

CLEA NEWSLETTER

Inside this Issue:

CLEA News	2
Notices	6
Conferences	14
Welcome New Clinicians	16
Transitions	18
Honors, Awards & Promotions	19
News from Clinical Programs	21
Books & Publications	39
Position Announcements	43

PRESIDENT'S MESSAGE**Paulette J. Williams****University of Tennessee**pwilliams@libra.law.utk.edu

May has been a marvelous month for me. It began with the CLEA New Clinician's Conference in New Orleans, and it will end with a Clinic Retreat and Planning Meeting at my school, the University of Tennessee College of Law. In between there was the AALS Clinical Workshop, continuing advocacy by CLEA's Accreditation Standards Committee with the ABA, my students graduated, and yesterday I just got back from a 10 day vacation on the Big Island of Hawaii!

New Clinicians Conference

It seems especially fitting that we started the month by welcoming a new crop of clinical teachers into this work. **Kim Diana Connolly** of the **University of South Carolina School of Law** planned a terrific event at Tulane Law School. Kim's preliminary report was that we had over 50 new clinicians attending, and that they described the event as "useful, helpful, supportive, great, etc." Thanks again, Kim, for all your hard work, and let's continue to welcome and support the new clinicians.

AALS Clinical Workshop in New Orleans

In my book, this year's Workshop was just about the best ever. The setting in New Orleans gave us poignant reminders of the importance of the work our clinics do to promote social justice. Great job by **Liz Cooper** and the Planning Committee.

Highlights were **Bill Quigley's** slide show presentation (I missed the bus tour), great plenaries, concurrent sessions, and working groups, **Roy Stuckey** on Best Practices, **Pam Metzger** winning the **Shanara Gilbert Award**, and I got to meet Edgar Cahn. And, did I mention the food in New Orleans?

The CLEA Board met for an early morning session during the Conference to handle several important items of business. Look

for developments on the CLEA website and a joint project with the Computer Assisted Legal Institute (CALI) which has offered to make a wide range of clinical materials accessible to us on its website. We held a general membership meeting Friday evening to update our members on what is going on and to celebrate CLEA's 15th Anniversary. Make plans now to attend a proper Sweet Sixteen next year in Tucson.

Survey of Clinicians

The CLEA Board approved board participation and financial support for the incorporation of a new non-profit organization, the Center for Applied Legal Education. The Center will conduct a biennial survey of clinicians and publish data on who clinicians are and what we are doing within the academy. This is the survey which has been in the planning stages for the past three years and is being funded largely by the **AALS Section on Clinical Legal Education**. The survey is ready to be launched. Look out for more info on this soon.

Accreditation Standards Advocacy

CLEA's Accreditation Standards Committee and the CLEA Board have been actively advocating this year on behalf of clinicians with the American Bar Association. We testified and submitted written statements before the ABA's Task Force on Standards Interpretation in January at the AALS Annual meeting in Washington, and at the ABA's Mid-year Meeting in Miami, arguing for an interpretation of Section 405(c) that would provide clinicians with security of position and governance rights within their institutions. We will continue to monitor the activities of the ABA on this issue.

CLEA submitted a statement and **Mark Aaronson of UC Hastings** gave testimony at a meeting on May 16 in opposition to a proposed Standard that would require

schools that have less than a 70% first time bar passage rate to provide further information to the accrediting agency to show that it is in compliance with the standards. We argued that this new provision would have a negative effect on a significant number of schools, and would adversely impact schools with high minority populations. We also made the argument that bar examinations are not a good measure or standard of the quality of legal education students are getting.

Meetings of the ABA's Council on Legal Education and Admission to the Bar will be held in June in Charlottesville, VA, and at the ABA Annual Meeting in San Francisco in August. CLEA's voice will be heard at both events.

Look for news on the list serve, and have a fun and productive summer!

- Paula Williams (U Tennessee)

CLEA



CARNEGIE REPORT AND BEST PRACTICES BOOK PUBLISHED IN MARCH IMPLEMENTATION COMMITTEE FORMED

Two books were published in March that underscore the value of clinical education and call for significant, fundamental changes in the content and methodologies of legal education in the United States.

As part of a series of books that examine how lay people are transformed into professionals, the Carnegie

Foundation for the Advancement of Teaching published William M. Sullivan, Anne Colby, Judith Welsh Wegner, Lloyd Bond, and Lee S. Shulman, EDUCATING LAWYERS. To gather data for the book, the Carnegie Foundation conducted field studies at sixteen law schools. The book is available from Amazon.com and other commercial outlets. Most law libraries probably have copies.

Roy Stuckey and others, BEST PRACTICES FOR LEGAL EDUCATION, was also published in March. Although the book discusses best practices for all aspects of legal education, it was published by the Clinical Legal Education Association. It is available for free while supplies last from Roy Stuckey at stuckeyroy@gmail.com. A PDF version is posted on line at <http://cleaweb.org>. A box of 32 books was shipped to each law school in April. You can contact Roy Stuckey to find out who received the box at your school.

The publication of BEST PRACTICES FOR LEGAL EDUCATION is the culmination of six years of collaboration and discussion among legal educators around the country. An Implementation Committee is working to develop strategies to facilitate discussions about legal education among legal educators and others and to persuade law schools to implement the recommendations in the Carnegie report and the best practices book.

The Committee would like to establish a speakers bureau of people who are willing to go to law schools to present colloquia or otherwise discuss the documents, perhaps teaming a clinical teacher with a nonclinical teacher. It also plans to start a blog on best practices for legal education. Members of the Implementation Committee will make presentations at a number of forums during the coming year – but they are having trouble finding a slot during the AALS Annual Meeting in January. Please share any ideas for implementing best practices with members of the

Implementation Committee: Co-chairs: Carrie Kaas (Quinnipiac) and Alex Scherr (Georgia). Members: Bryan Adamson (Seattle); Bob Dinerstein (American); Margaret Moore Jackson (North Dakota); Peter Joy (Washington, St. Louis); Karen Lash (Equal Justice Works); Antoinette Sedillo Lopez (New Mexico); Mary Lynch (Albany); and Roy Stuckey (South Carolina).



CLEA 2007 Awards

At a luncheon on May 4 during the AALS Clinical Workshop in New Orleans, CLEA honored the **Criminal Law Clinic at Tulane University School of Law** as this year's recipient of the **CLEA Award for Excellence in a Public Interest Project** and **Roy Stuckey** for his many years of advocacy on behalf of clinical legal education with the **2007 Outstanding Advocate Award**.

With the complete breakdown of the criminal law system in New Orleans after Hurricane Katrina, the Tulane Criminal Law Clinic has played a heroic role in seeking and obtaining the release of criminal defendants, who were held in jails throughout the state for numerous months, often on relatively minor charges. The Clinic established the Backlog Project to identify and provide representation to post-Katrina detainees and coordinated numerous volunteer law students, law faculty members, and attorneys from all over the nation, who came to provide assistance as part of the Katrina-Gideon Interview Project. The plaque acknowledging the Award was accepted by **Katherine Mattes**, the Clinic's Deputy Director. She was joined by clinical law students Mary Barket, Jason Hammer,

Morgan Williams, Sara Johnson, Molly Reid, and James Creech. The continuing overall effort has been spearheaded by the Clinic's Director **Pam Metzger**, who at the luncheon received the **AALS Clinical Section's Annual Shanara Gilbert Award** and spoke movingly about New Orleans and her experiences.



Roy Stuckey began in 1973 as a clinical instructor at the University of South Carolina School of Law, where he now is the Webster Professor of Clinical Legal Education. For decades, he has been a leader in clinical legal education on a broad front nationally and internationally with the ABA, the AALS Clinical Section, CLEA, and other organizations concerned about quality legal education. In addition to numerous previous publications, he is the principal author of **BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROAD MAP**, which is being widely distributed under CLEA's sponsorship. Its publication this year is the culmination of six years of diligent and hard work bringing together systematically the best thinking and writing about how to prepare law students responsibly and comprehensively for professional practice.

Each year CLEA solicits nominees for the **Outstanding Clinical Student Award**. The 2007 recipients, as selected by the clinical faculties at their respective schools, are as follows:

Albany Law School—Justin Myers
American University, Washington College of Law—Amala Nath and Drew Newman
Catholic University of America, Columbus School of Law—Sarah Lacey and Peggie McWhorter
Columbia Law School—Tiana Murillo and Nicole Altman

Florida International University College of Law—Jordan Dollar
Harvard Law School—Spring Miller
Hofstra University School of Law—Marlon A. Watson
Lewis & Clark Law School—Daniel Joseph Kleid
Notre Dame Law School—Toni Mardirossian
Pace Law School—Alice Brodie
Quinnipiac University School of Law—Laura Gelbin
Roger Williams University School of Law—Julia Gage
Seton Hall University School of Law—Maura Caroselli
Texas Tech University School of Law—Christian Buensuceso
Thomas M. Cooley Law School—Travis Nye
University of Alabama School of Law—Rick Pohlsander
University of California Hastings College of the Law—David Zisser
University of Connecticut School of Law—Susan W. Hamilton
University of the District of Columbia David A. Clarke School of Law—Scott Trowbridge and Jeannine Winch
University of Maine School of Law—Brianne Martin and Caroline Wilshusen
University of Minnesota Law School—Nicholas Maxwell
University of Montana School of Law—Aaron Bouschor
University of Nevada Las Vegas, Wm. S. Boyd School of Law—Michael Joe
University of New Mexico School of Law—Kate Girard
University of Pennsylvania Law School—Erin Talati
University of Pittsburgh School of Law—Katherine Leech
University of St. Thomas Law School—Kathleen M. Klos
University of Tennessee College of Law—Holly Cooper
University of Tulsa College of Law—Kristin A. White

**University of Wyoming College of Law–
William Elliott**
**Vanderbilt University Law School–Mary
Helen Wimberly**
**Villanova University School of Law–
Elizabeth Fordyce**
**Washington University School of Law--
Melinda Gorman.**
**William Mitchell College of Law–George
Pappas**

The **2007 CLEA Awards
Committee** consisted of **Kim O’Leary
(Cooley), Andrea Seielstad (Dayton),** and
Mark Aaronson (UC Hastings) as **Chair.**

CLEA Per Diem Project

As has been our tradition, contributions were sought at the recent clinical workshop to support the host community. In each of the last four years we raised thousands of dollars for much-needed services in Vancouver, San Diego, Chicago and New York. This year was especially meaningful as the workshop was held in New Orleans, a poignant symbol of the on-going struggle for social and economic justice which animates our movement.

The CLEA Per Diem Committee, with the assistance of Loyola’s **Bill Quigley**, selected **Survivor’s Village** (<http://www.survivorsvillage.com/about.html>) as this year’s recipient.

Survivor’s Village (SV) was formed post-Katrina to advocate for the rights of public housing residents – under the U.N. Guiding Principles on Internal Displacement – to return to their homes, to participate fully in the planning and management of their return, to recover their possessions, and to be free from discrimination. SV also provides temporary housing, meeting space and amenities for public housing residents who have been denied return to their homes. Note that the conference includes

a “Solidarity Tour” on May 3rd to visit some of New Orleans’ hardest hit neighborhoods and to witness first-hand the challenges facing Survivor’s Village and other local organizing groups.

Contributions are NOT restricted to people who attend the conference, and you can send your tax-deductible contribution, payable to “CLEA” with a notation in the memo that the check is for the Per Diem Project, by mail to CLEA Treasurer:

Suzanne Levitt
Professor of Law
Drake University
Des Moines, Iowa 50311-4505

Clinicians and law students from around the country have assisted New Orleans in many ways over the last 18 months. In this season of rebirth, let’s send a collective message to help rebuild our host city for all of its residents.

**-CLEA Per Diem Project
Committee**
Jennifer Gundlach
Renee Hutchins
Jeff Selbin

Clinical Law Review



**Announces New Co-Editor-in-Chief
And New Board Members**

The Clinical Law Review is pleased to announce the appointment of a new co-Editor-in-Chief and two new members of the Board of Editors.



Michael Pinard (University of Maryland), who has been a member of the Board of Editors, will assume the position of **co-Editor-in-Chief**, replacing **Isabelle Gunning (Southwestern University)** who will become **Editor-in-Chief Emerita**. Michael joins **Randy Hertz (NYU)** and **Kate Kruse (UNLV)** as the **co-Editors-in-Chief** of the Review.

The two new members of the **Board of Editors** are



Margaret Martin Barry (Catholic University) and



Benjamin H. Barton (University of Tennessee). **Stacy Caplow (Brooklyn)** is completing her term of service on the Board.

The co-Editors-in-Chief and the Board of Editors are grateful to the CLEA and AALS Clinical Section representatives who served on the committee to select the new co-Editor-in-Chief and the new Board members.

NOTICES



Pam Metzger (Tulane) Selected as Recipient of Shanara Gilbert Emerging Clinician Award

The **Executive Committee of the AALS Section on Clinical Legal Education** is proud to announce that **Professor Pamela R. Metzger** from **Tulane** has won this year's **Shanara Gilbert Emerging Clinician Award**.

Professor Metzger is the Director of Tulane's Criminal Law Clinic, a position she's held since 2001.

Professor Metzger has distinguished herself for years with her commitment to clinical teaching and her clients. She has published interesting and important articles on the criminal justice system and conducted numerous presentations on criminal law and the American adversarial system. As of late, Professor Metzger worked tirelessly to try to secure the release of "Katrina prisoners," those who were serving time because they were not represented when the wheels of justice ground to a halt. She alerted the nation to the breakdown of the justice system in New Orleans and assisted in the creation of the Katrina-Gideon Interview Project, a national coalition of law students and law professors. Professor Metzger and another full-time professor lead the project, designed to identify clients who face the threat of excessive imprisonment due to the lack of legal representation or the breakdown of the criminal justice system.

The Shanara Gilbert Award was presented at the Workshop on Clinical Legal Education's Awards Luncheon on Friday, May 4th, in New Orleans. The Award is for a recent entrant into clinical legal education who has demonstrated all or some of the following qualities:

- 1) a commitment to teaching and achieving social justice, particularly in the areas of race and the criminal justice system;
- 2) an interest in international clinical legal education;
- 3) a passion for providing legal services and access to justice to individuals and groups most in need;

- 4) service to the cause of clinical legal education or to the AALS Section on Clinical Legal Education; and
- 5) an interest in the beauty of nature.

The Executive Committee would like to thank the **Awards Committee** for its work in the selection process: **Kurt Eggert, Chair (Chapman); Baher Azmy (Seton Hall); Deborah Epstein (Georgetown); Peter Joy (Washington University); Paulette Williams (Tennessee).**

AALS Clinical Section Task Force on Clinicians and the Academy Issues Preliminary Report

The Taskforce examining issues regarding Clinicians and Clinical status has written its preliminary report. The Report sets forth five fundamental principles which have guided, and will guide our continued work on this project.

A copy of the report follows for your review. Please feel free to send questions, suggestions, comments to any of the **Taskforce Members: Bryan L. Adamson** (badamson@seattleu.edu); **Calvin Pang** (calvinp@hawaii.edu); **Brad Colbert** (brad.colbert@wmitchell.edu); **Kathy Hessler** (kmh25@po.cwru.edu); **Kate Kruse** (kate.kruse@unlv.edu); **Robert Kuehn** (rkuehn@law.ua.edu); **Mary Helen McNeal** (mhmcneal@law.syr.edu), or **David Santacroce** (dasanta@umich.edu).

