

# CLEA Newsletter

## PRESIDENT'S MESSAGE

What better way to describe recent events, and put in a plug for CLEA's reinvigorated Creative Writing Contest coming this fall, than a little Charles Dickens:

*It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to heaven, we were all going direct the other way.*

Yes, the last few months have been, at times, both the best for clinical legal education and possibly among the worst. But best or worst times, CLEA continues to use its resources and influence to make sure the good times for clinical legal education far outweigh the bad.

### Attacks on Clinical Programs

It is surely the worst of times when so many clinical programs in so many different states have been under legislative or legal attack for representing causes or clients that are unpopular with certain public officials or business interests. Just this year, students in the University of Michigan's innocence clinic had to fight a district attorney's attempt to force the students to testify against their client; the Rutgers - Newark environmental clinic continues to litigate a disgruntled clinic opponent's effort to use the state's public records law to gain access to internal clinic documents; the University of Maryland's clinical program was threatened with a legislative effort to withhold \$750,000 in university funding until the school's clinics submitted a report describing all cases, clients, and expenditures over the past five years; and the Louisiana legislature was asked by the chemical association to cut off all funding to any university, public or private, whose law clinics sue or defend against a government agency, represent a client suing for monetary damages, or raise constitutional claims, except under narrow exceptions.

But, these attacks have also brought on the best of times for the issue of access to clinic legal representation and the freedom of law schools to develop educational programs that best suit their students' needs. In the face of united opposition by CLEA (which helped organize the opposition and filed comments and briefs), the AALS, ABA, SALT, AAUP, and energized legal educators, the district attorney in Michigan backed down, the court in New Jersey thus far has



**Bob Kuehn**  
Washington University  
in St. Louis  
[rkuehn@wulaw.wustl.edu](mailto:rkuehn@wulaw.wustl.edu)

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### EDITOR

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

denied the developer's request, the Maryland General Assembly pared down the proposed bill into a request for a report on public information about one clinic's cases, and the Louisiana legislation was defeated in committee. If what doesn't kill you makes you stronger, then hopefully these recent events have brought clinical faculty together with other supporters of clinical legal education and access to legal representation into a powerful coalition that will continue to stand together to beat back any future attacks.

For CLEA briefs and other advocacy documents: <http://cleaweb.org/index2.php#/info2/1/>

## **ABA Advocacy**

In the best of times, the ABA's Standards Review Committee, taking its cue from the Carnegie Foundation and CLEA's Best Practices Report, determines that it is time to move legal education along the path to outcome-based curriculum standards and more clinical courses. Yet, derailed along the way by the American Law Deans Association's (ALDA) drive to deregulate legal education and shift curriculum oversight from faculty to deans, we are facing possibly among the worst outcomes - equating for the first time simulation courses with live-client experiences and allowing deans broad autonomy to choose their school's educational goals and how to measure those goals. In seeking to avoid a one-size-fits-all approach, the ABA now seems to be moving to any anything-goes approach to curriculum. CLEA is pushing to make sure the new outcome-based standards are meaningful and has talking points on the issue at

[www.cleaweb.org/CLEA%20outcome%20measures%20talking%20points%20May%202010.pdf](http://www.cleaweb.org/CLEA%20outcome%20measures%20talking%20points%20May%202010.pdf)

In the times since the ABA's 1996 adoption of Accreditation Standard 405(c) on security of position for full-time clinical faculty, clinical legal education has enjoyed perhaps its best period of growth. But, the worst may be on the horizon, as ALDA has been pressing the ABA to eliminate 405(c) and allow schools to simply show they have established "conditions adequate to attract and retain a competent faculty." ALDA may have found its champion in the present chair of the ABA's Standards Review Committee, but before any season of darkness falls upon clinical legal education and the status of clinical faculty is rolled back 30 years, CLEA will continue to press hard to keep faculty who teach the clinical curriculum from being pushed into further unequal and lesser professional status. Talking points on this issue are on CLEA's website: <http://cleaweb.org/CLEA%20405c%20talking%20points%20May%202010.pdf>

## **Membership**

It is the best of times for clinical legal education when we can state to the ABA, judges, or legislators thinking of restricting law clinics that "*CLEA is the nation's largest association of law teachers, representing over 750 dues-paying faculty at over 150 U.S. law schools.*" CLEA's ability to step forward on behalf of such a large group of faculty clearly has forced some decision makers to pay closer attention to the interests of clinical legal educators.

But, it is the worst of times when CLEA's 2010 membership numbers lag because of our switch to an online membership system and people forgetting to send in their dues. So, don't delay - join or renew (and tell your associates to join or renew) your CLEA membership soon or you might not get mailed your copy of the next edition of the Clinical Law Review. It's easy to do online at [http://www.cleaweb.org/forms/form\\_menu.php](http://www.cleaweb.org/forms/form_menu.php)

And as you go forward for the summer, think of how, with your continuing support for CLEA and fellow clinical faculty across the country, Dickens would describe what awaits you and your students when you return in the fall:

*it was the season of Light . . . it was the spring of hope . . . we had everything before us .*

*. . we were all going direct to [clinical legal education] heaven!*

**-Bob Kuehn (Washington U)  
CLEA President**

## **COMMITTEE REPORTS**

### **CLEA Committees**

#### **Awards Committee**



The **2010 CLEA Award to an Outstanding Advocate for Clinical Teachers** went to **Jane F. Barrett**, Associate Professor and Director of the **University of Maryland School of Law** Environmental Law Clinic, who is one of the country's leading environmental litigators, bringing more than thirty years of experience to her work in the Clinic. From 1998 to 2007, she was a partner at Dyer, Ellis & Joseph and then Blank Rome LLC and chaired the White Collar practice group for both firms from 1998 to 2005. Her practice focused on environmental law, white collar defense and implementation of corporate compliance programs. Before that, she served as Assistant United States Attorney and Chief of Environmental Litigation within the District of Maryland for more than eleven years. Professor Barrett was also an Assistant Attorney General for Maryland where she focused on environmental enforcement and an attorney for the U.S. Environmental Protection Agency.

During the 2009-2010 academic year, in addition to a very ambitious and diverse docket, Professor Barrett was confronted with a political backlash in the Maryland State legislature as a result of a Clean Water Act case filed against a farm and corporate poultry integrator on Maryland's Eastern Shore. This backlash was orchestrated by powerful corporate agricultural interests in the state and triggered an amendment to the university's budget that would have withheld significant funding unless the clinic reported the names of clients and expenditures made on their behalf. Fortunately, with the help of CLEA and other national organizations, this amendment was substantially modified and no funds were withheld from the law school. As the epicenter of the reaction and defense, Professor Barrett was put under extraordinary pressure to justify her work while at the same time avoiding the trap of litigating the case in public. Throughout the ordeal, Professor Barrett remained a poised professional, an empathetic and thoughtful teacher and a powerful advocate. Through her unwavering dedication to the Clinic's clients, she teaches her students invaluable lessons on ethical lawyering, and sends a message that clinics across the country are not to be bullied.



The recipient of the **2010 CLEA Award for Excellence in a Public Interest Case or Project** is **The University of Miami School of Law Health and Elder Law Clinic**. In an effort to assist in the wake of the destructive earthquake in Haiti, UM Law’s Health and Elder Law Clinic responded by providing assistance and representation to Haitians in Miami who receive care at UM Jackson Hospital within one week of the tragedy. On Friday, January 22, School of Law students and attorneys helped more than 60 undocumented Haitian immigrants to file for Temporary Protected Status (TPS). The success of this drive, and calls from law schools around the country, inspired the Clinic to develop a historic TPS Project alternative spring break program, whose training and processing model can now be replicated at any legal service institution or law school clinic.

During March, law students from across the United States—including from UM, Stanford, the University of Memphis, and the New England School of Law, among others—set up shop in the heart of Miami’s Little Haiti, offering assistance and representation with TPS applications. So far the Health and Elder Law Clinic has helped Haitian immigrants complete and mail to U.S. Citizenship and Immigration Services more than 150 TPS applications. Almost two-thirds of those applications have been processed with a fee waiver, and about 90 of the applicants represented by the Clinic have already received their employment authorization cards, with more approvals arriving every day. “This project grew out of our students’ enormous outpouring of support and desire to help the Haitian community in the wake of the tragedy,” said Professor **JoNel Newman**, Clinic Director. In addition to the CLEA Award, the project has been recognized by Alejandro Mayorkas, Director of U.S. Citizenship and Immigration Services as an “extraordinary effort.”

CLEA awarded certificates for the **Outstanding Student Award** to students at 47 law schools with CLEA members.

## Best Practices Implementation Committee

**Lisa Bliss (Georgia State)**

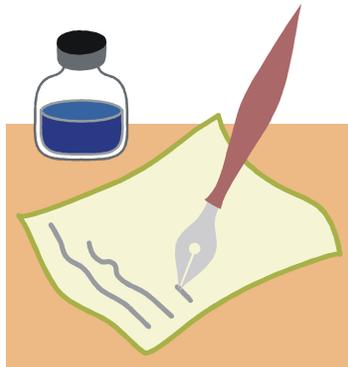
The **Best Practices Implementation Committee** convened at the AALS Clinical Conference in Baltimore to evaluate the current state of Implementation of Best Practices since the book was published in 2007. The committee decided that the Best Practices approach still provides a sturdy and helpful framework for improving law student learning. As schools have implemented new programs and are considering curricular and teaching advancement, there is still a need to communicate what works effectively in preparing students to practice law. Some of the future plans the committee is considering include:

- publishing an update to Best Practices which addresses gaps or more fully explores some concepts contained in the original publication and includes evolving issues on this topic;
- reconceptualizing how to use the Best Practices BLOG (<http://bestpracticeslegaled.albanylawblogs.org/>) more effectively to capture what reforms schools have already made; and
- creating a cadre of consultants who can be called upon to effectively work with schools who want to be introduced to or embrace the kind of student centered learning and meaningful preparation for practice described in Best Practices.

The committee plans to meet in the fall and at the AALS winter meeting

## Creative Writing Committee

### The Creative Writing Contest is Back!



CLEA is pleased to announce that its very popular **Creative Writing Contest** is returning. Rules for entry are simple and outlined below. CLEA is an equal-opportunity contest overseer: Anyone who teaches in an experiential program at any law school in any capacity, regardless of personal or institutional status, is eligible to enter. This includes clinical faculty, legal writing faculty, and teachers of simulation courses; it also includes those who are engaged in teaching on a part-time or non-permanent basis.

The Creative Writing committee has decided to dedicate this year's contest to our friend and colleague **Angie McCaffrey**, who died this past spring following a long and heroic struggle with cancer. Angie recognized the importance of storytelling and narrative in

the work we do; in fact, at the time of her death, she was working on an article with story-telling as its focus. She knew how central language is to identity, witnessing, and meaning, and she taught us all to appreciate that in her work on translation. Angie also valued words as the tools of sharing and play. She cared deeply about family, friends, students, and clients; and she also treasured our remarkable community of teachers, lawyers, and social activists. The committee believes this year's creative writing contest provides an apt opportunity to celebrate Angie's passions and honor her spirit.

### **RULES FOR ENTRY:**

1. Prizes will be awarded to the top two entries in each of the following categories:
  - A. Fiction
  - B. Poetry
  - C. Creative Non-fiction/Multimedia
  - D. TranslationHonorable Mentions may be awarded in the judges' discretion.
2. Entrants may submit as many entries as they like in as many categories as they like, but no entrant is eligible to receive more than one prize.
3. The word/page limits are as follows:
  - A. Fiction - 3000 words
  - B. Poetry - 3 pages (11-12 point type)
  - C. Creative Non-fiction/Multimedia - 3000 words
  - D. Translation - 1000 words
4. Special Rules for Specific Categories
  - Creative Non-fiction/Multimedia. This is a catch-all category that includes, among other genres, essay, documentary poetry, song, and memoir. If your creative piece doesn't fit neatly into another category, submit it under this one. The work of any other person incorporated into the submitted manuscript must be clearly identified, and sources properly cited.
  - Translation. This category is being included as a special tribute to Angie McCaffrey. Entrants can translate poetry or prose from any other language. The work translated must relate to peace or social justice, although those terms will be broadly construed. The work in its original language must be included with the entry and the source of the work must be clearly identified.
5. Two cover pages must accompany each entry.
  - Cover page #1 must include:
    - Name
    - Address
    - e-mail address
    - phone number
    - title of work (if untitled, put 1<sup>st</sup> line as the title)
    - word count
    - category (i.e. fiction, poetry, creative non-fiction/multimedia, translation)
    - If translation, identify title and author of original, and original language)*
  - Cover page #2 should be identical to Cover page #1 but without any identifying information. In other words, entrant's name, address, e-mail, and phone number should be omitted.

6. Entries should be sent by mail or by e-mail to:

**Lori Peterson**

University of Minnesota School of Law  
229 19<sup>th</sup> Ave South  
Minneapolis, MN 55455

[pete6294@umn.edu](mailto:pete6294@umn.edu)

7. All entries must be received by **midnight, October 17, 2010**.

8. Winners will be selected by professional writers. The decision of the judges will be final.

9. Winners will be announced on or about December 1, 2010.

10. All attempts will be made to have a forum at which the winners' works can be publicly presented, most likely in conjunction with the January 2011 AALS Annual Meeting. The committee is also working on finding a forum in which to publish the winning entries.

11. Questions about the contest can be directed to any of the committee members: **Nancy Cook** ([nlcook@umn.edu](mailto:nlcook@umn.edu)); **Marla Mitchell-Cichon** ([mitchelm@cooley.edu](mailto:mitchelm@cooley.edu)); **Calvin Pang** ([calvinp@hawaii.edu](mailto:calvinp@hawaii.edu)); and **Bob Seibel** ([rfs@cwsl.edu](mailto:rfs@cwsl.edu)).

### Website/Communication Committee

**Kim Diana Connolly (Buffalo) & Laura McNally (Case Western), Co-Chairs**

**Website, Facebook, and CLEA Communications – Get Involved!  
Send more pictures!**

CLEA 2.0! The updated website (still at <http://www.cleaweb.org>) launched this semester to positive responses from membership and appreciated suggestions for additions and improvements. If you haven't checked it out yet, you should! This could not have happened without the hard work of the Website/Communication Committee and our consultants Open Creative Group. We thank, in particular, outgoing co-chair of the website committee **Michael Robinson-Dorn** for his excellent leadership on the committee. Appreciation is also extended to committee members **Suzanne Levitt**, **Laura McNally**, **Yoli Rodero**, **Daniel M. Schaffzin**, *ex officio* member **Bob Kuehn** and co-chair **Kim Diana Connolly**.

But wait, there's more! Under the leadership of Laura McNally, CLEA's new Chief Information Officer, with assistance from the committee (and current co-chair Kim Diana Connolly) we plan to work to expand on CLEA's on-line resources. As you may have read on the listserv, we have created a page for CLEA on Facebook. You can find CLEA's page at <http://www.facebook.com/home.php?#!/pages/Clinical-Legal-Education-Association/153481815314?ref=search&sid=508892529.2809292723> or by clicking on the Facebook icon under the Contacts Tab of our website. So if you are on Facebook please join us!

And we're not done yet! The website will continue to expand this summer. In particular, we want to thank everyone who sent photographs for inclusion on the website. We plan to have the photo galleries up by mid-summer. So, if you have photos but have not sent them in yet you still have time. And if anyone has a photograph of the visit from the cast of Star Wars to the Town Hall meeting on Friday, May 7th please send it to us! Send your photos to **Kim Diana Connolly** at [kimconno@buffalo.edu](mailto:kimconno@buffalo.edu).

We welcome new volunteers to the Website and Communications Committee – please email **Laura McNally** at [laura.mcnally@case.edu](mailto:laura.mcnally@case.edu) to get involved.

## **AALS Clinical Section Committees**

### **International Committee of the AALS Clinical Section Peggy Maisel (Florida International) and Sarah Paoletti (Penn) Co-Chairs**

The Committee on International Legal Education met during the AALS Clinical Conference in Baltimore, bringing together a mix of clinicians who have been working with and developing clinical legal education programs across the globe, as well as clinicians who engage in international human rights and other transnational advocacy through their clinic. There was enthusiasm for the Committee engaging in a range of activities, and we will be working to use the AALS clinical section platform as a tool for sharing information moving forward (stay tuned).

We plan to undertake the following activities this year: collect and make available resources from faculty planning to work with law school clinical programs outside of the United States; plan and propose a plenary or concurrent session for the AALS Clinical Conference 2011 that involves non-U.S. clinicians to provide multiple perspectives to what we do, how we do it, and why we do it; expand the network to include international human rights clinics and find other natural alliances with clinics.

We also hope to provide through the CLEA newsletter and the AALS Clinical Section newsletter posts from clinicians engaged in clinical legal education training outside the U.S. or engaged in transnational clinical programming. If you are interested in participating in any way, please contact committee co-chairs **Peggy Maisel** at [maiselp@fiu.edu](mailto:maiselp@fiu.edu) and **Sarah Paoletti** at [paoletti@law.upenn.edu](mailto:paoletti@law.upenn.edu).

### **Membership and Outreach Committee**

#### **Cynthia Batt (Temple) and Margaret Johnson (Baltimore), Co-Chairs**

The Membership and Outreach Committee is implementing a mentoring program for clinicians who want guidance and expertise from an understanding colleague. This program is designed to: Assist new clinicians with the transition to clinical teaching; Support clinicians at any level of professional development who are at a transition point with regard to teaching, course design, scholarship, service, status, etc.; Provide mentors with an opportunity to share their experiences and expertise, and to connect with other clinicians; Build community among clinicians in general and support for the AALS Section for Clinical Legal Education through the formation of mentoring relations.

