

The **EQUALIZER** **SALT**

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IMPORTANT SALT TESTIMONY ON HEALTH CARE REFORM

— Sylvia A. Law
New York University
School of Law

On January 31, 1994, Rand E. Rosenblatt, Professor at Rutgers University School of Law, Camden and Co-Chair of SALT's Committee on Access to Justice, Discrimination and Health Care Reform, testified before Representative Henry Waxman's Committee (The Health and Environment Subcommittee of the House Energy and Commerce Committee). Rand's eloquent presentation was well received. Witnesses representing several civil rights and health consumer groups echoed the concerns that Rand expressed in his testimony for SALT. Congressman Jim Cooper — author of a major alternative to the Clinton proposal — sits on Waxman's Committee. He listened closely but did not offer questions or commentary. After the morning's hearing, we talked with members of Congressman Waxman's staff and met with Nan Hunter, formerly a SALT member from Brooklyn Law School and now Deputy General Counsel at the Department of Health and Human Services.

Rand has done yeoman's work developing the SALT critique of the access to justice and discrimination provisions of the Clinton health plan. He solicited information and commentary from other SALT members and integrated their wise observations into a final report. The SALT commentary is embodied in a 50-page document that either Rand or I would be happy to send to any SALT member who asks.

Building on what is already in the Health Security Act, the SALT analysis proposes improvements to three systems of rights and remedies to help achieve the Act's important goals: (1) **individual claims** through an administrative process; (2) **private rights of action** in federal and state courts; and (3)

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President's Column . . .

GREETINGS FROM YOUR NEW CO-PRESIDENTS

— Pat Cain
University of Iowa
College of Law

SALT is now entering its 21st year, and there are many exciting events on the calendar, including a number of "firsts." SALT will host its first-ever mid-west teaching conference in Minneapolis next fall (September 23-24) and for the first time SALT has elected a couple (Jean Love and me) to serve as co-presidents of the organization. In the first two months of this co-presidency, Jean and I have been trying to define the nature of our shared responsibility to a national organization like SALT. We hope that by working together we can offer SALT the best of both of our talents and maintain wider contact with SALT members. If any SALT member wishes to contact the presidents, there are two telephone numbers available during the day, both at the University of Iowa:

Pat Cain — 319-335-9755

Jean Love — 319-335-9018

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organized consumer advocacy at all levels of the system. The SALT report also offers comments on three other matters relating to justice and health care reform: (4) anti-discrimination, (5) privacy of the personal information generated by the system, and (6) medical malpractice reform.

Many SALT members have worked on the health care reform committee and contributed to this report. **Peter Shane** (University of Iowa College of Law) initially offered us a sobering, modestly inspiring perspective. "I could teach an entire course on administrative law focusing solely on the issues raised by this bill," he observed. Rather than shrinking from the enormity of the task, Peter wrote a detailed analysis which demonstrated that the Administrative Procedure Act, as interpreted by the current Supreme Court, will not provide adequate consumer remedies with respect to federal agencies and which proposed concrete changes in the language of the Act.

"Rand [Rosenblatt] has done yeoman's work developing the SALT critique of the access to justice and discrimination provisions of the Clinton health plan."

Vernellia Randall (University of Dayton School of Law) and **Sidney D. Watson** (Mercer University Law School) drew upon their rich experience in anti-discrimination advocacy to develop proposals to make the statutory protections in this area stronger, clearer and more succinct. Board member **Art Leonard** (New York Law School) offered us a helpful critique, noting that we had initially bowed too easily to "political realism" in failing to criticize the absence of strong protection against discrimination on the basis of sexual orientation; his point was incorporated into the final draft of the testimony. **Janet Calvo** (CUNY School of Law) provided detailed suggestions about improving coverage for immigrant workers. **Louise Trubeck** (University of Wisconsin Law School) drew on decades of experience working with organized consumers to describe the provisions necessary to assure that consumers in managed health care plans will have a voice in development of plan policy. **Barry Furrow** (Widener University School of Law) wrote a foreful, detailed and documented critique of the bill's medical malpractice section.

Larry Gostin (Georgetown University Law Center) had worked with the Clinton Administration to draft the provisions to protect individual privacy. He helped craft the SALT critique of the bill's privacy provisions. **Eleanor D. Kinney** (Indiana University School of Law, Indianapolis) provided insight based on her analysis of the administration of existing health care programs.

Rand developed the portions of the report arguing that Congress needs to be absolutely clear in its intent to assure that federal courts will be able to hear individual claims alleging that various actors have denied them their "right to health care that cannot be taken away." He also did the major work explaining how ERISA now bars claims against gross injustice and how this should be corrected. We all worked on provisions to assure an administrative process that will allow fair resolution of most claims without recourse to lawyers or courts.

Coincidental with Rand's testimony for SALT, the *Washington Post* ran a four-day, front-page series describing how Congressman Waxman and his staff of ex-legal services lawyers managed to keep Medicaid growing through the Reagan/Bush years. Depending on one's perspective on health care for the poor, the series was a tribute or a trash. If SALT members are interested in reading these articles, Rand or I can send you copies.

In a role formally unrelated to SALT, I chair the health subcommittee of the Committee on Federal Legislation of the Bar Association of the City of New York. Last week, the Committee on Federal Legislation adopted most of the SALT critique of the Clinton health proposal.

Our conversations with people in Washington suggest that SALT members interested in these issues can usefully raise them at the local level. The most helpful conversations are those with members of Congress with whom you have a personal relationship. Next most helpful are statements from bar groups.

What does this all mean in relation to the larger politics of health care reform? This week the press tells us that the Clinton plan is dead. Perhaps this is true. On the other hand, most Americans believe that there is a need for serious change in the way in which health care is financed and delivered. Any serious proposal for reform must address the issues raised by the SALT critique. As various bills work their way through the legislative process, the SALT critique on access to justice, discrimination and privacy will inform their deliberations. ■

In addition, we have decided to alternate responsibility for writing the President's Column in *The Equalizer* so that you will hear our different individual voices during our two-year term. But first, we speak jointly to express our deepest thanks to Sylvia Law for an absolutely stupendous job as president of SALT for the past two years and an additional thanks for her continued work with SALT.

A New Women and the Law Conference?

On February 18-20 at the University of Virginia, the Virginia Law Women hosted an "inaugural conference" to coincide with the formation of the National Women Law Students' Association. The panel presentations were an impressive blending of theory and practice and included legal academics, practicing attorneys and representatives of public interest groups. Not surprisingly, many of the academics were SALT members, including Leslie Espinoza (Boston College), Adrienne Davis (University of San Francisco), Mary Anne Case (Virginia), Leslie Bender (Syracuse), Mary Coombs (Miami), Carrie Menkel-Meadow (UCLA), Liz Schneider (Brooklyn), Karen Czapanskiy (Maryland), Naomi Cahn (George Washington) and myself. The SALT critique of legal education, to the extent it focuses on gender, race, sexual orientation and class, was very much a part of the panel discussions. Although the primary audience was the students attending the conference, the papers will be developed and published by the Virginia Journal of Social Policy and the Law. And for those of us who have lamented the loss of the annual Women and the Law Conference, we came away with the hope that these student efforts would result in a similar annual conference.

