

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, INC. (SEALS)  
*Minutes of 2021 Annual Meeting*

**Call to Order.** The 2021 Annual Meeting of the Steering Committee of the Southeastern Association of Law Schools, Inc., convened on July 30, 2021, in a hybrid format, with some attendees online and some in person. President David Brennen called the meeting to order at 12:20 p.m. He thanked the attendees for serving on the Steering Committee.

**Attendance.** Secretary Kathy Cerminara announced there was a quorum of representatives from Institutional Members. All attendees are listed at the end of these minutes.

**Minutes.** Kathy Cerminara announced that the 2020 minutes had been posted in advance of the meeting. No additions were made to the minutes other than for typographical errors. The minutes were approved (motion by Joan Heminway, seconded by Colin Marks) by voice vote with no objection.

She announced that Committee reports will be included as Appendix A to this year's minutes, which will be available on the website shortly after the annual meeting ends. She asked that any Committees not submitting their reports should please send them to her for inclusion. The reports are used by the Board to, among other things, evaluate the continuing efficacy of individual committees and relevance of their activities.

**Election of Officers and Trustees.** Kathy Cerminara announced that information about the election process for 2021 had been posted to the website after the 2020 meeting.

She indicated that information about each nominee was provided to the designated representatives by the July 16 deadline. One nomination was received and accepted for vice-president/president elect: Ron Krotoszynski (Alabama). One nomination was received and accepted for the secretary position: Kathy Cerminara (Nova Southeastern University). One nomination was received and accepted for the at-large trustee position: Ben Spencer (William and Mary).

She asked the Steering Committee to elect those nominees by acclamation. A motion to that effect was made by Ron Rychlak and seconded by Lisa Smith-Butler. The Steering Committee approved the motion by voice vote with no objection.

**Next Elections.** Kathy Cerminara announced that information about the 2022 election will be posted to the website shortly after the 2021 meeting ends. Nominations will open at that time. The vice-president/president-elect will be elected from a school in Florida. The other open positions are treasurer and at-large trustee. Those positions can be filled by faculty members from any Institutional Member school other than a school represented by one of the nine Board members. The names, institutional affiliations, and positions of officers and board members for 2021-22 are included as Appendix B to these minutes.

The board's current groupings for rotation of the presidency are included as Appendix C to these minutes.

**Site Selection Information.** Executive Director Russ Weaver reported that SEALS had contracted for sites through 2028. Specifically, meetings will be held at: the Sandestin Golf & Beach Resort in 2022; the Boca Resort & Club in 2023; the Marriott Harbor Beach Ft. Lauderdale in 2024; the Omni Amelia Island in 2025, 2026, and 2027; and the Marriott Harbor Beach Ft. Lauderdale in 2028.

**Program and Committee Updates.** Russ Weaver reported that the faculty recruitment site would be activated after the meeting. Faculty Recruitment Committee Co-Chair Keith Faulkner updated the Steering Committee on the project, reminding the membership that the site is free; includes information about both incoming and lateral faculty candidates; and will remain in effect all year long to facilitate schools' lateral searches. He thanked the committee and especially Rob McFarland, his co-chair, for the work put into the site.

Russ then explained that some members had expressed interest in developing a scholarship submission platform like Scholastic since Espresso had ceased operation. Jon Garon, who will be leading exploration of the idea, explained that Scholastica's high cost to both faculty members and schools had prompted the exploration. Russ invited anyone interested in serving on a committee to explore whether SEALS should pursue such development to contact him.

Russ also reported on conference logistics given the changing nature of the COVID pandemic and CDC guidelines for safe operation. Once the CDC changed its recommendations to urge the wearing of masks inside, SEALS moved all social events outside and posted notices that masks were required in all meeting rooms.

Finally, Russ Thanked all the committees, which are the lifeblood of SEALS, for their hard work.

## **Board Action Items and Other Information:**

**Positions.** Russ Weaver announced that Caprice Roberts will serve again this year as deputy executive director. This position is a non-board, appointed position for one year.

**Treasurer's Report.** Tom Metzloff reported that while the corporation remains in sound financial condition, a number of members' dues remain unpaid. Dues are one of only three sources of revenue for SEALS (along with registration fees and sponsors' contributions). Please see Tom if you are unsure whether your institution has paid its SEALS dues. The Board continues its efforts to keep expenses under control.

## **Recognition-Related Items:**

**New Members.** David Brennen asked the Steering Committee to welcome three new affiliate members: Capital University Law School, Creighton University School of Law, and Washburn University School of Law. He asked any representatives in attendance from those schools to stand up if they were in person or to indicate their presence for the recognition of the others on Zoom.

**Acknowledgements.** David Brennen thanked the schools, companies, and other individuals and groups that had agreed to sponsor receptions and other events: the American Bar Association, BarBri, Carolina Academic Press, ETS, Fast Case, the Federalist Society, iDesign, iLaw, MF Digital Marking, West Academic, and Wolters Kluwer.

The University of Kentucky J. David Rosenburg College of Law and St. Mary's University of San Antonio School of Law jointly sponsored this year's president's reception. Professors Maybell Romero (Tulane) and Brian Frye (Kentucky) jointly sponsored a cocktail reception for those interested in legal philology.

Finally, the University of Detroit Mercy School of Law and University of New Hampshire Franklin Pierce School of Law sponsored the New Member reception. In addition, Dean Megan Carpenter of the University of New Hampshire generously agreed to once again provide technology resources to enable the conference to be run with some Zoom participation. From UNH, A.J. Kierstead took the lead in organizing all of the Zoom sessions. Once again, like last year, the conference could not have happened without them.

