



LatCrit, Inc.
Annual Planning Retreat
Sunday, May 2 – Monday, May 3, 2004
LatCrit IX Philadelphia

AGENDA & SCHEDULE

Sunday, May 2, 2004:

- 5:00 – 7:00 PM:** **Plenary Session**
Getting Acquainted: Introductions
Ensuring Continuity: Review Cleveland and Vieques Retreat Minutes
Getting Focused: Major Developments and Current Priorities in Portfolio of Projects
Getting to Business: Review Retreat Agenda & Schedule
- 7:30 – 9:30 PM:** GROUP DINNER
- 10:00 -- ???** Hospitality Suite & Community-Building

Monday, May 3, 2004:

- 9:00 – 10:00 PM:** **Plenary Session**
Review and Discussion of the “New Annual Calendar” and LCX Date, Theme, Location and Planning Process/Team
- 10:15 – 11:15 PM:** **Plenary Session**
Building Synergies: The “New Bundles” and Coordination of Project Outreach, Materials, Deadlines and Activities for 2004-05 and Beyond
- 11:30 – 12:30 PM** **Small Break-Outs:**
Project Team Meetings to Develop Plans for Upcoming Year Based on Plenary Sessions
- 12:45 – 2:00 PM:** **Working Lunch:**
Project Team Reports and Discussion of Remaining Questions
- 2:15 – 3:15 PM** **Plenary Session:**
Providing for the Projects: Sponsors, Expenses, Teams and Longer-Term Planning
- 3:30 – 4:00 PM** Wrapping Up: Setting Goals and Outlining Plans for 2004-05
- 4:00 – 7:00 PM** FREE
- 7:30 – 9:30 PM** GROUP DINNER
- 10:00 -- ???** Hospitality Suite & Community-Building



Minutes for LatCrit Planning Retreat

May 2-3, 2004

Villanova Law School

Present: Alicia Alvarez, Steve Bender, Roberto Corrada, Tucker Culbertson (Boalt JD), Maria Clara Diaz, Nancy Ehrenreich, Maricarmen Flores-Garcia (Interamerican JD), Karen Francisco (meeting planner), Marc-Tizoc Gonzalez (Student Scholar), Berta Hernandez-Truyol, Tanya Hernandez, Angela Harris, Diego Lopez-Medina (Interamerican JD), Guadalupe Luna, Tayyab Mahmud, Hector Marmot (Interamerican JD), Donna Maeda, Pedro Malavet, Odeana Neal, Reggie Oh, Angel Oquendo, Charles Pouncy, Yanira Reyes-Gil, Marie Isel Rivera (Yale JD), Ramon Rivera-Grau (Interamerican JD), Migda Rodriguez-Collazo (Interamerican JD), Natalia Ruiz-Antanez (Interamerican JD), Martin Saavedra, Charles Venator Santiago, SpearIt (Student Scholar), Carolina Stefoni, Frank Valdes, Pierre de Vos, Robert Westley

Frank reported to the group the results of the LatCrit Board meeting, including the change in the annual calendar and the expansion of the board. We welcomed the new board members. The group then spent some time talking about the meaning of LatCrit for us and the group identity issue of “where’s the Lat? Where’s the Crit?”

LatCrit X. After reviewing the new annual calendar, we discussed the theme for LatCrit X, which will involve the encounter between LatCrit theory and economics. It was suggested that “law and economics” is not specific enough; other catch phrases might be “critical economic studies,” “culture, law, and economics,” “political economy,” “imperial economics,” or something involving the word “markets.” The title ought to convey both issues of method and the project of critiquing economic structures of domination.

We were reminded that LatCrit V’s theme was “class.” Also, the theme for the South-North Exchange (SNX) in 2006 will be “free market fundamentalism,” and SALT is having a conference on “class” this October. The goal of our conference is to show that there are alternatives to neoclassical economics; this might be thought of as part of the larger project of “anthropologizing the West.” We might also want a focus on the diffusion of approaches to economics around the globe, e.g. “Neocepalina” (sp) approaches in Latin America. The UN covenant on social and economic rights might be a key document to discuss.