Taskforce on Clinicians and the Academy American Association of Law Schools Section on Clinical Legal Education*

*Opinions expressed here are not those of the Association of American Law Schools and thus do not necessarily represent the

position of the Association of American Law Schools.

Draft Statement of Fundamental Principles May 2007

I. INTRODUCTION

In 2005, the Chair of the AALS Section on Clinical Legal Education appointed the Task Force on Clinicians and the Academy to discuss and recommend the most appropriate models for clinical appointments within the legal academy. In the process of assessing the various models, the Taskforce began by setting forth for public comment the fundamental principles that should guide us. After much discussion, we arrived at five fundamental principles:

- (1) The continued marginalization of clinical legal education within the academy has been the academy's biggest failing,¹ and that marginalization must end.
- (2) Clinical legal education is vital to the academy's goal of ensuring that law students develop as effective thinkers and practitioners, and that "the ethical and social dimensions of the profession"² are instilled before they graduate.
- (3) Security in position and academic freedom for clinical legal educators are essential to realize fully the unique benefits of clinical legal education.

¹ WILLIAM M. SULLIVAN, ANNE COLBY, JUDITH WELCH WEGNER, LLOYD BOND, LEE S. SHULMAN, EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW 188 (Carnegie Foundation 2007) (hereinafter "Educating Lawyers"); AMERICAN BAR ASSOCIATION, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT - REPORT OF THE TASKFORCE ON LAW SCHOOLS AND THE PROFESSION (1992) (hereinafter "MacCrate").

² Educating Lawyers, *supra* note 1, at 188.

(4) Compensation and resources equal to those received by doctrinal faculty must be provided to clinical educators so that they may fulfill the multi-faceted requirements of their unique positions, and so that law schools may recruit and retain excellent clinical educators, and develop outstanding clinical programs.

(5) Equal governance rights for clinical law teachers are critical to ensure that the legal academy meets its societal obligation to educate for the professional development of the whole student, develops curricula that is comprehensive, integrated, innovative, and relevant, and secures clinical legal education's indispensable role within the academy.

These five principles emerge from the premise that clinical legal education is valuable—indeed, indispensable—to the legal academy, the legal profession and society. Law schools now must work towards equality, where clinical faculty and their work receive the same security, regard and resources given to doctrinal faculty. As concluded by two notable evaluations – the American Bar Association's MacCrate Report in 1992 and the recently published Carnegie Foundation Report on Legal Education - law schools need a far sharper and expansive focus on training students for the practice of law. The academy will be able to effectively infuse the profession with excellent lawyers only by embracing fully the five fundamental principles set forth herein.

II. VALUING CLINICAL LEGAL EDUCATION

Clinical teaching is an essential component of a sound and complete legal education. Although the case method of teaching is a vital component of legal education, it is insufficient to ensure that students have a comprehensive

understanding about what it means to be an effective and ethical lawyer.³ The case method's reliance on static facts and law devoid of the complexity of actual legal practice serves to "prolong and reinforce the habits of thinking like a student rather than an apprentice practitioner, thus conveying the impression that lawyers are more like competitive scholars than attorneys engaged with the problems of clients."⁴ The case method also provides little opportunity for students to "learn about, reflect on, and practice the responsibilities of legal professionals."⁵

In contrast, clinical education calls upon students to engage the law and exercise sound professional judgment in a context where client problems, legal rules, and ethical principles are complex, unrefined and often fluid.⁶ In working with clients, law students gain the acumen for responsibilities essential to the profession. They develop competence in substantive legal analysis, research, ethics, interpersonal communication, investigation techniques, document drafting, collaboration,⁷ and cultural competence. Through learning and applying doctrinal law to address client

³ *Id.* at 28.

⁴ *Id.* at 188.

⁵ *Id.*

⁶ In a seminal article, Tony Amsterdam discusses the uniqueness of real client clinical legal education in the academy, and how problems in the real client setting are: infused with specific factual details, complex (with personal, economic, institutional, legal, and practical dimensions), and unrefined (unlike simulation materials, or appellate cases where the facts are static, established, and/or already distilled). Anthony G. Amsterdam, *Clinical Legal Education: A 21st Century Perspective*, 34 J. LEGAL EDUC. 612, 614-16 (1984). Amsterdam offers a constructive framework for clinical methodology based chiefly on the human as problem solver.

⁷ MacCrate, *supra* note 1, at 138-41 (identifying and explicating the core competencies for the effective practice of law).

problems, students meaningfully experience and understand the power, subtleties, and imperfections of substantive doctrine. Importantly, by emphasizing critical reflection at each and every decisional stage of the representation process, clinical education allows students to apply past experience to future circumstances, develop their socio-professional identity, and better appreciate the multivariate dimensions of law and legal practice. In sum, clinical legal education does more than show students “how to think like a lawyer.” It transforms students into effective and ethical lawyers.

Notably, clinical education instills in students a quintessential value of the legal profession: the duty to ensure access to justice for those who might otherwise go under-represented or unrepresented. As members of a civic as well as a legal profession, lawyers are obligated to give back to their communities. Because most clinical programs serve financially or socially disadvantaged populations, clinical programs communicate, reinforce, and embody this obligation. Clinics provide countless hours of free services to individuals and communities through a variety of models: direct representation, advocacy, reform initiatives and community education. Through each of these models, law clinics give voice to client goals and empower clients to navigate difficult legal problems. By ensuring access to justice for the unrepresented or underrepresented, clinical programs contribute to the common good by shaping our institutions to be responsive to, and behave equitably toward, those whom these institutions are bound to serve. Frequent interactions with these clients and causes sensitize students to their professional obligation to address the many barriers that prevent financially and socially disadvantaged individuals from access to legal assistance.

The benefits of clinical legal education also translate into palpable benefits to the legal profession. In training future lawyers to be excellent and ethical,⁸ clinical legal education imparts the core obligations of the profession. In doing so, clinical education “builds capacity” by thoroughly preparing its students to meet the demands of practice and to engage in lifelong professional development. Ultimately, clinical legal education infuses the legal profession with the practitioners society yearns for: courageous, skillful, reflective, humane and ethical professionals with a well-developed service and work ethic.

Objective and thoughtful evaluators of legal education have independently identified and documented the value of clinical legal education. Clinical legal education is the predominant vehicle for the experiential learning and reflection essential to the profession. Clinical legal education fosters and develops ethical and socially aware members of the profession. Clinical legal education enhances the legitimacy of the legal academy in the eyes of the bench and bar. In short, clinical legal education makes the legal academy whole.

III. VALUING CLINICAL LEGAL EDUCATORS

The unequivocal value of clinical education requires an equally unequivocal valuing of clinical law teachers and their contributions. The legal academy is incapable of meeting its aspirations and

⁸ “The students must learn abundant amounts of theory and vast bodies of knowledge, but the ‘bottom line’ of their efforts is not what they know but what they can do. They must come to understand thoroughly so they can act competently, and they must act competently in order to serve responsibly.” *Educating Lawyers*, *supra* note 1, at 23.

societal expectations until clinical educators are afforded their appropriate place within the academy. This will occur when clinical educators are provided: 1) security in position equal to their doctrinal counterparts so that the unique contributions that clinical legal education makes to teaching, service, and scholarship are maximized for the benefit of students, the profession, and the academy; 2) equal governance rights to ensure that clinical voices may contribute concretely to the law school's mission, curricular development, faculty development, and academic standards, and 3) compensation and resources equal to their doctrinal counterparts.

We recognize that there may be a range of choices in designing clinical programs in a manner that acknowledges clinical legal education's value to the institution. However, law schools must exercise choices that fully embrace the five stated principles. If law schools exercise their choice in a manner that undermines any one of the fundamental principles, then the strength of the legal academy is also undermined.

1. Security of Position and Full Academic Freedom

Security of position in a form equal or comparable to tenure must be a standard within the legal academy. Equal or comparable security of position must pervade all terms of appointment, including length, grounds for termination or promotion, and standards by which a person's job performance will be judged. Security of position promotes the scholarship, teaching, and service of doctrinal faculty, and serves the interests of the legal academy in attracting the best minds with a lifelong commitment to education. Likewise, security of position equal or comparable to doctrinal faculty helps attract the best and brightest lawyers to careers as clinical educators. In a similar manner, equal or comparable security of position encourages retention,

instills in faculty a commitment to the institution, and thus provides more experienced and generally better clinical educators for students.

Faculty members who have security of position over a long period of time also forge better links with the bar and the communities served. The success of clinical legal education in reaching its pedagogical objectives depends on sustained and predictable connections with and an understanding of the local communities, bench, and bar. Consequently, equal or comparable security of position allows clinical faculty to most effectively deliver to students and the profession the true value of clinical legal education.

Ongoing employment contracts of limited duration advance neither the highest value of clinical legal education, nor the legal academy's ideals. An institution has an obligation to ensure that those in place under such terms are indeed fulfilling their commitment to education, service, and working at the highest levels of professionalism. To do so in a responsible manner, institutions must engage in periodic (such as annual) reviews of those faculty—the inevitable result being the over- exertion of faculty, administrative, and financial resources. Thus, any hoped-for economic and flexibility gains are lost under at-will or limited duration contract arrangements. Furthermore, at-will employment or short-term contracts can diminish the institutional commitment of educators and depress faculty morale.

The nature of clinical teaching also requires strenuous protections to preserve legitimate pedagogical choices such as accepting a client or case that proves politically unpopular. Likewise, as with their doctrinal colleagues, clinical educators commonly write about scholarly interests or accept service projects that challenge the status quo and thus potentially engender the disapproval of

influential individuals and institutions. To extend equal or comparable security of position would protect clinical educators from reprisals, and encourage innovation and risk-taking in their lawyering, teaching and scholarship. Ensuring equal or comparable security of position would be a testament in itself to the academy's commitment to its clinical faculty and the value they bring to the legal academy and profession.

2. Governance

Without equal voice in determining the affairs of a school, law clinics and clinical educators will remain at the margins. This is problematic for clinicians and for law schools. Clinical educators provide a unique perspective and voice that are necessary for a thoughtful, balanced and informed discussion in shaping the essential character of the legal academy. The most obvious means to giving clinicians a voice in governance is through full voting rights, committee participation, and a role in programmatic development equal to their doctrinal counterparts.

Apart from representing a unique pedagogical viewpoint, clinical faculty are best situated to observe students' socio-professional development, and also well-situated to give voice to the concerns of the legal profession, the bench, and the surrounding communities. If law schools seek to transform themselves in a manner that is truly responsive to the legal profession and societal needs in general, then they must provide to clinical educators an equal role in institutional governance. Doing less not only perpetuates a caste system within the law school faculty and its stigmatizing impact. Doing less also unnecessarily deprives law schools of a vital component of its professed institutional goals.

3. Compensation and Resources

For the legal academy to fulfill its institutional role in society, clinical educators must be compensated and

provided resources for teaching, scholarship, and service equal to doctrinal faculty. Such compensation and resources help attract and retain the best and brightest clinical educators in the profession. Beyond compensation, law schools must recognize that clinical faculty often require different resources and use resources differently.

In addition to unique programmatic needs, clinical educators often have unique needs for individual support. As stated earlier, because clinical educators must facilitate student learning in contexts where facts, rules and policies are constantly in flux, they are not able to take advantage of the economies of repetition that benefit those who teach through the doctrinal case method. In addition, the predominant clinical teaching model of extensive student/faculty supervision (through preparation, action, and reflection) is extraordinarily time-intensive. Consequently, the demands on a clinical faculty member's time are different and often less conducive to the types of scholarly productivity typically expected, and service provided outside the classroom. If clinical educators are expected to write, develop programs, or carry administrative loads over and above the demand of clinical teaching, schools must support these endeavors with commensurate leave and professionally responsible teaching and case coverage policies. In addition, schools must implement a faculty scholarship policy that explicitly rewards the type of work relevant to clinical education and the legal profession.

IV. CONCLUSION

In order for law schools to meet the challenges of fully preparing law students for the ethical and competent practice of law, it is essential that every law school recognize and apply the fundamental principles identified. Law schools must

express the values of clinical education by extending to clinical educators security of position, governance rights, and compensation and resources equal or comparable to doctrinal faculty. If the five articulated principles are not embraced, the legal academy will continue to fall short of its crucial role as a social institution educating future lawyers and leaders.

RESPECTFULLY SUBMITTED, MEMBERS OF THE AALS SECTION ON CLINICAL LEGAL EDUCATION TASKFORCE

Bryan L. Adamson, Co-Chair
Calvin Pang, Co-Chair
Bradford Colbert
Kathy Hessler
Katherine Kruse
Robert Kuehn
Mary Helen McNeal
David Santacroce

April 30, 2007

AALS Clinical Section Committee on Lawyering in the Public Interest Announces Bellow Scholars

The AALS Section's Committee on Lawyering in the Public Interest announces this year's Bellow Scholars. In the Committee's estimation, the proposals below embody the ideals of justice and transformation exhibited by Gary throughout his extraordinary career. They are:

Alan Lerner and colleagues (University of Pennsylvania): *"Identifying The Red Flags of Child Neglect To Facilitate Evidence-Based Focused Responses."*

Brenda Bratton Blom, Michael Millemann and colleagues (University of Maryland): *"The Community Justice Initiative, Community Prosecution Project."*

Joseph Tulman (University of the District of Columbia School of Law): *"Using Disability Rights To Diminish Incarceration."*

-The Committee on Lawyering in the Public Interest

Sameer Ashar (CUNY)

Juliet Brody (Stanford)

Jeanne Charn (Harvard)

Dean Hill Rivkin (Tennessee) (chair)

Jeff Selbin (Berkeley)

POST YOUR CLINICAL SCHOLARSHIP WITH THE CLINICAL RESEARCH INSTITUTE

We invite you to post your clinical scholarship with the **Clinical Research Institute ("CRI")**, an electronic law review sponsored by New York Law School. CRI is part of SSRN, an extensive network of online journals covering many areas, including law. CRI posts works of clinical scholarship, broadly defined. We do not edit your work; as long as it is clinical in nature, we will post it.

The CRI is a valuable means for disseminating clinical scholarship. When you post with CRI, your paper will be available in three ways. Your paper will be circulated when the issue is distributed. Your paper will remain on the CRI site, downloadable at any time (check out the CRI website, <http://www.ssrn.com/link/Clinical-Research-Institute.html>). Finally, you will receive your own SSRN author page with its own URL, so you can refer people to your site to download your work.

There are several other benefits of posting on the CRI. The CRI does not hold the copyright to your work, meaning that you are welcome and encouraged to submit your paper to traditional law reviews and that you can post with us after you have published in a traditional law review (provided you have their permission). We encourage the publication of works in progress. Your paper is easily

accessible to a wide audience, including readers not connected with law schools. Finally, from your author's page, you can see the number of people who have viewed and downloaded your work.

If you are interested in posting or if you would like more information, contact **Richard Marsico**, New York Law School, rmarsico@nyls.edu, (212) 431-2180.

