

August 23, 2021

MEMORANDUM

TO: Voting Faculty

FROM: Laura A. Rosenbury, Dean

RE: Faculty Meeting Agenda, Friday, August 27, 2021

I have scheduled a Faculty Meeting for Friday, August, 27, 2021, via Zoom, beginning at 2:30 p.m. and ending no later than 4:00 p.m. The agenda will be as follows:

1. Welcome New Faculty
2. Approve Faculty Meeting Minutes for April 16, 2021, attached
3. Approve Summer 2021 graduates, attached
4. Information Item: Update from Associate Dean Rachel Inman and Assistant Dean M. Smith regarding new process for sharing diversity-related concerns with the faculty
5. Information Item: Update from Associate Dean Jane O'Connell regarding National Society for Legal Technology's Office Technology Training Program
6. Approve Hiring Policy from Appointments Committee (Peter Molk and Wentong Zheng, chairs), attached
7. Information Item: Review of other committee charges, attached
8. Information Item: Updates on entering JD and LLM classes and review of classroom protocols

Please use the following link to join the meeting:

<https://ufl.zoom.us/j/95073245544?pwd=RVJUTUpOd2p6QU1yWndWU2xheUNBQT09>

## Law Faculty Meeting Minutes

April 16, 2021 2:30 p.m.

### PRESENT:

Mary Jane Angelo, Rachel Arnow-Richman, Sarah Bishop, Stephanie Bornstein, Yariv Brauner, Annie Brett, Neil Buchanan, Karen Burke, Dennis Calfee, Jeffrey Davis, Robin Davis, Nancy Dowd, Teresa Drake, Seth Endo, Barbara Evans, Mark Fenster, Ben Fernandez, William Hamilton, Andrew Hammond, David Hasen, Mindy Herzfeld, Blake Hudson, Rachel Inman, Michelle Jacobs, Maryam Jamshidi, E. Lea Johnston, Shani King, Elizabeth Lear, Sabrina Little, Charlene Luke, Pedro Malavet, Merritt McAlister, Grayson McCouch, Timothy McLendon, Silvia Menendez, Jon Mills, Peter Molk, Jason Nance, Lars Noah, Kenneth Nunn, Jane O'Connell, William Page, Teresa Reid, Robert Rhee, Laura Rosenbury, Betsy Ruff, Katheryn Russell-Brown, D. Daniel Sokol, Joan Stearns Johnsen, Amy Stein, Stacey Steinberg, John Stinneford, Margaret Temple-Smith, Lee-ford Tritt, Henry Wihnyk, Andrew Winden, Michael Wolf, Sarah Wolking, Danaya Wright, Jennifer Zedalis

### NOT PRESENT:

Mary Adkins, Thomas Ankersen, Paige Carlos, Judy Clausen, Jonathan Cohen, Charles Collier, Berta Esperanza Hernandez-Truyol, Darren Hutchinson, Joseph Jackson, Christine Klein, Elizabeth Rowe, Steven Willis, Wentong Zheng

Meeting called to order at 2:31 p.m.

#### 1. Approve Faculty Meeting Minutes for April 9, 2021

Dean Rosenbury launched poll to approve minutes from faculty meeting held on April 9, 2021. *Minutes approved*

#### 2. Information Item: Update from Associate Dean Rachel Inman Regarding Reading Period and Exams

Associate Dean Rachel Inman provided update on reading period and exam period. *Information item only*

3. Information Item: Brief Summary of Deliberations from Distance Learning Committee (Jane O'Connell, chair)

Associate Dean Jane O'Connell provided summary on deliberations from Distance Learning Committee.

*Information item only*

4. Approval of Committee Assignments for 2021-2022

Dean Rosenbury proposed approval of committee assignments for 2021-2022.

*2021-2022 Committees Assignments approved*

5. Proposal for Faculty Hiring from the Non-Tenure Track Appointments, Retention, and Promotions Committee (Maggie Temple-Smith, chair)

Dean Rosenbury turned floor to Professor Maggie Temple-Smith to propose two candidates on behalf of the Non-Tenure Track Appointments, Retention, and Promotions Committee.

