 40 years, and we know that world will be filled with challenges. We will need leaders and peacemakers. We will need fierce advocates for change

and those who can help us maintain stability. We will need innovators who find solutions to our legal problems and who can also see the problems with our legal solutions. And we will need lawyers who can do all of this with dignity and civility.

In short, we are counting on you to assure the health of our social order and our democracy. That's what lawyers do. It is an awesome responsibility but one that we are excited to help you prepare for. The world needs doctors and it needs juris doctors too. Welcome to the beginning of this journey of transformation.



AALS Legal Education News Weekly Digest

Faculty, staff and the general public can subscribe to a weekly email digest from AALS to get news articles related to legal education, higher education, and the legal profession sent directly to their email inbox. Just follow the instructions on right hand side of the Legal Education News page (at the bottom for mobile devices) at www.aals.org/news to sign up for the weekly emails.

2019 Annual Meeting

Building Bridges

One of the most vexing problems facing our nation today is the deep political polarization that has infected civic life. It is not just that people strongly disagree about important social and policy issues—that has always been true. But finding common ground has become harder because there are simply fewer political moderates—people whose views cross party lines on at least some issues—and because our political discourse has become increasingly disparaging and personal.

As our society struggles with this problem of deep polarization, lawyers and law schools have an important role to play. Lawyers are, after all, in the dispute resolution business. Resolving conflict is central to what we do. Today, perhaps more than ever before, the skills that we as lawyers have, and we as law professors teach, are of critical importance.

Lawyers understand how to structure decision-making and dispute resolution processes. We understand the importance of the opportunity to be heard and other aspects of fundamental fairness. We understand the importance of considering both sides and crediting the merits of opposing views. We understand the importance of facts—the ones we can prove, not merely the ones we wish to be true. And we understand the importance of inviting people with opposing views to the table to get them talking to each other in the first place.

Lawyers are not only comfortable navigating a world of conflict and disagreement, but they also approach disagreements with a methodology that is built on recognizing the strength of the opposing views. Legal pedagogy, like good lawyering, emphasizes the importance of developing a deep, even empathetic understanding of the arguments on the other side. Our case books include dissents which force students to confront opposing arguments. We constantly push our students away from the psychological comfort of certainty to that uneasy place where opposing views loom large.

The point is not that arguments should be drained of emotion. Where the stakes are high, emotions will run high. But lawyers understand that disputes, even on matters upon which convictions are deeply held, need not be personal, and that it is possible to separate the substance of an argument from the person making that argument. Lawyers likewise understand that it is possible to disagree without being disagreeable—indeed, we are admonished to do just that in our principles of professionalism.

Lawyers are not social workers, but they are, as Lon Fuller put it, architects of social structure. And in that role as architects, they can be—we can be—enormously helpful in reconnecting a fractured world. That is to say, in building bridges.

So that is my theme for the year: building bridges. I hope that we can put on display our traditions of professionalism, civility, and reasoned disagreement, and inspire the next generation to “think like a lawyer” about society’s problems: to listen, consider, reason, collaborate, resolve, and even heal.



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

Program Highlights

Much of the programming at the Annual Meeting is organized by the 103 AALS Sections, with the rest organized by the Program Committee and AALS President. See the live program at <https://am.aals.org> for schedule details; we’re sure you’ll find many sessions of interest.

Here are a few highlights of the program:

Thursday

- Justice **Edwin Cameron from the Constitutional Court of South Africa** will join AALS President Wendy Collins Perdue at the Opening Plenary Program on Building Bridges at 8:30 a.m.
- Wendy Collins Perdue will welcome a prestigious group of **international legal scholars** for the AALS President’s Panel on Law and Reconciliation at 10:30 a.m.
- We’ll present past AALS President **Michael A. Olivas** with the AALS Triennial Award for Lifetime Service to Legal Education and the Law, the association’s highest honor, at the AALS House of Representatives meeting at 3:30 p.m.

Friday

- Friday will start with the **AALS Symposium on Court Debt: Fines, Fees, and Bail, Circa 2020** at 9 a.m.

- A panel of **current and former elected officials** will discuss the impact of polarization on our politics at the AALS President's Panel on Bridging the Divide of Political Polarization: A Conversation Among Elected Officials at 3:30 p.m.

Throughout

- **Arc of Career** programs have been specifically designed for faculty at various stages of their careers. Topics this year include: preparing for life beyond the legal academy; academia and direct action; seeking office from the legal academy; and what to make of student evaluations.
- **Discussion Groups** facilitate scholarly discussion and engagement with a small group of invited faculty. If you're not scheduled to be a discussant, you may still attend and observe sessions on topics such as: learning outcomes that encourage cultural competency; gender inequity; cross-generational teaching; insider trading and cryptoassets; race and class; and the future of sexual harassment.
- **Open Source Programs** cover traditional scholarly topics outside of section programming. This year, consider attending sessions on energy justice, equity, judicial supremacy, rural access to justice, and attorneys general.



Speaking Opportunities at 2019 AALS Annual Meeting

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

AALS currently 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 19 for Hot Topic sessions—we encourage submissions to consider the meeting's theme of "Building Bridges" 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 <http://am.aals.org/hot-topic-proposals>.

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 <http://am.aals.org/section-cfp/>.

Networking Opportunities

Attending the Annual Meeting is as much about making connections with peers, mentors, and guests as it is about scholarship. You'll have plenty of time to do both. A brief selection of events, both formal and informal, includes:

Wednesday

- For **first-time attendees** (or second-, or even third-time), connect with other new meeting-goers and learn how to get the most out of the meeting at **What is AALS and Why Does It Matter for My Career? And How Do I Get the Most Out of the Annual Meeting?** at 5:30 p.m.
- If you **attended the Workshop for New Law School Teachers** this year, the reunion is on! Join the AALS Reception for New Law Teachers at 6:30 p.m.

Thursday

- Enjoy refreshments and light appetizers while mixing and mingling with your colleagues from law schools across the country at the **Opening Reception** 4:30 p.m.

