



April 30, 1984

Committee on Sections
Association of American Law Schools
One Dupont Circle, N.W.
Suite 370
Washington, D.C. 20036

Dear Members of the Committee:

This letter is in support of the attached petition to establish an AALS section on immigration law. As the petition indicates, the subject matter of the proposed section encompasses the law governing nationality, the entry of aliens into the United States, the deportation of aliens, and the general rights and obligations of aliens.

In the past several years, national interest in immigration law has grown at an astonishing pace. This surge has not been confined to the general public and the practicing bar. Legal scholars have begun to devote more thought and energy to the wide ranging problems raised by immigration law. More and more law schools are offering courses or seminars in the subject. There has been a dramatic increase in both the quantity and quality of scholarly commentary. Several law journals have recently published symposium issues devoted exclusively to immigration law.¹

1. E.g., 45 L. & Contemp. Probs. (No. 2) (1982); 56 Notre Dame Lawyer (No. 4) (1981); 44 U. Pitt. L. Rev. (No. 2) (1983); cf. Developments in the Law--Immigration Policy and the Rights of Aliens, 96 Harv. L. Rev. 1286-1465 (1983). See also Immigration and Nationality Review (published annually); San Diego L. Rev. (annual symposium issue devoted exclusively to immigration law).

Numerous textbooks,² including an eight-volume treatise,³ have been published in recent years. One casebook was published last year by Matthew Bender,⁴ and another is due in about one year from West. Important legislation is pending, and crucial court decisions are being handed down every week.

With these developments in mind, a group of law teachers met this past January at the AALS meeting in San Francisco. The session, organized by Dean Paul Verkuil of the Tulane University School of Law, began with a panel discussion on the subject of the transformation of immigration law over the past hundred years. The speakers were Professors Peter Schuck of Yale, T. Alexander Aleinikoff of Michigan, and David Martin of Virginia. The debate, both vigorous and stimulating, was followed by an organizational meeting at which it was unanimously agreed to propose the formation of a new AALS section on immigration law. The enclosed petition lists the members of the executive committee of the proposed section.

We are extremely confident that the interest in immigration law will remain sufficiently strong to sustain the section indefinitely. As the above discussion illustrates, the public attention that immigration law

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2. E.g., C. Gordon & E. Gordon, Immigration and Nationality Law--Desk Edition (1983); A. Fragomen, A. Del. Rey, & S. Bernsen, Immigration Law and Business (1983); National Lawyers Guild, Immigration Law and Defense (1982). Other texts include E. Harper, Immigration Laws of the United States (3d ed. 1975, with 1978 pocket part); J. Wasserman, Immigration Law and Practice (3d ed. 1979). See also D. Carliner, The Rights of Aliens (1977); A.P. Mutharika, The Alien under American Law (1981) (2 vols.); O. Trelles & J. Bailey, Immigration and Nationality Acts Legislative Histories and Related Documents (1979) (16 volumes).
 3. C. Gordon & H. Rosenfield, Immigration Law and Procedure (rev. ed. 1984).
 4. A. Leibowitz, Immigration Law and Refugee Policy (1983).

has begun to receive is now being reflected in the many publications in this area. All indications are that the issues posed by large-scale immigration to the United States will become even more important in the future. The new casebooks are certain to spur additional interest in the teaching of immigration law, and the provocative commentary of the last few years will generate further scholarly debate. The enthusiasm at the San Francisco gathering was overwhelming. Finally, as tangible evidence of the support for a new section, we were able to obtain the signatures of 83 full-time law teachers at AALS schools.

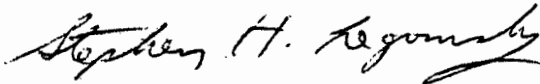
At present, there is no A.A.L.S. section designed to meet the needs of the many law professors teaching and writing in this area. American immigration law is a separate body of law. It is controlled by a comprehensive federal statute, several sets of administrative regulations, unique constitutional principles, and a distinctive body of case law. To the many of us who are interested in this subject, it is important to have a forum for scholarly debate. We would like to put on annual presentations along the lines of our San Francisco session and to discuss both substantive immigration law issues and the techniques used in the teaching of immigration law. We would also like to publish a section newsletter as an additional forum for scholarly exchange. The one section the subject matter of which might be thought to come the closest to American immigration law is international law. That section cannot meet our needs, however, for the reasons contained in the attached letter from the chairperson of that section, Professor James Nafziger.

In summary, we believe there is both the need for a section on immigration law and the interest to sustain it.

Enclosed are the signed petitions, our proposed by-laws, and the supporting letter of Professor Nafziger.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Stephen H. Legomsky". The signature is written in dark ink and is positioned above the typed name.

Stephen H. Legomsky
Associate Professor of Law
Chairperson, Proposed Section on Immigration Law

SHL:mcs



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June 29, 1984

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Dear Professor Legomsky:

I am pleased to inform you that the Association of American Law Schools Executive Committee has approved your petition to establish an AALS Section on Immigration Law with provisional status. All Sections that are now established are given provisional status. You should refer to Executive Committee Regulations 12.1 (d), (e) and (f) (refer to page 32 of Association Handbook) which specifies what provisional status means. Essentially you operate as any section would, the difference is that you must petition for full status within three years after being granted provisional status.

I have enclosed the memorandum to Section Chairs on "What You Need to Know about Your New Position." I would like you complete these forms at your earliest convenience. You will be given the \$800 budget appropriation for FY 85 (July 1, 1984 to June 30, 1985) and a time slot at the Annual Meeting will be assigned for your section. I realize that you are not given sufficient time to plan a program, but you should provide me with the information whenever it is completed. If it isn't submitted in time for our printed program, I can list it in our supplemental program that is in our Annual Meeting newspaper.

A professor will be able to select Immigration Law Section membership for the 1985-86 Directory of Law Teachers, therefore the Association will not have computer labels of your section members until the fall of 1985. I suggest that you maintain your own label list for the academic year of 1985-86.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Jane M. La Barbera

JML/csb

cc: Committee on Sections

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