Summer is a great time to get this relationship started. If you want a mentor, please go to

[https://spreadsheets.google.com/viewform?](https://spreadsheets.google.com/viewform?formkey=dDNwVy03SDF0VC1FaTVMeVpfQWhnSHc6MA)

[formkey=dDNwVy03SDF0VC1FaTVMeVpfQWhnSHc6MA](https://spreadsheets.google.com/viewform?formkey=dDNwVy03SDF0VC1FaTVMeVpfQWhnSHc6MA) and fill out the form.

If you want to be a mentor, please go to <https://spreadsheets.google.com/viewform?formkey=dEViRHRqTnRTY2lzRWpFdEdOSTBiTXc6MA>.

The Membership and Outreach Committee: **Charles Auffant (Rutgers-Newark); Cynthia Batt (Temple); Bridgette Carr (Michigan); Marisa Cianciarulo (Chapman); Margaret Johnson (Baltimore); Randi Mandelbaum (Rutgers-Newark); Hans Sinha (Mississippi); David Santacroce (Michigan).**

## Scholarship Committee

**Michele Gilman (Baltimore) and Jeff Pokorak (Suffolk), Co-Chairs**

The Scholarship Committee of the AALS Section on Clinical Legal Education offers every clinician an opportunity for supportive, non-evaluative feedback on a scholarly work-in-progress from a clinical colleague with shared substantive expertise. We have already matched many writers and reviewers. If you have a work-in-progress and would like to be paired with a clinical colleague at another school, send a request to this address: [clinicalpeernetnetwork@gmail.com](mailto:clinicalpeernetnetwork@gmail.com). We have an extensive database of clinicians willing to provide feedback in your subject-matter area. If you are willing to offer constructive feedback, join our amazing database of subject-matter experts at this link:

[http://spreadsheets.google.com/viewform?](http://spreadsheets.google.com/viewform?key=pZsCVzJPWhtPxGN_ikLSZMQ&email=true)

[key=pZsCVzJPWhtPxGN\\_ikLSZMQ&email=true](http://spreadsheets.google.com/viewform?key=pZsCVzJPWhtPxGN_ikLSZMQ&email=true). This is not a commitment to serve as a peer reviewer. You will simply be in our database, and when an author in your area of expertise asks for peer review, we will contact you to see if you are interested. If you have questions, email **Michele Gilman** at [clinicalpeernetnetwork@gmail.com](mailto:clinicalpeernetnetwork@gmail.com). Happy writing!

## NOTICES

**RUTGERS-NEWARK ASSOCIATE CLINICAL PROFESSOR CHARLES I. AUFFANT  
WINS THE 2010 AALS SHANARA GILBERT AEMERGING CLINICIAN@ AWARD**



Associate Clinical Professor, **Charles I. Auffant** (shown with the award alongside his Rutgers-Newark faculty colleagues) was awarded the **2010 Shanara Gilbert AEmerging Clinician@ Award** from the Association of American Law Schools (AALS), Clinical Section at the award luncheon of the AALS Clinical Section at its annual national conference in Baltimore, Maryland on May 7, 2010. Charles teaches in the Rutgers Community Law (community development/transactional) Clinic and is a newly appointed member of the AALS Clinical Section=s Executive Committee. Speakers introducing Charles stressed his long history of public service and social justice activism and his local, national and international work and accomplishments. In his acceptance comments, Charles delivered a rousing and impassioned call to action against repressive anti-Latino and anti-immigrant measures around the country such as recent legislative enactments and proposals in Arizona.

## LexternWeb

If you are new to externships or returning to them after being away, you are invited you to check out the website created for faculty and administrators of externship programs, LexternWeb. Visit <http://www.law.cua.edu/lexternWeb/index.htm> for links to all law school externship webpages, materials, and more. Also, you can subscribe to the Lextern listserv from the site and join 304 other teachers and administrators of legal externship programs in sustained dialogue about externships.

For more information, please contact me: J.P. "Sandy" Ogilvy, Professor of Law, Columbus School of Law, The Catholic University of America, Cardinal Station Washington, DC 20064 tel: 202.319.6195 fax: 202.319.4459 email: [ogilvy@law.cua.edu](mailto:ogilvy@law.cua.edu)

## Pro Bono Discussion Group

During the 2010 AALS meeting in Baltimore, interested clinical faculty met to consider a glaring deficiency in our legal system, namely its' failure to guarantee legal representation to people unable to afford a lawyer in a civil or criminal proceeding. As clinical faculty, we are aware that the great majority of lower income/poor people who appear in court - - four out of five civil litigants and most indigent criminal defendants at their initial appearance - - stand alone and must speak for themselves when fundamental interests and important human rights are at stake. Our experience as lawyers tells us that when people do not have a lawyer, they have long odds for gaining a just and fair outcome.

At our meeting, we pondered clinical faculty's special role as educators in preparing students to enter the profession and fulfill their ethical responsibilities. We asked how we might further and contribute to the work of many others who have dedicated their efforts to guaranteeing counsel, e.g. criminal and civil Gideon projects.

Our discussion focused on the legal profession's consensus that a lawyer "is a public citizen having a special responsibility to the quality of justice" (Preamble to ABA Model Rules) and that we belong to a profession that acknowledges "every lawyer has a professional responsibility to represent people who cannot afford to pay" (Model Rule 6.1). If the largest bar association now embraces this notion and proudly declares that every lawyer's professional obligation includes serving the poor and lower income, we pondered what must/should/can clinical faculty do to ensure that the students we teach and supervise fulfill these professional responsibilities?

For the remaining hour, we discussed many possibilities and engaged in a lively and active conversation. Our ideas concentrated on what we can do within the law school, the academy and the profession to instill the value of public service within the meaning of being a lawyer and member of the bar.

Some suggested we extend *pro bono* projects or making students' *pro bono* work mandatory. Colleagues reasoned that doing so at the law school level would instill public service as central to students' self-definition when they joined the bar and made it more likely they will engage in *pro bono* activities as practicing lawyers. Other "in-school" ideas concentrated on Legal Profession courses and on law schools and the entire faculty making an institutional commitment to instill this value.

Colleagues also offered other ideas for consideration. Several favored giving "more teeth" to ABA Model Rule 6.1's *pro bono* requirement. Proponents suggested enforcement would lower the non-compliance rate of the usual 80-90% of lawyers who passed on their professional responsibility to serve the poor/lower income. They believed these lawyers ought to be subject to disciplinary measures when they failed to meet the minimal manda-

tory requirement. Others thought enforcement of Rule 6.1 might include reform work within States' recently-formed Access to Justice Commission.

Attendees also suggested that the AALS Clinic Section should reach out to other AALS committees, such as *Pro Bono* & Public Service, to assess their interest in making Model Rule 6.1 a reality and not merely aspirational. Some proponents of this third idea also thought that the Best Practices/Professional Responsibility section might be another ideal partner for furthering a lawyer's ethical duty to engage in *pro bono* activities. Members also suggested that our clinic section lobby for federal loan forgiveness at the federal level. Their public service lawyering model would allow students to further a career in the public interest and gain the benefit of reduced loan repayments.

Our brainstorming led to so many good ideas and to appreciate that clinical faculty have much to offer inside law schools and the academy, as well as at bar and judiciary committees, in transforming Model Rule 6.1 within law schools, the profession, and the academy.

If you are interested in joining the conversation, please contact **Doug Colbert (Maryland)**, [DColbert@law.umaryland.edu](mailto:DColbert@law.umaryland.edu)

## CONFERENCES

### **CLEA New Clinicians Conference 2011: Sometime/Somewhere!**

The answer is yes: CLEA will host its bi-annual New Clinicians Conference next year. However, we don't know where or when...yet. Once we learn about the timing and location of the Annual AALS Clinical Conference we will coordinate a date that complements that conference in terms of travel. So, if you have a new clinician who has joined your program in the past five years and has not attended, please consider supporting their attendance at the New Clinicians Conference in 2011. Prior attendees had the following to say about the Conference: "Creative!"; "Lots of good info!!"; "GREAT! Wish there was more."; "Interesting, helpful gave us lasting resources to access."

The Co-Chairs for the New Clinicians Conference, **Laura McNally (Case Western)** and **Kim Diana Connolly (SUNY-Buffalo)**, will be looking to the CLEA Membership for individuals interested in participating as presenters or small group leaders. We are also updating and expanding CLEA's New Clinicians Handbook and associate website. So, if you have materials that you use in class or supervision which you think would be beneficial to those just starting out please share so that we can incorporate them in the next edition of the Handbook or include them on the CLEA website. Please direct materials or other offers to help to **Laura McNally** at [laura.mcnally@case.edu](mailto:laura.mcnally@case.edu).

## **Clinical Law Review's Clinical Writers' Workshop**

**October 2-3, 2010 at N.Y.U. School of Law**  
**Registration Deadline: June 2, 2010**

The Clinical Law Review will hold its third Clinical Writers' Workshop on the afternoon of Saturday, October 2, and the morning of Sunday, October 3, at NYU Law School. The Workshop will follow a celebration at New York Law School of the **25th Anniversary of the Clinical Theory Workshop** on Friday, October 1, and the morning of Saturday,

October 2.

The Clinical Law Review Writers' Workshop provides an opportunity for clinical teachers who are writing about any subject (clinical pedagogy, substantive law, interdisciplinary analysis, empirical work, etc.) to meet with other clinicians writing on similar topics to discuss their works-in-progress and brainstorm ideas for further development of their articles. Attendees will meet in small groups organized by the subject matter in which they are writing. Each group will "workshop" the draft of each member of the group.

Participation in the Clinical Law Review's Workshop requires the submission of a paper because the workshop takes the form of small group sessions in which all members of the group comment on each other's manuscripts. If you have already submitted a paper proposal to the New York Law School Clinical Theory Workshop Anniversary conference, you're welcome to submit it for the Clinical Law Review Writers' Workshop, but you are also welcome, of course, to submit a paper proposal to the Clinical Law Review Writers' Workshop other than the one that you submitted to the New York Law School Clinical Theory Workshop Anniversary Conference. (You can attend the New York Law School Clinical Theory Workshop conference, by the way, without submitting a paper.)

As in the previous two Clinical Law Review Workshops, participants will not have to pay an admission or registration fee but participants will have to arrange and pay for their own travel and lodgings. To assist those who wish to participate but who need assistance for travel and lodging, NYU Law School has committed to provide 25 scholarships of up to \$1,000 per person to help pay for travel and lodgings. The scholarships are designed for those clinical faculty who receive little or no travel support from their law schools and who otherwise would not be able to attend this conference without scholarship support.

### **JUNE 2, 2010: DEADLINE FOR REGISTRATION AND SCHOLARSHIP APPLICATION**

To register for the Workshop without seeking a scholarship, please submit a Registration Form. This form is available on-line on the CLR Workshop's website at:

<http://www.law.nyu.edu/journals/clinicallawreview/clrworkshop/index.htm>

Along with the form, please submit a mini-draft or prospectus, of roughly 3-5 pages in length, of the article you intend to present at the Workshop.

To register and also seek a scholarship, please submit a "Registration Form with Request for Scholarship Assistance." This form is also available on-line on the CLR Workshop's website at:

<http://www.law.nyu.edu/journals/clinicallawreview/clrworkshop/index.htm>

Along with the form, you have to submit a proposed budget for travel and lodging and also a mini-draft or prospectus, of roughly 3-5 pages in length, of the article you intend to present at the Workshop.

The mini-draft or prospectus of the article should contain the tentative title of the article and a short description of the main point or points contemplated by the article.

### **HOTEL INFORMATION**

Blocks of rooms have been reserved at three local hotels at an NYU discounted rate, for Thursday, September 30, to Sunday, October 3. (The first of these nights will be needed if you decide to attend both the Clinical Theory Workshop Anniversary conference and the Clinical Law Review Writers' Workshop). The scholarships for the Clinical Law Review Workshop apply only to the two nights you'll need for the CLR Workshop (Friday, October 1, and Saturday, October 2.)) Hotel information is available on-line at

[http://www.law.nyu.edu/ecm\\_dlv2/groups/public/@nyu\\_law\\_website\\_journals\\_clinical\\_law\\_review/documents/documents/ecm\\_pro\\_065425.pdf](http://www.law.nyu.edu/ecm_dlv2/groups/public/@nyu_law_website_journals_clinical_law_review/documents/documents/ecm_pro_065425.pdf)

To reserve a room and qualify for the NYU discount, you must reserve the room by August 30.

**SEPTEMBER 1, 2010: DEADLINE FOR SUBMITTING A DRAFT MANUSCRIPT**

All participants must submit a draft article by this date. Submissions will be circulated to every member of the small group to which the participant has been assigned. The award of the scholarship will be conditioned upon the submission of a substantially completed draft by this date.

## **Northwest Clinical Conference**

**October 8-10, 2010**

**Sleeping Lady Retreat Center  
Leavenworth, Washington**

Think about continuing your learning this Fall at the Northwest Clinical Conference at beautiful Sleeping Lady Retreat Center in Leavenworth Washington. <http://www.sleepinglady.com>. The conference is Oct. 8 -10<sup>th</sup>. We have had clinical faculty and staff attend for the last 12 years from all the typical Northwest states and British Columbia, and as far away as Wyoming and California. All are welcome (we are hoping for North Dakota to join the NW, and maybe even New York). This conference is always one of the highlights of the year. Space is limited, so register early if you are planning on attending. The cost- \$575- includes lodging and all meals for two nights, and all conference materials/registration. The food and lodging at Sleeping Lady is gourmet. We are still developing the agenda, but it is always excellent (just ask any of our colleagues from the northwest). Hope to see you in October.

**Lisa Brodoff (Seattle)** [lbrodoff@seattleu.edu](mailto:lbrodoff@seattleu.edu)

## **25<sup>th</sup> Midwest Clinical Law Teachers Conference**

**Northwestern University**

**November 5-7, 2010**

The Bluhm Legal Clinic at Northwestern University School of Law will host the 25<sup>th</sup> Midwest Clinical Law Teachers Conference on November 5 – 7, 2010. The theme of the conference is “Looking to the Future Informed by the Past: Defining Clinical Education for the Next Twenty-Five Years”



## NEW CLINICIANS

**Chelsea Ferrette** will join the faculty of the **University of Baltimore School of Law**. She will teach in the **Community Development Clinic**. Professor Ferrette earned her joint J.D. and Masters from Catholic University Columbus School of Law and Catholic University School of Arts and Science, respectively and was a member of Catholic University Law Review. Prior to joining the faculty, Professor Ferrette practiced law in Washington, DC as a corporate and securities attorney with Cadre Legal. In that capacity she represented corporate clients, banks, and investment advisors on corporate matters and meeting their compliance obligations under federal securities laws. Prior to joining Cadre Legal, Professor Ferrette was a financial institutions associate at Arnold & Porter LLP where she advised banking, corporate and investment management clients on merger and acquisitions, international banking regulations, corporate governance, and securities compliance. Prior to Arnold & Porter, Professor Ferrette was Associate General Counsel in Research Legal for Citigroup's Global Wealth Management Division. Since her time as an in house counsel, Professor Ferrette has represented *pro bono* clients in establishing corporate entities and seeking tax exemption.



**Melissa Frydman** has joined the **University of Illinois College of Law** faculty to run a new **Family Advocacy Clinic**. She is making the transition from NYU where she had been teaching in the Lawyering Process course for the past three years. Prior to teaching at NYU, Melissa represented children and youth through legal services organizations in the San Francisco Bay Area for seven years, including work as a Staff Attorney with Bay Area Legal Aid in Oakland and as a Senior Staff Attorney and Dependency Project Director with Legal Services for Children in San Francisco. She is a graduate of Yale Law School where she participated in a number of clinics.



**Hannah Garry (Colorado)**, currently a Lecturer and Research Fellow as well as the 2009-2010 Presidential Fellow of the American Society of International Law, will be joining the **University of Southern California** before the start of the Fall semester as a **Clinical Assistant Professor** and **Director** of their new **International Human Rights Clinic**. She previously worked as a Legal Officer for the Appeals Chamber of the ICTY in The Hague.

**Lydia Nussbaum** will join the **University of Baltimore** Faculty in July of 2010 to teach in the **Family Mediation Clinic**. Prior to joining the Faculty, she worked at the University of Maryland School of Law as a fellow in the Leadership, Ethics, and Democracy Building Initiative (LEAD), where she co-taught a Professional Responsibility seminar for clinical students and worked on a variety of projects that use innovative techniques to enhance legal education and better prepare law students for the challenges of legal practice and the legal profession. In addition, Professor Nussbaum is an experienced mediator and has been mediating for the Baltimore City Community Mediation Program for the past two years, mediating both self-referred disputes and cases referred by the Office of the State's Attorney for Baltimore City that have involved family, employment, business contracts, parent-teacher, and neighborhood issues. As a law student at the University of Maryland School of Law, she worked as a student clerk for Judge Andre Davis in the U.S. District Court of the District of Maryland and also represented community organizations in Baltimore City as a student attorney. Before entering the legal profession, Professor Nussbaum taught history at a high school in Virginia.

**Robin Walker Sterling** will be joining the **University of Denver** where she will teach in the **Criminal Defense Clinic**. Robin is a graduate of Yale College and New York University School of Law, where she was a Root-Tilden-Kern Scholar, and Georgetown University Law Center, where she earned an L.L.M. in Clinical Advocacy. Following law school, she clerked for Judge Emmet G. Sullivan of the United States District Court for the District of Columbia. She then served as the Stuart-Stiller Teaching Fellow in the E. Barrett Prettyman Fellows program at Georgetown University Law Center, representing adults and children charged with criminal offenses in the Superior Court of the District of Columbia while supervising third-year law students in the Juvenile Justice Clinic. Walker Sterling then worked as a staff attorney in the trial division of the Public Defender Service for the District of Columbia (PDS), representing adults and children charged with criminal and delinquency offenses. She followed her tenure at PDS with a position as a Supervising Attorney at the Children's Law Center, where she trained and supervised guardians ad litem handling dependency, adoption, and guardianship cases. For the last three years, Walker Sterling has worked as the Special Counsel with the National Juvenile Defender Center, a juvenile defense policy advocacy organization in Washington, D.C.

