

# **EQUALIZER**

**SALT**

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**Volume 2000, Issue 3      Society of American Law Teachers      August 2000**

**PRESIDENTS' COLUMN**



– Carol Chomsky      – Margaret Montoya  
*University of Minnesota      University of New Mexico*  
*School of Law      School of Law*

Because of the necessities of *The Equalizer* publication schedule, we are preparing this column in early July, when most of us in law teaching have finished grading but have not yet begun in earnest the process of preparing for fall classes. Given a break from classroom, clinic, and committee responsibilities, this is a time when we can turn attention to the research projects we haven't completed during the academic year and to catching up on organizational duties. Work continues on our Campaign for Equity and Justice in the Legal Academy and Profession, with Board members leading Task Forces on Equity in Law School

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**SAVE THE DATE**

for the upcoming  
Society of American Law Teachers  
Teaching Conference

Teaching, Testing, and the Politics of Legal  
Education in the 21st Century

New York University School of Law  
New York, NY • October 20 & 21, 2000

**SALT TEACHING CONFERENCE**

– Sue Bryant  
*City University of New York  
School of Law  
at Queen's College*

In October, SALT will sponsor a conference on Teaching, Testing and the Politics of Legal Education in the 21st Century. The Teaching Conference for the year 2000 will be at New York University Law School in New York City on Friday, October 20th, and Saturday, October 21st.

The Conference continues SALT's tradition of creating opportunities for law teachers to work together to address the most intriguing and perplexing issues in legal education.

Law faculty and experts outside of the legal academy will work together in plenary sessions and small groups to analyze how legal educators can

- \* teach better to the whole class;
- \* creatively teach critical theory;
- \* grade student performance more fairly;
- \* admit a more diverse student body;

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- \* challenge admissions, grading, and bar exam standards that discriminate against people of color.

The October 2000 Teaching Conference will also offer teaching demonstrations, discussion of new teaching methods, and an opportunity to connect with the SALT Campaign for Fairness and Equity in the Legal Profession. Plenary presentations are focused on teaching and testing issues and are followed by small group concurrent sessions where participants can follow up on issues raised in the Plenary.

In the first plenary, "Neglected Pedagogies: Research, Theory and Practical Advice," presenters examine questions such as, what can we do as law school teachers to develop the forms of intelligence most useful to good lawyers? What can we learn about our students and from our students that will make us more effective teachers? Are there more effective ways to teach that we have not tried or do not know? Small concurrent sessions will focus on critical reading skills, academic support, teaching to the whole class and to the whole lawyer, and the use of identity and humor in teaching.

In the second plenary, "High Stakes Testing," we examine the issues raised by the use of LSAT's for admission to and exclusion from law school, the end-of-the-year exam as the sole measure for law school performance, and the use of bar exams to exclude people from the profession. What are the politics of testing? What alternative evaluative tools can we develop that will help us admit and graduate students who will be practicing members of the bar skilled at pursuing justice through law. What alternative measures can we use for admission to the bar? Concurrent sessions that follow this plenary will focus on progressive admission policies, alternatives to the bar exam, and small group discussions of evaluative devices used in first year, elective, and clinical courses.

In plenary three, "Teaching Critical Theory," we ask how can we enrich our teaching using the critical theory that we have developed. Many schools offer critical theory courses and integrate critical theory into the required curriculum. This plenary and the sessions that follow identify the difficulties that we have in engaging our students in the study and application of theory. Presenters will identify strategies that they have used to teach theory. Small group sessions will follow with demonstration and discussion of teaching strategies in critical theory classes as well as large classroom and clinical teaching.

The list of presenters and concurrent session leaders is still in formation. Confirmed Speakers include: Dorothy H. Evensen, Pennsylvania State University; Laurie Zimet, University California

Hastings College of the Law; Paula Lustbader, Seattle University School of Law; Devon Carbado, UCLA; Peggy Davis, New York University School of Law; Dean Ruta Stropus, DePaul University College of Law; Charlotte Taylor, DePaul; Susan Sturm, University of Pennsylvania Law School; Chris Iijima, University of Hawaii School of Law; Michelle Rabouin, Texas Wesleyan University School of Law; Lenora Ledwon, St. Thomas University School of Law; Vernellia Randall, University of Dayton School of Law; Margalynne Armstrong, Santa Clara University School of Law; Frank Valdes, University of Miami School of Law; Natsu Taylor Saito, Georgia State University College of Law; Dean Kristin Booth Glen, City University of New York.

Registration materials, hotel information, and a full description of the conference agenda will be mailed in late August. In the meantime, questions about conference logistics should be addressed to Damaris Marrero, NYU School of Law, 249 Sullivan Street, New York, NY 10012 1079 (212-998-6473, fax 212-995-4031, email: [damaris.marrero@nyu.edu](mailto:damaris.marrero@nyu.edu)). ■

## **SALT COMMITTEE PLANS SURVEY TO EVALUATE SCHOOLS' COMMITMENT TO DIVERSITY**

- Vernellia Randall  
*University of Dayton  
School of Law*

A recent study by AALS reports that "law professors across America believe that diversity in the classroom enhances their ability to deepen law students' understanding of law and the impact of the legal system on our society." Approximately "75% of law faculty believe faculty diversity is important to the mission of their law school". Yet, it is unclear how those beliefs are actualized.

Over the last year, working in conjunction with an advisory committee and the SALT Board, I have been developing a methodology to compile and publish information on law schools' commitment to diversity. Initially, the survey will focus on race and gender statistics. Eventually the survey will factor in sexual orientation and disability, and will address "climate" issues as well as numbers. The SALT Board plans to discuss the survey at its October Meeting.

