Shaw argues desegregation case before Supreme Court

Theodore Shaw, an assistant professor now on leave to the NAACP Legal Defense and Educational Fund Inc., argued a case before the U.S. Supreme Court in January that could have a significant impact on the future of school desegregation.

Shaw is representing the Kansas City School District and a group of African American parents in Missouri v. Jenkins, a case that questions how to determine the success of integration efforts. The State of Missouri claims it has met its court-ordered obligations to provide equal education opportunities; the school district and parents are arguing that desegregation efforts must continue because student achievement has not improved.

In 1986, the state and the school district were found to share liability for unconstitutional segregation in the schools. Since then, the state has spent $800 million and the school district another $500 million to upgrade facilities and educational programs. Two lower federal courts have found that the state must continue to pay for school improvements, in part because student achievement test scores are at or below national norms.

The state contends that test scores are an irrelevant measure of whether or not discrimination still exists in the schools. The schools believe achievement scores provide evidence that the state has not adequately remedied the actions that resulted in substandard schools.

The high court’s ruling could affect hundreds of school districts that remain under court-supervised desegregation plans.

Visiting faculty

Another group of accomplished visiting faculty are enriching the Law School’s curriculum. Winter term visitors include:

Elizabeth Anderson is an associate professor of philosophy and women’s studies at the U-M. She teaches and conducts research in the areas of ethics, social and political philosophy, philosophy of the social sciences, and feminist theory. Anderson was awarded the University’s Arthur F. Thurnau Professorship for excellence in undergraduate teaching in 1994 and is the author of Value in Ethics and in Economics. At the Law School, she is teaching a seminar called Law, Economics, and Alternatives to Both.

Charles Borgsdorf is a partner in Hooper, Hathaway, Price, Beuche and Wallace in Ann Arbor. He taught Lawyers and Clients here last winter and is offering the class again this term.

William E. Fisher is a partner at Dykema Gossett in Detroit, specializing in estate planning. He is co-teaching a course on Estate and Gift Tax with Professor Douglas Kahn.

Koichiro Fujikura is a professor of law at the University of Tokyo. He holds undergraduate degrees from Doshisha University in Kyoto and from Amherst College. He also has earned graduate degrees in law from the Northwestern University and Harvard Law Schools. He last visited and taught at the Law School in 1987. This term, he will teach the Japanese Legal System course.

Rod Glogower is rabbinic advisor for B’nai B’rith Hillel Foundation serving U-M and Ann Arbor. Also a repeat visitor, he is again teaching Jewish Law.

Elizabeth Kinney, a 1968 graduate of the Law School, is regional director for the National Labor Relations Board, processing unfair labor practice cases in the Chicago area. Previously, she was assistant general counsel to the Division of Operations Management for the NLRB in Washington. She is teaching Advanced Problems Before the National Labor Relations Board.

Peter Kuijper, a legal advisor to the European Commission, will be teaching the European Union and International Economics/Trade Relations.

Michael McIntyre, a graduate of Harvard Law School, has taught various tax law courses at Wayne State University for more than fifteen years. He is the founding editor of Tax Notes International and currently serves on its advisory board. He also has been a consultant to the Navajo Tribe on business activity tax matters and has taught American Indian Law. He is teaching Tax I this term.

Leo O’Brien is a professor emeritus at the University of California Hastings College of Law. He previously has served on the faculties at the University of San Francisco, Gonzaga, and Notre Dame Law Schools, and was dean of Loyola Law School. At the Law School this term, he is teaching Evidence and Civil Procedure II.

Steven Pepe, a frequent Law School visitor, is again teaching Lawyers and Clients. A U.S. Magistrate, he formerly was director of the Law School’s clinical programs.

Steven W. Rhodes, J.D. ‘72, a federal bankruptcy judge in Detroit for the past ten years, has taught bankruptcy at the Law School twice. This term, he returns to teach Advanced Chapter 11 Bankruptcy.

Mark Rosenbaum, general counsel of the ACLU Foundation of Southern California, taught Public Interest Litigation in the 90’s last year. This year he returns for six weeks to repeat that seminar and to teach Advanced Constitutional Litigation and Remedies.

Benjamin Schwendener, a partner in Honigman Miller Schwartz and Cohn in Lansing, returns to the Law School for the second year to teach State Taxation.