Saturday

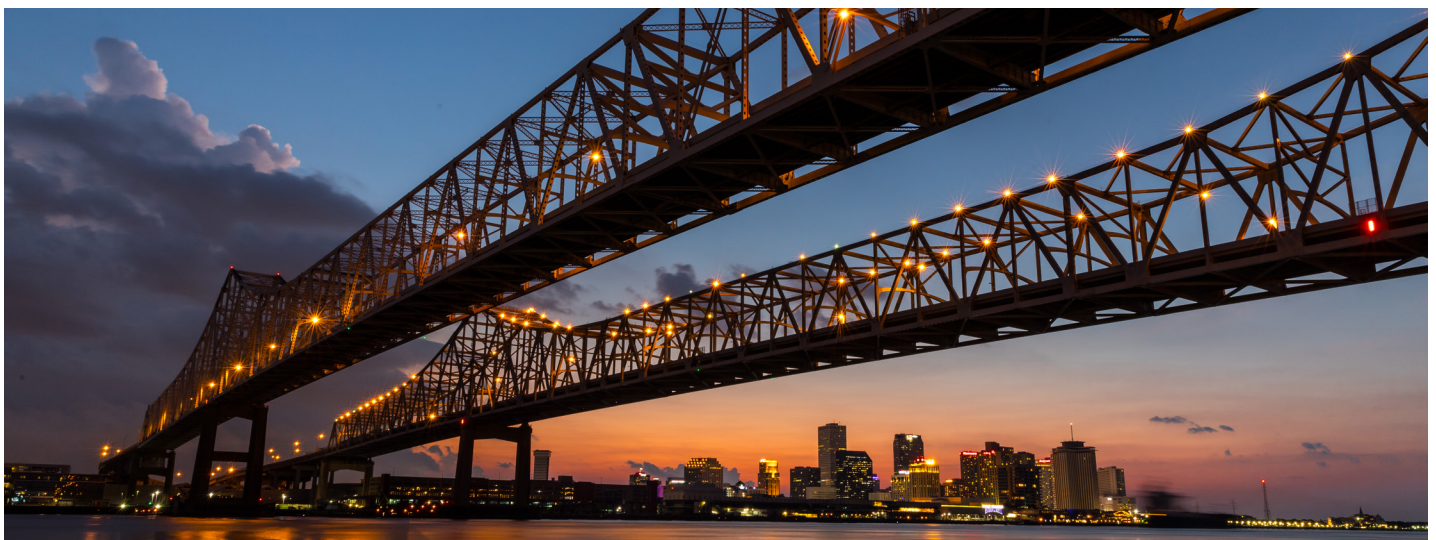
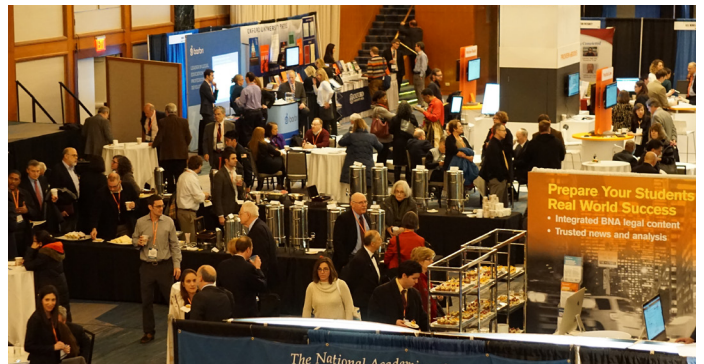
- Don't miss your opportunity to get a **guide to tenure, tailored for faculty of color** at the Workshop for Pretenured Law School Teachers of Color at 8:30 a.m.

Sunday

- Early-rising **Section officers** should take the opportunity to attend the second annual Section Officers Breakfast. Share ideas with leadership other Sections and receive in-person support and guidance from the AALS Section Services Manager.

Throughout

- **Coffee with Colleagues** breaks happen several times per day, and are an ideal time to schedule relaxed, informal conversations with necessary connections, or just catch up with old friends.
- Exhibitors and sponsors are not only valuable to supporters of the legal academy and AALS community, they may also be the key to your next book deal. Take advantage of time in the **Exhibit Hall** whenever possible.
- Celebrate the successes of the past year and get invaluable time with your communities at **Section breakfasts and luncheons**.
- Catch up with your current and former colleagues at **law school receptions**.



continued from cover

“Our parents taught us to love learning and held us accountable. The lesson washed over me and, without realizing it was a lesson I had learned, I simply put one foot in front of the other. I wake up 38 years later and here I am.”

He took several detours along the way. The first was the church: “Once I realized I was never going to be a baseball player, I thought I would become a priest,” he says.

He felt a call to learn and achieve early on, but always believed he was ultimately meant to teach and lead. Connecting with the appeal of being part of a long and serious tradition, he enrolled in seminary school intending to join the Catholic church permanently as a priest. The solitary, monastic lifestyle of the seminary suited Olivas, but eventually it became clear that he was not destined to be a man of the cloth. The degree he received from the Pontifical College Josephinum in Ohio turned out to be a Bachelor’s in English and philosophy. When he announced his decision not to pursue priesthood, he was surprised to learn that his father had also attended seminary and nearly become a priest earlier in his life.

It was his father who suggested teaching as a means to answer the call Olivas still felt. The same appeal of being part of a long and hallowed tradition resonated when he considered the idea; his path turned again.

He received a Master’s degree in English from The Ohio State University and stayed on for a doctorate in higher education and organizational theory. The struggles of surviving on a teaching assistant’s salary, unable to pay for visits home at the holidays and subsisting on fast food, afforded him a revelation that would become a defining character-



Michael A. Olivas,
University of Houston
Law Center

*Photo courtesy of University
of Houston Law Center*

istic of his life and career: He needed to put himself in a position to accept opportunity when it came.

He thought he might be a folklorist, he says, until he wrote his PhD dissertation on a legal topic in higher education. Seeking ways to further improve his scholarship and build on that intersection, he decided to attend law school at Georgetown University. His ultimate goal was to break into education administration—perhaps as a dean, he thought.

His first faculty appointment at the University of Houston was a joint appointment in law and as chair of Houston’s graduate program in higher education. The demands of the competing appointments soon required him to choose one or the other; he moved permanently to the law school.

A Teacher, Advocate, and Ally

When asked to reflect on his 38-year career in the academy, it is his students that Olivas considers his greatest accomplishment.

“It’s the students that matter,” Olivas says. “I’ve had about 20 become general counsels, college presidents, or federal judges—I’ve had such spectacular students. It’s a side benefit that every law professor relishes, and I’ve been lucky to have more than most.”

This, he feels, has been a true application of his life’s work. “When I started out as a 30-year-old at the University of Houston, who knew that I would have so many chances to instruct people, learn from them, have reflected glory from my students who go on to great things?”

“I always knew I would go into teaching, even when I thought I was going to be a priest,” he says, “It’s true that I’ve shifted my congregation and my career aspirations, but only slightly. I still think of this as service, in existential and communitarian terms.”

His drive to uplift those around him extends far beyond the confines of his classroom. Throughout his decades in the legal academy, Olivas built a reputation as a voice for underrepresented communities. He has been a staunch ally to many marginalized groups—most notably as a voice for Latino and Latina people—and played a vital role in mentoring faculty members and law students alike.

He takes pride in having written over 180 letters of recommendation for promotion and tenure for colleagues and former students. He thrills at the thought that he is sometimes introduced as “the person who helped me get where I am today.”

“I’ve been in law teaching since 1991, and his name has always come up as a leader in legal academia, especially among people of color,” says Dean Leonard Baynes at the University of Houston Law Center, where Olivas is currently the William B. Bates

Distinguished Chair in Law and Director of the Institute for Higher Education Law and Governance. “His legacies are many...the concrete differences resulting from his mentorship and support are a testament to his contributions to legal education.”

When he joined the faculty at Houston, he quickly established a reputation as a troublemaker in the academy—but a good troublemaker. He worked with the Hispanic National Bar Association to release and circulate an annual list outlining the lack of Latino and Latina faculty members at law schools. “When I started teaching, there were only 22 of us,” he says. “And five of those were at the University of New Mexico.”

He continued to publish his list of the 12 worst “outlaw” law schools each year for over a decade—and was routinely reproached by the top schools, many of whom made regular appearances for their lack of diversity. Soon, though, faculty and administrators began to contact Olivas themselves. They were hoping he would include their school on his list, and that the attention would finally spur some action among their faculties. The public pressure was working.

But the attention had turned to notoriety for Olivas. Happy to use his position of relative privilege to absorb any negative consequences on behalf of his potential colleagues, he nevertheless accepted that the risks he’d taken had likely made some of his career goals unattainable. “On my gravestone, they’ll have information about the ‘Dirty Dozen’ list,” Olivas jokes. “I’m proud of having helped to diversify these fields—law, higher education, sociology. I’ve done this everywhere I’ve gone.”

“His contributions to legal education are almost immeasurable, and very impactful,” says Baynes.

Service to the Academy

At Houston, Olivas quickly accepted any opportunity that presented itself to contribute through service to the academy and profession. “I’ve always seen these opportunities for service as an extension of my studies,” he says. “There was a rule at the University of Houston for many years that it wasn’t an official committee unless Olivas served on it.”

He first served as Associate Dean of Research at Houston from 1990-1995, then again as Associate Dean for Student Life from 2002-2004. Most recently, he accepted a stint as Interim President at the University of Houston-Downtown for 15 months, from spring of 2016 until his tenure ended only a few months before the university was hit by Hurricane Harvey.