Members of the advisory committee have been: Susan Brody, Victoria Dodd, Pamela Edwards, Ann McGinley, Beverly Moran, Vernellia Randall, Malinda Seymore and Mary Treuthart.

To accomplish this goal we will need the active participation of SALT members. Please contact me ([randall@udayton.edu](mailto:randall@udayton.edu)), or one of the other members of the advisory committee members, to volunteer your ideas or time on this project. ■



## AALS TASK FORCE ON RACIAL DIVERSITY SEEKS TO MAKE LEGAL EDUCATION MORE INCLUSIVE

- Phoebe Haddon,  
Temple University  
School of Law

During his tenure as President of the Association of American Law Schools, **Gregory Williams** identified diversity and equal justice themes for his presidency, urging AALS institutions to redouble their efforts to provide leadership and promote inclusion. As part of his commitment, **Dean Williams** created a Task Force on Diversity, co-chaired by Elizabeth Hayes Patterson (Georgetown) and **David Chambers** (University of Michigan). The Task Force continues its work. It is composed of faculty and administrators from law schools and includes liaison from "allied" organizations like LSAC. Perhaps not surprisingly, many of the Task Force members (like David Chambers) are also longstanding members of SALT, and the Task Force includes SALT Board members **Nell Newton** (Dean at Denver) and **Alfred Chueh-Chin Yen** (Boston College). I have been attending as SALT's Liaison.

In response to Dean Williams' charge, the Task Force has met twice and has worked by telephone, email and through a listserv, exploring ways that the AALS can provide leadership and support in promoting diversity and equal justice in legal education and the profession. At its first meeting the Task Force generated a rich list of ideas that could be translated into short-term, moderately long, and long-term projects. They included projects which continued work in which AALS had already become engaged, such as participating as amicus in current litigation concerning affirmative action, and more widely disseminating the results of an AALS survey on the impact of diversity in the classroom. The group also identified other ideas that would require increased collaboration with other like-minded organizations. For example, drawing on the work of the LSAC, the AALS might adopt Best Practices guidelines regarding the use of the LSAT; the AALS could also gather information on approaches undertaken by member schools which have been successful in attracting and maintaining students of color.

The Task Force recognized that while there were projects that could benefit from AALS' collaboration or leadership, other organizations might be better suited to take the lead in some circumstances because of their expertise or resources. One strength identified in AALS, however, related to data it already collected or could easily collect from legal education institutions. The AALS thus could foster research drawing upon that data.

For example, it could gather information on approaches undertaken by law schools that have been especially successful in attracting and maintaining large numbers of minority applicants and matriculants, or encourage studies on post-law school careers of minority law students like that undertaken by the University of Michigan. Recognizing the importance of maintaining a pipeline of students of color able to compete in professional schools and informed about how to be successful in them, the Task Force has identified a number of short and long-term projects that might address this goal.

While it has recognized there may be opportunities for AALS to sponsor conferences and workshops to expose faculty to diversity-related issues, the Task Force is also sensitive to the problem of duplicating efforts, given the limited resources which may be available from mem-

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*[AALS President] Gregory Williams identified diversity and equal justice themes ... urging AALS institutions to redouble their efforts to ... promote inclusion.*

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ber schools and other institutions. Thus it is important to consider ways in which AALS (as well as each participating organization) can collaborate with others. And each organization should be informed and mindful of what is going on elsewhere when it engages in its own planning. It may be that one of the most important functions that could be undertaken is developing a clearing-house for identifying activities and projects of organizations working on matters related to affirmative and law school admissions. This fall, for example, a Joint Diversity Workshop has been

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## WESTERN LAW TEACHERS OF COLOR AND ASIAN AMERICAN LAW TEACHERS HOLD FIRST JOINT CONFERENCE

- Eric Yamamoto  
*University of Hawaii,  
William S. Richardson  
School of Law*



SALT's generous support of the first joint conference of the Western Law Teachers of Color and Asian American Law Teachers, helped make the conference, held on the North Shore of Oahu, Hawaii, a resounding success. Many of SALT's board and general members participated, including **Sumi Cho, Avi Soifer, Marina Hsieh, Paula Johnson** and a host of others. The conference was held May 31-June 4, 2000.

The program approach was unique in that it blended law academics with activists and cultural practitioners from the community, drew heavily on the substantive and logistical work of students, and integrated culture and performance not as entertainment but as a way of learning.

Of partitioners note, legal and political issues of indigneous Hawaiians, and their impact



on our understandings of social justice, were explored not only by formal presentations and commentary, but also through documentary video,



by formal hula chanting and dance (by students and faculty) and by participation in a special ceremony with Hawaiian cultural practioners at a cultural site in the mountains overlooking the ocean. The four-day conference culminated with a mag-



nificantly choreographed cultural performance/engagement by **Sharon Hom** that had conference participants singing about justice in Chinese, following poetry readings linking large-screen cultural images and the past day's learnings, all pulled together with us dancing flamenco (by **Charles Calleros**) and hula (by student/teacher **Koa Paredes**)

We opened our eyes, minds, and enjoyed it, and each other, immensely. Much thanks to SALT. ■





## SALT IN CYBERSPACE

- Kim Dayton  
University of Kansas  
School of Law

Although things are taking a little longer than we had hoped, the Board is working to make the SALT website (<http://www.scu.edu/law/salt/>) even more useful and informative to the membership. The site's address will change soon to [www.saltlaw.org](http://www.saltlaw.org). but

### *Log on to SALT's New Website*

your old bookmarks will take you there even after the name change. New areas are being constructed within the SALT website. We hope that by year's end the current issues of *The Equalizer* and more back issues and articles will be available for download. Other features will include an online discussion forum, a book discussion forum, and on-line conference registrations. Please let us have your suggestions for how the site may be improved!

