



# Message from the Chair

Charles D. Weisselberg

University of California - Berkeley



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Dear Colleagues:

This is my last message as Chair of the Section. Susan Jones assumes the post at the Annual Meeting. Susan has been integral to all of the Section's efforts this year, and she will be a superb Chair.

It has been a very active and exciting year. I'm pleased to report on our progress on several Section initiatives. I'd also like to mention the Annual Meeting (along with the Pincus Award and officer nominations) and the fine work of our colleagues.

## Initiatives

One main focus of the Section this year has been issues of status, governance and academic freedom.

We held a Town Hall meeting on these topics at the May clinical conference in Chicago. It was a very good discussion, with clinicians expressing many different views with great passion and respect. What came out of the meeting was the need for the Section to study these issues much more in depth, including developing better information about law school clinical programs and those who teach in them.

Following the Town Hall meeting, the Section formed a Taskforce on Clinicians and the Academy. The Taskforce is co-chaired by Bryan Adamson and Calvin Pang. Other members are: Brad Colbert, Kathy Hessler, Kate Kruse, Bob Kuehn, Mary Helen McNeal, and David Santacroce. Broadly conceived, the Taskforce will address two topics: (1) who is teaching in clinical programs and with clinical methodologies in law schools in the United States; and (2) what are the most appropriate models for clinical appointments within the legal academy.

The first question will occupy the Taskforce initially. The Taskforce is designing a survey, in coordination with those who are developing the Section's database for clinical faculty. We expect the survey to be conducted in the Spring. The Taskforce will then develop its approach to the second topic following consultation with clinical teachers, others in the legal academy, and legal professionals. The result will be a report to the Section that includes recommendations on whether and, perhaps, how to further the work on these issues within the AALS. We think that this will be a three-year project.

In addition, we planned the Section's program at this January's AALS Meeting around these topics. The program is discussed in more detail below and elsewhere in this Newsletter, but it brings together clinicians, deans, First Amendment scholars and the AALS Executive Director to talk about clinicians, clinical programs and academic freedom. Papers from the Annual Meeting will be published in the Clinical Law Review. We hope that the program will help build a strong foundation for the work of the Taskforce.

We also sought this year to collaborate more with the AALS leadership and with CLEA. These efforts are not always visible to Section members, but they are important for the Section and for clinical education as a whole.

With respect to the AALS, we put in place a set of procedural guidelines for the use of Section dues funds. In approving the guidelines, the AALS Executive Committee granted the Section exceptions to some long-standing AALS policies. We now have permission to sponsor receptions and certain meals at events, such as regional clinical conferences. This should help us promote professional development activities for clinical faculty. The AALS also agreed to co-sponsor an ABA event in 2008 that marks CLEPR's 40th Anniversary. And we have continued to advocate that clinical faculty serve on AALS committees; their broad experiences and perspectives surely assist the Association. As I write this message to you, incoming AALS President Judith Aren is still composing the Association's committees for next year. We already have learned that Antoinette Sedillo Lopez has been named to the Committee on Sections and Annual Meeting, Suzanne Levitt will be on the Committee on Bar Admission and Lawyer Performance, Jon Dubin will join the Standing Committee on Clinical Legal Education, and Peter Joy will serve on the Committee on Academic Freedom and Tenure. We may hear of clinicians on other committees as well, but this is all good news.

With respect to CLEA, the Section and CLEA continue to work in harmony, recognizing their respective strengths. Leaders in the Section and CLEA talk regularly. The two organizations co-sponsored a reception at the May conference. But the most significant collaboration this year was our joint Katrina Taskforce (which the AALS in D.C. approved in record time). I am proud of the clinical community's response to Katrina, and am especially grateful to CLEA President Alex Scherr for serving as such a wonderful partner on the Taskforce. Of course, the labors of the Section and CLEA are nothing in comparison to the Herculean efforts of faculty and students from Loyola, Tulane, Mississippi, and others in the areas devastated by the hurricane and floods. Nevertheless, as reported elsewhere in this Newsletter, a number of clinicians stepped up to help.

On the professional development front, the Regional Conference Committee, chaired by Christine Cimini and Karen Tokarz, is highly energized and active. We need to create more, better, and cheaper professional development opportunities, and they are leading the way.

Finally, the Section's Executive Committee is in the process of revising the Section's committee structure. The committees were once very active. Some remain so; others are not. The current plan is to continue with committees that have a programmatic mission, but to find a more efficient way to have clinicians serve the "advice" role that several committees now play. We have decided to create a "Resource Group." This will be a bank of experts who are willing to talk or consult with clinicians on a myriad of issues. We think that this resource will serve the clinical community very well in the years to come.