**Lindsey Webb** is joining the externship program faculty at the University of Denver College of Law. She earned her BA at Wesleyan University and her J.D. at Stanford Law School, as well as an L.L.M. in Advocacy as a Prettyman Fellow in the Criminal Justice Clinic at Georgetown University Law School. After graduation from law school, Webb worked as a Deputy State Public Defender in the Colorado State Public Defender's Office. In this capacity she represented adults accused of misdemeanors and felonies, in addition to children accused of crimes in juvenile court. Webb also worked as an attorney in the appellate division of the Colorado Public Defender's Office, where she handled direct appeals of felony convictions. At Georgetown Law School, she supervised law students enrolled in the Criminal Justice Clinic in their representation of persons accused of misdemeanors in the District of Columbia, and taught weekly classes on trial advocacy skills.

As the Director of Public Interest at DU Law, Webb is responsible for managing and developing externship and practicum opportunities in public interest organizations. This responsibility allows Webb to apply her background as a practitioner, as well as her classroom and clinical teaching experience, to the oversight of legal externships and practicums in public interest fields. In addition to her role as the Director of Public Interest, Webb

teaches a variety of courses related to criminal justice and trial practice at DU Law.

## TRANSITIONS

**Carrie Bettinger-Lopez (Columbia)** will be joining the **University of Miami School of Law** this fall where she will be directing their new **Human Rights Clinic**.

**Sarah Boonin (Suffolk)**, who had been visiting in Suffolk's Family Advocacy Clinic while Ilene Seidman was on sabbatical and was formerly at Harvard's Legal Services Center is **joining the Suffolk clinical faculty** to start a **Health Law Clinic** focused on women's health issues.



**Kim Diana Connolly** (South Carolina) will be joining **The State University of New York at Buffalo School of Law** this fall as their new **Director of Clinical Legal Education** and **Professor of Law**.



**Patience Crowder (Tulsa)**, currently an Assistant Clinical Professor of Law at the University of Tulsa College of Law, where she established and directed the Social Enterprise & Economic Development Law Project and is Co-Director of Clinical Law Programs, will be joining the **University of Denver** where she will develop a new **transactional/community economic development clinic**.

Prior to joining the faculty at TU, she taught as a Clinical Fellow in the Community Development Clinic at the University of Baltimore School of Law. Before joining the legal academy, she was the Business Development Manager for St. HOPE Corporation, a nonprofit community development corporation that revitalizes inner-city communities through economic development and public education. Crowder began her legal career in private practice in San Francisco, California, as a bank finance associate with Shearman & Sterling. Her scholarly interests include examining the impact of contract, corporate, and local government law in transactional advocacy for the public's interest, particularly the revitalization of inner-city and underserved communities. Her scholarship has been published by the Tennessee Law Review and the Journal of Affordable Housing & Community Development Law. Her latest article is forthcoming in the Georgetown Journal on Poverty Law & Policy. Crowder earned her J.D. from Rutgers School of Law-Newark, where she served as an Articles Editor of the Rutgers Law Review, and received her B.A. in Sociology from Georgetown University.



**Brett Dignam (Yale)** will be joining the **Columbia Law School** clinical faculty this Fall where she will establish a new clinic, **Consequences of Mass Incarceration**.



**Wadine Gehrke (Denver)**, after many years of dedication to her clinic students, her clients and the overall clinical program at DU, is **retiring** at the end of this academic year.



**Andrew Horwitz (Roger Williams)**, who has served as the Director of the Roger Williams University Criminal Defense Clinic since its inception in the fall of 1995 and as Director of Clinical Programs since 2000, is stepping down from those positions temporarily to assume the position of **Associate Dean for Academic Affairs**. With some significant reluctance to leave positions that he loves, he has agreed to accept a two-year appointment to serve as Associate Dean commencing on July 1, 2010. At the conclusion of that appointment he will be awarded a long-overdue sabbatical for the following academic year.



**Bruce I. Kogan (Roger Williams)**, a very experienced clinical teacher who presently directs the Mediation Clinic, will take over as the **Director of Clinical Programs** at Roger Williams while Andrew Horwitz serves as Associate Dean for Academic Affairs.



**Laurie Kohn (Georgetown)**, currently a visiting clinical professor at Georgetown University Law Center, will be **joining the George Washington University clinical faculty** for the 2010-2011 academic year.



**Kate Kruse (UNLV)** will be **visiting** at **Fordham** in Fall 2010 teaching in their clinic.

**Christopher N. Lasch (Suffolk)** will be joining the **University of Denver** to teach in the **Criminal Defense Clinic**. Christopher has been litigating to protect his clients' constitutional rights since 1996. After graduating from Yale Law School, Lasch worked for three years as a public defender in Louisville, Kentucky. He represented hundreds of clients in the adult trial division and was a member of the capital trial division for nearly two years. In 2000, Lasch partnered with another former defender to form a small private law firm dedicated to criminal defense and civil rights litigation. He continued to represent those accused of crimes in Kentucky's trial courts, and broadened his practice to include appellate, post-conviction, and federal habeas corpus litigation on behalf of convicted prisoners. His firm brought and tried civil rights cases in both state and federal courts. In 2006, Lasch became a Robert M. Cover Clinical Teaching Fellow at the Yale Law School, where he taught in numerous clinics, including the Capital Punishment Clinic, Criminal Defense Project, and the Worker and Immigrant Rights Advocacy Clinic. In the 2009-10 academic year he was a Visiting Assistant Clinical Professor at the Suffolk University Law School teaching in the Suffolk Defenders Clinic supervising students defending criminal cases in the Boston Municipal Court system.



**Jenny Roberts (Syracuse)**, who visited at American this year in the Criminal Justice Clinic, will be joining **American University Washington College of Law** permanently next year in a **tenure-track position** teaching in the **Criminal Justice Clinic**.



**Jon W. Shelburne (Roger Williams)** has agreed to **take over as Director of the Criminal Defense Clinic** while Andrew Horwitz serves as Associate Dean of Academic Affairs. After graduating from the University of Dallas with a bachelor's degree in education, Professor Shelburne taught high school for three years before attending Texas Tech University School of Law. Upon graduation he became a Judge Advocate in the United States Marine Corps, where in various capacities and localities he tried well over a hundred criminal cases. After ten years of active duty, which included serving as an instructor at the Naval Justice School in Newport, Professor Shelburne transferred to reserve status in 2002. Since then, he has been a full-time member of the faculty teaching Trial Advocacy, Criminal Law, and Criminal Procedure. More recently, he has also coached the mock trial and moot court teams as Director of External Competitions.



**Jessica Steinberg (Stanford)**, currently a Clinical Fellow and co-teacher with Professor Juliet Brodie in the Community Law Clinic at Stanford Law School, **will be joining the George Washington University clinical faculty** for the 2010-2011 academic year.



**Deborah Weissman (North Carolina)**, after nine years of leading the UNC Clinical Programs, will be **returning to the full-time faculty**. Prior to joining UNC Law's faculty in 1998, Deborah served as Executive Director of Legal Services of North Carolina from 1995-98. After three years as a clinical faculty member, Deborah became Director of Clinical Programs in January of 2001. In addition to teaching civil lawyering process and domestic violence law, Deborah developed and taught an immigration/human rights policy clinic. She has also served as long-time faculty adviser to the Conference on Race, Class, Gender & Ethnicity. In 2008, Deborah was awarded the Reef C. Ivey II Distinguished Professorship of Law. After a leave in the fall of 2010, Deborah will return to her role as scholar and clinical teacher.

## *HONORS, AWARDS & PROMOTIONS*



**Roxanna Altholz (Berkeley)**, the Associate Director of the International Human Rights Law Clinic (<http://www.law.berkeley.edu/php-programs/faculty/facultyProfile.php?facID=5696>), was **appointed to the clinical tenure track** by a unanimous vote of the faculty.



**Ty Alper (Berkeley)**, the Associate Director of the Death Penalty Clinic (<http://www.law.berkeley.edu/php-programs/faculty/facultyProfile.php?facID=5490>), was **appointed to the clinical tenure track** by a unanimous vote of the faculty.



**Charles Auffant (Rutgers-Newark)** has been **promoted to full Clinical Professor of Law**. Charles teaches in the Community Law Clinic.



**Sharon Beckman (Boston College)** has been **promoted to Associate Clinical Professor of Law**, which is their version of clinical tenure. Sharon has taught in the Criminal Justice Clinic for six years, and for five years has overseen an Innocence Project she created at the law school.



**Beth Belmont (Washington & Lee)** has been **granted tenure** after the Board of Trustees at Washington & Lee adopted changes to the tenure and promotion standard converting clinical contract faculty positions to clinical tenure stream positions.



**Lisa Brodoff (Seattle)** has been **awarded tenure**. Lisa was the first clinician at Seattle University to transition directly from long-term contract to being granted tenure. Lisa is also the new **Director of the Clinical Program** at Seattle University School of Law replacing Paul Holland, who was appointed Academic Dean.



**David Bruck (Washington & Lee)** has been **granted tenure** after the Board of Trustees at Washington & Lee adopted changes to the tenure and promotion standard converting clinical contract faculty positions to clinical tenure stream positions.



**Robert Burns (Northwestern)** received a **Choice Outstanding Academic Title Award for 2009** for his book, *The Death of the American Trial*.



**Esther Canty-Barnes (Rutgers-Newark)** has been **reappointed Clinical Professor of Law**. Esther is Director of our Special Education Clinic;



**Ronald Chen (Rutgers-Newark)** has been **appointed Full Clinical Professor of Law with clinical tenure** under their relatively new clinical tenure track. He was also **appointed as Vice Dean** and the **Leonard I. Garth Scholar**. Ron returns to Rutgers-Newark teaching in the Constitutional Litigation Clinic after a four-year stint as the Public Advocate of New Jersey in Governor Corzine's cabinet.



**Christine Scarlata Chung (Albany)** received the **Albany Law School 2010 Distinguished Educator for Excellence in Service Award**. Professor Chung is Director of the law school's Securities Arbitration Clinic, where she works with students to represent investors in arbitration proceedings sponsored by the Financial Industry Regulatory Authority. As co-director of the Center for Financial Market Regulation, a joint program with the University at Albany, she also works to bridge the gap between academia and financial professionals.



**Christine Cimini (Denver)** has been appointed as the inaugural holder of a newly established chair at the University of Denver, the **Ronald V. Yegge Clinical Director**. The endowment was created by the late Dean Robert B. Yegge and his mother, to honor Dean Yegge's father, and was funded by them and a number of generous alumni for the purpose of attracting and retaining top line talent to direct their clinical program.



**Laura Cohen (Rutgers-Newark)** has been **appointed to the clinical tenure track**. Laura teaches in the Urban Legal Clinic and handles juvenile justice and criminal defense cases.



**Maggie Finnerty (Lewis & Clark)**, Executive Director and Clinical Law Professor of Lewis & Clark Law School's Small Business Legal Clinic (SBLC), was named the **SBA's "2010 Women in Business Champion of the Year"** for Oregon and also for the NW Region. The SBA's Women in Business Champion of the Year Award honors individuals who, as advocates for women entrepreneurs, have fulfilled a commitment to the advancement of women's business ownership.



**Michele Gilman (Baltimore)**, Director of UB Law's Civil Advocacy Clinic, has won a **2010 University System of Maryland Board of Regents' Faculty Award for Public Service**.



**Steve Gold (Rutgers-Newark)** has been **promoted to Associate Professor of Law**. Steve is the Director of the Environmental Law Clinic.



**Jill Gross (Pace)** has been **appointed Director of Legal Skills**. In that position, she will oversee and provide leadership on all matters related to curricular skills training, including the writing programs, advocacy programs, and all clinics, externships, and simulations. She will coordinate the law school's experiential curricular offerings, act as full-time faculty director of the new first year writing program, capitalize on centers and institutes on campus as potential experiential learning placement opportunities for students, and in consultation with the associate deans, assist with scheduling and teaching assignments for all skills courses.



**Michele Halloran (Michigan State)**, Clinic Director and Director of the Tax Clinic, was **promoted to a rolling contract**, meaning that it presumptively never ends.



**Paul Holland (Seattle)** has been awarded **tenure**. Paul, who had taught in the Youth Advocacy Clinic since his arrival in 2004, served as Clinic Director beginning in 2006 and in 2009 was appointed **Associate Dean of Academic Affairs**.



**Robert Holmes (Rutgers-Newark)** has been **appointed to the clinical tenure track**. Bob is Director of our Community Law [transactional/community development] Clinic and Deputy Director of Clinical Programs.



**Margaret Moore Jackson (North Dakota)** has received **tenure** at the University of North Dakota School of Law.



**Wendy Jacobs (Harvard)**, Director of the Emmett Environmental Law and Policy Clinic (ELPC) at Harvard Law School, was **promoted to Clinical Professor** of Law in April. Wendy joined Harvard in July 2007 when she launched the ELPC as part of Harvard's Environmental Law Program, which is under the direction of HLS Professor Jody Freeman. In April 2008, Wendy, who has more than 25 years of experience as a practitioner in environmental and natural resources law, was appointed as an Assistant Clinical Professor of Law. She teaches the Emmett Environmental Law and Policy Clinic Workshop along with ELPC staff attorney Shaun Goho, and has also taught Harvard's seminar on environmental law practice: Practicing Environmental Law: Skills, Methods and Controversies. Wendy is one of 10 clinical professors on the HLS faculty.



**Dan Kanstroom (Boston College)** has been **appointed Professor of Law**, Boston College's version of full professor status on the regular tenure track. Dan applied for an opening on the tenure track and the faculty enthusiastically welcomed his move to that status. Dan has taught at BC for many years, teaching in the Criminal Clinic for a long time before establishing the school's Immigration Clinic and the University's Center for Human Rights. Dan is working on establishing a new International Human Rights clinic at BC.



**Maritza Karmely (Boston College)**, has had her **contract renewed** and is comfortably on her way to getting clinical tenure at her next review in three years. Maritza has taught the Civil Litigation Clinic and the Women and the Law Clinic for three years.



**Tom Kelley (North Carolina)** will become the new **Director of Clinical Programs** at the University of North Carolina on July 1. Tom Kelley is a 1984 graduate of Harvard College, with a BA in government. He earned a JD degree from Northeastern University School of Law in 1991. After clerking with former UNC Law dean and Fourth Circuit Judge J. Dickson Phillips, Jr., Tom spent two years in private practice with a leading Boston firm. In 1994, Tom was named founding director of community programs for the Duke University Center for Documentary Studies, which he directed and led for five years, raising over \$1 million, supervising a staff of some ten to twenty at various times, and earning awards for the use of oral history, documentary photography, and film as tools to build up local communities and their leaders. Tom joined the UNC Law faculty in 1999 as the co-director of the externship program. In 2002, he was asked to develop a community development clinic as well to begin teaching a University-wide course on the Law of Non-Profit Corporations. In 2006, Tom moved to the tenure track, and he has received the recommendation of the UNC law faculty and dean for tenure and promotion to full professor this spring (as well as recent approval from the University's APT Committee -- so now promotion and tenure are now all but certain). Tom was a Peace Corps volunteer in Niger in the mid-1980s after college, and he returned there on a Fulbright Scholarship in 2003-04 to study traditional law in Niger. This spring, Tom is teaching a course in African Law & Development.



**John Kettle (Rutgers-Newark)** has been **reappointed Clinical Professor of Law**. John teaches in the Community Law Clinic and supervises all of its intellectual property (copyright, trademark, patent, etc) work.



**Nekima Levy-Pounds (U of St. Thomas)** has been **granted tenure** by the University of St. Thomas. After initially heading the Family Law Practice Group, she now leads the Community Justice Project (CJP), an innovative program she began in 2006-2007. The CJP focuses on bridge building with community stakeholders and problem solving in distressed communities.



**Ed Lloyd (Columbia)**, the Evan M. Frankel Clinical Professor of Environmental Law and Director of the Environmental Law Clinic, will become the **Director of Clinical Education** at Columbia, starting July 1, 2010. Ed joins a long line of clinicians who have held this position, starting with Harriett Rabb and continuing with Conrad Johnson, Barbara Schatz, Jane Spinak and Mary Zulack.

Ed joined Columbia in 2000 after serving as Director of the Rutgers Environmental Law Clinic for fifteen years. He is a leader with the renowned Columbia University Earth Institute, and has helped the Law School expand and enrich its Environmental Law curriculum.



**Beth Lyon (Villanova)** has been **promoted to** the rank of **Professor** and **granted tenure**. Beth is the founding director of Villanova's Farmworker Legal Aid Clinic, which represents clients who are living and working in agricultural settings in a variety of legal matters, primarily focused on employment and immigration issues.



**Mary Zanolli Natkin (Washington & Lee)** has been **granted tenure** after the Board of Trustees at Washington & Lee adopted changes to the tenure and promotion standard converting clinical contract faculty positions to clinical tenure stream positions.



**Elan S. Nichols (Michigan State)**, Staff Attorney, was **promoted to Assistant Clinical Professor of Law**.



**Sarah Paolett (Penn)** received a favorable faculty vote to be **appointed to a practice professorship**. Sarah has been developing Penn's Transnational Legal Clinic from its inception four years ago and is a leading advocate in international human rights, immigration, and migrant worker's rights.



