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2015: Roundtable on Increasing Author Diversity in  
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2015

# Roundtable on Increasing Author Diversity in Legal Scholarship: Program and Bibliography

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## Recommended Citation

Hawkins, Jason, "Roundtable on Increasing Author Diversity in Legal Scholarship: Program and Bibliography" (2015). 2015: Roundtable on Increasing Author Diversity in Legal Scholarship: Bibliography. Paper 1.  
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In her article, “Of Authorship and Audacity: An Empirical Study of Gender Disparity and Privilege in the ‘Top Ten’ Law Reviews,” (31 WOMEN’S RTS. L. REP. 385 (2010)) Professor Minna Kotkin presented the results of a study examining the percentage of female authors in elite journals. Kotkin found that only 20% of articles in those law reviews were written by women, even though women make up 31% of the tenured/tenure-track faculty nationally. There is a similar disparity for minority authors as well.

Since publishing is such an important component in hiring, promotion, and tenure decisions, this Roundtable will address how faculty and law journal boards can help increase the chance that an article written by a female author or an author of color will be accepted and how journal leadership can adopt an agenda that results in a more diverse set of authors in its publication. This Roundtable will be helpful to faculty seeking to enhance their chance of having an article accepted, and to journal editorial board members who wish to take a leadership role in increasing author diversity in legal scholarship.

*The organizers would like to give special thanks to Yvonne McMorris and Jerri Shahverdi for their help in organizing this Roundtable.*

# AGENDA

## **9:30 - 10:00 a.m. - Continental Breakfast Available**

## **10:00 - 10:15 a.m. - Welcome Remarks**

Paula Monopoli, Professor of Law and Founding Director, Women, Leadership & Equality Program, University of Maryland Carey School of Law

Donald Tobin, Dean and Professor of Law, University of Maryland Carey School of Law

Liz Clark Rinehart, Editor-in-Chief (2014-2015), MARYLAND LAW REVIEW

## **10:15 - 11:45 a.m. - Promoting Your Work and that of Other Diverse Scholars: Developing a Research Agenda and Securing Publication**

Moderator: Martha Ertman, Carole & Hanan Sibel Research Professor of Law, University of Maryland Carey School of Law

Taunya Lovell Banks, Jacob A. France Professor of Equality Jurisprudence, University of Maryland Carey School of Law

Naomi Cahn, Harold H. Greene Professor of Law, George Washington University Law School

Margaret Johnson, Associate Professor of Law and Director, Bronfein Family Law Clinic, Co-Director, Center on Applied Feminism, University of Baltimore School of Law

Megan La Belle, Associate Professor of Law, Catholic University Columbus School of Law

Russell McClain, Law School Assistant Professor and Director, Academic Achievement Program, University of Maryland Carey School of Law

## **11:45 - 12:00 p.m. - Break; pick up box lunches**

## **12:00 - 1:00 p.m. - Setting an Agenda: How Journal Board Leadership Can Enhance Author Diversity**

Moderator: Deborah Eisenberg, Associate Professor of Law & Director, Center for Dispute Resolution (C-DRUM), University of Maryland Carey School of Law

Liz Clark Rinehart, Editor-in-Chief (2014-2015), MARYLAND LAW REVIEW

David Steenburg, Editor-in-Chief (2014-2015), CATHOLIC UNIVERSITY LAW REVIEW

Laura Merkey, Editor-in-Chief (2015-2016), MARYLAND LAW REVIEW

## **1:00 - 1:15 p.m. - Break**

## **1:15 - 2:15 p.m. - Getting Your Article Selected: Five Things Journal Editors Look For in Faculty Submissions**

Moderator: Jana Singer, Professor of Law, University of Maryland Carey School of Law

Monica Basche, Executive Articles Editor (2015-2016), MARYLAND LAW REVIEW

Susan Schipper, Executive Articles and Symposium Editor (2014-2015), MARYLAND LAW REVIEW

Melissa Mulrey Soares, Articles Editor (2015-2016), CATHOLIC UNIVERSITY LAW REVIEW

