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>> Hello. May I have everyone's attention. Sorry to interrupt your lunch, you'll continue your lunch momentarily, but we have a guest not in the program and I very much want to introduce him to you and he wants to welcome you and say hello, and he is my boss, the President of the University of Baltimore, Kurt Schmoke. Now when you introduce Kurt in a room of Baltimoreans, you say, he needs no introduction, and it's literally true, everybody knows him. But, since we have a number of guests from out of town, I want to take just a moment to tell you about Kurt's remarkable career. He is a product of Baltimore schools. Graduated from Yale College and Harvard Law School. He practiced law and then became the Baltimore City State's Attorney and in 1987, I believe, became mayor of Baltimore, served three terms until 1999 and then after being mayor he got a promotion and he became Dean at Howard University Law School. So he is a model to many of us in coming to the legal academy from not just the world of practice, but the world of rough and tumble politics. Kurt served as Dean at Howard and then as Interim Provost and General Counsel of that university before serving the President of University of Baltimore two years

ago. And we're so glad to have him and he has a number of friends in the room and maybe some new friends and he wanted to say hello. Please join me in welcoming, President Schmoke.

>> Thank you very much, Ron. When Ron mentioned the rough and tumble of politics, he meant when I became Dean of the Law School. Yes, I was very fortunate, as my wife says, I served 12 unindicted years as mayor of Baltimore, and really enjoyed that. I remember the first time that I went to a Dean's meeting, I was asked to compare being mayor of Baltimore to being Dean of the Law School. And I said, you know, in politics particularly, local politics, you have a little and give-and-take and there's, you know, some carrots and sticks. You know, you can usually work with your city council members and some carrots and sticks, and I said the problem with being Dean of the Law School was that the carrots were too few and the sticks were too short. [ Laughter ] But I really enjoyed that time. I just came by to say hello and welcome and thank you all very much for taking the time to particularly focus on scholarship in the legal academy. We've been very blessed here at University of Baltimore. So many of our faculty are involved in publishing a wide range of articles and books and have had an impact not only in the profession, but here throughout the community as many of you know, Baltimore is kind of a tale of two cities. We have some of the greatest things in urban America in the heart of our city and then you go out eight to twelve blocks and you can see some of the toughest challenges in cities. And our law faculty's been very involved in focusing in on a wide range of issues from family law to immigration to department, economic development issues and things that are both local and national and international impact. So in any event I just wanted to come by to thank you and hope that you

have a good time while you're here. Ron, you should have scheduled for next week because Monday is opening day of the baseball season. Sorry you won't be here for that, but do enjoy it and continue, I encourage you to continue your outstanding work. And Kellye, I just wanted to thank you in particular for coming here. Your career's just outstanding and I remember coming into here as the Dean and people would tell me I could learn from you. So I know that all of us are pleased that you're here and the work that you're doing with AALS is just outstanding. Thank you all very much and enjoy the day.

[ Applause ]

>> Thank you, President Schmoke. Hello everyone. My name is, as most of you know by now, you'll probably hear it four or five times today and apologize, but we have a slightly different crew every time. My name is CJ Peters. I'm the Associate Dean for Faculty Scholarship here at the University of Baltimore School of Law. And it's my pleasure and honor to introduce our lunchtime keynote speaker, Dean Kellye Y. Testy who is the Toni Rembe Dean and Professor of Law at the University of Washington, School of Law. Dean Testy has told me that she prefers a short introduction and I promise to make this one as short as possible, given her many accomplishments. I should have said, have a shorter resume if you want a shorter introduction. In 2009 Dean Testy joined the University of Washington law faculty as its first female permanent Dean. Before joining UW Dean Testy served as the Seattle University Law School. She began her distinguished career and education at Seattle University in 1992 and also served as Associate Dean for Academic Administration there. Dean Testy earned her bachelor's degree at Indiana University in Bloomington where she met our own John Besler, I understand. I hadn't known that

