

# The **EQUALIZER** **SALT**

Volume 1994, Issue 4

Society of American Law Teachers

December 1994

## **SALT TO HONOR TRINA GRILLO WITH 1995 TEACHING AWARD**

— Phoebe A. Haddon  
Temple University  
School of Law



PROFESSOR TRINA GRILLO

Professor **Trina Grillo** of the University of San Francisco School of Law will receive the 1995 Achievement Award for Contributions to Legal Education at SALT's annual awards dinner to be held at the Aquarium of the Americas in New Orleans, Louisiana on January 7, 1995. Among the friends and admirers coming to honor Trina Grillo are **Charles Lawrence**, who will serve as moderator, and **Adrienne Davis**, **Leslie Espinoza**, **Dean Robert Stein**, and **Catharine Wells**, who will share stories about her. A video produced by **Abby Ginzberg** will highlight the Academic Support Program in which Trina Grillo has played an important role and will include the voices of students who have known her in

*continued on page 2*

## *President's Column . . .*

### **SALT's FUTURE, SALT's PAST, AND NEW QUESTIONS OF EXCLUSION**

— Pat Cain  
University of Iowa  
College of Law

The most recent SALT teaching conference in Minneapolis drew a record number of participants, many of whom had never attended a SALT event before. SALT membership increased significantly after both the NYU and the Santa Clara teaching conferences in 1993. The Minneapolis conference added even more members. While it is exciting to be at the helm of an organization whose membership is the highest ever (over 800), the rapid swell in numbers also presents serious challenges to those of us who are long-term SALT members and who, as members of the Board of Governors, have a vision of the SALT mission based on our organizational history. With so many new and energetic members who don't necessarily share the same history with SALT, do we (the Board) risk losing touch with our members? Did the

*continued on page 2*

## **INSIDE THIS ISSUE . . .**

SALT Board Meets in Minneapolis.....	page 3
SALT Teaching Conference - Twin Cities.....	page 5
Eric Janus and Carol Chomsky .....	page 5
Margaret Montoya .....	page 8
Sylvia Lazos .....	page 15
Rogelio Lasso .....	page 18
Tracey Meares.....	page 19
Barbara Greene .....	page 20
New Film About Gay & Lesbian Lawyers .....	page 21
SALT Health Reform Committee.....	page 21
CRITS Conference in March .....	page 22
Adams Recognized by NLGLA .....	page 22
and Harrington, too .....	page 22
SALT Events in New Orleans.....	page 23



the program and in the classroom at San Francisco.

Trina Grillo's teaching, scholarship and service to the academy continue to be a source of inspiration. At a time when most academic support people did not have tenure-track positions, Trina was making an impact as an Academic Support Program administrator, law teacher and scholar. Her influence was extraordinary. She had a vision of pedagogy that recognized difference when such notions were minimized and discarded. Using student collaboration, active learning and student voices, she created a learning community at San Francisco where students who differ from other law students because of class, race, gender, sexual orientation, or physical and cognitive processing abilities could thrive. Her approach has been emulated by colleagues across the country. Trina Grillo's work incorporating diversity into the curriculum of the classroom and clinic continues to be at the cutting edge of legal education.

Having attended the University of California at Berkeley as an undergraduate, Trina graduated from the University of Minnesota Law School in 1974. She served as Note Editor of the Minnesota Law Review. In 1977, after a clerkship with the Honorable **James E. Doyle**, United States District Court for the Western District of Wisconsin, Trina joined the faculty at University of California Hastings College of Law, where she stayed until 1981. She entered private practice, became a mediator in Oakland, California from 1984-1986, and began teaching at the University of San Francisco School of Law in 1986.

Trina Grillo's teaching interests include Torts, Constitutional Law and Mediation, in addition to academic support work. One of her most important scholarly works, *The Mediation Alternative: Process Dangers for Women*, published in Yale Law Review,

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*"Trina Grillo's work . . . continues to be at the cutting edge of legal education."*

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grew out of reflections drawn from her private practice and is well recognized for its insights concerning adverse implications of mediation for women. Another article, co-authored with SALT Board member **Stephanie Wildman**, *Obscuring the Importance of Race: The Implications of Making Comparisons Between Racism and Sexism (Or Other —isms)*, published in Duke Law Journal, also has received attention for demonstrating how racism may be perpetuated by

well-intentioned feminists.

Trina Grillo's warmth, energy and commitment to promoting equality have produced a wide-ranging network of friends and supporters. A founding member of the Critical Race Theory Workshop, Trina Grillo has also been active among feminist critical legal scholars and Latina/o law professors.

SALT's 1995 Annual Awards Dinner promises to be a spectacular event this year, and we encourage you to make your reservations immediately because seating is strictly limited to 200. The evening will begin with cocktails on Saturday evening at 6:30 p.m. The Award presentation, including the Abby Ginzberg video and speakers, will commence at 7:30 p.m., followed by dinner. The \$65.00 ticket includes wine, dinner and the Award presentation, as well as a tour of the aquarium. See the reservation form on page 23 herein. ■



continued from page 1 - President's Column

recent experience in Minneapolis, where some conference participants felt their voices were excluded, tell us something about how well or how badly we communicate with our new members? Is it time to review SALT's goals and incorporate new ideas into our plans for SALT's future?

To help us answer these questions, the SALT Board is planning two events:

(1) At the AALS annual meeting in January, SALT will, for the first time, host a Membership Meeting. The meeting will be on Thursday, January 5 from 5:00 to 7:00 p.m. (See page 23 for details.) The purpose of the meeting is to brainstorm about SALT's future projects. Should we plan additional teaching conferences similar to the last three, but in different locations around the country (e.g., we have never had a conference in the South)? Should we plan a different sort of teaching conference that continues to focus on diversity issues in the classroom? Or should we shift our focus to questions about the politics of diversity in our institutions outside of the classroom context? What should we be doing to increase the numbers of persons from underrepresented groups in law teaching? How much of our time and effort should be spent working with other groups to combat bias in other legal institutions (e.g., gender bias in the courts, racial bias in the courts, homophobia in the courts)?

(2) The regularly scheduled May Board meet-



ing will be a two-day retreat to give the Board sufficient time to reflect on the past and plan for the future. We hope to have significant input from SALT members before the retreat. The January membership meeting will provide one forum for that input. At the Minneapolis conference, the Board met with representatives from an ad hoc membership group interested

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*"What should we be doing to increase the numbers of persons from underrepresented groups in law teaching?"*

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in diversity issues. Several potential projects for the future were discussed during that meeting, all of which are on the agenda for Board consideration. If there are members who have additional projects to suggest before the Board retreat in May, please contact either of the SALT co-presidents or **Stephanie Wildman**, who chairs the Retreat Committee.

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Because there are so many new SALT members whose only contact with SALT has been attendance at one or more of the recent teaching conferences, I thought it might be helpful to say a few words about SALT's history.

In December 1972, a group of law professors met in New York City to discuss the need for an association, as an alternative to the AALS, to advance commonly-held goals. More precisely, progressively-minded law teachers needed a collective voice to raise and incorporate public interest issues as they impacted on their professional work. A wide range of views were expressed on the desirability of such an organization and the functions it might perform. Following

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*"In 1992 . . . progressively-minded law teachers needed a collective voice to raise and incorporate public interest issues as they impacted on their professional work."*

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this meeting, a memorandum was prepared by **Norman Dorsen** and **Tom Emerson** that was the basis of a proposal circulated to a broader group of law teachers.

