

The **EQUALIZER** **SALT**

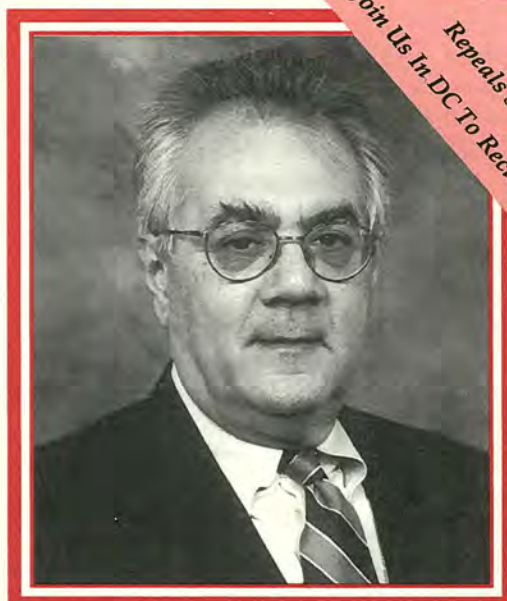
Volume 1999, Issue 3

Society of American Law Teachers

December 1999

SALT HONORS MARJORIE SHULTZ, BARNEY FRANK AT THE ANNUAL AWARDS DINNER

- Theresa Glennon
Temple University School of Law



Join Us In DC To Reclaim Equality
Congress
Repeals Solomon II

This year's Annual SALT Awards dinner will honor two remarkable individuals who have made extraordinary commitments to equal opportunity and respect for diversity within our society and within the legal profession. This year, the SALT Teaching Award will be given to Professor **Marjorie Shultz** of Boalt Hall School of Law at the University of California at Berkeley, and the SALT Human Rights Award will be given to Congressman **Barney Frank**. SALT members and friends will gather at Morton's of Chicago in Washington, D.C. on Saturday, January 8, 2000 to celebrate the dedication, skill and accomplishments these two fine individuals have brought to the ideals of equality and diversity that are at the heart of SALT's mission. SALT is delighted that Professor Shultz and Congressman Frank will both join us at the dinner to accept their awards.

Professor Marjorie Shultz has been an effective and outspoken advocate for diversity in many realms and, in her own career, has been a pioneer on behalf of women in the legal academy. In addition, she is a gifted teacher and scholar in the areas of health law and medical ethics, gender and race law, legal ethics, contracts and legal education. Professor Shultz also played a key role in the development of SALT, pushing our organization to take on the issues

continued on page 4

INSIDE THIS ISSUE . . .

Co-Presidents' Column	page 2
First Monday Programs	page 3
SALT Board Meets in San Francisco	page 6
SALT Salary Survey - Urgent Call	page 7
Re-Examining the Bar Exam Conference	page 8
Conference Keynote Speech	page 10
SALT Events in Washington DC	page 13
Annual Awards Dinner Reservation Form	page 15
Minority Graduates of One American Law School	page 19
SALT Related Events 2000	page 25
Looking for a New Editor	page 27

PRESIDENTS' COLUMN



- Stephanie M. Wildman – Phoebe A. Haddon
UC-Berkeley Temple University
School of Law School of Law

As we write our last *Equalizer* column as SALT Co-Presidents, we have many emotions. We thank the dedicated members of the SALT Board of Governors and SALT membership for your enthusiastic support during our term. We know you will show the same enthusiasm for SALT's new Co-Presidents, **Carol Chomsky** (Minnesota) and **Margaret Montoya** (New Mexico). SALT is in good hands and will continue to engage in exciting work.

You have had an opportunity to ensure that, in addition to the co-presidency, there is the kind of leadership that is necessary for the our work on the Board of Governors. Eleven positions on the Board will be determined by your vote in the election held last month. All dues-paying members of SALT were entitled to vote. At press time, your ballots are being tabulated, and the results will be announced during the AALS annual meeting in January.

In our columns over the past two years, we have invited you to become a part of SALT's Action Campaign, identifying the projects which have defined our progressive agenda. In this last column, we again encourage you to become even more actively involved in SALT's work. Indeed, we know that we can only be successful if we have the support and creative energy of our membership.

We cannot imagine a better time to become involved. In addition to the projects that are an ongoing part of our own Action Campaign, we have secured alliances with other legal education organizations in order to maximize the impact of our work. For example, the AALS annual meeting this year is marking the centennial of that organiza-

tion and has as its theme "A Recommitment to Diversity." SALT will be present at the AALS meeting, sponsoring many activities consistent with this theme and in keeping with our Action Campaign. SALT will offer a mixed media, interactive exhibit called "Millennial Footsteps: Equal Justice and Equal Access, Past and Future," and you are invited to participate in the exhibit by sending a photograph or other memorabilia regarding your social activism. (See page 14 herein for further details.)

This fall's SALT Conference, "Re-Examining the Bar Exam" (see page 8 herein), challenged us to be more vigilant to the ways in which exclusion is reintroduced or perpetuated in the gate-keeping function of the bar examination. Special thanks to **Joan Howarth** (Golden Gate) and **Lisa Iglesias** (Miami), their planning committee and the Golden Gate University School of Law for the hard work in orchestrating an extremely successful event. Notably, the conference uncovered efforts to raise bar passage standards and other means which have the effect of disproportionately excluding from the profession students of color and other traditionally marginalized groups. We identified national and local strategies which can respond to this reactionary movement and have encouraged all SALT members to work in their law schools and communities, alerting other faculty about what is happening and aligning ourselves with other organizations which are concerned about this issue.

The Robert Cover Study Group, which we

"... SALT continues to do what it does best – creating community for legal educators who want to ensure equality in and access to legal education, the profession and legal services."

will convene at the AALS annual meeting (see page 13 herein for details), will build on the work of the Bar Conference, examining the discriminatory nature of the bar examination process, the ways it influences choices we make as teachers, and the disconnection between lawyer competence and the skills which are tested. We are grateful to **Susan Bryant** (CUNY), **Joan Howarth**, **Eileen Kaufmann** (Touro) and **Judith Reed** (DePaul) for planning this session.

Immediately following the Cover Study

Group, we will call a SALT general membership meeting. We encourage you to come, to meet other law professors and to share ideas about how better to effectuate our progressive agenda.

SALT has always valued teaching, and we continue to recognize teaching as a fundamentally important part of our work. This year at our Annual Awards Dinner we will honor Professor **Marjorie Shultz** (UC-Berkeley) for being a teacher among teachers and Congressman **Barney Frank**, who will accept the SALT Human Rights Award for his work to repeal the Solomon amendment (see page 15 herein for dinner reservation details).

As our term ends, we find that SALT continues to do what it does best – creating community for legal educators who want to ensure equality in and access to legal education, the profession and legal services. And don't forget to pay your SALT dues! They entitle you to vote in elections, and, at \$50 per year, they remain a bargain in an inflationary world. Most importantly, they provide the means to accomplish our work. ■



SALT MEMBERS INITIATE "FIRST MONDAY" PROGRAMS

– Ann Shalleck
*American University
Washington College of Law*

For the sixth year, SALT co-sponsored First Monday with the Alliance for Justice, an association of 50 advocacy groups. First Monday is a national program designed to bring together the entire legal community, including law teachers, students, practitioners and judges, to foster a vision of the law as a force for furthering social justice. An annual event to inspire young people to pursue public interest work, First Monday coincides with the opening day of the U.S. Supreme Court term. This year's program on October 4, 1999, joined in by over 150 housing and homeless organizations, focused on the housing crisis. SALT members at law schools around the country played crucial roles in designing creative First Monday programs at their institutions.

A film produced by the Alliance, "Bringing Justice Home," served as the centerpiece of programs held at multiple sites around the country. More than 100 law schools, 50 social work programs, and several public interest organizations and undergraduate schools took part. The National Low Income Housing Coalition and National Stu-

dent Campaign Against Hunger and Homelessness also used the film in their conferences. The film tells the stories of housing struggles in three different parts of the country. The film begins with the portrayal of the plight of migrant farm workers in the Yakima Valley in the state of Washington. The second segment takes the audience to Chicago, where it highlights how activists used litigation in the *Gautreaux* case to generate alternatives to traditional public housing. The film concludes with the story of a woman and her children who went from living in shelters to owning their own home due to a Montgomery County, Maryland housing ordinance designed to facilitate low-income home ownership.

Building on the unifying focus of the film, organizers of events devised programs focusing on their local situations. For example, Columbia University Law School used its First Monday program as the keynote presentation for its Public Interest Awareness Week. Duke Law School held a week-long series of events: organizations showed the film, hosted a discussion led by a housing attorney and two Duke law students and presented a panel, which included the director of a local shelter and two faculty members. Students also volunteered at the Durham Community Shelter for Hope. The Indiana University School of Law at Indianapolis also presented a panel of attorneys from the Homeless Legal Assistance Project, Legal Services and the NAACP. The Fordham University Social Work Program presented the film and hosted a panel, which included a member of the student group "Justice", a community organizer, a law student and a lawyer who works with housing authority tenants.

Some law schools cooperated in regional programs. The six law schools in the Philadelphia area -- Dickinson, Rutgers-Camden, Temple, Pennsylvania, Villanova and Widener -- hosted a First Monday program for the entire city. Co-sponsored by the Committee on the Problems of the Homeless, this event addressed issues related to the lack of affordable housing in Philadelphia, including the crackdown on homeless people on the streets. The Bar Association Chancellor, **Edward Chacker**, and Mayor **Ed Rendel** provided closing remarks. In the Minneapolis/St. Paul area, the St Paul Coalition for the Homeless joined with organizations from around the region, including the law schools, colleges, churches, hospitals and housing organizations, to present over 30 programs. 2,200 people attended. Regional events in ten other major cities were also held.

It is never too late to show the Alliance film in your classes or at organizational events at your school. For further details please contact **Susan Lazaroff** at the Alliance for Justice at 202-822-6070 or fmonday@afj.org. ■

continued from page 1

of diversity in the legal profession that have become the lynchpin of its mission today.