until today. She stayed there to attend law school and much to the benefit of IU School of Law, she graduated summa cum laude, order of the coif. She served as editor-in-chief of the Law Journal, was a John H Edwards University Fellow and a Chancellor Scholar. After graduation Dean Testy clerked for Judge Eschbach on the 7th Circuit. And in 1999 she returned to IU to teach as a visiting professor. Dean Testy is widely published in the areas of contracts, corporate law, and more recently leadership and diversity in academia. Her scholarship often focuses on the troubling or troubled relationships, could be either, between norms of corporate and contract law on one hand and the values of social justice on the other. She's the recipient of many awards and honors including the President's Awards of multiple organizations, the Washington State Bar Association, the Washington Women Lawyers and the King County Women Lawyers. She's a recipient of the Washington State Trial Lawyers Public Justice award and three Outstanding Teacher Awards, among her many other honors. This past January Dean Testy was inaugurated as the 2016 President of the Association of American Law Schools and in her inaugural address Dean Testy discussed the organizations theme for this year, Why Law Matters. It's a fundamentally important question for your society and it serves as a useful frame I think for the questions that we're exploring at this conference. Her address today is entitled, Now More than Ever, Legal Scholarship and our Complex, Connected and Contested World. Please join me in welcoming Dean Kellye Testy.

[ Applause ]

>> CJ, thank you very much for the very kind introduction. I appreciate that and I want to thank you and everyone here for organizing this conference. I was really struck in the first panel by, and as we begin, by talking about how important

it is that we intentionally have this discussion about the role of scholarship rather than just school by school or budget by budget decision kind of making the decision in that way. And so I really commend you and the University of Baltimore for putting this on. I think it's a wonderful conversation. And Dean, I want to thank you very much for all you've done to bring this forward and also for your kind words today. And it was really a treat for me to hear from your President. He mentions learning from me, but I actually remember quite vividly that in my first what we called, "baby law dean's training," he was one of the trainers and taught us a lot about communicating in crisis that I still remember. So I have to stay, I'm just super jealous of you having a former law dean as your president, and especially jealous of you having that one. So I think Baltimore's in great hands.

So as I begin my remarks today on legal scholarship I want to bring first greetings from the Association from American Law Schools, the AALS. And as you might guess, today I'm going to talk about why I still strongly support and think scholarship is such a good thing. And that probably isn't surprising since I'm serving as president this year and one our core values is promoting faculty scholarship and preserving the protections of academic freedom and tenure that is so important for faculty in order to say what they think and to be able to do that without worry about what repercussions might come from the. I also want to let you know that at AALS we're working really hard in this kind of challenging time that we're all in to bring more value to our member schools. And so I just wanted to let you know today while I have the chance that our executive committee, well which I lead, and Judith Areen, our terrific Executive Director, we've been really trying to do more and more to be of service to each school and to help faculty members

individually with their work in teaching and scholarship. And if you haven't taken a look at the AALS website lately, please do so, there's just so much change that's happened there in the last couple of years and I think that the direction we're heading is really the right one to be of more help and service to our schools. The next annual meeting is in San Francisco as noted. The theme is, Why Law Matters. And we had a wonderful meeting last year in New York. I think people thought it was the best ever and we're trying to jump over that high bar so I hope you'll feel free and encourage you to join us in San Francisco.

I really appreciate being asked to make some remarks today at your lunch and I want to do so somewhat in a summary fashion briefly because it is lunch and because we also want to have a few moments before you go to the next panel for some Q and A. So I want to make really two main points today in summary form that pulls from an article that I've been working on that compares and contrasts the debates about scholarship in the legal profession with what I see happening in fields like medicine and business. And education more broadly. And so first I want to point out that for the title of my talk I believe that legal scholarship matters now more than ever and two reasons for that. Let me begin with the first one that also pulls from the title. I believe that it matters more now than ever because the challenges of our world demand our rigorous intellectual engagement. In other words, it picks from something the panel talked about this morning, is that we don't do this in a vacuum. We do it because there are problems out in the world that need our attention and our brains and our thought and not just a whirl around in our own minds, but to be shared. The challenges that we have today are complex, thorny problems. Sometimes people call them wicked problems because they're large scale problems, they're very

