

NEWSLETTER

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Creighton Legal Clinic Creighton University School of Law 2120 Cass Street

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MESSAGE FROM THE CHAIR by Minna J. Kotkin

Looking back on my year as Chair of the Section, I want to take this opportunity to do what we always are asking of our students: to reflect on the experience and to try to draw some conclusions for the future. As I think about the recent work of the Section. which includes attempting to preserve Title IX and legal services, exploring new funding mechanisms, encouraging the implementation of the MacCrate Report, supporting a meaningful accreditation process, continuing the struggle over status issues, the themes of change and community seem to Clinical teaching began as, and recur. remains, a movement to change the nature of legal education. It has survived and grown in large part because early on, we formed a community to support and learn from each other. We need to preserve and nurture that community at the same time that we build upon our expanding influence in legal However, as we face new education. challenges--a different political climate, the changing economics of legal education, the probable cut-backs in federal funds, the demand of the private bar for more "skills training"--critical reflection directed at some of our accepted assumptions becomes important. My reflections result in more questions than answers, of course, but I offer the questions in the hope that our community can collaboratively, in the best tradition of clinical education, explore them through our conferences, our electronic dialogues and our writing.

As a starting point, we need to ensure that clinical education is understood in its historical context. Many of new clinical teachers that I have met this year have little grounding in the debates that have shaped clinical teaching over the last twenty five years. I have seen their eyes glaze over as speakers talk about 302 and 405(e), the Council and the SSV. But these debates and their history--including, among others, the competing goals of teaching and service to the community; the demands of scholarship created by changes in status of clinical teachers; the merits of various clinical structures such as internship and externship models; the appropriateness of inculcating social and political values--have real significance. These issues continue to be major factors in institutional planning and evaluation of clinical programs and teachers. Our "oral history" needs to be shared to give new clinicians the context in which to understand how their positions and programs took on their structure. It is time for a definitive history of the clinical legal

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This NEWSLETTER is a forum for the
exchange of points of view.
Opinions expressed here are not
necessarily those of the Section on
Clinical Legal Education and do not
necessarily represent the position
of the Association of American Law
Schools.

education movement, so that our community can better integrate new teachers, and I hope that the Section will consider taking up such a project.

We also need to address the issue whether clinical education has lost its original political moorings, directed towards a vision of social change through the provision of legal services to under-represented groups. If, in fact, "skills training" has supplanted social change as the motivating force for

clinical education, as some clinicians believe, it is important to analyze the positive and negative consequences of this development. example. to some extent, institutionalization of clinical education as an accepted and integral part of legal education has necessitated an academic rather than an activist focus in our teaching and writing. That academic focus has created the first body of serious scholarship on lawyering skills such as client counseling, case theory, negotiation and alternative dispute resolution. Our contributions in these areas have had their costs, however.

Scholarship does not mesh easily with the demands of student supervision in an "inhouse" clinic, and some of us have had to -or have chosen to--change the focus of our teaching accordingly. And clinics are no longer commonly the site of substantial law reform litigation, as they were in the early years, for example. We need to critically examine our direction, particularly in light of the changing political environment. example, if the proposed federal restrictions on legal services litigation are passed, should we be reconsidering our programmatic structures, and how we devote our time? Do we have an obligation to attempt to litigate some of the critical policies, such as welfare "reform," that federally funded programs may be barred from attacking? questions require serious discussion in the clinical community. We may not all reach the same answers but we need to consciously air the issues.

Another issue that requires our attention is whether and how current models of clinical education are viable in times of limited expansion in law school financial resources. Clinical programs went through a period of substantial growth in the 1980's, when law schools were both increasing tuition and enrollment. Given the current economics of legal education—a shrinking applicant pool that cannot support continued tuition hikes—

can we continue to contemplate a vision of ever-growing clinical resources? Should we be thinking about ways to teach skills more efficiently, learning from our experience over the last twenty five years? Some recent conference presentations have addressed these concerns, describing programs that leverage resources through the use of adjunct teachers; combine in-house and externship models; or rely on novel technology to increase efficiency. We need to continue to explore ways of changing our methodology so as to avoid the same kind of stagnation that has plagued traditional law teaching. However, we should not accept at face value the "shrinking resources" argument against the expansion of clinical education. Both technology and deregulation have created opportunities for change in how law school resources are allocated. We need to take advantage of these opportunities, and to hear from our colleagues that have been able to persuade their institutions of new ways to divide resources.

We also need to examine the degree to which clinical methodology and teaching goals are increasingly finding their way into the traditional curriculum. More and more schools are replacing first year writing programs with "lawyering skills" courses that include an introduction to a range of skills such as interviewing, counseling, negotiation, and drafting. Substantive courses also are changing to incorporate a practice-based focus at institutions, and simulation courses are These efforts seem to be multiplying. spurred both by the demands of the organized bar, most obviously represented by the MacCrate Report, and by a sense that a focus on "skills training" is attractive to potential applicants. In some ways, these programs represent a victory for clinical education, but we have not fully explored their impact on what, perhaps, we should now call traditional clinical teaching. Are these efforts, which rarely involve clients, so

watered down that the richness of traditional clinical education is lost? Should we devote our energies to stimulation when there are real clients desperately in need of legal services? Or is it our obligation to prepare as many students as possible for practice, regardless of service concerns? And how can we encourage those who teach in lawyering or other clinically based programs to become part of the Section and the clinical community?

Moreover, we need to consider the implications of the acceptance of clinical pedagogy on our identity as clinical teachers. If current trends continue, it may be that in the next decades, the division between clinical and traditional teaching ceases to exist. What does this mean in terms of the long term career paths of clinical teachers? A number of first generation clinical teachers have moved into the traditional classroom, or are no longer involved in in-house programs. Why is there less migration in the other direction--traditional teachers joining the clinical faculty? Should we be attempting to make the choice between clinical and traditional teaching more flexible and less permanent in both directions? And should we be paying more attention to the fact that an increasing number of clinical teachers are being recruited for administrative positions, including deanships? Perhaps the Section should be more active in helping those are interested in moving in these directions.

Finally, we need to address the recruitment, mentoring, and status of new clinical teachers. What are appropriate hiring criteria for clinical teachers, and how can we rationalize the hiring process? Are there ways that we can better utilize the AALS procedures or should the Section consider ways in which we can reach out to a broader segment of practicing lawyers? Once hired, many new clinical teachers are being relegated to short-term contract positions, and may remain in clinical education for only

a few years. Our statistics show, moreover, that these positions are disproportionately held by women and people of color. Is clinical education's vitality--and diversity-suffering because tenure-track positions have been filled and new teachers come and go by virtue of these short-term appointments? Have scholarship requirements created an increased acceptance of the "staff attorney" model that gives tenure track clinical teachers more time for writing? We need to grapple with the difficult issues raised by a two-tiered system of clinical appointments, and renew our earlier efforts to provide more job security for all teachers.

Thank you for the opportunity to serve as Chair of the Section this year, and thanks to the Executive Committee and the committee chairs for their hard work and support. I look forward to seeing you all in San Antonio.

NOTE FROM THE EDITOR

The Clinical Section Newsletter is scheduled for publication three times each year: approximately the first week of April, September and December. We invite everyone to submit articles. Everything is welcome! Essays, requests for information, committee reports, position announcements, publications, descriptions of clinical programs, etc.

In order to meet our publication dates, articles must be received on or before the submission deadlines. The next submission deadline is March 8, 1996. Articles received after that date will not be included in the Newsletter. If your article is important, it's important to get it here on time!

Long articles (more than 1 page) and documents with charts or other formatting difficulties should be submitted on a 3½-inch diskette, formatted for WordPerfect for Windows 5.2, 6.0 or 6.1, together with a hard copy. Articles may be submitted by mail, e-mail or FAX (see address and number information on the cover).

Please contact the Editor, Catherine Mahern, if you have any questions.

This being the last issue of the Newsletter for 1995, we wish you Happy Holidays and a Joyous New Year!

FEATURE

Affordable Housing and
Community Development
Law Program
by
Peter Pitegoff
(State University of
New York at Buffalo)

The School of Law at the State University of New York at Buffalo ("UB") offers an interdisciplinary program in Affordable Housing and Community Development It consists of legal assistance to Law. community development organizations through the UB Legal Assistance Program, a curricular concentration for law students, quarterly publication of a law journal in conjunction with the American Association, and ongoing research, policy analysis, and scholarship in housing and economic development law.

The Development Clinics

Central to the program is an innovative clinical initiative in housing and economic development, which has operated at UB Law School since 1987. This component channels university resources into community-based strategies for urban revitalization. Through two clinical courses—one in affordable housing development, and the other in community economic development—students and faculty together provide legal counsel to community organizations, nonprofit developers, local businesses, tenant councils, labor unions, and government agencies.

Rather than litigating, the "development clinics" focus on a transactional approach to public interest law and problem-solving, such as developing new or renovated affordable housing, starting or strengthening child care financing community-based centers. enterprises, and supporting the formation of intermediary institutions that support local economic control. In the process, students gain transactional practice experience in corporate, tax, finance, and real estate development law, and groups of people in low-income communities gain access to needed technical assistance.

