

SALT EQUALIZER

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SALT EQUALIZER

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Welcome to Our New SALT Board Members

Nancy Ehrenreich, University of Denver College of Law

The SALT community elected ten members to the Board of Governors in the election cycle just completed this November. Four of those chosen are new members and six are renewing members. Each will serve a three-year term. The ten individuals are:

- Bryan Adamson (Seattle)
- Raquel Aldana (UNLV)
- Eduardo R.C. Capulong (NYU)
- Jane Dolkart (SMU)
- Linda Edwards (Mercer)
- Emily Houh (Cincinnati)
- Nancy Ota (Albany)
- Florence Roisman (Indiana)
- Aviam Soifer (Hawai'i)
- Kellye T. Testy (Seattle)

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Co-Presidents' Column

*Beto Juárez, St. Mary's University School of Law
Holly Maguigan, New York University School of Law*



It is amazing to us that our two-year term is almost at an end. It has been an honor to be SALT's Co-Presidents, and we are grateful. We've had amazing experiences, thanks to our lively membership and to the guidance provided by the Board of Governors.

Our **challenge to the Solomon Amendment**, begun in the terms of past Co-Presidents Paula Johnson and Michael Rooke-Ley, reached the Supreme Court (*Forum for Academic and Institutional Rights and Society of American Law Teachers v. Rumsfeld*). In this issue of the *Equalizer*, Kent Greenfield tells us of the recent events, culminating in the oral argument on December 6th, in this case on the constitutionality of forcing law schools to accommodate military recruiters despite the military's policy of discrimination against our students, including LGBT students.

SALT had the chance to provide support for the Clinical Legal Education Association's successful efforts to persuade the ABA Council of the Section of Legal Education and Admissions to the Bar to require, in its interpretations of Standard 405, security of **status for clinical law faculty**. SALT members continue to work with the Coalition for Racial and

Co-Presidents continued on page 2

Co-Presidents:

▼ *continued from page 1*

Ethnic Diversity in Law Schools and the Legal Profession to urge the Council to take steps to curb the decline in the **enrollment of law students of color**. Recognizing that this fight is a long one, we are heartened that SALT has been specifically included in the affirmative action work carried on through Pipeline conferences. This is an effort that begins at kindergarten. It does not stop at a successful law school career. SALT's Committee on the Bar Exam and Alternatives to the Bar Exam has worked tirelessly to guarantee meaningful measures for **access to the profession** and, thereby, **access to justice** for many more people.

SALT's letter of **support for Lynne Stewart**, the progressive attorney and mentor to many law students who was convicted last February of providing material aid to a terrorist organization, is on our website (www.saltlaw.org/equalizer.htm) at page 12 of the *Equalizer* of September 2005, along with an article outlining the background of her case. Her sentencing is now scheduled for January 20, 2006, in the Southern District of New York.

Although success has not always been ours in the arena of **judicial nominations**, we continue to research nominees and write critical reports of which all SALT members may be proud. For recent examples of the work led by the Committee on Judicial Nominations, visit www.saltlaw.org/positions.htm#judicial.

Success has been achieved, by any measure, in our ongoing **faculty mentoring work**: SALT receptions for new and experienced teachers at the AALS Annual Meeting, hospitality suites at our own teaching conferences, at the National People of Color Conference, and at the AALS Clinical Education Section, and the

Faculty Development Workshop that SALT has co-hosted for three years with LatCrit. The response is enthusiastic and consistent. SALT is a key part of a much-needed network for law teachers throughout the country. Our membership grows every year. We are inspired by the energy and dedication of those growing numbers.

We are invigorated, too, by the election of some especially committed members to the **board of governors**. We are a volunteer organization. Our board is very active. SALT is fortunate to have attracted wonderful candidates this year. We are delighted to welcome them: **Bryan Adamson**, Director of Clinical Programs at Seattle, former Chair of the AALS Section on Clinical Legal Education, looks forward to continuing his work with SALT on the Solomon Amendment litigation and on affirmative action and diversity; **Raquel Aldana**, of UNLV, a primary author of SALT's 2004 Statement on the Use of Torture on the War on Terror (www.saltlaw.org/positionstorture.htm), who is eager to be a leader in "SALT's mission to promote an effective, activist community of progressive legal educators"; **Eduardo Capulong**, one of NYU's Lawyering Faculty and a member of the National Lawyers Guild, looks forward to working with SALT in coalitions with other groups in "much-needed interventions in the legal, political, and social arena"; and **Linda Edwards** of Mercer, also a first-year legal writing teacher, who seeks to continue on the SALT Board her long-standing work to achieve equality of status for legal writing colleagues.

We are very happy that several incumbent board members have been reelected: **Jane Dolkart** of SMU, whose work on Judicial Nominations has been essential to our recent efforts; Board Secretary (and new mother) **Emily Houh** (Cincinnati), whose focus will continue to be affirmative action; **Nancy Ota** (Albany), who

has taken our Technology and Communications Committee to even higher levels of excellence than existed when she joined the board three year ago; **Florence Wagman Roisman** (Indiana-Indianapolis), whose leadership on Judicial Nominations Committee has been invaluable; **Avi Soifer**, Dean at Hawai'i, who has taken over the Salary Survey with enthusiasm and great success; and **Kel-lye Y. Testy**, Dean at Seattle, who has undertaken to lead a workshop, sponsored jointly by Seattle and SALT, to provide practical support to people who seek to be law school deans, especially people currently underrepresented at leadership levels, at a time when SALT's voice is so crucial in discussions about the future of legal education in the U.S.