#### Annual Meeting; Nominations for Section Office; Pincus Award

The Clinical Section's Annual Meeting program will be held on Wednesday, January 4. We start at 12:15 with the Section luncheon. The afternoon program runs from 2:00 to 5:00. The program is described in detail in this newsletter, but I'd like to mention a few things about the lunch.

At the luncheon, we will elect the Section's officers for next year. The Nominating Committee, chaired by Michael Pinard, has nominated David Santacroce for Chair-Elect. David has done a magnificent job as Section Treasurer for the past five years. He is the force behind the Section's efforts to create a better database of clinical faculty and to learn much more about who is really doing the teaching in clinics across the country. I can attest to David's hard work and skills. The Committee has also nominated Paula Williams

and Tony Alfieri to the Section's Executive Committee. Paula and Tony have made important contributions to clinical legal education for many years. They will bring their creativity and deep experience to the Executive Committee.

We will also honor David Binder, this year's recipient of the William Pincus Award. The Awards Committee (chaired by Quiche Suzuki) had a number of very prominent nominees, but David was an inspired choice. He has been a pathbreaking scholar and teacher for decades. David has had a remarkable impact on the way in which clinicians think and teach about lawyers' skills. Please join us in honoring David Binder.

### Thanks

I would like to close by thanking the many people who have served the Section and clinical legal education this year. Kim O'Leary has again been a fabulous Newsletter Editor. The Executive Committee—Susan Jones, Calvin Pang, David Santacroce, Randi Mandelbaum, Quiche Suzuki, Kathy Hessler, Marcia Levy and Hans Sinha—has worked very hard for you. Calvin and Kathy rotate off the Committee after years of service. Calvin, the Section's past-Chair, spent many hours giving me guidance, support and very sage advice. Kathy always had very thoughtful comments, and she provided quiet leadership. Fortunately, both Calvin and Kathy have agreed to lend their talents to the new Taskforce on Clinicians and the Academy (they can run, but they can't hide).

I'm grateful too to Alex Scherr and the CLEA Board for their generous and thoughtful collaborations with the Section. CLEA and the Section are two separate organizations with complementary strengths and visions. Together we can accomplish much.

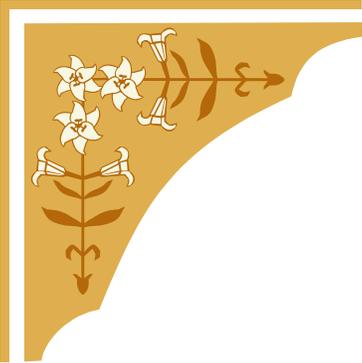
I would also like to thank Carl Monk and Jane La Barbera, the Executive Director and Associate Director of the AALS, and their staff. Carl and Jane have been very supportive all year. They consistently gave us good advice and they shepherded the Section's proposals through the AALS Executive Committee.

Finally, I am grateful to all of you for your support and friendship, and for affording me the opportunity to serve as Chair. It has been a true honor and privilege to work with and for you.

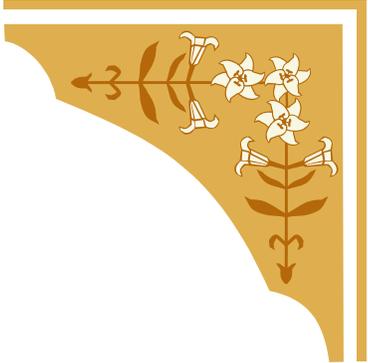
I look forward to seeing you in Washington, D.C. next month.







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# Committee Reports

## **Updated Information Requested About Overseas Work**

**Roy Stuckey, South Carolina**

Peggy Maisal of Florida International University College of Law presented a paper in October at the UCLA Law/University of London Sixth International Clinical Conference at Lake Arrowhead in which she examines the role of U.S. clinical teachers in developing countries. It is an ambitious and impressive project. Her paper and others can be accessed on the conference website at <http://www.law.ucla.edu/home/index.asp?page=1949> .

Peggy gathered some of her data from the Compilation of Clinical Teachers Who Have Taught or Consulted Overseas that I began several years ago. While the record of our international service is impressive, I know that many of you have not reported information about your recent or prospective overseas work. I encourage you to fill out as many copies of the survey form in this newsletter as necessary so I can update the compilation. I will make every effort to summarize and report your international work in the next edition of the newsletter. Even better, you could submit a brief description of any interesting work you've done overseas directly to the newsletter's editor, Kim O'Leary at [olearyk@cooley.edu](mailto:olearyk@cooley.edu).

