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Communion: Envisioning and Executing the Fourth National People of Color Legal Scholarship Conference – The Largest Ever Gathering of Minority Law Scholars

Anthony E. Varona

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Communion:
Envisioning and Executing the Fourth National People of
Color Legal Scholarship Conference — The Largest Ever
Gathering of Minority Law Scholars

*Anthony E. Varona**

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* Dean and M. Minnette Massey Professor of Law, University of Miami School of Law (as of August 1, 2019). Formerly Professor of Law (and Vice Dean (2016–18) and Associate Dean for Academic and Faculty Affairs (2010–16)) at American University Washington College of Law (AUWCL), the host institution of the Fourth National People of Color Legal Scholarship Conference (NPOC19). First and foremost, I thank Dean Camille A. Nelson, then AUWCL’s dean and now dean at the University of Hawai’i at Mānoa, for attracting NPOC19 to AUWCL and asking me to lead our planning effort. The conference would not have taken place without her leadership. My thanks for their review and comments on earlier drafts of this article to my fellow NPOC19 Host and Planning Committee and National Advisory Council colleagues, and Miami Law Professor Francisco Valdes and Associate Dean Raquel Matas. I also thank my special assistant Christina A. Robinson, and research assistants Isabella R. Caproni, Michael J. Kimok, and Joanna Niworowski, for their invaluable help.

INTRODUCTION

I am honored to follow in the footsteps of Professor Solangel Maldonado, both in this symposium issue of the HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW and as chair of the Host and Planning Committee for the National People of Color Legal Scholarship Conference. Professor Maldonado chaired the Third National People of Color Legal Scholarship Conference, hosted at Seton Hall University School of Law in 2010,¹ and I had the privilege of chairing the Host and Planning Committee for the Fourth National People of Color Legal Scholarship Conference (“NPOC19”), hosted and presented by American University Washington College of Law from March 21st through 24th, 2019.

The Fourth National appears to have been the largest gathering of minority law scholars in history, bringing together approximately 600 attendees, over 350 speakers, 110 conference events, and ten publishing partners.² NPOC19 attracted so much attention that the conference hashtag—#NPOC19—turned out to be the most tweeted hashtag in the Washington, D.C. region at the height of the conference on Saturday afternoon, March 23rd.³

As discussed by Professor Maldonado in her article, the Third National People of Color Legal Scholarship Conference was a tremendous success, attracting nearly 500 legal academics, judges, and practitioners for a sophisticated and rich conference spanning four days in Newark, New Jersey.⁴ The Third National, as Professor Maldonado notes, resulted in the publication of some fifty articles that were workshopped or otherwise presented at the conference.⁵

Professor Maldonado does not just provide us with her recollections of what it took to organize such a significant gathering in 2010, but also very helpfully

¹ Solangel Maldonado, *Nine Years After the Third National People of Color Legal Scholarship Conference: A Chair’s Retrospective*, 55 HARV. C.R.-C.L. L. REV. 732 (2020).

² PEOPLE OF COLOR AND THE FUTURE OF DEMOCRACY, 4TH NATIONAL PEOPLE OF COLOR LEGAL SCHOLARSHIP CONFERENCE, CONFERENCE PROGRAM – LONG VERSION 1 (2019), <https://www.dropbox.com/s/4307aa5d1548zr1/NPOC19%20Long%20Program.pdf?dl=0>, archived at <https://perma.cc/F55R-HLK7> [hereinafter NPOC19 Long Conference Program]; see also AUWCL Hosts Largest Gathering of Minority Legal Scholars in History at Fourth National People of Color Legal Scholarship Conference, AM. UNIV. WASH. COLL. OF LAW (Mar. 28, 2019), <https://www.wcl.american.edu/news-events/news/auwcl-hosts-largest-gathering-of-minority-legal-scholars-in-history-at-fourth-national-people-of-color-legal-scholarship-conference/>, archived at <https://perma.cc/R9LA-P53L>.

³ Sherrilyn Ifill (@Sifill_LDF), TWITTER (Mar. 23, 2019, 12:32 p.m.), https://twitter.com/Sifill_LDF/status/1109538393694834688, archived at <https://perma.cc/3JLR-DDJV> (“If you were at #NPOC19 today you know why it beat out the #MuellerReport among D.C. trending topics.”).

⁴ Maldonado, *supra* note 1.

⁵ *Id.* at 13.

discusses the history of the National People of Color Legal Scholarship Conferences, why and how the American people of color legal scholarship movement was started, and the ways in which national and regional gatherings of minority law scholars are still so very much in need. I will not duplicate Professor Maldonado's thorough work here, and instead will briefly recall the important landmarks that guided us to the Fourth National People of Color Legal Scholarship Conference in Washington. I then will proceed to discuss our efforts and strategies in envisioning, planning, and executing NPOC19.

I. ROOTS

The First National People of Color Legal Scholarship Conference was hosted in Chicago, Illinois in March 1999, as the brainchild of Professor Linda Crane from the John Marshall Law School.⁶ Professor Crane proposed such a national gathering as a means of connecting the various regional people of color legal scholarship conferences that had been taking place across the country.⁷

Writing about that First National, Professor Linda S. Greene noted that the regional and national people of color legal scholarship movement was “significant because it provides both emancipatory space and common ground to law professors of color” — a “critical space to nurture minority scholars who endured disproportionate pressures and demands due to their scarcity in academia.”⁸ The First National, two decades ago, set the bar high for the gatherings that followed it. It brought “together a diverse community of scholars in an environment committed to building intellectual growth, community and friendship.”⁹

In light of the success of the First National in Chicago in 1999, the planners of the National People of Color Legal Scholarship Conferences that followed it knew that the bar was set high and that much would be demanded of them. The Second National at George Washington University Law School in 2004, chaired

⁶ Linda S. Greene, *From Sea to Shining Sea: The Midwestern Origins of the First National Meeting of the Regional People of Color Legal Scholarship Conferences*, 20 B.C. THIRD WORLD L. J. 29, 30 (2000).

⁷ At that time (the late 1990s), the six regional people of color legal scholarship conferences were the Mid-Atlantic People of Color Legal Scholarship Conference, the Southwestern People of Color Legal Scholarship Conference, the Southeastern People of Color Legal Scholarship Conference, the Northeastern People of Color Legal Scholarship Conference, the Midwestern People of Color Legal Scholarship Conference, and the Western Law Teachers of Color Scholarship Conference. *Id.* at n.5.

⁸ *Id.* at 30, 40.

⁹ *Id.* at 34.

by Associate Dean Alfreda Robinson, also was a big success,¹⁰ which then was topped by the Third National at Seton Hall in 2010.¹¹ We, the organizers of the Fourth National People of Color Legal Scholarship Conference at AUWCL, knew that we would have very big shoes to fill.

II. THE LAY OF THE LAND

Filling those shoes was an urgent imperative. Although we have seen some progress in the two decades since the First National People of Color Legal Scholarship Conference took place in 1999, the American legal academy remains a bastion of elitism and classism with minority and female representation continuing to lag far behind the general population.¹² This relatively low diversity in the American legal academy not only perpetuates longstanding pedagogical challenges in legal education, but also further bedevils efforts to attract impressive minority and women law graduates into the law teaching profession. Professor Meera E. Deo has noted, for example, that “[w]omen of color law students have so few faculty role models who share their race and gender background that few consider law teaching as a viable option.”¹³ She posits that, “[b]ecause most students of color see few professors who look like them, becoming a professor rarely seems like an attainable goal.”¹⁴

The hiring and retention of minority and women attorneys in major legal employment markets also has continued to lag far behind regional demographics, a dynamic no doubt worsened by the effects of the Great Recession.¹⁵ The situation in California, the biggest state in the United States by

¹⁰ See Alfreda Robinson, *Symposium: Second National People of Color Legal Scholarship Conference at George Washington University Law School: Panel on “Upcoming Challenges in Employment Discrimination Law,”* 26 BERKELEY J. EMP. & LAB. L. 319, 319 (2005). Dean Robinson noted that “[o]ver 400 scholars, jurists, and students met for the largest gathering of law faculty of color in history” attracting “over 100 speakers, panels, workshops, and various events over a four-day period.” *Id.*

¹¹ Maldonado, *supra* note 1.

¹² MEERA E. DEO, *UNEQUAL PROFESSION: RACE AND GENDER IN LEGAL ACADEMIA* 4 (2019). Professor Deo documents that “[m]ore than 40% of current law professors attended either Harvard or Yale Law School” and “AALS statistics show that 62% of law professors are men and at least 71% are white” *Id.* at 19.

¹³ *Id.* at 19.

¹⁴ *Id.* at 20.

