

Minnesota State Law Library

Recent Articles on Diversity in Law and Organizations

~ December 2014 ~

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1. **"AALL Diversity Redelineated,"** 106 *Law Library Journal* 135 (No. 1, Winter 2014)
2. **"Acknowledging the Gender in Anti-Transgender Discrimination,"** 32 *Law and Inequality* 257 (No. 2, Summer 2014)
3. **"Advancing Racial Equity – A Legal Services Imperative,"** 47 *Clearinghouse Review Journal of Poverty Law and Policy* 139 (No. 5-6, September/October 2013)
4. **"Addressing Structural Racism in Juvenile Justice Through Experimentalism,"** 47 *Columbia Journal of Law and Social Problems* 245 (No. 3, Spring 2014)
5. **"Are Gay Rights Clearly Established? The Problems with the Qualified Immunity Doctrine,"** 63 *DePaul Law Review* 869 (No. 3, Spring 2014)
6. **"The Benefits of Climate for Inclusion for Gender Diverse Groups,"** 56 *Academy of Management Journal* 1754 (No. 6, December 2013)
7. **"Between Muslim and White: The Legal Construction of Arab American Identity,"** 69 *New York University Survey of American Law* 29 (No. 1, 2013)
8. **"Beyond Title VII: Rethinking Race, Ex-Offender Status, and Employment Discrimination in the Information Age,"** 100 *Virginia Law Review* 893 (No. 5, September 2014)
9. **"Bias in the Legal Profession: Self-Assessed Versus Statistical Measures of Discrimination,"** 43 *Journal of Legal Studies* 323 (No. 2, Part 1, June 2014)
10. **"Black Prisoners, White Law,"** 43 *Black Scholar* 33 (No. 3, Fall 2013) Abstract: A reprint of the article "The Black Prisoner" by Robert Chrisman, originally published in the April/May 1971 edition of the scholarly periodical "The Black Scholar" is presented. It discusses U.S. laws concerning African Americans during U.S. history. The author presents statistics on the incarceration rates of African Americans and states that African American prisoners are political prisoners.

11. **"Blind Injustice: The Supreme Court, Implicit Racial Bias, and the Racial Disparity in the Criminal Justice System,"** 51 *American Criminal Law Review* 689 (No. 3, Summer 2014)
12. **"Brains vs. Beauty,"** 97 *WLJ* 32 (No. 3 & 4, 2012)
13. **"Building Social Justice Leaders: The University of Michigan Law School's Diversity Program,"** 63 *Journal of Legal Education* 302 (No. 2, November 2013)
14. **"'Children Are Different': Implicit Bias, Rehabilitation, and the 'New' Juvenile Jurisprudence,"** 46 *Loyola Law Review – Los Angeles* 1019 (No. 3, Spring 2013)
15. **"Closing the Gap in Understanding Immigrant Rights as Civil Rights,"** 47 *Clearinghouse Review Journal of Poverty Law and Policy* 169 (No. 5-6, September/October 2013)
16. **"A Collective Good: Disability Diversity as a Value in Public Sector Collective Bargaining Agreements,"** 87 *St. John's Law Review* 793 (No. 4, Fall 2013)
17. **"The 'Compelling Government Interest' in School Diversity: Rebuilding the Case for an Affirmative Government Role,"** 47 *University of Michigan Journal of Law Reform* 1021 (No. 4, Summer 2014)
18. **"Complete Diversity and the Closing of the Federal Courts,"** 37 *Harvard Journal of Law & Public Policy* 295 (No. 1, Winter 2014)
19. **"Conferring Dignity: The Metamorphosis of the Legal Homosexual,"** 37 *Harvard Journal of Law & Gender* 243 (No. 2, Summer 2014)
20. **"Constitutional Colorblindness and the Family,"** 162 *University of Pennsylvania Law Review* 537 (No. 3, February 2014)
21. **"Constructing Age through Bona Fide Occupational Qualifications: De Jure Discriminations Last Stand?"** 37 *Public Administration Quarterly* 374 (No. 3, Fall 2013)
22. **"The Costs of Ambient Cultural Disharmony: Indirect Intercultural Conflicts in Social Environment Undermine Creativity,"** 56 *Academy of Management Journal* 1545 (No. 6, December 2013)
23. **"The Court Rules That Strict Scrutiny Applies to the Consideration of Race in College Admissions,"** 16 *Supreme Court Debates* 14 (No. 6, September 2013)
24. **"The Court's Denial of Racial Societal Debt,"** 40 *Human Rights* 12 (No. 1, December 2013)
25. **"The Dangerous Law of Biological Race,"** 82 *Fordham Law Review* 21 (No. 1, October 2013)
26. **"DesiCrit: Theorizing the Racial Ambiguity of South Asian Americans,"** 69 *New York University Survey of American Law* 77 (No. 1, 2013)
27. **"Deterring Racial Bias in Criminal Justice Through Sentencing,"** 100 *Iowa Law Review* 431 (No. 1, November 2014)

