Volume 2004, Issue1 May 2004

ALS

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Message from the Chair Calvin Pang University of Hawaii

Aloha.

It's the time of year when many of us are in full sprint as the semester winds down. I feel the strain myself. For me, it's part of a cycle. I expect the hard breathing and tongue hanging, and pace things so I can get to the finish line half alive. But it isn't easy.

Despite the stress and fatigue, we press on. We do it for our students, our clients, and all those who depend on us for something or another. We also do it for ourselves, validating something inside that gives us meaning, purpose, and a sense of integrity.

Part of my challenges this semester has been doing the many necessary but often invisible things that the chair of this section must do. Doing them has given me a new appreciation for my predecessor Bryan Adamson and all the section chairs before him.

As is his nature, Bryan e-mailed me several weeks ago to check on me. I think I told him I had a pulse, though barely. It was good to receive his kind note of concern, and it felt purging to answer him. I was struck by the power of Bryan's gesture.

In the time I have been a member of this community of teachers, I have witnessed countless small but powerful acts of goodwill, acts done for no reason other than to encourage and provide comfort. It almost seems a part of our communal personality, and is certainly part of the individual character of so many of you. Continue to provide a lift to others.

An opportunity to do so comes in beautiful San Diego when we gather on May 1-4 for our annual Clinical Legal Education Conference. Initially conceived by Bryan Adamson and turned into reality by Susan Jones and her outstanding planning committee, this year's conference is entitled "Back to Basics/Back to the Future."

You should have received your conference application by now. If not, go to <u>www.aals.org/clinical2004/</u> to learn more about the conference and register on-line. You may also call the AALS at (202) 296-8851.

Susan emotes when she describes what's in store. It will have something for everyone. It provides a chance to examine fundamental values, revisit teaching techniques, and consider what the future holds. You may recall that Susan's committee solicited proposals for presentations in an attempt to bring in some new voices and perspectives. So, look out for some fresh faces this year.

Talking about fresh faces, we have continued our efforts to maintain and build bridges with individual clinical law teachers. We realize that not every clinical law teacher or program participates in AALS functions, and often for understandable reasons. I have attempted to keep a focus on this in my year as chair and am trying in small but hopefully effective ways to make a dent. I am also striving to keep our links strong with our sister organization, CLEA which for years has provided invaluable service to the clinical community. CLEA and our Section fulfill complementary functions, and I strongly encourage all to support both organizations with your membership and involvement. Membership tables will be present at the upcoming May conference in San Diego.

To give you a heads-up, the AALS Annual Meeting in January 2005 will feature a half day program co-sponsored by the Sections on Clinical Legal Education and Aging and the Law. It will look at Interviewing and Counseling and examine new approaches to understanding and teaching this fundamental lawyering skill. Kim O'Leary chairs the planning committee for this program which will occur in San Francisco.

Okay, this is probably more than you want to read, so I will stop here. Do know that the Section continues to strive for the betterment of this community. As an example, more funds will be made available to regional conferences this year. We understand the importance of smaller regional conferences and know that they often draw and support law teachers who do not or cannot attend the national AALS meetings.

Imua (Go Forward)





Table of Contents

Message from the Chair	1
Ask the Editor	3
Feature Articles	6
Among Us	14
Announcements	17
Committee Reports	24
Reminders	27
Job Opportunities	33
Executive Committee	35
Committee Chairs	36
CLEA T-Shirt Order Form	39
Clinician Survey	41
AALS Membership Application	Back Cover



ASK THE EDITOR

Hi folks,

In January it was brought to my attention that a response I put in this column was incorrect.

CLEA *WILL* continue to hold new clinician conferences and other new clinician activities at May Clinic workshops. On Saturday, May 1 from 5:15 to 5:45 pm there will be a CLEA Welcome event in the Riviera Room, Hilton San Diego Resort. There will likely be a new clinician conference just before next year's May conference. The AALS Committee on Professional Development will also hold training events for new clinicians related to the new teacher workshops. My incorrect response was the result of an incorrect assumption on my part and lack of thorough research - something I would blast my students for doing (but then tell them nobody is perfect, do it better next time!) I apologize for the confusion this may have caused.

Humbly,

Kim

Dear Kim:

If you should happen to know, why is the Conference so early? We are still holding classes that first week of May, and so might all have to miss it. Frustrated

Dear Frustrated,

Unfortunately, there is no time of year to hold the annual clinic conference that is good for everyone. The last two years, the conference interfered with a lot of graduations; some years, it has overlapped on Mother's Day which raised a huge hue and cry from section members; people's semesters end and summer ones begin during this time. By June, many folks are taking vacations or teaching summer classes. Because we often get many questions about both timing and location of the spring clinic conference, I asked Jane LaBarbera of AALS if she could comment on how the times and locations are

chosen. She replied:

No time is ideal for everyone but we have tried to book this meeting from the beginning of May through mid-May. The Section has told us that these are their preferred dates. We cannot offer one date but need to offer a series of dates. I know that next year we are looking as early as starting on a Saturday, April 30th among other dates. The attendance has been strong for any of these dates. We do try to avoid holding the meeting on Mother's Day, so that does limit the dates that can be offered. We send out notices that we are seeking a site for the Clinical Professional Development Program to all of the major hotel chains and to specific cities when the Section Chair gives us the Section's preferences. We then look for the best package that we receive in terms of type of hotel, dates, rate, meeting space and other factors. This is not an easy meeting to book because it is considered to have a low sleeping room to meeting room ratio. In other words, the meeting demands a great deal of meeting space for a low number of sleeping rooms. The kind of meeting space that we look for, typically would be for a meeting of 2000 sleeping rooms but we are only booking 350 sleeping rooms per night. We try to take advantage of a location that might be experiencing a downturn in bookings. We have certainly had success with some of our cities but every year is always a surprise as to what hotels choose to bid on the meeting.

Jane M. La Barbera Associate Director Association of American Law Schools

Hi Kim,

Can you tell us something about the history of the Clinic Section awards? Curious

Dear Curious,

Awards are an important part of the culture of clinical legal education. We have increasingly recorded our work, but in the early years most information about what we were doing was passed along orally; our section founders felt it important to recognize the importance of our contributions to each other. Although there were some examples of clinical legal education more than fifty years ago (see, e.g., The University of Tennessee's clinics), the modern clinical teaching movement in legal education bubbled up 25-30 years ago (you'll notice a lot of anniversary celebrations, symposia, etc. starting to emerge of late). When the AALS added a Section on Clinical Legal Education the bylaws written by the clinic section founders included making an award to "one or more individuals or institutions of clinical legal education who have demonstrated excellence in service, scholarship, program design and implementation, or other activity beneficial to clinical education or the advancement of justice." Although the founders wanted to name the award after William Pincus, a public interest lawyer who worked for the Ford Foundation, envisioned a program that would provide seed money to law schools to create clinical legal education programs. and who allocated funds that got clinical legal education going, AALS rules at that time prohibited naming an award after a person. So it was called the "Clinic Award." Clinicians being the rebels that they were, the award quickly became informally known as the "Pincus Award". In 2000, the award was officially re-named the "Pincus Award". There are so many prolific, dedicated and talented clinical educators now that the award in recent years has tended toward those with many years of experience, and some think of it as a "lifetime achievement" type award. However, it should be noted that in the early years, recipients of the award were maverick innovators who went on to accomplish many more achievements. The creators of the Pincus Award wisely made the criteria broad and many different types of achievements have been honored. In 2000, due to the increasing numbers of nominees, the section created two additional honors: the Shanara Gilbert Emerging Clinician Award and the Gary Bellow Scholar program. The Shanara Gilbert award was named after a clinician who passed away in the prime of life while on a work-related international trip to South Africa. The section wanted to honor clinicians doing important work who were less likely to be awarded the Pincus Award because they simply had not been clinicians for very long, and the Gilbert Award is only awarded to folks who have been in clinical legal education for ten years or fewer. Other attributes characteristic of Shanara Gilbert's life are considered. Finally, the section decided to honor proposals for future innovative work with the Bellow Scholar program. The program was named after clinical innovator Gary Bellow, who passed away in April, 2000. Gary valued hard-nosed critique and innovative change, and the program allows clinicians with new projects to apply for the opportunity to present their ideas and later, their honest analysis of how the ideas worked, to the clinical community and receive in return honest critique.

Anyone can nominate folks for these three honors. Generally, Pincus Award and Bellow Scholar nominations are due in early Fall of each year; Gilbert Award nominations are due in the Spring. The Section Chair (this year Calvin Pang) appoints an Awards Committee (this year chaired by Carol Suzuki) to review nominations and recommend recipients for the Pincus and Gilbert Awards who are selected by the Executive Committee of the section. The committee on Lawyering for the Public Interest (this year chaired by Mary Helen McNeal) considers nominations for the Bellow Scholars Program. Award recipients are honored at the January Annual Meeting clinic section lunch or the May clinic conference section lunch. The awards program only works when folks make nominations so if you've been meaning to nominate someone, Just Do It! It helps the committees make recommendations if you can also provide some information and reasons why your nominee is a good choice.

CLEA also has a series of awards that divide into 3 main categories. One set recognizes students who have excelled in the seminar and/or field work component of their clinical course or experience. There is an award that recognizes a case or project that contributes significantly to the public good. And there is one that honors an individual who has served as a special advocate and voice for clinical teachers and clinical education. The chair of that CLEA committee this year is Andrea Seielstad, and most CLEA award nominations are due in the Spring.

