

**2020** AALS  
ANNUAL  
MEETING  
WASHINGTON, DC

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# Program



## **PILLARS OF DEMOCRACY** Law, Representation, & Knowledge



January 2 – 5, 2020

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2020 Annual Meeting

# PILLARS OF DEMOCRACY

LAW, REPRESENTATION, & KNOWLEDGE

Thursday, January 2 – Sunday, January 5, 2020

Marriott Wardman Park

Washington, DC

[am.aals.org](http://am.aals.org) | [#aals2020](https://twitter.com/aals2020)





# Welcome

## *The Association of American Law Schools 114<sup>th</sup> Annual Conference*

January 2 - 5, 2020

As Mayor of Washington, DC, I am pleased to extend a warm welcome to The Association of American Law Schools (AALS) on the occasion of your 114<sup>th</sup> Annual Conference.

The AALS has provided extensive professional development opportunities for more than 9,000 law faculty. The theme for this event, "Pillars of Democracy: Law, Representation and Knowledge," represents the role legal education plays in sustaining the pillars of constitutional democracy. This includes law, its values, institutions, elections and representation, and institutions of which law schools play an integral part. This event brings together law professionals, deans, administrators, and scholars to network, discuss issues of concern and focus on perspectives of law and legal education.

I thank you for choosing Washington, DC, for hosting this event, and while you are here, I invite you to enjoy all our city has to offer and encourage you to visit our museums, monuments, restaurants and diverse neighborhoods, all of which makes our city a world-class experience.

On behalf of the 702,000 residents of Washington, DC, you have my best wishes for an enjoyable and productive event.

Muriel Bowser  
Mayor, Washington, DC





# WELCOME TO WASHINGTON, DC FOR THE 2020 ANNUAL MEETING OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS

Dear Colleague,

I am delighted to welcome you to Washington, DC for what promises to be a wide-ranging and thoughtful examination of major legal issues facing our nation. We look forward to exploring the role law schools and faculty play in support of this year's theme, "Pillars of Democracy: Law, Representation, and Justice."

It seems particularly fitting that we should assemble in Washington, the nexus of democratic power in the United States, as political and global current events intensify moving into the 2020 election year. It is an important and exciting time to be a legal scholar.

You will find hundreds of sessions that have been put together to discuss a broad range of issues, a diversity of viewpoints, and a variety of formats—from distinguished speakers to small group discussions. No other gathering of law professors and professional staff is as large or professionally diverse.

I extend my thanks to the 104 AALS Sections, who work throughout the year to organize the best panels and interactive sessions possible. Section programming makes up about three-quarters of the sessions, with the remaining sessions put together by AALS—you can find more information about program types on page xiii. I extend particular thanks to the Program Committee, the Arc of Career Committee, and AALS professional staff for their work on every aspect of the meeting.

As you navigate the many scholarly opportunities ahead of you, I hope you will also have the chance to make the most of the networking events scheduled throughout the meeting. In particular, I hope you will make time to visit the Exhibit Hall and connect with representatives from publishers, legal tech companies, and more—including our own new Discover AALS! booth.

We are pleased to have you with us in the nation's capital, and look forward to the next four days. With all the best wishes,

A handwritten signature in black ink that reads "Judith Areen". The signature is written in a cursive, flowing style.

Judith Areen  
Executive Director





# PILLARS OF DEMOCRACY

## LAW, REPRESENTATION, & KNOWLEDGE

Legal education plays essential roles in sustaining the pillars of constitutional democracy. These include law, its values, and institutions; elections and representation; and the knowledge institutions of which law schools are an integral part.

The ideas of government under law, and equality under law, central to our constitutional traditions, require independent courts. Yet personal attacks on judges, along with increased violence against certain minorities, threaten the ideal of equal justice under law. Legal training speaks to issues of fair process, equal treatment, and judicial independence. These ideas do not sustain themselves; they need to be taught, critically analyzed, and practiced. Indeed, respect for fair process is important throughout government, including adherence to “regular order” in the Congress (in which lawyers disproportionately serve). Law school curricula should reflect the needs for fair process in all parts of our system of governance.



*AALS President Vicki C. Jackson,  
Harvard Law School*

A second pillar of constitutional democracy is fair voting and representation—with law laying down rules in advance—about who can vote, for what candidates, for which offices. But law can be used to obstruct as well as to support democracy by, for example, illegitimately suppressing the vote. Law schools should consider how to explore the significance of voting and representation, as well as the norms of political reciprocity on which a decent democracy rests. Just as we introduce our students to thick ideas of what it means to be a good judge, we should consider providing more analytical and normative attention to elections and elected representatives, asking, for example, whether principle and compromise might play different roles for a judge and for a legislator.

Knowledge institutions—universities (including law schools), a free press, and public and private offices devoted to gathering and disseminating data—are a third pillar of constitutional democracy. Self-governance requires informed voters, whose opinions rest on shared knowledge. Law schools today help fulfill the roles that President George Washington contemplated for a national university—to educate citizens in knowing their rights, knowing the law, knowing how to evaluate their representatives, and understanding government. Yet higher education, of which law faculties are a part, faces serious challenges, including new partisan divides about its value, and concerns about fair access. Other challenges confront the press, which supports democracy by reporting on matters of public concern, and government offices charged with responsibility for data collection. We should ask our students to reflect on how law sustains those institutions central to the epistemic foundations of democracy.

Finally, we should recognize that institutions can only do so much—character and attitude matter. Constitutionalism and democracy are supported by such lawyerly civic virtues as open-mindedness, fairness, integrity, and courage—the courage to stand up for equality, as did Justice Thurgood Marshall, and the courage to make compromises that enable our representative government to function.

Working together, we, as legal educators, and our students can help strengthen the pillars of constitutional democracy.

A handwritten signature in black ink, appearing to read "Vicki C. Jackson". The signature is fluid and cursive, with a long, sweeping underline.

Vicki C. Jackson  
AALS President and Harvard Law School



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# Meeting Information

## AALS Locations

Please be aware that individual events may be held at any of the three AALS hotels: the Marriott Wardman Park (headquarters), Omni Shoreham, and Washington Hilton. Check the location carefully before any event you plan to attend.

### Discover AALS! Booth

*Booth #502, Exhibit Hall C, Exhibition Level  
Marriott Wardman Park*

The AALS booth offers a new opportunity to explore services the association offers, learn about transformative opportunities in membership and leadership, and provide valuable feedback. Stop in to talk with staff members and discover new initiatives AALS is undertaking on behalf of faculty and the academy, demo the mobile app, or learn more about our research report, *BEFORE THE JD*.

### Exhibit Hall

*Exhibit Hall C, Exhibition Level  
Marriott Wardman Park*

Learn about new products, services, and technologies available to the legal community. The Exhibit Hall also includes a lounge area with coffee and tea, pastries, and/or cookies served in the mornings and afternoons. See the mobile app or page 127 for details about special events and exhibitor demonstrations happening throughout the meeting.

- Thursday, 4 pm – 8 pm
- Friday, 8 am – 6:30 pm  
(Opening Reception 4:30 pm – 6:30 pm)
- Saturday, 8 am – 5 pm
- Sunday, 8 am – 11 am

### Information Desk

*Convention Registration Foyer, Lobby Level  
Marriott Wardman Park*

Need help finding a meeting room? Have a question about when and where a program or reception is taking place? Wondering about any AALS services at the Annual Meeting? Stop by the Information Desk. We are here to help.

- Thursday, 11 am – 6:30 pm
- Friday, 8 am – 5:30 pm
- Saturday, 8 am – 5:30 pm
- Sunday, 8 am – 4:30 pm

## Operations Office

*Harding, Mezzanine Level  
Marriott Wardman Park*

If you are a section chair with a question about logistics or a session moderator with a speaker update for your program, stop by to talk with an AALS staff member.

- Thursday, 11 am – 8 pm
- Friday, 7 am – 6:30 pm
- Saturday, 7 am – 5 pm
- Sunday, 7 am – 2 pm

## Registration

*Exhibit Hall C, Exhibition Level  
Marriott Wardman Park*

If you need to register, purchase a meal event ticket, or get a spouse/partner registration, stop by AALS Onsite Registration and we'll help you get settled.

- Thursday, 11 am – 8 pm
- Friday, 7 am – 6:30 pm
- Saturday, 7 am – 6:30 pm
- Sunday, 7 am – 2 pm

## Speaker Ready Room

*Buchanan, Mezzanine Level  
Marriott Wardman Park*

The ready room simulates actual session rooms, set theater style with a projector and screen to test and review presentations. Speakers supply their own laptop. The ready room also has a printer should you need to print your notes.

## Badges

### Admission Policy

Admission to any and all programs require your AALS name badge. Admission to ticketed events requires your name badge and a ticket.

### Replacement Fee

If you lose your badge, please visit Registration for a replacement. A \$10 re-printing fee will apply.

### For Spouse/Partner

Non-faculty/staff spouses and partners are welcome to attend the meeting with any full meeting registrant. Visit the registration desk to purchase a \$35 spouse/partner registration onsite. Please note that law school faculty and staff are not eligible for this type of registration.

## MEETING INFORMATION

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### *Badges, continued*

#### **For Children**

Children attending the meeting with a parent/guardian may attend program sessions with a children's badge, available at the registration desk onsite. Children attending meal events must have their own tickets.

#### **Business Center**

*FedEx Office, Mezzanine Level  
Marriott Wardman Park*

The Business Center and Parcel Center are open Monday through Friday, 7 am – 7 pm. On weekends there is a self-service printer, scanner, fax, and computer available 7 am – 5 pm, and the Parcel Center is open Saturday 8 am – 2 pm and Sunday 12 pm – 4 pm.

#### **Child Care**

AALS does not provide onsite child care services at the conference. Consult with the hotel concierge for information about local child care.

#### **Coffee with Colleagues**

Map out your schedule each morning and afternoon over coffee, tea, and refreshments. Coffee with Colleagues breaks this year are sponsored by:

**American University,  
Washington College of Law  
Antonin Scalia Law School at  
George Mason University  
Carolina Academic Press**

Refreshment breaks are 90 minutes and will be held over the course of the meeting as follows:

#### *Thursday*

- 5 pm – 6:30 pm, Exhibit Hall

#### *Friday*

- 7:30 am – 9 am, Convention Registration  
Foyer, Lobby Level
- 9 am – 10:30 am, Exhibit Hall
- 1:30 pm – 3 pm, Exhibit Hall
- 3 pm – 4:30 pm, Convention Registration  
Foyer, Lobby Level

#### *Saturday*

- 7:30 am – 9 am, Convention Registration  
Foyer, Lobby Level
- 9 am – 10:30 am, Exhibit Hall
- 1:30 pm – 3 pm, Convention Registration  
Foyer, Lobby Level
- 3 pm – 4:30 pm, Exhibit Hall

#### *Sunday*

- 7:30 am – 9 am, Convention Registration  
Foyer, Lobby Level
- 9 am – 10:30 am, Exhibit Hall
- 1:30 pm – 3 pm, Convention Registration  
Foyer, Lobby Level

#### **Consent to Use of Photographic, Video, and Audio Materials**

AALS will have a photographer and videographer at special events, sessions, exhibits, and throughout the hotel common areas used for the Annual Meeting. Photos and videos taken during the Annual Meeting will remain the property of AALS and may be distributed or used in future marketing materials. Your attendance at the Annual Meeting indicates your acceptance to be photographed, filmed, or recorded, and to AALS's use of your image, without payment of any kind, in program(s) and for other purposes designated by AALS in the future.

#### **Continuing Education Credit**

The AALS Annual Meeting offers attendees over 250 sessions on a wide variety of topics on the legal profession and legal education. In order to streamline the confirmation of attendance to the sessions, we ask each attendee to record his/her participation by signing the CLE sheet located at the back of each session room. If you are unsure if you signed a session CLE sheet, please visit the AALS Information Desk. Staff can manually add your name, provided you bring a witness to your attendance at the session in question. Attendance cannot be changed on any sheet after the conclusion of the Annual Meeting. After the Annual Meeting, you may request a letter of attendance by writing to [cleattendance@aals.org](mailto:cleattendance@aals.org). Please provide the date, time, and title of the session. AALS can only verify attendance for sessions where a registered attendee signs the Continuing Education Credit sheet or is a listed speaker in the program.

#### **Health Club at Marriott Wardman Park**

The Health Club is available to hotel guests 24 hours a day, 7 days a week and is located on the Lobby Level.

## Internet

### Guest Room WiFi

*Marriott Wardman Park:* Bonvoy members enjoy complimentary wi-fi. Visit the Marriott Bonvoy website to sign up for a Bonvoy account at no cost.

*Hilton Washington:* Hilton Honors members enjoy complimentary wi-fi. Visit [HiltonHonors.com](http://HiltonHonors.com) to sign up for free.

*Omni Shoreham:* the Omni Shoreham offers complimentary guest room wi-fi.

### Meeting Rooms and Public Space at the Marriott

Open a web browser, select “Marriott Conference,” and use the password **AALS2020** to connect.

## Law Student Assistants

AALS thanks all law students at this year’s Annual Meeting. These law students are the eyes and ears of AALS throughout the meeting and are essential to making sure all sessions run smoothly. If you see these law students during the meeting, please thank them for all of their hard work. We appreciate their time and dedication.

## Lost and Found

Have you misplaced or found something at the Marriott? Pick up the nearest house phone and dial extension 11.

## Luggage Storage

There is no fee for AALS attendees storing luggage at the participating AALS hotels. Please see an attendant at the Bell Stand.

## Mobile App

Download the AALS mobile app to easily view program details, speakers, hotel floorplans, exhibitor lists, and social features on your phone or tablet. You can also create a personalized schedule. The mobile app is your source for the most current information, including all the late changes not included in this program. Visit your mobile app store, search for “AALS events,” install, and run.

## Personal Hearing Enhancement Systems

AALS offers independent mobile hearing enhancement systems for attendees. Use with a provided headset or induction loop or use your own earbuds. Email [accommodations@aals.org](mailto:accommodations@aals.org) to reserve a device, then check it out for the duration of the meeting from the AALS Information Desk. Return all devices to the Information Desk no later than 4 pm on Sunday, January 5.

## Phone Charging Station

The Marriott Wardman Park has two non-locking charging stations on the Mezzanine Level near the Harding and Hoover rooms.

Phone chargers are also available in the Exhibit Hall (*Exhibit Hall C, Exhibition Level*)

## Private Room for Nursing

AALS provides a room for nursing parents each day of the meeting with electrical power, a refrigerator, and a locking door. Please visit the AALS Information Desk to request a key.

## Recordings

Free audio recordings of almost all sessions at the Annual Meeting will be available at [am.aals.org](http://am.aals.org) in January. The audio recordings may be distributed to the media, including comments from both the speakers and the audience. Speakers who have signed a refusal to record will still be recorded but will be edited out prior to posting or distribution. For questions related to recordings please visit the AALS Information Desk.

## Restaurants/Lounges at the Marriott Wardman Park Hotel

- *Stone’s Throw:* Open for breakfast and lunch, 6 am – 3 pm
- *Harry’s Pub:* Open for dinner, 5 pm – 12 am Thursday – Saturday
- *Lobby Lounge:* Open for cocktails, hors d’oeuvres, and dinner, 11 am – 12 am
- *Woodley Park Pantry:* Open daily 6 am – 11 pm
- *Fresh Bites room service/pick-up:* Available daily 6 am – 11 pm

# MEETING INFORMATION

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## Sections

### Business Meetings

Refer to the schedule or the mobile app to locate your Section's business meeting.

### Section Meal Events

If you did not add on your meal events during online registration, you may purchase tickets for section breakfasts and luncheons at the AALS Registration Desk before it closes on the evening prior to the event. Tickets are limited and will not be sold at the door.

## Shuttle Between AALS Hotels

A complimentary shuttle will be provided between the Marriott Wardman Park, Omni Shoreham, and Washington Hilton during conference hours.

## Social Media

We hope you follow AALS on Twitter, Facebook, Instagram, and LinkedIn. Please tweet about the conference using the hashtag **#AALS2020**. You can also post directly from the mobile app.

## Speaker Materials

Materials provided by speakers and panelists are available on [am.aals.org](http://am.aals.org) and on the mobile app under the session description. More will be posted after the conference.

If you are a speaker, you may submit presentations or materials via our online submission form until February 15, 2020. PDF files are preferable, and all files must be accessible. For information visit [am.aals.org/program/materials](http://am.aals.org/program/materials).

## Visiting Washington, DC

The meeting is a great opportunity to explore all that Washington, DC has to offer. Explore the entertainment and dining suggestions listed on the AALS website at [am.aals.org/visit](http://am.aals.org/visit).



# Program Highlights

## Presidential Programs

- Ronald Daniels, President of Johns Hopkins University, will join AALS President Vicki Jackson and a panel of experts for the Presidential Plenary program **The Role of Universities and Law Schools in Constitutional Democracy** at 10:30 am on Friday.
- **U.S. Supreme Court Justice Ruth Bader Ginsburg** will join Vicki Jackson for a conversation at 6 pm on Saturday.

- **Representation, Voting, and Sustainable Constitutional Democracy** with a panel of experts begins at 1:30 pm on Sunday.

Plus, the AALS Symposium on 21st Century Policing begins at 9 am on Sunday.

## Authors Meet Readers

Check the schedule for your chance to hear and meet these authors:

- Richard Albert, *Constitutional Amendments: Making, Breaking and Changing Constitutions*
- Meera Deo, *Unequal Profession: Race and Gender in Legal Academia*
- Yair Listokin, *Law and Macroeconomics: Legal Responses to Recessions*

## Hot Topics

Don't miss the following:

- Democracy Under Siege: Gerrymandering, Racial Politics and Impeachment
- Impeachment
- Ranking Legal Scholarship: *U.S. News & World Report's* New Metric and Its Effects on the Legal Academy

- Recent Developments: How Easily Can Agencies Change Regulatory Policy in Immigration & Civil Rights?
- Reproductive Rights and Justice in Law and Politics
- The Class Divide: Academic and Practical Strategies for Current Law Students in Serious Financial Need
- The Second Amendment at the Supreme Court and the Future of *Heller*

## Arc of Career Programs

These programs have been specifically designed for faculty at various stages of their careers. Topics this year include:

- A Session for First Time Meeting Attendees: What is AALS and Why Does It Matter for My Career? And How Do I Get the Most Out of the Annual Meeting?
- Becoming an Associate Dean: New Challenges the Multiple Associate Deans Model Brings to Managing Communications and Conflict Among Faculty and Administration
- Encore Faculty: Further Reflections on Preparing for Life Beyond the Legal Academy
- So You Want to Publish a Book?
- Teaching Abroad: For Visitorships, Sabbaticals, Retirement and Summer Programs
- Tweeting, Gramming: Social Media for the Legal Academic

## Discussion Groups

If you're not scheduled to be a discussant, you may still observe sessions on topics such as:

- If, How, and When: Politics and Priorities in the Classroom
- Breastfeeding Law and Policy
- Changing Concepts of International Economic Security & the Law
- Fintech Innovations
- Online & Hybrid Learning Pedagogy Best Practices and Standards Development
- Regulatory Abdication and Student Loans
- The Multi-Generational Teaching of Legal Writing
- The Role of Women as International, Regional, and National Judges
- Time-Turning, Invisibility, and Other Magic Mentoring Tricks

## Open Source Programs

These programs cover traditional scholarly topics outside of section programming. This year, consider attending sessions on:

- En/Countering Race, Racism, and Racial Distinctions in Tax Law
- Federalism and the Relationship Between State and Federal Constitutional Law
- How to Build an Effective, "Supreme Court-Proof" Pipeline Program
- Law as Data: Text Analysis and the Future of Legal Scholarship
- Teaching Social Justice in a "Hip Hop and the Law" Course



# Networking Opportunities

Attending the Annual Meeting is as much about making connections with peers, mentors, and guests as it is about scholarship. A brief selection of events, both formal and informal, includes:

## Thursday, January 2

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

## Friday, January 3

- Enjoy refreshments and light appetizers while mixing and mingling with the exhibitors and your colleagues from law schools across the country at the classic [Opening Reception in the Exhibit Hall](#) at 4:30 pm.

## Saturday, January 4

- Minority law teachers, don't miss your opportunity to obtain a guide to tenure, tailored for faculty of color at the [Workshop for Pretenured Law School Teachers of Color](#) at 1 pm. After, join us for the workshop's networking reception from 5 – 6 pm.

## Sunday, January 5

- Early-rising Section officers should take the opportunity to attend the annual breakfast, [Section Leadership 101](#). Share ideas with other chairs and officers, and receive in-person support and guidance from the AALS Section Services Manager.

## Throughout

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



# Executive Committee and Office of the Executive Director

## AALS 2019 Executive Committee

### Officers

Vicki C. Jackson, Harvard University, **President**  
Darby Dickerson, University of Illinois at Chicago, **President-Elect**  
Wendy Collins Perdue, University of Richmond, **Immediate Past President**  
Judith Areen, Association of American Law Schools, **Executive Director and Chief Executive Officer**

### Serving through 2019

Erwin Chemerinsky, University of California, Berkeley  
Camille A. Nelson, American University

### Serving through 2020

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

### Serving through 2021

D. Benjamin Barros, University of Toledo  
L. Song Richardson, University of California, Irvine

## Office of the Executive Director

Judith Areen, Executive Director  
Josh Albertson, Sections Services Manager  
Jeff Allum, Director of Research and Data Analytics  
Amanda Brite, Associate Director of Digital Strategies  
Erick Brown, Database and Registration Manager  
Mary E. Cullen, Associate Director of Meetings  
Elvira Duarte, Receptionist and Office Assistant  
Barbra Elenbaas, Senior Manager, Publications and Engagement  
James Greif, Communications Director  
Marisa Guevara-Michalski, Chief Strategy Officer  
Brian Harrison, Staff Accountant  
Hannah Hershfield, Meetings Coordinator  
Katie Kempner, Data Analyst and Project Specialist

Keeley Kerrins, Information Management Librarian  
Mary Dillon Kerwin, Director of Development  
Ajay Mahesh, Communications Coordinator  
Alexa Maltby, Membership Services and Project Coordinator  
Cara McQuitty, Membership Review and Programs Coordinator  
Janessa Sambola-Harris, Communications Associate  
Barbara A. Studenmund, Chief Financial Officer and Director of Membership Review  
Linda D. Surles, Special Assistant to the Executive Director  
Tracie L. Thomas, Director of Meetings  
Elliott Ward, Multimedia and Design Associate  
Rose Yeung, Senior Accountant

**Student Assistants:** Rachel Langer, Caden Grant, Alyssa Greenstein, and Nicole Smith



# Planning Committees for the 2020 Annual Meeting

## Program Committee for the 2020 Annual Meeting

Robert B. Ahdieh, Texas A&M University School of Law  
Kathleen Boozang, Seton Hall University School of Law  
Lisa M. Fairfax, The George Washington University Law School  
James E. Pfander, Northwestern University Pritzker School of Law, **Chair**  
Christopher J. Walker, The Ohio State University Michael E. Moritz College of Law

## Committee on Arc of Career Programs

### *Term Expires 2019*

Kay Kindred, University of Nevada, Las Vegas, William S. Boyd School of Law  
Brad Smith, Capital University Law School

### *Term Expires 2020*

Kristi Bowman, Michigan State University College of Law  
S. David Mitchell, University of Missouri School of Law

### *Term Expires 2021*

Heather Elliott, University of Alabama School of Law  
Jason Palmer, Stetson University College of Law, **Chair**

## Committee to Review Scholarly Papers for the 2020 Annual Meeting

Eric C. Chaffee, University of Toledo College of Law  
Solangel Maldonado, Seton Hall University School of Law  
Eloise Pasachoff, Georgetown University Law Center  
David A. Skeel, Jr., University of Pennsylvania Carey Law School  
Kendall Thomas, Columbia Law School  
Amanda L. Tyler, University of California, Berkeley School of Law, **Chair**

## 2020 Deans Forum Program

Daniel M. Filler, Drexel University Thomas R. Kline School of Law  
Risa L. Goluboff, University of Virginia School of Law, **Chair**  
Danielle Holley-Walker, Howard University School of Law  
Garry W. Jenkins, University of Minnesota Law School  
Jennifer J. Johnson, Lewis & Clark Law School

## 2020 Workshop for Pretenured Law School Teachers of Color

Robert S. (Bob) Chang, Seattle University School of Law, **Chair**  
Kali N. Murray, Marquette University Law School  
Donald F. Tibbs, Drexel University Thomas R. Kline School of Law

## 2019 Section on Institutional Advancement Program

Matthew F. Calise, Senior Director, Alumni Affairs, Georgetown University Law Center  
Shawn Gavin, Associate Dean, Alumni Affairs & Development, Cornell Law School  
Janice Glander, Executive Director of Annual and Reunion Giving, The University of Michigan Law School  
Darnell Hines, Senior Director of Alumni Engagement and Donor Relations, Northwestern University Pritzker School of Law, **Chair**  
Jini Jasti, Associate Dean for External Affairs and Alumni Relations, University of Wisconsin Law School  
Alan Paberzs, Executive Director of Development, DePaul University College of Law  
Tim Wortham, Director of Alumni Engagement, University of Pennsylvania Carey Law School

## 2019 Steering Committee of the AALS Deans Forum

Vincent Rougeau, Boston College Law School, **Chair**  
*Term Expires 2019*  
Craig Boise, Syracuse University College of Law  
Erwin Chemerinsky, University of California, Berkeley, School of Law  
Jennifer L. Mnookin, University of California, Los Angeles School of Law  
Trevor W. Morrison, New York University School of Law  
Camille Nelson, American University Washington College of Law  
Wendy Collins Perdue, University of Richmond School of Law

### *Term Expires 2020*

Mark Alexander, Villanova University Charles Widger School of Law  
Vikram Amar, University of Illinois College of Law  
Jessica Berg, Case Western Reserve University School of Law  
Greg Bowman, West Virginia University College of Law  
Gillian Lester, Columbia Law School  
Vincent Rougeau, Boston College Law School, **Chair**

### *Term Expires 2021*

Risa L. Goluboff, University of Virginia School of Law  
Garry W. Jenkins, University of Minnesota Law School  
L. Song Richardson, University of California, Irvine School of Law  
D. Benjamin Barros, University of Toledo College of Law  
Darby Dickerson, UIC John Marshall School of Law





# Types of Sessions and Programs

## Planned by the 104 AALS Sections

**AALS Section Programs** – Most programs at the Annual Meeting are planned by sections. The majority of programs are 95 minutes in length. There are some extended programs with multiple sessions that can last a whole morning and/or afternoon.

**Call for Papers Programs** include at least one presenter selected from a call for papers.

**Joint Programs** are two or more sections holding only one program between them.

**Co-Sponsored Programs** are two or more sections holding more than one program together.

**Pedagogy Programs** are programs on pedagogy designed for new law school teachers.

**Works-in-Progress** are programs in which senior law scholars assist junior scholars with getting their scholarship ready for submission to law reviews.

## Selected by the AALS Program Committee

**Discussion Groups** provide an in-depth discussion of topics by a small group of invited discussants selected in advance by the Annual Meeting Program Committee. Additional discussants were selected through a Call for Participation. There will be limited seating for audience members to observe the discussion groups on a first-come, first-served basis.

**Hot Topic Programs** cover late-breaking issues of general interest.

**Open Source Programs** are traditional scholarly programs other than those sponsored by one of the AALS Sections.

**Symposia** are a half-day or day-long opportunity to examine a specific issue topic in greater depth than is possible during a regular panel program.

## Selected by the AALS Committee on Arc of Career Programs

**Arc of Career** programs are specifically designed to help law faculty with professional development over the course of their law school careers from pre-tenure, to reinvention at mid-career, to retirement.



# PROGRAM SCHEDULE

As of December 10, 2019

## Thursday, January 2

11 am – 8 pm

### **AALS REGISTRATION**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

### **AALS OPERATIONS OFFICE**

*Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel*

11 am – 7 pm

### **AALS SPEAKER READY ROOM**

*Buchanan, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### **NURSING PARENTS ROOM**

*Park Tower 8218, Lobby Level, Washington Marriott Wardman Park Hotel*

11 am – 6:30 pm

### **AALS INFORMATION DESK**

*Convention Registration Desk, Lobby Level, Washington Marriott Wardman Park Hotel*

12 pm – 5:30 pm

### **CONTEMPLATIVE SPACE FOR REGISTRANTS**

*Park Tower 8216, Lobby Level, Washington Marriott Wardman Park Hotel*

This technology-free space is available for quiet contemplation and individual restoration for those attending the annual meeting. The Section on Balance in Legal Education has also scheduled daily guided group meditations as well as mindful-movement activities throughout the conference.

Group Practice Schedule for Thursday:

12 pm – 1 pm, Introduction to Mindfulness

5 pm – 5:30 pm, Introduction to Mindfulness

1:30 pm – 3:15 pm

### **AALS ARC OF CAREER PROGRAM**

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Tweeting, Gramming: Social Media for the Legal Academic**

**Moderator:** Heather Elliott, University of Alabama School of Law

**Speakers:** Emily Benfer, Columbia Law School  
Daniel M. Filler, Drexel University Thomas R. Kline School of Law  
Norrinda Hayat, Rutgers Law School  
Dorit Reiss, University of California, Hastings College of the Law

This program explores the following questions:

Is a social media presence necessary for the legal academic? If so, how does maintaining one's social media fit into an already busy calendar? Should social media presence factor in promotion and tenure decisions? If so, how? What special risks, if any, are involved for clinical faculty deciding to have a social media presence? Are there ethical issues related to live-client representation that should be considered? Is social media involvement

## PROGRAM SCHEDULE

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### *AALS Arc of Career Program, continued*

helpful to teaching? If so, how? What social media platforms are best for which goals? What policies should one adopt when deciding to use social media for professional reasons? What do journalists look for in an academic's social media presence, when seeking commentary on current events?

The panel includes a current dean, other academics at various career levels and in various career paths, and a legal journalist.

1:30 pm – 3:15 pm

### **AALS DISCUSSION GROUP**

*Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

### **The Role of Women as International, Regional, and National Judges**

#### **Discussion Group Moderator:**

Milena Sterio, Cleveland-Marshall College of Law at Cleveland State University

#### **Discussion Group Participants:**

Bridget J. Crawford, Pace University Elisabeth Haub School of Law  
J. Jarpa Dawuni, Associate Professor of Political Science, Howard University  
Nienke Grossman, University of Baltimore School of Law  
Fernanda Giorgia Nicola, American University, Washington College of Law  
Heather Roberts, Ph.D., Australian National University College of Law  
Leila N. Sadat, Washington University in St. Louis School of Law  
Shana Tabak, Executive Director, Tahirih Justice Center

The members of this discussion group are experts who have studied the role of women as adjudicators within international, international criminal, regional, and national tribunals. In this program, they will assess the historical and present role of female judges at different tribunals, examining the premise that women judge differently than men. Discussants will focus on questions of adequate gender representation on these tribunals' benches and on questions of legitimacy for tribunals whose benches are not particularly gender-diverse. They will also suggest policies that would better enable women to participate in international, regional, and national adjudication and would ameliorate women's experience on the bench.

1:30 pm – 3:15 pm

### **SECTION ON BALANCE IN LEGAL EDUCATION, CO-SPONSORED BY TEACHING METHODS**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### **The Unequal Workplace: Well-Being at Stake**

#### **Moderator:**

Deborah Lee Borman, University of Arkansas at Little Rock, William H. Bowen School of Law

#### **Speakers:**

Renee N. Allen, St. John's University School of Law  
Cindy Galway Buys, Southern Illinois University School of Law  
DeShun Harris, The University of Memphis, Cecil C. Humphreys School of Law  
Alicia Jackson, Florida A&M University College of Law  
Lucy Jewel, University of Tennessee College of Law  
Nicholas A. Mirkay, III, University of Hawaii, William S. Richardson School of Law  
Palma Joy Strand, Creighton University  
Elaine Sylvester, Esq., Associate, Gunderson Dettmer LLP  
Angela K. Upchurch, Southern Illinois University School of Law

Inequity leads to a decline in the well-being of individuals and organizations. Legal culture is obsessed with rank and hierarchy, resulting in power and privilege historically dominated by straight, white men. This panel examines the origins of law's unhealthy infatuation with hierarchy, the social inequality that the culture of hierarchy engenders, and the biological impact that social inequality has on our well-being. The panel ex-

plores how privilege can result in a lack of awareness of, curiosity about, empathy for, and exposure to life experiences and perspectives of women, LGBTQIA individuals, people of color, first-generation individuals, and others with challenging economic circumstances. The speakers provide ideas for addressing implicit bias, teaching cultural competency, developing cultural capital in marginalized groups, developing leadership skills to support and work with diverse persons in a variety of workplaces, and preparing students to recognize and successfully deal with instances of discrimination they may encounter in the legal profession.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

### SECTION ON CHILDREN & THE LAW

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### A Time of Momentum in Child Welfare Advocacy, Policy, and Research

**Moderator:** Sacha M. Coupet, Loyola University Chicago School of Law

**Speakers:** Tanya Asim Cooper, Pepperdine University, Rick J. Caruso School of Law  
Martin Guggenheim, New York University School of Law  
Josh Gupta-Kagan, University of South Carolina School of Law  
Fallon Speaker, The University of Richmond School of Law

We are experiencing a time of evolution and momentum in child welfare law, policy, and research. In late 2018, the Children's Bureau, a division of the federal Administration for Children & Families, announced that it would provide state agencies with matching federal child welfare funds under Title IV-E of the Social Security Act. This could dramatically increase access to effective counsel for parents and children in child welfare proceedings. Recently, Professor Martin Guggenheim (NYU Law) and his colleagues completed a cutting-edge, multi-year study examining child welfare outcomes by access to and type of legal representation. Their findings are dramatic: When parents were represented by a multi-disciplinary law practice, there was a significant reduction in the amount of time children spent in foster care. The study also suggests many children needlessly remain in foster care. These developments create enormous possibilities for child welfare advocates.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

### SECTION ON CONTINUING LEGAL EDUCATION

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Beyond the Socratic Method: Thinking Entrepreneurially about Executive Programs

**Moderator:** Christine Q. Washington, Georgetown University Law Center

**Speakers:** Hamilton Chan, Loyola Law School, Los Angeles  
Beth Haas, Drexel University Thomas R. Kline School of Law  
Julia Miller, Columbia Law School  
Jeffrey Ellis Thomas, University of Missouri-Kansas City School of Law

Many law schools today are more entrepreneurial than ever before. Executive, non-degree, certificate, and online programs dot the landscape, in addition to the requisite (and traditional) legal curricula. These “newer” educational models fulfill several needs. They provide opportunities for specialization in substantive areas of the law, educate students who have neither the time nor the funding to undertake a degree-granting program, bring content to distance learners, and provide professional development both to attorneys and non-lawyers working in a legal field. Successfully launching and managing such programs presents its own set of challenges, as well as potential benefits, and additional revenue. This session will explore emerging trends in executive education, non-degree, certificate and online programs and provide guidance for colleagues considering programming in these areas.

The Section held a virtual business meeting prior to the Annual Meeting.

# PROGRAM SCHEDULE

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Thursday, January 2

1:30 pm – 3:15 pm

## SECTION ON CRIMINAL JUSTICE

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### New Frontiers in State Post-Conviction Litigation

**Speakers:** Valena E. Beety, Arizona State University Sandra Day O'Connor College of Law  
Leah M. Litman, The University of Michigan Law School

**Speakers from a Call for Papers:**

Eric M. Freedman, Maurice A. Deane School of Law at Hofstra University  
Lee Kovarsky, University of Maryland Francis King Carey School of Law  
Carlos M. Vazquez, Georgetown University Law Center

State post-conviction remedies are becoming a key component of the criminal justice system. They are emerging as the most important forum for enforcing many crucial federal trial rights, and they are increasingly central to the truth-finding function of criminal process. This state of affairs is the result of two major structural developments. The first is the incentives to litigants and the states created by Supreme Court habeas jurisprudence that both requires deference to state proceedings and opens new challenges to their quality. The second is the systemwide impact of *Montgomery v. Louisiana*, 136 S.Ct. 2455 (2016), which interprets the Supremacy Clause to require state post-conviction courts to entertain a broad range of federal constitutional claims whether or not state law would do so. These developments suggest state post-conviction remedies will assume a much more important role in the criminal justice system than ever before.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

## SECTION ON DISABILITY LAW

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### Reconsidering Disability Benefit Programs

**Moderator:** Jennifer B. Shinall, Vanderbilt University Law School

**Speakers:** Matthew Cortland, Esq., Attorney, Accessible Advocacy  
Jennifer Erkulwater, Associate Professor of Political Science, University of Richmond Political Science Department

**Speaker from a Call for Papers:**

Katherine L. Moore, Seton Hall University School of Law

This panel will explore current challenges facing social benefit programs offered to individuals facing physical and mental limitations, with an eye towards how to innovate, expand, and improve these programs in the future.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

## SECTION ON ECONOMIC GLOBALIZATION & GOVERNANCE

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Democracy and Democratic Deficits in Economic Globalization and Governance

**Moderator and Speaker:** Larry Cata Backer, The Pennsylvania State University – Penn State Law

**Speakers:** Karen E. Bravo, Indiana University Robert H. McKinney School of Law  
Jena Martin, West Virginia University College of Law

Economic globalization has brought in its wake a movement toward the privatization of governance and the governmentalization of key factors in transnational global production. States project authority in markets through state owned enterprises, sovereign wealth funds, and development facilities. Enterprises and civil

society have undertaken greater responsibility for the human rights and sustainability impacts of their operations as international soft law regimes have blossomed. This panel considers the applicability of the three pillars of democracy—law, representation, and knowledge—to globalization and governance from a rights holder perspective. Should governmentalization of economic activity also bring the protections of democratic structures and principles? How might those be incorporated within the transnational or supranational space where these activities are undertaken? Should the increasing focus on the rights holder in current efforts to manage substantive rights and remedial mechanisms give rise to a duty to faithfully represent?

Business meeting at program conclusion.

1:30 pm – 3:15 pm

**SECTION ON FINANCIAL INSTITUTIONS & CONSUMER FINANCIAL SERVICES, CO-SPONSORED BY BUSINESS ASSOCIATIONS, COMMERCIAL & CONSUMER LAW, SECURITIES REGULATION, AND TRANSACTIONAL LAW & SKILLS**

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**Immediate Challenges in Consumer Financial Protection**

**Moderator:** Andrew Tuch, Washington University in St. Louis School of Law

**Speakers:** Mark L. Egan, Assistant Professor of Business Administration, Harvard Business School  
Howell Edmunds Jackson, Harvard Law School  
Patricia A. McCoy, Boston College Law School

**Speakers from a Call for Papers:**

Nakita Cuttino, Duke University School of Law  
Arthur E. Wilmarth, Jr., The George Washington University Law School

This program considers immediate challenges in consumer financial protection and how best to meet them. Topics may include challenges that could lead to financial crises, result in consumer harm, or curb economic growth. The program spans banking, securities, fintech, and insurance. Themes may include behavioral and other justifications for regulation, regulatory tools and techniques, consumer remedies, and measures of regulatory impact. The program offers a chance for scholars and practitioners of consumer financial protection, whatever their economic, political, or philosophical views, to share their work and ideas at a time of significant change.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

**SECTION ON JEWISH LAW**

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

**The Rise and Fall of the Jewish Law Firm**

**Moderator:** Keith Sharfman, St. John's University School of Law

**Speakers:** Marc S. Galanter, University of Wisconsin Law School  
Alan James Kluegel, University of Illinois College of Law  
Eli Wald, University of Denver Sturm College of Law

This panel will discuss the rise and fall of the Jewish law firm as an institution; the purposes that such firms served; and the insights that may be gleaned from them about legal practice and the structure of the legal profession today.

Business meeting at program conclusion.

## PROGRAM SCHEDULE

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Thursday, January 2

1:30 pm – 3:15 pm

### SECTION ON LAW SCHOOL ADMINISTRATION & FINANCE

*Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Law School Business Boot Camp for New Deans, Associate Deans and New Business Officers

**Moderator:** James Crosset, University of Cincinnati College of Law

**Speakers:** Erica Daley, University of Oregon School of Law  
Kenneth C. Randall, CEO and President, iLaw Ventures

This is a law school business boot camp for new deans, new associate deans, and new business officers (featuring Ken Randall, President of iLaw). Panelists and attendees will cover the basics and the finer points of operating a law school including the following topics: finance, budgeting, human resources, long-term planning, ABA AQ, endowment funds, expense management, and more.

1:30 pm – 3:15 pm

### SECTION ON NORTH AMERICAN COOPERATION, CO-SPONSORED BY ENVIRONMENTAL LAW, NATURAL RESOURCES & ENERGY LAW, AND STATE & LOCAL GOVERNMENT LAW

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Transnational Environmental Issues & the Role of States, Provinces, Cities & Indigenous Communities

**Moderator:** Heidi Gorovitz Robertson, Cleveland-Marshall College of Law at Cleveland State University

**Speakers:** Rebecca M. Bratspies, City University of New York School of Law  
Elizabeth A. Kronk Warner, University of Utah, S. J. Quinney College of Law  
Robert Moyer, Director of SEM and Legal, Commission for Environmental Cooperation  
Sharmila Murthy, Suffolk University Law School  
Katrina M. Wyman, New York University School of Law

Political tension and disparate positions on climate change and the environment generally have complicated cooperation between the U.S., Canada, and Mexico. This panel seeks to examine alternative ways to manage environmental and natural resource concerns, with a particular emphasis on the role of states, provinces, cities, and native and indigenous communities.

