



President's Message

Equity and Education

By Judith C. Areen

Growing up, I was taught that America is a place where anyone can get ahead through hard work. Most Americans still believe that to be true. (By contrast, a majority of people in every country in Europe except Britain, the Czech Republic, and Slovakia believe that forces beyond their personal control determine their success.¹) But there is increasing evidence that most Americans are wrong.

In 1978, for example, a study found that 23% of adult American men who had been born in families whose income was in the bottom fifth in the nation had made it into the top fifth. When the study was redone recently by Earl Wyson and colleagues at Indiana University, they found that only 10% of adult American men whose father's income was in the bottom quartile had made it to the top quartile.² Economists who study the stickiness of social class (by examining the intergenerational elasticity of earnings) report that the United States now has less social mobility than France or Germany.³

The decline in social mobility has been exacerbated by increasing disparities in income and wealth. From 1980 to 2000, the average, after-tax income of the top one percent of our nation rose by 201 percent to \$576,000, while that of those in the middle rose by just 15 percent to \$41,900. Put another way, the 2.8 million people in the

top one percent received more total after-tax income in 2000 than did the 110 million who made up the bottom 40 percent.⁴ The United Nations reports that America has more income inequality (as measured by the Gini Index) than the

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Norman Dorsen Receives AALS Award for Lifetime Contributions to the Law and to Legal Education

In recognition of his contributions to the law and to legal education, Professor Norman Dorsen, New York University has been awarded the first AALS Award for Lifetime Contributions to the Law and to Legal Education. This recently established award recognizes an individual in the legal academy who has made significant contributions to the law and legal education. Professor Dorsen will be presented the award at the AALS Annual Meeting Luncheon on Thursday, January 4, 2007.

Norman Dorsen is the Frederick I. and Grace A. Stokes Professor of Law, New York University School of Law, where he has taught since 1961. He was the founding director of the NYU School of Law's innovative Hauser Global Law School Program in 1994. He is the author or editor of many articles and books (sometimes with others), including

The Evolving Constitution (1987), Human Rights in Northern Ireland (1991), Democracy and The Rule of Law (2000) and The Unpredictable Constitution (2001).

Professor Dorsen served as president of the American Civil Liberties Union 1976-91. Earlier, while general counsel to the ACLU 1969-76, he participated in dozens of Supreme Court cases, arguing among others those that won for juveniles the right to due process, upheld constitutional rights of nonmarital children, and advanced abortion rights.

Professor Dorsen was the founder and founding president of the Society of American Law Teachers in 1973. He was chairman of the Lawyers Committee for Human Rights 1996-2000 and since 1996 he has been the founding president of the U.S. Association of

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Equity and Education

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United Kingdom, France, Spain, Germany, and Japan, among others.⁵ Americans have been willing to tolerate such large disparities because there has been a reasonable amount of social mobility—but that social mobility is now in doubt.

Education has always been one of the great engines of social mobility in the United States. Ever since the founding of Harvard in 1636, Americans have understood that our ability to succeed as a nation is closely tied to education. But there is disturbing evidence that education is not as open to low-income students as it ought to be.

William Bowen, Martin Kurzweil and Eugene Tobin, in their book *Equity and Excellence*, took a careful look at data from 19 academically selective colleges and universities. They found that only 11 percent of the students enrolled in their sample schools came from families whose income was in the bottom quartile, and only 6 percent were first-generation college students (although, nationwide, 38 percent of 16-year-olds have parents who never attended college). Only three percent of the enrolled students were both from low-income families and first-generation college goers.⁶

Bowen and his colleagues also found that being from a low-income family produced no admissions advantage at any given SAT level, and only 4.1 percentage points for potential first-generation college students on a base of 40 percent for otherwise similar students. By contrast, recruited

athletes had an admissions advantage of 30.2 percent; and alumni legacies, 19.7 percent.

Bowen, Kurzweil, and Tobin quote from the amicus brief submitted to the Supreme Court in the University of Michigan admissions cases by Harvard, Brown, Chicago, Duke, Dartmouth, the University of Pennsylvania, Princeton and Yale:

Admissions factors begin, of course, with the core academic criteria, including not just grades and test scores but teacher recommendations and state, regional, national, and international awards.... In the vast majority of cases, however, they are not themselves decisive, and the process continues. *Admissions officials give special attention to, among others, applicants from economically and/or culturally disadvantaged backgrounds, those with unusual athletic ability, those with special artistic talents, those who would be the first in their families to attend any college, those whose parents are alumni or alumnae, and those who have overcome various identifiable hardships.* (emphasis by Bowen et al.)⁷

Equity and Excellence makes clear that the statement made in the brief is simply not true.

Comparable data are not yet available for law schools, but there is every reason to assume that we are not doing a better job than undergraduate schools of enrolling low-income or first-generation college students, if only

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John Garvey Nominated for President-Elect and W.H. Knight and Lauren Robel as EC Members

John H. Garvey of Boston College will be nominated as president-elect at the AALS House of Representatives on Friday, January 5. W.H. Knight (University of Washington) and Lauren Robel (Indiana-Bloomington) will be nominated for three-year terms on the Executive Committee.

Six current members of the Executive Committee will continue to serve in 2007. They are: Nancy H. Rogers (Ohio State) as President; Judith C. Areen (Georgetown) as Immediate Past President; H. Reese Hansen (Brigham Young); Michael A. Olivas (Houston); Robert C. Post (Yale); and Stephanie M. Wildman (Santa Clara). N. William Hines (Iowa) will have completed his term as Immediate Past President and John Garvey and Beverly I. Moran will have completed their terms on the Executive Committee.

The *Directory of Law Teachers* contains brief biographical sketches of the three nominees. The following biographies are more comprehensive.

JOHN H. GARVEY

John Garvey received his A.B. from the University of Notre Dame in 1970 and his J.D. from Harvard Law School in 1974. He clerked for Judge Irving R. Kaufman, U.S. Court of Appeals, 2nd Circuit in 1974. In 1975, he was an Associate with Morrison & Foerster. He began teaching at the University of Kentucky in 1976, and served as an

Assistant to the Solicitor General in the U.S. Department of Justice in 1981-84. He became Professor at Notre Dame Law School in 1994. He has been Dean of Boston College Law School since 1999.

