



“The Unfinished Work”: Advancing New Strategies in the Struggle for Civil Rights

A Selected Annotated Bibliography

Over the course of a career that has spanned more than four decades, Julius L. Chambers has worked diligently to advance the cause of social justice and equal opportunity in American society. In honor of Professor Chambers’ work, leading civil rights advocates in the fields of law, business and academia will gather to discuss key strategies for today’s civil rights movement. The two-day conference, convened by the UNC Center for Civil Rights and a number of other organizations, will present workshops on fair opportunity in education, residential integration in U.S. neighborhoods, economic justice for families and a variety of other timely subjects. This selected bibliography of publications by workshop participants includes books, articles and essays that explore significant civil rights issues, such as education, housing, voting rights, employment and criminal justice.

Julius L. Chambers, Director, UNC Center for Civil Rights

- *Martin Luther King Day Celebratory Speech Vermont Law School, 2008*, 33 VT. L. REV. 131 (2008).

In this speech to Vermont Law School, Professor Chambers shares his experiences in civil rights litigation and encourages civil rights activists to express a renewed commitment to the life and teachings of Dr. Martin Luther King, Jr.

- *Beyond Affirmative Action*, 27 CAP. U. L. REV. 1 (1998).

Professor Chambers reviews several Supreme Court interpretations of civil rights laws and argues that the Court’s approach to racial discrimination cases has adversely impacted minority employment, housing opportunities and economic development. Professor Chambers urges civil rights advocates to focus on the following four areas to prove that limited race-based remedies are essential to ensure equal protection for minorities: 1) empirical demonstration of the necessity of race-based relief; 2) use of both state and federal courts to establish legal precedents to bar racial and economic discrimination; 3) increased appreciation of the importance of public opinion in Supreme Court decisions and 4) definition of the community served by supporters of civil rights.

- *Keynote Speech: The First Annual Northeastern People of Color Legal Scholarship Conference*, 19 W. NEW ENG. L. REV. 11 (1997).

This speech to the People of Color Legal Scholarship Conference addresses the status of civil rights in the 1990's, as well as the future of the civil rights movement. Professor Chambers raises concerns that a number of Supreme Court decisions will undermine the progress made in the areas of school desegregation, employment discrimination and voting rights.

- *Thurgood Marshall's Legacy*, 44 STAN. L. REV. 1249 (1992).

Professor Chambers reflects on the accomplishments of Justice Thurgood Marshall, noting his unparalleled successes in the areas of voting rights, freedom from housing discrimination, equal educational access, freedom of association, equal access to public accommodations and freedom from racial discrimination in the administration of criminal justice.

- *Protection of Civil Rights: A Constitutional Mandate for the Federal Government*, 87 MICH. L. REV. 1599 (1989) (reviewing MICHAL BELKNAP, *FEDERAL LAW AND SOUTHERN ORDER: RACIAL VIOLENCE AND CONSTITUTIONAL CONFLICT IN THE POST-BROWN SOUTH* (1987)).

In this review of Michal Belknap's *Federal Law and Southern Order*, Professor Chambers discusses the development of the federal government's constitutional mandate to protect civil rights. Observing that minorities still face social and economic inequality, Professor Chambers concludes that the government has not adequately fulfilled its obligation to ensure fair treatment for all citizens.

- *The Constitution and Me: Four Views of What the Law Means to Black Americans* (with Ethel Payne, Judge Nathaniel R. Jones and Charles Ogletree), 15 HUM. RTS., Summer 1988, at 34.

Professor Chambers provides a personal account of his participation in *Swann v. Charlotte-Mecklenburg Board of Education*, a landmark Supreme Court case that allowed the use of busing to achieve integration in the Charlotte school system.

- *What Color is the Constitution? Let's See, Now...Which People Were Created Equal?*, 15 HUM RTS., Fall 1988, at 28.

In this article, Professor Chambers traces the history of the rights of African Americans under the Constitution, including a discussion of *Dred Scott*, *Plessy v. Ferguson* and *Brown v. Board of Education*. To ensure its continued survival, Professor Chambers contends that the Constitution must continue to evolve to protect America's less fortunate citizens.

- *Adequate Education for All: A Right, An Achievable Goal*, 22 HARV. C.R.-C.L. L. REV. 55 (1987).

This article discusses the difficulties faced by disadvantaged children in the American educational system. Professor Chambers suggests that legislative reforms combined with litigation can be used to achieve educational opportunity for all American children.

- *The Idea of Justice*, 11 UPDATE ON L. RELATED EDUC., Spring 1987, at 9.

In this article on efforts by African Americans to achieve Constitutional protections, Professor Chambers discusses significant Supreme Court decisions in the areas of education, capital punishment and poverty.

- *Title VII: The Continuing Challenge of Establishing Fair Employment Practices* (with Barry Goldstein), 49 LAW & CONTEMP. PROBS., Autumn 1986, at 9.

Professor Chambers and his-co-author assess the progress of the implementation of Title VII of the Civil Rights Act of 1964. The authors identify the primary requirements necessary for effective implementation of Title VII and examine developments in the courts and federal government that jeopardize the effort to eliminate employment discrimination.

- *Racial Justice in the 1980's*, 8 CAMPBELL L. REV. 29 (1985).

In this address to the John J. Broderick Civil Rights Symposium, Professor Chambers describes a number of challenges taken up by the NAACP Legal Defense Fund, including affirmative action, criminal law enforcement and economic discrimination. Professor Chambers urges civil rights lawyers to display the same level of determination and commitment as their counterparts in the late 1930's and 1940's.

Debo Adegbile, NAACP Legal Defense Fund

Panel: The Challenge (Day 1: 1:55 p.m. – 2:55 p.m.)

- *Which Branch Decides How Much Discrimination Is Tolerable? The Voting Rights Act's Preclearance Provision Heads Back to the Supreme Court in Northwest Austin Municipal Utility District Number One v. Holder*, in AMERICA VOTES! : A GUIDE TO MODERN ELECTION LAW AND VOTING RIGHTS (Benjamin E. Griffith ed., Supp. 2009).

In his chapter of this ABA publication, Mr. Adegbile discusses the legal dispute over the federal preclearance provision of the Voting Rights Act.

- *Voting Rights in Louisiana: 1982-2006*, 17 S. CAL. REV. L. & SOC. JUST. 413 (2008).

This article analyzes enforcement of voting rights in Louisiana from 1982 to 2006. Mr. Adegbile argues that Louisiana has made progress towards equality in voting and posits that the Voting Rights Act of 1965 has played an invaluable role in preserving that progress.

- *Keeping the Promise: Why Voting Still Matters*, in THE UNFINISHED AGENDA OF THE SELMA-MONTGOMERY VOTING RIGHTS MARCH 155 (Dara N. Byrne ed., 2005).

Mr. Adegbile co-wrote this chapter with Theodore M. Shaw. The authors argue that the fight for voting rights is still relevant today and urge young voters to remain involved in the process.