Business Meeting held on Thursday, January 2, 2020 at 5:30 pm.

2 pm – 5 pm

### SECTIONS ON CONSTITUTIONAL LAW AND ELECTION LAW JOINT PROGRAM, CO-SPONSORED BY LEGAL HISTORY

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Divergent Legacies – The Constitution and the Modern Right to Vote

For sessions and speaker details, please see the complete listing under extended programs on page 103.

While the constitutional amendments related to voting rights have suggested that all citizens ought to be included in the franchise, the modern right to vote has nonetheless been heavily contested. The efforts to meaningfully include all citizens in the franchise in the century after the Nineteenth Amendment (and the 150 years after the Fifteenth Amendment) have been complicated, fraught, and have often diverged from the underlying idea of inclusion. Tensions still exist in modern voting rights law regarding the meaning of the right to vote, as illustrated by the litigation and activism around issues such as partisan and racial gerrymandering.



dering, voter identification, and proof of citizenship requirements. These examples reveal the complexities of the project of democratic inclusion, and this panel will explore how those complexities have evolved and are manifest in today's right-to-vote doctrine.

Business meeting at program conclusion.

2 pm – 5 pm

**SECTION ON EMPIRICAL STUDY OF LEGAL EDUCATION & THE LEGAL PROFESSION, CO-SPONSORED BY LEADERSHIP, PROFESSIONAL RESPONSIBILITY, PRO-BONO & PUBLIC SERVICE OPPORTUNITIES, STUDENT SERVICES, AND AALS COMMITTEE ON RECRUITMENT & RETENTION OF MINORITY LAW TEACHERS & STUDENTS**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**An Empirical Look: How Well Are We Preparing Law Students to Become Ethical Leaders Who Serve Others?**

For sessions and speaker details, please see the complete listing under extended programs on page 104.

This program will feature newly emerging empirical research on leadership and service to others. The panel will highlight the ways in which law schools help law students develop skills, competencies and values that are central to leadership, public service, ethical conduct, and fulfilling responsibilities to others. Moreover, the panel will discuss research, focused on the interest of law students in public service when applying to law school and the impact of experiences during law school—such as clinical training, pro bono opportunities, and public interest opportunities—on the leadership and public service that legal professionals undertake within our communities. Finally, the panel will highlight work that informs our understanding of the changing nature of leadership roles undertaken by lawyers in both government and the private sector.

Papers from this program will be published in *The Journal of Legal Education*.

Business meeting held on Thursday, January 2, 2020 at 5:30 pm.

2 pm – 3 pm

**AALS PROGRAM**

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**Overview of New FAR Platform: Transforming Faculty Hiring in 2020**

**Speakers:**

Judith Areen, Executive Director, Association of American Law Schools

Darby Dickerson, UIC John Marshall Law School

Barbra Elenbaas, Senior Manager, Publications and Engagement, Association of American Law Schools

Marisa Guevara-Michalski, Chief Strategy Officer, Association of American Law Schools

Alexa Maltby, Membership Services and Project Coordinator, Association of American Law Schools

Sally O'Brien, Project Manager, Interfolio

AALS is making improvements to Faculty Recruitment Services in response to feedback from appointments committees and candidates. Learn what has already been done and preview what's coming in 2020, including the diversification and inclusion materials on Becoming a Law Teacher and the upcoming platform change for the Faculty Appointments Register.

# PROGRAM SCHEDULE

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Thursday, January 2

3:30 pm – 5:15 pm

## AALS SITE EVALUATION WORKSHOP

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

- Moderator:** Austen L. Parrish, Indiana University Maurer School of Law
- Speakers:** William E. Adams, Jr., Deputy Managing Director, American Bar Association  
Section of Legal Education and Admissions to the Bar  
Judith Areen, Executive Director, Association of American Law Schools  
Barbara J. Cox, California Western School of Law  
Cara McQuitty, Membership Review and Programs Coordinator, Association of American Law Schools  
Barbara Studenmund, Financial Officer and Director of Membership Review, Association of American Law Schools

Member law schools receive comprehensive periodic visits by site teams made up of law professors, university administrators, and practitioners/judges as part of the ABA accreditation/AALS membership review process. The AALS appoints one member (the AALS reporter) to the ABA/AALS site team. The reporter is a member of the joint team and also writes an additional report for the AALS focusing on the organization's core values. This workshop is designed for those who serve, or are interested in serving, as the AALS reporter, as well as schools that will be visited in the coming academic year. Speakers will discuss AALS core values, materials available to the AALS reporter, the site visit and membership review process, and the AALS questionnaire schools must complete prior to a site visit. The workshop also provides essential information about the ABA accreditation process, as the AALS reporter also functions as a full member of the site team and will have responsibility for a portion of the ABA report.

3:30 pm – 5:15 pm

## AALS DISCUSSION GROUP

*Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Online & Hybrid Learning Pedagogy Best Practices and Standards Development

#### Discussion Group Moderators:

William H. Byrnes, Texas A&M University School of Law  
Rebecca Purdom, Emory University School of Law

#### Discussion Group Participants:

April M. Barton, Duquesne University School of Law  
James R. Hackney, Jr., Northeastern University School of Law

From the period 2011 through 2015, the Working Group for Distance Learning in Legal Education, consisting of participants from 85 law schools, collaborated to develop a set of best practices and model standards for online legal education. This discussion group will examine, discuss and update the proposed model standards for online programs. Participants will also discuss how these standards might be deployed, and who might be responsible for applying the standards in either an advisory manner or as an accreditor. As time allows, the group will also discuss updating best practices and how schools best might propel their programs toward lofty goals.

3:30 pm – 5:15 pm

**AALS DISCUSSION GROUP***Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel***Regulatory Abdication and Student Loans****Discussion Group Moderator:**

Brook E. Gotberg, University of Missouri School of Law

**Discussion Group Participants:**

Matthew A. Bruckner, Howard University School of Law  
 A. Mechele Dickerson, The University of Texas School of Law  
 Kate Elengold, University of North Carolina School of Law  
 Victoria J. Haneman, Creighton University School of Law  
 Dalíé Jiménez, University of California, Irvine School of Law  
 Christopher L. Peterson, University of Utah, S. J. Quinney College of Law  
 Victoria Schwartz, Pepperdine University, Rick J. Caruso School of Law  
 Alan M. White, City University of New York School of Law

At present, 44 million Americans owe a combined \$1.5 trillion in student loans. Only 60% of borrowers are in active repayment. These numbers, along with skyrocketing education costs, drop-out trends among marginalized groups, and predatory behavior by for-profit institutions and lenders point to the need for regulatory action. Missteps on the part of the U.S. Department of Education increase concerns regarding the current state of regulatory oversight. This discussion group brings together law professors who focus on administrative law, student loans, debt, bankruptcy, poverty law, and more. The panel discussion will focus on four areas related to higher education finance: (1) Growing student loan debt, racial justice issues, and potential policy responses; (2) consumer protection issues; (3) student loans and systemic risk; and (4) the role of bankruptcy in protecting students.

3:30 pm – 5:15 pm

**AALS HOT TOPIC PROGRAM***Washington 5, Exhibition Level, Washington Marriott Wardman Park Hotel***The Class Divide: Academic and Practical Strategies for Current Law Students in Serious Financial Need****Moderator:**

Jennifer A. Brobst, Southern Illinois University School of Law

**Speakers:**

Gregory Bordelon, University of Baltimore School of Law  
 Maurice R. Dyson, Suffolk University Law School  
 Leah Terranova, University of Kansas School of Law  
 Debra Moss Vollweiler, Nova Southeastern University Shepard Broad  
 College of Law

This panel program presents a diverse array of perspectives on helping students with serious financial challenges succeed in law school. The panel represents views on the issue both in the classroom with respect to pedagogical approaches, as well as practical strategies to assist students outside of the classroom and in preparation for the bar exam. As law school tuition has more than doubled since 2008, law student debt is also on the rise. Many students are admitted without adequate financial support. State and federal government assistance to higher education is also on the decline, putting pressure on the institutions that have always accepted and supported substantial numbers of students in serious financial need. New bar passage rules for law schools have incentivized faculty and administrators to look more deeply at student challenges, and many involve the intersectionality of marginalization on a number of fronts, including the class divide.

## PROGRAM SCHEDULE

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Thursday, January 2

3:30 pm – 5:15 pm

### SECTION ON ADMIRALTY & MARITIME LAW

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Legal Issues Relating to Autonomous and Remote Controlled Ships

**Moderator and Speaker:** Martin Davies, Tulane University Law School

**Speakers:** William V. Dunlap, Quinnipiac University School of Law  
Nathaniel L. Eichler, Lieutenant, United States Coast Guard  
Charles Norchi, University of Maine School of Law

The technology for autonomous and remote-controlled ships is already well developed. There are many legal issues raised by the possibility of ships without crews, and it seems likely that the law will lag behind the changes in technology for many years to come. This panel will outline some of the potential legal issues and consider possible solutions.

Business meeting at program conclusion.

3:30 pm – 5:15 pm

### SECTION ON AGRICULTURAL & FOOD LAW, CO-SPONSORED BY ENVIRONMENTAL LAW AND MINORITY GROUPS

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Race and Racism in Food and Agriculture

**Moderator:** Andrea Freeman, University of Hawaii, William S. Richardson School of Law

**Speakers:** Bita Amani, Associate Professor, Queen's University Faculty of Law  
Jennifer Lee, Temple University, James E. Beasley School of Law  
Steph Tai, University of Wisconsin Law School

**Speaker from a Call for Papers:**  
Shaakirrah Sanders, University of Idaho College of Law

Food and agriculture play important roles in maintaining systemic racial oppression. From the dispossession of black and latinx farmers, to migrant workers' rights, to food-related health disparities, there are multiple opportunities for legal and policy interventions into food and agriculture that would lead to greater food sovereignty, food justice, and racial equality. This panel explores several topics at the intersection of critical race theory and food and agriculture.

Business meeting held Thursday, January 2, 2020 at 5:30 pm.

3:30 pm – 5:15 pm

### SECTION ON BUSINESS ASSOCIATIONS, CO-SPONSORED BY FINANCIAL INSTITUTIONS & CONSUMER FINANCIAL SERVICES, SECURITIES REGULATION, AND TRANSACTIONAL LAW & SKILLS

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Rising Tensions Among Corporate Stakeholders

**Moderator:** Andrew Tuch, Washington University in St. Louis School of Law

**Speakers:** Stephen M. Bainbridge, University of California, Los Angeles School of Law  
David H. Webber, Boston University School of Law  
Cynthia A. Williams, Professor, Osgoode Hall Law School York University

**Speakers from a Call for Papers:**  
Sean J. Griffith, Fordham University School of Law  
Sung Eun (Summer) Kim, University of California, Irvine School of Law

**Commentator:** Usha R. Rodrigues, University of Georgia School of Law

Tensions among corporate stakeholders are rising. Managers and shareholders continue to battle for primacy as power tilts toward shareholders with the ongoing rise of institutional investors. Formerly passive investors are choosing voice over exit more often than ever before. Proxy advisory firms are influencing shareholder voting, attracting opposition from corporate lobbyists. Other stakeholders seek greater influence too. Amazon's dust-up in New York City shows the influence of communities and the resurgence of popular movements. Exxon's recent experience over climate change illustrates the power of environmental concerns even for investors in traditional energy companies. Labor is flexing its muscles through pension funds. Technology provides new ways for stakeholders to coordinate their activities and increase their influence. This panel explores the resulting tensions, their implications for corporate governance, and the mechanisms for mediating them.

The Section held a virtual business meeting prior to the Annual Meeting.

3:30 pm – 5:15 pm

### SECTION ON CRIMINAL JUSTICE

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Teaching Criminal Law and Criminalization: Race, Class, Gender, and Beyond

**Moderator and Speaker:** Jenny E. Carroll, University of Alabama School of Law

**Speakers:** Maryam Ahranjani, University of New Mexico School of Law  
Emily Hughes, University of Iowa College of Law  
Russell A. McClain, University of Maryland Francis King Carey School of Law  
Alice G. Ristorph, Brooklyn Law School

This program will explore ways in which to broaden our syllabi to include teaching the socio-political and cultural determinants of criminal law and criminalization. A major focus will be to consider how to incorporate discussions about inequalities of race, class, wealth, gender, immigration status, and so on, when teaching criminal law.

3:30 pm – 5:15 pm

### SECTION ON DEFAMATION & PRIVACY, CO-SPONSORED BY INTERNET & COMPUTER LAW AND COMMUNICATION, MEDIA & INFORMATION LAW

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Social Media Content Moderation and the Future of Free Speech

**Moderator:** Agnieszka McPeak, Duquesne University School of Law

**Speakers:** Hannah Bloch-Wehba, Drexel University Thomas R. Kline School of Law  
Kate Klonick, St. John's University School of Law  
Emma Llansó, Director, Free Expression Project at the Center for Democracy & Technology

#### Speaker from a Call for Papers:

Eric Goldman, Santa Clara University School of Law

This panel explores the current landscape of social media content moderation and its implications on free speech. Over the last decade, social media has democratized speech by providing a platform for previously unheard voices. At the same time, social media is fraught with abusive behavior, offensive content, and hate speech. The practice of content moderation by social media companies is a pervasive and important one, usually done pursuant to an internal policy to control who can participate and what speech is allowed. However, these private regimes of content moderation often proceed without much oversight, transparency, or government intervention. As social media continues to shape public discourse, what free speech protections should exist in these virtual spaces, what limits should be imposed to protect against abuse online, and what form should these protections or limits take?

Business meeting at program conclusion.

# PROGRAM SCHEDULE

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Thursday, January 2

3:30 pm – 5:15 pm

## SECTION ON EMPLOYEE BENEFITS & EXECUTIVE COMPENSATION, CO-SPONSORED BY AGING & THE LAW, EMPLOYMENT DISCRIMINATION LAW, LABOR RELATIONS & EMPLOYMENT LAW, AND POVERTY LAW

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Reaching Well-Being: The Role of Employers and Government

**Moderator:** Susan E. Cancelosi, Wayne State University Law School

**Speakers:** Israel Goldowitz, Partner, The Wagner Law Group  
Nicole Iannarone, Drexel University Thomas R. Kline School of Law  
Ann C. McGinley, University of Nevada, Las Vegas, William S. Boyd School of Law

#### Speakers from a Call for Papers:

Jonathan Barry Forman, University of Oklahoma College of Law  
Laura Hermer, Mitchell Hamline School of Law

Although traditional employer-provided retirement and health benefits provide a significant safety net during employment and beyond, many in the United States struggle to achieve a state of long-term financial and health stability. This panel brings together experts from diverse perspectives to address obstacles and possible solutions in the pursuit of individual well-being over time.

Business meeting at program conclusion.

3:30 pm – 5:15 pm

## SECTIONS ON LAW & MENTAL DISABILITY AND SEXUAL ORIENTATION & GENDER IDENTITY ISSUES JOINT PROGRAM

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

### The Rise of Suicide and Diseases of Despair: Legal Obstacles and Solutions

**Moderator:** Jennifer S. Bard, University of Cincinnati College of Law

**Speakers:** Kelly K. Dineen, Creighton University School of Law  
Craig Konnoth, University of Colorado Law School  
Heather McCabe, Indiana University Robert H. McKinney School of Law  
Clifford J. Rosky, University of Utah, S. J. Quinney College of Law  
Sidney D. Watson, Saint Louis University School of Law

This program will discuss suicide prevention and the impact of the law on suicide outcomes among vulnerable communities. The program will focus on rising suicide rates related to diseases of despair, including SUD, depression, and other mental health conditions, as well as explore the rising suicide rates of individuals who identify as LGBTQA+.

3:30 pm – 5:15 pm

## SECTION ON LAW & SOUTH ASIAN STUDIES, CO-SPONSORED BY COMPARATIVE LAW AND EAST ASIAN LAW & SOCIETY

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Data Privacy: Comparative Perspectives

**Moderator:** Vikramaditya S. Khanna, The University of Michigan Law School

**Speaker:** Vivek Krishnamurthy, Counsel, Foley Hoag, LLP

Data privacy has become a central issue in regulating a host of issues such as e-commerce, access to government services, and national security amongst others. This session will examine data privacy regulation comparatively and will focus on a recent Supreme Court of India decision (and associated proposed reforms), the EU's GDPR, and developments elsewhere.

The Section held a virtual business meeting prior to the Annual Meeting.

3:30 pm – 5:15 pm

**SECTION ON TECHNOLOGY, LAW, & LEGAL EDUCATION***Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Roundtable: The Duty of Technology Competence: Understanding the Standards and Preparing Our Students****Moderator:** Hari Michele Osofsky, The Pennsylvania State University – Penn State Law**Speakers:** Ulysses Jaen, Director of the Law Library and Associate Professor of Law, Ave Maria School of Law

Emily Janoski-Haehlen, University of Akron School of Law

Aryan Kushan, American University, Washington College of Law

Susan Nevelow Mart, University of Colorado Law School

Gabriel H. Teninbaum, Suffolk University Law School

Ed Walters, CEO, Fastcase, Inc.

Thirty-six states so far have adopted the duty of technology competence as part of their professional conduct rules for attorneys, but the rule is very broad. What does technology competence mean for day-to-day legal work, and how do law schools educate students to fulfill this duty? Please join us for this roundtable discussion by legal educators and practitioners across multiple jurisdictions to find out how different institutions agree (or disagree) on teaching law students to be technologically competent. The session will include small group discussion to engage directly with colleagues.

The Section held a virtual business meeting prior to the Annual Meeting.

4 pm – 8 pm

**AALS EXHIBIT HALL - THE MEETING PLACE***Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Join us in the Exhibit Hall to see exciting new products and the latest technologies in legal education. Whether you're looking for innovative ways to enhance the teaching experience or just want to check out the latest publications, there is something for everyone. And be sure to stop by the "Meeting Place." The comfortable lounge area is perfect for impromptu meetings or just to relax for a few minutes. Enjoy complimentary coffee, tea, pastries and cookies during the scheduled time periods as you catch up with colleagues and map out your meeting experience.

4 pm – 7 pm

**SECTION ON PRO-BONO & PUBLIC SERVICE OPPORTUNITIES SERVICE PROJECT, CO-SPONSORED BY POVERTY LAW***Main Lobby, Lobby Level, Washington Marriott Wardman Park Hotel***DC Central Kitchen: Evening Meal Preparation**

Please join us in fighting hunger differently through a meal prep service project at DC Central Kitchen (DCCK). Now in its 31st year, DCCK's mission is to use food as a tool to strengthen bodies, empower minds, and build communities. DCCK fights daily hunger by preparing three million meals each year for the DC community and serving them to children and adults in need. Because DCCK serves prepared meals and not bags of groceries or crates of canned goods, we are committing a few hours of our time during the Annual Meeting to assist in meal preparation at the DC Central Kitchen main site at: 425 2nd Street NW, Washington, DC 20001.

Dress casually and meet to depart as a group via the Metro Red Line no later than 4 pm at the Marriott Wardman Park concierge desk in the main lobby. Our group must arrive 15 minutes prior to our 5 pm shift for orientation by DCCK; late arrivals will not be permitted. The closest Metro stop is Judiciary Square on the Red Line. From Judiciary Square 4th and D Street exit, head south on 4th Street NW, left on D Street NW, left on 1st Street NW, and then left into the service alley just south of Sandwiches by Phillip. The entrance to the kitchen looks like a service/delivery entrance and is marked by a large sign.

Participants will need to sign a waiver of liability to participate in this off-site project.

# PROGRAM SCHEDULE

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5 pm – 6:30 pm

## COFFEE WITH COLLEAGUES

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

5:30 pm – 7:15 pm

## AALS OPEN SOURCE PROGRAM

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### Authors Meet Readers: Constitutional Amendments: Making, Breaking and Changing Constitutions by Richard Albert

**Moderator:** Eugene D. Mazo, Rutgers Law School

**Speakers:**

Richard Albert, The University of Texas School of Law  
Erin F. Delaney, Northwestern University Pritzker School of Law  
Darin Johnson, Howard University School of Law  
David E. Landau, Florida State University College of Law  
Julie C. Suk, Professor and Dean for Master's Programs, The Graduate Center, City University of New York

In *Constitutional Amendments: Making, Breaking, and Changing Constitutions* (Oxford University Press 2019), Richard Albert shows why the most important part of any constitution is the rules we use to amend it. Reformers amend constitutions to strengthen democracy and improve the lives of citizens, yet they also sometimes exploit the rules of the constitutional amendment process to engage in what Georges Liet-Veaux once called “fraude à la constitution.” Drawing on dozens of constitutions from every region of the globe, Professor Albert presents a sweeping global inquiry into the forms and limits of the constitutional amendment process. He creates a blueprint for improving the rules of constitutional change and a roadmap for navigating the intellectual universe of constitutional amendments. During this session, several scholars who are steeped in the study of constitutionalism will engage in conversation with Professor Albert about the themes raised in his book.

5:30 pm – 7:15 pm

## AALS OPEN SOURCE PROGRAM

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### Authors Meet Readers: Law and Macroeconomics: Legal Responses to Recessions by Yair Listokin

**Speakers:**

Anna Gelpern, Georgetown University Law Center  
Yair Listokin, Yale Law School  
Bruno Meyerhof Salama, University of California, Berkeley School of Law  
Steven A. Ramirez, Loyola University Chicago School of Law

This discussion of Yair Listokin's book, *Law and Macroeconomics: Legal Remedies to Recessions*, will help to educate AALS members about the emerging field of law and macroeconomics. Because law and economics has historically been dominated by microeconomic perspectives, Listokin is able to provide a different perspective on the economic effects of law, which have radically different policy implications in many cases.



5:30 pm – 6:30 pm

**AALS ARC OF CAREER PROGRAM: A SESSION FOR FIRST TIME MEETING ATTENDEES**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

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

**Introduction:** Judith Areen, Executive Director, Association of American Law Schools

**Moderator:** Jason Palmer, Stetson University College of Law

**Speakers:** Darby Dickerson, UIC John Marshall Law School  
Mary Leto Pareja, University of New Mexico School of Law  
Vincent D. Rougeau, Boston College Law School

*AALS thanks West Academic for generously sponsoring this session.*

This session is intended for new law professors and administrators, especially those who have never attended an AALS Annual Meeting. After a quick introduction to the organization, members at various stages of their careers will briefly discuss their experiences with AALS. There will then be a candid discussion of why people attend the Annual Meeting and what they hope to get out of it. New members will have the opportunity to sign up for AALS Sections. Members of the AALS leadership structure will be in attendance, and there will be the opportunity to have a dialogue with them about their AALS experiences.

5:30 pm – 6:30 pm

**SECTION ON CHILDREN & THE LAW BUSINESS MEETING**

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

5:30 pm – 6:30 pm

**SECTION ON NORTH AMERICAN COOPERATION BUSINESS MEETING**

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

5:30 pm – 6:30 pm

**PROFESSORS WITH DISABILITIES AFFINITY GROUP**

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

**Initial Meeting**

A meeting to discuss and consider formation as an AALS Section.

6:30 pm – 7:30 pm

**TWELVE STEP MEETING**

*Park Tower 8209, Lobby Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 7:30 pm

**AALS RECEPTION FOR NEW LAW TEACHERS**

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

**Welcome:** Susan S. Kuo, University of South Carolina School of Law

*AALS thanks West Academic for generously sponsoring this session.*

This informal event brings together the new law teacher community. Anyone who attended the AALS New Law Teachers Workshop in the past several years is welcome to attend, as well as, planning committee members and speakers from the Workshop. We hope this reception will provide an opportunity to reconnect with past attendees and bond with this year's cohort of new teachers. If you are a new teacher who did not attend the Workshop, we encourage you to join us too.

## PROGRAM SCHEDULE

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### AALS Member Law School Events

6:30 pm – 8:30 pm

#### AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW RED, WHITE & BREW CELEBRATION

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

#### CORNELL LAW SCHOOL ALUMNI RECEPTION

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 pm – 9 pm

#### DUQUESNE UNIVERSITY SCHOOL OF LAW DEAN'S RECEPTION

*Madison A & B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

#### UNIVERSITY OF MIAMI SCHOOL OF LAW "MOJITOS AND MAMBO" MIXER

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**Host:**

Anthony E. Varona, Dean and M. Minnette Massey Chair, the new Dean at University of Miami School of Law

7 pm – 9 pm

#### NORTHWESTERN UNIVERSITY PRITZKER SCHOOL OF LAW RECEPTION

*Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm - 8:30 pm

#### THE PENNSYLVANIA STATE UNIVERSITY - DICKINSON LAW RECEPTION

*Taylor, Mezzanine Level, Washington Marriott Wardman Park Hotel*

Find out what George Washington, Whiskey and Carlisle, Pennsylvania have in common at a reception hosted by Dean Danielle M. Conway.

6:30 pm – 8 pm

#### UNIVERSITY OF UTAH, S.J. QUINNEY COLLEGE OF LAW RECEPTION

*Truman, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

#### WAKE FOREST UNIVERSITY SCHOOL OF LAW RECEPTION FOR ALUMNI, FACULTY, AND STAFF

*Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### Related Organization Events

6 pm – 7 pm

#### AMERICAN CONSTITUTION SOCIETY RECEPTION

*Congressional A, Lobby Level, Omni Shoreham Hotel*

**Featured Speaker:**

Honorable Jamie Raskin, U.S. Representative for Maryland's 8th Congressional District

# Friday, January 3

7 am – 6:30 pm

## **AALS REGISTRATION**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **AALS OPERATIONS OFFICE**

*Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 7 pm

## **AALS SPEAKER READY ROOM**

*Buchanan, Mezzanine Level, Washington Marriott Wardman Park Hotel*

## **NURSING PARENTS ROOM**

*Park Tower 8218, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON EDUCATION LAW BUSINESS MEETING**

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON INDIAN NATIONS & INDIGENOUS PEOPLES BUSINESS MEETING**

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON INTERNATIONAL LEGAL EXCHANGE BREAKFAST**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

7 am – 8:30 am

## **SECTION ON LEADERSHIP BREAKFAST AND BUSINESS MEETING**

*Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

7:30 – 8:30 am

## **SECTION ON TECHNOLOGY, LAW, & LEGAL EDUCATION BUSINESS MEETING**

*Park Tower 8222, Lobby Level, Washington Marriott Wardman Park*

7:30 am – 9 am

## **COFFEE WITH COLLEAGUES**

*Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

8 am – 5:30 pm

## **AALS INFORMATION DESK**

*Convention Registration Desk, Lobby Level, Washington Marriott Wardman Park Hotel*

# PROGRAM SCHEDULE

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8 am – 6:30 pm

## AALS EXHIBIT HALL - THE MEETING PLACE

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Join us in the Exhibit Hall to see exciting new products and the latest technologies in legal education. Whether you're looking for innovative ways to enhance the teaching experience or just want to check out the latest publications, there is something for everyone. And be sure to stop by the "Meeting Place." The comfortable lounge area is perfect for impromptu meetings or just to relax for a few minutes. Enjoy complimentary coffee, tea, pastries and cookies during the scheduled time periods as you catch up with colleagues and map out your meeting experience.

8 am – 5:30 pm

## CONTEMPLATIVE SPACE FOR REGISTRANTS

*Park Tower 8216, Lobby Level, Washington Marriott Wardman Park Hotel*

This technology-free space is available for quiet contemplation and individual restoration for those attending the annual meeting. The Section on Balance in Legal Education has also scheduled daily guided group meditations as well as mindful-movement activities throughout the conference.

Group Practice Schedule for Friday:

- 8 am – 8:30 am, Mindfulness Meditation
- 9 am – 10 am, Mindful Movement
- 12 pm – 1 pm, Introduction to Mindfulness
- 5 pm – 5:30 pm, Introduction to Mindfulness

8:30 am – 5 pm

## SECTION ON INSTITUTIONAL ADVANCEMENT

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Day One

For sessions and speaker details, please see the complete listing under extended programs on page 106.

8:30 am – 10:15 am

## AALS OPEN SOURCE PROGRAM

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Teaching Social Justice in a "Hip Hop and the Law" Course

- Moderator:** Yvonne Lindgren, Visiting Faculty, University of San Francisco School of Law
- Speakers:** Kim D. Chanbonpin, UIC John Marshall Law School  
Todd J. Clark, St. Thomas University School of Law  
andré douglas pond cummings, University of Arkansas at Little Rock, William H. Bowen School of Law  
Donald F. Tibbs, St. Thomas University School of Law

Several U.S. law professors have begun offering a course entitled "Hip Hop and the Law" or "Hip Hop and the American Constitution." The experience of these professors has led to exciting outcomes in teaching law students about social justice and empowering millennial students to engage in social activism. Students report that taking one of these courses has reignited their passion for becoming lawyers and has inspired them to believe that they can make positive change within their community, state, and nation. Hip hop music has long critiqued the U.S. Constitution and statutes, particularly in the areas of Fourth Amendment jurisprudence, First Amendment, mass incarceration, hyper-policing, family law, and intellectual property. Using hip hop's critique of the Constitution and proposing solutions from the "bottom-up" enables a powerful classroom experience that can change the trajectory of a law student's experience and provide skills that can produce social engineers that support democracy.

To be published in *North Carolina Central Law Review*.

8:30 am – 10:15 am

**AALS ARC OF CAREER PROGRAM***Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel***Encore Faculty: Further Reflections on Preparing for Life Beyond the Legal Academy**

**Moderators:** Okianer Christian Dark, Howard University School of Law  
Jonathan K. Stubbs, The University of Richmond School of Law

**Speakers:** Joseph Dancy, Jr., Theologian-Gerontologist, Dancy Associates, Inc.  
Steven H. Hobbs, University of Alabama School of Law  
Ann C. Hodges, The University of Richmond School of Law

In previous Arc of the Career Programs, we discussed how to leave the legal academy after a substantial law-teaching career. As a result, essays are being published in the *Journal of the Legal Profession*. Now, we elaborate upon the published essays and invite audience members to share their perspectives. We intend to create a written corpus to serve as a resource for faculty at both the beginning and end of their law school careers. At the beginning, faculty can garner insights regarding what worked well in the lives of their senior colleagues. At the close of someone's academic career, a resource will exist for making better informed decisions. We invite attendees, especially those preparing to retire from the legal academy, to bring ideas and partial essay outlines to share.

8:30 am – 10:15 am

**AALS ARC OF CAREER PROGRAM***Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel***Becoming an Associate Dean: New Challenges the Multiple Associate Deans Model Brings to Managing Communications and Conflict Among Faculty and Administration**

**Moderator:** Debra Moss Vollweiler, Nova Southeastern University Shepard Broad College of Law

**Speakers:** Michelle Dempsey, Villanova University Charles Widger School of Law  
Vicenc Feliú, Nova Southeastern University Shepard Broad College of Law  
Lisa Smith-Butler, Charleston School of Law  
Michele N. Struffolino, Nova Southeastern University Shepard Broad College of Law

The role of associate and assistant deans has changed within legal education in accordance with commensurate changes in the administrative structure of many law schools. Today, there are more faculty than ever before holding dean positions at law schools due to expanded programming and shared responsibilities. Faculty seeking to rise to administrative roles have more opportunities, but also more challenges, than ever before in considering their career paths, and the people in those roles may face some confusion as to the scope of their positions. This panel of current and former associate deans will take on the various issues to consider when becoming an associate or assistant dean, the various types of dean roles, and the communications necessary to be a successful associate or assistant dean.

## PROGRAM SCHEDULE

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8:30 am – 10:15 am

### AALS HOT TOPIC PROGRAM

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Ranking Legal Scholarship: *U.S. News & World Report's* New Metric and Its Effect on the Legal Academy

**Moderator:** Aaron Taylor, Senior Vice President, Executive Director, AccessLex Institute

**Speakers:** Sarah E. Dunaway, Vanderbilt University Law School  
Rachel F. Moran, University of California, Los Angeles School of Law  
Robert Morse, Chief Data Strategist, *U.S. News & World Report*  
Christopher J. Ryan, Jr., Roger Williams University School of Law  
Gregory C. Sisk, University of St. Thomas School of Law  
Michael P. Vandenberg, Vanderbilt University Law School

In 2019, *U.S. News and World Report* announced that it is developing a metric of “scholarly impact” rankings for law school faculty scholarship. The plan as announced will rely on data from William S. Hein & Co. Initially, this ranking will be reported separately from the overall rankings of law schools but eventually it might be incorporated into those overall rankings. Critics of the new metric have raised concerns about the quality of the data and methods involved in this effort. Some scholars have suggested alternative metrics that might capture more aspects of scholarship of value to the legal academic community.

8:30 am – 10:15 am

### SECTION ON AGING & THE LAW, CO-SPONSORED BY CIVIL RIGHTS, CRIMINAL JUSTICE, FAMILY & JUVENILE LAW, EMPLOYEE BENEFITS & EXECUTIVE COMPENSATION, AND IMMIGRATION LAW

*Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Emerging Issues in Elder Law

**Moderator:** Mark D. Bauer, Stetson University College of Law

**Speakers:** Naomi R. Cahn, The George Washington University Law School  
Jalila Jefferson-Bullock, Duquesne University School of Law  
Browne C. Lewis, Cleveland-Marshall College of Law at Cleveland State University  
Rachel E. Lopez, Drexel University Thomas R. Kline School of Law  
Wendy E. Parmet, Northeastern University School of Law

This session will look at emerging issues in elder law, including compassionate release; early release; immigration law and policy as it impacts the health of older adults; gray divorce, marriage, and cohabitation; art and older women; and consumer protection.

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON COMMERCIAL & CONSUMER LAW, CO-SPONSORED BY FINANCIAL INSTITUTIONS & CONSUMER FINANCIAL SERVICES

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Commercial Law in the Digital Age

**Moderator:** Christopher K. Odinet, University of Oklahoma College of Law

**Speakers:** Neil B. Cohen, Brooklyn Law School  
Carla L. Reyes, Michigan State University College of Law  
Amy J. Schmitz, University of Missouri School of Law

#### Speakers from a Call for Papers:

Heather Lauren Hughes, American University, Washington College of Law  
Lauren E. Willis, Loyola Law School, Los Angeles

Emerging tech developments have created the potential for commercial transactions that may not be adequately addressed by existing commercial laws. Admittedly, some areas of law might already have sufficient flexibility and only need to be modified in order to accommodate these new transactions, while others may need significant changes or a complete overhaul. Smart contracts involving the sale and lease of goods may require changes to Articles 2 and 2A of the Uniform Commercial Code. New ways of processing payments and transferring value may require changes to fill gaps in Articles 4 and 4A. The use of digital assets, including cryptoassets, in secured lending entail changes to Article 9. Additionally, the increasing prevalence of electronic promissory notes likely requires a reimagining of the largely paper-based Article 3 system. The program seeks to promote a careful and creative exploration of these and related issues.

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON COMMUNICATION, MEDIA & INFORMATION LAW, CO-SPONSORED BY DEFAMATION & PRIVACY

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Danger, Drama, and Self-Defeat? Diagnosing What Faces “The Press”

**Moderator:** Lili Levi, University of Miami School of Law

**Speakers:** Jack M. Balkin, Yale Law School  
Sallie Hughes, Associate Professor, University of Miami School of Communication  
RonNell Andersen Jones, University of Utah, S. J. Quinney College of Law  
Lyrissa B. Lidsky, University of Missouri School of Law

One of the critical pillars of democracy is a robust and independent press. The press today faces a variety of threats, of which the panel will examine three kinds: 1) physical threats against journalists and newsrooms; 2) lawsuits against the press and journalist prosecutions as “weaponized” political theater; and 3) self-destructive press behavior. Is proposed legislation protecting journalists from physical danger desirable or flawed? In response to strategic lawsuits designed to cripple the press in the court of public opinion, should we be looking to the adoption of federal anti-SLAPP laws? Or do stories of press misbehavior and partisanship and the realities of a fragmented media environment counsel caution in seeking expanded press protections? What can be done to improve journalistic function and bolster confidence in the institution of the press in light of a clear-headed look at modern media practice?

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON EDUCATION LAW, CO-SPONSORED BY CONSTITUTIONAL LAW

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### The Future of Affirmative Action

**Moderator:** Aaron Tang, University of California, Davis, School of Law

**Speakers:** Gail Heriot, University of San Diego School of Law  
Yuvraj Joshi, Doctoral Candidate, Yale Law School  
Kimberly Jenkins Robinson, University of Virginia School of Law

**Speaker from a Call for Papers:**  
Ben Trachtenberg, University of Missouri School of Law

Affirmative Action in higher education has long been one of the most contentious public policy issues in America. Two recent events have placed the issue even more squarely in the limelight. First, Justice Anthony Kennedy’s retirement creates the very real possibility that five votes at the Supreme Court no longer exist to uphold Affirmative Action. Second, a prominent recent lawsuit alleges that Harvard’s use of race in the undergraduate admissions process violates Title VI of the Civil Rights Act of 1964. This program, which is co-sponsored by the AALS Section on Constitutional Law, will explore the future of Affirmative Action

## PROGRAM SCHEDULE

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### *Education Law, continued*

in light of these and any other related events. Is the Supreme Court destined to invalidate the use of race in higher education admissions decisions? If so, what are places of higher education likely to do in the aftermath? How will society be affected as a result?

Business meeting held on Friday, January 3, 2020 at 7:30 am.

8:30 am – 10:15 am

### **SECTION ON IMMIGRATION LAW, CO-SPONSORED BY ENVIRONMENTAL LAW AND INTERNATIONAL LAW**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Immigration Control and Environmental Regulation: Toward Justice?**

**Moderator:** Elizabeth A. Keyes, University of Baltimore School of Law

**Speakers:** Howard F. Chang, University of Pennsylvania Carey Law School  
Maryellen Fullerton, Brooklyn Law School  
Carly Goodman, Ph.D., Mellon/ACLS Public Fellow, American Friends Service Committee

**Speaker from a Call for Papers:**

Wyatt Sassman, University of Denver Sturm College of Law

Natural disasters and social conflicts spurred by deteriorating environmental conditions and climate change are driving people to move across borders. Economically disadvantaged communities, racial minorities, and indigenous people are often in the first wave of displaced people in the world's poorer countries. These same communities are also the most heavily impacted by pollution and environmental degradation in the places that they live and work in the United States. This panel will explore the issues of immigration and environmental regulation. How do environmental regulatory and deregulatory schemes in the U.S. impact immigrant communities? How have arguments about the effects of immigrants on the environment been used to restrict migration and the rights of migrants? How should existing domestic and international legal frameworks governing migration be revised to respond to environmentally motivated migration?

Business meeting at program conclusion.

8:30 am – 10:15 am

### **SECTION ON INDIAN NATIONS & INDIGENOUS PEOPLES**

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Law, Representation, and Knowledge of Indian Nations and Indigenous Peoples in American Democracy**

**Moderator:** Monte T. Mills, Alexander Blewett III School of Law at the University of Montana

**Speakers:** Sharice Davids, Representative, United States House of Representatives  
Debra A. Haaland, Representative, United States House of Representatives

This year, the Section on Indian Nations and Indigenous Peoples is proud to host groundbreaking leaders, lawyers, and public servants as we will be joined by the first Native women ever elected to serve in the United States Congress. Representatives Deb Haaland and Sharice Davids will join us to share their views on our democracy, service, and the law, representation and knowledge of Indian nations and Native Americans within our legal system. Please join us for an engaging, historic, and thoughtful discussion.

8:30 am – 10:15 am

### **SECTION ON INTERNATIONAL LEGAL EXCHANGE - CANCELLED**

This program has been cancelled and merged into the International Legal Exchange program on Sunday, January 5 from 3:30 pm – 5:15 pm.



8:30 am – 10:15 am

**SECTION ON LAW & SPORTS, CO-SPONSORED BY LAW, MEDICINE & HEALTH CARE AND TORTS & COMPENSATION SYSTEMS***Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel***Sports, Torts, and Health: The Role of Law in Protecting Athlete Welfare****Moderator:** William W. Berry, III, University of Mississippi School of Law**Speakers:** Ellen Michelle Bublick, The University of Arizona James E. Rogers College of Law  
Paul H. Haagen, Duke University School of Law  
Jessica L. Roberts, University of Houston Law Center  
Alfred C. Yen, Boston College Law School

Participation in sports poses risks to athletes on and off the field. Given the potential for a wide range of serious injuries from athletic participation, questions about best practices and assumption of the risk pervade sports. These include the use and enforceability of liability waivers, the availability of medical personnel and equipment at practices and games, the duration and conditions of practices and games, and the scope of vicarious liability. The role of sports equipment manufacturers in protecting health and safety also remains paramount, and product liability issues persist. Further, the methods and medications used in athlete health care have generated legal concern, particularly with respect to opioid painkillers and performance enhancing drugs. This panel will provide a window into the many cross-cutting legal issues, and how the options for addressing those issues will impact athletes, institutions, and the future of sports.

Business meeting at program conclusion.