Review of Law School Casebooks

Several members of the SALT Board of Governors have expressed an interest in expanding *The Equalizer* to include reviews of law school casebooks. Michael Rooke-Ley and I have set next spring as the target date for our first series of reviews. If there are SALT members out there who would like to participate in this project, please contact me. I am looking for people to review casebooks, and I am also looking for suggestions about how we might structure reviews to help you in selecting a casebook. What do

you like or not like about the casebook you are using? What would you like to know about other casebooks that are available?

SALT Teaching Award

Every year SALT gives a teaching award to an outstanding teacher in legal academia. In Orlando, we presented the 20th award to **Norman Dorsen**, one of the founders of SALT and a teacher to many constituencies about civil rights. As the Board begins to focus on next year's award, I invite SALT members to communicate with me (or any other Board member) about persons you think may be deserving of the award. ■



SALT ACTIVITIES IN ORLANDO

— Joyce Saltalamachia
New York Law School

Demonstrating a devotion typical of the SALT Board of Governors, 25 Board members gathered at 7:00 a.m. on January 7, 1994, in Orlando, Florida for their winter meeting. In the absence of incoming co-presidents **Jean Love** and **Pat Cain**, outgoing president **Sylvia Law** chaired the meeting and welcomed new Board members **Homer La Rue**, **Ann Shalleck**, **Lisa Ikemoto** and **Juan Perea**.

Minnesota Conference

In Santa Clara last October, the Board had agreed to organize a third, but significantly different edition of our Conference, Re-imagining Legal Education, in the Midwest. **Martha Chamallas** (Iowa) reported that the University of Minnesota has agreed to sponsor the conference, with **Carol Chomsky** (Minnesota) and **Eric Janus** (William Mitchell) co-chairing the event (See Carol Chomsky's article herein for details).

Alliance for Justice

Sylvia informed the Board that **Ann Shalleck** had been appointed the SALT Board liaison to the Alliance for Justice conference. Sylvia then related a

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message from **Nadine Taub** who asked that the Board reconsider its decision not to work with the Alliance on their conference and not to co-sponsor it. Ann reported that the Alliance plans to have a main conference in the Fall and several regional ones in the Spring focusing on "Access to Justice." Sylvia explained that the Board had decided that SALT did not have the time or the resources to work on such a large number of conferences yet did not want to merely "sign on" without any other commitment. **Liz Schneider** spoke in support of the Alliance and its projects and characterized the regional conferences as a way to get SALT members around the country involved in such projects. She expressed the hope that we could find a middle ground and urged that we see the Alliance proposal as an opportunity not as a burden. **Dean Rivkin** and **Haywood Burns** also spoke in favor of associating ourselves with this project. Sylvia commented that Pat and Jean, as incoming co-presidents, were not in favor of the proposal because they were concerned about being spread too thin. They felt that SALT sponsorship should mean more than merely adding our names to a list of other such sponsors.

The question for the Board then became whether to not only sign on to a letter of support, but to also co-ordinate people to work on the regional conferences. After a request for volunteers, Ann, Haywood and Liz said that they would be interested in formulating a SALT role in the project. With this in mind, the Board voted in favor of having a formal role in the Alliance for Justice conferences (For further developments, see Ann Shalleck's article herein).

Public Positions

Phoebe Haddon reported on the request for SALT involvement in a particular law school tenure decision. She had checked with a SALT member at the school in question, who said that no involvement was needed. Phoebe stated that there was a larger issue about whether or how SALT should be involved in similar situations. Should there be a formal mechanism? How can SALT be involved and how can complaints be received if we decide that involvement is desirable? Discussion continued on how SALT can support people who are involved in innovative teaching before tenure decisions. Suggestions were made about sending letters and favorable comments to individuals so that they can incorporate them into their tenure files. The Board particularly seeks members'

comments on this issue (See Phoebe's article herein).

Phoebe also reported that SALT had filed a brief in the *Lloyd v. Grella* case, which challenges a New York law allowing military recruiting in schools. In a related manner, it was announced that the ABA Section on Legal Education was holding a hearing on section 211 interpretation Sunday morning and needed someone to testify on deficiencies in this measure. One perceived deficiency was that schools were not required by the ABA to exclude the military, but would be required to exclude them by the AALS rule, and that the ABA should make this distinction clear. **Howard Glickstein** stated that because he had already sent the ABA a letter on this matter and other letters could be sent, it was not necessary to have someone testify at the hearing.

Long-Range Planning

After other brief agenda items, the remainder of the meeting focused on a report by **Gerry Singen** on long-range planning. Gerry reported that the Long-Range Planning Committee had offered several proposals for moving SALT concerns ahead, mainly regarding some institutional changes within the structure of SALT itself. The Committee felt that SALT had no organized way to look down the road and had no institutional mechanism to proceed beyond the next Board meeting and the next conference. One of the proposals was to use *The Equalizer* to include material that has been appearing in the publication *Consorting*. For example, bibliographies, articles by legal services advocates, and up-dates on Legal Services Corporation developments could be published. *The Equalizer* could also be a forum where new casebooks are reviewed regarding their treatment of poverty, disability, gender, race and sexual preference issues (see Pat Cain's President's Column herein). SALT could also become a gathering and distribution point for teaching materials on such issues. Distribution could be through the *Clearinghouse Review*.

After going through the memo point by point, discussion followed. Liz Schneider spoke about the proposals as they relate to AALS projects. AALS will have a MacCrate program next year, and she urged SALT to incorporate our projects into larger MacCrate issues. The *Clearinghouse Review* was promoted as a valuable resource for law teachers (See Sylvia Law's review herein). Gerry then suggested that the materials-gathering project and *Clearinghouse* idea be a priority for SALT. Related to this, Sylvia announced that, from the conferences, the contracts group already had

a book proposal for the New Press, and the torts group had a preliminary proposal. Sylvia urged Board members to read over the Long-Range Planning Committee report more closely for further discussion.

Robert Cover Memorial Study Group

On Friday, January 7, 1994, the annual Robert Cover Memorial Study Group met in Orlando for another successful gathering to address issues of professionalism and self-identity in a program entitled "Professionalism and the Bleached-Out Self" led by Sanford Levinson.



Annual Awards Dinner

The highlight of every year for SALT is the annual awards dinner held in conjunction with the AALS annual meeting. This year marked SALT's 20th anniversary, and at its awards dinner SALT honored one of its founding fathers and its first president Norman Dorsen, Frederick J. and Grace A. Stokes Professor at New York University School of Law.



This awards dinner was attended by 145 SALT members and friends who had gathered to



honor Norman Dorsen for his contributions both to SALT and to American legal education. Moderated by Liz Schneider, the panel of speakers, consisting of John Sexton, Stephen Gillers, Haywood Burns and Judith Resnik, spoke of Norman's life-long involvement in civil liberties and legal education.