Michael Allen, Partner, Relman, Dane & Colfax PLLC

Panel: Residential Integration and Fair Housing in U.S. Neighborhoods (Day 1: 9:25 a.m. – 10:55 a.m.)

- *For the Rest of Their Lives: Seniors and the Fair Housing Act* (with Robert G. Schwemm), 90 IOWA L. REV. 121 (2004).

Noting that the population of older people is on the rise in the United States, this article discusses the application of the Fair Housing Act (“FHA”) to the different types of housing available to senior citizens. Mr. Allen and his co-author also discuss several potential discrimination issues for seniors that may arise under the FHA, such as sex discrimination, rules regarding religion-oriented organizations, and accessibility issues, and offer suggestions as to how the courts should interpret both the FHA and other federal and state laws in cases involving senior citizens.

- *We Are Where We Live: Seniors, Housing Choice, and the Fair Housing Act*, 31 HUM. RTS., Spring 2004, at 15.

This article reviews discriminatory practices against elderly persons that violate the FHA, noting the rise of “gray power,” a movement highlighted by an increase in litigation to enforce the provisions of the FHA. Several specific cases are discussed, and Mr. Allen concludes by emphasizing the importance of continuing to represent the interests of an elderly population that is growing every year.

- *Making Room at the Inn: Civil Rights and Inclusive Siting Practices*, 8 J. AFFORDABLE HOUS. & COMTY. DEV. L. 115 (1999).

Against the backdrop of the Building Better Communities conference, Mr. Allen discusses the evolution of our community values with regard to our neighbors and

the needy and focuses on the FHA as a mechanism by which to return to a setting where home is a valued, safe place for everyone.

Joaquin Avila, Director, National Voting Rights Advocacy Initiative, Seattle University School of Law

Panel: Fair and Equal Voting Rights – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Renewing the Promise of Ending Voting Discrimination: A Return to an Effective Section 5 Retrogression Standard*, 117 YALE L.J. POCKET PART 251 (2008).

In this essay, Professor Avila responds to Professor Nathaniel Persily's article, *The Promise and Pitfalls of the New Voting Rights Act*. Professor Avila points out the absence of any extended study of the retrogression standard as implemented in the *Beer* era and suggests that the article could have made a useful comparison of the old and new retrogression standard with such a study. Notwithstanding these criticisms, Professor Avila concludes that Professor Persily's interpretation of the new Section 5 retrogression standard "sets the benchmark" for future analysis.

- *Voting Rights in California: 1982-2006* (with Eugene Lee & Terry M. Ao), 17 S. CAL. REV. L. & SOC. JUST. 131 (2007).

The authors of this report review the efforts of minority communities in California to secure access to the political process utilizing the Voting Rights Act. The report concludes that continued federal oversight is necessary in light of persistent non-compliance with the Voting Rights Act.

- *The Washington 2004 Gubernatorial Election Crisis: The Necessity of Restoring Public Confidence in the Electoral Process*, 29 SEATTLE U. L. REV. 313 (2005).

This article details the problems of the Washington State 2004 gubernatorial election. After giving a general overview and history of voting rights laws, Professor Avila explains the administrative and structural changes that Washington must continue to make to restore confidence in the election machinery and improve transparency in the process.

Derek Black, Visiting Professor, University of North Carolina School of Law

Panel: Economic Justice for Families and Communities – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Unlocking the Power of State Constitutions with Equal Protection: The First Step Toward Education as a Federally Protected Right*, 51 WM. & MARY L. REV. 1343 (2010).

In this article, Professor Black theorizes that a combination of state constitutional rights and federal equal protection law offers a means for remedying inequities in

state education systems. According to Professor Black, federal equal protection is only necessary to ensure equality in already established state constitutional and statutory rights to education. Citing significant changes to state education systems, Professor Black argues that an approach centered on federal equal protection and state rights will allow for federal intervention in the realm of education rights without requiring the Supreme Court to overturn its ruling in *San Antonio Independent School District v. Rodriguez*.

- *In Defense of Voluntary Desegregation: All Things Are Not Equal*, 44 WAKE FOREST L. REV. 107 (2009).

This article addresses Justice Anthony Kennedy's assertion that voluntary desegregation of schools racially stigmatizes students. Professor Black analyzes the central elements of Justice Kennedy's argument and concludes that rather than stigmatizing students, voluntary desegregation attempts to counteract stigma by rendering race irrelevant.

- *Turning Stones of Hope into Boulders of Resistance: The First and Last Task of Social Justice Curriculum, Scholarship, and Practice*, 86 N.C. L. REV. 673 (2008).

Professor Black examines the theme of hope in the teachings and scholarship of Professor John Calmore. Drawing on personal experience, Professor Black describes how the lessons learned from Professor Calmore can be applied to the practice of law. The piece concludes with a discussion of the legacy of *Brown v. Board of Education* that demonstrates how social justice professors can find and teach hope to their students.

John Charles Boger, Dean, University of North Carolina School of Law

Welcome and Opening Remarks (Day 1: 8:00 a.m.)

- SCHOOL RESEGREGATION: MUST THE SOUTH TURN BACK? (John Charles Boger & Gary Orfield eds., 2005).

Dean Boger co-edited this collection of thirteen essays on the trend of racial and socioeconomic resegregation in southern schools. The essays explore the reasons behind the acceleration of resegregation in the south and offer suggestions for how to counteract this harmful trend.

- *Education's "Perfect Storm"? Racial Resegregation, High Stakes Testing and School Resource Inequities: The Case of North Carolina*, 81 N.C. L. REV. 1375 (2003).

In this article, Dean Boger explores three educational forces converging on North

Carolina: 1) the growth of resegregation in public schools after the termination of court-ordered desegregation decrees; 2) an accountability approach to educational planning and 3) the struggle for educational resources between financially favored school districts and less fortunate districts. Dean Boger warns that the combination of these forces could have a devastating impact on public education in North Carolina, leaving some schools racially and economically isolated.

- *Willful Colorblindness: The New Racial Piety and the Resegregation of Public Schools*, 78 N.C. L. REV. 1719 (2000).

This article analyzes the constitutional authority for three Fourth Circuit decisions that prohibited race-conscious public school assignment plans. Dean Boger contends that the rulings were not warranted by Supreme Court precedent or the constitutional concerns that inspired previous Court decisions. The piece concludes with a discussion of potential responses for public school boards seeking to avoid the negative consequences of the Fourth Circuit's decisions.

Carol Brooke, Migrant Worker Attorney, Immigrants Legal Assistance Project, NC Justice Center

Panel: Fair, Equal, and Safe Employment Opportunity (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Nonmajority Unions, Employee Participation Programs, and Worker Organizing: Irreconcilable Differences?*, 76 CHI.-KENT L. REV. 1237 (2000).

Ms. Brooke discusses the impact of nonmajority unions (“NMUs”) and employee participation programs (“EPPs”) on labor organizing, with a particular focus on the Workers Unity Committee in Whitakers, North Carolina. Ms. Brooke concludes that worker organizations would benefit most from requiring employers to provide equal support to NMUs and EPPs.