He has served on the AALS Planning Committee for the Mini-Workshop on the Last Ten Years: What Your Students Know that You Should Know Too. He served on the AALS Special Committee on Faculty Recruitment Practices 2005-06. He served as Chair of three different Sections: Constitutional Law, Law and Religion, and the Section for the Law School Dean. Dean Garvey also served on the Executive Committee from 2004, to the present.

Dean Garvey has written numerous law review articles and books, including *What Are Freedoms For?* (1996). He is a co-author of *Religion and the Constitution* (2nd ed. 2006), which won the Alpha Sigma Nu award in 2004. He was elected to the American Law Institute in 1982.

W.H. (JOE) KNIGHT, JR.

Joe Knight received his B.A. from the University of North Carolina and his J.D. from Columbia University. He was an Associate with a Connecticut Bank and Holding Company, 1979-83. He began his career in legal education in 1983 when he joined the law faculty at the University of Iowa. Knight spent the next eighteen years at Iowa where he

also served as Vice Provost of the University from 1997 through 2000. He has been Dean of the University of Washington School of Law in Seattle since 2001.

Dean Knight has taught courses in, banking, contracts and commercial transactions and seminars on International Banking and Critical Race Theory. He has also authored three books on commercial law and several articles in the areas of banking, contracts, and race relations.

He served on the AALS Planning Committee for the 1984 Workshop for New Law Teachers. He served on the Membership Review Committee from 1998-2000 and the Nominating Committee for 2005 Officers and Members of the Executive Committee. Dean Knight also spoke at the 2005 Chinese and American Law School Deans Conference. Dean Knight has served as a member of other legal education associations, including the Audit and Finance and Legal Services committees of the Law School Admissions Council (where he also served as Trustee from 2001-02), and, the Association of American Law Deans where he was been a board member from 2002-2006.

LAUREN K. ROBEL

Lauren K. Robel received her B.A. from Auburn University in 1978 and her J.D. from Indiana University in 1983. From 1983-85 she clerked for Honorable Jesse

Applications Sought for Deputy Director Position

Executive Director Carl C. Monk invites applications and nominations for the position of Deputy Director. This position is a two-year visiting position for distinguished faculty or deans.

The Deputy Director assists the Executive Director with the operation of the Association, represents the Association to a number of other law-related and higher education organizations. The position offers the opportunity to serve the Association and legal education while gaining valuable insight on the profession.

The term of appointment will be two years beginning in the summer of 2007. The deadline for applications is January 15, 2007, or until a suitable applicant is found. Send applications to Carl C. Monk, Executive Director, 1201 Connecticut Avenue, N.W., Suite 800, Washington, D.C. 20036-2717.

What Does the AALS Deputy Director Do?

By Carl C. Monk

The Deputy Director is an experienced legal educator who serves a two-year term in the Association's Washington office. That position is currently filled by Professor Elizabeth "Ginger" Patterson from the Georgetown University School of Law. Ginger's two year term expires in the summer of 2007, so I am writing this article to inform faculty and deans about the role of the Deputy Director, and to encourage any of you might be interested to apply.

As former Deputy Director Alice Bullock once said, this position is "very much like an associate dean on a national level." The Deputy Director represents the Association in meetings with many of its legal education and other higher education constituencies, and works closely with the Executive Committee, Executive Director, and Associate Director in establishing and implementing Association policy. No significant policy decisions are made without consultation with the Deputy Director. In addition, numerous responsibilities are delegated exclusively to the Deputy Director. The duties

delegated are somewhat dependent upon the interest of the particular person; they typically include working closely with the Membership Review and Professional Development Committees, and other standing and special committees, including Curriculum, Research, Government Relations, and Clinical Legal Education.

In working with the Membership Review Committee, the Deputy learns about the academic program and administrative policies and practices of many law schools. In working with the Professional Development Committee the Deputy Director is responsible for soliciting and evaluating program ideas, and is in charge of working with 8-10 committees each year. Working with the planning committees brings the Deputy Director into contact with numerous legal educators throughout the country and broadens his or her knowledge of many parts of the law school curriculum.

The Deputy Director shares with the Executive Director the function of working with representa-

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Norman Dorsen

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Constitutional Law, an affiliate of the International Association of Constitutional Law. He has chaired two U.S. Government commissions, has received many awards and honorary degrees, including the Presidential Eleanor Roosevelt

Award for Human Rights. He is a Fellow of the American Academy of Arts and Sciences and a member of the Council on Foreign Relations. He currently serves as the U.S. member of the first Board of Directors of the International Association of Law Schools.

Annual Meeting Plenary Sessions

The three Annual Meeting plenary sessions will be held Thursday, January 4 from 2:15 to 4:00 p.m. Academic Freedom, Human Rights and Legal Education, and Public Service will be the topics.

Academic Freedom

Academic freedom has become an increasingly contested subject. Understood as a question of constitutional law, academic freedom involves the extent to which universities and colleges can claim immunity from state regulation. The Supreme Court has recently given mixed signals about this issue. In *Rumsfeld v. FAIR*, the Court ignored the claim of American law schools to possess academic freedom to determine who could recruit their students, but in *Grutter v. Bollinger* the Court was sympathetic to the academic freedom claim of American universities to determine the diversity necessary to achieve educational goals. The Court's recent decision in *Garcetti v. Ceballos* has left the relationship between academic freedom and the First Amendment rights of individual professors in a state of deep confusion. Understood as a question of internal university self-governance, the nature and extent of academic freedom has been thrown into doubt by controversial cases (consider the circumstances of Ward Churchill) and by the efforts of activists like David Horowitz to enact the Academic Bill of Rights, which would require university departments to meet externally imposed goals of

National Mediation Expert, Kenneth Feinberg Annual Meeting Luncheon Speaker

On Thursday, January 4, Kenneth Feinberg will discuss his own personal "revolving door" involving law school teaching and his role as Special Master and mediator in high-visibility public interest cases. His speech—Law School Teaching and the Public Interest (In and Out of the Classroom)—will occur during the AALS Annual Meeting Luncheon.