Also at the awards dinner, Stephanie Wildman, on behalf of the SALT Board and membership, took the occasion to thank Sylvia Law for her inspired leadership for the past two years. ■



COVER RETREAT INSPIRES AND EMPOWERS

- Sumilu Cue
*Third-year Student
Boston University School of Law*
- Andrea Kurtz
*Second-year Student
University of Iowa School of Law*

Sumilu Cue:

Shortly before his untimely death in 1986, Robert Cover conceived of the idea for a conference that would bring together progressive lawyers, activists and law students committed to working for social change. Cover hoped to establish a network among students and practitioners in the public interest law community and to provide a forum for developing new strategies for legal activism. In March of

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1994, approximately 170 law students, practitioners and law professors from around the country gathered in Peterborough, New Hampshire for the seventh annual Robert Cover Public Interest Law Retreat. The issues and challenges of community lawyering provided the theme for this year's conference; the student organizers invited advocates for the homeless, environmental activists, union organizers and others to offer advice to (and drink beer with) students from more than twenty-five law schools.



Although much of the conference consisted of informal workshops designed by the student participants, some of the practitioners were asked to speak to the entire group about their work. On Friday evening, **Luke Cole** of California Rural Legal Assistance gave the opening address. Cole advocated non-traditional approaches to community lawyering; he encouraged students to allow their client communities to set their own priorities and to seek solutions that attack the roots, rather than the symptoms, of social problems. By training communities to use the political process instead of simply providing courtroom skills, Cole argued, progressive lawyers can help foster a sense of empowerment that will outlast their own involvement with a particular case.



On Saturday morning, Justice **Carey Vincenti** of the Jicarilla Apache Tribal Court addressed the conference. He claimed that the assumptions, based on

ignorance, that other people make about his people represent a form of tyranny, and that lawyers are duty-bound to honor the needs of each community. Vincenti emphasized the importance of living within

*"... allow . . . client communities to
set their own priorities . . ."*

the community in which one practices rather than commuting in and out with one's services. In his own community, he maintained, his power as a judge resides in the confidence of his people that he is serving them with a pure heart.

Other Saturday morning speakers included **Deeohn Ferris**, an environmental law attorney with the East Palo Alto Community Law Project, and **Linda Wambaugh**, a union organizer for the S.C.L.U.-Local 585 in Pittsburgh. Both offered advice for young lawyers on how best to share one's legal expertise without disregarding the special concerns of clients. Saturday evening's speaker was **Sarah Buell**, a fellow at Radcliffe's Bunting Institute and a crusader against domestic violence. Buell spoke about her own life as a single mother, a welfare recipient and a battered woman; this first-hand experience, she believes, has



made her especially sensitive to the responsibility of lawyers and advocates to anticipate clients' needs and fears. Buell spoke of women who write crisis hot-line numbers on the soles of their shoes to avoid detection by husbands and companions. She offered strategies for how to reach such women, including placing pamphlets in several languages on the insides of bathroom stalls. This idea and others came from speaking to her clients and soliciting their advice on how to locate and assist women in desperate situations. The point to which Buell returned again and again was a familiar one at this conference: that lawyers must be willing to adjust their tactics to meet the needs of the communities in which they work.

A principal purpose of the conference was to allow students and practitioners to meet in small groups, and much of Saturday was devoted to student-organized workshops. These included discussions on AIDS representation, economic development, environmental racism, international human rights,



policy planning, children and family representation, and women's rights. While some participants chose to organize more small group discussions throughout the day, others took advantage of the surroundings by cross-country skiing and hiking.

One of the afternoon gatherings was organized by many of the students of color who had felt alienated during the earlier workshops. These students agreed to address a statement to the rest of the conference on Saturday evening, exhorting the other participants to educate themselves about issues of concern to minority communities and requesting that the next Cover Retreat be dedicated to these issues. The statement inspired a discussion following dinner about how to make the conference more inclusive; the organizers suggested that those students who had made the complaint should play a significant role in putting together the next conference.

Sunday's closing address was delivered by Professor Milner Ball of the University of Georgia. Professor Ball insisted that the purpose of law is to

"... the students who had been least satisfied with this conference were given the chance to set the agenda for the next."

serve the oppressed, but he highlighted the crucial difference between charity, which measures its success by "how far the one who is being helped becomes like the one who is helping him," and community activism, which requires active involvement, and

preferably residency, in the community. Professor Ball warned that law has the tendency to ignore the cultural backgrounds, the stories behind individuals, and to speak in an institutionalized discourse. The true public interest lawyer, he asserted, must respect the cultural families that make up America and be willing to become, literally and spiritually, a part of these communities.

Professor Ball concluded his remarks by encouraging the students to use the remaining conference time to "determine what form the communal experiment of the Cover Retreat should next assume." Immediately following the talk, those students who wished to be more involved in planning the conference met with this year's organizers to begin discussing next year. Regional representatives from around the country volunteered to assist the students from Yale, Harvard and Boston University in organizing the next retreat. In the spirit of Robert Cover, the friction of the evening before became the catalyst for positive action; the students who had been least satisfied with this conference were given the chance to set the agenda for the next.

Andrea Kurtz:

I almost quit law school the day before I left for the Cover Retreat. I spent the day observing Juvenile Court. It was one of the most depressing things I had ever witnessed. Kid after kid was trans-



ferred from Juvenile Court to District Court because they were "un-rehabilitatable." More precisely, the system had run out of hope and resources for these kids.

This was not what I had envisioned myself doing when I graduated from law school. I came to law school because I thought it was a good place to start learning the tools already forged which could help people in need. To be sure, the rhetoric of law we are taught in school speaks in terms of these "greater

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ACADEMIC SUPPORT PROGRAMS: SERIOUS (AND UNHERALDED) WORK TOWARD CREATING DIVERSITY

At last fall's SALT Teaching Conference in Santa Clara, it became painfully apparent that far too many of us – and often the longest-tenured and most respected members of our faculties – are only marginally aware of what academic support programs are all about. As SALT members, this is a particular embarrassment for we like to regard ourselves as progressive forces in legal education with demonstrated commitments to issues of diversity. Yet nothing speaks louder for creating meaningful and lasting diversity than the development of effective academic support programs right at home in our own institutions. In short, academic support is where the action is.

Minority enrollment and attrition rates clearly demonstrate the desperate need for academic support programs. But we need to know more: the underlying philosophies, the various approaches, the particular problems and needs facing program developers, and the ways in which we can contribute. With this in mind, and with the hopes of beginning a dialogue and increasing our participation in these important efforts, I invited four leading voices in the field – Kent Lollis (Law School Admission Council), Laurie Zimet (Santa Clara), Kris Knaplund (UCLA) and Paula Lustbader (Puget Sound) – to bring us up to speed on their work. Let us know what you think.

