



## the president's message Irreplaceable People

By Nancy H. Rogers

Sometimes people are irreplaceable.

Suppose, for example, that Carl Monk had not helped to launch the International Association of Law Schools. We would still not have an international association for exchange and collaboration among law schools and law scholars. To the future benefit of legal education globally, Carl realized that it was time to begin this process. With 15 years of experience as the AALS Executive Director, Carl understood how to organize such a group. He was persistent and tactful, and the respect he had earned for wise and thoughtful judgment led others to join quickly. Already the new IALS includes 71 law schools from other nations, joined with 61 U.S. law schools.

Suppose, as a second example, Philip G. Schrag (Georgetown University Law Center) had not written an article that pointed out in detail how debt from educational loans precluded many law gradu-

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## Rachel Moran Nominated for AALS President-Elect; R. Lawrence Dessem, Leo P. Martinez, as Executive Committee Members

On January 5, 2008, during the AALS House of Representatives at the 2008 Annual Meeting, the Committee on Nominations for 2008 Officers and Members of the Executive Committee place the following names in nomination:

For the Position of President-Elect: Rachel Moran, University of California, Berkeley School of Law

For the Position of Members of the Executive Committee – Three-Year Term: R. Lawrence Dessem, University of Missouri-Columbia School of Law and Leo P. Martinez, University of California, Hastings College of the Law

Six current members of the Executive Committee will continue to serve in 2008; They are:

John H. Garvey (Boston College); Nancy H. Rogers (Ohio State); H. Reese Hansen, (Brigham Young); Robert C. Post (Yale); W. H. Knight, Jr., (Washington); Lauren K. Robel, (Indiana-Bloomington).

At the conclusion of the Association's House of Representatives meeting on Saturday, January 5, 2008, three members of the Executive Committee will have completed their terms. Judith C. Areen will have completed her term as Immediate Past President. Michael A. Olivas and Stephanie M. Wildman will have completed their three-year terms on the Executive Committee.

### RACHEL MORAN

Rachel F. Moran received her A.B. from Stanford University in 1978 and her J.D. from Yale Law School in 1981. She clerked for Chief Judge Wilfred Feinberg of the U.S. Court of Appeals for the 2nd Circuit in 1981-82. In 1982, she was an Associate with the San Francisco firm of Heller Ehrman White & McAuliffe. She began teaching at the University of California, Berkeley School of Law in 1983. From 1993 to 1996 Moran served as Chair of the Chicano/Latino Policy Project at UC Berkeley's Institute for the Study of Social Change. In 1995 she received the UC Berkeley Distinguished Teaching Award. In 2003 she became Director of the Institute for the Study of Social Change.

Professor Moran served on the AALS Planning Committee for the 1986 Workshop for New Law Teachers. She served as Chair on the following AALS Planning Committees: 1997 Annual Meeting Workshop on Achieving Diversity in Legal Education and the Profession; and the Joint AALS, ABA Commission on Women in the Profession and ABA Section of Legal Education and Admissions to the Bar Workshop on "Taking Stock: Women of all Colors in Law School." She served on the AALS Committee on Nominations for 1991 Officers

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## Association of American Law Schools

### President

Nancy H. Rogers  
*The Ohio State University*

### President-Elect

John H. Garvey  
*Boston College*

### Immediate Past President

Judith C. Areen  
*Georgetown University*

### Serving through 2007

Michael A. Olivas  
*University of Houston*

Stephanie M. Wildman  
*Santa Clara University*

### Serving through 2008

H. Reese Hansen  
*J. Reuben Clark Law School  
Brigham Young University*

Robert C. Post  
*Yale Law School*

### Serving through 2009

W.H. Knight, Jr.  
*University of Washington*

Lauren K. Robel  
*Indiana University-Bloomington*

### Executive Vice President and Executive Director

Carl C. Monk

### Deputy Director

David Brennen

### Managing Director

Jane M. La Barbera

## aalsnews

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## Executive Committee Nominations

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and chaired the AALS Special Committee on Meeting the Challenges of Diversity in an Academic Democracy, 1994-96; Professor Moran served on the following AALS Standing Committees: Journal of Legal Education Editorial Board 1989-91; Committee on Recruitment and Retention of Minority Law Teachers, 1993-95; Committee on Membership Review 1997-99; and the Executive Committee 1999-2001.

Professor Moran has written numerous law review articles and books. She is the author of *Interracial Intimacy: The Regulation of Race and Romance* (2001), co-author (with Mark Yudof, David Kirp, and Betsy Levin) of *Educational Policy and the Law* (4th ed. 2002), and co-editor (with Devon Carbado) of the forthcoming *Race Law Stories*. Her recent law review articles include "Of Rankings and Regulation: Are the U.S. News & World Report Rankings Really a Subversive Force in Legal Education," in *Indiana Law Journal* (2006); "Of Doubt and Diversity: The Future of Affirmative Action in Higher Education," in *Ohio State University Law Review* (2006); "How Second-Wave Feminism Forgot the Single Woman," in *Hofstra Law Review* (2004); and "The Elusive Nature of Discrimination," in *Stanford Law Review* (2003).

### R. LAWRENCE DESSEM

Dean R. Lawrence Dessem received his B.A. from Macalester College in 1973 and his J.D. from Harvard Law School in 1976. Dean Dessem served as law clerk for Judge William K. Thomas of the United States District Court for the Northern District of Ohio. He then served as Assistant General Counsel for the National Education Association, 1978-1980 and trial attorney, 1980-1984 and senior trial counsel, 1984-1985 with the Civil Division of the United States Department of Justice. In 1985 Dean Dessem joined the faculty of the University of Tennessee College of Law, serving as associate professor, professor, and, from 1993 to 1995, associate dean for academic affairs. From 1995 to 2002, Dean Dessem served as professor and dean of the Mercer University School of Law, becoming dean and professor at the University of Missouri-Columbia in July 2002.