It is with particular delight that we look forward to the leadership of our Co-Presidents-Elect, who take office January 2006. **Eileen Kaufman**, who teaches at Touro, has long been a stalwart of SALT's Committee on the Bar Exam and Alternatives to the Bar Exam. She writes that "SALT will always be a home for those who went to law school believing that the law can be an instrument of social change." She is co-chair of the Annual Awards Dinner with her co-president, **Tayyab Mahmud** of John Marshall Law School. Tayyab chaired SALT's 2004 teaching conference committee, and he has been instrumental in forging the strong bonds between SALT and LatCrit. He describes his upcoming co-presidency as a way of "transgressing the real and imagined divides between the legal academy and imperatives of social justice."

SALT will, with a new Board and new Co-Presidents, continue to accomplish an amazing number of things on an incredibly small budget. We thank all of you who have renewed your membership dues, which provide the bulk of our revenues.

Co-Presidents continued on page 3

New Board Members:

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Mindful of the current attention being paid across the nation to contract issues involving faculty who are not usually placed on the traditional tenure track, the Nominations and Elections Committee made a conscious effort this year to select nominees representing the fields of clinical education and first-year lawyering skills. We have three such individuals joining the Board this year, including clinician Bryan Adamson and lawyering skills professors Linda Edwards and Eduardo Capulong. These new additions will no doubt contribute greatly to SALT's ability to participate effectively and visibly in the ongoing national conversation about how to provide respect and job security for all fulltime law professors – as they join us in SALT efforts

on various other fronts. The fourth new Board member, Raquel Aldana, is a former human rights lawyer, a specialist on executive power and national security law issues, and the author of SALT's response to the Justice Department's controversial Torture Memorandum.

As for returning Board members, two law school deans, Avi Soifer and Kellye Testy, agreed to continue their associations with SALT and were re-elected to new terms on the Board. SALT is privileged to have three deans currently serving as members of the Board of Governors. Other returning members include: Jane Dolkart, who has been most closely involved with SALT's efforts to reform law school reliance on the LSAT; Emily Houh, who serves ably as SALT's Secretary (as well as working on the Affirmative Action

Committee); Nancy Ota, our web-master and general technical guru; and Florence Roisman, who has worked tirelessly on SALT projects, most recently dedicating herself to SALT's efforts to fight the influx of right-wing nominees to federal judicial positions.



Bryan Adamson



Raquel Aldana



Eduardo Capulong



Linda Edwards

Co-Presidents:

▼ *continued from page 2*

And for those of you who haven't done so yet, take a moment now to mail your membership check, or to ask your school to send the check to us. You'll find a renewal form on the inside back cover of this issue of the *Equalizer*.

Not everyone is able to contribute to SALT's work with time. We want to remind you of two opportunities to contribute in other ways to SALT's work. Former SALT President Norman Dorsen made a generous contribution to SALT for the Dorsen Fellowship, which funds a law student to assist the Co-Presidents in carrying out SALT's work. The gift is conditioned on SALT's raising \$10,000 in matching funds each year. The Stuart & Ellen Filler Fund supports the work of law students doing public interest work in the

summer.

What's next? We'll see you at various events at the AALS meeting in January: on the evening of Wednesday, January 4th, the faculty mentoring reception from 6:30 p.m. to 8:00 p.m. and the Cover Study Group on academic freedom from 8:00 p.m. to 10:00 p.m. (for SALT's 2005 statement on the Ward Churchill case, see www.saltlaw.org/Churchill%20Letter.doc); and on Friday, January 6, our Annual Awards Dinner. (See the articles inside this issue for details about each event.) The Board of Governors meets Saturday, January 7. All SALT members are welcome to attend. We also look forward to our spring annual public interest and social justice retreats and encourage all of you to attend. You will come away with new energy from the Tina M. Grillo retreat on March 11-12, 2006, in California; the Norman Amaker retreat on the last weekend in February in Indiana; and the

Robert Cover retreat from March 3-5 in New Hampshire.

To stay current with SALT activities, please visit www.saltlaw.org. To join the work of a committee, please email the chair (listed at the website) or either of us. To welcome our new leadership, please join us at the Annual Awards Dinner on January 6. We hope to see you there.

We thank you again for letting us have such a wonderful perspective on all that you do. We are glad and grateful.

Warmest wishes,
Beto and Holly

Solomon Amendment Litigation Update

Kent Greenfield, Boston College Law School

By the time you read this article, the Supreme Court of the United States will have heard the arguments in *FAIR v. Rumsfeld*, scheduled for Tuesday, December 6 (before the publication of this edition of the *Equalizer*, but after the writing of this update). Arguing for FAIR, SALT, and their



Solomon Amendment protesters

co-plaintiffs will be Joshua Rosenkranz. The Solicitor General, Paul Clement, is scheduled to argue for the government.

Numerous amici have weighed in on both sides, with more than two dozen briefs filed. All briefs are available on www.solomonresponse.org.

The case has received broad attention leading up to the argument. Articles have appeared in many newspapers, and in-depth reports on the case have been produced for various public radio programs as well as for NBC Nightly News. In addition, in recognition of the great amount of interest in the case, the Supreme Court announced that it would release the audio recording of the argument immediately following the day's proceedings.

Also, leading up to the argument, Boston College Law School hosted a day-long conference on the case. More

than 25 legal scholars – including Paula Johnson, former Co-President of SALT – gathered to debate the various issues of the case. The students at BC presented the Arthur Harris Justice Award to Josh Rosenkranz. The award was named after Arthur Harris, one of the founding members of the plaintiff group Coalition for Equality, who died tragically after the suit was filed.

The Supreme Court will decide the case before the end of June. While Justice O'Connor was to be sitting when the case was argued, her vote will count only if she is still on the Court when the judgment is rendered. If Samuel Alito – or anyone else – is confirmed before the case is decided, the new Justice will be empowered to vote on the case even without being present at argument. In the meantime, you can keep posted on the status of the case by checking www.saltlaw.org, as well as www.solomonresponse.org.

SALT and Pipeline Programs

Beto Juárez, St. Mary's University School of Law

SALT has a long-standing commitment to diversifying the legal profession. In recent years, this commitment has encompassed a wide range of projects: amicus briefs in the Supreme Court, reports on the appropriate use of standardized tests in law school admissions, dissemination of alternatives to the bar examination, and proposals to modify law school accreditation standards to ensure that standardized tests are properly utilized.