As reported in the last *Equalizer*, a SALT member listserv is now available. All dues-paid members may join the list by visiting the sign-up area of the SALT website ([www.scu.edu/law/salt/listserv/listserv.html](http://www.scu.edu/law/salt/listserv/listserv.html)).

### *Join SALT's Membership Listserv!*

Once your request to join is approved, you will be able to post to and receive messages from the list. If you make a request to join the list but your name does not appear on the most recent membership list, you will receive a message so indicating. If you think that your membership is still active, please contact David Chavkin, [dchavkin@wcl.american.edu](mailto:dchavkin@wcl.american.edu), to check on or update the status of your membership, and then contact Kim Dayton, [kdayton@ukans.edu](mailto:kdayton@ukans.edu), for an invitation to join the list. Your listserv membership confirmation may take a few days; thanks in advance for your patience. ■

## SALT EXPANDS

- Martha Chamallas  
University of Pittsburgh  
School of Law

By our latest count, there are over 680 members of SALT, a significant increase over the 149 who first became members in 1974. There are SALT members at 160 law schools, including tenure and non-tenure track teachers, clinicians, legal writing instructors, librarians and professionals in academic support. The Washington College of Law at American University has the most SALT members (26 faculty), followed closely by Boston College, Georgetown, NYU, Santa Clara and Temple.

### *SALT membership flyer available to recruit colleagues*

This year the Membership Committee (co-chaired by **Karen Czapanskiy** (Maryland) and **Martha Chamallas** (Pittsburgh)) has great expectations and hopes to enlist SALT members at every American law school. We wish especially to reach out to faculty members new to teaching and to reconnect with former SALT members who may not have had time to participate in SALT activities in the last few years.

Our one-page membership flyer has been updated to describe SALT's most recent conferences and action campaigns, including a list of winners of the SALT teaching award and the composition of the current SALT Board. If you would like either an electronic or hard copy version of the flyer to recruit colleagues, please contact Martha Chamallas, University of Pittsburgh, School of Law, 3900 Forbes Ave, Pittsburgh, Pa. 15260, [chamallas@law.pitt.edu](mailto:chamallas@law.pitt.edu). ■

#### **SALT NOTECARDS AVAILABLE**

Paula Johnson's SALT notecards from the Care March are still available. They cost \$20.00 for a set of 15 cards (3 copies of 5 different images). Sets come in black and white images, and color images. Order from Prof. Paula Johnson, Syracuse University College of Law, Syracuse, NY 13244, voice: 315-443-3363; fax: 315-443-4141; [pcjohnso@law.syr.edu](mailto:pcjohnso@law.syr.edu), [www.calabash-visuals.com](http://www.calabash-visuals.com). Make checks payable to SALT.



## SALT TESTIMONY LEADS TO RETHINKING OF BAR EXAM PROPOSAL

- Carol Chomsky  
University of Minnesota  
School of Law

As reported in the last *Equalizer* (The *Equalizer*, Volume 2000, Issue 2), SALT Co-President Carol Chomsky testified in March at a hearing before the Minnesota Board of Law Examiners in opposition to that Board's proposal to increase the passing score for the bar examination in Minnesota. SALT challenged the methodology used by the Board of Law Examiner's consultant, Stephen Klein, in his report advising that Minnesota raise its passing score from 260 to 270, and also raised questions about the discriminatory impact raising the score would have on the admission of applicants of color. In response to this and to similar criticism from the deans of Minnesota's three law schools and from representatives from Minnesota's minority bar associations, the Board of Law Examiners has acknowledged that serious questions have been raised concerning Klein's methodology and has asked the state Supreme Court for a six month delay in formal consideration of the Board recommendation. The Board has engaged Michael Kane, a psychometrician from the University of Wisconsin, to review Klein's study and advise the Board regarding a proper methodology for selecting a passing score and for ensuring lawyer competence. Kane's report is expected in late August or September.

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*[T]he [Minnesota] Board of Law Examiners has acknowledged that serious questions have been raised concerning Klein's methodology.*

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Meanwhile, on June 23, 2000, at the annual convention of the Minnesota State Bar Association, the MSBA General Assembly passed the following resolution: "Resolved that the MSBA oppose increasing the score required to pass the bar examination because it has not been demonstrated that increasing the score will increase competency of Minnesota lawyers and because the increase may disproportionately impact persons of color who sit for the bar exam."

The resolution was passed on a voice vote with only scattered opposition. It was sponsored by the Minnesota American Indian Bar Association, Minnesota Association of Black Lawyers, Minnesota Hispanic Bar Association, National Asian Pacific American Bar Association - Minnesota Chapter, and the MSBA New Lawyers Section. The MSBA President has since written to the Board of Law Examiners and to the Supreme Court asking that, in addition to reviewing the methodology of Klein, they review both the correlation between an increase in the bar exam and an increase in competency and the disparate impact an increase would have on lawyers of color.

We are confident that the consultant's report in Minnesota will confirm SALT's critique of Klein's efforts, in Minnesota and elsewhere, to promote increased passing scores and hope that the Board of Law Examiners will then withdraw its recommendation. Success in Minnesota would strengthen our hand if Klein appears as an advisor in other states, as he has already in Ohio and Florida. We applaud the efforts of **Joan Howarth**, **Eileen Kaufman**, and **Lisa Iglesias**, who have led SALT's critique of the bar exam, and of **Deborah Merritt**, Barbara Reskin (professor of sociology, Harvard University), and Lowell Hargens (professor of sociology, Ohio State University), who did much of the analysis at the core of SALT's position.

