



AALS Section on Clinical Legal Education

Message from the Chair

Calvin Pang
University of Hawaii



Aloha everyone:

As I get set to pass the torch to my friend and colleague Chuck Weisselberg, I just want to say that it's been a pleasure serving as chair of this section. Jane LaBarbera, the AALS Associate Director, has told me several times that our section is among the most challenging (and fun) to manage, and I think she's right. Jane mentioned how we ask questions and request things no one else does. Even within the rules and strictures of the AALS, clinicians push the envelope.

At the end of this year, we say good-bye to three departing members of the Executive Committee: Bob Kuehn (Alabama) whom I could always count on for creative ideas and wherever appropriate, the thoughtful dissent; Alex Scherr (Georgia) whose constructive spirit and ability to turn thoughts to action will be a boon to us as he assumes the presidency of our sister organization, CLEA; and my mentor Bryan Adamson (Seattle) who leaves a legacy of strong leadership clothed in his inimitably easy and inclusive style.

In the new year, Chuck Weisselberg (UC-Berkeley) assumes the chair of our section. Chuck has worked with me throughout the year to resolve every vexing issue before us, and I can attest to his passion, his calm under fire, and his commitment to you. He's been a wonderful partner to me on the Executive Committee, and I look forward to his year as chair. Just as CLEA is lucky to have Alex, we're plumb thrilled to have Chuck, and I know that together, these two leaders will turn 2005 into a banner year for clinical legal education.

But we still have a year to finish up, so what's been and continues to be on the platter?

This past year, we attempted to move members of our clinical community into positions of leadership within the AALS. We contacted decisionmakers within the AALS to educate them on the benefits of and need for a competent clinical voice in all important AALS committees. We solicited names of interested and qualified individuals, created packets of information on them, then delivered the packets to the AALS. Even while we await the results of our efforts, we know that we must keep pushing if we are to become change agents within the academy. The lessons from this year's efforts will inform future planning.

We also tried to be more supportive of the many regional conferences (three in October) we had this year. Recognizing that regional conferences provide a unique and invaluable opportunity for intellectual exchange, social camaraderie, and plain old-fashioned support, the Executive Committee quadrupled its budget allotment to assist these conferences. Unfortunately AALS rules narrow the range of expenses that the section can fund. In response, the section leadership is seeking to negotiate a new understanding with the AALS that will permit broader use of section dues to support regional conferences.

We also sought to energize and support our section committees by making more funds available for their activities, but found that money is not everything. Because we believe that our committees provide a place for interested clinicians to gather and work on matters of concern to the entire clinical community, it is important that our committees be vibrant and productive. Unfortunately, this has not always been so for some committees; even with the offer of

funding, we did not observe a perceptible rise in energy. We are revisiting our committee structure to see how the section leadership can help our committees reach their potential.

Reviewing the function and structure of our committees is one of several matters we will consider in January 2005 when we convenes a leadership retreat to be held in conjunction with the AALS Annual Meeting in San Francisco. We have not recently thought about what we do or how we can do it better, and so to launch 2005 on the right foot, section leaders will meet at Chuck Weis- selberg’s home for a day of reflection, dialogue and revelation. Under Chuck’s leadership, the planning committee has carefully chosen facilitators to help us be thoughtful and productive.

Talking about the Annual Meeting in San Francisco, our section will sponsor a half-day workshop with the Section on Aging and the Law on “New Approaches to Client Interviewing and Counseling.” Led by Kim O’Leary (Cooley), the planning committee has assembled a notable panel of textbook authors to spark think- ing and questions about this fundamental lawyer skill and the teaching of it. The plenary will be followed by four topic-specific panels on the elderly and disabled, children, non-English speakers, and criminal defen- dants. Please be there if you can.

At our business meeting in San Francisco, we will sing the praises of Professor Michael Norwood (New Mex- ico), the 2004 recipient of the William Pincus Award, and move on the recommendations of our Nominations Committee which worked hard to develop our slate for 2005: Susan Jones (George Washington) as Chair-Elect, and Hans Sinha (Mississippi) and Carol Suzuki (New Mexico) as new EC members. I wish to publicly thank Carol Suzuki and Michael Pinard (Maryland) who chaired our Awards and Nominations Committees re- spectively, and the members of their committees.

In San Francisco, Mary Helen McNeal (Montana) will also introduce our newest Gary Bellow Scholars. These individuals will develop projects that involve law stu- dents and teachers in anti-poverty or access to justice initiatives. Thanks to Mary Helen and all committee members for memorializing Gary Bellow’s work through the selection of deserving new scholars.

I will end here. It’s been a privilege to serve such a remarkable community of teachers and lawyers. I leave with fond aloha.

Imua (Move forward).

New Chair-Elect and Executive Committee Members



The Nominations Committee of the AALS Section on Clinical Education is proud to announce that **Susan Jones** (George Washington) will serve as the incoming Chair-Elect of the Clinical Section and that Hans Sinha (University of Mississippi) and

Carol Suzuki (University of New Mexico) will serve on the Executive Committee. The Nomi- nations Committee thanks all of those who nominated individuals to serve the section in these capacities.

The Nominations Committee consisted of Warren Jones (MacGeorge), Ana Novoa (St. Mary’s), Mi- chael Pinard (Maryland) and Paul Reingold (Michigan).

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ASK KIM



Dear Kim,

I'd like to ask you to answer the question of whether tenure for clinicians and all the obligations and other work that goes with such status means that clients and students get less from their clinical instructors. I think that, on balance, in most cases the answer is no, but believe there is a plausible argument on the other side. If this issue is too hot to handle, I understand...

Sincerely,
Concerned Clinician

Dear Concerned,

Too hot handle? Why would you think that! When I started this column a few years ago, I envisioned questions like "What is the difference between the AALS and CLEA?" or "Why is the Clinic Conference always in May" or even "Can you explain how the ABA Section of Legal Education actually works?" I did not anticipate being asked to weigh in on one of the THE prominent debates within our community. But never being one back away from a query, I did what a good academically-inclined clinician would do, I researched the question, even read some law review articles!

Before tackling the meat of your question, let me explain some of the forms of status clinicians have in law schools. While each school has its own idiosyncracies, in my experience most schools have a variation on one of the processes mentioned below:

--Unitary tenure track: all full-time faculty at the law school have the same promotion and tenure standards, the same voting rights and all other rights and benefits are identical (well, almost all; many schools with so-called unitary tenure tracks do not include legal writing teachers, academic support directors and others.) Faculty are considered to have teaching assignments that might include a clinic or a mix of different types of courses. Promotion and tenure are generally decided by a committee of tenured faculty recommending to the law school

Dean. The committee might or might not have faculty who teach in clinics.

--Clinical tenure track: some of the faculty at the law school are classified separately as clinical faculty. While other faculty have a tenure and promotion system similar to that described under "unitary tenure track", clinical faculty have a different promotion and tenure system, typically one that places more emphasis on clinical service and clinical scholarship or legal writing on behalf of actual clients (some standards under "unitary tenure track" also allow this type of service and scholarship, but typically they are weighed differently in actual practice). Typically the promotion and tenure of a clinician is decided by a committee consisting primarily of faculty who teach clinic or skills courses, plus some "academic" faculty. Clinicians who achieve tenure are considered to have tenure contingent upon the law school continuing to offer clinical programs. Clinicians typically serve on some committees and have voting rights on some matters, but do not generally serve on hiring committees for "academic" faculty nor vote on hiring, promotion or retention of "academic" faculty; clinicians are invited to attend and participate in most faculty meetings. Clinicians may be asked to teach non-clinic courses from time to time but are not considered part of the regular teaching pool for those courses.

--Long-term contracts: Similar to clinical tenure track, except instead of ever achieving any type of tenure, the clinician achieves first short-term contracts (e.g. one year), then longer contracts (e.g. three years), then finally longer contracts (e.g. seven or ten-year). Because there is never any form of tenure, the person's employment is generally reviewable at the end of a contract period, although security must be offered eventually that meets the requirements of 405c of the ABA Standards. Review committees might include clinical and "academic" faculty, or might consist of the Dean or an administrative review of some sort. Frequently there is no scholarship requirement at all, and sometimes this is a choice made by the clinicians

who believe the time is better spent on legal practice and clinic development. Clinicians may or may not be invited to attend some or all faculty meetings, may or may not have some voting rights (almost never all voting rights) but generally do serve on some committees.

--At-will or year-to-year appointments. For full-time faculty, this type of employment is considered to violate Standard 405 c of the ABA accreditation standards, which reads:

A law school shall afford to full-time clinical faculty members a form of security of position reasonably similar to tenure, and non-compensatory perquisites reasonably similar to those provided other full-time faculty members. A law school may require these faculty members to meet standards and obligations reasonably similar to those required of other full-time faculty members. However, this Standard does not preclude a limited number of fixed, short-term appointments in a clinical program predominantly staffed by full-time faculty members, or in an experimental program of limited duration.

Nina Tarr makes a most persuasive and eloquent argument for why the clinical community should wholeheartedly support a unitary tenure track for clinicians in *In Support of a Unitary Tenure System for Law Faculty: An Essay*, 30 WM. MITCHELL L. REV. 57 (2003). You should read the whole thing to do it justice (it is not long and is quite easy to read), but Nina's main points relate to the importance to the school for all faculty to be full citizens of the law school, to debunk the rationality of separating faculty by their teaching methodologies, to describe the benefits of faculty teaching across clinic/"academic" lines, especially at a time when teaching methods are shifting and clinical methods are being incorporated into the classroom in many different types of courses. While she is supportive of clinicians in all different types of situations, she expresses concern that clinicians might argue for anything less than full participation in their own work environments.

The other point of view is presented by Jeanne Charn in *Service and Learning: Reflections on Three Decades of the Lawyering Process at Harvard Law School*, 10 CLINICAL L. REV. 75 (2003). While also taking care to honor clinicians who have made the opposite choice, Jeanne explains a choice made by their program to hire a large number of non-tenure

track Clinical Instructors (CI's) who are expected to have their own caseloads, interact at a detailed level with a small number of students on the students' cases, and interact with each other more as colleagues in a law office than as professors. The CIs do not engage in scholarship nor do they teach the classroom component, but they are expected to help the students bridge what they are learning in the classroom with a dynamic experience of law practice. The model was set up to provide the CIs with security of position consistent with Standard 405. Jeanne talks about the trade-offs with their model, but believes that in the end having a law office of practitioners raises the level of learning for the students, in part by making it possible to hire thirty CIs, twenty of whom are in her program, and noting that the idea of hiring 20-30 tenure track clinicians was not in the realm of possibility. She finds the CIs to be a stable group of experienced practitioner-teachers, enabling their program to provide a high level of individual instruction for students as well as enabling their office to engage in a high level of public interest legal work.

Personally, I can see the arguments made on both sides. (You'd have to understand my Myers-Briggs type to fully realize how I can make myself agree with both of them, considering they offer totally different models. But that's another story...) I tend to believe that each school has such significant differences that one should carefully weigh all of the factors. These two articles make a great start in putting in writing a debate that has been going on for, from what I can tell, about thirty years.

I should disclose that I have personally reaped great benefits from having tenure.

For a little more information, below are the Interpretations of 405c that should inform the types of status available to a law school. The Standards are listed in their entirety at: <http://www.abanet.org/legaled/standards/standards.html>. I firmly support the requirements of 405c and believe they have been instrumental in moving schools to provide better support and security for clinicians in a wide range of positions. We can thank a small but persuasive group of clinicians for the years of toil and struggle they have engaged in to

provide us with these tools. I'm sure the clinical community will continue to debate and struggle with the right answer to this question for a long time to come.

