

Oral History Interview with Bev Balos
January 5, 2007
Washington, D.C.

OGILVY: This is an oral history project interview with Bev Balos, on January 5, 2007. We are in Washington, D.C. The interviewer is Sandy Ogilvy.

Bev, thanks so much for agreeing to sit.

The question I always start with with these interview is: What was your first exposure to clinical legal education?

BALOS: Well, my first exposure was actually as a student at the University of Minnesota Law School, where I took the LAMP Clinic, which stood for Legal Assistance to Minnesota Prisoners. And in those days the clinic was, as probably true in other schools, the clinic was in a little separate shack-like building next to the law school, that was called Temporary North of Mines, which was built in World War II, and had very little heat and sloping floors. But that's where the clinic was. And also in those days, which was the '70s, there was an interesting sort of division then, which I don't think is true today, where students who viewed themselves as sort of radical lefties and were committed to social change took clinic, and other students did the law review. So that was sort of the division. And I took clinic.

So my first experience was with being a student in the LAMP Clinic. And I think it's interesting how the clinical education and the clinical movement have evolved. I mean, one of my cases as a student was to do a pardon for an older woman who had murdered all of her children during the Depression and was an inmate at the women's prison -- because I went out to the women's prison, which

at that time was in Shakopee, Minnesota. And the process then was to do a presentation to the Pardon Board, which consisted of the chief justice of the Supreme Court of Minnesota, the attorney general and the governor, and to argue why this woman should have a pardon. And something that I don't think would be repeated today is that they sent me off on my own to do it. And my supervising attorney did not go with me. But I was smart enough to bring my student director with me, who was a student who had gone through the clinic once and was sort of the go-between between the supervising attorney and the new students coming in – was a third-year student. I was a second-year student. So I did make her come with me. But so it was an interesting experience. And of course given the fact that she had murdered all her children, I wouldn't say that was one of my successes. However, that was one of my first clinical experiences.

OGILVY: What year was that?

BALOS: It must have been '75 – somewhere between '74 and '75, because I was a second-year student.

OGILVY: Was this a four-credit clinic at the time?

BALOS: Yeah, it was four-credit. My recollection though is that it wasn't graded, to my recollection. And the program was that we would go out to the prison and represent the prisoners who asked to see us.

OGILVY: And how many students would be involved at any one time?

BALOS: Somewhere between six and eight probably. There were two directors who directed the LAMP program, but they were not actually members of the faculty, which is another issue.

OGILVY: Local practitioners?

BALOS: Well, they had an interesting status. I mean, they did not do other work. Their work was directing this clinic and supervising students, but they were maybe in some ways they'd be today equivalent to an adjunct, but they didn't have another – they weren't in private practice in addition or anything like that. But they certainly were not members of the faculty.

OGILVY: Did you have a clinical experience in your third year then?

BALOS: No, actually I didn't, because I worked a lot in my third year, so I didn't take clinic in my third year.

OGILVY: Worked doing what?

BALOS: I worked for a local lawyer who did a lot of Indian law, because the summer between my second and third year I actually did work for – this is a group that doesn't exist any more – the Law Students Civil Rights Research Council.

OGILVY: I remember.

BALOS: Do you remember them?

OGILVY: Yeah.

BALOS: So I had a placement through them on the Menominee Indian Reservation, and did legal work. And so when I came back my work during the school year was with a local attorney who did a lot of Indian law – was a tribal attorney for a number of the tribes in Minnesota.

OGILVY: Were you contemplating doing Indian law as a career?

BALOS: No. I mean, I knew I wanted to do public interest work. I mean, I went to law school to do social justice things. I didn't know exactly what direction I would go in beyond that.

OGILVY: What did you do right after graduation?

BALOS: I had a Reggie fellowship after graduation. I was a Reggie – I think one of the last classes of Reggies – Reginald Heber Smith Community Lawyer Fellowship Program was the official title.