**Colene Robinson (Colorado)** has been named "**Guardian-ad-Litem of the Year**" by the Colorado Judicial Branch. Colene heads Colorado Law's Juvenile Law Clinic, in which she and her students act as guardians-ad-litem for children in abuse and neglect proceedings.



**Michael Schwartz (Syracuse)**, Director of the Syracuse University College of Law Disability Rights Clinic, was **approved for tenure**. The College of Law has a unitary tenure track.



**Dveera Segal (Villanova)** has been **promoted to the rank of Professor**. In addition to directing Villanova's clinical program, Dveera runs the Civil Justice Clinic, in which she, two clinical teaching Fellows, and their students handle a range of matters in Philadelphia and Delaware Counties, and she also founded a popular poverty law course.



**Deirdre M. Smith (Maine)**, Associate Professor and Director of the Cumberland Legal Aid Clinic, was **promoted with tenure**.



**Kelly Terry (Arkansas-Little Rock)**, Director of the Public Service Externship Program and *Pro Bono* Programs at **The University of Arkansas at Little Rock William H. Bowen School of Law**, was **granted tenure** and also **promoted to the rank of Associate Professor**.



**Kimberly Thomas (Michigan)** was approved for a **long-term contract** at Michigan in April. Kim has been at the Law School since 2003, working in their criminal and juvenile delinquency clinics, and also teaching criminal law.



**Jessica Tillipman (George Washington)**, Visiting Associate Professor of Clinical Law, has been **appointed to the position of Assistant Dean for GW's Outside Placement Program**.



## FROM CLINICAL PROGRAMS



ALBANY LAW SCHOOL

### Noteworthy Cases

A team of Albany Law School students won a \$1.9 million arbitration award this year for a retired couple who lost their savings when their investment firm made improper private placement investments.

### Honors

The **Albany Law School Clinic and Justice Center** was recently honored with the **New York State Bar Association's 2010 Angelo T. Cometa Award** for its significant community outreach efforts and legal services in the areas of civil rights, health law, unemployment litigation and family violence prevention. In 2009, the Law Clinic and Justice Center

handled 621 different cases on behalf of 523 individuals.

The award, sponsored by the Committee on Lawyer Referral Service, annually recognizes individuals or groups in New York that demonstrate an extraordinary commitment toward advancing the goals of the State Bar's Lawyer Referral and Information Service (LRIS), which is a program that helps coordinate a lawyer referral and information system, as well as provides the public with information about available legal services. Named after past Bar Association President Angelo T. Cometa, the award was presented on April 9 at the State Bar's House of Delegates Dinner.

The committee recognized the Law Clinic and Justice Center for its significant community outreach and the legal advice it provides through six in-house clinics: Civil Rights and Disability Law, Health Law, Securities Law, Unemployment Litigation, Low Income Taxpayer Law and Family Violence Litigation and its collaborative Family Violence Prosecution Clinic. The Law Clinic and Justice Center also offers a field placement program that has placed law students at more than 200 different government offices.

Among its most significant programs was a day-long special education conference, "Beyond the Box, Exploring the Possibilities," for parents and other individuals concerned about the rights of individuals with developmental disabilities; helping clients with cancer challenge insurance company decisions to receive due treatment; and representing survivors of domestic violence in matters related to safety, financial support and custody of children.



### Conferences

Professor **Melissa Breger** will be presenting "Against the Dilution of A Child's Voice in Court" at The Law & Society Association Annual Conference in Chicago at end of May. The article is forthcoming in the Indiana International and Comparative Law Review for Spring 2010.



Professor **Bridgit Burke** will be co-presenting on the topic of "Ethics and Disability in Middle Life" at Albany Law School and Union College's conference, Disability And Ethics Through the Life Cycle: Cases, Controversies, & Finding Common Ground at Union College.



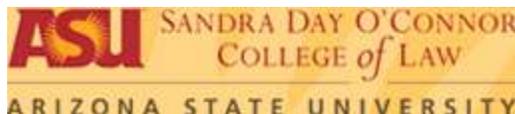
Professor **Deborah Kearns** of the Low Income Taxpayer Clinic will speak at a Continuing Legal Education Conference entitled Estate Planning After Divorce on June 2, 2010.

On October 8, 2010, Albany Law Clinic & Justice Center's Low Income Taxpayer Clinic and Albany Law School's Government Law Center will host a conference entitled Taxpayer Advocacy: Addressing Systemic Tensions during Tight Budget Times. The National Taxpayer Advocate, Nina E. Olson, will deliver the keynote address at the conference, which is expected to attract a national audience of state Tax Commissioners, state Taxpayer Rights Advocates, academics and practitioners. Ms. Olson leads the Taxpayer Advocate Service, a nationwide organization of approximately 2,000 taxpayer advocates who help U.S. taxpayers resolve problems and work with the IRS to correct systemic and procedural problems.

### Taskforces



Clinical Professor **Laurie Shanks** serves on the New York State Task Force on Wrongful Convictions and is the Chair of the Subcommittee on Mistaken Identification. The Task Force conducted an extensive review of cases throughout New York to isolate and examine the causes of wrongful conviction. It then made recommendations for procedural and legislative actions that should be taken to reduce miscarriages of justice in the future. Professor Shanks and the other members of the Task Force are now working with the legislature to draft appropriate language to implement our recommendations.



Since arriving at the Civil Justice Clinic at Arizona State in the fall, **Marcy Karin**, Associate Clinical Professor and Director of the Work-Life Policy Unit, and her students have been taking a number of matters for active-duty military members and their families as well as veterans.

The Civil Justice Clinic has 10-16 students each semester. Last fall, three of the 10 students were active in the military and many others have family members in the service. Clinic staff have also served our country and have children who recently returned from tours of duty in Iraq and Afghanistan.

Karin said it pointed out to her the large number of military families in the Valley and what a huge impact the ongoing wars have had locally. At the same time, she learned of several law students who planned to join the Judge Advocate General's Corps of the military after graduation. She saw a perfect connection, and the clinic began taking on cases referred by the American Bar Association Military Pro Bono Project and from local JAG offices.



**Law students Meghan McCauley, left, a member of the Air Force ROTC, and Patrick Camunez, an Army captain in the National Guard, are working on cases involving military families through the College of Law's Civil Justice Clinic.**

## **COLUMBIA LAW SCHOOL**

### **Sexuality and Gender Law Clinic**

A report was drafted by the students of Professor **Suzanne Goldberg** of the Sexuality and Gender Law Clinic, OPEN SERVICE AND OUR ALLIES, A REPORT ON THE INCLUSION OF OPENLY GAY AND LESBIAN SERVICEMEMBERS IN U.S. ALLIES' ARMED FORCES. From the Executive Summary:

*In the wake of the Obama Administration's pledge to repeal "Don't Ask, Don't Tell" in the United States, the Columbia Law School Sexuality & Gender Law Clinic undertook to review how allies of the United States moved from a policy of banning gay and lesbian servicemembers from serving in the armed forces to a policy of allowing these servicemembers to serve openly ("open service").*

*Through the review, which this report documents, we aim to provide information about the decision to implement open service, and the mechanics of the transition to open service in Australia, Canada, Israel and the United Kingdom. In addition to addressing concerns about the effect of open service on unit cohesion and morale, this report also includes information about how the militaries of Australia, Canada, Israel and the United Kingdom implemented their open service policies on the ground. This report examines, as well, the ways in which U.S. soldiers have worked as part of multinational forces with members of other militaries that have open service policies.*

### **Lawyering in the Digital Age Clinic**

Professor **Conrad Johnson** and students of the Lawyering in the Digital Age Clinic have created a new web-based tool to alert judges and lawyers to immigration and public housing consequences of a guilty plea or a conviction.

The Collateral Consequences Calculator, the first of its kind, was developed by the Lawyering in the Digital Age Clinic at Columbia Law School and the Columbia Center for New Media Teaching and Learning (CCNMTL) to ensure that fully informed choices are made by judges, prosecutors, defense counsel and policy makers.

Users can select a section of the penal code and examine the potential impact of

convictions in New York on immigration status and public housing eligibility, two of the more-prevalent areas of consequences that arise from a conviction. Johnson—who reviewed the public housing eligibility consequences—expects to add other consequences to the Calculator as the program is expanded.

The immigration consequences are analyzed for the top 51 crimes in New York Penal Law that are either most commonly charged or carry consequences that are commonly misunderstood. The public housing eligibility consequences are analyzed for the entire Penal Law, but apply only to public housing in New York City.

In a recent Supreme Court decision, *Padilla v. Kentucky*, the justices ruled that lawyers have a duty to advise their immigrant clients of the possibility of deportation if they plead guilty to a crime. In this case, Padilla's lawyer had given him the wrong information about his immigration status.

The Clinic uses digital technologies to reshape law practice and the legal profession. Students work with community groups, public-interest lawyers and members of the judiciary to increase access to justice and solve complex legal problems using technology.

The calculator can be viewed at <http://calculator.law.columbia.edu>.



### **University of Baltimore School of Law, Center for Families, Children and the Courts**

The University of Baltimore School of Law Center for Families, Children and the Courts (CFCC) has been on a busy circuit of speaking engagements and outreach efforts.

Early in May, Baltimore was the site of the 4-day Association of American Law Schools Conference on Clinical Legal Education, drawing clinical law professors from around the country. CFCC delivered a workshop about the pedagogical challenges and rewards of our Student Fellows Program, a non-traditional clinic offering. Professor and CFCC Director **Barbara Babb** was joined by Senior Fellows **Gloria Danziger** and **Sharon Rubinstein**, as well as **Leigh Dalton**, a 2008 graduate of the program who went on to work for CFCC.

On May 5 at a conference given by the Administrative Office of the Courts, Senior Fellows Gloria Danziger and Sharon Rubinstein joined with Anne Arundel Circuit Court Judge Ronald A. Silkworth in three separate presentations to describe the operation of CFCC's Truancy Court Program (TCP). The audience included judges, lawyers, school counselors, drug treatment specialists, Pupil Personnel Workers, and Department of Juvenile Services personnel.

On June 3, CFCC will present "Unified Family Courts: How to Tell Whether They Are Doing What We Expect Them to Do?" at the Association of Family and Conciliation Courts Annual Conference. Panelists will suggest different approaches to the challenges Unified Family Courts face in assessing their own effectiveness.

The month will be capped off with an interdisciplinary symposium co-sponsored by the American Bar Association's Family Law Section. The symposium, to be held at the University of Baltimore School of Law on June 24-25, will bring together academics, lawyers, judges, mediators, mental health professionals, financial experts, and policymakers to discuss issues regarding improving the practice of family law and making it less damaging to families and children.

## **Spreading the Word Far and Wide: New Blog Reaches Across Continent and Countries**

Since its debut two months ago, CFCC's blog has reached over five hundred readers. The more than 500 unique visitors are spread across twenty-two states and fourteen countries. Among the notable addresses: the Executive Office of the President of the United States (reading our post about Health Care Reform); Newsweek Magazine, with over 44 page views; the National Center for State Courts; a host of higher education institutions, including Columbia University, the University of Zurich, the University of Miami (which has linked to our blog), the University of Denver, University of Oregon, and Kent State University; the U.S. Department of Justice; the State of Maryland; the American Bar Association; the Danish Network for Research and Education; and several law firms. The conversation can be found at <http://ub-cfcc.blogspot.com>.

For further information about CFCC and any of its initiatives, or if you would like to receive the Unified Family Court Connection, please contact Professor **Barbara A. Babb** at 410-837-5661, [bbabb@ubalt.edu](mailto:bbabb@ubalt.edu), or consult CFCC's Web site at: [www.law.ubalt.edu/cfcc](http://www.law.ubalt.edu/cfcc)

### **University of Baltimore Family Law Clinic**

On April 25, 2010, five students from the University of Baltimore's Family Law Clinic engaged in a community education program at Dar al Taqwa, a local mosque, entitled "When Domestic Violence Begins at Home: The Legal and Islamic Response to Domestic Violence." The program was initiated by a third year law student who was entering her second semester in the Family Law Clinic. The student, Fasiha Khan, approached the faculty in the Family Law Clinic and indicated that she saw a need within her community for domestic violence education. With the support of the faculty and under the supervision of Professor **Rachel Camp**, Fasiha, with significant contributions from Family Law Clinic students Ashley Wagner, Lindsay Greer, Shaneka Henson and Sarah Feldman Horowitz, organized a three hour, interactive program. The program featured scholar Dr. Zainab Al-wani, who presented on the Islamic perspective on domestic violence. The students led an engaging discussion on how domestic violence is, or should be, defined, and presented a summary of numerous legal options available to victims of domestic violence. The program was well-received by members of the Muslim community, and others who attended, with many program evaluations requesting that the program be repeated in other venues.

On May 4, 2010, Maryland Governor Martin O'Malley signed into effect a new law that was spearheaded by the Civil Advocacy Clinic and Family Law Clinic at the University of Baltimore School of Law. The law provides housing protections for victims of domestic violence and sexual assault. These individuals will be now be able to (1) terminate leases early if they need to move for their safety; (2) obtain a lock change from their landlord; and (3) have a defense to eviction actions brought on the basis of conduct related to domestic violence or sexual assault. Student attorneys drafted the bill; helped organize a statewide coalition of domestic violence and housing advocates; researched comparable laws in other

states; met with legislative sponsors; testified before House and Senate committees; and assisted in negotiations with lobbyists for the property owners. In the Fall, the Clinics will work with the coalition of advocates and turn their attention to community and judicial education about the new law. A photo of the bill signing is below; students Meghan Harrison, Elizabeth Kenderdine, and Kate Miller are in the picture.



**Jon Bauer**, a Clinical Professor of Law at the University of Connecticut School of Law, presented a series of four seminars at the law school of the University in Brescia, in Italy, from March 9-11, 2010. Brescia has just launched its new Legal Clinic program, the first law school clinic in Italy. He conducted a seminar for faculty on issues in clinical supervision, and three workshops with students that focused on client counseling, employment discrimination, and refugee and asylum law. Bauer also served as a panelist in a national teleseminar sponsored by the American Association for Justice, entitled "Are Secret Settlements Unethical," on March 16, 2010. An article on the same subject, co-written with Patrick Malone, a Washington, D.C. trial lawyer, will appear in *Trial*, the AAJ's monthly journal, this summer. On March 26, 2010, Bauer moderated a panel on "Reforming the Undocumented Workforce" at a conference sponsored by the Connecticut Public Interest Law Journal.

**UNIVERSITY OF DENVER**  
**STURM COLLEGE OF LAW**

**Updates from the University of Denver Sturm College of Law Environmental Clinic**

Student attorneys in the DU Environmental Law Clinic are hard at work protecting public health and developing their litigation skills. This spring, Chris Brown ('10), Sarah Colman ('11), Allison Vetter ('11) and Ahson Wali ('11) argued and won two motions in the U.S. District Court for the District of Colorado. In both cases, the student attorneys fully briefed the cases, participated in hours of moot court preparation, and appeared in court to represent their clients. The cases involve Section 112 of the Clean Air Act, which limits emissions of hazardous air pollutants from major sources like power plants. Working on behalf of WildEarth Guardians and members of the communities of Pueblo and Lamar, Colorado, student attorneys in the Environmental Law Clinic are seeking to address violations of section 112(g) at two new Colorado coal-fired power plants that can emit in excess of 10 tons per year of toxic pollutants, including mercury. According to Jeremy Nichols, WildEarth Guardian's Climate and Energy Director, "the work of the DU Environmental Law Clinic is an extremely important tool in holding Colorado public officials and companies accountable to their commitments to develop an environmentally responsible business culture in our state."

Also, this past February Environmental Law Clinic student attorneys Dan Vedra ('11), Ahson Wali ('11), April Shepherd ('11), Anthony Basile ('11), and Kate Finnegan ('10) accompanied clinic director Professor **Mike Harris**, clinic fellow **Kevin Lynch**, and 6 other DU environmental law students to the 28th annual Public Interest Environmental Law Conference at the University of Oregon. This is the largest public interest environmental conference 3 in the world, and the largest turnout of DU students in the conference's history. After returning from the conference the student attorneys reported back to their peers on recent developments in their areas of interest gained from attending some of the hundreds of panels that were held over the weekend. As Anthony Basile reported, "What I learned is that the DU Environmental Law Clinic is working on some of the most cutting edge environmental cases out there!"

If you want to keep updated on the work of DU's Environmental Law Clinic – Colorado Urban Project, you can check out their New Weekly Blog, *A Just West* available at <http://www.hcn.org/greenjustice/blog>

**Significant Victory for the University of Denver Sturm College of Law Civil Rights Clinic**

The University of Denver's Civil Rights Clinic represents Tommy Silverstein, a federal prisoner who has been held in solitary confinement for the past 27 years. In 2007, the clinic filed suit on behalf of Mr. Silverstein challenging several of his conditions of confinement against the federal Bureau of Prisons. The clinic filed claims arguing that Mr. Silverstein had not received due process during his long detention. Yet, most significantly, they claimed that the Government's indefinite imprisonment of him under "no human contact" status constitutes cruel and unusual punishment in violation of the Eighth Amendment. The Government filed a motion to dismiss Mr. Silverstein's claims on several grounds, including failure to state a claim and qualified immunity on the individual capacity claims.

Recently, the Honorable Philip A. Brimmer in the U.S. District Court for the District

of Colorado held that Mr. Silverstein's procedural due process claim is allowed to proceed (for both injunctive relief and damages), as is his Eighth Amendment claim for injunctive relief (the damages claims were dismissed on QI grounds). The decision on the Eighth Amendment is one of only two or three in the entire country where a court has held that solitary confinement alone is enough to state a claim for cruel and unusual punishment, even absent mental illness or other physical harm. The clinic anticipates and hopes that this decision will have a positive impact on the ability of litigators across the country to challenge the disturbing trend of holding individuals in solitary confinement indefinitely.