Theory and Practice

The development clinics explicitly link theory with legal practice and give rise to broader research and policy analysis. Complex transactions in the clinics and in simulation courses implicate a wide spectrum of the traditional classroom curriculum, including contracts, corporations, property, land use, finance, state and local government law, real estate development, business planning, and professional ethics.

Public policy directions--from effective housing subsidies to better child care financing--inevitably arise from the combination of work for clients and broader study. Law faculty publish scholarly articles that draw from the clinical experience and that ultimately help inform the strategic work beyond the university. UB Law School houses the Journal of Affordable Housing & Community Development Law, published quarterly and co-sponsored with the American Bar Association. The ABA Journal includes articles by faculty, law students, and practitioners nationwide, and encourages interchange between the academy and the practicing bar.

This interdisciplinary array of activity gives law students an expanded notion of reflective lawyering and their potential role in public interest advocacy and community development. Moreover, students have a unique opportunity for in-depth, supervised study and practice in a particular area of law, resulting in law school graduates better equipped for working as lawyers in a wide variety of transactional settings.

Curriculum Concentration

UB Law School established a new Curriculum Concentration this year in Affordable Housing and Community Development Law, building on the many components already in place. The core of the curriculum concentration consists of a flexible sequence of transactional, clinical and academic courses. Editors for the ABA Journal are selected principally from concentration participants. The concentration offers students opportunities for faculty supervision of in-depth research and writing and for additional clinical practice.

The curricular sequence occurs primarily over the course of one academic year, geared to second-year students but open to third-year students as well. For first-year students, an intensive one-month "bridge course" in selected topics related to development expressly foreshadows the

concentration. Third-year students have opportunities for advanced study, writing, and practice in the discipline. An editorial board for the ABA Journal consists primarily of second- and third-year students who are engaged in or have completed the year-long sequence. Flexibility allows students to diverge from the lock step in order to design their own custom curricula, in consultation with faculty.

The first semester of the core sequence consists of three blocks, each roughly five weeks in length. A 3-credit course sequence begins in Block #1 with a survey course, Introduction to Affordable Housing & Community Development Law. prerequisite for both the concentration and the development clinics. This course, a "gateway" to the concentration, presents an overview of community development. housing policy and programs, enterprise forms, and the real estate development process.

Blocks #2 and #3 (the remainder of the first semester) include a menu of courses, and each student must enroll in at least two. Each of these courses focuses in greater depth on a particular type of transaction or on a specific area of public policy formation and implementation. These "mini-courses" involve practice-oriented writing and simulated transactions or policy problems.

Four such mini-courses were offered in Fall 1995, with more planned in years to come:

- (1) **Not-for-Profit Corporations & Taxation**, exploring the role of nonprofit organizations in housing and enterprise development, and the legal environment encountered by counsel representing nonprofit groups;
- (2) Worker Ownership Transactions, simulating the start-up, acquisition, and restructuring of business

corporations involving employee stock ownership plans (ESOPs) or other mechanisms for employee ownership or participation;

- (3) **Finance Transactions**, analyzing the array of perspectives among participants in a complex corporate financing transaction, and simulating the lawyer's role in representing selected community institutions; and,
- (4) Affordable Housing: Policy, Programs, & Transactions, examining the use of low-income housing tax credits in development transactions, and placing this approach in the context of federal and state housing policy.

Block #4 marks the start of more reflective writing. In consultation with faculty, each student in the concentration produces a term paper thesis and research plan during Block #4. Interested students who successfully have completed a research plan and the first semester sequence may enroll in a **Development Law Colloquium** for the entire second semester, consisting of Blocks #5, #6, and #7.

Students in the second-semester Colloquium work on their term papers, with a goal of publishing them as articles in the <u>ABA Journal</u> or elsewhere. Students and faculty discuss their ongoing research and coordinate disparate efforts where possible. Faculty invite practitioners, policy-makers, and scholars to broaden and inform the perspective of the Colloquium participants, and involve graduate students and faculty from other schools and departments in the university from time to time.

Senior editors for the <u>ABA Journal</u> are selected each year primarily from the previous year's **Colloquium**. Second-year students participate under the direction of the

senior editorial board. Selected students work on a summer issue.

All students in the concentration enroll for at least two semesters in the Affordable Housing Clinic or the Community Economic Development Clinic. Students may conduct this clinical work at any time during their second or third years, provided that they have completed or are concurrently enrolled in the gateway course. Students in the concentration are encouraged, but not required, to enroll in related courses such as Tax, Real Estate Finance, Land Use Planning, Corporations, and a range of courses involving transactions.

The faculty advisors for the concentration in Affordable Housing and Community Development Law and for the ABA Journal are: Philip Halpern, Thomas Disare, Lauren Breen, George Hezel, and Peter Pitegoff. For more information, contact the UB Legal Assistance Program: by mail at School of Law, State University of New York at Buffalo, P.O. Box 9, Getzville, NY 14068-0009; by phone at 716-645-2167; or by Email at <Pitegoff@acsu.buffalo.edu>

Peter Pitegoff is a Professor of Law at the State University of New York at Buffalo.



COMMITTEE REPORTS



AWARDS COMMITTEE -- Ann Shalleck, Chair

Wallace J. Mlyniec is the recipient of this year's Section award for his outstanding contributions to clinical legal education. One of the founders of the clinical movement, Wally has continued throughout his more than twenty years as a clinical teacher to provide direction and inspiration to so many of us in our efforts to shape our lives as clinicians. He is a builder of a distinguished clinical program, a respected scholar, an inspiring teacher, a passionate advocate for justice, and an insightful and hardworking member of the section.

Wally graduated from Georgetown University Law Center in 1970 and began teaching there as a Clinical Instructor and Director of the Juvenile Justice Clinic in 1973. In 1982, he became a Professor of Law and, in 1986, assumed the duties of the Coordinator of Clinical Education at Georgetown, where he administered the largest in-house clinical program in the country. Three years later, while continuing his administrative responsibilities for the clinical program, he also became an Associate Dean involved in a broad range of law-school wide duties, including all public interest and community service activities. He continues in that position today.

Wally has been central to the growth and success of Georgetown's clinical program. He has fostered the development of a widely diverse set of offerings, providing over 300 students each year the opportunity to participate in an array of clinical programs, constructed along several educational models. In addition, he has built a multifaceted teaching fellows program that has provided advanced training in advocacy, policy and teaching. The program has produced not only many accomplished lawyers, but also many committed and skilled clinical teachers. In addition, through his own exemplary work and his administrative skill, he has moved clinicians out of their marginal status at Georgetown, so that they may now participate fully in the life of the institutions, with appointments on the tenure track.

Wally's voluminous insightful and scholarship has made significant contributions to the field of juvenile law and has served as an important model for the development of clinical scholarship. Throughout his many books and articles, Wally has exemplified a vision of an engaged scholar who draws upon the experiences and insights of practice to explain and critique the structure and operation of law and to offer substantive proposals for remedying the problems he has identified. He has developed a form of scholarship that is rooted in his experience of practice, that subjects that practice to critical analysis, and that finally takes the understanding achieved through analysis to inform the world of practice.

Wally has served the clinical education community in many different capacities. From 1990 to 1992, he was a member of the AALS Standing Committee on Clinical Education, in 1992 serving as Chair. He was the Chair of the Planning Committee for the 1991 AALS Workshop on Clinical Legal Education, a faculty member at several workshops and conferences, a member of the Political Interference Committee of the Section from 1982 to 1988, and a member of the Section Committee on Tenure and Promotion from 1985 to 1987. In addition, he has been a generous, caring and wise mentor to many clinical teachers, not just his students, who have looked to him for guidance and support.

Throughout his career, Wally has been extremely active in many forms of public service. He has served on innumerable task forces and committees concerning the court,

the juvenile justice system, and the public service activities of the bar. He has consistently and energetically sought to make these systems better, through both improvements in policy and vigorous and skilled advocacy.

Wally has helped to make the clinical education community a place where commitment to intellectual inquiry, innovative teaching, organizational development and service to the community reinforce and sustain each other. In honoring him, we validate this vision.

**

EXTERNSHIP COMMITTEE -- Larry Krieger

The good efforts of many people have produced progress on all of our chosen projects. A second questionnaire on accreditation experience has received good response; Bill Patton reports conclusions/data will be available by San Antonio. A survey instrument on externship workloads (Krieger) is in review and nearing distribution to you all (December 20?). The compilation of classroom component materials (Jim Backman) is continuing to receive major focus as we develop a longterm approach. IF YOU HAVE RECEIVED THE FINAL OR TRIAL INSTRUMENTS ON ANY OF THE FOREGOING, PLEASE EXERT YOURSELF TO RESPOND TO THE PROJECT PERSON SO WE CAN MOVE FORWARD. Rough notes or a phone call/message are helpful if nothing else is workable for you. Great appreciation is extended to all the people who have already responded, and especially to the many helping coordinate these projects.