Feature Articles

PER DIEM PROJECT 2004-SAN DIEGO

Dear colleagues,

As you may recall, at last year's clinical conference we raised \$4,000 (\$5,000 Canadian!) for legal services providers in Vancouver, leaving behind a legacy in the host city consistent with our social justice mission. I am pleased to report that "Per Diem Project - The Sequel" will appear shortly at a clinical conference near you.

With the kind help of a local committee of clinicians in San Diego - Linda Morton at California Western School of Law, Theresa Player at the University of PER DIEM PROJECT DESCRIPTION San Diego School of Law and (former clinician but FROM MICHAEL WISCHKAEMPER, fellow traveler) Steve Berenson of Thomas Jefferson CHAIR OF THE CARLSBAD FARM School of Law - we have identified a very worthy WORKER HOUSING COORDINATING recipient of this year's effort, a public-private

partnership trying to meet the critical need for farmworker housing in north San Diego County.

A fuller description follows at the end of this article, but you will see that they have selected a project which is not only timely and important, but which connects us in a meaningful way to the place where we will gather for 4 days this May.

CLEA Treasurer Suzanne Levitt has once again graciously agreed to process donations, which should be in check form, payable to "CLEA," with a notation in the memo that the check is for the Per Diem Project.

Please bring your checkbook to San Diego, and note that contributions are NOT restricted to people who attend the conference. In fact, for those of you so inclined, you can send your tax-deductible contribution in advance to:

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

I am very proud of what we did last year, and hopeful that we can build on the tradition this year. I look forward to seeing you in San Diego.

Peace. Jeff

COMMITTEE:



Thank you for expressing an interest in our farm worker housing project. I am the chair of the Carlsbad Farm Worker Housing Coordinating Committee. Our committee consists of a diverse group of people trying to improve housing for farm workers living in north San Diego County.

When most people think of San Diego, they probably think of Sea World or the world famous San Diego Zoo. They probably don't think about San Diego as a significant contributor to the state's thriving agricultural industry. In fact, agriculture is a \$1.3 billion a year business in San Diego County. We account for about 40% of avocados produced in the state and the county ranks first in the nation in the value of nursery and greenhouse crops sold. In 2000, 670 acres in San Diego County yielded nearly 34 million pounds of strawberries worth more than \$19 million

by 20,000 farmvworkers, many of whom migrate or advance the project to the stage where major funding work seasonally. San Diego's Regional Task Force could be available. on the Homeless estimates that as many as 7,000 farm workers - one-third of the workforce - are We would be extremely grateful for any help you homeless. Indeed, today in San Diego County, could provide our committee in this project. thousands of farm workers live in deplorable conditions - in the canyons and hillsides, under trees and brush, in shacks made of cardboard and plastic. The situation is often made even worse when the farm workers are suddenly evicted from their shelters at the end of a season or at the whim of a governmental agency.

But now we have an exciting opportunity on the horizon. The City of Carlsbad has taken the unprecedented step of authorizing the construction of a 64-bed housing project to be developed on property leased by the City from San Diego Gas & Electric ("SDG&E"). The property is near the strawberry and flower fields where Carlsbad farm workers labor. A broad coalition of county residents, business people, professionals, faith-based groups and non-profit

organizations is working with the City to make the There will be copies of the document available at the housing a reality. Although the project is small, it represents an enormous first step toward addressing important project. the serious housing problems. We are confident it could serve as a model for other cities in the County. The "Town Hall" meeting will be held on Monday, We are fortunate to have the support of the local May 3 at 5:30 the Conference site hotel. CLEA press. Here is one favorable editorial in the North would like to thank the AALS for their collaboration County Times:

<http://www.nctimes.com/articles/2004/02/19/opinio n/editorials/2 18 0421 51 36.txt> http://www.nctimes.com/articles/2004/02/19/opinion

/editorials/2 18 0421 51 3 6.txt

Community Housing Works (CHW) is the non-profit organization overseeing the development of the project. CHW has engaged an extraordinary group of professionals who are volunteering with the planning and development, engineering, architectural plans and landscape design. We continue to seek major funding for this project, but we have not yet been successful. And at this time, everyone is working almost exclusively on a volunteer basis. We desperately need some additional funds to cover some of the costs incurred by the professionals, and to help pay for those services which are being provided at discounted rates. We are in particular

The county's robust agricultural industry is supported need for funds to complete the work necessary to

CLEA TOWN HALL MEETING ON THE BEST PRACTICES PROJECT

Roy Stuckey and an awesome group of clinical teachers have been working on a project to develop a document articulating best practices for legal education. The CLEA Board has agreed to vote on whether to formally endorse the document at its Board meeting in San Diego. In preparation for that vote, the Best Practices Project committee members are organizing a town hall meeting on the current version of the document which you can review at http://professionalism.law.sc.edu/news.cfm#CLEA.

conference. Come and contribute your voice to this

in setting up this event at the conference site hotel.



UNIVERSITY OF BALTIMORE LAW SCHOOL CENTER OFFERS COURSE ON THERAPEUTIC JURISPRUDENCE AND UNIFIED FAMILY COURTS

University of Baltimore School of Law's Center for Families, Children and the Courts (CFCC) has introduced a new course for the Spring 2004 Semester.

The CFCC Student Fellows Program, a onesemester three-credit course, is designed to promote the understanding of and research on unified family courts, therapeutic jurisprudence, and the ecology of

human development. This is one of the first law

school courses in the country designed to apply therapeutic jurisprudence to the unified family court model.

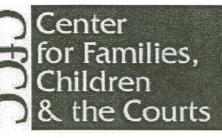
The use of therapeutic jurisprudence in law school teaching, along with a presentation about the CFCC Student Fellows Program, will occur during the Association of American Law Schools (AALS) Conference on Clinical Legal Education, on Monday, May 3. Professor David Wexler from the Univer-

sity of Arizona and Professor Bruce J. Winick from the University of Miami – the "founding fathers" of therapeutic jurisprudence" – will moderate an afternoon session on the therapeutic jurisprudence/preventive law model in law school clinical teaching.

The new course at the University of Baltimore is taught by Professor Barbara Babb, CFCC's Director, and Gloria Danziger, CFCC's Senior Fellow. The course is tied closely to CFCC's ongoing public service and/or foundation-funded projects, including the creation and evaluation of unified family courts in specific jurisdictions, juvenile justice, truancy and truancy courts, high conflict custody programs, and addiction and substance abuse as they affect families in court, among other areas. Both the course format and materials emphasize the integration of theory and practical experience in an effort to encourage students to become problem-solving and reflective practitioners.

As examples of practical experiences in which the students are engaged, they are involved in two recently funded CFCC projects. The Annie E. Casey Foundation has provided support for a survey of Circuit Court judges in Maryland regarding the interface between the judges and the Department of Juvenile Services (DJS). The survey intends to provide information necessary to formulate a blueprint to improve the agency's relationship with the judiciary. In a project funded by the Charles Crane Family Foundation, CFCC intends to involve students to develop and implement truancy court programs in four Baltimore City elementary and middle schools.

CFCC also collaborated with the Association of Family and Conciliation Courts (AFCC) to facilitate training programs on topics relating to children and families in conflict. The first training session, held on December 8-9, 2003, at the University of Baltimore, was presented by Dr. Philip M. Stahl on the



topic of "Conducting Child Custody Evaluations." The second training session was held on March 30-31, 2004, at the university. The presenter was Dr. Joan B. Kelly on the topic of "Parenting Coordination: Helping High Conflict Parents Resolve

Disputes."

CFCC, established by the University of Baltimore in August, 2000, is working to establish a high-profile entity to develop a body of expertise specific to family law and family justice

reform. It has provided technical assistance and training in many states to judges, attorneys, court staff, and community partners on a wide range of substantive issues affecting families and children in crisis. The CFCC Student Fellows Program represents an important step to involve law students with CFCC's theoretical background, mission, and projects.

For further information, please check CFCC's website at: <u>http://law.ubalt.edu/cfcc/index.html</u>

SANTA CLARA UNIVERSITY COMMUNITY LAW CENTER (aka East San José Community Law Center) **CELEBRATES 10 YEARS OF SERVICE IN SILICON VALLEY**



from campus so that clients have easy access to ser- ence. vices. Over 100 law students work in four separate programs: consumer, immigration, workers' compen- The Law Center has received support from throughpractical experience.

they actually represent clients in all aspects of litiga- over 1,000 clients a year. tion or business development, or they can enroll in

Ten years ago, when Santa advice clinic courses in several areas. In the advice Clara University law students clinics, students (working under the close supervision decided to use their legal of experienced attorneys) give clients information skills to help their commu- that will empower them to take the next steps in pronity, they could not have an- tecting their legal rights. There is also a newly impleticipated the tremendous suc- mented community workshop program in which first cess of their efforts. The Law year law students are trained in areas such as Auto Center today touches the lives Fraud Prevention, Workers' Rights and Tenants' of thousands of clients in Sili- Rights. The students then make presentations to comcon Valley who could not munity groups such as day workers, ESL classes and otherwise obtain legal repre- senior centers. An attorney supervisor accompanies sentation. The civil clinic is located in a new build- the students to ensure that the information conveyed ing, purchased by the University, located two miles is accurate and to assist with questions from the audi-

sation or small business development. The supervis- out the University and Law School, as well as from ing clinicians each have between 8 and 25 years of groups such as the Santa Clara County Trial Lawyers Association, the Silicon Valley Campaign for Legal Services and many law firms in the community. This Students can either enroll in a 3-6 unit course where support has allowed the clinic to continue to serve