SUBSCRIBE TO THE CLINICAL RESEARCH INSTITUTE

The Clinical Research Institute ("CRI"), sponsored by New York Law School, is an online journal associated with the Social Science Research Network ("SSRN") that posts and distributes works of clinical scholarship, sometimes long before they are published in law reviews. We encourage all clinicians to subscribe to the CRI; the more of us who subscribe, the more the CRI can become not just a way to distribute what's already been written but also a path for feedback and discussion of works-in-progress. As a subscriber, you will receive issues of the CRI issues by e-mail. Each issue reports the posting of approximately five pieces, and provides abstracts of each piece and a clickable link from which you can download each one. If your law school has a site license for the SSRN, it is easy (and free) to subscribe. Just go to <http://www.ssrn.com>, enter your user name (your e-mail address) and password (if you're a new user, SSRN will generate a password for you), and follow the instructions. (You can find the CRI by selecting "Legal Scholarship Network" and then selecting "Law Research Centers Papers." The CRI is listed there.) If you do not wish to subscribe but wish to have access to the CRI's papers, you can view and download them by going to the CRI's URL, <http://www.ssrn.com/link/Clinical-Research-Institute.html>.

Please contact **Richard Marsico**, New York Law School, rmarsico@nyls.edu if you have any difficulties subscribing to the CRI or downloading any of its papers. Please also contact him if you are interested in posting a piece of your own with the CRI.



Clinical Program and Journal of Law & Policy to publish volume dedicated to Access to Justice & New Directions in Clinical Practice & Scholarship

This coming year marks the 10th anniversary of the Washington University School of Law in St. Louis Access to Justice Speaker Series, coordinated by the Clinical Education Program. This annual speaker series features nationally and internationally prominent clinical faculty, public interest lawyers, judges, and authors with a commitment to access to justice who are experts in areas such as international human rights, domestic violence, civil rights, capital punishment, economics of poverty, environmental rights, community lawyering, and indigenous rights.

Each year, the Washington University Journal of Law and Policy publishes a volume dedicated to Access to Justice, with articles from the various speakers. Over the years, the Journal has published articles by a number of clinicians (past and present), including Jim Anaya, Juliet Brodie, Kim Connolly, Nancy Cook, Maureen Hackett, Carol Harding, Carolyn Copps Hartley, Toby Golick, Danny Greenberg, Maureen Hackett, Eric James, Mike Jenuwine, Susan Jones, Jean Koh

Peters, Kate Kruse, Bob Kuehn, Janet Lessem, Mary Medcalf, Charles Ogletree, Carrie Petrucci, Bill Quigley, Asha Ramgobin, Dina Schlossberg, Abbe Smith, Nina Tarr, Tony Thompson, Rose Voyvodic, Anita Weinberg, and Steve Wizner.

In honor of the 10th anniversary of the Access to Justice Speaker Series - and the 35th anniversary of the Clinical Education Program - the Journal will publish a double volume in late summer 2008 on Access to Justice & New Directions in Clinical Practice & Scholarship that will include articles by next year's speakers as well as up to nine submissions by clinical faculty. The goal of this volume is to highlight and advance scholarship about innovative, interdisciplinary, and international clinical law and practice, and scholarship concerning law school clinic or other legal profession efforts to expand access to justice.

If you would like to publish in this volume, please submit a one page abstract to the Journal no later than **June 1, 2007**, c/o the **Managing Editor, Lauren Taub**, at letaub@wustl.edu. Experienced clinical faculty are encouraged to submit abstracts. Selected authors will be notified by June 15 and will be required to submit first drafts of their articles by October 15, 2007 and final drafts by February 1, 2008. The volume will go to press next summer. The Law School will host a roundtable at Washington University in fall 2007 for presentation and discussion among the invited authors and other faculty about the articles.

If you have any questions, please feel free to contact **Karen Tokarz** or **Peter Joy** at tokarz@wulaw.wustl.edu and joy@wulaw.wustl.edu.

National Archive of Clinical Legal Education

THE CATHOLIC UNIVERSITY OF AMERICA

Columbus School of Law

I am pleased to announce the launch of a webpage for the **National Archive of Clinical Legal Education**, housed at the Judge Kathryn J. DuFour Law Library at Columbus School of Law, The Catholic University of America.

With this launch, persons interested in the history and development of Clinical Legal Education will have a dynamic new tool for research. Over the coming months more content will be added.

I invite you to visit the website located at <http://lib.law.cua.edu/nacle/> and to give me feedback on the site. I especially would like suggestions for the Timeline and more submissions for the Clinic Histories page. However, all comments are welcome.

-Sandy Ogilvy

CONFERENCES

**5th International Journal of Clinical
Legal Education Conference
July 9-11, 2007**



**University Of Witwatersand
Johannesburg, South Africa**

The 5th International Journal of Clinical Legal Education conference will

take place in Johannesburg on July 9th and 10th. The IJCLE conference brings together legal educators from all jurisdictions with an interest in clinics and other forms of *pro bono* and experiential learning. The theme of this year's conference – Unity in Diversity – recognizes the particular contexts of the South African clinical movement in supporting legal education in South Africa's move to a democratic multi-cultural environment.

The topics for the 5th IJCLE conference include social justice through legal education; clinic and the law school curriculum; assessment within a social justice environment; and unity and diversity in clinical law experiences.

If you are interested in attending the conference, you will find a conference brochure with full conference details at: <http://hermes.wits.ac.za/www/Conferences/IJCLE/>

**7th Annual Mountain West Regional
Clinical Conference
October 12-13, 2007**



The 7th Annual Mountain West Regional Clinical Conference will be hosted by Thomas Jefferson School of Law in San Diego, California October 12-13, 2007. During the conference, NITA will conduct a teacher training program. Programs will also be included for Clinic Administrators/Professional Staff and externship teachers. More information will be posted later regarding the conference program and registration.

**Northwest Regional Clinical Conference
October 12-14, 2006**



**Sunriver Resort
Sunriver, Oregon**

The Northwest Regional Clinical Conference has been scheduled for October 12-14 at the Sunriver Resort in Sunriver, Oregon. **Roy Stuckey** will be joining us to lead our discussion about "*Best Practices for Legal Education: A Vision and a Road Map*," which was recently published by CLEA and is currently being distributed at law schools around the country. More details will be circulated in later summer but please save these dates.

Save the Dates



Legal Clinic

**60th Anniversary Celebration and
Symposium**

September 14 - 15, 2007

In honor of Legal Clinic's 60th Anniversary the University of Tennessee College of Law is hosting a Celebration and Symposium this fall that will explore the future of clinical legal education - the next 60 years.

The weekend's events will include an afternoon writing workshop for clinical professors, a day of scholarly presentations highlighting emerging issues for clinical programs, and an Anniversary Dinner where we will acknowledge and

thank Associate Dean for Academic Affairs **Douglas Blaze** for his contributions as Director of UT Clinical Programs. We also plan to host a meeting for clinicians from our region to discuss the future of the Southeastern Clinical Conference.

Confirmed Saturday symposium presenters include Professors Brenda Bratton-Blom, Susan Deller Ross, Kim Connolly, Kate Kruse, Bridget McCormack, Tamar Meekins, Pamela Metzger, Michael Pinard, Stephen Rosenbaum, Roy Stuckey, and Jane Wettach. Papers from the event will be published in a special issue of the Tennessee Law Review. In addition, Professor Bryan Stevenson has agreed to join us as the Keynote Speaker for a special Saturday luncheon.

In the coming weeks and months we will post further details on the clinic listserv and at

<http://www.law.utk.edu/news/Clinic60th.htm>.

In the meantime, please mark your calendars and reach out to any of us here at UT with questions you might have. Also, those wishing to participate in the clinical faculty writing workshop should contact Ben Barton (bbarton@utk.edu) or Mae Quinn (mquinn3@utk.edu).



NEW CLINICIANS

Barbara Creel (New Mexico) joins the **tenure-track faculty** at the **University of New Mexico** and will teach with Professor Christine Zuni Cruz in the **Southwest Indian Law Clinic**. Barbara

comes from the Native American Project of the Army Corp of Engineers. She previously spent several years with the Federal Public Defender Office in Oregon. Professor Creel previously worked with us several years ago as a "fellow" in our clinic through a grant Mike Norwood obtained from the DOE. She authored a contribution to the new Cohen treatise on Indian Law while in private practice. She is a University of New Mexico law graduate and a member of the Jemez Pueblo.

Chris Dearborn will be joining **Suffolk University** in July as a **Clinical Professor** coming to us after a decade of public defender work and most recently from private practice at Rankin and Sultan to head up our **Criminal Defense Clinic**.



Patricia Harrison (Saint Louis University) has been appointed to a permanent **Clinical Faculty** position at Saint Louis University School of Law. Trish comes from a background of working as a juvenile public defender and has extensive experience in children's issues.

Karen van Ingen (Brooklyn) has joined the **clinical faculty** at Brooklyn Law School on a full-time basis to teach the **Securities Arbitration Clinic**. Karen has over 21 years of experience as a litigator, arbitrator and mediator, with a focus in institutional and retail securities transactions and class actions, commercial contracts, partnerships and joint ventures, and employment disputes, among other areas. She is a Special Master in the Appellate Division of the New York Supreme Court, and since 1988, a National Faculty Member of the American Arbitration Association. She has maintained a solo practice since 1980,

prior to which she was Vice-President, Senior Counsel at Paine Webber, Inc.



Jay Mitchell (Stanford) joins Stanford Law School as a **lecturer in law** and **director** of the new **Nonprofit and General Counsel Clinic**. Jay, a former partner at Heller Ehrman White & McAuliffe in San Francisco, will join the law school this summer from Levi Strauss & Co., where he has been a senior legal executive since 1992. He brings over 20 years of corporate practice and business experience to the law school, with his recent work at Levi Strauss & Co. focused on capital structure, corporate governance, financial disclosure and product sourcing matters. Jay also has worked on a variety of commercial matters, including trademark licensing, technical product innovation, antitrust, logistics, acquisition, and retail joint venture projects. Jay is a 1980 graduate of Stanford University and a 1983 graduate of the University of Virginia School of Law.

Stanford Law School's Nonprofit and General Counsel Clinic is one of ten clinics operating within the umbrella of the clinical education program, the Stanford Legal Clinic. Under Jay's direction, students will form new entities, draft and negotiate contracts, assist with funding and financing projects, advise on governance, communications, and compliance matters, and provide general corporate support to the clinic's clients. Students will have an opportunity to develop fundamental analytical, editorial, counseling, planning and negotiation skills in the context of live projects as well as classroom work, all with an eye to the various ways in which lawyers can provide legal services to the nonprofit sector and the under-represented.



Tina Stark will be joining the faculty of **Emory Law School** in fall 2007 as **Director** of our new **Transactional Law Center**, with the title "**Professor in the Practice of Law**."

Creating a Transactional Law Center is a major component of Emory Law's strategic plan. Tina will help us build on our Transactional Law Certificate Program, and she already is full of plans for the coming academic year.

As Emory expands its curriculum in this area, Tina plans to "work closely with practitioners to make sure that new courses give students the real world training they need." Professor Stark will not only teach contract drafting to Emory Law students, but also will train a group of adjunct faculty to teach contract drafting and other transactional skills courses.

The Transactional Law Center also will hold conferences and sponsor research on the teaching of transactional law and skills, giving a public face to Emory Law's commitment to teaching transactional practice skills.

Tina began her career as a commercial banker before graduating from New York University Law School, where she was an editor of the school's international law journal. She became a partner at Chadbourne & Park LLP in the corporate department, where she had a broad-based transactional practice with an emphasis on acquisitions, dispositions, recapitalizations and financings. Stark has been teaching transactional skills courses to law students and young lawyers since 1989.

She is the editor-in-chief and co-author of the best-selling treatise, *NEGOTIATING AND DRAFTING CONTRACT BOILERPLATE*, and is the author of a

drafting textbook that Aspen will publish this spring.



Ann Vessels (Denver) joins the University of Denver Sturm College of Law as the **Internship Director**. Ann, a graduate of Cumberland School of Law, Samford University, has extensive experience in managing internship programs. Most recently she served as President and CEO of the Colorado Leadership Alliance, where she worked with over 500 students at 7 universities and designed and taught leadership and internship courses at the University of Colorado, Boulder. She has also served as Senior Vice President, HR and General Counsel for Junior Achievement, Inc., and was a partner at Rothgerber, Johnson & Lyons where she specialized in commercial litigation and employment law.

Transitions



Cynthia "Cindy" Adcock will join **Charlotte School of Law** as **Director of Experiential Learning Programs** and **Assistant Professor**. Cindy has an exceptional background, one which will contribute greatly to the mission of our school to "Learn, Serve and Lead." We hope to create an innovative experiential learning program that meets the needs of students and our community.

Ms. Adcock has had extensive involvement with experiential learning and will lead our *pro bono*, externship and clinical programs. Many of you may know Cindy from her work at Equal Justice Works, where she led the E-Guide project

which has been a very useful tool for this law school, and from her work at AALS, where she led the *Pro Bono* Project. Cindy also previously served for nine years as a senior lecturing fellow at Duke University School of Law where she ran a death penalty extern clinic and taught a corresponding death penalty seminar and ethics course.



Maureen Armour (SMU) is stepping down as **Associate Dean for Clinical Education** at Dedman School of Law, Southern Methodist University. Professor Armour has filled this position for over ten years. During her tenure as Associate Dean numerous new clinics were made available to the students including a Poverty Law Clinic, Domestic Violence Clinic, Prosecution Clinic, Child Advocacy Clinic and Small Business Clinic."



Deborah J. Cantrell will be joining the faculty as an **Associate Professor** and the **Director of the Clinic** at the **University of Colorado in Boulder**. Deborah joins us from Yale Law School where she has taught a legal ethics clinic for the last six years. Deborah will work in the civil clinic with our twenty-eight year veteran, Norm Aaronson. She will also teach legal ethics.



Praveen Kosuri, currently teaching at the **University of Chicago Law School**, will join **PennLaw** this summer to lead their **Entrepreneurship**

Legal Clinic. Praveen's unique background and experience--JD/MBA, public defender-turned- investment banker/ transactional lawyer/clinical teacher--and passion for applying the skills of the business lawyer to the needs of urban communities are ideally suited to shaping and furthering their program's future direction.

Working in tandem with the Wharton School and a vibrant for- profit/nonprofit business culture, this pioneering clinic has been exploring and providing new modes of transactional legal education and service since its founding in 1982. We are confident that Praveen will help us build on that legacy.



Laura McNally (Case Western)

has been appointed as an **Associate Professor** to work in the **Health Law Clinic**, after visiting at Case Western for two years and teaching in both the Health Law Clinic and the Civil Litigation and Mediation Clinic.



Erik Pitchal will be joining **Suffolk University** in July from Fordham and will start a **Child Advocacy Clinic** – a first for Suffolk.



Ragini Shah is joining **Suffolk University** July 1. Ragini is currently at Columbia and will start another new

offering for Suffolk, an **Immigration Clinic**.

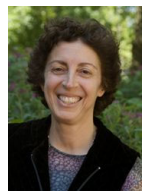


HONORS, AWARDS & PROMOTIONS



Paolo Annino (Florida State)

was awarded **Community Advocate of the Year** for the **State of Florida** by the Governor and the Statewide Guardian ad Litem Office "for Outstanding Commitment to Abused And Neglected Children and Dedication to the Guardian ad Litem program."



Amy Applegate (Indiana-Bloomington), Director of the Family and Children Mediation Clinic has been **promoted to Clinical Professor with a long-term contract**.