8:30 am – 10:15 am

**SECTION ON LAW & THE SOCIAL SCIENCES, CO-SPONSORED BY EMPIRICAL STUDY OF LEGAL EDUCATION & THE LAW, AND STUDENT SERVICES***McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel***Improving Legal Education with Data from the Law School Survey of Student Engagement (LSSSE)****Moderators:** Meera Deo, Law School Survey of Student Engagement  
Kellye Y. Testy, President and CEO, Law School Admission Council**Speakers:** Elizabeth Bodamer, Ph.D Candidate, American Bar Foundation/AccessLex  
Institute Doctoral Fellow in Legal and Higher Education, Indiana University  
Goodwin Liu, Associate Justice, California Supreme Court  
Ajay K. Mehrotra, Director, Northwestern University Pritzker School of Law  
Victor Quintanilla, Indiana University Maurer School of Law  
Kirsten Winek, Manager, Law School Analytics, American Bar Association  
Section of Legal Education and Admissions to the Bar

As legal education continues to transform, legal academics and administrators increasingly rely on empirical data to determine the best way forward. The Law School Survey of Student Engagement (LSSSE) has perhaps the largest collection of student data ever amassed, housing over 350,000 responses from students at schools across the country. Celebrating its 15th year, LSSSE strives to capture an annual snapshot of the law student experience. The LSSSE Survey covers numerous aspects of law student life, including questions about educational debt, belonging on campus, interactions with classmates, future career preferences, and more. This panel features national scholars who utilize LSSSE data to further their own research on legal education and the legal profession. Whether analyzing affirmative action jurisprudence, considering opportunities and limitations facing legal professionals, examining raceXgender variations in the LSSSE data, or determining predictors of bar success, all speakers share the goal of improving legal education through action-oriented data.

Papers from this program will be published in *The Journal of Legal Education*.

The Section held a virtual business meeting prior to the Annual Meeting.

# PROGRAM SCHEDULE

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8:30 am – 10:15 am

## SECTION ON LEGAL HISTORY, CO-SPONSORED BY CONSTITUTIONAL LAW

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### A Century of Women's Suffrage

**Moderator:** Evan C. Zoldan, University of Toledo College of Law

**Speakers:** Martha S. Jones, Society of Black Alumni Presidential Professor and Professor of History, Johns Hopkins University  
Holly McCammon, Vanderbilt University Law School

#### Speakers from a Call for Papers:

Elizabeth D. Katz, Washington University in St. Louis School of Law  
Kara W. Swanson, Northeastern University School of Law

2020 marks one hundred years since the Nineteenth Amendment was ratified, ushering in a century of women's suffrage in the United States. This program brings together scholars writing on the history of women's suffrage, including scholars who will explore the suffrage movement that culminated in the Nineteenth Amendment; address how the Nineteenth Amendment affected political parties in the subsequent century; and compare the women's suffrage movement to analogous social movements.

Business meeting at program conclusion.

8:30 am – 10:15 am

## SECTION ON NATIONAL SECURITY

*Tyler, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### Professional Independence and National Security

**Moderator:** Dakota Rudesill, The Ohio State University, Michael E. Moritz College of Law

**Speakers:** Carrie Cordero, Robert M. Gates Senior Fellow and General Counsel, Center for a New American Security  
C. Robert Kehler, Former Commander, United States Strategic Command  
Michael Morell, Former Acting Director, Central Intelligence Agency  
Rachel E. VanLandingham, Southwestern Law School

Professionals bring special credibility to their analysis and advice thanks to specialized training, expertise, and credentials. Professionals share ethical commitments grounded on integrity and respect for factual knowledge. However, in the national security administrative state, they must balance analytical independence with service to organizational superiors and principals who have preferences, policies, and viewpoints. This panel is composed of experienced legal, intelligence, and military professionals and scholars, and it will explore current challenges to this balancing act in our often anti-expert, post-fact, hyper-partisan moment.

Business meeting at program conclusion.

8:30 am – 10:15 am

## SECTION ON NEW LAW PROFESSORS, CO-SPONSORED BY TEACHING METHODS AND SCHOLARSHIP

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### So You're a New Law Prof - What Now? What We Wish We Had Known

**Moderator:** Mary Leto Pareja, University of New Mexico School of Law

**Speakers:** Ruben J. Garcia, University of Nevada, Las Vegas, William S. Boyd School of Law  
Howard E. Katz, Cleveland-Marshall College of Law at Cleveland State University  
Susan S. Kuo, University of South Carolina School of Law  
Nathalie D. Martin, University of New Mexico School of Law  
Michael A. Olivas, University of Houston Law Center

Experienced professors will share advice on common topics of concern to both newer professors and more experienced professors as well. Breakout sessions such as Teaching, Scholarship, Service and Thriving at Your Institution will allow for more interactive discussions. Participants will drive discussion topics, which may include preparing to teach a course for the first time; designing effective and efficient assessments; strategies for reaching today's students; handling challenges to your authority from students or colleagues; finding and using mentors and writing groups; selecting scholarship topics; navigating the law review submission process; selecting and using research assistants; scholarship for personal joy as well as professional success; navigating intra-faculty relationships; navigating the tenure and promotion process; tips for getting the most out of an annual review with the dean; finding and using personal champions; and making service matter.

Business meeting at program conclusion.

8:30 am – 10:15 am

### **SECTION ON TAXATION, CO-SPONSORED BY ADMINISTRATIVE LAW**

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Administering the 2017 Tax Act: Successes, Challenges, and Opportunities**

|                   |                                                                                                         |
|-------------------|---------------------------------------------------------------------------------------------------------|
| <b>Moderator:</b> | Heather M. Field, University of California, Hastings College of the Law                                 |
| <b>Speakers:</b>  | Kristin E. Hickman, University of Minnesota Law School                                                  |
|                   | Philip Lindenmuth, Esq., Executive Counsel to the Chief Counsel, Internal Revenue Service               |
|                   | Sunita Lough, Commissioner of the Tax-Exempt and Government Entities Division, Internal Revenue Service |
|                   | Nina E. Olson, Senior Fellow, Administrative Conference of the United States                            |

In late 2017, Congress passed a major piece of tax legislation. Since then, the Treasury Department and IRS worked to implement this legislation, and in 2019, individual taxpayers went through the first filing season under the new law. This program will draw on experiences and discuss issues related to the new law's implementation and administration. The panel includes people who played key roles in the IRS's Tax Reform Implementation Office, IRS Office of Chief Counsel, OIRA, and Taxpayer Advocate Service. Topics discussed will include the roles of different government players; process for promulgating regulations; decisions along the way, including the prioritization of topics for guidance; questions that remain unresolved; how the administration of the new law impacted taxpayers; obstacles faced during the first filing season; opportunities for improving the new law's administration; and what to expect moving forward.

Business meeting at program conclusion.

9 am – 10:30 am

### **COFFEE WITH COLLEAGUES**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

# PROGRAM SCHEDULE

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10:30 am – 12:15 pm

## **AALS PRESIDENTIAL OPENING PLENARY SESSION**

*Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel*

### **The Role of Universities and Law Schools in Constitutional Democracy**

**Moderator:** Vicki C. Jackson, Harvard Law School

**Speakers:** Ronald J. Daniels, President, The Johns Hopkins University  
Risa L. Goluboff, University of Virginia School of Law  
Larry D. Kramer, William and Flora Hewlett Foundation  
Vincent D. Rougeau, Boston College Law School

George Washington was so convinced of the importance of higher education for the success of the new Republic that he repeatedly advocated creating a national university to build an informed citizenry. Washington's vision never came to fruition in the way he intended, but institutions of higher learning became engrained in our national landscape over the past two centuries. Yet today, questions are being raised from the right, the left, and the middle about the value of higher education - including legal education - for constitutional democracy. Do institutions of higher learning reinforce or deconstruct existing social inequalities? Do they foster polarization or promote tolerance? Do they—should they—help prepare young people for participation in a representative democracy? How do institutions of higher learning, including law schools, increase knowledge and promote critical thinking, while modeling respect for divergent reasonable views? How are law schools distinctive in university communities? Do we have special responsibilities to prepare our students for roles as active citizens and participants in government? How could we do better?

Ron Daniels, President of the Johns Hopkins University, former Dean of the Law Faculty at University of Toronto, and former Provost at the University of Pennsylvania, will address these questions in a short plenary talk, based on his forthcoming book on the role of colleges and universities in liberal democracies. He will then be joined by a panel of legal educators including Risa L. Goluboff, Dean of the University of Virginia School of Law; Larry Kramer, former Dean of Stanford Law School and now President of the William and Flora Hewlett Foundation; and Vince Rougeau, Dean of Boston College Law School, for a discussion of these and other questions, among the panelists and with the audience.

12:15 pm – 1:30 pm

## **SECTION ON CLINICAL LEGAL EDUCATION LUNCHEON**

*Thurgood Marshall South, Mezzanine Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

## **SECTIONS ON CRIMINAL JUSTICE AND EVIDENCE JOINT LUNCHEON - CANCELLED**

12:15 pm – 1:30 pm

## **SECTION ON LAW & MENTAL DISABILITY LUNCHEON - CANCELLED**

12:15 pm – 1:30 pm

## **SECTION ON WOMEN IN LEGAL EDUCATION LUNCHEON**

*Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

1:30 pm – 3 pm

**COFFEE WITH COLLEAGUES***Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

1:30 pm – 3:15 pm

**AALS COMMITTEE ON RECRUITMENT & RETENTION OF MINORITY LAW TEACHERS & STUDENTS***Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***How Does a Law School Successfully Recruit and Retain a Diverse Faculty?: A Roundtable Discussion**

**Moderator:** Melissa E. Murray, New York University School of Law  
Victor Quintanilla, Indiana University Maurer School of Law

**Speakers:** Kerry Abrams, Duke University School of Law  
Dorothy Andrea Brown, Emory University School of Law  
Devon Wayne Carbado, University of California, Los Angeles School of Law  
Meera Deo, Law School Survey of Student Engagement  
Kevin R. Johnson, University of California, Davis, School of Law  
Sean M. Scott, Loyola Law School, Los Angeles

This program will be presented as a roundtable discussion between experienced deans and faculty who have been at the forefront of increasing and achieving diversity within the law school faculty. The speakers will discuss ways to create successful faculty hiring practices that achieve greater racial and ethnic representation among faculty at law schools. The discussion will focus on the kinds of initiatives that a hiring program and faculty support program need to be successful, and the different kinds of challenges a school can expect to encounter when developing and implementing these initiatives. The session will provide sufficient opportunity for attendees to engage the roundtable participants with questions and comments.

1:30 pm – 3:15 pm

**AALS OPEN SOURCE PROGRAM***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***How to Build an Effective, “Supreme Court-Proof” Pipeline Program**

**Moderator:** F. Michael Higginbotham, University of Baltimore School of Law

**Speakers:** Afra Afsharipour, University of California, Davis, School of Law  
Leonard M. Baynes, University of Houston Law Center  
Michael I. Meyerson, University of Baltimore School of Law

The current law of affirmative action is on uncertain ground. With Justice Kavanaugh replacing Justice Kennedy, there may be a five-Justice majority who would limit or even eliminate the ability of public law schools and other universities to institute race-conscious admissions and academic support programs. This panel will address the need to plan for law school pipeline programs that will be effective and constitutional, regardless of how the Supreme Court rules on affirmative action in the future. First, the panelists will analyze current pipeline programs and what makes them effective. Next, the panel will examine the different possible ways the Supreme Court could rule on the constitutionality and legality of law school (both public and private) affirmative action programs. Finally, they will discuss what must be done to ensure that law schools have effective pipeline programs in the future, regardless of how the Supreme Court rules.

# PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

## AALS ARC OF CAREER PROGRAM

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### So You Want to Publish a Book?

- Moderator:** Susan D. Carle, American University, Washington College of Law
- Speakers:** Khaled A. Beydoun, University of Arkansas, Fayetteville, Robert A. Leflar  
Law Center  
Matt Gallaway, Senior Editor, Law, Cambridge University Press  
Gail Ross, Esq., President, Ross Yoon Agency  
Pam Siegel Chandler, Vice President and Publisher, West Academic  
Robert L. Tsai, American University, Washington College of Law

Back by popular demand, this panel will explore book publishing from the perspectives of a university press acquisitions editor, several successful authors, a law book publisher, and a leading literary agent. The last 15 minutes will be reserved for informal conversations between panelists and audience members.

1:30 pm – 3:15 pm

## AALS DISCUSSION GROUP

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### The Multi-Generational Teaching of Legal Writing

#### Discussion Group Moderator:

Sue Liemer, Elon University School of Law

#### Discussion Group Participants:

Tiffany D. Atkins, Elon University School of Law  
Robert Brain, Loyola Law School, Los Angeles  
Johanna K. P. Dennis, Golden Gate University School of Law  
Brenda D. Gibson, North Carolina Central University School of Law  
Jan M. Levine, Duquesne University School of Law  
Ann L. Nowak, Touro College, Jacob D. Fuchsberg Law Center  
Sue Payne, Emory University School of Law  
Joe Regalia, University of Nevada, Las Vegas, William S. Boyd School of Law  
Drew T. Simshaw, Gonzaga University School of Law  
Nancy J. Soonpaa, Texas Tech University School of Law  
Meredith A. Stange, Northern Illinois University College of Law  
Gail S. Stephenson, Southern University Law Center  
Melissa H. Weresh, Drake University Law School  
Carolyn V. Williams, The University of Arizona James E. Rogers College of Law

This discussion group will explore pedagogical issues that bubble beneath the surface for legal writing professors from different generations. A wide range of writing, teaching, and law practice experiences inform legal writing professors as they help today's law students prepare for an unknowable future. Ignoring or gliding past generational differences may mean students graduate with very different instruction and practice in fundamental legal skills. Looking purposefully at generational differences in legal writing pedagogy may enable us to identify and better use the most helpful things that each generation of professors contributes. We may be able to identify legal writing traditions that may now need to receive less emphasis than before or be sunset altogether. And we may be able to identify aspects of legal communications that need to receive more emphasis or be introduced for the first time into the legal writing curriculum.

1:30 pm – 3:15 pm

**AALS HOT TOPIC PROGRAM***Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel***Impeachment****Moderator:** Franciska A. Coleman, Washington University in St. Louis School of Law**Speakers:** Frank O. Bowman, III, University of Missouri School of Law  
Monica Eppinger, Saint Louis University School of Law  
Jennifer Taub, Vermont Law School

The impeachment inquiry launched in September 2019 opened up a thicket of questions and problems. This round-table discussion will start with remarks from an invited panel of experts on the topic of the impeachment of President Trump. Panelists will reflect on the proceedings of 2019 and ramifications for 2020, with attention to Constitutional and legal questions, political developments, and national security implications. Participants include those with particular insight into impeachment proceedings; the executive branch; Congress; electoral politics; Ukrainian law, elites, and political systems; and diplomatic practice.

1:30 pm – 3:15 pm

**SECTION ON ACADEMIC SUPPORT***Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel***Access to the Legal Profession as a Pillar of Democracy: Bar Exam Scores and the Future of Diversity****Moderator:** Melissa Hale, Loyola University Chicago School of Law**Speakers:** Catherine Christopher, Texas Tech University School of Law  
Marsha Griggs, Washburn University School of Law  
Jane Grise, University of Kentucky College of Law  
Joan W. Howarth, University of Nevada, Las Vegas, William S. Boyd School of Law

As a community, we are aware that bar passage rates are falling in some jurisdictions, and the ABA recently passed a change to Standard 316 on Bar Passage, which would require schools to achieve 75% bar pass rate within two years of graduation. This has the potential to severely impact law schools that prioritize a mission of diversifying the legal field by preparing lawyers from underrepresented groups. Moreover, in the profession itself, access to legal education and the profession, is a pillar of democracy. This program will focus on how to better support students who are at risk of not passing the bar exam. Specifically, we will have discussions on the case for a uniform cut score; normalizing struggle; gender gap; and stereotype threat and overconfidence. Business meeting at program conclusion.

## PROGRAM SCHEDULE

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1:30 pm – 4:30 pm

### SECTIONS ON ADMINISTRATIVE LAW, ENVIRONMENTAL LAW, AND NATURAL RESOURCES & ENERGY LAW JOINT PROGRAM

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Agency Action on Environmental and Natural Resources Law in the Trump Era

**Moderators:** Jack Michael Beermann, Boston University School of Law  
Sharmila Murthy, Suffolk University Law School  
Heidi Gorovitz Robertson, Cleveland-Marshall College of Law at Cleveland State University

#### Speakers from a Call for Papers:

Sara A. Colangelo, Georgetown University Law Center  
Robin K. Craig, University of Utah, S. J. Quinney College of Law  
Bethany A. Davis Noll, New York University School of Law  
Steven Ferrey, Suffolk University Law School  
Joshua Galperin, University of Pittsburgh School of Law  
Steve C. Gold, Rutgers Law School  
Sara Gosman, University of Arkansas, Fayetteville, Robert A. Lefflar Law Center  
Seema Kakade, University of Maryland Francis King Carey School of Law  
Elizabeth A. Kronk Warner, University of Utah, S. J. Quinney College of Law  
Uma Outka, University of Kansas School of Law  
Daniel Walters, The Pennsylvania State University – Penn State Law

Since President Trump's election, there has been an explosion of proposed rulemaking and proposed reversals to existing regulations. These proposed administrative changes have touched almost every aspect of environmental and natural resources law, including the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act, and the Clean Air Act. These rulemaking activities are being undertaken with record speed and in many instances are not following established procedures and processes. Participants in this session will explore these issues through an innovative format designed to promote lively and engaging conversations. The workshop will begin with several short talks on cross-cutting administrative law themes followed by moderated discussions in small groups. The session will close with brief remarks meant to synthesize some of the key themes that emerge in the plenary and small group sessions and connect these themes to scholarship and teaching.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

### SECTION ON ANIMAL LAW, CO-SPONSORED BY INTERNATIONAL LAW

*Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Crossing Borders: Comparative International Animal Law

**Moderator:** Courtney G. Lee, University of the Pacific, McGeorge School of Law

**Speakers:** David S. Favre, Michigan State University College of Law  
Anna Frostic, The Humane Society of the United States  
Katherine M. Hessler, Lewis and Clark Law School  
Ann L. Schiavone, Duquesne University School of Law

This program brings together leading scholars and practitioners to discuss the current state of international animal law. Topics will include the need for a new treaty concerning animal welfare and its potential impact on domestic legislation; how democracy has impacted the plights of animals both domestically and abroad; and how attorneys represent animals in both a legal and social sense. A Senior Attorney for Wildlife and Animal Research at the Humane Society of the United States will also discuss recent litigation concerning U.S. approval of foreign hunting programs.

The Section held a virtual business meeting prior to the Annual Meeting.



1:30 pm – 4:30 pm

**SECTION ON ASSOCIATE DEANS FOR ACADEMIC AFFAIRS & RESEARCH***Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel***Building and Sustaining Alliances as an Associate Dean****Moderator:** Geoffrey C. Rapp, University of Toledo College of Law**Speakers from a Call for Papers:**

Michael T. Colatrella, Jr., University of the Pacific, McGeorge School of Law  
 Olympia R. Duhart, Nova Southeastern University Shepard Broad College of Law  
 Jill C. Engle, The Pennsylvania State University – Penn State Law  
 Michael W. Flynn, Santa Clara University School of Law  
 Wendy-Adele Humphrey, Texas Tech University School of Law  
 Dionne L. Koller, University of Baltimore School of Law  
 Mary-Beth Moylan, University of the Pacific, McGeorge School of Law  
 Anthony Niedwiecki, Golden Gate University School of Law  
 Debra Moss Vollweiler, Nova Southeastern University Shepard Broad College of Law

*AALS thanks BARBRI Innovations/iLaw Distance Learning for generously sponsoring this session.*

This program will explore one of the key tools an associate dean can employ to make a lasting difference for a school, its students, and its faculty—alliances. By identifying potential allies and cultivating and sustaining strong purpose-driven relationships, an associate dean can aspire to leave a lasting legacy. Whether those alliances are with the leaders of faculty committees, with student service professionals at the law school, with leadership at other law schools, or with other academic leaders on a campus, alliances can prove essential in supporting an associate dean's efforts to make progress on an institutional level. Panelists will discuss examples from their own experience where they successfully (or unsuccessfully) formed or maintained alliances and provide suggestions on how other associate deans can leverage alliances to achieve their goals.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

**SECTION ON CLINICAL LEGAL EDUCATION***Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Exploring Immigrant Justice from Intersectional Perspectives****Moderator:** Ragini N. Shah, Suffolk University Law School**Speakers:**

Luz E. Herrera, Texas A&M University School of Law  
 Eisha Jain, University of North Carolina School of Law  
 Jennifer Lee, Temple University, James E. Beasley School of Law  
 Chantal Thomas, Cornell Law School

This panel will consider justice for immigrants. Since the 2016 election, Trump's policies and discourse surrounding immigration have fundamentally challenged the pillars of democracy. In the process of regulating who can come in and remain in the US, immigration law and policy touches on how we conceive of family, work, criminal justice, civil rights, and international law. This program focuses on those engaged in teaching and scholarship that is intersectional with immigration law such as criminal law, employment and labor rights, human rights, and community economic development. In particular, it seeks to create a dialogue between clinical and non-clinical faculty and consider how such perspectives could help push the boundaries of what justice looks like for immigrant communities.

Business meeting to be held during luncheon on Friday, January 3, 2020 at 12:15 pm.

# PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

## SECTION ON CONTRACTS, CO-SPONSORED BY ALTERNATIVE DISPUTE RESOLUTION

*Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### Non-Disclosure Agreements and Contract Law

**Speakers:** Jasmine C. Abdel-Khalik, University of Missouri-Kansas City School of Law  
Miriam Cherry, Saint Louis University School of Law  
Nicolas Cornell, The University of Michigan Law School  
David A. Hoffman, University of Pennsylvania Carey Law School  
Michael P. Malloy, University of the Pacific, McGeorge School of Law  
Vicki Schultz, Yale Law School

Topics of this panel include enforcement of non-disclosure agreements and remedies for breach; public policy and non-disclosure agreements relating to matters of public interest; the legality and constitutionality of requiring non-disclosure agreements of public officials; non-disclosure agreements in mandatory arbitration agreements; issues in professional ethics presented by non-disclosure agreements; and the relationship between non-disclosure agreements and intellectual property.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

## SECTIONS ON EVIDENCE AND BIOLAW JOINT PROGRAM, CO-SPONSORED BY LAW & THE SOCIAL SCIENCES AND LITIGATION

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### Algorithmic Knowledge: Law, Science and Democracy

**Moderator:** Christine Chambers Goodman, Pepperdine University, Rick J. Caruso School of Law

**Speakers:** David F. Engstrom, Stanford Law School  
Nicholson Price, The University of Michigan Law School  
Arti K. Rai, Duke University School of Law  
Andrea Roth, University of California, Berkeley School of Law

This program will explore the manner in which machine-learning technologies contribute to the formation of algorithmic knowledge in a variety of legal fields, including criminal justice, evidence, and litigation. The data assumptions underlying such predictive analytics are often problematic—whether for encoding human bias, or for being shielded from review by intellectual property protections. The failure of artificial intelligence technologies to account for informational asymmetries thus poses unique threats to our democratic institutions and justice system. However, artificial intelligence technologies have also shown great promise to promote equality, efficiency, and access to justice in law. This program will thus examine possible responses by lawyers and legal institutions to the challenges posed by machine-learning.

Business meeting at program conclusion.

1:30 pm – 4:30 pm

**SECTION ON FAMILY & JUVENILE LAW, CO-SPONSORED BY CIVIL RIGHTS AND MINORITY GROUPS**

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**The Erosion of Civil Rights and Its Impact on U.S. Families and Children**

**Moderator:** Kim Hai Pearson, Gonzaga University School of Law

**Speakers:** Susan Hazeldean, Brooklyn Law School  
 Anil Kalhan, Drexel University Thomas R. Kline School of Law  
 Sarah Swan, Columbia Law School  
 Nancy E. Wang, Associate Director Pediatric Emergency Medicine Co-Program  
 Director of the Department of Emergency Medicine, Academic Affairs,  
 Stanford University School of Medicine  
 Jordan Blair Woods, University of Arkansas, Fayetteville, Robert A. Leflar  
 Law Center

**Speaker from a Call for Papers:**

Nancy E. Dowd, University of Florida Fredric G. Levin College of Law

Presenters will address the private battleground of family and juvenile law where civil rights are often at stake in decisions with reverberating effects in United States law and policy. From forced migration, to coercive family separations, to secretive teenage vaccinations, to racially discriminatory education, the civil rights of family members and children are at risk of being unprotected and violated with impunity. Civil rights advocates are validated in focusing efforts in the realm of family and children's law so that those most vulnerable to state intervention and mistreatment can have and exercise their constitutional rights.

Business meeting held on Friday, January 3, 2020 at 7:30 am.

1:30 pm – 3:15 pm

**SECTION ON INTERNET & COMPUTER LAW, CO-SPONSORED BY DEFAMATION & PRIVACY**

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

**What Is a Platform and How Do We Regulate?**

**Moderator:** Yvette Joy J. Liebesman, Saint Louis University School of Law

**Speakers:** Julie E. Cohen, Georgetown University Law Center  
 Eric Goldman, Santa Clara University School of Law  
 Kate Klonick, St. John's University School of Law

**Speakers from a Call for Papers:**

D. Adam Candebub, Michigan State University College of Law  
 Rebecca Hamilton, American University, Washington College of Law

An online platform can be many things. It can be a social media site, a search engine, or an internet service interface. As we have seen with issues like the amplification of hate speech through Facebook, Twitter, and other social media sites as well as the results that search engine algorithms provide us, platforms can have enormous influence over what we have access to online and how we are influenced by what the platform exposes to us. Thus, how we choose to define and regulate a platform can have vast repercussions on many aspects of our public and private lives and shape our beliefs and daily routines. This panel discusses several of these related issues.

The Section held a virtual business meeting prior to the Annual Meeting.

# PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

## SECTION ON LEADERSHIP, CO-SPONSORED BY PRO-BONO & PUBLIC SERVICE OPPORTUNITIES AND PROFESSIONAL RESPONSIBILITY

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### Learning from Lawyer-Leaders Throughout the Profession

For sessions and speaker details, please see the complete listing under extended programs on page 110.

As more law students and lawyers find themselves holding positions outside of law firms, law schools must prepare their students to play a wide variety of leadership roles in both the public and private sector. Lawyers, through their legal education and training, are especially needed as leaders in these challenging times. The 2020 Section on Leadership's program will feature conversations with lawyers who serve in a variety of roles, including government, public interest, judiciary, and professional associations. The panel will discuss the need for law schools to better equip their students for the challenges they will face as leaders in an increasingly complex and challenging world.

Business meeting held on Friday, January 3, 2020 at 7 am.

1:30 pm – 3:15 pm

## SECTION ON TAXATION

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### New Voices in Tax Law & Policy

**Commentators:** Sarah B. Lawsky, Northwestern University Pritzker School of Law  
Daniel N. Shaviro, New York University School of Law  
David A. Weisbach, The University of Chicago, The Law School

#### Works-in-Progress Presenters:

Young Ran (Christine) Kim, University of Utah, S. J. Quinney College of Law  
Jeesoo Nam, New York University School of Law  
Manoj Viswanathan, University of California, Hastings College of the Law

This program showcases works-in-progress by scholars with seven or fewer years of teaching experience doing research in tax law, tax policy, and related fields. These works-in-progress were selected from a call for papers. Commentators working in related areas will provide feedback on the papers.

1:30 pm – 3:15 pm

## SECTION ON TORTS & COMPENSATION SYSTEMS, CO-SPONSORED BY INSURANCE LAW

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### I, Liability: The Coming Revolution in Robot Law

**Moderator:** Aviva Abramovsky, University at Buffalo School of Law, The State University of New York

**Speakers:** James Davey, Professor of Contract and Commercial Law, Southampton Law School  
Kyle D. Logue, The University of Michigan Law School  
Adam F. Scales, Rutgers Law School

Panelists will explore how autonomous vehicle technology will reshape both liability law and the insurance framework that has evolved alongside it. TLDR: Killer Robots and the Law!

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

**SECTION ON WOMEN IN LEGAL EDUCATION***Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel***Gender Equity at Work**

For sessions and speaker details, please see the complete listing under extended programs on page 111.

This session will explore issues concerning gender equity in the workplace, including the legal profession and legal academia. An introductory panel featuring Vice Provost Adrienne Davis and Dean Angela Onwuachi-Wilig will explore issues concerning gender equity in the workplace, including the legal profession and legal academia. Following the panel discussion, participants will attend their choice of two small moderated discussion groups.

3 pm – 4:30 pm

**COFFEE WITH COLLEAGUES***Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

3:30 pm – 5:15 pm

**SECTION ON BUSINESS ASSOCIATIONS, CO-SPONSORED BY FINANCIAL INSTITUTIONS & CONSUMER FINANCIAL SERVICES AND SECURITIES REGULATION***Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel***New Voices in Business Law**

- Moderator:** Andrew Verstein, Wake Forest University School of Law
- Commentators:** Afra Afsharipour, University of California, Davis, School of Law  
 Shawn Bayern, Florida State University College of Law  
 Franklin A. Gevurtz, University of the Pacific, McGeorge School of Law  
 Andrew S. Gold, Brooklyn Law School  
 Jeffrey M. Lipshaw, Suffolk University Law School  
 Benjamin Means, University of South Carolina School of Law  
 Alan R. Palmiter, Wake Forest University School of Law  
 Kish Parella, Washington and Lee University School of Law  
 James J. Park, University of California, Los Angeles School of Law  
 Marc Roark, Southern University Law Center  
 Darren Rosenblum, Pace University Elisabeth Haub School of Law

**Works-in-Progress Presenters:**

- William W. Clayton, Brigham Young University, J. Reuben Clark Law School  
 Mihailis Diamantis, University of Iowa College of Law  
 Cathy Hwang, University of Utah, S. J. Quinney College of Law  
 Matt Jennejohn, Brigham Young University, J. Reuben Clark Law School  
 William J. Moon, University of Maryland Francis King Carey School of Law  
 Menesh Patel, University of California, Davis, School of Law  
 Gregory H. Shill, University of Iowa College of Law

This works-in-progress program will bring together junior and senior scholars in the field of business law to provide junior scholars with feedback and guidance on their draft articles.

# PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

## SECTION ON CIVIL RIGHTS

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### New Voices in Civil Rights

**Moderators:** Jason A. Gillmer, Gonzaga University School of Law  
Miriam Gohara, Yale Law School

**Works-in-Progress Presenters:**

Heather Abraham, Georgetown University Law Center  
Priya Baskaran, West Virginia University College of Law  
Khaled A. Beydoun, University of Arkansas, Fayetteville, Robert A. Leflar  
Law Center  
Alexis Karteron, Rutgers Law School  
Portia Pedro, Boston University School of Law

This panel showcases works-in-progress by scholars with seven or fewer years of teaching experience in civil rights, social justice, and related fields. The presented works-in-progress were selected by a subcommittee of the Section. Commentators working in related areas will provide feedback on the papers. Abstracts of the papers being presented will be available at the session.

3:30 pm – 5:15 pm

## SECTION ON IMMIGRATION LAW

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

### New Voices in Immigration Law: Works in Progress

**Moderator:** Kit Johnson, University of Oklahoma College of Law

**Works-in-Progress Presenters:**

Caitlin Bellis, University of California, Irvine School of Law  
Smita Ghosh, Georgetown University Law Center  
Nicole Hallett, University at Buffalo School of Law, The State University  
of New York  
Lindsay Harris, University of the District of Columbia, David A. Clarke  
School of Law  
Laila L. Hlass, Tulane University Law School  
Eisha Jain, University of North Carolina School of Law  
Lindsay Nash, Benjamin N. Cardozo School of Law

New voices in immigration law will have the opportunity to present works-in-progress and receive feedback from senior scholars. Presenters were selected from a call for papers.

3:30 pm – 5:15 pm

**SECTION ON INTELLECTUAL PROPERTY***Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Teaching Intellectual Property Law****Moderator:** Sarah Burstein, University of Oklahoma College of Law**Speakers:** Wendy Jane Gordon, Boston University School of Law  
Paul R. Gugliuzza, Boston University School of Law  
Deidre A. Keller, Ohio Northern University, Pettit College of Law  
Victoria Schwartz, Pepperdine University, Rick J. Caruso School of Law

This program will feature discussions of pedagogical approaches to teaching intellectual property law by both junior and senior law professors who teach courses such as Copyright Law, Trademark Law, Patent Law, and Trade Secrets Law.

3:30 pm – 5:15 pm

**SECTION ON INTERNATIONAL HUMAN RIGHTS, CO-SPONSORED BY INTERNATIONAL LAW***Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel***New Voices in Human Rights and International Law****Moderator:** Peter Halewood, Albany Law School**Works-in-Progress Presenters:**Maggie Gardner, Cornell Law School  
Rachel E. Lopez, Drexel University Thomas R. Kline School of Law  
Victoria S. Sahani, Arizona State University Sandra Day O'Connor College of Law  
Shayak Sarkar, University of California, Davis, School of Law

The AALS International Human Rights Section and International Law Section present papers and works-in-progress on human rights law and international law by faculty members who have never presented a human rights or international law paper at the AALS and/or who explore these topics from alternative perspectives or disciplines. Preference was given to junior scholars in selection of papers.

3:30 pm – 5:15 pm

**SECTION ON LAW, MEDICINE & HEALTH CARE***Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Junior Faculty Works in Progress for Law, Medicine and Health Care****Moderator:** Ruqaiyah A. Yearby, Saint Louis University School of Law**Works-in-Progress Presenters:**Yvonne Lindgren, Visiting Faculty, University of San Francisco School of Law  
D'Andra Millsap Shu, Texas Southern University Thurgood Marshall School of Law  
Megan S. Wright, The Pennsylvania State University – Penn State Law

The AALS Section on Law, Medicine and Health Care is hosting a session to review works-in-progress from junior scholars. Three scholars will present their work and receive feedback from experts in the field. This year's scholars are: Megan Wright, Yvonne Lindgren, and D'Andra Shu. Their papers will be reviewed for publication in the *Journal of Legal Medicine*.

# PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

## SECTIONS ON LEGISLATION & LAW OF THE POLITICAL PROCESS AND ADMINISTRATIVE LAW JOINT PROGRAM

*Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

### New Voices in Legislation

**Commentators:** Andy Grewal, University of Iowa College of Law  
Emily Hammond, The George Washington University Law School  
Kristin E. Hickman, University of Minnesota Law School  
Linda D. Jellum, Mercer University School of Law  
Donald J. Kochan, Chapman University Dale E. Fowler School of Law  
Ronald M. Levin, Washington University in St. Louis School of Law  
Richard W. Murphy, Texas Tech University School of Law  
Todd D. Rakoff, Harvard Law School  
Daniel B. Rodriguez, Northwestern University Pritzker School of Law  
David Rubenstein, Washburn University School of Law  
Mark Seidenfeld, Florida State University College of Law  
Glen Staszewski, Michigan State University College of Law  
Peter L. Strauss, Columbia Law School  
Christopher J. Walker, The Ohio State University, Michael E. Moritz College of Law

### Works-in-Progress Presenters:

Alyse Bertenthal, University of California, Irvine School of Law  
Jonathan Choi, New York University School of Law  
Daniel Deacon, The University of Michigan Law School  
Tammi Etheridge, Villanova University Charles Widger School of Law  
Joshua Galperin, University of Pittsburgh School of Law  
Josh Macey, Cornell Law School  
James A. Macleod, Brooklyn Law School  
David L. Noll, Rutgers Law School  
Alexander Platt, Harvard Law School  
Bijal Shah, Arizona State University Sandra Day O'Connor College of Law  
Daniel Walters, The Pennsylvania State University – Penn State Law  
Ilan Wurman, Arizona State University Sandra Day O'Connor College of Law  
David Zaring, Assistant Professor of Legal Studies, The Wharton School  
University of Pennsylvania Legal Studies and Business Ethics Department

3:30 pm – 5:15 pm

## SECTION ON NORTH AMERICAN COOPERATION, CO-SPONSORED BY INTERNATIONAL LAW

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### Global Perspectives: Creating a Law School Culture that Promotes Student Well-Being

**Moderator:** Cara Cunningham-Warren, University of Detroit Mercy School of Law

**Speakers:** Debra Austin, University of Denver Sturm College of Law  
Jill Morrison, Georgetown University Law Center  
Sandra Simpson, Gonzaga University School of Law  
Amy Uelmen, Georgetown University Law Center

Stress abounds in the profession. In 2017, a national task force on lawyer well-being concluded that students and lawyers are increasingly at risk, and our response as a profession falls short. What is our response? Bhutan develops and evaluates its national policies through the lens of a Gross National Happiness Index, which fo-



cuses on psychological well-being, health, education, time use, and other domains. This panel will explore the idea of an equivalent index for law schools and approach the topic from a global perspective (e.g., curricular design, course development, exercises, teaching techniques, extra-curricular activities, etc.).

3:30 pm – 5:15 pm

### SECTION ON PROFESSIONAL RESPONSIBILITY

*Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Professional Responsibility Junior Scholars Works-in-Progress

**Moderator:** Benjamin P. Cooper, University of Mississippi School of Law

**Works-in-Progress Presenters:**

Ashley London, Duquesne University School of Law  
Carla L. Reyes, Michigan State University College of Law  
Jeffrey Ward, Duke University School of Law

**Commentators:** Diane J. Klein, University of La Verne College of Law  
Jayanth K. Krishnan, Indiana University Maurer School of Law

This workshop is an opportunity for junior scholars who have been selected from a call for papers to receive substantive critique and feedback on a work-in-progress. Each junior scholar is paired with a more senior scholar in the field who will lead a discussion of the piece and provide feedback.

3:30 pm – 5:15 pm

### SECTION ON SEXUAL ORIENTATION & GENDER IDENTITY ISSUES

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### New Voices in Sexual Orientation and Gender Identity Law

**Moderator:** Jack B. Harrison, Northern Kentucky University, Salmon P. Chase College of Law

**Commentators:** Valena E. Beety, Arizona State University Sandra Day O'Connor College of Law  
Jennifer D. Oliva, Seton Hall University School of Law  
Brian Soucek, University of California, Davis, School of Law  
Kyle C. Velte, University of Kansas School of Law

**Works-in-Progress Presenters:**

Doron Dorfman, Syracuse University College of Law  
Jeremiah A. Ho, University of Massachusetts School of Law - Dartmouth  
Shirley Lin, New York University School of Law

This panel highlights the work of up-and-coming junior scholars from the AALS Sexual Orientation and Gender Identity Issues Section. The selection of presenters is from a call for papers or works-in-progress on any sexual orientation and/or gender identity related legal issue. Senior commentators in the field will provide feedback on each presentation. All are welcome to attend.

3:30 pm – 5:15 pm

### SECTION ON TRUSTS & ESTATES

*Truman, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### New Perspectives in Trusts and Estates

**Moderator:** Terri Lynn Helge, Texas A&M University School of Law

**Works-in-Progress Presenters:**

Natalie M. Banta, Drake University Law School  
Victoria J. Haneman, Creighton University School of Law  
David O. Horton, University of California, Davis, School of Law  
Christopher J. Ryan, Jr., Roger Williams University School of Law

## PROGRAM SCHEDULE

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### *Trusts & Estates, continued*

This workshop will be an opportunity for scholars to receive substantive critique and feedback on a work-in-progress. Each scholar will be paired with a more senior scholar in the field who will lead a discussion of the piece and provide feedback. Successful papers should engage with scholarly literature and make a meaningful, original contribution to the field of trusts and estates.

3:30 pm – 5:15 pm

### **SECTION ON WOMEN IN LEGAL EDUCATION**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Teaching Law in a #MeToo World**

**Moderator:** Rona Kaufman, Duquesne University School of Law

**Speakers from a Call for Papers:**

Nancy C. Cantalupo, Barry University Dwayne O. Andreas School of Law

Blanche B. Cook, University of Kentucky College of Law

L. Camille Hebert, The Ohio State University, Michael E. Moritz College of Law

Deana A. Pollard-Sacks, Texas Southern University Thurgood Marshall

School of Law

Elizabeth M. Schneider, Brooklyn Law School

This session will focus on how we teach law in the age of #MeToo, Time's Up, Justice Kavanaugh, Intersectionality, President Trump, Proper Pronoun Use, the Women's March, and other recent developments. This session will consider how we, in our capacity as law teachers, are adapting our teaching as the world around us changes. Panelists will discuss their teaching innovations: courses they created or adapted or other ways in which they have engaged with students in this #MeToo World.

Following the panel presentations, there will be an audience engagement segment in the form of break-out group discussions. Each panelist will co-lead a break-out group. The group discussions will provide interested professors in the audience with an opportunity to think about how they too can create or adapt a course for our #MeToo world. Panelists will provide leadership by offering guidance and inspiration to professors who want to create their own #MeToo teaching innovation.

4:30 pm – 6:30 pm

### **AALS OPENING RECEPTION**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Meet your colleagues and kick off the Annual Meeting with an Opening Reception for all meeting attendees. The reception, featuring refreshments and light appetizers, will be held in the Exhibit Hall. We encourage you to visit with the exhibiting companies during the reception to learn about new products and services available to the law school community.

5:30 pm – 6:30 pm

### **RECEPTION FOR AALS FELLOWS**

*Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel*

The AALS Fellows Program was established in 2017 to strengthen AALS for future generations of law school faculty and to enrich the profession by engaging leading faculty more deeply in the work of AALS. Fellows receive timely communications and briefings about law school activities and programs. All faculty are welcome to join the reception to help celebrate the generosity of the Fellows.

Contributions from AALS Fellows support activities that benefit all law schools and ensure that AALS is in the strongest position possible to serve our law schools and faculty. Membership in the Fellows program is open to any full-time, part-time, current, retired, or adjunct law school teacher.

