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Recommended Citation

Dyszlewski, Nicole P. and Hassel, Diana (2023) "Diversity, Equity, Inclusion, Belonging, and Social Justice in the Curriculum, in the Classroom, and in the Courtroom," *Roger Williams University Law Review*. Vol. 29: Iss. 1, Article 4.

Available at: https://docs.rwu.edu/rwu_LR/vol29/iss1/4

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Diversity, Equity, Inclusion, Belonging, and Social Justice in the Curriculum, in the Classroom, and in the Courtroom

Nicole P. Dyszlewski & Diana Hassel*

INTRODUCTION

A few days after the January 6th Insurrection of 2021,¹ we (along with the *Race and the Foundations of American Law* class co-creator and co-teacher Professor Nadiyah J. Humber²) held the first class session of Roger Williams University School of Law's (RWU Law) new course: *Race and the Foundations of American Law*.³ While this course was not required for all students for another year or so, we ran a pilot of the class as an elective to work

* Nicole would like to thank Diana for being an amazing teammate and co-planner for this project. Nicole would also like to thank Greg Bowman, Michael Donnelly-Boylen, Colleen Brown, Chelsie Horne, Suzy Harrington-Steppen, Kate Vieira, Bernard Freamon, Sarah McConnell, Lorraine Lalli, Monica Teixeira de Sousa, Carmina Caesar, and Hannah Hershfield at the Association of American Law Schools (AALS). Diana would like to thank Dean Greg Bowman for his support in developing the symposium as well as the thoughtful and engaged colleagues who attended.

1. For more information on the January 6th Insurrection, see Press Release, U.S. Capitol Police, Statement of Steven Sund, Chief of Police, Regarding the Events of January 6, 2021 (Jan. 7, 2021), <https://www.uscp.gov/media-center/press-releases/statement-steven-sund-chief-police>; *The Capitol Riot: A Chronology*, GEO. WASH. U.: NAT'L SEC. ARCHIVE, (June 13, 2022) <https://nsarchive.gwu.edu/news/foia/2022-01-06/capitol-riot-chronology> [<https://perma.cc/2X9Q-3EKH>].

2. *Nadiyah J. Humber: Biography*, U. CONN. SCH. L., <https://law.uconn.edu/person/nadiyah-humber> (last visited Sept. 25, 2023).

3. See *Elective Course Descriptions - Spring 2021*, ROGER WILLIAMS U. SCH. L., <https://law.rwu.edu/sites/law/files/downloads/academics/docs/Spring%202021%20Descriptions%2011.9.2020.pdf> [<https://perma.cc/3C8V-3DFT>] (last visited Sept. 25, 2023).

out some of our material. It seemed impossible to start this class session, where we discussed race as a social construct and created brave spaces in the classroom, without discussing the Insurrection itself. And so, we introduced the topic, and one student, second-year Brooklyn Crockton, bravely shared her perspective on the enduring persistence of white supremacy displayed in the events of January 6th. We continued through the semester with the hard work of examining the legal systems that created and maintain racial hierarchy.

Two years later, on January 6, 2023, Brooklyn Crockton, now an attorney, and Professor Nadiyah Humber joined us at RWU Law's⁴ AALS symposium in San Diego, California, to commemorate the anniversary of the inaugural class. From that modest beginning in 2021, we now find ourselves part of a large and passionately engaged community. We were part of an event that gathered some of the leading academics, jurists, and legal educators who shared insights and strategies on the work toward dismantling our legacy and current reality of racial hierarchy in the legal classroom, curriculum, and courtroom.⁵

This symposium edition of the *Roger Williams University Law Review* features comments from that event, essays from some of the participants, and some musings on the topic of *How Law Schools Can Make a Difference: Diversity, Equity, and Inclusion (DEI) Work in the Curriculum, in the Classroom, and in the Courtroom*. Several of those involved in the symposium are sharing their scholarship, thoughts, and work product. However, not all panelists are represented in these pages. Thank you to all who spoke at this event. Additionally, we would like to thank all those involved in planning and executing this event. This day would not have been a success without AALS staff members, the RWU Law team, and our co-sponsoring organization—the AALS Section on Diversity, Equity, Inclusion, and Belonging Professionals.

The symposium began with opening remarks from Dean Greg Bowman of RWU Law, Associate Dean Carmia Caesar of The

4. RWU Law co-sponsored this symposium with the AALS Section on Diversity, Equity, Inclusion, and Belonging Professionals. See ASS'N OF AM. L. SCHS., 2023 ANNUAL MEETING: HOW LAW SCHOOLS CAN MAKE A DIFFERENCE 105-06 (2023), https://am.aals.org/wp-content/uploads/sites/4/2022/12/am2023_mainProgram.pdf [<https://perma.cc/2NDS-4Y7V>].

5. See *id.*

George Washington University School of Law, and Dean and AALS President Erwin Chemerinsky of Berkeley Law.⁶ These opening remarks set the tone and emphasized the urgency and seriousness of the work being done by participants in the symposium.

PANEL 1: DEI WORK IN THE CURRICULUM

Our first panel, moderated by Professor Diana Hassel, featured Dean Danielle M. Conway of Penn State – Dickinson Law; Professor Claire Donohue of Boston College Law School; Professor Bernard K. Freamon of RWU Law; and Professor Nadiyah J. Humber of University of Connecticut School of Law.⁷ The law schools represented by these panelists have all included required or elective classes on race and the law.⁸ Panelists discussed the curricular changes at their respective schools, if any, and the creation and structure of these classes on race and the law. Discussion focused on the receptiveness as well as skepticism of students and faculty to curricula focused on the role of race in the creation of law. Panelists shared the successes and the challenges in making the changes that move law schools toward the creation of an anti-racist curricula.

