

INJUSTICE
ANYWHERE

IS A THREAT TO
JUSTICE
EVERYWHERE!!!



Responding to Racial Injustice: It's Time for Action

By Liz Woodbury

Maine Law strives to be an anti-racist community, and in recent months it has begun to work on a number of significant new initiatives intended to support that goal. A focus on social justice and diversity have long been knit into the fabric of the Law School, but as Dean Leigh Saufley '80 said following the death of George Floyd in May of 2020, "What we have done is not enough." Floyd's killing at the hands of police and the national reckoning around systemic racism it galvanized have spurred the Law School to take real-world, actionable measures to help bring an end to racial injustice. "Our complacency has ended," says Saufley.

For the past five decades, the Cumberland Legal Aid Clinic has played a major role in fulfilling the Law School's commitment to justice and equity through legal representation and policy work, which has included proposed legislation aimed at ending racial disparities in sentencing. New programming and curriculum, as well as a recently-formed Diversity, Equity, and Inclusion Task Force, are among the latest measures Maine Law has enacted with the goal of creating a more inclusive, diverse, and supportive environment within the school community, the state, and beyond. In its public statement on Floyd's death, the Law School pledged to "continue the real work in Maine's communities that will be necessary for permanent change."



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- Krystal Williams '17, DEI Alumni Task Force Member



Associate Professor Duane Rudolph, who began at Maine Law in the fall of 2020, is chair of the Student/Faculty Recruitment and Retention Working Group, which aims to increase support for the Law School’s faculty and students of color and to develop training protocols for all faculty and staff.

Racial Injustice Forums

On June 19, 2020, the Law School hosted the first in a series of public conversations designed to be a platform for critical discussions about the racism that exists within laws and institutions. Maine Law’s Racial Injustice Forums are also intended to help identify specific policy and practice changes capable of transforming the Law School community and, ultimately, bringing an end to racial injustice. Dean Saufley says the Forums are one of many necessary steps in the process of “creating long-term systemic change to prevent further violence and injustices against people of color.”

The inaugural forum, titled “Reimagining Policing and Public Safety,” was held on Juneteenth, the nationally-observed holiday that commemorates the freeing of the last enslaved people in the U.S., nearly two years after President Lincoln’s Emancipation Proclamation. The discussion featured opening remarks by Governor Janet Mills ’76, and panelists included Senator Angus King, state and local lawmakers, Law School faculty, and community activists. Over 500 people attended the first forum.

In July a second forum, “Uplifting Black and Brown Youth Voices to Inspire Change,” was led by six Maine-based youth activists. Organized by 3L Jon Ruterbories, with support from Jill Ward, project manager of the Maine Center for Juvenile Policy and Law, the event focused on listening to the lived experience of the young organizers and giving them full agency in the process. “They were the guiding lights,” says Ruterbories. “We completely turned it over to them.” Ladi Nzeyimana, an organizer with Portland Empowered and Maine Youth Justice who is a first-year student at Bowdoin College, facilitated the panel discussion and follow-up questions. In his opening remarks, Nzeyimana emphasized the importance of not merely listening, but the need “to take action and declare racism a pandemic.” Ruterbories notes that “the Maine legal community was well-represented among our attendees,” and says that about 200 people attended the forum. “Listening and learning isn’t enough,” says Ruterbories, who hopes to see action spurred by the conversation. “The panelists felt listened to and recognized, but they said, ‘This is great – but give us an audience with Governor Mills and the people in power.’” He hopes to do just that, saying, “It’s not coming off my to-do list until it happens.”

Racial Injustice Forums:
A Series of Conversations to Discuss Meaningful Change

Diversity, Equity, and Inclusion (DEI) Task Force

Another project that will continue into 2021 and beyond is Maine Law’s new Diversity, Equity, and Inclusion (DEI) Task Force, which was established in October 2020. A collaborative effort, the Task Force evolved out of the Law School’s long-standing Diversity Committee. Members include Maine Law alumni, faculty, staff, and current students, including a representative from the student Multicultural Law Society. Alumni member Krystal Williams ’17 says, “Maine Law has a tremendous opportunity and obligation to be a thought leader and community partner in identifying solutions to end systemic discrimination.” The Task Force, she says, is a major step in the right direction.

Four dedicated Working Groups fall under the Task Force umbrella; each will meet once a month, with the entire Task Force also convening monthly. The Task Force – now co-chaired by Professor Jeff Maine and Megan York, administrative manager for patron services for the Law Library – is working in conjunction with the University of Maine System to create consistent and robust diversity practices.

The Curricular Initiatives Working Group, chaired by Professor Jeffrey Maine, is working on incorporating anti-racist pedagogy throughout the Law School’s curriculum, in both new and existing courses. Reggie Parson ’19, an alumni member of the curriculum-focused group, says he’s optimistic about the Task Force and its potential to take what he calls “a concrete set of actions.” He says, “I don’t recall such a feeling of forward momentum before this – the time feels right.” Parson’s own law school experience included classes that addressed racial injustice but were only able “to scratch the surface” of such a complex and entrenched issue. “Having these productive conversations and seeing the willingness to move forward is very encouraging,” Parson says.

