To: ABA Council on Legal Education and Admissions to the Bar  
From: Society of American Law Teachers (“SALT”)  
Date: 25 July 2020  
RE: Update on SALT Activities

Thank you in advance for this opportunity to share with the Council this latest update on the work SALT pursues. SALT continues to actively promote its mission of creating a more diverse and inclusive system of legal education and legal profession; enhancing legal education through innovative teaching methodologies and incorporating issues of social justice into curricula; and extending the power of law to underserved communities.

MAKING LAW SCHOOLS AND THE LEGAL PROFESSION MORE INCLUSIVE

Members of SALT’s bar exam committee continue to work with co-authors to address the chaos into which the pandemic has thrown 2020 bar exams. The reports, letters, op-eds, law review articles, newsletter columns, and other work of the group is collected with other related materials at barcovid19.org. SALT’s long-term expertise on bar exam issues has been helpful in proposing and evaluating emergency alternatives, including diploma privilege, online testing, supervised practice, creation of a Lawyer Justice Corps, and clinical requirements prior to licensure. As consistently emphasized in this work, the longstanding racial and ethnic disparities inherent in our normal licensing practices are exacerbated this year by many forces, including: the economic uncertainty due to the pandemic and bar exam delays; the grave and disparate impact of the coronavirus on communities of color; and the nation’s unfinished reckoning with systemic racism in the use of police power.

For these reasons SALT renews its call for the Council to suspend operation of Standard 316 in light of the Covid-19 pandemic and resulting disruptions of bar-exam administration. The pandemic renders uncertain the ability of law-school graduates to take and pass the bar in the near future. Applying Standard 316 in this environment would render uncertain the status of law schools with high percentages of graduates disproportionately affected by the pandemic. SALT advocated suspension of Standard 316 as a reasonable accommodation to the current crisis.

RACIAL JUSTICE IN THE LEGAL ACADEMY

In June, SALT re-issued an edited version of its statement from November 21, 2014, on Ferguson, Missouri, to demonstrate that racialized state violence remains a
constant threat to Black people. SALT also released a list of concrete steps law schools can and must take to support Black students, instill an anti-racist framework within their institution, and begin to chip away at the structural oppression and racism that plagues our institutions. SALT also invited others to add to the initial list. Shortly after this, on June 5, 2020, SALT co-sponsored a webinar on “A History of Violence: Institutional Racism in Our Criminal Legal System” with the American Constitution Society.

In an effort to encourage law schools across the country to take affirmative steps to promote justice, eradicate racism, and support their law school communities in light of pervasive injustices, SALT organized a virtual series featuring law school teachers sharing their expertise on how to educate the next generation of lawyers, support students of color, and dismantle structural inequality and racism in the United States. SALT is hosting monthly panel discussions on ways to combat racism and promote equity in law school.

The first webinar, *Incorporating Anti-Racism Frameworks into Core Law School Classes*, will be held on July 30, 2020. Speakers include Tiffany Atkins, Elon University School of Law; Dorothy Brown, Emory University School of Law; Jane Cross, Nova Southeastern University College of Law; and Hugh Mundy, UIC John Marshall Law School. More than 500 people signed up to participate in this webinar. The webinar will be recorded and made available on the SALT website (saltlaw.org). We also plan to circulate the resources identified by panelist or guests during the webinar to the participants after the event, and to post the resources on our website.

The second panel, *Promoting Equity and Inclusion in Online Teaching*, is scheduled for August 21, 2020. The third panel focuses on *Racialized Trauma and Fatigue Among Academic Activists* on September 18, 2020. The fourth addresses *Anti-Racist Hiring Practices* and is schedule for October 16, 2020. SALT has undertaken initial plans in cooperation with LatCrit to move its annual faculty development workshop online.

SALT launched a new podcast, *Teaching Social Justice* late in 2019. The first episodes of the podcast featured 2019 SALT Teaching Award winner Lisa Brodoff, the Director of the Ronald A. Peterson Law Clinic and an associate professor at Seattle University School of Law, and 2020 SALT Shanara M. Gilbert Human Rights Award winner Matthew Fletcher, Professor of Law and Director of the Indigenous Law & Policy Center at the Michigan State University College of Law. Upcoming episodes include interviews with Joan Howarth, Alexi Freeman, and programs on Neuroscience and the Law and Teaching Social Justice (video clips).

**ENHANCING LEGAL EDUCATION**

SALT issued a second statement on June 25, 2020, addressing the importance of faculty governance in response to the pandemic. SALT notes that the Covid-19 pandemic led to rapid decision-making by law schools and universities over the last several months, often without adequate participation of faculty. SALT called on each law school to recognize the primary role of the faculty in overseeing the school’s academic program and the shared role of the faculty in pursuing the welfare of the institution. SALT noted,

“Good governance will create better outcomes and a culture in which all stakeholders feel ownership and visibility in the institution. Emergency decision-making about the academic
program that excludes faculty and other stakeholders should be limited to extraordinary circumstances. SALT commends the legal academy for its speedy move to online teaching during this difficult moment. We encourage all decision-makers to ensure that the well-being of students, staff, and faculty during this difficult moment is the focus of the decision-making process. Decision-makers must recognize that the effects of our decisions are likely to fall disproportionately on students who do not have access to the same privileges and resources that other students may have.”

EXTENDING THE POWER OF LAW TO UNDERSERVED INDIVIDUALS AND COMMUNITIES

SALT sponsors four annual public interest and social justice retreats. These retreats allow law students a critical opportunity to meet with public interest and social justice practitioners, law faculty, and students from other law schools. The recent schedule included the Robert Cover Retreat: Lawyering from the Left in Peterborough, New Hampshire (February 2020), the Norman Amaker Public Interest Law and Social Justice Retreat in Chicago, Illinois (April 2019), and the Trina Grillo Retreat: Advancing Social Justice from Within in Sacramento (February 2020).

CONCLUSION

Thank you again for your invitation to submit comments to the Council. We appreciate the opportunity to update you on our efforts.

Submitted on behalf of the Society of American Law Teachers by

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