Natalie Bilbrough, Manuscripts Editor (2015-2016), MARYLAND LAW REVIEW

## **2:15 - 2:30 p.m. - Closing Remarks**

## PANELISTS, MODERATORS & COMMENTATORS

**Taunya Lovell Banks** is the Jacob A. France Professor of Equality Jurisprudence at the University of Maryland Carey School of Law where she teaches constitutional law, torts, and seminars on law in popular culture (film or literature), citizenship, and critical race theory. Prior to entering legal education in 1976, she worked as a civil rights lawyer in Mississippi, litigating voting rights and housing discrimination cases and providing technical assistance to black elected officials. During the 1979-1980 academic year, she worked as a senior trial attorney for the Equal Employment Opportunity Commission in Los Angeles, litigating some of the early sexual harassment cases under the interim guidelines. Professor Banks' most recent publications explore the continuing impact of gender, race, racial formation, and racial hierarchies on the quest for social equality. She also writes about law, lawyers, and legal issues in film and on television. Earlier publications include several articles and book chapters on legal and public health issues facing women infected with the HIV virus; and an empirical study of gender bias in law school classrooms. She is a contributing co-editor of *Screening Justice - The Cinema of Law: Films of Law, Order, and Social Justice*. Her current research projects include a legal memoir exploring her and the nation's changing views on race from the mid twentieth century through the beginning of the twenty-first century. Professor Banks served on the editorial board of the JOURNAL OF LEGAL EDUCATION and the advisory committee of the LAW & SOCIETY REVIEW. She is a former member of the Association of American Law Schools' Executive Committee, and two-term Trustee of the Law School Admissions Council.

**Monica Basche** is a second-year student at the University of Maryland Carey School of Law. She received her B.A. in Russian Language and Literature and English Literature from the University of Wisconsin-Madison. Prior to attending law school, she worked for a Baltimore-based company reviewing dietary supplement marketing for compliance with FDA and FTC law. Basche is the MARYLAND LAW REVIEW's incoming executive articles editor and the author of the forthcoming note "*Blackburn Limited Partnership v. Paul: The Birth of Maryland's Statute or Ordinance Rule and Its Ill-Defined 'Targeted Class' Requirement.*"

**Natalie Bilbrough** is a second-year law student at the University of Maryland Carey School of Law and the manuscripts editor of the MARYLAND LAW REVIEW. She lives in Chester, Md. Prior to law school she attended Messiah College in Grantham, Pa, and received a Bachelor's degree in history. She will be a summer associate at WilmerHale in 2015 and plans to clerk for the Honorable Marvin Garbis on the U.S. District Court for the District of Maryland following graduation.

**Naomi Cahn** is the Harold H. Greene Professor of Law at The George Washington University Law School. She has written numerous law review articles on family law, feminist jurisprudence, and reproductive technology. She is the author of several books, including *The New Kinship* (2012) and *Test Tube Families: Why the Fertility Market Needs Legal Regulation* (2009); she has co-authored *On the Frontlines: Women, Gender, and the Post-Conflict Process* (2011) (with Professors Fionnuala Ni Aoláin and Dina Haynes) and *Red Families v. Blue Families: Legal Polarization and the Creation of Culture* (2010) (with Professor June Carbone); and she has co-written casebooks in the fields of family law, trusts, and estates. Her work has been featured in The New York Times, The Washington Post, The Christian Science Monitor, and The New Yorker, and she has appeared on numerous media outlets including NPR, MSNBC, and bloggingheadstv.com. Professor Cahn is a senior fellow at the Evan B. Donaldson Adoption Institute, and a member of the Yale Cultural Cognition Project, for which she and her co-investigators have received outside funding to conduct research on public attitudes towards gay and lesbian parenting. From 2002 to 2004, Professor Cahn was on leave in Kinshasa, Democratic Republic of the Congo. Prior to joining the faculty at GW Law in 1993, Professor Cahn practiced with Hogan Lovells in Washington, DC and with Community Legal Services in Philadelphia. At GW Law, she teaches courses on family law, trusts and estates, elder law, and child, family, and state law.

**Deborah Thompson Eisenberg** is an associate professor of law and faculty director of the Center for Dispute Resolution at the University of Maryland Carey School of Law. She writes and teaches in the areas of employment law, dispute resolution, and civil procedure. She also provides professional trainings and workshops on negotiation, mediation, and workplace dispute resolution and serves as a mediator in civil and employment cases. Professor Eisenberg came to the law school as a visiting assistant professor of law in 2007 and has taught civil procedure, legal analysis and writing, employment discrimination, and the Workers' Rights Clinic. She currently teaches the Mediation Clinic. Prior to academia, Professor Eisenberg practiced civil litigation for more than fifteen years. Her diverse practice included work at a large commercial law firm, a public interest advocacy organization, and a boutique litigation firm where she focused on

employment law and complex civil rights litigation. Professor Eisenberg received her J.D. from Yale Law School in 1994, where she was a symposium editor of the *YALE LAW JOURNAL*. She graduated valedictorian of her class at the University of Maryland Baltimore County in 1991, with a B.A. in Political Science.