NOTED DISABILITY RIGHTS ACTIVIST HARRIET MCBRYDE JOHNSON TO DELIVER **ALBANY LAW SCHOOL LECTURE:**

Law School on Thursday, April 29, 2003. She will open to the public. speak on "Physician Assisted Suicide Inequality, and

the Illusion of Choice."

ruptcy judge and was an attorney specializing in financial

Harriet McBryde Johnson, an attorney in solo prac- restructuring. This memorial lecture allows the Law tice in Charleston, SC and a disability rights activist School to bring prominent practitioners, scholars, and advocate for more than 25 years, will deliver the judges and others together to address students, fac-Edward C. Sobota '79 Memorial Lecture at Albany ulty, staff, alumni and friends. The lecture is free and

> "This event will reunite Harriet with her former colleague and friend ALS Clinical Professor Nancy The Sobota lecture was estab- Maurer. In fact, back in the late 1970's,

> lished in memory of Edward Harriet and Nancy were often sighted traveling the C. Sobota, a 1979 graduate of backroads of South Carolina on behalf of Legal Ser-Albany Law School who vices proclaiming the civil rights of people with disserved as a clerk for a bank- abilities under the Rehabiliation Act of 1973."



THE UNIVERSITY OF ST. THOMAS OPENS INTERPROFESSIONAL CENTER FOR COUNSELING AND LEGAL SERVICES

The University of St. Thomas opened the Interprofessional Center for Counseling and Legal Services near its downtown Minneapolis campus to offer services to the underserved and the working poor in our community on August 18, 2003.

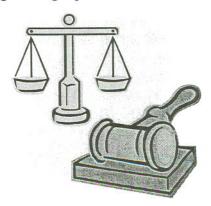
The Center serves as a training facility for law students, as a practicum site for bachelor and master's degree students in social work and for master's and doctoral students in professional psychology, and as a psychology doctoral internship site. St. Thomas personnel supervise and work with the students. Two St. Thomas law graduates will serve as fellows beginning in July of 2004, acting as staff attorneys and supervisors of law students. In its first year, 44 law students, three social work students, and three psychology students will have completed clinical work at the Center. As of mid-March 2004, over 60 clients had been provided with legal and/or counseling services.

A premium is placed on collaborative work between counseling services and legal services. One ongoing case involves allegations by a Nigerian immigrant that she was held in involuntary servitude in Minnesota by a distant relative. Law students represent her in immigration proceedings, assist in representing her in a civil suit against the alleged perpetrator, liaise with federal authorities as they investigate criminal charges, and respond to press inquiries. A social work student, working in close collaboration with the law students, provides assistance in job training, social skills development, procuring public benefits, and preparing the client for the stresses associated with court appearances.

Another case involves a mentally disabled nursing home resident. His care requires that the nursing home staff be able to reassure and redirect him when he becomes emotionally distressed. Unfortunately, since the resident speaks only Spanish, and the nursing home staff speaks only English, the appropriate care was not being provided. Law students researched the requirements of Title VI of the Civil Rights Act, and found that nursing homes are obligated to provide language interpretation necessary to providing care. Law students negotiated an agreement with the nursing home to provide this service to all their non-English speaking residents, while a social work student helped the nursing home access interpretation resources in the community.

In addition to working collaboratively with the counseling services, law students have also vigorously engaged in appellate advocacy. Students in the Family Law Practice Group recently filed a brief in the Minnesota Court of Appeals advocating on behalf of an abused party in a harass-The brief argued ment/restraining order case. against the trial court's issuance of a mutual harassment/restraining order where only the abused party filed a petition and presented evidence of abuse. In preparing the brief, students thoroughly researched and analyzed case law pertaining to the Minnesota Domestic Abuse Act and the Harassment Restrain-Order Statute. As mutual harassing ment/restraining orders are routinely granted in various jurisdictions in Minnesota, the students are hoping for a decision that will proscribe such practices in the future.

The growing movement to provide more integrated services and greater professional collaboration requires constant attention and we anticipate continuing to develop an understanding of the independent and collaborative nature of our Center between the counseling and legal professions.



CLEA WILL SUBMIT COMMENTS ON PROPOSED CHANGES TO CHAPTER 3 AND WILL COMMENT ON CHAPTER 4 OF THE ABA STANDARDS

Margaret Martin Barry

The Council of the Section of Legal Education and Admissions to the Bar reported proposed changes to Chapter 3 of the Standards for Approval of Law Schools for comment after the Council meeting in December 2003. I attended that Council meeting on behalf of CLEA and made preliminary comments on the proposed changes at that time. Since then, CLEA's ABA Standards Committee has sought input and is in the process of drafting comments on the changes that were reported for comment. In particular, CLEA has sought input on proposed changes to Standard 305, which sets standards for externship (field placement) programs. A working group, chaired by Alex Scherr, has considered the proposed changes and solicited input through the externship listserv. The discussion has demonstrated the wide range of views on this subject.

The Standards Review Committee also forwarded proposed changes to Chapter 4 of the Standards to the Council in February, requesting approval to report those changes for public comment. Jay Pottenger attended the February Council meeting on behalf of CLEA. Jay reported that the Council decided not to tinker with 405, and to circulate (fairly) modest proposed changes to several other sections of Chapter 4. There was a great deal of discussion and debate about abolishing altogether the Standard 405 requirement that there be a system of tenure for law professors. According to Jay, in a lopsided (but divided) Council vote on the issue, tenure won, with only several of the lawyers, one judge and one university administrator voting to abolish the requirement. The only other "spirited" discussion concerned post-tenure review, and that also lost. CLEA will make comments to the Standards Review Committee regarding 405 as it applies to clinical faculty, but there are no proposed changes to this Standard currently reported by the ABA for comment.

The Standards Review Committee will consider comments on Chapter 3 received prior to and at its meeting in Washington on May 11, and then will report its proposed changes to Chapter 3 to the Council in time for the Council's meeting in early June. Standards Review is expected to report changes to Chapter 4 later this year.



GW IMMIGRATION CLINIC STUDENT MAKES NEW LAW

Press Release from George Washington University Immigration Clinic, April 4, 2004

On February 25, 2004, Arlington, VA, Immigration Judge (IJ) John M. Bryant granted the Motion to Reopen researched, written, and filed by Alan Remy Taborga in the case of M-P, a citizen of Honduras. What's unique about the decision is that the IJ adopted Remy's groundbreaking interpretation of the phrase "counsel of record" found at INA §239(a)(2)(A) and 8 CFR 3.26(c)(2). Below is a summary of the facts and the argument.

M-P was a client of the Immigration Clinic between February 2, 1999, and January 18, 2000. He came to the Clinic after he had been placed in removal proceedings. As agreed, then-Clinic student Aaron Kless filed an application for Temporary Protected Status (TPS) on M-P's behalf, which was granted, and on January 11, 2000, the IJ administratively closed the proceedings. As agreed, the Clinic closed its file, and it had no further contact with M-P, although it did advise him in writing at that time to notify the Clinic if he received any notices from the INS.

During the summer of 2003 the Clinic received from the Bureau of Immigration and Customs Enforcement (BICE, formerly INS) a Motion to Recalendar M-P's case. The certificate of service indicated that the Motion was mailed only to the Clinic. (M-P never kept INS /BICE, the Court, or the Clinic informed of his address changes after January of 2000.) The Immigration Court later issued two Notices of Hearing, and likewise both were mailed only to the Clinic. No one in the Clinic had any idea where M-P was because, as mentioned above, it had had no contact with him since January of 2000. On December 4, 2003, the IJ ordered M-P removed in absentia.

M-P appeared at the Clinic on January 11, 2004, after he discovered on his own about the removal order. Remy took on the task of getting the removal order rescinded. He concluded that the way to attack it was to argue that the Clinic had not been M-P's counsel of record since January of 2000, and thus, that it was not the proper party to receive notices on his behalf. Remy found no definition of "counsel of record" in the Immigration & Nationality Act or the 8 Code of Federal Regulations, and none in the caselaw. So he constructed an argument based on the definitions of counsel of record and attorney of record found in Black's Law Dictionary and Ballentine's Law Dictionary. Those dictionaries define counsel of record and attorney of record, respectively, as being one who is "entitled" to receive pleadings and other documents for the client, and one "in charge" of the party's business and interests. Remy argued that the Clinic was neither so entitled or in

charge of M-P's immigration case since January of 2000. Remy filed his Motion to Reopen on February 13. The BICE trial attorney filed an opposition which argued, in part, that the Clinic remained at all rele-

argued, in part, that the Clinic remained at all relevant times the counsel of record because it had never formally been granted leave to withdraw by the IJ. Remy and the trial attorney had one telephonic discussion about the Motion, during which she told Remy that he hadn't done his work and that he didn't know the law. Clearly, the IJ disagreed.

As a result of the IJ's decision, M-P's case is recalendared. At the Master Calendar on May 20 Remy will ask the IJ to, again, administratively close the case because M-P remains TPS eligible.