A core group of early organizers met several times in the Spring of 1973 and continued to refine the proposal to start a new organization for law profes-

sors. In May 1973, the proposal was sent to about 200 law teachers in order to determine whether or not there was widespread support for their proposal. An organizational meeting was held at the AALS annual meeting in December 1973 in New Orleans.

For the past 20 years, SALT has provided its members with a variety of teaching conferences. The first teaching conference on Racism, Sexism and Homophobia in the Classroom was held in 1984. In January of 1986 at the annual AALS meeting, SALT hosted a half-day workshop on Racism, Sexism, Classism and Heterosexism in the Law School Classroom. The workshop was co-sponsored with the AALS Sections on Women, Minorities, and Gay and Lesbian Legal Issues. More than 200 persons attended.

SALT has a long-term commitment to changing legal education so that it reflects the views and values of historically underrepresented groups. SALT has conducted studies to determine the number of women and minority law professors and to determine what the retention and promotion rates are for these groups. When **Richard Chused's** study was published in the *Pennsylvania Law Review*, SALT purchased sufficient reprints to send to all deans and chairs of appointments committees. SALT also supported the formation of the AALS Section on Gay and Lesbian Legal Issues and circulated a published copy of its law school survey to deans and student groups. The most recent trilogy of SALT teaching conferences is an outgrowth of this long tradition of supporting diversity in legal education. ■



## SALT BOARD MEETS IN MINNEAPOLIS

— Homer C. La Rue  
District of Columbia  
School of Law

Thirteen members of the SALT Board met in Minneapolis following the highly successful SALT Teaching Conference, "Diversity in the Law School Curriculum". The success of a conference is measured by the quality of the presentations and discussions as well as by the number of persons attending. The "Diversity" conference got high marks on both points. The general consensus of the participants was that the speakers were thoughtful and lively, thus stimulating many points for discussion in the small groups. More

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than 200 persons attended the two-day conference organized by Professors **Carol Chomsky** of the University of Minnesota Law School and **Eric Janus** of William Mitchell College of Law. [See pages 5 - 20 herein.] The Board noted the considerable effort made by Carol and Eric and sent a letter of appreciation to each as well as a letter to their respective deans thanking them for their support.

The conference was a success on yet another basis – the degree to which the gathering motivated critical self-evaluation of SALT. Voices raised during the conference noted that there was still work to be done to assure greater inclusiveness of the rich diversity of SALT. In the final plenary, **Linda Greene**, President-elect, moderated a town hall meeting of the participants of the conference. During that free-wheeling exchange, members of the conference shared ideas as to how SALT could facilitate greater communication among persons from different cultural backgrounds.

An ad hoc group of members of SALT met with the Board to continue the exchange of ideas about new directions for SALT. The Board's planning for its Retreat in May 1995 was enriched by the suggestions made. **Jean Love**, Co-President of SALT, invited the members present at the Board meeting, as well as all other SALT members, to attend a member-

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*"The conference . . . motivated critical self-evaluation of SALT."*

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ship meeting in New Orleans at the annual meeting of the AALS. Jean welcomed ideas about how best to get the ideas of the membership articulated during the membership meeting. Jean asked **Michael Rooke-Ley** to consider publishing a brief history of SALT in *The Equalizer* in advance of the annual meeting in order to educate new members. [See page 3 herein.]

Other matters considered by the Board at its September meeting included the selection of a recipient of the 1995 SALT Teaching Award. **Phoebe Haddon** presented the Board with a number of nominees which motivated a thoughtful and deliberate discussion. The Board voted to give the 1995 award to Professor **Trina Grillo** of the University of San Francisco School of Law. The award will be presented in January during the AALS annual meeting. [See page 1 herein.]

On behalf of the Membership Committee,

**Cynthia Bowman** reported that the recent growth in membership has been the result of SALT's successful teaching conferences. Recruitment efforts have taken place at the AALS Clinical Conference and the New Law Teachers Conference, both held during the Summer of 1994. SALT's most recent effort at recruitment has been to contact someone at the approximately 25 schools in which SALT has no members. Contact persons have been asked to distribute the SALT recruitment brochures and a copy of *The Equalizer* to likely candidates at their schools.

Cynthia Bowman and **Pat Cain** expressed the opinion that SALT's membership philosophy should be "the more the better". The greater the numbers, the more effective SALT's lobbying efforts. Michael Rooke-Ley expressed concern about such a philosophy unless SALT does a better job of involving the persons who are already members.

**Stuart Filler**, although not present at the meeting, sent a detailed Treasurer's report. SALT continues to be in healthy financial shape and should be able to continue to provide modest support to events and activities that are consistent with the mission of SALT.

The annual Cover Study Group will convene once again during the annual meeting of the AALS. [See page 23 herein for details.] The co-presidents will continue to confer with the Cover Committee in the planning of the meeting. The Board was anxious to see the meeting go forward with the themes that exemplified the life and work of Professor **Robert Cover**. Some examples include the notion of praxis, redefining law, the coercive power of law, and interpretation of law based upon textual analysis.

**Sylvia Law**, co-chair with **Rand Rosenblatt** of the Access to Justice, Discrimination and Health Care Reform Committee, reported to the Board that the Clinton Administration had accepted all the suggestions that the Committee had made on the health reform legislation. SALT had focused its efforts on matters about access to justice and discrimination in health care reform. [See page 21 herein.]

**Jean Love** was authorized by the Board to send a letter to the Department of Education on behalf of SALT commenting on a proposed rule affecting the re-payment of student loans. One of the proposed formulas would burden students seeking to do public interest work following law school with a sizeable principal because of the compounding of interest on the loan. An alternative formula would result in a reduced burden because simple interest would be charged, resulting in a smaller accumulation for re-payment.

*continued on page 21*



# SALT TEACHING CONFERENCE

## TWIN CITIES – SEPTEMBER 23-24, 1994



*Never a dull moment for conference organizers  
Eric Janus and Carol Chomsky.*

### **DIVERSITY WORK: RISKY AND REWARDING**

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| – Eric Janus<br>William Mitchell<br>College of Law | – Carol Chomsky<br>University of Minnesota<br>Law School |
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The two of us worked jointly as co-coordinators of the SALT Teaching Conference on Diversity in Legal Education, held at the end of September in the Twin Cities. We learned much from our experience. We are collecting material from the speakers and facilitators of all the sessions and plan to write a report discussing in detail the substantive content of the conference, which we hope to share with you at a later date. What follows is a more impressionistic overview of the conference planning process and the outcome.

Diversity work is risky work. It involves finding pathways through territory which is largely uncharted, and often highly contested. And real work on issues of difference is sometimes scary and painful. We both know about this from our individual efforts at our two institutions. We also know that we are both deeply committed to this work and to learning from our experiences about how and where the work should be headed.

Diversity work also has rewards. Those rewards often come precisely from taking risks. The SALT conference helped us develop our understanding of what "success" means in diversity. It helped us see that "success" sometimes means sharing knowledge, techniques, and information, but also includes facing the implications of diversity in our own lives and professions. We learned, too, that this "real work" of diversity, and the issues which underlie it, ironically are often brought to visibility by the failures of our efforts, by our mistakes, as much as by our successes.