Dean Dessem has taught courses in Alternative Dispute Resolution; Civil Procedure; Federal Courts; Legal Writing; Pretrial Litigation. Dean Dessem is the author of *Pretrial Litigation: Law, Policy and Practice* (West, 4th ed. 2007) and *Pretrial Litigation in a Nutshell* (West, 3d ed. 2001), as well as articles in various law journals. He has been elected as a fellow of the American Bar Foundation, as well as to membership in the American Law Institute.

Dean Dessem served on AALS Planning Committees for 2005 New Law Teachers' and on Workshop for Beginning Legal Writing Teachers, served on and chaired the AALS Membership Review Committee, 2004-06, and the 2001 Workshop on New Ideas for Experienced Teachers. He also has served as co-chair of the ABA Annual Deans' Workshop, as chair of the ABA New Deans' Seminar, and on the Executive Committee of the AALS Civil Procedure Section.

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## Irreplaceable People

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ates from pursuing public service careers and had not suggested a realistic and effective solution.<sup>1</sup> Or that Peter A. Winograd (University of New Mexico School of Law) had not championed this cause for six years within the ABA and AALS. Or that Phil had not spent hundreds of hours over seven years persuading members of Congress to provide the loan relief. Or that Phil and Peter had failed to encourage many others of you to join them to change the law. Without their efforts, it is hard to imagine that Congress would have enacted the College Cost Reduction and Access Act of 2007,<sup>2</sup> making it possible for our graduates to manage law school debt as they serve in modestly paying public interest jobs.

These examples point to the value of what Carl, Phil, and Peter have contributed to legal education and the nation. Thanks to Carl's leadership, we will have regular exchanges with, and can expect to import the best ideas from, legal educators throughout the world. We can use the International Association of Law Schools, as we do the AALS domestically, to form collaborative scholarly ventures across borders.

Thanks to Phil's and Peter's leadership, our graduates will have income-based educational loan repayment and later loan forgiveness that permits them to work long term for a government entity or a "Section 501(c)(3)" non-profit organization.<sup>3</sup>

They did not do it alone. At the Annual Meeting we will honor our colleagues from throughout the world in legal education, thank L. Kinvin Wroth (Vermont Law School) who ably chaired the AALS Government Affairs committee through this period, recognize the efforts of Kenneth J. Goldsmith of the ABA Government Affairs office, and join with the ABA Section of Legal Education and Admissions to the Bar to present awards to Senator Edward Kennedy and Representatives George Miller and John P. Sarbanes, key sponsors of the CCRAA.

We could not, however, have done it without Carl, Phil, and Peter.

<sup>i</sup> Philip G. Schrag, *The Federal Income-Contingent Repayment Option For Law Student Loans*, 29 Hofstra L. Rev. 733 (2001)

<sup>ii</sup> College Cost Reduction and Access Act of 2007, 110 P.L. 84; 121 Stat. 784; 20 U.S.C. 1001 et seq.

<sup>iii</sup> Philip G. Schrag, *Federal Student Loan Repayment Assistance for Public Interest Lawyers and Other Employees of Governments and Nonprofit Organizations*, 36 Hofstra L. Rev. (forthcoming).

## Online AALS Directory Coming Soon

### Faculty and Schools to Update Their Own Profiles

The AALS Directory of Law Teachers will soon be online. Faculty at member and fee-paid schools will be able to search and/or browse for colleagues by name, school, or subject.

In addition to viewing the Directory online, you will also be able to update your own profile and Dean's offices will be able to add, edit, or delete the faculty listed with their school. This online process will replace the hard copy forms that have to be mailed from, and returned to AALS each spring.

While hard copies of the Directory will continue to be mailed to all member and fee-paid schools, this new process will allow faculty and schools to keep their information updated year-round, while making production of the hardcopy more streamlined and efficient.

Be on the lookout for further instructions coming to your e-mail.

## Dennis W. Archer to Deliver Keynote Address During AALS Luncheon

Dennis Archer served two terms as mayor of Detroit (1994-2001) and during his last year as mayor was also president of the National League of Cities. In 2000, Mayor



Archer was named Public Official of the Year by *Governing* magazine. He received an Award of Excellence and was named 1998 Newsmaker of the Year by *Engineering News-Record* magazine, a sister publication of *Business Week*. In addition, Archer has been named one of the 25 most dynamic mayors in America by *Newsweek* magazine; one of the 100 Most Influential Black Americans by *Ebony* magazine; and one of the 100 Most Powerful Attorneys in the United States by the *National Law Journal*.

In 1985 Mr. Archer was appointed as an associate justice of the Michigan Supreme Court. He was elected to an eight-year term the following year. In his final year on the bench, he was named the most respected judge in Michigan by *Michigan Lawyers Weekly*.

Following public office, he became the first African-American named as president of the American Bar Association and now serves as chairman of Dickinson Wright PLLC, a Detroit-based law firm.

Advance ticket purchase is necessary to attend the luncheon. See the Annual Meeting Registration form, or register online at [www.aals.org/am2008/](http://www.aals.org/am2008/). Tickets may also be purchased on-site by those already registered for the Annual Meeting until 8:00 p.m. on Thursday, January 3.