Mr. Feinberg is an attorney and one of the nation's leading experts in mediation and alternative dispute resolution. He was appointed by the Attorney General of the United States to serve as the Special Master of the Federal September 11th Victim Compensation Fund of 2001. Mr. Feinberg was also one of three arbitrators selected to determine the fair market value of the original Zapruder film of the Kennedy assassination and was one of two arbitrators selected to determine the allocation of legal fees in the Holocaust slave labor litigation.

Feinberg also has had a distinguished teaching career as Adjunct Professor of Law at the Georgetown University Law Center, University of Pennsylvania Law School, New York University School of Law, the University of Virginia Law School and Columbia Law School.

"intellectual diversity." Crises of academic freedom have gripped universities from Columbia to Berkeley. The panel will discuss and evaluate these recent developments.

The panel includes: Robert C. Post (Yale) as moderator and the following speakers: Stanley Fish (Florida International); Elena Kagan (Harvard); Geoffrey R. Stone (Chicago); and William W. Van Alstyne (William and Mary).

Human Rights and Legal Education

The panel will seek to identify the international human rights and humanitarian law challenges facing the 21st century and the role of law schools in shaping future developments and solutions.

The moderator is Claudio Grossman (American) and the speakers are: Victor E. Abramovich, Commissioner and Special Rapporteur on the Rights of Women (Inter-American Commission on Human Rights, Washington, D.C.); Louise Arbour, The High Commissioner (Office of the United Nations High Commissioner for Human Rights, Geneva, Switzerland – invited); Harold Hongju Koh (Yale); Gay McDougall, Independent Expert on Minority Issues (Office of the High Commissioner for Human Rights, Geneva, Switzerland); and Peter Joel Rosenblum (Columbia).

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Section Members Respond to Call for Papers

Listed below are Sections that issued a call for papers for one or more panelists for their programs. The Section appointed a review committee and announced the call for papers to its members. Members submitted detailed abstracts or papers for peer review from Section members. The papers can be found by going to www.aals.org/am2007.

Wednesday, January 3, 2007

2:00-5:00 p.m.

Section on Business Associations

Topic: Dimensions of Disney: The Evolution of Corporate Law and Corporate Governance

Disney in a Comparative Light
Franklin Gevurtz (Pacific)

The Rise of Independent Directors, 1950-2005: Towards a New Corporate Governance Paradigm
Jeffrey N. Gordon (Columbia)

The Board as a Collective Body or a Collection of Individuals- Implications for Director Liability
Darian M. Ibrahim (Arizona)

Law, Norms, and the Breakdown of the Board: Promoting Accountability in Corporate Governance
Renee M. Jones (Boston College)

2:00-5:00 p.m.

Joint Program of Sections on Property Law, Real Estate Transactions, State and Local Government Law, Co-Sponsored by Section on Minority Groups

Topic: The Katrina Workshop: Redeveloping a Region After a Mega Disaster

Rebuilding New Orleans: What Law Can Learn from New Urbanism, Kobe, Japanand Itself
Paul J. Boudreaux (Stetson)

People and Place Matter - Rebuilding Community and Preserving Identity
Rachel A. Van Cleave (Golden Gate)

Thursday, January 4, 2007

8:30-10:15 a.m.

Section on Agency, Partnership, LLCs & Unincorporated Associations

Topic: What Can Theoretical Perspectives Add to Our Understanding of Unincorporated Business Associations

Victor Fleischer (Colorado)

Larry Edward Ribstein (Illinois)

Robert H. Sitkoff (NYU)

Brett David Freudenberg (Senior Lecturer- Taxation, Griffith Business School, Griffith University, Nathan, Queensland, Australia)

10:30 a.m.-12:15 p.m.

Section on Family and Juvenile Law

The New Uniform Representation of Children in Abuse, Neglect, and Custody Proceedings Act: Bridging the Divide Between the Pragmatists and the Idealists

Barbara Ann Atwood (Arizona)

Still Partners? Examining the Consequences of Post-Separation and Post-Divorce Parenting
Theresa Glennon (Temple)

Resolving Family Conflicts: Implications of a Paradigm Shift

Jane C. Murphy (Baltimore)

Jana B. Singer (Maryland)

Multi-Tiered Marriage: Ideas and Influences from New York and Louisiana to the International Community

Joel A. Nichols (Pepperdine)

10:30 a.m.-12:15 p.m.

Section on National Security Law

Topic: Prosecuting Leakers and Leakees: The End of National Security Muckracking?

Publishing National Security Secrets: The Case for Benign Indeterminacy

William H. Freivogel, Professor (Southern Illinois University School of Journalism, Carbondale, Illinois)

10:30 a.m.-12:15 a.m.

Section on North American Cooperation

Topic: North American Cooperation and NAFTA in a Changing Political Environment

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Get Up-to-Date Annual Meeting Information at www.aals.org

The complete 2007 Annual Meeting program with section and committee programs, speakers, and descriptions can be found at www.aals.org/am2007. 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.

Equity and Education

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because our admissions pool is narrowed at the college level. Now, I do not mean to suggest that law schools should focus on socio-economic status instead of race or ethnicity in admissions. We need to be concerned about both. Indeed, African American children who are born in the bottom quartile of family income are nearly twice as likely to remain there as adults as are white children whose parents had identical incomes, and are four times less likely to attain the top quartile.⁸

But legal academics have the ability to influence admissions policy in law schools. Does your school act affirmatively to enroll students from low-income families or those who are the first in their family to go to college? Bowen and his colleagues describe a typical meeting of a college admissions staff. When an outstanding soccer player was considered, everyone in the room

paid close attention, and everyone knew that the coach and athletic director were, in effect, watching. Similarly, when a legacy candidate was considered, it was clear that representatives of the alumni office and even the president's office were there in spirit. The question for all of us is: who is watching out for an applicant to law school from the most modest circumstances?

¹Special Report: Meritocracy in America, *The Economist*, January 1st, 2005 at 22.

²*Id.* at 23.

³Tom Hertz, *Understanding Mobility in America*, Paper for the Center for American Progress, April 26, 2006, at 2.

⁴Center on Budget and Policy Priorities, *New Release* October 22, 2006 (based on Congressional Budget Office data).

⁵United Nations Human Development Indicators 2005 at 270.

⁶William G. Bowen, Martin A. Kurzweil, Eugene M. Tobin, *Equity and Excellence in American Higher Education* 95, 98 (2005).

⁷*Id.* at 175.

