

SECTION ON CLINICAL LEGAL EDUCATION

## NEWSLETTER

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Volume 2001 Number 1  
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### MESSAGE FROM THE CHAIR

Mary Helen McNeal  
University of Montana School of Law

It's spring break at the moment. Some years it is neither, not a break and not spring, at least not here in Montana. This year, the snow is melting early, the bulbs are creeping up from under the thaw, and the vestiges of winter snows linger in the hills. Spring we have. A "break" is another subject. As I contemplate what to say here, I think of the many issues that have arisen in my life this year, and am once again reminded of the preciousness of life and the need to make every moment count.

We are blessed to be in a profession that provides us with opportunities to grow intellectually, emotionally, and in our commitments to our students, clients, institutions, and society. Most of the time, this is invigorating. Sometimes, it is all-consuming, and leaves little time for family, friends, and our communities. More and more, I ponder how to balance work and the rest of life. How do I continue to cherish

the beautiful natural environment in which I live, while meeting the demands of work, family, and friends? And, how do we help our students learn to balance these priorities? Perhaps these are the signs of an "aging clinician," but increasingly I am interested in how to help lawyers maintain healthy lifestyles, how to avoid the problems of depression and substance abuse that plague the profession, and how to do competent and rewarding work on behalf of clients while "having a life."

This issue hit me recently while finishing an article with the assistance of an energetic, responsible research assistant. As crunch-time neared, he was there. Finally, a research assistant willing to do what it takes to get the job done. After I mailed the draft and could reflect on the process, like a good clinician, I realized what a monster I was helping to create. What was I teaching him? That it was OK not to sleep? That it didn't matter how much caffeine it took to accomplish a task, as long as it was done timely? And that it was irrelevant what happens to "the rest of life" in the process? I now look back on that process with

embarrassment. Isn't there another way to be a successful professional? And how might I role-model that?

It is easy for me to tell my students to get balance in their lives, and not to neglect their family and friends for their professional goals. But, is it fair for us, as clinicians who have already achieved some measure of professional success, to suggest that our students potentially sacrifice some of their success because WE are reevaluating how we allocate our time? How do our students react to that? Should we stop them from trying to be the best? Of course, ultimately our students will make their own choices. But I think our choices influence them.

So, now that you have listened to my musings, how does this relate to the Clinical Section? There is a wealth of talent, energy, perspective and experience within our community. And, time is precious. As we contemplate how to prioritize, we can also make room for new talent within the section, and encourage more junior colleagues to take on new roles. The Section Executive Committee hopes to respond to the perception among some that the Section should be more inclusive. In selecting committee members, I have strived to involve clinicians with some experience but also folks who are new in leadership roles. Similarly, as Executive Committee members work with Committee Chairs and Co-Chairs, we are encouraging each committee to involve at least one new person in a leadership role. While this is not possible to do in all committees due to ongoing commitments, it is the goal of the Executive Committee to move new people into these positions.

One mechanism the Section already has created to honor the work of newer clinicians is the Shanara Gilbert Award. In a vote taken at the Annual Meeting, the Section decided to give an annual award to an

"emerging clinician," someone with less than 10 years experience who shows exceptional promise. This is a fabulous opportunity to recognize the work of someone who may be unfamiliar to most of us, but who is doing important work. In a similar fashion, the Section is also working to establish an award in honor of Gary Bellow. We are coordinating our efforts with Jeanne Charn of Harvard Law School, and plan to create an award that recognizes projects involving innovation and critical evaluation. We are still working on the details, and will keep you posted as this project evolves.

Here are some of the other opportunities to get involved:

- **Join a Committee.** The Section has 20 standing committees, addressing a range of issues within the clinical community. Get involved. Many of these committees will be meeting at the Clinical Conference in Montreal. Most meetings will occur on Friday, May 11<sup>th</sup> from 6-8 PM. Watch the listserv for specific postings about meeting times and locations, and the specific issues that committees are addressing. Participation on committees is an excellent place to begin your involvement in the Section.

- **Nominate yourself or someone else for a position within the Section.** This year's Nomination Committee is chaired by Odeana Neal, University of Baltimore. She will be accepting nominations for positions on the Executive Committee, for Chair-Elect, and for Section Treasurer. The deadline for nominations is September 15, 2001.

- **Work with the Mentoring Committee.** As some of you know, in the past we have paired more experienced clinicians with newer clinicians in a mentor/mentee relationship. Much mentoring happens informally within the Section, but those connections frequently depend on previous relationships, geographic proximity,

substantive similarities, or other informal connections. Executive Committee Member Calvin Pang, Hawaii, will be facilitating the efforts of the Mentoring Committee, and is seeking clinicians interested in playing a leadership role in reinvigorating the committee. Look for an announcement on the listserv. This is another great way to get involved in Section work.

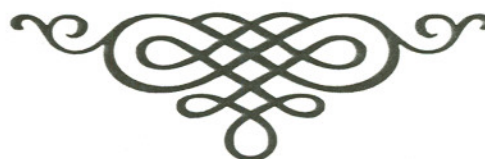
**-Participate in an upcoming conference.** In response to feedback received at the Annual Meeting, the Section hopes to be more inclusive as it plans future professional programs. Chuck Weisselberg, Chair of the Planning Committee for the 2002 Clinical Conference, is already exploring with the committee new ways of involving more and different people. The theme for that conference is "Clients as Teachers." Kate Kruse, Wisconsin, is Chair of the Annual Meeting Program, which will address pro se litigation and its alternatives, and the role of these delivery models in clinical legal education. Watch the listserv for announcements about participating in these events as the planning proceeds.

**-Send us your ideas.** Members of the Executive Committee welcome your feedback and suggestions. All of our names, phone numbers and emails are listed in this newsletter. Write to us with your ideas.

Yesterday, as I walked through the hills, the blue sky reflecting off the snow-covered ridges, I thought, what a privilege to have a "spring break." We will all remember our professional successes. But I also want to remember the times I take to enjoy those things that make me happy, whether it's the sound of the red-winged blackbirds on these spring mornings or the casual comment of a friend that touches the soul. My goal is to live in balance, enjoying our tremendous professional community and the rest of life, too. As they say, "Life is too

short to wear tight shoes."

This may be the last newsletter you receive if you are not a current member of the Section. To become a member, please fill out the membership form on pages 35-36 of this newsletter and mail it to David Chavkin. If you are unsure of your status, please contact David at the address on the form, or e-mail [dchavkin@wcl.american.edu](mailto:dchavkin@wcl.american.edu)



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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

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**Ask Kim - A column in which the newsletter editor attempts to explain the workings of the section and answer other inquiries...**

**By Kim O'Leary, Cooley Law School**

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*This is my first time editing the AALS Section on Clinical Legal Education newsletter. I want to thank my assistant, Kathleen Davidson, who shares in performing the work in producing this newsletter, and I want to thank Cooley Law School for providing resources and other support to enable me to serve as your editor. I want this to be your newsletter, so I welcome suggestions, ideas and critique.*

*I know when I first came into Clinical Legal Education in 1987 I found the workings of the AALS and the Clinic section to be somewhat confusing and mystifying. I kept feeling like I should understand how everything worked and was a little shy about asking questions until about my third or fourth year of teaching. So when I got the opportunity to publish this newsletter, I thought I would offer to **answer your questions** and provide some information about the AALS Section on Clinical Legal Education.*

**How often does the newsletter come out and how would I submit questions to you?** *The section newsletter is published in mid to late April (just prior to the May clinic conference) and late November to early December (just prior to the January Annual Meeting). CLEA, which is another organization entirely but with whom we work closely, publishes a newsletter just after the Annual Meeting and in early Fall, plus a jobs issue in the fall. If you want send in a question for the next section newsletter, send it to me by e-mail at [olearyk@cooley.edu](mailto:olearyk@cooley.edu) or regular*

*mail to Kim O'Leary, Thomas Cooley Law School, 300 S. Capitol Ave., Sixth floor, Lansing, MI 48901.*

**What exactly is the AALS Section on Clinical Legal Education and how is it different from other organizations such as CLEA and the ABA?** *The Association of American Law Schools (AALS) is an organization of law schools and it has numerous sections. Most AALS sections are based on subject matter, such as contracts, property, torts, etc. Some of the sections, however, are based on teaching methods or other topics of common interest (Section on Teaching Methods, Section on Women in Legal Education, etc.) In fact, at least four other clinicians are section chairs of other sections this year—John Barkai (ADR), Jane Murphy (Family and Juvenile Law), Kate Kruse (Litigation) and Jon Dubin (Poverty Law). Because our section - Clinical Legal Education - is a unit of the AALS, it is governed by the AALS bylaws and can only operate pursuant to those bylaws. Our section has its own bylaws, and if anyone wants a copy of them they can write to me and I will send you a copy. **CLEA** is a free-standing organization consisting of clinical educators and others who have an interest in using clinical methodology to prepare law students and lawyers for more effective law practice. Its bylaws enable it to engage in more forms of advocacy for clinical legal education. The **American Bar Association (ABA)** is the major organization of lawyers in the United States. Its Section of Legal Education and Admissions to the Bar offers free membership to law professors at ABA accredited law schools. The ABA's accreditation rules significantly affect how legal education is delivered. To learn more about the ABA*

accreditation rules, and proposed changes to those rules, see <http://www.abanet.org/legaled/home.html>. The CLEA website contains information about proposed revisions in accreditation rules and CLEA's responses to those rules. See <http://clinic.law.cuny.edu/clea/clea.html>. See other articles in this newsletter outlining how you can participate in what goes on at the policy level in each of these organizations.

**How do I get Involved in Clinic Section Activities?** The easiest and most helpful way to get involved in section business is to attend one or more committee meetings and volunteer to help with committee business. The heart of clinic section work occurs through its committee work. Often people who engage in committee work are asked to chair committees, and committee chairs are often nominated to the Executive Committee or a program committee. The committees are all listed near the end of this newsletter, and if you can't make a meeting, contact the committee chair and express your interest.

**Do I need an invitation to attend a committee meeting?** No. Other than a few specialized function committees appointed by the section Chair each year (e.g. Nominations, Awards, and Annual Program), committees consist of volunteers who show up at a January or May committee meeting uninvited. Find something that interests you and attend!

**How do I become involved in conference presentations or become a small group leader?** AALS conferences are planned a long time in advance - sometimes a year or more. Talk to the conference committee chair about what the topic is and let him or her know if you think there is a fit. The chair for the May,

2002 conference is Chuck Weisselberg (Berkeley) and the chair for the 2002 Annual Meeting is Kate Kruse (Wisconsin). If you are not selected to be a speaker, don't give up, and don't be shy about letting folks know what you are working on.

Another good way to let folks know what you are working on is to send in a short piece to this newsletter describing an interesting clinical office, teaching, project or writing idea you are engaged in. You can also volunteer to be a small group leader at a clinical conference - watch for requests or send a note to the conference chair indicating your interest.

## INFORMATION ABOUT THE 2001 MAY CLINICAL CONFERENCE IN MONTREAL CANADA

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### LAW CLINIC DIRECTOR'S WORKSHOP

May 8-9, 2001

Le Centre Sheraton Montreal  
Montreal, Canada

#### Tuesday, May 8, 2001

4:00 - 8:00 p.m.

Registration

6:00 - 8:00 p.m.

AALS Reception

Wednesday, May 9, 2001

9:00 - 10:30 a.m.

**Directing Clinical Faculties: Herding Cats through Administrative and Curricular Choices**

James Cohen, Fordham University  
Jane C. Murphy, University of Baltimore

Law schools utilize a variety of models for clinic administration. In some law schools, there is a clinical program director who directs all of the clinical offerings at the law school. In other law schools, the clinical program director only directs the in-house clinics. In other schools, there is no overall director and each director directs only the clinic in which he or she teaches. All of these models share common elements and issues, however. How important is it for clinics to share a common philosophy? How important is it for clinics to coordinate recruitment? How important are consistency and coherency? In addition, clinic directors confront common problems under each of these models. What are the tools available to "direct" other faculty members who have the same rights to academic freedom as the clinic director? This session and the follow-up small groups will provide a vehicle for addressing these issues and for sharing successful approaches and for sharing unsuccessful efforts.