Professor Shultz's remarkable career on the faculty at Boalt Hall started in 1976. Her skill, depth and innovativeness as a teacher immediately captured the hearts and minds of her students. Professor

"Her skill, depth and innovativeness as a teacher immediately captured the hearts and minds of her students."

Shultz's early, groundbreaking legal scholarship brought a feminist perspective to the areas of contracts and health care law. A talented teacher, she was able to translate her creative insights into the workings of law in the lives of women and racial minorities into the classroom. Students quickly recognized her great talents and energy as a teacher, and she received the Berkeley Campus Distinguished Teaching Award in 1983. Professor Marina Hsieh (Maryland), a former student has observed that "Marge's classroom is the only time I have witnessed a 'conversation' that included 100 people. It was breathtaking."

Professor Shultz has made numerous important and original contributions to legal scholarship. Her early work focused on applying feminist theory to contract and health care. Two of these early works, "From Informed Consent to Patient Choice" in the *Yale Law Journal* and "Contractual Ordering of Marriage" in the *California Law Review* broke new and fer-

"Professor Shultz's early, groundbreaking legal scholarship brought a feminist perspective to the areas of contracts and health care law."

tile ground, leading many to begin to rethink these areas of law so important to the lives of women.

"Professor Shultz's scholarship connects law to real people and how we live our lives," says Professor Hsieh. From her earliest work on marriage as contract and informed consent in medicine, she showed how law involves power, choice and constraints on our lives. And, of course, her scholarship about classroom dynamics and inclusion have directly helped all of us as teachers.

Professor Shultz is also active in advising the University of California in San Francisco Medical

Center concerning ethical dilemmas, she serves on several medical advisory committees, and she is a member of the Science Editorial Board and Departmental Editor for the *Journal of Gender Specific Medicine*.

Despite her groundbreaking scholarship and recognition for excellence in teaching, Professor Shultz was initially denied tenure. As Professor Sumi Cho (DePaul) explains, "Marge Shultz's case illustrated to many Boalt Hall students the appalling racial and gender caste system that had tenured but one faculty member of color from 1967 to 1987 and had not tenured a woman since 1972. She is heroic to the student movement, not simply for symbolizing this unfairness and corruption in Boalt's hiring and tenuring process, but for actively speaking out against it and revealing it, thus inspiring a student movement." Boalt Hall eventually recognized its terrible mistake and granted

"Professor Shultz has been an outspoken advocate for ethnic, racial and gender diversity in legal education."

Professor Shultz tenure.

Professor Shultz has, over the course of her career, been an outspoken advocate for ethnic, racial and gender diversity in legal education. In a recent commentary in the *Berkeley Women's Law Journal*, she described the devastating loss to the educational experience brought on by Proposition 209's drastic reduction in students of color: "If lawyers and educators are to perform their tasks well, they must understand the issues, the norms, the injuries and the remedies from all relevant points of view, not from just a few. Whites dominate most conversation in most places, including Boalt. But at Boalt, the (previously) large number of students of color gave me unique and priceless opportunities to better understand my profession, my fields of expertise and my pedagogical tasks. Once plentiful, that opportunity is now diminished. How ironic that in pursuit of so-called merit, leaders have removed this vital source of excellence from this legal academy."

Professor Shultz also played a central role in defining the mission of SALT at a time when organizational membership and sense of purpose were declining. She organized and led the first planning retreat of the SALT Board, persuading other Board members that SALT could be a powerful organization on behalf of people of color if longtime SALT members would reach out to them.

Her vision can be seen in SALT's work today. Professor Shultz has also long been a favorite speaker at SALT conferences. As Professor **Sylvia Law** (NYU) remarked, "Marge has an extraordinary ability to be personal, substantive, emotional and serious, all in the same sentence. She never let us down."

Many former Boalt Hall students, even

"Congressman Frank initiated the charge against the Solomon Amendment . . ."

those who never took her classes, speak of Professor Shultz's dedication to mentoring students. "She generously invests her time and personal attention in students, and her office serves as a place of refuge and understanding" Professor Hsieh notes. "She has a rocking chair in her office. Doesn't that say it all?" For her teaching and scholarship, which has inspired a generation of lawyers and law professors to build upon her important insights, her tireless efforts to mentor and support a diverse student body at Boalt Hall, and her crucial guidance and leadership in SALT, we are thrilled to honor Professor Marjorie Shultz with the 2000 SALT Teaching Award.

We are equally pleased to announce that Congressman Barney Frank will receive the SALT Human Rights Award. Congressman Frank has devoted most of his career to public service. He graduated from Harvard University in 1962 and received his law degree from Harvard Law School in 1977. Since 1980, he has represented his Boston-area district in the House of Representatives. In his first year in Congress, he was voted the outstanding freshman in a survey conducted by Public Television. In a recent evaluation of Congress, *The Almanac of American Politics* said that he is "one of the intellectual and political leaders of the Democ-

"... His pragmatic and visionary leadership formed the essential foundation of the successful repeal effort."

cratic Party in the House, political theorist and pit bull at the same time." *Politics in America* noted Congressman Frank's "penchant for trying to match liberalism with hard-nosed pragmatism in order to move the legislative ball."

Congressman Frank has often championed progressive causes. He has sponsored civil rights

legislation, such as proposals to amend the Civil Rights Act of 1964 to prohibit discrimination on the basis of sex, to repeal a prohibition on persons convicted of drug offenses from receiving student financial assistance, to improve the treatment of long-term permanent resident aliens, to provide benefits to domestic partners of federal employees and to protect abortion rights. He has also advocated programs to protect poor and vulnerable populations, affordable housing programs, protections for Social Security and Medicare, expansion of Medicare to include outpatient prescription drugs, restoration of veterans' tobacco-related illness benefits and provisions for the medical use of marijuana.

Most recently, Congressman Frank worked closely with the Committee to Repeal the Solomon Amendment (CRSA), a national law school network, the AALS and its Gay and Lesbian Section, and SALT to rescind the Solomon Amendment. The Solomon Amendment had been passed to force schools to include armed services recruiters in their on-campus recruitment programs despite their dis-

"... his career-long legislative efforts on behalf of the needs and rights of vulnerable members of society ..."

criminatory policies against gay and lesbian individuals or else risk losing all student financial aid. As Professor **Deborah Rhode** (Stanford) wrote in a recent *National Law Journal* article, this statute forced law schools and other institutions of higher education "to pick between two disadvantaged groups: those who are denied career opportunities solely on the basis of sexual orientation and those who depend on financial aid to pursue a professional [or higher] education."

Congressman Frank initiated the charge against the Solomon Amendment with lectures at Boston College and Stanford law schools, where he told audiences that he thought that the Solomon Amendment was "ripe for repeal." He promised to lead repeal efforts by filing legislation and working together with advocacy groups to ensure that Congress realized that this Amendment had strong grassroots opposition and should be repealed. His pragmatic and visionary leadership formed the essential foundation of the successful repeal effort.

For his career-long legislative efforts on behalf of the needs and rights of vulnerable members of society, and in particular for his courageous and

continued on page 6

continued from page 5

effective leadership in the movement to repeal the Solomon Amendment, SALT is pleased to honor Congressman Frank with the 2000 SALT Human Rights Award.

Past SALT co-presidents **Pat Cain** (Iowa) and **Jean Love** (Iowa) will emcee the dinner. Dean **Herma Hill Kay** (UC-Berkeley), Professor **Robert Westley** (Tulane) and Professor **Ellen Hertz** (Lausanne, Switzerland) will share their thoughts about and experiences with Professor Shultz. **Frank Valdes** (Miami) will speak about the efforts by Congressman Barney Frank to overturn the Solomon Amendment and his other important legislative accomplishments affecting goals central to SALT's mission. We hope you will join us on Saturday, January 8 at 7:00 p.m. at Morton's of Chicago, 1050 Connecticut Avenue, N.W. (Farragut West Metro stop) for a warm and inspirational tribute to these two extraordinary individuals. We expect this dinner to sell out, so please send in your reservation form (see page 15 herein) immediately. ■

***Please consider purchasing
a congratulatory ad***

for the dinner program. You may send congratulations (from you individually, from your group or from your institution) to the awards recipients in camera-ready form or provide the wording and the ad will be designed for you. Ad prices are \$200 Full Page, \$150 Half Page and \$100 Quarter Page, payable to "SALT".

Contact Professor Paula C. Johnson,
Syracuse University College of Law,
Syracuse, NY 13244;

tel. 315-443-3364, e-mail pcjohnso@law.syr.edu.

Deadline was yesterday, so hurry!

**SALT BOARD MEETS TWICE
IN SAN FRANCISCO**

– Joyce Saltalamachia
New York Law School

In keeping with the policy to plan Board meetings in conjunction with SALT activities and because of the high volume of SALT business, the Board of Governors met on two different occasions in San Francisco during the "Re-Examining the Bar Exam" conference in September. At the meeting, twenty-five Board members gathered to discuss SALT business

and plan for Action Campaign activities.

The first meeting began at 5:30 p.m. on September 24, 1999 at Golden Gate University. Co-President **Stephanie Wildman** (UC-Berkeley) called the meeting to order and began the session by inviting Board members to give a brief update on their lives and activities since the last meeting. Board members then reported on various sorts of "offspring": the comings and goings of children, the publication of books, and new projects (of either sort) in the works.

Norm Stein (Alabama) opened the meeting with a Treasurer's report, stating that SALT continues to be solvent, with \$86,346 in the treasury and a total membership that is higher than ever. Because our conferences always bring in new members, it is hoped that the bar exam Conference will raise our membership numbers even higher.

On behalf of the Nominations Committee, **Eric Yamamoto** (Hawai'i) reported on the slate of candidates for the SALT Board. Elections for SALT Board are held each year for three-year, renewable terms. The President or Co-Presidents are elected to two-year terms. The Nominations Committee proposed a slate of sixteen candidates to fill the vacant Board seats and recommended **Paula Johnson** (Syracuse) and **Michael Rooke-Ley** (Nova Southeastern) as Co-Presidents-Elect. Ballots and candidates profiles were sent to all SALT members in November; election results will be announced at the next Board meeting in January in Washington, D.C.