I always knew I would go into teaching, even when I thought I was going to be a priest.

He became active in AALS almost immediately, eventually serving on or chairing nearly every appointed committee in the organization, as well as chairing the AALS Section on Education Law three times and the Section on Immigration law twice. He was nominated for the AALS Executive Committee 17 times, but considered the role unattainable.

“[Former AALS Executive Director] Carl Monk used to call to console me, but I ended up consoling him!” Olivas says with a laugh. “I always assumed the Executive Committee was out of my reach, so I continued doing the work as I always did.” After years of nominations, he was elected to the AALS Executive Committee and served from 2005-2007.

The list of his professional service, appointments, and consulting activities is long and varied. A former trustee of the College Board, Access Group (now AccessLex Institute), the Mexican American Legal Defense and Education Fund (MALDEF), and the National Hispanic Cultural Center Foundation, among others, Olivas has also been a board member at the Association for the Study of Higher Education, the Society of American Law Teachers, and the Law School Admissions Council. He served general counsel for the American Association of University Professors and helped found the Houston Hispanic Bar Association.

While his service activities and board memberships make for a formidable CV, he also says he learned what it feels like to be on the losing end of a 20-1 vote and vote according to your convictions anyway.

“I’ve set my own course. No one ever told me what I had to do,” Olivas says. But, as he learned during his years as a teaching assistant, he was always prepared to accept whatever chances came his way. “I get so many opportunities, and it fulfills me in a profoundly deep way. This is what I was meant to do.”

“I’ve been very blessed to have been in the right place at the right time, with the right skills and interests, surrounded by the right people who helped me develop this expertise.”

Scholarly Pursuits

“Michael stands apart from many others in legal education in that he is a distinguished scholar in two distinct areas,” says Paul Marcus, AALS Immediate Past-President and professor at William & Mary Law School. Marcus worked closely with Olivas as a member of the AALS Executive Committee during the latter’s term as AALS President.

Olivas followed his interests and pursued scholarship in both higher education and immigration law, with much of his most prominent work existing at the intersection of the two. He has contributed nearly 80 articles, monographs, and law reviews to various scholarly and other outlets. He has written, edited, or contributed chapters to 37 books. He has served on the editorial board of more than 20 scholarly journals, edited special issues of others, and has served as a manuscript reviewer throughout his career.

His scholarly impact extends outside the legal academy, as well: more than 20 of his non-law and social science books, articles, and essays have been published in a variety of outlets.

**I've set my own course.
No one ever told me
what I had to do.**

Amy Gajda (Professor of Law, Tulane University Law School) most recently worked with him on their casebook on media law. "Michael is the perfect combination of critical eye and encouraging spirit," she says. "And his passion for his subjects and his drive for excellence are inspiring and infectious."

The most unanticipated honor he has received, Olivas says, is Law Professor and Accidental Historian: The Scholarship of Michael A. Olivas, the book Carolina Academic Press recently published about his scholarly work. "That's usually reserved for dead, white linguistic philologists in Europe," he says with some amazement. "And I'm none of those things. I felt like Tom Sawyer at his own funeral, hiding with Huck Finn in the choir loft and watching people say nice things about him."

The honor is deserved. Nearly four decades of productivity has made him a leading scholar in both his areas of concentration, and that expertise has lent itself to causes outside the legal academy often.

Legal Landscape of the Nation

The intersection of Olivas' scholarly interests and his drive for social justice has resulted in a lasting impact on the legal landscape of the nation.

In the mid-1990s, *Hopwood v Texas* halted affirmative action on the basis of race at Texas universities. Olivas was instrumental in drafting and advocating for the response legislation known as the "Top 10 Percent Rule," which guarantees Texas students who graduated in the top 10 percent of their high school class will be granted automatic admission to all state-funded universities.

Again in Texas, he successfully lobbied for legislation that would, in effect, extend the reach of *Plyler v. Doe* to higher education. The resulting 2001 law allowed undocumented students to gain in-state resident tuition. Since then, 17 states and an additional five state university systems have adopted similar policies.

Following the natural path of his interest, investment, and scholarship on the never-passed DREAM Act, Olivas contributed on the federal level to the implementation of Deferred Action for Childhood Arrivals (DACA), the Obama-era immigration policy that granted renewable, temporary reprieve to undocumented people who arrived in the United States as children.

"Not only did that legislation have great implications for the law, but also for legal education. Some of those students are now graduating from our law schools and colleges," says Baynes.



Olivas has served as a legal consultant and expert witness over 20 times for a variety of entities. He has been called on to provide legislative testimony on the state and federal level more than 10 times and has submitted amicus briefs on 23 cases in state and federal courts.

Now, he is especially proud of the work he does with MALDEF on immigration. The organization has taken up eight U.S. Supreme Court cases since he first became involved with them. "When things are really bad, it's lawyers that we need. I'm especially proud to be an immigration lawyer with so many colleagues who have stepped up. Every day, I get to put this into play."

A Leader Emerges

Given time, it was only natural that Olivas was approached for leadership positions. He served as AALS President in 2011, a turbulent time in the history of the association as the job market for law graduates was changing and the number of law school applicants began its significant downturn.

Marcus, remembering the year of Olivas' presidency, describes him as an extremely effective president absolutely dedicated to the core val-

ues of AALS. “When facing difficult choices as a leader, Michael would very skillfully walk us through the various options and concerns,” he says. “He would give as much voice as possible to those who took a different view and set a tone of being respectful to one another even in disagreement.”

“Michael is an extraordinary leader,” Gajda confirms. “He cares deeply about everyone and everything key to academia: scholarship, students, teachers, staff. He consistently and constantly looks back to offer a hand to those yet to achieve what he has achieved. I’ve seen him do this at the highest levels of academia and in restaurants—and he does it quietly and without expectation. It’s just who he is.”

Olivas has won numerous awards, for scholarship in both immigration and education as well as for advocacy in Hispanic communities, including the 1992 Clyde Ferguson Award from the AALS Section on Minority Groups, the Social Justice in Education Award and the Howard Bowen Distinguished Career Award from the American Educational Research Association, the Lifetime Achievement Award from the Hispanic Bar Association-Houston and an Outstanding Professor of the Year award from the Hispanic National Bar Association, the Houston Mayor’s Hispanic Heritage Award, and a Faculty Distinction Award from the University of Houston Law Alumni Association—among others.

He is a fellow of the National Association of College and University Attorneys and of the American Educational Research Association, and a Life Fellow of the American Bar Association. He is a member of both the American Law Institute and the National Academy of Education.



Michael Olivas at an Education Law panel at the 2018 Annual Meeting

But he doesn’t necessarily see himself as a leader or someone with a legacy. In fact, he insists that there are at least 50 other people equally deserving of the AALS Lifetime Achievement Award.

A Man of the People

Above all, Olivas’ most lasting impact may be his ability to transcend the legal academy and bring the law and its importance to the people.

I cannot imagine that I could have had a better career path, or a better life.

“His radio show demonstrates his ability to spread the value of the law to lawyers and non-lawyers alike,” says Baynes. “People know about John Lennon, so they can connect to a story about his immigration status. He extolls the virtues of the law in an entertaining way.”

Olivas’ interest in music and rock and roll has always been there. In seminary, he became friends with Ernest Sanchez, the man who would later become the first general counsel at NPR. Sanchez handed the jukebox

concession off to Olivas, who gave careful consideration to the records he included and didn’t include.

His more recent foray into entertainment law is the natural conclusion of a lifelong passion. “My interest just took me there,” he says. “The most actual fun I’ve had is in learning [entertainment law]—learning how many bands Billy Joel was in before ‘Piano Man.’”

Over the last decade, he has begun to teach and consult on entertainment law in addition to hosting workshops to help young entertainers navigate contracts and relationships with management.