10:30 - 10:45 a.m.  
Refreshment Break

10:45 a.m. - 12:15 p.m.  
**Work Group Discussions**

12:15 p.m. - 1:45 p.m.  
AALS Luncheon

2:00 - 3:30 p.m.

**Facilitating Scholarship Within Our Clinical Faculties: The Role of the Clinic Director**

Angela McCaffrey, Hamline University  
Kenneth R. Margolis, Case Western Reserve University

To the extent that scholarship (see footnote 1) by clinicians is important for internal and external reasons, what role can the clinic director play in creating an environment in which that scholarship can take place. What role can the clinic director play vis-a-vis law school administrators in freeing up clinician time to produce scholarship over summers and during the school year and in getting the resources to help move that process forward? What approaches have other law schools utilized to address these issues? What role can the clinic director play in motivating clinical faculty members to produce scholarship and in creating an intellectual/political environment in which that scholarship will be of high quality and impact?

3:30 - 3:45 p.m.  
Refreshment Break

3:45 - 5:15 p.m.  
**Work Group Discussions**



**AALS WORKSHOP ON  
CLINICAL LEGAL  
EDUCATION**

May 9-12, 2001  
Le Centre Sheraton  
Montreal, Canada

Expanding Visions of Scholarship<sup>1</sup>: Making It Happen.

*We clinicians are of an oral tradition, or at least we have been resistant to more traditional forms of scholarship. At the same time we have made enormous contributions to legal education, the practice of law and society since we began many years ago. This conference hopes to begin the process of opening doors to a more expansive view of scholarship that encompasses the many ways we learn and teach from our work. In the process we will explore strategies for building support within the academy to expand the definition of scholarship to include those projects and products that so effectively shape the law, legal education, the legal profession and the quality of justice.*

**WEDNESDAY, MAY 9, 2001**

4:00 – 6:00 p.m.

Plenary Speaker, Concurrent Session Leader, Small Group Leader and Planning Committee Review Meeting

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<sup>1</sup>(Skäl'ər-ship') n. teaching materials, videotapes, briefs, websites, legislation, stories, and even law review articles.

4:00 - 7:30 p.m.

Registration

5:30 - 7:00 p.m.

AALS Reception

**THURSDAY, MAY 10, 2001**

9:00 – 10:15 a.m.

*Welcome (1-2 minutes)*

Elliott S. Milstein, American University, and AALS Past President

***Introduction and Overview of Issues***

Richard A. Boswell, University of California, Hastings and Chair, Planning Committee for AALS Workshop on Clinical Legal Education

***Clinical Scholarship: What Is It? Should We Do It? What Should It Be? Why?***

Moderator: Isabelle R. Gunning, Southwestern University

Modern clinical education, born out of what has been called the CLEPR colony and the tumult of the 1960's, has long struggled for legitimacy within the academy. As clinicians' status and standing have improved within the legal academy we have also produced more and wide-ranging forms of scholarship. Whether we should engage in scholarship and the form that the scholarship have been the subject of much debate. It has been said that if we are unable or unwilling to memorialize what we do is it worth doing at all? This first plenary will attempt to flesh out the main issues in the debates about clinical scholarship and get us to think about "What is clinical scholarship?" and "Why should we do it?" and "Will our scholarship make us better teachers or will it detract us from our mission as clinical teachers?"

10:15 – 10:30 a.m.

Refreshment Break

10:30 a.m. - 12:00 noon  
Small Group Discussions: What Have You Done, What Do You Hope To Do?

12:00 noon - 1:45 p.m.  
**AALS Luncheon**  
Making a Record: Oral History of Clinical Legal Education  
J. P. Ogilvy, Catholic University

2:00 - 3:15 p.m.  
Concurrent Plenaries  
**Creating Scholarship to Make Us Better Teachers**  
Alice K. Dueker, Rutgers, Camden  
Peter Toll Hoffman, University of Nebraska  
Katherine R. Kruse, University of Wisconsin  
Alan M. Lerner, University of Pennsylvania  
Jane H. Aiken, Washington University, St. Louis  
Marla Mitchell, Thomas M. Cooley Law School

Clinicians often express frustration about the difficulties of creating scholarship or ambivalence about doing so. This plenary is designed to help us make the connection between how scholarship—as defined by this workshop—can inspire good teaching and how good teaching can inspire scholarship. We will use a videotape of a counseling session (shown in the first plenary and available for review throughout the morning) to brainstorm scholarship projects designed to help us develop as better clinical teachers. To ensure plenty of opportunity for discussion, this plenary will occur in five simultaneous sessions.

3:15 - 3:45 p.m.  
Refreshment Break

3:45 - 5:15 p.m.  
Small Group Discussions

5:15 - 6:30 p.m.  
**AALS Reception**

8:30 - 10:00 p.m.  
Optional Evening Sessions

**FRIDAY, MAY 11, 2001**

9:00 - 10:30 a.m.

***Plenary III***

***Creating Scholarship to Reform Legal Systems***

Barbara A. Babb, University of Baltimore  
Shin Imai, Osgoode Hall, Ontario, Canada  
Douglas L. Colbert, University of Maryland

Clinicians generate scholarship (broadly defined) for many purposes. Our teaching materials, videotapes, briefs, websites, legislation, stories, books, papers, and articles generously inform us and our non-clinical colleagues about legal doctrine, lawyering skills and values, and issues in legal education. The voices and messages within our scholarship also shape the systems in which law is practiced and justice is dispensed. This plenary will examine the ways our creative work, drawn from our experience, helps to reform and improve legal systems.

10:30 - 10:45 a.m.  
Refreshment Break

10:45 - 12:00 noon  
Small Group Discussions 3

12:00 noon - 1:45 p.m.  
AALS Luncheon



2:00 – 3:15 p.m.

Concurrent Sessions

**What Do I Have to Say: Drawing Scholarship Out of Clinical Work & Developing One's Voice**

Jon C. Dubin, Rutgers University, Newark  
Linda H. Morton, California Western School of Law

**Preserving Our Clinical Mission In The Face Of The Scholarly Imperative**

John S. Elson, Northwestern University

**Advocacy and Scholarship: Experiences with Reform Efforts and the Impact of Scholarship**

Joseph B. Tulman, University of District of Columbia  
Charles D. Weisselberg, University of California at Berkeley

Providing examples of scholarship along the continuum of law review comments to symposia to advocacy manuals and briefs, the presenters will reflect on the connection between scholarship and advocacy. They will present a range of different advocacy projects that have involved scholarship, in addition to involving litigation, organizing, drafting legislation, teaching law students, and training lawyers. The presenters will reflect upon what advocacy and scholarship was effective (and what was not) and will also ask the participants to identify areas in which they might engage in scholarship that draws from and furthers their own law reform efforts.

**Race-Linked Scholarship: Issues and Trends**

Margaret E. Montoya, University of New Mexico  
Christine Zuni Cruz, University of New Mexico

**Turning Curricular Innovations into Scholarship and Vice Versa**

Suelyn Scarnecchia, University of Michigan

**Ethics of Scholarship: Scholarship that Respects Clients, Students and their Privacy**

Nina W. Tarr, University of Illinois  
Binny Miller, American University

**Nuts & Bolts: Videotape**

Raven C. Lidman, Seattle University  
Marilyn Joan Berger, Seattle University  
Peter B. Knapp, William Mitchell College of Law

**Thinking Like a Clinician: The Pedagogy of Student Clinical Scholarship**

Alexander Scherr, University of Georgia  
Shin Imai, Osgoode Hall, Toronto

**Using Scholarship to Drive Social Justice Goals**

Ellen Yaroshefsky, Yeshiva University

**Creating Scholarship to Enhance our Teaching of Skills**

Louise E. Wenner Mc Kinney, Case Western Reserve University  
Jacqueline St. Joan, University of Denver

**Presentation of Curricular Works in Progress** (David A. Binder, University of California at Los Angeles – A Live Client Course in Deposition Questioning Strategies & Techniques; Marlana Valdez, American University – Externship Seminar: The Lawyer's Life; Cheryl L. Conner, Suffolk University – Reflective Lawyering: Peace Training for Lawyers)

Deborah A. Maranville, University of Washington

3:15 – 3:30 p.m.

Refreshment Break

3:30 - 5:00 p.m.

Concurrent Sessions

**Making Space for Scholarship**

Katherine R. Kruse, University of Wisconsin  
April Land, U. of New Mexico

Frank Askin, Rutgers University, Newark

Paul Cain, University of Denver – Director of  
Externship/Internship (303) 871-6350  
(pcain@mail.law.du.edu)

Sande Buhai, Loyola Law School

John F. Erbes, Southern Illinois University

**Clinical Scholarship: What Is It and What  
Is Its Place at the Academy's Table?**

Peter Joy, Washington University

Susan L. Brooks, Vanderbilt University

**Nuts & Bolts: Empirical Studies**

Jonathon M. Hyman, Rutgers University,  
Newark Ian S. Weinstein, Fordham University

**Scholarship From the Heart: Risk Taking  
& Personal Commitment**

Carol L. Izumi, George Washington  
University

Paula C. Johnson, Syracuse University

Carol M. Suzuki, University of the District of  
Columbia

**Feminist Clinical Scholarship: Issues and  
Trends**

Leslie G. Espinoza, Boston College

Phyllis Goldfarb, Boston College

**Traditional Law Review Articles: How to  
develop a piece that  
makes a contribution and is accepted  
within the academy.**

Minna J. Kotkin, Brooklyn Law School

Peter Margulies, St. Thomas University

**Nuts & Bolts & Benefits of Collaboration  
in Scholarship**

Karen L. Tokarz, Washington University

Susan J. Bryant, CUNY School of Law)

**Law School Policies that Support  
Scholarship & Value Varieties of  
Scholarship: Developing a Model**

Vanessa Merton, Pace University

**Roundtable on Directions in Canadian  
Clinical Scholarship**

Rose Voyvodic, Windsor Law School

Claire McNeil, Dalhousie Law School

Shin Imai, Osgoode Hall Law School,  
Ontario, Canada

**Presentation of Paper Works in Progress**

(Cynthia Dennis, Rutgers University,  
Newark – “Rethinking Contemporary  
Maternal Dilemmas”; Harriet N. Katz,  
Rutgers University, Camden & Cynthia Batt,  
Temple University – “Confronting Students:  
Assuring effective evaluation of student  
professional development in the fieldwork  
setting”, Jane H. Aiken, Washington  
University & Stephen Wizner, Yale Law  
School – “Law as Social Work”)

Isabelle R. Gunning, Southwestern  
University

Ann E. Juergens, William Mitchell College  
of Law

6:00 - 8:00 p.m.

Clinical Section Committee  
Meetings- Watch for signs detailing which  
committees will meet and specific times and  
room numbers.

**SATURDAY, MAY 12, 2001**

9:00 - 11:00 a.m.

***Plenary IV: Creating Scholarship to  
Advance Social Justice***

Bill Ong Hing, Davis, Pauline T. Kim,

Washington University, St. Louis,  
Antoinette Sedillo Lopez, New Mexico,  
Barry C. Scheck, Yeshiva

The debate over whether the pen or the sword is more effective in making social change has raged for centuries. The purposes of this plenary are to convey the importance of making a record of what we do to advance social justice, and to explore the opportunities for and challenges of bringing that scholarship to fruition.