connected as our world becomes smaller and smaller and more globally connected. They're also contested. I mean one of the things I think we all see so much in society right now is just very fierce debates about a lot of things where there's a lot of difference of view and not as much ability to talk across differences perhaps as ideal. You know, there are many examples of these. Let me just refer to things like climate and adaptation and global health and security. Deepening social conflicts and inequalities for some quick examples. And so for lawyers to be the constructive partners that I think they can be in addressing these challenges requires in my view, very deep thinking that can move us beyond identifying or dare I say, admiring the problem, to actually solving the problem and being a partner in solving them. I frequently, when I'm out talking with lawyers in all realms, hear them say that they actually need more, not less, scholarship from our faculties. And I understand that. I think they're right. They particularly note that in really complex areas of the law where they, you know, look to see, has anybody written on this. And sometimes they don't see that they have. I want to and hope that we can find ways to better connect the academy to the profession so that we do get that synergy where those kinds of problems that lawyers, judges would really like to see scholarship are ones that more of us are addressing. And I think that would make our project even more needed. But our needs our ideas and our innovation. And I think that's the role of the academy with the privileged positions that we hold of having time for reflection that often the busy world of being a lawyer or judge really just doesn't permit or afford. Our scholarship in my view, directly and indirectly advances law and legal institutions and there is so much more work to be done to advance law and to get at some of those problems that I referred to. So I think

legal scholarship matters now more than ever just because of the scale and the scope and the depth of the problems that our world needs our sort of elbow grease at trying to help with. The other reason that I think scholarship matters now more than ever is that I think our students need us to do it. And I heard some questions about that in our first panel. I think our students need teachers who are also scholars and an education that is infused with theory as well as with doctrine and practice. In my view, it's both and, not an either other. Given all of the changes that we're experiencing in law right now, as we sit here, I think it would be insincere to say that we can even begin to imagine the kinds of legal problems that our students will be needing to solve and devoting their time to in five years, ten years, certainly not in twenty years. And just learning what the law is and how to do it tomorrow is not going to prepare our students for the worlds that they're going to need to inhabit and be successful in. Writing scholarship develops us professionally, in my view, so that we can provide our students an education not just for their first case or their first year, but for a lifetime in law at the service of justice. Let's educate for the long view. So first, not surprisingly, I think we do need the scholarship, scholarly work we do now more than ever.

Now my second point that I want to talk about today is that I think there are many debates that we keep having in the legal academy about scholarship that are frankly making more of our time than necessary and that in some ways really are pulling away from the time that might be spent on other things like scholarship itself. And so I want to mention a couple of those today too that I'm hopeful that gatherings like this can maybe begin to help us move into and then past, so that we can get at the work that we all so need to be doing. So the first one that I'd like to



challenge us to really grapple with and then move on is this question of whether legal scholarship has impact. Of course it does. And it's interesting to me that really no other field seems to spend as much significant energy on this debate as we do. And I don't think we should keep spending this much energy on that debate. That there is bad scholarship out there does not mean that scholarship is not valuable. A bad judicial decision does not prompt us to say that we don't need judges or judicial opinions. A bad novel or a bad painting doesn't prompt us to say that writers or artists are beside the point. And a bad apple doesn't mean that we should quit eating fruit. You get the point. But we seem to mire ourselves in that debate over and over again and by we here, I really do mean all of us. The academics, the lawyers, the judges that debate just consumes so much of the time of each of those three groups. We've spent a lot of time spending an example of a bad article or even one that just doesn't seem right now all that relevant and using that as an example of well, this stuff's too expensive or irrelevant or both or what have you. I don't think that's true. I don't think the complaints that academic scholarship isn't always relevant to day-to-day practice of lawyers and judges are a big deal. Is it relevant day-to-day? Probably not. Is that a huge thing? Is that a great indictment? I don't think so. Day-to-day, few professionals in any field turn to academic scholarship in their fields. Instead lawyers, doctors, engineers, teachers and other professionals often, while they're doing their work, they first turn to each other. If somebody's doing an operation and there's something that didn't seem quite right about it, the tendency is to talk to another doctor about what might have gone better or learn from them. Same thing with engineers when there's work that they're doing. And why not with lawyers? Why not walk down the