San Antonio will give us the opportunity to convene and discuss the status of these projects and anything else offered to the agenda. I suggest we begin a discussion of how extern faculty can best support the in-

house clinics nationwide given the current flux; how we can support the provision of legal services to the disadvantaged given the same difficult outlook; and how to resolve the apparent conflict between helping in the services arena without further jeopardizing support for our in-house clinics! I hope we will resolve to resist the pressure, asked, to create structured/supervised externships as a "cheap" alternative to our traditional clinical structures. (I also expect the externship workload survey to demonstrate that quality externship experiences require significant faculty resources, and hence cannot be used to replace in-house clinics on a broad basis; we shall see.)

Other agenda items for San Antonio should be sent to me as you think of them. Meeting time is Friday, 9:00 - 10:30 a.m.

COMMITTEE ON IN-HOUSE CLINICS -- Barbara A. Babb, Chair (University of Baltimore)

The Committee on In-House Clinics will meet in San Antonio on Friday, January 5, 1996, at 8:30 a.m. (The place to be announced or posted at the Clinical Section Dinner on Thursday evening). At our meeting on January 5, we will review the responses we have received to our two surveys—one dealing with the student selection process for clinics and the use of performance agreements, and the second dealing with how adjuncts are used in clinics.

Regarding the surveys, they are in final form and were mailed to clinic directors in mid-November. We urge you to return the surveys within two weeks of your receipt of the documents, and we appreciate the time you allot to complete the surveys. A special thanks to Caroline Kearney and Ilene Klein for designing the survey instruments and to all the committee members who

participated in the design of the project (Susan Brooks, Vanessa Merton, Laura Miller, Peggy Walker).

We look forward to seeing you in San Antonio, where we will also discuss two other projects: creation of a checklist for the facilities needed to operate an in-house clinic, along with a comparison of differential costs for externship programs; and development of a questionnaire to capture feedback from former clinic students about the value of in-house clinical experiences. If other members are interested in participating in any of the projects, please attend our meeting on January 5 or contact:

Barbara Babb (410) 837-5706 BBABB@UBMAIL.UBALT.EDU.

COMMITTEE ON LAWYERING IN THE PUBLIC INTEREST -- Kim O'Leary (University of Dayton)

The Committee on Lawyering in the Public Interest has devoted much of its time in recent months to monitoring Congressional actions that affect low income clients.

The Legal Services Corporation experienced a real threat of elimination or severe reduction via a block grant approach; however, it now appears that the Legal Services Corporation will remain intact, but will be crippled by severe service restrictions and reduced funding. However, at the time this report was written, there was no agreement between the House and Senate about particulars of a final bill, and none passed. It is very likely that the final bill will include some or all of the following restrictions upon legal services lawyers: no ability to challenge welfare reform legislation in any way; cannot represent clients who are being evicted from subsidized housing if the allegations include any substance abuse;

cannot represent clients who sue any governmental entity in a class action lawsuit; no representation of clients in any "potentially" fee-generating case, even when lawyers are not actually available; no legislative or rule-making advocacy; and, the same restrictions upon non-LSC funding as will exist for LSC funding. In addition, legal services grantees were subjected to a competitive bidding process this fall. Budget projections would eliminate line items for all national and state support centers.

Needless to say, your local legal services offices are going through a great deal of turmoil. Layoffs and reorganizations are likely. NOW is the time to contact with your local and state legal services providers to see whether there is anything you can do to help!

The Center for Law and Social Policy issues a newsletter entitled CLASP Update that reports on the status of welfare reform bills. Their address and phone number are:

Suite 150 1616 P Street NW Washington, DC 20036 (202) 328-5140

CLASP is also hosting a series of audio conferences on the new welfare bill. They are currently scheduled for December 11, 12, 13, 14, 15, 18, 19, 20 and 21 at 12:45 - 1:45 EST. To register, mail checks for \$12 per session to CLASP Audio Conference at the address above. Questions? Call Tyrone Brown (202) 328-5110. If there is no welfare bill by December 11, CLASP will reschedule the conferences.

The Center for Social Welfare Policy and Law will host a national strategy meeting in New York City sometime in January to develop leadership in welfare reform efforts. If you want to be on their mailing list for "Project Fair Play," write or call: 275 Seventh Avenue New York, NY 10001 (212) 633-6967

Top five things you can do during this crisis affecting low-income people:

- 1. Support your local anti-poverty bar (legal services lawyers, pro bono private bar, other clinicians, etc.). Find out what is going on and exercise your right to participate in the political process.
- 2. Consider adding recent Congressional bills into your course syllabi (Clinic, Poverty Law, seminars, etc.).
- 3. Inform your student body. Consider organizing a teach-in, a CLE or a presentation before your Public Interest Law Organization.
- 4. Analyze an aspect of one of the new programs in your next scholarship project.
- 5. Spend some time thinking about your case priorities in the clinic. The new legislation will provide a wealth of educational opportunities for clinic students.

Finally, the committee has solicited suggestions for newsletters or resource materials that may be of use to clinical offices. Below are some of the responses we have received:

Clearinghouse Review, Journal of Poverty Law. Published by:

National Clearinghouse for Legal Services, Inc. 2nd Floor 205 W. Monroe Street Chicago, IL 60606-5013 (312) 263-3830

Subscriptions are \$95 per individual, \$125 per organization.

Race, Poverty and the Environment. c/o:

Earth Island Institute Suite 28 300 Broadway San Francisco, CA 94133

A quarterly publication; the rate is \$30 per year for institutions.

The Poverty Newsletter, the AALS Poverty Law Section quarterly newsletter. Contact:

William P. Quigley
Gillis Long Poverty
Law Center
7214 St. Charles Avenue
Campus Box 902
New Orleans, LA 70118

It is free. Gillis Long also co-owns and moderates the POVERTYLAW-L, which is used for general discussion of substantive and practical issues as they relate to poverty law and the poor. It does not cover criminal law issues. To subscribe, send a message to:

Listserv@lawlib.wuacc.edu

and say:

subscribe Povertylaw-l [your name]

If you currently subscribe to other newsletters that might benefit other clinicians, please write, call or e-mail us:

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NOMINATING COMMITTEE -- David Gottlieb

The Nominating Committee has made the following nominations for the Clinical Section for next year:

Chair-Elect

Peter Joy (Case Western)

To serve the remainder of Peter Joy's term David Chavkin (Catholic)

Executive Committee

Kim O'Leary (Dayton) Michelle Jacobs (Florida)

All those nominated have stated their willingness to serve.



AMONG OURSELVES

DEATHS

Herbert A. Eastman, Director of the Clinical Program, St. Louis University School of Law, died on October 13, 1995, at the age of 44, from esophageal cancer.

Herbert Eastman was a graduate of the University of Notre Dame and of Notre Dame Law School. In 1976, he began his legal career as a staff attorney for Land of Lincoln Legal Assistance in Cairo, Illinois, where he later became the directing attorney.

After three years in Cairo, Herb moved to the Land of Lincoln Legal Assistance East St. Louis office, where he became involved in prison reform and special education litigation. He later became Litigation Coordinator for the entire Land of Lincoln program. Herb also served as deputy director of the St. Cloud Area Legal Services in Minnesota and, when he returned to the St. Louis area, he joined the Equal Employment Opportunity Commission as a trial attorney.

In 1986, Herb joined the faculty at St. Louis University School of Law as the Director of the School's clinical program. He also taught courses in civil practice and client counseling. In 1990, he was a visiting lecturer at Sichuan University in the People's Republic of China.

Under Herb's supervision, clinic students were instrumental in establishing a number of not-for-profit community organizations, and represented indigent litigants in a wide range of legal matters such as divorce, adult abuse cases, and consumer and landlordtenant matters. Together with his clinic students, Ann Lever of Legal Services, and the late Gene Schultz of the Law School faculty, Herb litigated the 1988 landmark case of Weaver v. Reagen, which forced Missouri's Medicaid program to pay for the drug AZT. More recently Herb was involved in a series of legal challenges to municipal zoning restrictions on group homes for recovering substance abusers.

In addition to his work as an attorney and clinician, Professor Eastman was also a prolific scholar. His writings include major law review articles on prison litigation, access to health care, law and psychiatry, zoning and civil rights. Most recently, his article *Speaking Truth to Power: The Language of Civil Rights Litigators*, appeared in the 1994 Yale Law Journal.

In 1989, Herb was the recipient of the Thompson Mitchell Award for outstanding Faculty Scholarship. Professor Eastman also received numerous awards for his public interest activities including the Northside Preservation Commission Award, the Public Interest Law Group Clarence Darrow Award

for public interest advocacy and the Equal Justice Award from Legal Services of Eastern Missouri for his work with the Volunteer Lawyer's Program.

Herb had a unique way of relating to people. He was a soft and gentle warrior, using words as his sword. But cases for Herb were never just cases. They were the necessary means to assure equal justice for those to whom society has not dealt a fair hand. And Herb extended his ideals to the classroom. Beyond teaching students lawyering skills, he taught them what the practice of law can be about — advocating for the rights of individual people whose access to the courts is limited by poverty, disability or unpopular cause.

NOTES & ANNOUNCEMENTS

Last October, Larry Grosberg (New York Law School) lectured on clinical education at the law schools at Universities of Warsaw, Lodz, Jagellonian (Cracow) and Marie Curie Sklowdowska (Lublin). Under USIS sponsorship, he talked to the faculties and students about the possibility of instituting one or another form of clinical or skills education.



