

UVA LAW | foundation panel

LESLIE KENDRICK: It's so good to see so many familiar faces and so many new friends here tonight I'm Leslie Kendrick. I'm the vice dean of the law school. I'm also a class of 2006 graduate of the law school. And I'm here today with this outstanding group of scholars who are going to talk to you about their cutting edge work in the law.

So to get straight to that main event, I'm going to do very short introductions, criminally short introductions, skipping over all of their titles and accolades so that you can hear about what they're really working on. Just to generalize, all of these scholars are members of our tenured faculty. All hold chairs for their distinguished and innovative research. And incidentally, all of them were guests on recent my podcast either in this-- most importantly-- either in the last season, which was about the future of the law, or in this coming season, which is about the past, which is about moments when the law has changed the world. So I'm just going to go down the row here and give you very brief introductions.

Dana Matthew is a public health expert who focuses on racial disparities in health care. And she's also the founder and director of UVA's equity center, of which you'll hear more. She's also a member of the class of 1987.

I've met several of her classmates here tonight. You guys are representing very well. So that's Dana.

Sai Prakash is a constitutional law expert who focuses on separation of powers, particularly on executive powers, about which no one is interested these days. So welcome, Sai. Micah Schwarzman is another constitutional law expert who focuses on the First Amendment religion clauses, free exercise and establishment.

He's also the director of the Law School's Karsh Center for Law and Democracy. He's also a law school class of '05 grad and also my spouse, which I feel is material and I should note. Although this is actually really-- this is a rare chance for us to get to talk about work because usually, we're around three small children and we don't ever get to hear about each other's projects.

And Ashley Deeks is an expert in international law, national security, intelligence, and the laws of war. George Geis is an expert in corporate law and finance and is director of the John W. Glenn Jr. Law and Business Program. So welcome to all of you.

SUBJECT: [INAUDIBLE].

LESLIE And I'm going to ask them questions about their work. And those questions are going to talk a

KENDRICK: little bit about what they're working on. You all can pick that up however you want and take it wherever you want, but you guys will hear a little bit more.

If there are other things that you want to ask questions about at the end, please feel free. And Dana, may I start with you? Hi.

DANA MATTHEW: That's why I got to sit next to the teacher.

LESLIE Yes, yes. So I know, I feel like I'm cold calling them now. This is strange.

KENDRICK:

So it's not a cold call. We're all ready to talk about this. And we're excited to talk about ideas.

Thank you all for being here on a Friday evening to talk about ideas. That shows true devotion. So Dana-- Dana, you work in public health.

Your book, *Just Medicine-- a Cure For Racial Inequality in American Health Care*, examined racial disparities in health care. You focus on a variety of public health disparities and particularly focusing on health care delivery and housing as factors in public health. And you're directing UVA's new equity center, which has the potential to put your research and others' research into practice in the world to make the world a better place. So tell us what you're working on.

DANA MATTHEW: Sure, thank you. And thanks for wanting to hear what I'm working on because I love talking about it. And probably you'll have to nudge me to tell me when to stop.

LESLIE Fair enough. Fair enough.

KENDRICK:

DANA MATTHEW: I get the privilege of working on the world's greatest challenge, quite frankly, which I believe is inequality. I think entirely all of the problems that we are facing in certainly health and education and housing, in every area that we call in health the social determinants of health has to do with inequality. Empirically, it is related to-- and the reason I love doing health in particular-- it's related to something measurable that shows us how badly we are suffering in inequality in real quantitative terms.

So I can look at and see gross disparities between rich and poor in the lifespan in Richmond, Virginia from one location to another that's only five miles apart. So if you live in Gilpin Court

and you live in Westover Hills, you have a 20 year difference between those two locations in your life span. That's inequality.

Moreover, I like to look at what the law can do to solve those inequality problems. And that's one of the really fabulous things about teaching law and teaching here at UVA. That is that we're solution oriented.

So we don't just identify the problems, but we look for ways to solve them. The new equity center, which I have the privilege of leading, is just that kind of solution where the University of Virginia will take its resources and tackle some of the greatest inequality in our midst. Hopefully, we'll do that in a way that others in the country will follow.