We spent some time brainstorming ideas for keynote speakers. Boaventura de Sousa Santos might be good to get involved. There is a lively debate around Negri & Hardt’s book

Empire and perhaps Michael Hardt could come. Manuel Castells writes about fundamentalism, imperialism, and economic flows of cultural goods. Martha McCluskey would be a good U.S. person. Kerry Rittik (sp) and her husband Robert would also be good.

Charles Pouncy spoke a little bit about the intellectual context of this conference theme, and agreed to take on the task of writing a paragraph to describe it. He is on most of the socio-economics and other related listserves and can help publicize the conference.

National Latino/a Law Students Association (NLLSA). We turned to the NLLSA students to talk about ways to coordinate their organization and annual conference with LatCrit activities. NLLSA's constitution sets forth progressive goals; in fact, its 1995 formation was originally inspired by LatCrit. NLLSA is organized as a national group with member chapters in six different regions of the country (although it is dominated by the southwest region) and has approximately 600 members. It has constituted itself by folding in pre-existing Latin American Law Student Associations.

There are a couple of problems with bringing together the NLLSA annual conference with the LatCrit annual conference. One problem is that NLLSA's geographic diversity may be in conflict with LatCrit's new location rotation. A second problem is the gap between NLLSA as an identity-based organization and LatCrit as an ideology-based organization. However, there is probably a subgroup within NLLSA that is LatCrit-minded and would want to participate in LatCrit.

It seems that rather than trying to merge the conferences, we should coordinate their timing. Over the longer term we can work on more synergy. For instance, this year the NLLSA conference is on Columbus Day/Indigenous Peoples Day, and LatCrit plans to hold its annual conference around the same time. Maybe next year NLLSA could hold a November meeting to avoid conflict. Other ideas for synergy: (1) send LatCrit folks to NLLSA every year; (2) bring NLLSA people to LatCrit every year, perhaps as official liaisons; (3) use NLLSA members to publicize student-oriented LatCrit activities such as the CGC, the SSP, and the conference; (4) hold the NLLSA conference just before LatCrit so there is a partial overlap (this would enable collective negotiation for accommodations as well as overlap of participants). Would Interamerican be interested in hosting the NLLSA conference in October 2005? Would Interamerican students be interested in attending the NLLSA conference in October 2004? These questions will be discussed in the break-out session.

In what ways could the LatCrit conference be oriented more toward students? The "traveling road show" and the Primer might be useful for students. At the NLLSA conference this year, LatCrit people will be available to meet with representatives from the four Chicano/Latino law reviews. Perhaps at the conference there could be a workshop specifically for students. Students might be interested in (1) a workshop on preparing for a critical practice, since most students go into practice rather than academia; (2) a teach-in on LatCrit itself; and/or (3) a teach-in on substantive topics, such as economics for LatCrit X. Some kind of presentation or handout on "Frequently Asked Questions" about LatCrit would be good, especially if it sets forth institutional history.

Perhaps we need a foundational primer and then a second volume focused on substantive themes. This need for introductory materials also points to the monograph series. Students might wish to join in the monograph project. People working on monographs should be sure to have them read by people not in the LatCrit conversation. We've also talked about having a reading group at the conference or online. The Cyber-classroom is a forum intended to serve this function, although it has been dormant. Maybe we need a kind of electronic bulletin board or resource pool of useful readings people in the group have run across recently.

The new annual calendar. We discussed the ripple effects of the new annual calendar for specific programs. Regarding the externship program, the SNX was mentioned as a site for student orientation; if you leave San Juan, hotel accommodations in Puerto Rico are much cheaper. Perhaps at least for this year orientation should be at the SNX.

What about in the long term? It would be good to have externship students attend the annual conference, but Alicia felt that an orientation in October is just too early in the year. Frank wondered if the students could do directed reading between October and the summer, or participate in the Cyber-classroom or read the Primer. Perhaps the Student Scholars could do this as well. The question of the externship calendar will be discussed further in the breakout session.

