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Good Newsletter

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Good Newsletter November 1, 2022

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SEATTLEU
SCHOOL OF LAW

GOOD NEWSletter

*Celebrating recent community accomplishments
and noting important upcoming events.*

Please contribute to the next **GOOD NEWS**letter by emailing lawgoodnews@seattleu.edu.

November 1, 2022

Dear Faculty and Staff Colleagues –

It continues to be a very busy and productive fall for our law school community. There is much good news to share!

Last week we hosted the annual Red Mass and Reception in the Chapel of St. Ignatius and our beautiful Sullivan Hall. This year marked the return of the Red Mass to our campus for the first time in several years. It was a beautiful event, with the mass celebrated by Father John Topel, S.J., the Jesuit Advisor to the Law School Dean, and a reflection delivered by President Eduardo Peñalver.

The second Dean's Luminaries in Law Lecture & Conversation Series event with Amazon General Council David Zapolsky was a great success. We look forward to hosting AmeriCorps General Counsel and President Biden's nominee to the Administrative Council of the United States, Fernando Laguarda, as our next Luminary on November 17th.

Our various fall retreats to discuss our draft collective vision for the law school continue to be warm and fruitful gatherings, the last two having been the retreat with distinguished and *emeriti* faculty and the brunch retreat at my home, just last Sunday, with the SBA Council.

Very big thanks to Lily Su for her superb leadership as Interim Director of ATJI during this transitional period and for supporting our PIFL students in hosting another successful Evening with Equal Justice event on October 18th. Additional thanks and warmest congratulations to Samira Sharif for assuming a new staff leadership position as Assistant Director of the Flex JD Program. Hooray, Samira!

Finally, we received several pieces of good news last week related to our alumni community. Jeff Farrah '07 will become the first Executive Director of the Autonomous Vehicle Industry Association (AVIA), the trade association representing major autonomous vehicle manufacturers and innovators. Additionally, Archie Roundtree, Jr '18 will receive Seattle University's Outstanding Recent Alumnus Award for 2023. Much to celebrate and for which to be thankful this November.

#SeattleULawSoars!

Anthony E. Varona
Dean and Professor

PUBLICATIONS

Prof. Michael Blasié's next article, *Regulating Plain Language*, was accepted by the Wisconsin Law Review. The Article reveals all three branches of government have been aggressively regulating plain language in legal documents with no coordination, resulting in a nationwide hodgepodge of conflicting laws that take wildly different approaches in scope, coverage, and enforcement. The Article contends these laws embody different public policy approaches to plain language and argues for a greater role in developing plain language legal requirements through common law rules.

Prof. Leonard Feldman's *Tort and Accident Law: Cases and Materials* (Fifth Edition 2023), is now scheduled for publication in mid-2023. The author agreement with West Academic Publishing has been signed with co-editors Lewis Sargentich (Harvard Law School), Gregory Keating (USC Law School), and Jim Fleming (Boston University Law School).

Prof. Jack Kirkwood was quoted by *The Capitol Forum* in an article on "Collusion Out Loud" in the fertilizer industry.

Prof. Russell Powell's article "Spirit of the Corporation" was published along with a follow-on essay "A Brief Reflection on Spirit of the Corporation" in the most recent issue of the Seattle Law Review as part of the Twelfth Annual Berle Symposium: Corporate Capitalism and the City of God.

PRESENTATIONS

Assoc. Dean Steven Bender presented at the SALT teaching conference in Chicago as part of a plenary teach-in panel that he helped plan on the current affirmative action cases before the Supreme Court. This was a prelude to a fall 2023 symposium to be held at Seattle University based on the 25th anniversary of the SALT affirmative action march, as academic activism, at the AALS annual meeting in San Francisco.

Assoc. Dean Steven Bender co-presented a Zoom workshop to dozens of law faculty across the country on using the Critical Justice textbook as an institutional framework for a robust compliance response to ABA Standard 303. They also recorded a separate version for posting on the website of the sponsor, West Academic: <https://youtu.be/As-Xu6OO0s0>

Assoc. Dean Steven Bender co-presented with a Canadian law professor on their book series with Rowman & Littlefield Press, called Migration, Development, and Displacement. They presented via Zoom to an audience of students and faculty at Lebanese American University, home to one of the book series' many Editorial Board faculty across the world.

Prof. Michael Blasié presented *The Doctrine of Plain Language* on October 8 at the 10th Annual Western Regional Legal Writing Conference held at the University of Oregon's law school. During the presentation, he argued legal writing is highly regulated by nearly 800 overlapping and conflicting statutes, regulations, and constitutions that balance competing public policy considerations. He posited there is a sizeable unexplored doctrinal realm to legal writing and encouraged an aggressive expansion of legal writing scholarship.