5:30 pm – 7:15 pm

**AALS OPEN SOURCE PROGRAM***Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Authors Meet Readers: *Unequal Profession: Race and Gender in Legal Academia* by Meera E. Deo****Moderator:** Angela I. Onwuachi-Willig, Boston University School of Law**Speakers:** Meera Deo, Law School Survey of Student Engagement  
Matthew L.M. Fletcher, Michigan State University College of Law  
Rachel F. Moran, University of California, Los Angeles School of Law  
Melissa E. Murray, New York University School of Law

In *Unequal Profession: Race and Gender in Legal Academia* (Stanford University Press, 2019) Professor Deo shares results from the first formal empirical study of law faculty at all stages of the career and with an emphasis on raceXgender challenges and opportunities. The qualitative and quantitative findings from original interview and survey data reveal a national pattern of intersectional bias. The data reveal ongoing gender-based barriers to hiring, promotion, and leadership. Classroom confrontations and biased course evaluations have devastating effects on tenure. Colleagues who “mansplain,” “hepeat,” and silence marginalized faculty contribute to higher attrition rates for female professors of color. Data from various sources make clear that these problems are systemic throughout legal practice and other professions. *Unequal Profession* outlines individual strategies that have facilitated success for many study participants and can be adapted for others. Necessary structural solutions are also emphasized in the book.

6 pm – 7 pm

**TWELVE STEP MEETING***Park Tower 8209, Lobby Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**AALS LAW & FILM SERIES***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***The Classic Film Selection: *All the President's Men* (1976)****Moderator:** Christine Alice Corcos, Louisiana State University, Paul M. Hebert Law Center**Speaker:** Richard Ben-Veniste, Partner, Mayer Brown LLC

This year's AALS Law and Film selection is *All the President's Men* (Warner Brothers, 1976). Directed by Alan J. Pakula and starring Robert Redford and Dustin Hoffman as Washington Post reporters Bob Woodward and Carl Bernstein, the film dramatizes the two journalists' work investigating the 1972 burglary at the Watergate complex that led to the discovery of a coverup involving Richard M. Nixon, 37th President of the United States and numerous members of his administration. Several administration officials went to prison for their roles in the coverup and Nixon resigned the office of the Presidency on August 9, 1974 ahead of nearly certain impeachment and removal votes in the House and Senate. The film won four Academy Awards: Best Supporting Actor (Jason Robards), Best Writing, Screenplay Based on Material From Another Medium (William Goldman), Best Art Direction-Set Direction (George Jenkins and George Gaines), Best Sound (Arthur Plantadosi, Les Fresholtz, Rick Alexander, James E. Webb).

Join us and our invited speaker, Richard Ben-Veniste, currently a partner at Mayer Brown, who was one of the lead prosecutors on the Watergate Special Prosecution Force, for viewing of the film and lively discussion of that eventful time in U.S. political and legal history and for comments on any parallels with today's political and legal landscape.

## AALS Member Law School Events

7 am – 8:30 am

**UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW ADVOCACY AND DISPUTE RESOLUTION CENTER BREAKFAST: BRINGING THE CLASSROOM INTO COMPETITIONS**

*Jackson, Mezzanine Level, Washington Marriott Wardman Park Hotel*

A forum discussion with mock and moot court directors, coaches, and advocacy faculty members.

6:30 pm – 8:30 pm

**BIG TEN RECEPTION (ILLINOIS, INDIANA, IOWA, MARYLAND, MICHIGAN STATE, MINNESOTA, NEBRASKA, OHIO STATE, PENN STATE, RUTGERS, AND WISCONSIN)**

*Thurgood Marshall Northeast, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**BROOKLYN LAW SCHOOL FACULTY AND ALUMNI RECEPTION**

*Tyler, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**UNIVERSITY OF CALIFORNIA, DAVIS, SCHOOL OF LAW 2020 AALS FRIENDS AND ALUMNI RECEPTION**

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**UNIVERSITY OF COLORADO LAW SCHOOL FACULTY RECEPTION**

*Truman, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**COLUMBIA LAW SCHOOL COCKTAIL RECEPTION FOR ALUMNI, FACULTY, AND FRIENDS**

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**UNIVERSITY OF DENVER STURM COLLEGE OF LAW ALUMNI AND FRIENDS RECEPTION**

*Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 7:30 pm

**DUKE UNIVERSITY SCHOOL OF LAW RECEPTION**

*Marriott Balcony A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**EMORY UNIVERSITY SCHOOL OF LAW DEAN'S WELCOME RECEPTION**

*Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 9 pm

**THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL AALS RECEPTION**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**GEORGETOWN UNIVERSITY LAW CENTER FACULTY AND ALUMNI RECEPTION**

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**UNIVERSITY OF HOUSTON LAW CENTER ALUMNI AND FRIENDS RECEPTION***Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**UIC JOHN MARSHALL LAW SCHOOL RECEPTION TO HONOR PRESIDENT-ELECT DARBY DICKERSON***Jefferson, Mezzanine Level, Washington Marriott Wardman Park Hotel*

The reception will celebrate the creation of Chicago's only public law school and honor AALS President-Elect Darby Dickerson, UIC John Marshall's inaugural dean.

6:30 pm – 8:30 pm

**NEW YORK UNIVERSITY SCHOOL OF LAW FACULTY & ALUMNI RECEPTION***Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 pm

**UNIVERSITY OF PACIFIC, MCGEORGE SCHOOL OF LAW CRAFT BEER LAW AND POLICY RECEPTION***Jackson, Mezzanine Level, Washington Marriott Wardman Park Hotel***Craft Beer Law Policy Implications and Legislative Battles**

This program will introduce you to the practice and study of craft beer law, the policy implications and legislative battles independent craft breweries constantly face and introduce you to McGeorge's first ever craft beer law course at a U.S. law school. The presentation will include a beer-tasting component led by Professor Dan Croxall and McGeorge Capital Center staff. Hosted by McGeorge School of Law Capital Center.

6:30 pm – 8:30 pm

**PEPPERDINE UNIVERSITY, RICK J. CARUSO SCHOOL OF LAW AALS RECEPTION***Taylor, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**PHILADELPHIA AREA LAW SCHOOLS RECEPTION***Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8 pm

**SUFFOLK UNIVERSITY LAW SCHOOL RECEPTION***Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

10 pm – 12 am

**THE UNIVERSITY OF TEXAS SCHOOL OF LAW "TEXAS PARTY"***Marriott Balcony B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

6:30 pm – 8:30 PM

**UNIVERSITY OF TOLEDO COLLEGE OF LAW RECEPTION FOR ALUMNI AND FRIENDS***Van Scoyoc Associates, 800 Maine Avenue, S.W., Suite 800*

6:30 pm – 8 pm

**WOMEN'S LEADERSHIP IN ACADEMIA RECEPTION, CO-HOSTED BY UNIVERSITY OF GEORGIA SCHOOL OF LAW AND THE UNIVERSITY OF VIRGINIA SCHOOL OF LAW***Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

Networking reception focusing on advancing women professors, librarians, and clinicians in leadership positions in the academy.

## Related Organization Events

7:30 am – 8:30 am

### CLINICAL LEGAL EDUCATION ASSOCIATION (CLEA) BOARD OF DIRECTORS AND MEMBERSHIP MEETING

*Chairman's Boardroom, Lobby Level, Omni Shoreham Hotel*

7 am – 8:30 am

### WOLTERS KLUWER DIGITAL ENGAGEMENT BREAKFAST

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

Please join Wolters Kluwer (WK) for a delicious breakfast and learn about how the Connected Law School Suite can help you and your students succeed. Whether you are interested in our student-loved Connected Casebooks, formative assessment and early intervention tools such as Connected Quizzing and MBE Insights, or the popular WK Online Study Aid Library, find out how the Connected Law School Suite will help your school produce better learning outcomes in class and on the Bar exam.

Space is limited, please visit [WKLegaledu.com/aals2020](http://WKLegaledu.com/aals2020) to register.

1:30 pm – 3 pm

### AMERICAN CONSTITUTION SOCIETY PROGRAM

*Congressional A, Lobby Level, Omni Shoreham Hotel*

#### Democracy and Federalism: Friends or Foes?

**Moderator:** Adam Winkler, University of California, Los Angeles School of Law

**Speakers:** Guy-Uriel E. Charles, Duke University School of Law  
Joshua A. Douglas, University of Kentucky College of Law  
Franita Tolson, University of Southern California Gould School of Law

Since 2010, twenty-five states have enacted laws restricting the right to vote, yet in 2013 the Supreme Court gutted the Voting Rights Act citing federalism concerns. As we enter an election year, many advocates have turned to local and state jurisdictions to protect and expand access to the ballot box. Will a focus on innovation at the state or local level strengthen voting rights or create an even greater disparity between red-state and blue-state voters' ability to cast a ballot? Are there underutilized federal tools, such as the Elections Clause, that could better protect the right to vote? Will "faithless elector" litigation offer a path forward to reforming the undemocratic Electoral College? In the end, how can Democracy and Federalism co-exist synergistically? Or must one be constrained for the other to flourish?

6:30 pm – 7:30 pm

### AMERICAN BAR FOUNDATION FELLOWS RECEPTION

*Embassy Room, Lobby Level, Omni Shoreham Hotel*

6:30 pm – 7:30 pm

### THE AMERICAN COLLEGE OF TRUST AND ESTATE COUNSEL (ACTEC) RECEPTION

*Johnson, Mezzanine Level, Washington Marriott Wardman Park Hotel*

8 pm – 10 pm

### ASSOCIATION OF LEGAL WRITING DIRECTORS AND LEGAL WRITING INSTITUTE (ALWD/LWI) BLACKWELL AWARD RECEPTION

*Governor's Boardroom, Lobby Level, Omni Shoreham Hotel*

7 pm – 11 pm

### CAROLINA ACADEMIC PRESS RECEPTION FOR AUTHORS AND FRIENDS

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

5:30 pm – 7:30 pm

**SOCIETY OF AMERICAN LAW TEACHERS (SALT) ANNUAL CELEBRATION**

*Medaterra Restaurant, 2614 Connecticut Ave, N.W.*

12 pm – 7:30 pm

**THE FEDERALIST SOCIETY**

**Annual Faculty Conference – Day One**

12 pm – 12:30 pm

**WELCOME LUNCH**

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

12:15 pm

**WELCOME**

*Hampton Ballroom, Omni Shoreham Hotel*

**Speaker:** Lee Liberman Otis, Senior Vice President and Faculty Division Director, The Federalist Society

12:30 pm – 2:15 pm

**PANEL 1**

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

**Originalism and Stare Decisis**

**Moderator:** Steven G. Calabresi, Northwestern University Pritzker School of Law

**Panelists:** Randy E. Barnett, Georgetown University Law Center  
 Randy J. Kozel, Notre Dame Law School  
 John O. McGinnis, Northwestern University Pritzker School of Law  
 Bernadette Meyler, Stanford Law School

Sometimes the original meaning of the Constitution conflicts with or points in a different direction from the Supreme Court’s precedents. When that happens, what is the role of stare decisis? To what extent is stare decisis consistent with or at odds with originalism? What should an originalist Court do with non-originalist precedent? What exactly does stare decisis commit a court to follow? Do the Supreme Court’s past practices or its duty to follow its precedents differ from inferior courts’ duty to heed Supreme Court decisions?

2:30 pm – 3:45 pm

**7 MINUTE PRESENTATIONS OF WORKS IN PROGRESS**

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

**Panel 1-A**

**Moderator:** To be Announced

**Presenters:** Josh Blackman, South Texas College of Law Houston: “Originalism and Stare Decisis in the Lower Courts”  
 Johnny Rex Buckles, University of Houston Law Center: “Liberal Suppression: Section 501(c)(3) and the Taxation of Speech”  
 Joseph S. Devaney, Abraham Baldwin Agricultural College: “Due Process of Natural Law”  
 Jennifer Huddleston, Mercatus Center: “A Hard Problem for Soft Law: Justiciability Issues in Potential Legal Challenges of ‘Soft Law’”  
 Marah Stith McLeod, Notre Dame Law School: “Communicating Punishment”  
 Ilya Somin, George Mason University Antonin Scalia Law School: “Free to Move: Foot Voting, Migration, and Political Freedom”

# PROGRAM SCHEDULE

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2:30 pm – 3:45 pm

## 7 MINUTE PRESENTATIONS OF WORKS IN PROGRESS

Capitol Room, Lobby Level, Omni Shoreham Hotel

### Panel 1-B

**Moderator:** To be Announced

**Presenters:** Juscelino F. Colares, Case Western Reserve University School of Law: “Turkey as a WTO Litigant: A Case of Waived Leverage and Mismatched Policy Ends and Means”  
Michael Lewyn, Touro College Fuchsberg Law Center: “Impact of High-End Condos on the Urban Housing Market”  
Adam Mossoff, George Mason University Antonin Scalia Law School: “Injunctions for Patent Infringement”  
Seth C. Oranburg, Duquesne University School of Law: “Social Media and Securities Regulation”  
Stefan J. Padfield, University of Akron School of Law: “The Omnipresent Specter of Political Bias”  
Kenneth M. Rosen, University of Alabama School of Law: “Investor Confidence”  
Aaron D. Simowitz, Willamette University College of Law: “Nonparty Jurisdiction” (with Linda J. Silberman)

4 pm – 6 pm

## YOUNG LEGAL SCHOLARS PAPER PRESENTATIONS

Hampton Ballroom, Lobby Level, Omni Shoreham Hotel

**Moderator:** To be Announced

**Presenters:** Christian Buset, Notre Dame Law School: “Relativizing the Rule of Law in the Eighteenth-Century British Empire”  
Mihailis E. Diamantis, University of Iowa College of Law: “The Extended Corporate Mind: How Corporations Use AI to Break the Law”  
Michael T. Morley, Florida State University College of Law: “Partisan Gerrymandering and State Constitutions”  
Ryan C. Williams, Boston College Law School: “Lower Court Originalism”  
Ilan Wurman, Arizona State University O’Connor College of Law: “In Search of Prerogative”

**Commenters:** Sean J. Griffith, Fordham University School of Law  
Tara Leigh Grove, William & Mary Marshall- Wythe School of Law  
John C. Harrison, University of Virginia School of Law  
Lawrence B. Solum, Georgetown University Law Center

6 pm – 7:30 pm

## RECEPTION (CO-SPONSORED WITH THE INSTITUTE FOR HUMANE STUDIES)

Congressional A & B Room, Lobby Level, Omni Shoreham Hotel



# Saturday, January 4

7 am – 6:30 pm

## **AALS REGISTRATION**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **AALS OPERATIONS OFFICE**

*Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 7 pm

## **AALS SPEAKER READY ROOM**

*Buchanan, Mezzanine Level, Washington Marriott Wardman Park Hotel*

## **NURSING PARENTS ROOM**

*Park Tower 8218, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON CIVIL RIGHTS BUSINESS MEETING**

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTIONS ON EMPLOYMENT DISCRIMINATION LAW AND LABOR RELATIONS & EMPLOYMENT LAW JOINT BREAKFAST**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

7 am – 8:30 am

## **SECTION ON FEDERAL COURTS BUSINESS MEETING**

*Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON ISLAMIC LAW BUSINESS MEETING**

*Park Tower 8222, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION ON PROPERTY LAW BREAKFAST AND BUSINESS MEETING**

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

7 am – 8:30 am

## **SECTION ON STATE & LOCAL GOVERNMENT LAW BREAKFAST AND BUSINESS MEETING**

*Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

7:30 am – 9 am

## **COFFEE WITH COLLEAGUES**

*Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

# PROGRAM SCHEDULE

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8 am – 5:30 pm

## AALS INFORMATION DESK

*Convention Registration Desk, Lobby Level, Washington Marriott Wardman Park Hotel*

8 am – 5 pm

## AALS EXHIBIT HALL – THE MEETING PLACE

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Join us in the Exhibit Hall to see exciting new products and the latest technologies in legal education. Whether you're looking for innovative ways to enhance the teaching experience or just want to check out the latest publications, there is something for everyone. And be sure to stop by the "Meeting Place." The comfortable lounge area is perfect for impromptu meetings or just to relax for a few minutes. Enjoy complimentary coffee, tea, pastries and cookies during the scheduled time periods as you catch up with colleagues and map out your meeting experience.

8 am – 4 pm

## AALS LAW SCHOOL DEANS FORUM PROGRAM

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### Deaning in an Age of Rapid Change

This program is open to only the Law School Dean or the Interim Deans from AALS member or fee-paid U.S. law schools. Attendance is not transferable to other law school faculty or staff.

8 am – 5:30 pm

## CONTEMPLATIVE SPACE FOR REGISTRANTS

*Park Tower 8216, Lobby Level, Washington Marriott Wardman Park Hotel*

This technology-free space is available for quiet contemplation and individual restoration for those attending the annual meeting. The Section on Balance in Legal Education has also scheduled daily guided group meditations as well as mindful-movement activities throughout the conference.

Group Practice Schedule for Saturday:

- 8 am – 8:30 am, Mindfulness Meditation
- 9 am – 10 am, Mindful Movement
- 12 pm – 1 pm, Introduction to Mindfulness
- 5 pm – 5:30 pm, Introduction to Mindfulness

8:30 am – 10:15 am

## AALS OPEN SOURCE PROGRAM

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

### Law as Data: Text Analysis and the Future of Legal Scholarship

**Moderator:** Michael Alan Livermore, University of Virginia School of Law

**Speakers:** Julian Nyarko, Stanford Law School  
Jed Stiglitz, Cornell Law School  
Anne M. Tucker, Georgia State University College of Law  
Nina Varsava, University of Wisconsin Law School

In recent years, the digitization of legal texts and developments in data analytics have opened entirely new methodological approaches for law scholars. Digitized texts include traditional legal documents such as judicial opinions, constitutions, and statutes, as well as a broader set of legal documents such as briefs, rulemakings, administrative decisions, and regulatory filings. Computational analysis of legal texts expands methodological boundaries either by using new tools to study longstanding questions or by identifying new questions revealed by developments in data availability and analysis. This type of scholarship is both causal

and descriptive; takes diverse textual corpora as objects of study; and applies a wide range of advanced text analysis, machine learning, and related statistical tools. The point of departure for this discussion will be the book *Law as Data: Computation, Text, and the Future of Legal Analysis* (Michael A. Livermore and Daniel N. Rockmore eds., 2019).

8:30 am – 10:15 am

### AALS DISCUSSION GROUP

*Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Time-Turning, Invisibility, and Other Magic Mentoring Tricks

##### Discussion Group Moderators:

Olympia R. Duhart, Nova Southeastern University Shepard Broad College of Law  
Suzanne E. Rowe, University of Oregon School of Law

##### Discussion Group Participants:

Cindy I.T. Archer, Loyola Law School, Los Angeles  
Tiffany D. Atkins, Elon University School of Law  
Alicia Jackson, Florida A&M University College of Law  
Tiffany N. Jeffers, The Pennsylvania State University – Dickinson Law  
Sherri Lee Keene, University of Maryland Francis King Carey School of Law  
Rosario Lozada, Florida International University College of Law  
Anthony Niedwiecki, Golden Gate University School of Law  
Hilary Stirman Reed, University of Houston Law Center  
Craig T. Smith, University of North Carolina School of Law  
L. Danielle Tully, Suffolk University Law School  
Melissa H. Weresh, Drake University Law School

This discussion group addresses the challenges (and joys) of mentoring students, which is one of the most important parts of our work as law professors. How can we be better mentors to all students, especially those from traditionally underrepresented groups? How can we create a successful, sustainable mentorship for first-generation professionals and minority students? How can we get schools to acknowledge the invisible work we do, particularly when the colleagues who find them on the front lines of mentoring are often legal writing faculty, professors who are persons of color, women, etc.? How can we protect ourselves and our careers as we try to balance mentoring with scholarship, teaching, and other service?

8:30 am – 10:15 am

### AALS HOT TOPIC PROGRAM

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Reproductive Rights and Justice in Law and Politics

**Moderator:** Melissa E. Murray, New York University School of Law

**Speakers:** Maya Manian, Howard University School of Law  
Kate Shaw, Benjamin N. Cardozo School of Law  
Neil S. Siegel, Duke University School of Law  
Reva B. Siegel, Yale Law School

In January 2020, as we launch a new election cycle, one of the most pressing issues facing the country is the state of reproductive rights and justice. In early 2020, the Supreme Court will hear arguments in *June Medical Services v. Gee*, a case that will give the newly composed Court its first opportunity to reshape the constitutional law of abortion. This panel will bring together experts in this field to assess the state of abortion, access to contraception, pregnancy discrimination protections, and other issues that shape the landscape of reproductive rights and justice. Panelists will consider these issues longitudinally, focusing on how public opinion on these questions has been shaped by both law and politics. Panelists will also consider the current political moment, focusing on the Trump Administration's efforts to regulate access to reproductive care, pending cases, and the role that these issues will play in the 2020 election.

## PROGRAM SCHEDULE

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8:30 am – 10:15 am

### SECTION ON CIVIL PROCEDURE

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Overlooked Procedure: Rethinking Canonical Approaches to Civil Procedure

**Moderators:** Brooke D. Coleman, Seattle University School of Law  
David W. Marcus, University of California, Los Angeles School of Law

**Speakers:** Pamela Bookman, Fordham University School of Law  
Maureen Carroll, The University of Michigan Law School  
Zachary Clopton, Northwestern University Pritzker School of Law  
Myriam Gilles, Benjamin N. Cardozo School of Law  
Andrew Hammond, University of Florida Fredric G. Levin College of Law  
D. Theodore Rave, University of Houston Law Center  
Diego Zambrano, Stanford Law School

This program will focus on issues and themes that often go overlooked in civil procedure scholarship and teaching. Panelists will lead discussions on procedure in state court systems; procedure in private systems of dispute resolution; and procedure and economic inequality. After opening remarks, attendees will divide into three groups to maximize opportunities for engagement. The panelists will lead discussions on topics including case aggregation in state court systems, procedures in private arbitration, and the intersection between procedure and poverty law. The groups will then reconvene for a closing plenary discussion of ways to diversify procedure teaching and scholarship.

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON CIVIL RIGHTS, CO-SPONSORED BY MINORITY GROUPS

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Implications of the 2020 Census for Traditionally Marginalized Communities

**Moderator:** Rachel F. Moran, University of California, Los Angeles School of Law

**Speakers:** Ryan P. Haygood, Esq., President and CEO, New Jersey Institute for Social Justice  
Dale Ho, Esq., Director, ACLU Voting Rights Project  
Justin M. Levitt, Loyola Law School, Los Angeles  
G. Christina Mora, Associate Professor, University of California at Berkeley  
Sociology Department  
Franita Tolson, University of Southern California Gould School of Law

The 2020 Census is one of the most important civil rights issues facing the country. Every ten years the U.S. Census Bureau counts the number of people who live in the United States and collects important demographic information. An accurate decennial census is the foundation for efforts to ensure fair representation, full participation in the political process, and adequate spending on critical federal programs. This panel will explore a range of civil rights challenges raised by the 2020 Census for communities of color and other traditionally marginalized communities. Topics discussed will include the potential impact of proposed changes to the race and ethnicity question; the proposal to add a question about citizenship; the potential undercount of historically hard-to-count populations such as low-income households, people of color, immigrants, and young children; and the impact of prison-based gerrymandering.

Business meeting held on Saturday, January 4, 2020 at 7 am.

8:30 am – 10:15 am

**SECTION ON CRIMINAL JUSTICE***McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel***Agency, Dignity, and Race in the Formation and Implementation of Criminal Procedure****Moderator and Speaker:** Ion Meyn, University of Wisconsin Law School**Speakers:** Bennett Capers, Brooklyn Law School  
Devon Wayne Carbado, University of California, Los Angeles School of Law  
Jocelyn Simonson, Brooklyn Law School

This panel investigates how issues of agency, dignity, and race are mediated by the criminal system. Policing as a system of social control responds to the interests of the demographic majority who wield political and economic power. Currently, the courts fail to engage with the ways in which African American communities perceive and experience policing. That may change racially if African Americans were a demographic majority able to wield political and economic power. Already, grassroots social movements are pushing to reform a bail system that relies heavily on pretrial detention and fears for public safety. Nonetheless, however tantalizing the prospect of criminal justice reform, prosecutorial interests in protecting the nature and sources of factual information have tended to limit criminal justice reform and disempower criminal defendants.

8:30 am – 10:15 am

**SECTION ON INTERNATIONAL HUMAN RIGHTS, CO- SPONSORED BY CHILDREN & THE LAW AND INTERNATIONAL LAW***Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Children's Rights at 30: Challenges for the Next Generation****Moderator:** Jonathan Todres, Georgia State University College of Law**Speakers:** Connie M.V. de la Vega, University of San Francisco School of Law  
Nancy E. Dowd, University of Florida Fredric G. Levin College of Law  
Eric Rosenthal, Executive Director, Mental Disability Rights international  
Barbara Bennett Woodhouse, Emory University School of Law**Speaker from a Call for Papers:**

Adam Benforado, Drexel University Thomas R. Kline School of Law

The UN Convention on the Rights of the Child (CRC) is having its 30th anniversary this year. The CRC has spurred positive developments in law, policy, and practices in dozens of countries. It has also helped forge a shift in how children be perceived by insisting that they are recognized as individuals with rights and agency and not merely objects subsumed within the family. Despite these significant developments and improvements in child well-being indicators in many countries, children continue to confront violations of their rights. Rigorous research is needed to better understand the content of children's rights law, to ensure more effective implementation, and to account fully for the unique, developmental nature of childhood. This program seeks to identify critical issues confronting children's rights and to explore new ideas, perspectives, and methodologies that can help ensure that the vision of the CRC is realized.

Business meeting at program conclusion.

## PROGRAM SCHEDULE

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8:30 am – 10:15 am

### SECTION ON LAW & ECONOMICS

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Economics of Consumer Protection

**Moderator and Speaker:** Christopher Mufarrige, Esq., Attorney-Adviser, Consumer Financial Protection Bureau

**Speakers:** James C. Cooper, Antonin Scalia Law School at George Mason University  
Tom Miller, Ph.D., Professor of Finance, Jack R. Lee Chair of Financial Institutions and Consumer Finance, Mississippi State University College of Business  
Joshua Wright, Antonin Scalia Law School at George Mason University  
Todd J. Zywicki, Antonin Scalia Law School at George Mason University

Under the Trump administration, regulatory agencies have increasingly relied on economics to provide guidance on consumer protection policies. The dominance of Republican Attorneys General have reinforced that tendency at the state level. At the same time, behavioral economics has bid for greater influence over consumer protection policy versus traditional economic approaches. In addition, new forms of communication have challenged traditional rationales for consumer protection by reducing traditional information asymmetries and credence goods (such as traditionally justified practices like occupational licensing), while revealing rent-seeking motivations behind many purported consumer protection laws. This session will review economic approaches to consumer protection as well as examine behavioral law and economics as an alternative approach. Topics will include consumer credit regulation, advertising, licensing, and FinTech innovation.

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON PRO-BONO & PUBLIC SERVICE OPPORTUNITIES, CO-SPONSORED BY EMPIRICAL STUDY OF THE LAW & LEGAL EDUCATION AND LEADERSHIP

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Pro Bono and Public Service: Pillars of Democracy and the Legal Profession

**Moderator:** Stephen Rispoli, Baylor University School of Law

**Speakers:** David Bienvenu, Esq., Chair, ABA Standing Committee on Pro Bono and Public Service, American Bar Association  
Darcy McLean Meals, Assistant Director, Center for Access to Justice, Georgia State University College of Law  
James J. Sandman, President, Legal Services Corporation  
Betty Balli Torres, Esq., Executive Director, Texas Access to Justice Foundation

Lawyers have an obligation to uphold the rule of law and be the guardians of our legal system and society. Pro bono and public service are essential elements to the profession—helping those who cannot help themselves. These historical roles of the lawyer have been critical in protecting our society through cases for individual clients, serving as advisors for non-profit organizations, or serving in public office. Moreover, this service is not just good for clients and society, it is also good for the lawyer doing it. However, these traditional roles face modern challenges. This session will discuss funding issues that the Legal Services Corporation and state Access to Justice Commissions face, how defunding them may affect pro bono work around the country, and how legal education can help. Finally, this session will provide practical tips and sample programs that attendees can implement at their home schools.

Business meeting at program conclusion.

8:30 am – 10:15 am

**SECTION ON TRANSACTIONAL LAW & SKILLS, CO-SPONSORED BY BUSINESS ASSOCIATIONS AND SECURITIES REGULATION***Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Markets and Regulation: The Shifting Context of Transactional Practice****Moderators:** Virginia Harper Ho, University of Kansas School of Law  
Matt Jennejohn, Brigham Young University, J. Reuben Clark Law School**Speakers:** Curtis B. Anderson, Brigham Young University, J. Reuben Clark Law School  
Anne Choike, Wayne State University Law School  
Joan M. Heminway, University of Tennessee College of Law**Speakers from a Call for Papers:**William W. Clayton, Brigham Young University, J. Reuben Clark Law School  
Kish Parella, Washington and Lee University School of Law

This session will explore the changing regulatory context of transactional legal practice, which is rapidly evolving in response to new innovations and challenges across a range of markets. Emerging issues range from privacy law and cybersecurity, to national security concerns, antitrust, and international trade and investment, to the prospect of new regulatory responses to climate change and other environmental threats. The forms these regulatory responses take are also diverse, including not only traditional public regulation, but also private governance, which draws upon the efforts of NGOs, trade associations, and international organizations. In addition to paper presentations, the program will feature a panel focusing on how to incorporate regulatory concepts and issues across the transactional curriculum, including in clinics and other experiential courses, as well as in doctrinal courses.

The Section held a virtual business meeting prior to the Annual Meeting.

8:30 am – 10:15 am

**SECTION ON TRUSTS & ESTATES***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Estate Planning in the Modern Age: How Technology and Societal Trends Change the Landscape****Moderator:** Terri Lynn Helge, Texas A&M University School of Law**Speakers from a Call for Papers:**Bridget J. Crawford, Pace University Elisabeth Haub School of Law  
Susan N. Gary, University of Oregon School of Law  
Michael J. Higdon, University of Tennessee College of Law  
Danaya C. Wright, University of Florida Fredric G. Levin College of Law

The law of trusts and estates is centuries old, but how should the law evolve to address modern technology and modern societal changes? This panel will evaluate the theories, policies and justifications supporting our current system of freedom of disposition and whether modern technological and societal changes warrant reevaluation and changes to this system. Potential topics include discussion of electronic wills; the impact of the Fiduciary Access to Digital Assets Act; the role of modern reproductive technology in estate planning; the impact of increasing blended families and new definitions of families; and the role of medical advancements for an aging population and the accompanying challenges in estate planning.

Business meeting at program conclusion.

## PROGRAM SCHEDULE

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9 am - 12 pm

### SECTION ON INSTITUTIONAL ADVANCEMENT

#### Day Two

For sessions and speaker details, please see the complete listing under extended programs on page 114.

9 am - 12 pm

### SECTION ON JURISPRUDENCE

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

For sessions and speaker details, please see the complete listing under extended programs on page 116.

9 am - 12 pm

### SECTIONS ON LAW, MEDICINE & HEALTH CARE AND POVERTY LAW JOINT PROGRAM

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Advancing Health Equity by Addressing Social Determinants of Health, Poverty, and Racial Disparities

For sessions and speaker details, please see the complete listing under extended programs on page 117.

Many academic institutions, government agencies, non-profit organizations, and policymakers have begun to focus on achieving health equity by addressing the social determinants of health, poverty, and racial disparities. Although this has become a movement, it is unclear whether those involved in the movement understand that to obtain health equity, they must address structural and institutional issues that cause inequity and advance justice for individuals and communities. Legal scholarship and teaching are beginning to explore the ways in which law, policies, and systems can be leveraged to reduce disparities and address social determinants of health for those marginalized by virtue of race, poverty, or both.

Part I will feature presenters discussing scholarship exploring these issues, alongside an expert from the medical field. Part II will involve an interactive discussion about teaching strategies on this topic lead by facilitators who will share their teaching innovations and challenges and facilitate interactive discussions.

Papers from this program will be published in *The Journal of Legal Medicine*.

Business meeting at program conclusion.

9 am - 12 pm

### SECTION ON LEGAL WRITING, REASONING, & RESEARCH

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Educating the Modern Citizen-Lawyer: Helping Students Find Their Role in the Grand Mosaic of Society

For sessions and speaker details, please see the complete listing under extended programs on page 118.

This program will help in preparing law students to find their role in the mosaic of society and the law. The Institute for the Advancement of the American Legal System's Foundations for Practice: The Whole Lawyer and the Character Quotient Report addressed topics such as professionalism, emotional and interpersonal intelligence, and passion. This program, which will be partially interactive, will focus on the report and explore professors' roles in helping law students to be well prepared for their future as lawyers, citizens, and leaders.

Business meeting at program conclusion.



9 am – 10:30 am

**COFFEE WITH COLLEAGUES***Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

9 am – 1:30 pm

**SECTION ON AGRICULTURAL & FOOD LAW, ENVIRONMENTAL LAW AND NATURAL RESOURCES & ENERGY LAW FIELD TRIP***Main Lobby, Lobby Level, Washington Marriott Wardman Park Hotel***Guided Tour of Smithsonian’s National Zoo & Conservation Biology Institute**

The Smithsonian’s National Zoo is part of the Smithsonian Institution, the world’s largest museum and research complex. Founded in 1889, the zoo sits on 163 acres in the heart of Washington, D.C.’s Rock Creek Park and is home to 2,700 animals representing more than 390 species. In addition, the Smithsonian Conservation Biology Institute plays a leading role in the Smithsonian’s global efforts to save wildlife species from extinction and train future generations of conservationists.

Join your colleagues for a guided tour of the Smithsonian National Zoo and Conservation Biology Institute, which are a short walk from the main conference hotel. After the tour ends, we will gather for a family-style lunch at Mama Ayesha’s, a local restaurant. This field trip will take place regardless of the weather, so participants are advised to dress appropriately.

Meet at 9 am in the main lobby of Marriott Wardman Park Hotel by the Concierge Desk to walk or Uber/taxi to the National Zoo for the field trip. Bus transportation is not provided.

AALS now follows PCI Data Compliance Standards. We can accept your payment for the field trip up to 24 hours in advance, but in order to meet standards, we will not be selling tickets on the day of the field trip. Participants will need to sign a waiver of liability to participate in this off-site field trip.

9 am – 12 pm

**SECTION ON INTELLECTUAL PROPERTY***Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel***Are Intellectual Property Rights Still Torts?****Moderator:** Saurabh Vishnubhakat, Texas A&M University School of Law

**Speakers:** Shyamkrishna Balganes, University of Pennsylvania Carey Law School  
 Dmitry Karshedt, The George Washington University Law School  
 Amy Landers, Drexel University Thomas R. Kline School of Law  
 Irina Manta, Maurice A. Deane School of Law at Hofstra University  
 Alfred C. Yen, Boston College Law School

Legal rules that create private causes of actions can be sorted into two kinds: rules that entitle the claimant to an injunction and rules that entitle the claimant to damages. The first kind of rule is associated with property rights and hence is called “property rules.” The second is associated with tort liability or contractual liability and is called “liability rules.” This panel discussion focuses on whether the core intellectual property law areas, Copyrights, Patents, Trademarks, and Trade Secrets, are correctly conceived of as Tort/Law regimes and what it means to conceive acts of infringement as strict liability torts.

The Section held a virtual business meeting prior to the Annual Meeting.

## PROGRAM SCHEDULE

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10:30 am – 12:15 pm

### AALS HOT TOPIC PROGRAM

Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel

#### The Second Amendment at the Supreme Court and the Future of Heller

**Moderators:** Jake Charles, Duke University School of Law  
Darrell A.H. Miller, Duke University School of Law

**Speakers:** Joseph Blocher, Duke University School of Law  
Mary Anne Franks, University of Miami School of Law  
RonNell Andersen Jones, University of Utah, S. J. Quinney College of Law  
Shaundra Kellam Lewis, Texas Southern University Thurgood Marshall School of Law  
Eric M. Ruben, SMU Dedman School of Law  
Kate Shaw, Benjamin N. Cardozo School of Law  
Adam Winkler, University of California, Los Angeles School of Law  
Timothy Zick, William & Mary Law School

This hot topic will discuss the future of the Second Amendment in the Supreme Court. In early December 2019, the Court heard oral arguments in *New York State Rifle & Pistol Association v. New York* (NYSRPA), and its decision in that case may have major ramifications for the right to keep and bear arms. Thus far the Supreme Court has offered very little guidance to lower courts as they have grappled with more than one thousand Second Amendment challenges since the Court's blockbuster decisions in *District of Columbia v. Heller* (2008) and *McDonald v. City of Chicago* (2010). Our goal is to generate scholarly discussion about how the Court may decide *NYSRPA* and how it is likely to approach similar cases in the future.

10:30 am – 12:15 pm

### SECTION ON AGENCY, PARTNERSHIP, LLC'S & UNINCORPORATED ASSOCIATIONS

Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel

#### Entity Selection in the 21st Century

**Moderator:** Kelli A. Williams, Florida State University College of Law

**Speakers:** Shawn Bayern, Florida State University College of Law  
Carol R. Goforth, University of Arkansas, Fayetteville, Robert A. Leflar  
Law Center  
Lynn M. Lopucki, University of California, Los Angeles School of Law  
Carla L. Reyes, Michigan State University College of Law  
Etienne C. Toussaint, University of the District of Columbia, David A. Clarke  
School of Law

#### Speaker from a Call for Papers:

Joseph K. Leahy, South Texas College of Law Houston

This program will explore decisions and strategies for choice of business entity. As unincorporated business entities have matured and those who use them have learned their advantages and disadvantages, key decisions about choice of entity have changed in important and interesting ways. In addition, accelerating advances in technology promise to play surprising roles in the formation and operation of unincorporated firms.

The Section held a virtual business meeting prior to the Annual Meeting.

10:30 am – 12:15 pm

**SECTION ON CONFLICT OF LAWS***Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Contracting Over Conflicts: Choice-of-Law Clauses, Forum Selection Clauses, Arbitration Clauses****Moderator:** John F. Coyle, University of North Carolina School of Law**Speakers:** Pamela Bookman, Fordham University School of Law  
Christopher R. Drahozal, University of Kansas School of Law  
Laura E. Little, Temple University, James E. Beasley School of Law  
Julian Nyarko, Stanford Law School

The biggest development in conflict of laws in the last 100 years is the move to party autonomy. The panel will discuss issues relating to the interpretation and enforcement of choice-of-law clauses, forum selection clauses, and arbitration clauses. It will also discuss the reasons why parties may choose to arbitrate or litigate future disputes at the time of contracting.

Business meeting at program conclusion.

10:30 am – 12:15 pm

**SECTION ON INTERNATIONAL LAW, CO-SPONSORED BY IMMIGRATION LAW, INTERNATIONAL HUMAN RIGHTS AND NORTH AMERICAN COOPERATION***Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel***The Challenge of International Law in Dealing with the Causes of the Global Refugee Crisis: Climate Change, Armed Conflict, and Gross Human Rights Abuses Perpetrated by State and Non-State Actors****Moderator:** Thomas M. McDonnell, Pace University Elisabeth Haub School of Law**Speakers:** Eleanor Acer, Esq., Senior Director, Refugee Protection, Human Rights First  
Carl Bruch, Senior Attorney; Director, International Programs, Environmental Law Institute  
Jaya E. Ramji-Nogales, Temple University, James E. Beasley School of Law  
Leila N. Sadat, Washington University in St. Louis School of Law  
Dinah L. Shelton, The George Washington University Law School

Most scholarly attention has focused on the receiving countries' harsh response to the worldwide refugee crisis. Relatively few scholars have focused on its causes—why so many, primarily from the Global South, have left their homes. Our main program will attempt to answer this critical question and analyze the role of international law.

Business meeting at program conclusion.

10:30 am – 12:15 pm

**SECTION ON LABOR RELATIONS & EMPLOYMENT LAW, CO-SPONSORED BY EMPLOYMENT DISCRIMINATION LAW AND EMPLOYEE BENEFITS & EXECUTIVE COMPENSATION***Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Worklaw Reform: Federal Challenges, State Opportunities****Moderator:** Michael Oswald, Northern Illinois University College of Law**Speakers:** Veena Dubal, University of California, Hastings College of the Law  
Terri Gerstein, Director of the State and Local Enforcement Project, Labor and Worklife Program, Harvard Law School  
Wendy Greene, Drexel University Thomas R. Kline School of Law  
Ann C. Hodges, The University of Richmond School of Law

## PROGRAM SCHEDULE

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### *Labor Relations & Employment Law, continued*

The 2018 elections produced a divided Congress but largely unified states. From Alaska to Florida, thirty-six states, covering more than three-quarters of the population, are now controlled by “trifectas,” with one party in charge of both legislative chambers and the governorship. At the same time, movements like #MeToo and Black Lives Matter; alt-labor groups at Uber, Lyft, and Google; and institutions like unions, trade associations, and think-tanks have been campaigning for scores of changes to the basic rules of workplace governance. The conditions and climate for significant worklaw reform have finally aligned—but not at the federal level. This panel reviews the recent developments with an eye toward the most likely, important, or ambitious proposals for state and locally-based employment, labor, and discrimination law reforms in the future. Innovative responses to *Epic Systems v. Lewis*, *Janus v. AFSCME*, contracting arrangements, gig work, wage theft, appearance codes, etc. will be considered.