## Executive Committee Nominations

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### LEO P. MARTINEZ

Professor Leo Martinez received his B.A. from University of Kansas in 1971; his M.S. from University of Southern California; and his J.D. from University of California Hastings College of Law. Professor Martinez was elected to the Order of the Coif and Thurston Society. He served as the Managing Editor of the *Hastings Law Journal* in 1979. He met his military commitment as a member of the Army Judge Advocate General's Corps, he has had experience as an Assistant U.S. Attorney, and his private practice focused on tax issues with the San Francisco law firm of Howard Rice, Nemerovski, Canady, Robertson & Falk. He joined the Hastings faculty in 1985 and succeeded Chancellor Mary Kay Kane as the Academic Dean in which decanal position he served for 12 years.

Professor Martinez teaching has included some combination of contracts, federal tax, tax policy, tax procedure, and insurance law. He is a co-author of the West text on insurance law and he is a co-editor of the Lexis-Nexis New Appleman Insurance Law and Practice Guide. He is a member of the American Law Institute. His nonacademic professional interests consist primarily of membership on the boards of various public interest organizations including: the Access Group, KQED (now Northern California Public Broadcasting) for which he has served as Chairman of the Board, Public Radio Capital, Public Advocates (for which he is the current Board Chair), the Saint Francis Hospital Foundation and the Hastings Alumni Board of Governors. He is also a Hastings 1066 Foundation trustee.

Professor Martinez served as Chair of the AALS Insurance Law Section in 2001. His AALS Committee Service includes Membership Review Committee 2003-05; Nominating Committee for 2003 Officers and member of the Executive Committee; Consulting Group for 2001 Law School Deans Workshop; and Resource Corps 2000-present.

# 2008 Annual Meeting

## Brazilian Supreme Court President and U.S. Supreme Court Associate Justice to Speak During Workshop on the Courts Luncheon



Brazilian Supreme  
Court President.  
Ellen Gracie Northfleet

The joint AALS and Conference of Chief Justices workshop on the Courts will feature the President of the Supreme Court of Brazil—Ellen Gracie Northfleet—as a luncheon speaker. The honorable judge Gracie will be joined by—Sandra Day O'Connor, Associate Justice of the U.S. Supreme Court (1981-2006).

Ellen Gracie Northfleet is the first female to be appointed to the Brazilian Supreme Federal Tribunal and is also the first female president. She earned her LL.B from the Faculty of Law of the Federal University of Rio Grande do Sul in 1970, and later pursued a graduate degree in Social Anthropology at the same university.

Her public career began in 1971, clerking for the Rio Grande do Sul State General Counsel. On November 7, 1973, she joined the Ministério Público Federal, where she remained in the capacity of Federal Attorney until 1989.

Gracie was appointed to the Supreme Federal Tribunal on November 23, 2000, the first woman to be named to the tribunal. On March 15, 2006 she was chosen to head this court by a vote of its justices.



U.S. Supreme Court  
Associate Justice  
(1981-2006),  
Sandra Day O'Connor

Justice O'Connor, who served as the first female Associate Justice of the Supreme Court of the United States, was nominated to the Court by President Ronald Reagan and served for over twenty-four years. She received her B.A. and LL.B. from Stanford University and served as Deputy County Attorney of San Mateo County, California from 1952–1953 and as a civilian attorney for Quartermaster Market Center, Frankfurt, Germany from 1954–1957. From 1958–1960, she practiced law in Maryvale, Arizona, and served as Assistant Attorney General of Arizona from 1965–1969. She was appointed to the Arizona State Senate in 1969 and was subsequently reelected to two two-year terms. In 1975 she was elected Judge of the Maricopa County Superior Court and served until 1979, when she was appointed to the Arizona Court of Appeals. Justice O'Connor retired from the

Supreme Court on January 31, 2006.

A separate fee of \$95 per person is required to attend this luncheon in addition to the Annual Meeting Registration fee. The registration fee for law teachers at AALS member and fee-paid schools to attend this workshop is included in the Annual Meeting registration fee.

To register, go to [www.aals.org/am2008/](http://www.aals.org/am2008/) or complete the form in the Annual Meeting brochure, which were sent to your Dean in July and October.

## AALS Conference on Clinical Legal Education

### Reflecting on Our Work and Vision: Risks, Mistakes and Opportunities

On May 4-7, in Tucson, Arizona, the 2008 Conference on Clinical Legal Education will provide an opportunity for us to reflect individually and collectively on our work and mistakes to learn through experience and influence choices we make in the future. While we teach our students techniques for engaging in reflection, we sometimes neglect to follow our

lessons in regard to our own activities. We will reflect on how our errors in planning, in memory or in execution of ideas

have caused divergence among our intentions, actions and consequences. We will discuss risks we have taken, missteps we have made and opportunities that we encounter in our classroom teaching and supervision. We will also reflect on our struggles in moving clinical legal education forward within the Academy.

The methodologies we use as clinical teachers involve complex pedagogical processes with multiple goals, requiring the identification of many issues. In our planning, we try to analyze and anticipate the possible consequences of our pedagogical choices for our students and their clients, yet we may find ourselves surprised or disappointed with the outcomes.

We will explore techniques to find a balance among conflicting values in teaching and supervision, in order to engage students better in self-reflection, practice theory and substantive law while promoting social justice.