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## COMMITTEE REPORTS

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### EXTERNSHIP

Marlana Valdez and Fran Catania

The AALS Externship Committee met at the Annual Meeting in San Francisco to discuss activities for the coming year, and with over 25 externship faculty in attendance, we were able to develop a fairly ambitious agenda. The overwhelming sentiment of the group was that we need more opportunities to communicate regarding the unique issues encountered in externship work. Upcoming conference and workshop opportunities include:

(1) AALS Clinical Conference (May 9-12, Montreal) - On Thursday, May 10, from 6:30 - 8:30 p.m., we are scheduling a special program for externship faculty on "Managing Difficult Field Placement Issues." Panelists will address an array of workplace issues from the mundane (incompetent field supervision) to the dramatic (sexual harassment). The format will be informal with plenty of time for discussion, and dinner will be provided. Watch the Clinic and Externship Listservs for details.

(2) CLEA New Clinicians Conference (May 9, Montreal) - This conference for those beginning clinical work will offer a "nuts and bolts" session on externship programs. In connection with the New Clinicians Conference, we would like to locate experienced externship faculty who would be willing to serve as mentors to new faculty - names of those interested in finding a mentor and those agreeable to serving at the Conference or contact Marlana Valdez (mvaldez@wcl.american.edu). Thanks to those of you who have already volunteered.

(3) We are exploring a full-day externship conference on the day preceding the May, 2002 Clinical Conference. If you are interested in working to organize this conference, contact Mary Jo Eyster (MEYSTER@pcm.brooklaw.edu) or Marlana Valdez.

(4) Catholic University is in the preliminary stages of considering repeating its highly successful 1998 externship conference. This conference would be held in the spring of 2003. We'll keep you updated as we hear more.

In addition to conference/workshop opportunities, we considered other ways to facilitate sharing of information and ideas. Fran Catania is co-chairing a subcommittee to develop on-line links to course syllabi and teaching materials, program manuals, Internet classroom sites, and the like. He'll be exploring with CLEA the possibility of using the CLEA website as a base -- externship faculty could visit the website to locate links to colleagues' materials. Before moving too far into this project, Fran would like to hear from externship faculty and has asked if you would e-mail him with answers to the following questions:

- (1) Do you think it would be helpful for you to have access to any of the above from other externship faculty?
- (2) Would you be willing to share any or all of the above with other externship teachers?
- (3) What, if any, concerns do you have about such sharing?
- (4) What suggestions do you have for setting up such an arrangement?

**Please contact Fran**

(francis.j.catania@law.widener.edu) with answers to these questions or if you're interested in assisting on this project.

Larry Krieger also agreed to investigate supplementing the LEXTERN listserv with a discussion board which would allow us to archive discussion topics. If you would like to work with Larry on this project, contact him at Lkrieger@law.fsu.edu. And if you haven't already subscribed to the externship listserv, you can do so by sending an e-mail to listserv@lists.cua.edu. The text of the e-mail should say "Subscribe LEXTERN.."

The other major issue discussed at the meeting was working conditions for externship faculty and administrators. Many expressed concern that they are working in less than ideal environments, supervising large numbers of students and carrying heavy teaching loads frequently with neither a faculty appointment nor any type of job security. The Committee would be interested in beginning to systematically examine the status of externship faculty and administrators as well as to track possible weakening of externship programs in response to the ABA Standard revisions last year. As a first step, this project might involve development of a questionnaire regarding externship faculty status and workload issues. If you are interested in working on this subcommittee, contact Marlana Valdez.

We have a busy year planned and need your ideas, energy, and hard work. Please volunteer to get involved with the Committee - it's a great way to learn more and to get to know your colleagues around the country.

**INTERDISCIPLINARY CLINICAL EDUCATION**

Susan Brooks & Monica Mahen

Our committee met at the AALS Meeting in San Francisco. We were joined by Jeff Selbin and Stacy Brustin, who co-chair the Committee on Ethics and Professionalism. Both committees are interested in interdisciplinary issues, and particularly, in the ethical issues raised by interdisciplinary collaborations. We discussed several projects we would like to pursue as a committee. First, we want to keep abreast of developments within the states and within other areas of the bar (such as the ABA) related to interdisciplinary or multidisciplinary practice.

Second, we want to update our information on clinical programs with an interdisciplinary component. I have placed several queries on the listserv to try to collect and update this information. If anyone has new or updated information to share, please send it to me at:

[susan.brooks@law.vanderbilt.edu](mailto:susan.brooks@law.vanderbilt.edu)

Third, we began discussing the idea of a workshop or symposium of some kind focused on ethical issues related to interdisciplinary or multidisciplinary practice in the clinical context. We would like to explore the possibility of a law school or law review

hosting such a workshop. If anyone is interested in helping to organize such an event or if you think your institution might be interested in hosting it, please contact me. I also hope those who are interested in this committee's activities will join us for our meeting in Montreal (place and time TBA).

#### **JOINT SECTION - ABA UPDATE**

J.L. Pottenger, Jr.

The AALS Section-CLEA Joint Working Group (or whatever our official moniker is these days) will convene an open discussion session regarding "ABA Relations" – including particularly Accreditation and Standards – during the Montreal meeting. Besides bird-dogging current accreditation site visits, we hope to hear your views on proposed revisions to the ABA Standards (301 & 302) addressing law school curriculum. For example, should clinical training opportunities be available to all law students? Must they be? Indeed, ought clinic be required for graduation? CLEA is working on drafts of some proposed amendments, primarily addressing the issue of 'universal access' to clinical training, and needs feedback from clinicians on how best to proceed on this important issue.

As always (it seems), changes to Standard 405 also are on the table. But, for a change, clinical teachers likely would benefit from what the Standards Review Committee has proposed. Thus, Interpretation 405-6 would be clarified, to ensure that only changes to a law school's "entire" clinical program (and not just abolition of a single clinic) might justify tinkering with a clinical teacher's job security. Proposed changes affecting

legal writing instructors also have been proposed, and will be discussed in Montreal.

The ABA Annual Meeting [Chicago, early August] will feature what is fast becoming an annual CLEA Workshop, coordinated with the ABA Section of Legal Education business meeting (Saturday afternoon, August 4, 2001). Plan your summer vacation around a trip to the Windy City; a baseball excursion will be arranged.

#### **INTEGRATION OF CLINICAL EDUCATION INTO THE TRADITIONAL CURRICULUM**

Kathy Hessler

Dissatisfied with the divisions between clinical and other components of your school and its curriculum? The Integration Committee will be meeting in Montreal and hopes anyone interested will join us to discuss the possibilities for integration of programs, curricula, and language among all aspects of legal education. Also, the Integration Committee is pleased to announce its new co-chair - Lisa Brodoff (Seattle U.)!

#### **AWARDS**

Randi Mandelbaum

The Awards Committee is now accepting nominations for the William Pincus Award, which will be given out at the Annual Meeting in January 2002.

Criteria for the William Pincus Award are scholarship, program design and implementation, or other activity beneficial to clinical education or to the advancement of justice.

Nominations for the Pincus Award

shall be received no later than October 15, 2001. It would be helpful to the committee if you could send a brief statement outlining why you think your suggested candidate should receive the award.

Members of the Awards Committee are Randi Mandelbaum, chair (Rutgers-Newark), Grady Jessup (North Carolina Central), Jackie St. Joan (Denver), Monica Schurtman (Idaho), and Randy Stone (Chicago).

Please send your nominations by e-mail or regular mail to:

Randi Mandelbaum  
Child Advocacy Center  
Rutgers University School of Law -  
Newark  
123 Washington Street  
Newark, New Jersey 07102  
RMandelbaum@kinoy.rutgers.edu  
(973) 353-3271  
(973) 353-3397 (FAX)

## INTERNATIONAL

Roy Stuckey

Many thanks to **Kate Mahern**, Creighton, for agreeing to serve as co-chair of the International Committee. Also, kudos to Kate who was installed on March 30, 2001, as the first chairholder of the Connie Kearney Endowed Chair in Clinical Legal Education in the Creighton University School of Law. I guess we'll be expected to call her Catherine now.

The International Committee is facilitating a discussion about the possibility of creating an **international journal on clinical education** that would be published electronically. The idea arose during the committee's meeting at

the AALS Annual Meeting in San Francisco as a way to enhance the sharing of information on a global basis. The committee used various listservs to solicit reactions to the proposal, and the responses were universally positive. Two decisions have been made. The first decision is that a **drafting committee** will prepare a more detailed proposal for discussion. Volunteers for the committee, to date, include: **Ion Georgescu, University of Bucharest; Les McCrimmon, University of Sydney; Ken Gallant, University of Arkansas at Little Rock; Margaret Barry, Catholic University**, and myself. Please let me know if you want to help.  
[Roy@law.law.sc.edu](mailto:Roy@law.law.sc.edu)

The second decision is to conduct discussions concerning issues about the proposed e-journal on the GAJE listserv. To subscribe to the GAJE listserv, send a message to [owner-gaje@list.vanderbilt.edu](mailto:owner-gaje@list.vanderbilt.edu) asking (on the subject line or in the text) to be added to the list. The committee anticipates that the question of whether to actually create the e-journal will be debated during the **GAJE conference in Durban, South Africa, in early December.**

Speaking of conferences, by the time you read this the **first Central American Clinical Teachers Conference** will be over. The conference was held in San Salvador on March 29-31. It was planned in part by **Betsy Fuller**, Syracuse, and **Alicia Alvarez**, DePaul, who are teaching this year in **El Salvador** at the Universidad Tecnologica and the Universidad Nacional, respectively. Hopefully, Betsy and Alicia will submit a report on the conference and their other experiences in El Salvador for the next Newsletter.

The following information was reported in the Fall, 2000, edition of the Columbia Law School Report about the international work of some members of the Columbia faculty. **Carol Liebman** spent part of her summer in **China**, helping set up a mediation clinic at Qinghua University in **Beijing** and helping create a legal aid clinic at the South Central University of Political Science and law in **Wuhan**.

Columbia's Public Interest Law Initiative (PILI), along with the Budapest-based Constitutional and Legal Policy Institute (COLPI), hosted the Third Annual Colloquium on Clinical Legal Education in **Sofia and Varna, Bulgaria**, from June 25-30, 2000. **Barbara Shatz** served as a resource person for the colloquium. Smaller sub-regional workshops were being planned for several countries during the fall and spring. **Philip Gentry** and **Ed Rekosh** traveled to Bulgaria last spring to develop a role-play exercise with students and faculty of Plovdiv University that was the subject of one day of the colloquium program. It was distributed to all participants for use in their respective clinics back home. PILI was awarded a \$100,000 grant from the Mott Foundation to launch a two-year project to support the development of university-based, non-governmental organization clinics in Central and Eastern Europe. For more information about PILI, access its web site at [www.pili.org](http://www.pili.org).

**Marcia Levy** is on leave from Rutgers. She is working as associate director of PILI at Columbia on clinical legal education issues in Central and Eastern Europe and Russia. Marsha spent five months in **Russia** last year as an ABA CEELI clinical law specialist.

**Margaret Woo**, Northeastern,

earned more than her share of frequent flyer miles during the past couple of years. In 1999, she received a National Science Foundation Grant to study how ordinary litigants bring cases in the civil courts of China. She interviewed litigants, lawyers, and judges in **Shanghai and Beijing**. In 2000, she traveled to **China** as part of an official delegation of federal judges for exchanges on the civil litigation process. The trip was organized by the National Committee on U.S. China Relations. In July, 2000, she used a Ford Foundation grant to present a two week series of lectures on American civil procedure at Renmin (People's) University in Beijing.