Michael Bryce (Detroit Mercy)

has been **granted tenure** at the University of Detroit Mercy School of Law. Michael is the Director of Clinical Programs and also runs the Urban Law Clinic, which has received recognition as a mobile law office, providing services throughout the community.



Gerard F. Glynn (Barry) has been **granted tenure** at Barry University School of Law.



Phyllis Goldfarb (Boston College) has been named the inaugural holder of the **Burns Foundation Chair** and **Director of the George Washington University Law School Legal Clinics!**



Suzanne Jackson (George Washington) has been **promoted** from Associate Professor to **Full Professor of Clinical Law**. Suzanne is Director of their Health Rights Law Clinic and Health Insurance Counseling Project.



Louise McKinney (Case Western) has been awarded her second **Fulbright Scholar** grant and will be returning to Africa where she will teach in the clinical program at the **University of Botswana's Law Department** in Gaborone, Botswana, in southern Africa. She will be working with the law faculty, primarily in their LL.B. program, to expand and enhance their clinical legal education program. In addition, she hopes to be able to work with leaders in the country to develop a sustainable program for providing more free legal

services for people who cannot afford to pay for them.



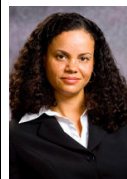
Tamar Meekins (Howard), Clinical Director at Howard Law School who supervises the Criminal Justice Clinic was **granted tenure** this spring.



Michael Pinard (Maryland) has been **granted tenure**.



David Santacroce (Michigan) has been **granted tenure**.



Tirien Steinbach recently accepted an offer to serve as **Executive Director of the East Bay Community Law Center**, Boalt Hall's community-based clinic. Tirien is a 1999 Boalt graduate who served most recently as EBCLC's Clinical Director. A Berkeley native, she founded EBCLC's Clean Slate practice in 2001 to assist people with criminal records overcome barriers to employment, housing, education and civic participation. As a lecturer at Boalt, Tirien has co-taught EBCLC's clinical companion seminar since 2003. While a law student, Tirien held leadership positions in the Berkeley Law Foundation and Law Students of African Descent. She is the

recipient of numerous awards and honors, including an Equal Justice Works Fellowship and the inaugural Thelton E. Henderson Center for Social Justice Prize.



Steve Zeidman's (CUNY) has been **awarded tenure**. Steve is the director of the Defender Clinic.



FROM CLINICAL PROGRAMS



Representatives from 27 States Attend National Summit on Unified Family Courts

The **University of Baltimore School of Law Center for Families, Children and the Courts (CFCC)** co-sponsored a major national **Summit on Unified Family Courts with the American Bar Association** on May 3-4 in Baltimore. Representatives from twenty-seven states attended the conference, which covered a wide range of issues critical to the development of Unified Family Courts.

The "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly," funded by the Maryland Administrative Office of the Courts and Casey Family Programs,

included plenary and workshop sessions featuring prominent state appellate court justices, trial judges, academics, bar leaders, attorneys, services providers, and court administrators. Programs addressed issues such as the role of judicial leadership in developing Unified Family Courts; advocating for children and families in a Unified Family Court; services and accountability; dispute resolution; self-represented litigants; and addiction, mental health and other non-legal issues, to name a few. Workshop sessions were divided into three tracks, depending on a participant's experience and expertise with Unified Family Courts.

In an op-ed appearing in the Baltimore Sun on May 3, ABA President Karen J. Mathis wrote that this "important national Summit in Baltimore will address ways to improve and expand Unified Family Courts. This gathering comes at a time when reforms in the family justice system are receiving increased attention across the United States."

Students enrolled in the CFCC Student Fellows Program were instrumental in planning and implementing the Summit. Student Fellows assumed significant responsibility for media outreach, developing a courthouse tour of the Baltimore City Family Division, identifying and contacting potential conference sponsors, and assisting with development of the conference agenda.

"The Summit served as a powerful rallying cry for states and jurisdictions committed to improve the family justice system by creating a unified, coordinated approach to children and families in court," commented **Barbara A. Babb**, Associate Professor and CFCC Director. "We hope to join with other law schools around the country to provide the expertise and guidance to these and other jurisdictions interested in Unified Family Courts."

UNIVERSITY OF CALIFORNIA, BERKELEY

SCHOOL OF LAW - BOALT HALL

After concluding a two-year, **\$3.25 million capital campaign** in December – with a lead gift from Boalt and broad support from alumni, law firms, foundations and friends – EBCLC moved into its own building earlier this week. The fully renovated facility includes state of the art equipment and much-improved space designed to leverage the full potential of EBCLC’s teaching and service missions. The project also represents almost 20 years of an increasingly robust university-community partnership to increase access to justice for low-income clients and groups.

For any of you in the neighborhood, EBCLC will host a **community celebration** on the evening of **Thursday, May 31st** to rejoice in the good fortune and great promise of new leadership and a new home.

Death Penalty Clinic

The **Death Penalty Clinic** celebrated a monumental victory in February when Walter Rhone, a client of the Clinic and the Southern Center for Human Rights <<http://www.schr.org/>> (SCHR), was released from an Alabama prison after serving more than eight years following his conviction on capital murder charges.



(l-r) Clinic Associate Director Ty Alper; Southern Center for Human Rights (SCHR) Attorney William Montross; Walter Rhone; former SCHR investigator Celia Perry.

Clinic Associate Director **Ty Alper** began representing Mr. Rhone three years ago, when he was a staff attorney at SCHR and Mr. Rhone was serving a sentence of life in prison without the possibility of parole. After joining the Death Penalty Clinic, Professor Alper and the Clinic's co-counsel at SCHR, William Montross, won a landmark ruling in the Alabama Supreme Court, *Ex Parte Rhone*, 900 So.2d 455 (Ala. 2004), which allowed Mr. Rhone to pursue post-conviction relief. SCHR investigators subsequently uncovered prosecutorial, judicial, and juror misconduct that occurred during Mr. Rhone's 1999 trial in Bessemer, Alabama.

Several Death Penalty Clinic students - including **Jamie Popper '05**, **Laura Clark '05**, **Michael Lepie '06**, and **Angel Sevilla '05** - drafted memos and pleadings based on this investigation, which culminated in a ruling <<http://www.law.berkeley.edu/clinics/dpclinic/Rhone/Rhone%20order.pdf>> by Alabama Circuit Court Judge John E. Rochester granting Mr. Rhone a new trial. After negotiations for a "time served" plea following Judge Rochester's order, Mr.

Rhone walked out of prison a free man on February 8, 2007.

A full account of the result can be found on the Boalt Hall website at <http://www.law.berkeley.edu/news/topstories.html#dpc022607> It is also posted at our clinic website <http://www.law.berkeley.edu/clinics/dpclinic/dpcnews.html>

The Death Penalty Clinic has also assisted in a major victory for Alabama death row inmates. In *Ex Parte Clemons*, __ So.2d __, 2007 WL 1300722 (Ala. May 4, 2007), the Alabama Supreme Court ruled that appellate courts may not invoke procedural bars to defeat prisoners' constitutional claims if the State has previously waived its right to rely on those bars. The landmark ruling will affect prisoners throughout Alabama, particularly those on death row, many of whom have valid constitutional claims that have been denied on purely procedural grounds. Death Penalty Clinic students became involved in the case in 2005, when David Taylor '06 worked under the supervision of Associate Director **Ty Alper** to assist Mr. Clemons' lawyers at Winston and Strawn, LLP in Washington, D.C., in drafting their brief to the Alabama Supreme Court. This year, also under Professor Alper's supervision, Katy Miller '07 worked with firm partner Anne Stukes to prepare her for oral argument in the Alabama Supreme Court.

This information is also posted at <http://www.law.berkeley.edu/clinics/dpclinic/dpcnews.html>

Death Penalty Clinic and East Bay Community Law Center Student Mark Feeser '07 Wins 2007 Sax Prize



Sax Prize winner Mark Feeser (center) with Tirien Steinbach (l) and Elisabeth Semel (r).

Mark Feeser '07 was nominated twice for this year's **Brian M. Sax Prize for Excellence in Clinical Advocacy**, both for his work as a second-year student at the East Bay Community Law Center (EBCLC) and for his current participation at the Death Penalty Clinic. The \$1,000 award, given annually to a graduating student from one of Boalt Hall's clinics, was presented at the Brian M. Sax Prize Luncheon on April 20. In the Death Penalty Clinic, Feeser excelled at an astonishing array of assignments and distinguished himself in particular as a member of a team representing a client on Alabama's death row. Last year, as an EBCLC student, Feeser helped clients of the Clean Slate Practice expunge their criminal records in order to gain access to stable employment, housing, educational opportunities, and civic participation.



On April 16, the California Supreme Court unanimously ruled in favor of California workers on two critical issues in state wage and hour law. The issues

involved the characterization of the extra pay to be received by a non-exempt employee who, in accordance with state law, does not receive duty-free rest and meal periods and the ability of workers to raise in court as part of a *de novo* trial additionally related wage claims not addressed at a prior administrative hearing.

The case, *Murphy v. Kenneth Cole Productions*, 40 Cal.4th 1094 (2007), arose as part of the regular docket of wage and hour cases handled by the Hastings Civil Justice Clinic's Individual Representation Clinic. There was a six-day trial in San Francisco Superior Court, where lead representation was provided by a team of students under clinical faculty supervision. In May 2004, the trial court filed its statement of decision and judgment and found that John-Paul Murphy, the Clinic's client, was not an exempt employee and was therefore entitled to unpaid overtime and payments for missed meal and rest periods.

The employer appealed the case to California's Intermediate Court of Appeal, where the Court upheld the trial court's decision that Murphy was not an exempt employee but found that new wage-related issues could not be raised for the first time as part of a *de novo* trial and that the payments due for missed meal and rest periods were penalties subject to a one-year statute of limitation, not premium pay similar to overtime and, therefore, subject to a three-year statute of limitation. The meal and rest period claim had been raised for the first time as part of the trial proceeding. Under California law, there is an expedited administrative proceeding before deputy labor commissioners that can be invoked by workers in wage disputes with their employers. If an administrative decision is appealed, the case needs to be fully relitigated in court. The appeal is not a review of the administrative record.

The California Supreme Court's unanimous reversal of the Court of Appeal upheld the trial court's decision in its entirety. It also established highly important precedents in California wage and hour law, which will be especially consequential for pending and future class action cases involving damages due to workers for not having received duty-free meal and rest periods. While the amount of unpaid wages cannot be easily estimated, it is fairly safe to assume that hundreds of millions of dollars are at issue. Murphy is widely considered the most important California state court employment decision issued within the last few years.

The lead attorney for the case on appeal was Civil Justice Clinic faculty member **Donna Ryu**, who worked closely with fellow faculty members **Nancy Stuart** and **Miye Goishi** and various Civil Justice Clinic students as well as a network of plaintiff employment attorneys from throughout the state.

The 2006-07 academic year was also an important year at Hastings regarding institutional developments. At the end of November, the faculty overwhelmingly established as part of the Faculty Rules and Procedures a new professorial line for long-term contract faculty members, which provides for most faculty governance rights except for decisions affecting tenure-track appointments and promotions. Previously, some clinical faculty members held tenure-track positions, while others had long-term contracts but with no governance rights. Under the grandparenting provisions included as part of the rule change, Dean Nell Newton recently has **appointed** the following Hastings clinical faculty members as **long-term contract professors**:



Miye Goishi



Chris Knowlton



Eumi Lee



Karen Musalo



Donna Ryu



Gail Silverstein.

On May 1, the faculty unanimously authorized the appointment of **Nancy Stuart** as a **long-term contract professor** to become the **Director of Field Placement and Pro Bono Programs**, a newly configured faculty position. Nancy previously had been a member of the Civil Justice Clinic faculty for 5 ½ years. Lastly, with funds from a *cy pres* distribution of undisbursed class action proceeds, the Civil Justice Clinic has established a two-year clinical teaching

fellowship in its Individual Representation Clinic. **Willie Nguyen**, who has been an attorney with the Employment Law Center of the San Francisco Legal Aid Society for six years, has been selected as the first **Civil Justice Clinic fellow**.



D'Lorah Hughes will visit us this year to work with Laura McNally in the **Health Law Clinic** as Louise McKinney travels to Botswana, Africa for her Fulbright. (You can keep in touch with Louise through her Case email address.)

Also, **Yuri Linetsky** will visit in the **Civil Litigation and Mediation Clinic** in our recently funded eighth clinical slot.



The **California Innocence Project** was successful in obtaining the freedom of Timothy Atkins, who has been wrongfully incarcerated for the past 20 years. A LA Superior Court judge announced he was granting the habeas corpus petition and overturned Atkins' conviction. The judge also ordered Atkins released immediately. Special congratulations to **Prof. Justin Brooks**, **Prof. Jan Stiglitz**, and **Jeff Chinn** (Asst. Dir. of the California and Hawaii Innocence Projects at CWSL) along with many California Western students who, over several years, worked tirelessly to rectify this wrong.

Mr. Atkins is the fifth prisoner who has been released as a result of the work of the California Innocence Project.

This fall CU will launch a new clinic, the **Samuelson-Glushko Technology Policy Law Clinic**. Thanks to generous donations from Pam Samuelson and Robert Glushko, the clinic will offer students an opportunity to advocate at the Federal Communications Commission and at Colorado's Office of Information Technology. The clinic will be supervised by **Brad Bernthal**, who will also continue to teach CU's Entrepreneurial Law clinic.



Generous Gifts Create Clinic Endowment to Fund Fellowship Program

The University of Denver Sturm College of Law is the fortunate recipient of several gifts that now comprise a clinical endowment. The faculty of the law school recently voted to utilize this endowment money to create and fund a clinical teaching fellowship program. The program will begin in the 2007-08 academic year, with one fellow working in the civil rights clinic and a second fellow soon to be added. The fellowship is a three year program designed to train future clinical teachers. Given the focus of the program, fellows will attend workshops specifically designed to train the fellow as a clinical teacher and will be provided time to pursue a scholarly agenda.

Students help stop the creation of a Liquefied Natural Gas Facility on US/Mexico Border

Students at the University of Denver Sturm College of Law, **Environmental Clinical Partnership**, filed a petition with the Secretariat of the Commission for

Environmental Cooperation (CEC), a tri-national environmental commission set up pursuant to the North American Free Trade Agreement (NAFTA), to challenge the Mexican government's granting of a permit to Chevron-Texaco to build an liquefied natural gas terminal just 600 yards from the Coronado Islands. The Coronado Islands, 11 miles south of the U.S. border, are a biodiversity hotspot that provide critical nesting habitat for six threatened or endangered seabird species and ten other species of plants and animals found nowhere else in the world. The gas from this proposed project was certainly headed for San Diego and represented the sort of flight across the border to avoid tighter environmental law that NAFTA's environmental side accord was designed to stop. After consideration, the CEC ruled that the permit was likely issued in violation of Mexican environmental law and asked Mexico to defend its decision. The CEC called for an investigation as to whether the Mexican government properly considered alternatives to the project and sufficiently analyzed the impacts of the terminal on endangered species. Soon after the CEC's ruling, Chevron-Texaco abandoned the project.