**Call for Papers Winners.** David Brennen announced this year's Call for Papers winners: James A. Macleod (Brooklyn Law School), for *Finding Original Public Meanings*; Andrew Hammond (University of Florida Levin College of Law), for *Territorial Exceptionalism and the American Welfare State*; and Leandra Lederman (Indiana University Bloomington), for *The Fraud Triangle and Tax Evasion*.

**Recognition of Staff.** David Brennen thanked Maggie Bratcher, Christina Hood, Jean Jentilet, Judy Perry, Tracie Cole, and John Plummer for providing superb pre-meeting and on-site support. He also thanked Peter Jetton and Steve Mammarella for his efforts with the website, magnified this year by the need to convert to an event with some online participation. He noted that these individuals are largely invisible because they function so well in meeting SEALS's needs.

**Recognition of Volunteers.** Committees are responsible for a variety of functions. David Brennen asked the Steering Committee to thank the committees and their chairs.

**Committee Recognition.** David Brennen asked the Steering Committee to recognize the members of the Hospitality Committee for their excellent work on that committee. Those members are co-chairs Linda Malone and Charles "Rocky" Rhodes, and members Tiffany Atkins, Vince Cardi, Jessica Garcia Brown, Suparna Malempati, Christina Sautter, Brad Shannon, Pat Tolan, Stacey Tovino, and Marilyn Uzdavines.

**Recognition of Officers and Board Members.** Board members and officers are responsible for governance of the organizations. David Brennen asked the Steering Committee to recognize his fellow officers and board members: Kathy Cerninara, Joan Heminway, Missy Lonegrass (who is leaving the board after this meeting), Colin Marks (who is leaving the board after this meeting), Tom Metzloff, Elizabeth Pendo, Charles "Rocky" Rhodes, and Russ Weaver. Outgoing officers and board members receive gavels commemorating their service.

David Brennen asked the Steering Committee to express its appreciation for Russ Weaver's exceptional efforts to make the annual meeting a success and his responsiveness to problems raised by attendees.

**Moment of Silence.** David Brennen read the list of deceased faculty members (and deceased retired faculty members). The list below reflects names received before and during the meeting.

Isaiah Baker, American University  
Gerry Caplan, University of the Pacific  
William “Bill” Crawford, Louisiana State University  
William Fisch, University of Missouri  
Anne Fleming, Georgetown University  
Peter Herzog, Syracuse University  
Calvin Howard, Samford University  
Jeffrey Jones, Lewis & Clark University  
Jennifer Levy-Tatum, Lincoln Memorial University  
Peter Linzer, University of Houston  
Isidor Loeb, University of Missouri  
Arnold Loewy, Texas Tech University  
David McCarthy, Georgetown University  
Matthew McCubbins, Duke University  
Crandall Melvin, Syracuse University  
Anthony “Tony” Morella, American University  
Frank Orlando, Nova Southeastern University  
George Pugh, Louisiana State University  
Osborne “Mac” Reynolds, University of Oklahoma  
Ralph Rohner, Catholic University of America  
David Shores, Wake Forest University  
Robert Sloan, Tulane University  
Joe Spurlock II, Texas A&M University  
Rennard Strickland, University of Oklahoma  
Herb Titus, Regent University  
T. Gerald Treece, South Texas College of Law Houston  
Ronald Turner, University of Houston  
Zipporah Wiseman, University of Texas

**Presidential Seal.** David Brennen turned the Presidential Seal over to President-Elect Caroline Osborne. Russ Weaver led the Steering Committee in thanking David Brennen for his outstanding efforts as President this year.

Caroline Osborne led the Steering Committee in thanking David Brennen for his outstanding efforts as President this year.

## **Meeting-Related Items:**

**Panels and Room Block for 2022.** David Brennen announced that solicitation of panels, discussion groups and other events for the 2021 meeting should be submitted by November 1st. Questions should be directed to Russ Weaver. As always, SEALS is a democratic organization, which welcomes submissions from all faculty at member schools.

**Comments on the 2021 Program.** David Brennen indicated that faculty will have an opportunity to comment on the post-meeting survey sent out by Caroline Osborne. He urged attendees to complete the survey and to encourage other faculty members to do so. The board uses survey results in planning future meetings.

**Blog.** David Brennen reminded members that those who sign up for the SEALS blog will receive notification when items are posted. Sign up via the website.

**Adjournment.** The Steering Committee Meeting adjourned at 1:05 p.m.

Respectfully submitted,

Kathy L. Cerminara  
Secretary

## Attendance

### Institutional Member Schools (one vote per school)

Ted Afield, Georgia State, in person	Ben Madison, Regent, online
Glen-Peter Ahlers, Barry, in person	Tom Metzloff, Duke, in person
John Anderson, Mississippi College, in person	Gary Myers, Missouri, in person
Scott Bauries, Kentucky, in person	Ira Nathenson, St. Thomas, in person
Elizabeth Berenguer, Stetson, in person	Melissssa Reid, Lincoln Memorial, online
Charles Campbell, Faulkner, in person	Carla Reyes, Southern Methodist, in person
Jonathan Cardi, Wake Forest, in person	Rocky Rhodes, South Texas, in person
Michael Churgin, Texas, online	Caprice Roberts, GWU, in person
Jane Cross, Nova Southeastern, in person	Maybell Romero, Tulane, in person
Brannon Denning, Samford, in person	Ron Rychlak, Mississippi, in person
Michelle Drumbl, Washington and Lee, in person	Laurent Sacharoff, Arkansas, in person
Seth Endo, Florida, in person	Christina Sautter, LSU, in person
Melissa Essary, Campbell, in person	Lisa Smith-Butler, Charleston, in person
Deborah Farringer, Belmont, in person	Karen Sneddon, Mercer, in person
Keith Faulkner, Appalachian, in person	Ilya Sonin, George Mason, in person
Aderson Francois, Georgetown, in person	Kirsha Trychta, online
David Hague, St. Mary's, in person	Howard Wasserman, FIU, online
Joan Heminway, Tennessee, in person	Russ Weaver, Louisville, in person
Jeff Hirsch, UNC, in person	Marcia Weldon, Miami, online
Twinette Johnson, District of Columbia, online	Doug Williams, St. Louis, in person
Nicholas Kahn-Fogel, Arkansas Little Rock, in person	Jodi Wilson, Memphis, online
Ericka Kelsaw, Texas Southern, in person	
Ron Krotoszynski, Alabama, in person	
Bob Kuehn, Wash U, online	
Davi Kwok, Houston, in person	
Corinna Linn, Richmond, in person	