**Martha M. Ertman** is the Carole & Hanan Sibel Research Professor and teaches Contracts, Commercial Law and Contract Drafting courses and writes about the role of contracts and mini-contracts she calls “deals” in family relationships. Her law review articles and book chapters uncover the often-hidden role of contracts and deals in the legal rules governing the value of homemaking labor, what she calls “Plan B” baby-making through reproductive technologies, and polygamy, and her book *Rethinking Commodification: Cases and Readings in Law and Culture* (NYU Press 2005) (with Joan Williams) explores the reach of markets into all areas of our lives. Public presentations of her work include a New America Foundation panel on same-sex marriage and her current book project, *Love’s Promises: How Formal and Informal Contract Shape All Kinds of Families* (Beacon Press, forthcoming 2015), also seeks to reach readers outside law schools by blending memoir with family law stories about exchanges in reproductive technology, adoption, cohabitation and marriage. Before joining the Maryland Carey Law faculty in 2007, Professor Ertman taught at University of Utah and University of Denver law schools, and has also visited at the Universities of Michigan, Connecticut, and Oregon. Before entering academia, she clerked for the Honorable Peter H. Beer, a U.S. District Court judge in Louisiana, and practiced law in Denver and Seattle.

**Margaret E. Johnson** is an associate professor of law, co-director of the Center for Applied Feminism, and the director of the Bronfein Family Law Clinic at the University of Baltimore School of Law. Her scholarship focuses on issues relating to domestic violence, property, feminist legal theory, and clinical legal education, and her articles have been published in the *U.C. DAVIS LAW REVIEW*, the *B.Y.U. LAW REVIEW*, *CARDOZO LAW REVIEW*, and the *TEMPLE LAW REVIEW*, among others. Prior to joining the UB faculty, Johnson directed the Domestic Violence Clinic and taught Property and Sex-Based Discrimination at the Washington College of Law, American University; was an employment discrimination litigator, with a special focus on sexual harassment law, at the D.C. firms of Terris, Pravlik & Wagner, Kalijarvi, Chuzi & Newman and the Washington Lawyers’ Committee for Civil Rights; was a Georgetown Women’s Law and Public Policy Fellow; clerked for the Hon. Hector M. Laffitte in the United States District Court, District of Puerto Rico; and served as articles editor for the *WISCONSIN LAW REVIEW*. She serves on the board of the Women’s Law Center of Maryland, where she co-chairs the Feminist Policy and Advocacy Committee. She is co-vice president of the Clinical Legal Education Association (CLEA). She is the former chair of the Planning Committee, American Association of Law Schools Section on Clinical Legal Education 2014 Conference. Professor Johnson was named one of the Top 25 Women Professors in Maryland in 2013 and is the recipient of a 2012 USM Board of Regents’ Faculty Award. She was selected as Professor of the Year by the UB Women’s Bar Association in 2008 and 2011. Johnson is a member of the bars of the State of Maryland, the District of Columbia, and the Commonwealth of Massachusetts.

**Megan M. La Belle** is an associate professor at The Catholic University of America Columbus School of Law, where she teaches and researches in the areas of intellectual property and procedure. Professor La Belle has spoken widely on patent litigation topics and has published articles in the *VANDERBILT LAW REVIEW*, *GEORGE MASON LAW REVIEW*, and *ARIZONA STATE LAW JOURNAL*, among others. Before joining the faculty at Catholic, Professor La Belle spent several years as a commercial litigator with the Los Angeles law firm of Munger, Tolles & Olson where her practice focused on intellectual property and other complex civil litigation matters. Professor La Belle earned her B.A., *summa cum laude*, from the University of California, Los Angeles, and her J.D. from the University of California, Davis, School of Law. While in law school, Professor La Belle served as the senior notes & comments editor for the *U.C. DAVIS LAW REVIEW* and was elected to the Order of the Coif. After law school, Professor La Belle served as a law clerk to the Honorable Stephen S. Trott on the U. S. Court of Appeals for the Ninth Circuit, and to the Honorable Margaret M. Morrow on the U. S. District Court for the Central District of California.

**Sherri Lee Keene** is a law school assistant professor and director of the Legal Writing Program at the University of Maryland Carey School of Law. Prior to joining the faculty, she was most recently a staff attorney at the Office of the Federal Public Defender for the District of Maryland where she litigated appeals and motions, and researched novel issues of criminal law. She also served as an adjunct faculty member at the George Washington University School of Law. Professor Keene previously clerked for the Honorable Judge James T. Giles of the U.S. District Court for the Eastern District of Pennsylvania and worked as a civil trial attorney for the U.S. Department of Justice. She is a graduate of Spelman College and New York University School of Law.