OGILVY: Talk about that a little bit.

BALOS: Well, you went through an interview process. People came out to interview you for the fellowship, and if you received it, which was to do public interest work – it was sort of known as a post-graduate fellowship, and was funded by the federal government actually at that point. And if you received it you were placed in a particular office. I happened to be placed at Legal Aid in St. Paul, Minnesota. And then they flew you Washington to be trained for a week or two – I don't actually remember how long. And then you went back and had a two-year fellowship doing public interest work.

OGILVY: Do you remember anyone else in your class?

BALOS: Well, actually one of my friends to this day was also a Reggie, and she had been a student at William Mitchell, and she was placed at Minneapolis Legal Aid, and she still lives in the area and we're still good friends.

OGILVY: Who's that?

BALOS: Her name is Joyce Miyamoto, and she actually works for a county attorney in Minnesota. And we went to the training together. It was in Washington, D.C. – it

might have been at the Drake – is there a Drake Hotel here? Or there used to be? It was at one of the old-time hotels, and we sat outside and drank margaritas a lot, is my recollection of the training.

OGILVY: And what kind of work did you do for Legal Aid then?

BALOS: Well actually I did a lot of general civil work, but I also – at that point Minneapolis Legal – St. Paul – it's called LARC Legal Assistance of Ramsey County – we have these acronyms – had a civil commitment defense project, where there was a project to defend people who were caught up in the commitment process. And the person who had been running that project was sort of in the transition out of the project, and so I sort of stepped into it. And that's actually how I started doing mental health law, which I did in my younger years. But it's also the time that I got interested in domestic violence issues, which is what I do now.

OGILVY: How did that come about?

BALOS: Well, I sort of got connected to local community groups – St. Paul had one of the first battered women's shelters in the country in the early '70s – actually opened, I believe, in '74, and I was a Reggie from '77 to '79. And so we would get – I didn't only do mental health law; I also did general, civil and family law. And Legal Aid would get calls from women who said, you know, "My husband beat me. The police came; they wouldn't do anything." And so Legal Aid sort of formed a coalition or collaboration with the women who were working at the shelter to think about legislative change around those issues. And that's – so I

with others drafted the first order for protection statute in Minnesota and so forth.

So that's sort of how I got interested in those issues.

OGILVY: Were you there long enough to successfully get it passed?

BALOS: Yes. That's a whole other interesting experience to do that legislative lobbying around domestic violence issues, but that started in the mid to late '70s.

OGILVY: Interesting. After two years of the Reggie, then what was next?

BALOS: After that I went into private practice for a couple of years. And then – which I, to be honest, didn't enjoy, because it's running a business, which was not what I was interested in doing.

OGILVY: A small firm?

BALOS: Yeah, it was a small firm.

Then I became the director of advocacy at a community agency where I actually did a lot of legislative work.

OGILVY: What agency was that?

BALOS: It was called Family and Children's Service, a social service agency in Minneapolis. But I ran the advocacy department. So part of their mission was to do sort of community-based advocacy, legislative change, local sort of grass-roots organizing. So I ran their advocacy department a couple of years.

OGILVY: What kind of activities on a day-to-day basis?

BALOS: Well, we worked on violence issues, we worked on housing issues. There was sort of a broad range of kind of poverty law issues. The other project that they had which was sort of unique then was that they had a particularized project to

help prostituted women. And so that also was sort of the beginnings of my interest in prostitution issues, which I've written about and worked on since then.

OGILVY: You were there then two years?

BALOS: Yeah, I think it was two years.

OGILVY: Then next?

BALOS: Then I went to the University of Minnesota.

OGILVY: How did that come about?

BALOS: Well they were looking for a clinician. And even though I was doing legislative work, I actually missed practicing. So even though I've had a sort of checkered career, in a sense. I mean, when I was in private practice I didn't like the business side of it. But when I wasn't really practicing I missed practicing. So I applied for a clinical position because to me it seemed like a good integration of teaching and practice. And so I started at the university in 1983.

