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Good Newsletter

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Good Newsletter February 6, 2023

Seattle University School of Law Dean

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GOOD NEWS*letter*

Celebrating recent community accomplishments
and noting important upcoming events

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February 6, 2023

Dear Faculty and Staff Colleagues –

It is hard to believe that the end of the first week in February is upon us. Seattle U Law kicked off the new year with a strong showing at the AALS Annual Meeting in San Diego last month. Our faculty and administrators were prominently featured as panelists, presenters, and newly elected section leaders. Additionally, we hosted a lively Seattle-themed reception that was so well attended that it flowed out into the hallway. Our reception allowed us to highlight Seattle U Law's recent successes in faculty hiring and impactful scholarship to our national colleagues.

Many thanks to everyone involved in our Diversity Week programming late last month. Many of our faculty and staff colleagues participated in or attended the many events, including the Diversity Week Reception on Tuesday, January 24th, which was followed by Zabrina Jenkins, Executive Vice President & General Counsel of Starbucks,

Upcoming Notable Events

The Washington Supreme Court holds oral arguments at Seattle U Law, February 22nd and 23rd.

Jeff Farrah, Executive Director of the Autonomous Vehicle Industry Association (AVIA) will be the February Luminary in Law on the 28th at 4:30 (room TBA). **Professor Dorothy Roberts** will be a Luminary in Law

as our first Luminaries in Law guest of the spring semester.

I was pleased, but not surprised, that four out of six attorneys named by the *Puget Sound Business Journal* as the Next Gen in Law are Seattle U Law graduates. Congratulations to Rachel Bender '15, Desirée Good '15, Carrie Mount '19, and David Papiez '18, who were recognized as “attorneys leading their profession into the future.”

We have much good news to celebrate below. Congratulations to the many of you who published new scholarship, were featured prominently in the media or in conferences and symposia, or otherwise brought positive attention to our law school community. I look forward to continued celebration of the law school's good news items throughout the Spring semester.

#SeattleULawSoars!

Anthony E. Varona
Dean and Professor

PUBLICATIONS

Prof. Erin Carr was published in Touro Law Center's Journal of Race, Gender, and Ethnicity for her article called, “Crisis as a Catalyst for Rebirth: Disrupting Entrenched Educational Inequality in the COVID Era.”

Prof. Maggie Chon, along with two other intellectual property law professors, (and the assistance of the Emory Law School Supreme Court Advocacy Program), co-authored [an amicus brief](#) for the U.S. Supreme Court in *Abitron Austria v. Hetronic International*, regarding the extraterritorial reach of the federal trademark statute.

Vice Dean Designate Brooke Coleman attended an invitation-only conference in November at Yale Law School celebrating the 40th anniversary of Judith Resnik's Managerial Judging. Her article for that conference, “Managerial Rulemaking,” will be published in The Review of Litigation (the University of Texas) Managerial Judges

speaker on March 21st at 4:30 pm in Room C5.

The **Fredric C. Tausend Moot Court Competition Final Round** will take place on February 15th at 4:30 pm in the Court Room.

The **Public Interest Law Foundation Auction** is on March 4 at the Grand Hyatt Hotel in Seattle. Doors open at 5:30 pm.

Upcoming Notable Presentations

Prof. Michael Blasie was selected by the organizers of the Sixteenth Annual International Conference on Contracts to present *A Common Law Duty to Make Consumer Contracts Understandable* at the upcoming conference hosted by Texas A&M University School of Law.

Prof. Elizabeth Ford will be participating in the [SU Sullivan Leaders Day](#) as a participant on the faculty panel discussing this year's theme: [Dirty Work](#).

@ 40 conference edition.

Profs. Richard Delgado and Jean Stefancic were published on Shepherd.com for their books *Critical Race Theory: An Introduction* (NYU Press) and *Race and Races: Cases and Materials for a Diverse America* (West, with Juan Perea and two others).