Judith Browne-Dianis, Co-Director, Advancement Project

Panel: The Legacy (Day 1: 8:10 a.m. – 9:10 a.m.)

- *Exiling the Poor: The Clash of Redevelopment and Fair Housing in Post Katrina New Orleans* (with Anita Sinha), 51 HOW. L.J. 481 (2008).

In this article, Ms. Browne-Dianis and her co-author examine the government's actions with respect to public housing in New Orleans in the aftermath of Hurricane Katrina. The authors contend that the government's public housing plans in New Orleans violate the FHA and call for a reconceptualization of fair housing policies to ensure that such policies do not negatively impact African American families.

Michael Calhoun, President, Center for Responsible Lending

Panel: Economic Justice for Families and Communities – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Use of Last Resort Housing Benefits and Redevelopment Powers to Preserve a Low-Income Community Threatened with Displacement: A Case History* (with Alice A. Ratliff), 22 CLEARINGHOUSE REV. 442 (1988).

Mr. Calhoun and his co-author recount the fight to preserve the Crest Street Community, a low-income African American community in Durham that faced displacement for a government freeway project. The authors discuss the strategies used to negotiate a beneficial settlement agreement that protected both the community and its individual residents. The article also considers the applicability of such strategies to other displacement disputes.

Kareem Crayton, Professor of Law, University of North Carolina School of Law

Panel: Fair and Equal Voting Rights – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Interactive Pre-Clearance Development*, 27 ST. LOUIS PUB. L. REV. 319 (2008).

This article reviews the development of the “pre-clearance” remedy under the Voting Rights Act, which requires certain state and local governments to obtain prior permission from the federal government before changing election rules or practices. While some criticize the expanded application of this provision as beyond Congress’s intent, Professor Crayton defends such changes as the result of an interactive and complex process between Congress and the courts.

- *Beat’em or Join’em: White Voters and Black Candidates in Majority-Black Districts*, 58 SYRACUSE L. REV. 547 (2008).

This article highlights the apparent lack of empirical evidence in the legislative record leading up to the renewal of the Voting Rights Act in 2006—in particular, concerning racial polarization following a redistricting that classifies voters based on race. The article provides such an empirical analysis by analyzing precinct returns from majority-black districts. Professor Crayton concludes that the rate of support among white voters for the “black-preferred” candidate is consistently higher than expected in a racially polarized climate.

- *Introduction to the Reports*, 17 S. CAL. REV. L. & SOC. JUST. 65 (2007).

This essay introduces a series of reports which outline voting rights over the last

twenty years, leading up to the legislative renewal of the Voting Rights Act in 2006. Professor Crayton explains how these reports factor into the legislative debate of renewing the Voting Rights Act and critically assesses their coverage and the need for more research.

Delvin Davis, Senior Research Analyst, Center for Responsible Lending

Panel: Demography and Civil Rights Advocacy (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Predatory Profiling: The Role of Race and Ethnicity in the Location of Payday Lenders in California* (with Wei Li, Leslie Parrish and Keith Ernst), <http://www.economicintegrity.org/pdf/predatory-profiling.pdf> (March 26, 2009).

The authors examine the prevalence of payday loans in California and find that the racial and ethnic composition of a neighborhood is the primary predictor of the location of payday lending. The study reveals that payday lenders are approximately eight times more concentrated in African American and Latino neighborhoods.

- *Race Matters: The Concentration of Payday Lenders in African-American Neighborhoods in North Carolina* (with Uriah King, Wei Li and Keith Ernst), http://www.responsiblelending.org/north-carolina/nc-payday/research-analysis/racematters/rr006-Race_Matters_Payday_in_NC-0305.pdf (March 22, 2005).

This research report identifies a correlation between the proportion of African Americans in a neighborhood and the concentration of payday lending stores. According to the authors' findings, African American communities have three times as many stores per capita as white neighborhoods.

**Marshall Dayan, Assistant Federal Public Defender, Western District of Pennsylvania
Federal Public Defenders Office Habeas Unit**

Panel: Racial Equality in the Criminal Justice System (Day 1: 9:25 a.m. – 10:55 a.m.)

- *Searching for an Impartial Sentencer Through Jury Selection in Capital Trials* (with Robert Steven Mahler and M. Gordon Widenhouse, Jr.), 23 *LOY. L.A. L. REV.* 151 (1989).

This article presents methods for selecting an impartial jury in a capital murder trial. Mr. Dayan and his co-authors emphasize the importance of using voir dire to identify a potential juror's misconceptions about parole eligibility, willingness to consider mitigating factors and attitude about capital punishment in general.

- *The Effect of Death Qualification on the Propensity of Jurors to Convict: The Maryland Example* (with Rick Seltzer, Grace M. Lopes, and Russell F. Canan), 29 How. L.J. 571 (1986).

This article offers a critical analysis of the Supreme Court's decision in *Lockhart v. McCree*, which upheld the constitutionality of "death qualified" juries in capital cases. The authors use the results of a public opinion survey of attitudes toward the death penalty in Maryland to demonstrate that death qualified juries are more prone to render a guilty verdict.

Mark Dorosin, Senior Managing Attorney, UNC Center for Civil Rights

Panel: Residential Integration and Fair Housing in U.S. Neighborhoods (Day 1: 9:25 a.m. – 10:55 a.m.)

- *You Must Go Home Again: Friedrich v. Friedrich, The Hague Convention and The International Child Abduction Remedies Act*, 18 N.C. J. INT'L L. & COM. REG. 743 (1993).

In this Note, Mr. Dorosin discusses the Sixth Circuit's decision in *Friedrich v. Friedrich*, an international child custody case that required the court to interpret and apply provisions of The International Child Abduction Remedies Act and The Hague Convention. Examining the decision and its potential effect on the development of law in international child abduction cases, Mr. Dorosin highlights the impact of the globalization of society and the tensions between national laws and the international community.

Lia Epperson, Associate Professor, American University Washington College of Law

Panel: Advancement and Fair Opportunities in Higher Education (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Undercover Power: Examining the Role of the Executive Branch in Determining the Meaning and Scope of School Integration Jurisprudence*, 10 BERKLEY J. AFR.-AM. L. & POL'Y 146 (2008).

Professor Epperson addresses the role of the executive branch in shaping civil rights policy, particularly in enforcing and policing school integration. The article looks at how the Department of Education's Office for Civil Rights applied Supreme Court rulings in its policies and also discusses consequences of executive and judicial interplay in regard to more recent Supreme Court school integration cases.

- *True Integration: Advancing Brown's Goal of Educational Equity in the Wake of Grutter*, 67 U. PITT. L. REV. 175 (2005).

In this article, Professor Epperson discusses the failures of the one-dimensional integration strategy employed in *Brown v. Board of Education* and argues that at the same time schools were integrating, a second strategy of fighting for equal resources should have also been taking place. In light of the *Grutter* decision, Professor Epperson argues for holistic measures to implement equality in education.

- *Resisting Retreat: A Trench-Level View of the Struggle for Equity in Educational Opportunity in the Post-Brown Era*, 66 U. PITT. L. REV. 131 (2004).