Stay tuned for more news. ■



### COMMEMORATIVE PHOTO ALBUM AVAILABLE

SALT Board member and co-President-elect **Paula Johnson** has photographed the Joint Conference of the Asian American Law Teachers and Western Law Teachers of Color Conference. A sampling of her photos appears in this issue. She has created a **Commemorative Photo Album** of the conference. To order a copy of the album, please contact Prof. Paula Johnson, Syracuse University College of Law, Syracuse, NY 13244, voice: 315-443-3363; fax: 315-443-4141; [pcjohnso@law.syr.edu](mailto:pcjohnso@law.syr.edu), [www.calabash-visuals.com](http://www.calabash-visuals.com). Cost is \$35. Make checks payable to Prof. Paula Johnson. ■



Admissions (**Theresa Glennon**, **Peter Margulies**, and **Jane Dolkart**) and in the Legal Profession (**Eileen Kaufman**, **Lisa Iglesias**, and **Joan Howarth**). We have been collaborating with **Vernellia Randall**, who is developing a survey to collect detailed information from law schools about the diversity of their faculties, staffs, and student bodies, information ignored by *U.S. News and World Report* in their much-criticized rankings of law schools (see the article by Vernellia on page 14 of this issue). **Carol Chomsky** helped assemble a small group of contracts specialists, including **Kellye Testy** and **Stewart Macaulay**, to consult with the Organization of American Historians about the controversy surrounding the OAH decision to move their convention from the Adam's Mark Hotel because of the hotel's discriminatory behavior against African Americans (see *May 2000 Equalizer*, p. 7).

Meanwhile, to help "spread the word" on SALT activities, **Kim Dayton** and **Margalynne Armstrong** continue updating and improving the SALT website (soon to be located at <http://www.saltlaw.org>), a constant and critical effort. We have also been exploring ways to share information about ourselves to create a more effective activist and support community. **Fran Ansley**, **Marina Hsieh**, **Sharon Hom**, and **Eric Yamamoto** have created a skills inventory for Board and other SALT members to identify interests, connections, and talents we may use collectively. **Martha Chamallas** and **Karen Czapanskiy**, co-chairs of the Membership Committee, are working to improve member recruiting to provide a strong base for all our activities.

We salute all of you who continue to engage in the day-to-day work that the SALT activist agenda requires, even as we recognize that the involvement level of our members and even our Board members will wax and wane as we collectively and individually balance the multiple demands on our time and energy.

You may have noticed one important omission from the list of ongoing SALT activities — the planning for the upcoming teaching conference, led by **Sue Bryant**, **Holly Maguigan**, **Amy Kastely**, **Doborah Post**, **Elvia Arriola**, and **Dennis Greene**. The conference — Teaching, Testing, and the Politics of Legal Education in the 21st Century (October 20-21, 2000) — will be the thirteenth conference SALT has held focused on progressive law

#### Chronology of SALT Teaching Conferences

**National Conference on the Future of Legal Education** - December 1976 - NYU

**National Conference on the Future of Legal Education** - February 1977 - San Francisco

**A Conference on Equality and A Conference on Goals in Law Teaching** - December 1979 - NYU

**Where's the Beef?** - December 1984 - NYU

**The Politics of Academic Freedom** - December 1987 - NYU

**Private Gain or Public Interest: The Struggle for the Soul of American Legal Education** - September 1990 - NYU

**Private Gain or Public Interest: The Struggle for the Soul of American Legal Education** - October 1991 - Stanford

**Re-Imagining Traditional Law School Courses: Workshops Integrating Class, Disability, Gender, Race, Sexual Orientation and Other Issues of Social Concern into Teaching and Course Materials** - May 1993 - NYU

**Re-Imagining Traditional Law School Courses: Workshops Integrating Class, Disability, Gender, Race, Sexual Orientation and Other Issues of Social Concern into Teaching and Course Materials** - October 1993 - Santa Clara

**Diversity in the Law School Curriculum** - September 1994 - Minneapolis/St. Paul

**Re-Conceiving Legal Pedagogy: Diversity in Classrooms, Clinics, Theory & Practice** - September 1997 - American Univ, Wash, DC

**Power, Pedagogy & Praxis: Moving the Classroom to Action** - October 1998 - Loyola, LA

**Teaching, Testing and the Politics of Legal Education in the 21st Century** -

teaching. Over the past twenty-five years, the conferences have led the legal academy toward more inclusive teaching, while providing a focus and forum for SALT in its own development. As we move forward to our next conference, we think it appropriate to look back briefly at the history of where we've been. (See box.)

As **Jean Love** has noted, "SALT has been doing teaching conferences almost from the day of its creation." The first one was held barely two years after SALT was founded, taking on no less a topic than "the future of legal education." The result was a 500-page symposium of articles and commentaries published in volume 53 of the *New York University Law Review*, introduced by SALT

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## A TRIBUTE TO OUTGOING *Equalizer* EDITOR MICHAEL ROOKE-LEY

Since volunteering to take over the editorship of *The Equalizer* in 1990, Michael Rooke-Ley, Willamette University College of Law, has devoted many hours to producing and shaping SALT's communication tool. As a tribute to Michael's work and contribution, I asked the SALT Presidents with whom Michael worked, as well as the SALT Historian, to reflect on Michael's tenure. What emerges from these brief paragraphs is a picture of a person with a vision for *The Equalizer* that has enhanced SALT's mission, and the interpersonal skills necessary to cajole articles from the talented and busy leaders of SALT. As I take over from Michael as editor, this picture inspires me. Thanks, Michael, for a wonderful job and valuable legacy!