Quinnipiac College School of Law has tenured Assoc. Prof. Carolyn Wilkes Kaas who teaches in the clinics, and has opened a new clinic facility located in one of the new Law Center buildings on the College's Hamden, Connecticut campus. The clinic contains 24 student workstations equipped with personal computers and network access to on-line services. The clinic facility contains five faculty offices, two interview rooms equipped for videotaping, a large secretarial bay a conference bay, and a reception area. A closed circuit television system makes it possible for clinic students to view law school events in the clinic. The

24 student workstations provide a total of 810 possible hours of student occupancy during the business week and additional capacity if used in the evenings and on weekends.

The clinic has expanded by offering two new clinic courses, an Appellate Clinic course, and a Health Law Clinic course. Appellate Clinic is staffed by a full time adjunct professor, Richard Emanuel. Prof. Emanuel is a member of the Connecticut Public Defender's appellate office and he has moved his office into the clinic. students earn 6 credits over two semesters in the Appellate Clinic and are assigned to cases now before the Connecticut Appellate Court. Adjunct Professor Deborah Witkin teaches the Health Law Clinic, a 4-credit onesemester clinic practicing in the field of mental health law. The Health Clinic works closely with the Connecticut Legal Rights Project. The Law School clinic also houses the Civil Clinic and Tax Clinic courses.

OF INTEREST TO CLINICIANS

LISTSERV

As more and more clinicians are hooked up to the net it seems like a good time to once again publish the information on how to subscribe to the LAWCLINIC LISTSERV.

TO SUBSCRIBE, send a message to:

listserv@lawlib.wuacc.edu

with the body containing the command:

subscribe lawclinic firstname lastname

(Example: subscribe lawclinic Kate Mahern)

TO UNSUBSCRIBE, send a message to:

listserv@lawlib.wuacc.edu

with the body containing the command:

unsubscribe lawclinic firstname lastname

(Example: unsubscribe lawclinic Kate Mahern)

TO POST MESSAGES, send your message to:

lawclinic@lawlib.wuacc.edu

making sure that you include a subject heading.

TO RECEIVE A COPY OF YOUR POSTING, send a command to:

listserv@lawlib.waucc.edu

with the body containing the message:

set lawclinic mail ack

FOR ADDITIONAL TECHNICAL INFORMATION, send a command to:

listserv@lawlib.wuacc.edu

containing the word:

help

This particular listserv can generate a lot of e-mail for its subscribers, and if you plan to be away from your e-mail for any period of time you may come back to a tremendous pile of mail. You should in this case consider having someone in the know opening and handling your mail, or unsubscribe while you are gone.

You should also note that if you choose to reply to a posting by using the reply function

of your e-mail, your response will be posted to the entire population of subscribers, not just to the person posting the message. Postings include the e-mail address of the person posting the message, and personal or individual replies should be directed to that address.

PROJECTS

SECTION MENTORING PROJECT NOW IN ITS SECOND YEAR -- Sandy Ogilvy (Catholic University of America)

After the Section's Mentoring Project was established in June of 1994, 22 clinical teachers requested mentors. Since more than that number of clinicians volunteered to be mentors, everyone seeking a mentor received one.

As we are now into the second year of the Section's Mentoring Project, we want to send out another invitation both to persons desiring a mentor and to persons willing to be a mentor for a newer clinical teacher.

Plans are being made to improve the Project over the coming year. We plan to do some follow-up with the participants to gauge how the Project is working in practice and to learn what services the Section might provide to assure that the Project is serving the needs of the mentees and mentors. Until a Mentoring Committee is established, current participants in the project are encouraged to communicate their experiences to Sandy Ogilvy at Catholic University, Columbus School of Law.

We suspect that many informal mentoring relationships are continually being formed where one clinician will call another who is teaching in the same type of clinic and seek advice. These contacts are to be encouraged, but if you don't know who to contact, or for any other reason would like to be involved

with the Section's Mentoring Project, please complete and return the form (both sides) found on pages 15-16 of this Newsletter.



AALS SECTION OF CLINICAL LEGAL EDUCATION

MENTORING PROJECT

I would like to be a mentor.
I would like to have a mentor.
(You may check both boxes. We learn from each other.)
Even if you have only 2 or 3 years of clinical experience, you may want to volunteer to be a mentor. Clinicians with 2 or 3 years of experience hold a wealth of information in the category "I wish I had been told[fill in the blank], but wasn't and learned it the hard way." Clinicians with more experience forgot such nuggets of information long ago.
You may want to be both a mentor and a mentee. For example, you may be able to help a newer clinician with respect to clinic design, management, teaching, etc., but would like to talk with someone more experienced than yourself about issues of scholarship.
Name
Title
Address
Phone #
FAX #
E-mail address
Your clinical/other teaching responsibilities
Your scholarly interests

Prospective	mentors	Describe a	anyth	ing you	can offer	r that	is no	t ev	dent from	Vour an	swers
above										Jour all	3 11 613
above											***************************************

Prospective 1	mentees	What are	you	initially	looking	for	from	the	mentoring	relations	ship?
				***************************************	**************************************			***************************************			
									-		

Please return this form to:

Professor J. P. Ogilvy Associate Professor of Law Columbus School of Law The Catholic University of America Cardinal Station Washington, DC 20064 FAX: (202) 319-4498

ADVICE DESK MEETS SERVICE AND EDUCATIONAL NEEDS -- Ronald B. Schwartz (Chicago-Kent)

The Advice Desk at the Daley Civic Center in downtown Chicago was established by the Chicago Bar Association in the 1970s to provide limited counseling services to indigent pro se defendants. It was originally staffed with volunteer lawyers. In 1988, services were expanded when the Clinical Legal Education Department of Chicago-Kent College of Law became responsible for the program.

Senior law students, licensed under Illinois Supreme Court Rule 711, enroll in a two-credit Interviewing and Counseling Practice course and staff the Advice Desk three hours per week. Paid interns who have completed the course also staff the Advice Desk. As of Spring semester 1995, paid interns are present whenever the Desk is open.

The interns counsel pro se defendants, draft court papers and other documents for the defendants to adopt, and counsel them regarding their court appearances. In October of 1992, Chicago-Kent introduced automated legal services to the Advice Desk. Computers, software, a printer and modems were installed at the two Advice Desk work stations. The law school maintains and services the computers and other equipment.

Court papers and motions are now routinely generated in finished typewritten form. In the past, interns had no choice but to draft all such documents by hand, using carbon paper to make copies for filing and service. The preparation of documents is now more efficient and the documents are generally much more legible.

The program continues to be successful in providing limited legal representation for prose defendants who would otherwise have no representation at all. One educational

criticism of the program is that the student interns did not receive adequate on-site supervision at the Desk. This concern has been diminished by the presence of paid interns who function as teaching assistants, in addition to counseling clients.

For more information about the program, contact Ron Schwartz, Adjunct Professor of Law, Chicago-Kent College of Law:

Ronald B. Schwartz
Hedberg, Tobin, Flaherty &
Whalen
Suite 1950
Three First National Plaza
Chicago, IL 60602
(312) 726-0236
rschwart@kentlaw.edu



REPORT OF THE MACCRATE BAR ASSOCIATION NETWORK -- Peter Joy (Case Western)

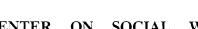
The MacCrate Bar Association Network, a joint effort of the AALS Clinical Section and the Clinical Legal Education Association (CLEA), continues to monitor state and local bar associations responding to the ABA's MacCrate Task Force Report. During the past six months, there have been reports of at least three more statewide conclaves to discuss the MacCrate Report. This brings the total number of states that have had conclaves to at least 15.

The conclaves have been intensive one-day or weekend meetings involving members of the bar, the judiciary and law schools. Many clinicians have participated in the conclaves. In some states, special committees have been created to study the implementation of the MacCrate Report recommendations. In some states, clinical faculty are represented on these committees.

Some states have been discussing implementing new "bridge the gap" programs for recent law school graduates as a direct response to the MacCrate Report. Other states have discussed formalized mentoring or apprenticeship programs. There has not been any news of state or regional bar associations seriously influencing any changes in law school curricula. So far, it does not seem that any states have made any significant changes in bar admission standards, legal education requirements or continuing legal education (CLE) requirements in response to the MacCrate Report.

If your state or regional bar association has taken, or is planning, any concrete responses to the MacCrate Report (other than setting up meetings or creating a committee or commission), please contact Peter Joy prior to January 15, 1995. He will prepare a detailed report of any responses or changes for the next Newsletter and will post it on the lawclinic listsery. Please contact:

Peter Joy Milton A. Kramer Law Clinic Case Western Reserve University School of Law 11075 East Boulevard Cleveland, OH 44106 (216) 368-2766 (216) 368-5137 FAX paj2@po.cwru.edu



CENTER ON SOCIAL WELFARE POLICY AND LAW -- Christopher Lamb (CSWPL, New York, New York)

As most clinicians are no doubt aware, under appropriations bills that have passed both houses of Congress, legal services programs will be prohibited next year from representing persons who wish to challenge any aspects of federal or state welfare reform. This restriction on legal services'

activities, of course, could not come at a worse time since both houses have also passed bills that would dismantle the federal AFDC program and replace it with block grants to the states.