In addition to our daily work as clinical teachers, we also are part of a movement to make clinical education fundamental within the Academy. Through struggles at our own institutions, work within clinical organizations, participation in the organizational structures of legal education, and projects designed to change the shape of legal education, we face complicated choices about how to guide our movement and improve legal education. We anticipate mak-

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#### Planning Committee for AALS Conference on Clinical Legal Education

John J. Francis, Washburn University  
Philip Genty, Columbia University  
Carrie L. Hempel, University of  
Southern California  
Ann C. Shalleck, American University  
Carol Suzuki, University of New  
Mexico, **Chair**

## Join your Colleagues at the AALS Gala Reception

### The Rainbow Room

In 1934, in the mist of the greatest depression in history, John D. Rockefeller Sr. completed his testimony to faith in New York City and the economy of America: the Rockefeller Center. From that time the Rockefeller Center would be the benchmark that all urban development is measured against. The crowning jewel of this magnificent project was the Rainbow Room on the sixty-fifth floor of Thirty Rockefeller Plaza, the tallest and most prominent building in the complex. The room was designed to symbolize all the glamour and elegance of New York nightlife. From its opening day, the Rainbow Room has epitomized Manhattan luxury to both native New Yorkers and visitors from around the world.

Tickets to the Gala are included with the AALS Annual Meeting Registration fee. To register go to [www.aals.org/am2008/](http://www.aals.org/am2008/).

## 2008 AALS Mid-Year Meeting

The Mid-Year Meeting consists of three professional development programs: The **Workshop for Law Librarians**, the **Conference on Constitutional Law** and the **Conference on Evidence**. The registration fee for the workshop is discounted 50% when signing up for the entire

Type of Registration	Received by April 29	Received After April 29
<b>Conferences on Evidence and Constitutional Law</b>		
Faculty of Member and Fee-Paid Schools	\$535	\$595
Faculty of Non Fee-Paid Law Schools	\$585	\$645
<b>Workshop for Law Librarians</b>		
Faculty of Member and Fee-Paid Schools	\$470	\$520
Faculty of Non Fee-Paid Law Schools	\$520	\$570
<b>Entire Mid-Year Meeting</b> (includes both conferences and the workshop)		
Faculty of Member and Fee-Paid Schools	\$770	\$855
Faculty of Non Fee-Paid Law Schools	\$820	\$905

Mid-Year Meeting. You can choose to register for the two Conferences and/or Workshop. When registering for the AALS Conference on Evidence, you are automatically registered for the AALS Conference on Constitutional Law and can attend sessions at both Conferences. Attending the AALS Workshop for Law Librarians requires a different fee. You will receive a discount of half of the workshop registration fee by registering for all three programs.

## Mid-Year Meeting Conference on Evidence The Future of Evidence: How Science and Technology Are Changing Evidence Law

On June 3-6, 2008 in Cleveland, Ohio AALS will hold—as part of the Mid-Year Meeting—as a conference on Evidence—The Future of Evidence: How Science and Technology Are Changing Evidence Law.

The adoption of the Federal Rules of Evidence in 1975 not only stabilized evidence law doctrine, it rendered this doctrine more homogenous across jurisdictions. Since then, the Rules have been largely resistant to significant change; and there is a solid body of rule-based law that, along with the text of the Rules themselves, makes up the basic subject matter of most evidence courses across the country.

But the “winds of change” may be blowing more forcefully today than at any time since the great debates over codification at the start of the 20th century. This Conference – The Future of Evidence: How Science and Technology Are Changing Evidence Law - highlights, through its panels and speakers, the major forces for change in evidence law today. Some of these forces implicate specific areas, such as expert witnesses. Others may more fundamentally call into question the basic assumptions underlying the Rules and the practices in courts today. The goal for this Conference is to provide

### Get Up-to-Date Annual Meeting Information at [www.aals.org/am2008/](http://www.aals.org/am2008/)

The complete 2008 Annual Meeting program with section and committee programs, speakers, and descriptions can be found at [www.aals.org/am2008/](http://www.aals.org/am2008/).

The final program has been printed and copies were sent to the Deans' offices and will be given to each registrant at the Annual Meeting in January. The program on the web site is continually updated and will be more up-to-date than the printed program in terms of late scheduled programs and new speakers.

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## Conference on Evidence

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all participants with an overview and some in-depth examination of these forces for change, with an eye toward understanding the context within which we practice our discipline and which our students will face tomorrow.

The on-going courtroom confrontation between evidence law and expertise is one of the most powerful forces for change, the full implications of which we are only now beginning to understand more than a decade after Daubert. The Daubert trilogy and amended FRE 702 require the trial judge to perform the role of gate-keeper over the admissibility of all expert testimony, much of which does not squarely fit within the “hard science” model envisioned in the Daubert opinion. But who, in

reality, is in charge – the court or the expert witness? Panels will address this and other questions, including: What analytic tools do judges have to evaluate expert opinions grounded on forensic science, soft science and even non-science? What tools should they use? Are there any?

A second major force for change is technology. Both inside and outside of the courtroom, technological advances in the creation and presentation of knowledge are changing the way that we conceive of “evidence” itself. Will technology finally deliver to us a genuine



“lie detector” that will make the jury obsolete? Will simulations create a “virtual reality” that makes live witnesses obsolete? Are there principles of law that should be used to resist the technological incursions? And at a different level, how much of this technology should we teach and how does our classroom use of technology affect the content of what we teach?

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## AALS Conference on Clinical Legal Education

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ing this conference a time to reflect on the developments in that movement and the opportunities for the future. The clinical community’s involvement in and response to the ABA MacCrate Report and our efforts regarding the Carnegie Foundation Report on Legal Education and Best Practices for Legal Education provide a useful and timely focus for this reflection.

The reflective process poses challenges to clinicians at all levels of experience. Those relatively new to clinical teaching will be encouraged to take risks and explore mistakes in a supportive environment. The Conference will reinvigorate more-experienced clinicians to explore new teaching methods and models for supervision. Together, we will explore ways to understand and surmount continuing challenges to clinical teaching within the Academy.