**Russell McClain** is a law school assistant professor and director of the Academic Achievement Program at the University of Maryland Carey School of Law. From 1995 until 2005, Professor McClain was a civil litigator in Los Angeles, California. His practice areas included commercial, entertainment, consumer, and bankruptcy litigation. In the fall of 2005, Professor McClain accepted a two-year appointment to the faculty of Howard University as a legal writing instructor. In the fall of 2006, Professor McClain accepted a one-year part-time appointment to the faculty of Maryland Carey Law as a visiting law school assistant professor and coordinator of the Academic Achievement Program. In 2007-2008, Professor McClain was a full-time visiting law school assistant professor and director of the Academic Achievement Program, and taught Sales and Payment Systems in the fall semester, in addition to fall and spring courses connected to the Academic Achievement Program.

**Laura Merkey** is a second-year law student at the University of Maryland Carey School of Law. She is the incoming editor-in-chief of the MARYLAND LAW REVIEW as well as a member of the National Trial Team and the Moot Court Board. She has a B.A. in English and History from the University of Maryland, College Park. Prior to law school, Merkey spent two years working at Wiltshire & Grannis in Washington, D.C. This summer, she will be joining the Baltimore office of Hogan Lovells as a summer associate.

**Paula A. Monopoli** is a professor of law at the University of Maryland School of Law and the founding director of its Women, Leadership & Equality Program. Professor Monopoli received a B.A. *cum laude*, from Yale College in 1980, and a J.D. from the University of Virginia School of Law in 1983. She teaches in the area of Property, Estates & Trusts and Gender & the Law. Professor Monopoli has published widely in the areas of ethics and fiduciary duty, and has been recognized as an innovative scholar in the fields of gender and inheritance law. Her publications include “Toward Equality: Nonmarital Children and the Uniform Probate Code” in the UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM, “Gender and Constitutional Design” in the YALE LAW JOURNAL, “Marriage, Property and [In]Equality” in the YALE LAW JOURNAL ONLINE, “Gender and Justice: Parity and the United States Supreme Court” in THE GEORGETOWN JOURNAL OF GENDER AND THE LAW, and “The Gendered State and Women’s Political Leadership” (with McDonagh) in FEMINIST CONSTITUTIONALISM. Professor Monopoli is also the author and editor of three books including, *American Probate: Protecting the Public, Improving the Process* (2003), *Contemporary Trusts and Estates: An Experiential Approach* (with Borison, Cahn and Gary)(2d ed. 2014) and *Law and Leadership: Integrating Leadership Studies into the Law School Curriculum* (ed. With McCarty) (2013). Professor Monopoli has presented her research at Yale Law School, the University of Michigan Law School, the University of Wisconsin, Queens University Canada, Queens University Belfast, and the George Washington University School of Law, among many others. Professor Monopoli is an elected member of the American Law Institute and she sits on the ALI’s Consultative Committees for the Restatement Third of Property (Donative Transfers) and the Restatement Third of Trusts. She is an Academic Fellow of the American College of Trusts and Estates Counsel. Professor Monopoli is the 2013 University Founders’ Week Teacher of the Year (University Teaching Award) and she has been named the Outstanding Professor of the Year at Maryland Carey Law several times. Professor Monopoli was selected as one of Maryland’s Top 25 Women Professors by StateStats.org in 2013, as one of Maryland’s Top 100 Women by the *Daily Record* in 2009 and she has been the recipient of the *Daily Record’s* Leadership in Law Award.

**Melissa Mulrey Soares** is a second-year law student from The Catholic University of America Columbus School of Law and is the incoming lead articles editor of the CATHOLIC UNIVERSITY LAW REVIEW’S 65TH volume. She graduated with a B.A. in History from Boston University in 2008. Prior to law school, Mulrey Soares worked in human resources in Boston and Washington, D. C. She will serve as a summer associate at Akin Gump Strauss Hauer & Feld in their Washington, D.C. office in 2015.

**Liz Clark Rinehart** is a fourth-year law student at the University of Maryland Carey School of Law and is the current editor-in-chief of the MARYLAND LAW REVIEW. After graduation, Liz will be clerking for the Honorable Roger W. Titus, U.S. District Court for the District of Maryland, and then for the Honorable Diana Gribbon Motz, U.S Court of Appeals for the Fourth Circuit. After her clerkships, Rinehart will be joining Squire Patton Boggs as an associate in their Washington, D.C. office. She has a B.A. in Russian Languages and Literature from the University of Maryland, College Park, and a B.A. in Social Work from Salisbury University. She currently lives in Cecil County, Md, with her husband and two children.