⁸Hertz at 1.

EC Nominees

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Eschbach on the U.S. Court of Appeals for the Seventh Circuit. She began her career in legal education in 1985 as Assistant Professor at Indiana University, Bloomington. She has been Dean of Indiana University since 2003.

Dean Robel served on the AALS Committee on Curriculum and Research 2004-05 and she was appointed Chair of the Committee on Research in 2006. She also chaired the Planning Committee for the 2006 Conference on New Ideas for Law School Teachers: *Teaching Intentionally*.

Dean Robel has written a number of law review articles and books, including a Federal Courts casebook. She also serves as a member of the Rules Advisory Committee for the United States Court of Appeals for the Seventh Circuit.

Plenary Sessions

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Public Service

Restoring the tradition of the legal community's commitment in ways large and small to public service is a vital part of rekindling public confidence in a noble profession. What has happened to the long-standing vision of lawyers as public servants—and how can the culture of service be revived in an era that

energetically celebrates the marketplace? Professor Ogletree will lead a lively, interactive conversation about a timeless yet topical subject of high importance to the future of legal education and the health of the legal profession.

Moderating this session will be Charles Ogletree (Harvard) and the speakers include: Katherine Shelton Broderick (District of Columbia); Ming W. Chin, Associate Justice (Supreme Court

of California, San Francisco, California); Patricia A. O'Hara (Notre Dame); Elizabeth Rindskopf Parker (McGeorge); Suellyn Scarnecchia (New Mexico); Kurt L. Schmoke (Howard University); Kenneth W. Starr (Pepperdine); and William H. Webster, Former Director (FBI and CIA, Washington, D.C.).

Workshop on Clinical Legal Education Set to Challenge Assumptions

The Law Clinic Directors Workshop will be held May 2-3. The 2007 AALS Conference on Clinical Legal Education will be held May 3-6 in New Orleans. All sessions will be held at the Hilton New Orleans Riverside Hotel.

Why Attend?

We have created a clinical workshop designed to Challenge Assumptions. We spend much of our time as clinical professors encouraging our students to challenge their assumptions – about clients, courts, justice, and even themselves. Yet sometimes it is difficult for us to remember to challenge our own assumptions – even though we know this project is fundamental to our success as clinical professors (and probably to our happiness on the job). At this workshop we will challenge how we see the world, how and what we teach, and our hopes and expectations for ourselves as clinical educators.

We will approach our inquiry from three perspectives. Beginning from research and theory, we will explore insights that help to highlight and explain how assumptions (which may take the form of bias) affect the ways we see, understand and experience the world. We will then move to examining how our framing assumptions, many of which we are not aware, affect our expectations, our activities and our beliefs as we teach. Third, we will probe ways that these assumptions permeate our identities as clinical teachers.

In identifying and probing of our basic assumptions, we will explore a number of difficult questions:

- What underlies our decisions about client representation? Why are we representing individuals or groups people living in poverty or those in the middle-class, or clients in our local communities or in communities in other parts of the world?
- What assumptions do we make about how our students learn and how we encourage them to challenge their assumptions?
- What assumptions do we make about the purposes and nature of advocacy? How do these assumptions shape the decisions we make about advocacy for our clients? How do choices about litigation, legislation, policy change, ADR, and community lawyering of all sorts reflect and shape our views of advocacy?
- What beliefs and values do we draw upon in deciding about both the numbers of students in our clinics as well as what criteria we use in selecting these students? Why and how do we decide whether to increase our supervision load, hire staff attorneys or fellows, increase externship opportunities, and develop simulation courses?
- What frameworks guide our decisions about teaching about social justice? What is their source? How are they related to our position in the academy and our relationship to the legal profession?
- What principles guide our decisions about teaching our students

about lawyering? What is their source? How are they related to our position in the academy and our relationship to the legal profession?

- What beliefs are embedded in our decisions about our own careers? What lies behind our approaches to the demands or desires to write, to the urge to teach new clinics or non-clinical courses, to request to serve the law school and the greater community, to our yearning to spend time with friends and families?

We will seek out expert knowledge to help us in this process – someone who knows about education and about social change. Of course, we also rely on home-grown talent – both more experienced faces and newer ones – to guide us. And, we will be very conscious of our location in New Orleans – learning from the experiences of our colleagues and their clients, responding in some small way to the continuing struggle to emerge from disaster, and enjoying Jazz Fest, the City's annual music festival.

The planning committee includes: Elizabeth B. Cooper (Fordham), **Chair**; Thomas F. Geraghty (Northwestern); Katherine R. Kruse (Nevada, Las Vegas); Ann C. Shalleck (American); and Hans P. Sinha (Mississippi).

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Call for Papers

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The New Oil: Trade in Bulk Water Under NAFTA

Peter Bowal, Professor (Haskayne School of Business University of Calgary, Calgary, Alberta, Canada)

Transboundary Environmental Assessment in North America: Obstacles and Opportunities

Neil Craik (University of New Brunswick Faculty of Law)

Embracing Reciprocity: Revisiting Domestic Legal Solutions To Ontario's Transboundary Pollution Problem

Shi-Ling Hsu (University of British Columbia Faculty of Law)

Austen L. Parrish (Southwestern)

Friday, January 5, 2007

10:30 a.m. - 12:15 p.m.

Section on Securities Regulation

Topic: Current Topics in Securities Regulation

Litigation Risk and the Forward-Looking Safe Harbor of the Private Securities Litigation Reform Act

Karen K. Nelson, Professor (Jones Graduate School of

Management, Rice University, Houston, Texas)

Adam Christopher Pritchard (Michigan)

The New Shareholder Activism

Frank Partnoy (San Diego)

Randall Stuart Thomas (Vanderbilt)

A Consumer-Protection Approach to Mutual Fund Disclosure: Reducing the Incidence of Poorly Informed Investor Behavior versus Ensuring Optimal Portfolio Decisions

Joseph A. Franco (Suffolk)

Why You Want Your CEO to Lie to You After the Supreme Court's Dura Pharmaceuticals Decision

James C. Spindler (Southern California)

1:30-3:15 p.m.