**Sue Bentsch**, St. Mary's, is also well-acquainted with international air terminals. From September, 1999, to August, 2000, Sue developed a legal ethics curriculum for the new Riga Graduate School of Law in **Riga, Latvia**. The new school is being funded by the Soros Foundation. Sue was supported by a Fulbright scholarship. She also worked with the University of Latvia's new law clinic, presented a workshop at the Refugee Clinics' Summer Seminar organized by the United Nations High Commission, and consulted with the law clinics at Liviv National University and Liviv Academy of Commerce in **Ukraine**. She did not stop there. She returned to Latvia to continued working on the ethics curriculum project in November-December, 2000, March, 2001, and May, 2001. This summer (2001), she will teach Internationalization of the Legal Profession in St. Mary's summer program in **Innsbruck, Austria**.

**Terry Wright**, Lewis & Clark, also visited **Riga, Latvia** to provide training for clinicians in the new clinical program

at the University of Latvia law faculty. She was there in October, 1999.

**Connie de la Vega**, University of San Francisco, taught International Human Rights Law at Charles University, in **Prague, Czech Republic** in July and August, 2000.

**Bob Golten**, University of Denver, traveled to **Baku, Azerbaijan** in August - September, 2000, to help the University of Azerbaijan faculty of law establish a legal aid clinic on women's rights and for criminal defendants. His trip was sponsored by ABA CEELI.

ABA CEELI also sent **Neil Franklin**, Idaho, to spend one week during February-March, 1999, in **Lake Bogoria, Kenya** consulting with law faculty at the University of Nairobi on curriculum reform and law school administration. If anyone is going to **Nigeria** during 2001, you may want to see **Henry Ramsey, Jr.**, former Dean at Howard, former California judge, former Chair of the ABA Section of Legal Education and Admissions to the Bar, and a good friend of clinical education. Dean Ramsey is a long-term consultant with the National Center for State Courts (Arlington, VA) working as Chief of Party on a USAID-funded Rule of Law Project in Nigeria. I think his e-mail address is still [Hramseyjr@aol.com](mailto:Hramseyjr@aol.com).

Rumor has it that **Jane Schukoske**, Baltimore, is in **India**; **Jane Aiken**, Washington, St. Louis, is in **Nepal**; and **Frank Bloch**, Vanderbilt, is preparing to go somewhere soon, but none of these folks gave me anything in writing, so I cannot provide any details. Although neither **David Gottlieb**, Kansas, nor **Rod Uphoff**, Oklahoma, wrote anything to me, either, Rod told me that he and David taught cross examination techniques to

prosecuting attorneys in **Istanbul, Turkey**, either during the summer or fall of 2000. According to Rod, cross examination is an unknown art form in Turkey. That is, of course, before Rod and Dave showed up.

Please let me know if I left out anyone. If you have not previously reported your overseas work to me, no matter how long ago it was, please do so using the form in this Newsletter. I will continue to report recent activities in this column, and the data from the forms I receive is compiled and posted on the University of South Carolina Law School's web site. To access it, go to <http://www.law.sc> then click on clinics and look for my compilation.

## NOMINATIONS

Odeana Neal

### Nominations Requested

The Executive Committee of the AALS Section on Clinical Legal Education is seeking nominations for two members of the section's Executive Committee, the 2002 Chair-Elect (to serve as chair in 2003), and the Treasurer. Any section member who teaches full-time at an AALS member school may be nominated, and people should feel free to nominate themselves. The Nominations Committee, chaired by Odeana Neal, will select a slate in the late fall and will present it to the section membership for elections at the January, 2002 Annual Meeting.

### Executive Committee

Executive Committee members are elected for three-year terms, and two are elected each year. According to section bylaws, the Nominations Committee should "strive to have the executive committee reflect the



different geographical regions, different clinical program types and different genders and ethnic and racial backgrounds within the section membership." The Executive Committee oversees the more than twenty standing committees of the section, discusses section policies that arise between annual meetings, reviews and approves proposed expenditures of section income and makes recommendations to the AALS Standing Committee on Clinical Legal Education and the AALS Executive Committee about policies affecting clinical legal education.

#### **Chair-Elect**

The 2002 Chair-Elect will work with Carol Izumi and the Executive Committee and serve as Chair of the section in 2003. The chair presides at section and Executive Committee meetings and appoints committee chairs and special committee members.

#### **Treasurer**

The Treasurer takes in section dues and assists the Chair by providing data for the section budget. The treasurer is appointed by the Chair. The section's long-serving treasurer, David Chavkin, has asked to step down. The Chair, Mary Helen McNeal, has asked the Nominations Committee to help find a new treasurer.

**To make a nomination for any of these positions, please send an e-mail or letter to Odeana Neal, Chair, Nominations Committee, Universtiy of Baltimore, 1420 N. Charles St., Baltimore, MD 21201, ONeal@ubmail.ubalt.edu by September 15, 2001.**

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## **ANNOUNCEMENTS**

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### **The Thomas Cooley Law School in Lansing, MI will be hosting the Midwest Clinical Teachers Conference October 11-14, 2001.**

In conjunction with Gerry Spence's Trial Lawyers College teaching staff, the conference is being designed to teach clinical faculty the skill methods developed at TLC since its inception in 1994. TLC staff, including Mr. Spence, two certified psychodramatists, and several practicing trial lawyers will be present to teach at the conference.

The TLC action methods incorporate psychodramatic techniques such as role reversal, soliloquy and doubling. They will help us understand ourselves, our students, our clients and our cases in new and different ways. Participants will practice the methods in action in their small groups. Everyone can expect to learn techniques that can be applied in supervision, classroom teaching, case preparation, trial skills training and in court.

If you have any questions about the conference, contact Marj Russell at (517) 371-5140 or email her at [russellm@cooley.edu](mailto:russellm@cooley.edu).

We look forward to seeing you in Lansing!

### **Revised Czapanskiy Bibliography of Clinical Legal Education materials is now available**

Sandy Ogilvy

The revised Czapanskiy Bibliography of Clinical Legal Education materials is now available, the link is <http://www.law.umaryland.edu/faculty/czapanskiy.asp> This link gets you to Karen Czapanskiy's web page. Just click on "Clinical Education: An Annotated

Bibliography” and you will get a PDF version of the bibliography. You will need an Adobe Acrobat Reader, but it is free from [www.Acrobat.com](http://www.Acrobat.com), if your system doesn't already have one installed.

Maggi Smith from Information Services at the University of Maryland School of Law, who posted the bibliography to their web site says, “What’s nice about it being in a .pdf, is that the advanced search features in Adobe Acrobat Reader make it nice for searching within large documents such as this one.”

I will continue to look for a web-based, bibliographic database program for the bibliography, but I think this format is a good solution in the interim.

The bibliography continues to be a “work in progress.” I am committed to keeping it updated for the near futures. Please let me know if you note any errors that should be corrected. Also, please let me know of any articles and books that you believe should be added to the bibliography. If you have written something you would like to have added, please send me a brief synopsis to expedite the process.

I expect to prepare a print version of the revised bibliography, which will be published by The Clinical Law Review in 2001. The print version will be more compact than the PDF version and will contain updates through 2000.

Finally, I want to thank Kim O’Leary and Antoinette Sedillo Lopez, chairs of the AALS Section on Clinical Legal Education during the time that I have been working on the Bibliography, for the financial support from the Section that enabled me to hire research assistants to shoulder much of the work. See the introduction to the revised bibliography for the names of the students and support staff at Columbus School of Law who have worked on the bibliography with me.

## Call for Articles-

### *Thomas M. Cooley Journal of Practical and Clinical Law . . . .*

Joe Mirarchi, Co-Editor in Chief

Interested in publishing in a journal that addresses the needs of practicing lawyers? The *Law Journal* is an exceptional legal publication that is only four years old. The *Law Journal* publishes three times a year. Its founding goals embody the spirit of former Michigan Supreme Court Justice Thomas MacIntyre Cooley: to promote a practical legal education. In expanding this goal, the *Law Journal* covers evolving trends within the law. Volume 4, Issue 1 is now being released to our nationwide list of subscribers. Articles in this upcoming edition include: Brian Gallagher’s *The Rights of the People . . . . The Exclusionary Rule in Child Abuse Litigation*; Mark Dotson’s *Restatement Third and Prescription Drug Liability: A Tough Pill to Swallow or Business as Usual?*; Lawrence Obin’s *The Nonsensical Statutory Interpretation of Mich Comp. Laws § 750.415: People v. Venticinque*; Joshua Penrod’s *Refusing to Torture the Ancient Doctrine of Trespass: Kernen v. Homestead Development Co.*; and John Stark’s *A New Mandate for the Expansion of the Rights of the Mentally Ill: Olmstead v. Zimring and its Further Exposition of the Americans with Disabilities Act*.

Coinciding with this release, the *Law Journal* is also pleased to announce that Volume 4, Issue 2 of the *Law Journal* will be released by late Spring or early Summer of this year. The lead article is written by Cooley Law School’s Kimberly O’Leary. The title is *When Context Matters: How to Choose an Appropriate Client Counseling Model*. Additionally, Professor Robert L. Siebel of the City University of New York (CUNY) is publishing the top four results of

CLEA's creative writing contest.

In a future issue, the *Law Journal* will publish clinical teacher Terry Cavanaugh's piece, *Governmental Land Boundaries in Michigan*. In this article, Cavanaugh discusses the history and current issues surrounding governmental land boundaries in Michigan, as they relate to an attorney's proper handling of a case. The Journal will also publish Joseph A. Barrette, (Syracuse), *Self Awareness: The Missing Piece in the Experimental Learning Puzzle*. His article adds an enlightened perspective on how a person's awareness of self being can add to the success of learning and practicing the law. The projected publication date is by this year's end.

Because it seeks unique perspectives, the *Law Journal* welcomes your article submission on a practical matter in the law or on the clinical teaching of it. Please feel free to make your submission as follows:

1. Submit a cover letter and manuscript with the text double spaced to Editors-in-Chief *The Thomas M. Cooley Journal of Practical and Clinical Law* 217 South Capitol Avenue, Lansing, MI 48933;
2. Prepare your manuscript in WordPerfect 8.0 software;
3. Make sure all citations are in footnote format rather than endnotes; and
4. Be ready to provide a 3½ inch disk copy of your manuscript in WordPerfect 8.0 software, if your article is accepted. For your reference, subscription information to the *Law Journal*, is as follows:

1. The cost of a yearly subscription is \$35.00. This rate covers the cost of three issues.
2. Individual copies are available for \$12.00.
3. Subscriptions are renewed automatically unless a notice of discontinuance is received.
4. Any inquiries and changes of address can

be made to the Business Editor.

Would you like to learn more about the *Law Journal*? Please feel free to contact us at 517-371-5140, extension 4505, or email the *Law Journal* at [LawJournal@Cooley.EDU](mailto:LawJournal@Cooley.EDU)  
Thanks.

**Stephan Anagnost from United Nations High Commissioner for Refugees Available for Discussion at May Conference**

The International Committee will meet on Friday, May 11 to discuss creating partnerships between clinical programs at US law schools and those in Eastern Europe. Stephan Anagnost from the United Nations High Commissioner for Refugees will be attending the conference. Michele Pistone (Villanova) has been working with him for some time on trying to create such partnerships and she will lead a discussion with Mr. Anagnost at the committee meeting. Watch for signs at the conference announcing the time and specific location of the meeting.

**May 2002 Clinical Conference—Call for Proposals**

Chuck Weisselberg

The AALS has approved the Clinical Section's request for a conference in May 2002. The theme of the conference is "Clients as Teachers." As described in the Clinical Section's proposal,

"[the] conference will focus on the role of clients in educating law students and clinicians, and in assisting us in refining educational goals and the role of the lawyer in a world of scarce resources and expanding technology. General themes that the conference will address include client involvement in the teaching agenda, client

perspectives on the role of the lawyer, and new or reconfigured skills for assisting clients . . . ."

The Planning Committee for the conference is soliciting proposals for conference sessions and presenters. Please note that our committee is seeking proposals for next year's conference in May 2002; a different committee is planning this May's clinical workshop in Toronto.