28. **"The Dismal State of Diversity: Mapping a Chart for Change,"** 21 *Dispute Resolution Magazine* 21 (No. 1, Fall 2014)
29. **"Disparity in Police Procedures for Non-English Speaking DWI Suspects: Constitutional Protections for Non-English Speaking Criminal Defendants Falling Second to Governmental Interests,"** 30 *Touro Law Review* 1243 (No. 4, 2014)
30. **"Diversity – A Mind Set, Not a Talking Point,"** 42 *Student Lawyer* 40 (No. 6, February 2014)
31. **"Diversity and the Civil Jury,"** 55 *William & Mary Law Review* 837 (No. 3, March 2014)
32. **"Diversity and Gender Equity in Legal Practice,"** 82 *University of Cincinnati Law Review* 871 (No. 3, Spring 2014)
33. **"Diversity As Commons,"** 88 *Tulane Law Review* 317 (No. 2, December 2013)
34. **"Diversity by Structured Design,"** 47 *Business Insurance* 14 (No. 25, December 16, 2013)
35. **"Diversity, Democracy and White Racial Identity: Schuette v. Coalition to Defend Affirmative Action,"** 71 *National Lawyers Guild Review* 1 (No. 1, Spring 2014)
36. **"Diversity Dialogues...: Let's Talk About Race,"** 106 *Law Library Journal* 267 (No. 2, Spring 2014)
37. **"Diversity Goes Beyond Color, Gender,"** 47 *Business Insurance* 20 (No. 25, December 16, 2013)
38. **"Diversity in International Arbitration,"** 20 *Dispute Resolution Magazine* 13 (No. 2, Winter 2014)
39. **"Diversity Training Programs Must Be Broad, Backed by Senior Managers,"** 47 *Business Insurance* 16 (No. 25, December 16, 2013)
40. **"Dodd-Frank Aims for Employee, Vendor Diversity,"** 105 *ABA Banking Journal* 29 (No. 12, December 2013)
41. **"Does Class Size Affect the Gender Gap? A Natural Experiment in Law,"** 43 *Journal of Legal Studies* 291 (No. 2, part 1, June 2014)
42. **"Double Jeopardy? An Empirical Study with Implications for the Debates over Implicit Bias and Intersectionality,"** 37 *Harvard Journal of Law and Gender* 185 (No. 1, Winter 2014)
43. **"Elective Race: Recognizing Race Discrimination in the Era of Racial Self-Identification,"** 102 *Georgetown Law Journal* 1501 (No. 5, June 2014)
44. **"The East German Contribution to Equal Gay and Lesbian Rights in Germany,"** 54 *American Journal of Legal History* 351 (No. 3, July 2014)
45. **"Embedding Diversity and Inclusion Within Firms,"** 40 *Law Practice* 72 (No. 2, March/April 2014)
46. **"Emerging Systemic-Structural Threats to Workforce Diversity: Beyond Inadequate Agency,"** 10 *Journal of Organizational Transformation & Social Change* 218 (No. 3, November 2013)