So many are looking to Charlottesville, quite frankly, because we dealt with one of the manifestations of inequality. We saw it explode in 2017. And if you want me to talk longer, I'll say that was a manifestation of the fact that we live apart. We live unequally. We don't understand one another. However, here at UVA, the equity center is going to show other institutions how by putting our rich resources back into the community to help close achievement gaps in education, to help close performance gaps in job and wage acquisition, to help close the gaps that led to August 11th and 12th, we can show how without a congressional mandate, without a presidential executive order, reparations can be done by educational institutions around the world.

So if we look at our purpose as a law school, if we look at our purpose as the University of Virginia, it says, we will serve the Commonwealth, the nation, and the world. And we will serve it in a way that public education and nothing else can serve. We can bring our resources and knowledge and service to solve these great problems-- inequity, inequality-- to stand with people who are struggling to remove those inequities.

And that's what the equity center will do. So I think I get to work on the biggest problems that there are using the best tools that there are available to solve those problems. That's what I'm working on.

**LESLIE
KENDRICK:**

Thank you. So Sai, you focus on executive power, presidential powers. You have a 2015 book, *Imperial From the beginning-- the Constitution of the Original Executive*, which examined the powers of the presidency as they were understood at the time of the founding. And you have a forthcoming book that's coming out next year on *The Living Presidency-- an Originalist Argument Against its Ever Expanding Powers*.

And in this book, you're turning to the modern presidency to talk about potential constraints on it and understandings of it. And these days, you've been very much sought after for public commentary as well because it turns out that your area of expertise has great application in the world that we're living in now. So tell us a bit about what you're working on.

**SAIKRISHNA
PRAKASH:**

Well, it's great to be here today. It's quite an honor and a pleasure and it's hard to follow Dana.

The current book I'm working on, as Leslie said, is a book about the modern presidency, and it seeks to diagnose how we got here in terms of why do presidents seek more power, how do they acquire it. And then it talks about how the living presidency fits in with the theory of the living Constitution and argues that one of the consequences of having a mutable constitution is that presidents, like members of Congress and like the courts themselves, also believe that they can change the Constitution via their actions. And so it's partly an examination of the presidency, but it's partly an examination of the theory of the living Constitution as applied to the presidency.

And that's why it's called *The Living Presidency*. It's meant to draw a contrast to Arthur Schlesinger's book *The Imperial Presidency*. Obviously, imperial presidency sounds bad.

Living presidency may sound OK. The book isn't arguing that the living presidency is OK. In fact, it's actually a critique of it.

And as Dana suggested, you know, it's not just a critique. It gives you solutions at the end. And so I'm in the midst of it and got to edit it now. And you know, the editors are giving me all sorts of comments.

The book discusses three changes in the executive. It talks about the president's authority over war and how that's tremendously expanded over time. It talks about the president's authority over foreign affairs.

And then it talks about how presidents are no longer faithful executives. They now view themselves as policy-driven politicians. They run on an agenda. That's not about making the trains run on time or making sure people get their checks.

It's always about changing constitutional policy or legal policy. And when they get into office, they naturally want to implement all that. They're not as interested in making sure the

government runs smoothly.

They really view themselves as an alternative policy center. And when Congress obliges them, they are quite happy. But when Congress doesn't, they just work around Congress, right?

They try to find discretion in statutes. They either find it or manufacture it. And presidents of both parties do this.

It's a bipartisan problem. I know that many people think it's this sort of President that's been doing these sorts of things. But in fact, every modern president has been doing this because they feel a compulsion to satisfy the public's desires and their campaign promises. People expect presidents to be men and women of action, and presidents naturally try to fulfill that desire.

So there aren't any villains in the book. Basically, everybody is part of the problem. And you know, I'll stop there.

LESLIE There's enough blame to go around.

KENDRICK:

SAIKRISHNA That's right.

PRAKASH:

LESLIE I have a feeling you might get some questions in Q&A. So Micah-- Micah, you work on law and
KENDRICK: religion both as a matter of constitutional law and as a matter of political philosophy. What's the role of religion in the public sphere?

What's the relationship between the free exercise clause and the establishment clause? You edited the volume *The Rise of Corporate Religious Liberty*. You're co-authoring a casebook on the First Amendment religion clauses, and you're also directing the Karsh Center for Law and Democracy. So tell us about that.