Business meeting at program conclusion.

10:30 am – 12:15 pm

### SECTION ON LAW LIBRARIES & LEGAL INFORMATION

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Measuring Scholarly Impact: Are Citation Metrics the Right Fit for Law Schools?

**Moderator:** Janet Sinder, Brooklyn Law School

**Speakers:** Shane Marmion, President, William S. Hein & Co., Inc.  
Gregory Mitchell, University of Virginia School of Law  
Bonnie Shucha, University of Wisconsin Law School  
Gregory C. Sisk, University of St. Thomas School of Law

This program will address the ways that using citation metrics to measure the scholarly impact of law faculty may affect law schools. The issue has come to the fore with the announcement by *U.S. News & World Report* that it will produce a ranking of law schools based on citation metrics obtained from HeinOnline. The panel will consider this venture as well as other ways citation metrics have been or could be used and what effects rankings based on scholarly impact may have on law faculty, on law libraries (who are often asked to provide or evaluate metrics), and on law schools as a whole.

Business meeting at program conclusion.

10:30 am – 12:15 pm

### SECTION ON LEGISLATION & LAW OF THE POLITICAL PROCESS

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Legislative Constitutionalism: Congress in Times of Constitutional Crisis

**Moderator and Speaker:** Maggie Blackhawk, University of Pennsylvania Carey Law School

**Speakers:** William Eskridge, Yale Law School  
Bertrall Ross, University of California, Berkeley School of Law  
Reva B. Siegel, Yale Law School

Scholars of administrative law have recently begun to acknowledge, examine, and embrace “administrative constitutionalism”—the interpretation and implementation of constitutional meaning by administrative agencies. These scholars have been at the forefront of a broader call to study constitutional interpretation and meaning-making outside of the courts. Far less recent attention has been paid to “legislative constitutionalism”—the role of Congress in interpreting and abiding by the Constitution. This panel aims to reinvigorate a broader debate over the role of Congress in constitutional meaning-making, as well its role in imposing constitutional limits to the exercise of legislative powers and procedures. The panel also will address the urgency of legislative constitutionalism in an era of constitutional crisis, in particular any role Congress might play within our constitutional framework by enforcing constitutional tradition and norms.

Business meeting at program conclusion.

10:30 am – 12:15 pm

**SECTION ON MINORITY GROUPS, CO-SPONSORED BY CIVIL RIGHTS AND ELECTION LAW***Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***American Democracy 2020: Commemorating the 15th & 19th Amendments amidst the Third Wave of Autocratization****Moderator:** Marc-Tizoc Gonzalez, University of New Mexico School of Law**Speakers:** Atiba R. Ellis, Marquette University Law School  
Catherine Powell, Fordham University School of Law  
Camille Gear Rich, University of Southern California Gould School of Law  
Jorge R. Roig, Touro College, Jacob D. Fuchsberg Law Center  
Ciara Torres-Spelliscy, Stetson University College of Law  
Sarah Catherine Walker, Founder, Minnesota Second Chance Coalition

2020 promises to be a historically momentous year for the rule of law over authority in the United States. It is the centennial of the ratification of the Nineteenth Amendment and the sesquicentennial of the ratification of the Fifteenth Amendment and enactment of the Civil Rights Act of 1870. It is also a presidential election year within the historical period that European political scientists Anna Lührmann and Staffan I. Lindberg have demonstrated empirically to constitute the third wave of autocratization—the substantial de facto decline of the core institutional requirements for electoral democracy, which in contrast to earlier waves, mainly affects democracies with gradual setbacks under a legal façade. Experts in the jurisprudence of the Fifteenth and Nineteenth Amendments, civil rights law and history, critical outsider jurisprudence, election law, and the social struggle to re-enfranchise returning citizens will share their perspectives on the situation in 2020 and discuss their latest research projects and teaching innovations.

Business meeting at program conclusion.

10:30 am – 12:15 pm

**SECTION ON PROFESSIONAL RESPONSIBILITY, CO-SPONSORED BY ALTERNATIVE DISPUTE RESOLUTION AND CONTINUING LEGAL EDUCATION***Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Confronting the Big Questions About the Regulation of the Legal Profession****Moderators:** Benjamin P. Cooper, University of Mississippi School of Law  
Renee Newman Knake, University of Houston Law Center**Speakers:** William D. Henderson, Indiana University Maurer School of Law  
Judy Perry Martinez, Chair-Elect, American Bar Association  
Rebecca Sandefur, Arizona State University Sanford School of Social and Family Dynamics**Speaker from a Call for Papers:** Leslie C. Levin, University of Connecticut School of Law

In its final report, the ABA Commission on the Future of Legal Services concluded that, “technology, globalization, and other forces continue to transform how, why, and by whom legal services are accessed and delivered. Familiar and traditional practice structures are giving way in a marketplace that continues to evolve. New providers are emerging, online and offline, to offer a range of services in dramatically different ways. The legal profession, as the steward of the justice system, has reached an inflection point. Without significant change, the profession cannot ensure that the justice system serves everyone and that the rule of law is preserved. Innovation, and even unconventional thinking, is required.” Some of this change must come in the form of fundamental reconsideration of how societies regulate the legal profession, the practice of law, and the delivery of legal services. In this program, speakers confront these questions.

Business meeting for Section of Professional Responsibility to be held during the luncheon on Saturday, January 4, 2020 at 12:15 pm.

## PROGRAM SCHEDULE

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10:30 am – 12:15 pm

### SECTIONS ON REAL ESTATE TRANSACTIONS AND CREDITORS' & DEBTORS' RIGHTS JOINT PROGRAM

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Reflections On and Lessons From *Foreclosed*, a New Book by Professor Chris Odinet

**Moderator:** Pamela Foohey, Indiana University Maurer School of Law

**Speakers:** Lisa T. Alexander, Texas A&M University School of Law  
Donald J. Kochan, Chapman University Dale E. Fowler School of Law  
Adam J. Levitin, Georgetown University Law Center  
Nathalie D. Martin, University of New Mexico School of Law  
Christopher K. Odinet, University of Oklahoma College of Law  
Joseph W. Singer, Harvard Law School

The panel will discuss Professor Chris Odinet's recently published book, *Foreclosed: Mortgage Servicing and the Hidden Architecture of Homeownership in America* (Cambridge Univ. Press 2019). The publisher's website describes the book as follows: "In *Foreclosed*, Christopher K. Odinet gives voice to the stories of homeowners that have been neglected, particularly those facing foreclosure and deep financial distress. The book reveals the powerful and often invisible mortgage servicing industry, the tremendous discretionary power it wields over the housing lives of most Americans, and the servicing problems that still persist today. ... [I]t unveils a quiet and dangerous market shift in mortgage servicing—namely, an ongoing move toward a shadow banking sector where regulation is weak—that threatens the stability of our housing finance system. Ultimately, the book demonstrates how the law does not afford homeowners the protection most think and how regulation of these mortgage middlemen remains weak."

Business meeting at program conclusion.

12:15 pm – 1:30 pm

### SECTION ON LAW LIBRARIES & LEGAL INFORMATION LUNCHEON

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Speaker:** Anne Klinefelter, University of North Carolina School of Law

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

### SECTION ON LEGAL WRITING, REASONING, & RESEARCH LUNCHEON

*Marriott Ballroom Salon 3, Lobby Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

### SECTION ON MINORITY GROUPS LUNCHEON

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

### SECTION ON PROFESSIONAL RESPONSIBILITY LUNCHEON

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

1 pm – 5 pm

**AALS WORKSHOP FOR PRETENURED LAW SCHOOL TEACHERS OF COLOR***Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

*AALS thanks the Law School Admissions Council for generously supporting the Workshop for Pretenured Law School Teachers of Color.*

For sessions and speaker details, please see the complete listing under extended programs on page 119.

Many minority law professors choose legal education because they want to have a positive impact on students, pursue justice, and transform the legal system to improve lives and communities. These professors often discover that they face special challenges in the legal academy, starting from their first day of teaching.

This workshop is a space where pretenured teachers of color can receive support and encouragement as well as concrete guidance on navigating the tenure process. Diverse panels of experienced and successful law professors will talk about their goals and achievements as teachers and legal scholars and offer ways to successfully meet challenges as they arise in the context of scholarship, teaching, service, and the tenure process. By bringing together faculty who are navigating similar career paths, the workshop also facilitates cohort relationships that can provide long-term sources of support.

1:30 pm – 3 pm

**COFFEE WITH COLLEAGUES***Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

1:30 pm – 3:15 pm

**AALS DISCUSSION GROUP***Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel***Changing Concepts of International Economic Security & the Law****Discussion Group Moderator:**

Kathleen Claussen, University of Miami School of Law

**Discussion Group Participants:**

Anupam Chander, Georgetown University Law Center  
 Harlan G. Cohen, University of Georgia School of Law  
 Jennifer Daskal, American University, Washington College of Law  
 Kristen Eichensehr, University of California, Los Angeles School of Law  
 J. Benton Heath, New York University School of Law  
 Timothy Meyer, Vanderbilt University Law School  
 Jide O. Nzelibe, Northwestern University Pritzker School of Law  
 Saikrishna B. Prakash, University of Virginia School of Law  
 Aaron D. Simowitz, Willamette University College of Law  
 Anna Spain Bradley, University of Colorado Law School  
 Edward T. Swaine, The George Washington University Law School

This discussion group will undertake an examination of global economic regulation (e.g., trade, investment, development, and finance) and its accommodation of the changing demands of national security. The literature on global economic regulation and national security law have remained largely siloed, exacerbating the legal dichotomy between the two and the salience of their apparently contrasting demands. A study of this space implicates institutions at the domestic and international level, which complement and reinforce each other. This discussion group will seek to explore recent developments in these areas and begin to bridge the divide.

## PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

### AALS HOT TOPIC PROGRAM

*Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Democracy Under Siege: Gerrymandering, Racial Politics and Impeachment

**Moderator:** Steven A. Ramirez, Loyola University Chicago School of Law

**Speakers:** andré douglas pond cummings, University of Arkansas at Little Rock, William H. Bowen School of Law  
Emma C. Jordan, Georgetown University Law Center  
Yvonne Lindgren, Visiting Faculty, University of San Francisco School of Law  
Gerald Torres, Cornell Law School

Our constitutional republic struggles to vindicate majority-rule. For example, the Supreme Court ruled this past summer that while gerrymandering can be “incompatible with democratic principles,” it presents a political question. Scholars suggest that the legal definition of our political system encourages efforts to stir up racial and other social divisions. An impeachment inquiry threatens to displace an elected president to restrict the use of foreign policy as a purely political tool of partisan warfare. A variety of issues from mass incarceration and felony disenfranchisement, to voting rights and reproductive rights defy democratic negotiation and simply suffer as collateral damage to partisanship. Each issue subordinates individual rights to power politics. Our partisan divide puts power ahead of the rule of law and transcendent principles give way to partisan advantage. Lawlessness begets lawlessness, and democratic institutions are not immune. To repair our democracy we must recommit to the rule of law.

1:30 pm – 3:15 pm

### SECTION ON ALTERNATIVE DISPUTE RESOLUTION, CO-SPONSORED BY CONSTITUTIONAL LAW, CRIMINAL JUSTICE, AND PROFESSIONAL RESPONSIBILITY

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Galvanizing Reform for Plea Bargaining in White Collar and Other Criminal Crimes

**Moderator:** Elayne E. Greenberg, St. John’s University School of Law

**Speakers:** Cynthia J. Alkon, Texas A&M University School of Law  
Eric Gonzalez, District Attorney, The Brooklyn District Attorney’s Office  
Ellen S. Podgor, Stetson University College of Law  
Jennifer W. Reynolds, University of Oregon School of Law  
Somil Trivedi, Senior Staff Attorney, ACLU Criminal Law Reform Project

Plea bargaining is the preeminent process used to mete out punishment for white-collar and other types of crimes. However, the plea bargaining process for each type of crime often yields unfair results that shake the pillars of democracy. Thus, reform is needed. What actions might law professors take? This provocative program brings together practitioners, empirical researchers, and law professors to discuss both the distinct and overlapping justice issues in white-collar and other criminal plea negotiations. Pedagogically, how might professors bring the lessons learned back to their classes on ADR, professional responsibility, constitutional law, criminal law, and clinics?

Business meeting at program conclusion.



1:30 pm – 3:15 pm

**SECTION ON EAST ASIAN LAW & SOCIETY, CO- SPONSORED BY COMPARATIVE LAW***Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Challenges to the Rule of Law: Lessons from and for Asia****Moderator:** Margaret Y. Woo, Northeastern University School of Law**Speakers:** Matthew S. Erie, Associate Professor of Modern Chinese Studies; Fellow at St. Cross College, University of Oxford  
Shitong Qiao, Assistant Professor of Law, The University of Hong Kong  
Robert J. Rhee, University of Florida Fredric G. Levin College of Law

From the frontal assault by Duterte's regime in the Philippines, to the increasing interference by the Chinese government in Hong Kong, to the Abe administration's undermining of the constitution in Japan, Asia is experiencing serious challenges to the rule of law, one of the main pillars of liberal democracy. Through the lens of this global challenge, this panel explores what can be learned from the Asian experience and how events elsewhere in the world might inform our understanding of the challenges in Asia.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

**SECTION ON EMPLOYMENT DISCRIMINATION LAW, CO-SPONSORED BY CIVIL RIGHTS, LABOR RELATIONS & EMPLOYMENT LAW AND POVERTY LAW***Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Responses to Income Inequality: Can Employment Discrimination Law Help Close the Wage and Wealth Gaps?****Moderator:** Stephanie Bornstein, University of Florida Fredric G. Levin College of Law**Speakers:** Meera Deo, Law School Survey of Student Engagement  
Joya Misra, Professor of Sociology and Public Policy, University of Massachusetts Amherst Department of Sociology  
Stephen M. Rich, University of Southern California Gould School of Law  
Leticia Saucedo, University of California, Davis, School of Law  
Peggie Smith, Washington University in St. Louis School of Law

The U.S. faces historic levels of income inequality, and women and racial minorities remain underrepresented in high-paying occupations. To what extent can employment discrimination law help narrow the wage and wealth gaps? Work law scholars have focused on minimum wage law and revitalizing collective action, yet a significant portion of income inequality reflects the structural impacts of race, ethnicity, and gender that anti-discrimination law was intended to reach. This panel will consider labor market drivers of income inequality and workforce segregation, exploring whether and how employment discrimination law can respond. Topics for discussion include: the racial and gender wage and wealth gaps; workforce segregation and the underrepresentation of women, racial minorities, and immigrant workers in high-paying fields; the relationship between social status, who performs what work, and how work is valued; and the role of anti-discrimination law, affirmative action, and diversity initiatives to help remedy income disparities.

Business meeting at program conclusion.

## PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

### SECTION ON FEDERAL COURTS, CO-SPONSORED BY IMMIGRATION LAW

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Federal Courts at the Border

- Moderator:** Seth Davis, University of California, Berkeley School of Law
- Speakers:** Lenni Beth Benson, New York Law School  
Catherine Y. Kim, Brooklyn Law School  
Leah M. Litman, The University of Michigan Law School  
Hiroshi Motomura, University of California, Los Angeles School of Law  
Louise Weinberg, The University of Texas School of Law

In recent years, growing dysfunction in the United States' immigration system has put pressure upon the federal courts to play a central role in lawmaking at the nation's border. Disputes about asylum and refugee policy, the proposed border wall, cross-border shootings, and the application of the Suspension Clause to undocumented immigrants have underscored the difficult role of federal courts at the border. This panel will consider federal court doctrines that bear upon the availability of judicial review at the border, asking whether and to what extent those doctrines create zones free from judicial oversight. It will also ask in what ways recent challenges to immigration law and policy have shaped the doctrines of federal courts law. Finally, the panel will look to see what light disputes at the border may shed upon the design of and practical constraints upon the federal courts system.

Business meeting held on Saturday, January 4, 2020 at 7 am.

1:30 pm – 3:15 pm

### SECTION ON INSURANCE LAW

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Regulating the Insurance Industry: Federal, State, and Private Approaches

- Moderator:** Max Helveston, DePaul University College of Law
- Speakers:** Patricia Born, Ph.D., Payne and Charlotte Hodges Midyette Eminent Scholar in Risk Management, Florida State University  
Christopher C. French, The Pennsylvania State University – Penn State Law  
Daniel Schwarcz, University of Minnesota Law School  
David Zaring, Assistant Professor of Legal Studies, The Wharton School  
University of Pennsylvania Legal Studies and Business Ethics Department

This program will be focused on debating the efficacy of federal, state, and private approaches to the regulation of the insurance industry. A panel of leading insurance scholars will present results from their recent work, and there will be an open Q&A session after all of the presentations.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

### SECTION ON LAW & THE HUMANITIES

*Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Medical Humanities and the Law

- Moderator:** Stacey A. Tovino, University of Nevada, Las Vegas, William S. Boyd School of Law
- Speakers:** Kathy L. Cerminara, Nova Southeastern University Shepard Broad College of Law  
Kelly K. Dineen, Creighton University School of Law  
Seema Mohapatra, Indiana University Robert H. McKinney School of Law  
Kayhan Parsi, Ph.D., Professor, Neiswanger Institute for Bioethics, Loyola University Chicago  
Jeanne Frazier Price, University of Nevada, Las Vegas, William S. Boyd School of Law

The legal and health care professions face human problems and possibilities that transcend traditional academic disciplines in times of technological, legal, and political change. This program will address the connections of law and medicine with the humanities, the social sciences, and the arts. The panelists will explore a range of issues in medicine and healthcare that benefit from lawyerly and humanistic engagement, including the role of legislative language; the power of literature and film; the ways in which the medical humanities can inform and contextualize opioid law and policy development; the current controversies in informed consent to treatment; the role of medical dramas in illustrating both complete and incomplete consent processes; the relationship between health policy and therapeutic jurisprudence in the context of end-of-life issues; the ethical, legal, and social issues raised by genealogy testing; and the role of science fiction in the law classroom.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

### SECTIONS ON LITIGATION AND REMEDIES JOINT PROGRAM, CO-SPONSORED BY CIVIL RIGHTS

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Litigating Voting Rights Remedies in the Trump Era

**Moderator:** Alexandra D. Lahav, University of Connecticut School of Law

**Speakers:** Elise C. Boddie, Rutgers Law School  
Guy-Uriel E. Charles, Duke University School of Law  
John C. Harrison, University of Virginia School of Law  
Pamela S. Karlan, Stanford Law School

Panelists for this program, who specialize in election law, will discuss how voting rights remedies are administered, the timing of such remedies, their limitations, and where they fail.

Business meeting at program conclusion.

1:30 pm – 3:15 pm

### SECTION ON PRELEGAL EDUCATION & ADMISSION TO LAW SCHOOL

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Looking Ahead: The Changing Legal Landscape of Race Conscious Admissions

**Moderator:** David Kirschner, University of Southern California Gould School of Law

**Speakers:** Art Coleman, Managing Partner and Co-Founder, EducationCounsel  
Shannon Gundy, Executive Director, Office of Undergraduate Admissions, University of Maryland  
Aaron Taylor, Senior Vice President, Executive Director, AccessLex Institute

With race conscious admission programs back in the news as the Harvard and UNC cases wind their way through the courts, this panel seeks to offer a dialogue on the state of race conscious admission and potential ramifications that may result from any changes to existing case law. The time for law schools to begin planning for the future is now, rather than waiting until the courts have spoken. To this end, a panel of experts will look at the current legal landscape and offer their thoughts on what the courts may do with these pending cases, examine a successful example of an undergraduate university that has made tremendous efforts in achieving more diversity on campus, and offer suggested best practices for law schools that will both enhance diversity as well as anticipate potential changes in the law.

Business meeting at program conclusion.

# PROGRAM SCHEDULE

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1:30 pm – 3:15 pm

## SECTIONS ON PROPERTY LAW AND STATE & LOCAL GOVERNMENT LAW JOINT PROGRAM

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### Land Use Reform and the Housing Crisis: Is 100 Years of Exclusionary Zoning Enough?

**Moderator:** Stephen Clowney, University of Arkansas, Fayetteville, Robert A. Leflar  
Law Center  
Kenneth Stahl, Chapman University Dale E. Fowler School of Law

**Speakers:** Alex Baca, Housing Program Organizer, Greater Greater Washington  
Sara Bronin, University of Connecticut School of Law  
Christopher S. Elmendorf, University of California, Davis, School of Law  
Anika Singh Lemar, Yale Law School

For the last 100 years zoning has been a key tool for protecting and enhancing community character, but has also entrenched racial segregation, outlawed traditional building forms, eroded the environment, and worsened the dire housing shortage in the most vibrant urban areas.

This panel will examine efforts around the United States to push back against the prevailing land use system. What will it take to reform barriers to housing supply? Can we trust local governments to take a stand against NIMBY-ism, or should state officials and judges intervene to police the boundaries of local land use authority? Looking beyond the zoning code, this session will also ask how innovations in infrastructure policy and design can reinvigorate urban life. Additionally, panelists will consider how sensitive zoning reform efforts should be to community concerns about gentrification, neighborhood character, parking, and traffic.

Business meeting of Property Law scheduled on Saturday, January 4, 2020 at 7 am.

Business meeting of State and Local Government scheduled on Saturday, January 4, 2020 at 7 am.

1:30 pm – 3:15 pm

## SECTION ON SECURITIES REGULATION

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### The United States Securities and Exchange Commission

**Moderator:** Eric C. Chaffee, University of Toledo College of Law

**Speakers:** Hilary J. Allen, American University, Washington College of Law  
Robert J. Jackson, Jr., U.S. Securities and Exchange Commission  
Arthur B. Laby, Rutgers Law School

Since its creation in 1934, the United States Securities and Exchange Commission has played a leading role in regulating the capital markets and providing investor protection. This panel will explore the state of the SEC by examining its current regulatory and enforcement efforts and by discussing the policies that underlie them.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

**SECTION ON TEACHING METHODS, CO-SPONSORED BY NEW LAW PROFESSORS***Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Expanding the Classroom: Benefits and Challenges of Co-Teaching****Moderator:** Walter Edward Afield, Georgia State University College of Law**Speakers:** Alexi Freeman, University of Denver Sturm College of Law  
Barbara A. Glesner Fines, University of Missouri-Kansas City School of Law  
Nicole Iannarone, Drexel University Thomas R. Kline School of Law  
Suzan M. Pritchett, Drake University Law School

Traditional conceptions of the law school classroom center around one faculty member working with a group of students. Given the increasing interdisciplinary nature of legal education as well as increasing specialization both within the academy and among the practicing bar, single-professor courses have started to give way to courses that are co-taught, although the single-professor model still predominates. Law faculty have approached co-teaching in a variety of contexts from integrating practitioners and judges into their courses, to guest lectures by faculty with particular areas of expertise, to fully co-teaching a course either with a colleague on the law faculty or with a colleague from another department in their university. In addition, co-teaching can be found in all types of courses, ranging from required doctrinal courses; to upper-level seminars and electives; to legal writing, clinical, and experiential courses.

The Section held a virtual business meeting prior to the Annual Meeting.

1:30 pm – 3:15 pm

**SECTION ON WOMEN IN LEGAL EDUCATION***Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***A Century Since Suffrage: How Did We Get Here? Where Will We Go? How Will We Get There?****Moderator:** Rona Kaufman, Duquesne University School of Law**Speakers from a Call for Papers:**Lolita K. Buckner Inniss, SMU Dedman School of Law  
Nan D. Hunter, Georgetown University Law Center  
Leslie G. Jacobs, University of the Pacific, McGeorge School of Law  
Diane J. Klein, University of La Verne College of Law  
Danaya C. Wright, University of Florida Fredric G. Levin College of Law

This session will explore the legal accomplishments and failures of the women's movement since 1920. A century ago, women won the right to vote. Since then, women garnered additional rights in virtually every legal area, including in the realms of employment, property, reproduction, education, care taking, sexual freedom, and protection from violence. Despite significant success, much work remains. This session will consider the future of the women's movement through a critical examination of our past.

Papers from this program will be published in *Duquesne Law Review*.

Business meeting at program conclusion.

3 pm – 4:30 pm

**COFFEE WITH COLLEAGUES***Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

## PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

### SECTIONS ON AFRICA AND EUROPEAN LAW JOINT PROGRAM, CO-SPONSORED BY CIVIL RIGHTS

*Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Critical Race Theory in a Global Context: Practices and Discourses of Racialization Across Borders

**Moderator:** Mathilde Cohen, University of Connecticut School of Law

**Speakers:** Kristen Barnes, Syracuse University College of Law  
Jacqueline Susan Gehring, Associate Teaching Professor, Politics and Legal Studies, University of California Santa Cruz  
Jamelia N. Morgan, University of Connecticut School of Law  
Mathias Moschel, Associate Professor, Central European University Department of Legal Studies  
Adrien Katherine K. Wing, University of Iowa College of Law

This panel gathers scholars working within critical legal theory to compare different processes of racialized practices that subordinate certain groups in distinct social-legal contexts. A variety of case studies will be analyzed to address the question of the costs and benefits of comparativism when it comes to the study of race in contemporary legal systems. In the European context, panelists will discuss courts' resistance to conceptualizing and addressing racial and ethnic prejudice, the subjugation of the Roma by white power structures, and the challenges faced by critical race theory as an academic movement. Outside of Europe, a global critical race feminist view will be presented, emphasizing how Muslim women both inside and outside the United States have been subordinated in the Trumpian era. Finally, the connection between "public order" offenses and racialized notions of gender, disability, and class will be examined in the United States and Brazil.

The Section held a virtual business meeting prior to the Annual Meeting.

3:30 pm – 5:15 pm

### SECTION ON AGRICULTURAL & FOOD LAW, CO-SPONSORED BY ENVIRONMENTAL LAW AND NATURAL RESOURCES & ENERGY LAW

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Agriculture and Food, Environmental, and Natural Resources and Energy Works in Progress

**Moderators:** Andrea Freeman, University of Hawaii, William S. Richardson School of Law  
Heidi Gorovitz Robertson, Cleveland-Marshall College of Law at Cleveland State University

#### Works in Progress Presenters:

Sarah Adams-Schoen, University of Oregon School of Law  
Warigia M. Bowman, The University of Tulsa College of Law  
Robin K. Craig, University of Utah, S. J. Quinney College of Law  
Greg Dotson, University of Oregon School of Law  
Victor B. Flatt, University of Houston Law Center  
Sarah J. Fox, Northern Illinois University College of Law  
Joshua Galperin, University of Pittsburgh School of Law  
Steve C. Gold, Rutgers Law School  
Katrina Fischer Kuh, Pace University Elisabeth Haub School of Law  
Sharmila Murthy, Suffolk University Law School  
Hari Michele Osofsky, The Pennsylvania State University – Penn State Law  
Gabriel Pacyniak, University of New Mexico School of Law  
Michael Pappas, University of Maryland Francis King Carey School of Law  
Shelley Ross Saxer, Pepperdine University, Rick J. Caruso School of Law  
Joseph A. Schremmer, University of New Mexico School of Law  
Gina S. Warren, University of Houston Law Center

This is an early stage works-in-progress program for scholars of all levels within the disciplines of agricultural and food law, environmental law, and natural resources and energy law. Papers will be grouped loosely by topic and areas of expertise and participants will present at round tables to small groups. Papers will be uploaded and available in advance through a link distributed on the section's email listserv.

3:30 pm – 5:15 pm

### SECTION ON CIVIL RIGHTS, CO-SPONSORED BY COMPARATIVE LAW

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Teaching Comparative Civil Rights Law

**Moderator and Speakers:** Elizabeth M. Iglesias, University of Miami School of Law  
David B. Oppenheimer, University of California, Berkeley School of Law

**Speakers:** Franciska A. Coleman, Washington University in St. Louis School of Law  
Lauren Fielder, The University of Texas School of Law  
Madeleine M. Plasencia, University of Miami School of Law

Civil rights law is increasingly globalized, as states around the world borrow from one another, and from international conventions, in defining the rights of individuals and groups to be free from discrimination and oppression. The future of the field of comparative civil rights finds itself at the crossroads of global forces, pushing on one side toward further integration of nation states (e.g. projects like the currently defunct FTAA in which “integration” means the harmonization of national legal differences to facilitate foreign direct investment often at the expense of democratic accountability and substantive civil rights). On the other side, we see forces pushing for the disintegration of previously established transnational arrangements charged with the progressive development and incorporation of human rights norms (e.g. projects of withdrawal from the EU, the ICC, and other international bodies, like U.S. withdrawal from the Human Rights Council). Put bluntly, the globalization of civil rights law is caught between forces seeking to unleash a “race to the bottom” and forces seeking to promote a “race to the top.” In this context, teaching comparative civil rights presents new challenges. It is as much a question of why teach it as a question of how. Why and how do we learn the civil rights laws of multiple jurisdictions, and more specifically, identify the areas of comparison most relevant to properly evaluating competing projects of legal harmonization and national difference? How does our engagement with comparative civil rights laws uncover the conditions of possibility for promoting a race to the top or exacerbate the forces pushing us further toward the bottom? How do we teach in this challenging field? Are team teaching methods particularly useful? Is this a rich area for experiential learning? Can we leverage the power of the internet to teach more effectively?

3:30 pm – 5:15 pm

### SECTION ON CRIMINAL JUSTICE

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Junior Scholar Works-In-Progress

**Moderator and Commentator:** Eric J. Miller, Loyola Law School, Los Angeles

**Commentators:** Douglas A. Berman, The Ohio State University, Michael E. Moritz College of Law  
Jenny Roberts, American University, Washington College of Law

**Works-in-Progress Presenters:** Eve Hanan, University of Nevada, Las Vegas, William S. Boyd School of Law  
Marah Stith McLeod, Notre Dame Law School  
India Thusi, California Western School of Law  
Matthew Tokson, University of Utah, S. J. Quinney College of Law

The program will feature a discussion of works-in-progress from junior scholars in the Section.

## PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

### SECTION ON EAST ASIAN LAW & SOCIETY

*Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### The Place of East Asian Law Scholars and Teachers in American Law Schools

- Moderator:** David S. Law, University of California, Irvine School of Law
- Speakers:** Donald C. Clarke, The George Washington University Law School  
Virginia Harper Ho, University of Kansas School of Law  
Tahirih V. Lee, Florida State University College of Law  
John K.M. Ohnesorge, University of Wisconsin Law School

This round-table discussion will explore the challenges and opportunities of faculty members who specialize in East Asian law, particularly new professors. The conversation will include challenges and opportunities in teaching and scholarship. We anticipate everyone attending will be part of the discussion.

3:30 pm – 5:15 pm

### SECTIONS ON EMPLOYMENT DISCRIMINATION LAW AND LABOR RELATIONS & EMPLOYMENT LAW JOINT PROGRAM

*McKinley, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### New and Emerging Voices in Workplace Law

- Moderators:** Stephanie Bornstein, University of Florida Fredric G. Levin College of Law  
Michael Oswalt, Northern Illinois University College of Law

This program showcases works-in-progress by emerging workplace scholars with seven or fewer years of teaching experience. Each scholar will present a work-in-progress and receive comments from an assigned commentator, after which attendee feedback is encouraged. Papers, selected from a call for papers, focus on emerging topics in labor, employment, and antidiscrimination law. Abstracts of papers to be presented will be made available at the session.

3:30 pm – 5:15 pm

### SECTION ON FAMILY & JUVENILE LAW

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Pedagogy Session: Using Formative and Summative Assessments in Family Law

- Moderator:** Naomi R. Cahn, The George Washington University Law School
- Speakers:** Jamie Rene Abrams, University of Louisville, Louis D. Brandeis School of Law  
Meghan Boone, University of Alabama School of Law  
Suzanne A. Kim, Rutgers Law School  
Yvonne Lindgren, Visiting Faculty, University of San Francisco School of Law  
Jessica Dixon Weaver, SMU Dedman School of Law

This session addresses the development of various types of assessments in family law. The panel will show how family law professors are integrating formative assessment into their courses by, in the words of ABA Standard 314, Interpretation 314-1, “providing meaningful feedback to improve student learning,” and discuss alternative means of summative assessments. Presenters have been asked to prepare a short handout for the meeting that explains their approach.



3:30 pm – 5:15 pm

**SECTION ON INTELLECTUAL PROPERTY***Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel***New Voices in Intellectual Property Scholarship****Moderator and Commentator:**

Jake Linford, Florida State University College of Law

**Commentators:**

Dan L. Burk, University of California, Irvine School of Law

Eric Goldman, Santa Clara University School of Law

Joe Miller, University of Georgia School of Law

Lucas Osborn, Campbell University Norman Adrian Wiggins School of Law

Guy A. Rub, The Ohio State University, Michael E. Moritz College of Law

Jeremy N. Sheff, St. John's University School of Law

**Works-in-Progress Presenters:**

Lolita Darden, Suffolk University Law School

Tabrez Ebrahim, California Western School of Law

Janet Freilich, Fordham University School of Law

Aman K. Gebru, Duquesne University School of Law

Andrew C. Michaels, University of Houston Law Center

Trevor Reed, Arizona State University Sandra Day O'Connor College of Law

Charlotte A. Tschider, University of Nebraska College of Law

This program will feature presentations of new legal scholarship by junior faculty members selected via a call for papers. Senior legal scholars in the field will have the opportunity to give their commentary on the scholarship.

3:30 pm – 5:15 pm

**SECTION ON INTERNATIONAL LAW, CO-SPONSORED BY COMPARATIVE LAW***Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***International and Foreign Legal Research Resources at the Law Library of Congress****Moderator:** Mark E. Wojcik, UIC John Marshall Law School**Speakers:**

Barbara Bavis, Legal Reference Librarian, Law Library of Congress

Peter Roudik, Director of the Global Legal Research Center, Library of Congress

This program features the Foreign and International Reference Librarians from the Law Library of Congress. With approximately 2.9 million volumes, the Law Library of Congress constitutes the largest legal collection in the world. The collection is also the most comprehensive, covering all of the approximately 260 jurisdictions as well as many former nations and colonies. The Foreign and International Reference Librarians will explain how to use the collection both in person and remotely. The Law Library of Congress is an amazing institution that is constantly improving access to its collection for researchers who are outside the DC area.

# PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

## SECTION ON LAW & INTERPRETATION

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### New Voices on Legal Interpretation

**Moderator:** Clark D. Cunningham, Georgia State University College of Law

**Works-in-Progress Presenters:**

Kristen Eichensehr, University of California, Los Angeles School of Law  
Bijal Shah, Arizona State University Sandra Day O'Connor College of Law  
Jarrod E. Shobe, Brigham Young University, J. Reuben Clark Law School  
Aaron Tang, University of California, Davis, School of Law  
Kevin Tobia, Experimental Law and Economics Fellow, ETH Zurich Center for Law & Economics

Young scholars working on projects in legal interpretation have been invited from a call for proposals to participate in this works-in-progress roundtable. Leading scholars on the topics addressed in each paper will comment on the draft projects.

3:30 pm – 5:15 pm

## SECTION ON LEGAL WRITING, REASONING, & RESEARCH

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

### New Scholars Showcase

**Moderator:** Susan Salmon, The University of Arizona James E. Rogers College of Law

**Works-in-Progress Presenters:**

Joshua Jones, Indiana University Robert H. McKinney School of Law  
Susan A. McMahon, Georgetown University Law Center  
Jarrod F. Reich, Georgetown University Law Center

Join new scholars as they discuss their works-in-progress.

3:30 pm – 5:15 pm

## SECTION ON PROPERTY LAW

*Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### New Voices in Property Law

**Moderator:** Stephen Clowney, University of Arkansas, Fayetteville, Robert A. Leflar Law Center

**Works-in-Progress Presenters:**

Mekonnen Firew Ayano, University of Missouri School of Law  
John Bliss, University of Denver Sturm College of Law  
Edward W. De Barbieri, Albany Law School  
Elizabeth Elia, University of New Mexico School of Law  
Sheldon Bernard Lyke, Whittier Law School  
Janewa Osei-Tutu, Florida International University College of Law  
Anika Singh Lemar, Yale Law School

This panel highlights the work of up-and-coming junior scholars from the Section. Participants were selected from a call for papers and will have the opportunity to receive feedback from senior commentators in the field. All are welcome to attend.

3:30 pm – 5:15 pm

**SECTION ON SECURITIES REGULATION***Madison A, Mezzanine Level, Washington Marriott Wardman Park Hotel***Emerging Voices in Securities Regulation****Moderator and Commentator:**

Eric C. Chaffee, University of Toledo College of Law

**Commentators:**

John P. Anderson, Mississippi College School of Law

Wendy G. Couture, University of Idaho College of Law

Franklin A. Gevurtz, University of the Pacific, McGeorge School of Law

Yuliya Guseva, Rutgers Law School

Michael D. Guttentag, Loyola Law School, Los Angeles

Joan M. Heminway, University of Tennessee College of Law

Donna M. Nagy, Indiana University Maurer School of Law

**Works-in-Progress Presenters:**

Anat Beck, Case Western Reserve University School of Law

George S. Georgiev, Emory University School of Law

Josephine Sandler Nelson, Villanova University Charles Widger School of Law

Carla L. Reyes, Michigan State University College of Law

Paolo Saguato, Antonin Scalia Law School at George Mason University

Karen Woody, Washington and Lee University School of Law

This program will bring together junior and senior securities regulation scholars for the purpose of giving junior scholars feedback on their scholarship and helping them prepare their work for submission for publication. Junior scholars' presentations of their drafts will be followed by comments from senior scholars and further discussion. The Section welcomes anyone interested in securities regulation topics to attend and participate in the discussions.

3:30 pm – 5:15 pm

**SECTION ON SOCIO-ECONOMICS***Taft, Mezzanine Level, Washington Marriott Wardman Park Hotel***Socio-Economic Pedagogy and Electoral Politics in an Increasingly Polarized Society****Moderators:**

Deleso A. Alford, Southern University Law Center

June Rose Carbone, University of Minnesota Law School

**Speakers:**

Natalie M. Gomez-Velez, City University of New York School of Law

Susan S. Kuo, University of South Carolina School of Law

Bertrall Ross, University of California, Berkeley School of Law

The 2020 election promises to be one of the most intensely fought and politically polarized elections in our lifetime. The election campaign itself is likely to involve a reframing of the approach to socio-economic issues, particularly those that involve racial, gender, and economic justice. At the same time, our students may reflect a variety of political perspectives, and they may feel particularly passionate—or particularly vulnerable—during the upcoming election season. This panel will identify important and sensitive issues likely to arise during the election campaign and strategies for addressing them constructively in the classroom.

## PROGRAM SCHEDULE

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4:30 pm – 5:30 pm

### The Meeting of the AALS House of Representatives

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

- Presiding:** Vicki C. Jackson, Harvard Law School  
**Speaker:** Paul Marcus, William & Mary Law School  
**Parliamentarian:** Leo P. Martinez, University of California, Hastings College of the Law  
**Closing Remarks:** Darby Dickerson, UIC John Marshall Law School

Representatives from all AALS Member Schools are expected to attend this meeting of the House of Representatives. All law school teachers are invited to attend. Please note that pursuant to Executive Committee Regulation 5.3 you must be registered for the Annual Meeting and present a valid badge in order to gain entry into the House. We ask that representatives arrive early and go directly to the sign-in table.

5 pm – 6 pm

### TWELVE STEP MEETING

*Park Tower 8209, Lobby Level, Washington Marriott Wardman Park Hotel*

5 pm – 6 pm

### SECTION ON LAW SCHOOL ADMINISTRATION & FINANCE BUSINESS MEETING

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

6 pm – 7 pm

### AALS PRESIDENTIAL PROGRAM

*Marriott Ballroom Salons 2 & 3, Lobby Level, Washington Marriott Wardman Park Hotel*

#### A Conversation with U.S. Supreme Court Justice Ruth Bader Ginsburg

- Moderator:** Vicki C. Jackson, Harvard Law School  
**Speaker:** Ruth Bader Ginsburg, Associate Justice, Supreme Court of the United States

U.S. Supreme Court Justice Ruth Bader Ginsburg will join in a question and answer session moderated by AALS President Vicki Jackson, Thurgood Marshall Professor of Constitutional Law at Harvard Law School. During the conversation, Justice Ginsburg will discuss her life, career, and commitment to law and to legal education.

## AALS Member Law School Events

7:30 am – 8:30 am

### AMERICAN UNIVERSITY, WASHINGTON COLLEGE OF LAW PROGRAM ON LEGISLATIVE NEGOTIATION – INTRODUCTORY BREAKFAST

*Madison B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

The program addresses gridlock in Congress and in state legislatures, so that these bodies can better respond to today's challenges.

7:30 am – 8:30 am

### BREAKFAST FOR ASSOCIATE DEANS SPONSORED BY LOYOLA UNIVERSITY NEW ORLEANS COLLEGE OF LAW AND UNIVERSITY OF TOLEDO COLLEGE OF LAW

*Marriott Balcony B, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

### UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW GLOBAL CENTER INTERNATIONAL LAW BREAKFAST

*Johnson, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### What is Your International Program Doing for the Next Generation? Hosted by the McGeorge Global Center

The recent Climate Strike of young people around the world prompts us to ask what we are doing to pass on a livable world to our children. This, of course, includes addressing the global environmental challenges posed by climate change, mass species extinction, and pollution. It also can include, however, growing threats to democracy, human rights, the rule of law, and the international institutions that built peace and prosperity. We are inviting faculty engaged in international programs at law schools around the country to attend this breakfast and share what their programs are doing to help meet these challenges.