¹⁵ See, e.g., Anthony E. Varona, *Foreword: On the Importance of Diversity Hiring, Representation & Retention in the Law*, in HBA-DC DIVERSITY REPORT: THE STATE OF HISPANIC ATTORNEYS IN THE DC LEGAL MARKET 5-6 (2018), https://cdn.ymaws.com/www.hbadc.org/resource/resmgr/strategicpartnershipfellowships/hba-dc_2018_diversityreport_.pdf, archived at <https://perma.cc/W5R5-TNCC>.

population and the most diverse state in the nation,¹⁶ is especially disconcerting. The State Bar of California itself, in its Biennial Report to the Legislature for 2019–2020, reported that whereas thirty-five percent of the overall California population above the age of eighteen is Latinx, only six percent of California attorneys are Latinx.¹⁷ Whereas only forty-one percent of Californians above eighteen are white, seventy-seven percent of California attorneys are white.¹⁸ The disparities are even starker when the data for private sector legal employment in California are examined. Eighty-one percent of private practitioners in California are white; only nineteen percent are non-white. Sixty-three percent of California private practitioners are male; only thirty-six percent are female.¹⁹

The nationwide diversity statistics are even worse. The American Bar Association's National Lawyer Population Survey results for 2019 show that only five percent of American attorneys are African American, only two percent are Asian, and only five percent are Hispanic.²⁰ By contrast, the United States Census Bureau estimates that African American people, Asian American people, and Hispanic/Latinx people represent, respectively, 13.4 percent, 5.9 percent, and 18.3 percent of the overall American population.²¹

These sobering statistics documenting our persistent underrepresentation in both the legal academy and the profession as a whole underscored for NPOC19's planners the importance of our work in convening the conference and in making it as inclusive, accessible, and substantive as possible. They also inspired the following passage from my opening remarks at the NPOC19 Welcome Reception on March 21st:

In her new book, *THE SOURCE OF SELF-REGARD*, Toni Morrison wrote something about writers that made me think of the importance of scholarship produced by people of color and other minorities. This is

¹⁶ Adam McCann, *2019's Most & Least Diverse States in America*, WALLETHUB (Sept. 18, 2018), <https://wallethub.com/edu/most-least-diverse-states-in-america/38262/#expert=donald-tomaskovic-devey>, archived at <https://perma.cc/F7SD-LJCL>.

¹⁷ THE STATE BAR OF CAL., *DIVERSITY & INCLUSION PLAN: 2019 – 2020 BIENNIAL REPORT TO THE LEGISLATURE 6* (2019), <http://www.calbar.ca.gov/Portals/0/documents/reports/Diversity-Inclusion-Plan-Report.pdf>, archived at <https://perma.cc/3YSQ-5AP6>.

¹⁸ *Id.*

¹⁹ *Id.* at 7.

²⁰ AM. BAR ASS'N, *NATIONAL LAWYER POPULATION SURVEY, 10-YEAR TREND IN LAWYER DEMOGRAPHICS, YEAR 2019* (2019), https://www.americanbar.org/content/dam/aba/administrative/market_research/national-lawyer-population-demographics-2009-2019.pdf, archived at <https://perma.cc/X7NN-M27D>.

²¹ U.S. CENSUS BUREAU, *QUICK FACTS: UNITED STATES, POPULATION ESTIMATES FOR JULY 1, 2018* (2018), <https://www.census.gov/quickfacts/fact/table/US/PST045218>, archived at <https://perma.cc/3CQN-6RN9>.

what she wrote. Try to substitute the word “scholars” for “writers:” “Certain kinds of trauma visited upon peoples are so deep, so cruel, that unlike money, unlike vengeance, even unlike justice, or rights, or the goodwill of others, only writers can translate such trauma and turn sorrow into meaning, sharpening the moral imagination. A writer’s life and work are not a gift to mankind; they are its necessity.”²²

III. HOSTILE GROUND

Compounding the problems of the persistent underrepresentation of minority and female attorneys and law professors are strong winds of misogyny, racism, xenophobia, and transphobia in both politics and the culture over the last several years. Some observers have asserted that President Donald J. Trump’s 2016 election was the product of, and has exacerbated, these divisive forces.²³

President Trump launched his campaign for the presidency in part by calling Mexican migrants “rapists” and “criminals.”²⁴ He was caught inadvertently on a hot microphone saying that women he finds attractive allow him to “grab them by the pussy” because “when you’re a star they let you do it.”²⁵ “You can do anything,” he said to a fawning male television reporter.²⁶ He announced his campaign for the presidency after years of propounding the manifestly false claims that his predecessor, President Barack Obama, America’s first Black

²² Anthony E. Varona, Opening Remarks at the NPOC19 Welcome Reception Program (Mar. 21, 2019) (transcript on file with author), *quoting* TONI MORRISON, *THE SOURCE OF SELF-REGARD: SELECTED ESSAYS, SPEECHES, AND MEDITATIONS* ix (2019).

²³ President Trump has been accused of racism, sexism, xenophobia and the like for decades. *See, e.g.*, David Leonhardt and Ian Prasad Philbrick, *Donald Trump’s Racism: The Definite List, Updated*, N.Y. TIMES (Jan. 15, 2018), <https://www.nytimes.com/interactive/2018/01/15/opinion/leonhardt-trump-racist.html>, archived at <https://perma.cc/RVL8-XAYJ>. Leonhardt and Philbrick note that Trump has been quoted as saying that “laziness is a trait in blacks” and that he “would love to be a well-educated black, because . . . they do have an actual advantage.” *Id.*

²⁴ *Id.*

²⁵ Ben Jacobs, Sabrina Siddiqui, and Scott Bixby, ‘You Can Do Anything’: Trump Brags on Tape About Using Fame to Get Women, THE GUARDIAN (Oct. 8, 2016), <https://www.theguardian.com/us-news/2016/oct/07/donald-trump-leaked-recording-women>, archived at <https://perma.cc/6FGV-NTJR>.

²⁶ *Id.*

president, was foreign-born, had a fake birth certificate, assumed the presidency fraudulently²⁷ and was academically a failure.²⁸

President Trump defended and was seen as siding with the violent white supremacists who rallied in Charlottesville in August 2017.²⁹ He has demanded “a total and complete shutdown of Muslims entering the United States.”³⁰ He has wished that there would be more immigration from Norway into the United States than from Haiti and Africa.³¹ He has called Latinx immigrants “animals” who “pour into and infest our country.”³²

President Trump has also fought to reverse Obama Administration anti-discrimination protections for transgender students and military servicemembers,³³ spreading the falsehood that transgender servicemembers “take massive amounts of drugs.”³⁴

²⁷ Ashley Parker and Steve Eder, *Inside the Six Weeks Donald Trump Was a Nonstop ‘Birther,’* N.Y. TIMES (July 2, 2016), <https://www.nytimes.com/2016/07/03/us/politics/donald-trump-birther-obama.html>, archived at <https://perma.cc/Y4QW-DNCL> (“In the birther movement, Mr. Trump recognized an opportunity to connect with the electorate over an issue many considered taboo: the discomfort, in some quarters in American society, with the election of the nation’s first black president.”).

²⁸ Scott Jaschik, *Trump Threatened Colleges Over Any Leaks of His Grades*, INSIDEHIGHERED (Feb. 28, 2019), <https://www.insidehighered.com/news/2019/02/28/michael-cohen-testifies-trump-threatened-colleges-over-any-release-his-grades>, archived at <https://perma.cc/AR9T-AU8Y> (reporting that Trump attorney Michael Cohen’s testimony before the US House of Representatives “noted that Trump, in 2011, had ‘strongly criticized President Obama for not releasing his grades’” and that “Mr. Trump declared ‘Let him show his records’ after calling President Obama ‘a terrible student’”).

²⁹ Chris Gillizza, *Donald Trump’s Incredibly Unpresidential Statement on Charlottesville*, CNN (Aug. 13, 2017), <https://www.cnn.com/2017/08/12/politics/trump-charlottesville-statement/index.html>, archived at <https://perma.cc/73DF-VHFL>.

³⁰ See Leonhardt & Philbrick, *supra* note 23.

³¹ See *id.* (reporting that Trump claimed that Haitian immigrants “all have AIDS” and that Nigerian immigrants to the US would refuse to “go back to their huts’ in Africa” after getting accustomed to life in America).

³² *Id.* This, in part, was why the first words uttered from the NPOC19 stage were in Spanish, from me: “Bienvenidos y bienvenidas. Mi nombre es Tony Varona. Soy un inmigrante de Cuba, and a member of the faculty of the American University Washington College of Law.” Varona, *supra* note 22.

³³ Abby Goodnough, Erica L. Green, and Margo Sanger-Katz, *Trump Administration Proposes Rollback of Transgender Protections*, N.Y. TIMES (May 24, 2019), <https://www.nytimes.com/2019/05/24/us/politics/donald-trump-transgender-protections.html>, archived at <https://perma.cc/KSD3-NGLF>.