The Programming Working Group, chaired by Associate Professor Anthony Moffa, will focus on public outreach and educational opportunities, including forums and lectures.

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The Diversity Plan Working Group is finalizing the details on a working document that will enumerate the Task Force’s concrete and measurable goals.



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PreLaw Undergraduate Scholars (PLUS) Program

Since 2016, the Law School’s PreLaw Undergraduate Scholars (PLUS) Program has made strides toward increasing diversity in law school and the legal profession, both in Maine and nationally. Designed for college students of color, immigrants, low-income students, students who are first in their families to attend college, and other underrepresented groups, the PLUS program offers undergraduates an immersive summer experience that gives them an opportunity to see themselves in the role of law student – and lawyer.

For 2L Brody Haverly-Johndro, the program offered access to resources that weren’t easily available to him as a rural, first-generation college student. “The PLUS Program exposed me to the crucial skills I’d need to be a lawyer, and it made the transition from undergrad to law school so much easier,” he says. Allison Bernier, a 1L student, comes from a similarly rural area and is also the first in her family to attend college. She says, “I’d imagine that people who grew up with lawyers in their life have been able to think of the law as a real career path since they were children.” For people without that example in their lives, the PLUS program can provide it. “The program is able to show people that law school is an actual possibility for them,” says Bernier. Haverly-Johndro adds that he chose Maine Law in part because of its “commitment to increased diversity and inclusion,” and that he is proud to be part of a program which “is fostering the next generation of a diverse group of leaders here in Maine and beyond.”

Academic Programming

As part of its 2020 Orientation programming, the Law School instituted a Common Read for incoming students. Faculty and students collaborated on selecting Michelle Alexander’s *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. The book, which demonstrates the ways systemic inequality can be perpetuated through laws and constitutions, spurred the types of conversations that the Law School intends to spark within its student body. Vice Dean Dmitry Bam says, “We also chose this book because it’s accessible to first-year law students and touches on so many themes they’ll encounter throughout law school.” The discussion during Orientation focused on the ways lawyers can exert change on laws and policies that uphold institutional injustice. “It’s a first step in the door,” says Bam, “for them to start thinking about their own role, how they might use their degree, and about the role of legislation.”

Several Maine Law course offerings, two of them brand new, provide students with similar opportunities to explore the ways racial injustice figures in the law, and how they themselves can

work against it. Since 2008, Professor Jennifer Wriggins has taught a class titled “Race, Gender, Sexual Orientation, and the Law,” which Bam describes as “a permanent part of the curriculum.” Wriggins says, “The course draws on constitutional law, statutory law, history, and legal theory in the areas of race, gender, and sexual orientation, also focusing on the intersections between them.” In 2020, Wriggins presented to the law schools at Boston University, Duke University, and Yale University, among others, gaining additional national attention for her work on race, racism, and tort law.

Bam emphasizes that “discrimination issues permeate the law, and addressing them has always been a part of Maine Law’s curriculum.” In addition to the work the DEI Task Force’s Curriculum Working Group will do moving forward to build on this foundation, the Law School is offering two new courses focused on racial disparities.

Both classes are team-taught, and each member of the full-time faculty will teach one of the two. “Racial Injustice in the Law,” which Bam calls a “deep dive into racial inequities and inequalities in various aspects of law,” is taught by between 10 and 12 professors. “Each spends an extra hour or two on their area of expertise, looking at the way racial issues permeate that specific topic,” says Bam. Subjects vary from week to week, covering legal areas including criminal law, family law, and land use, among others. “It’s a deeper focus on the roles racial inequality and racism play within each field,” he says.

The second new course, “Changing Laws and Policies,” is designed to demonstrate in a hands-on way how students can implement change themselves. Bam says the goal is “to teach students the nuts and bolts of changing laws and policies.” Students will have the opportunity to work through a process of identifying inequitable policies, exploring the most effective way to advocate for changes, and ultimately writing new policies. The course’s aim, says Bam, is for students to “drive the change themselves.”

The issue of racial injustice is complex and systemic, encompassing a spectrum of issues that includes the underrepresentation of Black, Indigenous, and People of Color (BIPOC) in law school, in the legal profession, and among the highest-ranking legal authorities. Dean Saufley notes, “Despite all of our work, the faces in the seats of power in Maine remain all white. No person of color has ever sat on Maine’s Supreme Judicial Court, served as Governor, as Speaker of the House, or President of the Senate.” As it strives for a lofty goal of providing pathways to true representation and equity in every area of the law, and eradicating racism in service, scholarship, and outreach, the Maine Law community is focused on system-wide solutions and concrete action.