Students in Community Legal Clinic Focus on Plight of Undocumented Workers

This year, students in the **Civil Litigation Clinic** have been working closely with El Centro Humanitario Para Los Trabajadores, a day laborer center in downtown Denver. In addition to representing clients in federal and state court on various employment related matters, students are creatively addressing systemic issues impacting the day laborer community. Students successfully drafted, lobbied and testified on behalf of a state bill designed to increase the penalty for non-payment of wages. The bill passed both the state

House and Senate and is currently awaiting the Governor's signature. Students also designed a handbook, and taught classes, for both employees and employers to address the legal rights and responsibilities of each in the day laborer context.

Georgetown Law

I am thrilled to share the news of a major victory for one of Georgetown's clinics, the **Institute for Public Representation**. IPR faculty and students represented the United Church of Christ in a license renewal challenge against a Univision television station in Cleveland, claiming that the station had failed to provide educational children's programming. As a result of the suit, the FCC is expected to fine Univision \$24 million. From the front page of the New York Times:

RECORD FINE EXPECTED FOR UNIVISION By STEPHEN LABATON

WASHINGTON, Feb. 23 — When Univision began broadcasting a show three years ago about the misadventures of 11-year-old identical twin girls who swapped identities after discovering they had been separated at birth, it characterized the episodes as educational programming for children.

That decision is expected to cost Univision, the nation's largest Hispanic network, \$24 million in what would be the largest fine the Federal Communications Commission has ever imposed against any company. The penalty is also expected to send a strong signal to broadcasters that they will be expected to meet their required quota of shows that educate and inform children, after years of permissive oversight in this area.

The commission has decided to impose the heavy fine — disclosed by Kevin J.

Martin, the chairman of the commission, in an interview — as a tough rebuke to Univision for claiming to meet its obligations to broadcast educational children's programs by showing the Latino soap opera "Complices al Rescate" ("Friends to the Rescue") and other so-called telenovelas.

The penalty, part of a settlement that will allow the company to proceed with a buyout deal, is nearly three times the previous record fine of \$9 million, imposed against Qwest Communications for violating telephone interconnection rules in 2004, and significantly more than the largest indecency penalty, \$3.5 million, levied against Viacom that same year for remarks by Howard Stern and other so-called shock jocks on the radio.

It also represents an unusually aggressive enforcement of the 1996 regulations that interpreted the Children's Television Act. Those regulations, adopted after some broadcasters characterized cartoons like "The Flintstones" and "The Jetsons" to be educational programs, imposed more substantive requirements on the networks as they comply with the mandate to broadcast at least three hours a week of programs of intellectual value to young people.

Although some television critics say it is common for stations not to comply, only a handful of complaints have been filed. An even smaller number have resulted in modest penalties of several thousand dollars for stations found to have violated the rules.

Reflecting the views of many policy leaders in Washington who were appointed by President Bush, Mr. Martin said that he was committed to deregulation "and an environment where companies can be investing and competing and driving innovation." But he also said that he was not driven simply by ideology, and that there remain important areas where thorough regulation plays a valuable social role. "I generally think consumers

are better served by less regulation, not more,” he said in an interview. “But I also think the commission has a key role to play in some areas, such as children’s television, and I take those obligations seriously.”

The agency under Mr. Martin adopted new rules last year to make the children’s television programming requirements apply to new digital television stations.

The \$24 million fine, along with a plan to show more programming that would comply with the rules, are part of a consent decree that Univision has tentatively agreed to that would resolve complaints by viewers. It covers violations at 24 Univision stations over a 116-week period from 2004 to early last year.

Mr. Martin has already signed onto the decree. Once the full commission approves it, as expected, Univision will be able to complete its \$12 billion sale to a consortium of private equity firms. Those investors include Providence Equity Partners, where a senior executive is Michael K. Powell, the former F.C.C. chairman, and Haim Saban, a wealthy investor who built a major business on the Mighty Morphin Power Rangers action figures.

Lawyers representing Univision before the commission declined to comment about the case. The fine was applauded by some Democrats in Congress who have long been dissatisfied with the agency for failing to press broadcasters to provide higher-quality programming for children.

“As the prime House author of the Children’s Television Act, I am pleased the commission is pursuing serious and vigorous enforcement of violations,” said Representative Edward J. Markey, the Massachusetts Democrat who heads the House subcommittee on telecommunications and the Internet. “This is a particularly egregious case and the level of the proposed fine reflects it. Rather than giving kids programming that is educationally nourishing, Univision

elected to give them the Spanish-language equivalent of a soap opera..”

The case dates to the summer of 2005, when the United Church of Christ raised concerns about Univision’s programming lineup, complaining that it was failing to provide adequate children’s programs. The network claimed it was meeting its obligation by repeatedly rebroadcasting the same episodes of the telenovela. The commission’s staff found that 24 stations had violated the programming guidelines over a two-year period.

Angela J. Campbell, a telecommunications expert at Georgetown University Law Center who represents the church, appeared stunned by the decision. “Assuming it’s true, I’m pleased to see the commission finally taking action and I hope they will take action soon on other petitions we have filed in this area,” Professor Campbell said. “Broadcasters need to know that they have to take these obligations to children seriously.”

Univision had maintained that it satisfied its programming obligations for children by broadcasting several telenovelas, including “Complices al Rescate.” “A significant purpose and key educational objective of this program is to illustrate how friendship, love and kindness can help overcome life’s adversities,” the network’s lawyers said in their brief before the commission. “ ‘Complices al Rescate’ follows the lives of two 11-year-old girls, Silvana and Mariana, who have both experienced sadness, loss and injustice in their lives. Throughout the shows, the girls learn to appreciate that happiness is not found in popularity and money, but in true friendship, good will towards others and love.”

But Mr. Martin said the commission found little merit to that argument, and critics said the show, with complex subplots and occasional adult themes, had little value for young children.

In an affidavit accompanying the United Church's complaint, Federico Subervi, a media consultant to such shows as "Dora the Explorer" and "The Misadventures of Maya and Miguel" said that "Complices" contained many adult plots and complex themes that were hardly suitable for young children.

As further evidence that the program did not comply with the rules, Mr. Subervi noted that 80 percent of the advertising during the show was geared toward adults.



Hofstra Law School's new **Securities Arbitration Clinic** and **Community and Economic Development Clinic** have each wrapped up successful first years. With the addition of these new clinics, the Hofstra now has seven clinical programs, giving students the chance to represent clients in housing, child advocacy, political asylum, criminal, and mediation cases - and now experiences in transactional and corporate matters, as well.

The Securities Arbitration Clinic commenced last summer under the direction of **Curtis Pew**. It is specifically designed to give students hands-on experience in pursuing securities-related claims which are subject to arbitration agreements. Students are introduced to the fundamental principles of securities arbitration procedures primarily initiated by or against investors of modest means before either the New York Stock Exchange or the National Association of Securities Dealers. Students are assigned to individual cases and serve as advocates for the investors. Curtis Pew, the Attorney-in-Charge of the Clinic, already has a distinguished career as a lawyer

specializing in arbitral matters arising in maritime law, and in arbitration of international commercial and securities related domestic disputes. Previously, he also was an Adjunct Professor at Cardozo Law School where he taught International Commercial Arbitration and coached that school's Willem C. Vis International Commercial Arbitration Moot Team. His participation in the Vis competition has continued at Hofstra.

Students in the Community and Economic Development Clinic provide transactional assistance to nonprofits, community-based organizations and micro-enterprises in low-income communities in and around Nassau County, with a focus on clients that will increase social and economic justice. The clinic is headed by **Serge Martinez**, attorney-in-charge and associate clinical professor of law. Prior to his current position at Hofstra, Serge was an attorney in the Community Development Project of the Urban Justice Center in New York City. Professor Martinez' scholarly interests include nonprofit law and policy, community lawyering and ethical problems in representation of groups.



Indiana University-Bloomington announces a new clinic in disability law and two additional externship programs to its expanding clinical offerings.

Disability Law Clinic

Students assist low-income clients with social security disability and medicaid disability appeals. They also provide assistance to community groups that advocate for people with disabilities. This is a three-credit clinical course offered for the first time this

Spring 2007 by Clinical Associate Professor **Carwina Weng**.

Washington Public Interest Program

Starting in fall 2007, select third-year students can earn credit for Washington, D.C., public interest internships with nonprofit corporations or government agencies. Considered a capstone experience for students committed to public interest careers, the course includes a unique on-site companion seminar taught by **Professor A. James Barnes** and a directed readings course. Barnes will commute to D.C. bi-weekly for the interactive, skills-based class, which will help to bridge the transition from law student to practicing lawyer through experiential learning.

Criminal Law Externship

Students receive two to three hours of academic credit for work at prosecutors' and public defenders' offices in this program under the supervision of **Adjunct Professor Susan Kerns**, a former prosecutor and current Director of Student Services at the law school.

The University of Michigan Law School

From March 29 to April 1 the University of Michigan Law School sponsored a symposium marking the 30th Anniversary of the Child Advocacy Law Clinic. The theme of the symposium was "Looking Ahead to the Next 30 Years of Child Advocacy" and featured some of the most prominent leaders in the child welfare law field.

The Michigan Journal of Law Reform has the presentations, discussions and power point slides available for viewing on their web site:

<http://students.law.umich.edu/mjlr/prospectus/calc.html> All the sessions held at the law school are on video with power point available when used. The dinner talk by John E.B. Myers on the History of

Child Protection in America is on audio only but his terrific power point slides are viewable too. U.S. Senator Debbie Stabenow's closing keynote talk is available only on audio. There is some very valuable information and perspective available on the site. I hope you find it useful. Feel free to pass along the web addresses to others who may be interested.

The UM News and Information Service also made a video that describes our teaching and service approach within the child advocacy law clinic. You can view that from several portals, including the general U of Michigan Home page. The easiest access is from the following law school page. Then click on video under "Quick Information"

<http://www.law.umich.edu/CentersandPrograms/clinical/calc/index.htm>

Congratulations to Bridget McCormick of the University of Michigan's General Clinic, and **law student Melissa Salinas** who has since graduated, on an incredible victory in a habeas corpus case decided by the Sixth Circuit. The Court threw out the murder conviction of a man who had served more than ten years in prison largely based on prior testimony of a missing witness. The Court held that the refusal to permit the defense to present evidence of the missing witness' criminal convictions was a violation of the right to confrontation.

In an era when courts routinely allow gross constitutional violations to occur in the name of "harmless error," Bridget and the clinic -- which entered the case at the habeas level -- achieved a complete victory. The eleven page opinion can be accessed at

<http://www.ca6.uscourts.gov/opinions.pdf/07a0166p-06.pdf>

THOMAS & MACK LEGAL CLINIC

Visiting Boyd professor **Megan Chaney** and Boyd library professor (and former public defender) **Tom Boone** are in the process of developing a model for bringing clinics into the digital era. This model will in effect create a clinical web-commons that will provide a forum for students and faculty to share information regarding clients, court experiences, procedure and other common law. A major component of their work is the creation of a clinic website integrating various digital library tools, course management, a personalized research repository, a knowledge management wiki (like wikipedia) for student practice, and a case management system designed especially for legal clinics. An essential aspect of this model brings library services to law school clinics and propose that law schools have law librarians who specialize in clinic work, providing research tools and services designed specifically for clinics. This merging of expertise also promises more clinic-centered case- and information-management systems than we currently experience. The project is especially important to the work of the clinics in Nevada, a state which contains a certain informality bordering on lawlessness that makes law practice challenging, though always exciting.

Memorializing the law as it is practiced in an accessible forum will help students and faculty manage information in this constantly-changing community. Chaney and Boone presented this project in New Orleans and will be presenting the project at the CALI Conference for Law School Computing at UNLV, June 18-20. We will keep the clinic community posted on the development of this promising prototype.

Litigation

Saint Louis University Law School's Legal Clinic has been successful with suits against federal, state and local government in the last several months.

A federal judge in Kansas City in February restored durable medical equipment such as catheters and hospital beds for more than 300,000 Missourians in a lawsuit brought by several public interest organizations, including the Legal Clinic. The ruling came after a remand from the Eighth Circuit Court of Appeals which found the state's elimination of such vital equipment was unreasonable. The medical equipment is used by low-income Missourians so they can stay in their own homes and avoid going into nursing homes.

Missouri's Governor Matt Blunt recently announced he would keep the Bellefontaine Habilitation Center open, much to the relief of hundreds of residents of the Center who are severely disabled, and to the relief of their parents and guardians. The Legal Clinic had joined with a private attorney to sue the state over its efforts to close the home, which for many of the residents is the only home they have known, many having been placed there when they were children.

Governor Blunt also announced that he was agreeing with arguments of the Clinic and other advocates when he decided that 60,000 waiters, waitresses and others who earn tips should earn the higher minimum wage that was passed by Missouri voters last year. Advocates were preparing litigation over the issue, which arose when the state Labor Department advised employers that the new higher state minimum wage did not apply to tipped workers.

The Legal Clinic's faculty and

students were part of a large legal team which obtained the first ruling in the country permanently striking down a local ordinance attempting to regulate illegal immigration. The ruling by a state court judge struck down the ordinance in the City of Valley Park, Missouri. Valley Park had copied the language used in the ordinance adopted by Hazelton, Pennsylvania, where similar litigation is pending in federal court.

Elsewhere on the immigration front, the Clinic worked with Catholic Charities and Legal Services of Eastern Missouri to file suit on behalf of 50 Bosnian war refugees who were facing unlawful delays in their efforts to be naturalized. After the litigation was filed, the federal government agreed to naturalize the Bosnian refugees in a ceremony on December 29. A new lawsuit has been filed for 35 more Bosnians whose applications for citizenship have been delayed past the required 120 day limit.

The Legal Clinic is awaiting a decision from a state court judge after a recent two-day trial over the state's calculation of the Blind Pension. Approximately 3,000 blind Missourians receive the benefit, and the Clinic, working with private attorneys, claim in the suit that the state owes the blind pensioners \$19 million in retroactive benefits.

New Orleans Service Trip

While other spring breakers spent their time at the beach or on the slopes, volunteers from the Saint Louis University School of Law spent their vacation providing *pro bono* legal services to low income clients in New Orleans. Twenty-four law students, accompanied by a mix of law alum, faculty and attorneys from the Catholic Legal Assistance Ministries, spent the week of March 11 to 17th spread out among agencies like the *Pro Bono* Project, the New Orleans Legal Assistance Center (NOLAC) and the Juvenile Justice Project of Louisiana.

Students at the *Pro Bono* Project assisted these homeowners in establishing a chain of succession. They spent their time counseling clients and running to City Hall to seek documentation. Students at the New Orleans Legal Assistance Center worked in pairs with legal services lawyers handling consumer, housing, domestic relations, homelessness, and public benefit issues. Students at the Juvenile Justice Project helped represent children who were charged with delinquency. Three of the St. Louis attorneys acquired Provisional Louisiana Law Licenses before the trip and appeared in court representing young clients.

But perhaps those who gained the most from the trip were not the clients assisted by Project Noah but those who sought to help them. By serving the people of New Orleans, the participants on the trip gained insight not only into the lives of those affected by the hurricane but into themselves as well. To be allowed to participate in the rebuilding of New Orleans was a privilege.



Change is exciting and often motivating. At the University of St. Thomas Interprofessional Center for Counseling and Legal Services, there are some very significant upcoming changes that we are excited to report. In the Fall of 2007, the Legal Services Clinic at the University of St. Thomas' School of Law will undertake a major shift in one of our practice areas, from Family Law to the Community Justice Project.