A conference typically includes plenary, concurrent and small group sessions. Whether you have an idea for a plenary session, a series of concurrent sessions or just a single small group meeting, we can really use your input. We also welcome ideas that do not fall within this usual structure, whatever those ideas might be. We would like to open the conference to a wide array of ideas.

In addition, we invite you to suggest speakers and leaders for the conference sessions. We would like to draw widely from the community of teachers and practitioners, and we hope that you will help us broaden the pool of potential presenters. If you do suggest speakers and leaders, we ask that you strive for diversity in gender, race, ethnicity, viewpoint, and school. Also, because our committee members are unlikely to know all of the proposed presenters, it would be most helpful if you can include a brief reason why you are proposing a particular speaker. It would be terrific to know, for example, if you have seen that person teach, speak or practice, or if you have read her work.

While we would hope to receive proposals that are related to the conference's overall theme, there is also room for other sessions. Please feel free to suggest programs that will further the professional development of clinical faculty, even if they are not related to "Clients as Teachers." If you have already

sent us a proposal, you do not need to resubmit it.

The Planning Committee expects to meet in early June. It would be most helpful to receive your proposals by the end of May. Proposals may be sent to Chuck Weisselberg by email [cweissel@law.berkeley.edu](mailto:cweissel@law.berkeley.edu) or regular mail U.C. Berkeley, Boalt Hall, Berkeley, CA 94720-7200), or to any other member of the Planning Committee. If you submit a proposal by regular mail, please also include a diskette with a file in Word or WordPerfect. The Planning Committee will also convene a session at the May 2001 Clinical Workshop in Toronto, to discuss the 2002 conference and solicit your views.

Thanks so very much. We look forward to hearing from you. Please feel free to contact any of the members of the Planning Committee with any questions.

John Barkai ([barkai@hawaii.edu](mailto:barkai@hawaii.edu))

David Chavkin

([dchavkin@wcl.american.edu](mailto:dchavkin@wcl.american.edu))

Kathy Hessler ([kmh25@po.cwru.edu](mailto:kmh25@po.cwru.edu))

Shauna Marshall ([marshall@uchastings.edu](mailto:marshall@uchastings.edu))

## Montana Starts Land Use Clinic

The University of Montana School of Law inaugurated an in-house Land Use Clinic in the fall of 2000. Initiated and taught by tenured Professor John Horwich, the clinic is currently providing services to local governments in western Montana and to a state-wide smart growth coalition. Services include assistance in long-range planning efforts and the development of growth management plans, ordinance and legislation drafting, and research and advice on specific land use issues. This project is particularly timely, given the unprecedented growth in western Montana in the last decade. Professor Horwich, whose specialty is environmental law, also teaches a Land Use

Planning course and hopes to add an interdisciplinary dimension to the clinic, incorporating geography and environmental studies students as well. For more information, contact John Horwich at [horwich@selway.umt.edu](mailto:horwich@selway.umt.edu)

**CLEA WILL HOLD ITS THIRD ANNUAL SUMMER WORKSHOP IN CHICAGO ON AUGUST 4, 2001.**

In the effort to continue working with the ABA Section on Legal Education and Admissions to the Bar, CLEA will sponsor a workshop in August in Chicago to coincide with the ABA's Annual Meeting there. CLEA's workshop will be held for the 1/2 day preceding the ABA Section's program and meeting. CLEA hopes to attract clinicians to its Workshop and thus, to encourage participation in the ABA Section's program and attendance at the Business meeting. CLEA and the ABA Section leadership have forged a cooperative relationship over the last few years, culminating in a mutually beneficial relationship for site visits and ABA accreditation standard development. The CLEA board continues to believe that continued presence and participation at the ABA summer meetings is one key component to the on-going cooperation and recognition for clinical faculty. CLEA will announce more details about time, location and workshop content at the May conference in Montreal, and on the listserve. Save the date and hope to see you there!

**COMMITTEE MEETINGS**

Section Committees will meet in Montreal on Friday, May 11 from 6-8 pm. Watch for signs at the conference displaying which committees will meet, where & when. At press time, the following committees have definitely arranged to

meet:

Political Interference Group (PIG) - 6pm  
Clinicians of Color - 6pm  
Externships - 7pm  
International - Time TBA  
Planning Committee for 2002 6-8pm

**ANNUAL MEETING PROGRAM TO FOCUS ON THE ROLE OF PRO SE IN CLINICAL LEGAL EDUCATION**

The Section on Clinical Legal Education will be sponsoring a program at the Annual Meeting in 2002 on pro se litigation and other alternative delivery models, and their role in clinical legal education. This session will be co-sponsored by the Litigation and Poverty Sections of the AALS. The Chair of the Planning Committee for this event is Kate Kruse, Wisconsin. Watch the listserve for more information soon. If you have suggestions for the program, please send them to Kate at [krkuse@facstaff.wisc.edu](mailto:krkuse@facstaff.wisc.edu).

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**AMONG US**

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*Susan Kay* has been appointed Assistant Dean for Clinical Education at Vanderbilt, effective July 1, 2001. She will be succeeding *Frank Bloch*. Frank is stepping down as the director of the clinical program after 22 years.

As of July 1, *Ascanio Piomelli* will be an Assistant Clinical Professor of Law, a tenure-track position at Hastings.

Ascanio has been a Clinical Attorney in the Civil Justice Clinic since its inception eight years ago. His superb, thought-provoking article entitled "Appreciating Collaborative Lawyering" appeared in the Spring 2000 issue of the

Clinical Law Review. Ascanio is an outstanding colleague, teacher and scholar.

Hastings will be posting shortly an announcement regarding hiring for the Clinical Attorney position, which is a long-term contract teaching position within the Civil Justice Clinic.

Boston College Law School is about to welcome *Carwina Weng* to its clinical faculty. Carwina has been in the Family Law Unit of Greater Boston Legal Services for several years. Before joining GBLS, Carwina taught at Florida Coastal School of Law for three years. *Nancy Morawetz*, Carwina's clinical supervisor at NYU, was and is a primary source of her aspiration toward a career in clinical teaching.

*Cathryn Stewart* served as the principal investigator on a study by the Texas Appleseed Fair Defense Project examining the provision of counsel in Texas to indigent juveniles charged in delinquency court. The findings of the study are published in a report entitled, "Selling Justice Short: Juvenile Indigent Defense in Texas", located at: [www.appleseeds.net.tx.TX.Appleseed.Juvenile.Report.1024002pdf](http://www.appleseeds.net.tx.TX.Appleseed.Juvenile.Report.1024002pdf)

Villanova University School of Law is delighted to announce that our Clinical Programs are again expanding to include a new clinic that will provide direct legal services to members of Pennsylvania's farm worker communities. *Beth Lyon*, who is currently a Practitioner-in-Residence at American University's Washington College of Law, will direct the new clinic.

*Professor Joseph Tulman*, of the UDC Dave Clarke School of Law, was recently

awarded the Jerrold Scoutt Prize from the D.C. Bar Foundation. The award recognizes an individual whose career demonstrates a full time commitment to the delivery of legal services to low income, disadvantaged citizens in the District of Columbia.

*Adele Bernhard* was recommended for tenure by the faculty at Pace Law School.

*Deborah Weussnan* - North Carolina was named Director of Clinical Programs in January of this year.

*Robert Kuehn* has been appointed Professor of Law and Director of Clinical Programs at the University of Alabama. Professor Kuehn previously started and directed Tulane Law School's Environmental Law Clinic and has visited at the University of Michigan, University of Utah, and Washington University (St. Louis) law schools. While at Tulane, he received the Graduate Professor of the Year and Tulane University Professor of the Year awards. The environmental law clinic at Tulane was the first recipient of the ABA's Award for Distinguished Achievement in Environmental Law and Policy and was Runner-Up for the National Law Journal's 1998 Lawyer of the Year Award. His responsibilities at the University of Alabama will include oversight of the law school's children's rights, civil, criminal defense, disability, elder, and pension clinics.

*Antoinette Sedillo Lopez* is going to become the director of clinical programs at the University of New Mexico beginning on July 1.

*Liz Cooper (Fordham)* recently was voted tenure by Fordham Law School's

Retention, Tenure and Promotion Committee. Liz is the fourth clinical faculty member to be voted tenure at Fordham.

*Michael Pinard* is going to Washington University School of Law (St. Louis) as a Visiting Associate Professor of Law for the 2001-02 academic year. In addition to his clinical teaching, principally in the Criminal Justice Clinic, Professor Pinard will teach Legal Profession. Currently an Assistant Professor of Clinical Education at St. John's University School of Law, Professor Pinard was a Robert. Cover Clinical Teaching Fellow at Yale Law School from 1998-2000. Prior to entering law teaching, Professor Pinard was an attorney with the Neighborhood Defender Service of Harlem and the Office of the Appellate Defender in New York from 1994-98.

*Paula J. Casey* has rejoined the faculty at the University of Arkansas at Little Rock as Professor of Law, after several years as United States Attorney for the Eastern District of Arkansas. She will be teaching in a new two semester Skills Training program, as well as other courses.

*A. Felecia Epps* has become Assistant Professor of Law, after serving in a visiting position here. She will also teach in the Skills Training program, as well as continue teaching in the Litigation Clinic.

*Mary Spector* was awarded the Golden Mustang Outstanding Faculty Award, a University-wide award for teaching awarded annually to an untenured member of the Faculty in the fall of 1999. In the spring of 2000 she was awarded tenure and promotion to Associate Professor.

*Maureen Laflin* (Idaho) received tenure.

After 20 years in a variety of in house direct service clinics, *Ellen Musinsky* has become the Externship Director at Franklin Pierce. Franklin Pierce has a large Externship program, and this change was made to enhance the educational quality of the program.

*Professor James Duggan* has been nominated and confirmed to serve on the NH Supreme Court. Professor Duggan headed Franklin Pierce's Appellate Defender's clinic. Jim served as the Appellate Defender for the state of New Hampshire. Students worked with him and other Attorneys in the program, writing briefs. ( Our practice rule does not allow students to appear in the State Supreme Court, which is our only appellate venue.) We have just commenced a search to fill this position.

*Keith Barnaby* was hired recently to serve as the Clinical Faculty for the Franklin Pierce Defense Clinic. Keith was hired as a visitor. Prior to joining the law school, he served as Training Director for the NH Public Defender.

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## PUBLICATIONS

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Michele R. Pistone, [*Assessing the Proposed Refugee Protection Act: One Step in the Right Direction*], 14 Geo. Immigr. L.J. 815 (2000).

Dan Filler - Alabama, published a book review, [*Random violence and the Transformation of the Juvenile Justice Debate*"], at 86 VA. L. Rev. 1095 (2000).

Louise Trubek writes that copies of the guidebook, [*How to Create and Sustain a Social Justice Collaborative* ] is now

available. The handbook is relevant for those interested in social workers in clinics. It also discusses anti-domestic violence projects and community economic development practices, and it contains a bibliography and copies of forms useful for multidisciplinary practices. The handbook is available free of charge by emailing the Center for Public Representation at [cpr@lawmail.law.wisc.edu](mailto:cpr@lawmail.law.wisc.edu), or it can be downloaded directly from our webpage at [Http://www.law.wisc.edu/pal](http://www.law.wisc.edu/pal). Due to the high demand for this publication only one copy per person, in order to provide this valuable information to as many people as possible. Thanks to the Open Society Institute for their support.

Robert Kuehn - Alabama [*"Denying Access to Legal Representation: The Attack on the Tulane Environmental Law Clinic"*], 4 Wash. U. J. L. & Pol'y 33 (2000) and [*"A Taxonomy of Environmental Justice,"*] 30 Env'tl. L. Rep. 10681 (2000).

