9-8-1999

SALT History & Timeline

Joyce Saltalamachia

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MEMO

TO: Margalynne Armstrong, Holly Maguigan and Harlon Dalton
FROM: Joyce Saltalamachia
DATE: September 8, 1999
RE: SALT History “Explore” Group
cc: Past Presidents: Pat Cain, Jean Love, Howard Glickstein, Sylvia Law, and Linda Greene; Liaison Phoebe Haddon

The memo from Phoebe, Carol, Margaret and Stephanie dated June 25, 1999 listed the four of us as the “explore group” for SALT history. Our task is to consider the relationship between the historical activities of SALT and the current action campaign projects. We are charged with the job of reporting on where we have been and exploring the relationship between this past agenda and the future agenda of SALT.

Towards this end, I am enclosing three documents. The first is a brief history of the founding of SALT that I prepared for our 25th anniversary. The next two are time-lines which trace significant SALT activity from the beginning through 1991. Obviously, a first task will be to update this time-line to the present, and this could be done throughout the Fall.

Please think of suggestions of ways we can proceed and ideas for what other information we should be producing. I will be communicating with you each by e-mail in the next week to formulate a report for our September meeting. Thanks to all for your time and attention to this project.

Joyce
THE ORIGINS OF SALT—THE EARLY YEARS

In December 1972 a group of law professors met in New York City to discuss the need for an association to advance commonly held goals. A wide range of views were expressed on the desirability of such an organization and the functions it might perform. Following this meeting a memorandum was prepared by Norman Dorsen and Tom Emerson that was the basis of a proposal circulated to a broader group of law teachers.

A core group of early organizers met several times in the Spring of 1973, and continued to refine the proposal to start a new organization just for law professors. In May 1973 the proposal was sent to about 200 law teachers in order to determine whether or not there was widespread support for such an organization. A questionnaire was also included in an attempt to elicit reliable opinions about the probable response to the idea. The signers of this May letter were Charles Ares, Ralph Brown, Leroy Clark, Alan Dershowitz, Norman Dorsen, Tom Emerson, Ruth Ginsburg, and Herman Schwartz. The response to the idea was positive, and plans were made for a formal organization.

In September 1973 the formal proposal for an Association of American Law Teachers was sent to nearly 350 law professors. The initial mailing list consisted primarily of law professors who had earlier signed a statement urging abolition of the House Committee on Internal Security. However, other names were chosen at random from the AALS Directory (every 25th name). There were 26 signers to this September "call for members."

Initially, there was no agreement about what this new organization would be called. "Association of American Law Teachers", "American Law Teachers Association", "National Association of Law Teachers", "Independent Law Teachers Association", and the simple "Law Teachers Association" were all names that were tried and abandoned. Finally, at the first large organizational meeting in New Orleans in December 1973, David Cavers took the floor to say the (1) it was important to have the word American in the title, and (2) the group was more of a society than an association because, he suggested, it was more intimate and more
"association" connotes. Then-Executive Director Steve Gillers and Norman Dorsen discussed possibilities and came up with Society of American Law Teachers.

While still not sure of the response, the 26 original signers decided to call a general organizational meeting for the new group during the annual AALS meeting in December 1973 in New Orleans. Concerned that not enough people knew of the new organization, Norman Dorsen and Steve Gillers went around the hotel lobby with signs to attract people to the meeting. The New Orleans meeting generated 63 new members, and resulted in Norman Dorsen being selected President and 31 members being chosen as the interim Board of Governors. Thus, the basic structure of SALT was established and continues on today.

Joyce Saltalamachia
Comments Concerning Purpose/Evaluation

Nov. (1976) Howard Lesnick:

"SALT is seeking to find ways in which law professors concerned with the social responsibility of the legal profession, the relevance of legal education to the quality of legal representation and to societal needs, and with equality of access to the profession, can work effectively. We want to do more than simply put out press releases on matters of momentary public notoriety."

March (1976) We have identified three areas of major ongoing work: law reform, legal education, the supply and quality of legal representation.

April (1980) George Alexander:

"Throughout the relatively short life of our organization one recurrent question has been the question of its role in our two professions: teaching and law for my part, I think that what SALT has done most effectively has been to marshal the talent available in our membership for conferences such as the recent ones on equality and on the goals of law teaching."