MICAH Right, let me start with the Karsh Center, since I'm sitting in front of Martha and Bruce Karsh.

SCHWARTZMAN: It's great to see you. The center was born-- it's hard to believe.

This it's only been a year. It feels like 10 years in terms of political time. But if you recall, about a year ago, we just dodged a hurricane.

Hurricane Florence rolled through. And then Justice Kennedy was here about this time to kick

off with the inauguration of the Karsh Center. The Karsh Center is focused on a set of themes, and those themes-- at the time we had the inauguration, seemed very timely.

And now they just seem like at the epicenter of our politics. So the themes of the Karsh Center are respect for the ideals of a diverse and pluralistic democracy, citizenship and civic engagement, civil discourse and democratic deliberation, maybe most saliently now ethics, honesty, and integrity in public office, and, of course, respect for the rule of law. We have our hands full. We have a lot of work to do.

At the moment, we are organizing a set of faculty/student interactions on the theme of the power of impeachment. So we have panels. If you walk around the law school, you'll see poster for this-- panels on the meaning of impeachment.

What is this? Thing I'm saying to Sai, who is an expert in this area-- impeachment is a funny word. It's sort of like other words in the Constitution that you don't otherwise here.

I mean, letters of marque-- I mean, there are phrases in the Constitution that are strange outside that context. So what is the meaning of impeachment? What kinds of offenses are impeachable?

We have experts in the law school who focus on the law of bribery and corruption. We have two new chairs that are now associated with the Karsh Center, Michael Gilbert and Mila Versteeg. Mila Versteeg works on constitutional design.

Mike Gilbert focuses at the moment on a set of papers he's written on corruption, on transparency and disclosure, and how these are related to campaign finance. So that work is, again, increasingly salient. So the Karsh Center has a lot of programming that's ongoing, and we have extended invitations to distinguish jurists who we hope will be joining us in the spring and lots of planned programs going forward. We're very excited about the future of the Center.

Let me say a little bit about law and religion, which is what I do when I'm not working on the Karsh Center. There's just been a sea change in what's happening at the core in matters involving religious freedom. And I think about matters of religious freedom in two aspects. One has to do with free exercise of religion where the central issues are to what extent should courts grant religious exemptions from laws.

And here are the main issues you might see in the papers and the headlines are to what

extent can corporations and non-profits be exempt from requirements to pay for contraception. This is the Hobby Lobby case that you might have heard of. A second area which is getting a lot of attention when it comes to religious exemptions has to do with the conflict between civil rights and LGBT rights.

So we see cases involving wedding vendors. You might have heard of Masterpiece Cakeshop, which is a case out of Denver, Colorado that the court decided last year. Leslie and I wrote our first article together in the *Harvard Law Review*.

Harvard Law Review asked her to write a piece on this case. At the time, it was framed as a free speech case, which is Leslie's expertise. And when we heard the oral argument, we thought, this is going to be a religion case. So I said, Leslie might need some help. Then I get-

LESLIE Yes

KENDRICK:

MICAH I get a *Harvard Law Review* article out of it. That's great. Every chance I get, right?

SCHWARTZMAN:

So there are these deep and difficult questions about to what extent should we grant accommodations. And when you grant accommodations, sometimes that imposes costs on other people. And if you give a baker in Colorado an exemption from the civil rights law, somebody might be turned away, might not receive services in the market. Those exemptions may generate harms to those people, dignitary harms and material harms. And we have to think about how to balance religious freedom and equal citizenship in that context.

The other place-- and I'll just say this, and then I'll stop. The other place where we're seeing changes is with respect to how the state can financially and symbolically support religion. And there have been major changes in the last couple of years in this regard. Most recently, the court upheld in the Bladensburg cross case state ownership of a 40 foot tall cross in Bladensburg, Maryland and leaves open a wide range of important questions about how the state can be linked to religion in various symbolic ways. But financially and symbolically, this court is now with new personnel reconfigured, and we expect to see significant changes. And much of my scholarship is focused on how to understand those changes and what to expect going forward.

LESLIE

Thank you. And Ashley-- Ashley works on international law, national security, intelligence, the laws of war. And Ashley, you have a recent series of articles examining the relationship between artificial intelligence, machine learning, and national security, intelligence gathering, and the laws of war.