-Eric S. Janus, *Equalizer* Editor  
William Mitchell College of Law

I don't own cats because I have allergies. But I know about cats, through my brief stints sneezing and wheezing while visiting friends who have and love cats. Cats are very individualistic. Cats have a clear vision about their place in the

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### *Herding cats ...*

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world (and on your lap, your favorite chair and your favorite sweater). A cat has its own direction, its own pace. You can't tell a cat what to do. You can only influence a cat.

Michael understood that while our Board may have many species—after all we are diverse—we are all part cat: beautiful, smart, visionary and individualistic. Michael Rooke-Ley had just the right approach to *The Equalizer*. He gently herded us into the vicinity of *The Equalizer*: Reminder after reminder after reminder—and then he applied just the right touch to get us to write our submission. Success in herding cats is excellent preparation for the job of co-president. And Eric—Good Luck! .

- Linda S. Green, Past-President  
University of Wisconsin School of Law



*The Equalizer*, under Michael's stewardship, has been a central source of SALT's stability and vision. As an eclectic organization, wholly dependent on the energy of its over-extended members, SALT lives on communication. In the last few years we do this more by e-mail. Still, The

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### *....central source of SALT's stability and vision*

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*Equalizer* is our newsletter of record, our primary means of reaching broader audiences, and our principle forum for talking seriously. SALT's gratitude to Michael cannot be overstated.

Michael combines a deep commitment to a radical vision of racial, economic and gender equality, with an eagle eye for errors of grammar and spelling. He tells us what we need to do, and reminds us that friends do not give friends false deadlines.

Apart from his extraordinary vision and awesome competence, Michael is a magnificent and fascinating person. At a SALT meeting or other conference, spending time with Michael -- taking a walk or watching a view - is a high priority for me. Always rewarding.

Michael is a straight, white man in an organization that has wisely reached out to be dominated by women, people of color, and gay people. He has made life choices that have not awarded



status in a profession dominated by hierarchy. Michael is a prince who celebrates this diversity.  
- Sylvia Law, Past-President  
New York University School of Law

I was very relieved when I learned that Michael Rooke-Ley would be the new editor of

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*... great powers of imagination and intellectual strength*

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The *Equalizer* back in 1990. Not that I knew Michael at that time, but I was very aware of how difficult it would be to find someone to take on such a time-consuming, exacting position and continue the same high standards set by former *Equalizer* editor **Charles Calleros**. I was soon to find out how lucky we really were in having Michael as the editor. Not only did he bring great powers of imagination and intellectual strength to the task, but he did so in a way that respected and encouraged those writing for our newsletter. SALT is an organization that is run by volunteers, and busy volunteers at that. It is all too easy to let *Equalizer* deadlines pass by when there are classes to teach and other writing obligations to fulfill. Michael addressed the problem of tardy article writers in a uniquely direct but humane fashion. Whenever he would give assignments for articles and the date by which they should be submitted, he always finished with the line "Remember, friends don't give friends artificial deadlines". In this way, he would gently remind all of us that our tardiness would not only be letting down SALT but would be letting down our friends at SALT. I, for one, always appreciated this reminder, and was always grateful for the way in which it was conveyed.

- Joyce Saltalamachia, SALT Historian  
New York Law School

When **Chuck Calleros** stepped down as editor of *The Equalizer*, I remember experiencing a moment of panic. The newsletter was essential to SALT and Chuck had done a terrific job. Then Michael stepped in to save the day. He not only wanted to serve as editor, but he had a vision of bringing the newsletter to a new level, a vision that soon became a reality. The *Equalizer* now contains columns that are more substantive. In one

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*Issue on Affirmative Action  
distributed to Congress*

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special issue dealing with Affirmative Action, the contributions were so valuable that we elected to distribute copies to Congress. By the time Jean Love and I became co-Presidents, *The Equalizer* was running smoothly and Michael's extraordinary organizational skills made Jean's and my job ever so much easier. Michael is the only person I know who is always absolutely delighted to hear from you even when you're asking for a slight extension on a deadline. And he makes you feel like a saint when you follow through doing no more than you had promised to do in the first place.

- Pat Cain, Past Co-President  
University of Iowa College of Law

Michael Rook-Ley's influence on SALT has not only been profound, it is much more complex than one who has not had the privilege of working closely with him might imagine. His qualities as an editor - including riding herd on an often undisciplined group of contributors and nudging along the production of creative work - is well known by now. But what has also

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*[He] transformed The Equalizer into  
a communication tool more deeply  
reflective of the socially and politically  
important work of SALT*

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emerged during his tenure as editor and Board participant is a much more colorful portrait of Michael as both a rugged individualist and a person dedicated to the values of SALT with a long history of working with others for social justice.

To be sure, his commitment transformed *The Equalizer* into a communication tool more deeply reflective of the socially and politically important work of SALT. But he has also challenged Board members to move beyond their own

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parochial notions about the meaning of our work. For example, Michael's well spoken advocacy for awarding the 1998 Human Rights Award to Dr.



Jesse N. Stone, Jr., the former dean and professor at Southern University Law Center, exposed many of us to rich insights about the early civil rights work in Louisiana that deserved commemoration.