Under the leadership of **Professor Levy-Pounds** and **UST Law Fellow Artika Tyner**, the **Community Justice Project (CJP)** will take a comprehensive look at improving the lives of the African

American community in the Twin Cities.

The CJP has already engaged in intensive research into practical solutions to longstanding challenges such as racial disparities in the criminal justice system, police brutality, and racial disparities in the educational and juvenile justice systems for at-risk youth. In the fall of 2007, eight clinic students and three advanced clinic students will begin working on four initiatives:

1. Partnering with the MN Department of Human Rights to provide mediation services in workplace discrimination cases;

2. Representing children in public schools in disciplinary matters in an effort to prevent children from becoming unnecessarily involved in the juvenile justice system;

3. Providing community education around the issues of social justice and improving relationships between community members, the St. Paul Police Department and local government;

4. Continuing to work with the St. Paul City Attorney's office on restorative justice programs and assisting individuals via direct representation in the filing of complaints and appearances before review boards.

In July of 2007, our newest clinical law fellow, **Nicholas Halbur** will be joining the Legal Services Clinic. Mr. Halbur (class of 2006) was chosen from an outstanding field of applicants from UST Law students anticipating graduation in the spring as well as past UST Law graduates now practicing law in the community. "We were once again blessed with the enviable challenge of selecting from an excellent pool of well qualified candidates so clearly committed to the Center's mission of providing services based on the principles of social justice and Catholic social teaching." said Virgil Wiebe, Associate Professor of Law and Co-Director of the Center.

Mr. Halbur is our first fellow to have already practiced law for nearly a year. Professor Wiebe added that "among Mr. Halbur's many qualifications which impressed the selection committee included his commitment to the role of servant leader, public service and social justice work, experience in elder law, and demonstrated potential as a teacher and supervisor of clinic students." Ms.

Natasha Merz (class of 2004) will leave the clinic after three years of outstanding service to clients, students and the Twin Cities Legal Community. Ms. Merz will be sorely missed by the community at UST Law and we wish her the best in her next endeavor.

Ms. **Kathleen Klos** has been chosen as our Outstanding Clinical Student for 2006-2007 at the University of St. Thomas awarded by the Clinical Legal Education Association. Kathy has demonstrated her passion and commitment to the representation of underserved clients as a clinical law student, volunteer attorney, advocate and student. Her dedication to the mission and vision of our law school is embodied in all she does – and she challenges us each in her quiet way to dedicate our work and service to the mission and vision. Kathy possesses and shares a sense of good cheer, optimism, and peace, even in times of great tragedy.

She without fail has a smile and a warm chuckle for everyone she encounters. Kathy was involved formally in clinic for three semesters and continued to work with as a volunteer advocate for clients after completing her formal clinic experience. Kathy received her award from Dean Thomas Mengler, Associate Dean Jerome Organ and Professors Virgil Wiebe, Jennifer Wright and Nekima Levy-Pounds at a special ceremony on Commencement Day, May 12, 2007.

Change is also happening at the Interprofessional Center for our colleagues in Social Work and Graduate Psychology. New co-directors for both disciplines will

be in place by fall 2007, making for a busy summer of searches and the building of new and exciting collaborations and connections.

STANFORD LAW SCHOOL

The **Stanford Community Law Clinic** students recently prevailed in a challenging case representing a client before the Housing Authority of Santa Clara County.

The client had been terminated from Section 8 assistance for several reasons, most arising from that the fact that he was out of his apartment for over sixty days. At the time he sought the clinic's representation, he was temporarily living with his mother and on the verge of homelessness. Clinic students researched his story and discovered that the reason the client had been away from his unit was that he had been incarcerated for a parole violation stemming in part from the client's history of depression and anxiety.

Clinic students represented the client at his administrative hearing and successfully argued that the client had complied with the Housing Authority requirements to the best of his abilities and that the Housing Authority needed to accommodate his disabilities which, in addition to his depression, also included injuries to his legs and back preventing him from working full-time. The case demanded not only extensive factual and legal research but also intensive client counseling and negotiation when the client's

The **Criminal Defense Clinic** recently secured a wonderful result on behalf of a client for whom the prosecution was seeking a life sentence under the "three-strikes" law.

The client had been convicted of two sex offenses in the early 1990s, and had served his time without incident. In the more than 15 years since, he has never

been accused of any inappropriate sexual conduct. Nevertheless, the client was facing this possible life-sentence for falling 11 days out of compliance with his obligation to update his registration as a sex-offender (he had kept his registration up-to-date until he became homeless, but failed to register as a transient within five days of becoming homeless). Under California law, this failure-to-register qualifies as a "third strike" because any felony so qualifies. The Probation Department submitted a report recommending a life sentence.

In advance of the March 19 hearing date, Criminal Defense Clinic students researched the client's life-history and established that his failure to register was the product of mental limitations that made it very difficult for him to understand the intricacies of the registration requirements. As evidence that his delay in registering was not borne of any desire to evade the police, the students pointed to evidence that the client checked in almost daily with his parole agent. Indeed, it turned out that the client had asked his parole agent about how and when to register as a transient, but the parole agent himself was not sure.

After oral arguments were heard, the sentencing judge accepted the clinic's position that this was not a case in which a life sentence was appropriate and ordered probation for the client for the current offense under the close supervision of the Mental Health Court. (Indeed, the Probation Officer who earlier recommended a life sentence, was persuaded by the evidence presented and decided to endorse the clinic's proposed sentence instead.) The client has since been released from custody to the care of a structured facility that is providing him the services he needs.



Deborah Sivas (Stanford) was recently honored with an **Award of Excellence** by the **Pit River Tribe** for her long-term quest for environmental justice. Under Debbie’s supervision and the work of many former clinic students, Stanford’s Environmental Law Clinic won a major victory in November 2006 when the Ninth Circuit Court of Appeals reversed an adverse decision and ordered the lower court to enter summary judgment in favor of the Pit River Tribe, the Native Coalition for Medicine Lake Highlands Defense, and the Mount Shasta Bioregional Ecology Center. This decision ended the eight-year legal battle to protect the Medicine Lake area Indian sacred site in Northeastern California from energy development.



Suffolk has “upgraded” two previous Practitioner-in-Residence positions to Clinical Faculty positions in our Juvenile Justice Clinic. **Ken King** and **Pierre Monette**, incumbents in those positions, will next year be Visiting Clinical Professors in anticipation of a search process next fall.



Taxpayer Clinic Wins William McKnight Award

The **Syracuse University Low Income Taxpayer Clinic (SULITC)** was the recipient of the **2006 William McKnight Award**. The William McKnight Award is named for William McKnight, a dedicated *pro bono* attorney who argued before the United States Supreme Court, and became

the first African-American partner of Nixon Peabody, LLP.

The Volunteer Legal Services Project of Monroe County (VLSP) recognized the SULITC for representing over 65 clients and devoting over 750 hours to help VLSP-referred clients. The SULITC is directed by **Robert Nassau**, adjunct professor in the Office of Clinical Legal Education.



Adjunct Professor Rob Nassau

Assistant Professor Michael Schwartz to Participate in Nordic Network on Disability Research (NNDR)



Michael Schwartz, Director of the Disability Rights Clinic presented at the 9th NNDR conference which took place May 10th-12th, 2007, in Göteborg, Sweden. The 2007 conference theme, “Participations for All – The Front Line of Disability Research,” provides a broad platform for current and new challenges in disability research. Professor Schwartz compared Norwegian and U.S. Disability laws with respect to employment, and addressed how both countries’ laws could assist one another in this field.

CRC Receives Chancellor's Award



Assistant Professor Melendez

The **Children's Rights and Family Law Clinic (CRC)**, with the College of Law's Family Law and Social Policy Center Service-Learning Program, was selected for the **Chancellor's Award for Public Engagement and Scholarship**. This award is given each year to programs and individuals who exemplify the highest ideal of sustained, quality engagement with citizens within our community. A ceremony was held to honor the Syracuse University programs on March 26, 2007.

Ireland's President, Mary McAleese Visits Law Clinic

Mary McAleese, the President of Ireland, visited and delivered a lecture at Syracuse University on May 1st, 2007. While at S.U., she visited the Office of Clinical Legal Education and met with clinic students. President McAleese is the former Pro-Vice Chancellor of the Queen's University of Belfast. Assistant Professor Michael Schwartz, who directs the Disability Rights Clinic, is a friend of President McAleese's and facilitated her recent visit.



(President of Ireland, the Honorable Mary McAleese)

Externship Students Receive Pro Bono Award

Two externship students will be recognized at this year's commencement for their *pro bono* and community service.

Externship students who exceed the required minimum commitment can be recognized for their additional work. Andrew Sick, an extern with the United States Attorney's Office, and Michael Cannata, an extern with the Federal Public Defender's office, both took on additional assignments over and above what was expected. The Externship Program is directed by **Ann E. Pfeiffer, Esq.**

Syracuse University Law Clinic Receives State Grant

The Syracuse University College of Law's Office of Clinical Legal Education received a \$429,000 grant to continue its securities arbitration work in the Syracuse community for an additional three years. The award, provided by the New York State Attorney General's Office, will allow the Securities Arbitration and Consumer Clinic (SACC) to accept new clients, develop a community education outreach program, and expand its client services. Now in its third year, this clinic provides representation to small investors across Central New York who have lost money as a result of the fraudulent or other harmful conduct of a broker-dealer.

SU Student Attorney's Hard Work Pays Off

After months of cutting through the bureaucratic maze, student attorneys Koert Wehberg and Carrie Auringer succeeded in convincing the New York State Health Department to produce an audiocassette of Medicaid recertification forms for a client who is blind. The North

Syracuse woman, blind since birth, requested legal assistance from the Syracuse University Disability Rights Clinic after her request to receive her annual Medicaid recertification forms in Braille was denied. Wehberg and Auringer negotiated a compromise on their client's behalf with the state's Health Department which finally agreed to provide the recertification on an audiocassette. The outcome enabled the client to remain independent and maintain her privacy. The outcome of this case led to a front page article in the local newspaper. The Disability Rights Clinic is directed by **Professor Michael Schwartz**.

S.U. Welcomes Visitors

Three visitors will be joining the S.U. Office of Clinical Legal Education this fall. **Birgitta Siegel** will be **Visiting Assistant Professor** in our **Securities Arbitration and Consumer Clinic**. Funded under a grant from the New York Attorney General's Office, Siegel brings many years of experience practicing in the securities field in New York, New Jersey and Florida.

Douglas Zamelis, an S.U. graduate, will be visiting for the year in the **Community Economic Development Clinic** while **Professor Deborah Kenn** is on sabbatical. Zamelis has been in private practice in Syracuse since 1992, where he represents public and private sector clients on transactional and litigation matters.

Jonathan Feldman will be **Visiting Assistant Professor** in the **Disability Rights Clinic** for the Fall 2007 semester, while **Professor Michael Schwartz** is on leave. A graduate of NYU, Feldman comes to the clinic from the Empire Justice Center in Rochester, New York, where he specializes in educational equity and special education cases. Feldman has also worked for a variety of other public interest entities.



Texas Tech University School of Law initiated a new **Health Care and Bioethics Mediation Clinic** under the direction of Professor **Susan Saab Fortney** in the Fall of 2006. To enrich and expand the mediation training, health care professionals from Covenant Health System, University Medical Center, the Garrison Geriatric Center and the Texas Tech University Health Sciences Center participated in the classroom component to develop mediation skills with a focus on health care disputes. The students were then available to mediate health care-related disputes in the community.

This new clinic joins the Civil Practice Clinic, Criminal Justice Clinic, Low-Income Taxpayer Clinic, Advanced Alternative Dispute Resolution Clinic and Innocence Project as clinical offerings. In the Fall of 2007, a new Criminal Prosecution Clinic will be offered.



Washington University in St. Louis Clinical Education Program had a number of major victories this past semester:

The **Civil Justice Clinic** successfully argued a petition in the Missouri Supreme Court to grant parole to Shirley Lute, a 77-year-old victim of domestic violence, who had been sentenced to life in prison without parole for the 1981 murder of her abusive husband. During her original trial, Lute's husband's physical, psychological and emotional abuse of her

was not brought into evidence. Students and faculty, including **Jane Aiken, Steve Gunn, Kathy Goldwasser** and **Kim Norwood**, worked on Lute's case for eight years. The oral arguments were the final step in a long process in which the clinic had obtained a commutation for Lute from the Governor in 2004, but then had to fight for her parole. The oldest female inmate in Missouri, Lute had been incarcerated for 29 years for her role in the murder of her abusive husband. The parole board had previously denied her parole, stating that Lute's release would depreciate the seriousness of her offense. Lute was released from prison at the beginning of May.

The **Civil Rights & Community Justice Clinic** won an important victory of national significance in the fight against anti-immigration ordinances sweeping the country. Students and faculty, including **Karen Tokarz** and **Margo Schlanger**, worked with the **St. Louis University Civil Clinic** and several local and national organizations on behalf of a group of landlords, business owners, and a fair housing agency to challenge ordinances passed by Valley Park, Missouri, that forbid employers to hire and landlords to rent property to "illegal aliens." In a ruling in March, St. Louis County Circuit Judge Barbara Wallace voided the first two ordinances enacted by Valley Park. Plaintiffs argued that Valley Park's ordinances promote discrimination and racial profiling, subject landlords and businesses to penalties that state law does not allow, and intrude on federal immigration law. The court sided with plaintiffs in holding that the ordinances are "void in their entirety" in that the ordinances passed exceed the power delegated to a fourth-class municipality and conflict with Missouri landlord tenant law. The plaintiffs recently filed a new lawsuit challenging subsequent ordinances passed by Valley Park that is set for hearing in September.

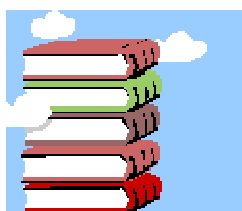
The **Interdisciplinary Environmental Clinic** negotiated a major settlement on behalf of the Sierra Club with Kansas City Power and Light in March that requires the utility to make the most significant carbon reduction commitments of any utility in the Midwest. Clinic students and faculty, including **Maxine Lipeles, Beth Martin, Ted Heisel** and **Peter Goode**, undertook two years of extensive advocacy and litigation, challenging the construction of a new, coal-fired power plant and the expansion of an existing plant already on the site in metropolitan Kansas City. The Interdisciplinary Environmental Clinic also recently won a significant victory for the American Bottom Conservancy in an important Clean Water Act case in Illinois. The Conservancy, a small grassroots group based in East St. Louis, Illinois, achieved a public hearing on a permit issued to a major source of pollution into Horseshoe Lake. The Lake, located in a state park about 10 miles east of St. Louis, is heavily used by area residents, many of whom eat fish caught there. The clinic filed the case a year ago with the Illinois Pollution Control Board in Springfield, Illinois, an oversight body that hears appeals of the Illinois EPA's decisions, to challenge the Illinois EPA's issuance of the permit without first holding a public hearing. The permit was issued to U.S. Steel, which reportedly discharges 15-20 million gallons of wastewater each day that contains, among other things, ammonia, cyanide, oil, grease, heavy metals, and oxygen depleting chemicals.



In an important victory for the **Wayne State University Law School's Civil Rights Litigation Clinic**, two students --

Katharine Orłowski, a third-year student, and **Nick Suci** 3rd, a second-year student -- under **Dan Manville's** able supervision, won a significant victory in the U.S. District Court for the Eastern District of Michigan before Judge Avern Cohn on behalf of the Clinic's client, David Zamboroski. Mr. Zamboroski was kept in belly chains and leg irons in the Montmorency County jail for 276 days.