Located at the base of the Santa Catalina Mountain range in Northwest Tucson, the Conference setting provides an ideal environment for learning, self-reflection and relaxation!

A PDF brochure with registration and housing forms has been posted on the AALS web site. Register today at [www.aals.org/clinical2008/](http://www.aals.org/clinical2008/)

## Mid-Year Meeting Workshop for Law Librarians Changing Assumptions: The Role of the Law Librarian in the Legal Academy

On June 1-4, 2008 in Cleveland, Ohio, AALS will hold—as part of the Mid-Year Meeting—a Workshop for Law Librarians – Changing Assumptions: The Role of the Law Librarian in the Legal Academy.

Academic law library directors play multiple roles in their institutions. As faculty members, law library directors teach, conduct research, serve on committees and often play a leadership role in law school governance. As scholars,

law library directors have contributed to the scholarly dialogue in many fields, not limited to law librarianship. As administrators, they are often responsible for the largest budgetary units in the law school and increasingly have responsibilities for technology and other areas beyond the library.

Throughout the history of the profession, stellar law librarians such as Art Charpentier, Robert C. Berring, Morris Cohen, Francis Farmer, Marian Gallagher, Frederick C. Hicks, Roger Jacobs,



Mary Oliver, Miles O. Price, and William R. Roalfe paved the way for their colleagues as professors, scholars and administrators. They set the standards and forged an identity for law librarianship.

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## Conference on Evidence

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Finally, jury decision-making and evidence law itself have been the subject of ever-increasing empirical and interdisciplinary study and evaluation. The results of this research should have much to teach us about our assumptions concerning the jury and about the real world effects of our evidence rules and practices. When, and how, should evidence law respond to this new knowledge? What reforms might be desirable, and what might be possible?

Integrated with our substantive panels will be concurrent sessions on teaching for both new and experienced participants. One afternoon will be devoted to

hands-on demonstrations and discussions of using technology in the classroom. Concurrent sessions will also address issues relating to evidence scholarship for the new teacher, and to how our scholarship is both enabled by, and takes as its subject, the empirical and interdisciplinary research that may change evidence law itself.

Special talks at lunch also promise to enlighten and enliven our Conference. The Honorable Nancy Gertner (Judge, U.S. District Court, District of Massachusetts) will share insights from the bench, and Professor Ron Allen will address “The Value of Facts: From The Enlightenment

to Holmes and Crawford.” In the evenings, a virtual courtroom will display new technologies used in many courts today; a movie pertinent to evidence law issues will be shown and discussed; and we hope the Cleveland Indians will be playing at home.

### Confirmed speakers

Other confirmed speakers include Ronald Jay Allen (Northwestern); Margaret A. Berger (Brooklyn); Jeremy A. Blumenthal (Syracuse); Kenneth Broun (North Carolina); Robert P. Burns (Northwestern); Shari Seidman Diamond (Northwestern); Phoebe C. Ellsworth (Michigan);

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## Conference on Evidence

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David L. Faigman (California Hastings); Neal R. Feigenson (Quinnipiac); Judge Nancy Gertner (District Court of Massachusetts); Paul C. Giannelli (Case Western); Michael Green (Wake Forest); Susan Haack (Miami); Cynthia Jones (American); Frank C. Keil (Yale); Steven J. Laken, PhD (Cephus Corp); Fredric I. Lederer (William and Mary); Richard A. Leo (San Francisco); Jennifer Mnookin (UCLA); Joelle Moreno (New England); Jane C. Moriarty (Akron); Robert Mosteller (Duke); Erin E. Murphy (California Berkeley); Robert R. Myers (Case Western Reserve); Dale A. Nance (Case Western); Aviva Orenstein (Indiana-Bloomington); Michael S. Pardo (Alabama); Roger C. Park (California Hastings); Stephen A. Saltzburg (George Washington); Joseph Sanders (Houston); Eileen A. Scallen (William Mitchell); Andrew Eric Taslitz (Howard); Marianne Wesson (Colorado).

### Topics

Today's Challenges in Teaching the Traditional Evidence Course; Teaching Evidence: Something for Everyone (Nuts and Bolts for New Law Teachers, Advanced Evidence Courses and Seminars, Integrating Trial Theory and Practice into Evidence, Bringing the Humanities into Teaching Evidence); The Forensic Science Paradox; Soft Science and Non-Science: Controlling Expertise in the Courtroom; Film and Discussion: Capturing the Friedmans; Social Science and the Jury: What We (Think We) Know About What They (Think They) Know ; fMRI and Lie Detection: Technique and Critique; Classroom Technology: Something for Everyone; Technology in the Courtroom: What Is Happening and What Does It Mean?; Social Science Research: Should Evidence Law Respond?; Inferring Causation; Evidence Scholarship: Something for Everyone; Good (and Bad) Advice for New Law Teachers; How to Find and Use Empirical Research; New Trends for Experienced Scholars; Writing about the Political (and Other) Passions; The Value of Facts – From the Enlightenment to *Holmes* and *Crawford*; The Justices, the Love Letter, the Widow and the Fiancée: A Forensic Solution to the *Hillmon* Case

This Conference has been designed to provide "something for everyone." The concurrent sessions on teaching and scholarship are a good example of this approach. The Planning Committee wants particularly to encourage new teachers to attend. At the same time, panels dealing with cutting edge issues of judicial control of expertise will enlighten even the most experienced among us. Demonstrations of the new fMRI technology, and technology for the classroom and courtroom, will appeal to all. We hope you will join us on June 3-6, in Cleveland, Ohio for this conference on Evidence.

For more information please visit [www.aals.org/midyear/](http://www.aals.org/midyear/).

