

AALS MINORITY GROUPS SECTION NEWSLETTER



AALS

DECEMBER, 2011



[Derrick Bell](#)
[1930 – 2011](#)

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Listserv: E-mail Lgibbon@utnet.utoledo.edu to subscribe

**2010-11
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AUDREY MCFARLANE



University of Baltimore

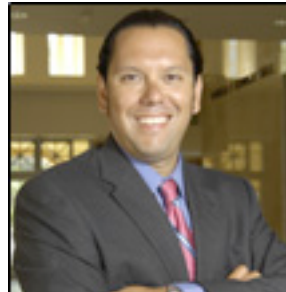
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**MESSAGE
FROM THE 2010-11
OUTGOING CHAIR:**

Dear Colleagues,

We have much to celebrate this year, including new members of this section who have joined the academy, several of our colleagues who have become Deans and Associate Deans, and several who have been tenured. Outside of the legal academy we celebrate the number of members of the minority community who have been appointed as judges and leaders in law.

We also grieve the passing of members of this community, including Professor Keith Aoki and Professor Derrick Bell. There are others - and we will remember them at our luncheon at the AALS meeting in January.

This has been a challenging year for legal education. A drop in law school applications, a shrinking and changing private and public sector job market, greater oversight by regulators, increased scrutiny of our programs, including employment and career data, bar passage and other information, in the media and by politicians, particularly those of us at public institutions, have resulted in tremendous challenges for all of us involved in training the next generation of lawyers. These challenges are not confined to the legal academy; they mirror the enormous financial difficulties unleashed in the wake of the financial crisis, in the United

States and internationally. But these challenges for law schools provide significant opportunities for rethinking some of what we do in our respective programs, building on our strengths and reducing our limitations.

However we meet these challenges and take advantage of the opportunities that they generate, as Chair of the Section on Minorities I am heartened by the innovation and leadership demonstrated by members of this section, particularly the deans who are members of this section. One of these challenges will be the subject of a panel at the AALS meeting, namely, how we continue to foster diversity and excellence during challenging economic times. In particular, we wish to pursue concerns about the contemporary economic situation's impact on law schools and the pressures generated by the annual law school rankings conducted by U.S. News & World Report. The panelists will address numerous questions, including the following: What is the effect of the economic crisis on those wishing to enter the legal profession? How do mandatory grade curves and merit scholarships affect recruitment and retention of students? How do the proposed changes by the American Bar Association to security of position standards affect hiring and retention decisions?

The Section will also host another panel entitled Minority Conservatives and their Impact on Legal Theory. In this panel we will examine the American Constitution and Bill of Rights, which were drafted in response to historical imperatives and which remain embedded

in particular historical moments. How to interpret the text of the Constitution and Bill of Rights continues to be a major source of conflict among scholars, lawyers and judges, with those who favor an originalist approach pitted against those who see the Constitution as a living document, responding to contemporary realities. This panel promises to be engaging and lively one.

I hope to see many of you at both panels.

I pass the baton of Chair to Professor Audrey McFarlane and thank Professor Llew Gibbons who will be stepping down as a member of the Committee. I applaud Professor Xuan-Thao Nguyen who is the Chair-elect. Many thanks to the current members of the Committee who perform all the unseen tasks.

I am very proud to be a member of the Section on Minorities. I wish you all Happy Holidays and all the best for 2012.

**PENELOPE (PENNY)
ANDREWS**

2011-2012 Minority Section Chair
Associate Dean for Academic Affairs
and Professor
CUNY School of Law



**MESSAGE FROM THE
2012-13 INCOMING
CHAIR:**

Dear Colleagues,

I am looking forward to serving as Chair of the Minority Section. I want to begin by thanking Professor Penny Andrews and Professor Llew Gibbons for their leadership of the section in the past two years, as well as members of the Minority Section Executive Committee who work to ensure that issues affecting our section are dealt with in a thoughtful and constructive manner. I am honored to be in their company, and admire their commitment to our endeavors as law professors and their commitment to law as serving the ends of service and social justice.

I will be thinking about topics for the 2013 meeting, and would like to solicit thoughts from members of the section as to issues that we should focus on for the section meeting. Areas of interest include the economic downturn and its continuing deleterious impact on minority communities - what and should law reform look like in light of today's realities. Perhaps assembling a panel discussion where we identify one rule or doctrine that we would reform that might help. Another possible idea is to explore the use of "terrorism" and "illegality" or "criminality" as a basis of heightened surveillance, imprisonment or banishment.

I look forward to the Minority Section meeting in Washington DC and

exploring these issues, and others, as we plan the 2013 meeting.

Many thanks are owed to Prof. Larry Backer for producing this newsletter annually. It's no small task - and he does it with grace and panache.

AUDRE Y. MCFARLANE
2012-2013 Minority Section Chair
Professor of Law
University of Baltimore School of Law



THE CLYDE FERGUSON AND DERRICK A. BELL, JR. AWARDS: RECIPIENTS AND AWARD PROCESS

The 2011 Section awards in honor of Clyde Ferguson, Jr. and Derrick A. Bell, Jr. are a perfect bookend for the month of January as we take stock of the past year and strive to achieve our hopes and dreams in the New Year. The Clyde Ferguson Award is named in honor Professor C. Clyde Ferguson, Jr., the second tenured African American on the Harvard Law School faculty, and is presented to an outstanding law teacher, who in the course of his or her career has achieved excellence in the areas of public service, teaching and scholarship.¹ The Clyde Ferguson Award recognizes a career of outstanding achievement, and the Section is honored to present the 2011 award to Twila L. Perry, Professor of Law and Judge Alexander P. Waugh, Sr. Scholar at Rutgers-Neward School of Law and Keith Aoki,

¹The life and work of Professor Ferguson are eulogized in A. Leon Higginbotham, Jr., C. Clyde Ferguson, Jr., *An Irreplaceable Scholar and Friend*, 97 HARV L. REV. 1272-1275 (1984).

Professor of Law at U.C. Davis Law School (awarded posthumously).

Clyde Ferguson Award:

Twila L. Perry



Keith Aoki



The Derrick A. Bell, Jr. Award is named in honor of Professor Derrick A. Bell, Jr., the first tenured African-American on the Harvard Law School faculty (now at New York University Law School), and it honors a junior faculty member who, through activism, mentoring, collegueship, teaching and scholarship, has made an extraordinary contribution to legal education, the legal system or social justice. The Derrick A. Bell, Jr. award recognizes an a new member of the academy who has already demonstrated excellence and who shows

promise for continued extraordinary achievement. This year, the Section is honored to present the 2011 Derrick A. Bell, Jr. Award to Song Richardson, Associate Professor of Law, American University Washington College of Law.

**Derrick Bell Award:
L. Song Richardson**



The awards and nomination procedures employed in 2011-2012 Section Year are described below.

The Executive Committee for the AALS Minority Groups Section sought your input. The Section received nominations for the Clyde Ferguson Award and the Derrick A. Bell, Jr. Award. Nominations were received through October 28, 2011. After consideration of a number of excellent nominees, on behalf of the Section Executive Committee, the Section Chair, announced the recipients of the awards for 2011 in December 2010 via its Section Listserv and also in this Newsletter.

The announcement and solicitation of nominations is reproduced below:

The Executive Committee for the AALS Minority Groups Section invites nominations for the Clyde Ferguson Award

and the Derrick A. Bell, Jr. Award. A description of each award can be found below. The deadline for submitting nominations is Friday, October 28, 2011. The recipients of the two awards will be announced at our Annual Meeting luncheon in Washington, DC and on the AALS Minority Groups section listserv. Nominations should be made in writing in the form of a short letter or e-mail message describing why the nominee should win the award. Email submissions are preferred. Nominations should be sent to either:

S. David Mitchell
Associate Professor of Law
University of Missouri School of Law
318 Hulston Hall
Columbia, MO 65203
mitchellsd@missouri.edu

OR

Eboni S. Nelson
Associate Professor of Law
University of South Carolina School of Law
711 South Main Street
Columbia, SC 29208
nelsones@law.sc.edu

Clyde Ferguson Award

The Clyde Ferguson Award, named in honor Professor C. Clyde Ferguson, Jr.-the second tenured African American on the Harvard Law School faculty-is granted to an outstanding law teacher, who in the course of his or her career has achieved excellence in the areas of public service, teaching and scholarship. The life and work of Professor Ferguson are eulogized in A. Leon Higginbotham, Jr., *C. Clyde Ferguson, Jr., An Irreplaceable Scholar and Friend*, 97 HARV. L. REV. 1272-1275 (1984). Biographical archives can be found on-line at

<http://oasis.harvard.edu:10080/oasis/deliver/~law00139>.