As important as these efforts are, they do not address one of the fundamental problems causing the continuing underrepresentation of African Americans, Latinos, American Indians and others in the legal profession. Dean Elizabeth Rindskopf Parker (Pacific McGeorge) has led efforts to involve law schools and legal

educators in addressing the loss of far too many students of color as they progress through the educational pipeline, and to ensure that these students are well prepared academically as they progress through that pipeline. Working with her colleagues at Pacific McGeorge and with Sarah Redfield (Franklin Pierce), Dean Parker established programs at her law school that enable the law school's faculty and students to work closely with the students at a nearby high school.

I reported in the May 2005 issue of the *Equalizer* on the Pipeline Conference held in New Mexico in February 2005, and on the wide-ranging efforts of the ENLACE program in New Mexico to assist students of color in New Mexico to graduate from college and continue on to law school and other professional schools. The September 2005 issue of the *Equalizer* included an article by Charles Calleros (Arizona State) on the Pipeline Conference sponsored by the American Bar Association and the Law

School Admissions Council. I again had the honor of representing SALT at this conference, which took place in Houston on November 3 through 5, 2005.

Officially titled "Embracing the Opportunities for Increasing Diversity into the Legal Profession: Collaborating to Expand the Pipeline (Let's Get Real)," the conference included educational researchers, bar leaders, attorneys, fundraising experts, and representatives from the legal academy, undergraduate institutions, community colleges, and high schools, as well as leaders of pipeline programs.

The problems in our educational system can often seem daunting. Many of the speakers at the conference spoke about their own initial paralysis when they considered what they might do to address the pipeline problem. Each speaker also showed, however, the difference each of us can make in these students' lives when we take very simple steps. The Call to Action (full text available at www.mcgeorge).

Affirmative Action Committee Report

Margaret Martin Barry, Catholic University, Columbus School of Law

SALT's Affirmative Action Committee continues to consider ways to support law school efforts to achieve the diversity goals endorsed by the Supreme Court's ruling in *Grutter v. Bollinger*, 539 U.S. 306 (2003). It is currently working to develop a web link that can be used by schools seeking to achieve the critical mass of diverse students and faculty contemplated by the ruling.

SALT has also supported proposals to modify the ABA Standards for the Accreditation of Law Schools to bring them more in line with what *Grutter* allows schools to do to achieve equal opportunity and diversity. Specifically, SALT endorsed recommendations sent to the ABA's Standards Review Committee by Gary Palm on behalf of himself, other individual professors, SALT, and the Clinical Legal Education Association (CLEA). The recommendations, known as "the Palm proposals," would strengthen Standards 210, 211 and 503. (For the specific language of the Standards referenced, see <http://www.abanet.org/legaled/standards/standards.html>.)

With regard to the interpretation of Standard 210, the proposed changes would prohibit reliance on admissions policies and practices that have the effect of discriminating, and would also disallow the use of individual test scores in making admissions decisions and limit reliance on test scores to a statistically significant range of scores. With regard to Standard 211, the proposed changes would require that each school have a critical mass of traditionally discriminated-against minorities. The interpretations of Standard 503 would be modified to make clear that the use of admissions tests must conform to the recommendations of the testing agency, and further that admissions considerations must take into account the student's potential to add to the diversity of the law school community and the profession.

The ABA's Standards Review Committee reviewed and made recommendations regarding the proposed changes to Standards 210 and 211 and reported them to the Council of the Section of Legal Education and Admissions to the Bar. The Council has solicited comments on the changes as reported by the Standards Review Committee, and will take oral comments at the committee's hearing on January 5, 2006, during the AALS Annual Meeting, or in writing by that same date. The details of the proposed changes can be found at <http://www.abanet.org/legaled/home.html>.

One of the issues on which the Council needs to hear thoughtful input is its inclination to require efforts instead of results with regard to achieving diversity. The Council is concerned that requiring results will unduly burden schools who have difficulty attracting a diverse student body. On the other hand, requiring effort only does not do enough to move schools to diversify.

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[edu/government law and policy/education_law/index.htm](http://www.abanet.org/legaled/edu/government_law_and_policy/education_law/index.htm)) issued after the June 2004 Wingspread Conference explains:

Law schools should mobilize their faculty, students, and alumni . . . and they should involve themselves in education across the full spectrum of young people throughout the educational pipeline.

This involvement can take the form of street law initiatives, mock trial programs, mentor programs involving law students as well as the bench and bar; programmatic, pedagogical, and curricular development around law-related education and civic engagement; and joint appointments and programming within their universities.

The ABA's Advisory Council on Diversity has published an online directory of current pipeline programs. Take a look at the programs available in your state

and see whether you might be able to contribute to those programs. The directory is also a great source for ideas about programs you might be able to establish. You'll find the directory, as well as more information about the Pipeline Conference, at www.abanet.org/op/councilondiversity/home.html. If you're involved in a pipeline program that is not listed in the directory, you can also add your program to the directory by clicking on the link in the brown box on the web page that announces the directory.

In at least two respects, pipeline programs are different from much of the other work to increase diversity in the legal profession that SALT undertakes. First, it is not at all controversial. Bar leaders and lawyers from all sectors of the

profession are involved in these pipeline programs. Second, these programs can make a real difference in a very short period of time. They provide an opportunity for each of us to make a difference in the life of at least one young person.

The precise role SALT should play in the development of these pipeline programs is still being developed. If you have ideas about how SALT can best assist in these efforts, please let us know. If you are working in a pipeline program now, please consider writing an article for the *Equalizer* so that others can learn from your experience. Our actions today can make a difference in realizing the dream of a legal profession that reflects the diversity of our nation.