Professor Alberto Manuel Benitez, director of the Immigration Clinic, said, "This is a groundbreaking decision because previously IJs required attorneys to formally be granted leave to withdraw their appearances, which could be burdensome, or remain the counsel of record forever. The IJ's decision is a common-sense application of the phrase counsel of record, because clients often disappear and lose contact with their attorneys. Counsel of record implies much more than merely once having filed an appearance on the alien's behalf, and the IJ's decision confirms this. Remy should be commended for his zealous and creative lawyering. He has a bright future at the Manhattan District Attorneys office, where he'll start work in the fall."

LEGAL EXPERTS PUBLISH HIGHER EDUCATIONADMISSIONS COMPLIANCE MANUAL

SAN FRANCISCO (April 1, 2004) - On the anniversary of the Supreme Court oral arguments in the University of Michigan affirmative action cases, three leading law firms today announced the availability of Preserving Diversity in Higher Education: A Manual on Admissions Policies and Procedures After the University of Michigan Decisions, an innovative publication that provides a clear, comprehensive legal interpretation of the Supreme Court decisions to assist universities and law schools around the country as they redraft their policies to comply with the 2003 high court rulings.

The 200-page publication was researched and written by attorneys from the law firms Bingham McCutchen LLP, Morrison & Foerster LLP, and Heller Ehrman White & McAuliffe LLP. Preserving Diversity is a tool for admissions officers, general counsels, and others involved in crafting admissions policies.

"Many admissions offices are currently crafting new policies, or revising old ones," explained lawyer Michael Begert of Bingham McCutchen, one of the manual's authors. "The knowledge that decisions are being made right now about admissions procedures provided the impetus to provide this crucial information."

Bob Laird, former Director of Undergraduate Admissions at UC Berkeley, added, "The Preserving Diversity manual combines careful, intelligent legal analysis with practical information for campus attorneys, admissions policy makers, and the admissions professionals who carry out those admissions policies. It is an outstanding tool for colleges and universities-and their boards of trustees."

Preserving Diversity describes the legal and constitutional framework appropriate for reviewing raceconscious admissions policies and provides guidelines for developing such policies in the aftermath of the University of Michigan decisions.

The publication also details documentation useful to support race-conscious admissions plans, discusses remedial justifications for race-conscious admissions programs, and analyzes the use of race in financial aid, scholarship, recruitment, and outreach programs.

In the Michigan decisions (Grutter v. Bollinger and Gratz v. Bollinger), the Supreme Court embraced diversity as a "compelling interest" for higher education institutions and allowed flexibility in constructing race-conscious admissions plans.

"The issues are complex," explained lawyer Jennifer Lee Taylor of Morrison and Foerster, "and different universities and law schools will use varying admissions processes, as a large, public undergraduate program will face different challenges than a small, private graduate school program."

"The manual clearly articulates the relevant legal principles that should guide various types of institutions in complying with the Court's opinions," added Robert Borton of Heller Ehrman White & McAuliffe.

Bruce Walker, Vice Provost and Director of Admissions at the University of Texas at Austin, explained, "Universities who have been through a lawsuit on the use of race in admissions (and particularly those who lost, as UT Austin did in 1996), have a keen appreciation for the importance of the legal details of an admission policy. This manual will be highly valued by the practitioners who run admission offices, the administrators who set policy and the legal departments who advise them.

"The Preserving Diversity manual will serve as an important reference as colleges and universities review their policies following the Supreme Court decisions regarding the use of race in college admissions," Walker added.

The three law firms compiled the compliance man-The manual can be ual as a public service. downloaded free charge of at www.equaljusticesociety.org/compliancemanual and www.hewm.com or by requesting it at www.bingham.com.

Among Us



The University of Alabama School course. The Capital Defense Clinic of Law has added a new Capital is the sixth law clinic offered at the Defense Clinic. The clinic will as- school, joining the Children's sist counsel representing individu- Rights, Civil, Criminal Defense, als who have been sentenced to Elder, and Disabiliity Litigation death and are seeking collateral clinics. relief in state and federal courts. Professor Dan Filler will teach the new one-semester, four-credit

ROGER WILLIAMS ADDS COMMUNITY COLLABORATIVES TO ITS CLINICAL PROGRAMS

Roger Williams University School of Law has added several new components to its clinical program. The two newest programs, while different in method and substance, share the element of community-based, interdisciplinary collaboration.

Since the summer of 2002, the School of Law has been a partner in the development of the Rhode Island Family Advocacy Program (RIFAP), a medical-legal collaborative that offers legal services to low-income families in health care settings. RIFAP partners include Brown Medical School, Hasbro Children's Hospital, the HELP Lead Safe Center, Rhode Island Kids Count, Rhode Island Legal Services, and Roger Williams University School of Law. An attorney from Rhode Island Legal Services spends time at Hasbro Children's Hospital, a community-based health clinic, and a non-profit organization serving lead-poisoned children to provide legal assistance in areas of law affecting child health, such as housing, benefits, educational rights, and family law.

Liz Tobin Tyler, Associate Director of the Feinstein Institute for Legal Service at the School of Law, oversees the work of law student externs and pro bono volunteers involved with the program, who work alongside Brown medical students participating through the Medical School's clerkship program. Liz also teaches a seminar entitled "Pursuing Social Justice through Interdisciplinary Practice: The Medical-Legal Collaborative." The course is open to those enrolled in the RIFAP externship and other interested students. It explores the ways that lawyers can engage in holistic problem solving to better serve low-income clients, as well as the professional and ethical concerns that arise when lawyers work in an interdisciplinary setting. During the semester, students attend three joint sessions with Brown Medical School students enrolled in a course entitled, "Crossing Borders: Practicing Socially Responsible Medicine in Complex Communities." At these sessions, law and medical students work together in small groups on

a case simulation to identify the medical and legal options and the potential for collaboration to best serve their client/patient. The three joint sessions focus on food insecurity and public benefits, unsafe housing and lead poisoning, and mandatory reporting and domestic violence. Liz will be a panelist at a workshop on medical-legal collaboratives at the 2004 Annual ABA/NLADA Equal Justice Conference in April in Atlanta.

The law school's newest clinical program, the Community Justice and Legal Assistance Clinic (CJLA) opened its doors in January. The clinic operates under the direction of Nancy Cook, who joined the law school faculty in the fall. RWU's new clinic is designed to complement the work being done in the two existing litigation clinical programs (Andy Horwitz's Criminal Justice Clinic and Peter Margulies' Disability and Family Law Clinic) by offering students the opportunity to work in partnership with existing community-based service providers that have no lawyers on staff. These partnerships allow students to approach problems from multidisciplinary perspectives, expose them to litigation as only one of many problem solving strategies, and engage them in systemic issues, as well as in individual client representation. Among the CJLA's partners is the Casey Family Services Center in South Providence, whose clients present issues related to foster care, nontraditional adoption, and family preservation. Because of the impact of incarceration on the South Providence area, the Clinic is also connecting with the Family Life Center whose work focuses on ex-offenders' transition from institutional settings back into the community. In conjunction with that work, students are engaging both with the adult correctional institutions and with the state's juvenile corrections facility, with the goal of providing legal assistance to inmates just prior to and after their release.

In addition to providing legal representation on individual cases, CJLA clinic students are



engaged in a number of related projects. For example, several students worked with the Family Life Center to develop a policy brief that was instrumental in Governor Carcieri's decision to make institutional after-care a priority for the state. Students have also been providing in-service training workshops for staff and community education programs for residents at various sites. At a Housing Fair hosted by Rhode Island Legal Services and held at one of the CJLA's partnership sites, students are serving as facilitators for small group discussions, as well as providing information about the clinic's services, assisting with public relations and organizing child care for workshop attendees.

As part of a statewide effort to increase collaborations between activist lawyers and public service providers, Roger Williams will be hosting a workshop this spring aimed at facilitating connections between and among potential collaborators. Liz **Tobin Tyler** is working with the Rhode Island Foundation to make this program a success.

George Washington University Law School reappointed Associate Professors of Clinical Law Mary Brittingham and Suzanne Jackson to additional contract terms. Mary is the Director of the law school's Outside Placement Program (externships). Suzanne is the Director of the Health Law Rights Clinic and community-based Health Insurance Counseling Project. Congratulations to these terrific clinicians!



Congratulations to April Land, Nathalie Martin and Scott Hughes. They have been awarded tenure at the Uni-





versity of New Mexico.



Elizabeth (Betsy) McCormick, a fellow at the University of Connecticut, will be visiting at Cornell Law School for the 2004-2005 academic year. She will be teaching in the Public Interest Clinic.

UNC Clinical Law programs is pleased to announce that **Tamar Birckhead**, currently visiting assistant clinical professor at Suffolk Law School, will join the faculty at UNC Law where she will teach in the criminal clinic.

ongratulations

Assistant Professor Beth Lyon, Director of the Farmworker Legal Aid Clinic at Villanova Law School, has been placed on tenure track status.



The Nation's Oldest Independent Private Law School



Albany Law School is pleased to report that it has approved a Loan Repayment Assistance Program to support graduates pursuing public interest careers. The program was designed, in part, through the efforts of clinic professors and students. On March 31, 2004, Dean Thomas Guernsey hosted a successful Public Interest auction to help fund this new program.



ANNOUNCEMENTS OF NEW CLINIC-CAL FACULTY AT THE UNIVERSITY OF DENVER COLLEGE OF LAW

The University of Denver College of Law is excited to announce that **Tamara Kuennen** and **Laura Rovner** will be joining the Clinical Faculty. Tammy is finishing her LL.M at the Georgetown University Law Center, where she has been a Teaching Fellow in the Domestic Violence Clinic. Laura has been Director of Clinical Education and Civil Rights at the University of North Dakota School of Law. We are unbelievably excited to have them join our clinical program.