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The Nominations Committee of the AALS Section on Clinical Education is proud to announce that David Santacroce (Michigan) has been nominated to serve as the incoming Chair-Elect of the Clinical Section and that Anthony Alfieri (Miami) and Paula Williams (Tennessee) have been nominated to serve on the Executive Committee. The clinical section will vote on these nominees during the election that will be held during the section's business meeting at the AALS Annual Meeting. The business meeting will take place during the section luncheon on Wednesday, January 4, 2006.

The Nominations Committee consisted of Russell Engler, Warren Jones, Michael Pinard and Nina Tarr. The committee thanks all who nominated individuals to serve the section in these capacities.

**Committee on Lawyering in the Public Interest**  
**Bellow Scholar Update**

The Bellow Scholars Project, a Project of the AALS Clinical Section, identifies, recognizes, and honors projects undertaken by clinical law teachers that reflect the ideals of Gary Bellow. In particular, the Project seeks to recognize projects designed to improve the quality of justice in communities, and to provide support and counsel to assist in clinicians in carrying out those projects. Those projects become the focus of information sharing, discussion and critique at the annual AALS Clinical Conference.

Gary Bellow, one of the founders of the Clinical Legal Education movement, focused on the future: on what needed to be done to improve the lives of poor people and the skills and understanding of their advocates. The goal of the Bellow Scholar project is to honor Gary by encouraging projects that are forward-looking. The Section also hopes that discussions of these projects will reflect the qualities that characterized Gary's own work, particularly innovation and critical analysis.

As the Committee on Lawyering in the Public Interest, which selects the Bellow Scholars on behalf of the Clinical Section, gathered to prepare for the coming year, the tragedies of Hurricane Katrina and its aftermath became apparent. As I write this report, clinicians are assisting at various levels in providing emergency assistance, research, legal advice, and a wide array of other services. Again, in recognition of Gary's work and spirit, the Committee determined that our collective efforts are best spent addressing these immediate human needs and concluded not to solicit new Bellow Scholar Projects for this academic year.

Additionally, the Committee hopes to assist the current Bellow Scholar Projects in furthering their work. In lieu of soliciting new proposals, the Committee is planning a program for the spring AALS Clinical Conference that will highlight the progress made on previously designated projects, and continue the opportunity for discussion and critique of them.

The Bellow Scholars Project began in 2002, and thus far five different projects have been selected. In the 2002-2003 cycle, the designated Bellow Scholar Projects were as follows: "Ethical Issues in Group Representation Cases," by Sophie Bryan, Hale and Dorr Legal Services Center, Harvard Law School; 2) "Evaluating Legal Services Delivery Models," led by Jeff Selbin and Mary Louise Frampton, the University of California at Berkeley; and 3) a Workers' Rights Project, led by Doug Smith. In the 2004-2005 academic year, the Bellow Scholars projects were the "Services to Clients Having Limited English Proficiency Project" ("SCHLEEP") of the Washington University College of Law at American University, spearheaded by Professor and Clinic Director Susan Bennett, and the Community Rights Education Clinic at the University of Miami, under the leadership of Professor Anthony Alfieri.

We look forward to seeing you at the Bellow Scholars session at the May Clinical Conference.

Mary Helen McNeal  
Chair, Committee on Lawyering in the Public Interest

# FEATURE ARTICLES

Dear Friends:

I have not regularly written about the work of Boalt Hall clinicians and students, but our International Human Rights Law Clinic, led by Laurel Fletcher and Roxanna Altholtz, won a ground-breaking decision on Friday in the Inter-American Court of Human Rights. The ruling caps a 7-1/2 year effort and will change the lives of many, many people. Forgive me – I just want to shout from the rooftops.



The case was the first major project undertaken by Boalt's International Human Rights Law Clinic when it opened in Spring 1998. The Clinic had received reports that children of Haitian ancestry born in the

Dominican Republic were not receiving birth certificates because of their race, which prevented them from receiving an education and made them vulnerable to expulsion from the country. Students and faculty began investigating that Spring. The Clinic teamed with two NGOs (the Association of Women of Haitian Descent, and the Center for Justice and International Law). They filed a petition before the Inter-American Commission for Human Rights, litigated (and won) before the Commission, and then litigated and won all over again before the Inter-American Court of Human Rights in Costa Rica.

On Friday, the Court ruled that the Dominican Republic must reform its birth registration system, issue birth certificates to children regardless of the immigration status or race of their parents, and open its schools' doors to all children, including children of Haitian ancestry living in that country. The government must also publicly recognize international

responsibility for the violations and ask for forgiveness from the victims.

