

PREFACE: COMMENDING TEMPLE'S SPIRIT OF CHANGEMAKING

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In the 1927 debut volume of *Temple Law Quarterly* (later renamed *Temple Law Review*), Charles E. Beury, then-university president, pleaded to current and future editors: “Talk Temple! Talk Temple and—write Temple! Do everything in your power to make our University known”¹ Almost a century later, *Temple Law Review* still heeds this call to “write Temple” as this university embodies a spirit of changemaking² warranting recognition. In particular, Temple University Beasley School of Law, through its creation of numerous trailblazing initiatives, has been in the vanguard of the university’s spirit of changemaking. Examples of some of these initiatives include the two topics of this Symposia Issue: the Abraham L. Freedman Fellowship Program³ and the Center for Public Health Law Research.⁴ Although Temple established these initiatives thirty-five years apart, both exemplify how the law school has strived to fill gaps in legal academia. Consistent with these two examples, *Temple Law Review* strives to maintain Temple’s spirit of changemaking and fill similar gaps by not only publishing timely, cutting-edge legal scholarship but also working to break down barriers.

The Abraham L. Freedman Fellowship Program, the first topic in this Symposia Issue, was instrumental to “establish post-J.D. teaching fellowships as a well-recognized path into legal academia.”⁵ At the time of its inception in 1974, law schools typically reserved faculty positions for lawyers who graduated from elite law schools, were law review members, served as federal judicial law clerks, or had the right connections.⁶ For lawyers interested in professorship who did not come from this elite background, the Freedman Fellow Program pioneered a pathway to obtain law school faculty positions.⁷ Over a two-year period, Freedman Fellows developed their

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1. Charles Ezra Beury, *A Greeting from the President*, 1 TEMP. L.Q. ix, ix (1927).

2. The term “changemaker” has been coined to mean “anyone who is taking creative action to solve a social problem.” ASHOKA, MORE THAN SIMPLY “DOING GOOD”: A DEFINITION OF CHANGEMAKER: WHAT CHILDREN, TRUCKERS, AND SUPERHEROES ALL HAVE IN COMMON 2 (2016).

3. For an overview of this symposium, see Alicia Kelly & Richard Greenstein, *Disrupting Hierarchies in Legal Education: Commemorating the Impact of the Freedman Fellow Program*, 92 TEMP. L. REV. 713 (2020).

4. For an overview of this symposium, see Michelle M. Mello, *Peering into Hidden Worlds: The Past and Future of Legal Epidemiology*, 92 TEMP. L. REV. 837 (2020).

5. Byron G. Stier, *Decanal Leadership in Law Schools and the Abraham L. Freedman Fellowship Program*, 92 TEMP. L. REV. 721, 722 (2020).

6. Richard K. Greenstein, *A Bit of History 1* (2016) (unpublished manuscript) (on file with Temple Law Review).

7. *Id.*

pedagogical approaches through various teaching experiences within Temple Law while also writing scholarly articles for publication.⁸ At the end of the fellowship, Freedman Fellows earned LL.M. degrees and most obtained tenure-track faculty positions.⁹ Out of the 118 Freedman Fellows, an astounding ninety-two have held full-time faculty positions.¹⁰

Temple Law Review held its annual symposium on October 25, 2019, to celebrate the legacy of this forty-five-year-old fellowship.¹¹ This symposium brought many former Freedman Fellows together to commemorate the impact of the Freedman Fellow Program and unpack how their work continues to challenge and disrupt hierarchies in legal education.¹² Because the university temporarily ended the fellowship in 2017,¹³ the presenters repeatedly called for Temple to reinstate the program so the law school can, once again, be at the forefront of dismantling the hiring hierarchies in legal academia. This issue features six of these Freedman Fellows and a former director of the program.¹⁴