*Faculty will vote via individual Qualtrics survey, which will be sent by email after 3:30 p.m. on April 16, 2021*

Meeting adjourned at 3:27 p.m.

MEMORANDUM

TO: The Faculty

FROM: Rachel E. Inman  
Associate Dean of Students  
Levin College of Law

DATE: July 8, 2021

RE: Summer 2021 Graduation

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Listed below are the students who have applied for graduation for the Summer 2021 semester. We recommend approval of these candidates pending confirmation of their degree requirements.

Master of Laws in Taxation

Jesse Hubers  
Jonathan Shakarisaz

Juris Doctor

Felo Ahmad  
Jesse Hubers  
Beau Maysey  
Nicholas Moulton  
Juwana Parrish  
Matthew Pina  
Amber Zeuner

To: Levin College of Law Faculty  
From: Appointments Committee (Peter Molk and Wentong Zheng, Chairs; Rachel Arnow-Richman, Lea Johnston, Merritt McAlister, Jason Nance, Kenneth Nunn, Robert Rhee)  
Date: August 20, 2021  
Re: Faculty Appointments Policy for 2021-2022

## **PROPOSED FACULTY APPOINTMENTS POLICY, 2021-2022**

The faculty is committed to hiring individuals capable of and dedicated to producing outstanding scholarship, teaching, and public service. The College of Law values diversity in the faculty and believes that it enriches the law school community and the legal profession. The Committee shall be sensitive to the value of diversity and its importance to the community and shall pay particular attention to diversifying the College of Law's faculty.

### ***Pre-Tenure Hires***

The Committee will oversee searches for up to eight pre-tenure hires (untenured laterals, and entry-level). We will seek to identify candidates with established publication records, strong scholarly potential, commitment to excellence in teaching, and enthusiasm for creating an inclusive environment for all students. Hiring for these positions is not based on any particular teaching needs, but we are cognizant of areas that are, or soon will be, underrepresented on our faculty, including antitrust law, commercial law, criminal law, election law and voting rights, first amendment law, health law, immigration law, intellectual property, law and technology, and race and law. We will pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus.

### ***Nationally Recognized Tenured Hires***

The Committee will oversee searches for one tenured lateral hire who focuses on Race and Law, broadly defined, and one tenured lateral hire who focuses on Constitutional Law, broadly defined. In reviewing candidates for these two positions, the Committee will focus on influential and highly cited scholars who would ultimately be among the top 5 to top 10 most highly cited scholars on our faculty. We will pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus.

### ***Artificial Intelligence Hires***

In connection with the university's Artificial Intelligence Initiative, the Committee will oversee searches for one tenured, pre-tenure, or entry-level hire who focuses on the intersection of AI and Social Justice, and one tenured, pre-tenure, or entry-level hire who focuses on the intersection of AI and FinTech. Our searches will focus on candidates with a demonstrated ability to work with other colleges at UF, and we will prioritize candidates with previous experience on cross-disciplinary federally funded grants and/or an enthusiasm for providing legal and policy analysis to support federally funded grant projects. We will pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus for these positions.

***Non-discrimination***

The College of Law is committed to non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations, veteran status, gender identity, and gender expression. All recruitment will be conducted in a manner consistent with the University of Florida's Faculty Recruitment Toolkit and the laws and regulations of the State of Florida and the United States.

## Memorandum to Faculty and Administrators

From: Laura A. Rosenbury  
Re: Committee Charges for 2021-2022

This document sets forth the charges for our standing committees during the 2021-2022 academic year. We will have 14 standing committees: Academic Standards; Adjunct Teaching; Admissions; Appointments; Curriculum; Distance Learning; Diversity and Community Relations; Facilities & Sustainability; Faculty Development; International Programs; Judicial Clerkships; Non-Tenure Track Appointments, Retention, and Promotions; Promotion and Tenure; and Strategic Planning. As in some past years, we will combine the Curriculum and Strategic Planning committees this year. Our Admissions Committee will be divided into two subsets, with one subset focused on JD admissions and the other on LLM and SJD admissions.