KENDRICK:

I have to say much of Ashley's research agenda is the stuff of my nightmares-- drones, killer robots. If you want to really stay up at night, talk to Ashley. But she's worked out some structural features that might give us all cause for concern when we might think about the marriage of artificial intelligence tools and the national security apparatus. And to explore that further, Ashley has a new book project with Oxford University Press focusing on this intersection between national security and technology. And Ashley, I wonder if you can just tell us more about that, possibly assuage my nightmares.

ASHLEY DEEKS:

Well, I guess I hope that the book, when you read it, does keep you up and not put you to sleep. So I'll try to keep that in mind as I'm writing it. So Leslie's right. The areas that I'm most interested in are international law and national security law. And increasingly, the technology is sort of the third prong and the way in which technology is going to play a role in how we think about national security law and international law.

So just to give you example in the national security space, one of the things I've consistently been interested in in my writing is thinking about tools that extend beyond just Congress and the courts that can help check the executive and what it's doing inside what's a very classified space. And so one of the tools that I'm currently writing on-- it will hopefully feature into the book at some point-- is thinking about the role of technology companies increasingly having exposure to things that the government is doing behind the scrim of classification in, for example, in the cyber context and the ways in which technology companies might actually help check some of the potential problems that can arise when governments act without enough checks in the security space. In the international law space, as Leslie mentioned, I focused on things like the laws of armed conflict and the laws governing resort to force by states, when can they use force in other countries.

And I got interested in thinking about the ways in which machine learning and artificial intelligence more generally might be tools that governments are going to turn to help them make faster, smarter decisions in this space to try to manage the vast realms of data that we know that our government and other governments collect. So I wrote a series of papers thinking about how, for example, states might decide to use predictive algorithms to help figure

out which detainees they have are most dangerous or to help-- states might decide to use artificial intelligence tools to try to predict when other states might attack them-- so where they might need to act in self-defense or even before the attack has occurred. So trying to think about whether international law is ready for these technological challenges, I think, in the cyberspace raises comparable problems.

So the book project that Leslie mentioned is really, I think, an intersection of all three of these areas of international law, security law, and technology. I'm hoping it will be called the double black box. And so what I have in mind there is the black box of national security law.

We know how hard it is to feel confident in a democracy that our government is acting responsibly in the classified space. And that's going to become increasingly complicated as the government and intelligence and the military resort to these algorithms, machine learning tools, that often themselves are very opaque about how they operate and why they are making the predictions that they're making. So the project is trying to think about how in a responsible democracy we should manage this double black box. And in the geopolitical settings that we're in today, especially with countries like Russia and China also competing in this space with fewer concerns about personal privacy and the collection of data, how are we going to maintain our integrity when we're going to face the challenges of those other countries ramping up in the military and intelligence space at a rapid speed?

LESLIE

KENDRICK:

Thank you. And George, George Geis-- George is the director of the law and business program. George works on corporate governance, shareholder litigation, and corporate finance. So George, you have a forthcoming casebook on corporate finance.

And recently, you wrote an article entitled "Traceable Shares and Corporate Law," which considered possible blockchain applications in the securities regulation space. This article was voted by corporate law experts as one of the best articles on corporate law in 2018. And also, thanks to you, I understand blockchain. Or at least what I understand a blockchain, I understand thanks to you. So tell it tell us a bit about what you're working on.

GEORGE GEIS:

So one of the things I really enjoy about working in the area of corporate law is that there's always something new and interesting and exciting to study and to think about. And I think that's due to a couple of trends. I mean, one of the reasons why is that over the last 20 years or so, I think the fields of law and business have become much more intertwined. I think that's part of the motivating reason for our John Glynn center is that we knew that law students

needed to know a lot more about business.

But I think that also drives some of the research agenda on the academic side, and I think that always leads to new and interesting issues. And I think related to that is the fact that because businesses constantly need to innovate, their innovation drives change that then has reflections in the law as well. Now that being said, I think that this is an especially interesting time to study the intersection of law and business for at least three reasons.

I think any one of these three reasons by themselves would lead to new insights and developments in the field. But I think we have three things going on all at the same time in this area. First off, we have a significant and dramatic change in the balance of power in the corporate space.