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*Members complain when they don't get their copy [of The Equalizer].*

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It also reminded us of the many civil rights workers who have not received national recognition, though they toiled mightily in the vineyards, and that it is on their shoulders that we continue to labor. For me it is not surprising that Michael's leadership in SALT has increased as we have come to understand his strengths, including passion, tenacity and thoughtfulness.

- Phoebe Haddon, Past Co-President  
Temple University School of Law

I first met Michael at a SALT event, where he told me he taught sex discrimination and the

law. My initial reaction was skepticism; I had not met many men who regarded sex discrimination as a serious issue, let alone serious enough to teach. But Michael patiently explained that the student interest was high and no one else at his school was willing to teach the course. Michael's commitment to both students and the provision of needed information animated his teaching. He brought this vision of providing needed information for the community to his SALT work, where

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*We in SALT, and everyone in legal education, are indebted to Michael for his commitment.*

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his tenure as editor enhanced the tradition of The Equalizer. Members complain when they don't get their copy.

Michael, like many of us in SALT, has not always chosen to tread the conventional path through the minefields of the academy. But we are all enriched by the presence of Michael Rooke-Ley, who is a gifted teacher, writer, and colleague.

Thanks Michael.

- Stephanie Wildman, Past Co-President  
University of California Berkeley School of Law (Boalt Hall)

When Michael started as the editor of The Equalizer, he was known as **Michael Burns**. Today, he is Michael Rooke-Ley. There has been little confusion for me, however. I always have known him as "the nudge."

Michael was a meticulous and dedicated editor of The Equalizer. His issues were planned well in advance. He parceled out writing assignments and then incessantly followed up to make sure they were completed. He made certain that I was on target with the SALT Salary Survey. Everyone in my office feared his wrath if we missed a deadline.

Every organization needs a way of communicating with the outside world. The Equalizer has been a most valuable means of communication for SALT. Michael has insured that The Equalizer is relevant, current, and interesting. Under his editorship, The Equalizer has reached new heights.

We in SALT, and everyone in legal education, are indebted to Michael for his commitment.

- Howard Glickstein, Past-President  
Touro College, Jacob D. Fuchsberg Law Center



## FIRST MONDAY TO FOCUS ON GUN VIOLENCE - SALT CO-SPONSORS EVENTS

SALT is once again joining forces with the Alliance for Justice's First Monday team, this year to focus attention on the epidemic of gun violence in the U.S. The Alliance for Justice is an association of advocacy organizations working to advance the cause of social justice. The First Monday campaign forms a critical piece of this agenda by promoting education and action in the public interest, and in particular by bringing together law practitioners, professors, students, and judges to use law as a tool to foster activism and change. SALT members can help ensure the presentation of a vibrant First Monday program in their communities.

Since 1994, law schools, firms, legal organizations, and bar associations have worked with the Alliance to organize events on the first Monday in October to coincide with the opening of the US Supreme Court term. These First Monday events feature a 30-minute documentary directed by an award-winning film maker and produced by the Alliance for Justice. First Monday focuses on a different justice issue every year, ranging from immigration to the death penalty to housing and homelessness.

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*This year, First Monday is turning  
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issue of gun violence.*

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This year, First Monday is turning to the pressing and very timely issue of gun violence. This campaign promises to be a particularly exciting one, both because the public mood is ripe for action and because of the coincidence between the October First Monday activities and the November national elections, which promise to keep the issue in the spotlight.

Americans are dying in huge numbers from guns - over 32,000 died last year - and the public demand for action to prevent future deaths is growing. One primary goal of the campaign is to broaden the debate on gun violence and on appropriate public responses to it. Media coverage of the subject, although heavy, has been superficial. The First Monday film, which provides

more in-depth analysis of specific incidents of gun violence and their effects in three U.S. cities as well as overall statistics and commentary, will supplement the currently available information and put a personal face on the numbers.

Over the years, SALT members have played a leadership role in coordinating the First Monday events on campuses. The Alliance for Justice is eager to assist with additional background information, printed and internet resources, professional and academic contacts, examples of events that your school could coordinate, and any other support you require. Please see the campaign's website, at <http://www.firstmonday2000.com>, for information on getting involved, planning an event, and sharing ideas. If you would like further information, or if you want to request a copy of the film, which will be completed in late August, please contact Elaine Weiss, the Coordinator of the First Monday 2000 law programs, at (202) 822-6070, by fax at (202) 822-6080, or by email at [Elaine@afj.org](mailto:Elaine@afj.org). ■



*continued from page 3- AALS TASK FORCE*

planned, "Action and Accountability: Diversity Imperatives for a New Century," sponsored by AALS, the ABA and LSAC. The workshop will be held in Denver Colorado on October 5-7, 2000.

In preparation for its work, the Task Force drew together a bibliography on recent writings related to diversity, affirmative action and "pipeline" strategies that may be valuable quite apart from any action AALS agrees to undertake. The Task Force also met with representatives of other organizations that are challenging retrenchment efforts and it became apparent that these kind of exchanges may prove helpful as we consider new strategies and define next steps. Thus it seems important for SALT to continue to play a role in this Task Force work.

If you have ideas about how the Task Force can be responsive to Dean Williams' charge, or have thoughts about resources from which it may draw, don't hesitate to communicate them to SALT co-Presidents Margaret Montoya and Carol Chomsky or email Phoebe A. Haddon at [phaddon@vm.temple.edu](mailto:phaddon@vm.temple.edu). ■



*continued from page 9 - President's Column*

President **Howard Lesnick**. President Lesnick identified three major areas addressed at the conference and in the symposium: How should legal education respond to developing changes in the legal profession? What has the teaching of law to do with justice? What can law school teach about the relation of law students as human beings to their identity as lawyers? These issues, he said, are complex and difficult, and the legal academy cannot afford "to continue to push these issues to one side as too peripheral, too intractable, too divisive,

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*[O]ver the past twenty-five years, the conferences have led the legal academy toward more inclusive teaching, while providing a focus and forum for SALT in its own development.*

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or too political." 53 N.Y.U.L. Rev. at 295.