This article discusses how the federal courts have made the goals of *Brown* more elusive and how advocates can continue to pursue the goal of educational opportunities for all.

Anthony Fairfax, President, CensusChannel LLC

Panel: Demography and Civil Rights Advocacy (Day 2: 8:30 a.m. - 10:00 a.m.)

- THE DEMOCRATIC TREND PHENOMENON: THE PREDICTABILITY OF THE DEMOCRATIC POPULAR VOTE FOR PRESIDENT (2008).

Mr. Fairfax's analysis finds a linear pattern to the popular vote for Democratic presidential candidates from 1972 to 2000. The book examines the causes of this phenomenon, as well as potential popular vote results for future Democratic candidates for president.

- A STEP-BY-STEP GUIDE TO USING CENSUS 2000 DATA (2008).

This book provides step-by-step instructions for individuals seeking to access and use 2000 Census datasets.

Barbara Fedders, Professor, Juvenile Justice Clinic, University of North Carolina School of Law

Panel: Racial Equality in the Criminal Justice System (Day 1: 9:25 a.m. - 10:55 a.m.)

- *Losing Hold of the Guiding Hand: Ineffective Assistance of Counsel in Juvenile Delinquency Representation*, 14 LEWIS & CLARK L. REV. 771 (2010).

Professor Fedders examines the deficiencies in the legal representation of children in juvenile delinquency proceedings. Topics covered include the history of the right to counsel for juveniles, causes of inadequate representation and barriers facing juveniles who elect to file ineffective assistance of counsel claims.

- *Race and Market Values in Domestic Infant Adoption*, 88 N.C. L. REV. 1687 (2010).

This article delves into ethical and child welfare issues associated with race-based pricing by private adoption agencies. Professor Fedders provides examples of less stigmatizing pricing methods that agencies could use to ensure adoptions without diminishing the well-being of the children.

- *Coming Out for Kids: Recognizing, Respecting and Representing LGBTQ Youth*, 6 NEV. L. J. 774 (2006).

In this article, Professor Fedders presents guidelines for the effective legal representation of LGBTQ youth. After examining the vulnerability of LGBTQ youth to involvement in the child welfare and juvenile justice systems, Professor Fedders argues that lawyers must move past any personal anxiety and learn to accept and respect LGBTQ clients.

Andrew Foster, Director, Community Enterprise Clinic, Duke University School of Law

Panel: Civil Rights Entrepreneurship – Roundtable Discussion (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Joint Ventures Between Nonprofits and For-Profits: Will Revenue Ruling 2004-51 Provide any Comfort?*, 14 J. AFFORDABLE HOUS. & CMTY. DEV. L. 95 (2005).

This article discusses the importance of nonprofit joint ventures to affordable housing and community development. Mr. Foster summarizes and analyzes IRS Revenue Ruling 2004-51 and calculates its likely impact on the housing and development industry.

Henry A. Freedman, Executive Director, National Center for Law and Economic Justice

Panel: Economic Justice for Families and Communities – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Public Benefits Privatization and Modernization: Recent Developments and Advocacy* (with Mary R. Mannix, Cary LaCheen and Marc Cohan), 42 CLEARINGHOUSE REV. 4 (2008).

Mr. Freedman and his co-authors highlight the efforts of four states (Texas, Florida, Indiana and Colorado) that have modernized and, in some cases, privatized determination of eligibility for public benefits.

- *The Welfare Advocate’s Challenge: Fighting Historic Racism in the New Welfare*

System, 36 CLEARINGHOUSE REV. 31 (2002).

In this article, Mr. Freedman examines the prevalence of race and racial stereotypes in the American welfare system. Mr. Freedman discusses a number of approaches that welfare advocates can utilize on behalf of their clients, including traditional legal remedies, community organizing and education, negotiating with agency officials and reviewing and publicizing data.

- *Uncharted Terrain: The Intersection of Privatization and Welfare* (with Mary R. Mannix, Marc Cohan and Rebecca Scharf), 35 CLEARINGHOUSE REV. 557 (2002).

This article highlights the arguments for and against privatization of welfare. The authors identify central players in the debate and set forth strategies that may be used by welfare advocates.

Lani Guinier, Bennett Boskey Professor of Law, Harvard Law School

Panel: The Challenge (Day 1: 1:55 p.m. – 2:55 p.m.)

- *Admissions Rituals as Political Acts: Guardians at the Gates of our Democratic Ideals*, 117 HARV. L. REV. 113 (2003).

In this critique of the higher education admissions process, Professor Guinier argues for Justice O'Connor's position on sponsored mobility in the *Grutter* case versus Justice Thomas advocacy of contest mobility. Professor Guinier also cautions against the use of race to undermine public confidence in the admissions process.

- *THE MINER'S CANARY: ENLISTING RACE, RESISTING POWER, TRANSFORMING DEMOCRACY* (with Gerald Torres, 2002).

Professor Guinier and her co-author contend that racial problems in society are indicia of inequities in educational and economic opportunities. The authors argue for cross-racial alliances based on economic interest and highlight the fights for fair college admissions standards in Texas and decent working conditions for black workers in North Carolina.

- *THE TYRANNY OF THE MAJORITY: FUNDAMENTAL FAIRNESS AND REPRESENTATIVE DEMOCRACY* (1994).

In this collection of law review articles, Professor Guinier analyzes the development of voting rights law and argues that African Americans are under-represented in the current system. Professor Guinier presents several solutions, including interest-based electoral districts and proportional representation.

Vanita Gupta, Deputy Legal Director, ACLU New York

Panel: Social Justice within Prison Walls (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Critical Race Lawyering in Tulia, Texas*, 73 *FORDHAM L. REV.* 2055 (2005).

Ms. Gupta provides an account of her work for the NAACP Legal Defense Fund on a series of cases in Tulia, Texas, in which minority defendants were convicted of selling cocaine based on the testimony of a corrupt police officer. The article details how Ms. Gupta and her fellow defense attorneys utilized critical race lawyering to successfully overturn the convictions for the defendants.

Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights and The Leadership Conference Education Fund

Panel: The Challenge (Day 1: 1:55 p.m. – 2:55 p.m.)

- *Building Housing and Communities Fifty Years after Brown v. Board of Education* (with Judith A. Browne), 13 *J. AFFORDABLE HOUS. & CMTY. DEV. L.* 437 (2004).

The authors reflect on the legacy of *Brown* fifty years on. Rather than being a cure-all, the authors suggest that the decision ushered in a new phase of the civil rights struggle.

- *The Color Line and the "Thin Blue Line"*, in *THE AFFIRMATIVE ACTION DEBATE* 217 (George E. Curry ed., 1996).

Mr. Henderson's essay examines the relationship between the police and the Black community and advocates active affirmative action programs within police departments to build trust between law enforcement and minorities.

- *The Right to Counsel and Civil Rights: An Opportunity to Broaden the Debate* (with Jonathan M. Smith), 40 *CLEARINGHOUSE REV.* 210 (2006).