Follow-Up on Revised ABA Standards for Law Clinic Faculty

Margaret Martin Barry, Catholic University, Columbus School of Law

In the last issue of the *Equalizer*, we reported on proposed changes to ABA Standard for Accreditation of Law Schools 405(c). The changes, which had not been approved by the ABA House of Delegates at that time, are intended to strengthen the requirement that clinical law faculty have a form of security “reasonably similar to tenure.” The changes provide that a five-year presumptively-renewable contract meets the Standard, and that a shorter-term, presumptively-renewable

contract would also satisfy the Standard if the law school could validate that the alternate contract sufficiently protected the clinician’s academic freedom. Furthermore, the changes clarified that the “reasonably similar to tenure” language of 405(c) also means that governance rights includes participation in faculty meetings, committees and other aspects of law school governance “in a manner reasonably similar to other full-time faculty members.” This replaced language that required only the “opportunity to participate.”

The changes went before the House of Delegates at the ABA Meeting in Chicago in August, and were approved. They can be found incorporated into the ABA

Standards for Approval of Law Schools, at <http://www.abanet.org/legaled/standards/standards.html>.

The Clinical Legal Education Association (CLEA) is in the process of reviewing the ABA’s Statement on Academic Freedom and Tenure Policy in order to make sure that it is clear as to how academic freedom is protected for contract-track clinical faculty. It intends to make recommendations to the ABA Council of the Section of Legal Education and Admissions to the Bar if further clarification is needed. SALT will continue to support CLEA’s efforts, and we’ll keep you posted on our progress.

Report on SALT’s Third Annual Junior Faculty Development Workshop

Camille A. Nelson, Saint Louis University School of Law

Adele M. Morrison, Northern Illinois University College of Law

SALT was pleased to collaborate with LatCrit Inc. for the third annual Junior Faculty Development Workshop (FDW) at the Caribe Hilton, in San Juan, Puerto Rico. Over the course of a day and a half, FDW presenters and more than fifty participants discussed a broad range of issues important to the development of successful careers as legal academics, particular progressive law teachers.

This annual workshop is designed with the pre-tenure professor in mind, including clinicians and legal writing instructors, as well as those contemplating careers in the legal academy. Although focused upon the concerns of the junior faculty member, all of us in the legal academy could benefit from the forthright discussions that took place. Topics ranged from Professionalism (the informal and

formal rules of the promotion and tenure game) to Scholarship (devoted to both doctrinal and clinical requirements) and Pedagogy (a working lunch discussing pedagogy techniques). The scope of these sessions was broad, ranging from discussions on how to start and keep writing to exchanges on “best practices” for critical teaching. Importantly, the FDW includes a session devoted entirely to LatCrit Principles and Values – an elucidation of critical outsider jurisprudence featuring brief presentations on LatCrit’s intellectual precursors. A notable addition to this year’s FDW was a new session entitled “On Balance.” This was an informal session devoted to frank discussion about, and problem solving around, how to be a healthy individual, community member and family member, while contemporaneously pursuing and achieving excellence in the legal academy.

The event is motivated by the concern of both LatCrit and SALT to provide a network of support and encouragement for progressive junior faculty to ensure academic success. As the conference program

indicated, “Our hope is to support the success of progressive and critical faculty, both as scholars and teachers.”

The SALT Mentoring Committee and Faculty Development Workshop Coordinating Committee are excited about the chance to revive and continue these very important discussions. Indeed, we have already started our planning for next year’s conference in Las Vegas. Accordingly, LatCrit XI is sure to build on the many successes of LatCrit X, including the FDW. We very much look forward to seeing you there!

SALT Annual Awards Dinner to Honor Cole, CCR, and Yamamoto

Jane Dolkart, SMU Dedman School of Law

SALT will hold its annual awards dinner on Friday, January 6th, at the Heritage India Restaurant at Dupont Circle, considered by many to be the best Indian restaurant in Washington, D.C. The reception will begin at 6:00 p.m., with dinner starting at 7:00 p.m. A reservation form with additional information can be found at the back of this issue of the *Equalizer*, along with a form to place an ad in the dinner journal. We encourage you to purchase tickets in advance as space is limited.

This year's M. Shanara Gilbert Human Rights Award will be presented jointly to Professor David Cole of the Georgetown Law Center and the Center for Constitutional Rights. Both have worked tirelessly in the cause of human rights around the world. The award specifically honors them for their unflagging efforts to preserve the legal rights of detainees in the U.S., at Guantanamo Bay, and around the world.

Our annual Great Teacher Award will go to University of Hawai'i Law Professor Eric Yamamoto, who demonstrates the best of our profession as a teacher, mentor and scholar-activist.

In addition, SALT will recognize the deans, faculties and students of New York Law School, Vermont Law School and William Mitchell College of Law for their commitment to the principles of nondiscrimination and equal opportunity, demonstrated by their refusal to permit military recruiting on campus. They have acted in the face of the Solomon Amendment in spite of government pressure and the prospective loss of federal funds.



David Cole



Eric Yamamoto

SALT Welcomes Academy Newcomers at AALS Meetings in D.C.

Nancy Cook, Roger Williams University School of Law

Mark your calendars for Wednesday, January 4, at 6:30 p.m. The annual welcoming reception takes place at the Washington Hilton Hotel in Washington, D.C., co-hosted this year by SALT and the National Lawyers Guild. On behalf of the Guild, Professor Michael Avery (Suffolk) will address briefly some of the issues related to the Alito hearings, including what role activist students and teachers might take. FAIR president and SALT Board of Governors member Kent Greenfield (Boston College) will follow up with a different perspective on law teachers' involvement in the nomination process, particularly with respect to the potential risks of going public with an opposition. The infor-

mal discussion generated by Professors Greenfield and Avery, with its focus on the practical, academic-political, procedural and strategic factors that have to be balanced in any decision about how to proceed, should be of interest to new teachers and experienced faculty alike. With the Alito confirmation hearings scheduled for the week immediately following the AALS Annual Meeting, this year's reception is certain to be provocative.