Section on Contracts

Topic: New Frontiers in Private Ordering

Daniela Caruso (Boston University)
Rachel S. Arnow-Richman (Denver)

This program will explore ways in which contracts, real or metaphorical, are being used to deal with problems that public law is not necessarily addressing very effectively. A "new frontier" in private ordering can involve, among other possibilities, an unusual purpose of contracting or an unusual subject matter of the contract. Both celebratory and critical perspectives on private ordering will be included. The presenters will address ways to contract around homophobia, negotiated sales of body parts, employment form terms that limit employees' ability to find alternative work or pursue statutory discrimination claims, and the effects of welfare reform on courts' receptivity to distributive goals in contract adjudication. Overall, the program will examine interesting examples of new private ordering, develop theoretical perspectives on these examples, and

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Deputy Director

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tives of other legal education and higher education organizations. For example, the Deputy Director has primary responsibility for working with the National Association for Law Placement and the American Association of Law Librarians, and occasionally attends meetings of the governing board of the ABA Section of Legal Education and Admissions to the Bar, the Council of Social Science Associations, the Law School Admissions Council,

and similar organizations.

Internally, the Deputy Director supervises Association staff who prepare the Association's Newsletter, Placement Bulletin, and Directory of Law Teachers. The Deputy Director is in charge of the Candidates' Conference at the Faculty Recruitment Conference and oversees some of the financial operations of the Associations.

I believe this is an exciting opportunity to work with colleagues in legal education and higher education nationally and I hope you will seriously consider it. I urge any of you who might be interested to contact either Elizabeth Patterson or me, or any of the Association's prior Deputy Directors. We could have an educationally enriching and fun two years working together!

Mid-Year Meeting: Conference on International Law Examines What is Wrong with the Way We Teach and Write International Law

The Joint AALS and American Society of International Law (ASIL) Conference on International Law will take place June 17-20, 2007 in Vancouver, British Columbia, Canada. The registration fee for the Conference is \$535 for AALS Member and Fee-Paid School Faculty if received prior to May 15, 2007 (\$595 after May 15). Visit the Web site www.aals.org/midyear/ for details on housing and registration information.

Why Attend

The world is moving so quickly - globalization of trade, terrorist attacks, global warming, pre-emptive invasions, international courts springing up around the globe - and the law necessar-

ily changes to keep up with it. No one can keep abreast of the ever-evolving face of international law, much less pause and reflect on how these developments affect the way we teach and write about it.

This conference will bring together teachers and scholars for three days of intensive discussion on how we teach and write about international law and where the field is heading. There will be plenary sessions, small group discussions, and paper presentations. The panelists, drawn from the most highly respected scholars in their various fields, will be around for the entire conference, enabling conversations to continue long after the formal discussions have ended.



We will start by asking - not ourselves but other scholars - "What is wrong with what we do?" The opening panel will look at international law teaching and scholarship from the outside - economics, sociology, political science, literature - and offer critiques on its academic value. Other panels will critique international law scholarship from a variety of perspectives, consider the future of the core international curriculum in the face of increasing specialization, and discuss the teaching of ethics and the ethics of teaching international law, especially in clinical settings. Teachers of other subjects can benefit as well. The internationalization of the legal profession has reached the classroom. Globalizing the law school curriculum has meant not only adding courses and specializations in international law, but adding international and comparative components to core subjects or, even better, approaching them from a wider perspective. More and more, international law is becoming relevant to domestic law as Congress and agencies enact legislation and regulations implementing international obligations, as domestic law must reflect the

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2007 AALS Mid-Year Meeting

The 2007 AALS Mid-Year Meeting will be held from June 17-22 in Vancouver, British Columbia, Canada. This meeting offers registrants the opportunity to participate in up to three professional development programs. You can choose to register for the two workshops and/or conference. By registering for one workshop you are automatically registered for both.

You will receive a discount of half of the workshop registration fee by registering for all three programs:

	Early Bird Price (before May 15th)	Regular Price
Joint AALS and ASIL Conference on International Law: What is Wrong with the Way We Teach and Write International Law?	\$535	\$595
Workshop on Family Law: Bridging the Gap Between Social Science and Law	\$470	\$520
Joint AALS and ASRM Workshop on Reproductive Medicine and Law	\$470	\$520
Entire Mid-Year Meeting (includes both workshops and the conference)	\$770	\$855

Mid-Year Meeting: Workshop on Family Law: Bridging the Gap Between Social Science and Law

The Workshop on Family Law will take place June 20-22, 2007 in Vancouver, British Columbia, Canada. The registration fee for the Workshop is \$470 for AALS Member and Fee-Paid School Faculty if received prior to May 15, 2007 (\$520 after May 15). Visit the Web site www.aals.org/midyear/ for details on housing and registration information.

Why Attend

Family law scholars have increasingly turned to the empirical sciences in their teaching and scholarship to help define problems worthy of exploration, provide the data necessary to develop and test hypotheses, and deepen their understanding of the interaction between law, human behavior, and families. Few problems in family law do not have an empirical dimension or a set of issues that cannot be enhanced through interdisciplinary connections. This conference addresses the growing interest in social science and family law by drawing together prominent family law scholars and some of today's leading social scientists on the family.

Among the specific topics covered by the conference that have engaged both empirical scientists and legal scholars are child custody, the family dimensions of race and poverty, assisted reproduction, domestic violence, and the role of courts in resolving family disputes, and dispute resolution alternatives to the judicial process. How important is it for a child to maintain a relationship (an equal relationship?) with both parents after a divorce? What custody rules should apply when one parent relocates



to another state? What is parental alienation and how should courts respond to charges of it? What determines the stability, or fragility, of families, and what role can and should the law play in making families more stable? What problems do physicians encounter in their assisted reproduction practices to which the law should have better answers? What does the empirical data that might help the law solve issues of defining parenthood outside the conventional reproductive context? Do domestic protection orders work? Are children, and battered parents, adequately protected by current law? When does mediation work, and when should it be mandatory? Are parenting plans the answer? What role can special family courts play? As to each of these and other questions, social scientist researchers will join with legal scholars to discuss the most recent empirical research in the area and its implications for family law. The panel on assisted reproduction is co-sponsored by the AALS and American Society of Reproductive Medicine Workshop on Reproductive Medicine and Law.