“Most kids will sign anything put in front of them, and then they regret it,” he says. “Van Morrison took 50 years to get out of his contract with Bang Records. Imagine having that hanging over your head.”

Olivas will retire this year, and hopes to write a book about entertainment law in addition to continuing “The Law of Rock and Roll”—the weekly radio show that Sanchez urged him to create.

Olivas tells a story to illustrate exactly what his radio show means, and why he hopes to expand its reach in the future: “Brian Wilson was driving along the Pacific Coast Highway and

heard ‘Surfin’ Safari’ come on the radio. He pulled over and had an existential moment, realizing all the work he’d put into that song. And out of this disembodied radio, he heard his own voice and the sound that had been in his head,” Olivas says. “I have that a couple of times a week with my radio show.”

He seems thrilled at the idea that he is able to reach an audience outside the academy altogether—complete strangers whom he can better inform or make interested in a legal principle that was previously unknown to them. It is an entirely new area where he can facilitate advancements for other people.

“It’s a learning opportunity around every corner,” he says. “I always thought I would be a priest, but I didn’t realize that my congregation would be all these people that I may or may not even know.”

“I cannot imagine that I could have had a better career path, or a better life.”

The AALS Triennial Award for Lifetime Service to Legal Education and to the Law will be presented to Michael Olivas at the first meeting of the AALS House of Representatives at the 2019 AALS Annual Meeting in New Orleans, Thursday, January 3, 2019 at 3:30 p.m.



About the Award

In 2006, the Association of American Law Schools Executive Committee established the “AALS Triennial Award for Lifetime Service to Legal Education and to the Law,” an honor presented every three years to recognize contributions by a faculty member of an AALS Member Law School.



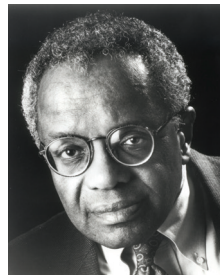
2018
Michael Olivas

Photo courtesy of University of Houston Law Center



2015
Herma Hill Kay

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



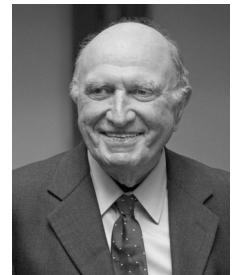
2012
Derrick Bell

Photo courtesy of New York University School of Law



2009
Guido Calabresi

Photo courtesy of Yale Law School



2006
Norman Dorsen

Photo courtesy of New York University School of Law

Spotlight on Sections

Section on Antitrust and Economic Regulation

By Barbra Elenbaas

The Section on Antitrust & Economic Regulation promotes the communication of ideas, interests, and activities among members of the Section.

Chair: Rebecca Haw Allensworth, Vanderbilt University Law School

What can you tell us about the membership of the Section on Antitrust and Economic Regulation and the work they do?

Rebecca Haw Allensworth: Our membership draws from anyone with an academic interest in antitrust and competition, which is broad and includes intellectual property and healthcare.

Antitrust might seem like a single topic, but through antitrust and competition policy you influence many intersecting areas of public policy. Competition is the way that all businesses relate to each other. This has implications for all areas of commerce, and therefore many abutting areas of law. In certain areas of commerce, such as intellectual property and healthcare, the rules of competition haven't been concretely hashed out. [Academics working in those areas] have an intense interest in antitrust law and competition policy.

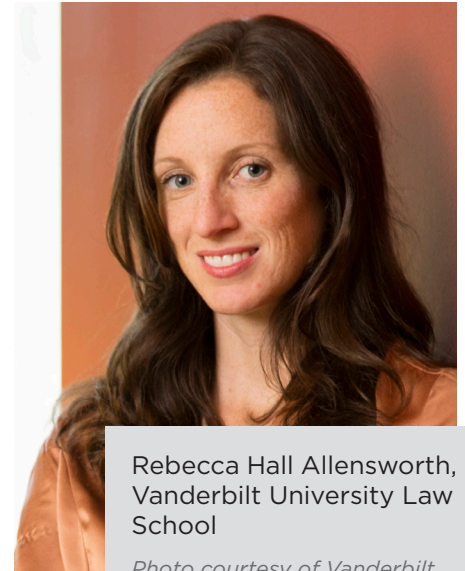
Dodd-Frank was rolled back earlier this year via legislation that also weakened the Consumer Financial Protection Bureau. How has this legislation and the environment of deregulation affected your work and scholarship?

RHA: The immediate change in environment since Trump became pres-

ident hasn't been entirely deregulatory. Take the Department of Justice challenging the AT&T merger—a vertical merger is not something the DOJ has typically gone after. Though we see a strong appetite for deregulation in some areas with the election of Trump and the Republican administration, it's hard to characterize these specific changes as deregulatory.

My scholarship is focused on a niche that the Trump administration has been paying some attention to: I write about occupational licensing and the antitrust consequences of self-regulatory boards (for example boards of medicine and boards of accountancy). When his administration contacted me for advice about economic policy, they asked the same questions that the Obama administration had asked. They seem to have the same interest. It is an across-the-aisle issue.

Looking at the past 20 or 30 years, antitrust liability has shrunk since the 1970s. If you think of antitrust as a regulatory intervention, which I do, the effect has been deregulatory. Because antitrust is a way of regulating markets and setting rules, the less power it is given, the more deregulatory the trend. This is an artifact of a lot of things, including the political environment that brought about other kinds of deregulation (for example, President Reagan deregulating airlines in the 1980s) and also scholars like Robert Bork who railed



Rebecca Hall Allensworth,
Vanderbilt University Law
School

*Photo courtesy of Vanderbilt
University Law School*

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

As part of the ongoing "Spotlight on Sections" series, AALS sat down with the leadership of the Section on Antitrust and Economic Regulation and the Section on Environmental Law to discuss section activities at the AALS Annual Meeting and beyond.

against what he viewed as politically-motivated antitrust enforcement against big companies in the 1960s and 1970s.

Do you imagine that trend will continue?

RHA: That's hard to say. From the perspective of politics today, you might be

tempted to say “Yes, it will continue, because we know Republicans don’t like regulatory interventions in markets and they tend to favor big businesses.” On the other hand, Trump has been anything but predictable in this area. He has a populist tone that would seek to protect the little guy, and his actions in international trade are consistent with that. If that tone continues, then antitrust could move toward more easily-found liability to protect smaller, disadvantaged competitors.

A related but distinct trend is the neo-Brandeisian antitrust movement, which argues that the consumer welfare standards—Bork’s favorite measure of competition—systematically favors big businesses and has done violence to the markets, the consumers it’s supposed to be protecting, and to smaller competitors. Therefore, we need more and stronger antitrust regulation, and, in some instances, more central planning of markets from the government.


I think many people, especially young scholars, are making these arguments now. Some of those ideas are gaining traction. The type of work where these arguments make the most sense is in high-tech and two-sided markets, where we are struggling to use the old antitrust rules and tools against business arrangements that aren’t easily categorized under them. Until now, the general thought has been that if a market cannot be defined by the old antitrust rules in a way that makes sense, and therefore the behavior cannot be defined as anti-competitive under those rules, then it must not be anti-competitive. There is a lot of evidence that’s not true. We need to do something different and better.

Which of these views will win out? The old-fashioned Republican free-market concept, or the relatively right-wing populist movement of

Trump, or the left-wing neo-Brandeisian antitrust? It’s hard to say. They are all in play right now.

The major antitrust rules were made quite a number of years ago, correct?

RHA: The major antitrust statute is from 1890. That is our blueprint for competition law—it’s 128 years old and has not been substantially amended. The rules that came from the interpretation of that language all have origins in the first half of the twentieth century, but there were cases in the second half of the century reinterpreting them. These rules are sticky, and their roots really matter. Changes have been incremental, as is always true of case law. Business is changing faster than the law can reasonably be expected to change.