The Center on Social Welfare Policy and Law, which has served as the national legal services support center for welfare issues for 29 years but will not receive LSC funds next year, is working to establish a network of attorneys who will provide representation to people harmed by new state welfare policies. With legal services lawyers out of the picture, it will be essential that several other sectors of the legal community step forward. We are therefore reaching out to non-LSC funded public interest organizations, the private bar and legal academics, both in and out of the clinics.

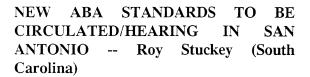
We anticipate that as states implement the new federal legislation, there will be a host of constitutional and statutory questions raised by their new policies, including issues regarding equal protection, due process and protection against unreasonable searches under both the federal constitution and state constitutions, issues arising under other provisions of state constitutions, state APA issues and issues involving federal and state worker protection and anti-discrimination statutes. We are eager to work with clinical teachers to help them identify issues of importance to welfare recipients on which their clinics could provide representation consistent with their educational objectives.

The Center plans to act as co-counsel or of counsel in cases challenging harmful new welfare policies whenever practicable. We will also facilitate communication between people working on these issues by timely disseminating information about developments by electronic and printed newsletters; by acting as a repository for information, ideas, research, pleadings and briefs; and by organizing task forces to

examine particular substantive issues. We also hope to bring together interest attorneys or clinics and welfare recipient organizations who are seeking representation for their groups or members.

In late January 1996, the Center will host a meeting in New York City of attorneys from around the country who are interested in providing assistance on these matters to strategize about welfare litigation in this new era. Persons interested in receiving invitations to that meeting should contact the Center at:

275 7th Avenue New York, NY 10001 (212) 633-6967 (212) 633-6371 hn0135@handsnet.org



The Standards Review Committee of the ABA Section of Legal Education and Admissions to the Bar is nearing the end of its multiyear project to revise the ABA's standards and interpretations for accreditation of law schools. The Committee has asked the Council of the Section to approve circulation of the proposed revisions for public comment. If the Council approves distribution during its meeting Standards December 2, the Committee will conduct a public hearing on Friday, January 5, 1996, at the Menger Hotel in San Antonio. At least one additional public hearing will be held during the ABA Midwinter Meeting in Baltimore in February.

Clinical teachers are encouraged to obtain a copy of the proposed standards and interpretations (law school distribution will probably be through your dean's office). The Standards Review Committee will receive comments in writing as well as through appearances at public hearings (submit written comments to Dean James P. White, Consultant on Legal Education to the ABA, Indiana University, 550 West North Street, Suite 350, Indianapolis, Indiana, 46202-3162). CLEA is expected to participate actively during the comment period. To determine how to become involved in CLEA's review of the proposals, contact CLEA President Jane Aiken at South Carolina: President-elect Karen Tokarz at Washington, St. Louis; or Treasurer Mark Heyrman at Chicago.



CLINICIANS WITH INTERNATIONAL TEACHING OR CONSULTING EXPERIENCE PART II

This is the second report on clinical teachers with international experience. It supplements the report which was published in the previous issue of the Newsletter. For a complete copy of the report, please contact Professor Roy T. Stuckey, U.S.C. School of Law, Columbia, SC 29208. PH: (803) 777-2278; FAX: (803) 777-2368; NET: ROY@LAW.LAW.SC.EDU. Please submit additional data to Roy on the form which follows this report. The survey now includes all clinicians who have consulted or taught in a foreign country for any reason for any length of time. This is a project of the Committee on International Aspects of Clinical Education of the AALS Section on Clinical Legal Education.

The report is divided into the following segments: Africa; Asia (including Nepal & India); Australia; Central America; Europe (including Russia); Middle East (including Egypt); North America; and South America.

AFRICA

Botswana

McKinney, Louise, Case Western Reserve Gaborone, University of Botswana

November 1988 - July 1989

Funding: foreign school, USAID

Purpose: Helped to develop clinical legal education program in all five years of LLB program. Supervised and organized in-house, live-client clinic; organized moot court program; taught seminars re: full range of legal skills; established externships during the long vacation (June - August).

Malawi

Franklin, Neil, Idaho

Zomba/Blantyne/Llangwe, University of Malawi, Malawi Law Society

January - March 1993

Funding: United States Information Service

Purpose: Consulted on establishment of a Human Rights Law Center.

South Africa

Franklin, Neil, Idaho

Capetown, Association of South African Law Clinics & Ford Foundation

April 21-23, 1995

Funding: Ford Foundation

Purpose: Helped organize and present papers at the first national clinical conference in South

Africa in 10 years.

Franklin, Neil, Idaho

Capetown, University of Western Cape

April 24-25, 1995

Funding: United States Information Service

Purpose: Organized and taught two-day Trial Advocacy workshop for public interest lawyers (Lawyers for Human Rights, Legal Resource Center, Lawyers for a Democratic Society, etc.)

Franklin, Neil, Idaho

Capetown, University of Western Cape/University of Capetown

February 1995

Funding: United States Information Service

Purpose: Lectured on case analysis and planning, interviewing, constitutional law

Meadows, Sharon, San Francisco

Capetown, University of Western Cape, Law Faculty

Summer 1994 Funding: USAID

Purpose: Taught Trial Advocacy

Franklin, Neil, Idaho

Durban, University of Natal-Durban

February - April 1989

Funding: sabbatical and United States Information Service

Purpose: Established (with Dean McQuoid - Mason) the first LLM program in trial advocacy in South Africa and taught trial advocacy workshops at University of Natal, University of Zululand and University of Bophuthatswana (now University of the Northwest).

Franklin, Neil, Idaho

Durban, University of Natal-Durban

April 1993

Funding: United States Information Service Purpose: Consulted on clinical education

Franklin, Neil, Idaho

Durban, University of Natal-Durban

March 27 - April 14, 1995

Funding: United States Information Service

Purpose: Lectured on constitutional law, clinical education, trial advocacy skills, interviewing,

case analysis and trial preparation

Franklin, Neil, Idaho

University of Zululand

April 10, 1995

Funding: United States Information Service

Purpose: Lectured on interviewing and case analysis and litigation planning

Franklin, Neil, Idaho

Pietersburg, University of the North

January and February 1989

Funding: sabbatical

Purpose: Lectured and conducted workshops on professional skills, consulting on clinical

education

Franklin, Neil, Idaho

Pietersburg, University of the North

April 1993

Funding: United States Information Service Purpose: Consulted on clinical education

Zimbabwe

Gold, Neil, Windsor, Canada University of Zimbabwe

1986

Purpose: Gave report entitled "Pursuing Excellence in Legal Education in Zimbabwe" at the

Department of Law.

ASIA

China

Friedman, Bruce, Franklin Pierce Guanghzoo, Guanghzoo Institute of Foreign Trane & Sun-Yat Sen

April - May 1990 Funding: sabbatical

Purpose: Taught American system

Hong Kong

Gold, Neil, Windsor, Canada

Hong Kong, City Polytechnic of Hong Kong

- 1) 1990-1993
- 2) 1991-1992
- 3) 1993-July 1993

Funding:

Purpose: 1) Founding Head and Professor, Professional Legal Education, City Polytechnic of Hong Kong (now City University of Hong Kong); 2) Dean and Professor, Faculty of Humanities and Social Sciences, City Polytechnic of Hong Kong (to assist in the development of new Faculty); 3) Dean and Professor, Faculty of Law, City Polytechnic of Hong Kong (to assist in the development of the new Faculty of Law).

<u>Kazakhstan</u>

Boswell, Richard, California-Hastings

October 1994

Funding: U.S. Agency for International Development - Central Asia Rule of Law Project Purpose: Visited with Justice Ministries, law professors, human rights activists and European

Community project on central Asia democracy project.

<u>Nepal</u>

Bamberger, Clinton, Maryland (emeritus)

Kathmandu, Tribhuan University

January - June 1993 Funding: Fulbright

Purpose: Wrote syllabus and materials and taught in clinical course for final year law students.

Sri Lanka

Schukoske, Jane, Baltimore

Colombo, University of Colombo November 1995 - August 1996

Funding: Fulbright

Purpose: Planning to teach environmental law.

<u>Tajikistan</u>

Boswell, Richard, California-Hastings

October 1994

Funding: U.S. Agency for International Development - Central Asia Rule of Law Project Purpose: Visited with Justice Ministries, law professors, human rights activists and European Community project on central Asia democracy project. The project also focused on consulting with the U.S. Ambassador and Tajikistan government on their election, and citizenship laws.

AUSTRALIA

<u>Australia</u>

Levy, John, William & Mary

Adelaide, University Addaide, Flinders University, University of South Australia

June 1989

Funding: USAID

Purpose: Lectured and consulted program to help celebrate the centennial of the Australian

Constitution.

Gold, Neil, Windsor, Canada

Canberra, Australian National University

1993

Purpose: External Evaluation Consultant for Quality Management and Evaluation in Teaching and Learning.

Gold, Neil, Windsor, Canada

New South Wales, St. Leonard's N.S.W.