The charges for each committee follow. Faculty members with advisory assignments will not have a formal charge but instead will work with the Dean's Office as needed. Please note that we will be adding student members to several committees through the Student Bar Association structure.

In keeping with past norms, committees seeking to put action items on faculty meeting agendas should notify Kay Epstein in the Dean's Office two weeks before the faculty meeting at which the committee would like the faculty to consider the item. Committees also should seek informal faculty input before placing action items on faculty meeting agendas. Committees are welcome to seek informal faculty input through brown bag meetings or by putting information items on faculty meeting agendas (once again, with two-weeks notice). Once a committee item is placed on a faculty meeting agenda, the chair must transmit to Kay Epstein all documentation to be considered at the faculty meeting. The Dean's Office will attach all committee documents to the faculty meeting agenda, which will be distributed at least one week before each faculty meeting. At the end of the year, committee chairs should submit reports to me summarizing each committee's work and setting forth work that remains for the following year's committee.

Please note that these committees will remain constituted until a new slate of committee members is approved by the faculty.

**Memorandum to the 2021-2022 Academic Standards Committee**

Burke (chair), Little, Mills *ex officio*: Inman

From: Laura A. Rosenbury  
Re: Charge to the Academic Standards Committee  
Date: August 20, 2021

As set forth in the UF Law Faculty Policy Manual, the Academic Standards Committee shall continue to hear all appeals timely filed by students seeking exceptions to academic policies.

I also ask the Committee to continue to consider whether our required legal writing and drafting courses should be subject to our mandatory grade distribution. As part of that consideration, I ask the Committee to consult with our colleagues teaching legal writing and drafting courses as well as our colleagues teaching other required courses that are subject to the mandatory grade distribution. If, after such consultation, the Committee believes that our required writing and drafting courses should no longer be subject to our current mandatory grade distribution, I ask the Committee to submit recommendations to the faculty to be approved through a faculty vote.

I thank the Committee in advance for its attention to these matters.



**Memorandum to the 2021-2022 Adjunct Teaching Committee**

Adkins (chair), Carlos, Collier, Davis, R. (fall), Klein (spring), McLendon, Wihnyk (fall)

From: Laura A. Rosenbury  
Re: Charge to the Adjunct Teaching Committee  
Date: August 20, 2021

I charge the Committee with supporting our adjunct teaching program, as specified in the Faculty Policy Manual. The Committee's specified duties include approving initial adjunct appointments, evaluating adjuncts in their first semesters of teaching and at least once every four years thereafter, and soliciting faculty approval of adjuncts teaching more than one course a year. I ask that the Committee continue to ensure appropriate recordkeeping of such evaluations and approvals.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Admissions Committee**

*JD:* Fernandez (chair), Brett, Carlos, Wolf *ex officio:* Clark, Bailey  
*LLM/SJD:* Luke (chair), Brauner (spring), Calfee, Herzfeld *ex officio:* Alter, Bailey

From: Laura A. Rosenbury  
Re: Charge to the Admissions Committee  
Date: August 20, 2021

The College of Law has consolidated the processing of applications for all of its degree programs. I charge the Committee with supporting the consolidated Admissions Office in its work, with one subset of the Committee focused on JD applications and another subset of the Committee focused on LLM and SJD applications.

In particular, I ask the Committee to provide counsel to the Admissions Office as it continues to implement changes designed to grow our applicant pool, to enhance the diversity of that pool, and to ensure that the most promising applicants ultimately enroll at the College. I also ask the Committee to ensure ongoing faculty involvement in the vital task of student recruitment and to devise methods for successful recruitment of students from diverse backgrounds.

For the subset of the Committee focused on JD admissions, I ask the Committee to continue its practice of reviewing only those applications identified as borderline by the Admissions Office. I also ask the Committee to be actively involved in admitted student recruitment throughout the spring semester.

For the subset of the Committee focused on LLM and SJD applications, I ask the Committee to review the applications submitted and to admit students likely to succeed in, and enhance the reputation of, our programs. Once these decisions are made, I ask the Committee to work with faculty to recruit admitted students so that at least 110 students enroll in our Tax LLM programs next fall and at least 15 students enroll in our LLM in U.S. Law program.