7:30 pm – 9 pm

### ARIZONA STATE UNIVERSITY SANDRA DAY O'CONNOR COLLEGE OF LAW CELEBRATION

*Arizona State University - Barrett & O'Connor Washington Center, 1800 I Street, NW, 8th Floor*

Join ASU to celebrate our 50th anniversary and the opening of our state-of-the-art Barrett-O'Connor facility in D.C. Transportation provided (Lyft codes.)

To RSVP or for more information, e-mail [Lauren.Burkhart@asu.edu](mailto:Lauren.Burkhart@asu.edu).

7 pm – 9 pm

### RECEPTION FOR LAW SCHOOLS OF THE SEC (ALABAMA, ARKANSAS, FLORIDA, GEORGIA, KENTUCKY, LOUISIANA STATE, MISSISSIPPI, MISSOURI, SOUTH CAROLINA, TENNESSEE, TEXAS A&M, VANDERBILT)

*Delaware B, Lobby Level, Washington Marriott Wardman Park Hotel*

7 pm – 8:30 pm

### UNIVERSITY OF RICHMOND SCHOOL OF LAW AND AALS SECTION ON INTELLECTUAL PROPERTY ANNUAL EVIL TWIN DEBATE AND RECEPTION

*Thurgood Marshall East, Mezzanine Level, Washington Marriott Wardman Park Hotel*

## Related Organization Events

7 am – 8:30 am

### THE CENTER FOR COMPUTER-ASSISTED LEGAL INSTRUCTION (CALI) ANNUAL MEMBERSHIP MEETING 2020

*Congressional A & B, Lobby Level, Omni Shoreham Hotel*

The CALI Annual Membership Meeting will recap the past fiscal year and provide a roadmap for future projects.

11 am – 12:30 pm

### SOCIETY OF AMERICAN LAW TEACHERS (SALT) COVER WORKSHOP

*Calvert Room, Lobby Level, Omni Shoreham Hotel*

#### What's at Stake in this Year's National Election?

**Moderator:** John Brittain, University of the District of Columbia, David A. Clarke School of Law

**Speakers:** Nan Aron, Founder and President, Alliance for Justice (AFJ)  
Nicole Berner, General Counsel, Service Employees International Union (SEIU)  
Janell Byrd-Chichester, Director, Thurgood Marshall Institute of the NAACP Legal Defense and Educational Fund, Inc. (LDF)  
Nina Perales, Vice President of Litigation, Mexican American Legal Defense and Educational Fund (MALDEF)

The Society of American Law Teachers (SALT) is a social justice learned society founded in 1974 in the ferment of the racial justice/anti-war/feminist movements. SALT has been a gathering place for law teachers committed to reforming and diversifying legal education and aspires to be the conscience of the legal academy.

8 am – 7:15 pm

### THE FEDERALIST SOCIETY

#### Annual Faculty Conference – Day Two

8 am – 9 am

#### BREAKFAST

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

9:15 am – 10:45 am

#### PANEL 2

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

#### Governance by Index: Mutual Fund Involvement in Corporate Governance

**Moderator:** M. Todd Henderson, University of Chicago Law School

**Panelists:** Sean J. Griffith, Fordham University School of Law  
Ann M. Lipton, Tulane University Law School  
Adriana Z. Robertson, University of Toronto Faculty of Law

Mutual funds, particularly index funds, increasingly find themselves in a position to influence the governance of the companies in which they invest. Accordingly, campaigners of every sort—from hedge fund activists to advocates for environmental and social causes—now lobby mutual funds for voting support. But how should mutual funds wield their power in corporate governance? This panel will discuss the nature of mutual fund investing, the shift to indexing, its impact on the market, and how mutual funds ought to exercise their influence over the companies in which they invest.

11 am – 12:15 pm

**7 MINUTE PRESENTATIONS OF WORKS IN PROGRESS***Hampton Ballroom, Lobby Level, Omni Shoreham Hotel***Panel 2-A****Moderator:** To be Announced

**Presenters:** Robert Anderson, IV, Pepperdine University Caruso School of Law: “A Property Theory of Corporate Law”  
 Adam Crepelle, Southern University Law Center: “Are the Business Killing Trust Restrictions on Tribal Land Constitutional?”  
 Matthew J. Festa, South Texas College of Law Houston: “De Facto Zoning and Property Rights”  
 Enrique Guerra-Pujol, University of Central Florida College of Business: “Breaking BadPromises”  
 Michael J. Zydney Mannheimer, Northern Kentucky University Chase College of Law: “Fraudulently Induced Confessions”  
 Barbara Mouly, Liberty University School of Law: “Arbitration Agreements in Nursing Home Admission Contracts”  
 Dwight Newman, University of Saskatchewan College of Law: “Competing Conservative Visions of Federal Indian Law”

11 am – 12:15 pm

**7 MINUTE PRESENTATIONS OF WORKS IN PROGRESS***Capitol Room, Lobby Level, Omni Shoreham Hotel***Panel 2-B****Moderator:** Paul E. Salamanca, University of Kentucky College of Law

**Presenters:** Paul R. Baier, Louisiana State University Hebert Law Center: “Nazis in the Supreme Court”  
 Bridget C.E. Dooling, The George Washington University Regulatory Studies Center: “Bespoke Regulatory Review”  
 Scott Douglas Gerber, Ohio Northern University Pettit College of Law: “Law and Religion in Plymouth Colony”  
 Earl M. Maltz, Rutgers University School of Law at Camden: “Faint-Hearted Federalism: “The Role of the Concept of State Autonomy in Conservative Constitutional Jurisprudence”  
 Ken Masugi, Johns Hopkins University: “Reconsidering ‘Japanese-American Concentration Camps’ in Law and Justice”  
 Christopher J. Walker, The Ohio State University Moritz College of Law: “Qualified Immunity and Federalism” (with Aaron L. Nelson)  
 Christopher J. Wolfe, University of St. Thomas Houston: “Justice Neil Gorsuch and the Right to Life in the 14th Amendment”

12:30 pm – 2:30 pm

**LUNCHEON DEBATE***Congressional A & B Room, Lobby Level, Omni Shoreham Hotel***Resolved: The Electoral College Should Be Abrogated****Moderator:** To be Announced

**Debaters:** Lester Lawrence Lessig, Harvard Law School  
 Stephen E. Sachs, Duke University School of Law

How should the country elect the President? This debate presents the arguments for and against eliminating the electoral college.

## PROGRAM SCHEDULE

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### *The Federalist Society, continued*

2:45 pm – 4:15 pm

#### **PANEL 3**

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

#### **Originalism and the Fourth Amendment**

**Moderator:** Orin Kerr, University of California, Berkeley School of Law

**Panelists:** William Baude, University of Chicago Law School  
Jeffrey Bellin, William and Mary Marshall-Wythe School of Law  
Laura K. Donohue, Georgetown University Law Center

This panel will explore the extent, if any, to which an originalist methodology can answer the big questions of Fourth Amendment interpretation that courts are grappling with today. If an originalist methodology can answer these questions, what answers does it provide?

6 pm – 7:15 pm

#### **PANEL 4**

*Hampton Ballroom, Lobby Level, Omni Shoreham Hotel*

#### **Is Everything Political?**

**Moderator:** Joshua Kleinfeld, Northwestern University Pritzker School of Law

**Panelists:** Christian Burset, Notre Dame Law School  
Guy-Uriel E. Charles, Duke University School of Law  
Tara Leigh Grove, William & Mary Marshall-Wythe School of Law  
Stephen E. Sachs, Duke University School of Law

This panel seeks to explore whether the reach of politics is broader now than it once was, whether there is a law-politics distinction, whether politics has become a substitute for religion or related claims on a person's sense of self, and whether it is possible or desirable for politics to play a smaller role in life.



# Sunday, January 5

7 am – 2 pm

## **AALS REGISTRATION**

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

7 am – 2 pm

## **AALS OPERATIONS OFFICE**

*Harding, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 5 pm

## **AALS SPEAKER READY ROOM**

*Buchanan, Mezzanine Level, Washington Marriott Wardman Park Hotel*

7 am – 5 pm

## **NURSING PARENTS ROOM**

*Park Tower 8218, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8 am

## **TWELVE STEP MEETING**

*Park Tower 8209, Lobby Level, Washington Marriott Wardman Park Hotel*

7 am – 8:30 am

## **SECTION LEADERSHIP 101 WITH CONTINENTAL BREAKFAST**

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### **Speakers:**

Josh Albertson, Section Services Manager, Association of American Law Schools  
Judith Areen, Executive Director, Association of American Law Schools  
Darby Dickerson, UIC John Marshall Law School  
Joshua A. Douglas, University of Kentucky College of Law

*AALS thanks Thomson Reuters for generously sponsoring this session.*

All Section Officers are encouraged to attend this breakfast. We especially recommend Chairs and Chairs-Elect to attend. At this year's program, AALS President-Elect Darby Dickerson will share and discuss her theme for the 2021 Annual Meeting. AALS Section Services Manager Josh Albertson will review the 2020 Section Officer's Planning Guide and answer questions Section Officers may have.

In addition, the AALS is delighted to honor the two winners of the Section of the Year Award -- the Section on Environmental Law and the Section on Legal Writing, Reasoning, and Research.

The Section of the Year Award recognizes excellence in member support and other activities that promote AALS's core values. Activities may include: annual meeting programming, facilitating outstanding scholarship, providing teaching support and course materials, community/pro bono service, engagement with the bar and bench, mentoring programs, expanding membership and member engagement, creative use of technology, and more.

7:30 am – 9 am

## **COFFEE WITH COLLEAGUES**

*Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

# PROGRAM SCHEDULE

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8 am – 4:30 pm

## AALS INFORMATION DESK

*Convention Registration Desk, Lobby Level, Washington Marriott Wardman Park Hotel*

8 am – 11 am

## AALS EXHIBIT HALL – THE MEETING PLACE

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Join us in the Exhibit Hall to see exciting new products and the latest technologies in legal education. Whether you're looking for innovative ways to enhance the teaching experience or just want to check out the latest publications, there is something for everyone. And be sure to stop by the "Meeting Place." The comfortable lounge area is perfect for impromptu meetings or just to relax for a few minutes. Enjoy complimentary coffee, tea, pastries and cookies during the scheduled time periods as you catch up with colleagues and map out your meeting experience.

8:30 am – 10:15 am

## LAW SCHOOL ADMISSION COUNCIL PROGRAM

*Hoover, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### The Next Generation of Assessment: Non-Cognitive, Diagnostic, and Formative Assessment for Law School Success

**Moderator:** Kellye Y. Testy, President and CEO, Law School Admission Council

**Speakers:** Rodney O. Fong, UIC John Marshall Law School  
Ann Gallagher, Senior Director of Research, Law School Admission Council  
Joan W. Howarth, University of Nevada, Las Vegas, William S. Boyd School of Law

Lily Knezevich, Senior Vice President for Learning and Assessment, Law School Admission Council

Judith W. Wegner, University of North Carolina School of Law

This session will provide an overview of evolving opportunities to foster non-cognitive and formative assessment to achieve law school success. LSAC, long one of the nation's leaders in pre-admission cognitive assessment, has launched several initiatives to assist law schools with additional forms of assessment that can foster student success while also fulfilling relevant accreditation standards. This session will highlight recent studies and initiatives that focus on non-cognitive skills to foster academic access and present an overview of emerging initiatives designed to provide diagnostic and formative assessment tools to help law schools analyze and address issues facing students at risk regarding bar examination performance. The session will feature opportunities for attendees to give feedback and ask questions about how their law schools might become engaged in these and related initiatives.

8:30 am – 10:15 am

**AALS OPEN SOURCE PROGRAM***Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Federalism and the Relationship Between State and Federal Constitutional Law****Moderator and Speaker:** Michael T. Morley, Florida State University College of Law**Speakers:** Maureen (Molly) E. Brady, Harvard Law School  
Margaret Hu, Washington and Lee University School of Law  
Daniel B. Rodriguez, Northwestern University Pritzker School of Law

State constitutions are often-overlooked sources of protections for rights that the U.S. Constitution does not reach. The U.S. Constitution, in turn, not only frequently influences the manner in which state constitutions are interpreted, but sometimes even constrains the substantive scope of state constitutions' authority or litigants' ability to invoke them. This panel explores the relationship between state and federal constitutional law through the lens of federalism. It delves into the various ways the U.S. Constitution and federalism impact state constitutional interpretation and litigation. Panelists will discuss these issues across a range of legal fields, including privacy, property, and election law. The panel will also contrast the respective roles of federal and state judges in state constitutional interpretation, with special attention to the distinctive institutional constraints in which they operate.

8:30 am – 10:15 am

**AALS DISCUSSION GROUP***Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel***Breastfeeding Law and Policy****Discussion Group Moderators:**Meghan Boone, University of Alabama School of Law  
Mathilde Cohen, University of Connecticut School of Law**Discussion Group Participants:**Melanie D. DeRousse, University of Kansas School of Law  
Andrea Freeman, University of Hawaii, William S. Richardson School of Law  
Marcy Karin, University of the District of Columbia, David A. Clarke School of Law  
Pamela Laufer-Ukeles, Shaarei Mishpat Faculty of Law, Academic Center for Law and Science  
Solangel Maldonado, Seton Hall University School of Law  
Melissa E. Murray, New York University School of Law  
Dara E. Purvis, The Pennsylvania State University – Penn State Law  
Darren Rosenblum, Pace University Elisabeth Haub School of Law  
Naomi Schoenbaum, The George Washington University Law School  
Julie C. Suk, Professor and Dean for Master's Programs, The Graduate Center, City University of New York  
Carol Suzuki, University of New Mexico School of Law

Despite the ubiquity of the phrase “breast is best,” the law has fallen short of providing breastfeeding parents the support they require to meet their breastfeeding goals. Many breastfeeders have experienced discrimination, harassment, and roadblocks to their breastfeeding plans. Further, the wide differences in breastfeeding rates across race, class, and education level are powerful indicators that there is not equal access to breastfeeding support. This discussion group seeks to explore the varied and overlapping legal and policy issues presented by breastfeeding. Is breastfeeding a public health issue? Is it a civil rights issue? Are the messages and methods used to encourage breastfeeding feminist or anti-feminist? Do they encourage parents regardless of gender to breastfeed or chestfeed? Further, how is the discussion about breastfeeding law and policy reflective of the larger debates about women's roles and the changing American family?

# PROGRAM SCHEDULE

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8:30 am – 10:15 am

## AALS DISCUSSION GROUP

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Fintech Innovations

#### Discussion Group Moderator:

Matthew A. Bruckner, Howard University School of Law

#### Discussion Group Participants:

Yuliya Guseva, Rutgers Law School

Julie A. Hill, University of Alabama School of Law

Kristin N. Johnson, Tulane University Law School

Megan LaBelle, The Catholic University of America, Columbus School of Law

Adam J. Levitin, Georgetown University Law Center

Jonathan C. Lipson, Temple University, James E. Beasley School of Law

Paolo Saguato, Antonin Scalia Law School at George Mason University

Heidi M. Schooner, The Catholic University of America, Columbus School of Law

This group will discuss various issues related to fintech lending. For example, the recent decision of the United States Comptroller of the Currency (the OCC) to accept applications for national bank charters from non-depository fintech firms has a wide range of implications for consumer protection. Topics related to the fintech charter include: (1) preempting certain state consumer protection statutes, such as usury limits and state UDAP laws; (2) abrogating the effect of *Madden v. Midland Funding* in the Second Circuit (dealing with fintech lenders' ability to circumvent state usury limits through bank partnerships); and (3) forcing financially distressed fintech lenders to liquidate in an OCC receivership instead of allowing them to reorganize in the bankruptcy courts.

8:30 am – 10:15 am

## AALS HOT TOPIC PROGRAM

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### Recent Developments: How Easily Can Agencies Change Regulatory Policy in Immigration & Civil Rights?

#### Moderator:

Ming Hsu Chen, University of Colorado Law School

#### Speakers:

Nancy C. Cantalupo, Barry University Dwayne O. Andreas School of Law

Blake Emerson, University of California, Los Angeles School of Law

Jill E. Family, Widener University Commonwealth Law School

Nicholas Parrillo, Yale Law School

The use of guidance documents in regulatory agencies is one of the most challenging aspects of administrative law. When an agency uses a guidance document to change or make policy, it need not provide notice to the public or allow comment on the new rule. This makes change easier, faster, and less subject to review. Under previous administrations, guidance documents were used to implement policies in many subject areas, including civil rights and immigration. The current administration has rolled back many of these policies. This program consists of a moderated panel on recent developments in the use of guidance documents. The speakers will highlight two reports to the Administrative Conference of the United States proposing changes to Administrative Procedure Act and an executive order mandating increased use of notice and comment. They will comment on controversies involving DACA and Title IX that demonstrate the stakes of change.

8:30 am – 10:15 am

**SECTION ON ANTITRUST & ECONOMIC REGULATION***Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Antitrust Reform**

- Moderator:** Aaron S. Edlin, University of California, Berkeley School of Law
- Speakers:** Jonathan B. Baker, American University, Washington College of Law  
Lina Khan, Columbia Law School  
John B. Kirkwood, Seattle University School of Law  
Barak Orbach, The University of Arizona James E. Rogers College of Law

Is it time to reform the antitrust laws? If so, how should they be changed? If not, what is wrong with the major reform proposals?

The Section held a virtual business meeting prior to the Annual Meeting.

8:30 am – 10:15 am

**SECTION ON CIVIL RIGHTS***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***The New “Oppression”: Socially Advantaged Classes and Civil Rights**

- Moderator:** Darren Lenard Hutchinson, University of Florida Fredric G. Levin College of Law
- Speakers:** Deborah N. Archer, New York University School of Law  
Lia Epperson, American University, Washington College of Law  
Anthony Kreis, Chicago-Kent College of Law, Illinois Institute of Technology  
Melissa E. Murray, New York University School of Law

Traditionally disadvantaged groups continue to face systemic inequality caused by racism, sexism, poverty, and other forms of exclusion. Nonetheless, powerful groups often view themselves as socially disadvantaged. Studies, for example, find that people who are white believe that they are more likely than people of color to suffer racial discrimination. Also, the #MeToo movement has caused a backlash from men who view activism on sexual assault and harassment as imperiling them as a class. The assertion of disadvantaged status by members of dominant classes has significant implications for legal and political discussions of inequality and social justice. The panelists will explore these implications by examining how legal doctrines and norms facilitate and encourage claims of exclusion by privileged classes. Panelists will consider the subject in a variety of civil rights and social justice contexts.

8:30 am – 10:15 am

**SECTION ON COMPARATIVE LAW, CO-SPONSORED BY CONSTITUTIONAL LAW***Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Reflections on a Distinguished Career: Mark Tushnet’s Contributions to Comparative Law**

- Moderator:** Richard Albert, The University of Texas School of Law
- Speakers:** Erin F. Delaney, Northwestern University Pritzker School of Law  
Vicki C. Jackson, Harvard Law School  
David E. Landau, Florida State University College of Law  
Sanford Levinson, The University of Texas School of Law  
Yvonne Tew, Georgetown University Law Center

This program will feature reflections from a diverse group of scholars on the contributions of Mark Tushnet to the field of comparative law. Tushnet, currently the William Nelson Cromwell Professor of Law at Harvard Law School, will retire from the faculty in June 2020. This panel offers an opportunity for scholars who are

## PROGRAM SCHEDULE

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### *Comparative Law, continued*

new to his work in comparative law to learn about his vast body of scholarship and also for those familiar with his work to situate his contributions in the larger field. A substantial portion of the program will be reserved for discussion and comments from the floor. The program will end with the presentation of the First Annual “Mark Tushnet Prize,” created by the Chair and Executive Committee of the Section to recognize scholarly excellence in any subject of comparative law by an untenured scholar at an AALS Member School.

The Section held a virtual business meeting prior to the Annual Meeting.

8:30 am – 10:15 am

### **SECTION ON EVIDENCE, CO-SPONSORED BY LAW, MEDICINE & HEALTH CARE**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **The Opioid Epidemic and its Evidentiary Challenges**

**Moderator:** Jose Felipe Anderson, University of Baltimore School of Law

**Speakers:** Leo Beletsky, Northeastern University School of Law  
Teneille Brown, University of Utah, S. J. Quinney College of Law  
Jennifer D. Oliva, Seton Hall University School of Law  
Alexander Williams, Jr., United States District Judge, United States District Court for the District of Maryland

This panel will discuss the key evidentiary issues associated with the opioid crisis. The CDC estimates that over 130 people die each day from opioid-related drug overdoses. The ripple effects can be felt in the uptick of criminal and civil cases related to this epidemic. As the opioid crisis makes its way into courts, evidence scholars and practitioners must consider the problems of proof that arise in this context, including the use of character evidence and prior bad acts, the use of causation, and the use of experts. Medical experts, in particular, create a unique dilemma. Pharmaceutical companies in the 1990s assured the medical community that opioid pain relievers were not addictive. Therefore, medical experts are caught in between. Health law and evidence scholars will engage with practitioners and offer legal and policy reforms that can begin to address the impact of the opioid epidemic on the legal system.

Papers from this program will be published in *The Journal of Health Law and Policy*.

8:30 am – 10:15 am

### **SECTION ON FOR THE LAW SCHOOL DEAN**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **So You Want to be a Dean: The Road to the Deanship - Reflections and Advice**

**Moderator:** Alicia Ouellette, Albany Law School

**Speakers:** Werner Boel, Consultant, Witt/Kieffer  
Daniel M. Filler, Drexel University Thomas R. Kline School of Law  
Patricia Salkin, Touro College, Jacob D. Fuchsberg Law Center

This program will explore the journey to becoming a law school dean. The panel will focus on reasons for going into academic leadership, the dean search process, and some of the key considerations for finding an institution that is a good match for the candidate. Finally, the panel will explore post-deanship career opportunities, including becoming a university provost or president.

The Section held a virtual business meeting prior to the Annual Meeting.

8:30 am – 10:15 am

**SECTION ON LAW & THE SOCIAL SCIENCES***Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel***Empirical Research in Business Law Works-in-Progress**

- Moderator:** David Y. Kwok, University of Houston Law Center
- Speakers:** John P. Anderson, Mississippi College School of Law  
 Robert Anderson, Pepperdine University, Rick J. Caruso School of Law  
 Christopher G. Bradley, University of Kentucky College of Law  
 Pamela Foohey, Indiana University Maurer School of Law  
 Joan M. Heminway, University of Tennessee College of Law  
 Jeremy McClane, University of Illinois College of Law  
 Jordan Neyland, Antonin Scalia Law School at George Mason University  
 Seth C. Oranburg, Duquesne University School of Law  
 Jennifer Randolph Reise, Mitchell Hamline School of Law  
 Shauhin A. Talesh, University of California, Irvine School of Law  
 Tom R. Tyler, Yale Law School  
 Daniel Walters, The Pennsylvania State University – Penn State Law

The speakers will discuss various empirical research projects concerning business law. These projects include early stage proposals and work that already has some results.

8:30 am – 10:15 am

**SECTION ON LAW & ANTHROPOLOGY***Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Becoming Authoritative**

- Moderator and Speaker:** Mary D. Fan, University of Washington School of Law
- Speakers:** Deepa Das Acevedo, University of Alabama School of Law  
 Jessie Allen, University of Pittsburgh School of Law  
 Elizabeth E. Mertz, University of Wisconsin Law School

In a time of fractured trust, how we create authority-- the power to influence and command trust, or at least deference -- is a timely and important question. This panel offers fresh perspectives on how we create authoritativeness in different contexts, drawing on anthropological insights and empirical methods. A book project explores how Anglo-American legal adjudication uses ritual and rites associated with magic in non-Western cultures. Another project explores the use of religious and quasi-religious secular language in the law and the ceremonial aspects of how we convey real property. Additionally, another work is about the relationship between secular governance in India and managing Hindu religious institutions. Another scholar explores aspects of the sacred and the construction of law's sovereignty. A book project explores attempts to discredit politically inconvenient scientific authority. An empirical study explores the construction of the U.S. law professoriate with a focus on race and gender dynamics.

Business meeting at program conclusion.

## PROGRAM SCHEDULE

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8:30 am – 10:15 am

### SECTION ON LAW & RELIGION, CO-SPONSORED BY CONSTITUTIONAL LAW

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### The Future of the Establishment Clause, and the Court's Shadow Docket

**Moderator:** Stephanie Barclay, Brigham Young University, J. Reuben Clark Law School

**Speakers:** Steven K. Green, Willamette University College of Law  
Audra Savage, Emory University School of Law  
Nomi M. Stolzenberg, University of Southern California Gould School of Law  
Mark Storslee, The Pennsylvania State University – Penn State Law  
Asma Uddin, Esq., Research Fellows, Berkley Center for Religion, Peace & World Affairs

What is the Supreme Court's trajectory on Establishment Clause issues, particularly in light of its recent decision in *American Legion v. American Humanist Association*? This panel explores that important question, as well as what other clues can be gleaned from the Court's shadow docket about looming law and religion issues.

Business meeting at program conclusion.

8:30 am – 10:15 am

### SECTION ON NATIONAL SECURITY

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Statutes as a Constraint on the President in National Security

**Moderator:** Dakota Rudesill, The Ohio State University, Michael E. Moritz College of Law

**Speakers:** Jennifer Daskal, American University, Washington College of Law  
Laura K. Donohue, Georgetown University Law Center  
Kristen Eichensehr, University of California, Los Angeles School of Law  
Stephen Slick, University of Texas at Austin LBJ School of Public Affairs

A framework of statutes provides the superstructure of the national security legal regime. Congressional enactments govern and regulate issues at the fulcrum of the liberty/security balance, including surveillance and other intelligence activities, use of force, cyber operations, and emergency powers. These statutes also shape and constrain decision-making by the President. Additionally, the statutory architecture operates in tension with individual constitutional rights and the administrative state's expansive interpretive latitude and operational capacities. This expert panel will assess the state of the national security statutory regime and its prospects in the context of presidential power; embattled norms; and accelerating change in technology and the global security environment.

Business meeting held at conclusion of section program on January 3, from 8:30 am – 10:15 am.

8:30 am – 10:15 am

### SECTION ON PART-TIME DIVISION PROGRAMS

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Pedagogy and Pragmatism: Challenges of Teaching Part-Time Students

**Moderator:** Jenifer Robbins, Chicago-Kent College of Law, Illinois Institute of Technology

**Speakers:** Christopher Engle-Newman, University of Denver Sturm College of Law  
Louis N. Schulze, Jr., Florida International University College of Law  
Kirk Walter, Loyola University Chicago School of Law

Part-time students can present some unique teaching challenges. While they often have professional and life experiences that enrich their understanding of the curriculum, part-time students may struggle to balance academic work and other serious obligations such as full-time employment. In addition, unique scheduling issues may create conflicts around course choice, clinic, externships, networking opportunities, and campus



events. What pedagogical strategies might be used to keep students who have worked all day completely engaged in an evening course? How might law schools structure curricular choices to maximize impact for part-time students? What advice should instructors give about meeting experiential requirements or seeking outside legal experience when a student is employed full-time? How might bar preparation differ for a part-time student? The panel will explore these topics and more with an interactive look at innovations, aspirations, and best practices from part-time, evening, and weekend programs around the nation.

Business meeting at program conclusion.

9 am – 5 pm

## AALS SYMPOSIUM

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

### 21st Century Policing

For sessions and speaker details, please see the complete listing under extended programs on page 122.

Policing extends into many parts of government, including not only the criminal justice system, but also welfare, housing, health, immigration, local government—almost all areas of life. This program reaches across multiple disciplines to investigate the nature and role of the public police, and the way they interact with discrete, often marginalized communities. Too often, discussions of policing fall into narrow academic specializations that provide a partial perspective on what the police do and how to regulate them. Instead of addressing either the sociological, the legal, or the political theoretical issues raised by the police and policing in isolation from each other, this program addresses policing from multiple perspectives, simultaneously. The guiding idea of this symposium is that these different issues and interests are interrelated, and bringing them together can provide useful insights into the problems of policing that an emphasis on Fourth Amendment doctrine misses. Modified versions of these presentations were published in *The Cambridge Handbook on Policing in the United States* (2019).

9 am – 12 pm

## SECTION ON SOCIO-ECONOMICS

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Populism, Electoral Politics, and Socio-Economic Justice

For sessions and speaker details, please see the complete listing under extended programs on page 124.

Business meeting at program conclusion.

9 am – 10:30 am

## COFFEE WITH COLLEAGUES

*Exhibit Hall C, Exhibition Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

## PROGRAM SCHEDULE

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9 am – 12 pm

### SECTION ON POST-GRADUATE LEGAL EDUCATION, CO-SPONSORED BY GRADUATE PROGRAMS FOR NON-U.S. LAWYERS

*Thurgood Marshall West, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Is it Time to Self-Regulate? Devising More Formal Standards and Guidelines in Post-Graduate Legal Education

**Moderator and Speaker:** Karen Shaw, Loyola University Chicago School of Law

**Speakers:**

Melissa Berry, Lane Powell

Camille deJorna, Senior Director for Strategic Initiatives and Global Services,  
Law School Admission Council

Theresa K. Kaiser-Jarvis, The University of Michigan Law School

Sarah Kelly, St. John's University School of Law

John N. Riccardi, Boston University School of Law

Clara Solomon, New York University School of Law

John B. Thornton, Northwestern University Pritzker School of Law

This program will explore whether there are sufficient standards and guidelines for the efficient and effective implementation of post-graduate law programs. Do administrators and professors in this field want to self-regulate, beginning where acquiescence ends and move towards formalizing best practices? Or, because post-graduate legal education is so diverse in its delivery models, student populations, and programmatic oversights, is any undertaking to self-regulate feasible? This program will allow for insightful and critical discussion as well as an opportunity for attendees to engage and reflect upon areas of the field that can benefit from self-regulation.

Business meeting at program conclusion.

10:30 am – 12:15 pm

### LAW SCHOOL ADMISSION COUNCIL PROGRAM

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### Law School Rankings: Conversation and Q&A with Robert Morse and Kellye Testy

**Moderator:** Kellye Y. Testy, President and CEO, Law School Admission Council

**Speaker:**

Robert Morse, Chief Data Strategist, *U.S. News & World Report*

While members of the legal academy have disparate views about the *U.S. News & World Report* law school rankings, there is strong agreement that they are influential. University leadership, alumni, students, applicants, employers, and legal academics not only pay attention but also make significant decisions based upon the rankings. Adding further interest was the announcement that a new ranking based on faculty scholarship is forthcoming. In this session, Kellye Testy, former AALS President, law school dean and now LSAC President & CEO will host a conversation and Q&A with Robert Morse, the chief data strategist for *U.S. News & World Report* about all things “rankings.” Please attend for a lively session with an opportunity to hear directly from the architect of the law school rankings.

10:30 am – 12:15 pm

**AALS OPEN SOURCE PROGRAM***Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***En/Countering Race, Racism, and Racial Distinctions in Tax Law****Moderator and Speaker:** Victoria J. Haneman, Creighton University School of Law

**Speakers:** Dorothy Andrea Brown, Emory University School of Law  
 Francine J. Lipman, University of Nevada, Las Vegas, William S. Boyd School of Law  
 Nicholas A. Mirkay, III, University of Hawaii, William S. Richardson School of Law  
 Palma Joy Strand, Creighton University

The United States today is far from the post-racial world that was thought theoretically possible with the election of Barack Obama in 2008. This panel is designed to continue a dialogue exploring the system of privilege enmeshed in the economy of the United States that creates obstacles and challenges for ethnic and racial minorities. Panelists will consider the ways in which tax laws that appear neutral are not in fact neutral in impact—often serving to exacerbate preexisting inequalities. Panelists step beyond traditional legal analysis to challenge conventional wisdom, exploring the way in which the Internal Revenue Code subordinates some while privileging others and illustrating how tax subsidies cut sharply along racial lines. Proposed tax policy reforms will also be discussed.

10:30 am – 12:15 pm

**AALS ARC OF CAREER PROGRAM***Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Teaching Abroad: For Visitorships, Sabbaticals, Retirement and Summer Programs**

**Moderators:** Marian Dent, Dean, Pericles International Law Center  
 Diane Penneys Edelman, Villanova University Charles Widger School of Law

**Speakers:** Elisabeth Baraka, Director of the Asia & the Pacific Division, American Bar Association DC  
 Ronnie R. Gipson, Jr., University of La Verne College of Law  
 Carol R. Goforth, University of Arkansas, Fayetteville, Robert A. Leflar Law Center  
 John Smagula, Temple University, James E. Beasley School of Law  
 Clayton Steele, Brooklyn Law School  
 Julie Taylor, Director of Academic Relations, Fulbright Scholar Program of the United States Department of State and Institute of International Education

Teaching abroad can be a fun and rewarding experience, a career boost, a jump into a new teaching direction, or a way to regain inspiration. If not properly thought out, it can be a nightmare. This discussion will cover what to expect from the experience, including professional concerns such as adapting your curriculum, teaching to non-native speakers, and making materials relevant to non-US students. The panel will cover some of the possible personal and family challenges in moving temporarily abroad. Attendees will also learn about professional opportunities through organizations such as ABA ROLI, Fulbright, and others, as well as international funding through foreign university visitor programs. Audience members may also share their own teaching abroad experiences and what they would have wanted to know right before they taught abroad.

## PROGRAM SCHEDULE

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10:30 am – 12:15 pm

### SECTION ON ART LAW, CO-SPONSORED BY COMPARATIVE LAW AND CONSTITUTIONAL LAW

*Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Comparative Perspectives on Controversial Public Monuments

**Moderator:** Irene Calboli, Texas A&M University School of Law

**Speakers:** Deborah Gerhardt, University of North Carolina School of Law  
Paul Jaskot, Professor of Art, Art History, and Visual Studies, Duke University  
Mark S. Kende, Drake University Law School  
Sanford Levinson, The University of Texas School of Law  
William Sturkey, Assistant Professor of History, University of North Carolina at Chapel Hill

As regimes change and public values evolve, controversial public monuments often warrant reexamination. Our panel will explore the complex considerations involved in decisions to change or remove public monuments. The panel will bring together experts from law, history, and art to explore and compare how different countries have handled this controversial topic. Our panelists will share their expertise on how Germany and South Africa dealt with monuments of defeated regimes and compare their treatment with that of confederate monuments in the United States.

The Section held a virtual business meeting prior to the Annual Meeting.

10:30 am – 12:15 pm

### SECTION ON EUROPEAN LAW

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### European and Comparative Law Works in Progress: Gender Equality, Surveillance Capitalism, and Empires

**Moderator:** Mathilde Cohen, University of Connecticut School of Law

**Speakers from a Call for Papers:**

Elettra Bietti, S.J.D. Candidate, Harvard Law School  
Christian Burset, Notre Dame Law School  
Christine Chambers Goodman, Pepperdine University, Rick J. Caruso School of Law  
Ivana Isailovic, Fellow, Max Planck Institut

**Commentators:**

Daniela Caruso, Boston University School of Law  
Faisal Chaudhry, University of Dayton School of Law  
Fernanda Giorgia Nicola, American University, Washington College of Law  
Darren Rosenblum, Pace University Elisabeth Haub School of Law

In this panel, scholars will present and receive feedback on work-in-progress papers pertaining to European and Comparative Law spanning a variety of topics. The question of gender justice will be examined from the twin perspective of family law and judicial diversity. The governance of personal data under EU law will be analyzed and critiqued. Finally, the role of colonialism in shaping the rule of law in Britain and the United States will be brought to the forefront.

10:30 am – 12:15 pm

**SECTION ON ISLAMIC LAW, CO-SPONSORED BY CRIMINAL JUSTICE***Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Islamic Law and the Idea of Mass Incarceration**

- Moderator:** W. David Ball, Santa Clara University School of Law
- Speakers:** Mostafa Amini, Data Scientist, Harvard Medical School  
 Anwar Ouassini, Ph.D., Assistant Professor of Sociology and Criminal Justice, Delaware State University College of Humanities, Education, and Social Sciences  
 Amir A. Toft, Ph.D. Candidate, The University of Chicago Division of the Humanities Near Eastern Languages and Civilizations  
 Adnan A. Zulfikar, Rutgers Law School

The panel will broadly address topics relating to Islamic criminal law from any historical period or geographic region. Particular interest will be in papers that focus on the range of issues raised by contemporary discussions of mass incarceration in the United States. The goal is to explore how Islamic law might respond, react, embrace, or reject mass incarceration and its associated topics. Papers might explore theories of punishment in Islamic law, juristic responses to the rise of prisons, notions of disparate treatment in sentencing, the role of race, challenges of overcriminalization, and so on.

Business Meeting will be held Saturday, January 4 from 7 am to 8:30 am.

10:30 am – 12:15 pm

**SECTION ON JURISPRUDENCE***Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel***New Jurisprudence Scholars Panel**

- Moderator:** Nicolas Cornell, The University of Michigan Law School
- Commentators:** Stephen Galoob, The University of Tulsa College of Law  
 Mark A. Graber, University of Maryland Francis King Carey School of Law  
 Joshua Kleinfeld, Northwestern University Pritzker School of Law  
 Youngjae Lee, Fordham University School of Law

**Works-in-Progress Presenters:**

- Samantha Godwin, Yale Law School  
 Guha Krishnamurthi, Harvard Law School  
 Matthew Seligman, Benjamin N. Cardozo School of Law  
 Kevin Tobia, Experimental Law and Economics Fellow, ETH Zurich Center for Law & Economics

New scholars from the Section will present recent work, with comments by mentors and discussion with the audience.

10:30 am – 12:15 pm

**SECTION ON LAW & INTERPRETATION***Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Statutory and Constitutional Interpretation: Will Justices Gorsuch and Kavanaugh Make a Difference?**

- Moderator:** Karen Petroski, Saint Louis University School of Law
- Speakers:** Jamal Greene, Columbia Law School  
 Lee J. Strang, University of Toledo College of Law  
 Nina Varsava, University of Wisconsin Law School

## PROGRAM SCHEDULE

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### *Law & Interpretation, continued*

President Trump's appointments of Neil Gorsuch and Brett Kavanaugh to the Supreme Court of the United States could be among the most long-lasting impacts of his presidency. The panel will examine the impact to date and possible future influence of these two new justices on legal interpretation, especially statutory and constitutional interpretation.

The Section held a virtual business meeting prior to the Annual Meeting.

10:30 am – 12:15 pm

### **SECTION ON LAW SCHOOL ADMINISTRATION & FINANCE**

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Law School Business Update for Deans, Associate Deans and Other Law School Leaders**

**Moderator:** James Crosset, University of Cincinnati College of Law

**Speakers:** William H. Byrnes, Texas A&M University School of Law  
Frederick Joutz, Ph.D., Professor of Economics, The George Washington University  
Hari Michele Osofsky, The Pennsylvania State University – Penn State Law  
Rebecca Scheller, University of Wisconsin Law School

Business meeting at program conclusion.

10:30 am – 12:15 pm

### **SECTION ON LEGAL WRITING, REASONING, & RESEARCH**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Developing Effective Communication Skills in an Era of Polarization**

For sessions and speaker details, please see the complete listing under extended programs on page 125.

This program will focus on how to have difficult conversations, given the polarized climate, by addressing topics such as how to increase civility, how to incorporate teaching cultural competency into courses, how to foster an environment of inclusion, and how to negotiate to find common ground.

10:30 am – 12:15 pm

### **SECTION ON NONPROFIT & PHILANTHROPY LAW**

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Charitable Giving and the 1969 Tax Act: 50 Years Later**

**Moderator and Speaker:** Roger Colinvaux, The Catholic University of America, Columbus School of Law

**Speakers:** Dana Brakman Reiser, Brooklyn Law School  
Ray D. Madoff, Boston College Law School  
Khrista McCarden, Tulane University Law School

Noted scholars of philanthropy will consider the impact of the 1969 Tax Reform Act on charitable institutions and donor incentives.

Business meeting at program conclusion.

12:15 pm – 1:30 pm

### **SECTION ON GRADUATE PROGRAMS FOR NON-U.S. LAWYERS LUNCHEON**

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

**SECTION ON LAW SCHOOL ADMINISTRATION & FINANCE LUNCHEON***Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

There is an additional fee to attend this meal event and tickets are limited. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

12:15 pm – 1:30 pm

**SECTION ON SOCIO-ECONOMICS LUNCHEON – CANCELLED**

1:30 pm – 3 pm

**COFFEE WITH COLLEAGUES***Convention Registration Foyer, Lobby Level, Washington Marriott Wardman Park Hotel*

Connect with old friends and colleagues, meet new ones, or map out your schedule for the day over a cup of coffee or tea. Breaks include coffee, tea, and pastries in the morning and coffee, tea, and cookies in the afternoon.