From our perspectives, the SALT conference was successful in many ways. Nearly 200 law teachers from 40 states and 103 schools attended. Eleven committed and talented teachers gave plenary presentations. More than thirty people worked hard as coordinators of subject matter working groups, and they, in turn, involved more than fifty others in making presentations. The SALT Board provided critical guidance and support. All of these people deserve great thanks and credit for their significant contributions to the conference. All of the planning for the conference was collaborative, involving the two of us, the SALT Board, and an expanding network of volunteers. One of the great rewards for all of us from working on a conference like this are the ties that are forged across institutional lines. These connections are critical for diversity

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*"Nearly 200 law teachers from 40 states  
and 103 schools . . . 11 plenary present[ers] . . .  
More than 30 . . . coordinators of subject  
matter working groups, and more than  
50 others . . . [made] presentations."*

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work. People addressing and struggling with diversity are often isolated in their own institutions and sometimes come under attack for their work. These ties are the seeds for the collegial support and inter-

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action we all need to thrive.

As overall coordinators, we were responsible for creating a structure for the conference and shaping the substantive framework by identifying issues to be addressed at the plenary sessions. From our experiences at the two prior SALT conferences on diversity, we had our own visions of what was most successful and what issues are central to thinking and teaching about diversity. We built the plenary sessions around questions of substance (how we are rethinking our substantive fields as we recognize

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*"... her own alternating despair  
and hopefulness ..."*

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and respond to structures of difference) and pedagogy (how we approach issues of diversity in our classrooms and clinics). Because issues of pedagogy include broader methodological concerns about creating inclusive classrooms and teaching techniques, we focused another plenary directly on teaching methodologies.

The plenaries were shaped further by the thinking of the individual speakers for the sessions. Each contributed his/her personal visions about diversity in ways that cannot be conveyed by a simple summary of subject matter. In the Friday morning session devoted to considerations of substantive theory, Pat Cain talked about our changing concepts of what it means to include diversity in our curricula and teaching, setting the stage for further development. Michael Perlin discussed the subordination of an often ignored group, the mentally disabled, and the ways in which lawyers, judges, experts and the general public display sanist attitudes that disempower the disabled. He offered a vision of a new

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*"... maintaining her own voice in institutions  
designed to suppress or hide it."*

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jurisprudence that may help to correct the imbalances reflected in our decisional structures. John Powell talked about the importance of challenging the claim of neutrality for the law and how his own values are reflected, both implicitly and explicitly, in his teaching. He used the notion of "passing," emphasizing the responsibility of all to engage issues

of diversity actively in our work.

In the Friday afternoon session about the experience of talking diversity, Fran Ansley spoke of her own alternating despair and hopefulness about raising diversity in our classrooms, clinics and insti-

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*"... the need for humility when  
teaching lessons of diversity."*

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tutions. She offered some examples of exercises (the "flower of power" and the "power line") that have helped students to address issues of power and powerlessness as mediated by class, race, gender, disability, sexual orientation and other classifications. Okianer Dark gave a moving personal account of maintaining her own voice in institutions designed to suppress or hide it. Suelynn Scarnecchia brought to bear her extensive real-world experiences as a lawyer and clinical teacher, emphasizing the need for humility when teaching lessons of diversity.

Saturday morning's session on teaching methodologies was a team effort by Margalynne Armstrong, Kris Knaplund, Paula Lustbader and Laurie Zimet, who offered an innovative array of alternative approaches to standard pedagogies. They introduced their session with a video collection of student voices describing our failure to reach them in our classrooms and then presented general guidance and specific strategies for using writing, collab-

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*"... an innovative array of alternative  
approaches to standard pedagogies."*

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orating and experiencing to enhance learning.

The plenary sessions set the tone and offered an agenda for discussion, but, as in prior SALT conferences, the most valuable work was done in small group sessions following the plenaries. As overall coordinators, we sought out coordinators for each of the thirteen subject areas being addressed, described our vision for the conference as a whole, and then left the subject matter coordinators free to plan their breakout sessions according to their own ideas and priorities. The result was a rich and varied set of programs ranging from open-ended discussions guided by thoughtful questions, to demonstrations about raising diversity using particular cases and statutes, to forums with students soliciting their views about what we do, to discussions of field work in commu-



nity organizing and education, to creating a lesson plan for raising diversity issues using standard case-book materials and then trying it out with a student audience. Reports from participants in the breakout sessions were favorable, with many indicating they came away with new ideas they could and would use in their own classrooms and clinics and a renewed sense of hope that they could find support for their perspectives and endeavors.

In our own planning for the conference, we attempted to include a diversity of speakers and perspectives, and from our vantage point we were



pleased with the mix of people both speaking at and participating in the conference. There were many faces and voices of color, and participants came from all parts of the country, even from as far away as Australia. Many schools were represented, and there was an exciting mix of younger and more experienced teachers in attendance. While the majority of those who came were SALT members, many were coming to their first SALT event (and joining as they registered). There was an air of high energy and high engagement and – for us – a sense of community.

But even as we gathered to talk about bringing issues of diversity to our students, we found we

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*"... video collection of student voices  
describing our failure to reach them ..."*

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had some work of our own to do in truly absorbing the lessons we hoped to teach. In the Saturday morning plenary, a feeling of discomfort that had been percolating among some of the conference participants found a voice. The plenary speakers had been talking about how to allow active participation and full engagement by students even in a large setting

and about the feelings of exclusion that may be generated in our classrooms. In that room filled with 200 law teachers, **Rogelio Lasso** and **Maragaret Montoya** found the courage to challenge our notions of diversity and inclusion, to say that they came with

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*"... a renewed sense of hope ..."*

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hopes of finding a community only to be faced again with faces unlike their own, with no Latino or Latina voice speaking from the podium. It is hard to shift gears in mid-stream, to incorporate such a challenge in stride, and we did what our students often do when difficult issues are thrust in their faces – we tried initially to proceed with the planned agenda, from uncertainty about how to react. But the voices from the audience persisted, and what followed was an intense and constructive discussion by 50 or 60 participants about inclusiveness and hierarchy in the conference, in SALT, in law teaching. That meeting felt incredibly real and important, perhaps more so than any other moment in the conference, because we were talking about ourselves, about our personal hopes and dreams, our successes and failures, our insights and failures of vision. There was a feeling that the conference had some organic life to it, that as a collective we moved forward, if not a leap, then at least a step.

The discussions about exclusion felt risky and scary for us, as the organizers of the conference. After all, although we consulted with many people in the design and organization of the conference, in

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*"... an air of high energy  
and high engagement ..."*

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the end the work was ours, and we properly were accountable in some large measure for the fact that some groups and viewpoints were not present among the plenary speakers and workshop organizers. It was clearly risky and scary for Ro and Margaret and others who spoke up, as well.

All too often, the risk and fear associated with diversity work leads to caution, silence and inaction. Such reactions must be counted as failures because they enable the existing order to continue. What can we learn from our conference experience about how to transform the risk and fear into real progress on the issues of exclusion? What permitted

*continued on page 8*



progress on the issues of exclusion? What permitted us – all of us, we hope – to come away with a renewed commitment to face these issues rather than a desire to hide from them? At base, we think it was the sense of being in a community of people who care about their fellow members, who value all their diverse voices, who are willing to truly listen to one another. As John Powell and Suellen Scarnecchia each mentioned in their talks, we must approach our task with a real sense of humility, expecting to do

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*"The . . . discussion . . . about inclusiveness and hierarchy in the conference . . . felt incredibly real and important . . . because we were talking about ourselves . . ."*

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our best, to work hard, but knowing that our product will be imperfect and that we will learn from both our successes and our failures. We should be able to expect support from our colleagues – as we received support from the SALT Board and from others – even when we make mistakes. And those who raise issues of exclusion, who point out the missteps of others, should be able to expect openness, serious attention and action in response, which we hope we gave.