It was pointed out that the problem with the proposed new SSP calendar is that it creates a barrier for third-year students, who have to take the bar in the summer. We could have students meet at the SNX, then do the CGC/externship, then attend the conference, but this is expensive. Students could be asked to choose between attending the SNX and the conference. Or, perhaps the SSP needs to return to the old calendar: students could "bond" at the CGC and then attend the conference in the fall as the culminating event.

We may lose Puerto Rican students for the LatCrit conference under the new calendar because the Puerto Rico bar exam is in September.

New projects. Tanya suggested that Sandy Darity at UNC might be a good person to tap for the Jerome Culp Annual Lecture. He works in diasporic studies of race and was a close friend of Jerome's. Sandy and Tanya are working together on a colorism project. Sandy's center might be able to host the Jerome Culp lecture series, since he's involved both in Latin America and is a critical race economist.

Regarding the NGO project, Charles suggested that we launch a project to propose alternatives to the international financial institutions and to structural adjustment programs. We could also potentially get people to address economics issues as Supreme Court amici. Perhaps we could do something like a critique of the IMF in the context of a "country report." Tayyab wondered whether the structure of the NGO accreditation system was itself problematic.

Saras laid out a list of five possible LatCrit projects during her meeting with Frank and Berta at the conference. (1) The UN needs manuals to train Latin American judicial, legislative, executive officials on (a) bringing international rights into domestic law and (b) implementing CEDAW. (2) Working with the UN on conducting workshops with judicial, legislative, executive officials in countries such as El Salvador, Colombia, Argentina, and Chile. There

would be one host country, but the workshops would be regional. (3) The UN wants help in the Caribbean dealing with conference followup. (4) The UN is taking comments on General Recommendation 2 in Article II of CEDAW. (5) The UN has no cases alleging violations of CEDAW under the Optional Protocol – LatCrit could help them find some, and possibly urge countries to adopt CEDAW as well.

NLLSA is charged with developing amici efforts in coordination with groups like us and MALDEF. NLLSA is particularly interested in the problem of right-wing campaigns to threaten schools that have race-conscious programs by filing Title VI claims with the Office of Civil Rights. Roberto pointed out that he and Gilbert Roman formed an HNBA amicus brief committee in the past, and that last year they filed a brief in the Grutter case that brought in data about discrimination against Latino/as. Roberto knows how to file briefs in the Supreme Court and is no longer working with the HNBA. He and Gilbert Carrasco have also filed many amicus briefs in Colorado state court. We should hold a workshop at NLLSA on this. Michael Olivas has also worked with Roberto, and should attend the NLLSA conference.

Regarding this anti-backlash work, Students for Academic Freedom is another resistance group working on this. Frank noted that the backlash gives left groups the opportunity to, like LatCrit, reformulate themselves around ideology rather than identity, becoming explicitly coalition-oriented. Daria Roithmayr has an article in the Michigan Journal of Race and Law on how to reorganize status-based projects as conduct-based projects. Angel pointed out that Joaquin Avila from MALDEF is another good contact for affirmative action work.

There are at least three opportunities to follow up on the anti-backlash project: (1) at the NLLSA workshop; (2) at this December's SNX; and (3) at a workshop or program component at LatCrit X designed to institutionalize whatever structures of resistance have emerged in the meantime.

Reggie suggested a new project: coming up with linguistic strategies for resisting the right, based on the work he presented at the conference.

The group then broke up into small groups organized by project teams, and subsequently reported back to the whole.

Community Development Externship Program. The proposal is to move the SNX back to the first week of February to accommodate Latin American folks (since January-February is their summer holiday). What will happen to the one-week seminar? It could move to February, and the CDE could accordingly move its orientation to February. But would American students be able to attend the seminar? Also, this timing clumps up our annual calendar. It gives us two annual offerings of the seminar, once in February and once in June for the Interamerican/Clave students.

The plan for the CDE generally is to have a limited number of sites as pilots in the first year (summer 2005): two sites in the North, two sites in the South. Possible sites include Chile (Carolina, Hugo). DePaul Law School will fund two students, but the program is open to students throughout the North and South and DePaul will help raise funds for other students to

attend. It would be helpful to have suggestions and connections regarding other students and schools that could participate. Ideas about new sites would also be welcome. For instance, Jacquelyn Bridgeman has suggested Wyoming.