hall to talk about it? It's not in the everyday work that we always say, well wait a minute, let's go look up an article. Right. But that doesn't mean that scholarship isn't worth doing or that it doesn't make a difference, it just doesn't make a direct difference to every practitioner every day. And I noted and look at the literature in medicine and business, those professors understand that and they don't get, put a barrier up about going ahead and doing the work because it's not used every day. I hope we can move beyond that too. Now there are to be said, clearly some workers that change everything about the way we see and apply law and it's almost like the minute they come out we see it. Sometimes they make points that seem so obvious, the first thing we all think is, why didn't I think of that, right. But they do really fundamentally alter the way we view law and the way we apply it. You could think of, you know, I know you all have your favorite examples. A couple of mine are Catherine McKinnon's work on sexual harassment. Derrick Bell's work on race and law. Warren and Brandeis work on privacy. Sax's work on the public trust doctrine. There's just so many examples and many of you in here have written pieces that I would put in that same kind of category. Others change smaller parts of law or they take longer to incubate. Some of us just plant trees in whose shade we will not sit. It may not impact law in our lifetime, but it may make a big difference later. We need that investment in our collective future. We need to be investing for the long-term. As I look at the way other disciplines talk about scholarship, I have to tell you that I sometimes wonder what the harsh critics of legal theory would have done in the field of science when Newton's Theory of Gravity or Einstein's Theory of Relativity were first put forward. Would those have been dismissed as not doctrinal enough? Maybe. In legal scholarship isn't all things, I think

diversity is really healthy and really important. To make this point one step more, let's look at another field for comparison, and I want to read a quote from a book that's called, "Working Stiff, Two Years, 262 Bodies and the Making of a Medical Examiner." The quote is this, "I always enjoyed stopping by this doctor's desk because he had a passion for forensics and the academic journals he collected featured articles like, "Heroin Fatality due to Penile Injection" and "Death After a Cold Drink." So be careful with the cokes. Compared to those titles, "Non-tumorous and Neoplastic Human Pituitaries Expression of the BCL2 Family of Proteins" did not stand a chance of holding my attention. And so I became a medical examiner rather than a doctor." But I bet that protein article was fascinating to someone. I bet it made a difference to a field just as the other articles made to this medical examiner. So let us focus on the quality of the work, not on policing the audience it's directed to on whether it's doctrinal or theoretical or what form it's in. Great work can indeed be done that isn't printed work, is what I think we're talked about today. And of course, also let's not focus always on how quickly it's likely to have an impact because I do think in our sound bite, you know, Facebook world, it's tempting to think that everything has to go right like this and sometimes great ideas take a little bit of time to get there. If writing makes a significant, original, clear and persuasive contribution to knowledge about the law, then I think it should be valued as scholarship that matters.

Now the second wasteful debate I'd love to see us move past is perhaps a more personal one about our own role in the academy and what we spend our time on. And this debate is one that is usually put like this, does everyone have to do it? Even if we think scholarship is valuable, do we all need to do it? And my answer to that

would be, no, that we don't. But, and this is a place where I think we have spent a lot of time pushing against, you know images of as you said, productivity rather than joy in scholarship. But I think all full-time professors should, in fact, I think it's the very essence of being a professor. Now that does not mean that there are not roles for others in our institutions that are incredibly important to our institutions and our students, but for those of us who are tenured or tenured track professors, yes I believe we should and with joy and with an understanding of the privilege that we have to think about whatever we want and to say what we believe. It's an enormous privilege. That's what we're hired to do. And given the enormous privilege of tenure, to do. Now that does not mean however, that we need to all do exactly the same kind of work. I think each institution should define the faculty's expected scholarship so as to fit their own unique mission and I believe in unique missions and I think one of the most important things we can do in legal ed is be clear about what ours are and proud of our unique missions not try and all be the same. Faculty scholarship at a major public research institution, for instance, may be very different in focus than what is expected as a standalone law school whose mission is to educate public interest or solo or small firm practitioners, for example. But I think the students at both schools in our profession deserve a faculty, a full-time faculty engaged in the professional development and the legal development that comes from the scholarly enterprise. To again look at other professions and fields, there's no time in medicine wasted on debating whether professors in medicine should engage in research and scholarship. That's their job, they know what they do it. They most also see patients and teacher as well. If someone can do heart surgeries, teach others to do heart surgeries and