The Korematsu Center joined the Fair Housing Center of Washington as amici before the Washington State Supreme Court in *State of Washington v. City of Sunnyside, et al.*, in a case brought by the Wing Luke Civil Rights Unit of the Washington State Attorney General's Office that challenges Sunnyside's Crime Free Rental Housing Program. The amicus brief provides additional doctrinal and empirical support for proper analysis of the State's claims under the disparate impact provisions of the Washington Law Against Discrimination.

Prof. Jack Kirkwood submitted the final version of his article, "Reforming the Robinson-Patman Act," to the *CPI Antitrust Chronicles*. He also submitted the final version of his chapter, "Predation and Discrimination," to the editor of the *Handbook on Abuse of Dominance and Monopolization*.

Assistant Dirs. Jessica Levin and Melissa Lee filed an amicus brief in the Washington State Supreme Court in *State v. Reynolds*, which presents the question of whether a predicate strike offense committed under the age of 18 can be the basis for a mandatory life without parole sentence under Washington's three strikes law. The amicus brief provided additional state constitutional analysis as well as descriptive statistics regarding the extreme race disproportionality of those sentenced to die in prison based on predicate crimes committed as children. Korematsu Center partners at ACLU-Washington, King County Department of Public Defense, TeamChild, Washington Association of Criminal Defense Lawyers, and Washington Defender Association joined the Korematsu Center as amici.

Assistant Dirs. Melissa Lee and Jessica Levin filed an amicus brief in the Washington State Court of Appeals in *Personal Restraint of Keonte Smith*, providing empirical studies on adultification of Black children and arguing for explicit consideration of adultification bias when juvenile courts decline jurisdiction of children to adult court for prosecution, as well as during sentencing. Korematsu Center partners at ACLU-Washington, TeamChild, and Washington Association of Criminal Defense Lawyers

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."

Prof. Katie Boling has been selected for a media presentation this summer at the 2023 Biennial Conference of the Association of Legal Writing Directors (ALWD), the theme of which is "Raising the Bar: Reaching New Heights through Innovation and Collaboration." Professor Boling's presentation is entitled "*What is 'the Rule'? Quotation Marks and the Role of Courts and Lawyers as Performers of the Law.*"

Prof. Richard Delgado will be presenting on a panel titled *Top Tips from Top Authors* at a virtual, national

joined the Korematsu Center as amici.

PRESENTATIONS and TESTIMONY

Vice Dean Deborah Ahrens presented on the AALS Hot Topic program *Assessing the Impact of President Biden's Marijuana Actions*.

Prof. Thomas Antkowiak presented on November 29th, via Zoom, on the right to equality in the Inter-American System to African international human rights judges and commissioners. The judicial colloquium took place in Nigeria and was organized by the Centre for Human Rights of the University of Pretoria, South Africa.

Assoc. Dean Steven Bender gave a presentation at YouTube headquarters in San Bruno, California, at its Racial Justice and Human Rights Summit for its executives and team leaders on Latinx stereotypes and hate speech.

Assoc. Dean Steven Bender was a panelist at the AALS conference in the Civil Rights Section program, *Integrating Critical Pedagogies to Fulfill the Promise of Revised Standard 303*.

Prof. Bob Boruchowitz spoke at a webinar panel on January 10 for the ABA Section of Civil Rights and Social Justice on Public Defender Independence. There were about 180 attendees.

Prof. Robert Chang was a panelist for the AALS workshop, Pre-tenured Law School Teachers of Color, Session One: *On Being an Other in the Classroom, Law School, and University*.

Prof. Maggie Chon presented on the pending Supreme Court case, *Andy Warhol Foundation for the Visual Arts v. Goldsmith*, at the November Seattle IP Inn of Court meeting, along with several other team members (including Seattle University student Lynisha Batson, and alums Maili Barber and Anabel Manaloor).

Vice Dean Designate Brooke Coleman moderated a panel, Civil Procedure Co-Sponsored by Creditors' & Debtors' Rights, Litigation, and Remedies - *What's In, What's Out: How to Teach Civil Procedure in an Increasingly Crowded*

conference for law review editors hosted by The American Society for Legal Writers on March 26, 2023.