OGILVY: What was the shape of the clinical program when you joined it?

BALOS: Well, it was primarily – the major clinic offered at the university at that time was called the – then it was called the Legal Aid Clinic, now called the Civil Practice Clinic, which was a general sort of poverty law practice. And that's actually what I did for a couple of years before I sort of moved into focusing more on domestic violence issues within clinical teaching.

OGILVY: How many other clinicians were there?

BALOS: Five I think.

OGILVY: All within one umbrella clinic?

BALOS: Well, except for the person who taught the criminal clinics. Everyone else did civil. And then as people sort of evolved in their own areas of interest they would develop other clinics, other subject matters, which is what I did essentially.

OGILVY: And was it single supervisor model or jointly supervised students?

BALOS: No, it was a single supervisor model for the student supervision. The classes were co-taught and rotated among the clinicians in terms of the civil clinics. So we all shared responsibility for the classroom portion, but each was assigned a number of students and you individually supervised your students.

OGILVY: How many students would you have?

BALOS: Eight a semester – between eight and ten a semester.

OGILVY: And this is a one-semester clinic?

BALOS: No, it was two semesters. So you would start in the fall with eight to ten students, and then in the spring you would get another eight to ten, and then you'd have returning students, which theoretically were more independent than the beginning students. And then we also had and still have, as I had mentioned, student directors, which are students who have gone through the clinic for a year and then apply to come back as student directors and sort of act as – in a sense they would act as, you know, if you use sort of a law firm model, sort of junior partners in a law firm. So there would be sort of a first line of supervision for the new students coming in with the student directors. And then they also maintained an individual case load, but they did some student supervision.

OGILVY: When you were first hired, were you hired onto a tenure track?

BALOS: No. The model when I came in was a short-term contract model – although the people who had been there had been there for many, many years. So there was this theory that they were short-term, but none of them were of course. And this was sort of a time of foment about clinics and expansion of clinical education. And so the dean at that time made a decision that he would change the status to a different kind of status; it wasn't the same as tenure, but it was similar to tenure in that there was a probationary track and then what's called a continuous appointment. And I have to admit by fiat he just decided that that's the track I was hired on. So I actually was the first person to be hired on that track at Minnesota.

OGILVY: Now, is that what the system is today?

BALOS: Yeah, it's still the same system, and there are still issues about it, as you might imagine.

OGILVY: What changes then over time occurred in the clinic?

BALOS: Well, I think we have expanded a little bit in terms of personnel. I think people also have seen that they like to sort of focus their interests in terms of subject matter. And so there's been a development of various subject matter clinics, and as a result what used to be the major clinic, the Civil Practice Clinic, is much smaller than it used to be. But we have a lot more subject matter clinics. And that's really driven by faculty interests, frankly. So that's been a change. I think there's been a sea change in clinical education in general, I would say, in terms of, for lack of a better word, sort of the "professionalization" of the clinical faculty. I mean, whether you're on a clinical tenure track or a tenure track or have

a long-term renewable contract, or whatever in that sense what your status is, I think there's been a general sort of professionalization of clinic and clinic faculty and clinical education, and certainly a lot more writing and thought about what it means to teach, and the pedagogy and what it means to teach a reflective practitioner. And I think a lot of that was just beginning in the late '70s, early '80s.

OGILVY: Are there any specifics that you can think of that sort of the approach to pedagogy that you noticed starting '83?

BALOS: Well, I think that it's – I think, I would hope – that clinical faculty have been – and this is clearly true from talking with people around the country that you meet at conferences and so forth -- clinical faculty are just a lot more thoughtful and analytical about what they're doing and why they're doing it, and what their goals are in terms of what the purpose of the clinical experience is for the student, and to try to achieve those educational goals. So I think there's sort of been this evolution over the years to be more thoughtful about that. And then, sort of along with that, is to write about it, which is part of being part of the academy.