47. **"The Exceptional Absence of Human Rights as a Principle in American Law,"** 34 *Pace Law Review* 688 (No. 2, Spring 2014)
48. **"Essential Differences in the Meaning and Processes of Mothering and Fathering: Family Systems, Feminist and Qualitative Perspectives,"** 6 *Journal of Family Theory & Review* 406 (No. 4, December 2014)
49. **"Exclusion, Punishment, Racism and Our Schools: A Critical Race Theory Perspective on School Discipline,"** 61 *UCLA Law Review* 506 (No. 2, January 2014)
50. **"The Exclusive Club,"** 40 *The Reporter 2* (No. 3, 2013,
51. **"Fathering, Feminism(s), Gender, and Sexualities: Connections, Tensions, and New Pathways,"** 6 *Journal of Family Theory & Review* 355 (No. 4, December 2014)
52. **"Federalism, Diversity, Equality, and Article III Judges: Geography, Identity, and Bias,"** 79 *Missouri Law Review* 119 (No. 1, Winter 2014)
53. **"Feminism, Democracy, and the 'War on Women,'"** 32 *Law and Inequality* 1 (No. 1, Winter 2014)
54. **"Filling Robes with a More Diverse Cast,"** *Minnesota Lawyer – Digital Edition* (July 25, 2014)
55. **"From Grutter to Fisher and Beyond: the Compelling Interest of Diversity in Higher Education,"** 48 *University of San Francisco Law Review* 261 (No. 2, Fall 2013)
56. **"From Kate Stoneman to Stoneman Chair, Katheryn D. Katz: Feminist Waves and the First Domestic Violence Course at a United States Law School,"** 77 *Albany Law Review* 443 (No. 2, 2013-2014)
57. **"From Protest to Perry: How Litigation Shaped the LGBT Movement's Agenda,"** 47 *UC Davis Law Review* 1667 (No. 5, June 2014)
58. **"From Third Parties to Parents: The Case of Lesbian Couples and Their Children,"** 77 *Law and Contemporary Problems* 195 (No. 1, 2014)
59. **"Gender and Global Lawyering: Where are the Women?"** 20 *Indiana Journal of Global Legal Studies* 1139 (No. 2, Spring 2013)
60. **"Gender Differences in Dispute Resolution Practice,"** 20 *Dispute Resolution Magazine* 36 (No. 3, Spring 2014)
61. **"Gender Dysphoria in the Jailhouse: A Constitutional Right to Hormone Therapy?"** 61 *Cleveland State Law Review* 957 (No. 4, 2013)
62. **"Gender Politics and Child Custody: The Puzzling Persistence of the Best-Interests Standard,"** 77 *Law and Contemporary Problems* 69 (No. 1, 2014)

63. **"Gender Wage Gaps Reconsidered: A Structural Approach Using Matched Employer- Employee Data,"** 48 *Journal of Human Resources* 998 (No. 4, Fall 2013)
64. **"The Geography of Racial Stereotyping: Evidence and Implications for VRA Preclearance After Shelby County,"** 102 *California Law Review* 1123 (No. 5, October 2014)
65. **"The Glass Boardroom: The SEC's Role in Cracking the Door Open So Women May Enter,"** 2013 *Columbia Business Law Review* 801 (No. 3, 2013)
66. **"Governing by Guidance: Civil Rights Agencies and the Emergence of Language Rights,"** 49 *Harvard Civil Rights – Civil Liberties Law Review* 291 (No. 2, Summer 2014)
67. **"HCBA Awards: Honoring Diversity and Advancement of Justice,"** 83 *Inside Hennepin Lawyer* 4 (No. 6, June 2014)
68. **"Hey Girls, Did You Know? Slut-Shaming on the Internet Needs to Stop,"** 48 *University of San Francisco Law Review* 221 (No. 1, Summer 2013)
69. **"How Diversity Delivers ROI, Employee Engagement,"** *CIO Insight* 1 (12/3/2013)
70. **"How Judicial Qualification Ratings May Disadvantage Minority and Female Candidates,"** 2 *Journal of Law and the Courts* 33 (No. 1, Spring 2014)
71. **"How Quickly We Forget: The Short Undistinguished Career of Affirmative Action,"** 65 *South Carolina Law Review* 503 (No. 2, Winter 2013)
72. **"The Immigrant 'Other': Racialized Identity and the Devaluation of Immigrant Family Relations,"** 89 *Indiana Law Journal* 643 (No. 2, Spring 2014)
73. **"Immutability and Innateness Arguments about Lesbian, Gay, and Bisexual Rights,"** 89 *Chicago-Kent Law Review* 597 (No. 2, 2014)
74. **"The Impact of Race on Pro Bono Services,"** 83 *Hennepin Lawyer* 22 (No. 9, November 2014)
75. **"Implicit Bias in Judicial Performance Evaluations: We Must Do Better Than This,"** 35 *Justice System Journal* 301 (No. 3, 2014)
76. **"In the Box: Voir Dire on LGBT Issues in Changing Times,"** 37 *Harvard Journal of Law & Gender* 407 (No. 2, Summer 2014)
77. **"The Intersection of Victims' and Offenders' Sex and Race/Ethnicity on Prosecutorial Decisions for Violent Crimes,"** 35 *Justice System Journal* 178 (No. 2, 2014)
78. **"Intra-Group Diversity in Education: What If Abigail Fisher Were an Immigrant...,"** 34 *Pace Law Review* 736 (No. 2, Spring 2014)
79. **"The Journey to Seneca Falls: Mary Wollstonecraft, Elizabeth Cady Stanton and the Legal Emancipation of Women,"** 10 *University of St. Thomas Law Journal* 1123 (No. 4, Spring 2013)