The case settled for a significant payment to the plaintiff, which is confidential, and with a non-confidential payment for attorneys' fees of \$30,000.



BOOKS AND PUBLICATIONS



Bryan L. Adamson (Seattle),

Rule 52 (a) As An Ideological Weapon? 34 FLA. STATE UNIV. L. REV. ____ (2007).

Bryan L. Adamson (Seattle), *A Thousand Humiliations: What Brown Could Not Do.* 9 ST. MARY'S LAW REV. ON MIN. ISSUES 187 (Winter 2007).

Bryan L. Adamson (Seattle), *The H'aint in the (School) House: Brown v. Board of Education, Interest Convergence Re-Contextualized, and Continuing the Struggle for Racial Justice.* 43 CAL. W. L. REV. 173 (Fall 2006).



Alexis Anderson (Boston College), Lynn Barenberg &



Paul R. Tremblay (Boston College), *Professional Ethics in Interdisciplinary Collaboratives: Zeal, Paternalism and Mandated Reporting.* 13 CLIN. L. REV. 659 (2007).



Annette Appell (UNLV), "Bad" Mothers & Spanish-Speaking Caregivers, 7 NEV. L.J. ____ (2007) (forthcoming).



David Binder (UCLA)



Albert J. Moore (UCLA) &



Paul Bergman (UCLA), *A Depositions Course: Tackling The Challenge of Teaching for Professional Skills Transfer.* 13 CLIN. L. REV. 871 (2007).



Frank S. Bloch (Vanderbilt), *Medical Proof, Social Policy, and Social*

Security's Medically Centered Definition of Disability. 92 CORNELL L. REV. 189 (2007).

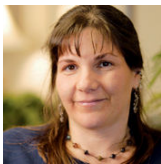
Frank S. Bloch (Vanderbilt), Jeffrey S. Lubbers and Paul R. Verkuil, *The Social Security Administration's New Disability Adjudication Rules: A Significant and Promising Reform.* 92 CORNELL L. REV. 235 (2007).



Sande L. Buhai (Loyola), *Parental Support of Adult Children With Disabilities.* 91 MINN. L. REV. 710 (2007).



Stacy Caplow (Brooklyn), *"Deport All the Students": Lessons Learned in An X-Treme Clinic (Reviewing Brandt Goldstein, Storming the Court-How a Bunch o Yale Law Students Sued the President and Won.* 13 CLIN. L. REV. 633 (2006).



Lauren Carasik (Western New England), *Justice in the Balance: An Evaluation of One Clinic's Ability to Harmonize Teaching Practical Skills, Ethics and Professionalism With A Social Justice Mission.* 16 S. CAL. REV. L. & SOC. JUST. 23 (2006).



David F. Chavkin (American), *Clinic Under the Stars: Giving Part-Time Students Their Due.* 13 CLIN. L. REV. 719 (2007).



Elizabeth B. Cooper (Fordham), *Global Cooperation in Law Schools: Lessons to Learn.* 30 FORDHAM INT'L L. J. 346 (2007).



Prentiss Cox (Minnesota), *Goliath Has the Slingshot: Public Benefit and Private Enforcement of Minnesota Consumer Protection Laws.* 33 WM. MITCHELL L. REV. 163 (2006).



Leigh Goodmark (Baltimore), *The Punishment of Dixie Shanahan: Is There Justice for Battered Women Who Kill.* 55 KANSAS L. REV. 269 (2007).

Donna S. Harkness (Memphis), *"Whenever Justice Requires": Examining the Elusive Role of Guardian ad Litem for Adults with Diminished Capacity.* 8 MARQ. ELDER'S ADVISOR 1 (2006).



Dina Francesca Haynes (New England), *Client-Centered Human Rights Advocacy.* 13 CLIN. L. REV. 379 (2006).



Kevin R. Johnson & **Bill Ong Hing (UC Davis)**, *The Immigrant Rights Marches of 2006 and the Prospects for a New Civil Rights Movement*. 42 HARV. C.R.-C.L.L. REV. 191 (2007).



William S. Koski (Stanford) and Rob Reich, *When "Adequate" Isn't: The Retreat From Equity in Educational Law and Policy and Why It Matters*. 56 EMORY L. J. 545 (2006).



Robert Lancaster (Indiana-Indianapolis) and Din Xxiangshun, *Addressing the Emergence of Advocacy in the Chinese Criminal Justice System: A Collaboration between a U.S. and a Chinese Law School*. 30 FORDHAM INT'L L.J. 356 (2007).



Margaret Moore Jackson (North Dakota), *A Half-Hearted Invitation: Welcoming Sexual Harassment in Minnesota*. 33 WM. MITCHELL L. REV. 117 (2006).



Robert R. Kuehn (Alabama), *Undermining Justice: The Legal*

Profession's Role in Restricting Access to Legal Representation. 2006 UTAH L. REV. 1039 (2006).



Theo Liebmann (Hofstra), *What's Missing from Foster Care Reform? The Need for Comprehensive, Realistic, and Compassionate Removal Standards*. 28 HAM. J. PUB. L. & POL'Y. 141 (2006).



Peggy Maisel (Florida International), *Expanding and Sustaining Clinical Legal Education in Developing Countries: What We Can Learn from South Africa*. 30 FORDHAM INT'L L. J. 374 (2007).



Aliza G. Organick (Washburn), *Creating a Tribal Law Practice Clinic in Kansas: Carving the Peg to Fit the Hole*. 82 N.D. L. REV. 849 (2006).



Lawrence R. McDonough (Minnesota), *Still Crazy After All These Years: Landlords and Tenants and the Law of Torts*. 33 WM. MITCHELL L. REV. 427 (2006).



William Wesley Patton (Whittier), *Rethinking the Privilege Against Self-Incrimination in Child Abuse*

Dependency Proceedings: Might Parents Be Their Own Worst Witnesses? 11 U.C. DAVIS L. REV. 101 (2007).



Russell G. Pearce (Fordham)

and Amelia L. Uelmen, *Religious Lawyering's Second Wave*. 21 J.L. & RELIG. 269 (2005-2006).



Michael L. Perlin (New York

Law School), *An Internet-based Mental Disability Law Program: Implications for Social Change in Nations with Developing Economies*. 30 FORDHAM INT'L L.J. 435 (2007).



Mae C. Quinn (Tennessee), *An*

RSVP to Professor Wexler's Warm Therapeutic Jurisprudence Invitation to the Criminal Defense Bar: Unable to Join You, Already (Somewhat Similarly) Engaged, 48 B.C. L. REV. 539 (2007).



Robert E. Rains (Penn State),

A Response to Bloch, Lubbers & Verkuil's The Social Security Administration's New Disability Adjudication Rules: A Cause for Optimism and Concern. 92 CORNELL L. REV. 249 (2007).

Robert E. Rains (Penn State), *Professional Responsibility and Social Security Representation: the Myth of the State-Bar Bar to Compliance with Federal Rules on Production of Adverse Evidence*. 92 CORNELL L. REV. 363 (2007).



Merdith Ross (Wisconsin), *A*

"Systems" Approach to Clinical Legal Education. 13 CLIN. L. REV. 779 (2007).



Roy Stuckey (South

Carolina), *Teaching With Purpose: Defining and Achieving Desired Outcomes in Clinical Law Courses*. 13 CLIN. L. REV. 807 (2007).



Leticia M. Saucedo (UNLV),

The Employer Preference for the Subservient Worker and the Making of the Brown Collar Workplace. 67 OHIO ST. L. J. 961 (2006).



Thomas L. Schaffer (Notre

Dame), *Roman Catholic Lawyers in the United States of America*. 21 J.L. & RELIGION 305 (2005-2006).



David Thronson (UNLV), *You Can't Get Here From Here: Toward a More Child-Centered Immigration Law.* 14 VA. J. SOC. POLICY & L. 58 (2006).



Paul R. Tremblay (Boston College), *"Pre-Negotiation" Counseling: An Alternative Model.* 13 CLIN. L. REV. 541 (2006).



Janet Weinstein (California Western) &



Linda Morton (California Western), *Interdisciplinary Problem Solving Courses as a Context for Nurturing Intrinsic Values.* 13 CLIN. L. REV. 839 (2007).



Christine Zuni Cruz (New Mexico), *Toward a Pedagogy and Ethic of Law/Lawying for Indigenous Peoples.* 82 N.D. L. REV. 863 (2006).

POSITION ANNOUNCEMENTS



Visiting Clinical Faculty Positions Milton A. Kramer Law Clinic Center Case Western Reserve University School of Law

We are happy to invite applications for two visiting clinical faculty positions for the 2007-2008 academic year in our **Civil Litigation** and **Mediation Clinic** and our **Health Law Clinic**. Candidates will be considered for up to a two year appointment as **Visiting Assistant, Associate, or Full Professor** based upon their practice and teaching experience. We seek candidates with distinguished academic records, practice and teaching experience, as well as a strong commitment to clinical legal education.

The Milton A. Kramer Law Clinic Center is home to our Civil Litigation and Mediation Clinic, Community Development Clinic, Criminal Justice Clinic and Health Law Clinic. Permanent Clinical Faculty co-teach in each clinic and are on long-term contracts for which unlimited renewals are possible. Case Western Reserve is an equal opportunity, affirmative action employer and encourages nominations of and applications from women and minority candidates.

Interested candidates should send a CV and cover letter to: Professors **Judith Lipton** and **Ken Margolis**, Co-Directors, Milton A. Kramer Law Clinic Center, Case Western Reserve University School, 11075 East Boulevard, Cleveland, Ohio 44106.



**Assistant Director/Law Faculty
Appointment
Entrepreneurship Clinic**

The Institute for Justice Clinic on Entrepreneurship at **The University of Chicago Law School** invites applications for the position of **Assistant Director/Lecturer at Law**. The nationally acclaimed law clinic was founded to stimulate private enterprise in the inner city by offering free legal assistance to low-to moderate-income entrepreneurs. The Clinic counsels its clients on business planning, transactions, and regulatory compliance. The Assistant Director will guide law students in assisting Clinic clients, co-teach the Clinic's companion course, assist in the administration of Clinic operations, interact with the media, and engage in community outreach to encourage and support entrepreneurship.

The Assistant Director will be a licensed attorney with 3+ years of experience in a general business or transactional law practice, who has demonstrated acumen in contract drafting, negotiation, and business planning. A strong academic background, a commitment to public interest work, and an intellectual engagement with entrepreneurship and the law are required. A passion for teaching and a facility for working with culturally and economically diverse groups are also necessary. Admission to the Illinois bar and a background in zoning, tax, accounting, or finance, are pluses. Review of candidates will begin immediately and continue until the position is filled. Please send cover letter, resume, and at least three references to:

Elizabeth Milnikel, Director
Institute for Justice Clinic on
Entrepreneurship
6020 S. University Avenue
Chicago, IL 60637
(773) 834-3108
E-mail: emilnikel@ij.org

Or by facsimile to: (773) 834-3130
The Institute for Justice is an equal opportunity employer.



**Clinical Teaching Fellowship
Civil Rights Clinic**

The **University of Denver Sturm College of Law, Civil Rights Clinic**, invites applications for a new **three-year clinical teaching fellowship program**. The fellowship is designed for experienced lawyers who are interested in exploring the possibility of a career in law school clinical teaching.

One of six clinical programs constituting the Student Law Office, the Civil Rights Clinic represents clients in a broad range of civil and human rights matters, including prisoners' rights (e.g., claims against federal and state prisons for violations of First, Fifth, Eighth and Fourteenth Amendment rights), and discrimination by employers and other public and private entities based on disability, race, gender, religion, age and national origin. In addition to the Civil Rights Clinic, the Student Law Office houses a Criminal Clinic, a Mediation Clinic, a Community Legal Services Clinic, a Low-Income Taxpayer Clinic and an Environmental Clinic.

The three-year fellowship will provide the fellow the opportunity to supervise and train law students who are representing

clients. The fellow will also teach classes, attend workshops designed to train the fellow as a clinical teacher and pursue a scholarly agenda. During the first year, the fellow will have the opportunity to tailor the fellowship to his/her particular areas of interest within the Civil Rights Clinic. Fellows in the Clinic will be integrated into the intellectual life of the law school and the larger University. Fellows are invited to attend faculty workshops at which works in progress will be presented, and to attend mentoring sessions for faculty.

Fellowship requirements: Applicants must have at least five years of legal experience, must have a demonstrated commitment to public interest lawyering and must possess strong academic credentials. Applicants must be admitted to the Colorado Bar or willing to seek admission.

Fellowship salary and benefits: Salary is competitive and is based on years of legal experience. Benefits include excellent University of Denver Sturm College of Law medical, vacation, and other fringe benefits and full access to all law school and other university facilities.

Application procedure and materials: Applicants should submit the following materials through <http://www.dujobs.org/hr> and to Professor **Christine Cimini**, Director of Clinical Programs, University of Denver Sturm College of Law, 2255 E. Evans Ave., Denver, CO 80208. Materials can also be sent electronically to Professor Cimini through the clinic's administrative assistant at lsarceno@law.du.edu:

1. a cover letter describing your prior legal, teaching, and other relevant experience; your aspirations regarding clinical teaching; and any other information relevant for assessing your potential as a clinical teacher and supervising attorney;

2. a detailed resume;

3. under other documents: a writing sample (10-15 pages); and

4. a list of at least three references.

The University of Denver is committed to enhancing the diversity of its faculty and staff and encourages applications from women, minorities, people with disabilities and veterans. DU is an EEO/AA employer.

HARVARD LAW SCHOOL

Clinical Instructor Predatory Lending/Consumer Law Project Legal Services Center of Harvard Law School

The **Hale and Dorr Legal Services Center**, is a curriculum-based clinical education facility of Harvard Law School. Each semester, law students are placed at the Center in conjunction with a law school course to represent clients on a range of civil legal matters that include trial, administrative and/or transactional matters. The Center is staffed by Clinical Instructors of Harvard Law School with responsibilities for the instruction of clinical law students and the provision of legal service to clients.

The Predatory Lending/Consumer Law Project (PLP) of the **Legal Services Center** seeks a **Clinical Instructor** in the practice areas of predatory lending, mortgage foreclosure prevention, and bankruptcy. Experience in general bankruptcy practice is a plus. The Clinical Instructor will teach, mentor, supervise, evaluate and structure the practice work of law school students; and will be involved in developing the curriculum and learning experience of the PLP students' clinical practice and training. The Clinical Instructor will participate in teaching the PLP clinical workshop on various substantive law topics and lawyer skills. Clinical

Instructors also participate in office wide projects and in the Center's program as a laboratory for innovation in practice and clinical legal education.

Minimum Requirements: JD Degree, and a minimum of 4 years of relevant legal experience. Similar years experience with formal mentoring and supervision of law students, beginning attorneys, human service trainees or other professionals preferred. Admission to Massachusetts Bar required. Ability to work independently, as well as in teams, and in occasionally demanding, high stress circumstances. Strong litigation, oral and written communication and organizational skills; strong motivation, initiative, demonstrated ability to work creatively within broad program goals. Writing sample required. Strong motivation to learn and achieve superior professional practice and mentoring skills. Strong organization, time management, case management and documentation skills. Salary commensurate with experience. Apply online at:

http://jobs.harvard.edu/jobs/search_req
Job Requisition #: 29935

The Center is committed to equal opportunity and affirmative action in the workplace.