³⁴ Gwen Aviles, *Another Trump Falsehood: Trans Troops Take “Massive Amounts of Drugs,”* NBC NEWS (June 5, 2019), <https://www.nbcnews.com/feature/nbc-out/another-trump-falsehood-trans-people-take-massive-amounts-drugs-n1014221>, archived at <https://perma.cc/KJ6V-BH6G> (“In fact, the military does not prohibit service members from using prescription drugs—including hormones.”).

More recently, President Trump tweeted that four Democratic women of color—all four American citizens, and three of the four native-born Americans—should “go back and help fix the totally broken and crime infested places from which they came” instead of “loudly and viciously telling the people of the United States, the greatest and most powerful Nation on earth, how our government is to be run.”³⁵ President Trump’s tweets spawned chants of “send her back!” against Somali American Congresswoman Ilhan Omar (D-MN) at a Greenville, NC Trump reelection campaign rally.³⁶ Trump called the chanting rally attendees “incredible people” who are “incredible patriots.”³⁷ Meanwhile, Representative Omar continues to be subjected to “hundreds of death threats,” largely spawned by Trump’s racist rhetoric.³⁸

It is not hard to see how President Trump’s racist appeals have given license to bigots across the country to join him, a preeminent role model, in his aggressive and outspoken xenophobia. Other legislators of color have been targeted with language similar to Trump’s, and worse.³⁹ Important, too, is recognizing that the contemporary American Left has not been spared of its own manifestations of bigotry and xenophobia.⁴⁰

³⁵ Bianca Quilantan and David Cohen, *Trump Tells Dem Congresswomen: Go Back Where You Came From*, POLITICO (July 14, 2019), <https://www.politico.com/story/2019/07/14/trump-congress-go-back-where-they-came-from-1415692>, archived at <https://perma.cc/U2RM-UQFE>.

³⁶ David Jackson, *Donald Trump Defends Rally Crowd That Chanted ‘Send Her Back,’ Calling Them ‘Incredible Patriots,’* USA TODAY (July 19, 2019), <https://www.usatoday.com/story/news/politics/2019/07/19/donald-trump-defends-rally-crowd-patriots-despite-chants/1781499001/>, archived at <https://perma.cc/XU7C-JM45>.

³⁷ *Id.*

³⁸ Michael Brice-Saddler, *He Easily Found Hundreds of Death Threats Against Rep. Ilhan Omar. He Wants Twitter to Stop Them.*, WASH. POST (Apr. 16, 2019), <https://www.washingtonpost.com/technology/2019/04/16/he-easily-found-hundreds-death-threats-against-rep-ilhan-omar-he-wants-twitter-stop-them/>, archived at <https://perma.cc/3AZF-WV86>.

³⁹ For example, African American Georgia State Representative (and minority vice chairwoman) Erica Thomas (D) reported that she “was verbally assaulted in the grocery store by a white man” who told her that she “was a lazy SOB” who needed “to go back to where [she] came from.” Her offense? She had exceeded the 10-item limit at her local grocery store’s express checkout lane by a few items. Jessica Campisi, *#StandWithErica Trends After Georgia Democratic Lawmaker Says She Was Told To ‘Go Back Where You Came From,’* THE HILL (July 20, 2019), <https://thehill.com/blogs/blog-briefing-room/news/454005-istandwithERICA-trends-after-georgia-dem-lawmaker-says-she-was>, archived at <https://perma.cc/5WLH-QX3A>.

⁴⁰ For example, in 2016 I wrote about an anti-Semitic protest at one of the largest annual gatherings of American progressives, the National LGBTQ Task Force’s Creating Change conference. *Unfriendly Fire: How An Anti-Semitic Protest Overtook Premier LGBT Conference*, WASH. JEWISH WK. (Feb. 3, 2016), <http://washingtonjewishweek.com/28730/unfriendly-fire-how-an-anti-semitic-protest-overtook-premier-lgbt-conference/editorial-opinion/voices/>, archived at <https://perma.cc/L5CH-GZG7>. Another significant national progressive organization, the Women’s March, also has “been dogged by accusations of anti-Semitism . . .

Legal academia itself is not immune from boldly racist sentiments. University of Pennsylvania law professor Amy Wax caused an uproar by stating as part of her remarks on immigration at a conservative conference that the United States “will be better off with more whites and fewer nonwhites” because, in part, immigrants from non-white nations cause more “litter” and often are “too loud.”⁴¹

In sum, the era in which we find ourselves is one of retrenchment and backlash, in which bigotries against women, people of color, LGBTQ Americans, immigrants, and other minorities have been amplified by no less than the President himself. The last decade’s “dog whistle” racism, sexism, homophobia, and general xenophobia that dared not show its face has been emboldened and even ennobled in the Trump Era.

It was in light of this backdrop that my longtime friend and role model, George Washington University Law School’s Dean Blake Morant, said to me in

.” Marissa J. Lang, *Women’s March Replaces Three Original Leaders, After Anti-Semitism Accusations, With 16 Board Members*, WASH. POST (Sept. 16, 2019), <https://www.washingtonpost.com/dc-md-va/2019/09/16/womens-march-cutting-ties-with-three-original-board-members-accused-anti-semitism/>, archived at <https://perma.cc/5RNK-N4SY>. Joy Karenga, who had served as a professor of rhetoric and composition at Oberlin College, was fired by the institution after an investigation was triggered by statements she made on social media “that ISIS is really an arm of Israeli and U.S. intelligence agencies and that Israel was behind the *Charlie Hebdo* massacre in Paris.” Colleen Flaherty, *Oberlin Ousts Professor*, INSIDEHIGHERED (Nov. 16, 2016), <https://www.insidehighered.com/news/2016/11/16/oberlin-fires-joy-karenga-following-investigation-her-antisemitic-statements-social>, archived at <https://perma.cc/UE7C-4QLR>. Prof. Karenga also had shared anti-Semitic memes, like one suggesting that Jews control government, oil, and the communications media, and “voiced support for Nation of Islam leader Louis Farrakhan’s declaration that Zionists and Israeli Jews were behind the Sept. 11 attacks.” *Id.* The American Left also is struggling with its own brand of homophobia. See, e.g., Daniel Politi, *The New Republic Drops Out of Climate Forum Amid Backlash Over Offensive Piece On Pete Buttigieg*, SLATE (July 14, 2019), <https://slate.com/news-and-politics/2019/07/new-republic-drops-out-climate-forum-offensive-pete-buttigieg.html>, archived at <https://perma.cc/YKT8-96PV>.

⁴¹ Karen Sloan, *More Than 1,000 People Call for Amy Wax to be Relieved of her Teaching Duties at Penn Law*, N.Y. L.J. (July 19, 2019), <https://www.law.com/newyorklawjournal/2019/07/19/amy-wax-in-the-crosshairs-of-penn-law-students-again-after-immigration-comments-389-76120/>, archived at <https://perma.cc/VQS5-AUUX>; Zack Beauchamp, *Trump and the Dead End of Conservative Nationalism*, VOX (July 17, 2019), <https://www.vox.com/2019/7/17/20696543/national-conservatism-conference-2019-trump>, archived at <https://perma.cc/QKR3-NY67> (reporting that “[i]n a panel on immigration, . . . Wax claimed that immigrants are too loud and responsible for an increase in ‘litter,’ . . . explicitly advocated an immigration policy that would favor immigrants from Western countries over non-Western ones,” and said that “our country will be better off with more whites and fewer nonwhites,” which “[s]he claims . . . is not racist because her problem with non-white immigrants is cultural rather than biological”).

January 2019 that he was very much looking forward to NPOC19 in March because minority law professors greatly needed “an opportunity to commune.” We needed a gathering of the American minority professoriate, in safe space, on “land” that we ourselves prepared for a productive and lively gathering in which we would share ideas, inspire and encourage one another, break bread, and depart energized and liberated. Blake was right. We were in need of renewal, reconnection, nourishment, and elevation. A communion, indeed, was in order.

IV. THE FALLOW YEARS — WHAT TOOK SO LONG?

The need for a national POC legal scholarship conference was clear. And the Fourth National was significantly overdue. Five years separated the Second National from the First National. Six years then lapsed before the Third. In finally planning the Fourth National, a common question we heard was, “why has there not been a National People of Color Conference since Newark in 2010?”

The answer, I believe, is a two-parter: First, the NPOC conferences had grown so large, and with many moving parts over four full days, that the logistical, personnel, and resource challenge would be a daunting one for whatever law school or consortium of schools agreed to host the next gathering. The previous organizers had managed to mount major conferences featuring plenary VIP keynotes, concurrent roundtables and workshops, works-in-progress colloquia, social and community events (many with fully catered meals), such that the prospect of hosting the next such national conference rightly intimidated and deterred the deans of many law schools that would have been ideal institutional hosts or co-hosts for the Fourth National. This was especially the case because each of the prior three conferences was a great success and much would be expected, and demanded, of the planners of the Fourth National. Failure was not an option.