Regarding timing: The CDE can coordinate with the SNX with the orientation and seminar will be in February. However, in the North placements will be in June-August, whereas in the South placements will be in January-February. Does this create a problem for students from the South?

The South-North Exchange. What should happen to the SNX in 2005? The SNX was supposed to commemorate the 10th anniversary of the decade of indigenous peoples in 2003, so that theme shouldn't be put off even further. Could it be held with the annual conference, on the day that the junior faculty workshop is held? There are a lot of economic justice issues that indigenous people are involved with. But the NLLSA group wanted to have a LatCrit workshop that same day. If the NLLSA and LatCrit conferences are being combined, we don't want this kind of counter-programming.

Another problem is that last year, the SNX was mostly NNX. It's hard for people from the South to get funding for conferences. Perhaps SNX folks could get together with Nancy and write a grant proposal. Angel, Diego, and Martin will also explore possibilities for funding from the South. How to fund people? Perhaps a 50% matching program with Southern schools? Odeana suggested the Open Society Institute as a resource. Nancy asked how we should coordinate LatCrit fundraising efforts as different projects spin off. We need to be careful not to interfere with each other's fundraising.

A member of the SNX working group should be in the grant writing working group. Could the grant writing group re-convene at Law and Society?

Another fundraising opportunity would be to charge admission/registration fees, e.g. to law firms in Puerto Rico. Yet another possibility is co-sponsorship. Westlaw and Lexis-Nexis sometimes sponsor events.

We later returned to the SNX issue. Should the SNX be folded into the conference, or is this too much for us to handle? Should we rethink moving the SNX to February? There was some confusion over when summer holidays really are in the South and whether it is timing or money that is the biggest barrier to attendance.

The consensus seemed to be that the SNX should stay where it is this December and that we should table the discussion of moving it to February. Angel suggested we could skip the SNX in May 2005 and hold the next one in February 2006, incorporating indigenous issues into LatCrit X. The group agreed to skip SNX 2005 and put everything off for one year.

NLLSA activities. One breakout group was devoted to discussing how to get Interamerican students and NLLSA students together. The law school at Interamerican doesn't support its students very well, and Yanira Reyes will be teaching at the University of Puerto Rico in Mayaguez in the future. However, there is a law school in Mayaguez and Pedro's father has

tenure there, so this creates the possibility for continued working together. Meanwhile, Interamerican students can talk to their dean about support.

The Puerto Rico bar and the four law schools in Puerto Rico are possible co-sponsors of a NLLSA conference. Marie Rivera can approach Yale, and Charles can approach southern U.S. law schools. The CGC students' schools could be co-sponsors as well. Someone at the CGC will have to take this on.

Wherever funds eventually come from, Yanira and the students cannot do all the fundraising work alone. NLLSA students and/or faculty could go down to Puerto Rico to help and to do joint presentations. NLLSA will send materials about itself and model conference proposals to Interamerican. Proposals to host the next conference will be due soon after the Denver conference this fall. Also, NLLSA has some money to subsidize student travel and is very interested in getting out of the western United States. NLLSA could send a letter to Puerto Rico schools raising the possibility of their hosting the conference; they will consider this idea at their next meeting.

At Yanira's seminar this summer, students can judge the level of interest in Puerto Rico; if these students are not interested in NLLSA no one will be. Perhaps an outreach session after the seminar would also be useful. Pedro, Charles, and Angel volunteered to participate in such a session. We need to know when the seminar will be held.

Regarding LatCrit at the NLLSA conference: LatCrit will definitely have a session at the Denver conference. Reggie's linguistic project could also be brought to Denver as a workshop, part of the Title VI conversation.