### Planning Committee for the Conference on Evidence

Edward K. Cheng, Brooklyn Law School  
 JoAnne A. Epps, Temple University  
 Edward J. Imwinkelried, University of California at Davis  
 Tamara R. Piety, The University of Tulsa  
 D. Michael Risinger, Seton Hall University  
 Michael J. Saks, Arizona State University  
 Eleanor Swift, University of California, Berkeley, **Chair**

## Congressmen John Conyers Jr. to Speak at AALS Workshop on Local Government at Risk



The AALS Annual Meeting Workshop on Local Government at Risk will feature as the luncheon speaker,

The Honorable John Conyers Jr., Member, United States Congress, 14th Congressional District of Michigan, and Chair, House Committee on the Judiciary.

Representative John Conyers, Jr., a Detroit Democrat, was re-elected to Congress in 2006, for

his 21st term in the U.S. House of Representatives. Having entered the House of Representatives in 1964, Mr. Conyers is the second most senior member in the House of Representatives. After serving as Chairman of the House Committee on Government Operations (now renamed Government Reform) from 1989 until 1994, Congressman Conyers was elected by his congressional colleagues to lead, as Chairman, the pivotal House Committee on the Judiciary. In addition to its oversight of the Department of Justice and the Federal Courts, the

Judiciary Committee has jurisdiction over copyright, constitutional, consumer protection, and civil rights issues.

A separate fee of \$95 per person is required to attend this luncheon in addition to the Annual Meeting Registration fee. The registration fee for law teachers at AALS member and fee-paid schools to attend this workshop is included in the Annual Meeting registration fee.

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## Workshop for Law Librarians

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In the twenty-first century, it is time for academic law library directors to re-examine their role in legal education. The past quarter century has presented dramatic changes in the legal publishing industry, publication formats, the means of access to legal information, and the place of the library in the law school. Changes in the legal profession – globalization, mergers, mega-firms – have all affected legal education. Legal education is itself in an intense time of changes in curriculum and research, competition, and limited resources.

The 2008 AALS Workshop for Law Librarians is aimed at current law library directors, those who aspire to the position, and anyone interested in the future of the library in legal education. The first plenary speaker will highlight

the many, sometimes conflicting, roles of the twenty-first century law library director. The opening presentation will be followed by small group sessions in which workshop participants will have the opportunity to discuss the pivotal question of the role of the law library director, what it is and what it should be.

The workshop will then present an unusual opportunity for open dialogue on the matter of faculty status for law library directors. After a plenary discussion of present approaches to faculty status for law school clinical faculty, legal writing instructors, and library directors, participants will be organized into small groups and asked to suggest ideal language on law library director status. On the second day, presentations on writing for tenure and teaching

substantive courses will be followed by opportunities to discuss these important elements of the director's role as a faculty member.

The final day of the workshop will be all about relationships, and will begin with a panel discussion of the challenges of working with law school deans and with other university and law school administrators. A variety of concurrent sessions will follow, covering topics focusing on the law library director as CEO. The workshop will close with responses and reactions from representatives of next generation of law library directors.

### Planning Committee for the Workshop for Law Librarians

Rhea Ballard-Thrower, Howard University  
Richard A. Danner, Duke University  
Penelope A. Hazelton, University of Washington, **Chair**  
Tracey L. Meares, Yale Law School

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## Mid-Year Meeting: Conference on Constitutional Law

On June 3–6, 2008 in Cleveland, Ohio, AALS will hold—as part of the Mid-Year Meeting—a conference on Constitutional Law.

Constitutional law is always changing, but the changes since the last AALS professional development program on constitutional law are particularly dramatic. The Supreme Court has significantly changed the emphasis of its prior jurisprudence of government power and abortion rights. The so-called federalism revolution of the 1990s might have reached its limits. Laurence Tribe announced that he had suspended working on his treatise on constitutional law because the field was in such flux that no overview seemed possible. How can scholars of constitutional law respond to these developments? Participants in the 2008 Conference on Constitutional Law will have a chance to consider these and many other topics.

Several important developments, pointing in various directions, shape scholars' concerns today. The first, of course, is the arrival of the Roberts Court, increasing the likelihood, foreshadowed for decades, of consolidated control of the Supreme Court by adherents of judicial phi-

losophies that have come to be identified with judicial and political conservatives. Pointing in a different direction, and presenting the possibility of renewed and transformed tensions between Congress and the Supreme Court, are the results of the 2006 congressional elections. Constitutional theory has itself been changed. The debates over interpretive theory that animated constitutional scholarship in prior decades have dampened down, although some interventions of that sort persist. Taking up more space in our discussions are alternative constitutionalisms, including comparative and state constitutional law. The most recent AALS workshop on constitutional law, jointly sponsored with the American Political Science Association in 2002, focused on the interaction between political science and constitutional theory, and that interaction has only thickened since then.

The 2008 workshop will present opportunities to discuss these issues. The prospects for the Roberts Court will be the subject of a plenary session followed by discussions in smaller groups of specific areas of constitutional law. Under the heading of alternative constitutionalisms we will have a chance to discuss comparative constitutional law, state constitutional law, European Union law seen in constitutional perspective, and transnational law in general. Issues of executive power have



taken a new place in constitutional scholarship and teaching. A panel will discuss the substantive law of executive power, primarily in connection with national security issues. Because issues of executive power played a smaller role in our courses in the past, questions of pedagogy are particularly important and perhaps under-discussed. Participants will have a chance to exchange ideas about how to teach the constitutional law of executive power. Questions about citizenship – be they about full citizenship within the nation, or about who can become citizens and how – link constitutional law and transnational law, and have taken on increasing importance.