80. **"Law for the Empire: *The Common Law in Colonial America* and the Problem of Legal Diversity,"** 89 *Chicago-Kent Law Review* 937 (No. 3, 2014)
81. **"Living Up to Our Ideals: What Race Means in Higher Education Now,"** 48 *University of San Francisco Law Review* 327 (No. 2, Fall 2013)
82. **"Looking Forward to Diversity in Legal Academia,"** 29 *Berkeley Journal of Gender, Law & Justice* 352 (No. 2, Summer 2014)
83. **"Management and Governance: 21st Century Implications for Diversity in Public Administration,"** 37 *Public Administration Quarterly* 302 (No. 3, Fall 2013)
84. **"Mandating Cultural Competency Training for Dependency Attorneys,"** 52 *Family Court Review* 564 (No. 3, July 2014)
85. **"Marriage Equality and Postracialism,"** 61 *UCLA Law Review* 1010 (No. 4, May 2014)
86. **"Masculinity on Trial: Gay Panic in the Criminal Courtroom,"** 42 *Southwestern Law Review* 817 (No. 4, 2013)
87. **"Measure Diversity and Inclusion for Maximum Impact,"** 67 *T+D* 16 (No. 12, December 2013)
88. **"Minority Judicial Candidates Have Changed: The ABA Ratings Gap Has Not,"** 98 *Judicature* 46 (No. 1 July/August 2014)
89. **"Multiculturalism and Feminism for Hispanic Immigrant Women Accused of Drug Crimes,"** 2013 *Brigham Young University Law Review* 1613 (No. 6, 2013)
90. **"Navigating the Pitfalls of Implicit Bias: A Cognitive Science Primer for Civil Litigators,"** 4 *St. Mary's Journal on Legal Malpractice & Ethics* 278 (No. 1, 2014)
91. **"Neuro-Legal Jurisprudence and Family Law,"** 28 *American Journal of Family Law* 48 (No. 1, Summer 2014) [Abstract: The article focuses on the concept of neuro-legal jurisprudence in U.S. law. Topics include information on decision making found in the book "Incognito: The Secret Lives of the Brain," the focus on human bias found in an article by psychologist Daniel Kahneman, and the development of neurolaw in the U.S.]
92. **"The Neuroscience of the Intent Doctrine: How the Doctrine Facilitates the Brain's Bias,"** 47 *Clearinghouse Review Journal of Poverty Law and Policy* 178 (No. 5-6, September/October 2013)
93. **"The New Racial Justice: Moving Beyond the Equal Protection Clause to Achieve Equal Protection,"** 41 *Florida State University Law Review* 835 (No. 4, Summer 2014)
94. **"*New York Times v. Sullivan* and the Legal Attack on the Civil Rights Movement,"** 66 *Alabama Law Review* 293 (No. 2, 2014)
95. **"'Not Without Political Power': Gays and Lesbians, Equal Protection and the Suspect Class Doctrine,"** 65 *Alabama Law Review* 975 (No. 4, 2014)