The Award is particularly aimed at law teachers who have provided support, encouragement and mentoring to colleagues, students, and aspiring legal educators. All current and former professional legal educators are eligible including administrators, librarians, clinical faculty, legal writing teachers, tenure track and tenured faculty, as long as they have served more than seven years in legal academia at the time of the Award.

The former winners are: Michael Olivas (1992), Jim Jones (1993), Paulette Caldwell (1994), Richard Delgado (1995), Taunya Banks (1996), Neil Gotanda (1997), Jerome Culp and Margaret Montoya (1999), Joyce Hughes (2000), Ken Nunn (2001), Frank Valdes (2002), Robert Belton (2003), Kevin Johnson (2004), Emma Coleman Jordan (2005), Stacy Leeds (2006), John O. Calmore and Ralph Smith (2007), Angela Harris and Berta Hernández Truyol (2008), Adrien Wing and Bob Chang (2009), Angela Davis (2010), and Henry McGee (2011).

Derrick A. Bell Award

The Derrick A. Bell, Jr. Award, named in honor of Professor Derrick A. Bell, Jr.-the first tenured African-American on the Harvard Law School faculty (now at New York University Law School)-honors a junior faculty member who, through activism, mentoring, collegueship, teaching and scholarship, has made an extraordinary contribution to legal education, the legal system or social justice. More information about Professor Bell can be found on-line at the following website:
<http://its.law.nyu.edu/faculty/profiles/index.cfm?fuseaction=cv.main&personID=19776>.

All current professional legal educators are eligible including administrators, librarians, clinical faculty, legal writing teachers, and

tenure track faculty, so long as they have not received tenure and have served seven years or less in legal academia, at the time of the Award.

Former winners are: Sumi Cho and Peter Kwan (2000), Christine Zuni (2001), Devon Carbado (2002), Leti Volpp (2003), Spencer Overton (2004), Camille Nelson (2005), Angela Onwuachi-Willig (2006), Karima Bennoune (2007), Mario L. Barnes (2008), Kaaryn Gustafson (2009), Melissa Murray (2010), and Rose Villazor (2011).

No one currently on the AALS Minority Groups Section Executive Committee may be nominated. Current members are as follows: Chair, Penelope Andrews, City University of New York, Chair-Elect, Audrey G. McFarlane, University of Baltimore, Executive Committee, Llewellyn J. Gibbons, University of Toledo, Ernesto A. Hernández-Lopez, Chapman University, Dayna B. Matthew, University of Colorado, S. David Mitchell, University of Missouri, Eboni S. Nelson, University of South Carolina, Xuan-Thao Nguyen, Southern Methodist University, and Eloisa C. Rodriguez-Dod, Nova Southeastern University.

Note of Consideration

Sometimes, a nomination may not move forward because of a lack of information. Anyone eligible for either award will have an exceptional record of achievement as a scholar, teacher, mentor, and in service to the community. The Executive Committee strongly urges anyone who is considering nominating a candidate for either award to consider encouraging others to write letters in support of that nominee so that the Executive Committee can properly evaluate the nomination. Letters from individuals who can comment on different aspects of the nominee's many achievements are especially helpful. If you have nominated someone in

the past for either award that is still eligible for that award, the Executive Committee strongly encourages you to consider re-nominating that person for the appropriate award. Finally, if there is an appropriate person, please consider nominating an administrator, a librarian, or a legal writing or clinical professor. These individuals are unsung heroes who make a daily difference in the lives of our students, the law school, and the larger community. But often, they do not receive the same recognition as tenured or tenure-track faculty

Thank you.

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NOMINATIONS TO THE EXECUTIVE COMMITTEE

If you are interested in serving on the Section Executive Committee, please inform the current or incoming chair via email: Penelope (Penny) Andrews, andrews@mail.law.cuny.edu or Audrey McFarlane, amcfarlane@ubalt.edu.

The duties include: (1) approving annual meeting panels; (2) selecting the Clyde Ferguson and the Derrick A. Bell, Jr. award winners; (3) selecting new members of the Executive Committee; (4) coordinating with the newsletter staff to get the newsletter out in a timely fashion; (5) managing the section's webpage; (5) organizing the section luncheon; (6) overseeing the section mentorship program; (7) overseeing the staffing of the section suites at the New Law Teachers Workshop and at the Faculty Recruitment Conference; and (8) should the need arise, changing the Section's bylaws.

The slate of proposed members of the Executive Committee for the upcoming year is described in the next section.

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SCHEDULE: MINORITY GROUPS SECTION EVENTS AALS CONFERENCE 2012:

This year the Section will be sponsoring or co-sponsoring three excellent programs in Washington, D.C. Times and topics are set out below:

MINORITY SECTION PROGRAMS AALS 2012

Friday January 6th - 10.30 a.m. to
12.15 p.m.

Minority Conservatives and Their Impact on Legal Theory

The American Constitution and Bill of Rights were drafted in response to historical imperatives and remain embedded in particular historical moments. How to interpret the text of the Constitution and Bill of Rights continues to be a major source of conflict among scholars, lawyers and judges, with those who favor an originalist approach pitted against those who see the Constitution as a living document, responding to contemporary realities.

Moderator:

Penelope Andrews, City University of
New York School of Law

Speakers:

Christopher Bracey, The George
Washington University Law School

Sherrilyn Ifill, University of Maryland School of Law
Ruthann Robson, City University of New York School of Law
Christopher Bracey, The George Washington University Law School
Terry Smith, DePaul University College of Law

Phoebe A. Haddon, University of Maryland School of Law
Rufina Hernández, Associate Director, External Partnerships/Advocacy, National Education Association, Washington, DC
Jerome M. Organ, University of St. Thomas School of Law
Deborah W. Post, Touro College, Jacob D. Fuchsberg Law Center

Sunday January 8th - 9.00 to 10.45 a.m.

Fostering Diversity and Excellence during Challenging Economic Times

This panel takes to the next level the debate regarding the current economy's impact on law schools and the pressures generated by the U.S. News & World Report annual law school rankings. The panel discussion is designed around the beliefs that excellence, diversity, and core values will guide us in meeting these challenges and responding to these pressures. The panelists will address numerous questions, including the following: What is the effect of the economic crisis on those wishing to enter the legal profession? How do mandatory grade curves and merit scholarships affect recruitment and retention of students? How do the proposed changes by the American Bar Association to security of position standards affect hiring and retention decisions? We know that our distinguished moderator and outstanding speakers will provide a lively and thought-provoking session.

Moderator:

Dorothy Andrea Brown, Emory University School of Law

Speakers:

José M. Gabilondo, Florida International University College of Law

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**MINORITY SECTION
BUSINESS MEETING
AGENDA**

Please Participate

The Business Meeting will take place right after our first panel on *Minority Conservatives and Their Impact on Legal Theory* which is scheduled for **Friday, January 6th, from 10:30 A.M. to 12:15 p.m.** That meeting should run about twenty minutes..

**MINORITY GROUPS SECTION
EXECUTIVE COMMITTEE BUSINESS
MEETING AGENDA:**

1. Election and confirmation of new Executive Committee members
2. Election and confirmation of new Chair and Chair-Elect
3. Discussion regarding panels for 2013
4. Adopting new policies, and
5. Other Business.



IN MEMORIUM: DERRICK BELL



("Law professor and civil rights scholar Derrick Bell in 1980." From Pittsburgh Post Gazette; <http://www.post-gazette.com/pg/11295/1183854-109-0.stm?cmpid=news.xml#ixzz1fOPszuSY>)

As an homage to the life and work of Derrick Bell, the Newsletter this year will reprint a few of the many wonderful and heartfelt tributes written by Section Members.