Business is changing faster than the law can reasonably be expected to change.

How has scholarship around antitrust or the study of law around antitrust changed in the last 30 years?

RHA: You’re seeing a lot more empirical work and antitrust policy conclusions grounded in data-driven market analyses. In a quantitative sense, we’re seeing a lot more economic modeling. Theoretical models come out of scholarly articles and end up in case law. More recently, you see more of these neo-Brandeisian arguments coming up through scholarship. I would expect them to be, at least on some level, influential in the courts.

How has teaching antitrust changed in the same time period?

RHA: The major difference between then and now is how much economics is taught. If you want to understand the law that applies to a specific conduct, then you need to understand its competitive consequences. You can’t understand the competitive consequences unless you understand the economics of it. The cases that were most important to antitrust 30 years ago are largely the same cases that are important now. The difference is now I ask my students to understand and explain the economics behind what happened in that case and how it justifies or doesn’t justify the holding that came out of it. Maybe that’s subtle, maybe that’s a monumental shift. But I imagine it’s the way most professors have been teaching antitrust in the last couple of decades.

What are the other important conversations happening right now in legal education regarding antitrust and economic regulation?

RHA: From my perspective, the big one is two-sided markets—where you are simultaneously marketing your platform to buyers and sellers. Like the way Uber markets their app to drivers and to passengers. The competitive consequences there are tricky, because they tend to be very “tippy” and network effects-driven. An example: If you’re Amazon, you want to attract people to buy things on your website and you also want to attract people to sell things on your website. Sellers want to know you have a lot of customers, and customers want to know you have a lot of sellers. The bigger you get on either side, the more demand there is to the other side. And it creates a virtuous or vicious cycle towards bigness. That’s one challenge.

The other challenge is what to do with competitive effects that negatively affect the competition on one side and positively affect competition

on the other side. How do you trade those things off? Can you trade those things off? This is something many antitrust cases deal with obliquely, but it's increasingly important in the American economy because we have so many high-tech platform-based companies and also because the laws are relatively uncertain in this area.

What do you have planned for the upcoming 2019 AALS Annual Meeting?

RHA: Our panel will be on two-sided markets. Our panels generally cross over between scholarly interests, academic interests, and practitioner interests. We make sure our members have a sense of what people are bringing lawsuits about in addition to what people are writing papers about.

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

RHA: Every other year, we give a Lifetime Achievement award to a scholar whose work has made a major contribution to antitrust. The chair takes nominations from the four other committee members, then we vote as a committee and announce that person in the Fall. Two years ago, we awarded it to Eleanor Fox from New York University School of Law and two years before that we awarded it Herbert Hovenkamp from University of Pennsylvania Law School. This will be the third time we award it. We have an excellent slate of nominees this year. It will be a tough decision!

Do you have any programs to support the mentorship of junior professors?

RHA: As the chair, I made a point of bringing someone who was relatively new to the academy onto our panel. I also have a preference for new

scholars when I'm selecting who to nominate or vote for to join our committees. I was voted to serve on the committee and to speak at the Annual Meeting when I was very junior, and I found it to be an invaluable networking experience. I'd like to pass that forward. The section doesn't have anything formal, but everybody is interested in bringing up the next generation.

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

RHA: Antitrust is an area of law with a lot of practitioners and comparatively few teachers. We are a small section. Our section listserv is casual. One of the major organizing bodies in antitrust is the practitioner organization, the ABA Antitrust Law Section—I and many other antitrust professors are active with them and with AALS.

How does your section support the scholarship of your members?

RHA: The Annual Meeting is an opportunity for scholars to see what other scholars are working on, what people are talking about, and to exchange papers and comments. I found the times that I've spoken at AALS to be an opportunity to meet other professors who were interested in my research, which led to me sending them my papers and vice versa.

When I was brand new, Daniel Sokol (University of Florida Law) asked me if I was interested in serving on the executive committee for our section. That committee and the people I met at those conferences were my gateway into the antitrust intellectual community. The collaborations I developed there positioned me to have the resources, mentoring, and readers to bring myself through tenure. That's what I tell every new pro-

fessor, even people outside of antitrust. You've got to find your people. When you study something big and popular, things may be easier. For something like antitrust, it is a small community. For me, the AALS section has been the core of that connection.

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?

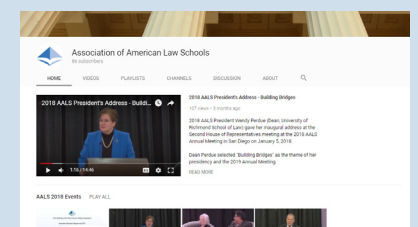
RHA: I like the idea of formally recognizing new scholars, because that is one of the main purposes of the section, from my perspective. Particularly because there is usually only one antitrust scholar at each law school, which can be isolating. AALS was the one opportunity I had to get out and talk to the people who were knowledgeable in my field. Our section can build on that and create more of a structure to reach out to younger scholars through recognition or developing a more formal mentorship system.



AALS on YouTube



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



Spotlight on Sections

Section on Environmental Law

By Barbra Elenbaas

The Section on Environmental 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 natural resources and the environment.

Chair: Kalyani Robbins, Florida International University College of Law

Chair-elect: Sharmila Murthy, Suffolk University Law School

What can you tell us about the membership of the Section on Environmental Law and the work you do?

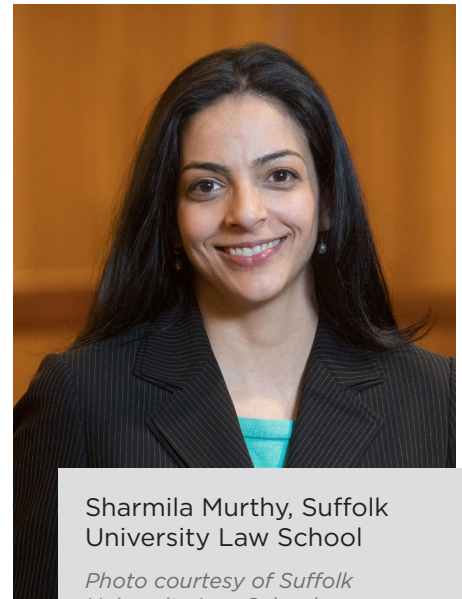
Sharmila Murthy: Our section has a mix of participants—many are doctrinal professors, but we also have people who are involved in clinics and even fellows or visiting assistant professors who are aspiring to become faculty. Speaking as someone who is still a junior faculty member, the section is quite supportive. Sometimes, even the opportunity to sit next to someone on the way to a field trip and informally build a relationship allows members feel more comfortable participating in the section.

Kalyani Robbins: In terms of what we teach, almost everyone teaches the basic survey course because in most cases their school is not focused on environmental law. It's rare for faculty at law schools without a focus on environmental law to teach more than two environmental courses, and one was always the environmental law survey course.



Kalyani Robbins, Florida International University College of Law

Photo courtesy of Florida International University College of Law



Sharmila Murthy, Suffolk University Law School

Photo courtesy of Suffolk University Law School

At our AALS Midyear Meeting in 2012, several colleagues and I presented a panel called “Generations of Environmental Law,” which included data from every law school in the country on which professors identified as environmental law professors, what they did, what subject areas they focused on, and how many of them were at their school. Some schools didn't have any, and the majority of law schools had only one.

Several law schools have larger programs in environmental and natural resources law and have multiple law professors in the area. Those faculty were able to teach more and a wider variety of environmental and natural resources law courses.

SM: The field trips at the Annual Meeting really enhance our section. I was eager to get involved in the section in part because of the connections I've made while on the field trips. Environmental law as a topic is particularly relevant in the real world. You need to understand the science, and you need to understand the place. It's very interdisciplinary, and we have these great opportunities to actually go and observe what's happening in a particular locality where we're having the conference.