Just as the Freedman Fellow Program filled a gap within the legal academic hiring process, Temple University's Center for Public Health Law Research (CPHLR), the second topic in this Symposia Issue, bridged the gap between legal academia and the study of public health by developing the field of legal epidemiology. Opening its doors in 2009 with the general purpose of learning more about how laws and policies affect public health, the CPHLR "develop[ed] and nurture[d] a field of research" that is now practiced internationally.¹⁵ The CPHLR surveils laws and policies and uses its research to advocate for increased access to health care.¹⁶ Notably, among other endeavors, the CPHLR has published two textbooks, written almost three hundred articles, funded over eighty grantees, and created a fellowship program for aspiring legal epidemiologists.¹⁷

On September 13, 2019, *Temple Law Review* helped host a special symposium celebrating the tenth anniversary of the CPHLR.¹⁸ This symposium included

8. *Id.* at 1–2.

9. *Id.* at 3.

10. Stier, *supra* note 5, at 740.

11. *Symposium Schedule*, TEMP. L. REV., <http://www.templelawreview.org/symposium-schedule/> [<https://perma.cc/3ZUP-DKFZ>] (last visited May 1, 2020).

12. *Id.*

13. Stier, *supra* note 5, at 740.

14. See Rachel Arnov-Richman, *Integrated Learning, Integrated Faculty*, 92 TEMP. L. REV. 745 (2020); Cody J. Jacobs, *The "Other" Market*, 92 TEMP. L. REV. 765 (2020); Kelly & Greenstein, *supra* note 3; Deseriee A. Kennedy, *Access Law Schools & Diversifying the Profession*, 92 TEMP. L. REV. 799 (2020); Milan Markovic, *The Law Professor Pipeline*, 92 TEMP. L. REV. 813 (2020); Stier, *supra* note 5.

15. Scott Burris et al., *CPHLR Celebrates 10 Years*, CTR. FOR PUB. HEALTH L. RES. (June 3, 2019), <http://publichealthlawresearch.org/news/2019/8/cphlr-celebrates-10-years> [<https://perma.cc/3PLV-N5KE>].

16. *About*, CTR. FOR PUB. HEALTH L. RES., <http://publichealthlawresearch.org/about> [<https://perma.cc/6HED-DQWU>] (last visited May 1, 2020).

17. Burris et al., *supra* note 15.

18. Ctr. for Pub. Health Law Research, *2019 Law Review Symposium: Looking Back and Looking Ahead, 10 Years of Public Health Law Research*, TEMP. U., <http://events.temple.edu/2019-law-review-symposium-looking-back-and-looking-ahead-10-years-of-public-health-law-research> [<https://perma.cc/RYU6-H4UE>] (last visited May 1, 2020).

discussions surrounding the CPHLR's main areas of focus—"reproductive rights, the pharmaceutical industry, city-level health policy, and the social determinants of health."¹⁹ Prominent legal epidemiologists discussed the impact that the field of legal epidemiology can have on the law, focusing both on current laws as well as "policies on the horizon."²⁰ This issue features seven of these legal epidemiologists.²¹

Like the Freedman Fellow Program and the CPHLR, *Temple Law Review* embodies the spirit of changemaking. In the last decade, the leadership of the law review has sought ways to make Temple's flagship journal more accessible to and representative of the greater law school community. In many ways, *Temple Law Review* has become more inclusive; despite this progress, however, its work is far from over.

Temple Law Review has made strides in its representation of women in leadership positions. Even though law reviews, including this journal, have been historically a "boys' club,"²² fifteen out of twenty-two members of the Volume 92 editorial board identify as women,²³ which is consistent with recent law review mastheads across the country.²⁴ Further, of the seven top leadership positions of *Temple Law Review*, women fill six of them.²⁵ This is in stark contrast to the trends seen less than a decade ago: when men held the majority of leadership positions, and the number of female editors-in-chief in the top fifty law schools had declined from the previous data.²⁶