From Joyce Ann Hughes:

My grief upon learning of Derrick Bell's passing has been deeply felt. I have read the many tributes to Derrick Bell and initially thought there was nothing I could add. It then occurred to me that my experiences which begin in the 1960s should probably be recorded.

I accompanied the Minnesota federal district court judge for whom I clerked from 1965 – 1967 when he sat by designation on the 8th Circuit Court of Appeals. I could always sit in court (even trials at the district court level) and so I was present for the oral arguments before the circuit court. One day a Black male attorney marched in confidently and sat at the counsel table. Since I was raised in Minnesota, it is not surprising that I had never seen a Black attorney in action. Before he even argued the school desegregation case that was next on the agenda, I ruffled through papers to find out who he was. It was Derrick Bell! Unfortunately, there was no occasion to meet or talk with Derrick at that time.

But then in the summer of 1971 before I was to become the first Black female law professor on tenure-track at a non-minority law school, I attended a National Bar Association convention. There I met three Black male law professors: the late Kellis Parker from Columbia, LeRoy Clark who was then at NYU but who retired a few years ago from Catholic and Derrick Bell. There was so much testosterone at a convention predominated by Black male lawyers that I was a bit overwhelmed. I have fond memories of Derrick being welcoming and helpful in a gentle, embracing manner without any self-aggrandizement.

Indeed, it was because the University of Minnesota could not get Derrick to leave Harvard (which he joined in 1969) that the school decided to recruit me into the professoriate. It is possible the attempt to get Derrick to leave Harvard for the

University of Minnesota Law School was a way placate student demands for a Black law professor by blaming the lack of such a professor on the unwillingness of the handful then in the academy to move to Minnesota. (On the other hand, the school made the effort to recruit its own graduate who had what was then considered essential credentials: Order of Coif, law review, clerkship ,etc. And I have to acknowledge the matter was pursued even though there was criticism for considering a Black female.)

Derrick continued to be important to me – as he was for others. About 4 years ago, the dean removed a course I had been teaching and required me to teach Fourteenth Amendment for the first time. I solicited advice from Derrick and as he had done at the beginning of my career, he was immensely helpful. When news of Derrick’s passing was known, those in Minnesota who know that Derrick and I started in the academy around the same time asked when I saw him last. Fortunately, the Midwest People of Color Scholarship Conference held in Chicago about a year ago alerted me that he would give a keynote address and I was present. I am so glad I had a chance to see him then and give him a hug. May he rest in peace.



(Derrick Bell)

From Paula Johnson:

He was a champion, friend and mentor to many of us on the margins of the legal profession, the legal academy, and indeed American society. He cared about the young, the old, the poor, the disenfranchised. He had the courage of his convictions and on several occasions resigned positions rather than compromise his ideals or integrity. Prof. Bell was the first Black tenured law professor at Harvard Law School. He later protested Harvard Law School's failure to hire a tenure-track African American woman and therefore left that institution for New York University Law School, where he taught until his death.

Professor Bell was brilliant and humble. I am privileged to say that I knew him. He was a friend and supporter. He welcomed many faculty of color when we entered the academy and took a strong interest in our careers and progress. He was a standard-bearer for the then-emerging field of critical race analysis which has now become a transformative staple of legal and social analysis and which spawned other areas of critical legal analysis, including gender, LGBT and disability rights.

It is impossible to capulate what Professor Derrick Bell has meant to Black communities everywhere, and to all people who believe and put everything on the line for justice. It is a debt that only in our continuing service and adherence to these principles we can ever attempt to repay.



Time & Life Pictures/Getty Images; Harvard Law Bulletin.
<http://www.law.harvard.edu/news/bulletin/2012/winter/tribute2.php>.

From Kamille Wolff Dean:

My one and only meeting with Professor Bell was after his remarks at Third National. I just had to make my way to meet this man who defied the odds and paved the way. I just had to shake the hand of this man who spoke truth to power. I just had to feel the warmth of the light that emanated from his gentle spirit. I just had to express my appreciation for giving someone like me a chance. I just had to hear the voice of the soldier who would not surrender.

Sometimes I grow weary. Weary of the routine. Weary of the mundane. Weary of all talk and no action.

I am overwhelmed by the problems faced by working class people in my community. I am overwhelmed by the lack of resources available to the disenfranchised who are not part of the intelligentsia. Derrick Bell's writings help me to overcome.

Derrick Bell taught me that I am part of

the solution. I cannot eliminate our societal problems, but I can pursue them with Ethical Ambition in making a way out of no way. There is still work to be done. We must continue to do our part to secure a seat at the table for those coming through the pipeline. Derrick Bell taught me that.

When he saw the crowds, he had compassion on them, because they were harassed and helpless, like sheep without a shepherd. Then he said to his disciples, "The harvest is plentiful but the workers are few. Ask the Lord of the harvest, therefore, to send out workers into his harvest field." Matthew 9:36 - 38.

Peace and blessings to the Bell family.



(From Eboni Nelson: picture taken after the plenary, Third National People of Color conference held in September 2010 at Seton Hall).

From Angela Davis:

I'm not sure I would have stayed in law school if Professor Bell had not been there. He was not only a great and inspiring teacher, he was a mentor and friend as well. He was the only professor I had who made me feel as if I belonged there. I took Employment Discrimination from him and of course we talked about BFOQs. At the end of the semester we presented him with a t-

shirt that said "Black Fellow Of Quality" with the letters BFOQ highlighted. Silly, I know, but he just loved it. Years after I graduated he talked about that shirt and how much he loved it.



(From Jim Fitzgerald, Professor Derrick Bell at 80, North Jersey.com; http://www.northjersey.com/obituaries/131377888_Professor_Derrick_Bell_at_80.html)

From Phoebe Haddon:

I was in touch with Derrick from the time I was in law school -- thirty five years ago. I wrote to him when I was editor in chief for suggestions on how to get articles from professors of color like him at the suggestion of my cousin who knew he had lived in and started his career in Pittsburgh. We corresponded back and forth and I reconnected several years later when I joined the faculty at Temple.

I saw him in Philadelphia a little over a year ago and introduced our daughter, Cara, telling him how thrilled I was to have an opportunity to talk about his work with her when she brought some home from a class at Yale.

I know of no better person to aspire to

be like as a teacher, mentor, ethical, colleague, activist and creative author. The Chronicles marked a critical point in my scholarship and my view of the potential for legal writing to reach broader audiences. Frank and I still pull out his books and marvel at his incisive observations about inequality in America. RIP



(From Asante Sana, Derrick Bell, Drums in the Global Village, <http://whosemedia.com/drums/2011/10/06/asante-sana-derrick-bell/>)

From Paul Butler:

What I am especially remembering about Professor Bell is his voice. His figurative voice, of course, but especially his literal one: he had such a soft and gentle voice, so different from what you might expect from his fierce writings. I also remember the way that he listened: deeply, thoroughly, warmly. He was one of the most decent human beings I have ever known.



From Paul Finkelman:

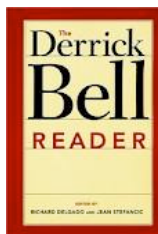
Derrick touched so many people in so many ways. He was a thinker, a scholar, a mentor, a friend, and that rarest of people – someone with real wisdom. I was fortunate to publish one of his essays in a Chicago-Kent Law Review symposium I edited and then as the first chapter in my book *Slavery and the Law* (1997). It was both daunting and exhilarating to be his editor. He will be missed.



(From http://www.amsterdamnews.com/religion/obituaries/article_7d5809d6-f522-11e0-8d52-001cc4c002e0.html)

From Sherrilyn Ifill:

And his impish laugh. My heart is so, so heavy this week. I hope that as lawyers we all feel challenged to walk more courageously and boldly as we work for justice and equality in tribute to Derrick.

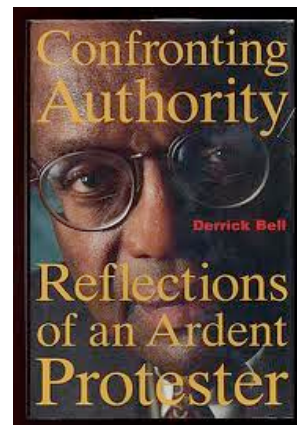


(From Tomiko Brown-Nagin [In Memoriam: Professor Derrick Bell](#))

From Muriel Morisey:

I had the privilege of getting to know Derrick when I worked in Harvard's administration and taught at the Graduate School of Education. He was the instigator, you might say, of organized efforts by Black faculty and administrators to push Harvard towards including more Blacks in every aspect of the university's administrative and academic life. In a meeting of the group - I think they were all strategy sessions, no matter what the official agenda - he described us as "a folk organization," because of our ever-evolving approach toward pressuring Harvard and the importance of our collective oral history. In other words, our hierarchy was opaque and hardly anything got written down, but a lot got done.