### Affiliate Member Schools (no voting rights)

Bob Brain, Loyola Marymount, in person	Elizabeth Kronk-Warner, Utah, online
Jennifer Breen, Syracuse, online	James McGrath, WMU Cooley, in person
Mihailis Diamantis, Iowa, in person	Samir Parikh, Lewis & Clark, in person
Scott Dodson, UC Hastings, in person	Shakira Pleasant, UIC, online
Tabrez Ebrahim, Cal Western, in person	Philip Pucillo, Michigan State, in person
Leah Grinvald, Suffolk, in person	Zvi Rosen, Southern Illinois, online
Margaret Hu, Penn State, online	Andrew Segal, Seattle, in person
Nicole Iannarone, Drexel, in person	Stacey Tovino, Oklahoma, online
Jelani Jefferson-Exume, Detroit Mercy, in person	
Jamila Jefferson-Jones, Wayne State, in person	

**Board Members and Committee Chairs Not Serving as Representatives  
& Other Guests**

David Brennen, Kentucky, in person  
Kathy Cerminara, Nova Southeastern, in person  
Jon Garon, Nova Southeastern, in person  
Linda Malone, William and Mary, in person  
Colin Marks, St. Mary's, in person  
Lucas Osborn, Campbell, in person  
Caroline Osborne, West Virginia, in person  
Pat Tolan, WMU Cooley

**Staff Present**

John Plummer, Chief of Staff

## **Appendix A: 2020–2021 Committee Reports**

### **Aspiring Law Teachers Workshop Committee**

The Vice Chair of Programming and Deputy Executive Director created the Aspiring Law Teachers Workshop programming since its inception a few years ago. This programming complements the Prospective Law Teachers Workshop, but unlike Prospective Law Teachers, Aspiring is open to all. The Aspiring Workshop content has grown to almost ten sessions offered across the SEALS program. These sessions range from mapping academic opportunities to interview demonstrations and from crafting your scholarly agenda to stewarding your social media reputation. This year, I created a mission for the Committee, crafted the content of the sessions, and secured all speakers. The interest and success of this content has led to a need to create a committee, which I am working to complete this year. I am mentoring potential committee members for a smooth transition. I am grateful to all the faculty who have volunteered time, mentorship, and insights to all attendees. This Committee will aid in ensuring that we broaden access to the legal academy, demystify the hiring process, and show the diversity of experiences. SEALS is also thrilled beyond measure to hear positive reviews from attendees of the Aspiring Workshop—many secured their dream jobs in the academy and credited the workshop sessions and relationships developed as invaluable.

### **Beginning and Newer Law Teachers Workshop Committee**

This past year has been one of change and reflection. The New Law Professor Committee decided to offer a variety of programming as a result. We are offering programs that ask participants to reflect on what was important for them during the Pandemic – and how what has been learned carries over to the year or years ahead. We also are offering basic “how to” programming – how to develop a research agenda; how to construct a course; how to approach the classroom. Yet, we have stretched the traditional model by once again offering session on other aspects of a law professor’s career. These sessions include mentor training; after all, we are all mentors and mentees if we want to serve in these capacities. Also, time management seems to be an issue that percolates to the surface for almost all law teachers. Consequently, strategies and tactics for managing time is another area of programming. As always, we are also cognizant of intersecting with the aspiring and prospective law teachers, who could benefit from these programs as well.

### **Call for Papers Committee**

This year the Call for Papers Committee was made up of Professors Bill Araiza (Brooklyn), Gary Meyers (Missouri), Steve Friedland (Elon), Marco Jimenez (Stetson), John Stinneford (Florida), and the chair, Ron Rychlak (Mississippi). Russ Weaver put out the call for papers in late September, with a submission deadline of December 1. As always, it was noted that submissions may be on any topic related to law.

We received approximately 20 submissions, which is consistent with recent years. Almost most all of the submissions were completed papers of a very high quality. The entire committee read each paper and followed that with voting. We selected three papers: *Finding Original Public Meanings* by James A. Macleod, Assistant Professor of Law, Brooklyn Law

School; *Territorial Exceptionalism and the American Welfare State* by Andrew Hammond, Assistant Professor of Law, University of Florida Levin College of Law; and *The Fraud Triangle and Tax Evasion* by Leandra Lederman, William W. Oliver Professor of Tax Law & Director of the Tax Program, Indiana University Maurer School of Law.

These papers will be presented remotely at the annual meeting.

### **Electronic Education Committee**

With the shift to compulsory online education for most schools and colleges, including most law schools, the focus on the Online Education Committee has shifted from promoting the potential of online and blended education to understanding the lessons that have been learned from the forced conversion to online education. The questions to be explored in the 2021 SEALS programming essentially ask the questions: (1) what have we learned from the experience; (2) what best practices should become part of all learning modalities; (3) what role should online education take within legal education once distance learning is no longer a requirement. These three categories of discussion lead to many more specific questions to explore on teaching, learning, and institutional culture.

The Committee has developed a strong slate of six programs for the SEALS 2021 program.