Prof. Michael Blasié also presented *A Common Law Duty to Make Contracts Understandable* at the Midwest Law and Economics Association's annual conference, hosted at the University of Chicago on October 14. Professor Blasié presented alongside professors from the laws school at the University of

Chicago, University of Houston, University of Oklahoma, and University of Iowa. His presentation argued courts should impose on drafters of contracts of adhesion a duty to make their contracts understandable to the average intended reader.

Prof. Katy Boling presented *People-Centered Legal Teaching: Centering Students' Understanding of the Law around the People Who Make and Apply it* on October 8 at the 10th Annual Western Regional Legal Writing Conference held at the University of Oregon's law school.

Prof. Elizabeth Ford presented on October 7 at the Labor Arbitration Institute's Labor Law and Labor Arbitration Conference on their panel of arbitrators. [Seattle Labor Law & Labor Arbitration Conference - Labor Arbitration Institute](#)

Prof. Elizabeth Ford also presented her work in progress called *Worker Center Affiliated Law Firms* at the Clinical Law Review Writers' Conference on October 8. [Clinical Law Review Writers' Workshop 2022 | NYU School of Law](#)

Prof. Madeline Kass gave two presentations at the University of Dundee as part of her ISSR Global Fellowship. She gave a lecture on the US Legal System to law faculty and Ph.D. students and presented on the US Freedom of Information Act as a guest speaker in a comparative access to information systems seminar. She is also collaborating on a book chapter on US and UK protected areas laws with Professor Colin Reid.

Prof. Tayyab Mahmud presented a keynote address entitled, "Emerging Crises and Opportunities for Development Policies in Asia and Pacific" at the Annual Conference of the International Political Science Association (IPSA).

Prof. Tayyab Mahmud also presented "Introduction to LatCrit," at the Faculty Development Workshop sponsored by ClassCrits, LatCrit, and SALT.

Prof. Mimi Samuel was part of a CLE presented by Oklahoma Criminal Defense Lawyers Association & Oklahoma Indigent Defense System on October 21. She presented on Correctness & Clarity and Emphasis & Persuasion.

Prof. Dean Spade presented *Solidarity Not Charity: Mutual Aid for Survival and Mobilization* with the American Bar Foundation on October 12. [Dean Spade, Law, Seattle University School of Law - American Bar Foundation](#)

Prof. Dean Spade also presented a new book, *No More Police*, with Author Andrea J. Ritchie at the Seattle Solidarity Budget Event on October 20. [No More Police: Seattle Book Launch. Author Andrea J. Ritchie in conversation with Dean Spade | Facebook](#)

Prof. Dean Spade also presented at the [USC Civic Media Fellows](#) 2022 Cohort, and presented a webinar on *Mutual Aid* hosted by Impact Silver Spring on October 18. [This event](#) was fully bilingual (English-Spanish).

Notable Upcoming Presentations

Prof. and Vice Dean-designate Brooke Coleman is an invited panelist and contributor to the symposium honoring the 40th Anniversary of Judith Resnik's Managerial Judging at Yale Law School on November 4-5.

Assoc. Dean Kristin DiBiase will be a panelist discussing *'Differences Not Deficits: Neurodiversity, Managing Accommodations, and Supporting all Student Learners'* at LexCon '22 on November 8-10 in Nashville, Tennessee.

Prof. Deirdre Bowen will be presenting *State by State Legislative Action to the Sandy Hook Mass Shooting and Analysis of Subsequent Legislative Reaction* as an Oral Flash Science Presentation and *Variance in State Mental Health Firearm Prohibition Laws: a 50-state Analysis* as a Poster Presentation at the National Research Conference for Firearm Injury Prevention on November 29-December 1 in Washington, D.C.

Profs. Mimi Samuel and Katy Boling will be hosting it virtually on December 10th, and the theme will be “Teaching Values in the Legal Writing Classroom.”

Prof. Kathryn Boling has been selected to present at the 2023 AALS Annual Meeting in San Diego, where she will be presenting on *Robust Reflection: An Essential Element of Creating an Inclusive Classroom for Students with Disabilities*. Prof. Boling is one of four presenters in the Legal Writing, Reasoning & Research Section’s main program on *Disability: Engaging with an Often Overlooked Diversity Dimension in Our Classrooms*.

Prof. Jack Kirkwood is the current chair of the antitrust section of the AALS. Prof. Kirkwood will be the moderator for the panel, *New Threats to Antitrust Enforcement* (from increasingly restrictive administrative law and increasingly conservative courts), in San Diego in January. Speakers on the panel will include: Richard Pierce (George Washington), William Kovacic (George Washington), John Newman (Miami), and Christine Bartholomew (Buffalo).