Regarding NLLSA at the LatCrit conference: Yanira suggested an FAQ/reading group/workshop to be held parallel with the junior faculty workshop. It would have two themes: (1) what is LatCrit? (2) a preview of the conference itself, perhaps including a talk by Charles Pouncy on the paradigms of economics. Perhaps NLLSA could have its own SSP program, funding a student to attend the CGC or the conference. Charles has a list of names and themes and will distribute it.

Clave. We are finalizing our contract with Hein, and need to work on a logo/journal cover art. Hector and Tucker will commission some artists for designs; we will tinker with the mission statement as well, now that we are cognizant of the sexual implications of "clave." The first issue will be by invitation in the interests of expediency and making a splash; it will also be fairly small. We need to decide whom to invite soon, so please give us suggestions.

The Interamerican students will circulate a style sheet by the end of May. Faculty members of the project team will develop solicitation letters for founding and contributing editors, and a journal announcement.

Timing issues: If our first issue comes out May 1, 2005, the deadline for submissions should be December 1, 2004, and the second issue would come out January 1, 2006. We plan to put out two issues a year, which should therefore be roughly six months apart. This January and

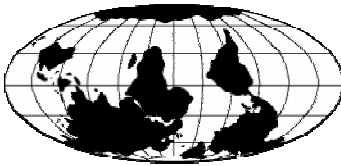
May timing works with the students' schedules.

One possible source of *Clave* articles would be tardy submissions to the symposium, which are often quite good. But what happens when people realize this is going on? We would create a perverse incentive to be late.

CGC. Clara is joining the CGC project team.

Funding for students from the host country is necessary. Thus, the SNX and the CGC may be working together to get grants. The CGC rotation plan: Every year, one site will be taken away and one added. Next year the sites will be Cape Town, Buenos Aires, and Brazil. Other possible sites for development include Bolivia, Cuba, Ghana, the Dominican Republic, and Haiti.

The original idea of the colloquium that accompanies the CGC is to get local faculty involved, so that needs to be taken on.



LatCrit Board Annual Planning Form

[ADVANCE PPLANNING FOR THE 2004-2005 ACADEMIC YEAR]

Please complete and return your LatCrit Board Form to Frank Valdes ASAP, and no later than May 10th, via fax (305-284-6506) or via email (latcrit@law.miami.edu). Thanks for your promptness and completeness!

1. ___ Yes ___ No: *I plan to attend the Cape Town ICC Colloquium (Aug. 7-11, 2004; to present a paper, please complete the ICC Call for Papers).*
2. ___ Yes ___ No: *I will be at the next Board Meeting, which likely will take place in Puerto Rico during the next South-North Exchange (Dec. 9-12, 2004), to help finalize our internal structural reforms and transitions.*
3. ___ Yes ___ No: *I plan to be at the AALS Annual Meeting next January and may be able to help with the LatCrit-at-AALS Hospitality Suite there.*
4. ___ Yes ___ No: *I will conduct on-campus informational events and/or other student outreach efforts in early fall 2004 to increase student CGC enrollment for summer 2005 and help create a basic revenue source for LatCrit projects.*
5. ___ Yes ___ No: *I will review the "sample" Monographs and commit to compose a short, lightly-endnoted draft Monograph for the LatCrit Monograph Series **by September 15th** so we can then post the Series to the website in the fall.*
6. ___ Yes ___ No: *I agree to follow up with Margaret on "translating" one of my texts **by November 15th** to make it appropriate for K-12 classroom uses after reviewing the project Description appended to this Report as Exhibit 3).*
7. ___ Yes ___ No: *Attached is my list of the **three** Project Teams in which I am most interested (please use a separate sheet of paper for this and similar responses below).*
8. ___ Yes ___ No: *Attached is my list of sponsorships that I may be able to line up for specific projects (please use a separate sheet to respond if necessary).*
9. ___ Yes ___ No: *I have some grant writing experience, contacts or interest; please let me know more about the Grant-Writing Working Group so that I can let you know if/how I can help as this effort gets underway.*
10. ___ Yes ___ No: *I plan to attend other conferences and need _____ copies of the LatCrit Informational CD and Brochure for distribution there.*

! Thank you very much for fully completing and timely returning this 2004-05 Annual Planning Form !