I am so happy about the ruling and proud of the accomplishments of our clinical faculty and students. Laurel and Roxanna did a superb job. The students were phenomenal. At every step in this complicated but hugely important case, students had integral roles. Sometimes they investigated, sometimes they worked with the Clinic's NGO partners, sometimes they collaborated with experts, sometimes they drafted documents, and sometimes they argued before tribunals. What they did varied from semester to semester, but there was one constant: every student had an incredibly rich learning experience, and every student made a difference.

Best, Chuck Weisselberg

## NEW REPORT ON TRAUMA AND LEARNING IS BASED ON HLS STUDENTS' CLINICAL CASEWORK

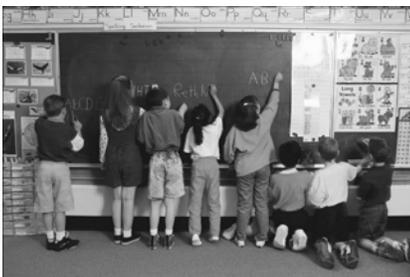
### Report Draws Attention of Massachusetts' Top Education Leaders

The clinical casework of students in the Harvard Law School's Trauma and Learning Policy Initiative (TLPI) is the foundation of a landmark new report and policy agenda called *Helping Traumatized Children Learn*. The report documents how trauma from exposure to violence—particularly family violence—can actually be the underlying cause of many learning and behavior problems that children exhibit in the classroom.

The true-life stories that form the groundwork for the report's analysis and conclusions come from actual children whom HLS students at the Hale and Dorr Legal Services Center have represented in special education and discipline proceedings. The aim of the report is to encourage schools to intervene early to provide both school-wide and individual

supports to traumatized students so that they can avoid school failure and/or involvement with the juvenile delinquency system.

Marisa Rolland '06, is currently representing a 5<sup>th</sup> grade student in Boston who observed her older brother's murder on a neighborhood playground. The child's resulting depression and anxiety disorder made it difficult for her to focus her attention and control her behavior in the classroom. Rolland's advocacy has centered on getting the girl's school to understand how her challenging behaviors are actually connected to her traumatic experience.



Rolland said of the new report, "It is so exciting to see the work that I am doing on this case actually influencing education policy at the state level. It is

heartening to know that what I am learning from my client's experience can help generate real tools and strategies for teachers to employ in the classroom."

Another student, Rachel Wainer '07, is currently representing a student who was physically abused at the age of 3 months. While DSS investigated the incident, the infant was kept in the hospital and separated from both parents for weeks. This experience has reverberated throughout his subsequent school experiences, creating difficulties with trust and fearfulness at school. Wainer stated, "It has been eye-opening to see how traumatic experiences--even those that occur during infancy--can impact how we learn. Without understanding the root causes of our client's behavioral and educational issues, we cannot hope to find solutions that can ultimately stop the cycle of school failure for these children."

In addition to translating the research on trauma into language that is relevant to educators, the report also provides a flexible framework of strategies that schools can use to become "trauma-sensitive" envi-

ronments. The report concludes with a series of policy recommendations for the state's educational leaders, encouraging them to devote resources to teacher training and increased access to mental health consultants for schools.

*Helping Traumatized Children Learn* was released to the public at a press conference on Wednesday, October 19, 2005, at the Juniper Hill Elementary School in Framingham, MA. The Framingham Public Schools hosted the event and is currently implementing the strategies outlined in the report across its entire school district. Massachusetts Commissioner of Education David Driscoll has endorsed the report and was present at the press conference to speak about the issue of trauma and learning. Three teachers from the Framingham schools spoke about how they are actually using the document to improve their practice in the classroom.

**As our leader Chuck W. requested, here is a report on Katrina related clinical work going on at Loyola New Orleans.**



As you may know, Loyola New Orleans Law School relocated to the campus of the University of Houston, Law Center to finish the fall semester. The folks at UH, especially the clinic people, have been very generous. They have moved over and made space for the 300+ students plus faculty and staff that made the move. I do not know how any school could match what they have done.

A quick update on New Orleans TODAY so you can put our clinical work in context. Well over half of the homes on the east bank of Orleans Parish still do not have electricity or natural gas. That is

over 200,000 people. Many do not have running water.

No public schools are open at all. Any public school that will re-open this academic year will be a charter school. Over 245,000 people have lost jobs. There is a severe shortage of housing. The housing that is available is going for rents far out of the range of low income people. All but a small percent of the public housing in New Orleans remains closed. Most of the people of New Orleans are not in New Orleans and will not soon be back.