Interpretation 405-6:

A form of security of position reasonably similar to tenure includes a separate tenure track or a renewable long-term contract. Under a separate tenure track, a full-time clinical faculty member, after a probationary period reasonably similar to that for other full-time faculty, may be granted tenure. After tenure is granted, the faculty member may be terminated only for good cause, including termination or material modification of the entire clinical program.

A program of renewable long-term contracts should provide that, after a probationary period reasonably similar to that for other full-time faculty, the services of a faculty member in a clinical program may be either terminated or continued by the granting of a long-term contract that shall thereafter be renewable. During the initial long-term contract or any renewal period, the contract may be terminated for good cause, including termination or material

modification of the entire clinical program. (August 1984; August 1996; August 2001)

Interpretation 405-7:

In determining if the members of the full-time clinical faculty meet standards and obligations reasonably similar to those provided for other full-time faculty, competence in the areas of teaching and scholarly research and writing should be judged in terms of the responsibilities of clinical faculty. A law school should develop criteria for retention, promotion, and security of employment of full-time clinical faculty. (August 1984; August 1996)

Interpretation 405-8:

A law school shall afford to full-time clinical faculty members an opportunity to participate in law school governance in a manner reasonably similar to other full-time faculty members. This Interpretation does not apply to those persons referred to in the last sentence of Standard 405(c). (December 1988; August 1996)

Feature Articles

OSU Clinic's Petition Granted

On October 12th, the United States Supreme Court granted the OSU Clinic's petition for writ of certiorari in the prisoner rights case of *Cutter v. Wilkinson*. In that case, inmates (most of whom are members of very controversial religions) are seeking protection of their religious exercise under the federal Religious Land Use and Institutionalized Persons Act which requires departments of corrections receiving federal funds not to burden religious exercise. In *Cutter v. Wilkinson*, 349 F.3d 257 (6th Cir. 2004), the Sixth Circuit held that the statute is unconstitutional because it violates the Establishment Clause. The State of Ohio will argue that the statute violates the Establishment Clause and also that enactment of the statute exceeds Congress' power. It is expected that the case will be argued in February.



100 Years of Clinical Education: Learning from Students

The Rocky Mountain Region held its clinical conference entitled "100 years of Clinical Education: Learning from Students, the weekend of Oct. 22 - 24 at the University of Denver Sturm College of Law. We had participation from faculty, administrators and students from Denver, Boulder, Wyoming, Montana, Kansas, Texas, New Mexico and North Dakota.

Conference highlights included:

1) an all day NITA teacher training conducted by National Institute for Trial Advocacy (NITA) faculty: John Baker & Mark Caldwell;

2) an opening plenary moderated by Professor Mary Helen McNeal, Director of Clinical Programs at the University of Montana Law School called "What do students want to tell us about clinical education and are we willing to listen?" in which a panel of current students and alumni from Colorado, Wyoming & Texas answered questions about their goals in taking clinics, what they learned, how it impacted them after graduation, their response to the social justice mission of clinics, thoughts about skills training, and more. Eliot Shavin, a clinician from SMU and Liz Garcia, a paralegal from St. Mary's responded to the student comments. This was a truly memorable workshop in which we learned from our students and had the opportunity to re-examine some of what we do as clinicians. All agreed that having student participation in our conferences is important.

3) a second plenary, moderated by Professor Laura Rovner, DU, and Professor Patti Alleva, University of North Dakota School of Law, entitled "The Quandaries of Controversy: Handling Sensitive Situations in the Classroom", which used a short video clip to create a controversy in which a student has said something possibly inappropriate or disrespectful and how as teachers we handle those matters. So much was raised by this session, that we all agreed that we wished we had at least ½ day to explore these important issues.

4) Clinic administrator led and faculty led concurrent sessions on issues ranging from "Now I've gotten the job, what do I do with it", which focused on some of the issues facing newer clinicians to training students on how to work effectively with staff, and then coming back together for a joint session to share what we had learned.

5) A retreat at Gold Lake Resort, with a short hike around a lake surrounded by the rocky mountains to inspire thinking about our professional and personal lives for a session entitled "This is your life...", to spa treatments to inspire relaxation.

Finally, we did celebrate our 100th anniversary with a reception at the law school of Friday night. It was a very emotional and inspiring night as we honored the history of clinical education at DU, which started in 1904 with an announcement that the law school was creating "as a part of its regular courses a Legal Aid Dispensary where the meritorious cases of poor persons are taken free of charge by the senior students under the direction of an experienced attorney". This "experiment" in legal education was solidified with the adoption, in 1909, of a student practice rule for DU and CU law students. We celebrated some



of the creative ways in which clinical education was approached at DU over the ensuing years, including experimenting with having senior student supervisors (who tried, unsuccessfully, to unionize), developing a relationship with MALDEF (Mexican American Legal Defense and Education Fund) to serve faculty, students and clients, and developing special projects such as the Battered Women's Clemency Project. It was amazing to learn of the longstanding respect for and ties with the clinical program that have developed over so many years with the community of service providers for the clients we represent. One of the clinic directors even went on to become Governor of Colorado.

As an newcomer to the legal and clinical community in Colorado, I was inspired by what is probably true in many communities, which is that the law school clinic has a rich history of being at the forefront of providing legal representation that might otherwise not be provided and training many generations of practitioners who remain dedicated to the lessons and values learned in the clinic.

New Clinical Offerings at the University of Minnesota

The University of Minnesota will add two new clinical offerings this spring:

The Innocence Clinic will work with the Innocence Project of Minnesota investigating post conviction claims of actual innocence made by prisoners in Minnesota prisons. This clinic follows on the success of and will be the clinical component of a Wrongful Convictions course taught the previous two semesters.

A Workers Rights Clinic will allow students to work with both community organizations and individual workers in developing solutions to legal problems involving workplace issues. The clinic will be interdisciplinary working with program in the Public Affairs School and the Legal Interpreting program at the University. The clinic will attempt to reach out to with immigrant populations including the growing Somali and Latino communities in the Twin Cities.

UNIVERSITY OF MINNESOTA



ABA's National Juvenile Defender Leadership Summit

At the American Bar Association's National Juvenile Defender Leadership Summit in Nashville in October, Rutgers Clinical Professor **Laura Cohen** co-facilitated a working group on law school - juvenile defender office collaborations. Participants explored the various partnership models that currently exist across the country, including clinical, externship, internship, and fellowship programs. Over the next year, the working group will develop materials intended to encourage and support productive interaction between law schools and the juvenile defense community. If any clinicians are interested in participating in this effort, please contact Laura at lcohen@kinoy.rutgers.edu."



CLINICAL UPDATE FROM THE UNIVERSITY OF MARYLAND SCHOOL OF LAW

It has been an exciting 2003-2004 at the University of Maryland School of Law Clinical Law Program, and the 2004-2005 academic year looks like it will continue to build on that excitement. We've got some new faces and some new honors to share:

PARTNERSHIPS IN PROBLEM SOLVING

The School of Law is known for the diverse models of clinical teaching found at the core of its curriculum. These opportunities to link theory and practice move along a spectrum from highly traditional clinics that include simulation and exercises, to legal theory and practice courses with an intensive seminar component and major analytic writing component. In the middle of that spectrum are clinics with heavy and direct client representation, and legal theory and practice courses that operate essentially as externships. This spectrum reflects the School of Law's efforts to be responsive to the needs of our communities and to expose students to the myriad of ways that lawyers change and influence society.

Our partnerships reflect this same attitude toward our communities and students. Some opportunities are born out of an effort to solve a particular problem. Others emerge in the course of doing work with colleagues, and some just walk through the door. From each partnership we learn about our community, ourselves, our students and our clients. And for each we are grateful.

For example, Professor Deborah Weimer's important work with young people living with AIDS and HIV propelled the School of Law into a partnership with the University of Maryland School of Nursing and School of Social Work on a five year project to support grandparents raising HIV positive children whose parents have died or are no longer able to parent. Rebecca Bowman-Rivas, coordinator of the Law and Social Work Program, spent the last year in partnership with the Maryland Office of the Public Defender to serve clients with cases on the Baltimore City District Court criminal case mental health docket. Law students and social work students collaborated in teams to defend clients in criminal proceedings and develop alternative placements and mental health service plans. The Law and Education Reform clinic directed by Professor Susan Leviton partnered with an innovative high school, Baltimore Freedom Academy, teaching students principles of civic engagement and community problem solving. This partnership allows us to assist in the development of young leaders working for change in challenged Baltimore communities. Finally, students in the Drug Policy Clinic led by Ellen Weber, built a partnership with the Maryland Department of Public Safety and Correctional Services, the Baltimore City Detention Center (BCDC) and the University of Maryland School of Law to improve drug treatment and detoxification for people incarcerated at BCDC. This interdisciplinary collaboration has resulted in a protocol for methadone maintenance at the Center.

Working in partnership with others allows us to build and strengthen the community of people working to expand access to justice. Partnerships allow us to help solve problems that affect those generally excluded from the mainstream, and provide opportunities for technical assistance, including legal representation and education. We are delighted to be able to expand the resources available to our clients, and we are proud to simultaneously strengthen the community that is working to build a more just society.

NEW ADDITIONS

We are welcoming Fred Provorny to the faculty as a Visiting Professor and Director of the Maryland



Intellectual Property Legal Resource Center. He joins us after serving on the faculty at Albany School of Law. At Albany, he was the Harold R. Tyler Professor of Law and Technology and the founding Director of the Science and Technology Law Center. He brings to the IP Center almost thirty years of experience in intellectual property law, complex business transactions, venture capital, and technology transfer. As Director of the Law Center, he created a legal assistance program that operated throughout New York State to provide affordable and high quality legal services to emerging technology

companies.

Maureen Sweeney returns to the law school as a Clinical Instructor. Previously, Maureen served as an adjunct faculty member to the Clinical Law Program from 1995-2001 in addition to holding a position as a staff attorney at Associated Catholic Charities Immigration Legal Services in Baltimore, MD. She has also held positions with the Texas Center for Immigrant Legal Assistance, Farmworker Legal Services of North Carolina, the Migrant Legal Action Program in Washington, D.C. and the Lutheran Immigration and Refugee Service in Baltimore. She received her undergraduate degree from Wesleyan University and her law degree from Yale Law School in 1989. Prof. Sweeney will be teaching the General Practice Clinic, which has worked for several years in conjunction with attorneys from the Civil Justice Network, a network of solo, small firm and community based lawyers who share a common commitment to increasing access to justice through traditional and non-traditional means.

The University of Maryland School of Law is proud to share with you the latest news of our Clinical Law Program. Below you will find links to our most recent publications and an excerpt from JD Magazine. Our twice-annual newsletter, In Practice, presents highlights of our latest scholarship and practice work. The theme of this issue is "partnerships". We explore current interdisciplinary work in law, social work, health care and environmental law. Faculty work-in-progress and recent publications are also featured. "30 Years and Counting . . ." is a reprint from JD Magazine that describes our Program's long and successful history. Our program brochure contains information on the rich array of experiential learning opportunities here at Maryland.

<http://www.law.umaryland.edu/clinic/2004_publications.asp>

http://www.law.umaryland.edu/clinic/2004_publications.asp

Also, be sure to save the date for our upcoming symposium, Technology and Access to Justice on January 13, 2004. Join us for a thoughtful discussion of the ways that technology can be used to increase access to legal services. Ron Staudt of the Chicago-Kent College of Law will be our keynote speaker. This symposium will be followed by a day-long workshop for clinical faculty, administrators and information technology professionals on implementing technology in clinical law programs.