May (1982) Board Discussion: (Minutes May 15, 1982)

"SALT Statement of Purpose. The Board discussed SALT's purpose, focusing on the letter sent by Steve Gillers to President Williams and the SALT statement of purpose, drafted some years ago by SALT Board Members, included in the materials for the meeting. Discussion focused on whether SALT should limit itself to issues of legal education or include broader social and political concerns. The SALT position paper expressed our mission as a membership organization concerned with legal education and the societal needs raised by the legal order. Several Board members expressed other formulations of our purposes including our serving as a conscience for our profession, as legal experts on issues of social and legal policy, and as a service organization for our membership. The Board determined, through discussion, that it was important to consider how our resources could be most effectively employed in considering our priorities. It was generally agreed that we should take action or positions on those matters in which we had some special expertise or to which we might make a significant or unique contribution.

Suggestions were made about distributing our work product or projects differentially to our members (such as reduced conference registration fees) so that the tangible benefits of membership would be an incentive to join our organization.

President Williams offered to try to draft a broad statement of our purposes to reflect the above concerns."
SALT AWARD Recipients

1984 - Derrick Bell
1983 - Herma Hill Kay
1982 - Charles Black
1981 - Arthur Leff
1980 - Harry Edwards
1979 - Ruth Bader Ginsburg
1978 - Rennard Strickland
1977 - Tom Emerson
1976 - Charles Miller
1975 - David Cavers
Projects
(1978- present) Salary Survey
(1983) Parental Leave & Part-time Policy
(1981) Faculty Composition Questionnaire: Chambers Study
(1975) Code Professional Responsibility Standards (rewrite Canon 2)
(1975) De Funes Poll re: Changes in Admissions Policies After De Funes

Conference/panels
(1985) AALS Panel Minority Hiring
(1984) AALS Panel TIAA/CREF
(1984) Teaching Conference
(1981) AALS Panel on Tenure
(1981) Faculty Status of Clinical Teachers
(1980) Tenure Standards & the Channeling of Legal Scholarship
(1979) Conference on New Law Teachers
(1979) Equality
(1977) SALT/AALS-Judicial Selection
(1976) Future of Legal Education

Statements
(1985) Opposition to Proposed Amendment to Fed. Rule Civ. Pro. 68 (fee shifting for failure to settle)
(1984) Endorse Proposed ABA Accred. Stand. 405(e) Re: Clinical Teachers
(1984) Endorsed goals of and participate in fund for Free Expression
(1983) Oppose ABA Accreditation Stand. 306E (Pay for Clinicals)
(1983) Support CLEO Funding

Briefs
(1984) Regan v. Wald (Travel Restrictions)
(1983) Korematsu - (support vacating conviction/joined American Friends)
(1976) Opposition to Arkansas stat. barring law faculty members participation in litigation in Arkansas fed.
(1975) Bakke

Books and Other Publications
(1977) Gillers, Looking at Law Schools (2 editions)
<table>
<thead>
<tr>
<th>Projects</th>
<th>Conference/Panel</th>
<th>Statements (con't.)</th>
<th>Briefs</th>
<th>Books and Other Publications</th>
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<tbody>
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<td></td>
<td></td>
<td>(1981) Legal Services Corp.</td>
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<td>(1981) Supported ABA Standard 212</td>
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<td>(1981) Supporting extension of Voting Rights Act</td>
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<td>(1981) Testimony on constitutionality of anti-abortion legislation</td>
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<td>(1979) Anti-Busing Amendment (Opposed)</td>
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<td>(1979) Urging defeat of Helm's rider to remove federal jurisdiction for school prayer cases</td>
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<td>(1978) &quot;What Does Bakke require of law schools?&quot; 128 U. Penn. L. Rev. 141</td>
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<td>(1977) Access to Justice</td>
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<tr>
<td>Projects</td>
<td>Conference/Panel</td>
<td>Statements (con't.)</td>
<td>Briefs</td>
<td>Books and Other Publications</td>
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<td>(1977) Opposed Second Circuit rule prescribing curricula required for admission to practice.</td>
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<td>(1977) Statement of No Position on Ex Parte Communication to Judge Kaufman in Rosenberg case.</td>
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<td>(1976) &quot;Goldberg/Herman Schwartz Memo on Access to the Courts&quot;.</td>
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<tr>
<td>(1976) Statement Calling on Attorney General Levi to take Comprehensive Action to address Institutional crime. (Watergate-related)</td>
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<tr>
<td>(1975) Statement Reaffirming Need for Minority Admissions Program.</td>
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Efforts Undertaken/Interest Expressed - No Firm Product