What specific lessons did we learn to guide future work on diversity, particularly for SALT? As several people said during the conference, diversity is as diversilty does. We must address issues of who is included in our conferences, and in legal education, at a very concrete and explicit level. Who does the organizing, who is invited and who feels welcomed to use the limited air time at SALT conferences? What implicit and explicit choices are made when events are planned? Who will define the next

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*"Who will define . . . the rest of the SALT agenda?"*

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SALT teaching conference and the rest of the SALT agenda? We need structures that permit – no, invite – broad participation by all who have a vision of what we need to accomplish. We believe the September conference was a wonderfully successful venture. We learned much about our teaching and about ourselves and began a process of defining the future. ■

## ROMPIENDO SILENCIO

– Margaret Montoya  
University of New Mexico  
School of Law

Having been asked to write about the diversity conference, I set to this task with some trepidation. *¿Dónde y cómo comenzaré?* I left Minneapolis on Sunday after the conference with strong positive feelings: a high about having been part of a memorable conference, the talked-out satisfaction that comes from having been with women friends, the glow that comes from meeting people with similar goals, and the spirit-revival that comes from listening to Okianer Christian Dark. On Monday, Michael Rooke-Ley called to ask me to write a piece on the conference for *The Equalizer*. By Tuesday, I was having misgivings about continuing to be part of a dialogue on the ex[*in*]clusivity of SALT.

Have patience with me if I begin with some misgivings. Thinking back on the conference, I won-



dered if I could/would be seen as the guest at the party who insulted her host. I am an outsider to SALT; indeed, as I begin my third year of law teaching, I am a relative outsider within the legal academy. Critiques about the organization or its activities should be made by insiders, those who know the history, the struggles, the culture, the context and the subtext of its doings. As I thought about writing about the conference, I also worried that I would be heard as a whiner or, worse, a poseur (poseuse?). A description of the conference from my perspective would entail disclosures about myself and my feelings. I have elsewhere written about the various masks we use as we wind through the labyrinths of racism, sexism and every/Otherism



and about the pain experienced by the Outsider who is unmasked.<sup>1</sup> The Minneapolis conference was profoundly unmasking for me; revisiting it by writing about it is also an unmasking process.

I arrived in Minneapolis on Thursday with a feeling of expectation fueled by my positive memories from the Santa Clara conference. On Thursday evening I decided to go to a play, flanked as we were at the Holiday Inn by several theaters. Thinking the Sam Shepard play too heavy for the mood I was in,

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*"The Minneapolis Conference was profoundly unmasking for me . . ."*

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I decided instead to go see "Forever Plaid," a play about so-called boy groups of the 50's. Expecting the Platters, I got four Perry Como's. The play is set in an America so white, so untouched by diversity that the quartet mimicked Harry Belafonte's calypso and Perez Prado's mambo without a hint of parody of political incorrectness. I was the only person of color in the theater. From my vantage point seated at the farthest left (where else, ¿o no?), I felt caught up in a play within a uni-racial drama. The actors and the audience played their joint performance completely straight-faced.

This was one of those not-so-rare times when I am on the outside looking in. My consciousness of the uni-racial aspects felt individual and unique. I assumed that no one else there would have wanted their enjoyment of the play to be spoiled by my observations. I would have been thought odd for noticing or remarking about the racial exclusivity of the performance.

When I picked up the materials for the SALT conference, I checked through the schedule to see whether there were any Latinas/os participating on the plenary panels. I was surprised there were none listed, at least no participants with Spanish names. Whether skimming written programs or doing a visual sweep of a crowded room, my initial check is for Chicanas/Latinas, followed by Chicanos/Latinos; other people of color; out gays and lesbians, at least those known to me; the disabled; the "old"; the "poor"; the outlandish; the different. I have been making these checks at least since I was in high school, adding categories as my sensitivities increased. Too often I have felt like the only one, *la única*. Latino culture favors groups – *familia, amigos,*

*amigos, parientes, barrio*. I prefer being part of a group; I feel protected, supported, buoyed. Alone I feel at-risk, exposed. So I was elated to see several Latina/o names listed among the conference participants.

My memory of the first day is suffused with how I experienced Okianer's presentation. Let me disclose (brag, say you) that I am a friend of hers. We had chatted about her talk as she was planning it, and I had come to Minneapolis partly because she was on the agenda. Her presentation left me in tears, literally. Okianer exhorted and inspired all of us to reclaim the silenced voices of our ancestors; to don our sexuality as armor against the slights about our comeliness; to refuse to be defined, confined or maligned by others; and, in reinventing ourselves, to renew the legal academy. Her recitation of the Maya Angelou poem, her performance of the poem, was, for me, a forcible eviction — nay, an exorcism — of the devils of racism and sexism who had inhabited, grown comfortable, and by now threatened to adversely possess (in fee simple absolute) that classroom.

By the end of the first day, I had remarked to a number of people that I found the lack of racial and ethnic diversity upsetting. Because others confirmed my impression, I decided that I would speak during the final plenary about the lack of Latinas/os, Asians, Native Americans and mixed-race presenters at the large group meetings.

By then, I was also finding that the content of the presentations was curiously at odds with our physical surroundings. I found virtually all of the

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*"... the lack of . . . mixed-race presenters at the large group meetings."*

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presentations stimulating, thought-provoking and specific about how we can be better at teaching, learning and collaborating in multicultural contexts. The large lecture hall we were in contrasted with these verbal messages and made manifest the silences I was hearing.

I would hazard a guess that such classrooms can be found in most of our law schools. Rooms designed for hierarchy, for alienation, for dread and for silence. Rooms carpeted in blood red, with unpainted concrete walls, bolted tables and legless inquisitorial chairs that can only face forward. Rooms watched over by mirthless white, male, privi-

*continued on page 10*

<sup>1</sup> MARGARET E. MONTTOYA, "Mascaras, Trenzas, y Greñas: Un/masking the Self While Un/Braiding Latina Stories and Legal Discourse," 17 Harv. Women's L. J. 185 (1990).



leged sentries ensconced in their gilded frames. Rooms that were not conceived for multicultural purposes. These spaces in which we perform our work are frequently at odds with the ways we seek to do that work.

On the second day, I took my seat in the rear of the room behind **Guadalupe Luna** and **Rogelio Lasso**. I passed a note to Rogelio noting the lack of

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*"Rooms watched over by mirthless white,  
male, privileged sentries ensconced  
in their gilded frames."*

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Latinos at the plenary sessions. By this time there had been three plenaries with ten speakers, seven were white and three were African American. Every panel was dominated by whites. Towards the end of the session on academic support, Rogelio raised his hand and stated that while he didn't have a question about the panel's topic, he did have a comment about the conference in general. "Diversity is as diversity does," Rogelio remarked, "Where are the Latinos at this conference? Furthermore, I am wondering why there has been no mention of minority hiring at a conference about diversity."

Without responding to the comment, a cartoon was then flashed on the screen. Four figures are shown around a table, three are rectangular and the other is oval. The punchline directed at the oval reads, "Well, thank you for your comment, but we have to continue with our agenda." As the session drew to a close and apropos of the cartoon, I stood from the rear and asked for a caucus to discuss the issues of exclusion at the conference.