Second, the nine years following the Third National were those in which the aftershocks of the Great Recession, precipitated by the 2008 stock market crash, hit law schools especially hard — and in some cases, fatally.⁴² The Great Recession took a heavy toll on law schools’ ability to recruit and place students⁴³

⁴² Derek T. Muller, *A Continuing Trickle of Law School Closures*, EXCESS OF DEMOCRACY (Mar. 22, 2019), <https://excessofdemocracy.com/blog/2019/3/a-continuing-trickle-of-law-school-closures>, archived at <https://perma.cc/GN8B-5MRB> (noting that “[i]n the last year [alone], Arizona Summit and Western State have announced their closures,” following the closures of Charlotte, Indiana Tech, Valparaiso, and Whittier law schools).

⁴³ Professor Rebecca C. Flanagan writes that “[T]he ‘Great Recession’ of 2008 . . . radically changed the landscape of law school admissions” and “hit legal employment especially hard, and criticism of law school job statistic became endemic.” Rebecca C.

and even remain financially viable institutions.⁴⁴ Technology and artificial intelligence, too, are disrupting the legal profession and, in turn, legal education.⁴⁵ As Dean Megan M. Carpenter from the University of New Hampshire notes, “[d]eclines in enrollment and revenue hurt law schools at a time when public support for higher education also waned,” which has led many law schools to pursue “strategies of attrition” while awaiting the end of the Great Recession’s effects.⁴⁶

In other words, much of the money that ordinarily would be available to law school deans to host or co-host a major scholarship conference attracting hundreds of attendees from across the nation and several foreign countries, or to send established faculty as well as law professor aspirants to such a conference, was redirected to other areas of more immediate and significant need. Student scholarship funding and post-graduation fellowships were two such priority areas. And not without reason.⁴⁷

The deleterious effects of the Great Recession on law schools started to ease, and a partial recovery became most apparent, in 2018. It was in that year that law schools saw an eight percent increase in law school applications after almost a decade of precipitous declines.⁴⁸ Still, it required a leap of courage and faith for a law school dean to commit to hosting the next NPOC. The task was still an enormous one, resources were still scarce, and law school conference travel budgets were still reduced if not altogether eliminated across the country.

Flanagan, *Do Med Schools Do It Better? Improving Law School Admissions by Adopting a Medical School Admissions Model*, 53 DUQ. L. REV. 75, 78–79 (2015).

⁴⁴ As Professor Gerald P. Lopez suggests, the Great Recession exacerbated what may already have been identified as problems in legal education. Gerald P. Lopez, *Symposium: Rebellious Lawyering at 25: Transform—Don’t Just Tinker with—Legal Education*, 23 CLINICAL L. REV. 471, 473 (2017) (“Serious critiques of legal education, deepened and sharpened by the pressures of the Great Recession, dulled the luster and even threatened the credibility of law schools.”).

⁴⁵ Megan M. Carpenter, *Legal Education Unbundled (and Rebundled)*, 50 U. TOL. L. REV. 265, 269 (2019) (“Developments in legal tech do not only facilitate legal work being done by attorneys, they also reduce the need for attorneys at all. Computers can help nonlawyers accomplish what they once needed a lawyer to do—creating a sort of DIY approach to legal services.”).

⁴⁶ *Id.*

⁴⁷ See Flanagan, *supra* note 43, at 78–79.

⁴⁸ Martin Pritikin, *People Are Flocking to Law School Again. Will There Be Jobs?*, NAT’L JURIST (Oct. 9, 2018), <http://www.nationaljurist.com/national-jurist-magazine/people-are-flocking-law-school-again-will-there-be-jobs>, archived at <https://perma.cc/5CN9-9DUV> (“After nearly a decade of declining applications to law school, the nation saw its first significant increase this year – a jump of 8 percent.”).

V. LAYING THE (COMMON) GROUNDWORK — NPOC19'S LEADERSHIP STRUCTURE

The dean who stepped up to the plate was Dean Camille Nelson, who in summer 2016 assumed the deanship of the American University Washington College of Law.⁴⁹ In early 2017, Dean Nelson committed to hosting NPOC19 at AUWCL, recruited me as chair of the Host and Planning Committee,⁵⁰ and the preparations for the conference commenced.⁵¹

We set out to plan the conference as efficiently as possible, with a leadership team that was nimble, responsive, and representative both of our host institution—AUWCL—but also all of the regional conferences and other stakeholder national POC legal scholarship organizations across the nation.

Our first step in the planning of NPOC19 was to populate our Host and Planning Committee with AUWCL faculty leaders with interests in minority legal scholarship or the many issues it addresses, and with the willingness and ability to devote a significant amount of time and energy towards helping organize such a complicated conference.

We had seven Host and Planning Committee subcommittees.⁵² The Communications/Media/Marketing Subcommittee was chaired by Professor Llezlie Green,⁵³ the Development and Sponsorships Subcommittee was chaired by Senior Associate Dean Brenda Smith,⁵⁴ the Logistics/Registration Subcommittee was led by Director of Special Events Jennifer Dabson,⁵⁵ our Keynote/Plenary Speakers Subcommittee was chaired by Kendra Brown and then Professor Louis Caldera,⁵⁶ our Program Development Subcommittee was chaired by Professor Ezra Rosser,⁵⁷ the Theme and Call for Papers/Panels Subcommittee was co-chaired by Professors Janie Chuang and Anita Sinha,⁵⁸ and the Works-in-Progress Colloquia Subcommittee was co-chaired by Vice

⁴⁹ See *Camille Nelson Named New AUWCL Dean*, AM. UNIV. WASH. COLL. OF LAW (Mar. 13, 2016), <https://www.american.edu/ucm/news/20160313-new-wcl-dean-announced.cfm>, archived at <https://perma.cc/H8JW-URFT>.

⁵⁰ I had been serving as Dean Nelson's vice dean at the time.

⁵¹ Maldonado, *supra* note 1 at 759.

⁵² NPOC19 Long Conference Program, *supra* note 2, at 81.

⁵³ With Professors Khelani Clay, Sherley Cruz, and Ezra Rosser, and Ms. Sharon Wolfe.

⁵⁴ Including as members Professors Khelani Clay, Sherley Cruz, Jeremi Duru, Fernando Laguarda, and Jayesh Rathod.

⁵⁵ Including as members Professors Cori Alonso-Yoder and Adrian Alvarez.

⁵⁶ Including as members Professors Cori Alonso-Yoder, Angela Davis, Lia Epperson, and Susana SáCouto.

⁵⁷ Including as members Professors Adrian Alvarez, Janie Chuang, Khelani Clay, Lisa Curtis, Claudio Grossman, Mark Niles, and Diego Rodriguez-Pinzon.

⁵⁸ Including as members Professors Padideh Ala'i, Lisa Curtis, Angela Davis, and Macarena Saez.

Dean Susan Carle and Professor Mark Niles, who painstakingly recruited many prominent and thoughtful readers and commentators.⁵⁹

As Planning and Host Committee chair, I served as an *ex officio* member of several of the subcommittees and led our biweekly meetings of the full Host and Planning Committee. Various subcommittees would meet on the “off” weeks to complete important tasks between the gatherings of the full committee. We launched our planning efforts, with full planning meetings starting in late summer/early fall 2017. As a Host and Planning Committee, we worked very well together,⁶⁰ kept one another focused, and worked through long and complicated agendas.⁶¹

The NPOC19 leadership team also consisted of a National Advisory Committee, which together with the AUWCL Host and Planning Committee comprised the NPOC19 National Steering Council.⁶² It was the role of the National Advisory Committee to represent all of the regional people of color legal scholarship conferences (NEPOC, MEPOC, SE/SWPOC, WesternPOC, and MidwestPOC) at the highest level of NPOC19 planning, as well as to select national minority (or minority-serving) law scholarship stakeholder organizations and conferences, such as the Latino/a Critical Legal Scholarship Organization (LatCrit), the Society of American Law Teachers (SALT), the Conference of Asian Pacific American Law Faculty (CAPALF), ClassCrits, and eCRT.

Twenty-five colleagues from across the nation agreed to serve on the NPOC19 National Advisory Committee, whose roster read like a “who’s who” of prominent American minority law scholars.⁶³ University of Iowa College of Law’s Associate Dean Adrien Wing was elected unanimously and with great

⁵⁹ Including as members Professors Claudia Martin, Jayesh Rathod, and Ezra Rosser.

⁶⁰ Always with an abundance of humor, cheer, and — during our in-person meetings — food.

⁶¹ Jessica A. Hodgdon, Special Assistant to Dean Nelson, provided invaluable administrative assistance to the Host and Planning Committee.