The welcoming reception is not just about issues, of course. There will be food and drink, including a cash bar. Outgoing SALT Co-Presidents Beto Juárez and Holly Maguigan and incoming Co-Presidents Eileen Kaufman and Tayyab Mahmud will be available to answer questions about the organization. SALT members are encouraged to be on hand to extend a welcome to academy newcomers.

The upcoming welcoming reception follows on the heels of the SALT-spon-

sored reception at the 2005 AALS Faculty Recruitment Conference, also in Washington, D.C. On the Saturday evening marking the conclusion of the conference, SALT hosted a hospitality reception for weary interviewers and interviewees. Over the course of four hours, about thirty people gathered in a suite at the Marriott, where they all enjoyed light food, drink, and casual conversation. Candidates had an opportunity to talk candidly with experienced law teachers about the frustrations and foibles of the interviewing process. In the non-competitive environment, interviewing successes were roundly toasted and less pleasant experiences were put into perspective. This first-time SALT event at the recruitment conference was well received and may be the start of a new tradition.

SALT's Annual Robert Cover Workshop: Academic Freedom Under Assault

Patricia Falk, Cleveland State University, Cleveland-Marshall College of Law

On Wednesday, January 4, 2006, from 8:00 p.m. to 10:00 pm, during the AALS Annual Conference, SALT will once again host the Annual Robert Cover Workshop at the Hilton Washington Hotel in Washington, D.C. This year's topic is "Academic Freedom Under Assault."

At issue will be the attacks on the academic freedom of those who challenge the status quo, attacks that are well-organized, well-funded, and increasing in both frequency and intensity. The media has been enlisted in a broad campaign to support legislation restricting curricular material as well as the speech rights of faculty, to abolish tenure, and to mobilize public opinion behind attacks designed to chill protected but politically "unacceptable" speech. We have recently witnessed attempts to discredit scholars in numerous disciplines, including the hard sciences, and well-organized campaigns

to divert attention from their substantive critiques by attacking their academic or personal integrity. This workshop asks: How do we respond in a constructive and effective manner?

The purpose of this year's Cover Workshop is to synthesize a broad range of information on this trend to limit what can be taught and who can teach, to educate ourselves about the scope of the problem, and to begin a discussion about collective responses to counter it.

Core materials will be available at the workshop and will be posted at www.saltlaw.org before the conference. The members of this year's planning committee – Patti Falk, Holly Maguigan, and Natsu Taylor Saito – have asked Andrea Curcio to give an overview, moderate the discussion, and keep us on schedule. Resource persons Deborah Waire Post, Abdeen Jabara, and Ward Churchill will give a five to ten minute summary of their topic and be available for questions as we move into a discussion of approximately fifteen minutes on each topic. We hope to end with some brainstorming about productive responses to this broad range

of attacks on academic freedom.

Our proposed agenda is as follows:

- I. Introductions; Overview – Andi Curcio
- II. Breadth of the Attacks
 - A. "Academic Bill of Rights": Legislating Curricular Content & Classroom Conduct – Deborah Post
 - B. Silencing Middle Eastern Scholars – Abdeen Jabara
- III. Nature of the Attacks
 - A. Pretextual Charges and Media Manipulation – Ward Churchill
 - B. Turning "Academic Freedom" on Its Head
- IV. Protecting Critical Thinking, Political Dissent, and Access to Truth
 - A. Placing attacks on academic freedom in the broader political context – Natsu Saito
 - B. Brainstorming about options – Andi Curcio

The discussion promises to be lively and fascinating, as always. We look forward to seeing you there!

Society of American Law Teachers invites you to join us at the AALS Annual Meeting in Washington, D.C., for the following events:

Wednesday, January 4, 2006, 6:30 p.m.-8:00 p.m., Hilton Washington

SALT and the National Lawyers Guild host a Welcoming Reception for New and Experienced Teachers.

Wednesday, January 4, 2006, 8:00 p.m.-10:00 p.m., Hilton Washington

SALT's annual Robert M. Cover Workshop provides an opportunity for discussion of recent attacks on academic freedom. Materials will be posted at www.saltlaw.org. Andi Curcio will lead the session. Resource persons will include Ward Churchill, Abdeen Jabara, and Deborah Waire Post.

Friday, January 6, 2006, 10:30 a.m.-12:15 p.m., Delaware Suite A, Lobby Level, Marriott Wardman Park Hotel

"Reconceiving Lawyer Licensing: Alternative Models of Assessing Lawyer Competence." Program by the AALS Committee on Bar Admission and Lawyer Performance will explore alternatives to the traditional bar examination. Speakers will include Kristin Booth Glen, Sophie Sparrow, Judith Wegman, Dale Whitman and Paula Johnson.

Friday, January 6, 2006, 4:30 p.m.-6:15 p.m. (Location to be posted at www.saltlaw.org)

SALT, the Charles Hamilton Houston Institute, the Equal Justice Society, and the American Constitution Society for Law and Policy host a screening of Abby Ginzburg's new documentary on Judge Thelton Henderson.

Friday, January 6, 2006, 6:00 p.m.-9:30 p.m., Heritage Indian Restaurant, Dupont Circle

SALT holds its Annual Awards Dinner. Eric Yamamoto is to be honored as SALT's Great Teacher, and the M. Shanara Gilbert Human Rights Award will be presented to David Cole and the Center for Constitutional Rights. Ticket and program ad information is available in this issue of the *Equalizer* and will be posted at www.saltlaw.org.

Saturday, January 7, 2006 11:00 a.m.-3:00 p.m

(Location to be posted at www.saltlaw.org and announced by email) The SALT Board of Governors holds its winter meeting. All SALT members are welcome to attend.