Finally, this conference will hold a joint luncheon with the concurrent Conference on Evidence at the AALS Mid-Year Meeting. Two scholars who work brings the insights of constitutional law generally to questions of constitutional aspects of the law of evidence will present their views on important recent Supreme Court decisions.

The topics to be covered at the 2008 Conference on Constitutional Law range widely across the field, but all touch on matters that nearly everyone who teaches and writes about constitu-

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### Planning Committee for the Conference on Constitutional Law

Stephen M. Griffin, Tulane University  
Phoebe A. Haddon, Temple University  
Lori Ringhand, University of Kentucky  
Jay Tidmarsh, Notre Dame Law School  
Mark V. Tushnet, Harvard Law School,  
Chair

## Workshop for Law Librarians

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The Workshop will present a unique opportunity for law librarians to consider core professional issues. The program is designed to provide a nexus for dialogue and discourse among law library directors who have well-established careers, newer academic law library directors, but most especially for those who aspire to be directors in the future.

Regardless of where they are currently in their careers, law library directors still must choose between sitting back and watch the future happen, or take an active role in creating it.

### Confirmed Speakers

Roy Balleste (District of Columbia); Barbara Bintliff (Colorado); Simon Canick (Connecticut); Kathy Carrick (Case Western Reserve); Michael G. Chiorazzi (Arizona); Wes Cochran (Texas Tech); Vicenç Feliú (LSU); Laura N. Gasaway (North Carolina); Claire M. Germain (Cornell); Penelope A. Hazelton (Washington, Chair); Mary Ann Hyatt (Oregon); Nancy P. Johnson (Georgia State); Anne Klinefelter (North Carolina); Margaret A. Leary (Michigan); Elliott S. Milstein (American University); Martha Dragich Pearson (Missouri–Columbia); Michael Slinger (Cleveland State); Grace Calabrese Tonner (Michigan); Michelle M. Wu (Hofstra); Carl A. Yirka (Vermont).

### Topics

Challenging Assumptions; Law Library Director: Who Are We Today? Librarian, Administrator, Faculty Member; Small Group Discussions; Law Library Director: Redefined Status ( ABA Standard & AALS Regulation, Clinicians, Legal Writing); Redefining Status: ABA Standard – Report and Discussion; Law Library Director: Scholar – Writing for Tenure; Law Library Director: Teacher; Small Group Discussions on Teaching; Law Library Director: All About Relationships; Law Library Director: CEO (What Happens When Progressive Discipline Doesn't Work, Delegation, Understanding Assessment Tools, Time Management, Negotiating Skills, Dealing with Budget Reductions, Working with Unionized Employees, Training, Evaluation and Evaluating for Merit); Library Director: Response from the Next Generation

For more information please visit [www.aals.org/midyear/](http://www.aals.org/midyear/).

## Conference on Constitutional Law

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tional law must consider with some regularity. Why attend? Because you will come away from the conference with new ideas for your scholarship and teaching.

### Confirmed speakers

Johnathan H. Adler (Case Western); Ronald J. Allen (Northwestern); Penelope E. Andrews (City University of New York); Elvia R. Arriola (Northern Illinois); Linda S. Bosniak (Rutgers); Christopher Alan Bracey (Washington); Curtis A. Bradley (Duke); Tomiko Brown-Nagen (Virginia);

Guy-Uriel E. Charles (Minnesota); Kathleen Clark (Washington); Erwin Chemerinsky (Duke); Paul Craig (Professor of English Law St. John's College, Oxford, England); David B. Cruz (Southern California); Michael C. Dorf (Columbia); Johnathan L. Entin (Case Western); Lee Epstein (Northwestern); John H. Garvey (Boston College); Tom Ginsburg (Illinois); Judge Nancy Gertner (U. S. District Court, District of Massachusetts); Berta E. Hernandez-Truyol (Florida);

Pamela S. Karlan (Stanford); Neal K. Katyal (Georgetown); Thomas M. Keck (Professor Department of Political Science Maxwell School of Citizenship and Public Affairs, Syracuse, New York); Mark S. Kende (Drake); Joseph Margulies (Northwestern); Lori Ringhand (Kentucky); Kermit Roosevelt (Pennsylvania); Eric J. Segall (Georgia State); Miguel Schor (Suffolk); Neil S. Siegel (Duke); Reva B. Siegel (Yale); Lawrence B. Solum (Illinois); Mark V. Tushnet (Harvard); Adrian Vermeule (Harvard).

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## Annual Meeting Plenary Sessions Challenge Faculty to Reassess Roles as Scholars and Educators

On Friday, January 4, three plenary sessions will take place at the AALS Annual Meeting from 2:15-4:00 p.m. Each session will further explore the Annual Meeting's theme of "Reassessing Roles as Scholars and Educators in Light of Change" as described by AALS President, Nancy H. Rogers (see page 5). You must be registered for the Annual Meeting to attend the plenary sessions. Register online at [www.aals.org/am2008/](http://www.aals.org/am2008/).

### Plenary Session I: Rethinking Legal Education for the 21st Century

There is a growing sense among legal educators that it is time to rethink legal education. Dissatisfaction with the Langdellian model, now over a century old, has combined with enthusiasm about new approaches to both content and pedagogy to produce a potential turning point in the way we educate our students. A number of law schools have announced major initiatives in the past few years, and others are planning to do so. The Carnegie Foundation, long a leader in American higher education, released a comprehensive report on law schools in March, and will follow up by partnering with legal educators in an effort to implement some of the ideas in its report.