This decision is the result of the incredible work of many people: Civil Rights Professor **Laura Rovner**, Civil Rights Clinical Fellow **Brittany Glidden** and former CRC Fellow (now Ass't Prof.) Raja Raghunath; student attorneys Nicole Godfrey ('09), Steve Baum ('09), Amber Trzinski ('09), Colin Enger ('11), Tashana Taylor ('10), Kim Still ('10), Katie Stevens ('10), and Rachel Proctor ('10); as well as Visiting Professor **Dan Manville** (CRC 2007-08). Congratulations to all of them.

## **GEORGE WASHINGTON UNIVERSITY LAW SCHOOL**

### **Jacob Burns Community Legal Clinics**

In May, 2010, the GW Board of Trustees approved the clinical tenure applications of all full-time clinical faculty members. On May 13, 2010, the GW faculty had a wine and cheese celebration to welcome all newly promoted professors to their tenured status. So it is now final and official: the GW Clinical Program has indeed entered a new era.

In March, 2010, **Jessica Tillipman**, Visiting Associate Professor of Clinical Law, co-presented with Friedman Fellow **Juliana Russo** at the Externship V Conference in Miami. The presentation focused on methods for incorporating technology into law school externship programs.

As we welcome new faculty members, we are bereft as we say goodbye to Professor **Carol Izumi**, who retired from GW at the end of this academic year. Carol's husband, Professor Frank Wu of the Howard University School of Law, has been named the Dean of the University of California College of Law at Hastings. Consequently, Carol will be moving her clinical skills to Hastings. On May 10, 2010, the GW faculty held a lovely retirement luncheon in Carol's honor. We already miss her, but we wish her the best in the exciting new West Coast chapter of her life.

We also say goodbye to Professor **Paula Williams**, who visited with us in 2009-10 from the University of Tennessee College of Law. Paula was a wonderful GW colleague, and now we know from experience why her Tennessee colleagues feel so lucky to have her. The students and the clients of the Small Business and Community Economic Development Clinic benefited tremendously from her presence and her guidance.

We were happy to learn recently that Daniel Benighaus, a German law student who completed his German legal education with a fall semester practicum in our clinics, has used his experiences at GW as the basis for an article on the pedagogical value of clinical programs and the need for clinics in German legal education. The article has been accepted for publication in *Juristische Schulung* (Legal Education), Germany's most influential scholarly journal on legal education matters. His article will also be considered in a memorandum published by the judicial examination agencies of Berlin and Brandenburg on ways to improve German legal education. Demonstrating the profound value that a comparative perspective can have, Daniel has used his experience at the GW Clinics to influence the conversation in Germany on legal educational reform. Our first experiment in the creation of an unofficial international clinical fellowship was a rousing success, and

Daniel has become an effective European ambassador for American-style clinical legal education.

The GW Clinics engaged in another comparative project in March, 2010, when Professor **Arturo Carrillo**, director of the International Human Rights Clinic, and two former clinic students, Courtney Hague '09 and Camille Aponte Rossini '09, were featured speakers at the Universidad del Rosario in Bogota, Colombia, for a comparative law conference on class actions in human rights cases. The GW team presented its research on human rights' class actions and collaborated with a Universidad del Rosario team in presenting information on collective actions in the Inter-American human rights system. Organizers of the Colombia conference plan to publish a book collecting the research presented. The International Human Rights Clinic will author two of its chapters.

This year the International Human Rights Clinic (IHRC) also founded a groundbreaking litigation project to aid victims of human labor trafficking. Organized by Friedman Fellow **Annie Smith**—who we hope many of you had the opportunity to meet at the Clinic Conference in Baltimore—in collaboration with Human Rights USA, the IHRC trafficking project plans to bring suit this year under various federal statutes, seeking to establish that, under federal law, trafficked persons are entitled to a wide range of remedies. Over spring break, Professor Smith and two students traveled out-of-state to meet with potential clients. In addition to conducting litigation on their clients' behalf, the IHRC hopes to develop materials for a website that will provide resources to attorneys using international law arguments in domestic trafficking cases.

In cross-boundary work of another sort, the Federal, Criminal, and Appellate Clinic hosted a joint program in the spring semester with the Criminal Justice Clinic of American University's Washington College of Law, and the Criminal Division of the DC Law Students in Court program. After observing trial level and appellate court appearances in Maryland and the District of Columbia of student attorneys from each of the other programs, the three clinic classes met to compare their cross-jurisdictional perspectives on trial court and appellate court adjudications of criminal cases. Judging by the students' engagement and insights, this innovative cross-clinic pedagogy proved to have tremendous value in broadening and deepening students' perspectives on the challenging issues raised by city, county, and state criminal justice systems.

In March, 2010, the **GW Immigration Clinic**, founded by Professor **Richard Boswell** and directed for the past 17 years by Professor **Alberto Benitez**, celebrated its **30<sup>th</sup> Anniversary** with a lovely luncheon that brought together 2009-10 Immigration Clinic students with Immigration Clinic alumni, Immigration Court judges, court personnel, GW clinic colleagues, the law school administration, law school faculty, and many other supporters. In the months preceding this anniversary event, Immigration Clinic students obtained victory after victory on behalf of their clients. For example, they obtained asylum for a Liberian broadcast journalist, who was brutalized along with his family for his courageous investigative reporting, and the clinic is now working to bring the journalist's family to the United States. Clinic students also obtained asylum for a client from Cameroon, falsely accused and incarcerated for participation in a riot; for a client from El Salvador, a victim of domestic violence; and for a client from Kenya, persecuted on the basis of his tribal affiliation.

These are but a few examples of the inspiring teaching, learning, and lawyering accomplished this year by students and faculty at GW's Community Legal Clinics. By any measure, academic year 2009-2010 was productive and vibrant. As one school year comes to a close, we are gearing up for the next one, with all the GW clinics once again

filled to capacity for 2010-11. We take pride in this year's accomplishments, and look forward with anticipation to next year's exciting developments.

## HARVARD LAW SCHOOL

The *New York Times* highlighted the anti-foreclosure work of Harvard Law School clinical students in a March 21 story, "Finding in Foreclosure a Beginning, Not an End," <http://www.nytimes.com/2010/03/22/us/22foreclose.html>

**David Grossman**, Clinical Professor of Law and Director of the Harvard Legal Aid Bureau, which is at the forefront of the anti-foreclosure efforts, was, along with Steve Meacham of City Life/Vida Urbana, the main speaker at the national Housing Justice Network conference in March in Washington, D.C. Grossman and Meacham spoke about spreading to other cities the Harvard Law School model, which involves door-to-door community outreach to inform tenants and homeowners of their legal rights, as well as representing them in court and working with community partners such as City Life/Vida Urbana to help tenants and homeowners purchase foreclosed-on homes at current market prices. Grossman also spoke on his clinic's work at the National Low Income Housing Coalition conference in April in Washington, D.C., and the Equal Justice Conference in Phoenix in May. "The movement is spreading!" Grossman says.

**Diane Rosenfeld**, an expert on domestic violence and Lecturer on Law at Harvard Law School, where she directs the clinic on gender violence, was featured on an ABC News/Nightline story on using new technologies to prevent domestic violence. The story, "When Restraining Orders Cannot Stop a Killer," was broadcast on March 15. Rosenfeld and her students have worked to help a number of states draft and pass legislation requiring certain domestic violence perpetrators to wear a GPS monitoring system so that police can make sure they are not violating restraining orders. <http://abcnews.go.com/Nightline/restraining-orders-stalkers-domestic-violence-victims-call-enforcement/story?id=9999086>

**Robert Greenwald**, Managing Director of the WilmerHale Legal Services Center at Harvard Law School and Director of the Center's Health Law and Policy Clinic, was invited to join President Obama on Tuesday, March 23, to celebrate the passage of the Patient Protection and Affordable Care Act. The invitation noted Greenwald's efforts this past year to help make health care reform a reality. Greenwald was recently appointed to the President's Advisory Council on HIV/AIDS.

In other news from Harvard's Health Law and Policy Clinic, the Joint Public Health Committee of the Arkansas General Assembly invited staff from the Clinic to present findings from the Arkansas SHARP (State Healthcare Access Research Project) report at its April session. Developed in collaboration with local community partners, the SHARP report examines challenges faced by Arkansans living with HIV/AIDS in accessing healthcare, and proposes ways to improve access. One big challenge is that Arkansas appropriates no state funding specifically for HIV care programs, so the invitation from the Joint Public Health Committee is a significant step forward in acknowledging the issue, says Clinical Instructor Amy Rosenberg. Rosenberg presented jointly with members of Arkansas HIV Community Advocates, a coalition of clients, community-based healthcare and services providers, government officials, industry representatives, faith leaders, and academics formed as a result of the SHARP process. Following the legislative presentation, the SHARP report was released to the public at a press conference, kicking off a series of advocacy efforts to expand access to care.

**J. Soffiyah Elijah**, Deputy Director of the Criminal Justice Institute (CJI) at Harvard Law School and a Clinical Instructor, was honored in May at the annual testimonial dinner of the Massachusetts Chapter of the National Lawyers Guild. Elijah is well-known for her scholarship on criminal justice issues and her representation of political prisoners.

**Maureen E. McDonagh**, Lecturer on Law and Clinical Instructor in the Post Foreclosure Eviction Defense Housing Clinic at Harvard Law School's WilmerHale Legal Services Center, was named a 2010 Fellow of the National Institute of Teaching Ethics and Professionalism (NIFTEP), and attended their Spring Seminar north of Atlanta in March. NIFTEP was established in 2005 as a consortium of nationally recognized centers on ethics and professionalism.

In January 2010, while most of their classmates were in Cambridge studying for classes, Alexis Chernak '10, Marisa Cruz '11, and Alonzo Emery '10, accompanied by Clinical Fellow **Stephan Sonnenberg** '06, traveled to Dongguan, China as part of a project for the Harvard Negotiation & Mediation Clinical Program (HNMCP). There they interviewed migrant laborers at two electronics factories to ascertain how workplace disputes are resolved and whether or not they feel the system is effective.

The three HNMCP students traveled to southern China to study the impact of a new form of corporate social engagement currently being field-tested by Hewlett Packard (HP). In an effort to respond to reports of discontented employees, HP partnered with three Hong Kong non-profit organizations to train workers on labor rights at two of its suppliers' factories, as well as work with management to improve dispute resolution systems. By focusing on the creation of robust grievance systems, HP believes it can encourage employees to push for improved conditions themselves, rather than relying on external auditors to monitor conditions.

Chernak, Cruz, Emery, and Sonnenberg spent a total of six days in Dongguan, speaking with more than a hundred workers and thirty management and human resources representatives, with a translator to help pave the way. "Our clinic project required us to think creatively about the dispute systems design concepts we discussed in the classroom and apply them to the unique context of two supply-chain factories in China. We faced challenges including language barriers and cultural differences, as well as meeting the interests of multiple clients. It was an incredible experience to be given a project, the independence to design and execute a study and then the opportunity to make a formal presentation of our findings," remembered Chernak.

The HNMCP students' work is part of a larger study spearheaded by the Corporate Social Responsibility Initiative at Harvard's John F. Kennedy School of Government, which is attempting to identify new and workable procedures for effective labor grievance. Once completed, the study will feed into the work of Berthold Beitz Professor in Human Rights and International Affairs John Ruggie, who is also the serving United Nations Special Rapporteur to the Secretary General for Business and Human Rights. Ruggie is hoping that HP's efforts in southern China will serve as a valuable case study for other corporations facing similar social responsibility challenges along their supply chains.

After Chernak, Cruz, and Emery reported their findings and recommendations, Hewlett Packard agreed to a continuation of the project during the spring semester. "The Harvard Law students were very professional and enthusiastic in their support of our project. Their insight into the subject of legitimate grievance mechanisms for worker-management communication has been useful for our ongoing program analysis," says Zoe McMahon of Hewlett Packard. Emery joined forces with Sally Wagner Partin '10 for this follow-on clinical project. Building directly on the earlier report, management at one of the factories initiated a bottom-up review of its worker grievance system in order to render it more effective

at resolving complaints. In May of this year, Emery, Wagner Partin, and Sonnenberg will return to Dongguan to provide training to representatives from both labor and management on how to structure a consensus-building process, as well as to brainstorm initial steps to ensure worker participation in the ultimate redesign process.

## **UNIVERSITY OF MAINE SCHOOL OF LAW**

### **Cumberland Legal Aid Clinic**

#### **Juvenile Justice Clinic**

Under the supervision of Associate Clinical Professor **Christopher Northrop**, the Clinic handled a particularly complex competency case in Portland District Court which required the Court to determine the appropriate legal standard to apply to juvenile competency proceedings. After an evidentiary hearing during which the student attorney questioned two forensic psychological examiners and provided oral argument and a written memorandum of law, the Court agreed with the Clinic's proposed approach to the legal question, found the juvenile to be incompetent, and dismissed all charges.

This was not the only case involving the competency of a juvenile client that the Clinic handled in 2009, and the Clinic has developed considerable expertise in this area. At this year's Robert M. Cover Public Interest Law Retreat, Associate Clinical Professor Christopher Northrop gave a presentation at the Retreat on "Protecting Children from 'Friendly' Prosecutors: The Representation of Juveniles with Mental Health/Competency Issues." We expect that Juvenile Justice Clinic students will continue to work on this issue both in the context of representation of individual clients as well on a broader policy level.

In 2009, the Law School became the new host site for the New England Juvenile Defender Center (the regional program of the National Juvenile Defender Center), thus establishing the Law School as a locus for juvenile law and policy development on state, regional, and national levels. This will provide our Juvenile Justice Clinic students (and other law students as well) the opportunity to work on policy development projects.

#### **General Practice Clinic**

A General Practice Clinic student attorney, supervised by Clinical Professor **Jim Burke** and Associate Clinical Professor **Chris Northrop**, represented the petitioner in a trial in federal district court on a Hague Convention petition brought by the Clinic on behalf of a woman in Germany whose former husband refused to return the parties' 8-year old child to the client after a visiting him in Maine. The case was originally referred to the Clinic by the United States State Department. After a full-day trial, the federal magistrate judge issued a decision in the client's favor, which decision was affirmed by Judge George Singal. --- F.Supp.2d ----, 2010 WL 723744 (D.Me.).

## **MICHIGAN STATE UNIVERSITY COLLEGE OF LAW**

MSU Law is pleased to announce its newest clinical offering, the **Immigration Law Clinic**, which will open for Fall Semester 2010. Professor **Veronica Thronson**, who comes to us from the Legal Aid Center of Southern Nevada, and who has considerable experience in immigration matters, will direct the clinic. Professor **David Thronson**, formerly co-

director of the Immigration Clinic at the William S. Boyd School of Law at UNLV, also will teach in the clinic.

MSU Law opened a brand new clinic in Spring Semester, 2010, the **Plea and Sentencing Clinic**. This program, directed by Professor **Jeanice Daegher-Margosian**, is a collaborative effort with Michigan's State Appellate Defender Office. Students working in the clinic research client matters involving guilty pleas and sentencing criteria, confer with and counsel their incarcerated clients, and have the opportunity to engage in motion practice in Michigan circuit courts.

This fall, MSU College of Law welcomes the new Director of its Rental Housing Clinic – soon to be recast as the Housing Clinic – **Brian G. Gilmore**, formerly with Howard University School of Law in Washington, DC.

Professors **Michele Halloran**, **Nicole Dandridge**, and **Elan Nichols** presented a poster entitled “Implementing Backward Design in Creating Curricular Change” at the AALS Conference on Clinical Legal Education held in Baltimore on May 4-8, 2010.

Professor **Elan Nichols** co-authored an article entitled “‘New Hazard’ = New Liability” for the Michigan State Bar's Real Property Law Section E-newsletter (12/1/09).

In spring 2010, Rental Housing Clinic students organized a work group concerning a particular local slumlord that the Clinic has cases against on a regular basis. This work group was tasked with determining how we can most effectively assist our many present and future clients in maintaining safe and affordable housing, either with this individual landlord, or elsewhere, and how the Clinic might be involved in having this individual's slumlord practices cease.

During the 2009-2010 academic year, the Clinic began expanding its instruction to students and its case load by partnering with the Michigan State Housing Development Authority and the Fair Housing Division of the federal Department of Housing and Urban Development in Detroit, Michigan. This allowed the Clinic to cover more state and federal law issues and better handle more cases concerning subsidized housing and housing civil rights issues, including regarding disability law.

Professor **Michele LaForest Halloran**, Director of Clinical Programs and Tax Clinic Director, along with Professor **Nicole Dandridge**, the Director of MSU Law's Small Business/Nonprofit Clinic, presented a workshop at the ABA/NLADA Equal Justice Conference in Phoenix on May 13, 2010. Their workshop was entitled “Identifying and Addressing Tax Issues Resounding in Multiple Legal Services Contexts.”

Professor Halloran supervised ten MSU Law students at the Law College's Third Annual Alternative Spring Break. These students, all equipped with VITA training, used their spring break time to travel to New Orleans to prepare tax returns at two community sites for impoverished area residents. The trip was made possible through the generous donations of corporate and individual supporters.

During Spring Semester 2010, students in the Tax Clinic presented educational sessions to approximately 1,500 international students at Michigan State University to teach them how to prepare their own nonresident alien tax returns. They also provided consultation to a number of unrepresented United States Tax Court litigants at the two Tax Court sessions held in Detroit in March 2010.



Stephanie Grace, one of the Tax Clinic's Spring Semester clinicians, received special recognition from the State Bar of Michigan's Taxation Section for her excellent work in effectively resolving her clients' tax matters.

## UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW

Deborah Weissman participated in the following Conferences, Panels and Presentations:

Panelist, *Redefining Human Rights Lawyering Through the Lens of Critical Theory Conference: Answering the Call for Reform: Using Outcomes Assessment, Critical Theory and Strategic Thinking to Implement Change*, AALS Conference on Clinical Legal Education. May 7, 2010, Baltimore Md.

Conference: Latin American Migration: Transnational Perspectives Regional Reality. Panel on Borders and National Security, "American Dollars, Mexican Deaths: The Mérida Initiative" Center for Global Education, Mar. 27, 2010

Crime and Economics: Critiquing The Criminal Justice Paradigm as the Dominant Response to Domestic Violence. The Conference on Race, Class, Gender & Ethnicity, Feb. 27, 2010, UNC School of Law.



## BLUHM LEGAL CLINIC

### Appellate Advocacy Clinic Wins Reversal for Client

Professors **Sarah Schrup** and **Jeffrey Urdangen** recently won a reversal for their client in the Illinois Appellate Court resulting from the trial court's erroneous exclusion of the defendant's forensic questioning expert at trial. The case is now pending before the Illinois Supreme Court and will be argued in Fall 2010.

### Updates from the Center for International Human Rights

The Center for International Human Rights continued its pioneering work in Malawi as four students joined Clinical Professor **Sandra Babcock** on a two-week visit over spring break. In addition to interviewing 170 inmates serving life sentences, the students organized a successful mental health workshop.

CIHR students working with Professor **Bridget Arimond** filed a Supreme Court *amicus* brief on behalf of the UN Special Rapporteur on Torture in a case challenging ren-

dition to Syria for interrogation under torture, and are now assisting UNICEF by assessing Thai internal security laws applied to youth against children's rights standards of international law.

The CIHR also hosted the 2010 Conference for International Human Rights Clinical Professors as well as its annual Atrocity Crimes Litigation Year-in-Review Conference, which examined the preceding calendar year's jurisprudence and practice of the international and hybrid criminal tribunals.

### **Children and Family Justice Center Obtains Parole for Client**

On April 19, 2010, the Prison Review Board granted parole to a 16 year old client of the Children and Family Justice Center. The client has an intellectual disability and had been incarcerated for nearly two years and was facing a third. His incarceration had been increased due to the exorbitant number of tickets that he had received for his conduct...approximately 85, which had resulted in him being in and out of solitary confinement for more than 30 days.

Under the supervision of Clinical Professors **Simmie Baer, Julie Biehl** and **Alison Flaum**, third year students, Elizabeth Mooney, Kathy Stofan and Meghan Carter argued to both the Department of Juvenile Justice and the PRB that his intellectual disability prevented him from understanding DJJ's "rules and regulations" and that his conduct was a result of his disability and not willful disobedience. In addition, they argued that DJJ was ill equipped to rehabilitate and build the client's capacities as is required by the statute.

### **CWCY Secures Post-Conviction DNA Testing for Client**

In the face of ardent opposition from the Cook County State's Attorney's Office and direct legal precedent working against us, the Center on Wrongful Convictions of Youth (CWCY) at Northwestern University School of Law's Bluhm Legal Clinic secured post-conviction DNA testing on behalf of Corey Batchelor on March 18, 2010.

Corey and his friend Kevin Bailey were convicted of a murder that occurred in 1989. After being interrogated for more than 24 hours and allegedly beaten and choked by Area 2 police officers within the Chicago Police Department, the two boys separately admitted their involvement in the crime. The State tested hairs found inside a hat left at the scene of the crime, which they were sure would corroborate the boys' confessions. However, hair comparison testing demonstrated that the hair was dissimilar to both Corey and Kevin. Despite the fact that there was literally no other evidence presented against the boys other than the confessions, they were each convicted of murder, armed robbery, and burglary.

Over the next 20 years, Corey and Kevin continued to claim their innocence to anyone who would listen and requested DNA testing of the cap, which were all denied. Northwestern first learned about the case in 2008 through Corey. The CWCY filed a petition to request DNA testing in front of the same Judge Clayton Crane who had previously denied testing for Kevin Bailey. On March 18, 2010, Judge Crane reversed course from his previous ruling and ordered the cap tested for DNA.

The student's work on this case was remarkable. In addition to the work of now Northwestern alumni Greg Bassi and Brooke Krekow, Malorie Medellin ('11) was instrumental in investigating and drafting our motion. Moreover, SaMee Burrage ('10) also investigated this case and presented a powerful oral argument on the motion to Judge Crane. The students worked under the supervision of Clinical Professors **Joshua Tepfer, Steven Drizin**, and **Alison Flaum**.



**Thomas Morsch (Northwestern)** Emeritus Professor of Law and former Director of the Small Business Opportunity Center, is a panelist at the annual meeting of the Law & Society Association in May. The panel's topic is "A Dream Deferred? Exploring the Impact of Placements on Pro Bono Partnerships." He will also moderate a panel discussion on "Entrepreneurship and Contracts" at the Searle Center's Research Symposium on Economics and Law of the Entrepreneur on June 18, 2010.

## PENN STATE LAW

Are there serious flaws with the U.S. immigration system? Yes, was the primary response echoed by a group of leading immigration experts who convened at Penn State University's Dickinson School of Law on March 18 for a symposium titled "Immigration Adjudications: Court Reform & Beyond."

Sponsored by Penn State Law's **Center for Immigrants' Rights** and organized by Professor **Shoba Sivaprasad Wadhia**, director of the center, the program included a diverse lineup of speakers with backgrounds ranging from current immigration judges and legal practitioners to representatives from the Executive Office for Immigration Review (EOIR) and Equal Justice Works. Throughout the day, the panelists examined the state of immigration adjudications and debated proposed administrative and legislative solutions, including the creation of an independent immigration court.

As part of its mission to promote a modernized immigration system through representation of immigrant advocacy organizations, Penn State Law's Center for Immigrants' Rights has teamed up with the Pennsylvania Immigration Resource Center (PIRC) on various projects ranging from individual casework to policy-focused papers. Located less than a mile from York County Prison, PIRC has become the leading source of legal support to immigrants detained by the Department of Homeland Security in Pennsylvania.

The Center and PIRC released a toolkit for practitioners on cancellation of removal for lawful permanent residents (LPR), a form of relief available to certain lawful permanent residents (green card holders) facing removal. Under the supervision of the Center's director, Shoba Sivaprasad Wadhia, law students Modesta Salmeron and Rosalind Newsholme reviewed and researched legal standards, practice advisories, and other material pertaining to LPR Cancellation of Removal, which included collecting and analyzing information from attorneys and advocates. The toolkit includes: 1) a summary of the statutory elements of LPR Cancellation of Removal; 2) sample exhibit lists, legal memos, and checklists; 3) litigation tips and strategies from practitioners across the country; and 4) a digest of dozens of relevant cases from the Board of Immigration Appeals and federal courts.

As part of its mission to promote a modernized immigration system through representation of immigrant advocacy organizations, students from **Penn State Law's Center for**

**Immigrants' Rights** collaborated with the American Immigration Council's Legal Action Center to co-author a new study, *Up Against the Clock: Fixing the Broken Employment Authorization Asylum Clock*. The report examines the laws, policy, and practice of the "Employment Authorization Document (EAD) asylum clock"- a clock which measures the number of days after an applicant files an asylum application before the applicant is eligible for work authorization.

The study examines problems identified by immigration practitioners and advocates including, but not limited to, a lack of transparency in the government's management of the EAD asylum clock; a lack of clarity and comprehensiveness of the government's policy; and a misinterpretation of the regulations. The report recommends that the government develop a new policy that properly interprets the statute and regulations governing the EAD asylum clock. The new approach to the asylum clock and specific recommendations contained in the report are designed to resolve perennial asylum clock problems.

## **RUTGERS-NEWARK SCHOOL OF LAW**

### **Ruling Issued in Rutgers–Newark Law School’s Constitutional Litigation Clinic Challenge to New Jersey’s Electronic Voting Machines**

On February 1, 2010, a ruling was issued in the Constitutional Litigation Clinic’s lawsuit challenging computerized voting machines that do not produce a paper record. As a result of the ruling, New Jersey’s 11,000 computerized voting machines have to be re-evaluated by a qualified panel of experts to determine whether they comply with NJ law requiring that they be accurate and reliable. Unlike the panel that currently evaluates voting machines, the new panel must have requisite knowledge of computers and computer security.

The court also ordered that all voting machines and vote tally transmitting systems be disconnected from the Internet immediately. The court also required that criminal background checks be performed on personnel who work with voting machines and all third-party vendors who examine or transport the machines. Currently, no such checks are in place. The court further required that a protocol be put in place for inspecting the voting machines to ensure that they have not been tampered with. The court found that the State of New Jersey should no longer leave voting machines unattended in polling places, to prevent tampering. Currently they are left unattended at polling places for up to two weeks before and up to two weeks after each election.

The lawsuit was started in 2004 by Rutgers School of Law–Newark Clinical Professor **Penny Venetis**, co-director of the Constitutional Litigation Clinic. Evidence was presented during the 15-week trial, held between January and June 2009, showing that the voting machines were not properly examined and that they were insecure. Constitutional Litigation Clinic students participated in all pre-trial and trial proceedings. Dozens of students worked on the case since its inception.

Although the Court did not de-commission the machines, as Plaintiffs requested, the panel of qualified experts that the court ordered to re-evaluate the voting machines can recommend that they be de-commissioned. Plaintiffs’ expert witness, Princeton Computer Science Department Chair Professor Andrew Appel, who evaluated the machines, created a fraudulent chip that stole votes and installed that chip in less than 10 seconds. The voting machines could not detect the fraudulent chip.

Professor Venetis is pleased with the ruling, but disappointed that the Court did not go far enough. “We proved at trial that the voting machines we use cannot be trusted, and

must be evaluated by knowledgeable computer security experts. It is unfortunate that the Court did not believe it was her place to order the State to immediately enforce the 2005 state statute requiring that all voting machines produce a voter-verified paper ballot. A voter-verified paper ballot system would detect tampering, and would obviate the very extensive security measures that the Court ordered.” As such, the Constitutional Litigation Clinic is appealing part of the court’s ruling, and will be asking the NJ Appellate Division to de-commission the computerized voting machines.



## SAINT LOUIS UNIVERSITY LEGAL CLINIC

The One-Minute Update from SLU:

- Students assisted with the defense of a client in a murder trial in St. Louis Circuit Court. The defense team was led by Criminal Defense Clinic Supervisor Professor **Susan McGraugh**, an experienced criminal defense attorney.
- Clinic students have interviewed deaf Missourians about a lack of access to mental health services and helped draft a lawsuit challenging the state’s lack of services. The Circuit Court of Cole County has entered a judgment for \$30 million for 3,000 blind Missourians in a case brought by the Clinic and private attorneys challenging the calculation of the Missouri Blind Pension.
- Students in the Elder Law Clinic, under the supervision of Professor **Barbara Gilchrist**, participated in National Health Care Decision Day. The group was assigned to a senior center and assisted 12 people in signing health care powers of attorney and living wills.
- The Children’s Advocacy Clinic, under the direction of Professor **Patricia Harrison**, has partnered with Legal Services of Eastern Missouri and local children’s hospitals and health care agencies in a medical-legal partnership called the Children’s Health Advocacy Project, serving families with assistance in a wide range of legal matters. The Clinic also sends students regularly to the SPOT, a free medical clinic for at-risk teens, to interview them about legal needs.
- The Externship Clinic has expanded to offer placements over the summer, including clerkships with the Missouri Supreme Court and state administrative agencies in the capital. Externship Supervisor **Amany Ragab Hacking** has expanded general externship placements by 50%.
- Students in the new Community and Economic Development Clinic, led by Professor **Dana Malkus**, assisted Habitat for Humanity St. Louis with the closings on more than 30 homes, including some LEED certified Platinum homes that cut energy bills to very modest amounts.
- Fourteen students argued cases this year in the Missouri Court of Appeals, in cases involving unemployment compensation and juvenile law.
- Students in the Litigation Clinic, supervised by Professor **Brendan Roediger**, are preparing for an August trial in a fraud case, testing Missouri’s new statute on foreclosure rescue companies. Professor Roediger also supervised students as they assisted more than 100 veterans with legal needs at the recent Stand Down for Homeless Veterans.

### **Faculty Notes:**

- Dr. **Barbara Gilchrist** was appointed by the Governor to the State Board of Senior Ser-

vices.

- Professor **Susan McGraugh** was appointed to the Missouri Supreme Court Committee on Procedure in Criminal Cases.
- Professor **Patricia Harrison** recently wrote an editorial on race relations for the St. Louis Post Dispatch.
- Professor **Amany Ragab Hacking** has been named to the Board of Directors of Inter-faith Legal Services and to the Legal Committee of the ACLU.

## UNIVERSITY OF ST. THOMAS

The Community Justice Project (of UST's Interprofessional Center for Counseling and Legal Services) and its collaboration with the NAACP of St. Paul has been selected as one of three finalists for **Minnesota Campus Compact's 2010 Jimmy and Rosalynn Carter Partnership Award for Campus-Community Collaboration**. The winner will be announced on June 17. The finalists were chosen from 10 semi-finalists.

The overall UST Interprofessional Center for Counseling and Legal Services was selected by the University of St. Thomas as its recipient of the **2010 President's Civic Engagement Steward Award** from the Minnesota Campus Compact. The Minnesota Campus Compact is made up of over 40 Minnesota colleges and universities.

**Artika Tyner**, law fellow at the IPC, was given the law school **Dean's Award for Teaching**, 2009-2010 (a first for a non-tenure track fellow).

Professor **Virgil Wiebe** received a **UST Global Citizenship award**. The awards recognize commitment to international and intercultural awareness throughout the UST community, contributions to improve the campus climate for people of diverse cultures, and connections made between the university and the world. <http://www.stthomas.edu/bulletin/2010/04/29/global-citizens/>

**Laura Orr** was selected from a strong field of candidates to be the next **Elder Law Fellow** at the IPC.

## SEATTLE UNIVERSITY SCHOOL OF LAW

In November 2009, Professor **Tom Antkowiak's International Human Rights Clinic** argued before the Inter-American Commission on Human Rights in Washington, D.C. The Clinic and its Peruvian counterparts challenged Peru's attempts to open up Amazonian indigenous territories to resource extraction without duly consulting those communities. In December, the Human Rights Clinic submitted an *amicus curiae* brief to the Supreme Court of Peru in support of the conviction of former President Alberto Fujimori; the conviction for killings and kidnappings was upheld in January.

Professor **Bob Boruchowitz** led a clinic student team that won a Court of Appeals decision that children facing their first truancy court proceeding must have counsel. The case began, with an earlier student team, when the Clinic challenged the trial court's finding of truancy that was entered without counsel for the child, who was 13 years old at the time. The school district, represented by the King County Prosecutor, sought review in the Washington Supreme Court. Professor Boruchowitz argued the case in that court January 19, 2010, and a decision is pending. The Clinic had amicus support from several state and national organizations, including TeamChild, ACLU of Washington, and the Juvenile Law

Center.

The **Community Development Entrepreneurship Clinic** is a unique business transactions clinic that pairs graduate business and law students as consultants to small, microenterprise businesses. It is co-taught by clinic Professor Joe Knight. Clinic students work with law and business school faculty as well as community mentors from both areas. The team provides valuable assistance on a variety of matters related to the particular needs of the aspiring business, whether related to sales and marketing, regulatory compliance, accounting and systems development, employment matters, and, on occasion, even intellectual property matters. The clinic runs for a total of 25 weeks, from September to March.



### **Faculty News**



#### **Promoting Clinical Legal Education in Spain**

In May 2010, Professor **Lori Nessel**, Director of the Center for Social Justice at Seton Hall Law School, traveled to Spain for the second time this academic year to provide lectures and training for Spanish faculty that are interested in developing law clinics. On May 12, she delivered the keynote address at an inaugural conference featuring the new law clinics at the Law School at the University of Valencia, Spain. On May 13, she lectured on clinical legal theory as part of a legal theory course at the Law School at the University of Valencia, Spain.



#### **Election to Newark Public Schools Advisory Board**

On April 20, 2010, **Shavar Jeffries**, Associate Professor at Seton Hall Law School, was elected to a seat on the **Public Schools Advisory Board** for the City of Newark, New Jersey. The Board took office in late April and voted Professor Jeffries as Chairperson.



**Kevin B. Kelly**, Associate Clinical Professor in the Family Law Clinic at Seton Hall Law School, who has served as director of the school's Dispute Resolution Pro-

gram for the past several years, will step down from that position on July 1, 2010. **David M. White**, currently an adjunct professor of law, will become the new director. Professor Kelly helped the school develop an innovative skills curriculum that has led to the creation of live-client seminars in Arbitration and Mediation as well as the formation of the Dispute Resolution Society, an honor board through which students receive credit for their participation in ADR-related competitions. In addition, he has increased the school's visibility in inter-scholastic competitions, leading to several impressive performances this past year, including national runner-ups in the ABA representation in mediation national competition, a national championship in the FINRA/St. John's University School of Law Securities Dispute Triathlon (negotiation event), regional finalist distinction in the ABA Arbitration Competition, and semifinalist honors at the ABA Client Counseling regional competition.