Amaker Public Interest Law Retreat: February 24-26, 2006

Carrie Lynn '07, Indiana University School of Law-Indianapolis

The 2006 Norman Amaker Public Interest Law Retreat, sponsored by SALT and Indiana University School of Law-Indianapolis, will take place the weekend of February 24th through 26th. The retreat brings public-interest-minded law students, faculty, and practitioners together for a weekend dedicated to social justice. The retreat will take place at the Bradford Woods retreat center, located just 45 minutes south of Indianapolis, Indiana, and is open to anyone with a passion for public interest law and social justice issues.

The weekend is filled with speakers from around the country who have dedicated their lives to serving others and who will share their experience on a variety of public interest topics. This year's theme is "Injustice and the Impoverished," with a special focus on the various natural catastrophes our world has undergone throughout the past year. Panels for this year's event include: "Legal Ramifications of Natural Disasters", "Access to Justice in Developing Nations", "The Threat of Predatory Lending", "Healthcare and Its Availability to Everyone", "Discrimination in Education", and "How AIDS Affects an Individual's Right to Fair Legal Representation." This is an event you do not want to miss. For more information, please contact Carrie Lynn at cnlynn@iupui.edu. Registration is \$100 and includes weekend accommodations and meals.

Cover Public Interest Law Retreat: March 3-5, 2006

Abigail Whiffen '06, Pennsylvania State University, Dickinson School of Law

Students at the Dickinson School of Law of Pennsylvania State University are busily organizing the programming for the 19th Annual Robert M. Cover Public Interest Law Retreat, which will take place from March 3rd to 5th in New Hampshire, at Boston University's Sargent Center. This year, the theme of the retreat is "The Faces Behind the Cases." It focuses on the people who motivate us to go into public interest law. Panel topics this year include: Labor Law, Child Advocacy, Native American Law, Women's Issues, LGBT Rights, Civil Rights, Civil Liberties for Arab-Americans and Muslim Americans, Rights of Differently-Abled Persons, Animal Rights, Elder Law, Legal Issues Facing Latinos, Immigration, and International Human Rights. As always, the goal of the panel sessions is to spark dialogue between students, professors and practitioners.

The registration fee is \$125, which includes lodging, five meals and a great experience. The website will be up soon (check www.law.yale.edu/coverretreat), and a more detailed agenda will be posted there in January. In the meantime, please contact Abigail Whiffen at auw117@psu.edu or Kate Cramer Lawrence, Public Interest Fellow, at kmc32@psu.edu for more information.

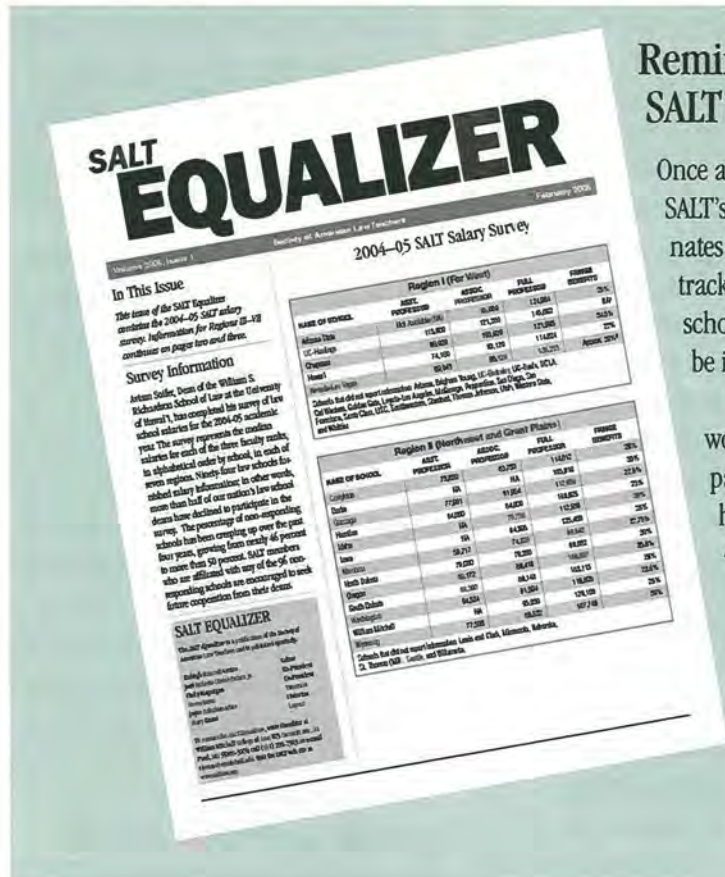
Grillo Public Interest Law Retreat: March 11-12, 2006

Robert Lancaster, Indiana University School of Law-Indianapolis

The 8th Annual Trina Grillo Public Interest Law and Social Justice Law Retreat will be held March 11 - 12, 2006, at the Coast Santa Cruz Hotel in Santa Cruz, California. Come enjoy the beach, good company and discussion on this year's theme, "Social Justice in a Transactional World." Panel discussions will include "Social Justice and the Business of Law", "Social Justice Entrepreneurs", "Social Justice and Legal Education", and "A Case Study in Social Justice Entrepreneurship: Preserving Democracy: Elections and Access to Voting."

The program will also include the Ralph Abascal Memorial Address, delivered this year by James Head of the San Francisco Foundation, and the After Dinner Address by Bernida Reagan of the Port of Oakland.

Registration is \$125 and the deadline for registering is February 27, 2006. For more information and a complete program listing, please log on to http://www.scu.edu/law/socialjustice/grillo_retreat/html.



Reminder: Please Make Sure to Complete SALT's Salary Survey Forms

Once again this year, Avi Soifer (Dean, Hawai'i) is collecting data for SALT's important annual salary survey. The survey collects and disseminates the median salaries and fringe benefits for three tenure or tenure-track law faculty ranks (assistant, associate and full professor) for law schools in the United States. Letters and easy-to-complete forms should be in the offices of all law school deans by the time you read this.