1. The Business of Online Legal Education—Accreditors and External Stakeholders Interests in Shaping Online Education
2. How to Assure Effective Formative and Summative Assessment
3. Lessons Learned from the 2020 Forced Expansion of Online Education
4. Practical Considerations for Online, Hybrid and Blended Instruction
5. Online & Hybrid Learning Pedagogy Best Practices and Standards Development
6. Initial Thoughts on the Law School of 2050—An Academic Master Plan for the Law School of the Future

The Committee knows that the pervasive change to online education has also encouraged many other sections and programs to explore online education. The rapid adoption of online learning tools will have a profound long-term impact on pedagogy and culture within law schools. In future years, the committee will continue to explore these issues as well.

The discussion group, “Practical Considerations for Online, Hybrid and Blended Instruction” will also meet at AALS. This open discussion allows participants to convene twice each year to explore best practices, and will continue to look at updating “[Distance Learning in Legal Education: Design, Delivery and Recommended Practices.](#)”

We welcome new members to the Committee. Following the conclusion of SEALS, we will review the feedback on this year’s programs and explore how to enhance the programs for next year. If you would like to join the Committee, please email the chair, Jon Garon ([Garon@nova.edu](mailto:Garon@nova.edu)).

## **Faculty Recruitment Committee**

The SEALS faculty recruitment committee undertook an effort to integrate a digital hiring conference platform on the SEALS website. This hiring conference platform will allow SEALS member and affiliate schools to recruit faculty and administrative positions at no charge to the law school. Working with a vendor hired by SEALS, the faculty recruitment committee will relaunch the new hiring conference platform on August 1, 2021. Law schools will be able to create profiles and post open position announcements beginning August 1. Candidates are invited to create candidate profiles, search open positions, and submit applications beginning September 15, 2021. The virtual hiring conference will remain open throughout the 2021-22 academic year.

## **Global Outreach Committee**

A year of Covid restrictions continued,  
yet expanding international relationships.  
Time to re-load.

Submitted by Committee co-chairs Greg Bowman, Dean, Roger Williams University Law School, and Patrick Hugg, Professor Emeritus, Loyola University New Orleans College of Law. Special thanks to SEALS Executive Director, Professor Russ Weaver, for active support of this committee and his recruiting of many of the international speakers.

The past year was marked by Covid shutdowns, massive retreats to Zoom, and a dynamic virtual SEALS international representation at the Annual Conference. We have witnessed growing collaboration with international colleagues in many dimensions, and especially with our colleagues in the ELPIS and ELFA groups, as evidenced by their contributions to the 2020 Annual Conference.

Even more international collaboration is scheduled for the coming 2021 Annual Conference this July/August at Avery Island. Most of us will be together happily live and in-person, though due to the strict global restrictions, most international participants will be with us virtually, though no less enthusiastically.

At this year's conference, twenty-two international scholars will participate online, from law faculties in ten countries, Brazil, Bulgaria, France, Germany; Hungary, Italy, Poland, Russia, Spain, and the UK.

They will be joined in the multiple panels listed below by twenty-six colleagues from U.S. law schools. We are pleased at this outpouring of interest and participation.

Especially noteworthy this year are the ELPIS and ELFA panels on Covid era law teaching and scholarship, as well as broad based discussions on academic freedom in today's political/social environment and the emerging use of team-based learning in teaching law today.

Other panels and workshops, not specifically organized by the Global Outreach Committee, will also contribute to the international, global outreach dimension at the 2021 SEALS Conference. See Exhibit 1 at the end of this Appendix A.

## **Hospitality Committee**

The Hospitality Committee this year focused on improving the Hospitality Guide's usefulness for virtual distribution and dissemination since it will no longer be distributed in a

paper format during the conference. The headings in the table of contents are all hyperlinked to the corresponding pages of the guide, and resort amenities, restaurants, tours, and other activities are linked to outside websites when available. Due to the impact of the pandemic on restaurants and tourist activities, compiling the Guide was more challenging than in years past, but the Committee hopes that the Guide will prove useful to attendees this year as SEALS returns to meeting in person at the Omni Amelia Island Resort. After the Board made the final decision to hold this year's conference in person, the Committee has also been working to plan informal events for new conference attendees, such as our Newcomers Meet and Greet.

### **Inclusiveness Committee**

For 2020-2021, the Inclusiveness Committee reviewed the surveys and other informal responses received from members who attended the 2020 Annual Meeting. Due to the pandemic, the SEALS Annual Meeting was held virtually in August 2020. The Committee was expanded to broaden more inclusive representation in SEALS leadership and programming. For example, the Inclusiveness Committee hosted a Discussion Group at the 2020 SEALS Annual Meeting titled, "The Future of Inclusivity." With the support of the Deputy Executive Director, the Committee participated in the "Beating the Odds" Discussion Group for 2019, 2020, and 2021, to discuss how to encourage nontraditional candidates to pursue careers in the legal academy. The Committee has also participated in the New Scholars events and Prospective Law Teachers Workshop, and has provided mentorship to junior and prospective law faculty. The mentorship has included reviewing and providing feedback on scholarship, including publication and placement; providing advice on applying for Visiting Assistant Professorships, fellowships, and entering the law faculty market; perspectives on the tenure process; and balancing service, teaching, and scholarship. The Chair and Vice Chair participated in a robust dialogue on challenges in the legal academy in a post-Floyd and post-COVID environment at the 2020 Leading Edge conference, hosted by Wolters Kluwer, a SEALS' meeting sponsor. The pandemic posed unique challenges to community building and inclusiveness, and the Committee worked to acknowledge those challenges.

### **Marketing Committee**

The marketing committee has been collecting statements from previous SEALS attendees regarding the benefit they experienced. These statements will, with the permission of those making them, be posted on the SEALS website and used in other marketing materials.