We look forward to an exciting year and learning more about your programs. Please share your recent triumphs and upcoming adventures and join us in celebrating the rich diversity that makes clinical legal education a vibrant part of our students' success!





UNIVERSITY OF MARYLAND CLINIC CELEBRATES 30 YEARS OF PRACTICE

On April 2, 2004 the School of Law celebrated the 30th anniversary of the establishment of its Clinical Law Program. The program entitled *Making an Impact*, drew upon leading scholars and public interest lawyers from around the county to consider both the current challenges faced by educators, lawyers and advocates working in public interest law, and the role the legal academy and clinical education can play in expanding access to justice though both panels and keynote speakers.

Of special note was the point/counterpoint discussion between Stephen Wizner, Clinical Professor at Yale Law School and Jane Harris Aiken, Professor of Law at Washington University in St. Louis University during the dinner. Wizner and Harris presented *Walking the Clinical Tightrope: Teaching and Doing* as a thought-provoking discussion on the issues faced by clinical instructors in today's academy situations.

DEVELOPMENTS IN ARGENTINA

The following essay was written by **Mariella Puga**, a clinical professor from Argentina, who is getting her LL.M at Columbia Law School, in order to share information about the exciting development in Argentina.

In the City of San Miguel de Tucumán, cradle of the Independence of Argentina, approximately one year ago began the first project of public interest law clinical education of the Northwest area of Argentina. This is a National University that for its first time includes a clinical course as part of its graduate legal program which is in charge of its own faculty. It was devoted to the design of a program that could cope with academic requirements proper of National University, and at the same time provides a new law teaching alternative and a model tool of Public University social engagement. The following outline recapitulates the evolution of the clinical project along the last year. For detailer information on these titles see:

http://www.derecho.unt.edu.ar/clinicajuridica/Info_ingles29-9-004.pdf



October, 2003 - Official Launching of the Public Interest Law Clinic.

September 13, 14, 15, 2003 - Presentation of the Public Interest Law Clinic in the 4th National Congress of Sociology of Law, San Miguel of Tucumán.

November, 2003 - The Clinic presents its project in the Latin American Congress of Actions of Public Interest in the University of the Rosario, Bogotá Colombia.

December 10, 2003 -08:00 hs. a.m. - The first judicial demand of the Law Clinic is filed.

December 10, 2003 - 5 hs. p.m. - Judge granted a mandatory injunction ordering the immediate internment and treatment of undernourished girl.

December 16, 2003 - The Governor of Tucumán apologizes to the Law Clinic. Support from the Dean of FDCS, the Students Association and the Bar of Lawyers.

March 2, 2004 - The academic program of the Law Clinic is approved.

March 17 2004 Recovered, Rosario, the former undernourished baby, returns back home.

March 18, 2004 Selection of new members for Clinic.

April, 2004 - Launching of the Legislative Lawyering Area of the Clinic.

May, 2004 - First videoconference between Tucumán Law Clinic and the Law Clinic of the University of Medellín, Colombia.

May of 2004 - First Workshop on PUBLIC INTEREST LAW for students of second year of FDCS- UNT directed by Law Clinic professors.

May 28, 2004 - Presentation of the Project of Investigation on Environmental Public Interest of the Law Clinic of the University of Medellín and the Law Clinic of Tucumán, before COLCIENCIAS (Colombian Institute for the Development of the Science and the Technology).

June 1, 2004 - Arrives to Tucumán the First Clinical intern.

June 8, 2004—Symposium: "Environment Week". Visit of Andrés Napoli of FARN Foundation

June 4, 2004 - SECOND CLINICAL CASE: Petition to the local Public Administration, requesting the identification of indigent people.

June 21, 2004 - Launching of the "Environmental Public Interest" Clinic's Area.

June of 2004 - Judicial Approval of the agreement reached between the Law Clinic and the Province of Tucumán in the case of the undernourished girl.

June of 2004 - The Law Clinic filed three simultaneous claims requesting right to access to Information of the Government of Tucumán.

Julio 7, 2004. Inner seminar in the FDCS on "The case Rosarito: the judicialization of the infantile malnutrition in Tucumán".

September 2 - 5, 2004 - Workshop on Interest Public Law and Law Clinics in the National Congress of Students of Law.

September 3, 2005- Five new students' incorporation to Law Clinic.

September 4 - October 10, 2004 - The Law Clinic represents the FDCS in the Exhibition of Schools of National University of the Tucumán.

Announcements

At the end of October 2004 will be available the new web site of the Law Clinic at <http://www.derecho.unt.edu.ar/clinicajuridica/index.htm>

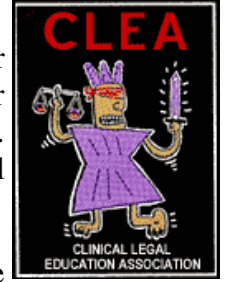
At the beginning of November 2004 will take place a meeting of Clinical students of the National University of Tucumán and students from Córdoba who are taking ahead a similar pilot project.

For further information:

<http://www.derecho.unt.edu.ar/clinicajuridica/novedades.htm>

Contact us: clinica.juridica@derecho.unt.edu.ar or mariela.puga@derecho.unt.edu.ar

Best Practices Project Update
Roy Stuckey, South Carolina



CLEA's project to identify best practices for law schools to prepare students for practice continues moving forward. Vanessa Merton is chairing the planning committee for a CLEA-sponsored conference on best practices to be held at Pace on March 11-13, 2005. The Best Practices Project will also be the focus of one of New York Law School's Clinical Theory Workshops on March 11th.

There will be an open meeting in San Francisco to discuss plans for the conference at Pace and, hopefully, to discuss the forthcoming draft of "best practices for in-house clinics." The meeting will be on Friday, January 7, 2005, from 7:00 - 8:30 AM, yes AM, in Carmel 1, Third Floor, Hotel Nikko.

A revised version of the Best Practices documents was posted on-line on August 25th. Go to <http://professionalism.law.sc.edu> and look in the "news" section on the main page. An updated version will be posted no later than December 10th, then no other updates will be posted until after the conference at Pace. Suggestions for improving the documents should be sent to the chair of the steering committee, Roy Stuckey at roy@law.law.sc.edu. Please note, however, that Roy will be out of phone or email contact from December 10th until December 29th or 30th.

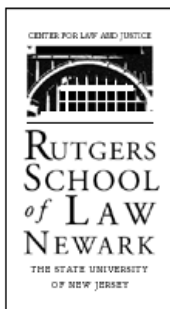
Rutgers/Newark Law Students Assisted More Than 300 Voters Obtain Orders to Vote on Election Day.

Rutgers/Newark Law Students assisted more than 300 voters obtain Orders to vote on Election Day. The Voter Assistance Project (VAP) supervised by Professor Frank Askin with students from both his Election Law Seminar and the Constitutional Litigation Clinic, has provided legal assistance to rejected voters on Election Day in Essex County for more than twenty years.

For the past five years, the Essex County Superior Court judges have actually sat in the law school's two moot court rooms. This year, the volume of business was so great that at 10 a.m. the County Assignment Judge summoned four additional judges for Election Day duty. The law school jerry-rigged four additional rooms as serve as temporary courtrooms.

This year, 21 2d and 3d-year students participated in the VAP. Second-year students did intake while the third-years went with the applicants before the Judges. Other clinical faculty members who helped supervise the students were Jonathan Hyman, Penny Venetis, Charles Auffant, Lisa Garcia, Ronald Chen and Adrienne Locke. The program got enormous media attention during the day, as print, radio and TV reporters competed for public interest stories to cover while waiting for the polls to close.

The most common problem the students had to deal with were "voters" who claimed that they had registered to vote prior to the registration deadline but went to the polls to discover that their was no record of their registrations. Under New Jersey law, Judges are allowed to give such persons Orders to vote if satisfied that the applicant had made a "good faith" effort to register. Deputy Attorneys General were present to oppose the applications. The students argued on behalf of some applicants that when they obtained driver's licenses upon moving into the county, the State Motor Vehicle Commission failed to offer them an opportunity to register to vote as required by the National Voter Registration Act. Prof. Askin reported that more than 95 per cent of the cases handled by the students resulted in an Order to vote.



VERMONT LAW SCHOOL'S SOUTH ROYALTON LEGAL CLINIC CELEBRATES 25th ANNIVERSARY WITH PANEL PRESENTATIONS GEARED TOWARD THE PRACTICE OF LAW IN THE PUBLIC INTEREST

VLS's on-campus, real client, civil poverty law clinic, the South Royalton Legal Clinic (SRLC), opened its doors in January 1979, and is celebrating its 25th anniversary this 2004-05 academic year.

As part of that celebration, clinic staff members are organizing four panel discussions over the course of the year dealing with aspects of the practice of law in the public interest. The programs are in the areas of domestic violence, delivery of legal services/access to justice, immigration law and juvenile law.

Given the high percentage of VLS grads who practice public interest law in one way or the other after graduation, plus those grads who serve on the boards of public interest organizations or support public interest law in some other way, this program is expected to be of particular interest to all VLS students.

Public interest law is deep and wide, and can accommodate the visions of many new lawyers seeking to make contributions to improving life in their communities and the world. Indeed, many VLS students make such contributions while still students, through clinical, externship and volunteer work. Public interest law is also a major employer of recent law school grads; VLS was ranked in Pre-Law Insider magazine as one of the leading law schools (just after CUNY and Northeastern) in terms of the percentage of its graduates who perform public interest law after graduation.

Programs planned for the fall term are:

Friday, October 22 12:45 - 2 p.m.: Domestic Violence Panel, with Kate Kennedy, VLS '02 (SRLC clinician)

--Have Justice Will Travel, Randolph, VT
Jessica (Smith) McManus, VLS '01 (Clinic work-study)

--Have Justice Will Travel, Bennington, VT
Rebecca (Weiner) Wilder, VLS '02 (SRLC EJP Fellow)

--Vermont Legal Aid, St. Johnsbury

Moderator: Alexander Banks, SRLC

Tuesday, November 16 12:45 - 2 p.m.: Delivery of Legal Services/Access to Justice Panel, with Eric Avildsen, Director, Vermont Legal Aid

Tom Garrett, Executive Director, Legal Services Law Line of Vermont

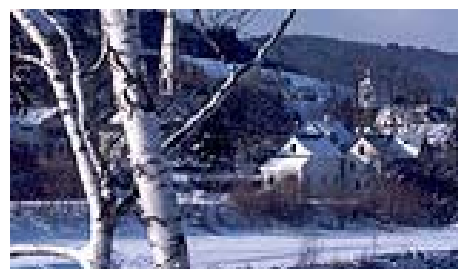
Hon. Denise Johnson, Associate Justice, Vermont Supreme Court

Anna Saxman, VLS '85, Vermont Deputy Defender General

Moderator: James May, SRLC

Panels in the spring term will address the practice of Immigration Law in Vermont (including at SRLC) and Juvenile Law.

The South Royalton Legal Clinic offers students the opportunity to appear in state and federal courts on a regular basis. Students may enroll for one semester either full-time (13 credits) or part-time (6 credits), and are supervised by an experienced staff of four attorneys and two support staff. Under state and federal student practice rules, students in the aggregate represent clients in over 150 court and administrative hearings per year in a wide array of case types, such as family, juvenile, public benefits, bankruptcy, domestic violence, housing and immigration. Clinicians can earn credit toward their Vermont clerkship requirement as they learn the arts of interviewing, counseling, negotiation, document and case preparation, and trial and appellate advocacy. With over 25 years of experience in helping VLS students integrate their knowledge of substance, procedure, skills and ethics, SRLC provides its clinicians with a remarkable opportunity to prepare for a lifetime of legal practice.