I think there's been a trend for a while towards greater institutional holdings of shares. But over just the last couple years, we've seen a significant increase in that concentration to the effect that now people are talking about the big three, the big three power holders-- State Street, BlackRock, and Vanguard. And they are beginning to be in a situation where they are able and starting to exert enormous power over what's happening in the corporate ecosystem. That's one trend.

The second trend is related to-- it's more of an episodic trend. I view it like a sine wave. And the sine wave now is peaking again. And that relates to what's the nature and role and purpose of the corporation.

I think that if you go back-- you know, you can go back 100 years to *Dodge V Ford*, and the debates will spark up. But I think right now, we are in the middle of a real interesting and important discussion about whether corporations should continue to be run for the primary purpose of shareholders or whether environmental or social or other types of governance concerns are beginning to take paramount importance. This trend, by the way, is related to the first trend.

I think one of the reasons why this discussion is becoming more important is because some of the new power brokers are beginning to say this matters to us. But I think it's a real interesting opportunity for us to rethink exactly why do we have corporations and what should their role and purpose be. And then the third important trend, I think, relates to innovation and technology.

I think that innovation and technology has always been important. But I think recently, we've seen just an explosion in technologies. Blockchain is the one that Leslie mentioned. But on a more general matter, you could talk also about changes in distribution models and business models. And I think that rapid distortion and change in the way that that business activity is taking place also plays out in the law.

So what does that mean for my research? Out of those three major trends, I've been focused recently more on the latter-- looking at technology, looking at business model trends, trying to understand why that might impact the law and how it might impact the law and really what the law should be in the face of some of these changes. I've continued to stay involved in blockchain. I was on a call this morning with attorneys talking through what might be some interesting moves and developments in this area.

You know, sometimes, you write an article, and it sort of goes out there, and you hear from a few other law professors, and that's it. I was fortunate enough with this article that it actually caught some attention both on the academic side but also on the practitioner side. And I think a lot of people are very interested in what actually might happen to begin to allow more experimentations with new financial technology models and how the laws we have right now may stifle, in some ways, innovation.

And so at some level, it's fairly technical because you have to go back through all the SEC regulations from the '70s and try to understand how is that serving as a barrier to business experimentation going forward. But I think there are some real potential there. I describe it as akin to an old mainframe computer where it kind of works, but it doesn't work that well. But everyone's petrified about leaving the mainframe computer and moving to more of a new system because it would be horrible if the whole thing broke down. And so I think we're sort of right at that cusp in this area, and I'm interested in continuing to do some research to try to move us forward at least towards experimentation.

The other area that I've been focusing on lately relates to information. I think that we are going to see a real interesting development in the field of business information and what information do businesses have to reveal. And I'm not necessarily talking about regulatory disclosure obligations. That's been a perennial concern. I think we will see some changes there.

But there is a new and important development, I believe, related to the type of information that private investors can demand and obtain from corporations, both public and private. And I've

written recently about some of these legal developments. I think this is starting to catch much more attention.

But I think we've only just begun to think about, as information becomes more powerful, what types of information should we be able to get and demand from our corporations, under what conditions should we be able to have that information, and it connects to a lot of different areas. I mean, Ashley and I had a pretty interesting conversation just a couple of weeks ago talking about some of the interconnections between national security and companies and the possibility that information that might be disclosed to them in a confidential manner could nevertheless be obtained by a shareholder trying to assert some of these corporate rights.

So I expect and predict that we will see a lot more interest in information battles in the corporate area. And more generally, I guess my third area of interest relates to what all of this might mean for corporate governance and especially for shareholder lawsuits as a mode of corporate governance. And so somewhere in the back of my mind, I think that the time is going to be right over the next year or two to begin to think more on a holistic book project, thinking about what really do we want shareholder litigation to accomplish and is it still accomplishing what we think it's accomplishing in an era where so many of these trends are changing.

LESLIE That's so great. Thank you so much. So I could ask questions of these folks all day, but I think
KENDRICK: some of you might have questions you want to ask. So why don't I open the floor to see if you would like to ask any questions? Don't be shy.

AUDIENCE: I have a question.