KR: It mirrors what we do outside of AALS. We have a very friendly group and we want to spend time together both as friends and to discuss the important issues in our scholarship that are affecting the planet right now. I think our section is especially engaged with one another and we schedule multiple opportunities to spend time together at the AALS Annual Meeting. We take a lot of interest in each other's work and give each other feedback, mentorship, and friendship.

This summer has been full of topical environmental news, from local plastic straw bans to the Trump administration seeking to revoke California's authority to regulate automobile emissions. How do you see some of these issues playing out on the local and national level?

KR: This is why it's important for our membership to stay engaged in the real world. If we hide in the ivory tower talking about abstract concepts and don't engage the real world, we could sustain serious losses in our natural resources and general environmental safety and protection.

SM: What we're seeing happening today is a reminder of how important the natural environment is. We all want clean air to breathe and we want an earth for our children to live in. Right now, people recognize that we need to take action at all levels. At the national level, we are seeing a rollback of some hallmark environmental protections, despite the fact that many of our statutes were passed with bipartisan support and under administrations of both parties. Environmental protection was historically a bipartisan issue, but has increasingly become a partisan issue.

Environmental protection was historically a bipartisan issue, but has increasingly become a partisan issue.

— *Sharmila Murthy*

There's a whole body of work around private environmental governance. The law is slowly changing, but other actors are stepping up to fill the current void. Even in international environmental law—for example, President Trump announced he wants to withdraw the U.S. from the Paris Agreement on climate change. Now we see cities, states, corporations, and NGOs pledging to uphold the goals of the agreement.

How has the conversation around environmental law changed in response to the current administration (or how do you anticipate it will change)?

KR: From my perspective, it has become less relaxed and more dire. People are becoming more creative to solve problems without depending on national leadership—for example, a symposium I put together last October focused on federalism and how states, municipalities, and private actors might fill in that gap.

SM: Many of us are looking at how can we contribute. The Environmental Law listserv recently called everyone to action to say we need to take our ideas out of the ivory tower, write op-eds, and get ideas out there. Although there is an incredibly important place for scholarly discourse, we also want to translate those ideas out into the real world. I am involved on the board of the Conservation Law Foundation here in Massachusetts, and I'm trying to share some of my work with them as they actively think about various strategies, whether it be about drinking water or climate change or other pressing issues of the day. People in our section are very active in writing *amicus* briefs, contributing op-eds, being engaged with NGOs, and so on.

What are the other important conversations happening right now regarding environmental law?

KR: Thinking in terms of the biggest impact for the whole planet, climate change and biodiversity are the top two concerns. All the issues are so important—we could look at climate change, which affects everyone, but that doesn't mean we are not also concerned about the planet's water crisis. In this field, there are many serious issues, on many different scales, at all times.

SM: The reality of environmental law is that we haven't had any recent big legislation. The current challenge is that so much is happening administratively. Take something like climate change: Domestically, the Obama

administration was trying to expand the interpretation of the Clean Air Act. If we didn't have gridlock in Congress, we could think about legislation. Instead we're looking to the courts. A lot of creative lawsuits are being developed, because we haven't had the statutory solution that would address a lot of these problems.

This has also highlighted the need to build coalitions with other groups. For example, our panel [at the Annual Meeting] this coming year is co-sponsored with the Sections on Minority Groups and State and Local Government, and looks at disasters. One of the key points is that environmental issues are not just issues for people who have the ability to buy expensive backpacks and go trekking in some far-off place. These issues are affecting everybody. Some of the extreme weather patterns we're experiencing are disproportionately impacting marginalized communities. The lead crisis in Flint is a telling example of the growing divides in our population. Those who have the least are bearing the brunt of many of the environmental impacts.

Professor Robbins, you did a Hot Topic session at the 2018 Annual Meeting about creative lawsuits, correct?

KR: Yes, I proposed and presented "*Juliana v. United States Atmospheric Trust Litigation: Will the Children Save the Planet?*" I've been involved in that case from a distance. It's fascinating. Even if it doesn't make it all the way, the facts that it's generating and the opinions that are coming out below are providing useful guidance for other cases in the future.

The plaintiffs are saying two things: one, that the atmosphere is in the public trust. The government has a trust duty to protect the atmosphere for all who are interested in it (which is everyone) but especially for young people, who would be most impacted

by a decline in air quality. The public trust argument has been made in other states to mixed response.

The other, more novel, argument is constitutional. They're saying they are being deprived of life, liberty, and property by the failure to protect them from the impact of climate change, and that the government has a duty to protect them arising out of the government's own actions that made things worse—particularly subsidizing the fossil fuel industry when documents dating back into the 1950s show knowledge of the impact of fossil fuels on climate. The government, with knowledge, contributed to the danger and therefore has a responsibility to protect them from the harm. Policies are failing to do so, and therefore need to be changed.

What are some conversations happening right now in legal education about teaching environmental law?

SM: I usually tell students on the first day that they don't want to take my class, and it shocks them. I say "you think you're coming in to learn about saving whales and bunnies but in reality—" then I hold up this massive statutory book of selective environmental statutes. It is an incredibly dense course, and the statutes and the cases can be very challenging to teach students. The task we have as educators is to see the potential for transformative change and to see the way in which these statutes can be used for the public good even though it can be difficult to learn.

KR: Our colleagues care deeply about sharing strategies for teaching and planning courses. That happens in two places. The first is at the Natural Resources Law Teachers Institute, which is well-attended and where we always have one evening meeting to talk about teaching environmental law. The other place is on the listserv that Sharmila mentioned. People

will simply ask for resources, and we exchange a lot of ideas about teaching methods, class exercises, and field trips. We really engage with each other.

SM: There was a lively debate on the listserv recently about the best way to have a formative assessment, whether it was the classic exam, essay, skills-based learning, or having practical exercises. I have found that people are very willing to share their experiences and their materials.

The task we have as educators is to see the potential for transformative change...

— Sharmila Murthy

How else does your section interact and collaborate outside of the Annual Meeting?

KR: We have several main events. There's the Rocky Mountain Mineral Law Foundation's Natural Resources Law Teachers Institute, held every other year, which is huge. Vermont Law School puts on an environmental law scholarship colloquium every fall that includes a full day of works-in-progress. We also have been participating more in the Association for Law, Property and Society, which has an annual meeting at the beginning of the summer each year. Some of those are in the U.S., and some are abroad. There's also a fairly new annual meeting at Arizona State University.

SM: One other event is the Sabin Colloquium on Innovative Environmental Scholarship, which is for junior faculty and a couple of invited senior commentators.

How does your section support the scholarship of your members?

KR: There are around 500 environmental law professors nationwide. This year we and the Sections on Natural Resources and on Agriculture are putting on a works-in-progress session that will include scholars with their work and commentators who will give feedback. And the Vermont Law School colloquium is the regular form of that, although it's not our section per se. It's still our colleagues.

Do you have any programs to support the mentorship of junior faculty?

KR: We value and make clear that it's important to us, culturally, to have junior faculty feel included both socially and in discussions about scholarship. When a senior faculty member is especially good at mentoring junior faculty members, they're praised for that that in our section. I also try to schedule an informal networking meal at the AALS Annual Meeting.

SM: From my own personal perspective, I do think that the field trips, works-in-progress sessions, and junior scholar workshops do a good job of looking at the larger pipeline and mentoring people who would like to become environmental law professors. In addition, Pace Law School holds a Future Environmental Law Professors Workshop.

Your section was formed in the early 1970s. What improvements to law school curricula have happened since then?

KR: The early 1970s is not just when the section was formed, it's also when U.S. environmental law was formed. It's fascinating that it happened that quickly—most environmental statutes are from that same time.