The Board then discussed activities surrounding "First Monday" in October as well as the SALT activities to be held during the AALS. **Ann Shalleck** (American) reported on the "First Monday" theme of Housing and the Homeless and recounted some of the projects that schools were planning for the event. For the AALS meeting, it was decided to provide a SALT suite at the convention hotel which would be open for committee meetings and dissemination of SALT information. SALT members will have assigned times to be present in the suite in order to welcome new and prospective members and to answer questions about current SALT activities. Plans for the Cover Study Group were discussed as were plans for various activities aimed at making SALT a visible presence at the meeting (see page 15 -16 herein). SALT will also be co-sponsoring panels with the Law and Community Section and with the Minority Section.

Robert Westley (Tulane) reported for the Teaching Conference 2000 committee. NYU will host the conference on October 20-22, 2000. Also on the committee will be Norm Stein, **Sue Bryant** (CUNY), **Holly Maguigan** (NYU), **Marina Hsieh**

(Maryland), **Elvia Arriola** (Texas), **Amy Kastely** (St. Mary's), **Sumi Cho** (DePaul) and **Deborah Post** (Touro). There was some discussion about the focus of this teaching conference. In terms of our past practices, SALT has had yearly conferences alternating between our traditional SALT teaching conference and a Task Force-oriented conference. While this is the year for the more traditional teaching conference, it was decided to also introduce Action Campaign issues so as not to lose momentum on our major activities.

At this point the meeting was temporarily adjourned but was continued the following day, Saturday, September 25, at the home of Stephanie Wildman.

Co-President **Phoebe Haddon** (Temple) raised the issue of request from CLEO for funding. This funding request is made every year by CLEO, and, in the past, SALT has responded with financial support. Discussion followed, and it was decided that a letter be sent to CLEO stating that 1) SALT has so many activities currently requiring our own financial resources that we cannot support outside groups to the extent that we have in the past; and 2) that we would like to meet with CLEO's executive director with the hope of building coalitions and working together on projects of mutual interest.

SALT has been asked by the AALS to have a representative working with them on their Diversity Task Force. The Co-Presidents reported that they had wished to represent SALT on this Task Force as Co-Presidents, but that the AALS has restricted our representation to one person. Because the Task Force will meet twice a year for the next two years and because the AALS will not provide funding for travel, it would be necessary for SALT to provide our own funding. There was some objection to this from Board members who felt that the AALS should provide the funding because they are funding the attendances of their own representatives. It was decided that the Co-Presidents should write a letter saying that SALT wants to participate but feels that the SALT representative also should be subsidized so as to be considered an equal member at the table. Board members agreed that the current and future Co-Presidents would designate a SALT representative to this AALS Diversity Task Force. [Update: We are pleased to announce that Phoebe Haddon has agreed to represent us.]

During the remainder of the Board meeting, the various Explore and Goals Groups met for brief break-out sessions and reported on plans for each group to the Board as a whole. These Explore and Goals Groups will continue working throughout the Fall and convene again as the full Board in January. ■

URGENT CALL TO KEEP THE SALT SALARY SURVEY ALIVE

— Howard Glickstein
Touro College Law Center

Every year, law school deans are requested to provide salary data for the Annual SALT Salary Survey. The number of schools responding to our request has declined since the ABA stopped collecting salary data, even though each school certainly continues to maintain such data.

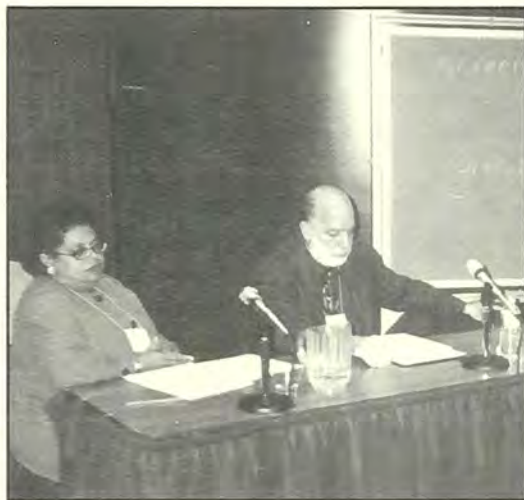
There follows a list of schools that either declined to provide us with data for our last survey or failed to respond at all to our request. We urge all SALT members to encourage your deans to respond to this year's survey, which was mailed recently. Even if your school has participated in the past, it is useful to reinforce with your dean the importance of the survey and to urge continued participation.

Alabama	JAG	Samford
American	John Marshall	San Diego
Arizona	Kansas	San Francisco
Baylor	Kentucky	South Carolina
Boston Univ.	Loyola (Chicago)	South Texas
Brigham Young	Loyola (LA)	Southern Methodist
Brooklyn	Maine	Southwestern
Cal Western	Maryland	Stanford
Case Western	McGeorge	SUNY Buffalo
Catholic (DC)	Memphis State	Stetson
Catholic (PR)	Mercer	Texas Wesleyan
Chicago	Miami	Thomas Jefferson
Chicago-Kent	Minnesota	Toledo
Cincinnati	Mississippi	UC Berkeley
Columbia	Montana	UCLA
Cornell	New England	USC
Detroit	New York Law	Utah
Duke	NYU	Vanderbilt
Duquesne	North Carolina	Villanova
Emory	North Carolina	Virginia
Florida	Central	Wake Forest
Fordham	Northern Kentucky	Washington
Franklin Pierce	Northwestern	and Lee
George Mason	Notre Dame	Washington
George Washington	Pennsylvania	(St. Louis)
Georgetown	Pepperdine	Western State
Harvard	Quinnipiac	Whittier
Hawai'i	Richmond	Widener
Hofstra	Roger Williams	Wisconsin
Indiana	St. John's	Yale
(Bloomington)	Saint Louis	Yeshiva ■

SALT's SAN FRANCISCO CONFERENCE RE-EXAMINES THE BAR EXAM

- Sharon Hom (*CUNY*)
- Joan Howarth (*Golden Gate*)
- Eileen Kaufman (*Touro*)

- Madeline Plasencia (*Tulsa*)
- Judith Reed (*DePaul*)
- Margalynne Armstrong (*Santa Clara*)



SALT's autumn conference on Re-Examining the Bar Exam successfully advanced the efforts of the Action Campaign's Task Force II to combat the anti-diversity movement afoot in many law schools and in the legal profession. Held in San Francisco at Golden Gate University School of Law on September 25th, the conference sought to develop and implement strategies challenging the use of Bar exams and Bar passage rates, which often create arbitrary and exclusionary barriers to Bar and law school admissions.

The conference began with an overview by Prof. **Joan Howarth** (Golden Gate), chair of the conference organizing committee. Prof. Howarth addressed an audience of law professors, Bar reformers and representatives from law school admissions and bar testing organizations. The first plenary, Understanding the Problem, was facilitated by organizing committee member Professor

Judith Reed (DePaul). This session provided some basic understanding of testing issues, such as disparate impact and test construction. Professor **Alex M. Johnson, Jr.** (Virginia), began with a thorough description and critique of the National Longitudinal Bar Passage Study performed by the Law School Admission Council (LSAC), which produces and administers the LSAT. The Study provided empirical confirmation of the common wis-



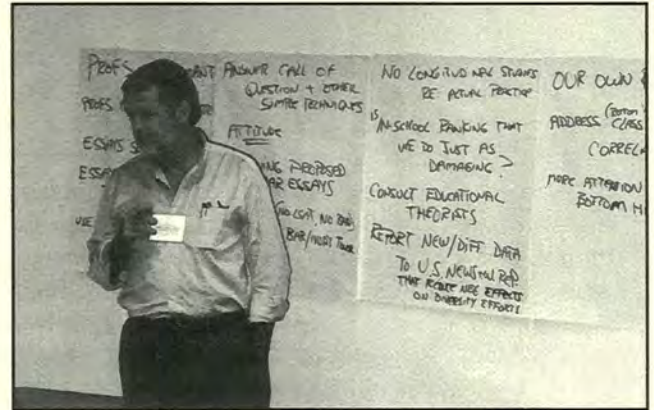
dom that there is a racial disparity in bar passage rates and that there is a strong correlation between LSAT scores and law school grades. Professor Johnson, a member of both the LSAC Board of Trustees and chair of that organization's Test, Development & Research Committee, shared his thoughts with us on important future research that should be undertaken.

Professor **Cecil Hunt** (Suffolk) exhorted the conference participants to include in our discussions a consideration of how law schools might effect a change in the exam's racial disparity. Professor Hunt discussed, for example, the importance of emphasizing effective teaching, par-

ticularly as it relates to enhancing the learning experience of students of color. In this respect, he cited Professor **Claude Steele**'s finding that the performance of Black college students can be dramatically affected by pre-test instructions which address certain race-related anxiety, such as fears that the students might perform less well than whites, a situation Steele terms "stereotype threat." Professor Hunt urged us to think about how we might make the law school environment a less hostile one for students of color and to consider how we might communicate to these students that their presence in law school is valued.



David White, founder of Testing for the Public, a non-profit corporation offering low-cost prep courses for the LSAT, GMAT and GRE, has had a long-term relationship with legal issues surrounding the bar exam. (See his article, "The Definition of Legal Competence: Will the Circle be Unbroken?", 18 Santa Clara L. R. 641 (1978).) He provided information on test construc-



tion and let us in on some test development "secrets," such as how test questions or items are eliminated based on how potentially successful candidates perform on those specific items. Thus, not only is the gateway to the profession biased in a general way by the use of arbitrary cutoff scores designed solely to restrict the number of practitioners, but questions considered appropriate by experts may be eliminated – not because they do not test for appropriate skills, but rather because they do not make it easy to distinguish between candidates. This calls into question the job-relatedness of the Bar exam and enhances the bias of the multistate exam. White also administered a small subset of selected exam questions to the audience of lawyers and law professors. (The result? We didn't do so well!)