OGILVY: What was the expectation for scholarship when you were hired?

BALOS: Appreciated, but not required – which is still the standard. So – and these are all, sort of these issues that I'm raising now, are all issues that are still in transition. I mean, they're changing or being looked at. But that was the standard which basically remains the technical written standard is that it's not required.

OGILVY: But you obviously began to write at some point. What caused that?

BALOS: Well, you know, there's always been a debate about this issue, and I actually have, even though I've actually written a lot, I am actually ambivalent about it, because I think it's clear that you give up something. I mean, for example, when I first started we had 11-month contracts. I'm now on a 9-month contract, and have been for many years like the rest – like the nonclinic faculty. And part of the reason that's important to me is that I do most of my writing in the summer. But that means that we don't take new students in the clinic in the summer; that there's always an issue of case coverage in the summer. So that there are things that you give up in order to write. On the other hand, my own view is that we are in an academic institution and part of what advances your thoughtfulness about what you're doing or other areas of the law is to really sit down and have some reflective time to think about it and then write about it.

OGILVY: Had you done that in your practice settings before coming to school?

BALOS: Not in a – obviously I wrote memos and briefs, but not academic writing, no.

OGILVY: What was the first thing you wrote?

BALOS: I think it was a piece on domestic violence prosecution – I think. I'm not sure.

OGILVY: Assume that is, what did it arise out of?

BALOS: Well, you know, I had started – fairly quickly after I came I started a domestic assault prosecution clinic, which I think was one of the early ones in the country to do prosecution. And it was a collaboration with the prosecutor's office in Minneapolis. And part of that was to get people together -- because it hadn't been done before, not only in the prosecutor's office but some of the judges that were hearing criminal cases and so forth. And I started to have these discussions with

one particular judge, who happened to be particularly interested in the area, and we started talking, and we wound up really doing a training at the judge's conference together – if you're going to train judges, it's good to have a judge with you – which evoked very, I would say, fairly negative reaction, at least from some of the judges there, which she was quite surprised about. And I have to say, you know, she was a judge and of course always went to the other conferences. But I never got invited back. So --

OGILVY: What do you think was off-putting?

BALOS: Well, you know, this was the mid- -- the early to mid '80s, and talking about holding primarily husbands, but partners, accountable for domestic violence was not a particularly popular position to take, frankly. It wasn't taken seriously. People didn't want to deal with it. They didn't want it to be in the court system. They didn't feel it was – certainly didn't think it was appropriate to be in the criminal court process. If it's anything, it's a family court matter. And so we wound up – I mean, we had this experience of doing this training together, and having these discussions, and my students were prosecuting in the prosecutor's office – it was sort of a hybrid clinic. And we actually co-wrote a model policy on domestic assault prosecution.

OGILVY: And it was adopted?

BALOS: No. (Laughter.) Well, to be fair, later on the Minnesota legislature basically mandated that jurisdictions develop model policies. Now, was this one sort of adopted in total? No. But I hope that at least it had an influence on some jurisdictions that then did adopt various kinds of policies.

OGILVY: And you say the students would prosecute. What did the students get to do?

BALOS: Well, this clinic developed into sort of this hybrid model where we worked in collaboration with the Minneapolis City Attorney's Office that did misdemeanor and gross misdemeanor prosecutions. And the students – I taught the classes and supervised their case preparation and their trial briefs. Their actual in-court appearances were supervised by the prosecutor's office. And one student was assigned to one prosecutor, so they could develop a relationship. The students did everything – under supervision – but they did it. They made appearances at arraignments, they negotiated at pretrial conferences. And when cases went to trial, although that was not the usual course – most criminal cases don't go to trial, and domestic violence cases go even less. But we have had some trials over the years and they first-chair the trials.

OGILVY: Had they had trial practice experience before that?