1994

Purpose: Gave a report entitled "Quality Management in Professional Legal Education: A Proposal for Monitoring and Evaluation at the College of Law."

Gold, Neil, Windsor, Canada

New South Wales, Judicial Commission of New South Wales

1994

Purpose: Gave a report entitled "Towards a Curriculum for Continuing Judicial Education -- Establishing Judicial Competencies: Professionalisation, Quality and the Public Interest."

Gold, Neil, Windsor, Canada

Sydney, University of Technology Sydney

1994

Purpose: Was a consultant at the College of Law.

Gold, Neil, Windsor, Canada

Wollongong, University of Wollongong

1994

Purpose: Visiting Professorial Fellow at the Faculty of Law.

New Zealand

Gold, Neil, Windsor, Canada

Wellington, New Zealand Law Society

1986

Purpose: Gave a report entitled "Professional Legal Training in New Zealand."

Gold, Neil, Windsor, Canada

Institute of Professional Legal Studies

1989

Purpose: Gave a report entitled "Report on the Teaching Program of the Institute of Professional Legal Studies, New Zealand" (with Julie Macfarlane).

CENTRAL AMERICA

Guatemala

Boswell, Richard, California-Hastings

June 1995

Funding: USIA - Academic Exchange

Purpose: Visited with law professors, lawyers and students to provide them with an understanding of clinical legal education in the United States. The main focus of the visit was to develop a training program for law teachers involved in advocacy training using the new Code of Criminal Procedure which changes their judicial system from a written to oral system.

Panama

Boswell, Richard A., California-Hastings

June 1982

Funding: USIA - American Exchange Program

Purpose: Visited at the local law schools, Ministry of Justice, Public Defenders, Supreme Court and private bar association to talk about clinical legal education and legal services programs in the U.S.

EUROPE

England

Rains, Robert, Dickinson

Leicester, De Montfort University (formerly Leicester Polytechnic)

3 weeks - January 1990

Funding: sabbatical, foreign school

Purpose: Taught U.S. Constitutional Law, family law, mental health law.

Acton, Patricia N., Iowa

London, London Law Consortium

Spring Semesters 1994, 1995, 1996

Funding: Consortium schools contribute faculty salaries, and general expenses are paid through student program fees.

Purpose: Directs the program and spends each spring in London with the students; teaches in the program, including a British Externship course. The Consortium consists of eight law schools: Iowa, Indiana, Kansas, Utah, Arizona, Missouri-Columbia, Georgia, & Chicago-Kent.

Blum, Patty, California-Berkeley

Oxford, Oxford University

July, 1995 - will teach again July, 1996

Funding: U.S. co-sponsoring law school (George Washington)

Purpose: The George Washington University Law School & Oxford University co-sponsored International Human Rights Law Programme has incorporated an experiential approach in its curriculum. I taught (& will teach again) a skills-simulation course called "Human Rights Advocacy & Dissemination."

Republic of Karelia, Russian Federation

May, James, Vermont

Petrozavodsk, Petrozavodsk State University

December 5-9, 1994

Funding: Vermont/Karelia Rule of Law Project (US AID - funded)

Purpose: Was in Karelia to help establish a live-client clinic and general civil clinical program at PSU. While there I had meeting with academics, lawyers, judges, etc. and made six presentations, including five presentations on our project and American clinical method to judges, lawyers, students and faculty, and one lengthier formal lecture to students on the same subject.

Scotland

Schukoske, Jane, Baltimore Aberdeen, University of Aberdeen June - August 1991

Funding: U.B. summer program (paid as faculty)
Purpose: Taught comparative tenants rights: UK - US

<u>Spain</u>

Levy, John, William & Mary Madrid, Universitaria San Pablo Summer 1995 (4 times since 1989)

Funding: Student fees

Purpose: Supervised externships in a summer program that William & Mary runs. The program is run in conjunction with the Universitaria San Pablo.

United Kingdom

Gold, Neil, Windsor, Canada London, Bar of England and Wales 1987

Purpose: Gave a report entitled "Report on Professional Legal Education for the Bar."

MIDDLE EAST

<u>Israel</u>

Wizner, Stephen, Yale

Jerusalem, Hebrew University; Tel Aviv, Tel Aviv University; Haifa, Haifa University; Ramat Gan,

Bar-Ilan University

Fall 1992

Funding: Sabbatical, foreign school

Purpose: Taught faculty workshops at Hebrew University, Tel Aviv University, and Bar-Ilan University; taught individual classes at Hebrew University, Tel Aviv University and Haifa

University: consulted with dean at Haifa University

Wizner, Stephen, Yale Haifa, Haifa University

Fall 1995

Funding: Sabbatical, foreign school

Purpose: Co-teaching two seminars - Law & Poverty and Disability Law

NORTH AMERICA

Mexico

Lopez, Antoinette Sedillo, New Mexico Guanajuato, University of Guanajuato Summer 1993, Summer 1994

Funding: Student tuition (summer program)

Purpose: Overview of Mexican Law; Comparative Women's Rights

SOUTH AMERICA

Argentina

Gold, Neil, Windsor, Canada

Buenos Aires

1994 - Present

Purpose: Consultant for Argentina/World Bank Project, Legal Education.

Gold, Neil, Windsor, Canada

Buenos Aires, Universidad de Buenos Aires

Purpose: Gave a report entitled "Excellence in Legal Services: A Proposal for Postgraduate Education in Law" (with Sergio Le Pera).

Ecuador

Gold, Neil, Windsor, Canada

Quito

1995

Purpose: Present consultant for the Ecuador/World Bank Project, Legal Education.

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

The International Aspects of Clinical Education Committee is continuing to search for clinical teachers with international experience, including those who have taught foreign students in foreign countries, who have served as consultants on legal education, and who have taught in any capacity (including their own schools' semester abroad or foreign summer programs). Confirmed plans for future activities should also be reported. We welcome listings from Canadian members of the AALS Section on Clinical Legal Education.

If you fit any of these categories or know someone who does, please fill out this form (or report the information in any format) and send it to:

Roy Stuckey USC School of Law Columbia, SC 29208 (803) 777-2278 (803) 777-2368 FAX

NET: Roy@Law.Law.SCarolina.EDU

If you have had more than one international teaching or consulting experience, please complete multiple copies of the survey or write on the back of this form.

Your Name:	School:
Country:	
City:	
Institution:	
Duration/Dates:	
Source of Funding (circle as many as apply):	
sabbatical; foreign school; foreign governmen	t; Fulbright;
other:	-
Brief Description of Purpose (including any subje	ects taught):

MEETINGS

REPORT ON THE 10TH ANNUAL MIDWEST CLINICAL CONFERENCE: A GOOD REASON TO TEACH IN THE MIDWEST -- Marla Mitchell (Thomas M. Cooley)

I don't care that it's already blistering cold and snowing; I love teaching in the Midwest. One reason is the annual Midwest Clinical Conference, which celebrated its 10th anniversary the second weekend of October. We returned to the site of the first conference--Minnesota. The conference was jointly sponsored by William Mitchell College of Law, The University of Minnesota and Hamline University and hosted by William Mitchell.

Justice Rosalie Wahl, retired justice of the Minnesota Supreme Court, joined by Gary Palm (University of Chicago), E. Thomas Sullivan (Dean, University of Minnesota) and Carl Warren (University of Minnesota) addressed the risks and benefits of the accreditation process in light of the ABA's settlement with the Justice Department.

Two panels focused on dealing with cultural difference. The first panel focused on how to teach students to interview clients with language differences. The panel, consisting of Alicia Alvarez (DePaul University), Leticia Magdaleno (Loyola University), Alberto Benitez (Chicago-Kent) and Angela McCaffrey (Hamline) suggested ways to select and use interpreters in the client interview and court setting. The panel used vignettes from the O.J. Simpson trial to illustrate some of the problems associated with courtroom interpretation.

The second panel focused on how to teach about cultural difference. The panel, using other disciplines as a guide, explored how Clinicians can getter teach about diversity. The session was particularly lively and informative as Deborah Appleman (Carleton College), Mari An Graham (St. Thomas University), Beverly Leonard (University of Minnesota), Oliver Williams (University of Minnesota) and Mary Jo Brooks Hunter (Hamline) used a variety of teaching techniques to provide insight into this very important subject.

Technology was the topic of the final plenary session in which Al BeVier (OPM Information Systems), Mary Landsman (University of Minnesota), Tom Squire (Southern Minnesota Regional Legal Services), Laura Waterman Wittstock (Migizi Communications) considered the pros and cons of computerized clinics and the balance that must be struck between technology and old-fashioned lawyering.

In addition to the plenary sessions, CLEA hosted a lunch in which we discussed developing standards for clinical education. A Clinical Standards Committee has been formed and interested clinicians should contact mark Heyrman at the University of Chicago.

John Lank of the Department of Education was available throughout the weekend to talk with clinicians about Title IX funding. Thank you, John, for your time and support.

