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From the Editors

Ezra Rosser

Robert Dinerstein

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From the Editors

Although this issue arrives on desks roughly two years after the start of the coronavirus pandemic, it offers a degree of continuity with our usual fare concerning scholarship about legal education. Our next double-length issue will explore in depth matters of teaching modality, technology, and change connected with the ongoing pandemic. This issue offers fresh perspectives on matters of long-standing concern—line drawing, pro bono requirements, pedagogy, law student instruction of high school students, and bar exams. We found the articles, as well as the three book reviews that fill out this issue, to be engaging and insightful and we hope you agree.

In *Reframing Faculty Pro Bono*, Professor Ezra Ross argues that progress on increasing levels of faculty pro bono may be furthered by moving away from tired debates about a faculty pro bono requirement in favor of an approach that emphasizes softer nudges. Observing that earlier efforts to spark debate around faculty pro bono requirements have largely stalled, Professor Ross suggests that nudges—including everything from curating bite-sized volunteer opportunities across a range of issues to collecting and sharing information on the extent to which individual faculty members are engaged in pro bono work—might provide better ways of encouraging faculty to meet this professional norm.

Turning from faculty engagement with the outside world to faculty meeting practices, Professor Jonathan Siegel provides readers with a practical guide to parliamentary procedure. *A Law Professor's Guide to Parliamentary Procedure* dispels common misconceptions about *Robert's Rules of Order*. Though parliamentary procedures are a standard part of faculty governance, many rules are either misunderstood or abused. Siegel's article provides a useful guide to parliamentary procedure that will interest any faculty member who has experienced the frustrations of navigating procedural barriers when either pushing for or objecting to a particular policy.

Professor Mark Kelman's contribution, *Of Moore, Players and Owners, and Consequentialist Pedagogy: Can the Center Hold?*, is arguably the most far-ranging article in this issue, moving as it does from a case about patient rights over cells removed from their body to questions of free agency in professional sports. Explaining that when faced with hard cases many students tend to avoid consequentialist reasoning and are drawn instead to facile black and white positions, Kelman shows the value of pushing students into uncomfortable territory when they are forced to defend their initial statements. Whether you are interested in how to expose students to consequential reasoning or just really like baseball, this article is both fun to read and insightful.

With their article, *Preparing Lawyers for Practice: Developing Cultural Competency, Communication Skills, and Content Knowledge through Street Law Programs*, Ben Perdue and Amy Wallace highlight the value of Street Law programs. As they show, law student participants in such programs report numerous benefits associated with their experience teaching high school students. The article provides readers with an understanding of the animating philosophy behind Street Law programs, the variation in their teaching and credit hours, and the basic details of similar programs.

In *Safeguard or Barrier: An Empirical Examination of Bar Exam Cut Scores*, Michael B. Frisby, Sam C. Erman, and Victor D. Quintanilla show that bar exam cut scores are not correlated with disciplinary action against lawyers. Given the role the bar exam plays in limiting the diversity of the practicing bar, the authors argue that their analysis of disciplinary action suggests that the bar exam does little to protect against malpractice and instead serves as a discriminatory barrier to entry into the profession.

Finally, Professor Orin Kerr provides the issue with an “at the lectern” feature. He explores the common pedagogical tool that asks students to zero in on where and how they would “draw the line” between two conflicting positions. Such line-drawing questions, he notes, force students to address the challenges that arise when values aligning with a particular conclusion compete with alternative values that would support drawing the line in a different place.

This issue ends with book reviews by Professors Cynthia Grant Bowman, O.J. Salinas, and Katharine G. Young, that cover, respectively, a comparative study of women’s experiences in the legal academy, an edited volume on legal writing pedagogy, and an exploration of the role of constitutional rights in protecting individuals.

As much as the challenges of the ongoing pandemic have disrupted legal education, the articles in this issue underscore ways in which life, inevitably, goes on and that while legal education is impacted by the pandemic, some challenges are perennial ones. We hope that you get a chance to check out these great contributions. It is a privilege to have the chance to teach law, but a privilege that invites reflection. These articles collectively respond to that need for reflection and critical consideration of our work in the legal academy.

-Robert Dinerstein and Ezra Rosser