As sad as I feel about his death, I can't help but smile when I remember those meetings. I also had the great pleasure of living just around the block from Derrick in Cambridge. How lucky I was to be able to call him both colleague and neighbor during those years.



From Charles Ogletree:

It was with great sadness that I received the news that my mentor, teacher and dear friend professor Derrick A. Bell Jr. passed away in New York on Oct. 5 after a long illness. He was 80 years old.

I had the honor and privilege of being one of Bell's students when he taught at Harvard Law School during the 1970s. He took me, and the small cohort of other students of color who were there, under his wing and became a beloved figure whom we admired, trusted and turned to repeatedly for guidance and support.

I remained close friends with Bell for more than 35 years. Today I mourn his death as a deeply painful and personal loss, as well as a loss to the cause of racial equality and to the thousands whom he inspired and mentored.

For me his loss is personally devastating. He started out as an inspiring teacher and mentor who became a close and beloved friend. I was particularly thrilled that he taught my daughter, Rashida Ogletree George, when she was a student at NYU Law School and a teaching assistant for Bell.

His influence over two generations of Ogletrees offers just one example of the huge impact of his life and scholarship on the legal profession and on legal training. He taught me so many lessons: about the complex legal challenges posed by our nation's racial history, about mentoring and serving as an example to the next generation, and about taking professional and personal

risks over issues that matter. I'm sure that, in my lifetime, I will never see another like Derrick Bell, and I will miss him every day.

He also leaves behind a devastated family. Bell's first marriage was to Jewel Bell, who died in 1990. They were the parents of three sons: Derrick III, Carter and Douglas. In 1992 he married Janet Dewart Bell, a communications expert. The couple lived in New York City.

In lieu of flowers, the family has asked that contributions in his name be made to the Derrick Bell Lecture Fund at the following address: Derrick Bell Lecture Fund, New York University School of Law, Office of Development and Alumni Relations, D'Agostino Hall, 110 W. Third St., Second Floor.

(Extract from Charles Ogletree, "Derrick Bell: Losing a Champion for Equality: The famed law professor was a great teacher, mentor and friend, says a former Harvard Law colleague," *The Root*, Oct. 8, 2011, available http://www.theroot.com/views/tribute-derrick-bell?wpisrc=root_lightbox).



From Derrick Bell Civil Rights Activist & Harvard Legal Scholar, Dies, *The Chocolate Voice* Oct 9, 2011, available <http://www.thechocolatevoice.com/2011/10/derrick-bell-civil-rights-activist-harvard-legal-scholar-dies/>).

From [Constitutional Law Prof Blog](#):

ConLaw Prof Derrick Bell died yesterday at the age of 80. As the NYT obit reports, Bell was known for his scholarly works, for his pioneering of critical race theory, for storytelling as scholarship, for being ethical, and for leaving a position at Harvard Law. While the obit certainly does mention that Bell was a law professor, it does not emphasize that he was also a teacher.

Derrick Bell Bell's writing on Constitutional Law pedagogy deserves continuing attention. Here is an excerpt from his 1998 essay published in Seattle University Law Review, Constitutional Conflicts: The Perils and Rewards of Pioneering in the Law School Classroom:

By departing from the norm in constitutional casebooks and giving priority to "learning by doing" simulations, students mimic the kind of process that an attorney, researching an unfamiliar area of law, might utilize to investigate prior decisions. In practice, lawyers are called to research and to write; to comprehend legal arguments; to guess at the probable effect of and interaction between judicial, statutory, legal and policy arguments in court; to argue, persuade and debate; to work cooperatively with colleagues; and for some, to judge those arguments and decide cases and issues of law. This is as true in the practice of constitutional law as in any other. Once their research skills are in place, most students are aware

that they have the capacity to learn, relatively quickly, whatever they need or want to know regarding any legal question.

Bell's Constitutional Conflicts was a casebook of sorts, modeled on this method to achieve active learning and participation. His students seemed to thrive in the "Court of Bell."

For some law professors putting together such material and assessing the student products would deflect from their scholarly agenda. But Derrick Bell took pedagogy as seriously as he took his many scholarly projects and his lecturing schedule. Or maybe not so seriously: One of my fondest memories of him was as a co-panelist on an AALS Teaching section plenary, when he replied to a question by saying that teaching was fun. And then he whispered to me that perhaps we'd better not tell everyone how much fun it really is.



(University of Connecticut, March 14, 2011: Professor Bell accepts an award from Ingrid Festin '12 and Amanda Johnson '11: <http://newadmits.law.uconn.edu/event/2011/03/24/sba-diversity-committee-diversity-week-expand-your-jurisdiction>)



MINORITY SECTION MEMBERS IN THE BLOGOSPHERE: OUR BLOGROLL

Set out below are some of the many blogs in which members of our section are active. If you want your blog participation mentioned next year, please let us know. I hope that each year this blogroll list will grow and that you share it with others.

Raquel Aldana (McGeorge).
the salt law blog—
<http://www.saltlaw.org/blog/>

Larry Catá Backer (Penn State).
Law at the End of the Day--
<http://lbackerblog.blogspot.com>
Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>
柏特立的博客--
<http://blog.sina.com.cn/lbackerblog>.

Margaret Barry (Catholic).
the salt law blog—
<http://www.saltlaw.org/blog/>

Steven Bender (Oregon).
Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>
the salt law blog—
<http://www.saltlaw.org/blog/>

Kathleen A. Bergin (South Texas).
First Amendment Law Prof Blog--
<http://lawprofessors.typepad.com/firstamendment/>

David A. Brennen (Kentucky).
Nonprofit Law Prof Blog--

<http://lawprofessors.typepad.com/nonprofit/>.

Regina F. Burch (Capital).
The corporate justice blog—
<http://corporatejusticeblog.blogspot.com>.

Anupam Chander (U.C.Davis).
Anupam Chander—
<http://www.chander.com/>

Janie Chuang (American).
IntLawGrls--
<http://intlawgrls.blogspot.com/>

Todd J. Clark (N.C. Central).
The corporate justice blog—
<http://corporatejusticeblog.blogspot.com>.

Evelyn Cruz (Arizona State).
Immigration Prof Blog--
<http://lawprofessors.typepad.com/immigration/>.

Benjamin Davis (Toledo).
the salt law blog—
<http://www.saltlaw.org/blog/>

Olympia Dunhart (Nova Southeastern University). *SALT Law Blog*
<http://www.saltlaw.org/blog/>

andré douglas pond cummings (West Virginia).
The corporate justice blog—
<http://corporatejusticeblog.blogspot.com>;
the salt law blog—
<http://www.saltlaw.org/blog/>; and
hip hop—
<http://www.hiphopl原因.com/>.

Berta Esperanza Hernández (Florida).
Nuestras Voces Latinas--

<http://nuestrasvoceslatinas.com/>

Lisa M. Fairfax (George Washington).
The Conglomerate--
<http://www.theconglomerate.org/>.

Anthony Farley (Albany).
the salt law blog—
<http://www.saltlaw.org/blog/>

César Cuauhtémoc García Hernández (Capital University).
crImmigration blog—
<http://www.crimmigration.com/>

Joseph Grant (Capital).
The corporate justice blog—
<http://corporatejusticeblog.blogspot.com>

Bill O. Hing (San Francisco).
Immigration Prof Blog--
<http://lawprofessors.typepad.com/immigration/>.

Lolita Buckner Inniss (Cleveland Marshall).
Ain't I a Feminist Legal Scholar Too, <http://innissfls.blogspot.com/>
Feminist Law Professors
<http://www.feministlawprofessors.com/>
(Cross posted)

Creola Johnson (Ohio State).
Corporate Justice Blog--
<http://corporatejusticeblog.blogspot.com/2010/01/welcome-to-corporatocracy.html>.