Professor Henderson and his co-author argue for increased support for indigents in civil cases. The authors assert that the poor and minorities face several biases in the justice system, and that classifying the solution to their problem as strictly a legal aid issue ignores the factors of gender and race.

Damon T. Hewitt, Director of Education Practice, NAACP Legal Defense Fund

Panel: Advancement and Fair Opportunity in K-12 Education (Day 1: 9:25 a.m. – 10:55 a.m.)

- *Protecting Voting Rights in the Context of Mass Displacement* (with Kristen Clarke), 51 How. L.J. 511 (2008).

This article challenges the states to assess emergency election plans and ensure that all eligible voters retain access to the political system in the event of a state or national disaster. Mr. Hewitt and his co-author take cues from Hurricanes Katrina and Rita and question the ability of current election laws to protect the constitutionally given right to vote. The authors also present a variety of proposals intended to enhance preparedness and anticipate need in the event of large-scale displacement.

- *Rebuilding Inequality: The Re-emergence of the School-to-Prison Pipeline in New Orleans* (with Ellen Tuzzolo), THE HIGH SCHOOL JOURNAL, Dec. 2006/Jan. 2007, at 59.

This article explores the state-controlled educational system operating in New Orleans post-Katrina and exposes existing shortcomings, including inadequate resources, inexperienced staff, and aggressive discipline policies. The article also provides a case study of one local high school and explains the resulting school-to-prison pipeline that is consuming today's youth. In conclusion, the article presents a list of remedies implemented by other communities when faced with similar challenges.

- *The Disparate Impact of an Under-Funded, Patchwork Indigent Defense System on Mississippi's African Americans: The Civil Rights Case for Establishing a Statewide, Fully Funded Public Defender System* (with Miriam S. Gohara and James S. Hardy), 49 How. L.J. 81 (2005).

The authors examine the criminal justice system in Mississippi and its inability to provide effective assistance of counsel to its own indigent population. The article focuses on the impact that the current criminal justice system is having on Mississippi's African American population and how a state supported system could enhance the quality of representation and legitimize the system as a whole.

Christopher Hornig, Founding Partner, Klein Hornig, LLP

Panel: Civil Rights Entrepreneurship – Roundtable Discussion (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Public Housing Authorities and HOPE 1: May HUD Give Away What it Doesn't Own?* (with Megan Glasheen), 25 URB. LAW. 69 (1993).

Mr. Hornig and his co-author consider the legal basis of the U.S. Department of Housing and Urban Development's ("HUD") uncompensated taking of properties owned by public housing authorities ("PHAs"). The authors reason that HUD's actions violate the Fifth Amendment by allowing the taking of property without a proper federal purpose, due process or just compensation of the PHAs.

Lynn Huntley, President, Southern Education Foundation

Panel: The Charge (Day 2: 10:15 a.m. – 11:45 a.m.)

- *Why Do We Educate So Many So Poorly in a Democratic Society?* 107 YEARBOOK OF THE NAT'L SOC'Y FOR THE STUDY OF EDUC. 298 (2008).

In this article, Ms. Huntley examines the shortcomings of the American education system. The article explains that economic, social, cultural, political and structural factors have all contributed to the inequity and inadequacy of public education in America.

- BEYOND RACISM: RACE AND INEQUALITY IN BRAZIL, SOUTH AFRICA, AND THE UNITED STATES (Lynn Huntley et al. eds., 2001)

Ms. Huntley co-edited this book, which explores race relations in Brazil, South Africa and the United States. The contributors address a variety of topics, including globalization, racial hierarchy and international standards of racial discrimination.

Sherrilyn Ifill, Professor of Law, University of Maryland School of Law

Panel: Fair and Equal Voting Rights – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- ON THE COURTHOUSE LAWN: CONFRONTING THE LEGACY OF LYNCHING IN THE TWENTY-FIRST CENTURY (2007).

In this book, Professor Ifill examines the history of racial violence in American through the lens of two 1930s lynchings on the eastern shore of Maryland. Professor Ifill uses the lynchings and their complex relationship to the communities around them as a point of departure for a broader discussion on reconciliation for communities that are confronting their own history of racial violence.

- *Creating a Truth and Reconciliation Commission for Lynching*, 21 LAW & INEQ. 263 (2003).

After outlining the basic history and underlying causes of lynchings in American history, Professor Ifill proposes the introduction of "truth and reconciliation commissions" along the lines of those introduced after the fall of Apartheid in South

Africa. According to Professor Ifill, these commissions should focus not on the pursuit of lynching perpetrators, but on the responsibility of local institutions and individuals that condoned, facilitated, or tolerated lynching.

- *Racial Diversity on the Bench: Beyond Role Models and Public Confidence*, 57 WASH. & LEE L. REV. 405 (2000).

This article explains the rationales for racial diversity in the judiciary. After examining the rationales for diversity based on minority judges as “role models” or boosts to “public confidence,” Professor Ifill identifies a more fundamental need for cultural pluralism in the nation’s courts and grapples with the “myth of judicial impartiality” and the recognition of the substantive—rather than symbolic—role of judges in making law and policy.

Ilene Jacobs, Litigation Director, California Rural Legal Assistance, Inc.

Panel: Community Inclusion and Environmental Justice (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Farmworker Housing in California*, 9 LA RAZA L.J. 177 (1996).

Ms. Jacobs describes the marginality of farm workers, noting that they are often forgotten in discussions of fair housing issues. Reflecting on her experience as a farm worker housing advocate, Ms. Jacobs proposes an advocacy project to address farm worker housing needs.

Benita Jones, Educational Advancement Fellow, UNC Center for Civil Rights

Panel: Civil Rights Entrepreneurship – Roundtable Discussion (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Tenant Purchase Laws as a Tool for Affordable Housing Preservation: The D.C. Experience* (with Aaron O’Toole), 18 J. AFFORDABLE HOUS. & CMTY. DEV. L. 367 (2009).

This article assesses the effectiveness of the District of Columbia's Tenant Opportunity to Purchase Act ("TOPA"). After discussing the legislative history and statutory framework of TOPA and examining various development scenarios available to tenants, Ms. Jones and her co-author conclude that TOPA is an imperfect tool for the creation and preservation of affordable housing.

Elaine Jones, Former Director-Counsel and President, NAACP Legal Defense Fund

Panel: The Charge (Day 2: 10:15 a.m. – 11:45 a.m.)

- *Social Justice and the Law*, 42 U. RICH. L. REV. 69 (2007).

In this address to the University of Richmond, Ms. Jones describes the African American perspective on the rule of law from the seventeenth century through the twentieth century. Ms. Jones then transitions to a discussion of attorney Oliver White Hill, Sr. and his contributions to the civil rights and social justice movements.

- *Luck Was Not a Factor: The Importance of a Strategic Approach to Civil Rights Litigation*, in SYMPOSIUM, REKINDLING THE SPIRIT OF BROWN V. BOARD OF EDUCATION, 6 AFR.-AM. L & POL'Y REP. 208; 11 ASIAN L.J. 290; 15 BERKELEY LA RAZA L.J. 81; 19 BERKELEY WOMEN'S L.J. 409; CALIF. L. REV. (2004).