Villanova School of Law is please to announce that Marisa S. Cianciarulo and Linda Love Vines have been hired to work at the law school as Reuschlein Clinical Teaching Fellows. Marisa S. Cianciarulo is working as a Teaching Fellow with the Clinic for Asylum, Refugee and Emigrant Services and Linda Love Vines is working as a Teaching Fellow with the Federal Tax Clinic.



UNC Clinical Law programs is launching a new gender and human rights policy clinic next year to focus on gender based violence both locally and internationally. Students will be provided opportunities to engage in law related projects addressing ongoing human rights initiatives with a focus on gender-related abuses. Clinic students would work with both state and international organizations on legislative and policy matters, prepare research papers, draft legislative and rule-making proposals, policy guides, and briefs.

SANTA CLARA UNIVERSITY COMMUNITY LAW CENTER'S SUPERVISING CONSUMER ATTORNEY NAMED "NACA CLINICAL/LEGAL SERVICES ATTORNEY OF THE YEAR"



The National Association of Consumer Advocates (NACA) named Scott Maurer, the SCU Law Center's supervising consumer attorney, as "Clinical/Legal Services Attorney of the Year" for his accomplishments in helping curb abusive and predatory business

practices. Law students, under Scott's supervision, have successfully represented hundreds of consumers who have experienced auto fraud, home equity scams, unlawful and abusive business and debt collection practices, unfair credit reporting, mandatory arbitration, and abusive practices by financial and credit card institutions. In addition to the NACA Award, Scott also received the Founders Award from the Law Foundation of Silicon Valley for distinguished volunteer service



We are very pleased to announce that Paul Holland Georgetown University. will be joining Seattle University School of Law as tenure-track Assistant Professor in our Ronald A. Pe- We are also very pleased that George Yeannakis will be heading up our Youth Advocacy Clinic, which supervising students in our externship program. represents juveniles in criminal and special education matters. Paul brings to us extensive experience in teaching, juvenile criminal defense, and child welfare practice. Over the years, he has also been deeply involved in several initiatives related to systemic reform and community training. Paul comes to us from the University of Michigan Law School as Assistant Clinical Professor in its Child Advocacy Law Clinic. Before joining the University of Michigan Law School in 2001, Paul was Director and Clinical Professor of Loyola Law School-Chicago's ChildLaw Clinic, and a Visiting Professor in Georgetown University Law Center's Juvenile Justice Clinic from 1994-1999. Paul received his B.A. from Harvard University (with honors), his J.D. from New York University School of Law (with honors), and his L.L.M. in Advocacy from

ANNOUNCEMENTS FROM SEATTLE UNIVERSITYFACULTY

terson Law Clinic, beginning August 2004. Paul will continue as a member of our faculty this coming Fall,

Other news of interest:

We are very proud to announce three colleagues who will be visiting Seattle University next year. Though they do not teach in the clinical area, each of these individuals have close ties to many of us in the clinical community: Professor Michael Rooke-Lev, Professor Emeritus from Nova Southeastern, will teach Family Law, a specialized Constitutional Law course, and Administrative Law. Professor Pedro Malavet of Florida, will teach Evidence, Comparative Law, and a seminar in U.S. Territorial Possessions. Professor Joaquin Avila of UCLA is a nationally recognized minority voting rights expert who will teach Constitutional Law, Voting Rights, and Latinos and the Law.

nnouncemen

ANNOUNCING THE SIXTH INTERNATIONAL CLINICAL CONFERENCE SPON-SORED BY UCLA AND THE **UNIVERSITY OF LONDON: ENRICHING CLINICAL LEGAL EDUCATION**

Thursday October 27 through Sunday October 30 2005

The UCLA School of Law and the University of London Institute of Advanced Legal Studies are delighted to announce the Sixth International Conference on Clinical Legal Education and Scholarship to be held in Fall 2005 from October 27 to October 30. The purpose of this conference is to explore ways in which we can enrich clinical education. The conference will proceed on the basis that clinical legal education is now a mature, well-established part of the

law school curriculum. Clinical teaching methodology is generally accepted as an essential and respected part of mainstream legal education. Thus our focus should shift from issues of acceptance to issues of sophistication. How can we enrich the clinical curriculum?

Following tradition, the conference will be held again at the beautiful UCLA Conference Center at Lake Arrowhead, California, nestled in the San Bernardino mountains near Los Angeles. A call for papers will be forthcoming shortly.

THIRD WORLD MEETING OF THE GLOBAL ALLIANCE FOR JUSTICE EDUCATION (GAJE) "STRUCTURING A JUSTICE CURRICULUM FOR THE FUTURE"

July 21-30, 2004 Krakow, Poland

The Global Alliance for Justice Education (GAJE) will hold its third international conference, including two related workshops, in Krakow, Poland, on July 21-30, 2004. A one-day pre-conference workshop will take place on Wednesday, July 21; the main conference will open on Thursday, July 22, and will run through Saturday, July 24; a five-day "train the trainers" workshop will follow the conference from Monday, July 26, through Friday, July 30.

The conference's overall theme is intended to address fundamental questions concerning a justice education curriculum for the future, with a special emphasis on organizing a structure for implementing such a curriculum worldwide. The one-day pre-conference workshop will focus on specific strategies for placing the Justice curriculum on the legal education reform agenda in different regions of the world. The main conference will turn to a profound question that goes to the heart of justice education: how can law teachers, working in their law schools and their communities, prepare future lawyers dedicated to protecting human rights and human dignity. One full day of the conference will take place at Auschwitz, where this theme will be taken up by sessions searching for lessons that can emerge from even the most radical examples of lawlessness and injustice. The post-conference "Train the Trainers" workshop will concentrate on carrying out a justice curriculum



with clinical teaching methods, drawing on various teaching approaches from different legal cultures and systems.

Further information about the conference, including on-line registration, is available at the

GAJE web site: www.gaje.org.

UPCOMING PROGRAMS ON ISSUES OF SPECIAL EDUCATION

Seattle University School of Law and The Ronald A. Peterson Law Clinic will present two training programs in June, 2003, to improve access to and the quality of elementary and secondary special education programs. Both programs have been developed and are being directed by Visiting Clinical Professor Law, S. James Rosenfeld.

Seattle University's National Academy of IDEA Administrative Law Judges and Hearing Officers will conduct its 3rd Annual training on June 16-18. This program, which will address both the procedural and substantive tasks faced in making decisions concerning special education disputes arising under the Individuals with Disabilities Education Act, is expected to draw decision-makers from approximately 10 states. Presenters consist of private attorneys representing schools and parents, as well as two members of the School of Law's faculty.

Seattle University will also conduct a one-day training of parents of children with disabilities, parent advocates and parent attorneys. This June 26 program, offered without charge to the Puget Sound community pursuant to the Ronald A. Peterson Law Clinic's Byrne Grant, includes an extensive compilation of reference materials and a complimentary lunch. We thank Visiting Clinical Professor S. James Rosenfeld for coordinating these two important programs.

Other News

Bryan Adamson's symposium article on the *Grut*ter decision "All Facts Are Not Created Equal," will be published in an upcoming edition of the Temple Political & Civil Rights Law Review.

Professor John Strait, who teaches our Professional Responsibility Clinic (where students investigate and research complaints of attorney misconduct on behalf of the Washington State Bar Association), is writing columns for *Real Change: Puget Sound's Newspaper of the Poor and Homeless*. The column will answer general questions regarding legal problems often faced by low-income and homeless communities. Students will research questions and prepare memos, while attorneys from five local firms will provide legal oversight to the students.

As part of Seattle University's increasing collaboration with the Universidad CentroAmericana (UCA) in Managua, Nicaragua, Raven Lidman has been working with their law clinic (established in 1969). Through her efforts, two SU Law students spent a month in August 2003 observing the various clinics and learning about the civil legal system in general and the Nicaraguan variant in particular. In the Fall of 2003 one of the UCA faculty, Fabiola Pena, spent a month at Seattle University with our clinic. We are to further strengthen our relationship with UCA.

Lisa Brodoff co-authored an Amicus Brief for the Northwest Women's Law Center that successfully argued for the application of the meretricious relationships doctrine to equitably divide the property of gay couples who split up. The Washington Court of Appeals held that gay couples who live in "marriage like relationships" are entitled to have their property divided by the court according to equitable principles rather than whose name is on the title.

Betsy Hollingsworth, thankfully, has survived the past five years without being committed to the State Mental Hospital.

GRANTS AVAILABLE FOR REGIONAL CLINICAL CONFERENCES!

The AALS Section on Clinical Legal Education has a limited number of grants available to support regional clinical teacher conferences and subject matter specific conferences in the United States. The purpose of these grants is to encourage more training of clinical teachers. It is hoped that regional conferences and subject matter specific clinical conferences will proliferate, and that the



regional conferences and other training conferences will become selfsustaining like the Midwest Regional Clinical Teachers Conference.