But change is never easy, and rarely uncontroversial. Law schools are complex, ongoing institutions, and the age of its educational model can be regarded as tradition as well as obsolescence. External demands for change are not insistent; employers seem willing to train starting lawyers on the job, the ABA has been quiescent since the MacGrate Report — which found more resonance among practicing lawyers than legal academics — and universities are typically content to tax their law schools and be done with them. Most of the material incentives for legal academics these days depend on scholarly production, so it is not always easy to engage a law school faculty in educational reform. Nonetheless, as conscientious educators, many legal academics are increasingly committed to new approaches that recognize the tremendous changes in both the substance of law and legal practice and the understandings of and approaches to learning that have occurred during the past century.

This plenary session will provide a general picture of the possibilities for changing legal education, and the challenges that such changes necessarily confront. The subject encompasses both curriculum and pedagogy: content and form; at the same time, the session will consider the related processes of institutional change. It will describe new ideas that are currently in operation or under consideration at various law schools, the major recom-

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## Researching the AALS Database

Need to know how many minority law professors entered the academy in the last five years? Want to know where the over 10,000 law professors in the AALS Directory received their law degree?

AALS receives frequent request for this type of information to be pulled from the AALS database. To better serve AALS members, the organization has hired a full time Research Associate to fulfill these needs.

All requests are subject to approval and may incur a cost, based on an hourly rate. For more information, e-mail Pati Abdullina, Research Associate, at [pabdullina@aals.org](mailto:pabdullina@aals.org).

## Conference on Constitutional Law

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### Topics

The Changing Roberts Court; Church/State; Equal Protection; Federalism; Non-U.S. Sources on the Changing Court; Church/State; Equal Protection; Federalism; Non-U.S. Sources on the Changing Court; Citizenship; After Brown; Borders; Civic Engagement; Full Citizenship; Gender Identity; Executive Power; Pedagogy of Executive Power; Alternative Constitutionalism; Constitutionalism Around the World; Regime Politics and Roberts Court; How Empirical and/or Positive Legal Scholarship Can Inform Constitutional Theory or Doctrine; Theory Today.

For more information please visit [www.aals.org/midyear/](http://www.aals.org/midyear/).

## Plenary Sessions

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mendations of the Carnegie Foundation report, and some aspects of learning theory that support these ideas and recommendations. It will also explore the role of change agents, the difficulties they face, and some strategies for their success. Finally, the session will assess the need for change and the limitations on its potential scope.

Edward L. Rubin (Vanderbilt), will serve as the moderator for this session and the speakers are Vicki C. Jackson (Georgetown); Robert MacCrate, Esq. (Senior Counsel, Sullivan and Cromwell, NY, NY); Martha L. Minow (Harvard); Suellyn Scarnecchia (New Mexico); William M. Sullivan (Carnegie Foundation for the Advancement of Teaching); Judith W. Wegner (University of North Carolina).

### Plenary Session II - Taking Account of and Shaping the Future of E-Expertise: Support, Assessment

Through blogs, vlogs, on-line treatises, and more, law professors share their expertise and secure reactions to ideas more quickly and broadly than was possible in printed form. Should we counsel our junior colleagues to embrace e-expertise? Is the net effect positive if the quantity of law review articles and books decreases? How does one assess the quality of the contributions that are posted without an intermediary? Will the new surrogates for judging quality (hits, downloads, citations) influence those who share e-expertise to shape it in particular ways? The questions push us back to first principles in terms of judging teaching, scholarship, and service. Are some audiences more important to reach than others? What contributions to these audiences should law schools most value? This session will involve electronic audience participation in the discussions of the panel.

This plenary program will be moderated by H.G. Prince (California, Hastings) and will feature Jack M. Balkin (Yale) and The Honorable Robert A. Katzmann (Judge, U.S. Court of Appeals for the Second Circuit, New York) as speakers.

### Plenary Session III - The Seattle/Louisville Ruling: Constriction or Expansion of Race-Based Policies

What are the implications for law schools of the Supreme Court's 2007 ruling in *Parents Involved in Community Schools v. Seattle School District No. 1*? Have Justice Kennedy and the dissenters broadened what may be compelling state interests? Does Justice Powell's opinion change what was permissible under *Grutter*? Does anything remain of Justice O'Connor's reasoning in *Grutter* that law schools "in particular" produce "a large number of our Nation's leaders," and does this differentiate law schools from the reasoning in the Seattle/Louisville ruling? The panelists will offer and discuss a variety of viewpoints on the future of law school diversity in light of this ruling.

This plenary will be moderated by John A. Powell (Ohio State) and includes the following speakers: Kimberle Williams Crenshaw (UCLA); Goodwin Liu (California, Berkeley); Charles Ogletree (Harvard); Reva B. Siegel (Yale).

# aalscalendar

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## Upcoming Meetings and Events

### January 2-6, 2008

Annual Meeting  
New York, New York

### May 4-7, 2008

AALS Conference on Clinical Legal Education  
Tucson, AZ

### June 1-6, 2008

Mid-Year Meeting  
Cleveland, Ohio

June 1-4  
Workshop for Law Librarians

June 3-6  
Conference on Constitutional Law

June 3-6  
Conference on Evidence

### June 25-26, 2008

Workshop on Retention of Minority Law  
School Teachers  
Washington, DC

### June 26-28, 2008

Workshop for New Law School Teachers  
Washington, DC

### June 28-29, 2008

Workshop for New Law School Clinical  
Teachers  
Washington, DC

### November 6-8, 2008

Faculty Recruitment Conference (FRC)  
Washington, DC

## Future Annual Meeting Dates and Locations

- January 6-10, 2009, San Diego
- January 6-10, 2010, New Orleans



Association of American  
Law Schools

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