Professor **Sande Lynn Buhai** (Loyola-LA), who teaches and writes extensively in the disability rights area, described how the bar examiners have handled requests by candidates for reasonable accommodation. Professor Buhai noted the absence of a comprehensive description of what she termed the "essential functions" of a lawyer, underscoring again a major flaw in an exam purportedly designed to affirm that

continued on page 12

KEYNOTE
ADDRESS
SEPTEMBER 25, 1999

BAR EXAMINATIONS: A CALL FOR REFORM

– Barbara Bader Aldave
St. Mary's School of Law

Our problem is clearly defined: We are not going to see the kind of increase in the number of lawyers of color that our nation and our justice system need, and that fairness and equity demand, until more students of color are admitted to our law schools on the front end and are admitted to the bar on the back end. All of us here, radical SALT members that we are, understand what the problem is, or we would not be at this conference today. The good news is that the leaders of the legal establishment also have begun to acknowledge both the existence of the problem and the necessity of attacking it. As evidence, I quote from the message that William G. Paul, the new President of the American Bar Association, wrote for the current issue of the ABA Journal:

Racial and ethnic diversity in the profession is far less than it should be despite improvement in recent years. Concerns about fairness and equality in the justice system are widespread among our colleagues and citizens. Data indicate that while our society rapidly is becoming more diverse, with people of color likely to reach majority status in 35-50 years, the legal profession remains more than 90 percent white. Enrollment of racial and ethnic minorities in law schools is at best 20 percent. This incongruity between the general society and the legal profession raises serious concern about our capacity to continue to be the connecting link between our citizens and the rule of law.

The problem, thus identified, does not have an easy solution. When faculty members first become aware of a decline in their students' rate of bar passage, they tend to think that the fix is to change the curriculum so as to require everyone to take more "bar courses." Their response, I think, is wholly misguided. A detailed study that we conducted at St. Mary's in 1996, at a time when the Texas Bar Examination covered the subject matter of 14 of our elective courses, revealed that the highest pass rate had been enjoyed by our graduates who had taken exactly four of these 14 courses, while none of our graduates who had completed all 14 had passed the bar on the first try. My educated guess is that a self-fulfilling prophecy was at work: Students who were confident that they would pass the bar exam regardless of what they studied after their first year of law school generally had good reason for their confidence; those who feared the exam, on the other hand, could not pull themselves through it simply by making their curricular choices on the basis of the subject matter that it covered.

While our official study was under way, I contacted all of our graduates who had failed the July 1996 examination and asked them to send me the part-by-part record of their scores that the Bar Examiners had provided to them. At the time, I should explain, the Texas Bar Examination consisted of three sections: The MBE constituted 40% of the exam, the essay questions on Texas law accounted for another 40%, and short-answer questions about the Texas rules of evidence and procedure made up the final 20%. Not all of the unsuccessful examinees, a disproportionate number of whom were graduates of color, responded to my request for information; and I do not claim scientific accuracy for the conclusions I reached by scrutinizing the records that were given to me. Nevertheless, those records showed a consistent pattern.

The big stumbling block, at least for the minority graduates who provided me with their score data, had been the Multistate Bar Examination, or MBE. I cannot say that I was surprised. After all, many of our students of color, like their counterparts at other institutions, had entered law school with LSAT scores that were lower than the average Anglo's score; and common sense told me that a person who has had difficulty with one nationally standardized multiple-choice test is likely to have difficulty with another. I had two reactions to what I learned. First, I urged all of our students who appeared to be at risk of performing poorly on the MBE to take the six-day PMBR course twice - once during their second year and once during their third year of law school. In addition, after talking with some of the unsuccessful examinees, I began to think about what the initials "MBE" might really mean. Looking over the MBE questions that had been released by the National Conference of Bar Examiners suggested that they were part of a Mind-Bending Exercise; when I actually took a model test myself, I concluded that the MBE might offer a Masochist's Best Experience. Unfortunately, however, the MBE was operating, I believed, as a Massive

Barrier to Entry into the legal profession, especially for people of color, and thus was serving as a Major Bulwark of Elitism. In short, I concluded that the MBE was one Mighty Bad Examination.

So what can we do? What should we do? What must we do? In my opinion, we must eliminate bar examinations as we know them. Almost all of us who are involved in legal education are aware that bar examinations have a discriminatory impact upon minorities, although it would be invaluable if we had access to statistics from states in addition to California to prove our point. And most of us realize, I believe, that what a bar examination actually tests is the ability to take a bar examination -- to analyze and answer abstruse multiple-choice questions in less than two minutes each, to regurgitate principles of recently memorized black-letter law in response to artificially constructed essay questions, and to skim wholly unfamiliar documents and then "perform like a lawyer" by instantly producing a draft of a memorandum or brief that confidently resolves the complex issues that are half-hidden in the interstices of their highly legalistic prose.

If we adopt the ambitious goal of eliminating bar examinations as we know them, it will be essential for us to begin by building support, both within the profession and among members of the public, for fundamental reform. It would be extremely helpful, of course, if bar examiners in the several states could be persuaded that change is necessary. Perhaps the best way of persuading them would be to have their supervisory bodies, typically the highest courts of their respective states, require them to take an actual or mock bar examination, or at least the MBE portion of one, as a condition to their appointment or reappointment as examiners. One might hope that many examiners would have the good grace, upon discovering that they themselves could not achieve a decent score on one of these tests, to support a major revision of our current approach to deciding who is and who is not qualified to practice law. The same strategy could be used, perhaps, to garner support from law school faculty members, or supreme court justices, or anyone else who has not had the opportunity to learn, by first-hand experience, what it is like to sit for a modern bar exam.

We should also bring other persuasive techniques -- including educating, informing, badgering and lobbying -- to bear on our problem. Perhaps we can encourage brilliant professors and accomplished lawyers who failed their first bar examination to step forward and call for change. We can write letters to both legal and popular newspapers, and pop-ed pieces for both; we can establish an educational web site; we can call press conferences; and we can target one or more states where, if it appears to be necessary and desirable, we can start picketing or leafletting at meetings of the bar examiners. And what will we advocate? What I would advocate, as I already have indicated, is the end of bar examinations as we know them. But, if bar exams were abolished, how might our respective states then assess who should and who should not be licensed to practice law? What I personally would propose to substitute for bar examinations are 15-week hands-on courses that all graduating law students would be obliged to take in place of what is currently the final semester of law-school work. The twelve essential lawyering skills that were identified in the MacCrate Report can easily be agglomerated into five modules that could be covered in three weeks each -- one devoted to interviewing, counseling and negotiating; one devoted to factual investigation, problem-solving and advance planning; and so on. Each module, to be offered by a regular or adjunct law professor and overseen by a new-fashioned bar examiner, would be taught to students in groups of twenty or fewer. These students would learn by observing and doing, and their fitness to become lawyers would be evaluated while they practiced the very skills that lawyers actually utilize. They would be admitted to the bar only after successfully completing all five modules and demonstrating a satisfactory mastery of the skills contained in each.

Some years ago, a then-student named Daniel Hansen wrote a note in the Case Western Law Review in which he declared that "since the 1920s, support for the bar exam has been . . . entrenched with only a few raucous voices vainly calling for its elimination." My hope is that those "few raucous voices" can become a lot of raucous voices, "our voices, and those of others who want to become part of our chorus. Please work hard this afternoon, when you will have the chance to speak up in your small groups in favor of either the reform or the abolition of bar examinations, to brainstorm about possible alternatives to them, to identify strategies for action, and to devise plans for SALT initiatives. Let's take advantage of the opportunity before us. Let's make our collective voices as raucous as necessary. Let's join together and make a din that cannot be ignored. ■

continued from page 9



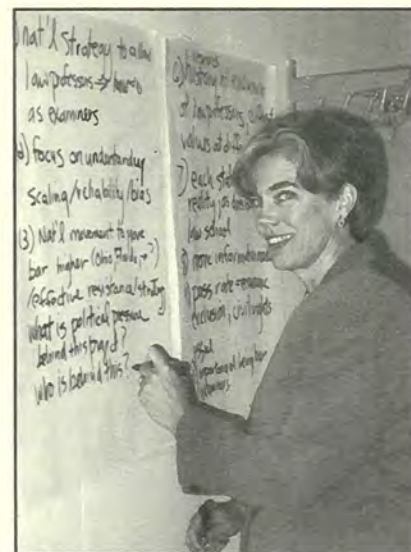
a candidate is qualified to practice law. The second plenary, Understanding and Building on Past and Present Bar Exam Reform Initiatives, featured, (as panelists), Professor **Larry Grosberg** (New York) and Professor **Beverly Moran** (Wisconsin), who described bar reform initiatives in their home states. Pro-

fessor Grosberg discussed the racially discriminatory impact of the New York bar exam and engaged the panel in a lively discussion on the number and substance of doctrinal areas of law tested on New York's exam. Professor Grosberg also proposed the adoption of testing specifically targeted at lawyering skills. The California model of performance skills testing, such as the preparation of a brief in response to a "closed universe" problem, was evaluated and critiqued as a model for Bar exams. This model was then compared



to the approach for licensing prospective attorneys in Wisconsin; as described by Professor Moran, which more closely follows the English opportunity model. Professor Moran provided a rich historical review of the evolution of legal training in the United States, situating the debate over bar reform in the larger context of why bar exams are administered at all.

Our Luncheon Keynote speaker was the ever forthright and much beloved **Barbara Aldave**, former dean of St. Mary's Law School. (The text of her remarks are reprinted on pages 10-11 herein.) After lunch, the conference participants met in concurrent small group workshops to identify issues, strategies and networks for SALT membership action.