Last, but not least, the dinner, dancing and entertainment commemorating the last 10 years contributed to the weekend's huge success. Songwriters were David Gottlieb (University of Kansas), Ken Margolis (Case Western Reserve), Randy Schmidt (University of Chicago) and Marla Mitchell (Thomas Cooley). The songwriters were joined by performers David Battiato (University of Nebraska), Kathy Hessler (Capital University), Ann Juergens (William

Mitchell), Kimberly O'Leary (Dayton), Kara Stein (Dayton), Louise McKinney (Case Western Reserve) and Bryan Adamson (Case Western Reserve), who brought the house down in a stellar performance. Most importantly, we felt the camaraderie that sends one home renewed.



AALS ANNUAL MEETING LEGAL EDUCATORS IN A LEARNING SOCIETY SAN ANTONIO, TEXAS JANUARY 3-7, 1996

Everyone should have received a detailed program and registration packet for the AALS Annual Meeting. Clinical Section events, meetings and notes are highlighted here:

Thursday, January 4
2:00-5:00 p.m.
Section on Clinical Legal Education.
Topic: Information and Action.

This program will bring clinicians up to date on recent developments and trends in several areas which affect our work and will focus attention on the means by which to address them. These issues include the accreditation process and the impact of the consent decree between the Justice Department and the ABA, the potential loss of the Law School Clinical Experience program under Title IX, the impact on faculty diversity that is likely to result from the loss of "soft money" funding, the emerging use of technology and current thinking about the rightful place of clinical programs in law school curricula and budgets.

The focus of the meeting will be on action. There will be a one-hour plenary session in which a panel of knowledgeable facilitators will briefly summarize important information about each of these topics and put forward tentative ideas for effective "next steps." There will also be an opportunity to pursue one or two topics in concurrent small-group sessions where proposals for further action may be created and refined. It is anticipated that the results of the small group "brainstorming" will later be shared with all clinicians.

Thursday, January 4 6:30 p.m. Section on Clinical Legal Education Dinner

Through the generosity of St. Mary's Law School, dinner will be provided free of charge to all Section members. wishing to attend must make advance reservations as indicated in the Annual Meeting Pre-Registration Form. dinner will feature a keynote address by Alexander Forger, Chairman of the Legal Services Corporation. Mr. Forger will discuss the state of the Legal Services Corporation and ideas for building a closer working relationship between the Legal Services Corporation clinical and programs/law schools.

Friday, January 5 8:00 - 9:00 a.m. Breakfast Meeting. Topic: Pro Bono in the Law School.

Anyone interested (Directors, Externship Coordinators, etc.), contact Sande Buhai Pond to join a breakfast meeting; location to be arranged. Sande can be reached at:

Sande Buhai Pond Loyola Law School 919 South Albany Los Angeles, CA 90015 (213) 736-1156 SPOND@lmulaw.lmu.edu Friday, January 5 9:00 - 10:30 a.m. Section on Clinical Legal Education. Committee meetings.

All committee chairs should contact Homer La Rue concerning locations.

Friday, January 5 10:30 a.m. - 12:15 p.m. Joint Program of Sections on Clinical Legal Education and Poverty Law. Topic: Whatever Happened to the War on Poverty?

A workshop designed to generate new ideas on how to address poverty law issues in today's environment.



AMERICAN BAR ASSOCIATION FORUM ON AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT LAW BOSTON, MASSACHUSETTS MARCH 15, 1996

The focus of this special conference will be on the role of nonprofits in affordable housing development. Clinicians involved in housing and community development work will meet directly before or after the meeting to discuss some common issues affecting our teaching of these topics. More details should be available soon. Anyone interested can contact:

Janet Stearns
Affordable Housing
Development Clinic
University of Washington
School of Law
(206) 543-3434
(206) 685-2388 FAX
jstearns@u.washington.edu

1996 AALS CONFERENCE ON CLINICAL LEGAL EDUCATION MIAMI, FLORIDA MAY 18 - 22, 1996

If you have not already done so, mark your calendar for the 1996 AALS Conference on Clinical Legal Education, May 18 - 22, 1996 in Miami, Florida. The Conference will feature five short plenary sessions and related small group meetings at which participants will work on the design, implementation and evaluation of a new clinical program to be based in Miami. In addition to the plenaries and small group meetings, participants will have the opportunity to attend four different concurrent sessions covering a broad range of clinical practice topics. Further, the planning committee has build into the Conference schedule some opportunities for subject matter-related interest groups to meet and to talk about issues of common concern.

The Conference will begin on Saturday, May 18, with a new clinical teachers' workshop, which will introduce newer clinical teachers to some of the history, theory and practice of clinical legal education. Final details for the Conference will be included in the next issue of the Newsletter.

For the first time ever, the planning committee for this Conference is attempting to attract a significant number of foreign clinical law teachers to Miami to participate in the work of the Conference. If anyone knows of a foreign clinician or of an organization of foreign clinicians to whom information about the Conference should be sent, please notify the chair of the planning committee, Sandy Ogilvy (Catholic), who will get the word out.

PUBLICATIONS BY CLINICIANS

Annette R. Appell & Bruce A. Boyer (both Northwestern Univ.). Parental Rights vs. Best Interests of the Child: A False Dichotomy in the Context of Adoption. 2 Duke J. Gender Law & Policy 63 (1995).

AAA

Annette R. Appell (Northwestern Univ.). Blending Families Through Adoption, Implications for Collaborative Adoption Law & Practice. 75 B.U. Law Rev. 401 (1995).

Gordon J. Beggs (Cleveland-Marshall). Novel Expert Evidence in Federal Civil Rights Litigation. 45 Am. U. L. Rev. 1 (1995).

TTT

Isabelle R. Gunning (Southwestern). Diversity Issues in Mediation: Controlling Negative Cultural Myths. 1995 J. Dispute Resol. 55-93.

Alan Kirtley (Washington). The Mediation Privilege's Transition from Theory to Implementation: Designing a Mediation Privilege Standard to Protect Mediation Participants, the Process and the Public Interest. 1995 J. Dispute Resol. 1-53.

AAA

Stefan H. Krieger (Hofstra). Problems for Captive Ratepayers in Nonunanimous Settlements of Public Utility Rate Cases. 12 Yale J. on Reg. 257 (1995).

William Wesley Patton (Whittier) and Dr. Sara Latz. Severing Hansel from Gretel: An Analysis of Siblings' Association Rights. 48 Univ. of Miami L. Rev. 745.

William Wesley Patton (Whittier). Law Schools' Duty to Train Children's Advocates: Blueprint for an Inexpensive Experientially Based Juvenile Justice Course. 45 Juv. & Fam. Ct. J. 3.

FACULTY POSITIONS AVAILABLE

The American University, Washington College of Law, is seeking a tenure-track professor in its Clinical Program, with beginning rank to be determined by experience and qualifications. Responsibilities in the in-house clinic, liveclient clinical program include teaching a seminar component of the clinic, conducting case rounds and supervising students on their fieldwork. In addition, clinical faculty teach one course each year outside of the clinical curriculum and participate fully in all aspects of the life of the law school. Clinical faculty also are expected to engage in scholarly research and activities, as well as service to the legal profession, the law school and the university. The Washington College of Law currently has the following clinics: appellate advocacy clinic, criminal justice clinic (prosecution and defense), domestic violence clinic (criminal and civil); international human rights clinic; public interest law clinic: tax clinic; and women and the law clinic. The Clinical Program is interested in exploring possibilities for reshaping current clinics or creating new ones. The applicant's specific teaching responsibilities will depend on experience, interest and the overall needs of the clinical program.

Minimum qualifications include a J.D. degree, outstanding academic record, four years' experience as a lawyer and membership in a bar. Desired qualifications include prior experience or training as a clinical teacher, legal publications and participation in clinical teachers' conferences and workshops. The American University is an EEO/AA employer committed to a diverse faculty, staff and student body. Minority and women candidates are encouraged to apply.

Applications consisting of a curriculum vitae and cover letter should be sent to:

Robert Vaughn, Chair Faculty Appointments Committee c/o Office of the Dean The American University Washington College of Law 4400 Massachusetts Ave. NW Washington, DC 20016

California Western School of Law is seeking a visitor to teach in our externship program in the Fall of 1996 or the Spring of 1997. Responsibilities include supervising 20-25 interns and teaching two sections of our Externship Seminar. Experience teaching in externship programs is preferred. Please mail or fax your resume to:

Prof. Linda Morton California Western School of Law 225 Cedar Street San Diego, CA 92101 (619) 696-9999 FAX

The University of Dayton School of Law is seeking to fill a tenure-track position in the area of clinical education. Candidates should have a strong academic record and a

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commitment to scholarship. Experience in a law clinic environment and civil or criminal practice is desirable. Applications from minority candidates are especially encouraged.

The University of Dayton has an in-house clinic that serves indigent clients. The Law Clinic has a classroom component and students currently accept landlord-tenant, social security disability and family law cases. Currently there are two tenure-track professors who teach in the in-house clinic: Kim O'Leary and Kara Stein. The new clinical professor will teach in the in-house clinic with the other clinical faculty in a team approach. Cases are accepted based upon clinical faculty interests and educational value within the constraints of a five-credit, one-semester course. The student/teacher ratio is eight to one.