In addition to providing empirical data and insight about its relevance to family law, the workshop will provide sessions to help family law professors develop greater empirical sophistication

in their own research. One panel of family law professors who have done empirical research will discuss how they developed and supported their empirical projects. In addition, a law professor/social scientist with experience in the grant-making world will discuss how to define manageable, fundable topics and approach potential funders.

Finally, the conference will set aside time to discuss innovative ways of teaching family law.

This workshop is intended for family law teachers and scholars who wish to be more intelligent consumers of the empirical research relevant to their own scholarly agendas and teaching interests, as well as those who may wish to integrate some empirical methods into their research. Scholars and teachers of all experience levels should benefit from the workshop.

Confirmed Speakers

The confirmed speakers are: Sanford L. Braver, Ph.D. (Professor, Department of Psychology, Arizona State University, Tempe, Arizona); Tonya L. Brito (Wisconsin); Carol S. Bruch (California, Davis); Naomi R. Cahn (George Washington); June Rose Carbone (Santa Clara); Mary Ann Dutton, Ph.D. (Research Professor, Department of Psychology, Georgetown University Medical Center, Washington, DC); Kathryn Edin, Ph.D. (Professor, Department of Sociology, University of Pennsylvania, Philadelphia, Pennsylvania); Robert E. Emery Ph.D. (Professor of Psychology, Director, Center

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Mid-Year Meeting: Joint AALS/American Society of Reproductive Medicine (ASRM) Workshop on Reproductive Medicine and Law

The Workshop on Reproductive Medicine and Law will take place June 20–22, 2007 in Vancouver, British Columbia, Canada. The registration fee for the Workshop is \$470 for AALS Member and Fee-Paid School Faculty if received prior to May 15, 2007 (\$520 after May 15). Visit the Web site www.aals.org/midyear/ for details on housing and registration information.

Why Attend?

After more than two decades, assisted reproductive technologies (ART) coupled with increasingly sophisticated prenatal diagnostic techniques still raise a host of vexing questions for families, scholars, and legal and medical practitioners. Who gets access to these technologies, and why? Money is important as well as all sorts of judgments about who is “fit” to parent, whether on the basis of age, race, marital status or sexual orientation. Scholars from a variety of cross cultural, feminist, religious, and race perspectives have explored the social implications of the increasing array of choices. Questions increasingly arise about the role of state and professional regulation of these practices, and different countries have taken dramatically different approaches. The implications of ART and its use and control are far broader, shedding important light on views of the families, the practice of medicine, and the roles of different perspectives and beliefs in our society and our world. All these issues will be discussed during the workshop.

What makes this workshop, which is sponsored jointly by the

AALS and the American Society of Reproductive Medicine, unique is that it brings together a distinguished faculty of leading medical practitioners and legal scholars who have explored these issues over the years. Each session will include both law professors and physicians who will engage with each other and with the participants in a dialogue that promises to be both provocative and to provide new perspectives on these issues.

In addition, this workshop is being held contemporaneously with the Family Law Workshop. A highlight will be a plenary session for both meetings that focuses on different perspectives on family formation with presentations on the issues that physicians encounter, a family law perspective, gay and lesbian issues, and religious perspectives, focusing on Islam. Attendees of the workshops will be free to participate in each others’ sessions.

Confirmed Speakers

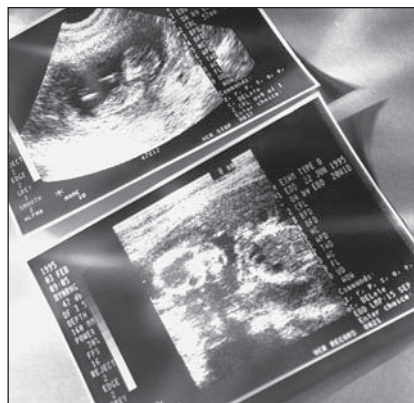
G. David Adamson, M.D. (Fertility Physicians of Northern California, Palo Alto, California); Leslie Bender (Syracuse); Robert G. Brzyski, Ph.D., M.D. (University

of Texas Health Sciences Center, San Antonio, Texas); June Rose Carbone (Santa Clara); Judith F. Daar (Whittier); Alan DeCherney, M.D. (National Institute of Child Health and Human Development, National Institutes of Health, Bethesda, Maryland); William Gibbons (A Woman’s Center for Reproductive Medicine, Baton Rouge, Louisiana); Lori Knowles, Research Associate (Health Law Institute, University of Alberta, Edmonton Alberta, Canada); Andrew R. La Barbera, Ph.D. (University of Cincinnati College of Medicine and Scientific Director, American Society for Reproductive Medicine); Antoinette Sedillo Lopez (New Mexico); Pamela L. Madsen, Executive Director (The American Fertility Association, New York, New York); Lorna A. Marshall, M.D. (Pacific Northwest Fertility Clinic, Seattle, Washington); Nancy D. Polikoff (American); Dorothy E. Roberts (Northwestern); John A. Robertson (Texas); Soraya Tremayne, Director (Fertility and Reproduction Studies Group, Institute of Social and Cultural Anthropology, University of Oxford, Oxford, England); and Susan M. Wolf (University of Minnesota Law School and Medical School).

Topics

The planning committee has prepared the following topics:

Embryo Issues: Legal Status Issues: The Legal Status of Embryos under Constitutional



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2007 New Law Teachers Workshop

The twenty-fifth annual Workshop for New Law Teachers will take place June 28-30, 2007 in Washington, DC. The Workshop for Beginning Legal Writers will be held June 30-July 1. For details regarding hotel and registration, visit www.aals.org/nlt/. The Workshop for New Law Teachers is designed to offer new law teachers ideas about teaching techniques and scholarly development and to enable them to share excitement, experiences and concerns about entering the academic world. The workshop provides an opportunity to discuss the expectations that students and colleagues may have about new teachers, and the most effective means for achieving professional success in the first few years of teaching. It will focus on issues of teaching and scholarship, as well as institutional and individual concerns of new law teachers.

Confirmed Speakers

Confirmed speakers include: Libby S. Adler (Northeastern); Douglas Aaron Berman (Ohio State);

Dorothy Andrea Brown (Washington and Lee); JoAnne A. Epps (Temple); Laura E. Gomez (New Mexico); David Hall (Northeastern); Marina C. Hsieh (Santa Clara) and Deleso Alford Washington (Barry).