I thank the Committee in advance for its attention to these matters.

## Memorandum to the 2021-2022 Appointments Committee

Molk (elected co-chair), Zheng (elected co-chair), Arnow-Richman, Johnston, McAlister, Nance, Nunn (fall), Rhee

From: Laura A. Rosenbury  
Re: Charge to the Appointments Committee  
Date: June 23, 2021

I charge the Committee with identifying candidates for our faculty. Based on discussions with faculty members and our Provost, I anticipate that we may hire the following tenured and tenure-track professors this year: 1) up to two professors (entry-level, pre-tenure lateral, or tenured lateral) funded as part of the university's Artificial Intelligence Initiative; 2) at least two nationally recognized and highly cited lateral scholars who have already obtained tenure at other law schools; and 3) up to six pre-tenure professors (entry-level or pre-tenure lateral) who demonstrate exceptional scholarly promise. I provide more information about each of these categories immediately below:

### 1. Artificial Intelligence Initiative

I ask the Committee to work with the reading groups we have already established related to the university's Artificial Intelligence Initiative - the FinTech Reading Group and the Social Justice and AI Reading Group - to bring candidates before the faculty who will fill one FinTech position and one Social Justice and AI position. The reading groups are in the process of identifying and reading the scholarship of candidates (entry-level, pre-tenure lateral, or tenured lateral) who are already writing at the intersection of law and artificial intelligence in the FinTech and Social Justice spaces, respectively. The reading groups will provide detailed information to the Committee about the candidates the groups considered and the scholarship the groups reviewed. The Committee may rely on the information provided by the reading groups, but the Committee may also go beyond the work of the reading groups if the Committee identifies additional candidates.

The Artificial Intelligence Initiative is designed to bring cutting-edge scholars to the University of Florida to engage in cross-disciplinary research using the fastest artificial intelligence supercomputer in higher education. I therefore ask the Committee to focus on candidates with a demonstrated ability to work with other colleges at UF - with the Colleges of Engineering and Business for the FinTech position and with the College of Liberal Arts and Sciences, College of Education, and College of Journalism and Communications (among others) for the Social Justice position. As part of this focus on collaboration, I ask the Committee to prioritize candidates with previous experience on cross-disciplinary federally funded grants and/or an enthusiasm for providing legal and policy analysis to support federally funded grant projects. Although potential for cross-

disciplinary engagement is the primary criteria for these positions, I ask the Committee also to focus on candidates who are nationally recognized legal scholars or who have the potential to become nationally recognized legal scholars. Finally, as with all our potential hires, I ask the Committee to pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus, and to ensure candidates are committed to creating inclusive classrooms for our students.

## 2. Nationally Recognized Tenured Scholars

I ask the Committee to oversee searches for one tenured lateral hire who focuses on Race and Law, broadly defined, and one tenured lateral hire who focuses on Constitutional Law, broadly defined. It is our hope that the Race and Law lateral hire will be enthusiastic about also assuming the administrative role of Director of our Center for the Study of Race and Race Relations and that the Constitutional Law lateral hire will ultimately assume the Raymond & Miriam Ehrlich Eminent Scholar Chair, although both designations will be subject to recruitment negotiations. In addition to these two hires, I also ask the Committee to be ready to respond to any other opportunities to recruit nationally recognized tenured scholars in all areas of law.

When considering all potential tenured lateral candidates, I ask the Committee to focus on candidates who are nationally recognized scholars with publications that are widely cited in multiple venues. In particular, I ask the Committee to prioritize candidates who would ultimately be among the top 5 to top 10 highly cited scholars on our faculty, and I attach our faculty's current citation counts to this charge. I also ask the Committee to prioritize candidates whose scholarly influence is similar, or superior, to scholars in the relevant fields at other top 25 law schools. Finally, as with all our potential hires, I ask the Committee to pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus, and to ensure candidates are committed to creating inclusive classrooms for our students.