LESLIE Great.

KENDRICK:

AUDIENCE: So there are lots of points of connectivity. And I guess I'm just wondering how often or how able the faculty has time to get together to talk and to explore different points of connection or to find ways where one person's research is informing somebody else's.

ASHLEY DEEKS: I'm happy to respond to that. So I actually-- one of the things that I think we've gotten better at in the past couple of years is making sure that each of the faculty knows what the other faculty is working on. We circulate papers to each other.

There's a repository where we can find working papers. And so I saw something come around.

And based on the title and the brief description of George's article, I thought, huh. I actually have a question for him about, as I'm thinking about tech companies serving as secrecy checks, how will that fit into the story George was telling.

So I just shot George an email, and we got together and chatted. And it was incredibly productive for me. And so I think there's a lot of opportunity to do that just walking down the hall, asking Sai about sort of historical foreign policy question that I'm working on in an article. So I find it very, very easy, and one of the best things about being on this faculty is having these kind of fortuitous discoveries that there might be overlaps that aren't obvious from the fact that George does corporate law and I do international slash national security law.

**SAIKRISHNA
PRAKASH:**

I mean, related to that, I think, is the fact that, yeah, it's very easy and comfortable to work here in the law school in the building in Charlottesville. I think everyone here on the panel has visited another law school at some point in time. You know, not to disparage other law schools, but when you get into a large city environment with a tough commute, here can be days when you walk down the hall, and there's just not a lot of people that are around. And I think Virginia's is different because people like being here and it's a very comfortable and easy place to work. And just, you know, bumping into somebody even if you weren't planning to ask them know about what they're working on, when that conversation sparks up, I think you can find some internet connections.

DANA MATTHEW: Just want to add one feature to that or aspect of that. I agree with everything my colleagues on this panel have said, but I want to add the dimension of being a leader-- the law school being a leader around campus. So the equity center that I've just described is actually made up of a leadership group of faculty from seven different colleges around the university.

So it's true. When I recently published an article called "On Charlottesville" looking at how historic legal regulations created and established segregation patterns which, of course, yield health outcomes today, my colleagues saw that I had done that, and several wrote to me here in the law school, but also several wrote to me around campus, and said, I've got some interesting things having to do with building materials in the architectural space. And so now we're writing an article about Charlottesville's building material disparities and how they lead to health outcomes.

And another might have said, actually, I'm looking at that also from an environmental resilience space. And so I get to do a project with them looking at water quality in southern

Albemarle as compared to rural Esmont and rural Scottsville. And "On Charlottesville" has reverberated across the campus.

So it's true both in this building, but people around grounds-- I'm not supposed to say campus. I haven't been here long enough. People around grounds look to us for leadership in those ways as well. And those conversations are very rich.

LESLIE

KENDRICK:

I'd just add that, you know, I think one of the themes that I hear here and resonates with my experience is we have a lot of both formal and informal structures that facilitate idea sharing and knowledge production. So on the formal side, I think some of these communications features that Ashley is talking about and Dana is talking about where we utilize technology to make sure that each other has information about what we're working on. We also have a really robust workshop culture where faculty present at twice weekly workshops, and that's a mixture of outside faculty and our own faculty.

We have a robust summer workshop that's all our own works in progress. And we have an incubator lunch series where if you're at the beginning of an idea, you haven't written the article yet, the description gets sent around to everybody. People sign up from all different disciplines within the law school, and you get a roundtable of eight people who troubleshoot and talk through and contribute to your idea at a very early stage, which really does foster interdisciplinary work and work that brings together different areas of expertise within the law school.

But I think on top of that, we have a culture of sharing and supporting each other and being a close knit community, which, maybe all these things help to foster that. But however it comes about, I think it's the one irreplaceable piece of all of this. What other questions? I feel like I saw another hand before. Yes.

AUDIENCE:

An open ended question-- we've heard about the scholarship. Let's talk about the students. How do the students here impact your scholarship change your scholarship?

LESLIE

KENDRICK:

That was one of my questions that I didn't get to ask. I'm so glad that you asked it.

MICAH

SCHWARTZMAN: I'll take a stab. So I teach a class on church and state. I have 101 students. I only have 100 seats, but somehow, I got an extra one.