Environmental Law co-sponsored panel at the 2018 Annual Meeting

I am one decade into being a law professor. It's hard for me to speak to the long-term progression of curriculum. I imagine that when it was newer, the focus was on all of the new legislative developments. Over time, it has gradually shifted to focus more on case law.

SM: I suspect that like all legal education there's been a rise in clinics and a rise in, at least on the scholarly side, using empirical methods and different approaches to learning.

KR: One approach that I'm shifting toward with my own environmental law classes, that I think takes time to develop, is stories. Over the years there are more and more big stories. This fall, I'm going to reduce the breadth of the course I teach, cover fewer statutes, and focus more on interdisciplinary concepts and stories. There are so many interesting ones that help us see the impact of environmental law on all of our lives. I think the option to approach the course from that perspective took decades to develop.

SM: Although we're talking about environmental law, we have a whole other vocabulary that people are using to reflect the interdisciplinary

nature of the issues—like sustainability, resilience, and sustainable development. Environmental law is just one facet of a much broader set of complicated issues.

Could you give more detail about what you have planned for the 2019 Annual Meeting?

KR: Our section has a lot of going on this year. We have the joint field trip with the Sections on Natural Resources and Energy Law and Agriculture and Food Law. We're really trying to take advantage of the city itself and focus on some of the dangers faced in certain parts of the city due to sea level rise and levee issues.

Our main panel is with the Sections on Minority Groups and State and Local Government, which are new sections to us. It will focus on the disparate impact of disasters on the environments of marginalized people and their need for a stronger political voice.

That's about how much we normally do, but this year we're also adding a works-in-progress session. That's an exciting opportunity to talk about our scholarship, mentor junior schol-

ars, and bring ourselves together. Informally, we're also doing a brewery tour after the field trip—you can call that networking.

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?

SM: First, I'd like to keep up the great work we're already doing. I think there are additional opportunities to co-sponsor or develop relationships with other sections.

We are extremely active as a community at various events throughout the country, but AALS and this section always provide an opportunity to centralize and build on those efforts. People will be thinking about the election in 2020, and we'll have a host of exciting issues to talk about.



Clinical Conference Accepting Proposals Through September 25

The Planning Committee for the 2019 AALS Conference on Clinical Legal Education invites proposals for sessions, workshops, and poster presentations at the upcoming 2019 conference.

How do we build the next generation of lawyer leaders when our students have grown up in an era of strong division, attacks on institutions of government, and the frequent rejection of civil discourse? This year's conference will focus on the unique challenges law students face as future lawyers and leaders in a highly polarized world.


Today, we and our students are confronted with threats to virtually every norm in the legal and political world –the environment we live in, a free press, election integrity, judicial independence, standards of respectful debate, facts, and the rule of law. Our students appear energized and anxious to take this on, but what new tools and opportunities should clinical legal education be providing? What improvements can we make to current teaching techniques? As legal educators, we must equip our students with creativity, judgement, and a toolbox of knowledge, skills, and values that will enable the coming generation to meet these unprecedented challenges.

Proposals may be made in the following categories:

- Concurrent Sessions: 45-minute sessions that develop the conference theme.
- Lightning Sessions: 20-minute sessions that present the audience with one or two takeaways.
- Workshops: 4-hour blocks that allow pre-registrants to explore a topic in depth.
- Poster Presentations.

All proposals are due Tuesday, September 25, 2018, no later than 11:59 p.m., Eastern. Submissions must be made online.

Visit <https://clinical.aals.org/> to access the submission form, complete proposal guidelines, and further information about the conference.



WHO Clinical instructors, and deans and directors of clinical and experiential programs

WHAT 2019 AALS Conference on Clinical Legal Education: Teaching the Next Generation of Lawyer Leaders in a Time of Polarization

WHEN May 3-7, 2019

WHERE San Francisco, CA

AALS Workshop Welcomes New Faculty to the Legal Academy

Washington, DC | June 7-9

The 35th annual AALS Workshop for New Law School Teachers welcomed more than 60 new law faculty to Washington, D.C. from June 7-9. The workshop was a two-day exploration into the fundamentals of law teaching for faculty in the first couple of years of their academic careers. Programming included interactive sessions on becoming an effective classroom teacher, a productive scholar, a thoughtful mentor, and an engaged member of the community. Workshop attendees also participated in moderated breakout sessions where they had the opportunity to engage with experts from law schools across the country and share ideas with one another.

Suzanne Valdez, workshop planning committee member and Clinical Professor of Law at the University of Kansas School of Law, observed “Professors develop many skills as they progress through their teaching careers. This workshop gives new teachers the initial confidence that they can do it—they can get out there and face their first class. It also reinforces skills for faculty who have taught before.”

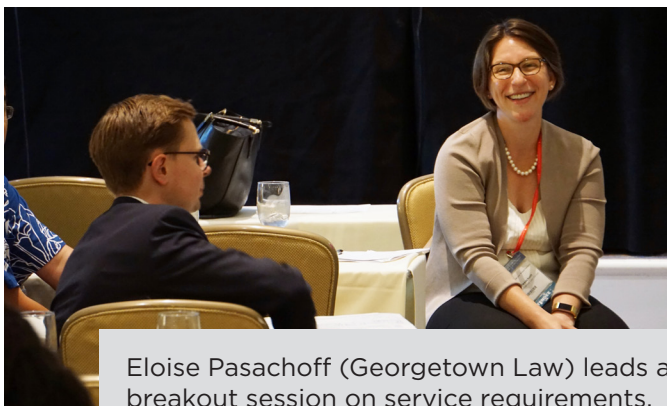
The workshop kicked off with a dinner on Thursday evening, June 7, featuring a mix of inspiration and a call to action. Deanell Tacha, retired judge and former dean of Pepperdine University School of Law, delivered



AALS Executive Director Judith Areen welcomes attendees to the AALS Workshop for New Law School Teachers.

an address on “The Privilege and Responsibility of the Legal Academy, Our Positions, Being a Legal Scholar.”

The first full day of programming on Friday, June 8, started with a welcome from Wendy Collins Perdue, AALS President and Dean of the University of Richmond School of Law, followed by the opening plenary delivered by Vicki Jackson, AALS President-elect



Eloise Pasachoff (Georgetown Law) leads a breakout session on service requirements.



Suzanne Valdez (Kansas Law) moderates a panel on Inclusion in the Classroom with Orin S. Kerr (USC Law), Naomi Jewel Mezey (Georgetown Law), and Veryl Victoria Miles (Georgetown Law)



Friday's plenary session, “Scholarship: Building Relationships and Distributing Your Ideas” with Omari S. Simmons, (Wake Forest Law), Randy E. Barnett (Georgetown Law), Naomi R. Cahn (George Washington Law), and Emily Hammond (George Washington Law).

and Professor at Harvard Law School. During her address, Jackson focused on how legal scholarship can help provide stability and needed change to the foundations of the rule of law in an increasingly volatile national and global context.

AALS Executive Director Judith Aren also welcomed the cohort of new law professors and discussed the importance of professional development, including connecting with colleagues through AALS Sections and at the association's Annual Meeting and Conference on Clinical Legal Education.

Throughout the day, topic-specific breakout sessions alternated with plenary panels on scholarship in the age of digital public personae and on exploring the range of service opportunities while managing faculty time commitments.

"[The Planning Committee] wanted energy, and we chose presenters who have a positive outlook on the profession and on teaching," said Valdez. "That was reflected in the attendee engagement and enthusiasm."

Deborah Epstein, professor at Georgetown University Law Center, delivered the Friday luncheon address on the skills behind excellent classroom teaching, drawing on her career and expertise in learning theory to begin to rectify the perceived dearth of published guidance on teaching skills.

The day closed with a plenary panel on diversity and inclusion inside and outside the classroom, followed by an evening reception for networking and further discussion with panelists and attendees.