Winner of the President's Medal

William Pincus

William Pincus, President of the Council on Legal Education for Professional Responsibility (CLEPR) from 1968 to 1981, was presented with the President's Medal, October 8, 2004, in a ceremony at The Catholic University of America in Washington, D.C. The President's Medal is Catholic University's highest honor and was presented to Bill Pincus in recognition of his pioneering efforts to establish clinical legal education in American law schools. Bill Pincus provided the leadership and secured the funding that enabled most law schools in the United States to begin or expand a clinical program.

Today, because of his pioneering efforts, clinical legal education is a permanent feature and driving force for innovation in legal education. His vision was simple in design. He provided seed money through CLEPR, using nearly \$10.3 million from the Ford Foundation, to create programs of legal education in which law students, supervised by faculty hired by the law school, provided legal services directly to indigent citizens, thereby giving students closely supervised, guided practice opportunities and exposure to the needs of the poor and vulnerable.

In 1970, Columbus School of Law of The Catholic University of America was the recipient of one of the

first CLEPR grants. The seed money provided by CLEPR enabled the law school to create Columbus Community Legal Services, which for nearly thirty-five years has provided the poor and dispossessed in the District of Columbia with free, high-quality legal services.

The award ceremony was followed by a colloquium: *Worldwide Clinical Education: Experiences, Perspectives and Reflections*, organized by Leah

Wortham, Catherine Klein, and Margaret Martin Barry. The colloquium reflected on the growing international clinical movement, which itself is another manifestation of the legacy of Bill Pincus's contributions to clinical legal education.

In making the award, the Very Reverend David M. O'Connell, C.M., President, said at "The Catholic University of America, it is part of our mission to strive to promote and foster among all our members a personal commitment to service, a sense of authentic compassion and appropriate concern for others that will motivate the community of research, teaching and learning to become a community of action on behalf of our neighbors. These neighbors are the elderly, the homeless, the illiterate, the needy, and the victims of injustice. Bill Pincus has helped us—and many others—to fulfill our mission. And for that we are extremely grateful."



Remarks by William Pincus Upon Accepting the President's Medal

I accept this Presidential medal with thanks and humility. This is indeed a great honor.

I pay tribute and share this award with the clinical law teachers and their students of the past thirty-five years.

When CLEPR closed its doors in 1981 and I retired from the scene after thirteen years of leading and supporting a clinical law movement, clinical legal education in the American law schools had become a reality. But its future from then on rested in the

hearts, minds, and capable hands of those pioneering clinical teachers who accepted all kinds of law school appointments in order to render legal services to the poor and to share their commitment to this purpose with law students. In this joint undertaking, the law students, by acting as lawyers, would become better lawyers and better able to function with other human beings in a responsible and sensitive manner. The clinical law teacher would enjoy the rewards of rendering legal services to those who can't afford to pay, and also would enjoy a teacher's reward from educating new generations of lawyers

by adding a new experience for them in the law school.

Because it was a pioneering venture and looked down upon by the then-dominant male academic elite of the law school, clinical legal education was fortunate in being able to attract many outstanding young female lawyers as clinical law teachers. Not only did they make a notable contribution as teachers. A considerable number went on to distinguished careers as judges and lawyers and in other capacities.

This unforeseeable consequence of the clinical legal education movement has been a definite plus of great satisfaction to me.

But gender aside, the clinical law teachers' presence in the law schools ultimately persuaded the law schools that all law teachers need not be the traditional academic who functions mainly in the classroom and by publication. Clinical law teachers introduced teachers into the law school who stand by

the side of the clinical law student as colleagues and partners, exposing their vulnerabilities and shortcomings as human beings as well as their strengths, and sharing the hurts of defeat and the pleasure of victory – all the time serving the poor in the conglomeration of courts and agencies making up the administration of justice outside the law school. By their example, the clinical law teachers have broadened the horizons of law school faculty with regard to the role and capabilities of the law school.

Sharing in a broader human experience, the law students in the legal clinics will have taken away with them lessons of commitment and responsibility, yes, morality – that will serve them throughout their personal and professional lives. By acting as lawyers the students' practice skills have been enhanced. And the views of successive generations of the young, who every year see how justice actually functions, give everyone in the agencies of justice fresh and different perspectives to think about.



Clinicians Needed For Publishing Opportunities Through NITA

Please visit our website at <http://www.nita.org> and click on “Books & Multimedia” then “Write for 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

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 Title 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

Tulane University Law School
Criminal Clinic
Fall 2004

In October, two students from the Tulane Criminal Clinic, Candis Mitchell and Brandy Sheely, argued before the Louisiana Supreme Court. They argued the constitutionality of a Louisiana statute that places defendants, who are permanently incompetent and non-dangerous, on probation under the supervision of the Department of Corrections. The defendant in this case is a mentally retarded woman who over the past three years has spent nearly twenty months in jail for violating her probation; a probation imposed despite never having been convicted of a crime. A decision in this case is expected sometime in the beginning of 2005.

This month, two other Criminal Clinic students, Adrienne Black and Bart McCollum, will argue a habeas petition in Federal District Court. At issue in this case is whether the defendant's attorney was ineffective for failing to present or investigate a not guilty by reason of insanity defense. The trial lawyer failed to investigate despite the trial judge ordering him to do so, and despite the fact that the defendant requested such a plea and informed his lawyer that he had a life long history of mental hospitalization. In preparing for a previous hearing on this issue, Tulane Criminal Clinic students from 2003-2004, discovered that the defendant had sought treatment at a local mental health clinic. The records that they obtained reflected that, the day before the crime, the defendant had been seen by a mental health worker who had written and circled the word 'madness' on the defendant's chart.

Through assistance from the joint Tulane-Loyola Legislative and Administrative Advocacy Clinic, the Tulane Criminal Clinic has been able to continue its fight on behalf of a juvenile client even after it obtained a dismissal of his murder case. Last semester, the Criminal Clinic represented a 15 year-old juvenile who had been transferred from Juvenile Court to Criminal District Court for prosecution as an adult on a second degree murder charge. Student investi-

gation revealed that the State's alleged eyewitness to the murder was actually located 275 feet from the scene of the shooting at the time he claimed to have been a witness. The Clinic presented this evidence at a pretrial motion hearing, effectively proving that it was a physical impossibility for anyone located where the witness claimed to have been positioned, to have been able to make any of the observations about the perpetrator that would be necessary for a reliable identification. This testimony ultimately led the State to dismiss its murder case on the morning of trial.

Despite this victory, the Clinic students felt they owed the client - as well as other similarly situated juveniles - additional help. Because he had been incarcerated in an adult prison pretrial, the client had not been provided the education he would have received had he been located in the juvenile detention facility (known as the Youth Studies Center) while awaiting trial. In an effort to enforce his state right as a juvenile to mandatory education, the Clinic filed a pretrial motion seeking to have the Orleans Parish Criminal Sheriff ordered to provide the client with pretrial education, by whatever means he deemed appropriated. The trial court granted the Clinic's motion. Unfortunately, the Appellate Court reversed the decision, holding that existing state law did not mandate education for incarcerated juveniles who were being prosecuted as adults. The State Supreme Court denied the Clinic's application for certiorari. This semester, Nikkita Mitchell, a student in the Tulane-Loyola Legislative and Administrative Advocacy Clinic, prepared legislation designed to ensure that juveniles who are prosecuted as adults for crimes will receive the education to which they are entitled, even when they are incarcerated in an adult prison pending trial. Hopefully, through this joint effort, other indigent juveniles will not be denied education while incarcerated awaiting trial in Criminal District Court on a felony charge.

HAWA ABDI JAMA, et al. v. UNITED STATES, et al.

The Constitutional Litigation Clinic at the Rutgers School of Law-Newark is celebrating a big victory. Nine years ago, Clinical Professor Penny Venetis filed a lawsuit under the Alien Tort Claims Act (ATCA) on behalf of political asylum seekers who were severely abused in detention while awaiting for their asylum claims to be processed. The lawsuit charged that the private prison corporation, its corporate officers and employees, and INS officials, all who were responsible for detaining political asylum seekers, violated customary international law (which is non-treaty based) for either personally abusing the asylum seekers, or for permitting the abuse to continue unabated. After a favorable decision in 1998, denying defendants' motions to dismiss, and acknowledging the asylum seekers' claims under customary international law, the case was in discovery for 5 years. Last year, the defendants moved for summary judgment.

On November 10, 2004, Judge Dickinson Debevoise, of the US District Court for the District of New Jersey, denied the corporations' and corporate officials' motions for summary judgement. that the asylum seekers' customary international law claims were viable. In his opinion, he reiterated the viability of the asylum seekers' rights under customary international law. He also held that the corporation and its corporate officials could be sued for failing to curb the human rights abuses at the detention center. This case is a major victory, particularly after *Sosa v. Alvarez*, where, last summer, the US Supreme Court severely narrowed the class of cases that could be brought under the Alien Tort Claims Act. The Jama decision confirms that "conditions cases" are viable under the ATCA and customary international law. The Jama case is the only lawsuit invoking international human rights claims for abuses committed in the US, to survive a motion to dismiss, and now a motion for summary judgment. Over the past nine years, hundreds of Constitutional Litigation students have worked on this lawsuit with Professor Venetis. They are all celebrating; as are the asylum seekers, most of whom reside in the US.

Electronic voting machines eating votes? Electronic voting machines giving votes to a candidate when they were intended for his/her opponent? Sound familiar?

Well, the Constitutional Litigation Clinic is trying to do something about it.

In late October, Clinical Professor Penny Venetis (along with the help of eight students) filed a lawsuit seeking emergency injunctive relief, to de-commission the use of all electronic voting machines in the State of New Jersey. The complaint alleges that the electronic voting machines are used unconstitutionally in New Jersey. Because the machines can be easily manipulated, they threaten the fundamental right to vote, which includes the right to have one's vote counted.

The lawsuit was filed against the NJ governor and NJ Attorney General. Plaintiffs include a NJ State Assemblyman, voters who have been disenfranchised using electronic voting machines, and two NJ-based peace-action groups. The defendants moved to dismiss the case. Although the court denied plaintiffs' motion for emergency relief, the court also denied the defendants' motion to dismiss. Plaintiffs seek to de-commission all electronic voting machines until a rigorous certification process is implemented, and until they are all retro-fitted with voter verified paper ballots - the only way to independently audit electronic voting machines.

The lawsuit received international attention. The Clinic is hoping the the post-election discourse about malfunctioning electronic voting machines will help them to make NJ's electronic voting machines safe.

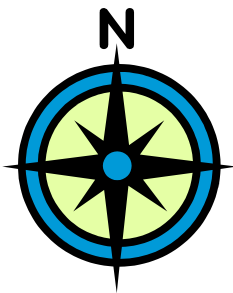
TWO NEW CLINICAL OFFERINGS AT THE UNIVERSITY OF MINNESOTA



The Innocence Clinic will work with the Innocence Project of Minnesota investigating post conviction claims of actual innocence made by prisoners in Minnesota prisons. This clinic follows on the success of and will be the clinical component of a Wrongful Convictions course taught the previous two semesters.

A Workers Rights Clinic will allow students to work with both community organizations and individual workers in developing solutions to legal problems involving workplace issues. The clinic will be interdisciplinary working with program in the Public Affairs School and the Legal Interpreting program at the University. The clinic will attempt to reach out to with immigrant populations including the growing Somali and Latino communities in the Twin Cities.

Coming Soon....