Kevin R. Johnson (UC Davis):
Immigration Prof Blog--
<http://lawprofessors.typepad.com/immigration/>.

Darryll K. Jones (FAMU).

Nonprofit Law Prof Blog--
<http://lawprofessors.typepad.com/nonprofit/>.

Hope Lewis (Northeastern).
IntLawGrls--
<http://intlawgrls.blogspot.com/>

Guadalupe T. Luna (Northern Illinois).
Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

Pedro Malavet (Florida).
Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>.

Solangel Maldonado (Seton Hall).
Concurring Opinions—
<http://www.concurringopinions.com/>

Jena Martin Amerson (West Virginia).
Teaching Law in the 21st Century -
<http://teach21century-ellis.blogspot.com>
(with Atiba Ellis)
Thoughts on Citizens United -
<http://thoughtsoncitizens.blogspot.com>
(with Atiba Ellis)

George A. Martinez (S.M.U.).
Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

Susan A. Maze-Rothstein (Northeastern).
the salt law blog—
<http://www.saltlaw.org/blog/>

Christiana Ochoa (Indiana--Bloomington).
IntLawGrls--
<http://intlawgrls.blogspot.com/>

Angela Onwuachi-Willig (Iowa).

the salt law blog—

<http://www.saltlaw.org/blog/>

Maria Pabon Lopez (Loyola New Orleans):

Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

Jotwell-- <http://trustest.jotwell.com/>
(Trusts and Estates Section).

Lydie Nadia Cabrera Pierre-Louis (St. Thomas).

The corporate justice blog—

<http://corporatejusticeblog.blogspot.com>.

Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

Ngai Pindell (UNLV).

Land Use Prof Blog-- Blog—. http://lawprofessors.typepad.com/land_use/.

Kamina Pinder (John Marshall GA).

Administrative Law Prof Blog--
<http://lawprofessors.typepad.com/adminlaw/>.

Deborah Post (Tuoro).

the salt law blog—

<http://www.saltlaw.org/blog/>

Steven Ramirez (Loyola-Chicago).

Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

Corporate Justice Blog--
<http://corporatejusticeblog.blogspot.com/2010/01/welcome-to-corporatocracy.html>.

Usha Rodrigues (Georgia).

The Conglomerate--
<http://www.theconglomerate.org/>

Ediberto Román (FIU).

Nuestras Voces Latinas--
<http://nuestrasvoceslatinas.com/>

SpearIt (Saint Louis): *Arizona State Law Journal Blog*

<http://asulawjournal.lawnews-asu.org/>;

Jadaliyya Blog

<http://www.jadaliyya.com/>; *Huffington Post Religion Blog*

<http://www.huffingtonpost.com/religion/>

; the salt law blog—

<http://www.saltlaw.org/blog/>

A. Benjamin Spencer (Washington & Lee).

Federal Civil Practice Bulletin

federalcivilpracticebulletin.blogspot.com

Split Circuits (splitcircuits.blogspot.com/)

M. Victoria Taylor (Charlotte):

Read.Think.Act.—

<http://charlottelawlibrary.wordpress.com>

[/2011/11/08/read-think-act-law-students-sustain-your-future-food-law-and-you](http://charlottelawlibrary.wordpress.com/2011/11/08/read-think-act-law-students-sustain-your-future-food-law-and-you)

Enid F. Trucios-Haynes (Louisville).

Immigration Prof Blog--

<http://lawprofessors.typepad.com/immigration/>.

Francisco Valdes (Miami).

Nuestras Voces Latinas--

<http://nuestrasvoceslatinas.com/>.

Charles Venator (Connecticut).

Nuestras Voces Latinas--

<http://nuestrasvoceslatinas.com/>

Cheryl Wade (St. Johns).

Corporate Justice Blog--

<http://corporatejusticeblog.blogspot.com/2010/01/welcome-to-corporatocracy.html>.

Adrien Wing (Iowa).

the salt law blog (guest blogger)—

<http://www.saltlaw.org/blog/>

Jennifer Wriggins (Maine).
tortspofs blog (guest blogger):
<http://lawprofessors.typepad.com/tortspofs/2010/04/guest-blogger-jennifer-wriggins-.html>

Alfred Chueh-Chin Yen (Boston College).
Madisonian.net-- <http://madisonian.net/>.



ACCOLADES: SECTION MEMBER NEWS, PUBLICATIONS AND ACCOMPLISHMENTS.

Among the many traditions shared by the members of our Section is the gift we give each other in sharing our achievements with each other. Our collective accomplishments serve as a testament to the extent and depth of the extraordinary achievements of the people who make this one of the most dynamic and vibrant sections in the AALS.

The Section is proud this year to bring what is deservedly the most popular section of this publication—a listing of the accomplishments of our members. He has published the following articles:

Peter C. Alexander (Indiana Tech). Professor Alexander was named the founding dean designate of the Indiana Tech law school. He published

the book, *INSUFFICIENT FUNDS: THE FINANCIAL LIFE OF FRANK LLOYD WRIGHT* (Ashgate Studies in Architecture Series, 2011).

Larry Catá Backer (Penn State).

Backer was elected Chair of the Penn State Faculty Senate. He will be serving as Chair Elect this year and move into the office of Chair next year. He contributed two book chapters: *The Church of the Lukumi Babalu Aye: The Ironic Story of Santeria in the United States, in Law and Religion: in LAW AND RELIGION: CASES IN CONTEXT* 127-149 (Leslie Griffin, et al., eds., Aspen Press, 2010); *Inter-Systemic Harmonization and Its Challenges for the Legal-State, in FICHL Publication Series No. 11* (2011); *THE LAW OF THE FUTURE AND THE FUTURE OF THE LAW* 427-437 (Editors: Sam Muller, Stavros Zouridis, Morly Frishman and Laura Kistemaker; Torkel Opsahl Academic EPublisher, Oslo, 2011). He published the following articles: *Private Actors and Public Governance Beyond the State: The Multinational Corporation, the Financial Stability Board and the Global Governance Order*, 18(2) *Indiana Journal of Global Legal Studies* 751 (2011); *The United Nations' "Protect, Respect, and Remedy" Human Rights Project: On Operationalizing a Global Framework for the Regulation of Transnational Corporations*, 9 *Santa Clara J. Int'l Law* 37 (2011); *Values Economics And Theology: The Contribution Of Catholic Social Thought And Its Implications For Legal Regulatory Systems*, 5(2) *Economics, Management, and Financial Markets* 17-56 (2010); *Symposium Issue: A Constitutional Court for China Within*

the Chinese Communist Party?: Scientific Development and a Reconsideration of the Institutional Role of the CCP, 43(3) *Suffolk Law Review* 593-624 (2010); *Cuba And The Construction Of Alternative Global Trade Systems: ALBA And Free Trade In The Americas*, 31(3) *University of Pennsylvania Journal of International Law* 679-752 (2010) (with Augusto Molina Roman); *Sovereign Wealth Funds as Regulatory Chameleons: The Norwegian Sovereign Wealth Funds and Public Global Governance Through Private Global Investment*, 41(2) *Georgetown Journal of International Law* 425-500 (2010); *Sovereign Investing in Times of Crisis: Global Regulation of Sovereign Wealth Funds, State Owned Enterprises and the Chinese Experience*, 19(1) *Transnational Law & Contemporary Problems* 3-144 (2010). He published the following conference paper: *Globalization and the Socialist Multinational: Cuba and ALBA's Grannacional Projects at the Intersection of Business and Human Rights*, CUBA IN TRANSITION: PAPERS AND PROCEEDINGS OF THE TWENTIETH ANNUAL MEETING OF THE ASSOCIATION FOR THE STUDY OF THE CUBAN ECONOMY (ASCE) 20:230-252 (2010). He has presented papers in conferences in the United States, Spain, the Netherlands and Brazil.