do research on heart health, then why should be arguing that we can't teach contracts, wrote about contracts and even do contract cases whether it's part of a clinic or pro bono work or consulting work or what have you. Likewise, business academics do not contest that they should be doing scholarship on business, nor do academics in schools of education or social work. Academics and research scholarship go hand-in-hand. And I hope we can move beyond that point and talk about some of the thornier issues around things like quality. Around the issues that our world needs us at the table to help solve. There is after all, so much to say and so much that needs saying in this world. Our legal system and our world needs all of our contributions. And I believe our words do and can and will continue to make a difference. I want to thank you all for inviting me today and I want to thank you for the work you do. I know many of you here have made enormous contributions to the law through your words and through your actions and I hope you enjoy the rest of this conference. As I said, I think it's a really important one for us to be taking up dealing with head on rather than just letting it happen. I also want to say that I do hope to see a lot of you in San Francisco at the 2017 annual meeting where we'll engage the theme of Why Law Matters, talk about something around which there's a lot to say. That's a good one, I think. So thank you very much.

>> I think we have time, and you're willing to entertain some questions. Unfortunately, I'm going to have to use this microphone and want to make sure that the questioners speak into the microphone too. So I'll be responsible for shuttling it back and forth between -- it's always details in these things and the one that I didn't take care of was getting a second microphone up here. So why don't we, if anyone has any questions or comments for Dean Testy, I will deliver the microphone

to you and ask you to introduce yourself and then I'll bring it back to Dean Testy so she can respond. I knew I could count on Professor Hubbert.

>> So I'm Will Hubbert and I teach here at the law school. Thank you for coming and speaking today. You mentioned that you would like for us to move past the question of whether we should do scholarship to harder questions about things like quality. I'd love to hear your thoughts on we would identify that quality, because it is a hard question. And don't answer it in a way that makes me look bad.

>> That would be very difficult, actually.

>> Thank you. So one of the persons that's written about this and whose work I've found really helpful is Ed Ruben and talking about what is quality scholarship. And this is one of the areas that I do think is really important for us to talk about because everything that's written isn't necessarily quality scholarship. And I think it's important for us to confront that issue directly. Let me give you an example, well let me give you kind of a general sense of it and then one example where I hear it coming up a lot. So when I was making my remarks I said that if something was made original and significant and clearly written and persuasive case about work, then, in any area, that should be something that we value. And I think that could happen in a Law Review article, a book, it could happen on-line, it can happen in a casebook. And that's the area where sometimes I hear people really start to get, you know, drilling down about well, does this really count or not? There are some casebooks that we write where really what you're doing is editing cases, making a few notes, asking a few questions. Would I count that? Would I think of that as a scholarly book? I would not. But there are some casebooks that so transform the way we think about an area of law, where there's a lot of original

work done, where the person clearly had a lens and is looking at an area in a different way and an analysis of that area that really promotes the way we think about the field. So I think that even in specific areas like that we can see that there's a lot of difference. Now, the other point that I think that is sometimes overlooked is, do things that don't count as scholarship, does that mean we shouldn't do them? And my answer there is, no. We should do everything we can to make law and justice better. And sometimes that's a short blog post about how to use commas and sometimes that's a huge article about race and the law and sometimes that's, you know, there's so many things that we need to do, but I think that it's important for us to really try and wrestle with that question head on and get into it. Now the other quick caveat I want to make about that is again, I really do believe in the diversity of institutions and so rather than me saying what that means, you know, I give an answer that's more suitable for the institution I'm currently leading, which is professional school and a major research institution. I've been a leader of another law school where I would have given a different answer. And I think it should be the faculty thinking about the school and defining for itself its expectations that really should drive that question. That's more my sense of it, just from where I stand right now.