In 2000, some of the same issues remain, while new issues have surfaced, and for the past twenty-five years SALT has consistently and regularly provided a forum for naming and addressing them. The power of the SALT critique can be appreciated in part simply by noting the names of those who have participated. Even a partial list of conference planners and presenters constitutes a veritable Who's Who of progressive law professors: **Tony Amsterdam, Derrick Bell, Haywood Burns, Paulette Caldwell, David Chambers, Clare Dalton, Norman Dorsen, Gerald Frug, Stephen Gillers, Ruth Bader Ginsburg, Duncan Kennedy, Charles Lawrence, Howard Lesnick, Gerald López, Carrie Menkel-Meadow, Rhonda Rivera, Margaret Russell, Jack Schlegel, Marjorie Shultz, Patricia Williams, Wendy Williams, Zipporah Wiseman** - with apologies to the many others not included here!

Like many of the subsequent gatherings, the 1976 conference was supported both financially and otherwise by the deans, administration, and faculty of NYU. NYU set a standard of providing funds, free space, and administrative support that has been followed by other law schools, allowing SALT to keep its conferences affordable to all. We are grateful for the institutional and individual support that has been repeatedly demonstrated by NYU and the other sponsoring schools.

It would be difficult to exaggerate the importance of SALT's teaching conferences to the development of progressive teaching methods and



innovative skills among the hundreds of law professors who have planned and participated in these meetings. In all its conferences, SALT sought to include as presenters both junior and senior faculty, both those who were well-known and those who were just beginning to make their marks - anyone who had innovative ideas to share, who brought an inclusive ethos to their teaching, or were interested in helping facilitate conversations about cutting edge theories and methodologies. The conferences were designed to provide space for faculty members to challenge their own conceptions, to explore new ideas, to work together to improve their teaching.

The SALT teaching conferences always had a political cast to them, as reflected in Howard Lesnick's comments, but, according to the recollection of **Sylvia Law**, they became more overtly so when **Claire Dalton** was denied tenure at Harvard in 1987, which many people attributed to her feminist views and her association with Critical Legal Studies. The SALT conference in December that year, entitled "The Politics of Academic Freedom," focused on the "continuing controversy stirred by recent criticism of the role of critical legal studies in law schools" and on law school "receptivity to the contributions of women and minorities on their faculties." (*The Equalizer*, October 1987) It provided an opportunity for participants to share



their own concerns about academic freedom and to seek strategies for struggling against, or at least coping with, the political pressures of being an outsider. As David Chambers recalls, "the issue looked very different to teachers at conservative public schools in the South and Great Plains than it did to many of us insular and spoiled folks up

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*[In the upcoming October 2000 conference,] participants will consider how critical theory, skills and practices inform our teaching and affect our institutions*

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north." Subsequent conferences have continued to raise political questions that grow out of our role as progressive activists seeking to be responsive to our multicultural classrooms.

The 1990 and 1991 conferences focused on the law schools' role in "sensitizing and training students to meet their professional responsibility to serve the public interest" (The *Equalizer*, December 1990), emerging with lengthy lists of concrete actions to be taken by law schools to promote public interest lawyering among their students. Beginning in 1993, the SALT conferences regularly focused on how to incorporate diversity in our teaching, both in our methods and in the substance of what we teach. Though all were similar in concept, each conference built upon the knowledge and understanding that emerged from the previous gathering, taking us further each time towards truly inclusive teaching. In addition, each conference routinely included subject matter breakout groups, so teachers could work in small groups to explore how better to integrate class, disability, gender, race, and sexual orientation into our classrooms. In 1997, the conference added demonstration sessions to the small group format so that participants could see as well as talk about new ideas in action. In 1998, in the aftermath of the Hopwood decision and other backlash against affirmative action, the conference combined talk about teaching with training in organizing skills to help us fight back.

The upcoming 2000 SALT teaching conference continues the tradition of concentrating on teaching skills and methodologies while exploring important political aspects of the legal academy. This time, participants will consider how critical theory, skills and practices inform our teaching and affect our institutions, with special focus on the politics of testing, particularly the use of the LSAT and bar exam and the implications for how we teach and test. (See article p. 8) As always, there will be opportunity to talk about hard issues, to share concerns and ideas, to find colleagues who share your hopes and struggles, to leave feeling energized and part of a progressive teaching community.

For decades, SALT has occupied a central position within legal academia in the preparation and development of the professoriate, especially with regard to issues of diversity. SALT has been successful in maintaining issues of inclusion, social justice, and public interest work at the center of the profession's agenda through its conferences focused on pedagogical innovation. The teaching conferences themselves have benefited from the interplay between the plentiful individual talent and energy of SALT members and the organization's network of contacts, its financial resources, and its flexible governing structure. And, perhaps most importantly, the conferences have provided a place for faculty to talk honestly, to struggle together, to create a true community of *teachers*. The *Equalizer* coverage of the conferences regularly included both descriptions of the events by the conference organizers and articles from first-time attendees sharing their reactions, mostly positive but sometimes also critical, prodding us to continue to make our own events more inclusive and welcoming. **Phoebe Haddon** recalls attending her first SALT teaching conference and discovering the "dramatic difference" from AALS meetings, "not only because teaching was the focus," (something that the AALS finally followed in 1995), "but also because there was a level of humility and introspection even among the most seasoned teachers; and friendliness - not merely professional networking - was a hallmark."