Requests for funding should be directed to the Regional Conference coordinator, Bryan Adamson (Seattle), at badamson@seattleu.edu or Karen To-(Washington University), at TOkarz KARZ@wulaw.wustl.edu at least ninety (90) days prior to the conference. Bryan is available to work with applicants and to assist applicants in developing their applications, which will be reviewed and decided upon by the Executive Committee for the Clinical Section. AALS Section Bylaws prohibit the authorization of funds after a conference has taken place, so no proposals submitted after a conference will be considered. The Section Executive Committee will act on requests within thirty (30) days from receipt of final proposals to provide sufficient planning time for regional conferences.

Guidelines for the proposals are as follow:

1. The maximum size of any one grant will not exceed \$2,000.

2. Proposals must indicate a projected budget for the conference, including a projection of income and expenses that includes: the number of participants expected, the registration fee to be charged participants, projected food and refreshment expenses if any are included in the registration fee, and other expected expenses.

3. Proposals must indicate the names of the states and/or the particular subject matter interests which will be the primary targets for the conference.

4. Conference participants must be charged a registration fee.

5. Travel expenses for presenters who are clinical faculty within the region of the conference may not be subsidized by the conference unless there is an explanation of the unique needs to justify these subsidies. The Clinical Section grant may not be used to subsidize the travel expenses directly since the AALS rules do not permit the Section from spending its money in this way.

6. Conference organizers may not receive compensation from the conference.

7. Proposals must indicate that any excess income from the conference must be passed on to the school or schools hosting the conference in the region in the following year. If there is not another conference planned for the following year, the Clinical Section should be reimbursed up to the amount of the grant from any excess income generated by the conference.

ninety (90) days after the conference.

If you have any questions, please contact Bryan or Karen at least ninety (90) days prior to the conference.

CLEA WEBSITE COMMITTEE SEEKS INPUT!



Kim Diana Connolly, University of South Carolina, and Bob Siebel, CUNY

As many of you know, the Clinical Legal Education Association a t (CLEA)website www.cleaweb.org has become an important repository of information

Yet we and source of news for clinical teachers. know it could be even better, and are making plans to reorganize and expand it this summer! Under the leadership of immediate past president Annette Appell, CLEA recently hired a wonderful webmaster who has already added important new features to the site (check it out!) and will be helping us with this revamping endeavor.

But now we need your help... What would you like to see included on the website? How do you think it should be organized? Any and all ideas are welcome! Also, volunteers to serve on the website committee are more than welcome.

Send your ideas via email to CLEA Website Committee Co-chairs Kim Diana Connolly, University of South Carolina, connolly@law.sc.edu and/or Bob Siebel, CUNY, Seibel@mail.cuny.edu

MIDWEST CLINIC TEACHERS' CONFERENCE

the University of Illinois College of Law in Champaign, Illinois on October 8 & 9, 2004.

The Midwest has a long history of providing a forum As always, those of us in the Midwest are happy to

scholarship. Following that tradition, the conference 8. Successful grant recipients must agree to will begin by showcasing eight newer clinicians file a final accounting of all conference income and from eight law schools: Betsy Abramson, Geneva expenses with the Clinical Section no later than Brown, Diane Dube, Steve Gunn, Nekima Levy-Pounds, Elizabeth Milnikel, Kim Thomas and Debora Wagner. If you are a newer clinician and would like to participate as a presenter, please contact Nina W. Tarr at ntarr@law.uiuc.edu, before the end of April.

> On Saturday, Professor Gerry Hess from Gonzaga's Institute for Law School Teaching will conduct an all day teaching workshop that focuses on the principals of good teaching in clinic classes and seminars. Many of you saw his short presentation at the AALS Clinic conference at Lake Tahoe, and he has agreed to create a customized, interactive workshop for the Midwest that focuses on the special problems clinic and skills teachers face in the classroom. We will have experiential learning for the experiential teachers. We anticipate that the teaching workshop will be useful to faculty who uses "active learning" so pass this announcement on to anyone on your faculty who might be interested. We are considering an additional 3 hour session on Sunday for those who want a special workshop on non-clinic classroom teaching.

> Registration materials will be available in late August. Our primary mode of communication will be the Clinic listserv and the CLEA newsletter. To save costs, we probably will not be doing any direct mailing, so watch the listserv for announcements.

We will try to keep registration costs reasonable. The majority of the conference will be held at the University of Illinois College of Law and the hotel will be the Hawthorn Suites Limited which has given us a conference rate of \$70 per night plus tax which includes a free breakfast buffet. There will be no charge for parking. You will make reservations with them directly and their phone number is 1 800 527 1133 (www.hawthorn.com) For those of you who The Midwest Clinic Teachers' Conference will be at want to fly, there is an airport in Champaign and another about 40 miles away in Bloomington, Illinois that has different carriers. Check them both out.

for newer folks to present their thoughts, ideas and host people from around the country - and the

NITA

CLINICIANS NEEDED FOR PUBLISHING OPPORTUNITES THROUGH NITA

The National Institute for Trial Advocacy (NITA) is seeking experienced Clinicians for several publication opportunities, including:

Case Files and teaching materials: NITA publishes case files for use in law school clinical courses, pre-trial and trial advocacy courses, and deposition seminars and advanced litigation training. Authors are needed to develop new case files in all areas, specifically material modeled after cases that students handle in live-client clinical programs (i.e. domestic violence, housing, special education, elder law, immigration, consumer protection, civil rights, environmental law). Additionally, NITA publishes litigation related trade books and treatises. NITA has a long and successful history of publishing materials produced by clinicians and other legal practitioners. An Editorial Board and support staff is available to assist in guiding authors through the publication process. For more information, please contact NITA Associate Editor, Zelda B. Harris at 520-747-1847 or zelda.harris@worldnet.att.net

Commentary Project: NITA has an ongoing Commentary Project with Lexis. The commentaries examine federal rules and code sections from a practice and litigation standpoint. We have several hundred rule and code section commentaries on line with Lexis (and printed in the U.S. Code Service) ranging from the Federal Rules of Civil Procedure to Title 18 USCS Chap 153, Habeas Corpus. Commentary authors are needed, particularly for Title 28 Judiciary and Judicial Procedure code sections - Chapters 155 Injunctions, Chapter 159 and Chapter 176 Federal Debt Collection - and for Title 18 Crimes, Title 21 Chapter 13 Drug Abuse Prevention and Control, and Tile 42 Public Health and Welfare. For additional information about writing a commentary, contact Frank Alan, NITA Editor of Electronic Publishing at (800) 225-8462 or Alan.1@nd.edu or Zelda B. Harris, NITA Associate Editor at 520-747-1847 or zelda.harris@worldnet.att.net

UNIVERSITY OF DENVER COLLEGE OF LAW CELEBRATES IT'S 100TH ANNIVERSARY AND THE ROCKY MOUNTAIN REGIONAL CONFERENCE ON OCT. 22 – 24, 2004 IN DENVER, COLORADO



DENVERSITY OF DENVER COLLEGE OF LAW

In the Fall, 1904, Dean L. W. Hoyt of the The Denver University Law School (DU), announced that as a part of its regular courses DU would offer "a Legal Aid Dispensary where the meritorious cases of poor persons are taken and handled free of charge by the senior students under the direction of an experienced attorney". In it's first year, the Legal Aid Dispensary devoted itself to teaching students the following skills: "how to meet a client and draw from him the vital facts of the case and sift out what is essential from a mass of confused, chaotic facts... prepare evidence, secure witnesses and classify evidence...and then comes the trial in which the student gains practical knowledge and practical experience at every step, matching his powers against trained lawyers ... "

The Student Law Office (SLO) of the University of Denver is proud to announce that we are in our 100^{th} year and still going strong, and looking forward to celebrating this anniversary with a Gala Celebration on October 22^{nd} , and by hosting the Rocky Mountain Regional Conference on October 22 - 24, 2004 in Denver, Colorado.

The theme of the regional conference will be: 100 years of Clinical Education: What We've Learned and Where We Go From Here.

At the regional in November in Houston, faculty from the region expressed interested in examining a variety of clinical models, and discussing issues such as the status of clinicians, funding and sustainability, and models of collaboration with internship, externship and hybrid programs.

The clinical faculty and administrators in the region work closely together and we expect a large group of clinic administrators to attend the conference. We will look closely at the role of the administrator in the clinical teaching process.

We will be finalizing an agenda over the next few months, and will share it with the larger clinical community. We invite all clinicians to join us in Denver and to help us celebrate 100 years.

PLANNING FOR THE 2004 NEW CLINICIANS GET-TOGETHER AND 2005 NEW CLINICIANS CONFERENCE

Are you a newer clinician or do you work with a newer clinician? You will want to keep two upcoming events in mind: CLEA and the AALS Mentoring Section are planning a New Clinicians/Mentoring Get-together that will be in conjunction with the 2004 Clinical Conference in San Diego, and we are planning the bi-annual CLEA New Clinicians Conference to be held immediately prior to the 2005 Clinical Workshop.

Note that the AALS has decided to add a Workshop for New Clinical Teachers every other year in conjunction with its Workshop for New Law Teachers, starting this summer. CLEA members also will be

presenting at this summer's AALS Workshop. It is wonderful that the opportunities for integrating our newer colleagues into the world of clinical work are expanding.