## 3. Pre-Tenure Professors with Scholarly Promise

I ask the Committee to identify tenure-track candidates in all areas of law to join our faculty. These candidates may be entry-level or pre-tenure lateral candidates at the Committee's discretion. We may hire up to six such candidates, but we will not lose the positions if we do not hire all six this coming year. Instead, we may extend the search to the following year.

I ask the Committee to prioritize candidates based on their scholarly promise, as demonstrated by the strengths of jobtalk papers and previously published scholarship. There are no subject matter "slots" for these hires, and we will have no pressing teaching needs in the foreseeable future. I therefore ask the Committee to focus primarily on

exceptional scholarly promise and a commitment to excellence in teaching without regard to subject matter. At the same time, the Committee may wish to consider candidates writing in areas that are underrepresented on our faculty (or will soon be), including antitrust law, commercial law, criminal law, election law and voting rights, first amendment law, health law, immigration law, intellectual property, law and technology, and race and law. As with all our potential hires, I also ask the Committee to pay particular attention to diversifying our faculty, including by race, ethnicity, and global focus, and to ensure candidates are committed to creating inclusive classrooms for our students.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Curriculum & Strategic Planning Committee**

Stinneford (chair), Clausen, Endo, Fenster (fall), Stein, Wolking *ex officio*:  
Arney, Nance

From: Laura A. Rosenbury  
Re: Charge to the Curriculum & Strategic Planning Committee  
Date: August 20, 2021

I charge this joint Committee with reviewing course proposals as set forth in the Faculty Policy Manual.

I also ask the Committee to review recommendations made by the Ad Hoc Summer Committee on Semester in Practice Modifications and, if appropriate, submit such recommendations to the faculty to be approved through a faculty vote.

Finally, I ask the Committee to lead and engage in ongoing discussions of the ways the curricula of our degrees should evolve in light of rapid changes within society and the legal profession. As part of these discussions, the Committee will also focus on ways our faculty could support the university and otherwise generate revenue by offering synchronous and asynchronous online modules and courses to undergraduates, graduate students, and professionals.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Distance Learning Committee**

O'Connell (chair), Herzfeld, Luke *ex officio*: Brown, A.

From: Laura A. Rosenbury  
Re: Charge to the Distance Learning Committee  
Date: August 20, 2021

I charge this Committee with continuing to work with Associate Dean for Curriculum Amy Stein in order to develop guidelines for online teaching assignments.

I also ask the Committee to engage in ongoing review of online and hybrid technology, with a focus on maximizing the effectiveness of that technology and exploring other technologies that will make remote instruction more rigorous and interactive, including by combining asynchronous and synchronous instruction.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Diversity and Community Relations Committee**  
McCouch (chair), Angelo (fall), Dowd (spring), Hardy, Jamshidi (spring),  
Hamilton *ex officio*: Morgan, Smith, M., Sykes

From: Laura A. Rosenbury  
Re: Charge to the Diversity and Community Relations Committee  
Date: August 20, 2021

I charge the Committee with spearheading discussions and initiatives designed to promote a diverse and inclusive atmosphere at the College of Law, including with respect to race, ethnicity, national origin, sex, gender, gender identity, gender expression, sexual orientation, age, marital and other family status, socio-economic status, disability, religion, political opinions or affiliations, genetic information, and veteran status.

As part of meeting these goals, I ask the Committee to collaborate with Assistant Dean for Inclusion M. Smith, the Faculty Development Committee, and student groups to ensure that the College hosts robust programming related to diversity and inclusion, including welcoming forums for the discussion of these issues among students, faculty, and staff. I also ask the Committee to develop best practices for responding to events at the law school and in broader local and national communities that implicate issues related to diversity and inclusion.

I thank the Committee in advance for its attention to these matters.



**Memorandum to the 2021-2022 Facilities and Sustainability Committee**

Ankersen (chair, fall), Klein (chair, spring), Noah, Reid (fall), Willis *ex officio*: Lucier, Mathapo

From: Laura A. Rosenbury  
Re: Charge to the Facilities and Technology Committee  
Date: August 20, 2021

I charge the Committee with ensuring that our facilities and event policies appropriately support the mission of the College of Law in an environmentally sustainable manner. In particular, I ask the Committee to work with students interested in sustainability to propose ways that the College might become more environmentally sustainable.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Faculty Development Committee**

Nance (chair), Evans, Hammond, Hasen, Russell-Brown, Steinberg *ex officio*:  
Flocks (fall), Hilkin

From: Laura A. Rosenbury  
Re: Charge to the Faculty Development Committee  
Date: August 20, 2021

I charge the Committee with continuing to propose events and other initiatives designed to enhance the intellectual life and national reputation of the College of Law.