Margaret Montoya - New Mexico published an article that appears concurrently in 5 Michigan Journal of Race 7 Law 847 (2000) and 33 Univ of Michigan Journal of Law Reform 263 (2000) called [*"Silence and Silencing: Their Centripetal and Centrifugal Forces in Legal Communication, Pedagogy, and Discourse."*]

Michael Pinard, [*"Limitations on Judicial Activism in Criminal Trials"*], 33 Conn. L. Rev. 243-301 (2000).

Jennifer Wright - Willamette [*"Unconstitutional or Impossible: The Irreconcilable Gap Between Managed Care and Due Process in Medicaid and Medicare"*], appeared in the Winter, 2000 edition of the Journal of Contemporary Health Law

and Policy of the Columbus School of Law of Catholic University.

Peter Honigsberg (University of San Francisco), [*Crossing Border Street, A Civil Rights Memoir*] (University of California Press).

Lela Love (Cardozo), [*Images of Justice, 1 Pepperdine Dispute Resolution Law Journal 29 (2000)*](draft posted online at <http://papers.ssrn.com>) and [*Training Mediators to Listen: Deconstructing Dialogue and Constructing Understanding, Agendas and Agreements, 38 Family and Conciliation Courts Review 27 (January 2000)*].

Louis S. Rulli (University of Pennsylvania), *Employment Discrimination Litigation Under the ADA From the Perspective of the Poor: Can the Promise of Title I Be Fulfilled for Low-Income Workers in the Next Decade?*, 9 Temple Pol. & Civ. Rights L. Rev. 345 (2000).

Frank S. Bloch-Vanderbilt and a Dutch Colleague, Rienk Prins, Co-edited the book [*"Who Returns To Work and Why?"*] Bloch and Prins also contributed two chapters, "*Work Incapacity and Reintegration: History and Aim of the WIR Project*" and "*Social Security, Work Incapacity, and Reintegration*".

Sande Buhai, "*Adding Insult to Injury: Discriminatory Intent As A Prerequisite For Damages Under the ADA*, 52 Rutger L.R. 1121 and *Practice Makes Perfect: Reasonable Accommodations of Law Students With Disabilities In Clinical Placements*, 36 San Diego L.R. 137.



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**JOBS**

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**Suffolk University Law School** invites applications for the position of (Assistant, Associate or) Professor of Law and Director of Clinical Programs. This is a tenure-track or tenure eligible position on the academic faculty starting in the 2001-2002 academic year.

Responsibilities of the position include teaching and supervision of the Clinical Programs; developing the educational and public service aspects of the clinics; making recommendations regarding the appointment, retention, and contract extension of clinical instructors; preparation of budget requests; development of grant proposals; and coordination among the clinical instructors and with other faculty on professional development and instruction.

Suffolk's program presently employs ten full-time clinical instructors, two adjunct instructors and twenty part-time supervisors. The clinics are located in Chelsea, Massachusetts and in the new Law School building in downtown Boston. Existing clinics include Civil, Housing and Landlord Tenant, SU Clinica, Juvenile Justice, Domestic Abuse, Family Law, Criminal Defenders and Prosecutors, and an Extern Program. The Dean and Faculty are committed to full development of the Clinical Programs.

Please submit a letter of application and current resume to Professor Charles P. Kindregan, Chair, Clinical Programs Committee, Suffolk University Law School, 120 Tremont Street, Boston, Massachusetts, 02108-4977. Review of candidates will begin by February 15, 2001.

**Staff Attorney/Adjunct Clinical Instructor:**

BLS Legal Services, Senior Citizen Law Office, the Elderlaw Clinic of Brooklyn Law School, seeks a full-time attorney, admitted to practice in New York State, with minimum 5 years experience in civil practice. Proficiency in landlord/tenant, government benefits and health law is required. Bilingual in Cantonese is a plus.

The Elderlaw Clinic provides legal assistance and representation in civil matters to seniors 60 years of age or older, residing in New York County. The office has a high volume practice and the attorney's responsibilities will include direct client representation and close supervision of law student interns registered in the clinic. Law student interns function as attorneys under close supervision by the legal staff. They interview, counsel, negotiate, do factual investigation, legal research, drafting of pleadings, conduct administrative hearings and appear in court.

The office is currently staffed by the Director/Managing Attorney, another attorney/adjunct clinical instructor, and two secretaries.

**FAX OR SEND RESUME TO:**

**OLGA R. PEREZ, ESQ.,  
DIRECTOR/MANAGING ATTORNEY  
BLS Legal Services - Senior Citizen Law  
Office**

**One Boerum Place, 3<sup>rd</sup> Floor  
Brooklyn, New York 11201  
(718) 488-7448**

**(No telephone calls, please)**

**The George Washington University Law School, Jacob Burns Community Legal Clinics**, invites applications for the following non-tenure track clinical faculty position beginning in the 2001 academic year:

A half-time, clinical faculty shared position as a supervisor and clinical teacher in the law school's Criminal Appellate Clinic. Officially titled the Federal Criminal and Appellate Clinic (FAC), this is an in-house clinic in which court-certified third-year law students represent indigent clients usually on direct appeal of felony criminal convictions. The supervisor/teacher will share teaching, supervision, and administrative responsibilities and work closely with the FAC Director. Weekly clinic seminar curriculum covers approaches to studying a record, defining and investigating issues, client relations and counseling, appellate procedure, fact-writing, written and oral argument, ethical problems, as well as systemic and comparative examination of criminal justice issues and trial strategies. Close supervision occurs on an individual basis and addresses complex questions of issue development, strategy, client-counseling, and advanced written and oral advocacy in the context of specific cases. Demands of court schedules prevent "screening" cases for difficulty, outside of general guidelines against very lengthy transcripts or capital cases. Workload fluctuates greatly over the course of the year, with consistently intense demands September through March. **Qualifications:** Applicants must have a strong academic record with significant criminal and supervision experience and strong interpersonal skills. They must have excellent skills in written and oral advocacy, as well as the ability to work well with others under stressful conditions, including deadline pressure, with limited staff resources. Preferred experience includes: appellate litigation, work with indigent clients, and supervision or teaching of complex writing projects. Applicants must be licensed in Maryland and/or DC, or eligible and willing to take Maryland Attorney's Bar

Exam within two years and must have schedule flexibility during the periods of maximum clinic output.

Review of applications will begin January 15, 2001, and will continue until the position is filled. Applicants should send a cover letter, resume, and references to: Professor Todd D. Peterson, Chair, Faculty Appointments Committee, The George Washington University Law School, 2000 H Street, N.W., Washington, DC 20052. The George Washington University is an Equal Opportunity/Affirmative Action Employer.

**The George Washington University Law School**, Jacob Burns Community Legal Clinics, invites applications for the following non-tenure track clinical faculty position beginning in the 2001 academic year:

A one-year clinical faculty position as Project Director of the Health Insurance Counseling Project that may be extended beyond one year if funding permits. The Jacob Burns Community Legal Clinics Health Insurance Counseling Project, funded by the DC Office on Aging and the Health Care Financing Administration, provides information and assistance to elderly and disabled District of Columbia residents in the areas of Medicare, Medicaid, Long Term Care and other related health insurance issues. Activities include outreach into the community through visits to hospitals, nursing homes, senior centers, nutrition sites, churches, public housing sites and health fairs. This individual is responsible for the day to day administration of the grant and teaching the Health Law Rights Clinic. The grant duties include writing annual grant applications to the DC Office on Aging and the Health Care financing Administration, reporting quarterly to both agencies,

attending monthly meetings of the DC Office on Aging, and attending meetings sponsored by the Health Care Financing Administration for grantees. In addition, program administration includes recruiting, training and supervising attorneys, staff and senior volunteers from the community. The project director counsels clients over the phone, in person and through home visits on health insurance issues; performs educational seminars in the community; and performs community outreach at nursing homes, hospitals, nutrition sites and other local forums. The clinical component includes teaching a one-semester, two-credit clinical course to second and third year law students including a weekly seminar and supervising students in the clinic as they counsel and advise clients. The clinician is responsible for developing and maintaining a case load for students as well as designing and supervising community projects for students to research and develop. The position also supervises students as they participate in cases with administrative hearings before local and federal government agencies and matters in District of Columbia and Federal courts. **Qualifications:** Applicants must possess a JD and be licensed in the District of Columbia or willing to become licensed; have clinical or other law teaching experience; demonstrated skills in writing and implementing grants; experience in training and supervising attorneys, staff and volunteers; knowledge of health insurance and public benefits; and experience and a commitment to working with seniors, persons with disabilities, minorities and local community groups.

Review of applications will begin January 15, 2001, and will continue until the position is filled. Applicants should send a cover letter, resume, and references to: Professor Todd D. Peterson, Chair, Faculty Appointments

Committee, The George Washington University Law School, 2000 H Street, N.W., Washington, DC 20052. The George Washington University is an Equal Opportunity/Affirmative Action Employer.

**The George Washington University Law School, Jacob Burns Community Legal Clinics**, invites applications for the following non-tenure track clinical faculty position beginning in the 2001 academic year:

A half-time clinical faculty position as Director of Outside Placement. The Outside Placement Program is a law school clinic through which students may receive academic credit for unpaid externships in government, judicial, and public interest legal offices. The Director's responsibilities include overseeing the placements of approximately eighty students per semester, acting as a liaison between the law school and several hundred local placement sites, co-ordinating written evaluations of law students by field supervisors, maintaining a library of prior placements and student evaluation for review by prospective students, determining whether to approve placements in compliance with ABA standards, co-ordinating the classroom component, and acting as a liaison between faculty teaching the course and students enrolled in the program. In addition to the above administrative duties, the Director also meets regularly with students enrolled in the program, provides feedback on written assignments, assures substantive legal value and quality supervision at each placement, and advises prospective students of available opportunities. The Director has substantial input into the design and administration of the classroom component and may also teach a section. **Qualifications:** Applicants must possess a J.D. Prior experience in program

administration and knowledge of the Washington, D.C., area public sector legal community would be helpful. Applicants must be extremely organized.

Review of applications will begin January 15, 2001, and will continue until the position is filled. Applicants should send a cover letter, resume, and references to: Professor Todd D. Peterson, Chair, Faculty Appointments Committee, The George Washington University Law School, 2000 H Street, N.W., Washington, DC 20052. The George Washington University is an Equal Opportunity/Affirmative Action Employer.

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## FEATURE ARTICLES

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### Spanish Language Component-DV Law

Deborah Weissman (North Carolina)

I have incorporated a Spanish language component into the Domestic Violence Law course. This component is of interest to students who are proficient in Spanish as well as students who are interested in developing Spanish-speaking skills. It is an optional component is incorporated into the course through alternative reading assignments and group discussions in Spanish. Those students who are not interested in participating in the Spanish language aspect of the course will follow the syllabus in English and engage in class discussions in English.

#### **General course description.**

This course will teach students the theoretical, social and legal implications of domestic violence as well as the role that the law can play in effecting change in the lives of women and men who have been battered. It will focus on violence primarily against women and will involve a feminist methodology. It will draw

on interdisciplinary research and include a comparative law approach including theories of international law, state responsibility, and cultural relativism.

#### **Optional Spanish language component.**

The Spanish language component provides opportunities for those students who want to develop and maintain their language skills while engaged in learning substantive content. These skills may be used to assist the growing Spanish-speaking population in general and Spanish-speaking battered women in particular. The need for adequate legal intervention to protect battered women is compelling and assumes even greater dimensions in the growing Spanish-speaking communities. Spanish-speaking battered women face significant obstacles in seeking relief as a result of their inability to communicate proficiently in English. The lack of English-speaking skills make access to police, lawyers, courts, domestic violence shelters, and social agencies difficult if not impossible. Different cultural norms also may deter an immigrant woman from seeking help. The legal issues faced by these women are significantly altered by language differences. A Spanish language component may contribute to the development of culturally and linguistically relevant and accessible legal services.