(Newsletter)
1979
Law School Admissions
Support for Minority Students
Placement - create new opportunities in public service for recent law grads

(Newsletter)
1976
Minority Student Admissions
Board of Governors is presently preparing specific program designed to focus concretely on the future shape of law school admissions standards.

Bar Exam
SALT is prepared to sponsor a major project for which it would seek foundation financing over a period of several years, which would attempt to study the problem and purpose revisions

1975
Selection of SALT Washington Liaison to put legislators in touch with SALT experts.

1980
Discussed interest in conference on student dissatisfaction with law school.

1982
Discussed study of financial aid policies
1974/1975 - Initial Committee Structure

1. Legal Education/Curriculum
2. Legal Services Corporation - Regulation & Structure of Legal Profession
3. Law Reform
4. Current Public Issues
5. Regulation of the Private Bar
6. Criteria for Judicial Appointments

Dec. 1977 Future of SALT -

See December 29, 1977 Minutes:

"The following members of the Board agreed to prepare memoranda with respect to the following issues, to be delivered to the president prior to the April meeting and to be used in preparing the final paper:

Ralph Brown, the first year of law school (and/or the socialization of law students).

David Chambers, Ethical standards for lawyers

Howard Lesnick, Bar Examiners

Frank Askin, "access" to the Federal Courts.

Wendy Williams agreed to convene a meeting of SALT members in the Washington, D.C. area to consider ways that a local organization might work."
Membership

4/15/77 - 410 renewal notices sent, only 49% responded

Options - Categories of membership
Frequent newsletters
Regional or local chapters

11/6/78 - Noted large turnover in members - (diagnosis failure to maintain regular communications with members)

Recommended Solutions
Establish member services, e.g.
1. Tenure - advice to candidates
2. Exam Exchange Service
3. Constitutional Law Section

Financing

Dues
(1975) 7,500 Grant Norman Foundation
(1976) 2,500 Norman Fund
(1976) 15,000 Carnegie Foundation
(1976) N.Y.U.
(1977) 3,000 in red
(1978) Oct. 6 - SALT is in financial trouble
(1979) Jan. 5 - SALT is in greater financial trouble than ever
(1980) May 10 - SALT is solvent
(1980) Sept. 13 - Balance is $2,000
(1981) Sept. 12 - Balance is $9,145.21
(1982) Jan. 8 - Balance is $8,000
(1982) May 15 - SALT remains solvent
(1982) Sept. 11 - Balance is $6,000
(1983) Sept. 21 - Balance is $10,209
(1984) Dec. 31 - Balance is $13,345
SUMMARY AND HIGHLIGHTS OF
SOCIETY OF AMERICAN LAW TEACHERS ACTIVITY*

(1986-91)

Founded April 1974.
(Organizational discussions began December 1972)

Founding Membership - 150
Membership 1990 - 550

*The charts in this appendix are based upon a review of the
minutes, newsletters, and position papers collected in the SALT
"archives."
1986
AALS Panel -- "Racism, Sexism, Classism and Heterosexism: A Close Look at Our Biases in the Classroom"

1987
AALS Panel -- "Open Door Closed Door: Finding a Balance Between Overinvolvement and Detachment in Faculty-Student Relations"

Co-sponsor of Critical Legal Studies panel on "Minority students and faculty in law schools" at AALS annual meeting.

Teaching Conference -- "The Politics of Academic Freedom"

1988
AALS -- Robert Cover Study Group -- Annual
Robert Cover Public Interest Conference -- Annual

1989
AALS -- Informal Workshop on "Training for the Justice Industry: The Interface Between Academia and the Employment Market"

AALS -- Co-sponsored program with Section on Women in Legal Education on "Influence of Feminist Theory and Gender Bias in Contracts"

AALS -- Open meeting of SALT membership held. Discussion centered on SALT response to the problem of the failure of law schools to generate interest in public interest law.