BALOS: No. And I've never – and, again, this is something people talk about in terms of what should be prerequisites – but I actually have not made trial practice or evidence a prerequisite. I don't find that even when they have – trial practice is helpful, I have to say – but even when they've had evidence, it's not always that helpful in terms of actually figuring out what their evidentiary issues are when they're trying to develop their theory of the case and preparing their cases. So I don't make it a prerequisite.

OGILVY: And you've continued to teach this clinic?

BALOS: I have continued.

OGILVY: In the same manner?

BALOS: Pretty much.

OGILVY: You also mention that at some point you got interested in prostitution. Can you talk a little bit about that?

BALOS: Well, to me – and this was sort of part of thinking about violence against women issues – a speaker came – actually what happened is that a speaker came to the law school over the noon hour – was a woman who had been prostituted and was now sort of a director of a grass-roots organization that helped prostituted women get out of prostitution. There was a drop-in center and there was advocacy for them and so forth. And I went to hear her speak, and she was really -- her analysis of prostitution and what it meant and sort of what it meant for women and its place in society was really quite compelling. And so I started working with the organization. I do a lot of, in addition to the clinical teaching I just do a lot of community work because I like to. So I started working with that organization and working on issues of prostitution.

OGILVY: Community work – through your role as a professor at the school, or --

BALOS: Well, yes and no. I mean, I will sometimes -- for example, I have a relationship with the Minnesota Coalition for Battered Women. So in a number of cases I've represented them as an amicus in certain court actions at the Minnesota Supreme Court or the Court of Appeals, and I do in fact, given the right circumstances, have students do those briefs and work on those kinds of issues. Sometimes, depending on the situation, if there isn't a student available, I have to do it. So I have a relationship with the Minnesota Coalition for Battered Women and various other community organizations. And what I say to them is I have this title,

“Clinical Professor of Law” – use me. So I do advising on legislative concerns, I help draft and other kinds of things – draft legislation and so forth.

OGILVY: But with students it’s not an integral part of the clinic, but sometimes there are opportunities that arise?

BALOS: Yeah. Although we did – do you want me to go on about all this? We did a number of years ago now – it must be at least 10 years, maybe more – through this organization, community grass-roots organization dealing with prostitution, we did this special project where one of my colleagues co-taught a seminar on prostitution with this woman who is the Executive director of the community organization. So they co-taught a seminar. And part of the assignment for the students in the seminar was to pick two or three issues and do sort of background papers in terms of what could be a legislative change to address that issue or that gap. We then had a conference between the fall semester and the spring semester where we brought in players from various community organizations and from the legislature and law enforcement. And the students presented their proposals. And the politicians and the community folks who were at this conference then discussed all the proposals and then prioritized what they thought were the first two priorities. And then in the spring I taught a legislative clinic, and actually had these drafted, and the students worked on the drafts and testified at committees and had them enacted into law.

OGILVY: Must have been very satisfying.

BALOS: It was. It was really – I mean, it was a – dealing with legislation is difficult, and it’s difficult for students because it gets crazy at the end and you get faxes at 4:00

in the morning saying they want to change this word, “What do you think about that?” – and so forth. But it was really a pretty interesting experience. So –

OGILVY: You’ve replicated it though?

BALOS: No, we haven’t replicated it.

OGILVY: Are there any people that you consider your mentors in clinical education?

BALOS: I’m not sure I would say mentors. I mean, there certainly are people who over the years I spent time talking to about various issues and challenges that come up that I certainly value and respect their views and experiences. I don’t know, maybe that’s a definition of mentor, I don’t know. So that’s true.

But, you know, it’s interesting, I can’t say, for example, that the clinical teacher that I had in the LAMP program was the person who made me want to teach clinic. I mean, that’s just not true for me.

OGILVY: Was it mostly people at Minnesota, or –

BALOS: No, actually it’s mostly people in other places.

OGILVY: And how did you connect with them?

BALOS: Through conferences primarily I think.