Prof. and Vice Dean designate Brooke Coleman is an invited panelist for the AALS Section for the New Law Professors Panel, *Beginnings, Middles, and Endings: Planning Your Classes, Your Courses, and Your Career* on January 6.

Assoc. Dean Sital Kalantry will be a panelist in the AALS conference in San Diego speaking on the Indian Constitution in January.

Prof. Jack Kirkwood was invited to submit an article on the Robinson-Patman Act to the *CPI Antitrust Chronicle*, to be published in their January issue.

Prof. Jack Kirkwood is invited to present a paper at a symposium on March 10 in honor of Professor Robert Lande of the University of Baltimore Law School. The invitation, from the *Baltimore Law Review*, stated: “As a leading antitrust scholar, former colleague and co-author of Professor Lande, your participation would be an invaluable addition to this program honoring one of the most impactful antitrust scholars of his generation.”

Dean Tony Varona served as chair of the inaugural selection committee for the new AALS Michael A. Olivas Award for Outstanding Leadership in Diversity and Mentoring in the Legal Academy, an award that he successfully proposed to AALS leadership. He, on behalf of the selection committee, will be presenting the award to the inaugural honoree at a plenary session at the AALS Annual Meeting in San Diego in January.

ALUMNI NEWS

Joanna Boisen '06 received the Innovative Leadership Award at the Women Influence & Power Law Awards in Washington D.C. on October 18.

Jeff Farrah '07 will become the first Executive Coordinator of the Autonomous Vehicle Industry Association (AVIA). This trade association represents major autonomous vehicle manufacturers and innovators. https://www.weau.com/prnewswire/2022/10/25/autonomous-vehicle-industry-association-announces-new-executive-director/?fbclid=IwAR0Kzz9MpTrsQhxMtf0sMaiBhVOFx8pdZgjh_HDJizYyEC0wn3CCWQKeHh0

Jeff Liang '07 will receive the Pro Bono Service Award next month at the National Asian Pacific American Bar Association convention in Las Vegas, Nevada.

Alejandro Monarrez '21 has commissioned as a Lieutenant Junior Grade in the US Navy Judge Advocate General's Corps.

Archie Roundtree '18 will receive the Seattle University's Outstanding Recent Alumnus Award for 2023.

Todd Smith '00 recently joined Morgan Lewis & Bockius LLP in London as a tax partner.

MEDIA APPEARANCES, APPOINTMENTS AND AWARDS, AND OTHER NEWS

Amazon's General Counsel David Zapolsky was the second Luminaries in Law speaker at Seattle University School of Law on October 19.

Assoc. Dean Steven Bender prepared, gathered signatures, and submitted a proposal to the AALS Executive Committee for a new section to be called the Critical Scholarship, Pedagogy, and Literacy Section. He will serve as the Initial Section Chair if the section is approved.

Prof. Michael Blasié's article, *The Rise of Plain Language Laws*, ranked in the Top 10 downloads for Forensic Linguistics on the Social Science Research Network (SSRN).

Prof. Michael Blasié is listed on the International Plain Language Federation's website alongside global experts from over a dozen countries who are working on creating the first international plain language standard. You can view the website here: <https://www.iplfederation.org/our-volunteers/>

Prof. Richard Delgado will be celebrated for his former work in the Texas Institute for Advanced Study (Hagler Institute). This will be published in the anniversary issue of the Texas A&M Law Review. Richard Delgado's commentator will be Frank Michelman (Harvard) writing about Delgado's work on a criminal defense of extreme poverty, which Delgado developed in two law review articles on the "Rotten Social Background" defense. Delgado will write a response article. <https://hias.tamu.edu/fellow/mr-richard-delgado/>

Research Prof. Margaret Fisher has successfully written three grants this fall: the U.S. District Court for Western Washington funding for the 2022-23 Judicial Institute for Teachers, now in its 11th year; the Washington Judges Foundation funding to continue Street Law for judge-teacher teams, now in its 21st year; and the Washington Judges Foundation support for the 2022-23 youth court statewide conference now in its 18th year.

Prof. Elizabeth Ford's article, *Wage Recovery Funds*, has been selected as the topic for an upcoming [California Law Review's podcast](#). More details to come!

Prof. Elizabeth Ford also was appointed by Governor Inslee to serve as one of three commissioners on the Public Employment Relations Commission. They regulate public sector collective bargaining in Washington.

Assistant Dean Erin Fullner was appointed to the Washington Bar Association Small Town and Rural Practice (STAR) Committee.