Look for more information soon, or if you have questions contact New Clinicians Conference Committee co-chairs Kim Diana Connolly, University of South Carolina, <u>connolly@law.sc.edu</u> or Alex Scherr, University of Georgia, <u>scherr@arches.uga.edu.</u>

REVISED ONLINE BIBLIOGRAPHY OF CLINICAL LEGAL EDUCATION

I have posted a revised version of the Online Bibliography of Clinical Legal Education. You may visit the Bibliography at ttp://faculty.cua.edu/ogilvy/Index1.htm

This version of the bibliography of materials relating to clinical legal education is a compilation of entries from the version published by the Clinical Law Review, 7 CLIN. L. REV. Special Issue (2001) and entries collected since the publication of that volume, including new materials published through 2002 and previously published materials that we had missed in the earlier versions. This version includes, for the first time, abstracts of twenty-two articles written by John S. Bradway between 1928 and 1965.

Professor Bradway is a seminal figure in clinical legal education. He started an experimental, sixweek, faculty-supervised clinic at the University of Southern California in 1928. In 1931, he established at Duke University the first full-fledged, faculty-supervised clinic. His work is an inspiration to all clinical faculty who have followed him. Not only was he an active clinical supervisor, but he was a productive scholar and a leading figure in the growth of legal aid programs throughout the nation. Clinicians still grapple with many of the issues about which Bradway thought and wrote.

The next revision is scheduled for late fall 2004. Please let me know of any materials that should be included. You can send me materials to my email address: <u>ogilvy@law.cua.edu</u>



Washington University Intellectual **Property & Business Formation** Legal Clinic

"Bridging the academic R & D gap by helping move R to D"

ences to provide an array of professional services to Charles early stage innovators (including both local startups mcmanis@wulaw.wustl.edu. Applicants should posand indigenous and local communities in the U.S. and developing countries) and further the mission of the Center to bridge the gap between research and development (R & D) in academia and facilitate "moving R to D." The Center and the IP/BF Legal Clinic will promote interdisciplinary education and empirical research on the R & D process itself.

Wash U. will initially seek to hire at least one full-

Washington University School of Law will start a time person to share administrative and teaching dunew Intellectual Property and Business Formation ties in the IP/BF Legal Clinic and the Center, with Legal Clinic (IP/BF Legal Clinic) that will operate in the aim of possibly splitting these responsibilities conjunction with a new Center for Research on Inno- once the Clinic and Center are up and running. A vation & Entrepreneurship (Center). Law students formal position announcement will posted soon on will work with students from the schools of business, the CLEA website, but in the meantime interested engineering, medicine, social work, and arts and sci- persons are encouraged to send resumes to Professor McManus via e-mail at

ses experience and interest in intellectual property, business formation, or both areas of law and a commitment to clinical legal education. Prior experience as a clinical teacher will be a plus

Committee Reports

MEMORANDUM

TO: **Bryan** Adamson FROM: Aminata F. Ipyana and Carmia N. Caesar, Co-chairpersons, COC DATE: March 25, 2004 RE: Clinicians of Color 2003 Activities and 2004 Projected Activities

nis and Karen Yau-Smith, the Clinicians of Color CLEA's Technology Committee. (COC) had two membership meetings in 2003 (Washington, DC and Vancouver, BC) to discuss Additionally, many members had great ideas about several important issues. From the discussions the website content including the following: came several action items.

I. **COC** Website

The COC has spent considerable time trying to find job postings a host for a website. We asked the membership to links to Minority Bar Associations

inquire whether their respective schools would be willing to host the COC website. Unfortunately, we did not get a response. Upon further brainstorming, it was suggested that we approach the Clinical Legal Education Association (CLEA) to see if they would be willing to host the COC website. CLEA's board has agreed to host the website. The COC now has to interface with CLEA's Technology Committee. Cynthia Dennis (also a CLEA Board Under the leadership of Professors Cynthia M. Den- Member) has agreed to be the COC liaison to

> information about clinical teaching and preparation information about COC fellowships mentoring information

information regarding negotiating salary and benefits Bibliography

II. **COC** Bibliography

Professors Margaret Montoya and Antoinette Sedillo Lopez are preparing a COC Bibliography, which will in our scholarly work and increase the citations of our scholarship in the works of others. There was a crosscheck of clinical teachers from the AALS Directory and a survey was sent out. Unfortunately, not many people responded to the survey. Lopez's students also searched for articles on Westlaw and Lexis.

The COC has agreed to approach Lopez and ask her if there is anything the committee can do to help move this project forward. The COC will also remind membership to submit their names along with a list of publications (including brief annotations, if available) to.

III. The COC Listserv

Professor Odeana Neal continues to maintain the COC Listserv.

To get on the COC listserv, please email Odeana Neal (Baltimore) at who manages the list. To post message, send them to.

To get monthly archives of COC-L, visit http://ube.ubalt.edu/listserv/COC-L.

IV. Building a Comprehensive List of Clinicians of Color

The COC is continuing its endeavor to maintain a list of all individuals who identify as clinicians of color. The list is important because the leadership of the AALS Section on Clinical Legal Education (of which the COC is a subcommittee) may refer to the list when making committee appointments. The list continues to grow with each COC meeting. Cynthia Dennis has agreed to update the list for 2004.

On a related topic, the COC has had discussion concerning the AALS Section on Clinical Legal Education membership application/renewal and database update. On the form there is a place where someone can indicate, "I want to be informed of activities of interest to clinicians of color." The COC leadership is, however, unaware of how the COC is informed when someone expresses an interest on the AALS form. The COC will make an inquiry to David Santacroce

about this question.

V. Update from AALS Annual Meeting January 2004 and Agenda for May 2004 Meeting

Co-Chairs Elect, Aminata Fulani Ipyana and Carmia Caesar, officially began their term at the January 2004 be an important tool for finding pieces by COCs to use AALS Annual meeting. Unfortunately, the COC and CLEA meetings were scheduled simultaneously, causing a major conflict for COC. A very brief COC meeting was held at the end of the CLEA meeting. Our thanks to those who attended specifically: Cynthia Dennis, Cooley; Christine Cruz, Univ. of New Mexico; Paula Williams, Univ. of TN; Phyllis Smith, FAMU Law; and Tamar Meekins, Howard. The discussions from that meeting have formed the Agenda for the May COC meeting in San Diego, CA, which is set forth below.

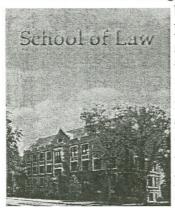
Agenda for May 2004 Meeting

Membership introductions and updating of membership list Reminder to join COC listserv Chair Terms, Nominations and Elections Term length: the immediate past and current co-chairs agreed to serve for two year terms. The question raised is whether the COC should institutionalize the two year term? Nominations for the May 2005 elections for the COC term to take effect in January or 2006 COC Website Volunteers needed to form a subcommittee to assist with content issues for the website COC Bibliography Discussion of proposal for project to acquire funds (approx. \$500) from the Executive Committee COC - Equal Justice Works Collaboration Encouraging students of color to apply and providing support regarding fellowships projects and proposals Activism Encouraging and supporting others regarding AALS leadership opportunities

Nominations for Clinical Legal Education Section Awards

Executive privilege: Professors Caesar and Ipyana extend their heartfelt appreciation and thanks to Karen Yau-Smith and Cynthia M. Dennis for their support and assistance during this time of transition. We are grateful and relying on their assistance to get us through our term. Additional thanks to Cynthia Dennis (immediate past co-chair) who assisted in the preparation of this memorandum.

The Section's Political Interference Group continues to provide assistance to the clinical program at the University of North Dakota School of Law. In January, Martin Wishnatsky sued clinic professor Laura Rovner, alleging that her refusal to provide legal representation in his proposed suit challenging the erection of a statute of the goddess Themis on top of the Grand Forks courthouse violated his First Amendment rights. The clinic declined to represent Wishnatsky because it was not taking any cases at the time and



because of its belief that his persistent and antagonistic actions towards the clinic and its faculty over its involvement in a suit challenging a Ten Commandments statute would preclude the possibility of establishing effective attorneyan

client relationship and would impair the ability of the clinic to adequately represent him.

An Assistant Attorney General for the state of North Dakota is representing Professor Rovner, and the Civil Rights Clinic at New York University School of Law intends to file an amicus brief in the case on behalf of the Clinical Legal Education Association and the Society of American Law Teachers. Many, many thanks to **Claudia Angelos** and her students in the N.Y.U. Civil Rights Clinic for helping on the case. The AALS plans to intervene in the case after receiving a request from the dean of the University of North Dakota School of Law and the Section. They will file a separate brief.

INTEGRATION OF SKILLS INTO TRADITIONAL CURRICULUM

The Integration Committee welcomes **Kim Connolly** (South Carolina) who joins **Kathy Hessler** (Case) as co-chair of the committee and thanks • **Lisa Brodoff** (Seattle) for her service as co-chair. The committee will be meeting Sunday evening, • May 2nd at the conference in San Diego would welcome anyone who wants to join us. The committee plans to discuss the following items:

- Participation in the Southeastern Law Schools Association conference on a panel discussion integration issues
- Participating in the January 2005 AALS Annual Meeting for the New Approaches: Lawyer Interviewing and Counseling Program
- Planning for potential participation in the May 2006 Clinical Conference regarding col-

laboration and integration issues

- Short term planning
- Maintaining/updating bibliography on integration





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Job Opportunities



SANTA CLARA UNIVER SITY SCHOOL OF LAW: CIVIL CLINICAL PROGRAM EXECUTIVE DIRECTOR Full-time/Tenured or Tenure-Track Position

Santa Clara University School of Law invites applications for the position of Executive Director of the civil clinical program, a tenured or tenure-track faculty position. Applicants must be willing to become a member of the California Bar and must have at least two years of experience in law school clinical instruction or in the supervision of lawyers in a law practice setting. The person filling this position will provide instruction in clinical law courses, including the direct supervision of law students, may teach non-clinical courses, and will provide leadership in clinical education to the Faculty of Law, the clinical faculty and the legal academic community in general. This faculty member will assume the normal and customary responsibilities of tenured/tenure-track faculty members, including participation in matters of faculty governance. While this position requires the performance of some administrative, supervisory and clinical instruction duties throughout the academic year, including summer session, he or she shall be accorded appropriate time to engage in the teaching, professional contributions and service activities necessary to achieve tenure on the Faculty of Law and promotion to the ranks of Associate Professor of Law and Professor of Law.