– Michael Rooke-Ley

THE ACADEMIC ASSISTANCE PROGRAM INITIATIVES OF THE LAW SCHOOL ADMISSION COUNCIL

– Kent D. Lollis
*Associate Executive Director
and Assistant to the President -
Minority Affairs, LSAC*

Most of the support for developing new and improving existing academic support programs at law schools comes from initiatives undertaken by the Law School Admission Council Minority Affairs Committee. For over ten years, LSAC, considering ways to increase the numbers of lawyers from under-represented minority groups, has been supporting studies, conducting workshops, providing consultants and publishing reports informing member schools of the importance of academic assistance programs as part of an over-all goal of increasing the academic success of students of color.

Since the mid-1980's, the Law School Admission Council has been studying the role of academic assistance programs within the context of minority student recruitment and retention at mem-

ber law schools. The results of the early studies became one of the hottest topics at the 1988 "Access 2000 Conference" which explored many issues relating to the under-representation of people of color in the legal profession. After reviewing the results of this conference, the LSAC Minority Affairs Committee launched several initiatives designed to develop or strengthen academic assistance efforts at member schools. Chairs of the Minority Affairs Committee during the early efforts were Professor Charles E. Daye (North Carolina), Dean James M. Douglas (Texas Southern) and Professor David S. Hill (Colorado).

In 1989, the LSAC Board of Trustees accepted a recommendation from the Minority Affairs Committee to fund the academic assistance initiatives. David Hill appointed a working group from the Minority Affairs Committee to develop a technical manual and plan a training workshop for faculty and administrators responsible for academic assistance. The first publication, *An Introduction to Academic Assistance Programs*, was written by Dr. Lawrence Salmony, LSAC Consultant, under the supervision of the working group, led by Dean Leo Romero (New Mexico) and including Professor Keith Wingate (Hastings) and Professor Janice N.

Mills (North Carolina Central).

Over 100 faculty and staff representing about half of LSAC member schools have participated in LSAC Training Workshops. Under the guidance of Larry Salmony, the first academic assistance training workshop was held in 1992 at the University of Colorado. Following that workshop, Larry provided technical assistance to over 30 member schools who were developing or evaluating academic assistance programs. A second training workshop was held in 1993 at the College of William and Mary Marshall-Wythe School of Law. Topics at both workshops included institutional support, funding and staffing, learning theory, diagnostic evaluation, stigma and race, summer and school-year programs, training teaching assistants, and program evaluation.

Funding for the LSAC academic assistance initiative comes from the Minority Fund, which was created to develop programs to recruit, retain and graduate people of color from member schools. Between 1991 and 1994, nearly \$300,000 was spent from the Minority Fund for the academic assistance program initiative. Expenditures from the Minority Fund are recommended by the Minority Affairs Committee and approved by the LSAC Board.

Professor Okianer Christian Dark (Richmond) recently became chair of the Minority Affairs Committee and immediately appointed subcommittees and working groups to continue and

"... over-all goal of increasing the academic success of students of color."

expand the earlier efforts. The Committee, which includes Professor Alex Johnson (Virginia), Professor Barlow Burke (American) and Professor Mills, is completing recommendations to the LSAC Board for additional projects designed to give greater service to schools who want to develop or improve academic assistance programs. The LSAC Board will consider the recommendations for new projects at its May 1994 meeting.

While the original role of academic assistance programs was to ensure the success of minority law students, our focus has expanded to serve all students who demonstrate an actual or anticipated need. Still, good academic assistance programs do have components focusing on diversity issues

including stigma and backlash. It is likely that support for the academic assistance program initiative will continue to come from the Minority Fund as long as there remains a nexus between academic assistance programs and minority enrollment. ■



THE ACADEMIC SUCCESS PROGRAM AT SANTA CLARA

— Laurie Zimet
Santa Clara University
School of Law

CLASSIFIED AD:

DESPERATLY SEEKING SOMETHING!! ME: Law stdnt coming frm diffrent backgrnd. Feeling ovrwhlmd & isolatd. Bright, capable but inscure (LSAT/GPA) & stressed over \$\$, stigma, time pressures, etc. Rquests help devlping wrtng & analytical skills needed to succeed on law xms. Respond ASAP or else TOO LATE! Address: YOUR SCHOOL.

In the past ten years, our law schools have become increasingly diversified with students who differ in race, gender, class, sexual orientation, physical abilities, cognitive processing abilities, etc. Learning styles, values and cultural norms often vary among students and between the students and the professors. At Santa Clara University (SCU), which consistently has been ranked among the top 20 law schools for minority admissions (37% in 1993-1994), we have observed firsthand the effect these dynamics can have on student learning.

Throughout the country, formal academic support programs have been created to foster a safe learning community for all minorities and to assist in the retention and academic success of at-risk students. No two programs are exactly alike, nor should they be, since every law school/student body is different. Even within a school, the program may change as it evolves and as the institutional norms change. At SCU, for example, the program's name switched from Minority Support Program to Academic Support Program to the current Academic Success Program (ASP) as its function changed from retention to academic achievement.

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Despite their differences, academic support programs share a number of common characteristics. First, they deal with the process necessary to perform legal analysis. Second, they focus on student learning and the wide assortment of academic

"... formal academic support programs have been created to foster a safe learning community for all minorities and to assist in the retention and academic success of at-risk students."

and non-analytical problems that can affect and interfere with student performance. Third, they typically have different components to address these problems and employ various active learning techniques/pedagogy for students with different learning styles and backgrounds. Lastly, they serve multiple functions within the law school, larger university and legal community which ultimately enhance their student support role (see Paula Lustbader's accompanying article).

Many blue books reflect what students believe the professor wants based on the students' prior educational experiences. In other words, students write that way partly because they think that is what you expect! The ASP Director, like substantive law faculty, works with students to get the "A-ha" that accompanies clarification of previously misunderstood expectations. For example, think of the number of times during an office hour a confused student finally said, "Oh, that's what you meant in class? Is that all there is to it? I can understand that!" In short, s/he got the "A-ha" about that particular concept. In ASP, the "A-ha" relates to the steps and skills necessary to perform legal reasoning and not just the substantive law. Since the law changes, ASP assists students in developing strategies to: 1) understand the law (case brief), 2) organize the law (outlining) and 3) apply the law (practice exams/hypotheticals) in courses across the curriculum. While these skills are essential for a practicing attorney, they alone are not enough for a student to succeed in law school. ASP additionally works with students to apply the law 4) in written essays, 5) with limited time, 6) under test conditions (i.e.

closed book, multiple choice) and 7) in a highly pressured situation.

As hard as it is to enable the student to get the initial "A-ha" about the substantive law concept (what) or the process involved in legal analysis (how), this accomplishment still does not guarantee that the student will succeed. How many times, when you saw the same student the next day and asked him/her about that concept, had s/he entered the twilight zone and no longer understood it? For this reason, most ASPs emphasize repetition of the above process for students, which reinforces their understanding and assists them in internalizing their newly acquired skills.