**Susan R. Schipper** is the current executive symposium and articles editor on the MARYLAND LAW REVIEW. A graduate of Queen's University in Ontario, Canada, Schipper worked in public policy in Washington, D.C. for two years before coming to Maryland Carey Law. In addition to her work on the journal, she is the co-chair of the law school's Myerowitz Moot Court Competition, a member of the National Moot Court team, and a writing fellow for 1L students. Following law school, Schipper will clerk for the Honorable Stephanie Gallagher of the U.S. District Court for the District of Maryland and the Honorable Andre Davis of the U.S. Court of Appeals for the Fourth Circuit before joining Venable LLP as an associate in the firm's Baltimore office

**Jana Singer** joined the Maryland Carey Law faculty in 1985 after serving as a Revson Fellow in women's law and public policy and adjunct clinical professor at the Georgetown University Law Center's Sex Discrimination Clinic. Following her graduation from law school, where she was articles editor of the YALE JOURNAL OF WORLD PUBLIC ORDER, she served for a year as clerk to the Honorable Richard D. Cudahy of the U.S. Court of Appeals, Seventh Circuit, and then for two years as a litigation associate at the law firm of Wilmer, Cutler & Pickering. Professor Singer is the co-author of *Family Law: Cases, Materials, and Problems* (1998) and she has written widely on constitutional law, family law and children's issues. She is a member of the American Law Institute and a liaison member of the American Bar Association Commission on Women in the Profession. She is a past chair of the Family and Juvenile Law Section of the American Association of Law Schools and a current member of the editorial board of the FAMILY COURT REVIEW.

**David Steenburg** is a third-year law student at The Catholic University of America Columbus School of Law and is serving as editor-in-chief of the CATHOLIC UNIVERSITY LAW REVIEW's 64<sup>th</sup> volume. He graduated with a B.A. in History, Religion, and Classics from Grove City College in 2007. He taught English and Religion at St. Mary's Catholic School in Hagerstown, Md. from 2008-2010 and worked at Duke University from 2010-2012. He will join Hogan Lovells' Washington, D.C. office this fall as an associate.

**Rena Steinzor** is a professor of law at the University of Maryland Carey School of Law and teaches an environmental survey course, as well as offerings in risk assessment, critical issues in law and science, legal methods, contracts, and an introduction to the administrative system. During the course of her academic career, Professor Steinzor has written extensively on efforts to reinvent environmental regulation in the United States, the use and misuse of science in environmental policy making, and the devolution of legal and administrative authority to the states. Professor Steinzor has authored and co-edited many books, including *Why Not Jail?: Industrial Catastrophes, Corporate Malfeasance, and Government Inaction* (Cambridge University Press, 2014); *Mother Earth and Uncle Sam: How Pollution and Hollow Government Hurt Our Kids* (University of Texas Press, 2007); *The People's Agents and the Battle to Protect the American Public: Special Interests and Threats to Health, Safety, and the Environment* (University of Chicago Press, 2010)(with Sidney A. Shapiro); *A New Progressive Agenda for Public Health and the Environment* (Carolina Academic Press, 2005) (with Christopher Schroeder); and *Rescuing Science from Politics* (Cambridge University Press, 2005)(with Wendy Wagner). Professor Steinzor is the president of the Center for Progressive Reform (CPR), a think tank comprised of some 52 member scholars from universities across the United States. CPR is committed to developing and sharing knowledge and information, with the ultimate aim of preserving the fundamental value of the life and health of human beings and the natural environment.



## BIBLIOGRAPHY OF SELECTED SCHOLARSHIP

Prepared by Jason Hawkins JD, MLS, Research Librarian, University of Maryland Carey School of Law.