Northeast Workshop on Clinical Legal Education

Hosted by Roger Williams University School of Law June, 2005

Next June, Roger Williams will be hosting the first northeast regional clinical workshop. Entitled "Coming Into Community," the two and a half day program will focus on models of legal education that bring law students, law faculty, and law school educational and service programs into the local community. Possible topics for exploration include: relationships with local courts; multidimensional cases in family communities; community-generated needs as genesis of program development; working with allies in other disciplines; stand-up law faculty as community players; environment as community; and law schools as community citizens. Participants will observe existing programs in the particular contexts of Rhode Island's urban, statewide and environmental communities and actively engage in interdisciplinary, network-building exercises. These experiences will serve as the catalyst for discussions about goals, methodologies, and meeting challenges. Throughout the workshop, participants will have the opportunity to develop models and strategies for their home schools and communities.

The Roger Williams University School of Law in Bristol will serve as the base for participants, but a number of workshop sessions will take place at community-based sites and at the law school's Providence clinic offices. The workshop opens with a working dinner on the evening of Thursday, June 16. A full program of events takes place in Providence on Friday, June 17 and in Bristol on Saturday, June 18. Transportation to and from campus will be provided. The morning of Sunday, June 19 is devoted to reflection and planning for future events and programs.

The workshop is designed for: teachers in clinical legal education programs, including non-lawyer faculty; law faculty whose courses include significant community-based clinical components; and public service program administrators with teaching or program development responsibilities. All are welcome, but we hope that legal educators from the northeast region and participants from the 1996-98 community lawyering conferences at Cornell, Yale and Osgoode Hall will be particularly encouraged to attend.

Details on registration, housing and transportation will be available shortly. For more information, contact Nancy Cook at 401/276-4880 or at ncook@rwu.edu.

AMONG US

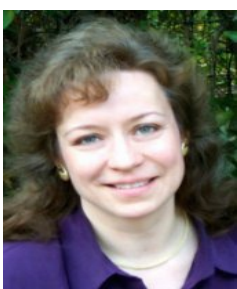


Alex Hurder, Clinical Professor of Law at Vanderbilt Law School, was appointed to the ABA Commission on Mental and Physical Disability Law for 2004-2005 by the president of the American Bar Association.



Carol Izumi, Associate Dean for Clinical Affairs, is pleased to announce that the George Washington University Law School Community Legal Clinics is receiving a donation of over \$2 million as part of a cy pres award in a consumer class action case. The case, *Bassim and Weems v. District Cablevision*, involved illegal late fees charged to cable subscribers in Washington, D.C.

Keri Gould is now the Assistant Dean for Professional Skills at St. John's University School of Law.



Kim Connolly was promoted to Associate Professor in June. Also, she was awarded the University-wide Environmental Stewardship award by the School of the Environment in 2004, and was appointed Associate Director of Clinics at USC.

Bill Patton, from Whittier Law School, has been named the J. Allan Cook and Mary Schalling Cook Children's Law Scholar;



Larry Krieger has created a booklet for students: "Roasting the Seeds of Law School Stress". In addition to helping students deal with these issues directly, the booklet may be useful for discussion in clinical, skills, and P.R. courses. It takes an empirical, values-based approach to the problems of students and lawyers that emphasizes the importance of service for career satisfaction. It identifies common stressors in law school (and later law practice), including workload, competition, pressures to succeed and fear of failure, partying and other outlets for stress, concerns about job prospects, and school loan debts -- but takes a deeper look at how stress is created or exacerbated by the maladaptive values and attitudes that typically dominate campuses and law firms. The booklet also discusses less common topics such as the hidden risks of thinking "like a lawyer", the temptations for lawyers to lie, and the enormous stresses created by lying. This is intended to be practical and a quick read, with suggested "antidotes" for each problem identified. For further information or copies, contact Larry at lkrieger@law.fsu.edu

SCHOLARSHIP IN PROGRESS

Professor **Barbara Bezdek** has spent the summer directing the intensive General Practice Clinic for the summer session, in which 29 students and four faculty members represented over 100 clients in the many aspects of law practice reflected by Maryland's extensive experiential program. She has also been researching for an upcoming article about resident-controlled revitalization efforts. She is especially interested in expanding her working draft by focusing on equity arguments for greater resident control of urban redevelopment, through analysis of municipal ordinances to do so.



Professor Brenda Blom is currently working on two book reviews, Nickel and Dimed by Barbara Ehrenreich and The Working Poor: Invisible in America by David K. Shipler. She is also working on a paper entitled Cause Lawyering and Social Movements: Can Solo and Small Firm Practitioners Anchor National Movements? which looks at the potential of solo and small firms anchoring national movements today by examining the work of solo and small firms practitioners during the years 1930-1954 in the civil rights movement across the South. This analysis will then be used to examine the development of the National Law School Consortium

Project.

Professor Doug Colbert has been researching material for a prospective article growing out of and criticizing the Maryland Court of Appeals' recent decision in *Fenner v. Maryland*, that a trial judge's [open-ended] question of an unrepresented defendant - - "Is there anything you'd like to tell me about yourself?" - - at a bail hearing is not "interrogation" within the meaning of *Miranda* and is therefore admissible at trial. Professor Colbert's focus is on the high court's unexpected Sixth Amendment, sua sponte ruling that poor people have no constitutional right to a lawyer at the bail stage. The Court never certified the Sixth Amendment issue for review in the defense petition for certiorari and did not seek or have the benefit of defense argument or of amicus briefs from the legal community. The Court of Appeals sweeping decision denying counsel to indigent defendants throughout most of Maryland has far reaching consequences: judges may question and prosecutors may use information from uncounseled defendants at trial. Professor Colbert intends to criticize the appellate court's sua sponte practice.

Professor Karen Czapanskiy has been exploring legal issues raised by President Bush's "Marriage Initiative," which is a part of the President's welfare reform reauthorization proposal. Under the proposed initiative, states would be eligible to receive federal money to promote and maintain marriage, but only to assist opposite-sex couples. Professor Czapanskiy has been exploring whether the program violates federal or state prohibitions on discrimination against people on the basis of sexual orientation, sex, illegitimacy or marital status. In addition, as president of the board of directors of the Homeless Persons Representation Project, Professor Czapanskiy has been directing the search for a new executive director. Peter Sabonis, who has directed HPRP for over a decade, has accepted a new job working with homeless youth in Maine.



Professor Jerry Deise is currently working on an article for the University of Baltimore Law Forum on the recent Supreme Court case, *Crawford v. Washington*, in which he argues that Maryland should adopt a rule of evidence (like Federal Rule 803(b)(6) - "forfeiture by wrongdoing") that would allow hearsay evidence from witnesses who become "unavailable" through the wrongdoing of the (criminal) defendant.

Professor Sherrilyn Ifill continued her representation of the Gravel Hill community in its fight to prevent the construction of a landfill in the heart of the community. In May, with the assistance of former clinic student and TA Jennifer Schwartzott, Professor Ifill successfully briefed and argued before the Court of

Appeals the question of whether the developer had exhausted its administrative remedies before seeking review in the Circuit Court last year. In August, the Court of Appeals ruled in favor of the Clinic clients. The developer must now return to the Harford County Board of Appeals to seek a variance from the County's law regulating the construction of landfills

Professor Michael Millemann is currently working on a co-authored article with Professor Steve Schwinn about the pedagogical advantages and disadvantages of using actual, ongoing cases to teach legal research and writing to first year students. The article grows out of their use of actual cases to teach two legal research and writing courses. In one case, the students' work was on behalf of a prisoner sentenced to life for felony murder in 1969. Both the original and recently-discovered evidence demonstrate that this prisoner was (and is) innocent. Using the students' work, Professor Millemann and his Post-Conviction Clinic students are currently seeking the prisoner's release via parole and/or commutation. In a second legal research and writing course, the students worked on, researched and wrote about several police brutality cases and a potential lawsuit aimed at establishing a right to counsel in civil cases, under the State Declaration of Rights. Professors Millemann and Schwinn are arguing, in their article, that the use of the "clinical method" to teach legal research and writing is a good way to motivate students to learn, to teach students important skills and lessons that "canned" problems can not effectively teach, and to introduce students to pro bono and justice issues early in their law school careers.



Professor Rena Steinzor has been splitting her time between four book projects this summer, all in various stages of writing. She is co-authoring a book with Prof. Sidney Shapiro (University of Kansas) about the various initiatives underway that are designed to limit the public's access to information, she is completing a book proposal for her book Mother Earth, she is working on a chapter for a book on "clean science" that grows out of a recent symposium at the law school, and finally, she is working as a co-editor on a book at the Center for Progressive Regulation entitled The New Progressive Agenda for Protecting Health.

Professor Ellen Weber has been working on a new article on attitude changes among law students, with a specific focus on how learning strategies affect the attitudes of students about individuals with alcohol and drug problems. She is concentrating on how the experiences of her own clinic students fit into theoretical studies regarding adult learning and attitudinal change that has been studied in other contexts.



Professor Deborah Weimer has been working in conjunction with colleagues in the School of Social Work and the School of Nursing on an interdisciplinary project for providing services to at-risk grandparent families. She has also been using the summer to begin to lay the groundwork for research and writing projects to be undertaken over the next four years.



Over the summer, **Professor Michael Pinard** co-facilitated a training session titled re-entry Issues and Collateral Consequences at the Arizona Public Defender Association’s Second Annual Statewide Conference, and was a speaker at the Southeastern Association of Law School Annual Meeting, presenting “An Integrated Perspective of the Collateral Consequences of Criminal Convictions and the Reentry of Ex-Offenders.”

Davis Memorial Recognition Award from the Correctional Reform Section of the Maryland State Bar Association, in recognition of his many years of work on behalf of criminal justice and correction reform.



The Roscoe Pound Institute chose **Professor Jerorm Deise** as its recipient of the 2004 Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy.

Congratulations to **Renee Hutchins**, who has joined the faculty as an Assistant Professor of Law at the University of Maryland School of Law. She will be teaching the newly-created Post-Trial Processes in Criminal Cases Clinic with Professor Mike Millemann and in partnership with the Office of the Public Defender. The new clinic will handle direct appeals as well as state post-conviction and federal habeas corpus cases.



Professor **Roger Wolf** is one of 24 recipients of the 2004 Maryland Leadership in Law Award from The Daily Record newspaper, a legal publication in Maryland. The award recognizes those individuals whose leadership, both in the legal profession and in the community, has made a positive impact on the State of Maryland. Recipients of this award demonstrate outstanding achievement in these key areas: achievement in law; involvement in the profession; support of the community; and mentoring. Professor Wolf currently directs the mediation clinic, teaches courses in dispute resolution, and directs the law school’s Center for Dispute Resolution (C-DRUM). He has also been at the forefront of the alternative dispute resolution movement in Maryland through his work with the Maryland State Bar, the Baltimore City Bar and the Maryland Mediation and Conflict Resolution Organization (MACRO).



Joining the School of Law is **Andrew Reese**. He will be a clinical Instructor after working for the District of Columbia in the Child Protection Section. Mr. Reese will be working with Professor Deborah Weimer in the AIDS Clinic and with the collaborative Grandparent Family Connections project.



In March 2004, **Professor Doug Colbert** was invited to participate in Washburn University School of Law’s Center for the Excellence in Advocacy inaugural Scholar-in-Residence program. As a part of his scholarship, Professor Colbert was

called upon to make three major presentations on various topics to different audiences composed of people from the University and surrounding community.

In May 2004, professor Colbert received The Paul J.