Additionally, although evening students have been members of the law review for some time,²⁷ the journal has employed efforts within the last five years to increase the number of evening student members. The Volume 92 editorial board includes six

19. *Id.*

20. *Id.*

21. See Shelley A. Hearne & Katrina Forrest, *Shifting from Problem Identification to Problem Solving: CityHealth as an Accountability and Solution-Driving Tool for Governmental Entities*, 92 TEMP. L. REV. 851 (2020); Jennifer Karas Montez, *Policy Polarization and Death in the United States*, 92 TEMP. L. REV. 889 (2020); Mello, *supra* note 4; Wendy E. Parmet, *Immigration Law as a Social Determinant of Health*, 92 TEMP. L. REV. 931 (2020); Patty Skuster, *Legal Epidemiology for a Clearer Understanding of Abortion Laws and Their Impact*, 92 TEMP. L. REV. 917 (2020); Nicolas P. Terry, *Medicaid and Opioids: From Promising Present to Perilous Future*, 92 TEMP. L. REV. 865 (2020).

22. *Duke Law Hosts DC Event Honoring Women's Advancement in Legal Profession and at Helm of Journals*, DUKE. L. (Feb. 5, 2020), <http://law.duke.edu/news/duke-law-hosts-dc-event-honoring-womens-advancement-legal-profession-and-helm-journals> [<https://perma.cc/W93M-QE4F>] ("At the time our journals were created, they were run entirely by men."). It took twenty-nine years for *Temple Law Review* to elect its first female editor-in-chief, Ann Conolly Hughey. See *Temple Law Quarterly Editorial Board*, 29 TEMP. L.Q. 94 (1955). After Conolly Hughey's election, it took slightly more than two decades to elect the next female editor-in-chief. See *Temple Law Quarterly Editorial Board*, 50 TEMP. L.Q. app. at ii (1977).

23. See *Masthead*, TEMP. L. REV., <http://www.templelawreview.org/masthead/> [<https://perma.cc/VB4H-PYDU>] (last visited May 1, 2020).

24. Ann E. Marimow, *For the First Time, Flagship Law Journals at Top U.S. Law Schools Are All Led by Women*, WASH. POST (Feb. 7, 2020, 7:00 AM), http://www.washingtonpost.com/local/legal-issues/for-the-first-time-flagship-law-journals-at-top-us-law-schools-are-all-led-by-women/2020/02/07/b4d3bc64-4836-11ea-bc78-8a18f7afcee7_story.html [<https://perma.cc/C7YZ-MKTE>].

25. *Masthead*, *supra* note 23.

26. MS. JD, WOMEN ON LAW REVIEW: A GENDER DIVERSITY REPORT (2012).

27. See, e.g., *Temple Law Quarterly Editorial Board*, *supra* note 22, at 94 (listing an evening division editorial board position).

part-time evening students—three of whom hold top leadership positions.²⁸ The overrepresentation of evening students on the Volume 92 editorial board challenges the notion that journal membership is primarily a day division student endeavor.²⁹

Efforts to include the evening division in the law review must continue as this inclusion combats misconceptions regarding evening students. Part-time programs have been historically dismissed in legal academia³⁰ and employers sometimes falsely perceive them to be less prestigious than full-time programs.³¹ The evening student members of the law review are breaking down these misconceptions, demonstrating how “the work experience, time management skills, discipline, and focus required to succeed as an evening division student [are] major assets to the [journal].”³²

Like the legal profession at large, racial disparity, however, still permeates law journals. *Temple Law Review* is not an exception to this disparity.³³ While it will take persistent efforts to dismantle the longstanding systemic barriers that maintain this problem, *Temple Law Review* has a dedicated Diversity Editor to ensure that, as leadership changes from year to year, the journal is moving in the right direction. Further, in November 2019, the law review adopted a Diversity Statement to solidify the journal’s commitment to “promoting diversity in both its membership and scholarship.”³⁴ Again, there is much work to be done, but *Temple Law Review* is

28. *Evening Division Students Find Success and Inspiration on the Temple Law Review*, TEMP. U. BEASLEY SCH. L. (Aug. 6, 2019), <http://www.law.temple.edu/news/evening-division-students-find-success-and-inspiration-on-the-temple-law-review/> [<https://perma.cc/QAQ3-HRCC>].