Curriculum session, at the AALS conference in January. Vice Dean Coleman also was a panelist for New Law Professors - *Beginnings, Middles, and Endings: Planning Your Classes, Your Courses, and Your Career* session at the AALS conference in January.

Profs. Janet Dickson, Mimi Samuel, and Katy Boling planned and successfully hosted a small virtual conference on December 10 as part of the Legal Writing Institute's One-Day Workshops. Over 40 people attended the virtual conference.

Prof. Gillian Dutton participated in a worldwide Global Alliance for Justice Education conference in South Africa in December. She presented about the law school's meaningful experiences with the Transitional Justice Legal Exchange course we offer in partnership with [Université Moulay Ismail](#). The class includes a service project in which Moroccan students interview participants in that country's successful truth, justice, and reconciliation process. American students interview people who have been impacted by racial injustice, particularly police officer violence against Black and brown communities.

Prof. Dutton also testified in favor of Washington State Senate Bill 5304 requiring Washington State Department of Social and Health Services (DSHS) to reinstate its testing of interpreters, translators, and bilingual staff used by the department to comply with the *Reyes Consent Decree*. Prof. Dutton and her colleagues at Evergreen Legal Services negotiated the consent decree to resolve a class action lawsuit against the state for failure to provide language access to Limited English Proficient residents. The lawsuit alleged a claim of discrimination based on national origin under Title VI of the Civil Rights Act of 1964. Prof. Dutton also presented on Monday, December 12 on the topic of "Virtual Collaborations for Social Justice Across Culture and Language; Tools for the Next Generation" at the Global Alliance For Justice Education conference at the University of Stellenbosch in South Africa. She also presented on *Tools for Representation: How to Work with Interpreters; Trauma Informed Lawyering; and Cultural Humility* as part of a American Immigration Lawyers Association (AILA) webinar on December 5, 2022. Finally, Prof. Dutton presented on *Representing Diverse Clients with Cultural Competence and Compassion* as part of a Northwest Health Law Advocates (NoHLA) webinar entitled "Health Care Access: How Are the Courts Shaping Our Future?" on October 21, 2022.

On January 27th, the students of the **Workers Rights Clinic**, under the guidance of **Prof. Elizabeth Ford**, testified before the Labor and Workplace Standards Committee of the Washington Legislature in favor of [HB 1217](#). That bill will require the Department of Labor and Industries to collect interest on all meritorious claims of wage theft and will require the creation of a working group to explore other avenues to ensure workers are made whole from wage theft, including the possibility of a [Wage Recovery Fund](#). Here is the [link to the actual testimony](#).

Assoc. Dean Sital Kalantry moderated a Human Rights Pedagogy Section and spoke in a panel for the South Asian Law Section on how we can use Indian constitutional doctrine in American courts at the AALS Conference.

Prof. Jack Kirkwood moderated the antitrust section panel at AALS. Herb Hovenkamp (Penn and the most cited scholar in antitrust law) called it an “important panel.” Tom Morgan (former dean at Emory) said it was the best panel he had heard at the conference. The topic was *New Threats to Antitrust Enforcement* and the speakers were Dick Pierce (GW), Bill Kovacic (GW and former chair of the FTC), John Newman (Miami and current Deputy Director at the FTC), and Christine Bartholomew (Buffalo).

Assistant Director Jessica Levin served as a facilitator at the Second Look Summit on January 6, organized by the Seattle Clemency Project and co-hosted by Seattle U and Gonzaga law schools. The summit brought together key stakeholders in Washington’s criminal legal system, including many people who had lived through long-term incarceration, to reflect on the changes in the law that have created pathways for resentencing at the trial court, and to develop best-practices for second-look casework.

Prof. Dean Spade gave a lecture on “Organizing Transformative Justice Responses to Gender-based Violence and Campus Sexual Violence.” [Organizing Transformative Justice Responses to Gender-based Violence and Campus Sexual Violence - YouTube](#)

Dean Tony Varona, as a selection committee chair, presented with AALS President Chemerinsky (UC Berkely Dean) to Kevin Johnson (UC Davis Dean) the inaugural Olivas Award at a plenary AALS Awards Session. This was the main award at the Session.