1990
1990 Conference for Legal Educators -- "Private Gain or Public Interest -- The Struggle for the Soul of American Legal Education"

AALS -- Panel on Student Activism and Faculty Diversity featuring Berkeley Coalition For a Diversified Faculty.

1991
AALS -- Co-sponsored (unofficially) panel with Jurisprudence Section.

West Coast version of 1990 public interest conference planned.

Authorized "day minus one" panel at 1992 AALS meeting on "racism, sexism, and heterosexism in the classroom and the current controversy about 'political correctness'."
STATEMENTS OF SUPPORT, OPPOSITION, Etc.

1986
Support requested for Conference on drafting Nicaraguan constitution - President authorized to indicate SALT’s willingness to sponsor the Conference.

Submitted letter to Senate Judiciary Committee in opposition to nomination of Justice Rehnquist.

Nelson Mandela resolution supported.

SALT opposed to Texas Department of Public Health’s proposed AIDS quarantine policy.

Letter sent to urge law schools not to patronize restrictive clubs for official functions.

In light of California Chief Justice Bird’s re-election campaign, SALT’s name was authorized to be used to support an independent judiciary, but not to endorse any particular candidate.

No action was taken on issue of whether SALT should intervene in Catholic University’s action of barring a professor from teaching his classes in the Theology Department because of the content of his views.

Support expressed for Derrick Bell after his teaching experience at Stanford.

1987
No action taken on suggestion that SALT support the proposal that academics be involved in judicial selection outside the context of any particular confirmation hearing.

Opposed nomination of Judge Bork -- testified at hearings.

AAUP first asks SALT to sign its 1940 Statement of Principles on Academic Freedom and Tenure. (See 1990)

Requested to oppose TIAA-CREF "Lock-in" policy.

1988
Support requested for Oregon Environmental Law Clinic -- Board resolved to send a letter to Univ. of Oregon expressing SALT’s hope that the University will maintain the independence of the law school’s clinical program.

Opposed nomination of Justice Kennedy on civil rights record.

1989
Request made by Sierra Club to sign on to letter to
members of Congress asking them to defeat attempt to limit judicial review of resource management agency decisions.

Supported amending §6.2 of AALS Bylaws to promote diversity of law school faculty, staff and student body -- submitted position paper.

Supported amendment to ABA Standard 211 designed to strengthen prohibition against discrimination in faculty employment -- testified at hearings.

Letter sent to President Bush encouraging him to fill the vacancies on the Board of the Legal Services Corporation with people who will promote the original objectives of the Corporation.

Supported ABA pro-choice resolution.

Support requested by Socorro Society to establish Socorro Chapters in law schools. Board agrees to investigate further.

Statement drafted supporting Derrick Bell and the need for diversity in faculty hiring.

Opposed nomination of Justice Souter.

Supported idea of Alliance for Justice for national teach-in that would focus on Supreme Court nominations and federal judiciary.

AAUP again asks SALT to sign its 1940 Statement of Principles on Academic Freedom and Tenure -- Board objects to heavily gendered language. Statement is amended. Support is under consideration.

Letter sent to Secretary of Education urging that CLEO continue to be funded.

Joined with Alliance for Justice in opposing nomination of Kenneth Ryskamp to the 11th Circuit.
PROJECTS -- REPORTS AND PUBLICATIONS


Annual Faculty Salary Survey.

PROJECTS -- UNFINISHED, ETC.

1986
Model Policies Project -- unfinished?
Guide to Law Schools proposed -- no action
LSAT project -- postponed
Possible SALT/ACLU official coalition -- no action