29. Evening students comprise about twenty-seven percent of the Volume 92 editorial board while they make up only about fifteen percent of each graduating class. *See J.D. Admissions*, TEMP. U. BEASLEY SCH. L., <http://www.law.temple.edu/admissions/jd/entering-class-profile/> [<https://perma.cc/B62L-SS2E>] (last updated Sept. 9, 2019).

30. David F. Chavkin, *Clinic Under the Stars: Giving Part-Time Students Their Due*, 13 CLINICAL L. REV. 719, 722 (2007) (describing how the American Bar Association and the Association of American Law Schools have not historically embraced part-time legal education).

31. Sally Kane, *An Overview of Part-Time Law Programs*, BALANCE CAREERS, <http://www.thebalancecareers.com/part-time-law-programs-2164372> [<https://perma.cc/6YBD-KQYG>] (last updated Oct. 14, 2019).

32. *Evening Division Students Find Success and Inspiration on the Temple Law Review*, *supra* note 28.

33. *See, e.g., Temple Law Review Elects Kayla Martin LAW'21 Editor-in-Chief*, TEMP. U. BEASLEY SCH. L. (Feb. 25, 2020), <http://www.law.temple.edu/news/temple-law-review-elects-kayla-martin-law-21-editor-in-chief/> [<https://perma.cc/4QCZ-54QL>] (noting that the Volume 93 editorial board election marks the first time this almost 100-year-old journal has had a Black editor-in-chief).

34. *Diversity Statement*, TEMP. L. REV., <http://www.templelawreview.org/diversity-statement/> [<https://perma.cc/F829-WF29>] (last visited May 1, 2020). In an effort to promote diverse scholarship, *Temple Law Review* aimed to publish at least the same number of female authors as male authors in this volume. The first three issues of this volume included publications of eight female authors and six male authors. *See* Emily Berg, *Just a Pinch of SALT Is Not Enough*, 92 TEMP. L. REV. 445 (2020); Valarie K. Blake, *Regulating Care Robots*, 92 TEMP. L. REV. 551 (2020); Catherine Houseman, *A #MeToo Moment: Third Circuit Gives Hope to Victims of Workplace Sexual Harassment*, 92 TEMP. L. REV. 265 (2019); Myrisha S. Lewis, *Innovating Federalism in the Life Sciences*, 92 TEMP. L. REV. 383 (2020); Alison Slaughter, *Patenting Diagnostics: A Noncomplementary Policy*, 92 TEMP. L. REV. 487 (2020); Brittany R. Steane, *Removing Traumatic Barriers to Learning: The Need for Effective Trauma-Informed Approach to Learning Legislation in Pennsylvania*, 92 TEMP. L. REV. 299 (2019); Sophia Waldstein, *Open-File Discovery: A Plea for Transparent Plea-Bargaining*, 92 TEMP. L. REV. 517 (2020); Corinne Zucker, *Commonwealth v. Eldred: Denying a Medical Reality*, 92 TEMP. L. REV. 673 (2020).

steadfast in its dedication to promoting diversity and embodying Temple's spirit of changemaking.

When then-President Beury pleaded for this journal to do everything in its power to make Temple University known, he likely knew that this university's spirit of changemaking would be carried forward for years to come. The Abraham L. Freedman Fellowship Program and the CPHLR have embodied this spirit and the importance of their work reverberates throughout this issue. Just as other Temple changemaking initiatives will continue to fill gaps in the academic landscape, *Temple Law Review* will do the same and, of course, will do what it does best—talk Temple.