After the school decided to move to Houston to complete the semester, we decided we had to rebuild our clinic on a new model. Discovering that nearly 100,000 people from New Orleans were relocated (temporarily we hope) to Houston, we switched from a litigation driven clinic (criminal, family, immigration, homeless, federal civil) to a Katrina Advice Clinic. We partnered with UH, Lone Star Legal Aid (LSC) and the Houston Volunteer Lawyers association.

Our themes for this semester have been flexibility, creativity, solidarity, and patience. We have been challenged in each of these themes because all of our students and faculty are also evacuees - every person has lost something precious. The stress of moving a couple of hundred miles away and setting up a new home for ten weeks and continuing law school takes an enormous toll on studying, energy, marriages, jobs, families and on each person's spirit.

Our students have been going to the Hurricane Relief Center in Houston in shifts that cover most of the day five to six days a week. The HRC has over 100 agencies inside an old Wal-Mart building and is visited by 3 to 5 thousand people every day.

We instituted new supervisory structures and learned (and are still learning) new substantive areas - with concentrations in FEMA, SBA, landlord tenant, housing vouchers, consumer, child support and custody, and the basics of flood and homeowners'

insurance.

At the same time, we had clients still back in Louisiana so four faculty members stayed back in Louisiana to deal with homelessness (yes, many homeless never left, some have returned, and we have many newly homeless), criminal defense (our clients were scattered into jails across the state and local judges have asked us to join with the many others who are working to untangle the mess that can only be called the criminal system), and helped the Louisiana bar set up and train and staff a state-wide hotline. We have also partnered with numerous national, regional and local groups trying to respond to the consequences of the disaster and the challenge of rebuilding our community.

At this point, our students have visited with over a thousand people - face to face in the HRC or in phone interviews at one of the 800 call in centers. They interviewed people with faculty present for the first couple of times and on their own afterwards. They each take on new interview problems from the HRC each week, touch base with people, research their options, consult with faculty about appropriate responses, and assist our neighbors in contacting governmental agencies and private parties. They visit face to face with people and we have all had the privilege of hearing the most heart-rending stories of lives destroyed and courageous efforts to rebuild. Our students make lots and lots of phone calls and write lots of letters. Oftentimes, our neighbors - the clients cry; sometimes we cry too.

We are leaving Houston December 17 to return to New Orleans for good. We will carry the concerns of our clients and neighbors for the rest of our lives. Their concerns, and the concerns of our severely damaged community, have changed us and our Clinic.

We do not know exactly what we will do next semester. We want to give our students plenty of chances to go to court, but there are disaster centers all over New Orleans, and there are many people still in need of someone who can research and write

a letter for them, so we will continue to try to see what our neighbors and our community needs and this will likely be a part of what we do for a long time to come.

Peace,

Bill Quigley

Loyola University New Orleans Law Clinic



The University of Baltimore School of Law Center for Families, Children and the Courts (CFCC) continues to involve law students in a variety of programs and initiatives, as well as providing them with an in-depth examination of the policies and theories surrounding court reform in family law.

Several students this semester were actively involved in a major conference hosted by CFCC on the impact of addiction and substance abuse on families and children in the family justice system. Over one hundred fifty judges, masters, court staff, and attorneys attended the September 23 conference, entitled "A Family Disease: The Impact of Addiction and Substance Abuse on Children, Families, Family Courts, and Communities. The conference was funded by the Maryland Administrative Office of the Courts Department of Family Administration and the Open Society Institute-Baltimore.



The conference was designed to provide training and guidance on a holistic approach to substance abuse issues affecting families and children. Current and former CFCC Student Fellows played key roles in organizing and hosting the conference.

As part of its post-conference activity, CFCC now is developing for publication a bench book for judges,

masters, and court staff on addiction and substance abuse as they affect families and children in the family justice system. CFCC Student Fellows also are participating in research and writing of this bench book.

CFCC Student Fellows have also been engaged in the Truancy Court Program for Baltimore City, a program designed as an early intervention and non-punitive approach to truant behavior that targets and addresses the root causes of truancy. It is a cooperative venture with the Baltimore City Public School System, the District and Circuit Courts, and the Mayor's Office to encourage elementary and middle school students to attend school. CFCC Student Fellows act as liaisons between the schools, the courts, and CFCC and assume responsibility for a number of tasks involved in implementing the program.