Charles R. Calleros (Arizona State). In August, Professor Calleros published *CONTRACTS: CASES, TEXT, AND PROBLEMS* (Carolina Acad. Press [Digital Book] 2011) (Plain English content takes students through the law in the manner in which they would encounter and apply the law in practice:

treatise-style background information; specific case law and statutory text; and application to exercises in a problem-method. More at <http://www.cappress.com/isbn/9781611631425>. He also published two articles in recent months: *Introducing Civil Law Students to Common Law Legal Method Through Selected Issues in Contract Law*, 60 *J. L. Educ.* 641 (2011); *Toward Harmonization and Certainty in Choice-of-Law Rules for International Contracts: Should the U.S. Adopt the Equivalent of Rome I?*, 28 *Wis. Int'l L. J.* 639 (2011). In June, Calleros joined three clinical faculty in presenting "Experiential Learning" at the Joint Plenary Session of Conference on Clinical Legal Education and Conference on the Future of the Law School Curriculum (June 14, 2011 Seattle). He explained how he used negotiation exercises to raise issues and advance learning of contract doctrine.

Gilbert Paul Carrasco (Willamette). Mr. Carrasco published the casebook: *The Law of Discrimination: Cases and Perspectives*, SAN FRANCISCO: LEXIS/NEXIS (2011), and accompanying Teachers' Manual (with Roy L. Brooks, and Michael Selmi).

Nancy Chi Cantalupo (Temple). Ms. Chi Cantalupo published the following article: *Burying Our Heads in the Sand: Lack of Knowledge, Knowledge Avoidance, and the Persistent Problem of Campus Peer Sexual Violence*, 43 *LOY. U. CHI. L.J.* 205 (2011).

Connie de la Vega (San Francisco). Professor de la Vega published the following article: *The Special Measures Mandate of the International Convention on the Elimination of All Forms of Racial Discrimination: Lessons from the United States and South Africa*, 16 ILSA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 627 (Eng.) 751 (Spanish) (2010). She participated in a panel on the right to health at Hastings College of the Law in March 2010; her article and brief were cited by the US Supreme Court in the case of *Graham v. Florida* which held that juvenile life without parole sentences for non-homicide crimes are unconstitutional, May 2010; and she taught international human rights law at East China University of Political Science and Law, Nov. 2010.

J. Herbie DiFonzo (Hofstra). Professor DiFonzo served as Senior Associate Dean for Academic Affairs at Hofstra Law for the 2010-2011 academic year.

Leah A. Hill (Fordham). Clinical Associate Professor Hill has been awarded a Fulbright Scholar grant to lecture and conduct research at the University of the West Indies, Cave Hill Campus in Barbados during the 2011-2012 academic year, according to the United States Department of State and the J. William Fulbright Foreign Scholarship Board. Professor Hill will co-teach a comparative course on the laws relating to children with a professor from the Faculty of Law program at

Cave Hill during the spring 2012 semester. Professor Hill will also conduct research on the child welfare system in Barbados while there. Professor Hill is one of approximately 800 U.S. faculty and professionals who will travel abroad through the Fulbright U.S. Scholar Program in 2011-2012.

Olympia Dunhart (Nova Southeastern University). In May 2011, Olympia Duhart was promoted to the rank of Full Professor at Nova Southeastern University's Shepard Broad Law Center. She currently teaches Lawyering Skills and Values I & II, Constitutional Law, and Women & the Law. She recently completed three articles: *PTSD and Women Warriors: Causes, Controls and a Congressional Cure*, CARDOZO JOURNAL AND LAW AND GENDER, (publication forthcoming 2012); *OutCrit Jurisprudence and Soldier Suicides: An Anti-Subordination Analysis*, 44 CREIGHTON LAW REVIEW 883 (June 2011); and *On Rothko and Writing*, 35 NOVA LAW REVIEW 513 (Spring 2011). She also served as part of the editorial board for VULNERABLE POPULATIONS AND TRANSFORMATIVE LAW TEACHING: A CRITICAL READER (Carolina Academic Press 2011). She was recently re-elected to the Board of Governors for the Society of American Law Teachers. In addition, she serves on the Board of Advisors for the Institute for Law Teaching and Learning.

Professor Duhart also participated in the following presentations: *Different Paths In: How to Break Into the Academy*, Pipeline Program, Co-Sponsored by Society of American Law Teachers and The John Marshall Law School,

Chicago, IL, Sept. 2011; *Supporting Student Engagement Through Self-Assessments and Feedback Sessions*, Summer Conference of the Institute for Law Teaching and Learning, New York Law School, New York, NY, June 2011 (co-presented with Anthony Niedwiecki); *Moderator*, Pipeline Program, Breaking In the Legal Academy, Co-Sponsored by Society of American Law Teachers and Nova Southeastern University, Ft. Lauderdale, FL, March 2011; Course (Re)Design Conference, Co-Sponsored by the Institute for Law Teaching and Learning and Salmon P. Chase College of Law, Northern Kentucky University, Highland Heights, KY, 2011 (co-presented with Gerry Hess, Sophie Sparrow and Michael Hunter Schwartz); *Rhymes and Reason: How TLC, Tube Tops and Teenage Babysitters Can Help Teach Legal Analysis*, Capital Area Legal Writing Conference, George Washington University Law School, Washington, DC, Feb. 2011 (co-presented with Camille Lamar and Hugh Mundy).

César Cuauhtémoc García Hernández (Capital Univ.).

Professor Hernández published the following articles: *When State Courts Meet Padilla*, LOYOLA JOURNAL OF PUBLIC INTEREST LAW; *Due Process and Immigrant Detainee Prison Transfers*, BERKELEY LA RAZA JOURNAL; and *Criminal Defense After Padilla v. Kentucky*, GEORGETOWN IMMIGRATION LAW JOURNAL.

Carmen G. Gonzalez (Seattle).

Ms. Gonzalez was recently promoted to Professor of Law. She published the

following book: DERECHO, DEMOCRACIA Y ECONOMIA DE MERCADO (Bogotá, Colombia: Editorial Temis, 2010). She will be publishing a second book this Spring: PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA (Utah State University Press, forthcoming 2012). She also published the following articles: *An Environmental Justice Critique of Comparative Advantage: Indigenous Peoples, Trade Policy, and the Mexican Neoliberal Economic Reforms*, 32 U. PENN. J. INT'L L. 723 (2011); *Climate Change, Food Security, and Agrobiodiversity: Toward a Just, Resilient, and Sustainable Food System*, 22 FORDHAM ENVTL. L. REV. 493 (2011); *The Global Food System: Integrating Environmental Protection, Human Rights, and Economic Regulation*, NATURAL RESOURCES & ENVIRONMENT (Winter 2011); *The Global Politics of Food: Introduction to the Theoretical Perspectives Cluster*, 43 U. MIAMI INTER-AM. L. REV. (forthcoming 2011); *China in Latin America: Law, Economics, and Sustainable Development*, 40 ENVTL. L. REP. 10171 (2010); *China en América Latina: Derecho, economía y desarrollo sostenible*, 44 REVISTA DE DERECHO PRIVADO (2010); and *The Global Food Crisis: Law, Policy, and the Elusive Quest for Justice*, 13 YALE HUMAN RIGHTS AND DEVELOPMENT L.J. 462 (2010). Professor Gonzalez is Chair of the AALS Environmental Law Section, and has organized a panel on Climate Justice for the 2012 AALS Annual Meeting. She has also been collaborating with Beto Juarez (Denver) and Raquel Aldana (Pacific McGeorge) on the Inter-

American Summer Program in Guatemala.

Ernesto Hernández-López (Chapman University). Professor Hernández-López published the following article: *Kiyemba, Guantánamo, and immigration law: an extraterritorial Constitution in a plenary power world*, UCI LAW REVIEW; and the following essay: *Economic Crises from the Bottom Up: (in) Securities of Silencing a Racial Past and Present: Cluster Introduction* BERKELEY LA RAZA LAW JOURNAL (LatCrit XV symposium). Professor Hernández-López spoke as the Keynote moderator on “*FOOD FIGHT!: The Legal Debate over the Obesity Epidemic, Food Labeling, and the Government’s Involvement in What You Eat*,” NEXUS Symposium, Chapman University School of Law. His research on Guantánamo and post-colonialism and alienage was presented at *Third World Approaches to International Law, Emerging Immigration Scholars Workshop*, Washington College of Law, American University, *Cuba Future: Past and Present*, The Graduate Center of The City University of New York, and *University of California, Irvine, School of Law Workshop*, and *Persistent Puzzles in Immigration Law*, Law Review Symposium, University of California, Irvine, School of Law. His research on food trucks and legal regulation was presented at *LatCrit XVI Annual Conference*, *Law and Society Assoc. Annual Meeting* and *West Coast Law and Society Retreat*. He served as a Reader-discussant for “Author Meets Reader--*Tierra y Libertad, Land, Liberty, and Latino Housing*, by Steven

W. Bender,” *Law and Society Assoc. Annual Meeting*. He presented “Getting Started with a Scholarly Agenda,” *AALS, Workshop for Pre-tenured People of Color Law School Teachers*. He gave the public presentation “Regulation in the Life and Death of the Great American Food Truck,” at *2nd Annual National Street Food Conference* in San Francisco, CA. He was elected a member of the Executive Committee of the AALS Minority Groups.