⁶² NPOC19 Long Conference Program, *supra* note 2, at 81.

⁶³ Professors Steve Bender (Seattle and LatCrit), Larry Catá Backer (Penn State), Matthew Charity (Western New England School of Law and SALT), Elaine Chiu (St. John’s, CAPALF and NEPOC), Christina Chong (UC-Irvine and CAPALF), Frank Rudy Cooper (UNLV and WesternLPOC), Meera Deo (Thomas Jefferson and eCRT), Veena Dubal (UC-Hastings and eCRT), Olympia Duhart (Nova Southeastern and SALT), Kim Forde-Mazrui (UVA and MAPOC), Harold MacDougall (Howard and ClassCrits), Kristin Johnson (Tulane), Lydia Johnson (Thomas Jefferson and SE/SWPOC), Thomas E. Kleven (Thomas Jefferson and ClassCrits), Rebecca Lee (Thomas Jefferson, CAPALF and WesternLPOC), Solangel Maldonado (Seton Hall and NEPOC), Suzette Malveaux (Colorado), Karla McKanders (Vanderbilt), Melinda Molina (Capital and MWPOC), Martha McCluskey (SUNY-Buffalo and ClassCrits), Deborah Post (Touro and NEPOC), Steven Ramirez (Loyola-Chicago and MWPOC), Alfreda Robinson (George Washington), Catherine Smith (Denver), and Adrien Wing (Iowa).

enthusiasm to serve as the National Advisory Committee's Chair. The National Advisory Council met via videoconference throughout the planning process, and heard briefings from and gave advice and guidance to me as Host and Planning Committee chair as well as the chairs of the seven subcommittees.

Two subcommittees of the National Advisory Committee were empaneled by Dean Adrien Wing to handle very specialized tasks. The Scholarships Subcommittee received and considered requests for registration and travel scholarships to NPOC19, and the Financial Oversight Subcommittee monitored the financial management of the conference and decided on the apportionment of conference proceeds among the host of the next national conference (the Fifth National) as well as the five regional conferences.

All told, the NPOC19 leadership structure worked well. We brought together a large, diverse, and representative group of stakeholders and leaders, worked hard but efficiently, and enjoyed our time together. There was a collective sense on our leadership team that the work we were doing, if done well, would have a positive impact on hundreds of minority law scholars — our brothers and sisters in the academy. We also hoped to make the path into the academy easier for minority law faculty aspirants, who in turn would affect the lives of countless law students for decades to come. We were on a mission that bonded and exhilarated us. We had to get things right.

VI. SOWING SEEDS — THE CALL

From the start of our planning, we wanted to ensure that the Fourth National People of Color Legal Scholarship Conference would be as inviting and diverse as it could be. We wanted to attract a large and broad array of participants not only from across the United States but from other countries as well. We set out to ensure the participation of junior, mid-career, and senior scholars. Like the planners of previous NPOC conferences, we also sought to provide a supportive and exciting space for law professor aspirants to come and benefit from the mentoring and guidance of established members of the legal academy.

We devised and distributed an “open-textured” and inviting Call for Proposals — Panels, Roundtables, and Papers (the “Call”), as early as possible in 2018 to attract the most submissions. We announced the conference at several venues, including the Minority Interests Section Luncheon, at the Association of American Law Schools Annual Meeting in San Diego in January 2018.⁶⁴ We

⁶⁴ Tony Varona (@TonyVarona), TWITTER (Jan. 6, 2018, 9:51 AM), <https://twitter.com/TonyVarona/status/949699838949535744>, *archived at* <https://perma.cc/CTX9-2FNP> (“Our superb @AUWCL dean, Camille Nelson, announcing the 4th National POC Legal Scholarship Conference at yesterday’s @TheAALS Minority

distributed “save the dates” on social media and launched the “#NPOC19” hashtag, which proved to be an invaluable conference publicity and communications tool in preparing for as well as executing the conference.⁶⁵

Our Call hit the streets several months later. It announced that “[t]he Conference will feature distinguished keynote speakers, plenary sessions, concurrent panel discussions, works-in-progress workshops, and shorter incubator sessions to discuss research, writing, and pedagogy ideas.”⁶⁶ The NPOC19 Host and Planning Committee, with the approval of the National Advisory Committee, opted for a broad conference theme that would accommodate a very wide array of topics and materials: *People of Color and the Future of Democracy*. The Call proclaimed that the Conference intended to “explore how we, as people of color and allies, preserve and safeguard democracy in our teaching and scholarship, particularly with respect to marginalized communities.”⁶⁷ We noted that “[t]he Conference theme is intentionally broad and relates to critical conversations such as: the role of lawyers and law professors; intersectionality, inclusion, and action; and whether and how to reframe and reclaim particular narratives.”⁶⁸

VII. FERTILIZING — RAISING, SAVING, AND SHARING FUNDS

The Host and Planning Committee for NPOC19 knew that the cuts to conference travel budgets at law schools around the country would mean that effective and abundant fundraising would be extremely important to our conference’s success. This was especially true if we were to keep registration costs affordable for those attendees who personally would have to cover part or the entire cost of their attendance. We wanted to be sure to have funds available for registration and travel scholarships/grants for faculty aspirants, retirees, and other prospective attendees who would be unable to attend without the scholarship assistance. We also needed to have enough surplus or “leftover” proceeds from the conference to award post-conference bequeaths to the regional POC legal scholarship conferences as well as the host of the Fifth National.

Section lunch. Save the dates! March 21-24, 2019, @AUWCL in DC. Conference info & details at #NPOC19 as plans unfold.”)

⁶⁵ *Id.*

⁶⁶ Fourth National People of Color Legal Scholarship Conference, *Call for Proposals—Panels, Roundtables, and Papers: People of Color and the Future of Democracy*, <https://www.wcl.american.edu/news-events/special-events-cle/npoc19/call-for-panels-paper-proposals/>, archived at <https://perma.cc/9CZW-RL3F>.

⁶⁷ *Id.*

⁶⁸ *Id.*

Key to our frugality was the ability to host the entire Fourth National at the American University Washington College of Law, making use of the law school's extensive conference and classroom facilities. All plenary gatherings, including the opening reception and all major conference meals, were hosted at the law school itself, with catering provided by the law school's in-house caterer. Not having to rely upon expensive hotel conference facilities and catering for any NPOC19 events meant that we could offer registration fees that were much lower and more affordable than if we had to spend tens of thousands of dollars on hotel conference space rental and catering charges.

We also compressed what ordinarily would have been four full conference days into what amounted to three and a half days, spaced out and scheduled in such a way that afforded attendees the ability to attend the entire conference while saving the cost of one hotel night. We accomplished this efficiency, in part, by segregating all of the panels and roundtables into Friday, March 22nd and Saturday, March 23rd, with only an opening reception late on Thursday, March 21st and the Works-in-Progress Colloquia scheduled into two large blocks on Sunday morning, March 24th, followed immediately by the conference's closing luncheon.⁶⁹ In addition, instead of devoting an entire day to a dedicated pipeline program of workshops and panels for the benefit of faculty aspirants and junior colleagues, as past NPOC and related conferences have done, we weaved the pipeline program throughout the regular conference schedule, eliminating the extra travel day and related hotel and food expenses.

We also knew that we would have to exceed the Third National's fundraising total in order to account for the financial constraints that we face in 2019 that were not so apparent in 2010. The Third National raised \$102,500 from sponsors, so we used that figure as our (bare) minimum fundraising target.

Thanks to the efforts of our Development & Sponsorships Subcommittee, led by Senior Associate Dean Brenda Smith,⁷⁰ and especially to the generosity of our many sponsors, we were able not only to meet that fundraising target but exceed it by half — raising 158 percent of our fundraising goal.⁷¹ We recruited fifty-one sponsors, including thirty-six law schools from across the United States, as sponsors at varying levels: \$25,000 for Diamond Sponsors,⁷² \$10,000

⁶⁹ See generally NPOC19 Long Conference Program, *supra* note 2.

⁷⁰ Supported with great skill by AUWCL Associate Dean for Finance Robert Campe and Senior Administrative Assistant Kenneth Barros.

⁷¹ Email from Anthony E. Varona to American University Washington College of Law (Mar. 25, 2019, 12:11 PM EST) (on file with author).

⁷² American University Washington College of Law served as Presenting Law School and Diamond Sponsor whereas the Law School Admission Council served as Presenting Diamond Sponsor.

for Platinum,⁷³ \$7,500 for Gold,⁷⁴ \$5,000 for Silver,⁷⁵ \$2,500 for Bronze,⁷⁶ and \$1,000 for Supporting Sponsors.⁷⁷ We were delighted that every pledge made was honored, giving us a fulfillment rate of 100 percent.⁷⁸

VIII. NURTURING GROWTH — SCHOLARSHIPS AND THE PIPELINE PROGRAM

The tremendous success we had in fundraising in support of NPOC19 meant that we would be able to launch a sizeable scholarships program to help underwrite the registration and travel expenses for interested colleagues who otherwise would not be able to join us at the conference. All told, we were able

⁷³ Seton Hall Law School was our Platinum Sponsor.