Some forty people, including **Carol Chomsky** and **Eric Janus**, the conference organizers,

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*"Well, thank you for your comment,  
but we have to continue with our agenda."*

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**Jean Love** and **Pat Cain**, the co-presidents of SALT, and **Linda Greene**, the president-elect of SALT, gathered in a large circle in the faculty lounge. I began by thanking the organizers for their hard work in putting on the conference. I then put into words, in Spanish and in English, how pained I was to come to

this kind of a meeting expecting to find life experiences, perspectives, values, issues and concerns like mine represented, only to feel overlooked, spoken for, ignored and silenced. The conference replicated other experiences of marginalization, but in a curious way this was much more painful. My guard was down, my hopes were up. My expectations were that, at this kind of a meeting, people of color — *of all colors* — would be at the core. So why didn't my expectations also include gays and lesbians or the disabled, you ask? I don't have a good answer, for you or for me. I only know I didn't expect white folks to be the numerical majority on the program to the exclusion of Asians, Latinas/os and Native Americans.

The caucus was for me one of the most important, most authentic events I have been a part of. **Eric Janus**, **Jean Love** and others apologized for the apparent exclusivity of the conference. This was one of those rare instances when silenced voices are heard and when the pain that accompanies being silenced is discussed as it was happening, not retrospectively. Tears were shed and sorry's were expressed.

Then the sorry-ness was out of our hearts,<sup>2</sup> and we could return to our mutually-shared objectives. The SALT conference was unlike my "Forever

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*"A community of persons . . .  
to whom my pain and tears would matter."*

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Plaid" experience. I had felt like an Outsider in both situations, but at the conference I was in a community of persons with similar values and shared concerns, persons to whom my pain and tears would matter.

The conference ended with **Linda Greene** liberating the physical space within the lecture hall by defying the strictures of its design and furnishings. At her invitation we sat, stood, crouched or leaned on chairs, tables, desktops and on the floor. We formed a circle. Mostly eye to eye, we now could see each others' faces.

I made the observation that the discursive patterns that characterize academic conferences can also silence certain participants. As an example, I noted that Latinas have been socialized not to inter-

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<sup>2</sup> I credit **Diana**, my 12-year-old daughter, for this evocative phrase. She wrote me recently in a note (we have found that some things are more easily written than said) that "you might not believe I'm sorry, but at least the sorryness is out of my heart." This is as good an explanation for apologies as I have heard.

continued on page 15



















rupt other speakers, not to wave our hands while others are talking, to allow others to speak first, not to repeat a point that has already been made, even if the point would sound very differently if we were to reiterate it. Latinas tell stories, we talk spirally rather than linearly, so we need time to make our points. *De veces, tenemos que utilizar español para expresarnos.* We rely on eye contact, facial expressions and body movements; we look for subtle cues that we are being agreed with. Our points are often laced with emotion, we cry as easily and publicly as we laugh. If, as Latinas, we don't identify and discuss such expressive modes among ourselves and with others, then we risk not being heard even when we want to be and when others are open to listening.

I proposed at the plenary and repeat the suggestion now that SALT undertake to produce a protocol on conferencing to examine the many aspects that both impede and contribute to multicultural exchanges. We could begin by collecting stories of every sort about good and bad conference experiences, an invaluable source of information. We could also begin to identify specific strategies for implementing diversity, not merely celebrating it. And slowly, in our distinct ways, as we reclaim space, time and words, we "Re-envision the Academy." ■



## **SOMETHING LOST, SOMETHING GAINED**

— Sylvia R. Lazos  
Florida State University  
College of Law

Those of you who attended the Minnesota SALT teaching conference know that it was an emotional experience for many of us. For me the experience was heart-wrenching. Yet, I remain hopeful and optimistic.

This is a short personal narrative for those of you who weren't there, about the lessons learned and unlearned. I must disclose, before I proceed, that I am a relative newcomer to the brethren of colleagues, as were many of the Latinas at the conference. I am even more of a newcomer to SALT. This was my first SALT conference.

I came to the conference excited, not unlike a

food-lover anticipating a dinner at a well-known restaurant. I had heard much about the people at SALT, brave law teachers of many backgrounds, cultures and colors who had come together because they were committed to social justice. Colleagues I liked and respected, on my faculty and other faculties, belonged to SALT. The conference, they told me, would be "hands-on." Many questions you cannot ask at your own institution, because there is no one

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*"I let it pass . . . Pick your battles."*

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there to answer them, will begin to be answered, I was told. You will meet many people in your field that think like you and they will help you with your teaching and your research. I would be inspired by the bravest and the boldest.

As I walked to the hotel, I savored the freshness and crispness of Minnesota's cold air. So different from that of muggy Tallahassee where I now make my home, and it was fitting, I thought to myself.

### Lesson 1.

As the participants gathered to begin the conference, I could see many who were like me. What a relief to see many instead of few (or none at all). Like the politician I am not, but always hope to be, I made my way and began to meet new people. I was excited. The chit-chat was rewarding. There were many friendly faces belonging to people I could perhaps one day call friends.

I finally made my way to the first plenary session. I glanced at the podium and noticed that none of the presenters for the welcoming session looked like me. I checked the program. No Latinos in any future plenary session either, although some were involved with small break-out groups.

I let it pass, tucked it away in that mental file where I place those items from which I need distance. Another one of those incidents that we teach ourselves to forget or ignore, because if you don't, you tell yourself, you won't get through the day. Pick your battles.

It's only after a couple days' reflection, and only because of other lessons learned at the conference that I can see how much this "tuck away" memory feature is a habit. I chose to "tuck away" a slight so quickly that it passed from my memory. In nanoseconds I rationalized that I should not feel

continued on page 16



*continued from page 15 – Something Lost, Something Gained*

insulted because, after all, there were Latinos involved in the smaller sections. Surely, they had tried to find someone. And there was so much to do, and the people organizing this conference were people of good will.

What the heck . . . The conference was well run; the hard work showed. The presenters did a great job. John Powell was truly awesome and inspiring. The conference materials were great. It sure beat an AALS conference.

### Lesson 2.

In the first day's afternoon small group session Elaine Andersson gave a wonderful and very compelling presentation on how to introduce materials dealing with issues of the disabled in property law. What a huge blindspot. My first year teaching this course, I had blithely skipped over the ADA stuff . . . Not important, I had thought then, and I don't have the time to learn it. Yet, Elaine said, ignoring ADA in a real estate transaction quite simply amounts to negligence. Let's not mention that the disabled should not continue to be invisible and discriminated against.

As we continued our discussion, I asked, with only good intentions of course, what about the argument that the economic cost of modifying public buildings can't be offset by the economic benefit of businesses in public buildings having more disabled customers? She looked at me. I felt as I did in law school when I wasn't giving the right answer. I stammered. I must be showing my prejudice by assuming that the numbers of disabled are not significant. "Maybe that's not the issue," she would have answered, if she hadn't been so nice. Ouch!

### Lesson 3.

The second day's morning plenary session belonged to the Academic Support group, represented by three white women and one African-

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*"... a las trincheras ..."*

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American woman (the latter was no longer Academic Support staff, but had managed to bridge the chasm to tenured professor status, an incredible and unacknowledged accomplishment. Was she there to make sure that all the presenters weren't white women?) The coordinator of the session first

thanked us profusely for inviting them (the Academic Support professionals) and giving them a forum to speak to us, the LAW PROFESSORS. I felt very uncomfortable. I had been through this before at my own law school. The issue was how should we treat the legal writing instructors. I realized that this group of professionals was not accustomed to being treated as equals.

I felt as an "oppressor" simply because I was one of the lucky ones to be given the opportunity to be a real "PROFESSOR."