Rachel Wolpert, a third-year law student enrolled in the Student Fellows Program describes her experience: "The CFCC Student Fellows program has enhanced my knowledge and understanding of how great an impact the legal system and its players can have on children, families, and all others who come before it. This understanding will affect the way I practice law and choices I make in my professional career. This program has been the most unique "class" I have taken in law school in that the students not only learn about the research and data analyzing the courts and their effects, but the students also have the opportunity to work within an actual court modeled on this research."

The course is taught by Professor Barbara Babb, CFCC's Director, and Gloria Danziger, CFCC's Senior Fellow. For further information, please contact Professor Barbara Babb at 410-837-5661; [bbabb@ubalt.edu](mailto:bbabb@ubalt.edu); or consult CFCC's website at: <http://law.ubalt.edu/cfcc/index.html>

## CLINICAL UPDATE FROM THE UNIVERSITY OF MARYLAND SCHOOL OF LAW

### MLAN, JAPANESE DELEGATION TOUR LAW SCHOOL AND CLINIC



On July 14, 2005, the Clinical Law Program was honored to host a delegation from the Japan Federation of Bar Associations. Hosted by the Maryland Legal Assistance Network (MLAN) for their visit to Maryland, the Law School was selected by MLAN as the best example of the "law school of the future". The visitors were members of the Committee

for Judicial Reform and Advanced Technology, which is an initiative jointly sponsored by the Japan Federation of Bar Associations and Fujitsu Research Institute to modernize the Japanese court and legal systems to 21st Century technology standards. Four different groups are blanketing the United States to learn as much as possible about the American legal system, its courts and its use of technology in non-law firm settings. While interested in how law schools are teaching law students to be prepared for a technology based future, they know that law schools cannot anticipate all of the possibilities that students will face. The delegation was very interested in seeing what American law schools are doing to teach students to think of technology as the way to more fully serve their clients, so that the students will be forward thinking when they emerge into private or public practice. In addition, the Japanese are interested in Maryland's vision of legal aid and pro se technology development and the technology development of legal services around the country in terms of providing better access to justice.

During their visit, these guests toured the Law School's "wired" classrooms, courtrooms and clinic spaces, and attended a demonstration of electronic resources sponsored by MLAN, such as the People's Law Library ([www.peoples-law.info](http://www.peoples-law.info)) and the [www.MDJustice.org](http://www.MDJustice.org) website for advocates. Attending from the Japanese delegation were Shiro Kawashima, law professor at Kyushu University; Masatoshi Sase, attorney at Sase-Yokewawa Law Offices in Tokyo and head of the Business Process Im-

provement Committee, Japan Federation of Bar Associations; Takehiko Uehara, attorney at Takehiko Uehara

Law Offices (bankruptcy) in Osaka and Information Technology section committee member, Japan Federation of Bar Associations; Masao Honda, attorney at Kawasaki Law Offices in Kawasaki City and Information Technology section committee member, Japan Federation of Bar Associations; Takashi Hiroishi, engineer and section chief, Mitsubishi Electronics; and Mitsuhiko Fujita, engineer, Fujitsu Research Institute. Also attending was Ayn Crawley, Director, and David Wisner of MLAN, Brenda Bratton Blom, Director of the Clinical Law Program at the Law School, and Lila Faulkner, Director of Academic Technology at the Law School.

### ACCESS TO JUSTICE CLINIC BEGINS PAMPHLET DISTRIBUTION TO MARYLAND DETENTION CENTERS

Students in the Access to Justice Clinic and Doug Colbert, JD, their professor in the School of Law, have taken a radical approach in their efforts to help low-income detainees in the pretrial release system obtain a fair bail review -- they have written the pamphlet, "Law Students' Guide to Maryland's Pretrial Release System: Things You Should Know." Colbert and his students unveiled the pamphlet at a news conference at the law school on Nov. 2.

Set for distribution to pretrial detention centers cross the state of Maryland, the pamphlet is intended to provide access to justice for defendants when they first enter the criminal justice system. It attempts to fill a glaring gap in the state system, which does not provide counsel to lower income defendants when they first appear before a court commissioner and when they next appear at most bail review hearings. Indigent defendants are left to speak for themselves. A 2004 Maryland Court of Appeals ruling unanimously found that statements from an unrepresented defendant, who was not given Miranda warnings, are admissible at trial, despite a Maryland statute that provides for a public defender's representation at all stages of a criminal proceeding. The pamphlet has been in the planning stages since the fall semester of 2004. Law students Dana Boston ('06) and Rommel Loria ('06) were

surprised to learn that defendants are not automatically provided with counsel. Colbert says the long-term goal behind the pamphlet is to ensure that indigent defendants' right to counsel extends to the bail stage and "to require the State to provide a lawyer when an accused first appears before a District Court commissioner and bail review judge." During the drafting process, the students consulted with and received support and approval from Mary Ann Saar, secretary of the Maryland Department of Public Safety and Correctional Services; Ben C. Clyburn, chief judge of the District Court of Baltimore City; Patricia C. Jessamy, state's attorney for Baltimore City; and the defense bar. The pamphlets are being distributed to all Maryland detention centers and will eventually be translated into Spanish.