1:30 pm – 3:15 pm

**AALS PRESIDENTIAL PROGRAM***Marriott Ballroom Salon 2, Lobby Level, Washington Marriott Wardman Park Hotel***Representation, Voting, and Sustainable Constitutional Democracy****Moderator:** Thomas Ginsburg, The University of Chicago, The Law School

**Speakers:** Guy-Uriel E. Charles, Duke University School of Law  
 Pamela S. Karlan, Stanford Law School  
 Michael T. Morley, Florida State University College of Law  
 Kim Lane Scheppele, Professor, Woodrow Wilson School of Public and International Affairs Princeton University

The United States has held national elections for representatives and the president on schedule since 1789. Such elections provide the base of legitimacy for our democratic, representative self-government. This panel will consider whether recent developments – including changing jurisprudence and enforcement of the Voting Rights Act, the system of campaign finance regulation, increasingly sophisticated gerrymandering, the impact of the Senate’s structure on the Electoral College, and changes in how Congress works - put this legitimacy base at risk. Threats to the integrity of election results, from alleged voter suppression, fraud, or foreign interference, are of increasing concern. Political parties are moving towards realignment, but are they working as filters for leadership and organizers of effective coalitions for action or are they, in Kim Scheppele’s words, “failing the people”? What changes, if any, should be considered in response to these phenomena? Is democratic legitimacy at risk? If so, what steps can be taken to better secure its foundation? Such questions will be addressed by the panel.

1:30 pm – 3:15 pm

**AALS DISCUSSION GROUP***Roosevelt 5, Exhibition Level, Washington Marriott Wardman Park Hotel***If, How, and When: Politics and Priorities in the Classroom****Discussion Group Moderators:**

Bradford Colbert, Mitchell Hamline School of Law  
 Claire Donohue, Boston College Law School  
 Laurie S. Kohn, The George Washington University Law School

**Discussion Group Participants:**

Christine E. Cerniglia, Stetson University College of Law  
 Rodger Daniel Citron, Touro College, Jacob D. Fuchsberg Law Center  
 Sherley Cruz, University of Tennessee College of Law  
 Russell C. Gabriel, University of Georgia School of Law  
 Iselin Gambert, The George Washington University Law School  
 David Anthony Santacroce, The University of Michigan Law School

## PROGRAM SCHEDULE

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### *AALS Discussion Group, continued*

Law professors are an opinionated group of people. In this program, panelists will discuss whether and to what extent law professors should bring those opinions into class.

As we teach in a partisan time, in institutions that are ostensibly intended to support the pillars of democracy, professors are forced to question their supposedly neutral role in the classroom. The subjects they teach or the clients they represent sit at the center of incredibly important societal issues of inclusion and exclusion, including mass incarceration, poverty, race, gender, religion, and immigration – issues that are the center of the ideological divide. Some clinical faculty in particular witness that the fair application of law is not available for all clients and that the law fails to uphold a democracy that protects many clients. Other faculty also face similar questions, inquiries, and challenges in other academic contexts. Scholars and practitioners are left asking if the system is broken or working as designed but for a flawed purpose?

In the face of these observations, some hear and want to answer a call to rebellious lawyering – lawyering and teaching toward radical social change. Others feel inclined to take up these questions in our varied classrooms in order to give voice to critical legal theory, debate, and activism. But we must acknowledge the power that we are given in the front of the classroom and the risk of forcing our political points of view on our students. With our obligation and commitment to maintaining a classroom that is hospitable to students with all viewpoints, how can we engage in a discussion about the critical challenges to our democracy without leaving some students out? How can we responsibly express our own views in class? Are we capable of noticing our own biases and then naming that bias for our students? Can we weigh in on the pillars of democracy while leaving our own politics and preferences at the door, or is the opposite true, that we must be open about our orientation if we are going to ask our students to do the same?

1:30 pm – 3:15 pm

### **SECTION ON ADMINISTRATIVE LAW**

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### **Administrative Law Perspectives Beyond the Liberal/Conservative Divide: A Panel Discussion**

**Moderator:** Jack Michael Beermann, Boston University School of Law

**Speakers:** Ronald M. Levin, Washington University in St. Louis School of Law  
Jennifer L. Mascott, Antonin Scalia Law School at George Mason University  
Jeffrey Pojanowski, Notre Dame Law School  
Mila Sohoni, University of San Diego School of Law

The program will involve a discussion among a panel of scholars with diverse viewpoints concerning different overarching perspectives on administrative law and the administrative state such as neo-classicism, pragmatism, skepticism, and administrative supremacism. Given the recent reinvigoration of attacks on the administrative state, participants will address their perspectives and how these perspectives would apply to various important issues in administrative law and to the questions of legitimacy that continue to haunt it. The program is structured with short initial presentations and then a moderated discussion allowing for brief points and interchange among the panelists and the audience. The program takes Jeff Pojanowski's article "Neoclassical Administrative Law," 133 HARV. L. REV. \_\_ (forthcoming 2019) as its jumping off point.



1:30 pm – 3:15 pm

**SECTION ON GRADUATE PROGRAMS FOR NON-U.S. LAWYERS, CO-SPONSORED BY POST-GRADUATE LEGAL EDUCATION***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Downward Trend of International Recruitment and an Uncertain Political Climate****Moderator:** Lawrence M. Solan, Brooklyn Law School**Speakers:** Peter Cramer, Director of LLM Services, Senior Consultant, Spivey Consulting Group

Gabrielle L. Goodwin, Indiana University Maurer School of Law

Erica Lutes, Executive Director, Fulbright Belgium

Vishnu Prasad, Chief Executive Officer, Law Pundits

Alessandra Tarissi De Jacobis, Partner, De Berti Jacchia Franchini Forlani Studio Legale

An uncertain political climate might affect the inflow of international graduate students in the United States. On one side, recent reports from Open Doors and LSAC suggest that organic inflow of students from foreign countries is on a downward trend. On the other side, political turmoil in these countries seems to affect the way some institutions approach recruitment in those areas. How should law schools address these challenges?

Business meeting at program conclusion.

1:30 pm – 3:15 pm

**SECTION ON INSTITUTIONAL ADVANCEMENT***Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel***Media Outlook 2020: Breaking News in Legal and Higher Education****Moderator:** James Greif, Director of Communications, Association of American Law Schools**Speakers:** Scott Jaschik, Editor, Inside Higher Ed  
Chris Quintana, Education Enterprise Reporter, USA Today  
Karen Sloan, Staff Reporter, National Law Journal

The last few years have brought uncertainty in higher education and legal education policy. Congressional gridlock has stalled reauthorization of the Higher Education Act. In addition, recent and proposed changes to Department of Education, American Bar Association, and state bar regulations have left college and law school administrators wondering what the future may hold. For this panel, the country's top legal and higher education reporters and editors present their analysis of what policy changes we may see this year in the run-up to the 2020 election.

1:30 pm – 3:15 pm

**SECTION ON INTELLECTUAL PROPERTY, CO-SPONSORED BY ART LAW AND INTERNET & COMPUTER LAW***Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Museums, Virtual Museums and Intellectual Property****Moderator:** Christine Haight Farley, American University, Washington College of Law**Speakers:** Irene Calboli, Texas A&M University School of Law  
Jorge L. Contreras, University of Utah, S. J. Quinney College of Law  
Tonya M. Evans, University of New Hampshire Franklin Pierce School of Law  
Brian L. Frye, University of Kentucky College of Law  
Amy Werbel, Ph.D., Associate Professor of Art History, Fashion Institute of Technology  
Claudia Zapata, Latinx Art Curatorial Assistant, Smithsonian American Art Museum

## PROGRAM SCHEDULE

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### *Intellectual Property, continued*

Digital museums disseminated over technology platforms and social networks are increasingly popular. However, these social networks raise a number of legal issues including copyright law, trademark law, right of publicity law, and data protection. This panel will explore some of the key issues facing museums involved in curating interactive online exhibitions or smartphone apps that are backed up with social media strategies and crowdfunding options. It will also offer “best practices” suggestions concerning what museums can do to ensure their activities comply with relevant intellectual law regimes.

1:30 pm – 3:15 pm

### **SECTION ON ISLAMIC LAW**

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Islamic Law and the Problem of Slavery**

**Moderator:** Adnan A. Zulfiqar, Rutgers Law School

**Speakers:** Haider Ala Hamoudi, The University of Pittsburgh School of Law  
Bernard K. Freamon, Seton Hall University School of Law

This session is a discussion between panelists and Professor Bernard Freamon about his new book *Possessed by the Right Hand: The Problem of Slavery in Islamic Law and Muslim Cultures*.

1:30 pm – 3:15 pm

### **SECTION ON LAW LIBRARIES & LEGAL INFORMATION**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **Turning Fee into Free: Strategies and Success in Democratizing Access to Law**

**Moderator:** Todd G.E. Melnick, Fordham University School of Law

**Speakers:** Barbara Bavis, Legal Reference Librarian, Law Library of Congress  
Kristen Gullickson, Senior Systems Analyst, United States Office of the Clerk of the House of Representatives  
Rebecca Williams, Board Member, DC Legal Hackers  
Adam Ziegler, Harvard Law School

Accessible sources of law are necessary for legal education, legal practice, and a well-functioning society. Historically, the most useful, accessible and, feature-rich sources come from commercial sources. However, trends are changing, and viable and valuable law is now available directly from the sources that produce them. At the federal level, projects such as Congress.gov and Regulations.gov give us robust tools, authenticated content, and real-time changes. Many similar examples exist at the local and state level. This session will feature leaders who are developing tools that help democratize our access to the law. They will discuss strategies for fostering and integrating these efforts, while exploring ways that law schools can and must support efforts to expand and help sustain sources of free law.

1:30 pm – 3:15 pm

### **SECTION ON LAW, MEDICINE & HEALTH CARE, CO-SPONSORED BY BIOLAW**

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### **2020 Visions in Biological Innovation, Medicine, and the Public Health**

**Moderator:** Jordan Paradise, Loyola University Chicago School of Law

#### **Speakers from a Call for Papers:**

Alexandra L. Foulkes, Law Clerk to the Honorable Timothy D. DeGiusti, United States District Court for the Western District of Oklahoma  
George Horvath, University of California, Berkeley School of Law  
Craig Konnoth, University of Colorado Law School

This program will explore current issues in public health and medicine as connected to innovations in the life sciences. Topics include FDA regulatory approaches to off-label drug risks, potential liability of clinical genetics laboratories based on medical malpractice theory, and health information regulation under the Twenty-First Century Cures Act.

Papers from this program will be published in the *Annals of Health Law & Life Sciences*.

1:30 pm – 3:15 pm

### SECTION ON SOCIO-ECONOMICS

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Roundtable on Achieving Greater Economic Justice as a Means of Achieving Greater Racial Justice

**Moderator and Speaker:** Robert Ashford, Syracuse University College of Law

**Speakers:**

Andrea J. Boyack, Washington University School of Law

Philip L. Harvey, Rutgers Law School

Eric J. Miller, Loyola Law School, Los Angeles

Yolanda Pierce, Howard University School of Divinity

Rodney S. Sadler, Jr., Associate Professor of Bible, Union Presbyterian Seminary

Carlton M. Waterhouse, Howard University School of Law

In the last years of his life, based on his words and deeds, Rev. Dr. Martin Luther King, Jr. seemed to place ever greater emphasis on achieving economic justice for all American citizens, regardless of race, as an effective strategy for achieving greater racial justice for African-American citizens. This roundtable will present various perspectives from panelists and participating members of the audience regarding this strategy and other strategies in light of today's political and economic realities.

3:30 pm – 5:15 pm

### SECTION ON BALANCE IN LEGAL EDUCATION

*Roosevelt 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Legal Workplace Inequities and Impact on Women's Health

**Moderator:** Deborah Lee Borman, University of Arkansas at Little Rock, William H. Bowen School of Law

**Speakers:**

Michelle Ceynar, Ph.D., Professor of Psychology & Chair of the Faculty, Pacific Lutheran University

Leila Jade Levi, Esq., Senior Counsel, National Women's Law Center

The negative impact of academic workplace inequities may impact law school teaching and affect law students and their views of the structure of the legal workplace. Law school leaders and firm leaders may be unaware of the adverse physical and mental health outcomes resulting from workplace inequities. Professor Ceynar will discuss the study described in her article, "Dancing Backwards in High Heels: Female Professors Experience More Work Demands and Special Favor Requests, Particularly from Academically Entitled Students," and make recommendations for improvement of inequities for women in the workplace. Attorney and Hispanic Bar President Leila Jade Levi will discuss the inequities in the legal profession that lead to a disintegration of well-being for lawyers. Levi works to improve how lawyers of color, particularly female lawyers of color, navigate the legal profession, whether improving boundaries at work, handling microaggressions, or thoughtful self-care for improvement of the treatment of lawyers.

## PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

### SECTION ON GRADUATE PROGRAMS FOR NON-U.S. LAWYERS, CO-SPONSORED BY POST-GRADUATE LEGAL EDUCATION

*Virginia Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Graduate Programs for Non-US Lawyers Offered by Law Schools Abroad

**Moderator:** Aaron Ghirardelli, Loyola Law School, Los Angeles

**Speakers:** Adam Dubin, Assistant Professor of Human Rights Law, Comillas Pontifical University  
Qingjiang Kong, Dean, School of International Law, China University of Political Science and Law  
Oreste Pollicino, Full Professor of Constitutional Law, Bocconi University  
Pietro Sirena, Dean and Professor of Law, Bocconi University

Law schools in the United States are not the only option for non-US lawyers interested in advancing their legal education. An increasing number of law schools in other countries have been offering graduate programs taught in English for international law graduates and lawyers. This presentation welcomes administrators of these programs to provide an overview of the many interesting options that non-US lawyers currently have.

3:30 pm – 5:15 pm

### SECTION ON IMMIGRATION LAW

*Roosevelt 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Scaling the Invisible Wall: Bureaucratic Controls Over Legal Immigration

**Moderator:** Ming Hsu Chen, University of Colorado Law School

**Speakers:** Diane Rish, Associate Director of Government Relations, American Immigration Lawyers Association  
Emily Ryo, University of Southern California Gould School of Law

#### Speakers from a Call for Papers:

Shruti Rana, Professor of International Law Practice; Director of the BA in International Law and Institutions Program, Indiana University  
Ayelet Shachar, Professor, University of Toronto Faculty of Law

This session will examine the “invisible wall,” a term that refers to non-statutory hurdles faced by legal immigrants. Executive branch actions at times affect access to legal immigration despite statutory opportunities. Changes in agency policy, changes in agency mood, or other phenomena can narrow the availability of legal opportunities for immigration. Examples of the invisible wall include preventing asylum seekers from accessing the border, increased denial rates of applications for legal status, and slower processing times of applications for legal status. The invisible wall implicates separation of powers principles because it questions the boundaries of executive branch enforcement. It also challenges notions of transparency in administrative law and raises questions about how attorneys should respond to the challenges of the invisible wall. The invisible wall also highlights the need to explore the principles that should influence the design and governance of a legal immigration system.

3:30 pm – 5:15 pm

**SECTION ON INTERNATIONAL LEGAL EXCHANGE, CO-SPONSORED BY CLINICAL LEGAL EDUCATION, COMPARATIVE LAW, AND TEACHING METHODS**

*Virginia Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

**What Translates? Investigating Those Aspects of U.S. Law That Are Viewed as Inspiring and Aspirational**

- Moderator:** Gabrielle L. Goodwin, Indiana University Maurer School of Law
- Speakers:** Charles Altman, Adjunct Professor, Benjamin N. Cardozo School of Law  
William V. Dunlap, Quinnipiac University School of Law  
Lara Gose, Indiana University Maurer School of Law  
Carwina Weng, Indiana University Maurer School of Law

Within the U.S. legal community, our legal system is often viewed as inherently worthy of emulation. Concepts such as due process and the right to a jury trial in criminal matters are so inherently appropriate that we may not recognize that other aspects of our system may be viewed as historic anachronisms or simply inequitable or inefficient. Various examples will be offered by panelists.

Business meeting at program conclusion.

3:30 pm – 5:15 pm

**SECTION ON LAW & INTERPRETATION, CO- SPONSORED BY INTELLECTUAL PROPERTY**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**Corpus Linguistics and Intellectual Property**

- Moderator:** Ann Bartow, University of New Hampshire Franklin Pierce School of Law
- Speakers:** Eric Goldman, Santa Clara University School of Law  
Joe Miller, University of Georgia School of Law  
Jason Rantanen, University of Iowa College of Law  
Zahr Said, University of Washington School of Law  
Mike Teodorescu, Assistant Professor, Boston College Carroll School of Management  
Ryan Whalen, The University of Hong Kong

The biggest development in conflict of laws in the last 100 years is the move to party autonomy. The panel will discuss issues relating to the interpretation and enforcement of choice-of-law clauses, forum selection clauses, and arbitration clauses. It will also discuss the reasons why parties may choose to arbitrate or litigate future disputes at the time of contracting.

# PROGRAM SCHEDULE

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3:30 pm – 5:15 pm

## SECTION ON LAW & MENTAL DISABILITY

*Roosevelt 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Neuroscience and the Law

**Moderator:** Jennifer D. Oliva, Seton Hall University School of Law

**Speakers:** Jennifer S. Bard, University of Cincinnati College of Law  
Teneille Brown, University of Utah, S. J. Quinney College of Law  
Jane Campbell Moriarty, Duquesne University School of Law  
Stacey A. Tovino, University of Nevada, Las Vegas, William S. Boyd School of Law

This program will examine cutting edge and controversial linkages between law and neuroscience. It aims to highlight the neuroscientific basis for behavior patterns with legal implications, including how neuroscience intersects with civil law, criminal law, evidentiary rules, memory bias and enhancement, lie and deception detection, adolescent brains, and juvenile law. The program will look critically at efforts to use neuroimaging in court in connection with predictions of dangerousness and predispositions towards mental illness and substance abuse, as well as efforts to identify neurobiological influences on the brain.

Business meeting at program conclusion.

3:30 pm – 5:15 pm

## SECTION ON MINORITY GROUPS

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### The (Ir)Relevance of Law in a Minority-Majority America

**Moderator:** L. Song Richardson, University of California, Irvine School of Law

**Speakers:** Sahar Aziz, Rutgers Law School  
Norrinda Hayat, Rutgers Law School  
Kevin R. Johnson, University of California, Davis, School of Law  
Joshua Sellers, Arizona State University Sandra Day O'Connor College of Law

Due to a combination of socio-economic and legal factors, the United States population is transitioning from a white majority to a minority-majority population. By 2045, demographers predict the population will be comprised by less than fifty percent of white people for the first time in U.S. history. The political consequences of this shift are already being felt through the rise of white nationalist politics and legal maneuvers to impede the growing political influence of racial minorities. Whether through changes to elections, immigration, or the Census, the law is being weaponized to maintain political and economic power within the nation's white elite. At the same time, racial minorities and their white allies are challenging such efforts that ultimately undermine the nation's majoritarian democratic system. This panel explores the extent of the law's impact in a racialized political struggle that could arguably change the composition and operating principles of the nation's elites.

3:30 pm – 5:15 pm

**SECTION ON NATIONAL SECURITY***Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***National Security Law Works-in-Progress**

**Commentators:** Emily Berman, University of Houston Law Center  
 Jennifer Daskal, American University, Washington College of Law  
 Milena Sterio, Cleveland-Marshall College of Law at Cleveland State University

**Works-in-Progress Presenters:**

Brian Cox, Cornell Law School  
 Brian Haney, Founder & CEO, Martian Technologies  
 Maryam Jamshidi, University of Florida Fredric G. Levin College of Law  
 Deborah Pearlstein, Benjamin N. Cardozo School of Law

Scholars of all levels will present and receive feedback on works-in-progress pertaining to national security law. Presenters were selected from a call for papers. Commenters will be assigned to each paper.

3:30 pm – 5:15 pm

**SECTION ON SCHOLARSHIP, CO-SPONSORED BY ASSOCIATE DEANS FOR ACADEMIC RESEARCH, FOR THE LAW SCHOOL DEAN AND LAW & THE SOCIAL SCIENCES***Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel***Proposals for Law Journal Reform & Journal/Author Best Practices: Notice and Comment**

This session brings together authors and other law publishing stakeholders to discuss the future of legal publishing. What is working well in student-edited journals? What are the areas that need improvement? The section will collect public questions and comments in advance for discussion with roundtable participants and audience members. The discussion will focus on the section of Scholarship's Draft Proposal for Journal Reform, also to circulate in advance of the session.

3:30 pm – 5:15 pm

**SECTION ON TECHNOLOGY, LAW & LEGAL EDUCATION***Maryland Suite C, Lobby Level, Washington Marriott Wardman Park Hotel***Robotics and AI: Legal and Ethical Frameworks**

**Moderator:** Miguel Bordo, Duke University School of Law

**Speakers:** Larry Bridgesmith, Vanderbilt University Law School  
 Matthew A. Bruckner, Howard University School of Law  
 Farshad Ghodoosi, Morgan State University  
 Emile Loza de Siles, Duquesne University School of Law  
 Victoria Sutton, Texas Tech University School of Law  
 Charlotte A. Tschider, University of Nebraska College of Law  
 Jeffrey Ward, Duke University School of Law

Technology has long been a subject of law school curricula, but robotics and artificial intelligence are permeating our societies and thus other areas of law. From healthcare to manufacturing, intellectual property to privacy, and even legal practice, technological advances are exerting strong influence on our understanding of the law. This session brings together a group of professors who teach these topics to discuss how they help their students understand the technologies from business, legal, and ethical perspectives. Also, is the Trolley Problem the best way to frame the ethics of automation? Let's ask these experts.

## PROGRAM SCHEDULE

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5:30 pm – 6:30 pm

### **AALS RECEPTION FOR LEGAL EDUCATORS FROM LAW SCHOOLS OUTSIDE THE UNITED STATES**

*Delaware Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

Law increasingly exists in a global context, both in the delivery of legal services and legal education itself. As educators, we aspire to help students develop the global competencies and connections needed for them to fully take part in the future of the legal profession. A more international perspective can also enrich our own scholarship and teaching. AALS invites legal educators from outside the United States to attend this reception held in their honor. The reception will provide an opportunity to mingle with colleagues from law schools all around the globe and forge potential partnerships and connections.



# Extended Programs

Thursday, January 2

2 pm – 5 pm

## Sections on Constitutional Law and Election Law Joint Program, Co-Sponsored by Legal History

### Divergent Legacies – The Constitution and the Modern Right to Vote

While the constitutional amendments related to voting rights have suggested that all citizens ought to be included in the franchise, the modern right to vote has nonetheless been heavily contested. The efforts to meaningfully include all citizens in the franchise in the century after the Nineteenth Amendment (and the 150 years after the Fifteenth Amendment) have been complicated, fraught, and have often diverged from the underlying idea of inclusion. Tensions still exist in modern voting rights law regarding the meaning of the right to vote, as illustrated by the litigation and activism around issues such as partisan and racial gerrymandering, voter identification, and proof of citizenship requirements. These examples reveal the complexities of the project of democratic inclusion, and this panel will explore how those complexities have evolved and are manifest in today's right-to-vote doctrine.

The Section on Constitutional Law held a virtual business meeting prior to the Annual Meeting.

Business meeting of Election Law at program conclusion.

2 pm – 3:30 pm

#### PANEL 1

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### The Nineteenth Amendment at 100: Its Contribution and Legacy

**Moderator:** Louis J. Virelli, III, Stetson University College of Law

**Speakers:** Steven Calabresi, Northwestern University Pritzker School of Law  
Reva B. Siegel, Yale Law School  
Julie C. Suk, Professor and Dean for Master's Programs, The Graduate Center,  
City University of New York

#### Speaker from a Call for Papers:

Paula A. Monopoli, University of Maryland Francis King Carey School of Law

This panel will explore the Nineteenth Amendment's role in constitutional interpretation both inside and outside of the courts in the century after suffrage.

3:30 pm – 5 pm

#### PANEL 2

*Virginia Suite C, Lobby Level, Washington Marriott Wardman Park Hotel*

### The Present and Future of the Right to Vote

**Moderator:** Atiba R. Ellis, Marquette University Law School

**Speakers:** Gilda Daniels, University of Baltimore School of Law  
Joshua A. Douglas, University of Kentucky College of Law  
Michael T. Morley, Florida State University College of Law

2 pm - 5 pm

**Section on Empirical Study of Legal Education & the Legal Profession, Co-Sponsored by Leadership, Professional Responsibility, Pro-Bono & Public Service Opportunities, Student Services, and AALS Committee on Recruitment & Retention of Minority Law Teachers & Students**

**An Empirical Look: How Well Are We Preparing Law Students to Become Ethical Leaders Who Serve Others?**

This program will feature newly emerging empirical research on leadership and service to others. The panel will highlight the ways in which law schools help law students develop skills, competencies and values that are central to leadership, public service, ethical conduct, and fulfilling responsibilities to others. Moreover, the panel will discuss research, focused on the interest of law students in public service when applying to law school and the impact of experiences during law school—such as clinical training, pro bono opportunities, and public interest opportunities—on the leadership and public service that legal professionals undertake within our communities. Finally, the panel will highlight work that informs our understanding of the changing nature of leadership roles undertaken by lawyers in both government and the private sector.

Papers from this program will be published in *The Journal of Legal Education*.

2 pm - 3 pm

**PANEL 1**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**How Well Are Law Schools Imparting the Value of Public Interest, Leadership, and Serving Others?**

**Moderator:**

Kevin R. Johnson, University of California, Davis, School of Law

**Speakers:**

Richard L. Abel, University of California, Los Angeles School of Law

Catherine R. Albiston, University of California, Berkeley School of Law

Jeff Allum, Director of Research and Data Analytics, Association of American Law Schools

Susan L. Brooks, Drexel University Thomas R. Kline School of Law

Scott L. Cummings, University of California, Los Angeles School of Law

Sarah Fishel, Ph.D. Candidate, Drexel University Thomas R. Kline School of Law

Alexi Freeman, University of Denver Sturm College of Law

Katie Kempner, Data Analyst & Project Specialist, Association of American Law Schools

3 pm - 4 pm

**PANEL 2**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**How Might Stakeholders Affect How These Values Are Imparted?**

**Moderator:**

Aaron Taylor, Senior Vice President, Executive Director, AccessLex Institute

**Speakers:**

Janet M. Calvo, City University of New York School of Law

Kim Diana Connolly, University at Buffalo School of Law, The State University of New York

Vanessa H. Merton, Pace University Elisabeth Haub School of Law

Christopher J. Ryan, Jr., Roger Williams University School of Law

4 pm – 4:15 pm

**PANEL 3**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**Reflections and Remarks on Leadership, Public Interest Lawyering, and the Legal Profession**

**Introduction:** Rachel F. Moran, University of California, Los Angeles School of Law

**Speaker:** Robert Grey, President, The Leadership Council on Legal Diversity

4:15 pm – 4:50 pm

**INTERACTIVE BREAKOUT SESSION**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**Facilitators:** Sande Buhai, Loyola Law School, Los Angeles  
 Jennifer A. Gundlach, Maurice A. Deane School of Law at Hofstra University  
 Neil W. Hamilton, University of St. Thomas School of Law  
 J. Trent Kennedy, Georgetown University Law Center  
 Victor Quintanilla, Indiana University Maurer School of Law  
 Stephen Rispoli, Baylor University School of Law  
 Leah Witcher Teague, Baylor University School of Law  
 Debra Moss Vollweiler, Nova Southeastern University Shepard Broad College of Law

4:50 pm – 5 pm

**CONCLUSION**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

**Speaker:** Victor Quintanilla, Indiana University Maurer School of Law

5:30 pm – 6:30 pm

**EMPIRICAL STUDY OF LEGAL EDUCATION & THE LEGAL PROFESSION  
 BUSINESS MEETING**

*Maryland Suite A, Lobby Level, Washington Marriott Wardman Park Hotel*

Extended Programs

**Friday, January 3**

7:30 am – 5 pm

**Section on Institutional Advancement**

Day One

7:30 am – 8:30 am

**MIX AND MINGLE**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

Enjoy coffee and refreshments while reconnecting with colleagues before the formal program begins.

8:45am – 9 am

**WELCOME**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Welcome:** Darnell Hines, Northwestern University Pritzker School of Law

9 am – 10 am

**PLENARY SESSION**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Leadership, Innovation and Building a Lasting Culture**

**Speaker:** Rena Hozore Reiss, Executive Vice President and General Counsel, Marriott International, Inc.

Rena Hozore Reiss is executive vice president and general counsel of Marriott International, Inc. Based in Bethesda, Maryland, Ms. Reiss is a member of Marriott’s executive team and leads a global legal team with offices worldwide supporting all facets of Marriott’s business, ranging from lodging development and operations to brand, marketing, sales and consumer services, governance, dispute resolution, intellectual property, compliance, information security and privacy.

10 am – 10:15 am

**REFRESHMENT BREAK**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

10:15 am – 11:15 am

**CONCURRENT SESSION**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Campaign Lifecycle**

**Speaker:** Dennis Slon, University of California, Irvine School of Law

Comprehensive campaigns are an ubiquitous part of our advancement efforts. As strategies become more sophisticated, how can we maximize our limited time and resources to match the needs of the current stage of the campaign? As advancement professionals, what skills and tools are most important to deploy at the beginning, middle and end of the campaign lifecycle? Join us for a conversation about the nuts and bolts of a campaign and how you can best position yourself and your team for success.

Extended Programs

10:15 am – 11:15 am

**CONCURRENT SESSION***Washington 5, Exhibition Level, Washington Marriott Wardman Park Hotel***Interdisciplinary Partnerships**

**Speakers:** John Hollway, Executive Director, Quattrone Center for the Fair Administration of Justice  
 Laura Tepper, University of Pennsylvania Carey Law School

The practice of law intersects with so many other disciplines. How can we effectively facilitate these connections at our institutions? We will examine the strategies used by the Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Law School to engage colleagues from other schools and centers at Penn.

10:15 am – 11:15 am

**CONCURRENT SESSION***Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel***Maximizing Your Digital Channel Strategy for Impact**

**Speaker:** Anupam Chakravarty, Director, Digital Channel Strategy, Georgetown University

Planning an effective campaign is hard enough; planning out the emails, posts, tweets, and webpages that communicate the campaign effectively can feel like an overwhelming challenge not worth pursuing. But there are simple steps your organization can take towards developing a clear and comprehensive digital channel strategy, no matter the size of the team or the audience. By reviewing case studies from across university contexts, we will explore basic frameworks for developing integrated digital marketing campaigns, and practical ways to adopt them in the new year.

11:15 am – 12 pm

**POWER NETWORKING***Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

12 pm – 12:45 pm

**LUNCHEON***Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

This luncheon is included in the Institutional Advancement Professionals registration rate. For those registering for the full annual meeting, there is an additional fee to attend this luncheon. Tickets are available for purchase up until the close of Registration on the evening prior to the meal event. Tickets will not be sold at the door.

1 pm – 2 pm

**PLENARY SESSION***Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Gender Matters: A Guide to Growing Women's Philanthropy**

**Speaker:** Kathleen Loehr, Senior Consultant, Aspen Leadership Group

We all are looking for increased funding for our missions. What if we knew that our deeply engrained “best practices” either turn off women or gain only minimal support from them when so much more is possible? Women are increasingly driving philanthropy, yet we may not be paying attention. We finally have deep and quantifiable research showing how women give differently, yet what are the practical practices, behaviors and processes to adapt so we more successfully engage female donors and prospects? This presentation is designed to grow awareness of gender differences in charitable giving behavior, share the significant growth in support when there is intentional focus on women and provide examples on how to adapt fundraising behaviors to meet women as they prefer.

# PROGRAM SCHEDULE

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## *Institutional Advancement, continued*

2 pm – 2:15 pm

### **REFRESHMENT BREAK**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

2:15 pm – 3:15 pm

### **CONCURRENT SESSION**

*Washington 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **Doing Big Things with a Small Staff**

### **Speakers:**

Lisa M. Brabbit, University of St. Thomas School of Law  
Molly Brummond, University of Nebraska College of Law  
Christine Wilczynski-Vogel, Marquette University Law School

Now, more than ever, many advancement professionals are doing ‘more with less.’ How does one stay focused on top goals and priorities while embracing your ‘other duties as assigned?’ What are the most important things to remember when running a small shop on a shoestring budget? Join us for an interactive dialogue to answer these and other questions to help you stay inspired and motivated and to maximize the impact of your limited time and resources.

2:15 pm – 3:15 pm

### **CONCURRENT SESSION**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **Dollars are Up, Donors are Down, What are We Going to Do About It?**

### **Speakers:**

Kristen Burke, Cornell Law School  
Heather Foss, University of Maryland Francis King Carey School of Law  
Marah Katz Herbach, Stanford Law School

Many schools are pulling in record dollars in charitable gifts, but the number of donors continue to decline. Join in this interactive session to discuss the importance of a broad base of donors and to share strategies to reverse this trend.

2:15 pm – 3:15 pm

### **CONCURRENT SESSION**

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **Unconscious Bias and Fundraising**

### **Speakers:**

Shannon P. Bartlett, Northwestern University Pritzker School of Law  
Jessica Butler, DePaul University College of Law  
Darren L. Nealy, The Ohio State University, Michael E. Moritz College of Law

This session will include discussion and interactive exercises intended to address unconscious bias, its effect on interactions with alumni, and tips for being thoughtful about the intersection of identity and alumni engagement.

3:30 pm – 4:30 pm

### **CONCURRENT SESSION**

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

## **Building a Culture of Philanthropy**

### **Speakers:**

Elizabeth Beghelli, University of Minnesota Law School  
Mindy Danovaro, University of the Pacific, McGeorge School of Law  
April Ellison, University of Detroit Mercy School of Law  
Anthony Jordan, The University of Michigan Law School

This session will explore what it means to have and develop a ‘Culture of Philanthropy’ at your institution. From a prospective student’s first interaction with your school to their 50th Reunion, how do you instill a Culture of Philanthropy so that they will be actively engaged and financially supportive of the institution? Panelists will also explore the role that administration, faculty and staff play in developing this Culture of Philanthropy.

3:30 pm – 4:30 pm

### CONCURRENT SESSION

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

## Conservative Philanthropy Goes to Law School: A Practical Discussion of Opportunities and Challenges

**Moderator:** Shawn Gavin, Cornell Law School

**Speakers:** Eduardo Moises Peñalver, Cornell Law School  
Harry Williams, President & CEO, Thurgood Marshall College Fund

Ideologically-driven giving to higher education is nothing new, but recent years have seen an explosion of donations from conservative donors. While the Koch Foundations represent the most high-profile examples of this trend, conservative alumni and benefactors are increasingly seeking to give with the express intent of ensuring that their values are reflected in the institutions they care about. This represents an opportunity for institutions to deepen engagement and philanthropy with conservative benefactors and with a segment of the alumni base which often feels unwelcome on campus. At the same time, these gifts can present significant challenges for deans and development officers. Intended as a discussion, this session will help attendees think through the opportunities and challenges associated with conservative philanthropy, including identifying non-alumni prospects, creating meaningful engagement, working with hands-on donors, and navigating concerns from students, faculty and other alumni.

3:30 pm – 4:30 pm

### CONCURRENT SESSION

*Washington 5, Exhibition Level, Washington Marriott Wardman Park Hotel*

## Oh Sh\*t Moments

**Speakers:** Shannon P. Bartlett, Northwestern University Pritzker School of Law  
Jessica Ciccone, Saint Louis University School of Law  
Dennis Slon, University of California, Irvine School of Law

One of the joys of working in higher education, and law schools in particular, is the opportunity to work with diverse, highly intelligent, and passionate constituencies. Working in alumni relations means that we have the privilege to develop relationships with highly invested alumni who honed their zealous advocacy skills with their legal education in our institutions. This means, however, that when a crisis hits in a law school, the relevant constituencies include both internal and external stakeholders. This panel will discuss strategies for communicating bad news to those stakeholders, while balancing the needs and interests of the institution—those within the building, and the wishes of committed alumni with strong views about how a law school should and should not respond to a particular crisis. These issues are particularly difficult to navigate now, when the current demographics of schools often are very different than in the past.

4:30 pm – 5:30 pm

### INSTITUTIONAL ADVANCEMENT RECEPTION

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

Enjoy refreshments and light appetizers while mixing and mingling with your colleagues from law schools around the country.

1:30 pm – 3:15 pm

### Section on Leadership, Co-Sponsored by Pro-Bono & Public Service Opportunities and Professional Responsibility

#### Learning from Lawyer-Leaders Throughout the Profession

As more law students and lawyers find themselves holding positions outside of law firms, law schools must prepare their students to play a wide variety of leadership roles in both the public and private sector. Lawyers, through their legal education and training, are especially needed as leaders in these challenging times. The 2020 Section on Leadership's program will feature conversations with lawyers who serve in a variety of roles, including government, public interest, judiciary, and professional associations. The panel will discuss the need for law schools to better equip their students for the challenges they will face as leaders in an increasingly complex and challenging world.

Business meeting will be held on Friday, January 3, 2020 at 7:30 am.

1:30 pm – 3 pm

#### PANEL 1

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### Learning from Lawyer-Leaders

**Moderator:** Martha L. Minow, Harvard Law School

**Speakers:** Judy Perry Martinez, Chair-Elect, American Bar Association  
James J. Sandman, President, Legal Services Corporation  
Robert Wilkins, Judge, US Court of Appeals, District of Columbia

3 pm – 3:15 pm

#### PANEL 2

*Delaware Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

#### “Whole-Building” Approach to Leadership Development: Role of Librarians

**Moderator:** Leah Witcher Teague, Baylor University School of Law

**Speaker from a Call for Papers:** Thomas Sneed, Washburn University School of Law



1:30 pm – 3:15 pm

**Section on Women in Legal Education****Gender Equity at Work**

**Moderators:** Naomi R. Cahn, The George Washington University Law School  
Rona Kaufman, Duquesne University School of Law

**Speakers:** Adrienne D. Davis, Washington University in St. Louis School of Law  
Angela I. Onwuachi-Willig, Boston University School of Law

This session will explore issues concerning gender equity in the workplace, including the legal profession and legal academia. An introductory panel featuring Vice Provost Adrienne Davis and Dean Angela Onwuachi-Willig will explore issues concerning gender equity in the workplace, including the legal profession and legal academia. Following the panel discussion, participants will attend their choice of two small moderated discussion groups that will focus on the following issues:

1. Gender equity in law school and university leadership.
2. Gender equity in the tenure-stream process.
3. Gender equity in contract positions.
4. Gender equity in the legal profession.
5. Gender equity in the workplace.
6. Gender equity and our students.

1:30 pm – 3:15 pm

**DISCUSSION GROUP 1**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

**Gender Equity in Law School and University Leadership**

**Moderators:** Michèle Alexandre, Stetson University College of Law  
Elizabeth A. Kronk Warner, University of Utah, S. J. Quinney College of Law  
Tamara F. Lawson, St. Thomas University School of Law  
Lyrissa B. Lidsky, University of Missouri School of Law  
Hari Michele Osofsky, The Pennsylvania State University – Penn State Law

1:30 pm – 3:15 pm

**DISCUSSION GROUP 2**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

**Gender Equity in the Tenure-Stream Process**

**Moderators:** June Rose Carbone, University of Minnesota Law School  
Catherine E. Smith, University of Denver Sturm College of Law

1:30 pm – 3:15 pm

**DISCUSSION GROUP 3**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

**Gender Equity in Contract Positions**

**Moderators:** Tonya M. Evans, University of New Hampshire Franklin Pierce School of Law  
Ashley London, Duquesne University School of Law

# PROGRAM SCHEDULE

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## *Women in Legal Education, continued*

1:30 pm – 3:15 pm

### **DISCUSSION GROUP 4**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

### **Gender Equity in the Legal Profession**

**Moderator:** Renee Newman Knake, University of Houston Law Center

1:30 pm – 3:15 pm

### **DISCUSSION GROUP 5**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

### **Gender Equity in the Workplace**

**Moderator:** Rona Kaufman, Duquesne University School of Law

1:30 pm – 3:15 pm

### **DISCUSSION GROUP 6**

*Marriott Ballroom Salon 1, Lobby Level, Washington Marriott Wardman Park Hotel*

### **Gender Equity and our Students**

**Moderators:** Sahar Aziz, Rutgers Law School  
Nancy C. Cantalupo, Barry University Dwayne O. Andreas School of Law

## Saturday, January 4

8:30 am – 3:30 pm

### Sections on Student Services and Sexual Orientation & Gender Identity Issues Joint Program

#### We Are the Pillars: Inclusive and Sustainable Student Services

This program is a day-long training on inclusive and sustainable student services. Our day will start with a keynote address from NASPA President, Kevin Kruger, exploring the new generation of students entering law school. The program will then focus on two important and overlooked student populations: veteran and military-connected students and LGBTQ+ students. It will conclude with our Hot Topics sessions highlighting the latest trends in law student services. Our off-site luncheon will provide mentoring and networking opportunities.

8:30 am – 9:45 am

#### WELCOME AND SECTION KEYNOTE

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Speaker:** Kevin Kruger, President, NASPA - Student Affairs Administrators in Higher Education

10 am – 11:30 am

#### PANEL 1

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### Beyond the Green Zone: Supporting Veterans and Military-Connected Law Students

**Speakers:** Mario L. Barnes, University of Washington School of Law  
Melissa Berry, Lane Powell  
LeNaya Hezel, Veterans Office Director, Georgetown University Veterans Office  
Alice Kerr, Student, University of Miami School of Law

1 pm – 2:30 pm

#### PANEL 2

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### LGBTQ+ Student Inclusion and Support: From the Classroom to Lawyer Leaders

**Moderator:** Sondra R. Tennessee, University of Houston Law Center

**Speakers:** Sean Meloy, Senior Political Director, Victory Fund  
Judi O'Kelley, Chief Program Officer, National LGBT Bar Association  
Kelye Y. Testy, President and CEO, Law School Admission Council  
Gaby Wilson, Associate Counsel, U.S Department of Veterans Affairs, Board of Veterans Appeals

## PROGRAM SCHEDULE

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### *Student Services and Sexual Orientation & Gender Identity Joint Program, continued*

2:45 pm – 3:30 pm

#### **PANEL 3**

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Hot Topics in Law Student Services**

**Moderator:** Troy A. Riddle, Albany Law School

**Speakers:** Marcellus Braxton, Capital University Law School  
Larry Cunningham, St. John's University School of Law  
Jennifer Leonard, University of Pennsylvania Carey Law School  
Geraldine Muir, Boston University School of Law

3:30 pm – 4 pm

#### **STUDENT SERVICES BUSINESS MEETING**

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

**9 am – 12 pm**

### **Section on Institutional Advancement**

**Day Two**

9 am – 10 am

#### **INSTITUTIONAL ADVANCEMENT PLENARY SESSION**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **An Overnight Success in Only Eleven Years!**

**Speaker:** Albert F. Russo, University of Pennsylvania Carey School of Law

How flexibility, focus, and persistence can lead to the ultimate gift.