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*"I found my voice."*

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The presentations were great. The women created an instant community with their dynamism, good nature, knowledge and understanding.

Nothing was said about the imbalance, the injustice of the ghettoization of the Academic Support professionals. It was tucked away in our collective memory.

### Lesson 4.

Then, at the end of this group's dynamic presentation, the interaction which Margaret Montoya has described in her accompanying essay took place: A hand from the audience was raised. We heard the voice of a Latino, a very strong voice, not so easy to ignore, say something like "we need to talk about the exclusion of many of us from participation in this forum." There was a pause. Nervous silence. My neighbors looked at me, not knowing what was going on. I commented softly, "Yeah, we were speaking about it last night, no Latinos, no Asian-Americans, no disabled," as noncommittally as I could manage. The forum's moderator at the time, taken off guard (not unlike when we are caught off guard by a student raising an issue not contemplated in the day's lesson plan) continued the program by showing a cartoon which Margaret has described. Yes, how apropos.

Again, a raised hand, Margaret's, was recognized by a conference organizer. More tension. The conference organizer appeared uncomfortable. This thing wasn't going to go away, was it? Margaret asked those of us who wanted to talk about non-inclusion to meet in the back of the room so that we could coordinate when and how to talk about this.

A call by one of my own. My Puerto Rican friends (the independentistas) would say "a las trincheras" (take your positions in the trenches, i.e.,



get ready for the fight).

### Lesson 5.

Carol Chomsky gamely and bravely helped the non-inclusion group of about fifty or so find a conference room for the discussion. I was surprised to see so many: white men and women, young and old black men, black women in professional and African garb, a disabled woman, young Asian-American women, black and white lesbians, Marxists, those "responsible" (Carol and Eric, the conference organizers; Pat and Jean, the co-Presidents; Linda Greene, the President-to-be) and about eight of us Latinos and Latinas. It was impressive, and the support and responsiveness of the SALT leadership was moving and encouraging.

What was it like in this session? Emotional, mostly. This was inevitable. We all raised issues which we felt very strongly about, but which hadn't been addressed by the conference. It was, above all, very personal.

I listened to Margaret speak to the group in Spanish at first, then in English, describing what she



felt. People responded by focusing on what bothered them. It was like group therapy.

I struggled to find my voice. Others more confident, more experienced, and perhaps better rehearsed in their thoughts spoke. I knew in my heart that it was important for one of us Latinas to find her voice and speak. Solidarity . . . community . . . whatever. Margaret had issued the call, "a las trincheras," and I needed to say "Presente!" — I am here.

Well, like in law school, others spoke and they spoke well. No need to repeat others' views, I thought, sinking more and more into the couch. Finally, Margaret said, "I hear no Latinas." That was it. No where to hide. No mask to hide underneath.

I felt vulnerable, in much the same way I had felt in law school. Eight years of professional successes dissolved in an instant. I longed for my "Licenciada" or "Professor" mantle, to which I had become too accustomed. ("Licenciada" is the way attorneys are addressed in Puerto Rico, one of my former homes; socially, it's something like an English

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*"... a sense of solidarity was generated  
at that conference."*

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noble's title.) I struggled to keep my voice "rational" and vainly fought to keep my tears and pain buttoned up. But they wouldn't stay buttoned up.

I found my voice. I think I said more or less what I've told you in this Lesson 5. I think I asked SALT to do more for those of us who are struggling in our institutions. But the content of what I and others said was not so important. Rather, it was this group-thing we were doing . . . quite powerful and quite painful.

The SALT conference, in many ways, and the group session, most definitely, brought law school back to me. The unintended stereotypical images that my professors brought with them to the class. The unintended exclusion. My feelings of rage and powerlessness in having to listen to that stuff, from MY PROFESSORS. My pain in seeing my friends struggle and be defeated by law school; their loss of confidence; their rage and my rage. All of this had happened again, like a bad dream, at the conference. In Minnesota, eight years later, I felt overwhelmed and surprised that these feelings had not yet faded in my memory. But something had changed eight years later. I was talking about pain with others who had also felt that kind of pain, and they cared. More importantly, we all wanted to do something about it, whatever we could humanly do.

### Lesson 6.

We filed back, exhausted, to the last session of the conference. Linda Greene had notes on rainbow colored paper, questions she wanted to pose, how she wanted to frame the discussion. What does diversity mean? What is our purpose? But first let's make it "informal" by "reconstructing" the architectural space (this meant sit in the front of the room, on the floor or perch yourself somewhere). She had her law professor voice on. She was asking the questions

*continued on page 18*



continued from page 17 – *Something Lost, Something Gained*

and pacing the floor. And, guess what, to me it felt like a law school class, and, like eight years ago, I wasn't in control.

Margaret spoke again. She and others spoke about structure and language, the power thing and the word thing, needing space and giving space. You know, the stuff students say is touchy-feely. Margaret proposed that SALT work on a protocol that would enable us to speak to each other in more meaningful ways.

I spoke. To my shame, whatever I said, which was something about my culture needing a different kind of space and having its own rhythm, I addressed directly to the young black man who had just spoken. I liked (and like) the man, but in the moment I unintentionally addressed him not in a friendly tone, but rather in that tone and manner of the person who has the answers. I apologized then, and I apologize again now.

Why do I feel positive, you may ask. In spite of everything, I believe that a sense of solidarity was generated at that conference. Some of us made some personal breakthroughs and began to truly understand just how difficult all of this is.

"... it don't come easy, you know it don't come easy..." ■



## **DIVERSITY IS AS DIVERSITY DOES**

– Rogelio Lasso  
Washburn University  
School of Law

On September 23-24, I attended my first SALT event, the third SALT teaching conference on diversity. Like my friend and colleague **Margaret Montoya**, I am ambivalent about uttering a dissenting word about the conference. Like Margaret, I am an outsider to both SALT and the academy. Additionally, I am uncomfortable saying anything negative about such a positive group and commendable undertaking. Holding a two-day conference on a topic most White Americans try to avoid is, itself, a rare achievement. I also admire SALT's current presi-

dents, **Jean Love** and **Pat Cain**, president-elect **Linda Greene**, and conference coordinators, **Carol Chomsky** and **Eric Janus**. For these reasons, it took me until the last plenary session to voice my concerns about the conference. For the same reasons, I am uncomfortable writing about my impressions of the conference.

I have studied race relations and ethnic diversity for many years. I have lived them for longer. Diversity is something that must be prac-

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*"Holding a two-day conference on a topic most White Americans try to avoid is, itself, a rare achievement."*

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ticed. Talking about diversity doesn't replace undertaking actions to achieve it. The SALT conference included a lot of talk about diversity but little diversity in the complexion of the presenters. Homogeneity, however, is nothing new to law school faculties. Neither is having this homogeneous group do little more than talk about diversity. While searching for my first teaching job, every law school that interviewed me took great pains to assure me of its "commitment" to diversity. Behind rhetoric stood mostly white faculties, reflecting less a commitment to achieving diversity than to talking about it.

This year's SALT conference on diversity was no different. There were no Latino, Asian or Native American presenters at any of the plenary sessions.

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*"Diversity is something that must be practiced."*

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In addition, an issue crucial to diversity in the curriculum, the lack of diversity in law school faculties, was not addressed at any point during the two-day conference.

During the plenary sessions, mostly white academics instructed mostly white professors on exciting new techniques for talking about diversity with mostly white students. Never mentioned was the lack of faculty and student diversity in American law schools. If diverse groups had participated to a larger extent in the conference, this issue would likely have been discussed. I found it particularly disturbing that "Sane-ism" merited a plenary presenta-



tion but the disgraceful lack of racial diversity of law school faculties did not.