### **Awards**

On April 17, 2010, the Council on American-Islamic Relations-New Jersey ("CAIR-NJ") honored the **Seton Hall School of Law Center for Social Justice ("CSJ")** with their **2010 Champions of Justice Award**. CAIR is America's largest Muslim civil liberties and advocacy organization, and its New Jersey chapter advocates on behalf of Muslims facing discrimination throughout the state. CAIR-NJ selected the Center for Social Justice to receive the award based on the work that students from the International Human Rights/Rule of Law Project have done on behalf of CAIR-NJ members over the last year, as well as the advocacy that CSJ has done to defend civil rights nationally and abroad. The Chairman of the National Board of CAIR, North Carolina State Senator Larry Shaw, presented the award to Seton Hall Law School Professor Bernard Freamon and Center for Social Justice Practitioner-in-Residence Anjana Malhotra at their annual banquet.

### **Cases**



### **Personal Jurisdiction Case before the New Jersey Appellate Division, Featured in the National Law Journal**

Seton Hall Law School Center for Social Justice Clinical Teaching Fellow **Leena Khandwala**, along with Professor **Linda Fisher** and clinic students Brienne Henderson '10 and Matt Ingles '10, won an important decision regarding personal jurisdiction and malpractice liability on behalf of a New Jersey couple. On May 3, 2010, in an opinion that reads like a Civil Procedure textbook, the Appellate Division of the Superior Court of New Jersey ruled unanimously in favor of a New Jersey couple, Erwin and Lesley Halley, represented by the Center for Social Justice. CSJ appealed a lower court decision which had denied the Halleys the ability to bring a malpractice suit against Rene Myatt, their New York attorney, based on lack of personal jurisdiction.

Myatt, who was not licensed in New Jersey, had agreed to represent the Halleys in negotiating with their lenders regarding the dispositions of their four New Jersey proper-

ties, all of which were facing foreclosure. The Halleys paid \$2,250 for her services. The Halleys allege that Myatt committed malpractice by making negligent misrepresentations to the Halleys and by failing to conduct the due diligence that a reasonable attorney representing clients in a real estate transaction should undertake. The trial court granted Myatt's motion to dismiss based largely on its inability to conclusively determine whether Myatt had made a physical entry in New Jersey in connection with her representation. The Appellate Division rejected that reasoning, finding that Myatt had sufficient contacts with New Jersey to warrant the jurisdiction of New Jersey courts. The court found that Myatt's activities, which included regularly corresponding with her New Jersey clients and with lender's New Jersey counsel by phone, fax and mail, "were purposely directed at New Jersey residents and directly impacted New Jersey real property, which was the subject of litigation in New Jersey courts. Simply put, defendant's contacts with New Jersey had significant effects in this State." The court further noted that subjecting the New York attorney to suit in New Jersey did not offend traditional notions of fair play and substantial justice as required under due process.

Read the Opinion here: <http://www.leagle.com/unsecure/page.htm?shortname=innjco20100503151>



## Presentations

Professor **Michael Schwartz** was the keynote speaker at the International Initiative for Mental Health Leadership Conference held in Killarney, Ireland from May 17<sup>th</sup> to 21<sup>st</sup>. The theme of the conference was *Citizens in Partnership - Inclusion or Illusion?* Professor Schwartz also spoke at the 10th Annual Second City Conference on Disability Studies in Education, which was held at the University of Ghent in Ghent, Belgium, from May 27<sup>th</sup> to 30<sup>th</sup>. He presented on "Empowering Families of Deaf Children by Including a 'Deaf' Perspective in Dialogue with Medical Professionals."

**John Gross**, Acting Director of the Syracuse University College of Law, Criminal Defense Clinic, spoke on Saturday April 10<sup>th</sup> on "Ethical Issues in Criminal Defense Practice" as part of the New York State Defenders Association's 12<sup>th</sup> Annual Criminal Defense Tactics and Techniques Program in Rochester, New York.

**Suzette Meléndez**, Assistant Professor and Director of the Syracuse University College of Law's Children's Rights and Family Law Clinic, presented several talks at the National Center for Medical Legal Partnerships Annual Conference held in Virginia from March 24<sup>th</sup> -26<sup>th</sup>. She was joined by **Kelly Gonzalez**, Office of Clinical Legal Education, Practitioner-in-Residence, and Dr. Steven Blatt, Associate Professor of Pediatrics, SUNY Upstate, Co-Director of the Syracuse Medical Legal Partnership (SMLP). They presented on various topics including medical legal data management, interdisciplinary training, and obtaining client histories.

Prior to the conference, Heidi White McCormick, Executive Director of the College of Law's Center for Family Law and Social Policy, and Dr. Steven Blatt met and informed Congressman Daniel Maffei, U.S. Representative of the 25<sup>th</sup> District of New York, about the Syracuse Medical Legal Partnership program and the work clinic students are doing on be-

half of children and families to make this a fruitful partnership. During a briefing on Capitol Hill, Maffei expressed his support and interest in these efforts and is now sponsoring the Medical-Legal Partnership for Health Act.

## Awards

The Onondaga County Bar Association presented Syracuse University's Office of Clinical Legal Education's Practitioner-in-Residence **Kelly Gonzalez** with a **Pro Bono Award** for her contributions to the Volunteer Lawyer Project's Pro Se Divorce Clinic. Gonzalez has participated in the Pro se Divorce Clinic for the past 3 years, helping pro se divorce candidates identify the information needed for uncontested divorce petitions.



Greetings from the self-proclaimed capital of beautiful Appalachia. We're hard at work! First off, we are honored and thrilled to announce that **Wendy Bach** will be joining us to teach in our Advocacy Clinic next year. Wendy has been teaching in CUNY Law School's Elder Law Clinic and Economic Justice Project since 2005. Prior to joining the faculty, Wendy directed the Homelessness Outreach and Prevention Project at the Urban Justice Center, a program that seeks to strengthen access to public benefits in New York City through a combination of direct service, impact litigation, research, community education and support for organizing. Wendy began her legal career as a Staff Attorney at the Legal Aid Society and has served on various boards and commissions that address poverty issues, including the board of the New York Women's Foundation and the United Way of New York City's Community Impact Committee. Her scholarship has been published in the Brooklyn and Wisconsin Law Reviews and focuses on the many cracks in the new welfare state. Most importantly Wendy is a passionate and tireless advocate and we cannot wait to have her here. We will still be hiring one or two more tenure track clinicians in the next few years and we are off to a great start with Wendy!

We're also busy with the advent of three new clinical programs this year. First, we are thrilled with the progress made in our **Innocence Project/Wrongful Convictions Clinic**. In the Clinic's second year we already have an all star visitor. Fall, 2010 **Stephen Bright** will join **Dwight Aarons** to help teach the seminar and supervise the student's cases. Stephen has been the long time director of the Southern Center for Human Rights and has taught at Yale and Georgetown. Obviously it is a massive honor to have him here and his wisdom, knowledge and grace will be a tremendous shot in the arm to a new clinic.

We are also very pleased that our **Wills Clinic** finished up a strong first year. The Clinic started with a generous grant from the American College of Trusts and Estate Counsel ("ACTEC") and is a joint project of our exceptional doctrinal colleague **Amy Hess, Ben Barton, Paula Williams** and a great adjunct professor named **Barbara Johnson**. We've been drafting wills ever since. The clinic has been drawing clients from the group Grandparents as Parents and from our excellent local legal aid society. ACTEC has also agreed to match donations raised for the clinic, so Amy and Ben have been busily raising money

as well.

**Dean Rivkin** just finished up a remarkable year teaching “Public Interest Lawyering: An Education Law Practicum.” On April 23, the students and faculty of the Education Law Practicum presented an afternoon CLE program to 50 lawyers and other professionals titled “The Role of Education Issues In Juvenile Law Practice.” As the main speakers, our students drew on their experiences representing clients in truancy cases. They presented detailed case studies, analyzed the confusing laws and regulations governing truancy, made cases for abolishing Valid Court Orders (VCOs) and for creating a right to counsel, gave a primer on the federal special education laws, detailed the ethical obligations of GALs in truancy cases, and circulated a draft of a Manual that they prepared this year called “Defending Youth In Truancy Proceedings: A Practice Manual For Tennessee Attorneys.”

**Becky Jacobs** remains invaluable. She directed both the Mediation Clinic and an Environmental Clinic this semester. The Environmental Clinic is working with the Cumberland Habitat Conservation Plan on water rights issues, and the mediation clinic students are busily mediating in venues throughout Knoxville. Becky just stepped down as the chair of the board for the Knox County Community Mediation Center, but she is still an active board member and has recently recruited us to attend their excellent annual fundraiser.

This semester **Karla McKanders** rotated out of the Advocacy Clinic and taught a Refugee Law and Policy seminar. The seminar focuses on examine international and domestic foundations of refugee law and policy. This spring Karla’s essay, Black and Brown Coalition Building During The “Post-Racial” Obama Era, will be published in the St. Louis Public Policy Journal’s special issue on immigration. She was also invited to present and publish a piece with the University of Iowa College of Law’s Journal of Gender, Race & Justice Symposium 2010 on her clinical work with women placed in immigration proceedings from the Pilgrim’s Pride raid in Chattanooga. Karla is also organizing with the Tennessee Immigrant and Refugee Rights Coalition the first Citizenship Day where students will help eligible immigrants fill out documentation to become lawful permanent residents.

We are missing **Paula Williams** as she visits up at George Washington. Paula has learned a ton up at GW and is excited to get back to Tennessee to try some of the new stuff out in our business clinic. Adjunct professor **Brian Krumm** is holding down the fort for Paula and doing a nice job in her absence.

Along with the addition of three new clinical programs we are also reformatting our externship programs. Next year Dean (and former clinic director) **Doug Blaze** will join Assistant Dean **Katrice Morgan** in supervising our prosecutorial and public defender externship programs. Obviously having 50% of our deans involved makes the externships very attractive to the students and ensures that **Ben Barton** has to spend little time worrying about “academic rigor!”

**Ben Barton** just finished his third year as director. Ben recently received truly exceptional news. His article from the *Journal of Empirical Legal Studies*, entitled “Is There a Correlation Between Law Professor Publication Counts, Law Review Citation Counts, and Teaching Evaluations? An Empirical Study,” won the second annual LSAC Philip D. Shelton Award for outstanding research in legal education. The article was selected from a national pool of applicants and includes a substantial cash prize and the opportunity to present the work at the LSAC annual meeting. His book “The Lawyer-Judge Bias” has also been accepted for publication by the Cambridge University Press.

We’re also pleased to note academic year 2009-10 was the best in recent memory for Clinic registration. Each semester we had more than half of our 31 class taking a clinic or

an externship and over 85% of this year's graduating class will have had at least one live client experience. As such, we are achingly close to our goal of having every graduating student take a Clinic. We're still working towards a full on Clinic requirement and we'll keep you posted along the way.

## VERMONT LAW SCHOOL

### South Royalton Legal Clinic

#### I. Key Workload Indicators

From March 15 through May 14, 2010, the Clinic had 41 matters scheduled in 19 different venues. This brings to 203 the number of matters scheduled from July 1 through May 14, 2010.

Over the course of FY 2010, we had 29 students enrolled: 13 in Fall and 16 in Spring.

#### II. General Program and Special Projects

At this point in the term all attorneys, clinicians, and staff are fully engaged in aspects of client representation and General Program and special projects administration. Much of the effort on administration is split between maintaining/improving General Program and special projects performance on the one hand, and drafting grant reports and grant letters of inquiry and applications on the other. The critical overlay to all these lawyering activities is the maintenance and improvement of the SRLC teaching component (recruitment; Manual; class schedule, etc.) and full involvement in many aspects of VLS as a whole.

VLS is moving ahead with obtaining drawings from our architect, Truex Cullins, for the rehabilitation/construction/preservation work at 190 Chelsea Street. We expect to move into the new quarters in August 2012. We extend our thanks to all who were involved in the architect selection process, and who have helped us get to this point in the project.

Children First ! Legal Advocacy Project and Vermont Immigrant Assistance (VIA) recently filed annual reports with the Vermont Bar Foundation (VBF) regarding their operation in 2009. The projects have greatly benefitted from annual support in recent years from the VBF.

Clinic attorney staff remain active not only with their caseloads and VLS matters (e.g., hiring process for Experiential Vice Dean, committee work), but also on the statewide level, interacting with the judiciary, state and federal executive and legislative entities, and a host of non-governmental organizations.

#### Alex Banks

Staff Attorney **Alex Banks** remains busy with his casework on all fronts. The week of March 1 was consumed with bona fide child snatch. Alex had to file numerous emergency motions and work extensively with law enforcement. The child was eventually located in Pennsylvania and returned. Charges of custodial interference are pending and there will be additional follow up hearing(s) in Family Court. Outside of casework Alex remains busy

with his work on GAL issues.

### **Art Edersheim – Vermont Immigrant Assistance (VIA) Project**

- An Egyptian asylum seeker was granted full relief based upon presentation of evidence sufficient to establish that he would face persecution on account of religious activity if forced to return to his home country.
- Art conducted the following trainings:

Immigration and Enforcement workshops for Dairy and Agricultural Producers:

February 4<sup>th</sup> - Middlebury, VT

- St. Albans, VT

February 5<sup>th</sup> - Newport, VT

“Supporting Immigrant Survivors of Domestic and Sexual Violence”,  
Clarina Howard Nichols Center, in Morrisville, VT, on February 23<sup>rd</sup>.

### **Maryann Zavez**

Maryann attended a two-day National Consumer Law Center-sponsored conference in Jacksonville, Florida, on the basics of representing consumers under the federal Fair Debt Collection Practices Act and Fair Credit Reporting Act. Maryann also attended a conference sponsored by Vermont Legal Aid on foreclosure defense. The Clinic anticipates expanded work in the area of consumer law given the current economic climate. She continues, with student assistance, to travel to Northwest State Correctional Facility, Vermont's women's prison, to counsel inmates on their family and juvenile law problems.

### **Jim May**

Jim's efforts the past two months have primarily, though not exclusively, focused on caseload representation (family, consumer and disability), with a fair amount of that work dedicated to representing victims of crime under our U.S. DOJ grant. He is also developing a new project focusing on child support modification public education efforts in the Vermont prison system (See below). In addition, he has been working on programmatic and new/renovated building fundraising with OIA; the Rubin Fellowship selection process; T & R committee work; and various public service efforts.

Prisoner Child Support Project: One major development in my caseload this year was launching the Prisoner Child Support Project. We work in cooperation with the Vermont Office of Child Support Enforcement (OCSE) and the Vermont Department of Corrections (DOC). This is a major law reform effort that is resulting in OCSE/DOC policy changes toward inmates who have child support obligations. Our first prison visit occurred on April 27, 2010, at Marble Valley Correctional Center (MVCC) in Rutland. Our goal is to have OCSE and DOC develop a system for automatically identifying inmates who have child support obligations upon admission to any correctional center in the state, and offering them information and help (if requested) to seek child support modification.



## **Presentations:**

**Carol Turowski**, Co-Director of the Innocence & Justice Clinic, organized and moderated “*Lynching Then, Lynching Now*”, a national teach-in focused on Racism and the Death Penalty in recognition of North Carolina’s passage of the Racial Justice Act. This new and ground-breaking legislation allows death row inmates to challenge their sentence based on claims of racial discrimination. Wake Forest Law School was selected as one of 5 locations to host the event as an acknowledgment of the important work engaged in by the newly launched Innocence and Justice Clinic. Stephen Bright, a nationally-recognized expert in litigating death penalty cases who has taught at Harvard, Yale and Georgetown and is President and Senior Counsel of the Southern Center for Human Rights, provided the key note address. The discussion that followed included panelist S. Mark Rabil, Assistant Capital Defender and Co-Director of the Innocence and Justice Clinic, Darryl Hunt, exonerated who spent 19 years in prison, and Reps. Larry Womble and Earline Parham who sponsored the NC Racial Justice Act bill in the House of Representatives.

Carol Turowski organized and conducted a roundtable discussion at the 2010 Innocence Network Conference in Atlanta, GA entitled *Incredible Challenges of Managing, Teaching and Supervising in a Wrongful Convictions’ Clinic*. Participants delved into the unique difficulties confronted by clinicians and students who review, investigate and pursue litigation in court based on inmates’ claims of actual innocence.

The Innocence & Justice Clinic sponsored *Guilty Until Posthumously Pardoned: Reversing the South Carolina Murder Convictions of the Griffin Brothers*. Professor Paul Finkelman, Ph.D. of Albany Law School discussed his efforts to have pardoned two African-American brothers from South Carolina who were executed in 1915 for a murder they did not commit. This is the first time that South Carolina (or any state for that matter) has admitted it wrongfully executed someone. The men were the great uncles of a famous black radio talk show host, Tom Joyner, and the story about their execution made national and international news. Professor Finkelman, Ph.D. is the President William McKinley Distinguished Professor of Law and a specialist in American legal history, race and constitutional law. He is a Fellow in Law and Humanity at Harvard Law School and received his MA and Ph.D. from the University of Chicago.

## **Appellate Advocacy Clinic – Prof. John Korzen**

On May 6, 3L Will Morgan argued to the “Full Commission,” an appellate panel of the North Carolina Industrial Commission, which hears workers compensation and state tort claims. It was the first time a law student ever argued to the Full Commission. The case involves a botched wastewater permit inspection, upon which the Clinic’s client relied

to their detriment, and interesting defenses raised by the State, including the public duty doctrine. Will did a great job handling questions and mastering both the factual record and all the authorities. During the 2009-10 school year, eleven students handled appeals in several courts, including the Fourth Circuit, Seventh Circuit, Delaware Supreme Court, and North Carolina Court of Appeals. Students also worked on two petitions for certiorari to the United States Supreme Court.

## WASHINGTON UNIVERSITY LAW SCHOOL

### Clinic victory:

Under the leadership of **Mae Quinn** and Civil Justice Clinic students, Washington University Law School's new **Child and Family Advocacy Project** reached a settlement with the Saint Louis Public Schools (SLPS) in the project's first federal lawsuit challenging the appropriateness and constitutionality of recent disciplinary practices for two high school students. The lawsuit, part of a larger area coalition to interrupt the school to prison pipeline, challenged the school's failure to provide a hearing before transferring students to an alternative, substandard program that provides only three hours of schooling a day via computer programs.