Now picture the student who wrote the above ad. What does s/he look like? What problems were mentioned and can you identify others that may interfere with his/her academic success? Simply put, different things interfere with student learning. An effective ASP is structured so there are a number of components in place to deal with them. Students must have the opportunity and feel comfortable to voice their non-analytical problems (self-doubt, stigma, backlash, finances, time, etc.) since this can make the difference between disqualification, retention and academic achievement. Similarly, there need to be various approaches to academic/analytical problems because students think differently and are at different stages in developing their writing and analytical skills.

The better programs will have an overall vision about the extent to which each component addresses non-analytical and analytical problems and how the components complement and reinforce

"... students write that way partly because they think that is what you expect!"

one another. At SCU, there is a pre-law school ASP *Orientation* that models the philosophy, pedagogy and safe learning environment of the year-long program. Thereafter, there are weekly and bi-weekly small group *Study Sessions* throughout the year facilitated by upper division students who just recently went through the process. These students are trained to use interactive learning exercises for different learning styles, and they also serve as peer role models. They have *office hours* when they personally meet with the students. There are large group *Success*

Workshops for non-analytical issues as well as a simulated exam session for each course. In addition, the Director holds individual office hours. Some programs offer courses for credit. Some use faculty instead of upper division students. Other programs use both. There is no magic component that does it all. There is no magic model that is "The Answer." The structure of your ASP will depend on your students' needs, faculty involvement and institutional norms.

Demographic data projected for the next decade promises that all our institutions will have significantly larger numbers of students with very different backgrounds and experiences. **HOW WILL YOUR SCHOOL ANSWER THE CLASSIFIED AD(S)??**

Finally, a footnote on SCU's efforts to assist its diverse student body to succeed: Since 1988, I have been the Director of our Academic Success Program. Assistant Director Dennis Higa and I have been responsible for creating, implementing and evaluating comprehensive academic support programs for more than 350 first-year and upper-division students. For two of the past three years, the law school has had the lowest disqualification rate in its history. The class that entered in 1990, which had 32% students of color, recently achieved the school's highest first-time pass rate on the California bar exam since the 1970's. There is still much to do, but we are proud of how far we have come. ■



THE ROLE OF ACADEMIC SUPPORT AT UCLA

– Kris Knaplund
UCLA School of Law

In 1983, I joined the law faculty at UCLA to create an academic support program especially for diversity students, who comprise about 40% of the entering class of 300 students, and for other students with academic needs. Since then, the program has grown to include a 10-day summer program for entering diversity students, TA-led study groups in twelve first-year classes, exam skills workshops, and credit courses in Legal Analysis and Wills & Trusts for students in academic difficulty. Over 20 faculty teach in some aspect of the program each

year, and UCLA now has a second full-time faculty member dedicated to academic support, Raquelle de la Rocha.

Academic support plays 3 key roles at UCLA:

- 1) *translating* key concepts and assumptions for students from non-traditional backgrounds;
- 2) *welcoming* students to an environment they might perceive as unfriendly; and
- 3) *fulfilling* our obligations to individual students brought here through a diversity program.

The first role we play in academic support is to translate key concepts and assumptions for students. In the summer program, the TA-led review sessions, the exam workshops, and the special section of Legal Research and Writing for students in academic difficulty, our primary function is to help students understand what they are being asked to do. The intriguing question for me is not why some students don't pick up on our cues as to what's expected of them; rather, the question for me is how some students do intuitively know to form study groups, ask questions, and model different arguments. Many of our diversity students are the first in their family to go to law school (or perhaps college). In their first semester of law school, they use the same study skills that got them here: they work very hard, memorize everything, and go back over their notes repeatedly. One of my students could tell me which judge had written each decision in all her casebooks! But what she couldn't do was apply all this information to a new fact pattern because she didn't know that that was the task at hand. Thus, many of our programs focus on answering common questions:

– What does it mean to "use the case law"? Does it mean that I should write a declarative sentence and then punctuate it with a case?

– Why does my professor just ask questions in class? Why doesn't she tell me the answer?

– What study techniques are most effective for retaining and understanding massive amounts of reading?

– What does it mean to "outline" a course? Why am I doing it? Why should I, when Gilbert's /Emanuel's/my friend has already done it?

– Why should I "use the facts" in my answer when my prof already knows the facts? Anyway, I put them all in a paragraph at the beginning of my answer, so isn't that enough?

continued on page 12

— How do I read and use a statute? How is that different from reading a case?

These questions are only the beginning, but they give a sense of the bewilderment of many of our students. Academic support can provide a context and a chance to decode some of these messages.

The second role of academic support is simply to welcome students to law school. Before we started our summer program, some diversity students (especially those who were members of minority groups) were unsure of their welcome: "Sure you admitted us, but do you really want us here?" The summer program, a 10-day intensive orientation for 60 incoming diversity students, has helped to change that perception. Many students now feel that UCLA is committed to their success in law school. The wealth of programs, especially throughout the first year but also continuing into the second and third year, helps to reinforce this notion.

The final role of academic support at UCLA, intertwined with the first two, is to carry out our commitment to diversity admits. The traditional criteria for law school (LSAT and UGPA) do not accu-

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ately predict how an individual student will perform in law school. However, they do predict, in a gross way, some performance in the first year. Up to 40% of our class is admitted on diversity criteria, that is, we look at the "numbers" (LSAT and UGPA) plus other factors which indicate whether this person will succeed in law school. We've generally been right: we graduate around 90% of our diversity admits. But because diversity admits have lower "numbers" than non-diversity admits, we also have good reason to believe that, without help, some diversity students will struggle much more than their peers. Academic support can help to narrow that gap and make the law school experience a much more positive one for diversity students.

Postscript: My colleague Rick Sander and I

have recently completed a statistical analysis of 10 years of the UCLA program and have analyzed whether the program has had an effect on student grades, retention and bar passage. The study compared nine different types of academic support offered at UCLA and found that some programs were remarkably effective in raising students' grades, both short term and long term. Most effective has been a three-credit course in Legal Analysis, closely tied to the students' current course work. We expect that our article, reporting detailed results, will be published later this year. ■



THE ACADEMIC RESOURCE CENTER AT PUGET SOUND

— Paula Lustbader
Puget Sound Law School

The primary goals of the Academic Resource Center at the Puget Sound Law School of Seattle University are to help students succeed and excel academically and, more fundamentally, to help students maintain a feeling of self-worth. To accomplish these goals, we address both non-academic and academic aspects of student problems, we act as a resource for faculty, and we help create a community to improve the general atmosphere both within and out of the institution.

Our law school is a private institution, with both full-time and part-time programs. Approximately 300 students are admitted to each first-year class. Ten percent of those students are admitted under an alternative admissions program, and those students participate in the formal Academic Resource Program. This program consists of an eight-week summer criminal law course that integrates substantive law with classes on study skills, legal reasoning, and writing. The program also has a two-day fall orientation to introduce students to their substantive courses and an academic year tutorial program for all first-year courses and selected upper-level courses.