The National-State Strategies working group discussed the difficulties of developing national/state strategies in light of diverse experiences among different geographical locations, institutions and local politics. We also discussed the importance of building coalitions with minority bar organizations and other interested groups and the need for



continued on page 17

SALT EVENTS IN WASHINGTON DC

JANUARY 6-9, 2000

(in addition, of course, to our gala Annual Awards Dinner!!)

SALT HOSPITALITY SUITE

On Thursday, January 6th and Friday, January 7th, 5:30-6:30 p.m., SALT officers and Board members welcome you to join them in conversation in the SALT Hospitality Suite, which will be located in the Marriott Wardman Park Hotel. Check the notice board at the conference or the SALT website <http://www.scu.edu/law/salt/> for location of the suite. Come for information about SALT, our teaching conferences and our annual teaching and human rights awards; for "First Monday in October" videos and programs; for information on SALT's current work regarding the Solomon Amendment, the LSAT, bar exams and testing; and, of course, for good company and cookies.

SALT BOARD TO MEET

The SALT Board of Governors will meet on Sunday, January 9th at 7:00 a.m. in Marriott Balcony A, Mezzanine Level, Marriott Wardman Park Hotel. In the event that Board business carries us beyond 8:30 a.m., we will continue our meeting in the SALT Suite, also located in the Marriott. Please arrange your travel plans to accommodate a slightly longer meeting, if necessary. SALT members are always invited to join us.

COVER STUDY GROUP WILL EXAMINE THE BAR EXAM

Each year at the AALS Annual Meeting, SALT honors Professor **Robert Cover** by meeting in his memory to explore current issues of social justice. Bob Cover was only 42 when he died in 1986, but he deeply touched the lives of his colleagues and students with his intellectual power and personal commitment to justice. As an undergraduate student in the early 1960's, he went to Albany, Georgia, for nine months as a volunteer for the Student Nonviolent Coordinating Committee, where he worked on voter registration and served as a local liaison with the National Sharecropper's Fund. While a faculty member, he picketed on behalf of university workers seeking better wages and working conditions, led teach-ins on divestment of university funds from South Africa, protested the prosecution of Black radicals on conspiracy charges and worked with law students trying to help the homeless in New Haven. As a scholar, he published works that examined the moral dilemma facing anti-slavery federal judges charged with enforcement of the fugitive slave laws, discussed the connection between law and violence based in the coercive nature of state authority and explored the relationships among law, culture and the judiciary.

On Thursday evening, January 6th, 2000, 8:30 - 10:30 p.m., in the Kennedy Room, Mezzanine Level, Marriott Wardman Park Hotel, SALT will host a workshop on Re-Examining the Bar Exam. All SALT members and prospective members are invited to learn about and discuss the challenges being made both nationally and locally to the validity of bar exams, about the impact of bar exams on diversity in law schools and in the profession, and about the repeated efforts to lower the passing rate in many states, with considerable additional impacts on diversity. Working together, we will explore strategies for organizing to challenge and change the bar exam. For an introduction to the topic, see **Joan Howarth's** (Golden Gate) article, Teaching in the Shadow of the Bar, 31 USF Law Review 927 (1997). Check the AALS schedule or the SALT website <http://www.scu.edu/law/salt/> for location of the session in the Marriott Wardman Park Hotel and for additional readings.

In the 1992 reprinting of the collected essays of Robert Cover, **Avi Soifer** (Boston College) described Bob Cover as "a funny, challenging, marvelously irreverent and deeply serious dreamer, who believed that the very process of argument and irreverent imaginings with others past and present could help us to make new, better worlds together." We meet in Bob Cover's memory to continue to walk that path with him.

DIVERSITY PROJECT EXHIBIT

SALT will commemorate the new millennium with a mixed media, interactive exhibit called "Millennial Footsteps: Equal Justice and Equal Access, Past and Future." This exhibit will challenge us to remember historical struggles for freedom and equality for all peoples and to commit ourselves to continue struggles for equality and equal access to legal education into the next century.

All SALT members are invited to participate in the exhibit. Send a photo of yourself or other memorabilia regarding your involvement in social-legal-political action. Maybe you marched on Washington, stood at Wounded Knee, burned a bra, burned a draft card, ACTed-Up, divested or otherwise contributed to the cause of justice and equality. Depictions of your activism will be placed on the Millennium Mileposts in the exhibit. Provide a brief description of your activity – why was it necessary or important, what was your role, was this activism before, during or after law school or your area of legal practice. Also include relevant date and location information.

Contributions and questions about the Diversity Exhibit can be directed to Professor Paula C. Johnson, Syracuse University College of Law, E.I. White Hall, Syracuse, NY 13244; tel. 315-443-3364; e-mail pcjohnso@law.syr.edu. Please forward materials as soon as possible. Original materials will be returned to owners following the AALS meeting.

While in Washington . . .

Please urge your legislators to appropriate funds for the Thurgood Marshall Legal Education Opportunity Program, a program that has already been approved in both Houses, but remains unfunded. It would replace CLEO (Council on Legal Educational Opportunity), the 31-year-old program that has supported and enabled the diversification of several generations of students in U.S. law schools.

ACTION CAMPAIGN EXHIBIT

SALT will mount a photographic and documentary exhibit memorializing some of the key activities that have taken place in connection with its multi-year Action Campaign. The Campaign seeks to reframe the public debate and reaffirm the legitimacy of race and gender-conscious criteria to increase access and opportunity in law school admissions and throughout the legal profession. Pictures, brochures, posters and picket signs from the January 1998 March in San Francisco will be on display, together with brochures, lavender triangular "pasties", and pictures from the January 1999 activities aimed at repealing Solomon II. We will also have some of the excellent analyses that have been done on the bar exam, alternative admissions procedures and other aspects of the Campaign.

A special feature at the booth will be a Jelly Bean Jar display demonstrating how the demographics of the stream of persons who eventually enter the legal profession becomes progressively more homogeneous as they matriculate from college. Different colors of jelly beans will be used to show the numbers of African Americans, Asian Pacific Americans, Latinas/os, Native/Indigenous peoples and Whites along a continuum from undergraduate school through the bar exam.

SALT's 2000 ANNUAL AWARDS DINNER

Join us on
Saturday, January 8th, 7:00 p.m.
at Morton's of Chicago
1050 Connecticut Ave. N.W., Washington, D.C.
(at Farragut North Metro stop)
honoring

Professor Marjorie Shultz
Teaching Award

and

U.S. Rep. Barney Frank
Human Rights Award

Name _____

Address _____

Daytime phone _____ email _____

Menu Choice:

Salmon \$65 _____ Ribeye Steak \$65 _____ Pasta with Vegetables \$60 _____ Wine \$5 _____

Checks only please, payable to SALT, and keep a record of this form as your receipt

☐ Please send tickets to above address. ☐ I will pick up tickets at dinner

Send this form with your check to: Professor Norm Stein

University of Alabama School of Law, Box 870382, Tuscaloosa, AL 35487-0382

Questions? Contact nstein@law.ua.edu

To place your congratulatory ad in the evening's printed program,
please contact Professor Paula C. Johnson at pcjohnso@law.syr.edu

SOCIETY OF AMERICAN LAW TEACHERS MEMBERSHIP APPLICATION (OR RENEWAL)

Please pay your dues and get one friend / colleague to join!

- ☐ Enroll/renew me as a Regular Member. I enclose \$50.00 (\$35.00 for those earning less than \$30,000 per year).
- ☐ Enroll/renew me as a Contributing Member. I enclose \$100.00.
- ☐ Enroll/renew me as a Sustaining Member. I enclose \$300.00.
- ☐ I enclose _____ (\$100, \$150, \$200 or \$250) to prepay my dues for _____ years (\$50 for each year).
- ☐ Enroll me as a Lifetime Member. I enclose \$750.00.

Name _____ School _____

Address _____

_____ Zip Code _____

Mail to:

Professor David F. Chavkin
American University Washington College of Law
4801 Massachusetts Avenue NW • Washington, D C 20016
Make check payable to: Society of American Law Teachers

HANDY CHECKLIST FOR SALT EVENTS AT THE ANNUAL AALS MEETING WASHINGTON DC



Thursday, January 6, 2000 • 5:30 - 6:30 p.m.

Friday, January 7, 2000 • 5:30 - 6:30 p.m.

Reception for New and Prospective Members

SALT Hospitality Suite

(contact front desk for exact room location)

Marriott Wardman Park Hotel



Thursday, January 6, 2000 • 8:30 - 10:30 p.m.

Robert Cover Study Group

Kennedy Room, Mezzanine Level

Marriott Wardman Park Hotel



Saturday, January 8, 2000 • 7:00 p.m.

SALT's Annual Awards Dinner

honoring

Professor Marjorie Shultz and U.S. Representative Barney Frank

Morton's of Chicago

1050 Connecticut Ave. N.W. (at Farragut North Metro stop)



Sunday, January 9, 2000 • 7:00 a.m.

SALT Board of Governors Meeting

Marriott Balcony A, Mezzanine Level

Marriott Wardman Park Hotel



*And during the entire AALS Annual Meeting, be sure to visit
SALT's Diversity Project Exhibit and Action Campaign Exhibit
on display at the Marriott Wardman Park Hotel.*

continued from page 12

activist research which would address the assumed legitimacy of the exam, contribute to the standard setting project and inform specific strategies. The group explored the possibility of SALT commissioning a study which the following questions: Who are the bar examiners, administrators and readers in each state (i.e. examining the examiners)? How are these individuals selected? What is the origin and rationale (conflict of interests argument) for the exclusion of law teachers?



The National-State Strategies working group discussed developing state-by-state analyses to get a more textured and nuanced picture of the different issues faced at the local level. This research would include an examination of efforts to raise the bar passage "standards" (passing MBE scores) in a number of states, as advocated by consultant **Stephen Klein**.



Finally the group identified several lobbying strategies, including:

- targeting the bar examiners, e.g. organizing actions around their meetings, contacting organizations that have access to bar examiners;
- targeting specific jurisdictions (e.g. jurisdictions where the impact on minorities would be particularly serious, where bar passage rates might present them as likely targets for Klein-related initiatives); and
- lobbying the Legal Education Section of the ABA to report on and focus on more than first time bar passage rates and moving beyond the U.S. News & World Report rankings.