Last year, 94 law schools furnished salary information; in other words, more than half of our nation's law school deans declined to participate in the survey. The percentage of non-responding schools has been creeping up over the past four years, growing from nearly 46 percent to more than 50 percent.

Please help make sure that your school participates, using whatever persuasive methods you deem legal and appropriate. The completed forms should be mailed or faxed to Avi at 808-956-6402 by December 12th.

If you or the person filling out your school's form has any questions, please contact Avi at 808-956-6363 or soifer@hawaii.edu.

Call for Participation: GAJE NYC

The Global Alliance for Justice Education (GAJE), North American Region, will hold an international conference entitled "International Collaboration in Teaching, Learning, Lawyering and Scholarship," on May 3rd and 4th at Fordham Law School in New York City.

This conference is a one-day workshop designed to explore the theme of facilitating global collaboration in teaching, learning, lawyering and scholarship to promote justice education. It will follow the 2006 Association of American Law School's annual conference on Clinical Legal Education, to be held at the Sheraton New York Hotel from Sunday, April 30, through Wednesday, May 3, 2006. A reception for all GAJE participants will be held on Wednesday evening, May 3, and workshops will take place on Thursday,

May 4. The conference will conclude with a planning session with our Central and South American colleagues for the fourth international GAJE conference, scheduled for late November/early December 2006 in Cordoba, Argentina.

The conference is sponsored by the North American Region of GAJE, an alliance of persons committed to achieving justice through education. Clinical education of law students is a key component of justice education, but this organization also works to advance justice by working with NGOs, practicing lawyers, judges, law students and the lay public. Delegates from every continent and over 50 countries have participated in GAJE's first three worldwide conferences. Membership is open and free to anyone interested in justice education. More information about GAJE is available at <http://www.gaje.org>.

We invite proposals for workshops, presentations, works-in-progress and

scholarly papers on issues relating to the conference theme of facilitating global collaboration in justice education, including, but not limited to, any of the following topics:

- Collaborative teaching and program development between and among law schools, NGOs, community organizations, and governmental entities
- Interdisciplinary efforts at justice education
- Collaborative learning in clinical and non-clinical contexts
- Strategies for integrating collaborative approaches into legal education around the world
- Exchanging lessons learned on implementing justice education

Submissions should address the question of why the proposed topic is of interest to an international and multi-cultural audience. Abstracts of papers and

proposals for presentations or workshops should be submitted to the conference committee, in care of Peggy Maisel, mailselp@fiu.edu, **no later than January 17, 2006**. Acceptances will be made by February 15, 2006. Full drafts of papers are due by April 15, 2006. The Fordham Law School International Law Journal will review and publish selected

scholarly papers that are presented at this conference; however, acceptance of a paper for the conference is not a guarantee of publication.

Non-presenters are welcome to attend and participate as well. For participants attending from outside the United States and who require a visa, GAJE will provide the necessary documentation as soon as

possible after it is requested.

For more information, contact Louise McKinney, Program Co-Chair, Case Western Reserve University School of Law, at 216-368-6360 or louise.mckinney@case.edu, or Catherine Klein, Program Co-Chair, Catholic University, at 202-319-6788 or klein@law.cua.edu.

Luis DeGraffe, Law Professor, Mentor to Aspiring Attorneys of Color: 1949-2005

Franklin Siegel, CUNY School of Law

Luis Jorge DeGraffe, Professor of Law at the City University of New York School of Law (CUNY), died suddenly on the early evening of August 8th. He was 56 years old. Professor DeGraffe had spent the day teaching at Third World Orientation, an academic empowerment skills program he founded for students of color entering the first year of study at the school. He had organized the program for seventeen consecutive years.

Professor DeGraffe had taught at CUNY Law since 1984, the school's second year, and was an ideal fit for the only ABA-accredited law school with the organizational mission to train public interest and public service lawyers. Michael Olivas, Director of the Institute for Higher Education Law at the University of Houston, noted that Professor DeGraffe was one of the senior Latino law professors in the United States, and among the first of Puerto Rican and African-American descent.

"Professor DeGraffe was an inspired and inspiring teacher," commented CUNY Law Interim Dean Mary Lu Bilek. "He was a mentor to hundreds of students over the years, treating them with unequivocal respect, unwavering faith in their ability to succeed, unquestioning support, and unflinching insistence on excellence. His professionalism and generosity, as well

as his steadfast efforts to bring students from communities underrepresented in the profession into law school and to the bar, not only benefited the CUNY School of Law, but scores of clients who otherwise would not have had access to justice who are now being served by the students he taught and encouraged."

Professor DeGraffe attained academic honors on the CUNY Law faculty, including a William J. Fulbright Fellowship to teach U.S. Constitutional Law in El Salvador in 1994, and the Distinguished Professor Award for Excellence in Teaching from the CUNY School of Law graduating classes of 1999 and 2002. He published articles in the *Seton Hall Law School Legislative Journal*, the *New England Law School Journal on Criminal and Civil Confinement*, and the *Syracuse Law Review*. Professor DeGraffe was also an institution builder within the law school, establishing the Academic Empowerment Program known to generations of students as Third World Orientation, and the Interamerican Comparative Law Program, the first academic exchange program for students between a U.S. law school and Cuba's law school at the University of Havana.

Professor DeGraffe's special passion was for mentoring and empowering students of color who aspire to careers in the law. At the time of his death, Professor



Luis DeGraffe

DeGraffe was not only leading the CUNY Law students who were running the week-long Third World Orientation, but he was simultaneously organizing the first "Law-Bound Summer Academy" for the Puerto Rican Legal Defense and Education Fund (PRLDEF) to take place the next week. LawBound's goal is to identify, motivate and prepare Latino college students for a career in the legal profession by becoming competitive law school applicants. LawBound Summer Academy was a "next step" in Professor DeGraffe's mentoring work at PRLDEF, where he had launched

Luis DeGraffe continued on page 12

Luis DeGraffe:

▼ *continued from page 11*

an Annual Law Day, held each year since 1983, and where he regularly volunteered his time helping students of color develop their personal essay, a critical component

“Professor DeGraffe was an inspired and inspiring teacher. ...He was a mentor to hundreds of students over the years, treating them with unequivocal respect, unwavering faith in their ability to succeed, unquestioning support, and unflagging insistence on excellence.”

of law school application packages.