>> Thank you Dean Testy, Professor Hubbert. Other questions or comments? My short stick, to use President Schmoke's analogy, is that I will ask one if no one else does. Oh good. Thank goodness. Saved by the bell.

>> Pat Woods again. Just me. You mentioned at the beginning of your remarks that on the professional side, that there's a demand for more articles that address issues where there are gaps in the law. How do you think that we can encourage the production of more of those kinds of articles?

>> Thanks, Pat.

>> That's a great question and I hear it a lot, in complex regulatory areas, especially. And I think partly we get there by recognizing that in many law schools the faculty didn't practice much or if they practiced some, it may have been a while ago. And that's again where I love the idea of staying, you know, current and really thinking about professional development as a lifelong commitment because things change out there, right. So I think what that means is we need to find ways to infuse in our institutions a connection with the bench and bar so that you don't have the academy over here and the bench and bar and other categories. And I think there are many ways to do that, after all, consider for instance that all of our alumni are out there in those worlds and we all have incredibly easy reasons to want to be in touch with our alums all of the time. And so why not ways where you can have alums come to your school and talk with your faculty about some of the things that they're seeing where when they turn to look for an article they're not seeing it there. Or have jurist and resident programs where judges can talk with the faculty about that. Sometimes even more influential is, I always try at my institutions, have people come into the faculty who are like practitioners and residents or you know, whatever title you want to give them, who have been in practice up until the minute they come into your building. And that's not only wonderful mentoring for students, its wonderful mentoring for faculty. You know as an example right now we have two people in our building that are very much right out of practice and they're also two of the most active scholars in the building and they're really helping the faculty and the students see what is current and what all might need some more attention than it's getting.



>> I'm going to ask that the microphone be passed back.

>> Hi everybody. I'm Alicia Kelly from the Delaware Law School of Widener University. Thank you very much for your comments, I really appreciate being invited here and coming today and talking about this. One of the questions I guess I want to ask for your response, but everybody to think about is how we could disassemble some of the hierarchies that are around scholarship and I'm thinking about a couple of different ones. I don't know what the answer to this is, but I do think it's a problem that we could work on and improve. So there's within the law school itself, there's tenure tract faculty and tenured folks and then there are methods faculty, many of whom are still women and are not expected to write and really don't have time to write in the structure of their workload. There's hierarchies across schools where schools with a lot more money have some more ability to facilitate scholarship and to finance it and with all the pressures in the legal education market today it's getting harder I think for schools that are struggling with money to really try to find that as a place to put the resources. So we might start to see some hierarchies that are really different. It used to be law schools, all of them were producing scholarship and I think we're going to start to see a change in that. We probably already are. There's also some hierarchies in the placement process for articles where the better the school you come from, in terms of its reputation among the law students, the better the placement odds are. And so that's one particular issue where I think there's some hierarchies as well.

>> Well let me begin by saying that I often say that if I had those three wishes out of a genie bottle I might get rid of world violence and then hierarchy and then U.S. News. [ Laughter ] So I'm not a fan of it. I also think that if we waited

to really get at our work until those were all gone we would never get at our work. And some of our work could be about trying to write about that, right. But one of the things that I hope is somewhat responsive to your question is that I really think strongly that you know, in the course of the time that I've been a Dean, that I've seen people who are in every field, legal writing, clinic, academic support, you name it, write exceptional scholarship. So I think that if what you want to do in a law school is say that we want all of our faculty producing scholarship, then you need to structure their working conditions to enable that to actually happen. If you don't think for whatever reason for all faculty to be able to have that duty, then say that and then structure things accordingly. I think the worst of all worlds is to stay, and I think we do this a lot with clinical faculty, is we say now that you're on tenure track clinicians you must produce scholarship in the same standard that the, let's call them for lack of a better word, podium faculty, do. But then you don't structure the way the work goes in order to make that at all realistic. And then you use that as a reason to say, see clinical faculty really don't write scholarship. So I'm big believer as just as the theme of this conference, having a conversation and deciding, who do you really want to have that responsibility? And then structuring things so that there's support for that. And I don't think it necessarily flows along, I don't think there's any one right pathway for that because again I think about somebody like Paula Lustbader at Seattle U that I worked with whose career was in academic support. She had some of the best writing on teaching a learning theory that was exceptionally well done. And I also think sometimes we think that articles can't get light of day from the institutions we're at, and I again I don't think that's the reality. I think again about a specific