OGILVY: Do you remember the first conference you went to?

BALOS: The first conference. I know this is going to sound strange, but I think the first conference I actually went to was the Midwest that we started. We would get together with the clinicians at Mitchell and Hamline, and we’d meet periodically, once every couple of weeks, and sort of discuss what was happening in our programs at our schools. Sometimes we would present articles we were working

on for feedback. And we sort of decided that we should sort of revive this conference, to have a regional conference. And –

OGILVY: Revive?

BALOS: Well, I think a number of years before there had been one, and then it sort of disappeared. This was before I actually started the clinical teaching, so I'm not absolutely certain about that.

OGILVY: Right.

BALOS: I am right, okay. And so we got together and decided that we should organize this conference for the Midwest region, and we did it, and invited the Midwest schools, with a very loose definition of "Midwest" – I think we went as far as Colorado, frankly – and sort of started this regional conference process again.

OGILVY: Who else was involved in the early planning stages?

BALOS: Nina Tarr, who was at Mitchell then, I think, and Angie McCaffrey from Hamline, and Pat Suita, who is no longer in clinical teaching, was also I believe at Hamline, and I think Ann Juergens from Mitchell. And I was doing it primarily from the university. And so we all got together and sort of thought about what might be university. And so we all together and thought about what might be helpful and invited, people and they actually came.

OGILVY: What did the first one look like?

BALOS: Well, I think in structure it was fairly typical. We would have panels and then small groups and people would talk. I was worried about the lunches arriving. It was actually at the university, so – and I, to be honest with you, can I tell you what all the topics were? I can't. But partly it was a way to connect this with

other clinicians. We were obviously, because there were at that time three law schools in the Twin Cities, and we'd get together and discuss challenges and issues, but it was a way to connect with the clinicians throughout the region, and especially at that time where I think there was less ability and access to going to any kind of national conference. It really made exchange with colleagues more accessible to people.

OGILVY: Had there been communications among clinicians at the three schools before you came?

BALOS: You know, I don't think so.

OGILVY: Is there a gender component to this?

BALOS: That's an interesting question. I don't know. I mean, the clinicians who were there before I arrived at Minnesota, some of them were women, so – you know, I think it has to do with a different – this may not be fair, but I'll just tell you what my instinct about this is. I think in the mid to late '70s, people who – and I'll just speak from Minnesota experience, because I think other things were happening in other parts of the country that might very well have been different – that the people who taught in the clinic viewed themselves as teaching students, doing good work, not particularly interested in scholarship, not particularly interested in analyzing in any sort of theoretical way what lawyering meant and what it meant to be a reflective practitioner or think about what was our goal in terms of educating students. I just don't think that people were sort of thinking about that. And so I don't think there was sort of this view about exchanging that kind of information among colleagues. I mean, I just don't think people thought of

themselves that way. I think there was more a feeling of, “We’re sort of like a legal aid office in the basement, and we give students this great practical experience.” And I think that’s true – I think they did give students great practical experience. I mean, I had terrific experience in the LAMP clinic. But I think it was a very different viewpoint. And that’s what I was saying before – I think over the last whatever it’s been, 20-25 years, that there’s been this professionalism or “professionalization,” if you will, about clinical faculty. So that it’s quite different. So I think in those early to mid ’70s that people saw themselves more as running a legal aid clinic in the basement of the law school – or we were in the shack next door actually – and that they were able to give the students practical experience with – and also, combined with that, a view about what social justice was. I mean, I think they were connected – I don’t want to say there wasn’t a value component – there clearly was. But I don’t think it was viewed in quite the same academic way that it is today, or has been in the last 10 or 15 years. So this view about sort of connecting with colleagues from other places I think was less on people’s agenda than it is now.

OGILVY: Do you remember about how many people came to the first Midwest conference?

BALOS: I would say about 40-45, something like that.

OGILVY: And then over the years it got a little bit bigger, but not too much bigger.