Dir. Colin Watrin presented as part of a panel for the AALS Section on Part-Time Divisions entitled

“Substantially Similar?” Building Equity into Evening, Weekend, and Part-Time J.D. Programs.

ALUMNI NEWS

Marshaun Barber '13 was recently [interviewed](#) by United Way of King County for a feature about the organization she founded, Reclaiming Our Greatness, which is a member of the Black Community Building Collective. The Black Community Building Collective is a coalition of 15 Black-led organizations brought together by United Way of King County to build relationships, form strategies that impact the Black community, and implement those strategies with United Way funding that cedes decision-making power to communities.

Rachel Bender '15, Desirée Good '15, Carrie Mount '19, and David Papiez '18 were named as “attorneys leading their profession into the future” by the Puget Sound Business journal in their recent article Next Gen in Law.

Jared A. Boswell '04 was appointed by Governor Inslee to the Yakima County Superior Court.

Mary Butler '11 is now a shareholder at Bullivant Houser Bailey.

Jason Cummings '96 won the Snohomish County Prosecutor race this past November and will hold a four-year term as the county’s prosecutor.

Rochelle Nelson Doyea '14 was named partner at Cairncross & Hempelmann.

Chad Enright '03 won the Kitsap County Prosecutor race this past November and will hold a four-year term as the county’s prosecutor.

Jeff Farrah '07 testified before the US Congress’s Innovation, Data, and Commerce Subcommittee on keeping America competitive.

Dan Hsieh '15 assumed leadership of the King County Bar Association annual MLK Luncheon Planning Committee.

James Johnson '12, former Loren Miller Bar Association President, has [joined](#) Miller Nash.

Steve Krupa '94 was sworn in as Tacoma Municipal Court judge.

Tamara Maddox '20 [joined](#) the Alaska Oil & Gas Association (AOGA) as Regulatory and Legal Affairs Manager after serving as an associate attorney at the Alaska Public Offices Commission.

Leesa Manion '96 won the King County Prosecutor race this past November and will hold a four-year term as the county's prosecutor.

Joan Miller '12 recently became Director of Public Policy at Washington Council for Behavioral Health.

Peder Punsalan-Teigan '18 is now a Principal at Skellenger Bender.

Mayra Rangel '16 received a conditional offer of employment as the director of compliance and collaboration for East Coast Migrant Head Start Project.

<https://www.ecmhsp.org/>

Mary Robnett '91 (UPS) won the Pierce County Prosecutor race this past November and will hold a four-year term as the county's prosecutor.

Jon Tunheim '90 (UPS) won the Thurston County Prosecutor race this past November and will hold a four-year term as the county's prosecutor.

Coreen Wilson '00 was appointed to the bench at King County Superior Court by Governor Inslee. [Inslee appoints Coreen Wilson to King County Superior Court | Governor Jay Inslee \(wa.gov\)](#)

MEDIA APPEARANCES, APPOINTMENTS AND AWARDS, AND OTHER DISTINCTIONS

Vice Dean Deborah Ahrens was elected chair-elect of the AALS Section on Evidence.

Assoc. Dean Steven Bender testified in a Washington Senate Business, Financial Services & Trade Committee hearing, at the request of the Committee Chair, Senator Mark Mullet, on "Perspectives on long term listing

agent agreements that utilize upfront cash incentives.” He was later interviewed by KIRO on a related bill.

Assoc. Dean Steven Bender updated one of his active research bibliographies: Bender, Steven W.. “César Chávez.” In *Oxford Bibliographies in Latino Studies*. Ed. Ilan Stavans. New York: Oxford University Press, forthcoming 2023. Assoc. Dean Steven Bender supplied edits to the forthcoming chapter: *LatCrit: Linking Academic Activism to “Advocacy Projects”* (with Valdes) in *Oxford Companion to Race and the Law*. Oxford University Press. Editors: Devon Carbado, Khiara Bridges, and Emily Hough (forthcoming 2023). Assoc. Dean Steven Bender organized the annual Latina/o/x law professor (and allies) dinner held at California Western Law School. The program honored the late Michael Olivas in which **Dean Tony Varona** and other deans from UC Davis, Houston, Cal Western, along with several faculty including Steven Bender, spoke.