The Impact on Law Schools working group began its work by grudgingly accepting our obligation to assist our students in passing the bar examination despite our rejection of the exam as an effective tool to measure competency to practice law. In part, this obligation stems from our acknowledgement of the



crushing debt that most law students incur and of the consequences, to individual students and to law schools, of the link between bar failure and loan defaults. This obligation also stems from our commitment to increasing diversity in the bar. Pass rates among racial and ethnic minorities continue to trail the overall pass

continued on page 18

continued from page 17

rates and may increasingly discourage minorities from even applying to law school. Therefore, if law schools do not address this in the short run (while seeking longer range changes in the bar), diversity will suffer in two ways: by more minorities will fail the bar, and fewer minorities will choose to even attend law school.

Participants described efforts we can make which may help students pass the bar. These efforts include:

- emphasizing clarity in essay writing on the theory that improved student writing will have a spillover effect on MBE scores;
- acknowledging the strong correlation between class rank and bar passage and focusing attention on the "bottom" of the class, i.e., using law school tests not merely as a device for evaluating our students but also for educating them by providing more feedback on how to improve basic analytic and writing skills;
- using narrowly focused bar exam questions as learning devices rather than law school essay questions; and
- addressing common deficiencies, such as students' failure to answer the "call of the question."

Conference participants suggested that we return to our schools and urge our faculties to better educate ourselves about bar exams. Participants also discussed ways of blunting the impact of low bar passage



rates by urging surveys such as the US News & World Report to list second time passage and to include data that reduces the negative effects of the survey on diversity efforts. Alternatively, it was suggested that SALT could conduct its own survey. Such a survey would not contain rankings per se but would rather provide descriptions of multiple facets of a law school and would credit programs and policies that are not reported and are, therefore, devalued in traditional surveys.

A third working group met to discuss Bar-related SALT actions for the January 2000 AALS meeting. Most of the discussion focused on SALT's Robert Cover Study Group meeting on the evening of January 6th, (see page 13 herein for details).

After a long, exhausting and productive day, we deemed our initial efforts to "re-examine the bar exam" to be a success, and we are grateful to all the conference participants who committed themselves to this ongoing effort. ■

THE AFRICAN AMERICAN, LATINO AND NATIVE AMERICAN GRADUATES OF ONE AMERICAN LAW SCHOOL, 1970-1996

– David L. Chambers
Richard O. Lempert
Terry K. Adams
*University of Michigan
Law School*

In the spring of 1965, only one African American student and no Latino students attended the University of Michigan Law School. At the time, Michigan, like most American law schools, was a training place for white males. In 1966, the law school faculty adopted a new admissions policy that took race into account as a plus factor in the admissions process. This policy of affirmative action has taken many forms over the years, but, across the decades of the 1970's, the 1980's and the 1990's, about 800 African Americans, 350 Latinos, 200 Asian Americans and 100 Native Americans have graduated from the law school. The great majority of the African American, Latino and Native American students would not have been admitted to Michigan if race had not been taken into account.

In 1996, three of us at Michigan who have been interested for many years in the careers of our alumni decided to undertake a survey of all of our minority graduates and a sample of our white graduates. Our principal goal was simply to learn the experiences of 30 years of minority graduates of our school. We also realized that one of many ways to respond to public doubts about affirmative action in admissions would be to demonstrate (if it in fact proved true) that the minority graduates of our school have had productive careers and provided highly valuable service.

It is now three years later, and the study has been completed. We obtained 56 percent response rate from our mailings and have done a great deal of analysis that leads us to believe that our respondents are generally representative of the sample as a whole. In this brief article, we report on our findings about our African American, Latino and Native American alumni between 1970 and 1996. We call them the minority alumni or graduates. We do not report on the Asian American alumni because race was not taken into account for them as an explicit factor

in the admissions process and because nearly all of them graduated in the 1990s and are still quite early in their careers. In many places, we compare the 'minority' alumni to the white alumni, largely because we view the white alumni as a group unlikely to have been disadvantaged by race in their later careers.

The study has yielded two principal findings. The first is that our African American, Lat

"...our African American, Latino and Native American alumni, though, on average, admitted to the law school with lower numerical entry credentials than those of whites, have fully entered the mainstream of the American legal profession."

no and Native American alumni, though, on average, admitted to the law school with lower numerical entry credentials than those of whites, have fully entered the mainstream of the American legal profession. As a group, they earn large incomes perform pro bono work in generous amounts, and feel satisfied with their careers. Although the initial and current job choices of minorities and whites differ somewhat, the achievements of the minority graduates, over time, are quite similar to those of whites, and very few differences are statistically significant.

Our second finding is related to the first. Although Law School Admission Test (LSAT)

"Although Law School Admission Test (LSAT) scores and undergraduate grade point averages (UGPA) . . . do correlate strongly with law school grades, they seem to have no relationship to achievement after law school . . ."

scores and undergraduate grade point averages (UGPA), two factors that figure prominently in admissions decisions, do correlate strongly with law school grades, they seem to have no relationship to achievement after law school, whether achievement is measured by earned income, career satisfaction or service contributions. For

continued on page 20

continued from page 19

both our minority and white alumni those numbers that counted so much at the admissions stage tell little if anything about their later careers.

Some of the findings of the study have been recently published in Michigan's alumni magazine, *Law Quadrangle Notes*. A much longer version will be published early in 2000 in *Law and Social Inquiry*. Here we report some of the findings that we thought would be of most interest to SALT members. We also hope to interest SALT members at other law schools to undertake similar studies of their own minority alumni and would be glad to provide any sort of advice that we can. David Chambers can be reached at dcham@umich.edu.

BAR PASSAGE

Across all three decades, almost all minority alumni who responded to our survey passed a bar exam after graduation. Overall, 96.4% have been admitted to the bar of at least one state, and many have been admitted in two or more states. We do not know how many, if any, of the 3.6 percent who have not joined a bar (15 individuals out of 552 responding minority graduates) attempted to pass a bar examination and failed and how many chose from the beginning employment that did not require bar membership. We do know that, as a group, these 15 view their non-law careers today with high satisfaction (somewhat higher, in fact, than the respondents who are bar members) and that two-thirds reported on the survey that their legal training is a "great value" to them in their current employment.

WORK SETTINGS AND EARNINGS

The first substantial group of minority students to graduate from Michigan, the graduates of the 1970s, were nearly all African Americans. They entered a world of practice that was largely segregated, and, perhaps for that reason, much more commonly than whites began their careers in government and legal services where opportunities were more abundant. The minority graduates of the 1980s and 1990s were much more likely than the earlier graduates to begin their careers in private firms. Indeed, nearly half of all the minority graduates in the 1980s and again in the 1990s began their careers (after any judicial clerkship) in a firm of more than 50 lawyers. Even in the 1980s and 1990s, however, many more minority than white graduates began their careers in government.

Where do the minority graduates work

today? Table 1 displays by decade of graduation, the current work settings of the minority and white respondents when we surveyed them in late 1997. As is apparent, Michigan's graduates, like graduates of nearly every American law school, work more frequently in private practice than in any other single setting. The minority graduates of each decade work in significant numbers in set-

Table 1

University of Michigan Law School Current Job Settings as of 1997*						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=146	White N=246	Minority N=177	White N=210	Minority N=208	White N=125
Private practice	41%	60%	47%	53%	58%	67%
Solo or firm of 10 or under	27%	23%	22%	15%	15%	10%
Firm of 11-50	7%	14%	10%	11%	10%	13%
Firm of more than 50	7%	23%	15%	27%	33%	44%
Government	23%	14%	19%	10%	20%	9%
Legal Services, Public Interest	2%	1%	4%	3%	4%	2%
Business (as lawyer or nonlawyer)	20%	16%	15%	27%	14%	7%
Other	15%	10%	16%	8%	5%	15%

* For each decade, the differences in current job patterns are statistically significant when private practice is broken down into three groups by firm size ($p < .01$).

tings of all sorts and sizes. In each decade, more minority graduates than white graduates work in government.

The minority graduates of the 1970s are a particularly interesting group. At the time of our survey, they had been out of law school between 18 and 27 years. Many of the minority graduates from that decade have never worked in private practice, and most are not in private practice today. Many more are in business and government (taken together) than are in private practice. Many of those in government are in positions of high responsibility. A remarkable 13 percent of all minority graduates of the 1970s serve as judges or public officials or government agency managers (in comparison to 4 percent of white alumni from the 1970s). Half of those in government work for the federal government.

The graduates of the 1980s and 1990s have had career histories more similar to the white graduates. Although, again, more minorities than whites from these decades work in government, the great majority from each decade work in private practice. There is some difference in the private practice settings where whites and minorities work. Minorities are somewhat more likely to work in small firms and somewhat less likely to work in the largest firms.

The minority graduates have prospered

financially. At the time we surveyed them in 1997, the minority graduates from the classes of the 1970s reported 1996 incomes averaging \$141,000, from the classes of the 1980s incomes averaging \$105,000, and from the classes of 1990-1996 incomes averaging \$68,000. The private practition-

"For the classes of 1990 to 1996, the average debt on graduation for the minority graduates was \$57,200 and for the white graduates \$34,600. In the graduating classes of 1995 and 1996, half the minority graduates left law school with debts of \$70,000 or more."

ers averaged \$168,000, \$125,000 and \$74,000 for the three decades of classes. Taking each decade as a group, they are in the top few percentiles in earned income for persons their age in the United States. To be sure, the graduates of the 1990s don't feel quite as well off as they appear. They were saddled with much higher educational debts than were the graduates of earlier decades – about twice the average debt of the graduates of the 1980s and about six or seven times the average debt of the graduates of the 1970s. Initial salaries after law

"Michigan's minority graduates have been generous in giving their time to others. . . . significantly more frequently than the white graduates."

school have also, of course, risen greatly over the years, but not as greatly as debts. In all three decades, the mean educational debts of minority graduates have been much higher than the debts of white graduates. For the most recent graduates surveyed (the classes of 1990 to 1996), the average debt on graduation for the minority graduates was \$57,200 and for white graduates \$34,600. In the graduating classes of 1995 and 1996, half the minority graduates left law school with debts of \$70,000 or more.