### **GENDER DISPARITIES AMONG PUBLISHED AUTHORS (FACULTY) IN LAW REVIEWS**

1. Ian Ayres & Fredrick E. Vars, "Determinants of Citations to Articles in Elite Law Reviews," 29 J. LEGAL STUD. 427 (2000), available at WestlawNext.  
*Authors analyze factors that lead to articles from top law reviews being cited. Authors find that articles by young, female, or minority authors were more heavily cited.*
2. Ann Bartow, "Where Are the Women? Another Post about Gender Disparities at Elite Law Journals," *Feminist L. Professors* (April 30, 2009), <http://www.feministlawprofessors.com/2009/04/where-are-the-women-another-post-about-gender-disparities-at-elite-law-journals>.
3. Christopher Anthony Cotropia & Lee Petherbridge, "Gender Disparity in Law Review Citation Rates" (2014), available at <http://ssrn.com/abstract=2469628>.  
*Authors analyze the impact of gender on citation to articles published in top 100 law reviews between 1990 and 2010, and find, in surprising contrast to observations made in other disciplines, that articles authored by women receive significantly more citations than articles authored by men.*
4. Jonathan Gingerich, "A Call for Blind Review: Student Edited Law Reviews and Bias," 59 J. LEGAL EDUC. 269 (2009), available at WestlawNext.  
*Argues that blind review of manuscripts will reduce bias in law review article selection and ensure fair equality of opportunity for legal academics. Section on "Gender Bias" further discussing evidence that non-blind review disadvantages female authors.*
5. Christine Hurt, "More on Gender, Scholarship, and HLR," *The Conglomerate* (May 19, 2005), [http://www.theconglomerate.org/2005/05/more\\_on\\_gender\\_.html](http://www.theconglomerate.org/2005/05/more_on_gender_.html).
6. Minna Kotkin, "Of Authorship and Audacity: An Empirical Study of Gender Disparity and Privilege in the 'Top Ten' Law Reviews," 31 WOMEN'S RTS. L. REP. 385 (2010), available at WestlawNext.  
*Presents results of a study examining gender composition of law school professors and female publication in top-10 law journals. Find that out just over 20% of articles in elite law reviews are written by women even though women make up just under 29% of faculties at elite law schools.*
7. Nancy Leong, "Discursive Disparities," 8 FIU L. REV. 369 (2013), available at <http://ecollections.law.fiu.edu/cgi/viewcontent.cgi?article=1173&context=lawreview>.  
*Author discusses gender disparity in legal scholarship and presents some ideas for ameliorating the disparity.*
8. Paula A. Monopoli, "Gender and the Crisis in Legal Education: Remaking the Academy in Our Image," 2012 MICH. ST. L. REV. 1745 (2012), available at [http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2344&context=fac\\_pubs](http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2344&context=fac_pubs).  
*Arguing that there is a connection between the incentives law schools place on scholarship at the expense of pedagogy slows the progress of women to tenured, full professors. Notes that women are published less frequently in American law reviews than men.*
9. Jason P. Nance & Dylan J. Steinberg, "The Law Review Article Selection Process: Results from a National Study," 71 ALB. L. REV. 565 (2008), available at [http://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1389&context=faculty\\_pub](http://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1389&context=faculty_pub).  
*Presents results from survey of law review editors about the article selection process. Survey results indicated that few editors considered diversity (race or sex) as criteria when selecting articles.*

## **GENDER DISPARITIES AMONG STUDENT EDITORS OF LAW REVIEWS**

1. Allison L. Bowers, "Women at the University of Texas School of Law: A Call for Action," 9 TEX. J. WOMEN & L. 117 (2000), available at WestlawNext.  
*Presents study on the female experience and performance at the University of Texas School of Law. Section 3.E. discusses female experiences on the law review. Study results indicated that women were significantly underrepresented on law review, and that law review membership represented the largest disparity in male and female representation among all indicators studied.*
2. Dana Brodsky et al., 2010-2011 LAW REVIEW DIVERSITY REPORT, New York Law School Law Review (October 2011), <http://www.nylslawreview.com/wp-content/uploads/sites/16/2011/10/2010-2011-Law-Review-Diversity-Report.pdf>.  
*Examines how females are represented on U.S. law reviews. Study found positive correlation between gender diversity on law reviews and schools having a high percentage of female, full-time faculty and schools having a high percentage of minority, full-time faculty.*
3. Stephanie Chichetti, Emily Freeborn & Lilia Volynkova, 2011-2012 LAW REVIEW DIVERSITY REPORT, New York Law School Law Review (October 2012), <http://www.nylslawreview.com/wp-content/uploads/sites/16/2012/10/2011-2012-NYLS-Law-Review-Diversity-Report.pdf>.  
*Examines how females and minorities are represented on U.S. law reviews. Finds that female law students lag far behind male law students in achieving editor-in-chief positions at law reviews.*
4. Mark A. Godsey, "Educational Inequalities, the Myth of Meritocracy, and the Silencing of Minority Voices: The Need for Diversity on America's Law Reviews," 12 HARV. BLACKLETTER L.J. 59 (1995), available at WestlawNext.  
*Noting, as early as 1995, the gender disparity at Harvard Law School in the percentage of female law student and the percentage of female editors for the Harvard Law Review.*
5. Evelyn A. Grosenick, "In Defense of the Law Review: A Response to Megan S. Knize's Article, *The Pen Is Mightier: Rethinking the "Gladiator" Ethos of Student-Edited Articles*," 45 MCGEORGE L. REV. 305 (2013), available at [http://www.mcgeorge.edu/Documents/Publications/03Grosenick45\\_02.pdf](http://www.mcgeorge.edu/Documents/Publications/03Grosenick45_02.pdf).  
*The author discusses the low rates of women's participation on law reviews in a rebuttal article to Megan S. Knize's "The Pen is Mightier," in which is it argued that law review cultures are generally based on teamwork, consensus building, and working well with others, in contrast to adversarial culture modeled by Knize.*
6. Lani Guinier et al., "Becoming Gentlemen: Women's Experiences at One Ivy League Law School," 143 U. PA. L. REV. 1 (1994), available at [http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=3541&context=penn\\_law\\_review](http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=3541&context=penn_law_review).  
*This is one of the first articles to discuss the gender gap in law schools. The authors note that underrepresentation frequently occurs on law journals.*
7. Megan S. Knize, "The Pen is Mightier: Rethinking the "Gladiator" Ethos of Student-Edited Law Reviews," 44 MCGEORGE L. REV. 309, 323-24 (2013), available at [http://www.mcgeorge.edu/Documents/Publications/02\\_Knize\\_ver\\_01\\_5-16-12\\_FINAL.pdf](http://www.mcgeorge.edu/Documents/Publications/02_Knize_ver_01_5-16-12_FINAL.pdf).  
*See section V.C. "Student Diversity on Law Reviews" noting that law journals at many schools have not attracted women in percentages that reflect the number of women in each law school class and they female participants on law journals are not publishing articles in equal numbers to men.*
8. Lynne N. Kolodinsky, "The Law Review Divide: A Study of Gender Diversity on the Top Twenty Law Reviews" (Cornell Law Library Prize for Exemplary Student Research Papers, Paper No. 8, 2014), available at <http://scholarship.law.cornell.edu/cllsrp/8>.  
*Author provides comprehensive statistical analysis of independently reported and verified data on law review membership in order to determine whether or not a gender disparity exists on law reviews. Author finds that no single selection method or even combination of selection methods appears to consistently yield any greater number of women than men.*