SSRN listed a draft of **Prof. Michael Blasie’s** upcoming article on its Top Ten download list for Contracts, Applied Linguistics, Legal Writing, Forensic Linguistics, and Contract Design & Incentives. The article, titled *Regulating Plain Language*, will publish in the *Wisconsin Law Review* later this semester.

Assoc. Dean Kristin DiBiase was elected Secretary-Treasurer of the AALS Section on Law and Mental Disability.

Prof. Elizabeth Ford signed on to the Labor Law Professor’s amicus brief submitted in *Glacier Northwest v. Teamsters*, a case evolving from a concrete workers’ strike by a Teamster’s local in Seattle and challenging the scope of a preemption doctrine critical to ensuring employees continue to have the right to strike. [Barnard, Iglitizin & Lavitt](#) represents the Teamsters and will be presenting oral argument to the Court on January 10.

Assistant Dean Erin Fullner was selected for the AALS Pro Bono Honor Roll for her work with the Seattle Clemency Project and representation of Michael Peters. **Prof. Sara Rankin** was also selected for the AALS Pro Bono Honor Roll for volunteering her expertise in homelessness policy as a member of several boards and coalitions. [Seattle University School of Law on LinkedIn: We couldn’t be prouder of the three people selected from Seattle U](#)

Assoc. Dean Sital Kalantry is chair of the AALS South Asia Law Section and the AALS Secretary of the Human Rights Section.

Prof. Jack Kirkwood served on the AALS House of Representatives.

Prof. Jack Kirkwood was interviewed by *Capitol Forum* on the divestiture ceiling in the Kroger/Albertson's merger agreement.

Dir. Jeff Minneti has been appointed to serve a two-year term on the AALS Teaching Methods Section Executive Committee.

Prof. Dean Spade was announced on December 6 as one of the recipients of the [Freedom Scholars Awards](#). **Prof. Dean Spade** hosted an online event called, "Should Social Movement Works Be Paid?", on January 5. [EVENT: Should Social Movement Work Be Paid? January 5, 2023 – Dean Spade](#). Prof. Spade was interviewed on a podcast called [Gender Reveal](#). He was a guest on the [The Leadership Center for Social Justice Podcast](#) to discuss how the concept of mutual aid gives people a real way to help others and create lasting social change. Prof. Spade also was quoted in a New York Times article called "Want to Understand LGBTQ Life in America? Go to Alabama." [Opinion | Want to Understand L.G.B.T.Q. Life in America? Go to Alabama. - The New York Times \(nytimes.com\)](#)

Seattle University School of Law was ranked A+ #5 for Racial Justice, A for Criminal Law, A for Business, and A- for Tax in the PreLaw Magazine rankings.

Assistant Registrar Blake Stemen was the inaugural recipient of the Staff Council Exceptional Hire Award. This new award is designed to recognize staff members who have been with the law school community for fewer than three years and have demonstrated exceptional performance.

Dean Tony Varona was interviewed on the Law 360 Explores Podcast in the November 2022 episode entitled, [The Pipeline to the Legal Profession](#). **Dean Varona** also was interviewed by the [Talking Legal Ed](#) Podcast on his path to the deanship.

Students in the Workers' Rights Clinic can now represent Uber and Lyft drivers who have been improperly deactivated from the app that allows them to work due to a

new partnership with the [Washington Drivers Union](#).

Library Circulation Monitor Michael Zubitis was the recipient of the 2022 Staff Excellence Award. This award recognizes Michaels many contributions to our community over a distinguished career at the school of law.

Anthony E. Varona | Dean and Professor of Law

SEATTLE UNIVERSITY SCHOOL OF LAW

901 12th Avenue, Seattle, WA 98122

Contact Info Redacted

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901 12th Avenue, Sullivan Hall, Seattle, WA 98122-1090