96. **“Not Your Father’s Legal Profession: Technology, Globalization, Diversity, and the Future of Law Practice in the United States,”** 44 *University of Memphis Law Review* 645 (No. 3, Spring 2014)
97. **“Objectivity: A Feminist Revisit,”** 66 *Alabama Law Review* 375 (No. 2, 2014)
98. **“One Law of Race?”** 100 *Iowa Law Review* 201 (No. 1, November 2014)
99. **“Outed at School: Student Privacy Rights and Preventing Unwanted Disclosures of Sexual Orientation,”** 47 *Loyola of Los Angeles Law Review* 579 (No. 2, 2014)
100. **“Perceived Homosexuals: Looking Gay Enough for Title VII,”** 63 *American University Law Review* 715 (No. 3, February 2014)
101. **“Prayer for Relief: Anti-Muslim Discrimination as Racial Discrimination,”** 87 *Southern California Law Review* 1287 (No. 5, July 2014)
102. **“Race and Civil Counsel in the United States: A Human Rights Progress Report,”** 64 *Syracuse Law Review* 447 (No. 3, 2014)
103. **“The Real Business Case for Diversity and Inclusion,”** 26 *Barrister* 2 (No. 3 March 2014)
104. **“Regulators Propose New Diversity Standards,”** 178 *American Banker* 18, (No. 164, 10/24/2013)
105. **“Religion, Women, and the Holy Grail of Legal Pluralism,”** 35 *Cardozo Law Review* 1881 (No. 5, June 2014)
106. **“The Restatement of Gay(?),”** 79 *Brooklyn Law Review* 621 (No. 2, Winter 2014)
107. **“Second-Order Diversity Revisited,”** 55 *William & Mary Law Review* 739 (No. 3, March 2014)
108. **“Service Dogs and the Rights of the Disabled,”** 31 *GPSolo* 42 (No. 2, March/April 2014)
109. **“Seven Ways to Empower Diversity Where You Work,”** 73 *OfficePro* 18 (Executive Edition, 2013)
110. **“Sexuality Law Reform and the Language of Progress: What Lies Behind Statements That Equality for Lesbian and Gay People Is Inevitable?”** 18 *Deakin Law Review* 391 (No. 2, 2013)
111. **“Shifting Diversity Perspectives and New Avenues for Representative Bureaucracy,”** 37 *Public Administration Quarterly* 331 (No. 3, Fall 2013)
112. **“Still Drowning in Segregation: Limits of Law in Post-Civil Rights America,”** 32 *Law and Inequality* 215 (No. 2, Summer 2014)
113. **“Toward a Renewed Equal Rights Amendment: Now More Than Ever,”** 37 *Harvard Journal of Law & Gender* 569 (No. 2, Summer 2014)

114. **“Transracial Adoption in the United States: The Reflection and Reinforcement of Racial Hierarchy,”** 15 *Journal of Law & Family Studies* 57 (No. 1, 2013)
115. **“Title VII and the Trans-Inclusive Paradigm,”** 32 *Law and Inequality* 169 (No. 1, Winter 2014)
116. **“Tribes and Race: The Court’s Missed Opportunity in *Adoptive Couple v. Baby Girl*,”** 34 *Pace Law Review* 509 (No. 2, Spring 2014)
117. **“Understanding ‘Stereotype Threat’: Negative Stereotypes Are Harmful to Female Lawyers and to Law Firms,”** 97 *WLJ* 26 (No. 3 & 4, 2012)
118. **“Undoing Race? Reconciling Multiracial Identity with Equal Protection,”** 102 *California Law Review* 1243 (No. 5, October 2014)
119. **“Unequal Inequalities? Poverty, Sexual Orientation, and the Dynamics of Constitutional Law,”** 2014 *Utah Law Review* 867 (No. 4, 2014)
120. **“Using a Racial Equity Impact Analysis in the Minneapolis Public Schools,”** 47 *Clearinghouse Review Journal of Poverty Law and Policy* 163 (No. 5-6, September/October 2013)
121. **“What’s Wrong with Stereotyping?”** 55 *Arizona Law Review* 655 (No. 3, 2013)
122. **“Where One Sits Affects Where Others Stand: Bias, the Bar, and Nominees to Federal District Courts,”** 98 *Judicature* 35 (No. 1 July/August 2014)
123. **“White Like Me: The Negative Impact of the Diversity Rationale on White Identity Formation,”** 89 *New York University Law Review* 425 (No. 2, May 2014)
124. **“‘Why is Gender a Form of Diversity?’ Rising Advantages for Women in Global Indian Law Firms,”** 20 *Indiana Journal of Global Legal Studies* 1261 (No. 2, Spring 2013)
125. **“A Win for Transgender Employees: *Chevron* Deference for the EEOC’s Decision in *Macy v. Holder*,”** 15 *Journal of Law and Family Studies* 181 (No. 1, 2013)
126. **“Women in the Workplace: A Research Roundup,”** 91 *Harvard Business Review* 86 (No. 9, September 2013)