Civil Rights Clinic faculty Jessica Levin and Melissa Lee filed two amicus briefs before the Washington Supreme Court. The first case, *State v. JWM*, involves the imposition of a lengthy period of

incarceration on a young person of color based on purported treatment needs as well as criminal history. The amicus brief discusses literature regarding adultification of Black youth and other youth of color and asks the Court to direct juvenile courts to account for adultification bias in their disposition decisions. The brief also educated the Court about the harms of incarcerating young people and requested that the harms of incarceration be considered as a non-statutory mitigating factor in any case where a period of incarceration is requested. CRC faculty partnered with King County of Public Defense and TeamChild on the brief, and represented CHOOSE180 and Creative Justice as amici. The second case, *State v. Anderson*, involves the imposition of a de facto life sentence for a crime Mr. Anderson committed as a child. Mr. Anderson moved for reconsideration of the Court's decision upholding the de facto life sentence; CRC faculty filed an amicus motion in support of reconsideration explaining how the Court's articulation of the state constitutional inquiry improperly narrows what must be considered under *Miller v. Alabama* and other Eighth Amendment jurisprudence. CRC faculty were joined on the brief by Juvenile Law Center and represented [Huy](#) as amicus.

Assistant Dir. Melissa Lee served as co-chair of the Recommendations Working Group of the Task Force on Race and Washington's Criminal Justice System 2.0 where they issued their final recommendations regarding the adult criminal legal system on October 10. In that role, Assistant Dir. Lee was responsible for coordinating the generation of recommendations from diverse criminal legal system stakeholders, as well as compiling and drafting the final recommendations for publication. View the [press release](#).

Assistant Dir. Melissa Lee was featured in a report on KIRO News Radio's Seattle's Morning News show on October 13 discussing the recommendations for reforms in the criminal legal system issued by Task Force 2.0.

Assistant Dir. Jessica Levin was interviewed for the Northwest Politicast Podcast regarding *State v. Rivers*, a case argued in September 2022 before the Washington Supreme Court concerning lack of diversity in jury pools. Mr. River's proposed state constitutional rule would provide an effective remedy to people accused of crimes who are seeking to vindicate their right to select a jury from a fair cross section of their community. The Korematsu Center submitted an amicus brief in the case. <https://komonews.com/news/podcast/politicast/listen-washington-supreme-court-considers-racial-quotas-in-jury-pools>

President and Professor of Law Eduardo Peñalver was named by the PUGET SOUND BUSINESS JOURNAL as one of the Top 100 Most Powerful and Influential Business People in Washington.

Prof. Dean Spade's podcast, *Your Parenting Mojo – Respectful, research-based parenting ideas to help kids thrive: 167: Healing and Helping with Mutual Aid with Dean Spade* [was published](#) in October.

Prof. Dean Spade [released a podcast interview](#) called, *Administrative Violence and "Normal Life."* on October 10.

Prof. Dean Spade released a third [podcast interview](#) called, *Against Everyone With Conner Habib 200: Part 3 Drugs, Anarchism, Spiritual Beings, and Revolution, That's All!* on October 12.

Prof. Dean Spade contributed to the [LPE Symposium](#) on October 18.

Workers' Rights Clinic has designed [a new webpage](#) for students and Washington workers. Special thanks to **Web Mngr. Troy Fleishauer, Dir. David Sandler, and Assoc. Dean Paul Holland** for their work.

Dean Tony Varona was interviewed on the current state and future of legal education by Law360 and for the Talking Legal Ed podcast.

UPCOMING NOTABLE EVENTS (through December, with dates and specifics subject to change)

November 3: Dean Varona's Installation Ceremony will be held in the Le Roux Room in the Student Center from 4:30-5:30 pm. A reception will follow on the Second Floor Gallery of the law school from 5:30-6:30 pm.

November 8: Our **Legal Scholarship Workshop Series** hosts **Prof. Darren Hutchinson (Emory)**, Inaugural John Lewis Chair for Civil Rights and Social Justice.

November 10: Prof. Dean Spade will be moderating two discussions online at 7:00 pm: [Abolish Mandatory Reporting and Family Policing | Barnard Center for Research on Women](#) and **November 15** at 7:00 pm: [No borders! No prisons! No cops! No war! No state? | Barnard Center for Research on Women.](#)

November 17: The General Counsel of AmeriCorps, Fernando Laguarda, will be the next Luminaries in Law Speaker. The event will take place from 4:30-5:30 pm in Room 110 and over zoom with a reception to follow on the Second Floor Gallery from 5:30-6:30 pm.

November 29: Our **Legal Scholarship Workshop Series** hosts **Prof. Laura Appleman (Willamette)**, presenting *Defending the Jury: Crime, Community, and the Constitution*.

Anthony E. Varona | Dean and Professor of Law

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