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Cooley Law School is now accepting applications for assistant and associate professor teaching positions starting in 2004 at its Grand Rapids and Rochester campuses. The positions start in September 2004, January 2005, and May 2005. Teachers in all subjects are needed.

Our mission is to prepare our graduates for entry into the legal profession, and practical legal scholarship is our guiding principle and focus. That mission can be summed up in three words knowledge, skills, and ethics. Our goal is to provide our students with the knowledge required for passage of the bar examination and admission to the bar; the skills required to competently practice law and represent their clients; and the ethical values necessary to fulfill their responsibilities as lawyers. Our vision is to remain the best at preparing students for practice and to be a leader in innovation.

Interested applicants should submit a resume and cover letter. A cover letter should identify both the subjects an applicant is qualified to teach and the applicant's relevant experience in those subjects. The letter should also contain a statement of how the applicant will help us carry out our mission. Please e-mail these materials to hr@cooley.edu. We welcome all applicants who value diversity in the legal profession, and we are an equalemployment-opportunity employer. For more information, please go to www.cooley.edu.



SEARCH EXTENDED

The University of Memphis Cecil C. Humphreys School of Law has extended its search and invites applications and nominations for the position of Dean, with service commencing as mutually agreed.

The Dean is the chief academic and administrative leader of the School of Law. The Dean's primary responsibilities include (1) working closely with and assisting faculty in promoting excellence in teaching, legal scholarship and community service, (2) leading the School of Law's fund-raising and development efforts, (3) engaging the faculty in strategic planning for the future of the School of Law, (4) representing the School of Law within the University of Memphis and its surrounding community, and (5) managing the administrative staff and budget.

In evaluating applications, the search committee will consider, inter alia, the following characteristics: (1) a level of professional scholarship, teaching and service that warrants appointment to full professor, (2) an interest and a demonstrated history of success in fund-raising, (3) a capacity for academic administration, (4) the ability to provide leadership in academic and clinical legal education, scholarship and teaching in a culturally and intellectually diverse community, and (5) any significant non-academic accomplishments in the law.

The School of Law was founded in 1962, was accredited by the ABA in 1965 and is a member of AALS. It is located in the leading city of the Midsouth with a metropolitan area population in excess of one million, fine cultural institutions and excellent neighborhoods.

Since its inception, the School of Law has gradu ated approximately 5,000 students, who have as-

sumed positions of responsibility and prominence as lawyers, judges and public officials in all 50 states. It currently graduates approximately 140 students per year with the degree of Juris Doctor and also participates in a joint JD/MBA program. The School of Law takes pride in its excellent classroom teaching and scholarship, the collegial relations of its faculty, its excellent student/faculty rapport and its active alumni support.

Nominations or applications will be given prompt consideration if received by May 15, 2004, but earlier submissions are very strongly encouraged. Review of applications will continue until the position is filled. Applications should contain a detailed curriculum vitae and a list of three to five professional references. Nominations should include complete contact information for nominees. Nominations or applications should be sent to Professor Kevin H. Smith, Vice-Chair, Law School Dean Search Committee, Cecil C. Humphreys School of Law, 3715 Central Avenue, Memphis, TN 38152. Electronic submissions are preferred and should be sent to <u>ksmith@memphis.edu</u>.

The University of Memphis, a Tennessee Board of Regents institution, is an EEO/AA University. The School of Law does not discriminate on the ground of race, color, religion, national origin, sex, age, handicap or disability, or sexual orientation.

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31

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2004 CLEA DUES REMINDER

Reminder

Have you paid your 2004 CLEA dues? Wouldn't you be disappointed if you did not receive the *Clinical Law Review* at your desk?

If you have not paid your 2004 CLEA dues (\$40.00 U.S. for individual full membership) please do so today. 2004 CLEA dues are due by April 15, 2004. The 2004 CLEA dues form is available at www.cleaweb.org.

CLEA GROUP MEMBERSHIP AVAILABLE

CLEA also has a Group Membership option for law schools. The Group Membership option provides savings for law schools paying CLEA membership dues for all law faculty teaching clinical courses at one time. Each full time faculty member teaching a clinical course counts as a Full Member and, as part of his/her membership will receive a free subscription to the *Clinical Law Review*, and the option to receive the CLEA Newsletter via regular mail or e-mail. Associate Membership is restricted to persons engaged in legal education on a basis that is less than full-time, such as in the capacity of an adjunct educator or field placement supervisor in an externship, or law faculty (full-time or part-time) in countries outside of the U.S., and others interested in the furtherance of clinical legal education who are not full-time legal educators.

CLEA Group Membership Dues Scale:

\$150 U.S. for four (4) or fewer Full Members plus four (4) or fewer Associate Members.

\$225 U.S for six (6) or fewer Full Members plus six (6) or fewer Associate Members.

\$300 U.S. for eight (8) or fewer Full Members plus eight (8) or fewer Associate Members.

\$375 U.S. for ten (10) or fewer Full Members plus ten (10) or fewer Associate Members.

Group Memberships for more than ten (10) Full Members is based on a formula of \$35.00 U.S. for each Full Member, and the school is entitled to an equal number of Associate Members.

If you have any questions about CLEA Membership, please feel free to e-mail Brad Colbert at or Cynthia Dennis at dennisc@cooley.edu.

Please mail dues to:

CLEA Dues Attn: Cindy Kelley University of Michigan Law School 727 Legal Research Building 625 S. State Street Ann Arbor, MI 48901-1215





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Suzanne Levitt

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Shirts are \$9 for one, \$15 for two, \$25 for three, plus \$2.50 for postage.



Size: _____adult small _____adult medium ____adult large

adult XL adult XXL

child small

child medium child large

Color:

Berry (a stone-washed red-violet)

Pepper (a stone-washed charcoal gray)

37



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 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:

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):



AALS SECTION ON CLINICAL LEGAL EDUCATION

2004 Membership Application / Renewal Form

This form is available via internet at: http://cgi2.www.law.umich.edu/_GCLE/Index.asp

The AALS Section on Clinical Legal Education is accepting new memberships, renewing memberships, and updating information in its database. Like your taxes, your dues are due April 15th, 2004. To ensure the clinical community's continued growth and enhancement, it is vital that you complete *all* fields on this form (even if you are not becoming a member). Confidential data is never released in individual identifiable format according to the Section's data collection and dissemination policy. The policy is viewable at , where you can also check your membership and dues status by searching for yourself in the interactive clinicians directory. Please allow three to four weeks from mailing for your membership information to be updated on the web.

Please check the lines that apply below:

....

_____ I would like to become a new member of the AALS Section on Clinical Legal Education for \$15.00.

Please renew my 2004 membership for the AALS Section on Clinical Legal Education for \$15.00.

Please	change	update	my	profile	below.	

Last Name:			Suffix:
First and Middle Names:			
City:		State:	Zipcode:
Country (if other than US):_			
University URL:			
Law School URL:			5.
Email address:	-		
Office Phone (voice):		Extens	sion:
Office Fax Number:		Year graduated from La	aw School:
Years full-time teaching:		Years part-time teaching:	
What is your employment/te	enure status in the Lav	v School:	
Decimal fraction working fu	III-time in legal educati	on:	

(please continue on reverse side)

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Decimal fraction that salary is supported by hard money:					
Base salary (exclusive of summer research grants):					
Number of months employment is supported by base salary:					
Name of first clinical course frequently taught:					
Type:in-houseexternship	simulation	_ other			
Name of second clinical course frequently taught:					
Type:in-houseexternship	simulation	other			
Name of third clinical course frequently taught:					
Type:in-houseexternship	simulation	other			
Name of fourth clinical course frequently taught:					
Type: in-house externship	simulation	other			
Average supervision ratio in in-house clinic (if applicable):					
Average supervision ratio in externship clinic (if applicable):					
Name of first non-clinical course frequently taught (if any):					
Name of second non-clinical course frequently taught (if any):					
Name of third non-clinical course frequently taught (if any):					
Are you the overall Director of Clinical Programs at your school?					
Is scholarship a requirement of your job?					
Race/ethnicity with which you identify:					
Gender with which you identify:					
Would you like to be notified of activities of interest to:					
women clinicians? Yes: No:					
lesbian/gay/bisexual/transgender clinicians? Yes:	No:				
clinicians of color? Yes: No:					
Are you willing to receive AALS mailings via email, whenever possible? Yes: No:					
Mail this form, with a check for \$15.00 payable to AALS (if dues are owed), to:					

AALS / CLEA Dues C/O Cindy Kelley University of Michigan Law School 625 S. State Street Room 996 Legal Research Building Ann Arbor, MI 48109-1215