Washington University law students who worked on the case included graduating students Maureen Meredith, Abigail Browning, and Kate Lincoff, in addition to second-year law students Tiffany Ellis and Kevin Roberts.

### Conference report:

Washington University Law held its 10<sup>th</sup> Annual Access to Equal Justice Colloquium: *Challenging Structural Impediments to Substantive Justice*  
March 19, 2010

Keynote **Marty Guggenheim** presented to an audience of over 150 professors, lawyers, students, and community advocates his new theory regarding a right to counsel, "Exploring the Right to Counsel: Separation of Powers and Fact-Finding Capture." Two response panels followed the talk. The first was comprised of podium faculty from Washington University, Laura Rosenbury and David Law and from St. Louis University, Eric Miller. The response panel second included clinicians **Vivek Sankaran (Michigan)**, **Leticia Saucedo (UNLV)**, and **Bruce LaPierre (Washington U.)**.



**Mae Quinn** and **Marty Guggenheim** at the first session.

Other clinicians present and presenting or moderating during the day included, **Anni Cammett (UNLV)**, and Washington University Law faculty, **Kathryn Pierce, Karen Tokarz, Kim Norwood, Sarah Jane Forman, Kathy Goldwasser, Beth Martin**, and **Annette Appell**.



**Anni Cammett & Annette Appell**



**Marty Guggenheim & Peter Joy**



**Sarah Jane Forman** & conference attendee



**Anni Cammett** & community leader Halbert Sullivan

## **WILLAMETTE UNIVERSITY COLLEGE OF LAW**

### **Former Guantanamo Bay Detainee Files Suit Against U.S. Officials**

In early April, students enrolled in the **International Human Rights Clinic** at Willamette University College of Law filed a lawsuit in U.S. District Court against several U.S. officials, including U.S. Secretary of Defense Robert Gates and former Secretary of Defense Donald Rumsfeld, on behalf of Adel Hamad of Sudan for damages sustained when he was unlawfully seized from his apartment and illegally detained for more than five years at Guantanamo Bay.

The lawsuit alleged that Hamad was subjected to forced disappearance, prolonged arbitrary detention and torture, as well as cruel, inhuman and degrading treatment at the hands of certain U.S. officials, all in violation of international law. The lawsuit also alleged, based on a declaration by Col. Lawrence Wilkerson (Ret.), a former high-ranking official, that certain U.S. officials knew that they had seized and were holding innocent men at Guantanamo Bay, and that they simply refused to release them out of fear of political repercussions. The lawsuit alleged that Hamad, a humanitarian aid worker, was one of these

innocent men.

Hamad was under the control of U.S. officials when he was taken from his apartment in the middle of the night in Pakistan. He was held at Bagram, a U.S. air base located in Afghanistan, before being transferred to Guantanamo Bay. In both locations, he endured shocking and deplorable treatment. His repeated claims of innocence fell on deaf ears.

In 2005, Guantanamo Bay officials determined that Hamad should be released back to the Sudan, but they did not inform him or his counsel for nearly two years after the decision was made. In December 2007, Hamad was released from Guantanamo Bay back to the Sudan, where he currently resides. In total, he was held for more than five years before being released.

A Guantanamo Bay military official who participated in the Combatant Status Review Tribunal that reviewed Hamad's case stated: "Even assuming all the allegations [in an exhibit proffered by the government] are accurate, the detainee does not meet the definition of an enemy combatant. To reach such a conclusion would provide for unconscionable results."

Following Hamad's imprisonment, his family fell into poverty, and his youngest daughter died because the family did not have the money to get her medical treatment. Today, Hamad continues to suffer from physical and emotional injuries. He also has had difficulty finding a job because his reputation has been ruined.

"What our government did to Adel Hamad is unconscionable and should outrage every American," said Clinical Law Professor **Gwynne Skinner**, who supervises the International Human Rights Clinic. Skinner serves as Hamad's counsel and supervises Clinic students' work on the case.

"The fate of Hamad demonstrates the necessity of having adequate due process procedures in place so that innocent people are not taken from their families and unlawfully held in prison for years without being allowed to contest adequately what is happening to them," Skinner continued. "Hamad deserves justice. The Clinical Law Program students are committed to helping him find that justice."

## **Willamette Clinic Students Help Win Favorable Decision for Oregon Schools**

Willamette University College of Law students helped win a great victory for the students and parents of the Oregon School for the Blind with the passage of House Bill 3867, which was signed into law on March 11, 2010, by Gov. Ted Kulongoski. The new measure reverses an earlier one passed by the 2009 Legislature.

House Bill 3867 requires half of the money from the sale from the Oregon School for the Blind to be used for the benefit of the Oregon School for the Deaf; the other half of the proceeds must be used to benefit visually impaired students.

The plan originally approved by the 2009 Legislature would have simply deposited all of the proceeds from the sale of the School for the Blind into the state's general fund, where visually impaired students would be denied virtually any benefit from the sale of the property. However, Common Sense for Oregon, a nonprofit advocacy group, hired Canby, Ore., attorney Tyler Smith to challenge the sale of the property where the Oregon School for the Blind property is located.

Smith served as lead attorney for the plaintiffs on the lawsuits, which included five descendants of the original property donor, two former students and one former faculty member. According to Smith, "the new legislation will eliminate the need for the current lawsuits and make the cases moot."

A graduate of Willamette University College of Law, Smith was aided on the cases by several students enrolled in the school's Clinical Law Program during the fall 2009 semester. "Willamette students conducted important background research, such as researching title and property documents," he explained. "They also examined statutory laws to determine how they had changed over time."

Smith credited the students with tackling a number of difficult concepts. "They were able to help out a lot. I knew I could give them several different pieces of the puzzle and could trust they'd give me back great research and memos."

## BOOKS & PUBLICATIONS



**Bryan Adamson (Seattle)**, *Critical Error: Court's Refusal to Recognize International Race Discrimination Findings as Constitutional Facts*. 28 YALE L. & POL'Y REV. 1 (2009).



**Annette R. Appell (Washington U)**, *Controlling for Kin: Ghosts in the Postmodern Family*, 25 WISC. JOURNAL OF LAW, GENDER & SOCIETY \_\_\_(2010) [forthcoming].

**Annette R. Appell (Washington U)**, *Reflections on the Movement toward a More Child-centered Adoption*, 32 W. NEW ENG. L. REV. \_\_\_ (2010) [forthcoming].

**Annette R. Appell (Washington U)**, *Access to Justice: The Promise and Pitfalls of Social Problem Solving through the Courts and Legal Advocacy, Introduction to the Symposium*, 31 (1) WASH. U. J. L. & POL'Y (2010).



**Barbara L. Bezdek (Maryland)**, *Alinsky's Prescription: Democracy Alongside Law*. 42 J. MARSHALL L. REV. 723 (2009).



**Richard Boswell (Hastings)**, *Crafting an Amnesty with Traditional Tools: Registration and Cancellation*. 47 HARV. J. ON LEGIS. 175 (2010).



**Lisa Brodoff (Seattle)**, *Planning for Alzheimer's Disease with Mental Health Advance Directives*. 17 ELDER L.J. 239 (2010).



**A. Rachel Camp (Baltimore)**, *Unreasonable Efforts: State and Federal Failure to Regulate Psychotropic Medications Prescribed to Children in Foster Placement*, \_\_\_ TEMP. L. REV. \_\_ (forthcoming 2010).



**Michael J. Churgin (Texas)**, *The Elderly with a Disability: Social Security and Representative Payment*. 11 MARQ. ELDER'S ADVISOR 121 (2009).



**Prentiss Cox (Minnesota)**, *The Importance of Deceptive Practice Enforcement in Financial Institution Regulation*. 20 PACE L. REV. 279 (2009).



**Nicole S. Dandridge (Michigan State)**, *Racial Equity and Social Capital: Challenges Facing Black Entrepreneurs*. \_\_\_ W. NEW ENG. L. REV. \_\_\_ (forthcoming Spring/Summer 2010).



**Bill Ong Hing (UC Davis)**, *Institutional Racism, ICE Raids, and Immigration Reform*. 44 U.S.F.L. REV. 307 (2009).



**Elizabeth J. Hubertz (Washington U)**, *Public Interest, Professional Bargains: Ethical Conflicts Between Lawyers and Professional Engineers*. 31 WASH. U. J. L. & POL'Y

83 (2009).



**Janet Thompson Jackson (Washburn)**, *Capitalizing on Digital Entrepreneurship for Low-Income Residents and Communities*. 112 W. VA. L. REV. 187 (2009).



**Eric S. Janus (William Mitchell)** and Emily A. Polachek, *A Crooked Picture: Re-Framing the Problem of Child Sexual Abuse*. 36 WM. MITCHELL L. REV. 142 (2009).



**Margaret E. Johnson (Baltimore)**, *Balancing Liberty, Dignity and Safety: The Impact of Domestic Violence Lethality Screening*, \_\_ CARDOZO L. REV. \_\_ (forthcoming 2010).



**Jacqueline Nolan-Haley (Fordham)**, *Three Things to be Against ("Settlement" Not Included)*. 78 FORDHAM L. REV. 1203 (2009).



**Mae C. Quinn (Washington U)**, *The Modern Problem-Solving Court Movement: Domination of Discourse and Untold Stories of Criminal Justice Reform*. 31 WASH. U. J.L. & POL'Y 57 (2009).

**Mae C. Quinn (Washington U)**, *"Feminizing" Courts: Lay Volunteers and the Integration of Social Work in Progressive Reform* - in FEMINIST LEGAL HISTORY: WOMEN'S AGENCY AND THE LAW (Tracey Jean Boisseau and Tracy A. Thomas, eds., NYU Press 2010)(forthcoming)

**Mae C. Quinn (Washington U)**, *Problem Solving Courts: A Conversation with Experts*, \_\_ MD. J. OF RACE, RELIGION, GENDER & CLASS \_\_ (2010)(forthcoming).

**Mae C. Quinn (Washington U)**, *Teaching Public Citizen Lawyering: From Aspiration to Inspiration*, \_\_ SEATTLE J. OF SOCIAL JUSTICE \_\_ (2010)(forthcoming).



**Sarah Rogerson (Baltimore)**, *Waiting for Alvarado: How Administrative Delay Harms Victims of Gender-Based Violence Seeking Asylum*, \_\_ WAYNE L. REV. \_\_

(forthcoming 2009).



**Wendy Tolson Ross (Texas Tech)**, *Throwing the Baby Out with the Bathwater—A Call to Reinstate the Public Housing Drug Elimination Program*. 18 J. AFFORDABLE HOUSING & COMMUN. DEV. L. 497 (2009).



**Robin Runge (North Dakota)** & Julie Goldscheid, *EMPLOYMENT LAW AND DOMESTIC VIOLENCE: A PRACTITIONER'S GUIDE* (American Bar Association, Commission on Domestic Violence 2009).



**Deirdre M. Smith (Maine)**, *The Disordered and Discredited Plaintiff: Psychiatric Evidence in Civil Litigation*. 31 CARDOZO L. REV. 749 (2010).

**Erika Wilson (Baltimore)**, *Leveling Localism and Racial Inequality in Education through the No Child Left Behind Public Choice Provision*, \_\_\_ MICH. J.L. REF. \_\_\_ (forthcoming 2010).



## *Position Announcements*



### **Three Unitary Tenure-Track Clinical Faculty Positions**

Case Western Reserve University School of Law Milton A. Kramer Law Clinic Center invites applications from entry-level and lateral candidates for at least one tenure-track or tenured faculty position teaching in the Civil Litigation Clinic and one tenure-track or tenured faculty position in the Health Law Clinic beginning in the 2011-2012 academic year. We are also considering multi-year visitorships for promising tenure-track candidates.

For tenure-track candidates, we seek individuals with distinguished academic records and at least 3 years of relevant practice experience (which can include practice in a clinical setting). The successful candidate preferably will have two years of teaching experience, as well as a strong commitment to clinical legal education and teaching. Areas of focus for these clinics will be defined, in part, by the interest of faculty joining our program. To be eligible for a tenured appointment, the candidate must have prior law school teaching experience and a distinguished record of scholarship and contributions to the profession consistent with the law school's established guidelines for tenure.

The Milton A. Kramer Law Clinic Center currently includes the Civil Litigation Clinic, Community Development Clinic, Criminal Justice Clinic and Health Law Clinic. The Clinic Center has eight faculty who co-teach in teams of two. Case Western Reserve University 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 Professor **Laura McNally**, Appointments Committee, Case Western Reserve University School of Law, 11075 East Boulevard, Cleveland, OH 44106.



### **Teaching Fellowship Community Economic Development Clinic**

Fordham's Community Economic Development Clinic is offering a Teaching Fellowship starting August 2010. The Fellow will work with experienced CED practitioner Brian Glick. S/he will help supervise students in client representation and co-teach the CED Clinic seminar and is expected to participate actively in the life of our clinical program and law school. This is a one year fellowship with a real possibility of a second year.

Fordham's CED Clinic represents New York City groups fighting for social justice in low-income communities of color and low-wage, predominantly immigrant workforces. As their general counsel the clinic helps sustain effective organizations and build institutions--health clinics, childcare centers, worker-owned enterprises--that empower their participants while providing desperately needed services and opportunities. The clinic supports neighborhood efforts to shape development, limit gentrification and win community benefits agreements. It also assists small grassroots groups with incorporation, bylaws and tax exemption. Students learn transactional business lawyering in a nonprofit social justice setting.

We seek an attorney with at least two years' experience, preferably more, who is interested in pursuing a career in clinical teaching. Spanish fluency and transactional or social justice lawyering experience preferred. Fordham is an equal opportunity employer. Lawyers from the types of communities served by the CED Clinic are especially encouraged to apply.

The fellow will receive a stipend commensurate with her experience, plus full benefits and support for attending trainings and conferences.

To apply, please e-mail a resume and letter of interest to [cedfellowship@law.fordham.edu](mailto:cedfellowship@law.fordham.edu). Applications will be considered on a rolling basis.

For further information, contact **Cristina Castro**, [ccastro@law.fordham.edu](mailto:ccastro@law.fordham.edu), 212.636.6934.



## **Clinical Supervising Attorney Position**

### **HeLP Legal Services Clinic Health Law Partnership**

The Health Law Partnership (HeLP) is an interdisciplinary community collaboration among the Atlanta Legal Aid Society, Children’s Healthcare of Atlanta, Inc., and Georgia State University College of Law to improve the health and well-being of low-income families and their children who are patients at Children’s hospitals. The primary premise is that by combining the medical expertise of hospital professionals with the legal expertise of attorneys, we can provide a more holistic set of services to address the multiple determinants of children’s health.

The HeLP Legal Services Clinic at the College of Law, the professional graduate education component of HeLP, seeks to employ a clinical supervising attorney to assist clinic faculty in expanding enrollment in the clinic and in delivering interdisciplinary educational programs to law students, professional students enrolled in graduate programs in medicine, nursing, public health, and social work, and to healthcare professionals working at Children’s hospitals. Responsibilities will include assisting in teaching the class component of the clinic, supervising students’ legal work on behalf of clients, developing materials and projects designed to further to mission and goals of the clinic, and to otherwise support and foster the work of the Health Law Partnership. This position is funded by a grant for which matching and sustainable funding is being sought

The successful candidate will hold a law degree from an ABA accredited law school, be licensed to practice law in Georgia and have at least three (3) years legal experience. Other highly desirable attributes include teaching experience or professional experience in a complimentary field such as nursing, public health, or social work. Proficiency in Spanish is beneficial. This opportunity is a full-time, twelve-month position, and the salary is \$60,000 per year plus benefits.

To apply for this position, please submit a cover letter, a complete resume, and three (3) professional references to vacancy number 0601358 at <https://jobs.gsu.edu> ( <https://jobs.gsu.edu/> ). If an interview is granted, you may be asked to provide additional material, including writing samples and examples of teaching materials. Completed applications are due within two (2) weeks of posting of this position.

Georgia State University, a unit of the University System of Georgia, is an equal opportunity/affirmative action employer.

**CONTINUING SURVEY OF CLINICIANS  
WHO HAVE CONSULTED OR TAUGHT IN A FOREIGN COUNTRY**

This is part of an ongoing project to identify clinical teachers in any country who have experience as consultants on legal education or as teachers in any capacity in countries other than their own (including their own schools' semester abroad or foreign summer programs). The compilation of the results of this survey over the years is on the web site of Columbus School of Law, The Catholic University of America.

If you have consulted or taught in other countries, or have confirmed plans to do so, please fill out this form (or report the information in any format) and send it to:

**Professor J. P. "Sandy" Ogilvy**

Columbus School of Law  
The Catholic University of America  
3600 John McCormack Rd., NE  
Washington, DC 20064  
202 | 319-6195, Fax 202 | 319-4459  
email: [Ogilvy@law.cua.edu](mailto:Ogilvy@law.cua.edu)

If you want to report more than one international teaching or consulting experience, please complete multiple copies of the survey or write on the back of this form. Please write legibly to help me avoid spelling errors.

Your Name: \_\_\_\_\_ School: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Country where you worked: \_\_\_\_\_

City: \_\_\_\_\_

Foreign Institution/s:

\_\_\_\_\_

Inclusive Dates:

\_\_\_\_\_

Source of Funding (circle as many as apply): sabbatical; other funds from your school; CEELI/AFLI; Soros; Ford; USAID; foreign school; foreign government; Fulbright; other:

\_\_\_\_\_

Brief Description of Purpose (including any subjects taught):