The only way to teach our students about diversity is to show them what diversity is. If law

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*"It is hypocritical to urge students to value diversity when the faces they see around them are mostly pale."*

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schools truly value diversity, they will hire diverse faculties to teach diverse student bodies. It is hypocritical to urge students to value diversity when the faces they see around them are mostly pale. The same goes for the SALT conference on diversity.

Unlike Margaret Montoya, I did not leave Minneapolis with strong positive feelings about the future of diversity in law schools. I have become increasingly skeptical of this nation's hollow claims that it wants to deal seriously with its diversity. ■

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## BUILDING COMMUNITY

— Tracey Meares  
University of Chicago  
Law School

Like the experience of other first-timers who have decided to share their impressions of a SALT Teaching Conference, my initial eagerness quickly turned to regret. I wasn't sure that I wanted to share publicly my impressions of the Conference – many of which are emotion-laden and highly personal. In the end, I concluded that many of the Conference participants shared my feelings, and that it is the sharing of our day-to-day experiences in our respective institutions that make coming together so compelling.

I expected to meet law teachers with scholarship interests similar to mine and law teachers who were sensitive to, and interested in, innovation in law teaching. (I mean innovation in its broadest sense.) I expected to meet law teachers interested not only in bringing issues of gender, race and other forms of difference into the classroom but also in teaching traditional topics with new and fresh methods and pursuing scholarship with an interdisci-

plinary bent. Expectation and experience coincided here. I met dozens of people pursuing interesting and provocative avenues in scholarship, and, in the plenary session devoted to Academic Support, I learned more new ideas than I could use.

Probably my greatest expectation was to meet and establish relationships with colleagues outside of my institution, who not only would be willing to read my drafts, but who also would be willing to lend a sympathetic ear across hundreds of miles of telephone wire (or, better yet, in cyberspace). Again, my expectation coincided with my experience at the Conference. I, like many of us, teach at an



institution in which the faculty is comprised of few women. I am the only woman of color on our tenure track. It probably comes as no surprise to readers that it sometimes gets a little lonely. It was a pleasant surprise (and very reaffirming) to see so many women and people of color – all law professors and members of SALT – assembled in one room in a law school auditorium in the Midwest!

The majority of my experiences at the Conference were pleasant, but there were also moments which I can describe only as discomforting. And not surprisingly (at least to me), the moments causing my discomfort were usually the

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*"[As] the only woman of color on our tenure track . . . it sometimes gets a little lonely."*

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same moments that were emotion-laden. Here are two examples: I found **john powell's** discussion at the first plenary inspiring and thought-provoking,

*continued on page 20*



but I also was disturbed and uncomfortable as I focused on his theme of "passing." It was not that I disagreed with him; rather, I thought some of his comments described the space I occupy all too well. Professor Powell offered a perspective of my space which is not as positive as I'd like to think it is.

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*"... the conference was an excellent place to build a community ..."*

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During Professor Okianer Dark's talk, I was moved again. This time I was disturbed and overwhelmed by so many feelings (hope, fatigue, loneliness and, yes, even invincibility) that it was difficult for me to participate in the afternoon working-group sessions. While these two incidents (there were others) made me feel somewhat uncomfortable, they also provided me with opportunities for introspection and growth, and for that reason I would characterize them as positive.

My experience at the SALT Teaching Conference forced me to think about problems in a way I had not before. I also was motivated to seek out counsel from people whom I had never met, but whom I now call my friends. In short, the Conference was a wonderful learning experience for new teachers, an excellent place to build a community for discussion of ideas, and a friendly place to seek out support. ■



## NEED FOR RELIGIOUS DIVERSITY

— Barbara S. Greene  
Creighton University  
School of Law

Thanks SALT!

The conference in Minneapolis was my first SALT conference, but it will not be my last. From 8-5 on Friday and 9-5 on Saturday I was filled with useful, inspirational and exciting material. The plenary

session speakers from Jean Love, whose work I have admired for years, to Okianer Dark's excitement about the potential of diversity issues, to Fran Ansley's poignancy in discussing the risks involved in this kind of teaching were precisely what I came for. The opportunity to hear from teachers involved in Academic Support programs was a first for me, and the handouts alone were worth the price of admission. But the best part of the conference for me were the small break-out groups where I was thrilled to hear Dorothy Brown describe in detail her Tax Policy course and was able to engage in a wonderfully productive discussion with Scott Taylor about Tax Problems involving sexual orientation.

I would only hope that in the future more kinds of diversity might be added to the program. I, myself, am interested in issues of religious diversity.

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*"... my interest in diversity grows out of my commitment, as a Christian, to the social justice gospel."*

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The first reason for my interest in this area is that the greatest diversity in the United States is religious diversity - there are more than 1500 Protestant Sects, as well as Catholics, Jews, Muslims, Buddhists and many others. Secondly, courses in taxation raise issues of religious diversity through the materials themselves. Finally, my interest in diversity grows out of my commitment, as a Christian, to the social justice gospel.

It was heartening to see the number of colleagues who are interested in diversity. May the message spread. ■

WITH  
THANKS  
TO CAROL AND ERIC  
FROM  
ALL OF US



continued from page 4 - Salt Board Meets in Minneapolis

The next Board meeting will be held in New Orleans during the annual meeting of the AALS on Friday, January 6, 1995 at 7:00 a.m. [See page 23 here-in.] Members are always welcome. ■

## NEW FILM ABOUT GAY AND LESBIAN LAWYERS

— Pat Cain  
University of Iowa  
College of Law

In the last SALT newsletter, I recommended Abby Ginzberg's film "Doing Justice," a film about civil rights lawyer and law teacher, Arthur Kinoy. Many of you were able to preview this film at the most recent teaching conference. If so, you know the quality of Abby Ginzberg's film work. I think the film is outstanding, in particular in its capturing of Arthur's exuberance and commitment to his work.

Jean and I now recommend a second Abby Ginzberg film to you. The film is "Inside Out" (co-produced with Ron Albers), and it focuses on the plight of gay and lesbian lawyers, their struggle to be "out" in a world that often prefers for them to be closeted, and their personal struggles with career and family. A wide range of personal interviews make up the core

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*"The film . . . focuses on . . . their struggle to be 'out' in a world that often prefers them to be closeted . . ."*

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of the film. Included are interviews with law professors Art Leonard and Frank Valdes, lesbian judge Donna Hitchens, gay, lesbian and straight law firm partners and associates, gay and lesbian legal activists, and two gay law students. Viewers are given intimate glimpses into the family lives of all these people through the use of still photographs. The interspersion of these stills is a brilliant method for creating intimacy and respecting privacy at the same time.

The film is most poignant, perhaps, in the segment focusing on San Francisco attorney, Jay Spears, who died of AIDS while working for a major law firm. Through the voices of law firm partners, both gay and straight, and the voice of his lover, Jay comes alive on the screen. The support he and his lover received from his law firm during his illness and through his death is impressive and should serve as a

model to employers everywhere.

The film does not paint an altogether positive picture, however. To demonstrate the reality that most gay and lesbian lawyers face at work, the film contains a scripted scenario of a young gay attorney who consults his supervising partner (a woman who, of course, understands discrimination as one of the "firsts" in this firm) about whether he should "come out" at work. Unfortunately, the hypothetical law firm in the script is a far more common reality that Jay Spears' firm.