UNREMUNERATED CONTRIBUTIONS

Michigan's minority graduates have been generous in giving their time to others. Table 2 displays, by decade, the frequency of mentoring, service on nonprofit boards, participation in political activity and, for the private practitioners, hours of pro bono work. The figures are impressive. The minority graduates have reached out to large numbers of less experienced lawyers and served as mentors for them. In very large numbers, they serve on the boards of civil rights, civic, charitable and religious organizations, significantly more frequently in each decade than the white graduates. They also perform very large numbers of hours of pro bono representational and other work. Though we did not ask about the racial composition of the organizations or groups with which they worked, we believe it highly likely that the minority alumni worked much more frequently than the white graduates with groups in minority communities that might not otherwise have received such voluntary legal help.

Table 2

University of Michigan Law School Unremunerated Contributions as of 1997						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=146	White N=246	Minority N=187	White N=221	Minority N=208	White N=125
Numbers of lawyers mentored (mean)	8	6	5	5	3	2
Serves on at least one nonprofit board	60%*	48%*	48%**	34%**	29%*	19%*
Involved in politics (electoral or issue)	40%	23%	24%	17%	25%	21%
Hours of pro bono legal work in a year for private practitioners (mean)	132	90	103	86	98*	58*
Private practitioners doing 50 or more hours of pro bono work in a year	65%	48%	63%	53%	53%	49%

* Differences are statistically significant (p<.05).

** Differences are statistically significant (p<.01).

CAREER SATISFACTION

The minority graduates are generally satisfied with their careers, fully as satisfied as their white classmates. We asked all our respondents to indicate their overall career satisfaction on a 7-point scale. We report as "satisfied" those who answered our question with one of the three highest scores on the scale. Across all three decades of graduates, 14 percent of minorities and 11 percent of whites put themselves into the highest of the seven categories of career satisfaction; 35 percent of minorities and 41 percent of whites put themselves in the second highest; and 26 percent of

continued on page 22

continued from page 21

minorities and 28 percent of whites in the third highest. Those who do not put themselves into one of these highest three categories, nearly all place themselves in one of the next two, not in either of the bottom two. Only 5 percent of minority graduates and 4 percent of white graduates place themselves in the lowest two categories, the categories we consider to indicate serious dissatisfaction.

Table 3 displays the overall career satisfaction of the minority graduates by decade and by the setting in which they currently work. Perhaps the most striking aspect of the satisfaction table is that, within each decade, for both minorities and whites, more of those who work in government are satisfied with their careers than are the private practitioners. The higher satisfaction of the government attorneys has been a persistent finding in Michigan's surveys of its alumni, which we have conducted annually for many years for all graduates 5 and 15 years after graduation. Many private practitioners in their early careers, white and minority, are not very satisfied with their jobs. On the other hand, as the table also reveals, when we compare the white and minority graduates in the same work settings, none of the differences in the pairs of comparisons in any work setting in any decade is statistically significant. (The few differences that look substantial have small numbers of persons in the category.) The short of it is that, taken as a whole, our minority graduates are as satisfied with their careers as the whites, and the longer they've been out, the more generally satisfied they are.

Table 3

University of Michigan Law School Career Satisfaction in 1997*						
(Proportion placing themselves in top 3 of 7 categories)						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=144	White N=237	Minority N=184	White N=215	Minority N=205	White N=125
Private practice	80%	79%	70%	71%	63%	72%
Solo or firm of 10 or under	78%	81%	74%	77%	90%	88%
Firm of 11-50	90%	90%	72%	65%	48%	76%
Firm of more than 50	78%	71%	65%	70%	55%	67%
Government	87%	91%	85%	92%	85%	88%
Business	64%	84%	61%	87%	71%	93%
All respondents	79%	82%	76%	79%	71%	76%

* In comparisons of pairs of minorities and whites in any work setting in any decade, none of the differences is statistically significant.

MINORITY LAW TEACHERS

Roughly 6 percent of the minority graduates of the classes between 1970 and 1996 work today in the field of education. Most of this group - 25 minority graduates in all -- are teachers of law. Since our survey focused primarily on those who practice law in some setting, we did not learn much about the professional life of law teachers -- what or where they taught, for example. But the numbers are important. Michigan is among the ten law schools that provide the largest numbers of law teachers for American law schools. At the beginning of the 1970s, there were almost no African American, Latino or Native American law teachers at predominantly white law schools in the United States. Michigan's minority graduates have played an important part in bringing minority group members onto the faculties of law schools in the United States.

DIFFERENCES AMONG MINORITY GROUPS

Up to this point in our article, we have grouped our African American, Latino and Native American graduates together as our "minority alumni." What differences are there, if any, among these three groups with regard to the aspects of their careers that we have been reporting? Within each decade, we have such limited numbers of Native American respondents that almost no differences between them and the other two minority groups have statistical significance.

The numbers of Latino and African American graduates in our sample are large enough to look for significant differences, but the differences between them are, in fact, quite minor. African American and Latino graduates have made somewhat different initial career choices. During the 1970s and 1980s, many more African Americans than Latinos took a first job in government (25 percent of African American graduates of those two decades, 7 percent of Latino graduates), but during the 1990s, the pattern was reversed (12 percent of African Americans took a first job in government, 25 percent of Latinos). For none of the decades are there substantial differences between African American and Latino respondents in their current work settings, in their current earned incomes, or in their overall career satisfaction. Nor are there significant differences in the amount of pro bono work they perform or in their service on nonprofit boards. Thus, what we display in the tables as the achievements of "minority graduates" is close to the achievements of African American and Latino graduates separately.

THE RACE AND ETHNICITY OF CLIENTS

Among the private practitioners, the Michigan graduates, regardless of race, disproportionately serve clients of their own race. For each decade graduates, a higher proportion of the clients of our African American graduates are African American than is the case for our white or Latino graduates, and a higher proportion of the clients of our Latino lawyers are Latino than is the case for our African American or white graduates. This pattern holds both for our graduates' individ-

"... private practitioners, regardless of race, disproportionately serve clients of their own race, ... a sign of the persistent salience of race in American society."

ual clients and for their contacts at organizations, such as corporations. It is especially strong among the private practitioners from the 1970s; for example, among the African American private practitioners of the 1970s, 53 percent of their individual clients and 25 percent of their contacts at their organizational clients are also African American, a much higher proportion of African American clients than is the case for the white or Latino practitioners. There is also a strong correlation for lawyers of each ethnic group between the proportion of same-race attorneys with whom they practice in the same firm and the proportion of their clients and their organizational contacts who are also of that race. For example, African American lawyers working in largely African American firms serve more African American clients than do African American lawyers in firms that are predominantly white.

From one point of view, this distribution of client services among private practitioners can be regarded as a part of the success of Michigan's program of training more minority lawyers. Michigan hopes that its graduates, taken as a group, will serve all segments of the public, and our program has surely increased the numbers of our graduates providing services to African American and Latino individuals and businesses. (Our African American and Latino graduates of the 1970s and 1980s also provide more services than whites to low and middle income individuals.) From another point of view, the implications of the race-linked pattern of clients are more ambiguous, a sign of the persistent salience of race in American society. However the pattern of services is

viewed, it is a reflection that in our culture, as in nearly all others, people seek out people whom they perceive as like them and whom they perceive as likely to serve them well and treat them with respect.

PREDICTING SUCCESS IN PRACTICE FROM ENTRY CREDENTIALS

Nearly all law schools, including Michigan, rely heavily on applicants' scores on the Law School Admission Test (LSAT) and on the applicant's undergraduate grade point average (UGPA) in making decisions about admissions. We examined the relationship between these two figures and the grades the graduates earned during law school as well as the relationship between these figures and achievement after law school. Do high LSATs and UGPAs actually predict better performance in law school? Do they correspond with more achievement after law school? What we find is that there is a strong, statistically significant relationship between LSAT and UGPA, on the one hand, and grades at the end of three years of law school on the other, but no significant relationship between the LSAT or UGPA with regard to what matters much more – the achievement of students after graduation.

The University of Michigan Law School receives far more applications for admission than it has places to fill, nearly always at least ten times as many applicants as there are positions. In deciding

"... there is a strong, statistically significant relationship between LSAT and UGPA, on the one hand, and grades at the end of three years of law school on the other, but no significant relationship between the LSAT or UGPA with regard to what matters much more – the achievement of students after graduation."

whom to admit, Michigan considers such hard-to-quantify indicators of ability as applicant essays and letters of recommendation, but it also pays considerable attention to LSAT scores and the UGPA. Critics of minority admissions programs typically point to disparities between minorities and whites in the quantifiable indicators and not to disparities in other indicators of ability to support their claims that race-conscious admissions programs admit minorities who are less competent

continued on page 24

continued from page 23

than many rejected white applicants. The flaw in this argument in the law school context is that the usefulness of LSAT scores and the UGPA as law school selection devices has been demonstrated solely with respect to first-year law school grades, rarely examined with regard to grades over the full three years of law school and never, before this study, examined for their relationship to achievement in the practice of law.

In order to measure the relationship between the LSAT and UGPA and performance during and after law school, we combined each graduates LSAT and UGPA by ranking the respondents according to their LSAT scores and their UGPAs and adding their percentile rankings on these two dimensions, yielding an index with the potential range of from 0 to 200. We refer to this measure as the "index." We also constructed three indexes of post-law-school achievement: an index of satisfaction that combines overall satisfaction with the various components of satisfaction; a measure of income that uses log of income to reduce the effects of a few very high income respondents; and an index of community service that combines mentoring, pro bono work and involvement on nonprofit boards. All three indices were created before looking at their relationship to our admissions index or to law school grades.