Generally speaking, our substantive law faculty contribute to students' learning by teaching them doctrine, policy and reasoning. Academic assistance faculty contribute to students' learning by teaching them a *process* for learning and reasoning.

We draw from learning theory and cognitive psychology to shape how we teach students the process of learning legal reasoning. For example, we model different learning strategies; we are explicit about what is expected of them and demonstrate ways for them to accomplish the learning task; we give them a context for what they are learning; we encourage meaningful learning by having students write their own hypothetical problems and then answer them; we use a variety of teaching methods such as active learning, collaborative learning, role-playing and free-writing exercises; we teach concepts and skills in a progressive sequence; and we provide feedback through reviewing case briefs, outlines, hypothetical problems and practice exams.

"Our mission is to help students adjust to a culture where their differences . . . can lead to feeling of stigma, disenfranchisement and alienation."

In addition, we also serve as a resource for faculty members teaching substantive courses. Those faculty often consult with the academic assistance faculty regarding teaching methods, problems with students, ways to address issues of diversity in a sensitive manner, and ways to avoid alienating students. Academic assistance faculty also can review exam questions in advance for potential problems and suggest ways for the substantive faculty to conduct review sessions.

In many respects, the most vital role of an academic assistance program is to address the non-academic needs of students. Our mission is to help students adjust to a culture where their differences based upon race, class, disability, gender, and/or sexual orientation can lead to feelings of stigma, dis-

enfranchisement and alienation. We know that such feelings interfere with students' ability to learn and perform. To help students feel a greater sense of belonging and value, academic assistance programs provide a safe community for students. We work with students on an individual basis and in small groups. Within the small group setting, students establish higher levels of trust and are more willing to engage in class discussions. We also use collaborative learning exercises to help foster a sense of community and reduce the level of unhealthy competition. Finally, we facilitate mentoring among first-year students, upper-level students and alums by hosting receptions and providing informal contacts. Even for the many non-academic issues that affect students over which we have little or no control, academic assistance programs help students feel that they are valued by the institution. We may, for example, lend a sympathetic ear and refer students to appropriate resources when students have economic, health, family or emotional problems.

In addition to building bridges between and among students, faculty, staff and alums, academic assistance faculty establish valuable connections outside the institution through our participation with recruiting, assistance with bar exam preparation, and interaction with faculty of other law schools and undergraduate schools.

In these ways, academic assistance programs can and do help combat issues of exclusion, alienation and disenfranchisement; help students achieve their academic goals; help substantive faculty achieve their teaching objectives; and help the entire law school function as a community. For these reasons, academic assistance programs are being recognized for the unique role they play and are increasingly becoming an integral component in many law schools. ■

SALT Members are invited to attend the Academic Support Conference

Hosted by UCLA School of Law

Saturday, June 4 – Monday, June 6, 1994

FEATURED PANELS INCLUDE:

- *Training teaching assistants and faculty*
- *Issues of professional status*
- *Offering credit courses and other programs that integrate academic support with the main curriculum*

For more information, please call Kris Knaplund at UCLA (310-825-4895) or Kent Lollis at LSAC (215-968-1227).

goals." Language such as "the best interests of the child" is often used in juvenile and family law to suggest that the legal system is doing its best to protect the innocent. And maybe it is. But somewhere between rhetoric and reality the best interest of children has been lost. It probably happened in a legislative debate over building boot camps and prisons or increasing monies for social welfare and education.

As a law student, I am learning to speak the language of law. I am learning to become invested in the system, its processes and goals. I often feel the ten-



sion between my growing respect for the system and my ever growing knowledge that it was designed for the benefit of the privileged few. I fear that once I become inducted into the inner sanctum of the law, I will lose my ability to be a social activist. That my knowledge will separate me from the communities to which I now belong.

Attending the Cover Retreat in New Hampshire was an enriching and illuminating experience for me. It provided me with role models among my peers as well as among practicing attorneys who are working for social change within the system – both

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as activists and as attorneys. In my first discussion group, we spoke as if these two roles were mutually exclusive. As attorneys, we litigate to protect our clients. As social activists, we organize people to access their rights. But by the end of the conference it became clear to most of us that these roles are not mutually exclusive, but constantly interacting. As lawyers, we assist our clients by giving a language to their needs and wants that the system can understand. And by

doing so, we empower them to be their own actors and organizers.

For me, the best role model of this interaction was Sarah Buell. When she spoke, it was clear how well integrated her roles as lawyer and activist were. While her commitment as a lawyer is to assist and advocate for victims of domestic violence, her approach is that of an activist. She is working across race and class boundaries, listening to the individual needs of the women with whom she works as well as to their needs as a community. She also was clear that there are many tools that she possesses, beyond litigation, that enable her to better advocate for battered women: coalition building, networking, acting collectively, protesting and educating, among others.

Certainly there were many other things I took away from the Cover Retreat. But the knowledge that was most empowering was that, as lawyers, we can and must be social activists, as well. ■



NEW SPIRIT AT THE LEGAL SERVICES CORPORATION

– Liz Ryan Cole
Vermont Law School

What advice do you give a student who comes to you and says "I'm interested in public service", or "I'm interested in equal justice for all Americans", or "I want to spend my legal career fighting to improve the lives of people who can't afford housing, health care, a good education or legal advice"? With the seating of the new Board of the Legal Services Corporation, you may find that counseling students to begin their careers working in one of the more than 300 legal services programs in the United States is particularly sound advice. For 12 years, the Legal Services Corporation has faced significant budget cuts and regulatory attacks. Now the 11-member LSC Board, one-half Democratic and one-half Republican, has taken "equal justice for all" as its guiding principle. Douglas Eakeley, Chair of the Board, in his remarks to the National Legal Aid and Defender Association last November, quoted Alexander Hamilton, observing that "the first priority of government is justice" and promising to help move

us forward again along **Martin Luther King, Jr's** "highway of justice".

The Board Members themselves are a diverse and savvy group. They are:

- **Hulett Askew**, director of bar admissions in Georgia and a long-time lawyer and administrator with legal services programs.
- **LaVeeda Morgan Battle**, a partner with the Birmingham, Alabama law firm of Gorham, Waldrep, Stewart, Kendrick, Bryant, Battle & Alfano, and a former legal services attorney.
- **John T. Broderick, Jr.**, a partner with Broderick & Dean of Manchester, New Hampshire, and former president of the New Hampshire Bar Association and New Hampshire Trial Lawyers Association.
- **John G. Brooks**, a partner with the Boston firm of Peabody & Arnold and a founder of Greater Boston Legal Services.
- **Douglas S. Eakeley**, a partner with the Morristown, New Jersey firm of Riker, Danzig, Scherer, Hyland & Perretti and former chair of the Board of Trustees of Legal Services of New Jersey.
- **Edna Fairbanks-Williams**, a community activist and president of Vermont Legal Aid.
- **F. William McCalpin**, retired partner with the St. Louis, Missouri firm of Lewis, Rice & Fingersh and a former member of the LSC Board.
- **Maria Luisa Mercado**, a partner with Mercado & McIntyre in Lubbock, Texas and a former legal services attorney.
- **Nancy Hardin Rogers**, a professor and associate dean at the Ohio State University College of Law and a former attorney with the Legal Aid Society of Cleveland.
- **Thomas F. Smegal, Jr.**, a partner with Graham & James in San Francisco and a former member of the LSC Board.
- **Ernestine P. Watlington**, a founder of Harrisburg (Pennsylvania) Community and Economic Affairs Inc., and former president of the board of her local legal services program.