This discussion of civil rights litigation strategies includes examples of specific cases in which each strategy was employed by civil rights advocates. Ms. Jones also considers the reasons for the success of the NAACP Legal Defense Fund, citing staff diversity as a key factor in its accomplishments.

- *Contemporary Civil Rights Struggle: The Role of Black Attorneys* (with Jaribu Hill), 16 NAT'L BLACK L.J. 185 (1998-2000).

This essay stresses the importance of ensuring meaningful participation in the voting process by African Americans and asserts that the Supreme Court's interpretation of the Fourteenth Amendment excludes people of color. To support her argument, Ms. Jones references a Fourth Circuit decision to strike down a black scholarship program at the University of Maryland.

Ann Joyner, President, Cedar Grove Institute for Sustainable Communities

Allan Parnell, Vice President, Cedar Grove Institute for Sustainable Communities

Ben Marsh, Professor of Geography and Environmental Studies, Bucknell University

Panels: Joyner - Community Inclusion and Environmental Justice (Day 1: 11:10 a.m. – 12:40 p.m.); Parnell and Marsh – Demography and Civil Rights Advocacy (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Institutionalization of Racial Inequality in Local Political Geographies*, 31 URB. GEOGRAPHY 691 (2010).

The authors examine four case studies (three in North Carolina and one in California) where municipalities crafted borders that excluded minority neighborhoods. The study's findings are supported by Geographic Information Systems (GIS) data, public records and legal documents.

- *Racial Apartheid in a Small North Carolina Town* (with James H. Johnson, Jr. and Carolyn J. Christman), 31 REV. BLACK POL. ECON. 89 (2004).

In this case study of the town of Mebane, North Carolina, the authors present evidence of the discriminatory tactics used by local officials, such as racial gerrymandering, denial of sewer service and highway re-routing.

- *The Persistence of Political Segregation: Racial Underbounding in North Carolina* (with Carolyn J. Christman), http://www.voicesforjusticenc.org/resources/26d7695192efc5900b4019a7ab32ace1_regional_underbounding.pdf (October 24, 2004).

The authors use GIS data to illustrate examples of racial residential segregation in several North Carolina towns. The paper focuses on political exclusion, a form of segregation which occurs when African American neighborhoods are kept outside the boundaries of a town.

Irving L. Joyner, Professor, North Carolina Central University School of Law

Panel: Advancement and Fair Opportunities in Higher Education (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Litigating Police Misconduct Claims in North Carolina*, 19 N.C. CENT. L.J. 113 (1991).

In this article, Professor Joyner discusses the difficulty of litigating police misconduct claims and the disparate impact that police misconduct has on minorities.

Julianne Malveaux, President, Bennett College for Women

Panel: The Challenge (Day 1: 1:55 p.m. – 2:55 p.m.)

- UNFINISHED BUSINESS: A DEMOCRAT AND A REPUBLICAN TAKE ON THE TOP TEN ISSUES WOMEN FACE (with Deborah Perry, 2002)

Ms. Malveaux and her co-author discuss major issues facing American women. Topics include equal pay, the environment and balancing career and family.

- **THE PARADOX OF LOYALTY: AN AFRICAN AMERICAN RESPONSE TO THE WAR ON TERRORISM** (Julianne Malveaux & Reginna A. Green eds., 2002).

Ms. Malveaux co-edited this collection of essays assessing the war on terrorism from the perspective of eighteen African Americans.

- **WALL STREET, MAIN STREET AND THE SIDE STREET: A MAD ECONOMIST TAKES A STROLL** (1998).

This anthology contains one hundred columns by Ms. Malveaux on issues of economics, politics and gender.

Demetria McCain, Director of Advocacy and Education, Inclusive Communities Project

Panel: Residential Integration and Fair Housing in U.S. Neighborhoods (Day 1: 9:25 a.m. – 10:55 a.m.)

- *Malesko v. Correctional Services Corp. in the Second Circuit: Pursuing Damages for Constitutional Violations by the Private Prison Industry*, 44 HOW. L.J. 399 (2001).

This article discusses the Second Circuit's holding in *Malesko v. Correctional Services Corp.* prior to its review by the Supreme Court and argues that the rise of the private prison industry calls for clear laws and legal standards for determining liability. Specifically, Ms. McCain concludes that Congress should act to remove immunity for private corporations in the business of running federal prisons.

Christine Mumma, Executive Director, North Carolina Center on Actual Innocence

Panel: Social Justice within Prison Walls (Day 1: 11:10 a.m. – 12:40 p.m.)

- *The North Carolina Actual Innocence Commission: Uncommon Perspectives Joined by a Common Cause*, 52 DRAKE L. REV. 647 (2003-2004).

Ms. Mumma profiles the North Carolina Actual Innocence Commission, a first of its kind organization formed to identify and review innocence issues relevant to the state of North Carolina. The article includes background information on the Commission and a description of its objectives, operations and notable accomplishments.

Gene Nichol, Professor, University of North Carolina School of Law

Panel: Fair, Equal, and Safe Employment Opportunity (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Judicial Abdication and Equal Access to the Civil Justice System*, 60 CASE W. RES. L. REV. 325 (2010).

Professor Nichol examines the role of the judiciary in the exclusion of millions of Americans from effective access to the civil justice system. The article explores the evolution of the Supreme Court's refusal to recognize a right to counsel in civil cases and the impact of such decision on state courts. Professor Nichol argues that a failure to ensure meaningful access to the civil courts undermines the legitimacy of the American judicial system.

- *Standing for Privilege: The Failure of Injury Analysis*, 82 B.U. L. REV. 301 (2002).

In this article on standing law, Professor Nichol demonstrates the Supreme Court's inconsistent application of the injury standard for plaintiffs. Professor Nichol argues that current standing doctrine favors the privileged over plaintiffs of lesser economic and social status. The article concludes with a proposed reformulation of the standing doctrine that does not rely on injury as a central component of the judicial power.

- *Bill Aycock and the North Carolina Speaker Ban Law*, 79 N.C. L. REV. 1725 (2001).

This essay chronicles UNC Chancellor Bill Aycock's two-year campaign to force the repeal of North Carolina's Speaker Ban Law. Professor Nichol hails Aycock's efforts as a prime example of moral courage and academic leadership.

Dennis Parker, Director, ACLU Racial Justice Program

Panel: Advancement and Fair Opportunity in K-12 Education (Day 1: 9:25 a.m. – 10:55 a.m.)

- *Discipline in Schools After Safford Unified School District #1 v. Redding*, 54 N.Y. L. SCH. L. REV. 1024 (2009-2010).