#### RE-ENTRY CLINIC PRESENTS WORKING CONFERENCE ON COLLATERAL CONSEQUENCES

On Friday, November 18th, 2005, the University of Maryland School of Law hosted a working conference that brought together various community stakeholders - including public defenders, prosecutors, legal services attorneys, legislative advocates, corrections personnel, reentry service providers and representatives from various community groups - to brainstorm the myriad issues surrounding the reentry of formerly incarcerated individuals into Maryland's communities. Specifically, the conference focused on the intersection between the collateral consequences of criminal convictions and reentry.

This is a particularly urgent time for this conference, given that approximately 9,600 individuals are released from Maryland's prisons annually and return to under-sourced communities. The vast majority of these individuals confront numerous reentry-related hurdles, many of which are imposed by the collateral legal sanctions that attach to criminal convictions. These sanctions, rooted in both federal and state law, include temporary and permanent ineligibility for public or government-assisted housing and federal student aid; various employment related restrictions; disqualification from military service; civic disqualifications including felon disenfranchisement and ineligibility for jury service; and, for non-citizens, deportation. Among the topics discussed at the conference were struggles that recently

released individuals confront during the reentry process in Maryland and potential ways for legal services providers, both at the front and back ends of the criminal justice system, to address some of these issues. For more information and a full speakers list, please visit [www.law.umaryland.edu](http://www.law.umaryland.edu).

#### AALS Section on Clinical Legal Education 2006 William Pincus Award



The Executive Committee of the AALS Section on Clinical Legal Education is pleased to name Professor David Binder of the UCLA School of Law as the 2006 recipient of the William Pincus Award for his leadership role in clinical legal education, pedagogy and scholarship, his dedication to the practice of law and to the lawyering process, and his commitment to students and colleagues.

The William Pincus Award honors one or more individuals or institutions of clinical legal education who have demonstrated excellence in service, scholarship, program design and implementation, and other activity beneficial to clinical education or to the advancement of justice.

Professor Binder has been at the forefront of the ideas that created what is now the discipline of clinical legal education. For more than three decades he has devoted his academic life to clinical scholarship and pedagogy, during which time he has contributed many of the major foundational concepts that are used today in clinical education programs throughout the country. It is not an exaggeration to say that Professor Binder's ideas have reshaped the values and practices of legal professionals as they represent their clients. Of equal significance, David Binder's work has generated a tremendous amount of important research from other clinical scholars who have critiqued, refined, challenged and embraced his ideas.

Professor Binder's contributions have played a major role in shaping clinical legal education and make

him a richly deserving recipient of the 2006 William Pincus Award.

The William Pincus Award will be presented to Professor Binder during the Section's luncheon at the AALS annual meeting in January. The Executive Committee would like to thank the Awards Committee for its work in the nominations process: Carol Suzuki, chair (University of New Mexico); Jim Cohen (Fordham); Kurt Eggert (Chapman); Maury Landsman (Minnesota); and Paula Williams (Tennessee).

### **The Mid- Atlantic Clinical Teachers' Conference**

The Mid- Atlantic Clinical Teachers' Conference is in full swing, with the first two meetings of our year-long series having played to appreciative participants. Organized by Dave Chavkin at American University, the Mid-Atlantic gives clinical teachers an opportunity to present projects and drafts of articles for discussion, in a supportive setting. Law schools in the region take turns hosting the gatherings, which take place every 4-5 weeks. Attendees come from AU, Baltimore, Catholic, Georgetown, GW, Howard, Maryland, Penn State, UDC, and Villanova - and sometimes from as far south as North Carolina. Our first session, on September 23, was hosted by Georgetown University Law Center, and consisted of a discussion organized by AU clinicians Muneer Ahmad, Susan Bennett, Kate Bunker, Margaret Johnson, and Sarah Paoletti, on how clinicians might collaborate across law schools to enhance services to clients with limited English proficiency. On October 21, the group convened at University of Baltimore, to hear Sylvia Garfinkle present her draft, "Down the Beaten Trail: An Argument Against Automatically Continuing Civil Protection Order Cases after Their Companion Criminal Cases." The next session in the series will be held at American University on November 18, when Johanna Bond will present her work in progress, "Gender and Collective Identity: From the Frontlines to the Family." The last meeting of the semester will be held at Catholic University, where Sha-

var D. Jeffries, from Seton Hall, will present his draft, "The Incapacity of Public Schools to Educate Stigmatized Minorities: Toward an Entitlement to Remedial Vouchers."