### **Mentor Committee**

The Mentor Committee continues to be committed to finding and guiding mentors for New Scholars, identified and managed by the fantastic Missy Lonegrass and the New Scholars Committee. We continue to believe that the Works-in-Progress panels, matching New Scholars with scholars and supporting their development, is the heart of the SEALS experience.

Our process for matching each New Scholar with a mentor is routine: each member of the Mentor Committee locates mentors for one or two panels. Members are matched with the panel or panels for which they locate mentors based on their own areas of expertise. This year, our

committee of 9 volunteers, with assist from Russ Weaver, found mentors for 24 New Scholars, originally organized into 7 panels. While the pandemic continues to raise challenges, and some New Scholars had to defer for another year, the Mentor committee and the community of potential mentors remain committed to supporting the New Scholars.

We keep a list of potential mentors, identifying their subject areas of expertise, and focus on matching New Scholars to mentors with a strong subject matter connection. As always, we are successful in finding mentors because of the supportive community of SEALS potential mentors. And also as always, we are very grateful to the Chair of the New Scholars Committee, Missy Lonegrass, who has been excellent at managing panels of New Scholars (even as the configuration had to change due to the pandemic) and is a simply wonderful colleague.

### **Moderator and Coordination Committee**

The Moderator Committee successfully found and secured moderators for all panels and workshops for the 2020 SEALS Annual Conference (except Discussion Groups, who designate one of their own to serve as moderator). The moderators chosen adhere to the one-panel limitation of the SEALS conference (excepting Discussion Groups). The Moderator Committee appointed as moderators people from diverse schools and with diverse backgrounds in order to be as inclusive as possible.

Beginning in late May (delayed from the normal April timeline due to COVID-related uncertainty), at the direction of the chair, the Moderator Committee contacted every moderator to confirm participation and to ask them to confirm the participation of the respective panelists. The Committee also maintained and sent to moderators guidelines tailored for moderating regular panels, Works-In-Progress panels and New Scholars Workshops.

Like many committees, our work increased dramatically due to COVID-19 and each panel's decisions about in-person, hybrid, or remote only. The committee attempted to communicate SEALS's preference for in person attendance and stressed we cannot guarantee wifi reliability. Like all things COVID-related, the response was mixed, but overall we seem to have a great conference planned!

### **New Scholars Committee**

The following is a report of the activities of the New Scholars Committee. This report provides an update on both the 2020 and 2021 New Scholars Programs

#### 2020 New Scholars Program

Beginning in the fall and extending into the spring, the Committee accepted nominations to the 2020 New Scholars Program and organized participants into panels. The 2020 New Scholars Program had 28 participants lined up just prior to the onset of the pandemic. We worked very hard to get the number as high as it is, including by reaching out directly to newly hired faculty. Between the onset of the pandemic and the date of the conference, the number of New Scholars fell to 20. Most of the New Scholars who dropped out of the program asked to be included in the 2021 program.

New Scholars panels were scheduled to take place on Sunday, August 2 and Monday, August 3. All panels took place from 8:00-10:00 a.m., with the exception of one panel on which several panelists or mentors were located on the West Coast. That panel began at 10:15 a.m. (Eastern time) to accommodate the time difference for those panelists. As usual, we did our best to organize the papers thematically. Other than a few technical glitches related to the virtual format of the conference, the New Scholars panels ran smoothly. We continued our “The Next Article” discussion groups in 2020. Both were well-attended (12-14 discussants) and well-received. For obvious reasons, our usual socializing and networking opportunities for New Scholars (the New Scholars Luncheon and the New Scholars Happy Hour) did not take place in 2020. We also did not conduct our usual post-conference survey of the New Scholars in 2020.

### 2021 New Scholars Program

Nominations for the 2021 New Scholars Program were quite low and slow to trickle in. At one point in the spring, 23 New Scholars were scheduled to present in our program; however, for reasons related to COVID-19 concerns, university travel restrictions or reimbursement policies, and similar issues, several of our New Scholars dropped out of the program. The New Scholars Committee has attempted to accommodate our New Scholars as much as possible by organizing several “virtual” New Scholars panels for those participants who cannot attend the conference in person. At present, 18 New Scholars are scheduled to present at the conference. The program is organized into 6 panels of 3 speakers each, with 2 of the panels taking place virtually and the remaining 4 panels consisting of panelists who will appear at the conference in person. We have also continued our tradition of organizing two “Your Next Article” discussion groups, during which New Scholars are invited to pitch an early-stage idea to a group made up of current and veteran New Scholars and New Scholars Committee members, who provide feedback and guidance to shape the early-stage project. We will also hold an in-person New Scholars Luncheon and New Scholars Happy Hour during the conference for those who can attend.

### **Nominating Committee**

This committee was created during the 2020-2021 year, for the purpose of advertising openings for SEALS Board positions and to solicit nominations for both them and SEALS committees. The primary purpose of the committee is to ensure that the membership is aware that SEALS has an open and democratic process for electing Board members, as well as officers and that any eligible person is free to nominate themselves or to nominate others. While this committee may forward nominations to the SEALS secretary, it will make clear that neither SEALS’s Board of Trustees nor the Nominating Committee endorses any particular nominee; all nominees are chosen solely by Steering Committee vote.

The timing of the creation of this committee, combined with the COVID pandemic, resulted in the committee’s only beginning its work during the 2021-2022 year.

### **Program Advisory Committee**

Working with Russ and Caprice, the Program Advisory Committee reviewed the draft program for gaps and conflicts and reported back to them.

## **Program Formatting Committees**

The Program Formatting Committee successfully completed its mission this year: formatting the full conference schedule and day-at-a-glance. The committee had to adjust to new circumstances once again. The uncertainty of whether the conference would be in person or hybrid changed the timing of our work again. We successfully adjusted to these circumstances and were able to complete our work in a timely manner.