Topics

Topics include: Nuts & Bolts; Learning Theory; Teaching Techniques and Demonstrations; Assessment & Institutional Citizenship; Scholarship; and Junior Faculty Feedback.

Workshop for Beginning Legal Writing Teachers

The Workshop for Beginning Legal Writing Teachers is designed to offer new law faculty an introduction to the teaching of legal writing. The workshop will address the basic tasks of the teacher of legal writing: classroom teaching, designing problems, conducting effective individual conferences, incorporating the teaching of legal research, and critiquing students' written work.

Confirmed Speakers

Speakers include: Lorraine Bannai (Seattle); Patricia A. Broussard (Florida A & M); Linda H. Edwards (Mercer); Suzanne Rabe (Arizona); Amy E. Sloan (Baltimore); and Craig T. Smith (Vanderbilt);

Topics

Topics include: Nuts & Bolts; Designing Assignments; Teaching Legal Research; Scholarship; Critiquing

Planning Committee

The Planning Committee for the New Law Teachers Workshop, the Workshop for Beginning Legal Writing Teachers, and the Workshop on Thriving and Surviving in the Academy includes: Mary Beth Beazley (Ohio State); Devon Wayne Carbado (California at Los Angeles); Phoebe A. Haddon (Temple); Toni Marie Massaro (Arizona); Todd D. Rakoff (Harvard); Kent D. Syverud (Washington University), **Chair**; and Margaret Y.K. Woo (Northeastern).

Workshop on Thriving and Surviving in the Academy: Concrete Steps for People of Color and Their Law Schools

The Workshop on Thriving and Surviving in the Academy will be held June 27-28, 2007 in Washington, DC.

Why Attend

Recent statistics show that the retention rate for faculty of color is dismayingly low. Recognizing that hiring without attention to retention will not necessarily increase diversity in American law facul-

ties, this workshop focuses on the challenges faced by faculties of color in the legal academy. The workshop should be of interest to faculties of color and any faculty interested in increasing diversity in American law schools.

Confirmed Speakers

Speakers include: Peter C. Alexander (Southern Illinois); Leonard M. Baynes (St. John's);

JoAnne A. Epps (Temple); David Hall (Northeastern); and Jose Robert Juarez, Jr. (Denver)

Topics

Promotion and Tenure: Getting to Yes; Service: Strategies to Success for Minority Teachers; Teaching: Strategies to Success for Minority Teachers; Scholarship: Strategies to Success for Minority Teachers; and You Can Do This: Why This is Important Beyond Getting Tenure.

Clinical Workshop

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Jazz Fest and Hotel Reservations

The New Orleans Jazz & Heritage Festival is scheduled for April 27 – 29 and May 4 – 6. See www.nojazzfest.com. Hotel rooms will sell out quickly in advance of the meeting, so it is important to make your hotel reservations now, making allowances for early or late departure dates beyond the

Workshop dates. Go to www.aals.org/events_2007clinical.php.

To Register

Registration fees per person for the Law Clinic Directors Workshop are \$190 for faculty of AALS member and fee-paid schools, and \$240 for faculty of non-fee-paid law schools. Registration fees per person for the Workshop on Clinical Legal Education are \$350 for faculty of AALS member

and fee-paid schools, and \$400 for faculty of non-fee-paid law schools. Please note that payment is necessary for admission to the workshop. A confirmation letter for your paid registration will be mailed. If you have not received a confirmation letter, call AALS Registration at (202) 296-1662, to verify your registration.

Reproductive Medicine

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and State Law, including Fetal Homicide Laws, and their Effect on Dispositional Control over Embryos in the Areas of Creation, Discard, and Donation for Research or Therapy; Mishaps: How and Why Mistakes Occur in the Embryology Lab, and How to Prevent Them; Legal Issues Relating to Misappropriation and Mistakes Regarding Loss of Embryos and the Family Law Issues When Embryos are Given to the Wrong Person.

Family Law: Donor/Surrogacy/Rearing Rights: Problems that Physicians Encounter, Including Payments to Donors, Donor Disposition of Eggs, HIV Discordant Couples, Female-Female Couple IVF; Defining Parenthood; Gay and Lesbian Issues; Religious Views of ART, Focusing on Islam

Concurrent Sessions: Regulation: International and U.S.; Globalization: Comparative

ART Practice (UK, Canada, Australia, Latin America)

Trait Selection: Pre-implantation Genetic Diagnosis for Sex Selection; Disability

Autonomy: Who Decides What?: Multiple pregnancies; Selective Multifetal Reduction; Choice: Clinicians, Patients, Government, Third Parties

Access to ART: Legal, Economic and Political Blockades to Babyhood: The Effect of Economic Access to ART on Availability, Pregnancy Success and Multiple Pregnancy; Limitations Based on Cost, Marital Status and Domicile; The Rise of Fertility Tourism

Current Perspectives on Assisted Reproductive Technology: Cross-cultural and Feminist Perspectives; Parental and Economic Perspectives; Racial Perspectives

Planning Committee

The Planning Committee for the Joint AALS and American Society of Reproductive Medicine Workshop on Reproductive Medicine and Law includes: Robert G. Brzyski, Ph.D., M.D. (Associate Professor and Director of Reproductive Endocrinology/Infertility Fellowship University of Texas Health Sciences Center) Vice Chair; Ellen Wright Clayton, MD, JD (Professor of Genetics & Health Policy, Professor of Law & Professor of Pediatrics, Vanderbilt University), **Chair**; Judith F. Daar (Whittier Law School and Clinical Professor of Medicine, University of California Irvine College of Medicine); William Gibbons, MD (A Woman's Center for Reproductive Medicine, Baton Rouge, Louisiana); Antoinette Sedillo Lopez (New Mexico); and John A. Robertson (Texas).

