

Pursuant to the Draft Procedures for University Policy 4021 regarding conflicts of commitment, LAUs are allowed to specify implementing procedures that “fit the norms and expectations of their academic unit.”

Given the Law School’s status as both an academic and professional institution, where faculty involvement in the broader legal community is not only desirable but oftentimes necessary for faculty to be excellent in their fields, and seeking to recognize these longstanding norms and expectations of the Law School while faithfully implementing 4021, the Law School specifies the following procedural guidelines, to be read in conjunction with, and furtherance of, the University Procedures.

[The sections below refer to the sections of the Draft Procedures.]

III.i) *One day per week:* Consistent with *Procedures for University Policy 4021*, which provides that “one day” shall be define pursuant to “common sense and customary practice,” in the context of the Law School, “one day” shall mean one eight- to twelve-hour day out of the normal Monday through Friday work week during the academic year (and with employees using weekends as they choose). This is consistent with Law School’s practice of a five-day work week and the default reservation of weekends for non-University work absent other arrangements.

IV. [*Non-retroactivity with respect to individual faculty members.*] The procedures for disclosure referred to in Part IV.A. do not apply retrospectively to ongoing activities of faculty commenced before the effective date of these Procedures, or revealed and contemplated at the time of the professor’s hiring.

IV.A. (chapeau). The examples given here are not intended to be exhaustive. However, under the norms and expectations of the Law School, it is anticipated that non-specified activities will only require “prompt disclosure” under this subpart when they bear significant indicia of creating a high likelihood of conflict of commitment, such as creating an ongoing, indefinite professional commitment; or when the faculty member has not been found to have performed adequately in the past annual review.

IV.A.1. This is understood to mean work intended for presentation as sworn testimony at trial. In other words, “expert” also modifies “witness,” and is thus limited to situations contemplating the preparation of expert testimony under the Federal Rules of Evidence.

IV.A.4. “Outside consulting services” shall not be understood to First Amendment protected activity, such as speaking with journalists, law reform efforts, providing commentary on legal matters, or to one-time lectures to non-profit institutions, and other activities that would be seen as typical and even expected of productive law faculty. “Engaging in professional practice” shall not be understood to include clinical work or amicus briefs.