So I have 101 students. And I do something that most people who teach a class that size don't

do, which is offer them a paper option. So instead of taking an exam, they can write a paper.

And I'll have, I don't know, 30 or 40 takers. And I see it as an opportunity, one, to promote interest in the field. But also, I've got lots of ideas and lots of projects I want to work on, and I don't have enough time.

And I don't have grad students. Some of us have graduate training or PhDs or whatever. And in other schools, they would be both a blessing and a curse. We'd have graduate students and PhD students working on various projects that we might suggest to them. But most of the time in law school, we don't have that. So this gives me an opportunity to plant ideas.

I say, hey, look. If you're looking for a note topic, if you want to write something for the law review or to get on the law review, here's a set of topics that no one's working on. Here are a set of cases that no one's working on.

And my model for this-- and I'm sorry he's not here. But Jim Ryan wrote maybe the single most cited and influential student note ever written in the field of church and state. It was an assessment of the Supreme Court's law on religious accommodations prior to 1990.

And everyone thought there was this golden age of religious liberty. And Jim Ryan did an interesting thing. He said, well, that's an interesting hypothesis. Let me go look and see what happened in the cases, what actually happened in all these cases.

And he gathered them all up. He read all of them. It turned out there weren't that many, but there were a few dozen. And he showed systematically that it wasn't that pretty.

People's expectations about what was in the law didn't track what was actually there. And I told my students, go find an area of the case law. And it turns out if you do go to work there, people can learn from it, and it can make a significant contribution to the field.

And in conjunction with our Supreme Court litigation clinic, it has sometimes paid off that way. Our students find things.

It sometimes raises questions. And sometimes, those questions get litigated. The Supreme Court had a case called *Holt v. Hobbs* involving a Muslim prisoner who wanted to wear a beard. That case grows directly out of a student that came from an earlier version of this class.

No one knew what was in the case law. Our students can play a terrific role, I think, in spinning

out what's happening and filling in and helping us understand the law. And they do that on a regular basis. But anyway, that's just one example.

GEORGE GEIS: So I learned early in my teaching career the very worst way to get students in for research projects. I had a really hard research question that I was working on, and I wasn't sure exactly what the answer was or how to puzzle it out. I felt it was sort of a cute little puzzle.

And so I said, OK, here's what I'm going to do. I'm going to put this question on my final exam, and I'm going to see what the student answers are. And maybe I'll get a good idea. And it was the worst exam I ever, ever wrote.

I mean, I think more generally, it's wonderful to be around smart people that keep up with what's going on in the world. The first time I ever heard about blockchain was when a student came up to me and said, Professor Geis, have you heard about this thing called Bitcoin? And just being exposed to that environment where you can leverage the ability of people who are involved in so many different things is really helpful.

DANA MATTHEW: I think because I just recently came from a school, a different school, I can say our students are really different. So for me, the way students interact with me is they multiply my effort. I mentioned in constitutional law one day that I had an idea, and it really was an idea, about how to change Title VI and to do what's called a Sandoval fix.

So people who litigate Title VI like I used to really feel as though the private cause of action going away was a tragedy. And I said in con law I think I have a way to fix that. Too students showed up in office hours and said, can we work on that?

Not can I have a job, not can I get credit for it-- I'm just interested in it. And lo and behold, over time they ended up helping me rewrite a section of a statute for a sitting senator. They took all the calls.

They wrote the memos. They took my idea. I'm sorry she's not here.

One of my colleagues had a similar idea for a totally different field. They put us together. We talked about it.

And the bill actually went before the Senate. That was my students that did that. And they were-- only one was actually in my class.

They were recruited among each other. They were like, she's writing a bill. Let's do that. That would never have happened at any of the other schools that I've talked taught at. Pretty amazing students.

LESLIE

Well I think another thing that I think in listening to all of you is you bring so much to our

KENDRICK:

students by being such fantastic teachers. I think all of us listening to them tonight can just imagine what enormous force they are in the classroom, and it makes me wish that I could take all of your classes. So thank you all for being here and for sharing your knowledge with us, and thank all of you for being here as well.

I think we're adjourning from the formal part, but there's still food and things out there. So I hope we'll stick around and get to see a bit more of you. Thank you.