In addition, I ask the Committee to review the “Teaching Load and Enhanced Research Assignment” section of the Faculty Policy Manual, which was last considered in 2005. As part of that review, I ask the Committee to lead the faculty in discussing whether changes to the section are desirable and, if appropriate, submit any recommendations to the faculty to be approved through a faculty vote. As part of these deliberations, I ask the Committee to consider appropriate teaching loads for tenured faculty members who have not published substantial scholarship over the last three (or so) years.

Finally, I ask the Committee to consider initiatives designed to improve the pedagogy of our course offerings, including by considering possible ways that faculty might observe other colleagues’ courses.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 International Programs Committee**

King (chair), Brauner (spring), Buchanan, Hernandez *ex officio*: Alter,  
Vallandingham

From: Laura A. Rosenbury  
Re: Charge to the International Programs Committee  
Date: August 20, 2021

I charge the Committee with developing and implementing strategies for re-engaging with international partners in a world fundamentally changed by the pandemic. As part of this work, I ask the Committee to work with Director Josh Alter to recruit international students and to support study abroad opportunities for JD students. I also ask the committee to promote global scholarly initiatives and other projects designed to enhance the international reputation of the College of Law.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Judicial Clerkships Committee**

Bishop (chair), Menendez, Winden *ex officio*: Bensley, Shaw

From: Laura A. Rosenbury  
Re: Charge to the Judicial Clerkships Committee  
Date: August 20, 2021

I charge the Committee with continuing to develop and implement strategies designed to place more of our students in a range of federal judicial clerkships. I also ask the Committee to work with our Assistant Dean for Career and Professional Development and the Faculty Advisor of the Law Review to build upon outreach programs for students that emphasize the role of judicial clerkships in building careers in multiple areas of legal practice.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Non-Tenure Track Appointments, Retention, and Promotions Committee**

Johnsen (chair), Ankersen (fall), Calfee, Drake, Jackson, Malavet, Temple-Smith, Zedalis

From: Laura A. Rosenbury  
Re: Charge to the Non-Tenure Track Appointments, Retention, and Promotions Committee  
Date: August 20, 2021

I charge the Committee with recommending candidates for non-tenure-track hires and overseeing the promotion process for existing non-tenure-track faculty, in accordance with the procedures set forth in the Faculty Policy Manual.

Specifically, I ask the Committee to oversee the search for, and appointments of, at least three Legal Skills Professors who will ultimately teach our Environmental and Community Development Clinic, Immigration Clinic, and Mediation Clinic, respectively. I also may ask the Committee to oversee searches for other Legal Skills Professors as the College's needs evolve. In all of the searches the Committee conducts, I ask the Committee to focus on diversifying our faculty, including with respect to race.

I also ask the Committee to identify any Legal Skills Professors seeking university promotions, to arrange for teaching reviews of such professors, and to lead the faculty in evaluating promotion packets in accordance with the promotion policy adopted by the faculty.

I thank the Committee in advance for its attention to these matters.

**Memorandum to the 2021-2022 Promotion & Tenure Committee**

*Elected members:* Cohen (chair), Bornstein, Wright

*Appointed members:* Hudson, Rowe

From: Laura A. Rosenbury  
Re: Charge to the Promotion & Tenure Committee  
Date: August 20, 2021

I charge the Committee with overseeing the promotion processes for Assistant Professors Seth Endo, Andrew Hammond, and Maryam Jamshidi, in accordance with the tenure and promotion policy adopted by the faculty.

I also charge the Committee with conducting the yearly review of our other tenure-track faculty members, as set forth in the tenure and promotion policy adopted by the faculty.

I thank the Committee in advance for its attention to these matters.