#### **Specific Spanish language opportunities**

There are several course activities which will provide students who choose to avail themselves of the course language component with the opportunity to use Spanish skills. A Spanish-speaking formerly battered woman will be invited to the class as a guest speaker. (An English-speaking interpreter will accompany her). Videos in Spanish (with English subtitles) on the subject of domestic violence will be shown.

Those students wishing to enhance their Spanish speaking skills will also be assigned reading materials in Spanish. In addition, from time to time, the class will break into groups to allow students interested in Spanish language component to have discussion and dialogue in Spanish. The frequency with which a Spanish-speaking group within the class will meet depends on the number of students who enroll in the class who are proficient and interested in participating.

### **Innocence Project Commences at Cooley**

Norman Fell (Cooley)

In January 2001, The Thomas M. Cooley Law School initiated an Innocence Project for the State of Michigan which is a part of an Innocence Network organized to allow a sharing of resources with other projects around the country. The work of Innocence Projects, nationally, has been credited with the release of over a hundred wrongfully convicted prisoners mainly through the use of sophisticated DNA testing. The mission of the Cooley Innocence Project is to identify, provide legal assistance to, and secure the release of persons who are wrongfully imprisoned for crimes they did not commit. The exact number of innocent people in prison is unknown. However, recent statistics in relation to DNA cases indicate that the number is large. According to the National Institute of Justice report on innocence there were approximately 10,000 sexual assault cases referred to the FBI in the previous eight years. In 26% of those cases, the primary suspects were exonerated due to DNA. Without DNA, a relatively new and expensive scientific process, many of those suspects would likely have been convicted.

The Cooley Innocence Project operates as a law school clinic in which the students work

with practicing criminal defense lawyers to seek the release of wrongfully convicted prisoners in the State of Michigan. The Project screens cases for strong evidence of factual innocence and assigns appropriate cases to volunteer criminal defense attorneys. The Cooley Project has organized a group of over 160 criminal defense practitioners state-wide to take Project cases into court on a pro bono basis. Cooley students have the opportunity to work directly on the Project and are intricately involved in various aspects of the program such as creating screening procedures, reviewing case files, applying screening devices, investigating facts, interviewing involved persons, writing case histories, doing case analysis and preparing written case evaluations. Then, as cases are selected for assignment, students are assigned to assist attorneys in the form of a blended intern/externship program. These students learn substantive law and procedure through research and classroom instruction, but more importantly they experience, in working with their project supervisors, how dedicated attorneys investigate and research a case and then vigorously seek post conviction relief.

This Innocence Project does not have a political agenda, is non partisan, and is neither liberal or conservatively based. It is about right and wrong. It is about correcting imperfections in our system of justice. I believe that it would be unconscionable to allow an innocent person to languish his life away in prison for a crime he did not commit when we now have scientific means by which guilt or innocence may be established to certainty. We have the means to correct a wrong. There can be no reasonable justification for not doing so. Our system of justice will not be weakened by the process, but strengthened. It is wise to

recognize that even the best of human systems will experience error. It is a sign of strength to own up to our mistakes, to minimize their impact and to correct them when we can. Underlying each conviction of an innocent person is the question of where the system went wrong. This is a wonderful opportunity for our students to examine the very fundamentals of criminal justice system, to participate in exposing and correcting its flaws and in applying the law in a morally upgrading experience.

### **Wrongful Convictions: Causes & Remedies**

Barry Scheck (Cardozo)

"Wrongful Convictions: Causes and Remedies" is a distance learning course sponsored by The Innocence Project at the Benjamin N. Cardozo School of Law, The Center on Wrongful Convictions at Northwestern University, and The Innocence Network, a national organization dedicated to achieving the exoneration and release of factually innocent inmates and suggesting and implementing policies and legislation that will prevent future wrongful convictions. We are offering the course for the first time this semester, with plans to offer it again in the fall. It is intended as a 2 credit course open to law, journalism, psychology and other students at the graduate and professional level. The course is an interdisciplinary examination of the principal problems that lead to the conviction of the innocent and the leading proposals for reform, and is also intended as a "core" offering for students participating in innocence projects at other schools. Wrongful Convictions is a modified form of a distance-learning course, as each school participating has at least one faculty member running the class at his or her school. We are providing the substance of the course (readings, lectures, online discussion), but

schools may modify and use these materials as they see fit and are expected to lead their own in-class discussions, assign and grade homework, and otherwise perform the normal duties of a professor teaching his or her own class. The format of the classes range from upper-level seminars to clinical programs to independent studies, and the extent to which professors utilize our materials varies as well. For each week of the course, a world-class expert is presenting a live lecture at the Benjamin N. Cardozo School of Law. Five other schools (Duke School of Law, Northwestern University School of Law, Santa Clara University School of Law, University of Tennessee-Knoxville College of Law, and Thomas M. Cooley Law School) will watch the lectures (including visual aids) live using video conferencing technology. At the end of each 55 minute (or so) lecture, there is an opportunity for the students at each of these schools to pose questions live to the speakers. There are about 20 other schools also participating that--for the most part because they lack the technology or cannot meet at the scheduled time--are not participating in the live video conferences. Guiberson Online Holdings, Limited, "a web development and funding partnership established to design and build educational websites for the legal community," is filming each of the lectures and turning them into Real Media files designed to stream over the web. Each lecture is available to the non-video conferencing schools on an FTP (File Transfer Protocol) site, where they can download it and burn a high-quality CD for professors to show in class. Guiberson Online also plans to offer these lectures commercially, complete with transcripts translated into several languages, online to the global community for CLE credit or general interest. Guiberson Online and the

Innocence Network hope that this online lecture series will help educate lawyers and the international community about the problem of wrongful convictions and ways to improve the system. You should get in touch with Sam Guiberson (713.861.3500), the head of Guiberson Online, for more information about this online project. Additionally, a few schools unable to use the FTP downloads are receiving VHS copies of the lectures. All schools, regardless of how they are viewing the lectures, are communicating on TWEN, a program offered free to Westlaw users as a tool to supplement courses with online instruction. The password-protected course site on TWEN includes a calendar, syllabus, all required readings for the course posted in electronic format, additional readings for those interested in pursuing topics further, links to relevant web sites, a national discussion forum for students, a discussion forum for professors involved in the course, and an area where students can ask lecturers questions. The list of school participating in the course this semester is still growing. Additionally, there are many schools interested in being part of the course next semester. As of today, the schools involved for Spring 2001 are: American University, Boston University, California Western, Yeshiva University, Cardozo, Case Western Reserve University, Thomas M. Cooley Law School, University of Denver, Duquesne University, Georgia State University, University of Idaho, University of Illinois @ Springfield College of Public Affairs and Administration, Indiana University, School of Law, Indianapolis, University of Kansas, University of Miami, University of Missouri @ Kansas City, University of New Mexico, University of North Carolina School of Journalism and Mass Communication, Northeastern University, Northwestern University, Santa Clara University, South

Texas, University of Albany School of Criminal Justice, University of Tennessee @ Knoxville, University of Utah, Villanova University, University of Wisconsin @ Madison.

Please note that, while most of these schools are running a full course using our materials, a few are merely using some of the lectures in already-established clinical programs or courses. A very small number of these schools only have professors participating in the course this semester, with the intent of offering it to students next semester. All lectures will take place during Cardozo's class period, 4-6pm EST.

### Using the Clinic and the Placement Office to Provide Assistance to Students Starting a Solo/Small Office

Gary Bauer (Cooley)

As a professor in a clinical setting, I have always been interested in motivating my students. When I first began to teach, I wrote an article, "Translating Clinical Experiences into Job Opportunities for the Law School Graduate". (Printed August, 1997 in the T.M. Cooley Journal of Practical and Clinical Law, P. 175) My purpose in writing that article was to give my students a systematic approach for capturing their clinical experiences and using them in pursuit of employment later. Their hard work in the clinic could be documented and used later when seeking employment. Writing samples become more than graded exercises for a three credit hour class, they become the memorialization of legal work-product, and I become, potentially, their very best reference.

In addition to students seeking employment elsewhere, I'm finding that a fair percentage

**Intellectual Property Law Clinic** at American University's Washington College of Law.

"This very kind and substantial gift is an important recognition of the determination of the Washington College of Law to help lead the fight for the public interest in the area of intellectual property," said Claudio Grossman, dean of the law school. "The establishment of this clinic will raise public awareness, and will help us to train future lawyers in this area made so relevant by the advent of the World Wide Web and other electronic media." The clinic's benefactors have a long and distinguished record of promoting enlightened technology policy. Their gift to American University was given specifically for the purpose of supporting balance in intellectual property law, a cause that is extremely important to them both. Dr. Robert Glushko is director of Information Engineering at Veo Systems, a Silicon Valley startup that builds software for open Internet commerce. He is also program manager for eCoNet, a four-company, multimillion dollar joint venture. Professor Pamela Samuelson, Glushko's wife, has been dubbed a leading "Cyber-Rights Guardian" by *USA Today*. She is co-director of UC—Berkeley's Center for Law & Technology. Samuelson was awarded the MacArthur Foundation's "Genius" award in 1997 and was among the 50 most influential lawyers in America, named by the *National Law Journal* in 1998. A leading scholar in the field of law and technology, she serves as co-director of UC-Berkeley's Center for Law & Technology. Washington College of Law Professor Peter Jaszi will direct the new clinic at the Washington College of Law, and Professor Christine Haight Farley will serve as associate director. "The clinic will aim to introduce students to all facets of intellectual property practice, and to permit them to experience what is at stake in today's

intellectual property disputes," Jaszi said. "In this way, we hope students will learn not only skills but important values as well." As part of the program, students will counsel the clinic's clients on Intellectual Property issues and represent them in litigation, administrative proceedings and on Capitol Hill and before state legislatures. Traditionally, law clinics have served unrepresented and under represented individuals and groups, and this clinic will be no exception. Jaszi and Farley point out that, in the fast-moving, high-tech world of the Internet, many deserving clients go without first-rate legal assistance, and as a result, many important points of view on IP policy may not be represented. Among potential client groups for the clinic will be creative artists, non-profit organizations, and small business entrepreneurs. Jaszi and Farley intend to reach out to interesting clients in the D.C. area and beyond. They hope, for example, that clinic students might find themselves representing a Native American tribal community seeking to ensure that its cultural traditions are treated with respect in the marketplace, or a group of computer programmers interested in defending the principles of "open source" software. Clinic director Rick Wilson noted that this brings to \$3.5 million the total gifts to the clinical program in this academic year. "With the \$2 million gift we received for human rights work earlier this year, the clinical program has affirmed its leadership in innovative fields of clinical education enormously in a single year," he said.



### **AALS Issues a Strong Statement in Support Academic Freedom for All Clinical Faculty**

Peter Joy, Washington University School of Law - St. Louis & Bridget McCormack, University of Michigan School of Law  
Co-chairs of the Political Interference Group

On January 3, 2001, the Executive Committee of the Association of American Law Schools (AALS) adopted a new statement in support of academic freedom for all clinical faculty. The statement acknowledges that the AALS has long embraced the principle that clinical faculty "must have academic freedom to pursue effectively their teaching and research obligations," and the AALS "has fully supported the principle that academic freedom applies equally to clinical law faculty and all other law faculty."<sup>1</sup> This action by the AALS Executive Committee was in response to recommendations from the AALS Section on Clinical Legal Education and the AALS Standing Committee on Clinical Legal Education that originated with a report and recommendation from the Political Interference Group of the Clinical Section.