It is also noteworthy that top management from last year have all left and a transition team is in place. **Alex Forger** has agreed to serve as interim President during the Presidential Search. Mr. Forger is former managing partner of the New York law firm of Milbank, Tweed, Hadley & McCloy. He has also served as chair of the Legal Aid Society of New York and as President of the New York State Bar. Serving with Mr. Forger on the transition team are **John Tull**,

a former project director and regional office counsel from Colorado; **Martha Bergmark**, a former project director in Mississippi and civil director of NLADA; **Ada Shen-Jaffe**, Director of Evergreen Legal Services in Washington; **James Head**, Executive Director of the Economic Development Law Center; and SALT's own **Gerry Singsen**, most recently at Harvard and the Interuniversity Consortium on Poverty Law.

Many of us in SALT have a long history of concern and demonstrated commitment to issues of equal justice. Right now it appears likely that this Board will revitalize the LSC's historic concern with equal justice by fighting poverty and in serving the persistently poor. We should look for the many ways we can work together with the Corporation and with local programs to help achieve our common goals. And, as Congress debates LSC's reauthorization bill, our help may be particularly needed right now. Writing in the *Legal Times*, February 21, 1994, **Natalie Bendavid** frames the debate:

At issue: to what extent the taxpayer-funded legal corps for the poor will be able to wade into a wide array of controversial issues - instead of settling for a narrower, case-by-case approach to their jobs . . . [Congress] will decide whether Legal Services lawyers should be allowed to jump into battles over voting rights, abortion, and immigration - and shape policy by lobbying, rather than just reacting to established law in court.

Let our voices be heard. ■



PROTECTING THOSE WHOM SALT "CORRUPTS"

— **Phoebe A. Haddon**
*Temple University
School of Law*

During the past year, SALT hosted two highly successful conferences addressing issues of difference and diversity in law school courses. A third conference will be held in Minneapolis in September (see

continued on page 16

Carol Chomsky's article herein). Many of us view these conferences and related work being planned for the future, such as publishing an anthology to share the insights of the conferences with new teachers and students, as tools to transform legal education. The enthusiasm of those who have attended the confer-

"SALT may need to play a protective role for faculty who are isolated in their home institutions from others who share these interests."

ences suggests that many faculty are willing to share with others their views about teaching techniques and materials for addressing these issues and are ready to make some concrete changes in how "traditional" courses are taught. Many faculty members, those new at teaching and those more seasoned teachers who seek support for their work, have found in SALT an organization which can foster a dialogue about issues which have been ignored or seen as inappropriate for traditional courses.

Beyond fostering discussion and providing a forum, however, SALT may need to play a protective role for faculty who are isolated in their home institutions from others who share these interests. SALT has done an outstanding job of mobilizing thoughtful and energetic people to discuss the issues, but, as Anna Han commented in the last issue of *The Equalizer*, because of fear of negative student reactions and lack of institutional support, there are many teachers who have "expressed the sentiment that their own positions made teaching these issues more difficult."

Certainly we can provide strategies for inexperienced or isolated faculty to avoid adverse exposure in the tenure process or to respond to statements made by their colleagues or other actions which undermine the legitimacy of their work. We can become more effective collaborators for our colleagues who seek mentoring or other support for what they do after conferences have ended and teaching methodology and techniques have met some resistance. What more SALT is capable of or willing to do should be a subject for discussion even before the Minnesota conference this fall. For example, is there a role for SALT – in its institutional capacity or as a network of experienced teachers – to assist teachers who have introduced race, gender and sexual orientation

issues into their courses and who are confronted with peer evaluations which reject the teaching? What if the rejection is couched as not comporting with expectations of faculty concerning providing students with a doctrinal understanding or offering a neutral perspective of law?

To further explore these issues, a committee of members of the Board of Governors has been formed, including Haywood Burns (CUNY), Martha Chamallas (Iowa), Clare Dalton (American), Harlan Dalton (Yale), Homer La Rue (D.C. School of Law) and me. If you have ideas about strategies or views about the role SALT should or can play to support new and/or isolated faculty, please forward them to me. The Committee plans to make a report to the Board of Governors at our May meeting. We welcome your thoughts on this difficult subject. ■



REVIEWING THE CLEARINGHOUSE REVIEW

– Sylvia A. Law
New York University
School of Law

The 1993 SALT conferences at NYU and Santa Clara and the forthcoming conference in Minneapolis grapple with the question of how we can integrate issues of race, gender, disability, sexual orientation and poverty into the mainstream of the law school curriculum. Beginning next spring, *The Equalizer* will publish detailed reviews of available casebooks, evaluating their helpfulness in addressing these issues. In the meantime, a brief review of a related publication – extremely useful, yet often overlooked – may be of interest to our readership.

I am frequently surprised to discover that law school colleagues do not read the *Clearinghouse Review*. NYU's law library regularly circulates to the faculty a copy of the table of contents of dozens of current law reviews, yet the *Clearinghouse Review* has never been included.

The *Clearinghouse Review* is the journal through which legal services practitioners talk to one another. For 25 years, it has been published monthly by the National Clearinghouse for Legal Services and is included in the Index to Legal Periodicals. Each

issue includes three or four major analytic articles, as well as reports on case developments (some of which will never appear in official reports), highlights of reported decisions, and a summary of important items announced in the Federal Register. Every legal services lawyer I know reads the *Review* regularly, yet few law teachers do.

Why would a mainstream academic law teacher read the *Clearinghouse Review*? I read it because it is one of the best sources of information available on current legal developments in two of the

"The Clearinghouse Review . . . can help us all to do more to incorporate the special perspectives of low-income people into the mainstream of legal education."

courses I teach on a regular basis: health law and family law. Virtually every issue contains an article on some aspect of health care: hospital dumping, Medicare, Medicaid, fraud and abuse, cost containment and so forth. In family law, the *Clearinghouse Review* provides the most comprehensive and timely information on child support enforcement efforts for the non-poor as well as the poor, excellent material on legal and social services remedies for victims of domestic violence, and analysis of relative responsibility requirements in the whole range of social welfare and health programs.