The article examines the Supreme Court's decision in *Safford Unified School District #1 v. Redding*, a case involving the strip search of a middle school student suspected of possessing prescription and non-prescription drugs in violation of school policy. It defines the conflict between a student's right to privacy and a school's desire to maintain a safe and drug-free environment and then broadens the discussion to include harsh disciplinary policies and their role in the existing school-to-prison pipeline. Finally, Mr. Parker proposes alternatives to standard school policies, including the Positive Behavior Interventions and Supports system, and cautions against the use of standardized, intrusive forms of discipline.

- *Are Reports of Brown's Demise Exaggerated? Perspectives of a School Desegregation Litigator*, 49 N.Y. L. SCH. L. REV. 1069 (2004-2005).

Mr. Parker presents a detailed look at the Supreme Court's decision in *Brown v. Board of Education*. The article then outlines the key cases that came on the heels of

this important decision and explains their impact on society. Ultimately, Mr. Parker concludes that while the holding in *Brown* had the potential to create true equality, the courts in later decisions and society as a whole failed to incorporate this equality into daily life.

Nina Perales, National Senior Counsel, MALDEF

Panel: Fair and Equal Voting Rights – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Voting Rights in Texas: 1982-2006* (with Luis Figueroa and Criselda G. Rivas), 17 S. CAL. REV. L. & SOC. JUST. 713 (2008).

In this review of the minority voter experience in Texas, Ms. Perales and her co-authors find that, despite the positive impact of the Voting Rights Act, minorities in Texas still face racially discriminatory practices in the electoral system. The authors endorse the reauthorization of the temporary provisions of the Voting Rights Act to protect the interests of minority voters in Texas.

- *Cultural Stereotype and the Legal Response to Pregnant Teens*, in MOTHER TROUBLES: RETHINKING CONTEMPORARY MATERNAL DILEMMAS 81 (Julia E. Hanigsberg & Sarah Ruddick eds., 1999).

In her essay on the case of a pregnant fourteen-year-old and the statutory rape trial of her twenty-two-year-old boyfriend, Ms. Perales examines the boyfriend's use of a cultural defense to justify their relationship. Ms. Perales warns of the danger of using culture to sanction marriages between Latina teen mothers and their older partners.

William Perez, Professor, Claremont Graduate University

Panel: Advancement and Fair Opportunities in Higher Education (Day 1: 11:10 a.m. – 12:40 p.m.)

- WE ARE AMERICANS: UNDOCUMENTED STUDENTS PURSUING THE AMERICAN DREAM 2009)

Professor Perez illuminates the plight of undocumented Latino students in the United States through the stories of sixteen high school, college and graduate students.

- *Academic Resilience Among Undocumented Latino Students* (with Roberta Espinoza, Karina Ramos, Heidi M. Coronado and Richard Cortes), 31 HISP. J. BEHAV. SCI. 149 (2009).

In this study of the academic performance of undocumented Latino immigrants, the authors find that students with supportive parents, friends and participation in

school activities performed better academically than students with lower levels of personal and environmental resources.

- *Acculturation, Social Identity and Social Cognition: A New Perspective* (with Amado M. Padilla), 25 HISP. J. BEHAV. SCI 35 (2003).

This article addresses the issue of psychological acculturation – the process of internal change experienced by immigrants when they encounter members of their host culture. The authors present a new model of acculturation centered on four elements: social cognition, cultural competence, social identity and social stigma.

Alexander Polikoff, Public Housing Program Director, Business and Professional People for the Public Interest

Panel: Residential Integration and Fair Housing in U.S. Neighborhoods (Day 1: 9:25 a.m. – 10:55 a.m.)

- *WAITING FOR GAUTREUX: A STORY OF SEGREGATION, HOUSING, AND THE BLACK GHETTO* (2006).

This book explores race relations in America through the lens of the *Gautreaux* public housing discrimination litigation. As the lead attorney in the *Gautreaux* cases, Mr. Polikoff is able to contribute rich and vivid details, and the book has been noted as an inspiring read both to those familiar with the Chicago public housing cases and those who are encountering them for the first time.

- *Race Inequality and the Black Ghetto*, 1 NW J. L. & Soc. Pol’y 1 (2006).

Adapted from the final chapter of the book *Waiting for Gautreaux*, this article outlines possible measures to address the effects of black ghettos in the United States. Mr. Polikoff concludes by noting that a national program aimed at eliminating housing discrepancies will support a more overarching effort to eliminate racial prejudice.

- *Comments on Alex M. Johnson, Jr.’s Destabilizing Race*, 143 U. PA. L. REV. 1685 (1995).

In this commentary, Mr. Polikoff discusses the theories and recommendations of Alex M. Johnson in his work, *How Race and Poverty Intersect to Prevent Integration: Destabilizing Race as a Vehicle to Integrate Neighborhoods*. Mr. Polikoff addresses such issues as “resegregation syndrome,” the steps necessary to erode decades of entrenched housing discrimination and the effect of the black ghetto on racial inequality in the United States.

john a. powell, Executive Director, Kirwan Institute, Ohio State University

Panel: The Legacy (Day 1: 8:10 a.m. – 9:10 a.m.)

- *Structural Racism: Building Upon the Insights of John Calmore*, 86 N.C. L. REV. 791 (2008).

Expanding on the concepts of Professor John Calmore, Professor powell endorses the use of a structural model for analyzing racism in contemporary society.

- *IN PURSUIT OF A DREAM DEFERRED: LINKING HOUSING AND EDUCATION POLICIES* (with Gavin Kearney and Vina Kay, 2001).

This anthology discusses the interconnection between segregation in the American education system and housing markets. Issues addressed include Supreme Court jurisprudence in the area of educational segregation.

- *THE RIGHTS OF RACIAL MINORITIES: THE BASIC ACLU GUIDE TO RACIAL MINORITY RIGHTS* (with Laughlin McDonald, 1993).

This American Civil Liberties Union handbook uses a question and answer format to explain the laws protecting the rights of racial minorities in areas such as voting, education, housing and public accommodations.

Jason Reece, AICP Senior Researcher, Kirwan Institute, Ohio State University

Panel: Demography and Civil Rights Advocacy (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Poverty's Place Revisited: Mapping for Justice and Democratizing Data to Combat Poverty* (with Maya Roy), 44 CLEARINGHOUSE REV. 184 (2010).

Mr. Reece and his co-author use case studies of opportunity mapping initiatives in Connecticut and Massachusetts to demonstrate the growth of GIS technology and its application to the antipoverty movement. The authors also review the successes and failures of various attempts to democratize data over the last decade.

- *The Future of Fair Housing and Fair Credit: From Crisis to Opportunity* (with john a. powell), 57 CLE. ST. L. REV. 209 (2009).

This article examines the current housing and credit crisis from a racial justice perspective. The authors discuss the impact of the housing and credit crisis on communities of color and present models of reform to address the challenges facing fair housing in the United States.

- *Poverty's Place: The Use of Geographic Information Systems in Poverty Advocacy* (with Eric Schultheis), 42 CLEARINGHOUSE REV. 430 (2009).

Mr. Reece and his co-author explore the use of GIS data by antipoverty advocates, focusing on case studies of the use of such data by the Kirwan Institute, the Race Equity Project and Legal Services of Northern California. The authors illustrate how GIS mapping can increase understanding of the relationship between place and poverty.

