

CLASSCRITS X: MOBILIZING FOR RESISTANCE, SOLIDARITY AND JUSTICE
Nov. 10-11, 2017 Tulane University, New Orleans
Preliminary Program

FRIDAY NOV. 10th

8-8:45am REGISTRATION & BREAKFAST

8:45-9am WELCOME: Saru M. Matambanadzo

9:00-10:00 PLENARY **Critical Analysis: Law, Economy, Class & Inequality**

Tonya Brito, *Chair and Commentator*

Martha McCluskey, *What does ClassCrits Contribute to analysis of law and inequality?*

Justin Desautels-Stein, *Towards Black Legal Thought: From Critical Legal Studies to Critical Race Theory and Beyond*

James Varellas, *The Invisible College of Political Economists of Law*

Lua Kamál Yuille, *If Property were a Black Woman*

Dermot Feenan, *An Exploration of the Contemporary Relevance of Class for Law*

10:00-10:15am Break

10:15-12:00pm CONCURRENT SESSION ONE (EXTENDED TIME)

1A Inequality and Structures of Wealth: How We Got Here & Why We Stay

Danielle Kie Hart, *About Those Inequalities of Fortune*

Allison Tait, *Trusting Marriage*

Victoria J. Haneman, *Enabling Self-Represented Layperson as the Gold Age of Estate Planning Dawns*

Phyllis Taite, *Disinheritance in America: Children Left Behind*

Orit Gan, *Anti-Stereotyping Theory and Contract Law*

1B Mobilizing for Justice in Education and the Legal Profession

Jonathan Glater, *The Higher Education Opportunity Project*

Dean Elena B. Langan, *Admission by Performance Programs: A Diversity Initiative*

René Reich-Graefe, *Mobilizing for Resistance, Solidarity, and Justice By Promoting Social Innovation & Collective (Academic) Entrepreneurship in Legal Education*

Jeff Yungman, *Collaborate to Advocate: How Lawyers and Communities Can Work to End Poverty*

Myrta Morales-Cruz and Luis José Torres-Asencio, *Activist Lawyering and Clinical Legal Education*

12:00-1:15 am LUNCH & LOCAL ISSUES PLENARY:

Poverty, Criminal Justice, and Inequality in New Orleans

Andrea Armstrong, Loyola New Orleans, Professor of Law

Mathilde Laisne, VERA

David Kattner, Director, Tulane Law Juvenile Clinic

Pamela Metzger, SMU,
Bruce Reilly, VOTE New Orleans
Nia Weeks, Women with a Vision

1:15-1:30 pm Break

1:30-2:45 pm CONCURRENT SESSION TWO

2A Wielding the Antitrust Tool: Antitrust Enforcement as a Means of Addressing Social Inequality

Christine Bartholomew, *When the Patient Isn't the One Who is Sick: How Procedural Changes in Antitrust Enforcement Stymie Healthcare Reform*

Spencer Weber Waller, *Antitrust and Democracy*

John B. Kirkwood, *Does Antitrust Reduce Inequality?*

Lina Khan, *Market Power and Inequality: The Antitrust Counter-Revolution and its Discontents*

2B Expanding Public Protection and Solidarity: Challenges and Visions

Rob Verchick, *Social Resilience and the Regulatory State*

Lisa Pruitt, *Rurality, Whiteness and Working Class Women*

Nancy Dowd, *A New Deal for Children*

Kathryn Sabbeth, *Simplicity as Justice*

Nicky A. Boothe-Perry, *Social Media and Human Trafficking*

2C Critical Perspectives on Labor and Work

Thomas Kleven, *Will Automation Liberate the Working Class..or Further its Immiseration?*

Saru M. Matambanadzo, *Work, Re-Imagined*

Ruben J. Garcia, *The Labor-Community Coalition in the 21st Century: The Las Vegas Culinary Union*

Nicole Hallett, *The Problem of Wage Theft*

Stephen Lee, *Restaurant Work and Social Equality*

2D Social Innovation, Social Entrepreneurship, and Design Thinking: Limitations and Possibilities

Anna Monhartova, The Phyllis M. Taylor Center for Social Innovation and Design Thinking

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2:45-3:00 pm Break

3:00-4:30 pm CONCURRENT PANEL THREE

3A Implicit Bias in Law

Latonia Haney Keith, *Cultural Competency in a Post-Model Rule 8.4(g) World*

Michele Benedetto Neitz, *When Myths Become Beliefs: Implicit Socioeconomic Bias in American Courtrooms*

Erik Girvan, *Under-Incarceration: White Privilege in Criminal Justice*

Andrea Armstrong, *Race, Prison Discipline, and the Law*

Diane K. Uchimiya, *Domestic Propaganda and Anti-Immigrant Bias*

3B Engendering, Imagining, and Creating Utopian Possibilities During Dystopian Days