The combined LSAT and UGPA admissions index does a good job of predicting final law school grade point averages. Students with high indexes tend to earn higher grades than students with lower indexes. For all students, considering each decade separately, the correlations range from .62 to .66, which means that between 38 and 43 percent of the variance in law school grades can be explained by the admissions index alone. (For minorities considered separately, the correlation ranges between .48 and .58; for whites separately, the relation is somewhat weaker but still substantial.)

Given this strong relationship between law school admissions criteria and graded law school performance, one might expect that these quantifiable admissions criteria would also positively correlate with success in practice. Our examination, however, reveals no such relationship. For no decades' graduates is there a statistically significant relationship between the admissions index and either the log of income or our index of career satisfaction. Those with comparatively low admissions indexes earn as much on average as those with high indexes and are as satisfied with their careers. There is a significant correlation, however, between the admissions index and our index of service: in all decades, those with higher admissions index scores tend to contribute less unremunerated service to

society, as measured by our service index, than those with lower indices, and this negative relationship is statistically significant among graduates in the 1970-79 and 1990-96 cohorts. Why there is this mildly negative relationship between the admissions index and community service is unclear. It may possibly be due to the fact that

"Those with comparatively low admissions indexes earn as much on average as those with high indexes and are as satisfied with their careers. There is a significant correlation, however, between the admissions index and our index of service: in all decades, those with higher admissions index scores tend to contribute less unremunerated service to society . . . than those with lower indices."

Michigan seeks to recruit students who subscribe to the legal professions aspirational norms of service and so admits applicants on somewhat weaker numerical records when they evidence a strong commitment to serving others.

One can easily make too much of our findings about the absence of a positive relationship between numerical admissions credentials and later achievement. It might be tempting to conclude that the skills that predict law school grades don't matter in practice – or to conclude that our graduates would do as well in practice if we admitted all applicants without regard to their undergraduate grades and LSAT scores. Neither of these interpretations correctly understands our data. Most fundamentally, ours is a study only of the students whom the Michigan admissions office actually chose to admit. The Michigan students who are admitted, minority and white, fall within a narrow band of skills and performance, a band of high achievement. All that we have found is that, within that band, the skills measured by the LSAT and UGPA do not predict differences in career achievements when those skills are considered as part of an admissions process that also considers letters of recommendations, nongraded accomplishments and other indicators of ability and achievement. One cannot extrapolate from that conclusion to the conclusion that any randomly chosen group of applicants, including persons with very low LSAT scores or undergraduate grades, would have done as well as the applicants that Michigan admitted. ■

THIRTEENTH ANNUAL ROBERT COVER PUBLIC INTEREST LAW RETREAT MARCH 3-5 IN NEW HAMPSHIRE

– Stephen Wizner
Yale Law School

The thirteenth annual Robert M. Cover Public Interest Law Retreat will take place during the first weekend in March (March 3-5, 2000) at Boston University's Sargent Camp in Peterborough, New Hampshire. This year's retreat is being organized by students from American University's Washington College of Law, with help from law students at Boston College and Boston University. As in previous years, the retreat will bring together law students, public interest practitioners, and law professors for a weekend of panel discussions, plenary sessions, networking and parties. Additional information about the retreat may be obtained from **Cathleen Caron**, a student at American University, or from **Steve Wizner** at Yale.



SECOND ANNUAL TRINA GRILLO PUBLIC INTEREST LAW RETREAT MARCH 24-26 IN CALIFORNIA

– Eric and Nancy Wright
*Santa Clara University
School of Law*

The second annual Trina Grillo Public Interest Law Retreat will be held on March 24, 25 and 26 at the Presentation Center in Los Gatos, California. Organized by Santa Clara University's Center For Law And Public Service (CLAPS), the Grillo Retreat is modeled after the highly successful Robert M. Cover Public Interest Law Retreat held each year in New Hampshire.

The Grillo Retreat provides an opportunity for public interest students, faculty and practitioners to come together in an informal setting to exchange viewpoints, explore career opportunities and formulate strategies for social

change. Last spring, over 100 people attended the inaugural retreat held at the Headland Institute in Sausalito, California. In addition to keynote speeches by **Eva Paterson** and Professor **Cruz Reynoso**, there was a full schedule of panels and workshops focusing on the many ways students and lawyers can address their mutual commitment to work for social justice in today's environment.

The site for this year's Grillo Retreat, the Presentation Center, offers comfortable, heated accommodations in semi-private rooms and delicious home-cooked meals. Located in the beautiful, verdant Santa Cruz mountains, the Center features numerous hiking trails and other opportunities for outdoor activities.

For additional information about the Grillo Retreat, please contact Eric or Nancy Wright, CLAPS, 874 Lafayette St., Santa Clara, CA 95050; tel. (408) 554-5233; fax (408) 554-5440.



TEACHERS OF COLOR TO MEET JUNE 1-4, 2000 IN HAWAII

– Eric Yamamoto
University of Hawai'i

The Asian Pacific American Law Faculty and the Western Regional Law Teachers of Color will hold a joint conference on June 1-4, 2000, at the Turtle Bay Hilton on O'ahu, Hawai'i. The joint conference immediately follows a one-day conference held by the APALF which will be open to joint conference participants. In keeping with its location, the joint conference will focus on issues relating to indigenous peoples, interracial conflict and racial healing. Further material about the conference, registration forms and other relevant information is available on the conference website at <http://pkwan.scu.edu/ylopear1/h2k/>. The conference is being facilitated by a generous grant from SALT.

"TEN YEARS IS ENOUGH!" cries Rooke-Ley. "IT'S TIME TO PASS THE TORCH."



In days of yore (circa 1990), an eager young editor burst on the scene, filled with fresh ideas and ever optimistic as he sought to fill the shoes of his predecessor, Charles Calleros. But as the years passed, we find this virtuous soul overcome by the frustration of dealing with missed deadlines, dangling participles and (mostly) his own obsessive-compulsive neurosis. Drowning in a pool of tears, he is heard to cry out, "No mas! No mas! Ten years is enough!" An epiphany of sorts it was, and with resignation in hand (one more issue? maybe two?), he has gained a new lease on life (a short-term lease, to be sure, given his impending co-presidency commencing in 2002).



JOB ANNOUNCEMENT

The Society of American Law Teachers seeks a new editor for its quarterly publication, The SALT Equalizer. The editorship provides an opportunity to keep one's finger on the pulse of – and to help forge the direction of – the most progressive and influential organization in legal education. It also offers one the opportunity to work with the most dedicated, hard-working, visionary, supportive, irreverent and fun-loving group of colleagues one could possibly imagine.

Responsibilities include writing, soliciting articles, testing friendships, rejecting articles, editing, testing friendships, imposing deadlines, design and layout, testing . . .

Serious applicants must appreciate the joys of collaborative work and should possess a deep reservoir of humor and humility. Salary is commensurate with the allowance of most six year-olds. Benefits are immeasurable and, likewise, intangible. Our operators await your call.



Society of American Law Teachers

Co-Presidents

Phoebe A. Haddon (*Temple*)
Stephanie Wildman (*UC-Berkeley*)

Past Presidents

Norman Dorsen (*NYU*)
Howard Lesnick (*Pennsylvania*)
David L. Chambers (*Michigan*)
George J. Alexander (*Santa Clara*)
Wendy W. Williams (*Georgetown*)
Rhonda R. Rivera (*Ohio State*)
Emma Coleman Jordan (*Georgetown*)
Charles R. Lawrence III (*Georgetown*)
Howard A. Glickstein (*Touro*)
Sylvia A. Law (*NYU*)
Patricia A. Cain (*Iowa*)
Jean C. Love (*Iowa*)
Linda S. Greene (*Wisconsin*)

Past Vice Presidents

Anthony G. Amsterdam (*NYU*)
Derrick A. Bell, Jr. (*NYU*)
Gary Bellow (*Harvard*)
Ralph S. Brown, Jr. (*Yale*)
Thomas Emerson (*Yale*)

Treasurer

Norm Stein (*Alabama*)

Editor

Michael Rooke-Ley (*Nova Southeastern*)

Historian

Joyce Saltalamachia (*New York*)

Board of Governors

Frances Ansley (*Tennessee*)
Keith Aoki (*Oregon*)
Margalynne Armstrong (*Santa Clara*)
Elvia Arriola (*Texas*)
Cynthia Bowman (*Northwestern*)
Susan J. Bryant (*CUNY*)
Sumi Cho (*DePaul*)
Carol Chomsky (*Minnesota*)
Karen Czapanskiy (*Maryland*)
Harlon L. Dalton (*Yale*)
Theresa Glennon (*Temple*)
Linda S. Greene (*Wisconsin*)
Phoebe A. Haddon (*Temple*)
Sharon Hom (*CUNY*)
Joan Howarth (*Golden Gate*)
Marina Hsieh (*Maryland*)
Elizabeth Iglesias (*Miami*)
Lisa Ikemoto (*Loyola-LA*)
Paula Johnson (*Syracuse*)
Amy Kastely (*St. Mary's*)
Holly Maguigan (*NYU*)
Margaret Montoya (*New Mexico*)
Nell Newton (*Denver*)
David Oppenheimer (*Golden Gate*)
Michael Rooke-Ley (*Nova Southeastern*)
Joyce Saltalamachia (*New York*)
Ann Shalleck (*American*)
Aviam Soifer (*Boston College*)
Norm Stein (*Alabama*)
Rennard Strickland (*Oregon*)
Francisco Valdes (*Miami*)
Robert Westley (*Tulane*)
Stephanie Wildman (*UC-Berkeley*)
Steve Wizner (*Yale*)
Eric Yamamoto (*Hawaii*)

Nova Southeastern University
Shepard Broad Law Center
3305 College Avenue
Fort Lauderdale, Florida 33314

The SALT Equalizer

Professor Michael M. Rooke-Ley, Editor

NON-PROFIT ORG.
U.S. POSTAGE

PAID

FT. LAUD., FL
PERMIT # 886