ANNOUNCEMENTS

Washington University School of Law Clinical Education Program and our Center for Interdisciplinary Studies will host our third interdisciplinary clinical conference on "Poverty, Wealth, and the Working Poor: Interdisciplinary and Clinical Perspectives" at the Washington University School of Law in St. Louis, Missouri on Friday April 1, 2005, beginning with a dinner the evening before. The keynote speaker will be Bill Quigley, the Janet Mary Riley Distinguished Professor of Law and Director of the Law Clinic and Gillis Long Poverty Law Center, at Loyola University, New Orleans, and author of "Ending Poverty as We Know It: Guaranteeing a Right to a Job at a Living Wage."

Registration information will be online soon. Hotel information will also be available on the internet. Individuals interested in participating should contact Karen Tokarz, Director of Clinical Education & ADR Programs, at tokarz@wulaw.wustl.edu.

New York Law School Clinical Theory Workshops

Friday, November 12, 2004

Nathalie Martin, University of New Mexico School of Law

Friday, December 3, 2004

Denny Curtis, Yale Law School

Friday, January 28, 2005

Sameer Ashar, CUNY School of Law

Friday, February 25, 2005

Kate Kruse, University of Nevada, Las Vegas,
William S. Boyd School of Law

Friday, March 11, 2005

Roy Stuckey, University of South Carolina School of

Law. This workshop will meet from 3:30 to 5:30 at Pace's midtown offices, and is being held in conjunction with the Conference on the CLEA Statement of Best Practices hosted by Pace Law School from March 11 - 13, 2005.

Friday, April 1, 2005

This afternoon we will meet at CUNY School of Law, to join in a conference honoring Sue Bryant and to celebrate our workshops' twentieth anniversary.

All clinicians are invited to attend. If you'd like to receive the workshop papers by e-mail (even if you're too far from New York to join us for the workshops), please contact Steve Ellmann at sellmann@nyls.edu.

Clinical Workshop Spring 2005

The Workshop will take place in Chicago, at the Palmer House Hotel, April 30-May 3, preceded by a Clinic Directors' Workshop on April 29th. The members of the Planning Committee are Bryan Adamson, Seattle University; Isabelle Gunning, Southwestern University; Jane Spinak, Columbia University; and Stephen Wizner, Yale University, Chair. The Clinic Directors' Workshop will focus on two topics: managing clinical programs, and fundraising.

The Workshop for Clinicians will be a "working" Workshop, focusing on teaching and supervision. In contrast to the format of previous Workshops, this year's Workshop will be organized around small working groups, supported by a small number of plenary sessions designed to support the work of the small group: conversations with clinic students and clients, and a session entitled "What's the Learning in Service Learning: Teaching Students to Learn from Experience", featuring participants from other

disciplines, such as social work, medicine, psychology, architecture, and divinity. There will not be concurrent sessions on different subjects, other than an optional "Works in Progress" session that will not conflict with other sessions.

The small working groups will be organized according to areas of practice: criminal, civil, transactional, and groups, project and systems advocacy (international human rights, legislative advocacy, non-litigation policy and law reform). Participants will be assigned to small groups based on how they identify their areas of clinical teaching, and will remain with that group throughout the Workshop. Participants in the working groups will focus on their own teaching and supervision, sharing the challenges and complexities of clinical teaching and supervision. Clinicians at all levels of experience will be

able to engage actively in these group discussions. Participants should bring to the Workshop stories of personal experiences, vignettes, teaching techniques, curricular innovations, and works in progress, drawn from their own teaching and supervision, that have been successful--or unsuccessful--for discussion with their fellow small group members. The Workshop will close with a plenary session in which small groups will report on highlights of their discussions. Since we are not scheduling concurrent sessions on different subjects, we are not inviting proposals for such sessions. Rather, we will be soliciting both experienced and less experienced clinicians to serve as small group co-facilitators.



Seminar Hosted by the Florida Immigrant Advocacy Center

On Friday, December 10, the FIU College of Law Carlos A. Costa Immigration and Human Rights Clinic will be hosting a day-long seminar co-sponsored by the Florida Immigrant Advocacy Center, a non-profit law firm whose mission is to protect and defend the basic human rights of all nationalities. The seminar will be held at FIU's University Park campus in Miami, Florida.

The seminar, entitled "Selected Topics In Immigration Law," will cover emerging issues in immigration law, including: domestic violence asylum cases, visas for victims of crimes, the Child Citizenship Protection Act, derivative and acquired citizenship, and detention issues.

Application has been made to the Florida Bar for 6.6 general CLE credit hours.

To register or for more information, please contact privera@fiacfla.org or Zoraya Ledemsa at ledesmaz@fiu.edu.

From The Historian- Help Needed

The past couple of years have seen the observance of many 30th, and some 35th, anniversaries of the creation of law school clinics. As the historian and archivist of the AALS Section on Clinical Legal Education, I would like to collect (and make accessible in one place) all of the law school clinic histories that have been written (whether within the last couple of years or longer ago). If you are aware of a written history, please send me the citation, URL, or copy, if unpublished.

J.P. "Sandy" Ogilvy
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2004-2005 BELLOW SCHOLARS



The Committee on Lawyering in the Public Interest is delighted to announce selection of the 2004-2005 Bellow Scholars:

1. The Washington College of Law's Limited English Proficiency Project (Muneer Ahmad, et. al), for its efforts to develop a standard of care for serving LEP clients, including the development of community resources, materials, pedagogy and an administrative infrastructure to support the project.
2. The University of Miami's Community Health Rights Education Clinic (Anthony Alfieri, et. al), for its efforts to implement and test an interdisciplinary medical-legal project, including study of the clinical, curricular, research and public policy opportunities in such a collaborative.

The Bellow Scholars will be recognized during the Clinical Section luncheon at the January Annual Meeting in San Francisco. Further, there will an opportunity at the May Clinical Conference in Chicago to discuss and get feedback on their important work.

The Committee received nominations on behalf of numerous interesting and innovative programs, which is a testament to the health and vibrancy of the national clinical community.

Congratulations to everyone who submitted nominations and to this year's Bellow Scholars!

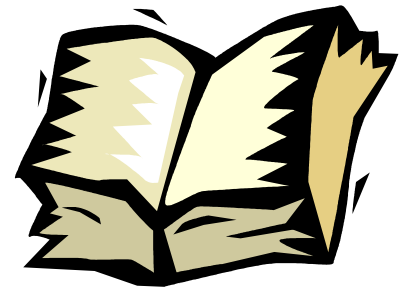


ROBERT M. COVER FELLOWSHIP

Yale Law School seeks applications for the Robert M. Cover Fellowship in Public Interest Law, a two-year position beginning on July 1, 2005 in the Yale Law School clinical program. The fellowship is designed for lawyers with at least five years of practice who are interested in preparing for a career in law school clinical teaching. Responsibilities include representing clients, supervising students, teaching classes, and working on one's own scholarship. Fellows will be allowed sufficient time, resources and assistance during the year to engage in research and writing. All work will be conducted with the assistance of the clinical faculty, and will focus on providing legal assistance to low-income clients and organizations. Visit our website at www.law.yale.edu/lso to learn about the various specialty clinics we offer to first, second, and third year law students. Candidates must be able to work both independently and as part of a team, and must possess strong written and oral communication skills. Connecticut Bar admission or willingness to take the July 2005 bar examination required. In addition to a stipend of \$42,500, Fellows receive health benefits and access to university facilities. Send a resume, cover letter, writing sample, and names, addresses and telephone numbers of three references by December 31, 2004 to: Kathryn R. Stoddard Jannke, Office Manager, **The Jerome N. Frank Legal Services Organization, P.O. Box 209090, New Haven, CT 06520-9090; telephone: (203) 432-4800; fax: (203) 432-1426;** or email Kathryn Jannke: kathryn.jannke@yale.edu.



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- Peggy Maisel, *An Alternative Model to United States Bar Examinations: The South African Community Service Experience in Licensing Attorneys*, 20 Ga. St. U.L. Rev. 977 (2004).
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Job Opportunities

Villanova Law School Seeks Visiting Clinical Faculty

Villanova Law School is seeking a full-time visitor to serve as the Acting Director of the Civil Justice Clinic for the fall semester of 2005. Students in the Civil Justice Clinic currently represent low-income clients in a variety of civil matters including family, housing, governmental benefits and consumer matters. The visitor would directly supervise second and third year students in their casework and would teach the associated classroom component, which addresses basic lawyering skills, the lawyers' roles and discussions of the students' cases. The visitor will be expected to assume supervision of some cases continuing from prior semesters and will also have some flexibility in selecting new cases for the clinic.

Minimum qualifications include a J.D. degree, outstanding academic records and at least four years experience as a practicing attorney. Applicants must be licensed to practice law in Pennsylvania or be able to gain admission before August 2005. Experience in clinical education is strongly preferred.

Interested individuals should submit applications, including a letter of interest and a resume to:

Professor Michele Pistone Director, Clinical Programs
Villanova School of Law
299 N. Spring Mill Road
Villanova, PA 19085

Inquiries about the position can be made to Michele Pistone, 610-519-5894, or Dveera Segal, 610-519-6147. Applications will be accepted on a rolling basis, until the position is filled.

Villanova University is an AA/EOE Employer.



University of Denver Sturm College of Law

The University of Denver Sturm College of Law is proud to announce the establishment of the Donald and Susan Sturm Chair of International Law. We seek nominations and applications for the Sturm Chair. The appointment will begin in the fall of 2005.

A nominee or applicant should be a distinguished scholar and excellent teacher of international law. The Sturm Chair in International Law will be expected to be a leader in our faculty community, as well as in the larger community of scholars. The Chair will be a tenured position. Salary and benefits will be competitive with endowed positions held by persons of similar reputation and experience.

The University of Denver Sturm College of Law is proud to announce the establishment of the Donald and Susan Sturm Visiting Chair in law. We seek nominations and applications for the Sturm Visiting Chair. The visitorship will commence in the fall of 2005 for one or two

academic years.

Consideration will not be limited by subject matter. The holder of the Sturm Visiting Chair should be a distinguished scholar and excellent teacher who is committed to intellectual interaction with all portions of our community. Salary and benefits will be competitive with similar positions at other institutions, commensurate with the experience of the nominee or applicant.

The University of Denver encourages nominations and applications from those who will enhance our faculty's diversity in gender, race, ethnicity, sexual orientation, disability, and veteran status. Consideration of nominations and applications will begin on December 1, 2004, to continue until the Chair is filled. Please send nominations and applications to Professor Arthur Best, University of Denver Sturm College of Law, 2255 E. Evans Avenue, Denver, Colorado 80208. Phone, 303-871-6253. E-mail, abest@law.du.edu.

Texas Tech University School of Law Tenure-Track Clinical Faculty



Texas Tech University School of Law seeks applications from individuals interested in a tenure-track faculty appointment primarily devoted to clinical teaching for the 2005-2006 academic year. While there is some flexibility in the subject matter of the clinic, preference will be given to persons interested in teaching in a Civil Practice Clinic or Family Law Clinic. Approximately two-thirds of the teaching load will be devoted to clinical teaching with an expectation of teaching a related doctrinal or skills course each semester.

Minimum qualifications include a J.D. degree, distinguished academic credentials, three years experience as a lawyer, a member of the Texas bar or the ability to be admitted by motion or examination at the earliest opportunity. Preference will be given to applicants who have prior clinical teaching and student supervision experience and the ability to work with persons of diverse backgrounds.

Texas Tech is committed to a policy of equal opportunity for all in every aspect of its operations and encourages applications from all qualified persons. We encourage applications from candidates with diverse backgrounds and persons traditionally under-represented in law schools. Cover letter, resume and contact information for three references should be sent to:

Professor Jorge A. Ramirez,
Chair, Personnel Committee
Texas Tech University School of Law
1802 Hartford Avenue,
Lubbock, TX 79409-0004.