So come join us as we renew ourselves and our commitment to progressive teaching. Mark these dates on your calendar: OCTOBER 20 & 21, 2000. Circulate an energetic email to your colleagues encouraging them to attend the conference. If you have time, contact the committee members and volunteer to help. See you in NYC in the Fall! ■



## SALT MOURNS THE LOSS OF LONG-TIME TREASURER STUART FILLER



Stuart Filler died suddenly at his home in Puerto Rico on July 20, 2000. He was 55 years old. He had retired from teaching and from his 20-year role as SALT treasurer in 1995. On his retirement, the SALT Board of Governors passed a resolution honoring him "for his long term commitment to SALT and to the public interest." The Board established the Stuart Filler Fellowship Fund in his honor, "to provide financial support for students who wish to practice public interest law." Now, at the time of his death, SALT invites his friends and colleagues to remember him with a gift to this fund (see box).

Upon his retirement, Stuart and his wife Ellen moved to Rincon, Puerto Rico. He began working with one of his former law students, and together they started the Linden Group, which focused on developing lower-middle income housing programs through the use of tax credits. The program provided affordable, quality housing, and also provided funds for community development corporations which manage the projects. Stuart's organization developed \$40 million in housing in Puerto Rico during the past five years. Included was a \$13 million project for people with HIV.

Stuart also helped his wife Ellen create ARF - Animal Rescue Foundation -- and worked with the Ecological League of Rincon against over-development.

SALT co-President **Carol Chomsky** wrote in a note of condolence to Stuart's widow Ellen: "Stuart gave of himself to so many for so long, both before and after his 'retirement.' For many of us, he was the face - and voice! - of SALT for two decades." And co-President Margaret Montoya added: "We can help keep alive his spirit and

## HONOR STUART FILLER AND PROVIDE SUPPORT FOR PUBLIC INTEREST INTERNSHIPS

The Stuart Filler Fellowship Fund provides financial support for law students who wish to practice public interest law. Your contribution will honor Stuart, who died on July 22, 2000, and will provide stipends for one or two law students for summer employment with public interest agencies. If you wish to contribute, please send your contribution, made payable to SALT, to Norm Stein, SALT Treasurer, University of Alabama, 101 Paul Bryant Drive East, Box 870382, Tuscaloosa, Alabama 35487.

commitment though our current SALT work that builds on the foundation laid by Stuart and others."

Past co-President Pat Cain said "He was always there for the little guy and he loved using his vast knowledge of tax law to help spread the wealth around."

Upon Stuart's retirement, Pat, who was then co-President, wrote a cover article for *The Equalizer*, which is excerpted here:

*For the past 20 years Stuart Filler has processed your SALT membership dues, maintained the SALT budget, warned the Board of Governors against over-spending, reserved you a space at the annual SALT dinner and cajoled countless hotels, restaurants and caterers into providing SALT dinners to fit the occasion and into including extra spaces for those of you who made last minute plans. He prepares and files the SALT tax return. He oversees the budget for each SALT teaching conference. And now Stuart is retiring from teaching law and from being the SALT Treasurer. My first reaction to this news was hysteria - who would be willing to take dinner reservations during the AALS meeting up until the day of the dinner? My second reaction was a sense of loss: what would a SALT dinner be like without Stuart's warmth and humor?*

*For those of you who do not know Stuart well, there are some other things you should know. He is a tax teacher who loves the classroom and who believes his students should know something about how the tax structure and the economic system affects the distribution of wealth and the maintenance of poverty. He started the first major tax clinic in the country. The clinic provided necessary services to low-income taxpayers and encouraged law students who planned to work in commercial areas to learn skills they could not get in the*



classroom. His students honored him this year for his dedication to teaching. They also voted him to be their graduation speaker.

During his time in Bridgeport before his retirement, Stuart worked with a group called Youth at Risk with at-risk kids in the worst high schools. According to his son David, Stuart hoped to convey the message that the "American Dream is available." He was also on the board of a group that established group housing for people with disabilities.

Son David summed it up: "He was a guy who was trying to save the world." ■



## SALT SEEKS NOMINATIONS FOR TEACHING AND HUMAN RIGHTS AWARDS

The SALT Awards Dinner Committee seeks nominations for two SALT Awards.

The **SALT Teaching Award** is an annual award to honor the lifetime accomplishments of a person who has made a special contribution to the teaching mission of the legal academy. The most recent recipients: **Marjorie Schultz, Tony Amsterdam, Jim Jones, W. Haywood Burns, Barbara Aldave, Trina Grillo.**

The **SALT Human Rights Award** is not an annual award, but is given periodically to recognize the extraordinary work of an individual in advancing the principles of equality and equal access to legal education, the legal profession and legal services. The Human Rights Award was created after the death of **Shanara Gilbert**, who died in the cause of human rights in South Africa, having worked to bring insights and resources from U.S. clinical legal education programs to South Africa.



The recipients of the Human Rights Award have been Jesse Stone, Jr., and Barney Frank.

Nominations should be sent to

**Cynthia Bowman**

Northwestern University School of Law 357  
East Chicago Avenue Chicago, IL 60611  
voice: 312-503-6607, fax: 312-503-2035  
[cgbowman@nwu.edu](mailto:cgbowman@nwu.edu)

Deadline for submissions: September 10, 2000. ■

## SOCIETY OF AMERICAN LAW TEACHERS MEMBERSHIP APPLICATION (OR RENEWAL)

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

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