The film does not provide answers, but it does offer hope. It is an excellent conversation starter about sensitive topics. Straight viewers will learn something about the lives of gay and lesbian lawyers, judges, teachers, and students. Gay and lesbian viewers will find friends and role models among the persons interviewed. The video (plus discussion guide) is available for \$150 from Ginzberg Video, 1136 Evelyn Ave., Albany, CA 94706, Telephone (510) 528-9116. ■

## SALT HEALTH REFORM COMMITTEE SEES NEED FOR CONTINUING EFFORT

— Rand E. Rosenblatt  
Rutgers - Camden  
School of Law

The SALT Committee on Access to Justice in Health Care Reform continued its work during the summer and fall of 1994. As Congress' focus shifted from the Clinton Administration's plan to the proposals of the Congressional leadership and the self-styled "Mainstream Coalition," issues of justice and discrimination became even more urgent and pressing. Professor Sylvia Law is pleased to report that Senator George Mitchell's bill included a number of the discrimination and consumer remedy provisions suggested by the SALT Committee and other advocacy groups. I obtained a draft of the Mainstream Coalition's remedial proposals - itself a substantial achievement — and submitted extensive commentary on such issues as definition of a claim, adequate notice, adequate time for consumers to file complaints, urgent requests for coverage, and the need for an ombudsperson's office. These (and other) provisions were being drafted under tremendous time pressure, and, given the positions that by September 1994 were regarded as politically feasible, it is proba-

continued on page 22



bly better for consumers that the congressional leadership decided not to try to bring forward a bill in this Congress.

As you are probably aware, both the Clinton Administration and the Republican Party say that health insurance reform is a priority for the next Congress. Given the mood reflected in the political polls, it is likely that many of these proposals will be considerably less protective of consumer interests than was the Clinton Administration's plan. Thus, there is a continuing and even greater need for advocacy on behalf of consumers, and particularly of the most vulnerable consumers — minority and low-income people. The SALT Committee is forging links with professional groups in law, medicine and bioethics, as well as with civil rights and poverty advocacy groups, to try to augment the voices in support of these important issues. ■



## CRITS CONFERENCE IN MARCH

- Adrienne Davis
  - Joan Williams
  - Ann Shalleck
- American University  
College of Law*

SALT members may be particularly interested to learn that the Networks of the Conference on Critical Legal Studies have announced a working conference on "The Politics of Class and the Construction of Identity." The conference, co-sponsored by American University's Washington College of Law and Georgetown University Law Center, will be held March 10-12 in Washington, D.C.

The goal of the conference is to reflect on the relationship between class analysis with identity literature from feminist, critical race, and other identity movements. Plenary sessions are tentatively entitled: "Class, Identity, and the Postmodern Turn: Seeds of a New Synthesis," "People, Place, and Power in the Postcolonial World," "Family, Religion, and Values: The Cultural Production of Class," and "Workplace, Domesticity, and (Re)Production." Smaller panels will grapple in more depth with issues raised in the plenaries.

For further information, please call us: Adrienne (202) 885-3360; Joan (202) 885-2644; or Ann (202) 885-2658. ■

## ADAMS RECOGNIZED BY NLGLA

– Michael M. Rooke-Ley  
*Nova Southeastern  
University Law Center*

At its Biennial Conference in Portland, Oregon in October, the National Lesbian and Gay Law Association presented the Dan Bradley Award to Professor (and SALT member) **Bill Adams**, director of the Civil Clinic at Nova Southeastern University Law Center. The award, given to one "who has made a significant contribution to gay and lesbian rights", is named for the late (and gay) attorney who served as president of the Legal Services Corporation.

During the past year, Professor Adams co-authored a brief for the Florida Supreme Court which helped convince the Court to strike the proposed anti-gay ballot initiative from the Florida ballot. He also has written an amicus brief for the same court and is co-counseling a separate trial which challenges the constitutionality of Florida's ban on homosexuals from adopting. Professor Adams serves on the board of the Gay and Lesbian Lawyers Association of Florida and Dade ACTIONPac (a PAC formed to support lesbian and gay candidates and causes). In addition, he is a faculty advisor to the gay and lesbian law student group at Nova Southeastern University. Professor Adams created the AIDS law clinic at Nova and has been involved in legal advocacy on AIDS issues for nine years.

## ... AND HARRINGTON, TOO

Congratulations, as well, to Professor **Eugene Harrington** of the Thurgood Marshall School of Law, Texas Southern University, who received the Life Achievement Award from the Houston Gay and Lesbian Political Caucus at its 15th Anniversary Dinner in September in Houston, Texas. ■

## SALT's MEMBERSHIP HONOR ROLL

SALT currently boasts a membership of 870 worthy souls representing 166 law schools. Schools with the largest memberships deserve of particular recognition. They are:

1) NYU.....19	7) Yale.....16
2) Santa Clara.....18	8) Iowa.....14
3) CUNY - Queens..16	9) Temple.....14
4) Georgetown.....16	10) Miami.....13
5) Howard.....16	11) UC - Hastings...13
6) Touro.....16	

If your school is un(or under)represented, spread the good word ■



## SALT EVENTS IN NEW ORLEANS

**MEMBERSHIP MEETING:** Thursday, January 5, 1995, 5:00 pm - 7:00 pm. Sheraton New Orleans, Oakley Room, 4th floor. Topic: "Planning for SALT's Future." SALT's membership has increased dramatically in recent years, and difficult issues of inclusion/exclusion have arisen. Please attend and help to direct SALT's future.

**COVER STUDY GROUP:** Thursday, January 5, 1995, 8:00 pm - 10:00 pm. New Orleans Hilton, Elmwood Room, 3rd floor. Each year SALT sponsors a study group in memory of law professor **Robert Cover**. Co-facilitators of this year's study group are **Gerald Torres** (Texas) and **Lisa Ikemoto** (Loyola, L.A.). Reading materials will be sent to all SALT members in December.

**BOARD MEETING:** Friday, January 6, 1995, 7:00 am with breakfast. Members are always welcome.

**AWARDS DINNER:** Saturday, January 7, 1995, 6:30 pm - 9:30 pm at the Aquarium of the Americas. Honoring Professor **Trina Grillo**, University of San Francisco School of Law. Reservation form below. ■

### *SALT's Annual Teaching Award Dinner*

*honoring*

*Professor Trina Grillo*

*University of San Francisco School of Law*

*Saturday, January 7, 1995*

*at the extraordinary*

*Aquarium of the Americas*

*111 Iberville Street, New Orleans (3 blocks from the Hilton)*

*6:30 - 7:30 pm — Cash bar and guided tour of the exotic marine life exhibits, including one of the world's largest and most diverse shark collections.*

*7:30 - 8:15 pm — Tribute to Trina: Featuring tributes from colleagues and former students as well as a film conceived and produced especially for this occasion.*

*8:15 - 9:30 pm — New Orleans Gourmet Dinner:  
Oyster Rockefeller Soup, Crawfish Etouffé, Chocolate Praline Pecan Tart, etc., etc.*

----- *Make your reservations immediately. Seating is strictly limited to 200 persons.* -----

Name: \_\_\_\_\_

School: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Number in Party: \_\_\_\_\_ Number of Vegetarian Meals Requested: \_\_\_\_\_

Please enclose a check for sixty-five dollars (\$65.00) per person, made payable to Society of American Law Teachers, and mail with this form to: Professor Stuart Filler, Quinnipiac College School of Law, 600 University Avenue, Bridgeport, Connecticut 06604-5651



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### *The SALT Equalizer*

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