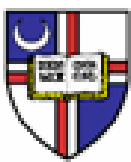
Applications will be accepted until the position is filled.

Questions about the clinical program at Texas Tech may be directed to Professor Larry R. Spain, Director of Clinical Programs, at (806) 742-3787 x227 or lspain@law.ttu.edu.

THE CATHOLIC UNIVERSITY OF AMERICA is seeking as dean a leader of vision for the Columbus School of Law. Closely integrated with the 11 other schools of the university, the law school has 55 full-time and 95 part-time faculty, 648 full-time and 296 part-time students. The school is housed in a beautiful modern facility especially designed for contemporary legal education and widely regarded as one of the finest in the country.

The Catholic University of America was founded in the name of the Catholic Church as a national university and center of research and scholarship. Regardless of their religious affiliation, successful candidates for this position are expected to understand, respect, and actively promote the university's Catholic mission.

The successful candidate must demonstrate an ability to lead the school in its continuing pursuit of excellent scholarship, teaching, and service to the legal profession as each contributes to the institution's mission. The candidate must qualify for senior faculty rank. In addition to candidates currently active in legal education, lawyers with experience and demonstrated success as leaders in the judiciary, government, private law practice, and business or non-profit sectors are likewise encouraged to apply. The university seeks someone with a strong capacity for leadership, administration and fundraising. Salary is competitive. Review of applications will begin January 10, 2005. Appointment will become effective on or about August 1, 2005. Nominations and applications should be sent to:



Very Reverend David M. O'Connell, C.M.
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The Catholic University of America is an Affirmative Action, Equal Opportunity Employer.

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Section on Clinical Legal Education

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Section on Clinical Legal Education

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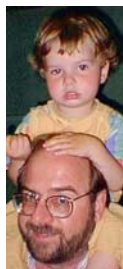


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Annual Meeting Program (Jan. 2005)

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((517) 334-5760



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Jean Charn (Harvard)
(617) 495-5448
charnlaw.harvard.edu



Mary Helen McNeal (Montana)
(406) 243-6753
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Michael Pinard (Maryland)
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Reminder

2004-2005 CLEA DUES REMINDER

Have you paid your 2004 CLEA dues? Would you like to pay 2005 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 or wish to pay 2005 dues, (\$40.00 U.S. for individual full membership) please do so today. CLEA dues are due by April 15 of each year. 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 bradcolbert@umich.edu 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



PRICES SLASHED!



Order a CLEA T-Shirt

CLEA has tenth anniversary T-shirts. We have a variety of sizes and colors, including new Adult small and additional adult medium shirts.

To buy a CLEA shirt, send a check or money order (payable to CLEA) and the bottom of this form to:

CLEA Shirts
Suzanne Levitt
2400 University Place
Des Moines, IA 50311

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)

If CLEA has run out of the desired size/color, please

___ Send me the closest size or the other color (indicate whether size or color is your priority)
___ Send me my money back.

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

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

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

Roy Stuckey
USC School of Law
Columbia, SC 29208 USA
803/777-2278; FAX 803/777-3401
email: roy.stuckey@usclaw.edu

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

Your Name: _____ School _____

Country: _____ City _____

Foreign Institution/s: _____

Inclusive Dates: _____

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

Brief Description of Purpose (including any subjects taught): _____

AALS SECTION ON CLINICAL LEGAL EDUCATION

2004 or 2005 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 of each year. 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 pay my 2004 membership for the AALS Section on Clinical Legal Education for \$15.00.

_____ Please pay my 2005 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: _____

Ms./Mrs./Mr./Dr.: _____ Title: _____

University: _____

Law School Name: _____

Law School Street Address: _____

Building/Suite/Box #: _____

City: _____ State: _____ Zipcode: _____

Country (if other than US): _____

University URL: _____

Law School URL: _____

Email address: _____

Office Phone (voice): _____ Extension: _____

Office Fax Number: _____ Year graduated from Law School: _____

Years full-time teaching: _____ Years part-time teaching: _____

What is your employment/tenure status in the Law School: _____

Decimal fraction working full-time in legal education: _____

(please continue on reverse side)

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-house _____ externship _____ simulation _____ other
 Name of second clinical course frequently taught: _____
 Type: _____ in-house _____ externship _____ simulation _____ other
 Name of third clinical course frequently taught: _____
 Type: _____ in-house _____ externship _____ 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

CONFERENCE ON CLINICAL LEGAL EDUCATION

MAY 2004
SAN DIEGO, CALIFORNIA

Clinical Section Meeting

Sunday, May 2, 7:30-9:00 a.m.

Executive Committee
Calvin Pang (calvinp@hawaii.edu)



Sunday, May 2, 5:15-6:30 p.m.

1. Status, Salary, Tenure and Promotion
Sally Frank (sally.frank@drake.edu); Richard Boswell (boswellr@uchastings.edu)
2. Bellow Scholars Program
Mary Helen McNeal (mcneal@selway.umt.edu)
3. Planning Committee for 2005 Clinical Conference
Kim O'Leary (olearyk@cooley.edu)
4. Ethics and Professionalism
Stacy Brustin (brustin@law.cua.edu); Jeff Selbin (jselbin@ebclc.org)
5. IP/Law and Technology Clinics
Jennifer Urban (jurban@law.berkeley.edu)
6. Integration of Clinical Education into the Traditional Curriculum
Kim Diana Connolly (connolly@law.law.sc.edu); Kathy Hessler (kmh25@po.cwru.edu)

Monday, May 3, 7:30-9:00 a.m.

1. Clinicians of Color
Aminata Ipyana (aipyana@law.howard.edu); Carmia N. Caesar
(ccaesar@law.howard.edu)

CLEA SCHEDULE OF EVENTS

Saturday, May 1 5:15 to 5:45 CLEA Welcome event for New Clinicians

Sunday, May 2nd 7:30 to 9:00 AM CLEA Board Meeting

Monday, May 3rd 5:30 to 7:00 PM CLEA Town Hall Meeting on the Best Practices Project
(see details on page 6 of the newsletter)

Monday, May 3rd, 7:00 to 9:00 PM CLEA Membership meeting and party

Tuesday, May 4th, 7:00 to 9:00 AM CLEA Board Meeting.

CLEA would like to thank the AALS for their collaboration in setting up these meetings at the conference site.

PER DIEM PROJECT

The per diem project is a voluntary program where clinicians donate money to a public interest program located in the community that hosts clinic conferences. This year donations will help support the Carlsbad Farm Worker Housing Coordinating Committee and their efforts to improve the housing conditions of farm workers living in the northern San Diego are.



For more details about the project and the program it will help this year, see page 5 of the newsletter.

AALS CONFERENCE ON CLINICAL LEGAL EDUCATION BACK TO BASICS/BACK TO THE FUTURE

PROGRAM

Saturday, May 1, 2004

1:45 - 2:00 p.m.

Welcome

Joyce Saltalamachia, AALS Deputy Director

Introduction

Susan R. Jones, The George Washington University, and Chair, Planning Committee for AALS Conference on Clinical Legal Education

2:00 - 3:30 p.m.

Plenary I - Roots Revisited: What is our Mission? Where Are We Going?

Brian Glick, Fordham University

Robert C. Holmes, Rutgers University, Newark

Wallace J. Mlyniec, Georgetown University

Suellyn Scarnecchia, University of New Mexico

Paulette J. Williams, University of Tennessee

Moderator: Linda E. Fisher, Seton Hall University

Clinical legal education took off in the 1960s as a response to the social and political movements of the time and the perceived irrelevance of traditional legal education. It featured service to poor clients and lay advocates interested in attacking poverty and racism. It represented first and foremost a commitment to social justice and the law. But learning legal skills has also been an important dimension of clinics. William Pincus, founder of CLEPR, which funded some of the first legal clinics, defined clinical education as "a lawyer-client experience under law school supervision for credit." As the clinical movement matured, skills training increasingly became the primary emphasis. At the same time, many clinicians gained faculty status and were accepted into the academy. These developments have created a tension between teaching skills, serving clients and remaining faithful to a vision of social

justice. This plenary will explore these tensions and raise issues the entire conference will address.

3:30 - 3:45 p.m.

Refreshment Break

3:45 - 5:15 p.m.

Small Group Discussions

5:15 - 5:45 p.m.

New Clinicians Gathering

6:00 - 7:30 p.m.

Reception Sponsored by California Western School of Law

Sunday, May 2, 2004

9:00 - 10:15 a.m.

Plenary II - Roots Refined: (Re) Learning Our Teaching Models

Jane H. Aiken, Washington University

Gary Blasi, University of California at Los Angeles

Barbara A. Glesner Fines, University of Missouri-Kansas City

Moderator: Alice Thomas, University of the District of Columbia

In the context of live-client clinics, the first clinical teachers identified innovative alternative teaching models. These included videotapes, role-play exercises, simulations, supervision and feedback sessions. In light of the forces affecting legal education in the future - globalization, specialization, expanding technology, interdisciplinary approaches, multi-jurisdictional and multidisciplinary practice - clinicians need to reevaluate teaching methods. This plenary will familiarize clinicians with fundamental education theory and practice and suggest innovative ways in which we can use

AALS CONFERENCE ON CLINICAL LEGAL EDUCATION BACK TO BASICS/BACK TO THE FUTURE

fundamental educational theory to inform our teaching. [Incorporating Legal Writing Pedagogy Into the Clinical Curriculum](#)

10:15 - 10:30 a.m.
Refreshment Break

Ruth Anne Robbins, Rutgers University, Camden
Steven David Schwinn, University of Maryland

10:30 a.m. - 12:00 noon

Concurrent Sessions on Learning Theory [Discovering the 21st Century: Evidence](#)

Directive vs. Non-Directive Clinical Supervision
Leah Aileen Hill, Fordham University
Harriet N. Katz, Rutgers University, Camden
Gemma Solimene, Fordham University

Bryan L. Adamson, Seattle University
David Anthony Santacroce, The University of Michigan

[Works-in-Progress](#)

[What is Skills Training and How Effective are Clinical Programs at Preparing Their Students for Practice ?](#)

Paul Bruce Bergman, University of California at Los Angeles
David A. Binder, University of California at Los Angeles

Coordinators:
Katherine R. Kruse, University of Nevada, Las Vegas
Michael Pinard, University of Maryland

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

AALS Luncheon

[If We Build It They Will Come: Creating the Foundation for an Effective Clinical Structure](#)

Victoria F. Phillips, American University
Joshua D. Sarnoff, American University

2:00 - 3:30 p.m.

Plenary III - Commemorating *Brown*/
Celebrating *Grutter and Lawrence*

[Use of Empirical Study to Assess the Value of Feedback by Non-Lawyers](#)

Lawrence M. Grosberg, New York Law School
Ian S. Weinstein, Fordham University

Suzanne B. Goldberg, Rutgers, Newark
Paula C. Johnson, Syracuse University
Charles Ogletree, Harvard Law School
Frank H. Wu, Howard University
Moderator: Bryan L. Adamson, Seattle University

[What Skills Should We Be Teaching?](#)

Peter Toll Hoffman, University of Houston
Kimberlee K. Kovach, The University of Texas

For many clinicians *Brown* was a seminal influence, both personally and professionally. It represented the hope of achieving justice through law. Inspired by that model, many of us have worked for decades to achieve civil rights and equal justice in our communities. Happily, *Grutter and Lawrence* reconfirm and re-inspire our commitment to this work. But we must also reconfigure our strategies to address the new legal and political realities of the 21st century.

3:30 - 3:45 p.m.