Leah A. Hill (Fordham). Clinical Associate Professor at Fordham, has been awarded a Fulbright Scholar grant to lecture and conduct research at the University of the West Indies, Cave Hill Campus in Barbados during the 2011-2012 academic year. Professor Hill will co-teach a comparative course on the laws relating to children with a professor from the Faculty of Law program at Cave Hill during the spring 2012 semester. Professor Hill will also conduct research on the child welfare system in Barbados while there.

Kevin Johnson (UC Davis). Dean Kevin Johnson published the following book: *IMMIGRATION LAW AND THE U.S.—MEXICO BORDER ¿SÍ SE PUEDE?*

Lolita Buckner Inniss (Cleveland Marshall). Professor Inniss as named the Joseph C. Hostetler-Baker & Hostetler Professor of Law at Cleveland-Marshall (effective 2010). She completed and defended her PhD at Osgoode Hall Law School, York University in Toronto, Canada, “Sisters Underneath their Skins:” *Theorizing Maternal Performativity in Legal*

Discourses of White Women's Race-Involved Child Custody Disputes 1941-2004; 528 pages. She received my PhD at a ceremony in June 2011 at York University, Toronto, Canada. She was named a Fellow of the New York University-Centre National de la Recherche Scientifique (CNRS) in Paris, France and New York, New York for 2011-2012 and participated as a Doctoral workshop member at the Harvard Institute for Global Law & Policy (IGLP), Harvard Law School, Harvard University, Cambridge, Massachusetts in June 2011.

Angela Mae Kupenda (Mississippi). Professor Kupenda published the following articles: *Negotiating Social Mobility and Critical Citizenship: Institutions at a Crossroads*, UNIVERSITY OF FLORIDA JOURNAL OF LAW AND PUBLIC POLICY (forthcoming); *Political Invisibility of Black Women: Still Suspect but No Suspect Class*, 50 WASHBURN L.J. 109 (2010); *Strategies for Nonviolent Armies of One* the crit, A CRITICAL LEGAL STUDIES JOURNAL — UNIVERSITY OF IDAHO COLLEGE OF LAW, (Conference Edition, vol. 4, issue 2, page 111 [2011]); *Why I Teach and Risking Collaborative Learning in Core Courses*, TECHNIQUES FOR TEACHING LAW 2 (Carolina Academic Press 2011).

Cynthia Lee (George Washington). Professor Lee was named the Charles Kennedy Poe Research Professor of Law at the George Washington University Law School. She published the following books: CRIMINAL LAW: CASES AND MATERIALS, (West Publishing Company 2nd ed. July 2011); SEARCHES AND SEIZURES: THE

FOURTH AMENDMENT, ITS CONSTITUTIONAL HISTORY AND THE CONTEMPORARY DEBATE (Prometheus Books February 2011). She published the following articles: *Reasonableness with Teeth: The Future of Fourth Amendment Reasonableness Analysis*, MISSISSIPPI LAW JOURNAL.

Nancy Levit (UMKC). Professor Levit published the following articles: *Feminist Legal Theory Meets Masculinities Theories*, MASCULINITIES AND LAW: A MULTIDIMENSIONAL APPROACH (eds. Frank Rudy Cooper & Ann C. McGinley forthcoming NYU Press 2011); *Changing Workforce Demographics and the Future of the Protected Class Approach*, 16 LEWIS & CLARK L. REV. (Symposium, forthcoming 2012); *The Limits on Lawsuits by Lawyers Against Law Firms and the Prospects for Creating Happy Lawyers*, 73 U. PITTSBURGH L. REV. (forthcoming 2011); *Reshaping the Narrative Debate*, 34 SEATTLE U. L. REV. 751 (2011); and *Five Myths About Happy Lawyers*, ABA J. 45 (Feb. 2011); *Information For Submitting Articles to Law Reviews and Journals*, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1019029 (updated Aug. 2011).

Hope Lewis (Northeastern). Professor Hope Lewis was elected to the Board of Governors of the Society of American Law Teachers (SALT) as of January 2011. She received the Thomas J. Carroll Blind Employee of the Year Award in June for her work on international human rights law by the Carroll Center for the Blind and the Massachusetts Commission for the

Blind. She is a member of the Executive Council of the American Society of International Law (ASIL), co-chairs ASIL's International Disability Rights Interest Group, and serves on its Honors and Awards Committee. She is co-director of "The Boston Principles on the Economic, Social, and Cultural Rights of Noncitizens" Project. She co-published the following essay: *Commentary: The Boston Principles—An Introduction*, 1 NOTRE DAME JOURNAL OF INTERNATIONAL, COMPARATIVE, AND HUMAN RIGHTS LAW 145-156 (2011). She also published the following articles: *Can the U.S. Afford Economic Rights in an Economic Crisis*, HUFFINGTON POST (April 21, 2011); and *Human Rights Implications of Arizona v. United States*, SCOTUSBLOG (July 14, 2011). She also contributed to the 40th anniversary edition of OUR BODIES, OURSELVES, <http://www.ourbodiesourselves.org/> (2011).

M. Isabel Medina (New Orleans). Professor Medina published the following books: *MIGRATION LAW IN THE USA* (Kluwer Law International, The Netherlands, 2011); and *CONSTITUTIONAL LAW: CASES, HISTORY, AND PRACTICE* (co-author 4th edition) (LexisNexis 2011). In support of the casebook, she established a website containing the record in *Hamdi v. Rumsfeld*, available at www.loyno.edu/~hamdi/. She organized a symposium at Loyola on state criminal regulation of undocumented migration last fall, see *Symposium on Federalism at Work: State Criminal Law, Noncitizens and Immigration Related Activity – An Introduction* 12 LOYOLA

JOURNAL OF PUBLIC INTEREST LAW 265-276 (2011). She is also working on a piece on derivative citizenship to be presented at Loyola-Chicago's annual constitutional law conference.

Eboni S. Nelson (South Carolina). Professor Eboni S. Nelson published the following two articles: *From the Schoolhouse to the Poorhouse: The Credit CARD Act's Failure to Adequately Protect Young Consumers*, 56 Villanova Law Review 1 (2011), and *Young Consumer Protection in the "Millennial" Age*, 2011 Utah Law Review 369 (2011). She was selected to present her work at the AALS Section on Commercial and Related Consumer Law Program, after which she was elected to the Section's Executive Committee. She was also selected to present her work at the Society of Legal Scholars Annual Conference, which was hosted by Downing College at the University of Cambridge in Cambridge, United Kingdom.

Michael A. Olivas (University of Houston). Professor Olivas published the following book: *NO UNDOCUMENTED CHILD LEFT BEHIND* (NYU Press 2011). His next book, *SUING ALMA MATER: HIGHER EDUCATION AND THE COURTS* (Johns Hopkins University Press) is expected to be completed in 2012. He recently published the following articles: *The Arc of Triumph and the Agony of Defeat: Mexican Americans and the Law*, 60 JOURNAL OF LEGAL EDUCATION 354 (2010); *Plyler's Political Efficacy*, UC-DAVIS LAW REVIEW (2011); *Governing Badly: Theory and Practice of Bad Ideas in College Decisionmaking*, INDIANA LAW JOURNAL (2011); *Plyler's*

Legacy: Immigration and Higher Education in the 21st Century, 2011 MICHIGAN STATE LAW REVIEW 261 (with Kristi L. Bowman); *If You Build It, They Will Assess It (or, An Open Letter to George Kuh, with Love and Respect)*, 35 REVIEW OF HIGHER EDUCATION, 1 (Fall 2011); and *Build It and They Will Publish Finding Aids: The Maturing of Higher Education Law*, 37 JOURNAL OF COLLEGE & UNIVERSITY LAW 435 (2011).