⁷⁴ Georgetown University Law Center served as our Gold Sponsor.

⁷⁵ Our Silver Sponsors were Boston University School of Law, the Corley Institute for Diversity & Inclusion Education at George Mason U. Scalia Law School, George Washington University Law School, Loyola University–Chicago School of Law, Rutgers Law School – Camden and Newark, St. John’s University School of Law, State University of NY at Buffalo Law School (SUNY), Touro College Jacob D. Fuchsberg Law Center, University of California–Irvine School of Law, University of Colorado Law School, and University of Houston Law Center.

⁷⁶ Our Bronze Sponsors were AUWCL Pence Law Library, Boston College Law School, Buckley LLP, Case Western Reserve University School of Law, Fordham University School of Law, Howard University School of Law, Robert L. and Professor Billie Jo Kaufman, Adj. Professor Andrea Lee Negroni, Northeastern University School of Law, Nova Southeastern University Broad Law Center, Pennsylvania State University – Penn State Law, Senior Associate Dean Brenda V. Smith & John D. Bess, Society of American Law Teachers, Suffolk University Law School, University of Baltimore School of Law, University of California–Davis School of Law & Law School, Survey of Student Engagement (LSSSE), University of Florida Levin College of Law, University of Iowa College of Law, University of Kentucky College of Law, University of Maryland School of Law, University of Michigan Law School, University of Nevada Las Vegas Boyd School of Law, University of Richmond School of Law, Professor Tony Varona & John Gill, Washburn University School of Law, and Washington and Lee University School of Law.

⁷⁷ Our Supporting Sponsors were Carolina Academic Press, Isaacson Miller, Inc., Texas Southern Thurgood Marshall School of Law, Tray Printing, University of Oregon School of Law, and US Department of Justice Community Relations Service.

⁷⁸ Our fundraising efforts consisted of initial appeal letters to law school deans, legal publishers, law firms, and other likely donors, followed by telephone calls, in-person solicitations, and follow-up email messages, mostly from Dean Smith as well as from me as conference chair. Our colleagues on the National Advisory Committee also provided invaluable help in identifying donation sources as well as following up to secure commitments from them.

to award approximately \$33,000 in grants⁷⁹ to roughly thirty-three deserving colleagues⁸⁰ and law faculty aspirants from across the nation.

We received many expressions of thanks from our scholarship recipients, many of whom spoke of how much the assistance in attending NPOC19 meant to them. Here are just some examples, each from different attendees:

Thank you so much for making this possible! I am floored to be able to attend NPOC19.⁸¹

I am elated to receive [the scholarship] I am so excited to become a part of NPOC19 and to find myself amidst scholars of color in these intriguing and perilous times.⁸²

Oh my goodness! Thank you so much, to you and to the committee! I am absolutely thrilled to now have the opportunity to attend NPOC19, which I wouldn't have been able to do otherwise. I am truly looking forward to such an amazing gathering of leaders, scholars, and activists in our nation's capital . . . I am thankful to be part of this incredible gathering.⁸³

Thank you for this wonderful news I so truly appreciate this opportunity [T]hank you immensely for your support and confidence!⁸⁴

I am grateful beyond measure! Thank you so much. I can't wait to attend and absorb all of the information this conference will provide me.⁸⁵

[T]hank you earnestly (really, quite a lot) The opportunity to present improves my mettle as an academic job candidate directly. As

⁷⁹ Email from Chair of the Development and Sponsorships Subcommittee to NPOC19 National Steering Council Member (Mar. 25, 2019, 12:16 PM EST) (on file with author).

⁸⁰ Email from Anthony E. Varona to American University Washington College of Law (Mar. 25, 2019, 12:11 PM EST) (on file with author); *see also* Email from Anthony E. Varona to NPOC19 National Steering Council Member (Mar. 25, 2019, 07:35 PM EST) (on file with author).

⁸¹ Email from Scholarship Recipient to Anthony E. Varona (Feb. 6, 2019, 11:41 PM EST) (on file with author).

⁸² Email from Scholarship Recipient to Anthony E. Varona (Feb. 11, 2019, 02:30 PM EST) (on file with author).

⁸³ Email from Scholarship Recipient to Anthony E. Varona (Feb. 7, 2019, 10:27 AM EST) (on file with author).

⁸⁴ Email from Scholarship Recipient to Anthony E. Varona (Feb. 7, 2019, 08:09 AM EST) (on file with author).

⁸⁵ Email from Scholarship Recipient to Anthony E. Varona (Feb. 6, 2019, 09:59 PM EST) (on file with author).

someone [who has] run up against the contraction of the academic job market rather often lately, this is an extra memorable kindness.⁸⁶

From the bottom of my heart, with all the gratitude and appreciation in the world, I thank you American University Washington College of Law.⁸⁷ I am so thankful for the opportunity. It will have a lifetime of impact for both me and my daughter.⁸⁸

Although these were quite moving, the messages that touched me most from NPOC19 scholarship applicants were from those who asked that the scholarship committee remove their names from consideration for the benefit of another colleague who might richly benefit from attending NPOC19 but who would not be able to do so without funding.⁸⁹

The NPOC19 Pipeline Program was central to our conference and true to the history of the national and regional POC legal scholarship conferences in the nurturing, guidance, and encouragement of minority law faculty aspirants and junior colleagues. Our conference program, therefore, contained an extensive schedule of pipeline events with designated pipeline sessions identified in the conference program with a specially designed icon.⁹⁰ This approach enabled us to offer fourteen and one-half hours of pipeline programming, not including the Works-in-Progress Colloquia on Sunday morning (which added another three hours).⁹¹

Pipeline topics included how to get hired as a full-time law professor, how to succeed and thrive on the tenure track, how to research and write an excellent law review article, how to land a book contract and publish a book, law school diversity and inclusion work, “teaching legal writing as resistance,” law school and university administrative service, and race and economic justice in the classroom.⁹² Also embedded in the NPOC19 Pipeline Program, and addressing the special stresses borne by minority and women law scholars, was a pair of workshops spanning almost three hours dedicated to cultivating mindfulness and overall psychological wellness among academics.⁹³ Transcripts from most

⁸⁶ Email from Scholarship Recipient to Anthony E. Varona (Mar. 12, 2019, 04:21 PM EST) (on file with author).

⁸⁷ Letter from Scholarship Recipient to Anthony E. Varona (Mar. 5, 2019) (on file with author).

⁸⁸ Email from Scholarship Recipient to Anthony E. Varona (Mar. 10, 2019, 12:22 AM EST) (on file with author).

⁸⁹ Email from Scholarship Recipient to Anthony E. Varona (Feb. 1, 2019, 03:11 PM EST) (on file with author).

⁹⁰ See NPOC19 Long Conference Program, *supra* note 2, at 1.

⁹¹ See generally *id.*

⁹² *Id.*

⁹³ *Id.* at 10–13, 31.

of these pipeline sessions will be published in the AALS JOURNAL OF LEGAL EDUCATION.

IX. PROVIDING WARMTH AND LIGHT

In addition to incorporating a wide array of panels, roundtables, and works-in-progress colloquia in which NPOC19 attendees could share their work and ideas and receive supportive but rigorous feedback, the Host and Planning Committee endeavored to provide gatherings throughout the conference that fed attendees' bodies and souls, lifted their spirits, and warmed their hearts. We wanted to create moments that provided a sense of welcome, community, and belonging to attendees across all career phases, including law faculty aspirants whose careers had not yet begun. And we wanted to build in some fun.

The Welcome Reception on Thursday evening March 21st, the first of two major conference receptions, attracted a large attendance of conference registrants already in town who were welcomed to Washington and to the conference by Congressman Jamie Raskin (D-MD), the Chair of the House Oversight Subcommittee on Civil Rights and Civil Liberties and Vice Chair of the House Administration Committee.⁹⁴ Congressman Raskin presented a Certificate of Special Congressional Recognition to the NPOC19 leadership team "in recognition of your extraordinary mobilization of people, ideas and energy to defend democracy, justice and the rule of law."⁹⁵

The Opening Plenary Keynote Luncheon, on Friday, March 22nd, featured UCLA Vice Chancellor for Equity, Diversity and Inclusion, Jerry Kang, discussing the roles universities and scholars (both within and outside of the law) have in combatting both explicit and implicit bias. Gold Star Father and civil rights activist Khizr Khan, Esq., also addressed the attendees, providing an emotional high point to the entire conference as he exhorted us to recognize that legal scholars, and *minority* legal scholars especially, are "the custodians of the Constitution at this darkest of moments" and that we are the "candle-bearers" who will light the nation's way out of darkness.⁹⁶ Sylvia Burwell, American University's President, and former Health and Human Services

⁹⁴ Congressman Raskin was, for more than 25 years, a member of the American University Washington College of Law faculty, specializing in Constitutional Law. *About Jamie, CONGRESSMAN JAMIE RASKIN*, <https://raskin.house.gov/about>, *archived at* <https://perma.cc/4FS7-2BRD>.