Anthony Farley

Marc-Tizoc González

Saru M. Matambanadzo

Harold McDougall, *Humans and Their Rights*

3C Exploring Veteran Critical Legal Theory

Jennifer Oliva

Sunita Patel

Olympia Duhart

Jeena Shah

3D Guerrilla Law Teaching Roundtable

Amna Akbar

Sameer Ashar

William Quigley

Caitlin Barry

4:30-4:45pm. Break

4:45-5:45 pm LOCAL PLENARY

Young Guns in Public Interest Practice and Activism

David Anderson

Sophie Woodruff

Josephine Vanderhorst

Anthony Johnson

Nicolas Hite

Eliana Green

5:45-6:00pm PLENARY MEETING: Launching ClassCrits, Inc.!

6:00 -8pm DINNER & PUBLIC INTEREST ADVOCACY PLENARY

Keynote: William P. Quigley, Loyola University New Orleans, *Professor of Law and Director of the Loyola Law Clinic and Gillis Long Poverty Law Center*

SATURDAY NOV 11, 2017

8:00 - 9:30 am BREAKFAST: WORKS IN PROGRESS (see participant list, following the program schedule)

Please plan to attend and comment on one paper! More information to follow.

9:30 – 9:45 am BREAK

9:45-11:30am CONCURRENT SESSION FOUR

4A *Inequality and Identity: Constructing and Masking Legal Power*

Lucy Jewel & Mary Campbell, *Dredged and Submerged: Law, Race, and Visual Imagery*
Chunlin Leonhard, *Dangerous or Benign Legal Fictions, Cognitive Biases and Consent in Contract Law*

Neil Gotanda, *Mapping the Muslim Category: An Examination of Race, Identity, Religion and the Black-White Paradigm*

M. Isabel Medina, *Making American Great Again Revisited: Through the prism of immigration and refugees*

Terry Smith, *Donald Trump, the Supreme Court, and the Culture of White Grievance*

McKay Cunningham and Jalila Jefferson, *The Political Question Barrier as Proxy for Judicial Review in Partisan Gerrymandering Disputes*

4B *Law, Economics and Development: International Perspectives*

Colin Crawford, *Access to Justice: Urban and Environmental Options and Challenges*

Jedidiah Kroncke, *From Utopianism to Pragmatism: The Lessons of Cooperative Land Trust Experimentation*

Ernesto Hernandez-Lopez, *Precaution over GMO corn in México: law between Cortes's salvation and Quetzalcoatl preservation*

Cyra Akila Choudhury, *Structures of Resistance /Control and "Declassifying" the War on Terror*

4C *Poverty, Inequality and Place: Possibilities for Justice*

Taunya Banks, *Public Toilets: An Essential Public Service*

Kristen Barnes, *Housing and Mortgage Law Reform in Spain*

Andrea J. Boyack, *Residential Segregation Rental Unaffordability and Neighborhood Decline: Taming the Three Headed Housing Hellhound*

Yxta Murray, *The Takings Clause of Boyle Heights.*

Patience Crowder, *Impact Transaction: Inclusionary Zoning as an Equitable Model for Small Business Development*

John Whitlow, *Community Law Clinics in the Neoliberal City: Assessing CUNY School of Law's Tenant Law and Organizing Project*

11:30 – 11:45am BREAK

11:45-12:45pm CONCURRENT SESSION FIVE

5A *Food Justice in the Gulf South Region*

(Participants To Be Announced)

5B *Transformation Through Dialogue: Teaching Inside and Outside the Prison Walls*

Shawn Boyne

Bob Cowser

Vicki Reitenauer

Andrew Skotnicki

5C Current Trends on Homeless Advocacy and Scholarship

Mark K. Roark

Sara Rankin

Marc-Tizoc Gonzalez

Stacey Tovino (state facilities for persons with intellectual disabilities)

12:45-2:00 pm: LUNCH & PLENARY KEYNOTE:

Nancy G. Isenberg, *T. Harry Williams Professor of History at Louisiana State University* and author of *WHITE TRASH: THE 400-YEAR UNTOLD HISTORY OF CLASS IN AMERICA* (2016).