[Teaching Students to Understand their Limits and to Set Boundaries With Clients](#)

Jennifer A. Gundlach, Suffolk University
Ann Juergens, William Mitchell College of Law
Angela Mc Caffrey, Hamline University

**AALS CONFERENCE ON CLINICAL LEGAL EDUCATION
BACK TO BASICS/BACK TO THE FUTURE**

Refreshment Break

3:45 - 5:15 p.m.

Small Group Sessions

5:15 - 6:30 p.m.

AALS Section on Clinical Legal Education
Committee Meetings

6:30 p.m.

Reception Sponsored by University of
San Diego School of Law

Monday, May 3, 2004

7:30 - 9:00 a.m.

AALS Section on Clinical Legal Education
Committee Meetings

9:00 - 10:15 a.m.

Plenary IV - Roots Recontextualized: The
Fight for Social and Economic Justice

Scott L. Cummings, University of California at
Los Angeles

Randolph N. Stone, The University of Chicago

Louise G. Trubek, University of Wisconsin

Moderator: Susan R. Jones, The George
Washington University

While early clinical programs focused on poverty and law reform, today's complex political climate calls for more sophisticated strategies. Building on past accomplishments in individual representation and law reform efforts, clinics have begun to expand their vision of social justice. The War on Poverty did not end the battle. Indeed, some of the problems have worsened. This panel will feature innovative strategies and methods that clinicians have developed to address this new reality.

10:15 - 10:30 a.m.

Refreshment Break

10:30 a.m. - 12:00 noon

Concurrent Sessions on Social and
Economic Justice

The Evolution of Lawyering for Social Justice:
Synergies and Transitions

Jeanne Charn, Harvard Law School

Mary Helen McNeal, University of Montana

Kimberly E. O'Leary, Thomas M. Cooley Law
School

Dean Hill Rivkin, University of Tennessee

Jeffrey Selbin, East Bay Community Law Center

Incorporating International Human Rights
Norms in Social Justice

Connie M. V. De La Vega, University of San
Francisco

Raven C. Lidman, Seattle University

Louise E. Wenner Mc Kinney, Case Western
Reserve University

Do Externships Provide a Vehicle for Students
to Explore Social Justice

Linda F. Smith, University of Utah

Teaching Legislative Advocacy

Anita Michelle Weinberg, Loyola University,
Chicago

Law and Clinics and Law and Organizing

Muneer Iftikhar Ahmad, American University

Three-Part Harmony? Service, Skills and Social
Justice in the 21st Century Clinic

Michael Pinard, University of Maryland

AALS CONFERENCE ON CLINICAL LEGAL EDUCATION BACK TO BASICS/BACK TO THE FUTURE

Clinical Law Firm as a Social Justice Laboratory Why Not a Clinical Civil Procedure Course?

Baher Azmy, Seton Hall University
David Jerome Reiss, Brooklyn Law School

Erica M. Eisinger, Wayne State University

Perspectives in Criminal Justice

Laura M.S. Berend, University of San Diego
Lisa C. Smith, Brooklyn Law School

Clinical Teaching on Domestic Violence, Divorce and Mediation: Research, Options and Interventions

Kelly Browe Olson, University of Arkansas
at Little Rock

Client Centered Counseling and Social Justice

Robert F. Cochran, Jr., Pepperdine University
Katherine R. Kruse, University of Nevada, Las Vegas
Paul R. Tremblay, Boston College

Nancy Ver Steegh, William Mitchell College of Law

Teaching Politics? Lessons From Other Disciplines

Spencer Rand, Temple University

Works-in-Progress

Coordinators:

Katherine R. Kruse, University of Nevada,
Las Vegas
Michael Pinard, University of Maryland

Clinical Legal Education in Transitional Societies

Jane M. Spinak, Columbia University
Joost P. J. van Wielink, Researcher in Public
International Law, The Amsterdam
International Law Clinic, Amsterdam Center for
International Law, Amsterdam, The Netherlands

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

AALS Luncheon

Cultural Considerations in Problems Solving and Advocacy

2:00 - 3:30 p.m.

Concurrent Sessions on Future Issues

April Land, University of New Mexico
Aliza Organick, University of New Mexico
Carol Suzuki, University of New Mexico

The Use of Therapeutic Jurisprudence and the TJ/Preventive Law Model in Law School Clinical Teaching and Skills Training for Moderators

David B. Wexler, The University of Arizona
Bruce J. Winick, University of Miami

The Training of New Clinicians

Justine Dunlap, Southern New England
Irene Scharf, Southern New England

Describing the Basics: The Task of Formulating "Best Practices" for Externships

Francis J. Catania, Jr., Widener University
Mary Jo Eyster, Brooklyn Law School
Alexander Scherr, University of Georgia

Works-in-Progress

Coordinators:

Katherine R. Kruse, University of Nevada, Las Vegas
Michael Pinard, University of Maryland

AALS CONFERENCE ON CLINICAL LEGAL EDUCATION BACK TO BASICS/BACK TO THE FUTURE

3:30 – 3:45 p.m.
Refreshment Break

3:45 – 5:30 p.m.
Small Groups Discussions

5:30 – 6:30 p.m.
AALS Reception

Tuesday, May 4, 2004

9:00 - 9:30 a.m.

Introduction to Workshops for the Future

Workshops for the Future have been created in response to suggestions from many clinicians and small group participants who have expressed a need to focus on myriad, complex and emerging issues impacting our work in strategic areas such as: innocence projects, immigration and international human rights, career paths, ethics professionalism and reform, community economic development and technology. These six concurrent workshops provide a unique opportunity for participants to delve more deeply and to think critically about these topics. At 12:00 noon, participants from each workshop will come together for the AALS Luncheon.

I. Workshop for the Future: Technology

Coordinating Committee:
Conrad Johnson, Columbia University
Mary Lynch, Albany Law School
Kenneth R. Margolis, Case Western Reserve University

9:30 - 9:45 a.m.
Introduction to the Technology
Workshop for the Future

9:45 - 10:45 a.m.
Lawyering Skills in the Digital Age
Conrad Johnson, Columbia University

10:45 - 11:00 a.m.
Refreshment Break

11:00 a.m. - 12:00 noon
Teaching Professionalism (and Lawyer Competence) through Case Management Systems
Suzanne Leavitt, Drake University
Kenneth R. Margolis, Case Western Reserve University
J. Michael Norwood, University of New Mexico
James A. Stepp, Drake University

12:00 noon - 1:45 p.m.
AALS Luncheon
Section Awards and Section Memorials

1:45 - 3:00 p.m.
Crossing the Digital Divide(s)
Mary Lynch, Albany Law School
Mary Marsh Zulack, Columbia University

3:00 - 3:15 p.m.
Refreshment Break

3:15 - 4:30 p.m.
Having Fun with Technology
David F. Chavkin, American University
Robert F. Seibel, City University of New York

II. Workshop for the Future: Ethics, Professionalism, Reform

Coordinating Committee:
Benjamin H. Barton, University of Tennessee
Douglas A. Blaze, University of Tennessee
Peter Joy, Washington University
Susan L. Kay, Vanderbilt University
Bridget Mary Mc Cormack, The University of Michigan
Michael Pinard, University of Maryland

**AALS CONFERENCE ON CLINICAL LEGAL EDUCATION
BACK TO BASICS/BACK TO THE FUTURE**

9:30 - 10:45 a.m.

Clinics as Model Ethical Law Offices:
Clinic Design, Procedures and
Supervision

Economic Development as Social Justice: The
Role of the University in Community
Transformation
Brenda Bratton Blom, University of Maryland

10:45 – 11:00 a.m.

Refreshment Break

Interdisciplinary Teaching Models: Law/Business
Clinics
Jill Gross, Pace University

11:00 a.m. - 12:00 p.m

Integrating Ethics and Professionalism
Into Clinic Classroom Components

10:15-10:30 a.m.

Refreshment Break

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

AALS Luncheon
Section Awards and Section Memorials

10:30 – 11:15 a.m.

Affordable Housing CED
Michael R. Diamond, Georgetown University
Rochelle E. Lento, The University of Michigan

2:00 - 3:30 p.m.

Revisiting/Revising Student Practice
Rules

At 12:00 noon, participants from each workshop
will come together for the AALS Luncheon, and
return to their respective workshop at the end of
lunch.

III. Workshop for the Future:

**Immigration-Asylum and
International Human Rights Clinics**

Coordinating Committee:

Muneer Iftikhar Ahmad, American University
Susan R. Jones, The George Washington
University
Louise E. Wenner Mc Kinney, Case Western
Reserve University

11:15 a.m. - 12:00 noon.

Small Business
Dina L. Schlossberg, University of Pennsylvania
Iris K. Sims, Loyola University, Chicago

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

AALS Luncheon
Section Awards and Section Memorials

**IV. Workshop for the Future:
Community Economic Development,
Small Business, Tax and Intellectual
Property – What’s Happening
and What’s New?**

Coordinating Committee:

Susan R. Jones, The George Washington
University
Rochelle E. Lento, The University of Michigan
Richard Marsico, New York Law School

2:00 - 2:45 p.m.

Concurrent Sessions

CRA/Predatory Lending

Richard Marsico, New York Law School
Robert A. Solomon, Yale Law School

Maryland/ Combining Clinical and High School
Education to Promote Social Justice

Terry F. Hickey, University of Maryland
Michael A. Millemann, University of Maryland

9:30 – 10:15 a.m.

Concurrent Sessions

2:45- 3:30 p.m.

Concurrent Sessions

**AALS CONFERENCE ON CLINICAL LEGAL EDUCATION
BACK TO BASICS/BACK TO THE FUTURE**

Tax Clinics

Jerome Borison, University of Denver
Janet Altman Spragens, American University

Intellectual Property Clinics

Barbara B. Bressler, DePaul University

**V. Workshop for the Future:
Criminal Law Clinics Evolved:
Innocence Projects and Other
Post-Conviction Clinical Models**

Coordinating Committee:

Adele Bernhard, Pace University
Douglas A. Blaze, University of Tennessee
Daniel S. Medwed, Brooklyn Law School
Kathleen Ridolfi, Santa Clara University

9:30 -10:30 a.m.

Pedagogical Pros and Cons of Post-Conviction Clinics

10:30 -11:15 a.m.

Clinical Models

11:15 a.m. - 12:00 noon

Nuts and Bolts

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

AALS Luncheon

Section Awards and Section Memorials

**VI. Workshop for the Future:
Career Paths**

Coordinating Committee:

Katherine Shelton Broderick, University of the District of Columbia

Stacy Caplow, Brooklyn Law School

Linda E. Fisher, Seton Hall University

Minna J. Kotkin, Brooklyn Law School

9:30 - 9:45 a.m.

Introduction

Katherine Shelton Broderick, University of the District of Columbia

9:45 – 10:45 a.m.

The Career Path of the Clinical Teacher:
Pioneer, Evolving, Surviving, Thriving
Stacy Caplow, Brooklyn Law School
Minna J. Kotkin, Brooklyn Law School

10:45 – 11:00 a.m.

Refreshment Break

11:00 a.m. – 12:00 noon

My So-Called Career

Lois H. Kanter, Northeastern University

Ilene B. Seidman, Suffolk University

Abbe Smith, Georgetown University

12:00 noon – 1:45 p.m.

AALS Luncheon

Section Awards and Memorials

2:00 – 3:00 p.m.

From Knowledge and Skills to Wisdom:
The Values, Vagaries and Vicissitudes of
American Legal Education and the
American Legal Profession in the 21st
Century

Daniel L. Power, Drake University

At 12:00 noon, participants from each workshop will come together for the AALS Luncheon, and return to their respective workshop at the end of lunch.