example when I was at what was then called the University of Puget Sound that then got bought by Seattle University. Janet Ainsworth was writing from a law school whose name was going to soon not even exist and placed in Yale when she wrote an amazing article about linguistics and the way that women speak was really influencing negatively the invocation of the right to counsel because we were insisting upon a very forceful way of saying something instead of, hey, maybe I should get a lawyer. So I think that, I really think that some of those, I don't want to deny those barriers are there, but I think we can push beyond some of them and then through those honest conversations, institution and institution line things up best we can.

>> Let's take one more question for Dean Testy.

>> I'm Matthew Lindsay, University of Baltimore. It seems that if we're interested in improving the quality and perhaps easing the volume of scholarship, the one thing probably most of us would like to see happen is to decenter the Law Review publishing process. The problem with that of course is that we're so invested in it both from the university perspective and as faculty. So what can law schools do to de-emphasize Law Review publishing. To kind of recognize, to validate, to credit for tenure and promotion and funding, a broader range of scholarship and yet still have a credible way to evaluate and to certify quality across a lot of different publishing formats?

>> One article that you might find interesting on that question is that one of our reference librarians at the University of Washington did a survey, a very great counting, because you know we publish the current index for legal periodicals for years and she did this really interesting survey about the growth of how many Law Reviews are out there and if you look from 1960 to right now it's been just

astronomical increase in the number of journals. And that's not because of an increase in the number of law schools, it's an increase in the number of journals at law schools or other journals that various groups are putting out. So when you asked your question, the first thing that jumped into my mind is each of our law schools could quit having so many law journals because I know one of the things that I hear all of the time is that those journals have a hard time getting articles. So that's why I often say to people, the hardest thing about getting published is writing the piece, not getting it placed. Because if you write the piece you'll get it placed. And I also began to think about all the student energy and time that's going into editing eight different journals and I thought what if that student time was instead doing work that was like multiplying what legal services was providing, as an example, because that would also be really good training, which is what we think working at a journal is, right. So I think there's we could think about there in our institutions but I also again just want to come back to the point that I'm thrilled as I think the panel made the point this morning, that Law Reviews are changing the kind of work that they're publishing. There's a lot more personal forms of scholarship, narrative forms of scholarship, shorter forms of scholarship that's out there. And so again I think each institution talking about, you know, do we, what do we really expect of one another? That's the best part of being faculty colleagues together, is that you know, when you think about this and you hear that term, shared governance, a lot, but I think one of the most important things for a faculty is to think about who are we and who do we want to be? And really define for itself its own mission and direction on that. And then if I'm successful in getting one of those wishes and U.S. News goes away, maybe that's easier. But I

mean, even so, I think not chasing a model of a law school but thinking about, what do I have to contribute to the world? And then come kind of scholarship is going to promote that would be helpful.

>> Thank you so much. Dean Testy, everyone.

[ Applause ]

>> So we -- oh did you want to say something?

>> I did just want to make one quick point and that is during my presidency term this year I'm trying to visit as many schools as I can to talk and have these conversations and then also just to be engaged with faculty individually. So I do want to say that if any of you want to follow up, I wish I could stay longer today, I have to run fairly quickly, but I'm just eager to talk more because if there's other things that I individually or AALS can be helpful with, that's what we want to do. So CJ again, thank you again for giving me the mic for another minute.

>> No problem at all. And again, a round of applause for our keynote speaker.

[ Applause ]

So we have about a half hour to finish your lunch and check out the building if you haven't already. I think these doors are locked so we don't get the lunch sucked out on to Charles Street, but still a nice view. But half an hour from now our panel begins at 1:30 in the Moot Courtroom. Thank you.

[ Event concluded ]

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