10 am – 10:15 am

#### **REFRESHMENT BREAK**

*Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

10:15 am – 11:15 am

#### **CONCURRENT SESSION**

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Recruiting and Retaining Great Talent in a Competitive Market**

**Speakers:** Mary Buikema, The University of Michigan Law School  
John W. Garland, Senior Consultant, Academic Search, Inc.  
Laura Tepper, University of Pennsylvania Carey Law School

Recruiting and retaining quality staff is always a struggle in any field. This is especially true in the areas of development, alumni relations and communications. Quality staff are often lured to other schools and industries. Come and hear from a variety of managers in institutional advancement and other professionals about what they look for in hiring great staff and how they create an environment to keep them

10:15 am – 11:15 am

**CONCURRENT SESSION***Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel***Reunions and Planned Giving**

**Speakers:** Lynn Malzone Jerardi, Director of Gift Planning, University of Pennsylvania  
Office of Gift Planning  
Leigh Ann Sham, Georgetown University Law Center  
Tim Wortham, University of Pennsylvania Carey Law School

Reunions are an important catalyst for deepening alumni engagement. As advancement professionals, what can we do to better capitalize on these special milestones and inspire alumni to consider a special gift? One opportunity, that is often underutilized, is to develop a planned giving strategy to incorporate into the reunion planning process. Join us to learn how to design and execute a reunion-based planned giving strategy and to hear best practices that you can incorporate into your institution's 2020 Law reunion planning efforts.

10:15 am – 11:15 am

**CONCURRENT SESSION***Washington 5, Exhibition Level, Washington Marriott Wardman Park Hotel***Social Justice Philanthropy**

**Speakers:** Connie M. Mayer, Albany Law School  
Jeffrey M. Schanz, Albany Law School

Many advancement professionals work with donors who are committed to social justice. How can law schools connect these donors to compelling investment opportunities that make a tangible impact, such as clinical education, public interest programming, and access to justice initiatives? How can law schools better communicate the impact of these programs to current and prospective donors? In this session, attendees will hear from colleagues at Albany Law about how they secured a recent, transformational \$15M gift to support The Justice Center at Albany Law School. In addition, they will discuss and share new tools and strategies that attendees can use to more effectively engage donors and prospects to support social justice at their respective institutions.

11:15 am – 11:45 am

**WRAP UP***Washington 4, Exhibition Level, Washington Marriott Wardman Park Hotel*

An opportunity for participants to ask any lingering or unanswered questions.

9 am - 12 pm

## Section on Jurisprudence

9 am - 10:15 am

### PANEL 1

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Criminal Law and Shared Ethical Life

**Moderator:** Joshua Kleinfeld, Northwestern University Pritzker School of Law

**Speakers:** John C.P. Goldberg, Harvard Law School  
Erin Kelly, Professor and Chair Department of Philosophy, Tufts University  
Department of Philosophy  
Adriaan M. Lanni, Harvard Law School  
David J. Luban, Georgetown University Law Center

### Section Annual Award Winners:

John Gardner, Professor of Law and Philosophy, University Oxford Faculty of Law  
Robin B. Kar, University of Illinois College of Law  
Anthony T. Kronman, Yale Law School  
Margaret Jane Radin, The University of Michigan Law School  
Kevin Tobia, Experimental Law and Economics Fellow, ETH Zurich Center for Law & Economics

A communitarian strand of thought has come to renewed prominence in criminal theory. Philosophically, under the heading “reconstructivism,” the theory argues that criminal law’s organizing end is not chiefly retribution or utility, but the reconstruction of a community’s shared ethical life in the wake of a crime. Politically, under the heading “democratization,” the theory argues that the United State’s present crisis of criminal justice is rooted in a set of bureaucratic attitudes, structures, and incentives divorced from the American public’s concerns and sense of justice. The primary solution is to make criminal justice more community focused and responsive to lay influences. This panel will discuss these “reconstructive” and “democratizing” ideas. What should legal philosophers and criminal lawyers make of them? Are they consistent with political liberalism, and if not, is that a problem? What do they imply for downstream issues of criminalization, sentencing, procedure, policing, and related considerations?

The Section Award ceremony will take place after the conclusion of Panel 1.

10:30 am - 12 pm

### PANEL 2

*Washington 2, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Experimental Jurisprudence

**Moderator:** James A. Macleod, Brooklyn Law School

**Speakers:** Joshua Knobe, Professor of Philosophy and Cognitive Science, Yale University  
Department of Philosophy  
Paul H. Robinson, University of Pennsylvania Carey Law School  
Roseanna Sommers, The University of Chicago, The Law School  
Nina Strohminger, Assistant Professor of Legal Studies & Business Ethics,  
Wharton School of the University of Pennsylvania

This panel will bring empirical data to bear on philosophical issues, experimental jurisprudence probes some of the most intractable questions in law. What are just desserts? When is causation proximate? How does consent work its moral magic? Traditionally, philosophers would tackle these questions from the armchair. Experimental philosophers get their hands dirty. They use techniques familiar from psychology and cognitive

science to investigate how the concepts behind the questions work. This panel will explore what experimental jurisprudence is, how it works, and why it is relevant. It will also showcase various applications of experimental methods to the philosophy of law.

Business meeting at program conclusion.

**9 am – 12 pm**

## **Sections on Law, Medicine & Health Care and Poverty Law Joint Program**

### **Advancing Health Equity by Addressing Social Determinants of Health, Poverty, and Racial Disparities**

Many academic institutions, government agencies, non-profit organizations, and policymakers have begun to focus on achieving health equity by addressing the social determinants of health, poverty, and racial disparities. Although this has become a movement, it is unclear whether those involved in the movement understand that to obtain health equity, they must address structural and institutional issues that cause inequity and advance justice for individuals and communities. Legal scholarship and teaching are beginning to explore the ways in which law, policies, and systems can be leveraged to reduce disparities and address social determinants of health for those marginalized by virtue of race, poverty, or both.

Part I will feature presenters discussing scholarship exploring these issues, alongside an expert from the medical field. Part II will involve an interactive discussion about teaching strategies on this topic led by facilitators who will share their teaching innovations and challenges and facilitate interactive discussions.

Papers from this program will be published in *The Journal of Legal Medicine*.

Business meeting at program conclusion.

**9 am – 10:30 am**

#### **PANEL 1**

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**Moderator:** Yael Cannon, Georgetown University Law Center

#### **Speakers from a Call for Papers:**

Mary A. Crossley, University of Pittsburgh School of Law

Leah R. Fowler, University of Houston Law Center

Andrew Hsi, Director, University of New Mexico Health Science Center Institute  
for Resilience, Health and Justice

Jessica Mantel, University of Houston Law Center

Seema Mohapatra, Indiana University Robert H. McKinney School of Law

Lindsay F. Wiley, American University, Washington College of Law

**10:40 am – 12 pm**

#### **PANEL 2**

*Wilson A, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**Moderator:** Ruqaiyah A. Yearby, Saint Louis University School of Law

#### **Speakers from a Call for Papers:**

Emily Benfer, Columbia Law School

Danielle Pelfrey Duryea, Boston University School of Law

Tomar Pierson-Brown, University of Pittsburgh School of Law

Laura F. Rothstein, University of Louisville, Louis D. Brandeis School of Law

Sidney D. Watson, Saint Louis University School of Law

9 am - 12 pm

## Section on Legal Writing, Reasoning, & Research

### Educating the Modern Citizen-Lawyer: Helping Students Find Their Role in the Grand Mosaic of Society

This program will help in preparing law students to find their role in the mosaic of society and the law. The Institute for the Advancement of the American Legal System's Foundations for Practice: The Whole Lawyer and the Character Quotient Report addressed topics such as professionalism, emotional and interpersonal intelligence, and passion. This program, which will be partially interactive, will focus on the report and explore professors' roles in helping law students to be well prepared for their future as lawyers, citizens, and leaders.

Business meeting at program conclusion.

9 am - 10:20 am

#### PANEL 1

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Cultivating the Hard Skills of the Whole Lawyer: Lawyers as Leaders

**Moderators:** Candace M. Centeno, Villanova University Charles Widger School of Law  
Shailini J. George, Suffolk University Law School

**Speakers:** Carolyn Broering-Jacobs, Cleveland-Marshall College of Law at Cleveland State University  
Lee Fisher, Cleveland-Marshall College of Law at Cleveland State University  
P. Kelly Tompkins, Leader-in-Residence, Cleveland-Marshall College of Law at Cleveland State University  
Jonathan Witmer-Rich, Cleveland-Marshall College of Law at Cleveland State University

10:30 am - 11:15 am

#### PANEL 2

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### Finding Their Voices: Student Participation in Live Law Making

**Moderators:** Candace M. Centeno, Villanova University Charles Widger School of Law  
Shailini J. George, Suffolk University Law School

**Speakers:** Nicole Iannarone, Drexel University Thomas R. Kline School of Law  
Sarah J. Morath, University of Houston Law Center  
Ruth Anne Robbins, Rutgers Law School  
Jennifer Murphy Romig, Emory University School of Law

11:15 am - 12 pm

#### PANEL 3

*Washington 3, Exhibition Level, Washington Marriott Wardman Park Hotel*

### The Citizen Lawyer Education in the Trump Era

**Moderators:** Candace M. Centeno, Villanova University Charles Widger School of Law  
Shailini J. George, Suffolk University Law School

**Speaker:** Ann L. Schiavone, Duquesne University School of Law



1 pm – 5 pm

**AALS Workshop for Pretenured Law School Teachers of Color**

*AALS thanks the Law School Admissions Council for generously supporting the Workshop for Pretenured Law School Teachers of Color.*

Many minority law professors choose legal education because they want to have a positive impact on students, pursue justice, and transform the legal system to improve lives and communities. These professors often discover that they face special challenges in the legal academy, starting from their first day of teaching.

This workshop is a space where pretenured teachers of color can receive support and encouragement as well as concrete guidance on navigating the tenure process. Diverse panels of experienced and successful law professors will talk about their goals and achievements as teachers and legal scholars and offer ways to successfully meet challenges as they arise in the context of scholarship, teaching, service, and the tenure process. By bringing together faculty who are navigating similar career paths, the workshop also facilitates cohort relationships that can provide long-term sources of support.

1 pm – 1:10 pm

**INTRODUCTION AND WELCOME**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Speakers:** Robert S. Chang, Seattle University School of Law  
Kent D. Lollis, Vice President & Chief Diversity Officer, Law School Admission Council  
Sean M. Scott, Loyola Law School, Los Angeles

1:10 pm – 1:45 pm

**SESSION 1**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

**On Being an Other in the Classroom, Law School, and University**

**Moderator:** Robert S. Chang, Seattle University School of Law

**Speakers:** Adrienne D. Davis, Washington University in St. Louis School of Law  
Kevin Noble Maillard, Syracuse University College of Law  
Kali N. Murray, Marquette University Law School

This panel will provide a framework for addressing the challenges that come with being an “other” in the classroom, law school, and university. An epistolary exchange between Adrienne Davis and Robert Chang, *Making Up Is Hard To Do: Race/Gender/Sexual Orientation in the Law School Classroom*, 33 *Harv. J. L & Gender* 1 (2010), will act as a jumping off point for the rest of the workshop and is also intended to provide a resource for workshop participants.

1:45 pm – 2:45 pm

**SESSION 2**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Navigating the Path to Tenure and Promotion**

**Moderator:** Donald F. Tibbs, St. Thomas University School of Law

**Speakers:** Atiba R. Ellis, Marquette University Law School  
Margaret Hu, Washington and Lee University School of Law  
Seema Mohapatra, Indiana University Robert H. McKinney School of Law  
Daniel I. Morales, University of Houston Law Center

This session is intended to provide participants with practical, concrete advice about how to set a scholarly agenda, to manage internal and external reviews, and to position oneself for success. In the context of this dis-

## PROGRAM SCHEDULE

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### *AALS Workshop for Pretenured Law School Teachers of Color, continued*

cession, speakers will identify things they came to know post-tenure that they wish they had known pre-tenure. They will focus their remarks on how to successfully navigate the tenure and promotion process. Topics will include how to balance scholarship with teaching and service, how to build an external support network, and how to overcome common obstacles often encountered by teachers and scholars of color. Attendees will learn tips for developing and maintaining professional relationships with teachers, scholars, and others inside and outside of their home institutions: advice on which conferences, colloquia, and workshops to attend and how they can enhance scholarship and help interpreting retention letters, including what to do if your review is successful, but there are weaknesses or areas of concern.

2:45 pm – 3 pm

#### **REFRESHMENT BREAK**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

3 pm – 4 pm

#### **SESSION 3**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Teaching**

**Moderator:** Catherine E. Smith, University of Denver Sturm College of Law

**Speakers:** Carol N. Brown, The University of Richmond School of Law  
Todd J. Clark, St. Thomas University School of Law  
Raymond T. Diamond, Louisiana State University, Paul M. Hebert Law Center

This session will focus on teaching and service. With regard to teaching, law professors of color often report special challenges in the classroom stemming from dynamics that are hard to spot and address, including how to deal with difficult students, how to ensure diverse participation in the classroom, and how to address racial, sexual orientation, and gender differences among students, as well as as differences between students and the teacher. Speakers will offer advice on how to plan and facilitate classroom teaching in large and small courses and how to be a more effective teacher. With regard to service, new law teachers unexpectedly realize that they must provide service to their school, university, profession, and community as outlets for their academic and non-academic passions and interests. How should they approach this third prong of the tripartite journey toward tenure? How do they determine which service obligation to prioritize? Speakers will explain how service may be viewed as a gateway to learning about, and being active and influential in, the operation of your school, as well as provide opportunities to build strong personal and professional relationships. Speakers will also illustrate the ways in which the power resides with law professors to transform service obligations, create service opportunities, and follow their passions in order to develop and extend their areas of expertise and their networks at the same time.

4 pm – 5 pm

#### **SESSION 4**

*Roosevelt 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Scholarship**

**Moderator:** Rachel E. Moran, University of California, Los Angeles School of Law

**Speakers:** Wendy Greene, Drexel University Thomas R. Kline School of Law  
Jamila Jefferson-Jones, University of Missouri-Kansas City School of Law  
Janewa Osei-Tutu, Florida International University College of Law  
Michalyn Steele, Brigham Young University, J. Reuben Clark Law School

Speakers will discuss issues related to scholarship, including how to develop a scholarly agenda: placing and publishing scholarly work, building a scholarly reputation, and balancing service, teaching, and scholarship. Attendees will get answers to such questions as: With whom should they discuss and share their work? What are some useful guidelines for selecting a topic, developing a writing schedule, and completing the article, essay, or book? Why is it important to read and cite other major contributors in the area in which you write?

What strategies should they use to place their work? What should they be thinking about to best meet their objectives? Why is a scholarly reputation important? How can they enhance opportunities to present their work at conferences and external faculty workshops? Is it worthwhile to cultivate a social media presence? How can writing op-eds support a scholarly reputation? How does one determine whether their institution values their online contributions? What is the best way to use research assistants? How does one create and capitalize on synergies between teaching and scholarship? When and how should one say “no” to various administrative requests?

5 pm – 6 pm

### **AALS WORKSHOP FOR PRETENURED LAW SCHOOL TEACHERS OF COLOR RECEPTION**

*Washington 1, Exhibition Level, Washington Marriott Wardman Park Hotel*

*AALS thanks the Law School Admission Council for sponsoring this reception.*

This reception will bring together this year’s cohort of teachers attending the Workshop along with past attendees and presenters to connect, bond, and build community.

**Sunday, January 5**

9 am - 5 pm

**AALS Symposium**  
**21st Century Policing**

Policing extends into many parts of government, including not only the criminal justice system, but also welfare, housing, health, immigration, local government—almost all areas of life. This program reaches across multiple disciplines to investigate the nature and role of the public police, and the way they interact with discrete, often marginalized communities. Too often, discussions of policing fall into narrow academic specializations that provide a partial perspective on what the police do and how to regulate them. Instead of addressing either the sociological, the legal, or the political theoretical issues raised by the police and policing in isolation from each other, this program addresses policing from multiple perspectives, simultaneously. The guiding idea of this symposium is that these different issues and interests are interrelated, and bringing them together can provide useful insights into the problems of policing that an emphasis on Fourth Amendment doctrine misses. Modified versions of these presentations were published in *The Cambridge Handbook on Policing in the United States* (2019).

9 am - 10 am

**PANEL 1**

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**The Power of Police Patrol**

**Moderator:** Tamara Rice Lave, University of Miami School of Law

**Speakers:** Justin McCrary, Columbia Law School  
Cameron McLay, Deputy Mayor, City of Madison, Mayor's Office  
Daniel Nagin, Teresa And H. John Heinz III University Professor Of Public Policy And Statistics, Carnegie Mellon University Heinz College of Information Systems and Public Policy

A major question in policing is whether police patrol has a positive impact on crime and public safety. Former Chief of Police Cam McLay defends patrol as a form of problem-solving policing backed by community accountability. McCrary discusses the essential role that the police play in deterring and reducing crime, particularly the most violent and costly ones. Nagin considers the optimal intensity of confrontational types of proactive policing like stop, question, and frisk.

10:10 am - 11:10 am

**PANEL 2**

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

**The Limits of Patrol**

**Moderator:** Rachel A. Harmon, University of Virginia School of Law

**Speakers:** David A. Harris, University of Pittsburgh School of Law  
Thomas B. Harvey, Justice Project Director, Advancement Project  
Natalie A. Pifer, Assistant Professor of Criminology & Criminal Justice, University of Rhode Island Department of Criminology and Criminal Justice

Harris argues that the police officer's warrior posture, which he identifies as a feature of police training and acculturation, makes the police unduly likely to use deadly force when patrolling high-gun jurisdictions. Pifer demonstrates that patrol officers struggle to handle their competing roles as agents of care and control. Additionally, Harvey dismisses the possibility of a non-dominative police, recounting his clients' experience of police encounters against a backdrop of racial bias and unregulated police violence.

11:20 am – 12:30 pm

**PANEL 3***Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel***Policing Theory and Practice****Moderator:** Bennett Capers, Brooklyn Law School**Speakers:** Rachel A. Harmon, University of Virginia School of Law  
Richard A. Leo, University of San Francisco School of Law  
Eric J. Miller, Loyola Law School, Los Angeles  
Ekow Yankah, Benjamin N. Cardozo School of Law

What powers do the police have? How should they use them? Harmon and Leo suggest the powers to arrest and interrogate impose severe costs on criminal suspects and undermine core criminal justice goals. Yankah argues these powers are limited by duties to promote the equal standing of all community members. Miller identifies localist governance duties requiring police to act as civic neighbors, supporting disparate local customs and traditions.

1:30 pm – 2:40 pm

**PANEL 4***Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel***Discrimination****Moderator:** Kami Chavis, Wake Forest University School of Law**Speakers:** Devon Wayne Carbado, University of California, Los Angeles School of Law  
Gabriel “Jack” Chin, University of California, Davis, School of Law  
Tamara Rice Lave, University of Miami School of Law  
Yolanda Vazquez, University of Cincinnati College of Law

Discrimination is a core problem of policing. Carbado describes Fourth Amendment free zones where the police can engage African American citizens with little limitation. Vásquez demonstrates that blurring lines between civil and criminal, federal and state immigration law exacerbates preexisting racial disparities. Lave argues that police predators are the product of an institutional reluctance to take rape complaints seriously. Chin shows why an Asian NYPD officer who killed an unarmed African American was convicted on racial grounds.

2:50 pm – 3:50 pm

**PANEL 5***Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel***Technology****Moderators:** David M. Kennedy, Professor of Criminal Justice, John Jay College of Criminal Justice and Director, National Network for Safe Communities, John Jay College of Criminal Justice Department of Psychology**Speakers:** Bennett Capers, Brooklyn Law School  
Kami Chavis, Wake Forest University School of Law  
Andrew G. Ferguson, University of the District of Columbia, David A. Clarke School of Law

Technology has had a major impact, not only on policing, but also on proposals for improving policing. Ferguson argues many innovations track traditional policing philosophies and replicate their problems. Chavis suggests one of them, predictive policing, will replace community policing with SWAT-style responses to surveillance-generated reports of shots fired. However, Capers thinks that this more limited form of police intervention may turn out to be a good thing. It will limit aggressive stops and frisks.

## PROGRAM SCHEDULE

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### *AALS Symposium, continued*

4 pm – 5 pm

#### **PANEL 6**

*Thurgood Marshall North, Mezzanine Level, Washington Marriott Wardman Park Hotel*

#### **Reform**

**Moderator:** Eric J. Miller, Loyola Law School, Los Angeles

**Speakers:** Rebecca Hollander-Blumoff, Washington University in St. Louis School of Law  
David M. Kennedy, Professor of Criminal Justice, John Jay College of Criminal Justice and Director, National Network for Safe Communities, John Jay College of Criminal Justice Department of Psychology  
Stephen Rushin, Loyola University Chicago School of Law

Police reform must respond to a variety of legal and social problems. Rushin discusses the role of police unions in negotiating agreements that grant officers protections from disciplinary action. Hollander-Blumoff argues that procedural justice improves interactions between police and civilians when focused on increasing officer self-control to be better at handling emotionally charged situations. Kennedy argues that trust between community and police requires acknowledging the deep trauma that communities have suffered because of the police.

9 am – 12 pm

### **Section on Socio-Economics**

#### **Populism, Electoral Politics, and Socio-Economic Justice**

9 am – 10:30 am

#### **PART I**

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

#### **Roundtable on the Economic Growth, Regulatory Relief and the Consumer Protection Act**

**Moderator:** Michael P. Malloy, University of the Pacific, McGeorge School of Law

**Speakers:** Robert Ashford, Syracuse University College of Law  
William K. Black, University of Missouri-Kansas City School of Law  
June Rose Carbone, University of Minnesota Law School

In the second year of the Trump administration, Congress enacted the Economic Growth, Regulatory Relief, and Consumer Protection Act. The act purports to improve consumer access to mortgage credit by removing regulatory requirements applicable to lenders. However, there is no explicit statutory condition that requires expanded consumer lending in exchange for eased regulatory requirements. The act also seeks to expand consumer access to credit through “regulatory relief” to financial services firms, primarily by easing capital requirements, restrictions on proprietary securities trading, and periodic call reports. In addition, the act raises asset thresholds for enhanced supervision and prudential standards applicable to “systemically important” bank holding companies and non-bank financial companies.

10:30 am – 12 pm

**PART II**

*Washington 6, Exhibition Level, Washington Marriott Wardman Park Hotel*

**Populism, Electoral Politics, and Socio-Economic Justice in 2020**

- Moderator:** June Rose Carbone, University of Minnesota Law School
- Speakers:** Jeremy Bearer-Friend, The George Washington University Law School  
 Rohan Grey, Appellate Attorney, The Children’s Law Center  
 Robert C. Hockett, Cornell Law School  
 Harold A. McDougall, III, Howard University School of Law

This panel will discuss the way that the upcoming 2020 election campaign is framing issues of socioeconomic justice, with special attention to modern monetary theory, the Green New Deal, and racial and economic inequality.

Business meeting at program conclusion.

10:30 am – 12:15 pm

**Legal Writing, Reasoning, & Research**

**Developing Effective Communication Skills in an Era of Polarization**

This program will focus on how to have difficult conversations, given the polarized climate, by addressing topics such as how to increase civility, how to incorporate teaching cultural competency into courses, how to foster an environment of inclusion, and how to negotiate to find common ground.

10:30 am – 11:30 am

**PANEL 1**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

**When Truth is Not Truth: Teaching Law Students in an Era Of “Alternative Facts”**

- Moderators:** Timothy J. Duff, Case Western Reserve University School of Law  
 Abigail A. Patthoff, Chapman University Dale E. Fowler School of Law
- Speaker:** Joy Kanwar, Brooklyn Law School

11:30 am – 12:15 pm

**PANEL 2**

*Maryland Suite B, Lobby Level, Washington Marriott Wardman Park Hotel*

**Bursting the Bubble: Developing Cultural Competency in the Classroom**

- Moderators:** Timothy J. Duff, Case Western Reserve University School of Law  
 Abigail A. Patthoff, Chapman University Dale E. Fowler School of Law
- Speakers:** Elizabeth M. Bloom, Northeastern University School of Law  
 Stephanie Roberts Hartung, Northeastern University School of Law

Extended Programs





# AALS Exhibit Hall

## SPECIAL EVENTS AND DEMONSTRATIONS

Please note these special activities happening in the hall throughout the meeting:

### Thursday, January 2

#### Independent Publishers Group – BOOTH 204

All books in the booth are on sale for 20-30% off retail price for the duration of the conference.

### Friday, January 3

#### Kaplan Bar Review – BOOTH 411

Please stop by our booth Friday for a demonstration of our newest programs and for some special gifts.

#### National Attorneys General Training & Research Institute – BOOTH 504

10 am – 11 am

##### *Teaching the Role and Work of State Attorneys General*

Jim Tierney, Former Attorney General, State of Maine, and Lecturer in Law, Harvard Law School, and former Director of the National State AG Program at Columbia Law School, will discuss how to structure coursework and clinics to teach law students about the work of state attorneys general.

2 pm – 3 pm

##### *Using Litigation and Settlement Data in the Study of State Attorneys General*

Dr. Paul Nolette, Associate Professor of Political Science at Marquette University and creator of the State Litigation and AG Activity Database ([www.attorneysgeneral.org](http://www.attorneysgeneral.org)), will provide an overview of the data available on the site and how it can be used by law professors and students to further the study of the role and impact of state attorneys general in the last few decades.

#### W. W. Norton & Company/Liveright Publishing – BOOTH 100

5 pm – 6:30 pm

##### *Book Signing: Meet Richard Rothstein, author of “The Color of Law”*

Join us as Richard Rothstein, author of *The Color of Law: A Forgotten History of How Our Government Segregated America*, signs copies of his

award-winning book, available for purchase. Longlisted for the National Book Award for Non-fiction and named one of the year’s best books by everyone from NPR to Bill Gates, this “powerful and disturbing history” exposes how American governments deliberately imposed racial segregation on metropolitan areas nationwide (New York Times Book Review).

Richard Rothstein is a research associate of the Economic Policy Institute and a Fellow at the Thurgood Marshall Institute of the NAACP Legal Defense Fund. He lives in California, where he is a Fellow of the Haas Institute at the University of California–Berkeley.

### Saturday, January 4

#### National Attorneys General Training & Research Institute – BOOTH 504

10 am – 11 am

##### *Faculty Opportunities in Trainings for State Attorney General Staff*

Ari Telisman, Director, Center for Legal Advocacy and Faculty Development, National Attorneys General Training & Research Institute (NAGTRI), will provide information on domestic and international speaking and teaching opportunities. Learn how you can present at NAGTRI seminars that bring together state attorney general offices with other government agencies to discuss emerging issues. Also, learn how you can teach at NAGTRI trainings for assistant attorneys general across the country.

2 pm – 3 pm

##### *Student and Post-Graduate Opportunities in the State AG World*

Amy Tenney Curren, Director, National Attorneys General Training & Research Institute (NAGTRI), will share opportunities for law students to research, learn, and understand complex issues in the practice of public law through the NAGTRI Law Clerk and Post-Graduate Fellowship Program. Opportunities for work experiences within state attorney general offices will also be highlighted.

## EXHIBIT HALL

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*Special Events and Demonstrations, continued*

### **Saturday, January 4 continued**

#### **Appointlink Portal Solutions – BOOTH 500**

*12 pm*

Visit Us to in Booth 500 to learn how APS can help your school become more effective and efficient.

Take the opportunity to enter our raffle to win one of three great prizes. The drawing will be at 12 pm, Saturday, January 4.

#### **Wolters Kluwer Connected Law School Suite – BOOTH 309**

*3 pm – 5 pm*

Please join Wolters Kluwer (WK) in Booth #309 for our Sweets & Suite Event on Saturday, January 4 from 3 pm – 5 pm to learn about how the Connected Law School Suite can help you and your students succeed. Whether you are interested in our student-loved Connected Casebooks, formative assessment and early intervention tools such as Connected Quizzing and MBE Insights, or the popular WK Online Study Aid Library, find out how the Connected Law School Suite will help your school produce better learning outcomes in class and on the Bar exam.

### **Sunday, January 5**

#### **StudentBridge – BOOTH 209**

We will be drawing a winner for our Smart Home Starter Kit (including voice-assisted hub device and smart accessories) on the last day of the conference.

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## EXHIBITOR EVENTS OUTSIDE THE EXHIBIT HALL

### Friday, January 3

#### Wolters Kluwer Digital Engagement Breakfast

7 am – 8:30 am

Roosevelt 2, Exhibition Level, Marriott Wardman Park

Please join Wolters Kluwer for a delicious breakfast and learn about how the Connected Law School Suite can help you and your students succeed. Whether you are interested in our student-loved Connected Casebooks, formative assessment and early intervention tools such as Connected Quizzing and MBE Insights, or the popular WK Online Study Aid Library, find out how the Connected Law School Suite will help your school produce better learning outcomes in class and on the Bar exam. Space is limited, please visit [WKLegaledu.com/aals2020](http://WKLegaledu.com/aals2020) to register.

#### American Bar Foundation Fellows Reception

6:30 pm – 7:30 pm

Embassy, Lobby Level, Omni Shoreham Hotel

#### Carolina Academic Press Reception for Authors and Friends

7 pm – 11 pm

Washington 6, Exhibition Level, Marriott Wardman Park

### Saturday, January 4

#### Center for Computer Assisted Legal Instruction (CALI) Annual Membership Meeting

7 am – 8:30 am

Congressional A&B, Lobby Level, Omni Shoreham Hotel

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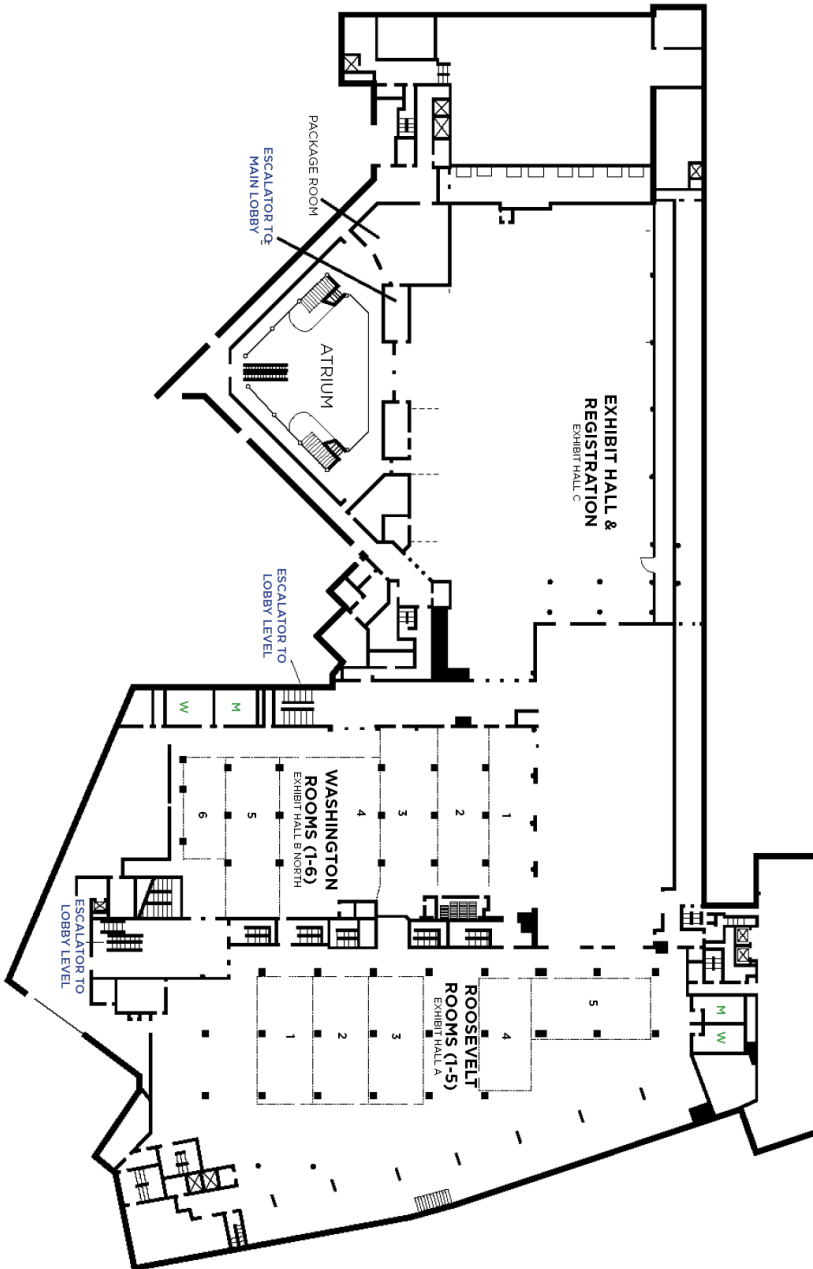
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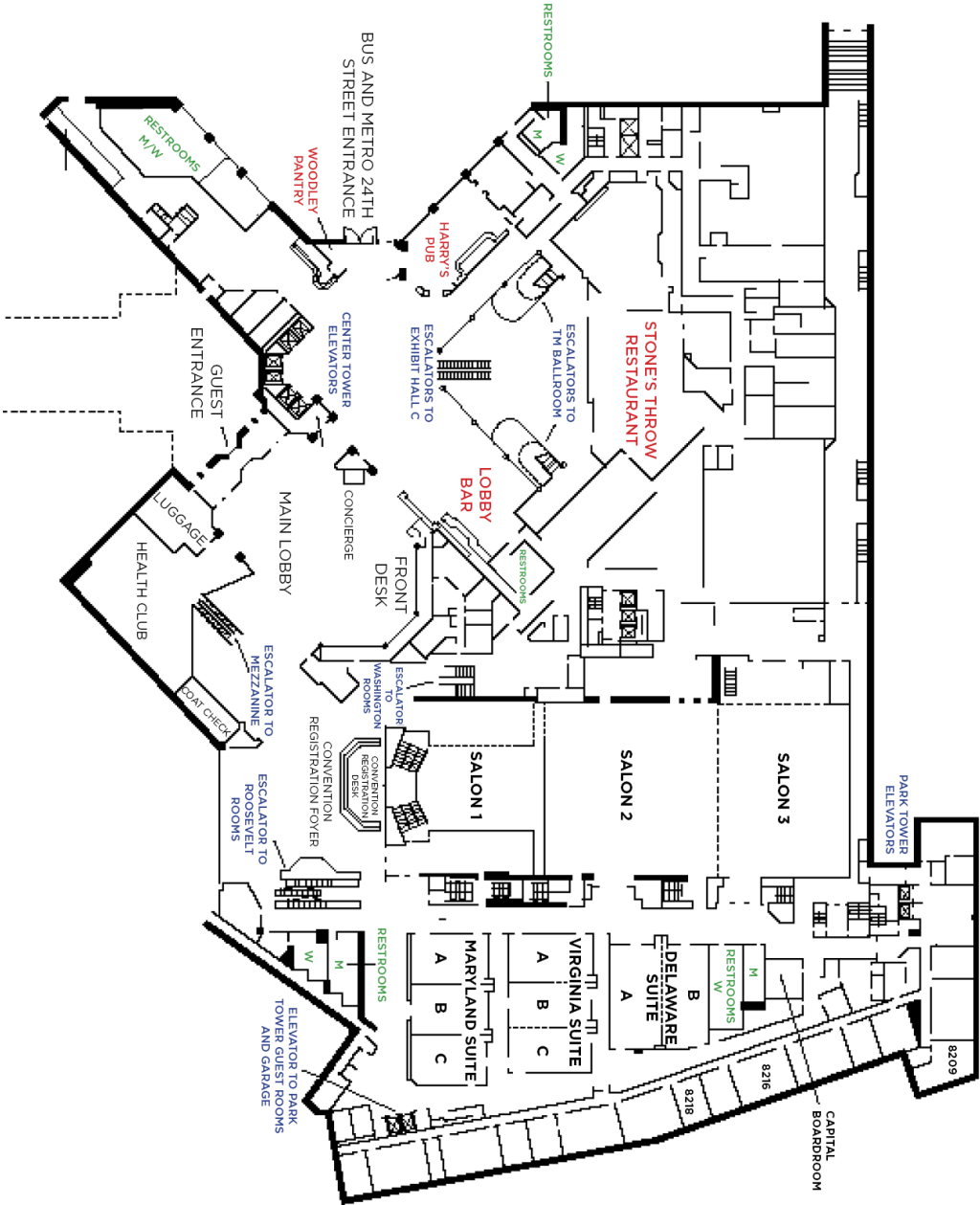


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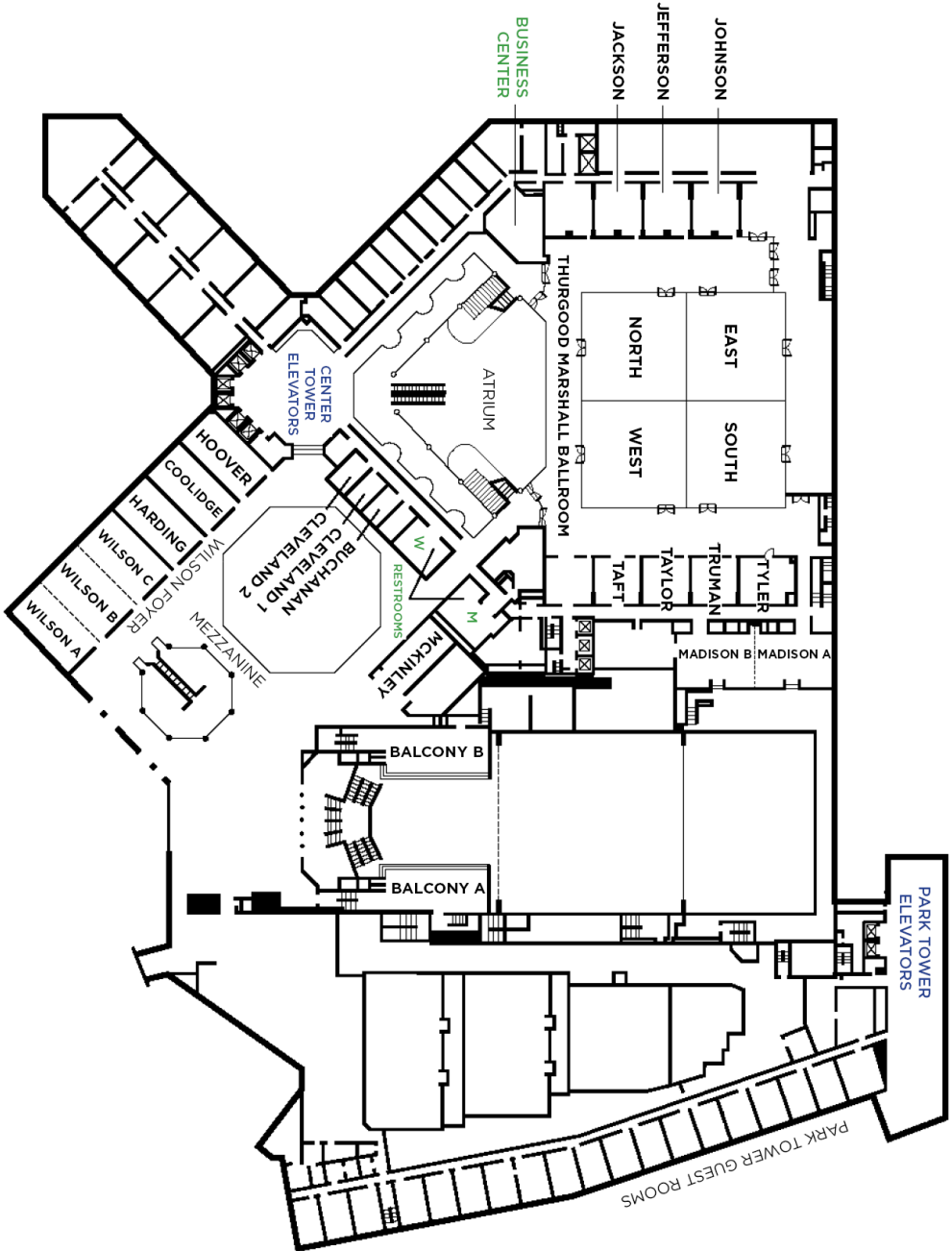
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2021

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Tue., Jan. 5 – Sat., Jan. 9, San Francisco, CA

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