Professor DeGraffe was a member of Antioch Law School’s founding class in 1975, an institutional forerunner to CUNY Law. Upon graduation he received a Reginald Heber Smith Community Lawyer Fellowship to work as a lawyer at Brooklyn Legal Services in East New York, a community-based legal services

program in one of the nation’s poorest neighborhoods. His romance with teaching began during this period, when he conducted workshops on tenants’ rights for several community groups. He later taught at the College for Human Services and the Urban Legal Studies Program of the City College of New York where he was a Charles H. Revson Fellow. Prior to joining the CUNY Law faculty, Professor DeGraffe served as Director of Education at the Puerto Rican Legal Defense and Education Fund.

Jocelyn Greene, CUNY Law Class of 2006, captured the essence of students’ impressions of Professor DeGraffe. “He was a caring and kind human being. He was the kind of lawyer that I want to be and the kind of friend that everyone should be. In any of his classes, you could have mistaken him for a Lamaze coach with his ‘C’mon people, stay with me, just a little more!”

Professor DeGraffe early leading role in mentoring aspiring law students of color was honored at the Ninth Annual National Latina/o Law Student Association Conference held at American University in Washington, D.C. on October 22nd.

Professor DeGraffe lived in Brooklyn. He is survived by his wife, Elizabeth Dickinson, and two young sons, Jamaal and Khalil. Jamaal and Khalil joined their father when he taught at the Council on Legal Education Opportunity (CLEO) “Attitude is Essential” Summer Law Institute in Atlanta this summer and, as often was the case, were both planning their future college and basketball careers with their Pop the day before he passed away. Also surviving Professor DeGraffe are four siblings and his mother.

Affirmative Action:

▼ *continued from page 5*

The Standards Review Committee reported proposed changes to Chapter 5 to the Council right after its November meeting, but the Council has not had the opportunity to consider those proposals as yet or set any time for receiving public commentary.

The ABA Standards currently require law schools to demonstrate a commitment to providing equal opportunity in their admissions processes, but, since 1994, African and Mexican American enrollment has significantly decreased. The twenty-year time frame for achieving diversity that Justice O’Connor anticipated in *Grutter* serves as a reminder that we should be moving forward, not backwards. Working with our schools’ admissions offices, attending to faculty hiring, and carefully reviewing the proposed changes to the ABA Standards are a few of the steps that we should all be taking.

SALT Annual Awards Dinner

Friday January 6, 2006

6:00 p.m.

Heritage India Restaurant

Dupont Circle

1337 Connecticut Ave. NW

Washington, D.C.

- ___ tickets at \$65 each (postmarked by Dec. 12) OR
- ___ tickets at \$75 each (postmarked by Dec. 28)
- ___ reserved table for 10 @ \$1000 per table

Tickets may be available at the door for \$80 each, but space is limited so we encourage you to purchase in advance.

If you need a subsidy to be able to attend, please contact Professor Bill Quigley (quigley@loyno.edu).

Name of party: _____

Contact person name and e-mail: _____

Please return a copy of this form with a check payable to "Society of American Law Teachers" to:

Professor Norman Stein

12 Columbia Road

Portland, Maine 04103

Questions? Contact Norm Stein at nstein@law.ua.edu.

SALT Annual Awards Dinner Journal Ads

Yes, I/we would like to place an ad in the SALT Dinner Journal.

Size of ad

- full page (5 x 8 in.)-----\$200 enclosed
- half page (5 x 4 in.)-----\$125 enclosed
- quarter page (2.5 x 4 in.)-----\$75 enclosed

Name of individual/organization: _____

Contact person: _____

E-mail: _____

Phone number: _____

I would like to sign on to a statement congratulating SALT and its 2006 honorees.

\$25 or _____ (other amount) enclosed.

Name (and affiliation if desired): _____

*****Ads and Names must be received by December 12, 2005*****

Please return a copy of this form with a check payable to "Society of American Law Teachers" to:

*Professor Eileen Kaufman
Touro Law Center
300 Nassau Road
Huntington, NY 11743*

Questions? Contact Eileen Kaufman at EILEENK@tourolaw.edu.

About SALT

The Society of American Law Teachers (SALT) is a community of several hundred progressive and caring law professors and administrators dedicated to justice, diversity, equality, and academic excellence. We aim to make the legal profession more inclusive, enhance the quality of legal education, and extend the power of law to underserved individuals and communities.

We envision a future in which law schools embrace students and faculty from diverse backgrounds who work together to develop a more just conception of law, and in which the legal profession extends meaningful access to justice to all sectors of our society and serves as a clarion voice for justice and equality.

You can find out more about SALT at www.saltlaw.org. Please join us!

Society of American Law Teachers *Membership Application (or renewal)*

- Enroll/renew me as a Regular Member. I enclose \$60 (\$40 for those earning less than \$50,000 per year).
- Enroll/renew me as a Contributing Member. I enclose \$120.
- Enroll/renew me as a Sustaining Member. I enclose \$360.
- I enclose _____ (\$120, \$180, \$240, or \$300) to prepay my dues for _____ years (\$60 each year).
- Enroll me as a Lifetime Member. I enclose \$900.
- I am contributing \$ _____ to the Stuart and Ellen Filler Fund to support public interest internships.
- I am contributing \$ _____ to the Norman Dorsen Fund to support the work of the SALT Board.
- I am contributing \$ _____ as an additional contribution to support SALT's promotion of affirmative action.

Name _____ School _____

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