1987
"Mentoring" for AALS annual meeting -- postponed

1988
Academic Freedom Committee organized -- "no official Board charge."

5
<table>
<thead>
<tr>
<th>Year</th>
<th>Funding Details</th>
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<tbody>
<tr>
<td>1987</td>
<td>Authorized $500 to co-sponsor reception for Women and law Section at AALS in 1988. Denied request by law student for $8,000 to support book project on law student experiences. &quot;Board members felt that other financial commitments were such that we couldn’t afford this kind of expenditure.&quot;</td>
</tr>
<tr>
<td>1990</td>
<td>$1,200 authorized for mailing expenses to Law Students for Pro Bono. $5,000 authorized to fund Cover Conference, along with $5,000 for minority scholarships. (Previous allocations had been around $2,000, although far less than that had been spent.) $900 allocated for expenses related to AALS Jurisprudence panel. (Reservations were expressed about using this funding for honoraria.)</td>
</tr>
<tr>
<td>1991</td>
<td>$2,000 authorized for mailing and printing to Law Students for Pro Bono. ($3,000 requested for printing, mailing and travel.)</td>
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BRIEFS

1986 Request made by Coalition for Reproductive Equality in the Workplace to sign amicus brief in the case of California Federal Savings v. Guerra. There being no consensus on the issues of this case, the request was denied.

1987 Requested to sign brief in ACLU case Planned Parenthood Federation v. A.I.D. -- "First Amendment issues bring it within the scope of our natural concerns" -- President Emma Jordan. Not signed because not enough time to get Board approval.

1988 Signed amicus brief in Supreme Court of New Jersey for a determination by the Executive Committee on Ethical Standards Re: Appearance by Rutgers Attorneys Before the Council on Affordable Housing on Behalf of the Civic League Plaintiffs.

1989 Requested to sign brief in ACLU case Luckey v. Harris -- challenge to Georgia's indigent defense system.

1990 Signed amicus brief -- Johnson Controls case. "We decided that, because this case relates to an issue of diversity, we could sign as an organization."

1991 Signed brief in Harvard student suit against the law school for discrimination in faculty hiring.

Signed brief in NAACP-Detroit police case, dealing with constitutional protection against discriminating layoffs.

Asked to sign brief by ACLU National Prison Project in Rufo v. Inmates of Suffolk Co. Jail, about the issue of whether the Federal District Court properly denied modifying a consent decree which required construction of a new jail with single occupancy so that the jail could be constructed with double occupancy.
### SALT Finances

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<td>Sept. 9, 1985</td>
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<td>April 15, 1986</td>
<td>$10,691.04</td>
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<td>Sept. 10, 1986</td>
<td>$10,818.11</td>
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<td>Dec. 22, 1986</td>
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<td>Dec. 31, 1986</td>
<td>$18,711.00</td>
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<td>Sept. 15, 1987</td>
<td>$17,608.32</td>
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<td>Dec. 23, 1987</td>
<td>$33,472.13</td>
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<tr>
<td>May 10, 1988</td>
<td>$25,803.08</td>
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<td>Dec. 31, 1988</td>
<td>$34,584.00</td>
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<tr>
<td>May 8, 1989</td>
<td>$33,193.56</td>
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<tr>
<td>Dec. 8, 1989</td>
<td>$47,903.44</td>
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<tr>
<td>May 19, 1990</td>
<td>$48,373.19</td>
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<tr>
<td>Dec. 12, 1990</td>
<td>$65,363.91</td>
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*Note: $33,472.13 given to co-sponsor Women in Legal Education Reception at AALS.*

### SALT Membership

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<td>Sept. 1987</td>
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<td>Dec. 1987</td>
<td>402</td>
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<tr>
<td>July 1988</td>
<td>403</td>
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<tr>
<td>Sept. 1988</td>
<td>411</td>
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<tr>
<td>Dec. 1988</td>
<td>426</td>
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<tr>
<td>May 1989</td>
<td>426</td>
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<tr>
<td>May 1990</td>
<td>535</td>
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<tr>
<td>Sept. 1990</td>
<td>550</td>
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SALT AWARD Recipients

1990 - Marilyn Yarbrough

1989 - Rhonda Rivera
(Berkeley Coalition for a Diversified Faculty also honored)

1988 - University of Wisconsin Law School

1987 - Howard Lesnick

1986 - Barbara Babcock

1985 - Clinton Bamberger and CUNY Law School at Queens College

1984 - Derrick Bell

1983 - Herma Hill Kay

1982 - Charles Black

1981 - Arthur Leff

1980 - Harry Edwards

1979 - Ruth Bader Ginsburg

1978 - Rennard Strickland

1977 - Tom Emerson

1976 - Charles Miller

1975 - David Cavers