## **Prospective Law Teachers Workshop Committee**

2020 was the first time the Prospective Law Teachers Workshop (the “Workshop”) was held virtually, along with the entirety of the SEALS conference. Given the uncertainty around how the virtual platform would work, the 2020 Workshop was limited to six workshoppees. With the virtual platform, we utilized one main room for the mock job talks and the mock interviews. Faculty volunteers were assigned to breakout rooms and the workshoppees moved from breakout room to breakout room as needed. Instead of hosting the CV/FAR review session, the workshoppees connected with individual faculty volunteer reviewers at a time that worked for the workshoppee and faculty volunteer. Six workshoppees turned out to be a good size group in a virtual setting.

With the smaller size of the Workshop, this was the first year that the Workshop had to turn away faculty volunteers. We were still able to staff each of the mock job talk breakout rooms with 10 faculty volunteers, and three to four faculty volunteers for each mock interview breakout room. Some of the faculty volunteers needed to wake up extremely early, given the different time zones involved with the virtual setting. All of the help received was very much appreciated – both by the Workshop and the workshoppees. Notwithstanding the surrealness of the virtual nature of the Workshop, all of the workshoppees reported that they greatly benefitted from the feedback and making virtual connections.

The Workshop proved to be resilient, and provided both faculty volunteers and workshoppees the ability to practice virtual interviewing skills. Our 2020 workshoppees have seen a great deal of success on the job market, with the majority securing full-time, tenure-track positions at law schools in a variety of different types of positions, including doctrinal, clinical, and legal writing.

## **SEALS Resource Teams**

Resource Teams continue to be an important avenue for building programming content this year. Since 2016, the Vice-Chair of Programming has developed Resource Teams to help generate content across varied subject matter. We are well underway with 36 Resource Teams and more teams in the works. I added new volunteers this year and worked closely with them on substantive ideas for programming and fostering diversity goals. The teams range from Commercial Law to Law & Humanities. All existing teams and committee information may be found on our committee page: <https://sealslawschools.org/boards-and-committees/resource-teams/>. As always, we welcome suggestions for additional topics and interested professors.

SEALS maintains its fully democratic and open session submissions. Such that anyone can propose content on any topic. The Resource Teams simply ensure momentum toward possible submissions in the given area.

We were proud of our pivot to all virtual offerings last year due to the pandemic. This year, we are pleased to return to in-person programming with several hybrid components across the program. Resource Teams helped to navigate the proper assessment for each session as we confirmed all content and made accommodations for hybrid participation as necessary for #SEALS2021.

As the SEALS Deputy Executive Director and Vice Chair of Programming, I am grateful for a successful SEALS, and I am especially thankful for our submitters and attendees for remaining flexible while also dedicated to advancing provocative content and broadening the SEALS community.

### **Scholarly Research Committee**

Despite the pandemic, the Scholarly Research Committee (“SRC”) remained active 2020. Though the conference moved online in 2020, the SRC still coordinated the writing of panel and discussion group summaries for publication on the SEALS blog. Further, there was one pairing this past year of a SEALS discussion group or panel with a law review. The *Stetson Law Review* did a Spring 2021 virtual symposium, “Civil Procedure Transformation After Fifteen Years of the Roberts Court” based on the SEALS 2020 conference discussion group.

For the 2021 conference, the committee is collecting names of committee members who will attend various discussion groups and panels to once again write summaries for the blog. On the publication-pairing front, the *Mercer Law Review*, which had done a SEALS-based symposium in three prior years, is already back on board for 2021-22 and will pair with the 2021 SEALS discussion group, “Social Media Platforms and Free Expression,” for a fall 2021 symposium. Two of the participants in that symposium will be Russell Weaver and Gary Simson. We are also actively soliciting other law reviews for pairings as well.

### **Sponsorship Coordinator**

In 2020-21, SEALS continued to receive support from its past sponsors, including West Academic, Wolters-Kluwer, Carolina Academic Press, iLaw, iDesign, BarBri, the American Bar Association, the Federalist Society, Fast Case, and MF Digital Marketing, along with adding some new sponsors, such as Pacific Legal Foundation and ETS.

Several existing and new sponsors hosted receptions and other events this year. The University of Detroit Mercy School of Law and the University of New Hampshire, our newest members, sponsored the New Member Reception; the University of Kentucky J. David Rosenberg College of Law and St. Mary's University of San Antonio School of Law sponsored the President's Reception; individual faculty Maybell Romero (Tulane) and Brian Frye (Kentucky) jointly sponsored a cocktail reception for those interested in Legal Philology; and West Academic, Carolina Academic Press, and the Federalist Society each sponsored general receptions. Carolina Academic Press, ETS, Wolters Kluwer, West Academic, and BarBri each sponsored a luncheon. In addition, West Academic sponsored the Golf Tournament, and Wolters Kluwer sponsored the Tennis Tournament.

In my new role as Sponsorship Coordinator (Scott Bauries, Kentucky), I assisted with questions from prospective sponsors and sought out new funding sources. I have also

constructed a new spreadsheet of contact information, donor preferences, and recent giving to assist with our efforts going forward, and to assist whoever takes on this role in the future with coming up to speed.

### **Website, Technology & Communications Committee**

The Website, Technology & Communications Committee continued to pursue its goals and handled technology issues as they arose. The Committee would like to thank Peter Jetton for helping to assist in solving technology matters. The Committee looks forward to completing a second comprehensive review of the SEALS Website to follow-up on the review it submitted in 2020. The Committee also looks forward to further enhancing the appearance and content of the SEALS Website so that it becomes even more user-friendly.