⁹⁵ NPOC19 – Official Feed (@npoc19), TWITTER (Mar. 22, 2019, 12:57 PM), <https://twitter.com/npoc19/status/1109182391602606083>, *archived at* <https://perma.cc/8D87-RDHN>.

⁹⁶ Khizr Kahn, NPOC19 Opening Luncheon Remarks (Mar. 21, 2019) (transcript on file with author).

Secretary (under President Obama), also greeted and welcomed the conference attendees at the Opening Luncheon.⁹⁷

At the Conference Gala Dinner, also on Friday, March 22nd, we hosted a keynote conversation moderated by Iowa Associate Dean Adrien Wing, and featuring Vanita Gupta, President and CEO of the Leadership Conference on Civil and Human Rights, Hon. Catherine Lhamon, Chair of the United States Commission on Civil Rights and former Assistant Secretary for Civil Rights of the Department of Education, and Thomas Saenz, the President and General Counsel of MALDEF.⁹⁸ That panel was followed by Professor Kendall Thomas from Columbia Law School performing *Autumn Leaves*, selections from his critically acclaimed *Joe's Pub* at the Public Theater tribute to Nat "King" Cole. Professor Thomas was accompanied by the Noble Jolley Trio.⁹⁹ The Gala concluded with what we called "Camille's Jamaican Dance Afterparty," which reggaed, calypsoed and salsaed late into the night.¹⁰⁰

At Saturday's Plenary Keynote Luncheon, AUWCL Professor Angela J. Davis moderated a keynote conversation entitled *Race and Racism in America*, featuring NAACP Legal Defense Fund President and Director-Counsel Sherrilyn Ifill and National Book Award Winner and American University Professor Ibram Kendi.¹⁰¹ Professor Vicki C. Jackson, Harvard Law School's Thurgood Marshall Professor of Constitutional Law and President of the Association of American Law Schools also delivered greetings to the attendees.¹⁰²

Saturday's other plenary gathering was the evening Reception to Celebrate Pretenure Colleagues and Faculty Aspirants, which attracted a very large attendance and featured remarks by the Honorable Jenny Rivera, Associate Judge on the New York State Court of Appeals.¹⁰³

Sunday's Closing Plenary Luncheon included a keynote conversation entitled *The Inescapable Intersection of Race, Law, and Sports: Perspectives from the Field*, which was moderated by AUWCL Professor Jeremi Duru and featured Michele Roberts, Esq. (Executive Director of the National Basketball Players Association), Woodie Dixon, Esq. (General Counsel and Senior Vice President of Business Affairs of the Pac-12 Conference), and Jeff Whitney (Founder/President of the Sports & Entertainment Group).¹⁰⁴

As the final event of the Fourth National People of Color Legal Scholarship Conference, we organized a private guided tour of the new Smithsonian

⁹⁷ NPOC19 Long Conference Program, *supra* note 2, at 14.

⁹⁸ *Id.* at 30–31.

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.* at 39.

¹⁰² *Id.*

¹⁰³ *Id.* at 57.

¹⁰⁴ *Id.* at 78.

National Museum of African American History and Culture for Sunday afternoon, immediately after the Closing Plenary Luncheon.¹⁰⁵ Several attendees let us know that it was a powerful and apt way to end the conference.¹⁰⁶

In addition to all of these plenary events, we tried to create community by securing discounts at several nearby hotels for conference attendees, and arranged for shuttle buses to transport attendees staying at those hotels to and from the conference together. We also provided continental breakfasts and coffee breaks in social areas throughout the conference (all generously underwritten by sponsors), in order to promote camaraderie, to facilitate the reconnection of longtime colleagues, and to spark new collegial friendships among attendees.

X. SAFEGUARDING AND CONNECTING

It should come as no surprise that in the toxic political miasma of the era, what was expected to be—and became—the largest ever gathering of minority law scholars, hosted at the American University Washington College of Law, would raise security concerns as a “potential target.” Suffice it to say that members of the Host and Planning Committee worked to address these concerns with AUWCL administrators and American University Public Safety leaders and officers, who in turn were in contact with public safety officials outside of the University in District of Columbia and federal law enforcement agencies. Online and social media channels were monitored for any potential threats, and there were both uniformed and plain-clothed public safety officers present throughout the conference in case of any incident. In addition, all attendees were urged to download and use the AU Alert public safety app for mobile devices, which would activate immediately with emergency guidance merited by the circumstances.

Additional important public safety communication tools, which also worked to document and celebrate the conference and connect the many attendees, were the #NPOC19 Twitter hashtag, the @npoc19 official Twitter feed, and the @NPOC19 Facebook group. Countless pictures, videos, quotes from especially inspiring and informative speakers, links, conference and session materials, and other resources remain available in those streams.

¹⁰⁵ *Id.*

¹⁰⁶ For example, Professor Tiffany D. Atkins from Elon University School of Law tweeted: “A visit to the @NMAAHC was the perfect way to end my #NPOC19 weekend – reminding myself why I became a law professor and recommitting myself to the work. Thank you @npoc19 for organizing such a powerful conference, I look forward to the next one!” Tiffany D. Atkins (@ProfessorAtkins), TWITTER (Mar. 25, 2019, 8:39 AM), <https://twitter.com/ProfessorAtkins/status/1110204486419648513>, *archived at* <https://perma.cc/3WT5-AWWL>.

Among the last of the attendees' tweets to the #NPOC19 stream was that of University of Tennessee College of Law's Director of Academic Success, Professor Renée Nicole Allen, who tweeted, quite simply: “#NPOC19 was soul food.”¹⁰⁷

XI. HARVEST AND THANKSGIVING

The Fourth National People of Color Legal Scholarship Conference turned out to be a big success, to the relief and joy of all of the many colleagues, from American University Washington College of Law and from law schools across the country, who helped plan and execute it. With the generous support of our many sponsors, we hosted conversations and scholarship addressing many issues relevant to women and people of color and other minority communities, including criminal justice, democracy and voting rights, affirmative action, employment discrimination, poverty law, public health, immigration and human rights, mindfulness and wellness, LGBTQ rights both domestic and international, freedom of speech and expression, law enforcement and policing, implicit bias, procedure, history and narrative, debt and governance, intellectual property and race, bilingual education, development, tax reform, election integrity, international education, gun violence, English-only laws, Islamophobia, racial and economic justice as pedagogy, racial segregation, anti-trafficking, intersectionality, multiracialism and discrimination, imprisonment, gender and reproduction, education law, and race and sports.¹⁰⁸

NPOC19's planners were very pleased that our open-textured Call, and our own efforts to proactively recruit speakers and assemble conference sessions, resulted in a conference largely focused on diversity and inclusion that itself was diverse and inclusive. This outcome was a deliberate one, and not solely left to chance. A significant amount of thought and work went into ensuring that NPOC19's speakers, attendees, and session topics were welcoming of participants from a wide array of races, ethnicities, nationalities, genders, religions, LGBTQ statuses, as well as political and philosophical perspectives, and that the conference and all of its aspects were as accessible as they could be to colleagues and students with disabilities.

Many of the fruits of the fertile discussions hosted at NPOC19 will appear in the pages of some of our conference's ten official publishing partners, which in addition to the HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW, include the ADMINISTRATIVE LAW REVIEW, the AALS JOURNAL OF LEGAL EDUCATION, AMERICAN UNIVERSITY LAW REVIEW, AMERICAN UNIVERSITY

¹⁰⁷ Renée Nicole Allen (@profallentweets), TWITTER (Mar. 25, 2019, 6:37 PM), <https://twitter.com/profallentweets/status/1110355025799319552>, *archived at* <https://perma.cc/89G8-H2DW>.

¹⁰⁸ NPOC19 Long Conference Program, *supra* note 2, at 3–80.

JOURNAL OF GENDER, SOCIAL POLICY & THE LAW, COLUMBIA UNIVERSITY JOURNAL OF RACE AND LAW, GEORGE WASHINGTON UNIVERSITY LAW REVIEW, HARVARD LATINX LAW REVIEW, NEW YORK REVIEW OF LAW & SOCIAL CHANGE, and the UNIVERSITY OF PENNSYLVANIA JOURNAL OF LAW AND SOCIAL CHANGE.