Family law and health law are, of course, not squarely in the commercial/common law mainstream of the law school curriculum. Recent issues of the *Clearinghouse Review* suggest that it also has much to offer those of you who do teach in these areas. For example, in the May 1993 issue, Gary Klein and Joanna George offer us "Deadbeat Landlords: A Tenant's Rights to Utilities when Landlord Files Bankruptcy," 27 *Clearinghouse Rev.* 25. While probably a bit esoteric for first-year property, it seems that its subject is quite appropriate in a bankruptcy or advanced property course. Or, in the June issue consider "Preventing Foreclosures: Spotting Loan Scams Involving Low-Income Homeowners," 27 *Clearinghouse Rev.* 116, suggesting remedies in unfair trade practice law, bankruptcy and old-fashioned contract doctrine, among other theories.

The *Clearinghouse Review* is also a rich resource for people teaching procedure, federal courts or evidence. Members of the Federal Court Access

Group (legal services lawyers with special expertise in these issues) analyze recent developments in the range of issues that determine access to the federal courts, e.g. "Minding the Courthouse Door: Decisions Concerning Access to Federal Court Issued During the Supreme Court's 1991-92 Term," 26 *Clearinghouse Rev.* 790. While most law professors will be familiar with these recent federal court decisions, the legal services lawyers provide a special perspective, explaining how the decisions impact on low-income clients and offering creative approaches to surmounting problems.

The *Review* also offers regular features of interest to people who teach constitutional law. For example, almost all con law courses include *City of Cleburne*, and the March 1993 issue offers an excellent article placing those issues in context: "Highlights in Fair Housing Law: Strengthening the Rights of People with Disabilities," 26 *Clearinghouse Rev.* 1458.

Over the years I have found the *Clearinghouse Review* to be a reliable, succinct, lively source of information and analysis on a broad range of issues. I urge you to add it to your reading list, and I have no doubt that it can help us all do more to incorporate the special perspectives of low-income people into the mainstream of legal education.

The *Clearinghouse Review* is available for \$75 a year from The National Clearinghouse for Legal Services, 205 West Monroe, 2nd Floor, Chicago, Ill. 60606. ■



ALLIANCE FOR JUSTICE'S NATIONWIDE SYMPOSIA

— Ann Shalleck
American University,
Washington College of Law

Public interest advocates, legal scholars and local activists will be called to participate in a nationwide event taking place on the first Monday in October (October 3rd), 1994 on law school campuses throughout the country. The Alliance for Justice is coordinating the symposia with the help of several co-

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sponsors, including Marion Wright Edelman of the Children's Defense Fund, Ira Glasser of the ACLU, Antonia Hernandez of MALDEF, John Adams of NRDC and Clint Lyons of the National Legal Aid and Defenders Association. In addition, SALT has

"Though . . . local in character, audiences will be linked via . . . satellite."

offered to provide assistance in publicizing the event and obtaining speakers. Four members from SALT's Board will be working with the Alliance for Justice in this endeavor: Dean Haywood Burns, CUNY Law School; Elizabeth Schneider, Brooklyn Law School; Dean Rivkin, University of Tennessee College of Law; and Ann Shalleck, Washington College of Law at American University.

The symposia will serve multiple purposes, including encouraging more effective collaboration among public interest groups, promoting scholarship that shores up a jurisprudential framework attuned to core constitutional values, and supporting efforts by law faculty and students to establish curricula more responsive to social concerns and to cultivate the development of future advocates. Though each conference will be distinctly local in character, audiences will be linked via communications satellite to address and discuss shared concerns. In conjunction with the symposia, several papers will be commissioned to explore and expand upon the various issues the regional groups will be addressing.

This is an extremely exciting and ambitious endeavor that depends on support and input for success. Please call the Alliance for Justice's National Coordinator, Jean DeStefano, at (202) 332-3222 for more information on the conference and its planning. ■

REMINDER: SALT Board Meeting

Friday, May 6, 1994

District of Columbia School of Law
Washington, D.C.

Members always welcome.

Contact Homer La Rue (202-727-0315) for exact times and room location.

MIDWEST TEACHING CONFERENCE COMING THIS FALL!

— Carol Chomsky
University of Minnesota
Law School

Mark your calendars! SALT's highly successful teaching conference on diversity issues is coming to the Midwest:

Re-Imagining Legal Education – Midwest
Minneapolis / St. Paul
September 23-24, 1994

Eric Janus (William Mitchell College of Law) and I are coordinating the conference. It will build on the success of the two previous SALT "Re-Imagining" conferences at NYU and Santa Clara, which were attended by more than 450 professors and other legal

"... working groups on courses not previously included ..."

educators. The Midwest conference, like its predecessors, will focus on the integration of "diversity" issues into the law school curriculum, but will add new topics for discussion and will provide a forum for participants to build upon the work done in prior sessions.

The Midwest version will provide ample time for participants to work together with others who teach in their own subject areas, sharing ideas about materials and teaching strategies to address issues of race, class, disability, gender, sexual orientation and other issues of social concern. Each subject matter group will be organized by two or three coordinators who will help structure the group's agenda. As before, the sessions will include a mixture of presentations and discussion. Preliminary plans are to have working groups on courses not previously included, such as Constitutional Law, Family Law, Labor Law, and

"... institutional issues raised by the focus on diversity."

Law and Medicine, as well as Civil Procedure, Contracts, Criminal Law and Procedure, Property, Torts, Environmental Law, and Tax, Trusts and Estates.

In addition to the subject-specific groups, this conference, for the first time, will specifically address

institutional issues raised by the focus on diversity. Not all change takes place in the individual classroom; change at an institutional level is often key to re-imagining legal education. A plenary session and working groups will be held to discuss issues such as orientation and other special diversity programming, academic support programs, responses to crisis situations, proactive and comprehensive responses to institutional change, student responses to teaching about diversity, and hiring/admissions/retention issues that arise for faculty committed to teaching about diversity.

An opening plenary is planned to explore the ways in which new theoretical perspectives can

"... providing a community of support for risk-taking..."

inform what and how we teach about diversity issues so as to set the tone for working group discussions. A second plenary will address issues of fear, trust and accountability. Raising and discussing issues of race, class, gender, sexual orientation and disability can seem scary, dangerous and potentially harmful to

oneself and to others.

Yet, remaining silent on the issues is risky, as well. How do teachers deal with their own feelings of vulnerability on these issues? How can they create classrooms which incorporate a good balance of trust of others and accountability for what one says? Participants can address these issues both in the plenary session and in their smaller working groups.

Participants at the two earlier conferences found the experience to be extraordinarily helpful in providing a community of support for risk-taking and in offering specific and usable suggestions for what to do in the classroom. Whether you attended one of the prior meetings or not, plan to join us in the Twin Cities in September. As the conference coordinators, we invite your comments and suggestions as we proceed with our planning. You may contact me at the University of Minnesota Law School, 229 19th Ave. So., Minneapolis, MN 55455, (612) 625-2885 (Internet: choms001@maroon.tc.umn.edu; FAX: (612) 625-2011) or Eric Janus at William Mitchell College of Law, 875 Summit Avenue, St. Paul, MN 55105, (612) 290-6345 (email:70641,1712@compuserve.com; FAX: (612) 290-6414.) ■

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