### **Works-in-Progress Committee**

The Works-in-Progress (WIP) Committee's sixth year as a stand-alone committee was its busiest. The WIP Series at the Annual Meeting, which is the Committee's primary undertaking, had 37 scholars agree to participate in seven separate groups to discuss their ongoing scholarly projects with one another. Despite the uncertainty and disruption created by the COVID-19 pandemic, the overwhelming majority of participants still planned to participate either in person or remotely. The Committee was particularly pleased with the wide range of subject matter covered by the groups this year, including constitutional law, administrative law, criminal law (two groups), and private law. The Committee was also thrilled that a group focused on legal research and writing came (again) to the Series with a pre-arranged cohort of participants. We hope that group and others will continue to think of the WIP Series as a great forum in which to discuss their scholarship with colleagues in their field.

The Committee owes a tremendous debt of gratitude to everyone who served as moderators in the Series, as well as Ben Cooper, Caprice Roberts, Peter Jetton, and the entire Moderator and Coordination Committee, especially the Chair and Vice Chair of that committee, Jancy Hoeffel and Lucas Osborn respectively, for their invaluable assistance. We look forward to another successful year in 2021-2022.

## Exhibit 1 to Appendix A

Here is the impressive line-up:

### **Team Based Learning for International Collaboration, Simultaneous and Otherwise**

The SEALS Global Outreach Committee is hosting a panel on Team Based Learning for International Collaboration. This panel discusses the benefits of international collaboration in online classes and discusses ways various professors have incorporated innovative ways to teach comparative law, international law, comparative criminal procedure, constitutional law, and administrative law using "team-based learning." International collaboration excites many students all without leaving the comfort of home. Participants from the U.S. and E.U. will attend and participate to discuss future collaborations.

**Moderator:** Dean Joshua Fershee, Creighton University School of Law

**Speakers:** Professor Class Friedrich Germelmann, University of Hanover Faculty of Law (Germany), & Faculty Coordinator for International Relations; Professor Patrick Hugg, Loyola University New Orleans College of Law; Professor Arndt Kuennecke, Federal University of Applied Sciences for Public Administration (Bruehl, Germany); Professor Dimitrios Parashu, University of Hanover Faculty of Law (Germany); Professor Melanie Reid, Lincoln Memorial University Duncan School of Law

### **ELFA Perspectives on Teaching During the Covid-19 Era**

This panel focuses on the European Law Faculty Association's (ELFA) experience of teaching during the COVID era, focusing on issues such as teaching, financing and cooperation. This panel will cover the following topics: cooperation between law faculties in the COVID era; adjusting to digital teaching and student support in the COVID era; adaptation to exceptionality in Law Schools; organizational challenges created by the pandemic (the Spanish case); advantages and disadvantages of online teaching to law students; new opportunities created by the Covid-19 Pandemic; & the financing Of legal education In The covid era.

**Moderator:** Professor Patrick Hugg, Loyola University New Orleans College of Law

**Speakers:** Professor Manuel Bermejo Castriello, Universidad Carlos III de Madrid (Spain); Professor Jivko Draganov, University of World & National Economy Sofia (Bulgaria); Professor Michele Graziadei, University of Turin Department of Law (Italy); Professor Marek Grzybowski, Warsaw University Faculty of Law & Administration (Poland); Professor Julian Lonbay, University of Birmingham Faculty of Law (United Kingdom)

### **The ELPIS Approach: How the Pandemic Changed the Face of Law, as Well as Law Teaching and Learning**

ELPIS is one of the oldest and biggest Law networks in Europe, founded by the Leibniz University of Hannover, composed of 34 European Law Faculties together with associated faculties from America, Asia and Africa. The network deals with issues relating to Students, Professors and Staff members, as well as questions related to pedagogical theory and practice. ELPIS is currently divided into three branches: ELPIS

organizes an Annual Meeting; ELPIS offers a joint masters degree that includes the law faculties of Hannover, Rouen, Lisbon, Fribourg and Mykolas Romeris (Vilnius); the ELPIS Research arm that runs research and scientific projects and a v-Law Review. In the last 2 years the ELPIS network has organized some scientific events and a special volume of the ELPIS v-Law Review which was dedicated to the changes that the pandemic brought to a law, as well as to law teaching and learning, and about the predictable consequences of these novelties for the near future. And these are precisely the topics we will present and discuss in this panel.

**Moderator:** Professor Vasco Pereira da Silva, University of Lisbon Faculty of Law (Portugal), & Chair, Elpis Network,

**Speakers:** Professor Fransisco Balaguer Callejón, The University of University of Granada Faculty of Law (Spain); Professor Nuno Cunha Rodriguez, University of Lisbon Faculty of Law (Portugal), & Vice-President, European Institute; Professor Class Friedrich Germelmann, University of Hanover Faculty of Law (Germany), & Faculty Coordinator for International Relations; Dean Bernd Opperman, University of Hanover Faculty of Law (Germany), & Former ELPIS Chair.

### **Workshop: Academic Freedom In An Era Of Change**

#### **Discussion Group: Academic Freedom Around the Globe**

Academic Freedom can face political, cultural, institutional, and economic pressures, and these dynamics can vary from country to country, or even across regions or jurisdictions within a country. In particular, restrictions on academic freedom can be used to stifle political dissent through both censorship and self-censorship, and thus present both human rights and anti-democratic concerns. This discussion group will bring together law faculty from various countries for a comparative discussion of threats to academic freedom; the relationship between academic freedom and personal statements or political activism; the political, cultural, institutional, and economic implications of working in restrictive environments; and steps that might be considered to protect academic freedom.