Clinical faculty traditionally teach an additional course each year after their first year at the Law School. The additional course will be based upon faculty interest and expertise in light of curricular needs. This course can include a first-year class, a seminar, another skills course, a judicial extern course or something else.

Clinical faculty are on the traditional tenure track. An active interest in scholarship is required and supported. Clinical faculty are active members of the faculty in every way.

Please forward resumes and inquiries to:

Professor Richard B. Saphire Chair, Faculty Appointments Committee University of Dayton School of Law Dayton, OH 45469-1320

Fordham University School of Law may be creating an additional tenure track faculty position with teaching responsibilities in the clinical area, to begin in the 1996-97 academic year. Possible areas of live case supervision include domestic violence. federal civil rights litigation transactionally oriented representation, including small business/not-for-profit business and tax planning. This professor's teaching would also include simulation based courses oriented toward second year students seeking skills training and preparation for live-client clinical classes in the third year. Commitment to scholarly research is essential. Three or more years of relevant practice experience and experience in clinical teaching and supervision is strongly preferred. Fordham University School of Law is an equal opportunity and affirmative action employer. To apply, send a resume by November 15, 1995, to:

Professor Dan Capra, Chair Faculty Appointments Committee Fordham University School of Law 140 West 62nd Street New York, NY 10023

Georgetown is offering 12 fellowships to work in our clinical program. Each fellowship provides a stipend of about \$29,000, lasts two years and results in an LLM. degree. Applications are due in December. For more information, contact:

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Wallace J. Mlyniec Associate Dean Georgetown Law Center 111 F Street, NW Washington, DC 20001 mlyniec@law.georgetown.edu

The University of Kentucky College of Law is establishing an Elder Law Clinic and seeks applicants for the position of Director/Clinical Professor to begin July 1, 1996 or before, depending on availability. The Elder Law Clinic will provide students with the opportunity to represent and advise senior citizens on a variety of matters including benefits, estates, guardianships. living wills, consumer fraud and landlordtenant matters. The Director/Clinical Professor will be responsible for starting this clinic as well as supervising students working on cases and teaching the Elder Law Practice Course required of those students. Director/Clinical Professor (a) must have substantial practice experience with some representation of elderly clients preferred: (b) must have administrative skills with program development experience preferred: previous clinical or practical teaching experience preferred; and (d) be admitted to practice in Kentucky or willing to sit for the bar or waive in. This a non-tenure-track multi-year contract. Contact:

Dean David Shipley University of Kentucky College of Law 209 Law Building Lexington, KY 40506-0048 (606) 257-1678

William Mitchell College of Law invites applications for tenure or tenure-track faculty positions and visiting faculty positions.

The College invites applications for a tenure or tenure-track position in its J.D. program, beginning the 1996-97 academic year. The College also invites applications for a tenure or tenure-track position to teach in its J.D. and LL.M. tax programs. This candidate

will also represent the J.D. and the LL.M. tax programs to the practicing bar.

A J.D. is required for all tenure and tenure-track positions, and an LL.M. is desirable for the position in tax. All candidates for tenure or tenure-track positions should possess outstanding academic credentials, a commitment to excellence in teaching and scholarship, strong practice experience and an interest in building a working relationship between the law school and the legal community. Both beginning and experienced faculty will be considered.

The College also invites applications for visiting faculty positions. Visitors spend one semester or one year at the College, full-time. We hope to diversify the faculty with visiting and tenure or tenure-track appointments.

The College is an equal opportunity employer. We strongly encourage women, people of color, lesbian and gay people, and members of other groups historically underrepresented in the legal profession to apply for these positions. Please contact:

Professor Melvin Goldberg, Chair Faculty Appointments Committee Room 106 William Mitchell College of Law 875 Summit Avenue St. Paul, MN 55150

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The University of San Francisco School of Law is seeking to hire an individual to join the faculty as a law professor with tenure in classification and responsibility for directing the school's new LL.M. Program for foreign lawyers in International Transactions and Comparative Law. Responsibilities include administering the LL.M. Program, administering the school's

law program in Cambodia, training and teaching Cambodian and other foreign students at USF, and teaching law school courses related to international and comparative law. Desired (not mandatory) qualifications include Asian studies or comparative law background, facility with one or more Asian languages, demonstrated scholarship or scholarship potential and excellent administrative skills. Women and minorities are strongly encouraged to apply.

Please send resume to:

Faculty Appointments Committee University of San Francisco School of Law 2130 Fulton Street San Francisco, CA 94117-1080



The University of San Francisco School of Law is seeking to fill a tenure-track faculty position. Preferred (not essential) subject areas include property and environmental law. Minorities and women are strongly encouraged to apply.

Please send resume to:

Faculty Appointments Committee University of San Francisco School of Law 2130 Fulton Street San Francisco, CA 94117-1080



The University of Tennessee College of Law invites applications for a full-time tenure-track faculty position to commence in the fall semester of 1996. The principal focus of the position is in the area of clinical teaching and lawyering skills.

A J.D. or comparable degree is required. Successful applicants must have a strong

academic background and be able to satisfy the requirements for admission to the Tennessee Bar. Substantial professional experience and/or experience in clinical and skills teaching is desirable. Candidates must also demonstrate a commitment to excellence in teaching, scholarship and service.

In furtherance of the University's and College's fundamental commitment to a diverse faculty, minority group members and women are very strongly encouraged to apply.

Send resume to:

Professor Douglas Blaze, Chair Faculty Appointments Committee University of Tennessee Legal Clinic 1534 Cumberland Avenue Knoxville, TN 37996-4070

UTK is an EEO/AA/Title IX/Section 504/ADA employer.



Willamette University College of Law has begun a search for a new Dean to begin service in the summer of 1996. Candidates must enjoy a reputation among their peers for outstanding professional achievement, scholarship and leadership. They must demonstrate superior consensus-building skills and administrative competence. Candidates must have a thorough appreciation of the role of legal education in society. Responsibilities include fund-raising and strengthening relationships with alumni and members of the practicing bar, bench and legal education communities.

Resumes must include names, addresses and telephone numbers of three references. The screening process will begin October 2, 1995. Address correspondence to:

Professor Richard F. Breen, Chair Law Dean Search Committee Willamette University College of Law 245 Winter Street SE Salem, OR 97301 (503) 370-6386 http://www.willamette.edu/ Select Academic Life, then College of Law.

Willamette University is an equal opportunity employer.



MEMBERSHIP

As has been our recent custom, this pre-AALS annual meeting issue of the Newsletter has been sent to every person who has paid Section or CLEA dues in the past few years as well as every person who has identified him/herself as a clinician in the AALS Directory. This is our largest mailing and it includes more than 1550 clinicians.

We have also included a separate printout of the information maintained about you in the Section database. Please update this information and fill in any missing information. The information is used to generate mailing labels for AALS, CLEA and other meetings and conferences. The demographic information is used for studies and for advocacy by clinicians and others. Even if the information is complete and correct, please return it to me at the address below.

If the line "Year Past Member" does not contain the year "1996," your Section dues are due for calendar year 1996. Please send a check for \$10 payable to AALS along with your completed/corrected database form to:

David F. Chavkin Associate Professor of Law Columbus School of Law Catholic University of America Cardinal Station Washington, DC 20064

If you have any questions, please call me at (202) 319-6786 or e-mail me at chavkin@law.cua.edu.



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Clinical Section Membership

Membership in the Section on Clinical Education runs from January through December.

If you wish to join the Section for calendar year 1996, please complete the Membership Questionnaire and mail it with a \$10 check (payable to AALS) to:

David F. Chavkin
Associate Professor of Law
Columbus School of Law
Catholic University of America
Washington, DC 20064

If you are currently a Section member and wish to renew your membership for 1996, complete the Questionnaire and mail it with a \$10 check (payable to AALS) to the above address.

AALS Clinical Section Membership Information Questionnaire

Last Name:
First Name:
Middle Name:
Γitle:
Name of Law School:
Name of University:
Mailing Address:
City:
State:Zip Code:
Office Telephone: () Fax Telephone: ()
INTERNET:
(over)

Graduated Law School: 19 Years Full-Time Teaching Y	Years Part-Time Teaching
I am overall director of clinical law programs at my law school: _	(Yes or No)
teaching of in which you customassy	Type of Clinic aship/In-House/Simulation)
· · · · · · · · · · · · · · · · · · ·	
Subject Matter of Non-Clinic course/s	Type of Course har/Large Classroom/Other)
What is your employment status in the law school (i.e., long-term tenured, tenure-track, clinical tenured, clinical tenure-track)?*	contract, short-term contract,
Do you work full-time or part-time (percentage if part-time)?	
Are you funded through hard or soft money (percentages if combined	ed funding)?
Salary:*	
Gender:* Race/Ethnicity:*	
Do you wish to be notified of activities targeted at clinicians of co	lor?**
Do you wish to be notified of activities targeted at lesbian/gay/bise	exual clinicians?**
Do you wish to be notified of activities targeted at women clinicia	ns?**

^{*} Salary, tenure status, gender and race/ethnicity are not released in any member-identifiable format.

^{**} This information will only be released to the applicable caucus of clinicians of color, lesbian/gay/bisexual clinicians, or women clinicians to facilitate activities approved by that caucus.