PANEL 2: DEI WORK IN THE CLASSROOM

Moderated by Professor Nicole P. Dyszlewski, this panel featured Dean Alena Allen, Deputy Director of the AALS; Tiffany C. Graham of Touro University Jacob D. Fuchsberg Law Center; Professor Suzanne Harrington-Steppen of RWU Law; and Professor Monica Teixeira de Sousa of RWU Law.⁹ Building on the previous panel, this discussion addressed how some law schools and administrators have worked to support faculty through curricular advances and changing pressure from students for law schools to be

6. *Id.* at 105.

7. *Id.*

8. *See, e.g., Race and the Equal Protection of the Laws*, DICK. L., <https://dickinsonlaw.psu.edu/race-and-the-equal-protection-of-the-laws> (last visited Oct. 3, 2023); *Race & the Foundations of American Law*’ Course, ROGER WILLIAMS U. SCH. L., <https://law.rwu.edu/student-experience/diversity-and-outreach/race-foundations> [<https://perma.cc/XSQ8-C48M>] (last visited Oct. 3, 2023); *Law Course Catalog: 7777. Race and the American Legal System*, U. CONN. SCH. L., <https://coursecatalog.law.uconn.edu/law-course-catalog/course/LAW/7777/> [<https://perma.cc/49GM-AJKU>] (cataloging “Race and the American Legal System” course) (last visited Oct. 3, 2023).

9. ASS’N OF AM. L. SCHS., *supra* note 4, at 105.

more diverse, more inclusive, and more equitable inside and outside the classroom. Concrete suggestions were shared on how faculty could support each other while taking on challenging new areas of teaching and scholarship as well as focused suggestions on the steps law school administrators can play in supporting this work.

PANEL 3: DEI WORK IN THE COURTROOM

Moderated by Nicole P. Dyszlewski, this panel featured Brooklyn Crockton, Roger Williams University School of Law Alumna; Professor Meera E. Deo of Southwestern Law School; the Honorable Melissa DuBose of the Rhode Island District Court; Professor Sarah McConnell of Roger Williams University School of Law; and The Honorable M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit.¹⁰ As legal education works to address diversity, equity, and inclusion, this work will necessarily impact the practice of law. This panel addressed ways in which the practice of law is changing as well as how courts are responding to these changes. Panelists spoke about the specific and often painful ways non-white attorneys, as well as parties to litigation, are stereotyped and disrespected in courtrooms. Specific efforts being made in some jurisdictions to ameliorate these issues were also described and evaluated.

POSTLUDE

The day after the symposium, some members of the RWU Law community took a special trip to the Fort Rosecrans National Cemetery in San Diego a few miles from the AALS conference hotel. We gathered there for a moment of silence to pay respects to the first Black, woman attorney in Rhode Island, Dorothy Crockett Bartleson.¹¹ Admitted to practice in 1932,¹² she was a trailblazer who

10. *AALS Symposium Program - Panel 3: DEI Work in the Courtroom*, ASS'N AM. L. SCHS., https://memberaccess.aals.org/eweb/DynamicPage.aspx?webcode=SesDetails&ses_key=2ee37ecd-4f67-44dd-890e-0cb4a74e8c58 [<https://perma.cc/FV6D-UNEP>] (last visited Sept. 20, 2023).

11. *Dorothy Bartleson*, FIND GRAVE, <https://www.findagrave.com/memorial/75346534/dorothy-bartleson> [<https://perma.cc/33SB-AT9Q>] (last visited Sept. 20, 2023).

12. The next Black female attorney in Rhode Island, the Honorable O. Rogerie Thompson, was not admitted to the bar until the 1970s. See Katie Mulvaney, *Honoring a Pioneer*, PROVIDENCE J., <https://www.providencejournal.com>

had been lost to history until a team at RWU Law began a research project to re-discover the “First Women of the Rhode Island Bar.”¹³ For those of us who had worked on this project, this meaningful moment was the perfect postlude to the symposium.

RWU Law is celebrating its 30th anniversary this school year.¹⁴ It is a young, innovative law school in a small, engaged state.¹⁵ The work we have been doing matters. Our hope with this symposium was to bring together those who are doing this work to share their perspectives and experiences for others to learn from and be inspired by. We are proud to be part of a growing community of legal professionals working to reform long-standing inequities in legal education, legal doctrine, and the administration of justice. Our hope with this edition of the law review is for the conversation to extend beyond a day or a moment and to be a conversation that continues in curriculum committee meetings, judges’ chambers, and classrooms.

/story/news/2019/09/11/williams-university-school-dedicates-classroom-honor-states-first-female-african-american-lawyer/3223459007/
[<https://perma.cc/4QZP-CNjN>] (Sept. 10, 2019, 10:33 PM).

13. Michael M. Bowden, *The Amazing Dorothy Crockett*, MAG. ROGER WILLIAMS U. SCH. L., May 2019, at 35, 36, https://issuu.com/myrwu/docs/19-law-25th_magazine-digital/34 [<https://perma.cc/U76H-2LCX>].

14. *School Year 2023-2024: Celebrating 30 Years*, ROGER WILLIAMS U. SCH. L., <https://law.rwu.edu/why-rwu-law/our-mission/school-year-2023-2024-celebrating-30-years> [<https://perma.cc/7VX8-HUNB>] (last visited Oct. 3, 2023).

15. *The ONLY Law School in Rhode Island*, ROGER WILLIAMS U. SCH. L., <https://law.rwu.edu/why-rwu-law/only-law-school-rhode-island> [<https://perma.cc/FB3A-N9WY>] (last visited Oct. 18, 2023).