I join all of my NPOC19 National Steering Council colleagues in thanking all of our sponsors, our publishing partners, our plenary and concurrent session speakers, our works-in-progress colloquia commentators, the approximately 600 attendees, the caterers and servers, public safety officers, administrative and support staff, shuttle bus drivers, student volunteers, and many others, for making the Fourth National People of Color Legal Scholarship Conference a smoothly run, productive, and enjoyable conference.

XII. A PERSONAL POSTSCRIPT

I completed the bulk of this essay in the midst of moving from Washington, D.C., to Miami, FL, as I departed American University Washington College of Law for the University of Miami School of Law, where I had the honor of serving as Dean starting August 1, 2019.¹⁰⁹ Although thrilled and humbled by the opportunity to lead a community as vibrant as Miami Law's, AUWCL had been my warm academic home for fourteen years. I formed loving and lifelong friendships with faculty and staff colleagues and countless alumni at AUWCL — a law school renowned for its commitment to social justice, diversity and inclusion, engaged scholarship, and pedagogical and curricular innovation. AUWCL was the ideal host for an NPOC Legal Scholarship Conference, for these and other reasons.¹¹⁰ So, I left for Miami excited by what was to come, but also with a very heavy heart for all that I leave behind in Washington.

Tellingly, the Fourth National People of Color Legal Scholarship Conference was intertwined with this new opportunity for me at Miami. In fact, I myself—as Host and Planning Committee Chair—benefited from NPOC19's power to provide community and connection. I had been contacted a few short weeks before the conference by the University of Miami's dean search consultants with word that I had been nominated to be Miami Law's next dean. It was during NPOC19 that I had a long, approximately three-hour, late-night

¹⁰⁹ Especially notable is that I will have the honor of serving as Miami Law's first Latinx dean and first openly gay dean.

¹¹⁰ I should note that AUWCL has long hosted major conferences focused on minority legal issues. As just a few examples, it hosted LatCrit XIV in 2009, the Mid-Atlantic People of Color Legal Scholarship Conference in 2013 and 2017, and ClassCrits in 2007, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, and 2018.

conversation with Miami Law Professor Francisco Valdes,¹¹¹ about how much he cared about the University of Miami's law school and its community of students, scholars, staff, and alumni, how special of a community it is, and how much he wanted me to pursue the Miami deanship. Frank and I talked about my then-preliminary vision for a deanship, my leadership philosophy, the need for minority leadership in the legal academy, diversity and inclusion in legal education and the profession as a whole, and many other topics.

Frank, as virtually every American minority law professor knows, is a founder and longtime leader of the Latino/a Critical Legal Studies movement (LatCrit), an award-winning and internationally celebrated scholar and teacher, a pioneer as a Latinx and openly gay law professor, and thus one of my longtime role models, mentors, and guides in the legal academy. (I am but one of hundreds of minority and/or women law scholars that Frank has mentored over decades.) So, I listened to Frank's advice, and am glad that I did.

That NPOC19 provided this space and time for Frank and me to have such a deep conversation illuminated yet again the sheer power of POC legal scholarship gatherings to inspire us, connect us, create a special and even sacred space for our fellowship, and propel us upwards and onwards on our respective journeys.

The recent Black Lives Matter protests sparked by the killing at the hands of police of George Floyd and other unarmed African Americans¹¹² also underscore the importance of conferences like NPOC19 and others like them. Protestors were not deterred from marching against police brutality and in support of Black lives despite the risk of contracting COVID-19, the threat of military intervention, tornado activity in Florida, and a damaging tropical storm in North Carolina.¹¹³ The protests ultimately reached every corner of the United States,¹¹⁴ and rippled across the globe to locations including Berlin, London, and Toronto.¹¹⁵

¹¹¹ *Biography, Francisco Valdes*, UNIV. OF MIAMI SCH. OF LAW, <https://www.law.miami.edu/faculty/francisco-valdes>, archived at <https://perma.cc/E7SH-LT3H>.

¹¹² Evan Hill et al., *How George Floyd Was Killed in Police Custody*, N.Y. TIMES (May 31, 2020), <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>.

¹¹³ Audra D. S. Burch et al., *How Black Lives Matter Reached Every Corner of America*, N.Y. TIMES (June 13, 2020), <https://www.nytimes.com/interactive/2020/06/13/us/george-floyd-protests-cities-photos.html>, archived at <https://perma.cc/L7UL-G7MN>.

¹¹⁴ *Id.*; Janie Haseman et. al., *Tracking Protests Across the USA in the Wake of George Floyd's Death*, USA TODAY (June 18, 2020), <https://www.usatoday.com/in-depth/graphics/2020/06/03/map-protests-wake-george-floyds-death/5310149002/>, archived at <https://perma.cc/NZK3-55ES>.

¹¹⁵ William Booth & Loveday Morris, *Protests Over Death of George Floyd, Police Killings Spread to London, Berlin, Toronto*, WASH. POST (May 31, 2020), <https://www.washingtonpost.com/world/europe/george-floyd-police-protests-london-berlin->

America is living through a moment of self-reckoning with its racist and xenophobic history and present.¹¹⁶ We may very well be at a tipping point in the quest for racial and social justice that will deliver long overdue reforms in policing and other areas.¹¹⁷ Public opinion has shifted dramatically, now showing widespread public support for the Black Lives Matter movement and other initiatives to combat racism in America.¹¹⁸ Most registered voters, in fact, now express support for the goals of the Black Lives Matter movement and acknowledge that there remains a significant amount of discrimination in this country against Black Americans.¹¹⁹ Even cherished and typically conservative American institutions, like the National Football League, have undergone dramatic reversals in their stances towards expressions of support for the racial justice movement — going from prohibiting peaceful protests now to honoring and celebrating them.¹²⁰

Conferences like NPOC19 shed light on issues like racist police brutality and systemic racism, implicit bias, poverty, discrimination based on religion and ethnicity, sexism, anti-immigrant bias, anti-LGBTQ discrimination, and other ills that undermine our democracy and society.¹²¹ Open discussion on these and related topics and our role as scholars, lawyers and legal educators in exposing, analyzing, and combatting them is and will continue to be critically important.

toronto/2020/05/31/cf4485e8-a357-11ea-898e-b21b9a83f792_story.html, *archived at* <https://perma.cc/M6U6-7UJZ>.

¹¹⁶ Wash. Post Staff, *Resources to Understand the Long History of Injustice and Inequality*, WASH. POST (June 19, 2020), <https://www.washingtonpost.com/nation/2020/06/08/understanding-racism-inequality-america/>, *archived at* <https://perma.cc/4N2Y-2PDM>.

¹¹⁷ Michael Tesler, *The Floyd Protests Have Changed Public Opinion About Race and Policing. Here's the Data.*, WASH. POST (June 9, 2020), <https://www.washingtonpost.com/politics/2020/06/09/floyd-protests-have-changed-public-opinion-about-race-policing-heres-data/>, *archived at* <https://perma.cc/M8PE-SNBB>.

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ Joel Anderson, *Why the NFL Is Suddenly Standing Up for Black Lives*, SLATE (June 7, 2020), <https://slate.com/culture/2020/06/nfl-roger-goodell-black-lives-matter-players-video-kaepernick.html>, *archived at* <https://perma.cc/8SF8-SFY2> (observing, however, that “[t]he new stance comes from the very same place as the league’s previous prohibition of peaceful protests during the anthem: a morally bankrupt commitment to shifting with the winds of what its white fans find acceptable.”) *See also* Jason Reid, *Source: NFL Plans to Play Black National Anthem Before Week 1 Games*, ESPN.com (July 2, 2020), https://www.espn.com/nfl/story/_/id/29401000/nfl-plans-play-black-national-anthem-week-1-games, *archived at* <https://perma.cc/TWE3-S4DA> (noting that “[e]arly last month, commissioner Roger Goodell in a video admitted that the league had erred in how it handled peaceful NFL player protests of police brutality and systemic oppression. Goodell condemned racism and affirmed that Black lives matter, pledging allegiance to the players in the battle for equal justice under the law.”)

¹²¹ NPOC19 Long Conference Program, *supra* note 2, at 3–80.

Chairing the host and planning committee for the Fourth National People of Color Legal Scholarship Conference was one of the biggest challenges, and blessings, of my life. It was very time-consuming and focus-intensive. It required that I backburner a number of other important projects. It was stressful at times, no question. It required that dozens of colleagues, on both the Host and Planning Committee and the National Advisory Council, work hard in planning and executing what was an exceptionally complicated conference. It was very hard and complicated work. But it was the kind of work, of service, that we knew had great value. It was, in a word, *worthwhile*. It was a labor of love, that loved us right back.

The National People of Color Legal Scholarship Conference is an important and generative gathering that should happen regularly. I am not alone in hoping that the Fifth National is staged in fewer than the nine years that separated the Fourth from the Third National. We—the American community of minority law scholars—need and deserve to commune once again, soon.