BALOS: Yeah, it’s never – I don’t you know – I think it ranged between 50 and 70 – 80 maybe. And I think people have found it really valuable that it’s been a conference that’s pretty informal and that people find very accessible and helpful

to them in terms of what the presentations are, but also in terms of making connections with accessible colleagues.

OGILVY: Do you see a different philosophy in terms of what presentations you invite as opposed to, say, the larger AALS workshops and conferences?

BALOS: I think they're more focused on particular pedagogical issues, for example. And I think they're a little bit more informal, I guess I would say. And it's also just a place for people to have fun.

OGILVY: Yeah, the dancing.

BALOS: The dancing, of course. That was our tradition, the dancing. Well, it's fun.

OGILVY: Were you an instigator of that?

BALOS: I suspect I wasn't an instigator, but I did participate. I did.

OGILVY: It's certainly, among other thing, what the Midwest clinical conference is known for.

BALOS: I know. We're known for our dancing.

OGILVY: Did you begin to go to the national conferences then?

BALOS: Yeah, I did. I did start to go to that. And I started to go to the national clinical conferences, and then also the AALS annual meeting.

OGILVY: And what were your experiences there?

BALOS: Well, now the national clinical conferences are also an opportunity to sort of exchange with a broader array of colleagues about various issues, and I've always found them to be really interesting. And you always come back with a million new ideas, and you're energized, learn new things and so forth. So that's always very positive.

The annual meetings are less interesting to me, because I primarily go to see people – and sometimes the clinical section program is interesting. And I've actually presented at one of them, I think – was on one of the panels or something. But, you know, it's a much larger conference and there's a lot of other things going on.

OGILVY: Have you been involved with the Clinical Legal Education Association at all?

BALOS: I haven't been active in it. I mean, I'm a member obviously, but I haven't been particularly active in it.

OGILVY: But you were one of the founders, I think, of the *Clinical Law Review*. Tell me a little bit about how that came about.

BALOS: Well, I think that was part of sort of this maturing, if you will, of clinical legal education and the recognition that we are part of the legal academy and that we are, one hopes, critical to legal education, even if others are not convinced of that. And so I think as the clinical education movement matured there was a view that we ought to have a forum for folks to be able to write about what they're doing, and analyze it, and share it with their colleagues in a more formal sort of way rather than just orally at conferences – as sometimes that gets lost. And so some people got together and talked about starting a law review that would focus on clinical education -- clinical education broadly defined, but clinical education. And there was an initial committee of people who organized it and came up with this sort of structure where NYU was willing to house it and support it, in this sort of tripartite editor structure with a board of editors and then being much broader to allow a lot of people to participate in editing and reviewing people's articles

and so forth. So it's a peer-review journal, which is quite unusual for the legal academy actually.

But I think it's really had a great influence on people. It's really given a really high quality forum for people to publish their work on specific issues of clinical education and pedagogy, which otherwise, quite frankly, would be difficult to place. So I think it's really been an asset for the clinical education movement.

OGILVY: Do you have any specific memory about when you first heard about the idea and how you then got involved in steering it forward?

BALOS: Well, I just remember a group of people meeting.

OGILVY: Where? Do you remember where? When?

BALOS: It was at one of the conferences. You could probably talk to other people who have a better memory of this than I do. Maybe it was at one of the – it was either at one of the national clinical conferences or at an annual meeting. I just can't remember which, where people still got together. I remember us all sitting around a table and sort of discussing what it should look like, what the structure should be, how could we support it. Then NYU stepped forward, and it's been housed there; and it's co-sponsored by CLEA and the AALS Section, Clinical Section.

OGILVY: Who else was sitting around the table that you can remember?

BALOS: Well, Randy Hertz was there, I think Marty Guggenheim from NYU, Nina Tarr was there – I want to say Peter Joy. I know there were other people. I just don't remember who they all were.