2:00 – 2:15 p.m. Break

SALT meeting

2:15-3:45pm CONCURRENT SESSION SIX

6A Law, Economics and Fundamental Values

Athena Mutua, *Doubting the Morality of Markets: Race, Class and Economic Liberty*

Wendy Scott Brown & Linda Greene, *Justice Marshall's Views on Constitutional Economic Equality*

Steven A. Ramirez, *The U.S.: At the Frontier of Inequality and Corruption*

Amna Akbar, *Toward a Radical Reimagination of Law*

Kenya Smith, *Hobby Lobby & Section 501c3 of the IRC*

6B Reparations

Robert Westley, Tulane University School of Law

Carlton Waterhouse, Indiana

Kiami Wagner, Thomas Jefferson School

3:45-4:00 pm Break

4:00–5:15 pm CLOSING PLENARY

Neoliberalism's Leviathan: Debtfare, Workfare, Prisonfare

Elizabeth Berenguer

Linda Coco

Lucy Jewel

Eric J. Miller, *Policing Class*

Wendy Bach, *Prosecuting Poverty*

5:15-6:00 pm CLASSCRITS AND JOURNAL MEETING: We encourage you to stay to discuss ideas and interest in helping with future events and with the Law and Political Economy Journal.

Evening: RECEPTION at the Columns Hotel! (details to be announced)

ClassCrits X Junior Scholar Works in Progress (WIP)

Drafts due to your commentators by Monday Oct. 30, 2017 -- email to ClassCrits@gmail.com or to your commentator directly

Schedule: 8-9:30 am Sat. Nov. 11, with breakfast.

We will group two papers together, with 45 minutes to focus on each. Drafts or outlines to be circulated in advance (details to be announced). We're in the process of signing up commentators (let us know if you are interested!). Aim for presentations of 10 minutes or less (commentators will read the papers in advance).

List of Sessions

WIP Session One

Rebecca Kunkel, Rutgers Law Library – *Rationing Justice in the 21st Century: Technology and Technocracy in the Access to Justice Movement*

Commentators: Athena Mutua; Kathryn Sabbeth

WIP Session Two

1) Annie Lai, *The Price of Freedom: Immigration Courts and the Private Immigration Bond Industry* Commentator: Diane Uchimiya

2) Valena Beety, *Poverty, Rurality, and Death Investigations*
Commentator: Eric Miller

WIP Session Three

1) Antonia Eliason, University of Mississippi School of Law, *Using the WTO to Facilitate the Paris Agreement: Building on the Trade Facilitation Agreement's Special and Different Treatment Provisions*

Commentator: René Reich-Graefe

1) Sabrina Tremblay-Huet, *The Reciprocity Problem of the "Right to Tourism"*
Commentator: Cyra Choudhury

WIP Session Four:

Eric Franklin Amarante, University of Tennessee College of Law – *Philanthrocapitalism: Exacerbating the Antidemocratic, Paternalistic, and Amateuristic Nature of Philanthropy*

Commentator: Martha McCluskey

WIP Session Five:

1) Christina S. Chong, University of San Francisco School of Law – *Back to the Drawing Board: Legislating Hollywood! A Solution to the Lack of Diverse Programming and Employment Discrimination in Hollywood that Complies with the First Amendment*

Commentator: Kristen Barnes

2) Atinuke (Tinu) Adediran, *Institutional Logics at Play: Law Firms, Public Interest Organizations & Access to Civil Justice*

Commentator: Lua Kamal Yuille

WIP Session Six

- 1) Caitlin Henry, *Strategies for Launching and Operating a Non Traditional Teaching Law Clinic: Lessons Learned from the Prisoner Advocacy Network*

Commentator: John Whitlow

- 2) Daria Fisher Page, *Bigger Fish, Smaller Ponds: Contemplating the Lure of Expertise and the Problem of Specialization.*

Commentator: Jonathan Glater

WIP Session Seven

- 1) Diana Reddy, *Identifying Class, Classifying Identity: Constructing Protagonist and Antagonist in the Modern American Labor Movement*

Commentator: Ruben Garcia

- 2) Sarah Winsberg, *Making Work: Lawyers and the Boundaries of Labor, 1780-1860*

Commentator: Tom Kleven

WIP Session Eight

- 1) Raúl Carrillo, *Defending a Job Guarantee*

Commentator: Neil Gotanda

- 2) Chloe Sariego, *The Problem With Property: Racial Discrimination in the 2008 Financial Crisis*

Commentator : Danni Hart

WIP Session Nine

- 1) Rohan Grey & Jillian Hernandez, *What Guarantee? What Job? Inclusion and Equity Considerations in the Design of the Job Guarantee*

Commentators: Andrea Boyack; Michele Bendetto Neitz

WIP Session Ten

- 1) Ana Paula Del Vieira Duque and Marcos Vinicius Lustosa Queiroz, *Decolonial View of Criminology and Transitional Justice in Latin America*

Commentator: Harold McDougall

- 2) Ana Paula Del Vieira Duque and Theigo Ferrare, *The silencing of the black resistance to slavery in the production and justification of the Brazilian republican constitution of 1891*

Commentator: Anthony Farley