On Saturday, June 7, plenary sessions covered assessment and feedback methods, a survey of teaching methods, and current academic research on learning theory. Blake D.



Deanell Reece Tacha, Pepperdine Law.



Deborah Epstein (Georgetown Law) delivers an address on "How to Become an Excellent Classroom Teacher" at the workshop luncheon on Friday.



Okianer Christian Dark (Howard Law) presents on teaching



Sophie M. Sparrow (New Hampshire Law) presents during a plenary session on learning theory.

Morant, Dean of George Washington University Law School, delivered the luncheon address, “Reflections on Teaching.”

Valdez dispensed some advice for attendees wanting to get the most out of their time at the Workshop: “Remember to always be a student. I’m always learning from my students. Come to a conference with that mindset. Being open to learning is the healthiest mindset, and that’s how you’ll get the most out of it.”

Attendees also had the chance to connect with AALS Sections at sponsored breakfasts and receptions spread out over the two days, including the sections on Minority Groups; Sexual Orientation and Gender Identity Issues; and Women in Legal Education.

The 2018 cohort of attendees will participate in a reunion at the 2019 AALS Annual Meeting in New Orleans on Wednesday, January 2 at 6:30 p.m., to reflect on their first semesters in the academy.

AALS thanks the 2018 Planning Committee, as well as all the speakers, moderators, and experts who contributed to a rich and rewarding experience for their newest colleagues.



George Washington Law School Dean Blake D. Morant discusses his “Reflections on Teaching” during Saturday’s workshop luncheon.



AALS President-elect Vicki Jackson (Harvard Law) discusses the importance of legal scholarship with workshop attendees along side AALS President Wendy Collins Perdue (Dean, Richmond Law).

Planning Committee for the 2018 AALS Workshop for New Law School Teachers

Richard W. Garnett, Notre Dame Law School, Chair

Janet C. Hoeffel, Tulane University Law School

David Min, University of California, Irvine School of Law

Omari S. Simmons, Wake Forest University School of Law

Suzanne Valdez, University of Kansas School of Law

Journal of Legal Education

JLE Focuses Spring Issue on Foundational & Contemporary Issues in Legal Education

The Spring 2018 issue of the *Journal of Legal Education* takes up foundational and contemporary issues in legal education and includes the full text of 2018 AALS President Wendy Collins Perdue's address at the 2018 Annual Meeting.

The issue includes the following articles:

- "Exploring the Meaning of Experiential Deaning," by Margaret Martin Barry, Robert D. Dinerstein, Phyllis Goldfarb, Peggy Maisel and Linda H. Morton
- "Fifty Ways to Promote Teaching and Learning," by Gerald F. Hess, Michael Hunter Schwartz, and Nancy Levit
- "A Model Code of Conduct for Student-Edited Law Journal Submissions," by Scott Dodson and Jacob Hirsch
- "Financing Legal Education Through Student Loans: Results from a Quasi-Experiment in Tuition Remission," by Steven A. Boutcher, Anna Raup-Kounovsky, and Carroll Seron
- "Racialized Interactions in the Law School Classroom: Pedagogical Approaches to Creating a Safe Learning Environment," by Erin C. Lain
- "Abuse of Freedom: Balancing Quality and Efficiency in Faculty Title IX Processes," by Brian A. Pappas
- "The Ins and Outcomes of Writing an Effective Syllabus," by Nancy J. Soonpaa

The "At the Lectern" series continues with "The Infinite Power of Grammar," by Patrick Barry. A new feature, "Legends of the Legal Academy," puts the spotlight on Hope Lewis in "Hope Lewis: Refuse the Ride," by Margaret B. Kwoka.

Book reviews in this issue include:

- "Supreme Courtship: A Novel—Christopher Buckley," Reviewed by Jonathan R. Siegel
- "With Passion: An Activist Lawyer's Life—Michael Meltsner," Reviewed by Dan Urman
- "Inventing American Exceptionalism: The Origins of American Adversarial Legal Culture, 1800-1877 — Amalia D. Kessler," Reviewed by Renée Lettow Lerner

American University Washington College of Law Joins Northeastern Law as Co-Editors of the JLE

The *Journal of Legal Education* (JLE) welcomes American University Washington College of Law (AUWCL) as the new co-editor of the publication, taking over from the University of Washington School of Law who served in the role since 2015. Northeastern University School of Law, co-editors of the JLE since 2014, also announced the school will continue to serve in the role.

"We are honored to join the *Journal of Legal Education* as co-editors with Northeastern Law," said Camille Nelson, Dean of AUWCL. "As the journal of the AALS in its role as a learned society, the JLE is an important place for discussion, information, and reflection. AUWCL values scholarship and recognizes its impactful and transformational societal role. We hope to bring attention to the innovations and challenges of modern legal education by showcasing excellent scholarship by law faculty in these areas."

"Northeastern Law has relished our opportunity to co-host the *Journal of Legal Education* over the past five years, and we are excited to continue with our partners from AUWCL," said Jeremy Paul, former dean of Northeastern Law and co-editor of the JLE. "Recent growth in law school applications should not blind us to the need for dramatic changes in legal education. Today's law schools must embrace interdisciplinary study, global perspectives, technological transformation of the profession, practical training, and wonderful new diversity in our ranks, all while working tirelessly to keep costs manageable and student debt under control. Scholarship that paves the way to tackle these challenges in a thoughtful and productive manner can be a crucial guide to faculties charting new courses."

The JLE addresses issues of importance to legal educators, including curriculum development, teaching methods, and scholarship. Published since 1948, it is an outlet for emerging areas of scholarship and teaching. AALS runs the JLE website (www.aals.org/jle) as a repository for current and past issues of the journal as well as subscription, submission, and copyright information.

"We are honored to share in steering the association's flagship journal as a forum for the best ideas in legal education we can find," said Jeremy Paul. "We encourage faculty members and administrators at every school to submit articles and suggestions."

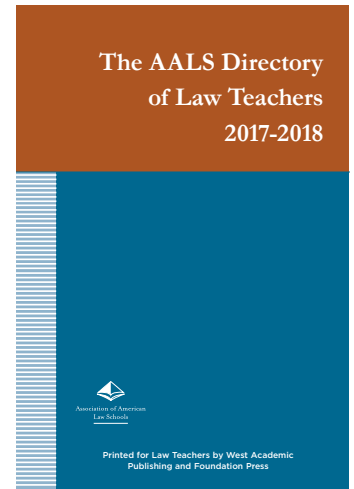
Thank you to the deans, faculty, and staff of AUWCL, Northeastern Law and the University of Washington School of Law for their support of the JLE.

Update Your *Directory of Law Teachers Bio* Now

Data collection for the printed AALS 2018-2019 *Directory of Law Teachers* is currently taking place. Update your biography at <https://dlt.aals.org> by September 17 to ensure your listing will appear exactly as you prefer.

The directory is printed only once a year, but tenured, tenure-track, long-term contract, and emeritus faculty are welcome to update their biographies at any time. Changes will appear in real time when users use the online search function.

In addition to searching by name and school, the 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. Please contact dltsupport@aals.org with any questions.



Connect with AALS



Visit our website
www.aals.org



Find us on Flickr
www.aals.org/flickr



Like us on Facebook
www.facebook.com/TheAALS



Connect with us on LinkedIn
www.linkedin.com/company/TheAALS



Follow us on Twitter
www.twitter.com/TheAALS



Follow us on Instagram
www.instagram.com/the_aals



Subscribe to our channel on YouTube
www.aals.org/youtube

AALS Calendar

Annual Meeting

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

Faculty Recruitment Conference

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

Workshop for New Law School Teachers

Thurs., June 6 – Sat., June 8, 2019, Washington, DC

Conference on Clinical Legal Education

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