Director of Social Work Services

The **University of St. Thomas** invites applicants for a **Director of Social Work Services** for the **Interprofessional Clinic for Counseling and Legal Services**.

The Interprofessional Clinic for Counseling and Legal Services, located in downtown Minneapolis, is a collaborative

venture among the School of Social Work, the Graduate School of Professional Psychology and the School of Law. The clinic provides counseling and legal services to the underserved and working poor of the Twin Cities. For more information about the Interprofessional Center, go to www.stthomas.edu/iccls.

The School of Social Work is a thriving school with approximately 615 students and is well respected in the practice community, offering innovative programs that strive to meet community needs. The School of Social Work is accredited by the Council on Social Work Education.

Qualifications: Master's degree in social work required; State of Minnesota social work licensure eligible required; licensure at the LISW or LICSW level preferred. Minimum of five-years post MSW social work practice experience required. Administrative and supervisory experience required. Teaching and student supervision experience preferred.

Inspired by Catholic tradition, the University of St. Thomas educates students to be morally responsible leaders who think critically, act wisely, and work skillfully to advance the common good. The successful candidate will possess a commitment to the ideals of this mission statement.

Established in 1885, the University of St. Thomas is Minnesota's largest private university with an enrollment of 11,000 students studying in a wide range of liberal arts, professional, and graduate programs. The University of St. Thomas is located in the major metropolitan area of Minneapolis and St. Paul. It is within this context of Catholic intellectual tradition and the rich resources of the dynamic, urban Twin Cities that St. Thomas seeks to accomplish our mission of developing individuals who combine career competency with cultural awareness and intellectual curiosity.

The University of St. Thomas has a strong commitment to the principles of

diversity and inclusion, to equal opportunity policies and practices, and to the principles and goals of affirmative action; and, in that spirit, seeks a broad spectrum of candidates who have demonstrated a commitment to these principles. The University strongly encourages nominations of, as well as applications from, women, persons of color, and persons with disabilities.

Please apply online at <http://jobs.stthomas.edu> and include a curriculum vita and cover letter. For best consideration, applications are due by **Friday, June 15, 2007**. Position open until filled.

In addition please submit a transcript identifying MSW degree granted and three letters of recommendation to: Chair of Search Committee, c/o HR Department, Mail #AQU217, 2115 Summit Avenue, St. Paul, MN 55105.

SEATTLE UNIVERSITY SCHOOL OF LAW

Family Law Clinic Spring, 2008 Visiting Faculty Seattle University School of Law

Seattle University School of Law invites applications for a **visiting faculty member** to teach in the **Family Law Clinic** during the **Spring 2008** term. The Family Law Clinic is a six-credit capstone course in which students represent clients in a range of family law matters including marriage dissolution, non-parental custody, and modification of child support orders. One of the clinic's main referral sources is a social services agency that works with victims of domestic violence. Thus, the course necessarily addresses a range of issues related to domestic violence. The clinic has been designed to offer a form of limited representation such that dissolution trials will be rare, but students will have the opportunity to

engage in extensive motions practice, entry of final decrees before family law court commissioners, and the development of negotiated settlements.

The Family Law Clinic is one component of the Ronald A. Peterson Law Clinic, which offers services to clients and experiential learning opportunities to students in a range of subjects including juvenile/criminal defense, public benefits/administrative law, international human rights, and consumer protection, with an emphasis on relief from predatory lending practices. Five full-time Law Clinic faculty and three full-time staff function as a unitary and collegial law office.

Washington's Admission to Practice Rules permit a member in good standing of the bar of any state or the District of Columbia to apply for leave to engage in the practice of law as a faculty member of a clinical program in the state of Washington.

Seattle University School of Law educates ethical lawyers who distinguish themselves through their outstanding professional skills and their dedication to law in the service of justice. Faculty, students, and staff form a vibrant, diverse, and collaborative community that promotes leadership for a just and humane world. The Law School's commitment to academic distinction is grounded in its Jesuit Catholic tradition – one that encourages open inquiry, thoughtful reflection and concern for personal growth. Innovation, creativity and technological sophistication characterize our rigorous educational program, which prepares lawyers for a wide range of successful and rewarding careers in law, business and public service.

Seattle University, founded in 1891, continues a more than four hundred and fifty year tradition of Jesuit Catholic higher education. The University's Jesuit Catholic ideals underscore its commitment

to the centrality of teaching, learning and scholarship, of values-based education grounded in the Jesuit and Catholic traditions, of service and social justice, of lifelong learning, and of educating the whole person. Located in the heart of dynamic Seattle, the University enrolls approximately 7,200 undergraduate and graduate students in eight colleges and schools. Students enjoy a university ethos characterized by small classes, individualized faculty attention, a strong sense of community, a commitment to diversity, and an outstanding faculty.

Seattle University is an equal opportunity employer.

Compensation will be commensurate with the visiting faculty member's qualifications and experience. This position is for a one-semester visit, and as such, comes with no representations, commitments, or guarantees regarding future employment with Seattle University School of Law.

Please email a letter of interest and resume to: **Annette E. Clark**, Associate Dean for Academic Affairs, at annclark@seattleu.edu. Telephone inquiries can be made to Dean Clark at (206) 398-4069.



Visiting Clinical Professor Immigrant Workers' Clinic 2007-2008

Seton Hall University School of Law is seeking applications for a full-time **Visiting Clinical Professor** to teach in its **Center for Social Justice** from July 2007 until July 2008, with renewal for a second year dependent on grant funding. Seton Hall's Center for Social Justice houses three general civil litigation clinics and the following four subject matter-specific clinics: impact litigation clinic; family law

clinic; immigration and human rights clinic; and juvenile justice clinic. There is also a Pro Bono Program. The Visiting Clinical Professor will work alongside the faculty member supervising the Immigration & Human Rights Clinic. The Immigration and Human Rights Clinic presently specializes in asylum and Convention Against Torture claims, human trafficking and VAWA cases, detained and non-detained cases before immigration judges and appeals at the Board of Immigration Appeals and the Third Circuit. In addition to supervising refugee and human rights-based claims, it is anticipated that the Visiting Clinical Professor will engage in transnational and national labor-based claims on behalf of immigrant workers. Because the Immigration & Human Rights Clinic is part of a broader International Human Rights/Rule of Law Project, the Visiting Clinical Professor may also collaborate with cases ongoing in the Civil Litigation Clinic related to civil remedies for trafficking victims and Guantanamo-related issues. The Visiting Clinical Professor will co-teach a clinical seminar and be responsible for supervising eight students per semester.

We seek candidates with distinguished academic records, excellent writing and oral communication skills, practice and teaching experience, as well as a strong commitment to public interest law and clinical legal education. Applicants should have at least five years of practice experience in the fields of immigration, labor, or international human rights law and an interest in clinical teaching. Admission to the New Jersey State Bar is preferred, but not required. Salary is commensurate with experience.

Please send a resume and letter of interest via mail or electronically to: Professor **Lori Nessel**, Director, Center for Social Justice, Seton Hall University School of Law, 833 McCarter Highway, Newark, NJ 07102, or nessello@shu.edu.

The deadline for applications is **May 25, 2007.**

Seton Hall's Law School is located in the heart of downtown Newark. It is one block from Newark Penn Station (with trains and subway service to many parts of New Jersey and to New York City), one block from the New Jersey Performing Arts Center, and within walking distance of the state and federal courthouses, museums, and restaurants. Manhattan is a short train ride away.

For more information on the clinical programs with the Center for Social Justice, visit our website, <http://law.shu.edu/csj/index.html>. For more information on Seton Hall University School of Law, see <http://law.shu.edu>.

SETON HALL LAW

Practitioner-in-Residence International Human Rights/Rule of Law Project 2007-2008

Seton Hall Law School is seeking applications for a **Practitioner-in-Residence** for the **International Human Rights/Rule of Law Project** within our Center for Social Justice from July 2007 until July 2008, with the expectation of renewal of the position for one additional year.

The Practitioner-in-Residence will work in collaboration with faculty in at least two sections of the Center for Social Justice: the Immigration & Human Rights Clinic and the Civil Litigation Clinic. The Immigration & Human Rights Clinic focuses on representation in claims arising under the Refugee and Torture Conventions, the Violence and Women Act, Trafficking Victim Protection Act, human rights complaints before international tribunals, and immigrant workers' rights issues. The Civil Litigation Clinic represents women in civil cases who

have been victims of trafficking, files amicus briefs in cases challenging local enforcement of immigration laws and is one of the counsel in the Guantanamo Bay detainee litigation.

The Practitioner-in-Residence will take a multi-disciplinary approach to protecting the rights of immigrant communities in New Jersey, with a special focus on immigrant women. Examples of cases/projects undertaken by the Project in its first year include drafting amicus briefs before state and federal courts raising novel human rights arguments in cases impacting immigrant communities in New Jersey; drafting a model brief for immigration advocates regarding principles of family reunification and the best interests of the child under human rights law; drafting and coordinating oral and written submissions with immigrants' rights groups across the country for the U.S. visit of the United Nations' Special Rapporteur on the Human Rights of Migrants; representing individual clients in asylum and trafficking cases; working with community partners to track the funds of international donors into Haiti; and preparing "Know Your Rights" materials for immigrant workers in New Jersey.

Although the Practitioner in Residence will not be responsible for teaching a clinic section, the Practitioner will supervise second-year students enrolled in Seton Hall Law School's externship program, as well as first and second-year students participating in the Law School's Pro Bono Program as they work on the Practitioner's litigation and advocacy projects. The Practitioner-in-Residence will be responsible for her or his own case load. However, the position also requires collaboration with clinical faculty.

All applicants must be members of a state Bar; New Jersey bar membership is strongly preferred but not required. All applicants should have a strong academic record, an ability to be proactive and work

independently, and excellent written and oral communication skills. We welcome applications from those with at least 5 years of experience working in one or more of the International Human Rights/Rule of Law Project's areas of concentration. The annual salary is \$75,000 plus benefits, including health insurance.

To apply, please send a letter of interest and resume to: Professor **Lori Nessel**, Seton Hall University School of Law, 833 McCarter Highway, Newark, NJ 07102, or via e-mail at nessello@shu.edu.

The deadline for applications is **May 25, 2007**.

Seton Hall's Law School is located in the heart of downtown Newark. It is one block from Newark Penn Station (with trains and subway service to many parts of New Jersey and to New York City), one block from the New Jersey Performing Arts Center, and within walking distance of the state and federal courthouses, museums, and restaurants. Manhattan is a short train ride away.

For more information on the clinical programs with the Center for Social Justice, visit our website, <http://law.shu.edu/csaj/index.html>. For more information on Seton Hall University School of Law, see <http://law.shu.edu>.

**The next issue of the CLEA Newsletter
Will be published in September, 2007.
Information to be included may be sent
To the Editor:**

Larry R. Spain
Texas Tech University School of Law
1802 Hartford Avenue
Lubbock, TX 79409-0004
(806) 742-4312
(806) 742-4199 FAX
larry.spain@ttu.edu

2007 CLEA BOARD OF DIRECTORS



Paula J. Williams
President (2009)

University of Tennessee
College of Law
75 Taylor Law Building
1505 West Cumberland Ave.
Knoxville, TN 37996-1810
(865) 974-2331
(865) 974-6782 FAX
Pwilliam@libra.law.utk.edu



Michael Pinard
Vice-President (2007)

University of Maryland
School of Law
500 W. Baltimore Street
Baltimore, MD 21201-1786
(410) 706-4121
(410) 706-5856 FAX
mpinard@law.umaryland.edu



Suzanne Jamie Levitt
Treasurer (2008)

Drake University
Law School
27th & Carpenter
Des Moines, IA 50311
(515) 271-3851
(515) 271-4100 FAX
suzanne.levitt@drake.edu



Paula Galowitz (2008)
Secretary

New York University
School of Law
245 Sullivan Street
New York, NY 10011-1301
(212) 998-6430
(212) 995-4031 FAX
galowitz@juris.law.nyu.edu



Susan L. Kay (2009)
Past President

Vanderbilt University
School of Law
131 21st Ave. S.
Nashville, TN 37203
(615) 322-4964
(615) 343-6562 FAX
Susan.Kay@law.vanderbilt.edu



Christine Cimini (2006)

University of Denver
College of Law
2255 E. Evans Avenue
Denver, CO 80208
(303) 871-6780
(303) 871-6847 FAX
ccimini@law.du.edu



Kim Diana Connolly (2006)

U of South Carolina
School of Law
300 S. Capitol Avenue
Columbia, SC 29208
(803) 777-6880
(803) 777-3401 FAX
connolly@law.sc.edu



Steven J. Gunn (2009)

Washington University
School of Law
One Brookings Dr.
Campus Box 1120
St. Louis, MO 63130
(314) 935-6413
sigunn@wulaw.wustl.edu



Claudia Angelos (2009)

New York University
School of Law
245 Sullivan Street
New York, NY 10012
(212) 998-6430
(212) 995-4031 FAX
claudia.angelos@nyu.edu



Mark Aaronson (2007)
 University of California
 Hastings School of Law
 200 McAllister Street
 (415) 581-8924
Aaronson@uchastings.edu



Bill Ong Hing (2008)
 UC Davis School of Law
 400 Mrak Hall Drive
 Davis, CA 95616-5201
 (530) 754-9377
bhing@ucdavis.edu



Jeanne Charn (2009)
 Harvard Law School
 Lewis 425
 Cambridge, MA 02138
 (617) 495-5448
charn@law.harvard.edu



Ellen Marrus (2007)
 University of Houston
 Law Center
 100 Law Center
 Houston, TX 77204-6371
 (713) 743-0894
 (713) 742-2238 FAX
Emarrus@uh.edu



Margaret Moore Jackson (2008)
 University of North Dakota
 School of Law
 P.O. Box 9003
 Grand Forks, ND 58202-9003
 (701) 777-2932
Jackson@law.und.edu



Laura Rovner (2007)
 University of Denver
 College of Law
 2255 East Evans Ave.
 Denver, CO 80208
 (303) 871-6441
lrovner@law.du.edu



David Santacroce (2008)
 University of Michigan
 Law School
 363 Legal Research Building
 801 Monroe Street
 Ann Arbor, MI 48109-1215
 (734) 763-4319
 (734) 764-4702 FAX
dasanta@umich.edu



Randi Mandelbaum (2008)
 Rutgers School of Law Newark
 Center for Law & Justice
 123 Washington Street
 Newark, NJ 07102
 (973) 353-3271
 (973) 353-3397 FAX
Mandelbaum@kinoy.rutgers.edu



Jeff Selbin (2007)
 University of California-Berkeley
 School of Law-Boalt Hall
 Berkeley, CA 94720
 (510) 643-1076
 (510) 548-2566 FAX
jselbin@law.Berkeley.edu



Mary Jo Eyster (2009)

Brooklyn Law School
1 Boerum Place
Brooklyn, NY 11201
(718) 789-7994
maryjo.eyster@brooklaw.edu



Keri K. Gould (2009)

St. John's University
School of Law
8000 Utopia Parkway
Jamaica, NY 11439
(718) 990-2179
gouldk@stjohns.edu