9. Nancy Leong, "A Noteworthy Absence," 59 J. LEGAL EDUC. 279 (2009), available at <http://www.swlaw.edu/pdfs/jle/jle592leong.pdf>.  
*Presents results of survey finding that that only 36% of student notes published in law reviews top-fifteen-ranked law schools were authored by female law students. Examines causes and implications of this disparity.*
10. Ms. JD, "Women on Law Review: A Gender Diversity Report" (Aug. 2010), [http://ms-jd.org/files/ms.\\_jd\\_lr\\_8.23.2010.pdf](http://ms-jd.org/files/ms._jd_lr_8.23.2010.pdf)  
*Presents findings from survey of gender diversity data from law journals at top-ranked U.S. law schools. Find that overall percentages of women on law journals corresponds to number of women awarded law degrees from the institutions, but that the number of women editors-in-chief is disproportionately low.*
11. David Lat, "Minorities and Women and Law Reviews, Oh My!," Above the Law Blog (Aug. 17, 2010, 1:53 PM), <http://abovethelaw.com/2010/08/minorities-and-women-and-law-reviews-oh-my/>.
12. Laura Mansnerus, "Men Found to Do Better in Law School Than Women," *New York Times*, Feb. 10, 1995, at A25, available at <http://www.nytimes.com/1995/02/10/us/men-found-to-do-better-in-law-school-than-women.html>.  
*Discussing studies of male and female law students finding that women tended to receive lower grades and as a result smaller percentages of women qualified for career-enhancing such as law review membership.*
13. Deborah Jones Merritt, "Scholarly Influence in A Diverse Legal Academy: Race, Sex, and Citation Counts," 29 J. LEGAL STUD. 345 (2000), available at WestlawNext.  
*Author examines gender and race differences in scholarly influence by examining logged citation counts for professors who began tenure-track positions at accredited U.S. law schools. Author finds that women and minorities are establishing themselves as influential legal scholars, but that their average citation counts somewhat lags behind those for white men.*
14. Jennifer Mullins & Nancy Leong, "An Empirical Examination of Gender and Student Note Publication 1999-2009," 23 YALE J.L. & FEMINISM (2011), available at <http://ssrn.com/abstract=1781149>.  
*Article presenting original empirical research documenting a significant gender disparity in student note publication.*
15. Jennifer C. Mullins, Reactions to the Persistent Gender Disparity in Student Note Publication, 2012 MICH. ST. L. REV. 1685 (2012), available at [http://www.msulawreview.org/wp-content/uploads/2014/02/2012-3\\_Mullins\\_Pagination.pdf](http://www.msulawreview.org/wp-content/uploads/2014/02/2012-3_Mullins_Pagination.pdf).
16. Elie Mystal, "Gender Bias on the CARDOZO LAW REVIEW?," Above the Law Blog (April 27, 2009, 12:03 PM), <http://abovethelaw.com/2009/04/gender-bias-on-the-cardozo-law-review>.  
*Report on issues of alleged gender bias in the composition of the CARDOZO LAW REVIEW's executive board.*
17. Adam Neufeld, "Costs of an Outdated Pedagogy? Study on Gender at Harvard Law School," 13 AM. U. J. GENDER SOC. POL'Y & L. 511 (2005), available at <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1298&context=jgspl>.  
*Reviews literature on gender studies in legal education, and describes and presents findings of a Harvard Law School student life study. See section D.1. discussing academic journals. Author finds that with the exception of the Harvard Law Review, female Harvard law school students held leadership positions at Harvard law school journals at great rates than male students. Found that female students were greatly underrepresented on HLR with only 36% female student participation over the study period.*
18. Dara E. Purvis, "Female Law Students, Gendered Self-Evaluation, and the Promise of Positive Psychology," 2012 MICH. ST. L. REV. 1693 (2012), available at [http://www.msulawreview.org/wp-content/uploads/2014/02/2012-5\\_Purvis\\_Pagination.pdf](http://www.msulawreview.org/wp-content/uploads/2014/02/2012-5_Purvis_Pagination.pdf).  
*See Section I, "The Experience of Female Law Students," noting lower numbers of female law review editors relative to their population, fewer notes published by female law students, and difficulty female law professors sometimes face when trying to place their work in student-edited law reviews.*