**Moderator:** Professor Jennifer Bard, University of Florida Fredric G. Levin College of Law

**Discussants:** Professor Todd Berger, Syracuse University College of Law; Professor Rafal Blicharz, University of Silesia (Poland); Dean Gregory Bowman, Roger Williams University School of Law; Professor Gaya Davidyan, Moscow State University Faculty of Law (Russia); Professor Patrick Hugg, Loyola University New Orleans College of Law; Professor Christopher Kelley, University of Arkansas School of Law; Professor Anne Klebes-Pelissier, Roger Williams University School of Law; Professor Vasco Pereira da Silva, University of Lisbon Faculty of Law (Portugal), & Chair, Elpis Network,; Professor Ewa Rott-Pietrzyk, University of Silesia (Poland); Professor Russell Weaver, University of Louisville, Louis D. Brandeis School of Law

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### **Social Media Platforms and Free Expression**

In recent years, social media platforms have assumed increasing prominence in society. However, as their influence has expanded, there have been increasing calls for those platforms to regulate and even censor speech, particularly so-called "hate speech" and fake news. This panel will involve a comparative examination of how societies regulate

social media platforms, and regarding the implications of social media censorship on democratic societies.

Moderator: Professor Eric Segall, Georgia State University College of Law

Speakers: Professor RonNell Andersen Jones, The University of Utah S.J. Quinney College of Law; Professor Jon Garon, Nova Southeastern University Shepard Broad College of Law; Professor Margaret Hu, Penn State Law; Professor András Koltay, Pázmány Péter Catholic University, Faculty of Law and Political Sciences (Hungary), and Rector, National University of Public Service (Hungary); Professor Ronald Krotoszynski, The University of Alabama School of Law; Professor Barry McDonald, Pepperdine University School of Law; Professor Jon Mills, University of Florida Fredric G. Levin College of Law; Professor Seth Oranburg, Duquesne University School of Law; Professor Gary Simson, Mercer University School of Law; Professor Russell Weaver, University of Louisville, Louis D. Brandeis School of Law; Professor Paul Wragg, University of Leeds Faculty of Law (England)

### **Workshop On Business Law**

#### **Discussion Group: First Things First: Is Short-Termism the Problem?**

Recently, Ernst and Young prepared a “Study on Directors’ Duties and Sustainable Corporate Governance” for the European Commission. The study is based on evidence collected from 1992 to 2018 that seems to show that the boards of directors of publicly-held companies within the EU tend to focus on the short-term benefits of shareholders to the detriment of the company’s long-term interests. We discuss the Study on Directors’ Duties and its empirical findings. In the context of a new political and economic order, we discuss what that study means to corporate law and corporate governance in the United States. Finally, we discuss what "short-termism" means, if it exists and, if it does, whether it is as harmful as it sounds.

**Moderator:** Professor Lécia Vicente, Louisiana State University Paul M. Hebert Law Center

**Discussants:** Professor Eric Chaffee, University of Toledo College of Law; Dean Joshua Paul Fershee, Creighton University School of Law; Professor Jill Fisch, University of Pennsylvania Law School; Professor George Georgiev, Emory University School of Law; Professor Joan Heminway, The University of Tennessee College of Law; Professor Ann Lipton, Tulane University Law School; Professor Florian Moslein, Philipps University Marburg (Germany); Professor Stefan Padfield, University of Akron School of Law; Professor Mariana Pargendler, New York University School of Law, & Fundação Getúlio Vargas (FGV) Law School, São Paulo, Brazil ; Professor Paolo Saguato, George Mason University Antonin Scalia Law School; Professor Marcia Weldon, University of Miami School of Law

### **Workshop On Health Law**

#### **Public Health Law and Covid-19. Where Did We Go Wrong?**

The Covid-19 pandemic has been a structural stress test for public health law. The American public has been inundated with confusing guidelines and mandates. The Supreme Court in *Roman Catholic Diocese of Brooklyn NY v. Andrew Cuomo*, 592 U. S. \_\_\_\_ (2020) struck down New York's restrictions on religious gatherings. The decision shows a major shift in enforcement of constitutional liberties while Covid-19 lingers. It

also leads to the conclusion that the federal government and states have not done a very good job of ensuring a strong public health legal system. This panel addresses the mistakes made in the issuing, implementation and enforcement of the public health mandates and guidelines and the lessons learned since the pandemic began.

**Moderator:** Professor Chris Ogolla, Barry University, Dwayne O. Andreas School of Law

**Speakers:** Professor Mitchell Crusto, Loyola University New Orleans College of Law; Professor Barbara Pfeffer-Billauer, University of Porto Faculty of Law (Portugal); Professor Michelle Richards, University of Detroit Mercy School of Law; Professor Charlotte Tschider, Loyola University Chicago School of Law

## **Appendix B: 2021-2022 Officers and Board Members**

The following individuals will serve in 2021–2022. Those elected in 2021 are indicated in italics. The individuals appointed to serve as deputy executive director and compliance officer are indicated in small capital letters. (The deputy and the compliance officer are non-voting officers.)

David Brennen (Past President)

Caroline Osborne (President)

*Ron Krotoszynski (Vice President/President-Elect)*

Russ Weaver (Executive Director)

*Kathy Cerminara, Secretary*

Tom Metzloff (Treasurer)

Elizabeth Pendo (At-Large; term ends 2022)

Charles (“Rocky”) Rhodes (At-Large; term ends 2023)

*Ben Spencer (At-Large; term ends 2024)*

CAPRICE ROBERTS (DEPUTY EXECUTIVE DIRECTOR)

JOAN HEMINWAY (CORPORATE COMPLIANCE OFFICER)

### **Appendix C: Rotation of Presidency**

The presidency currently rotates as follows (the president-elect is elected one year in advance of the year listed):

2023: Florida (president-elect elected at 2022 meeting)

2024: North Carolina and South Carolina

2025: Arkansas and Missouri

2026: Maryland and District of Columbia

2027: Mississippi and Louisiana

2028: Texas

2029: Tennessee and Kentucky

2030: Virginia and West Virginia