In recent years, the AALS has taken the position - in the Submission to the Supreme Court of the State of Louisiana Concerning the Supreme Court's Student Practice Rule<sup>2</sup> and in its amicus brief to the Fifth Circuit in the litigation over restrictions on clinical programs in Louisiana - that academic freedom for clinical faculty includes "rights to assign cases and teach their clinical courses without government intrusion."<sup>3</sup> Further, the AALS has maintained that "clinical teachers ... have a First Amendment right to select cases as their course materials for their clinics.... Merely because a clinical teacher uses actual cases as course material, rather than a case book or simulation

assignments, does not eliminate his or her First Amendment rights to select materials."<sup>4</sup> The AALS position in the Louisiana matter and the new AALS statement reaffirm the AALS support of the academic freedom of clinical faculty - without regard to whether an individual faculty member is eligible for a grant of tenure - to select cases without intrusion from outside the law school as well as intrusion from within the law school when faculty or deans are prompted to intrude into case selection decisions by clinical faculty. Provided the cases serve the pedagogical goals of the particular clinical course,<sup>5</sup> and provided that the clinical faculty comply with applicable ethical obligations,<sup>6</sup> clinical faculty are as free to make case selection decisions without intrusion as non clinical faculty are to choose textbooks for their courses.<sup>7</sup>

The AALS policy on academic freedom for clinical faculty also will be useful to deans and university administrators if they should face pressure from donors or the public who may be upset when a clinical program represents an unpopular client or cause. The express statement by the AALS, affirming the academic freedom rights of clinical faculty, demonstrates that law school deans and university administrators cannot interfere with the academic freedom of clinical faculty without violating AALS policy. If a dean, university administrator, or other faculty interfere with the academic freedom of any law faculty member - clinical or non-clinical faculty alike - the affected faculty at AALS member schools may file a complaint with the AALS, which will attempt to resolve the matter. If a violation of academic freedom is found, there are remedies available to the aggrieved faculty, and the law school may be further sanctioned by the AALS.<sup>8</sup>

In addition to the AALS commitment

to academic freedom for clinical faculty, the American Bar Association (ABA) has condemned "attempts by persons or institutions outside law schools to interfere in the ongoing activities of law school clinical programs . . ."<sup>9</sup> " The ABA notes that such improper influences "have an adverse impact on the quality of the educational mission of affected law schools and jeopardize principles of law school self-governance, academic freedom, and ethical independence . . ."<sup>10</sup> Furthermore, the ABA has stated in an advisory ethics opinion that law schools should not adopt guidelines or procedures that prevent clinical programs from representing controversial clients and cases because acceptance of such clients "is in line with the highest aspirations of the bar to make legal services available to all."<sup>11</sup> The ABA ethics opinion specifically rejected a plan to require prior approval of all clinic cases "on a case-by-case basis by a governing body consisting of the dean and faculty."<sup>12</sup> The ethics opinion reasons that the "case-by-case review makes it likely that the independent judgment of the five clinic lawyers and their loyalty to their clients will be impaired."<sup>13</sup> Such a limitation on the case selection would "violate the professional ethics and responsibilities of the dean and the lawyer-directors of the clinic."<sup>14</sup> Clinical faculty with academic freedom concerns are encouraged to contact the Political Interference Group of the Clinical Section by phoning or e-mailing either of the authors. All inquiries are kept confidential.

#### **Statement of the Association of American Law Schools in Support of Academic Freedom for Clinical Faculty**

The Association of American Law Schools has embraced from its very beginning the principle that law professors at member schools must enjoy the benefit of academic

freedom to pursue effectively their teaching and research obligations. Bylaw 6-8(d) provides, "A faculty member shall have academic freedom and tenure in accordance with the principles of the American Association of University Professors." For many years the Association has fully supported the principle that academic freedom apply to all "engaged in teaching or scholarship, including work in a clinical or research and writing program at a member school" without regard to whether the position is eligible for a grant of tenure.

The resolve of the Association has been reflected in the public positions that it has taken in support of clinics at member schools that have been the subject of external pressure. The Association reaffirms that academic freedom applies equally to clinical law faculty. Accordingly, clinical faculty have full access to the procedures available under Executive Committee Regulations, Chapter 6, to pursue claims based on alleged violations of the principles of academic freedom. Adopted by the Executive Committee, January 3, 2001.

1. Statement of the Association of American Law Schools in Support of Academic Freedom for Clinical Faculty. The entire text of the statement follows this article.

2. Jorge deNeve, Peter A. Joy & Charles D. Weisselberg, Submission of the association of American Law Schools to the Supreme Court of the State of Louisiana Concerning the Review of the Supreme Court's Student Practice Rule, 4 CLIN. L. Rev. 539 (1998) (Hereinafter AALS Submission). The AALS Submission was reviewed by members of the AALS Executive Committee and signed by the authors and the 1997 President of the AALS, John E. Sexton (Dean, New York University School of Law).

3. Amicus Brief of the Association of American Law Schools, The American Association of University Professors, and the Clinical Legal Education Association in Support of Appellants and Seeking Reversal 14, Southern Christian Leadership Conference, et al. V. The Supreme Court of the State of Louisiana, No. 99-30895 (5<sup>th</sup> Cir. 2000) [hereinafter amicus Brief] (visited March 29, 2001) <<http://www.aals.org/sclc-pdf>>.

4. AALS Submission, supra note 2, at 557.

5. The pedagogical goals of a particular clinical course are furthered by clinical faculty choosing cases within the scope of the subject matter and skill level of the clinical course.

6. The AALS recognizes that in the clinical legal education setting, the academic freedom rights of clinical faculty carry correlative duties such as “complying with the law as well as professional standards of discipline and ethical standards of the profession.” Amicus Brief, supra note 3, at 18. The applicable ethical obligations for clinical faculty are contained in each jurisdiction’s ethical rules governing lawyer conduct. These obligations include, but are not limited to: conflicts of interest rules, which primarily affect whether or not certain clients may be represented; and competency obligations, which require clinical faculty to limit case selections to the number and types of cases in which the supervising faculty can guarantee will be handled with the requisite legal knowledge, skill, and resources necessary for the representation. See generally ABA MODEL CODE OF PROFESSIONAL RESPONSIBILITY (1996); ABA MODEL RULES OF PROFESSIONAL CONDUCT (2001). Every jurisdiction primarily bases its ethical rules for lawyers on one or both of the ABA models.

7. “[E]xercising authority establishes that the locus of teaching and learning does not bear on whether the faculty and students enjoy academic

freedom. Thus, the principles of academic freedom apply as equally to law school clinical courses as to Property, Torts, or Constitutional Law.” Amicus Brief. Supra note 3, at 15-16. “Merely because a clinical teacher uses actual cases as course material, rather than a case book or simulation assignments, does not eliminate his or her First Amendment rights to select materials.” AALS Submission, supra note 2, at 557.

8. See Procedures for Committee on Academic Freedom, AALS Executive Regulations (visited Jan. 22, 2001) <<http://aa.s/prg/chapter6.html>>.

9. Memorandum to Deans of ABA Approved Law Schools from the Consultant on Legal Education to the American Bar Association, Feb. 21, 1983 (Statement of Council of the Section on Legal Education and Admissions to the Bar Policy regarding interference in law school clinical activities).

10. Id.

11. ABA Informal Op. 1208 (1972). See Also ABA Formal Op. 324 (1970) (a legal aid society’s board of directors has an obligation not to reject controversial clients or cases); ABA Formal Op. 334 (1974) (program priorities of a legal services office may not be based on considerations such as the identity of the prospective adverse parties).

12. ABA Informal Op. 1208 (1972).

13. Id.

14. Id.

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Clinical Legal Education Association  
Announces  
**The 2001 New Clinicians Conference**  
May 8-9, 2001  
**PRE-REGISTRATION FORM**

Name: \_\_\_\_\_

School: \_\_\_\_\_

Address: \_\_\_\_\_

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Years Experience as a Clinical Instructor: \_\_\_\_\_

Teaching Responsibilities: \_\_\_\_\_

Brief Background: \_\_\_\_\_

Check here for a vegetarian/vegan lunch \_\_\_\_\_

As of 23 March 2001, the Clinical Legal Education Association (CLEA) is still determining the final rate for this conference. We anticipate it will be between \$100.00 and \$135.00, and we plan to have the final rate available by the end of March. Registration deadline is Friday, 27 April 2001. Registration for the 2001 New Clinician's Conference will include complimentary membership in CLEA for one year. You can also pre-register on-line at <http://clinic.law.cuny.edu/clea/clea.html>

**Return Pre-Registration form to:**  
**CLEA New Clinicians Conference**  
**c/o Kim Diana Connolly**  
**University of South Carolina School of Law**  
**Department of Clinical Legal Studies**  
**Main & Greene Streets**  
**Columbia, South Carolina 29208**  
**Phone: 803/777-6880**  
**Fax: 803/777-3401**  
**Email: [connolly@law.law.sc.edu](mailto:connolly@law.law.sc.edu)**

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

This is part of an ongoing project to identify clinical teachers in any country who have experience as consultants on legal education or as teachers in any capacity in countries other than their own (including their own schools' semester abroad or foreign summer programs). The compilation of the results of this survey over the years is on the University of South Carolina Law School's web site. To access it, go to <http://www.law.sc> then click on clinics and look for the compilation.

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

Roy Stuckey  
Usc School of Law  
Columbia, SC 29208 USA  
803/777-2278; FAX 803/777-3401  
email: [Roy@law.law.sc.edu](mailto:Roy@law.law.sc.edu)

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

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

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

Foreign Institution/s: \_\_\_\_\_

Inclusive Dates: \_\_\_\_\_

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

Brief Description of Purpose (including any subjects taught): \_\_\_\_\_

\_\_\_\_\_

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**AALS SECTION ON CLINICAL LEGAL EDUCATION/  
CLINICAL LEGAL EDUCATION ASSOCIATION**

Membership Application or Renewal and Database Update  
(Please complete information and/or make corrections)

Last Name: \_\_\_\_\_ Suffix (if any) \_\_\_\_\_

Suffix (if any): \_\_\_\_\_

First and middle names: \_\_\_\_\_ Title \_\_\_\_\_

Law school name: \_\_\_\_\_

Law school name: \_\_\_\_\_

Law school address: \_\_\_\_\_

Law school address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Country (if not USA): \_\_\_\_\_

Office telephone (voice): \_\_\_\_\_ Extension \_\_\_\_\_

Office fax telephone: \_\_\_\_\_ E.mail address \_\_\_\_\_

Year graduated from law school: \_\_\_\_\_

Years full-time teaching: \_\_\_\_\_ Years part-time teaching: \_\_\_\_\_

Are you the overall Director of Clinical Programs at your law school: \_\_\_\_\_

Tenure status: \_\_\_\_\_

Decimal fraction working full-time in legal education: \_\_\_\_\_

Decimal fraction salary is supported by hard money: \_\_\_\_\_

Base salary (exclusive of summer research grants): \_\_\_\_\_

Number of months of employment supported by base salary: \_\_\_\_\_

Is scholarship is a requirement of your employment: \_\_\_\_\_

Race/Ethnicity with which you identify: \_\_\_\_\_

Gender with which you identify: \_\_\_\_\_

First clinical course frequently taught (if any): \_\_\_\_\_

Type of first clinical course taught (in-house, externship, simulation): \_\_\_\_\_

Second clinical course frequently taught (if any): \_\_\_\_\_

Type of second clinical course taught: \_\_\_\_\_

Third clinical course frequently taught (if any): \_\_\_\_\_

Type of third clinical course taught: \_\_\_\_\_

Fourth clinical course frequently taught (if any): \_\_\_\_\_

Type of fourth clinical course taught: \_\_\_\_\_

Fifth clinical course frequently taught (if any): \_\_\_\_\_

Type of fifth clinical course taught: \_\_\_\_\_

Average supervision ratio in in-house clinics (if applicable): \_\_\_\_\_

Average supervision ratio in externship clinics (if applicable): \_\_\_\_\_

First non-clinical course frequently taught (if any): \_\_\_\_\_

Second non-clinical course frequently taught (if any): \_\_\_\_\_

Third non-clinical course frequently taught (if any): \_\_\_\_\_

I want to be informed of activities of interest to women clinicians: \_\_\_\_\_

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