John Relman, Founding Partner, Relman, Dane & Colfax, PLLC

Panel: Civil Rights Entrepreneurship – Roundtable Discussion (Day 2: 8:30 a.m. – 10:00 a.m.)

- *Foreclosures, Integration, and the Future of the Fair Housing Act*, 41 IND. L. REV. 629 (2008).

Mr. Relman appraises the case of *Baltimore v. Wells Fargo*, the first lawsuit brought by a city against a major lender for engaging in discriminatory lending practices targeted at minority communities. The article provides background on the lawsuit, explores the specific allegations against the lender and considers the broader implications for the movement to ensure integration in our housing markets.

- *Overcoming Obstacles to Federal Fair Housing Enforcement in the South: A Case Study in Jury Nullification*, 61 MISS. L.J. 579 (1991).

In this article, Mr. Relman presents a case study of *United States v. Schay*, a fair housing case in which an all-white jury ruled in favor of the defendants despite ample evidence offered by the government and the plaintiff, a black attorney. Noting that the plaintiff was denied a new trial out of confusion over the Eighth Circuit's new trial standard, Mr. Relman emphasizes the need for federal courts to craft a new trial standard that reflects Congress' well-documented concern over jury nullification, while also protecting the rights of fair housing plaintiffs and maintaining the traditional functions of the jury.

Reggie Shuford, Director of Law and Policy, Equal Justice Society

Panel: Racial Equality in the Criminal Justice System (Day 1: 9:25 a.m. – 10:55 a.m.)

- *Why Affirmative Action Remains Essential in the Age of Obama*, 31 CAMPBELL L. REV. 503 (2009).

This article addresses the question of whether affirmative action is still necessary in the aftermath of the election of President Barack Obama. Mr. Shuford argues that

affirmative action remains an essential tool for eliminating the racial disparities and structural inequality that still exist in American society.

- *Any Way You Slice It: Why Racial Profiling is Wrong*, 18 ST. LOUIS U. PUB. L. REV. 371 (1999).

This article argues that racial profiling violates the Fourth and Fourteenth Amendments, as well as Title VI of the Civil Rights Act. In addition to the legal analysis, the article discusses the immorality and inefficiency of racial profiling.

Genevieve Siegel-Hawley, Editor, The Integration Report, The Civil Rights Project/Proyecto Derechos Civiles at UCLA and Doctoral Candidate, Urban Schooling at UCLA Graduate School of Education and Information Studies

Panel: Advancement and Fair Opportunity in K-12 Education (Day 1: 9:25 a.m. – 10:55 a.m.)

- *An Overlooked Model* (with Erica Frankenberg), AM. SCH. BOARD J., Nov. 2009, at 34.

This article presents a detailed history of magnet schools and their role in the desegregation process. Ms. Siegel-Hawley and her co-author outline current trends and explain the benefits of an integrated educational program. Finally, the article distinguishes charters from magnet schools and promotes magnets as a model for heightened diversity.

Terry Smith, Distinguished Research Professor of Law, DePaul University College of Law

Panel: Fair and Equal Voting Rights – Roundtable Discussion (Day 1: 3:10 p.m. – 4:40 p.m.)

- *Disappearing Districts: Minority Vote Dilution Doctrine as Politics*, 93 MINN. L. REV. 1680 (2009).

In this article, Professor Smith evaluates the North Carolina Supreme Court's ruling in *Pender County v. Bartlett*, a case involving the creation of a remedial voting district to comply with Section 2 of the Voting Rights Act. Professor Smith identifies a number of troubling implications of the court's holding that a minority group must constitute a majority of the voting-age population in the remedial district. Among other arguments, Professor Smith asserts that the *Pender County* decision limits the ability of states to use the Voting Rights Act to preemptively alleviate minority vote dilution.

- *White Dollars, Black Candidates: Inequality and Agency in Campaign Finance Law*, 57 S. C. L. REV 735 (2006).

Professor Smith discusses the negative impact of minority political candidates' dependence on financial contributions from whites. The article identifies a correlation between the lack of minority dollars in the campaign finance system and the absence of discussion of minority issues.

- *Race and Money in Politics*, 79 N. C. L. REV. 1469 (2001).

In this examination of the relationship between race and money in the political process, Professor Smith takes issue with the equality arguments advanced by proponents of campaign finance reform, noting that the very same arguments have been used to hinder minority political ambitions. Professor Smith also analyzes the McCain-Feingold campaign finance legislation to demonstrate how the reform movement fails to adequately address significant issues for minority voters and candidates.

William Tobin, Visiting Associate Professor, Department of Sociology, Duke University

Panel: Advancement and Fair Opportunities in Higher Education (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Studying Society: The Making of Recent Social Trends in the United States, 1929–1933*, 24 THEORY & SOC'Y 537 (1995).

This article focuses on a scientific survey of American society commissioned by President Herbert Hoover in 1929. Professor Tobin examines the political and cultural environment in which the survey originated and concludes the piece with an assessment of the consequences of the study's conception of society.

- *The "Grammar" of Schooling: Why Has it Been so Hard to Change?* (with David Tyack) 31 AM. EDUC. RES. J. 453 (1994).

Professor Tobin and his co-author present a number of case studies of attempts to reform the established structures and rules of schooling. The authors address both successful (the graded school, the Carnegie Unit) and unsuccessful (the Dalton Plan, the Eight-Year Study) challenges to the institutional forms of instruction.

Sacoby Wilson, Assistant Research Professor, Institute for Families and Society, University of South Carolina

Panel: Community Inclusion and Environmental Justice (Day 1: 11:10 a.m. – 12:40 p.m.)

- *Climate Change, Environmental Justice, and Vulnerability: An Exploratory Spatial Analysis* (with Roland Richard, Lesley Joseph and Edith Williams), 3 ENVIRON. JUST. 13 (2010).

Professor Wilson and his co-authors utilize GIS data to assess the vulnerability of disadvantaged populations to climate change. After examining social, environmental and health indicators, the authors found that the most vulnerable counties were located in the Deep South and Northeastern and Midwestern metropolitan areas.

- *An Ecologic Framework to Study and Address Environmental Justice and Community Health Issues*, 2 ENVIRON. JUST. 15 (2009).

In this article, Professor Wilson analyzes the disparate exposure of disadvantaged communities to unhealthy environmental conditions and health resources. Professor Wilson advocates a holistic approach to community health which considers ecological elements of social environments and utilizes contextual expertise to address environmental justice issues.

- *Built Environmental Issues in Unserved and Underserved African-American Neighborhoods in North Carolina* (with Christopher D. Heaney, John Cooper and Omega Wilson), 1 ENVIRON. JUST. 63 (2008).

Professor Wilson and his co-authors conduct a case study of the town of Mebane to illustrate the environmental injustice faced by communities of color in North Carolina. The authors find that these communities are burdened by a lack of access to sewer and water services and other basic amenities, as well as inequitable application of extraterritorial jurisdiction.