19. Robert Steinbuch, "On the Leiter Side: Developing A Universal Assessment Tool for Measuring Scholarly Output by Law Professors and Ranking Law Schools," 45 LOY. L.A. L. REV. 87 (2011), available at <http://digitalcommons.lmu.edu/llr/vol45/iss1/3/>.  
*The authors develop and apply a protocol to facilitate more objective evaluations of the scholarly performance of law professors. Authors include some discussion of previous studies regarding gender bias in the publication of law review articles.*
20. Staci Zaretsky, "The Lovely Ladies of Law Review: Where Are The EICs?," Above the Law (Oct. 19, 2012, 11:55 a.m.), <http://abovethelaw.com/2012/10/the-lovely-ladies-of-law-review-where-are-the-eics/>  
*Discussing results of 2010 Ms. JD report about the participation of women on law reviews.*

## RACIAL DISPARITIES IN LAW REVIEWS

1. Michael L. Closten & Robert J. Dzielak, "The History and Influence of the Law Review Institution," 30 AKRON L. REV. 15 (1996), available at WestlawNext.  
*Article briefly discusses affirmative action plans at some law reviews.*
2. Roger C. Cramton, "'The Most Remarkable Institution': The American Law Review," 36 J. LEGAL EDUC. 1 (1986), available at HeinOnline.  
*Discussing affirmative action plans at some law reviews.*
3. Mark A. Godsey, "Educational Inequalities, the Myth of Meritocracy, and the Silencing of Minority Voices: The Need for Diversity of America's Law Reviews," 12 HARV. BLACKLETTER L.J. 59 (1995), available at WestlawNext.  
*Article discusses reasons for law reviews and questions whether legitimacy of law reviews is called in to question when selection procedures are used that exclude certain races from this part of the curriculum. Also discusses cultural and racial biases inherent in traditional "meritocratic" selection procedures that negatively affect minorities.*
4. Frederick Ramos, "Note, Affirmative Action on Law Reviews: An Empirical Study of Its Status and Effect," 22 U. MICH. J.L. REFORM 179 (1988), available at HeinOnline.  
*Article discusses issues involved in affirmative action on law reviews and presents results of a survey of law reviews concerning affirmative action plans. Author argues that affirmative action plans are the most effective means of increasing minority membership on law reviews, but that law reviews may increase minority membership through other means.*
5. Sharon E. Rush, "Beyond Admissions: Racial Equality in Law Schools," 48 FLA. L. REV. 373 (1996), available at <http://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1464&context=facultypub>.  
*Article discusses the importance of law review membership on attorneys' careers, and discusses unfairness in existing selection methods for law review membership as well as alternative methods that may be fairer and promote racial equality.*
6. Talibah-mawusi Smith, "The Law and Educational Inequities: In Other Words, the Dilemma of Writing While Black," 4 THE CRIT: CRITICAL STUD. J. 73 (2011), available at <http://www.uidaho.edu/~media/Files/orgs/Law/thecrit/Issues/vol4-iss2/Smith-Talibah.ashx>.  
*Article examines racial inequalities that exist among African American law students and faculty in areas of scholarship and writing by comparing how "Writing While Black" is similar to "Driving While Black."*
7. Reinhard Zimmerman, "Law Reviews: A Foray through a Strange World," 47 EMORY L.J. 659 (1998), available at HeinOnline.  
*Discussing the decisions of some law schools to institute affirmative action plans for their law reviews.*



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