OGILVY: Now, it was a relatively short time from the conception to the actuation.

BALOS: Yeah. I mean, we were able to put it together pretty quickly. And part of it was people's willingness to really work on it and want to see it happen, and NYU's willingness to sponsor – to be the home. And of course Randy has worked really hard throughout the years on it.

And I think it's important that it's peer-reviewed, I mean in that people have an opportunity to share their work that way, and that the clinical legal community has adopted it and wanted it to succeed. And so people have always been willing to be on the board of editors, to be reviewers, to review articles or help edit articles, even if they're not officially on the board. There's been widespread support of it throughout clinical education. So I think from its very beginning it's been pretty high quality, and I think it's continued. And a lot of that I think obviously goes to the editors, but especially Randy, who has been the editor for quite a long time.

OGILVY: I've been told at least that there were besides NYU a couple of other schools that had made proposals. Do you remember not necessarily the names of the schools, but the proposals and why NYU kind of stuck out?

BALOS: No, I don't. I'm sure you're right, but I just don't remember the other schools.

OGILVY: What do you see as the future of clinical legal education?

BALOS: Well, that's an interesting question. I am – there's a part of me that thinks that the clinical education movement and the sort of integration of theory and practice and the educational experience it represents for students will obviously continue and expand; that if we care about our students and care about the kind of education they're getting, and care about – and if the profession cares about what

kind of practitioners we're producing, then inevitably, in some fashion, it will continue and expand. Having said that, there is I think an attempt to go backwards in some ways. I still think that 25 years later we're still fighting some of the same status issues we were fighting 25 years ago. I think resources are always an issue. I think there are always competing resources. And I think the values of the academy sometimes conflict with what the values might be in terms of what kind of lawyers we want to see produced. And I think there is a tension between the self-conception of the legal academy and being a professional school – at least for those schools that are attached to research universities. I think there's a tension there. And one would hope that that tension would produce positive things, because tension can produce a positive thing. But I think it remains to be seen. But I think there's no question that certainly over the last 25 years that clinical education and clinical faculties' position within law schools have progressed considerably. There's no question about that. But I still think there are a lot of challenges. And it's not a forgone conclusion about how all of those will be resolved.

OGILVY: Have you given any thought about what's next for you?

BALOS: Well, I'm actually in phased retirement.

OGILVY: Phased retirement? What's that mean?

BALOS: Yes, I am. Well, that means I am working 75% time for the next three years – this year and the next two years. And then I am retired.

OGILVY: How does one work 75% of the time and be a clinician?

BALOS: Well, that was a bit of a challenge with my dean. But what I'm doing is that I don't teach in the fall, but I teach 75% of a full load in the spring. So I will be very busy in the spring. But it's been an interesting transition. And what it does for me is that it allows me to do consulting work on domestic violence issues and a lot of the community work that I've always done in a more concentrated way, which I get a lot of satisfaction doing. So we'll see what happens. I don't know – it's an experiment.

OGILVY: So after three years – ?

BALOS: I will be gone.

OGILVY: You'll be gone from the academy.

BALOS: Unless something unusual happens.

OGILVY: But maybe you'd still be doing consulting?

BALOS: Oh, yeah. I'll still be doing the work that I've done the last whatever it's been – 20 years – on domestic violence issues and violence against women and those kinds of things. You know, whether I would come back to teach a clinic or as an adjunct or something like that, I haven't ruled that out, but I don't know what I'll do.

OGILVY: Why now?

BALOS: Well, that's a good question. I will have – I mean, I guess this doesn't sound like a lot to some people, but by the time I retire I will have taught 25 years, and that seems like a good time to do something different, or think about doing something different. So I don't know why now. Why not now? – I would respond.

OGILVY: Fair enough. Those are my questions. Is there anything we haven't talked about we should or can?

BALOS: I don't think so. I think you've covered pretty much everything that I can remember.

OGILVY: Thank you.

BALOS: Well, thank you.