Angela Onwuachi-Willig (Iowa).

Professor Onwuachi-Willig gave the Brigitte M. Bodenheimer Lecture on Family Law at the University of California, Davis School of Law this year. She also gave both a student and faculty lecture as the Scholar-in-Residence at the Thelton Henderson Center for Social Justice at the University of California, Berkeley School of Law. Professor Onwuachi-Willig published the following articles and essays: *Class, Classes, and Classic Race Baiting: What's in a Definition?*, DENVER UNIVERSITY LAW REVIEW; *All in the Family*, YALE JOURNAL OF LAW AND FEMINISM; AND *Like Mrs. McCree* (in honor of the late Dores McCree), MICHIGAN JOURNAL OF RACE AND THE LAW. She also co-authored the following symposium article with Mario Barnes: *The Obama Effect: Understanding Emerging Meanings of "Obama" in Anti-discrimination Law*, INDIANA LAW JOURNAL (forthcoming). In December of 2010, Angela was elected to the American Law Institute (ALI). In January, 2011, the Iowa State Judicial Nominating Commission selected her as one of nine finalists for three openings on the Iowa Supreme

Court. She was the only woman and the only minority selected to be an Iowa Supreme Court finalist, and she was the youngest finalist by nearly a decade. In April, 2011, she was invited to be a Fellow of the American Bar Foundation. Most recently, Angela was named one of America's top young legal professionals by the *National Law Journal*, which placed her on its "Minority 40 under 40" list.

Carla D. Pratt (Penn State).

Professor Pratt has been named Associate Dean of Academic Affairs at the Penn State Carlisle campus. She published the following book: *THE END OF THE PIPELINE: A JOURNEY OF RECOGNITION FOR AFRICAN AMERICANS ENTERING THE LEGAL PROFESSION* (Carolina Academic Press).

Dorothy E. Roberts (Northwestern).

Professor Roberts published the following book: *FATAL INVENTION: HOW SCIENCE, POLITICS, AND BIG BUSINESS RE-CREATE RACE IN THE TWENTY-FIRST CENTURY* (New York: New Press, 2011).

Reginald Leamon Robinson (Howard).

Professor Robinson was elected to Ali membership in the spring of 2011. He published the following articles: *Dark Secrets: Obedience Training, Black Parenting, and Reassessing the Origins of Instability in the Black Family Through a Re-Reading of Fox Butterfield's All God's Children*, HOWARD LAW JOURNAL (2012); *Precious: A Tale of Three Explanations for Childhood Maltreatment*, COLUMBIA JOURNAL OF RACE AND LAW (2011);

Trauma, Creativity, and Unconscious Confession: The Lost Childhood History Behind L. Frank Baum's The Wonderful Wizard of Oz, 20 SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW JOURNAL 145 (2010).

Dawinder "Dave" S. Sidhu (New Mexico). Professor Sidhu published the following articles: *Shadowing the Flag: Extending the Habeas Writ Beyond Guantánamo* 20 WM. & MARY BILL RTS. J. 39 (2011); and *A Crisis of Confidence and Legal Theory: The Economic Downturn and the End of the Doctrine of Efficient Breach* 24 GEO. J. LEGAL ETHICS 357 (2011). He also wrote the following essay: *Temporal Variance, Hockey, and the Wartime Constitution*, 100 GEO L. J. ONLINE 1 (2011).

Nareissa L. Smith (North Carolina). Professor Smith accepted a position as an Associate Professor at North Carolina Central University School of Law in Fall 2011. She will teach Constitutional Law, Criminal Procedure, Evidence, and Women and the Law.

SpearIt (Saint Louis): Professor SpearIt was elected to the SALT Board of Governors.

A. Benjamin Spencer (Washington & Lee). Professor Spencer recently published *The Judicial Power and the Inferior Federal Courts: Exploring the Constitutional Vesting Thesis*, 46 GA. L. REV. 1 (2011) and *The Preservation Obligation: Regulating And Sanctioning Pre-Litigation*

Spoliation In Federal Court, 79 FORDHAM L. REV. 2005 (2011).

M. Victoria Taylor (Charlotte). Professor Taylor was appointed as Membership Vice Chair for the ABA Section of Environment, Energy and Resources Agriculture Management Committee.

William K. Wang (Hastings). Professor Wang is a visiting fellow at New York Law School during the Fall 2011 term. He published the following book: WILLIAM K.S. WANG & MARC I. STEINBERG, *INSIDER TRADING* (Oxford University Press 3d ed. 2010). He published the following article: *An Introduction to United States Securities and Exchange Commission Rule 10b-5*, 27 NIHON UNIVERSITY COMPARATIVE LAW 105 (2010).



NEWSLETTER EDITOR:

Larry Catú Backer (lcb11@psu.edu)

I am grateful for the opportunity to put this newsletter together. This is really a labor of love. Many thanks for your patience should this Newsletter come out later than you would like to see it. Many hands are needed to make this effort a success. I am grateful to all of them.

Please help make this newsletter better each year. Please send an e-mail with your suggestions!



ANNOUNCEMENT: CHANGE IN TERMS OF SERVICE FOR SECTION LISTSERV

Dear Section Members,

You may recall there has been significant controversy over the postings by one listserv participant that many other participants of this listserv found, for a number of reasons, objectionable.

A vote was conducted by the listserv administrator in which, of those voting, approx. 80% voted that they would like to remove that person from the listserv.

The results of that vote were presented by the administrator to the Minority Section Executive Committee for a decision about how to handle the overwhelming expressed preference in light of our role as the governing body of an AALS Section.

After lengthy and considered discussion, the Minority Section Executive Committee presented to the AALS Deputy Director the question of the Section's authority to remove an AALS listserv participant. The reply we received was a request by the AALS that the Section adopt the Terms of Service Agreement that governs AALS listservs that are hosted directly on the AALS servers. The Terms of Service Agreement provides detailed rules governing participating on AALS listservs, not the least of which includes standards about types of copyrighted material that may not be posted and also extensive rules regarding Member Conduct (See Section 5.0 below). We were advised that once these Terms of

Service have been adopted by the listserv, the administrator and/or the Executive Committee will be free, in the future, to remove any participant for violation of these terms.


Please consider this email message notice by the Minority Section Executive Committee that the Terms of Service appended to the bottom of this email now constitute Terms of Service governing the AALSMIN listserv. Any person signed on as a member of this listserv is deemed to agree to these Terms of Service until or unless he or she decides to opt out by terminating his or her participation on this listserv.

If you do not agree to these Terms of Service, you may inform the administrator at oneal@ubalt.edu <mailto:oneal@ubalt.edu> and you will be removed from participating on this listserv. If you continue to receive email from this listserv or participate you are deemed to consent to the provisions of the Terms of Service and agree that you may be removed for violation of these Terms of Service.

If you agree to be bound by these Terms of Service, you need do nothing else but continue to participate as a valued member of this community.

The existing rules such as limiting postings to no more than 3 per day shall also continue to apply as well.

Please look carefully at the Terms of Service rules. In addition to Section 5 (Member Conduct) the rules indicate in Section 12 (Proprietary Rights) that there may be copyright violation issues



in copying and pasting wholesale articles and news stories and sending them on this listserv without permission. At the very least, there is also a nuisance issue with daily or weekly cutting, pasting and emailing of entire articles and circulating them to the listserv. Pasting a link to the website you think might be of interest to the community is the better approach.

Of course, selected quotation consistent with rules of quotation we follow in our writing would seem to be proper as well.

Also, when replying to a long email thread, taking the time to delete the long thread of discussion that has been moved to the bottom of your reply would be extremely helpful to those participants who receive their email from this listserv in digest form. It avoids having to scroll and search for actual replies without re-reading several times prior posts.

Thank you for your patience and I look forward to continued productive and beneficial conversation with you all.

May your grading be swift and your holidays happy,

Audrey
Chair Elect, AALS Minority Groups
Section 2011
Incoming Chair, 2012