Family Law

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for Children, Families, and the Law, University of Virginia, Charlottesville, Virginia); Peter G. Jaffe, Ph.D. (Professor, University of Western Ontario, Faculty of Education, London, Ontario, Canada); Richard Owen Lempert (Michigan); Solangel Maldonado (Seton Hall); Lorna A. Marshall, M.D. (Pacific Northwest Fertility Clinic, Seattle, Washington); Sara S. McLanahan, Ph.D. (Professor of Sociology and Public Affairs, Center for Research on Child Wellbeing, Princeton University, Princeton, New Jersey); Joan S. Meier (George Washington University); Jessica Pearson (Director, Center for Policy Research, Denver, Colorado); Nancy D. Polikoff (American); Jennifer

Lorraine Rosato (Drexel University); Andrew Schepard (Hofstra); Elizabeth S. Scott (Columbia); Soraya Tremayne (Director, Fertility and Reproduction Studies Group, Institute of Social and Cultural Anthropology, University of Oxford, Oxford, England); and Barbara Bennett Woodhouse (Florida).

Topics

Topics include: Fragile Families; Child Custody: Role of Maintaining Child's Relationship with Both Parents; Family Law: Donor/Surrogacy/Rearing Rights (Defining Parenthood); Problems that Physicians Encounter, Including Payments to Donors, Donor Disposition of Eggs, HIV Discordant Couples, Female-Female Couple IVF; Gay and Lesbian Issues; Religious

Views of Assisted Reproductive Technology (ART); Focus on Islam; Different Ways to Teach Family Law; Empirical Research on Domestic Violence; Dispute Resolution; Open Discussion: Tips and Pitfalls for the Law Professor Seeking to Do Empirical Research; Family and Welfare Law; and Empirical Research from a Researcher and a Funder's Perspective.

Planning Committee

The Planning Committee for AALS Workshop on Family Law: Bridging the Gap Between Social Science and Law are Katharine T. Bartlett (Duke), **Chair**; Margaret Friedlander Brinig (Notre Dame); Ira Mark Ellman (Arizona State); Blake D. Morant (Washington and Lee); and Carl E. Schneider (Michigan).

International Law

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reality that it is applied more and more in transnational contexts. It is becoming harder to find a field of trade or legal practice unaffected by international commerce, foreign competition law, and international financial and trade regulation. An intensive exchange with international legal teachers and scholars will suggest ways of incorporating international law - or insights gleaned from it - into other courses.

Confirmed Speakers

Speakers include: Antony T. Anghie (Utah); David J. Bederman (Emory); Mary C. Daly (St. John's); Colin Dayan (Robert Penn Warren Professor in the Humanities, Vanderbilt University, Nashville, Tennessee); Mark A. Drumbl (Washington and Lee); Laurel E. Fletcher (California, Berkeley);

Tom Ginsburg (Illinois); Ruth E. Gordon (Villanova); Marci B. Hoffman (Georgetown); Harold Hongju Koh (Yale); Mary Ellen O'Connell (Notre Dame); Katharina Pistor (Columbia); Balakrishnan Rajagopal (Ford International Associate Professor of Law and Development, Massachusetts Institute of Technology Department of Urban Studies and Planning, Cambridge, Massachusetts); Kal Raustiala (UCLA); Mathias W. Reimann (Michigan); Stephen Toope (President, The University of British Columbia, Vancouver, British Columbia, Canada); Peter D. Trooboff, Esquire (Covington & Burling, LLP, Washington, DC); Jeremy James Waldron (Columbia); and Judge Diane P. Wood (U.S. Court of Appeals for the Seventh Circuit, Chicago, Illinois).

Topics

Topics include: Who Are "We"; What is the Left - The (truly) Invisible College of International Lawyers; What is Wrong? The Outsiders Comment; Internationalizing International Law; Scholarship: What is Taught and Why; Are We All Transnationals Now?; Teaching Ethics, Ethical Teaching; and Identifying the Core Amidst Specialization and Critique: Why Should a HR Student Take International Law and What is Left of International Law?

Planning Committee

The Conference Planning Committee includes: T. Alexander Aleinikoff (Georgetown); Jose Enrique Alvarez (Columbia); Diane Marie Amann (California at Davis); David D. Caron (California, Berkeley), **Chair**; William V. Dunlap (Quinnipiac); and Chantal Thomas (Fordham).

Call for Papers

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consider strengths and weaknesses of using private rather than public ordering to address social problems.

Saturday, January 6, 2007

9:00-10:45 a.m.

Section on International Human Rights Law

Topic: New Voices in International Human Rights Scholarship

Moderator: Mark E. Wojcik (John Marshall)

Constitutional Conversations and New Religious Movements

Liegh Hunt Greenhaw (Washington University)

Michael H. Koby (Washington University)

Toward an International Criminal Procedure: Due Process Aspirations and Limitations

Gregory S. Gordon (North Dakota)

Did Globalization Kill the Criminal Law?

The Corrosive Effects of Globalization on Compliance with the Criminal Law and the Vitality of Norms

Patrick J. Keenan (Illinois)

Peacekeepers as Perpetrators: Sexual

Exploitation and Abuse of Women and Children in the Democratic Republic of the Congo

Susan A. Notar, Managing Editor (International Legal Materials, American Society of International Law, Washington, D.C.)

aalscalendar

Upcoming Meetings and Events

January 2 – 6, 2007

- Annual Meeting, Washington, DC

May 3 – 6, 2007

- Workshop on Clinical Legal Education
New Orleans
www.aals.org/events_2007clinical.php

June 17 – 22, 2007

Mid-Year Meeting
Vancouver, British Columbia, Canada

- June 17–20, 2007
Joint AALS and American Society of International Law Conference on International Law
www.aals.org/events_2007international.php
- June 20–22, 2007
Workshop on Family Law: Bridging the Gap Between Social Science and Law
www.aals.org/events_2007family.php
- June 21–22, 2007
Joint AALS and American Society of Reproductive Medicine Workshop on Reproductive Medicine and Law
www.aals.org/events_2007reproductive.php

June 27 – 28, 2007

- Workshop on Thriving and Surviving the Academy: Concrete Steps for People of Color and Their Law Schools
Washington, DC
www.aals.org/events_2007thriving.php

June 28 – 30, 2007

- Workshop for New Law Teachers
Washington, DC
www.aals.org/events_2007nlt.php

June 30 – July 1, 2007

- Workshop for Beginning Legal Writing Teachers
Washington, DC
www.aals.org/events_2007nlt.php

October 25 – 27, 2007

- Faculty Recruitment Conference, Washington, DC

Future Annual Meeting Dates and Locations

- January 2–6, 2008, New York
- January 6–10, 2009, San Diego



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