### **Symposium Law Journal Issue Dedicated to Prosecutorial Externship and Clinical Programs**

After two years of shepherding this project from inception to publication, I am happy to be able to announce the publication of the symposium issue of the Mississippi Law Journal dedicated to Prosecutorial Externship and Clinical Programs. The symposium issue, sponsored by the National Center for Justice and the Rule of Law, contains eleven articles dealing with prosecutorial clinical programs, as well as a note by former Attorney General Janet Reno. This symposium issue would not have been possible without the contributing authors. The authors and their corresponding articles are:

*Attorney General Janet Reno* The Importance of Prosecution Training in Law School. Stacy Caplow Tacking Too Close to the Wind: The Challenge to Prosecution Clinics To Set our Students on a Straight Course. Peter A. Joy Prosecution Clinics: Dealing With Professional Role. Larry Cunningham The Use of "Boot Camps" and Orientation Periods in Externship and Clinics: Lessons Learned from a Criminal Prosecution Clinic.

*Jean Montoya* The University of San Diego Criminal Clinic: It's all in the Mix.

*Margaret A (Peggy) Tonon* Beauty and the Beast – Hybrid Prosecution Externships in a non-urban Setting.

*Lisa Torracco* The New Mexico District Attorney Clinic: Skills and Justice.

*William P. Quigley* Reflections from the Journals of Prosecution Clinic Students.

*Mary A. Lynch* Designing a Hybrid Domestic Violence Prosecution Clinic.

*Linda F. Smith* Benefits of an Integrated (Prosecution & Defense) Criminal Law Clinic.

*Lisa C. Smith* Community Prosecution: Can a Law School Prosecutors Clinic Adopt this Approach?

*Hans P. Sinha* Prosecutorial Externship Programs:  
Past, Present and Future.

A copy of the Law Journal book has been mailed to all clinicians on the AALS clinical list, as well as to all law school deans. If you have not already received it, look for your copy to arrive in your mail box shortly. Hopefully this symposium issue will be a welcomed addition to the growing body of clinical legal scholarship.



Hans P. Sinha  
University of Mississippi, School of Law

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**In-House Clinical Workload – The Standard  
Remains the Same**

**By: Gerard F. Glynn**

**Associate Professor Barry University  
School of Law**



In 1992, two publications listed the clinical teaching load to be eight students to one faculty member. (*See* AMERICAN BAR ASSOCIATION SECTION ON LEGAL EDUCATION AND ADMISSIONS TO THE BAR, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT – AN EDUCATIONAL CONTINUUM, REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP 250 (1992) and Report of the Committee on the Future of the In-House Clinic, 42 JOURNAL OF LEGAL EDUCATION 508 (1992).) The Report of the Committee on the Future of the In-House Clinic created a guideline of 1 faculty to 10 students for clinical faculty devoting all of their time to supervising students who receive 4 hours of credit per semester. The Guidelines go on to say that the ratio should be adjusted where clinical faculty have additional responsibilities or the credit hours the students receive are higher.

In response to a controversy at our school, I recently asked the clinical listserv how schools define a full-teaching load for clinicians. There are many factors to consider in defining a full-teaching load. Is a faculty member required to produce scholarship, participate in law school or university committee work or teach other classes? There are also practical or political considerations. By restricting clinicians to in-house teaching are we limiting student recruitment efforts, student exposure to clinicians and in-directly affecting our colleagues perspective on our teaching abilities?

Schools have addressed these issues in many ways, but the data from the 34 schools that responded indicates that schools are basically following the Report of the Committee on the Future of the In-House Clinic. Here is a summary of the results:

Fifty percent (seventeen schools) of the schools consider supervising 8 students in a three to seven credit hour clinical course a full time teaching load

Six schools require clinical faculty to supervise externs in addition to supervising 9-10 students in a three to six credit hour clinical course

Four schools require clinical faculty to teach one non-clinical course per semester in addition to supervising 8-10 students in a clinical course

Two schools consider supervising 6 students in a six or seven credit hour clinical course a full time teaching load

One school requires clinical faculty to teach one non-clinical course per semester in addition to supervision 4-6 students in a clinical course

One school considers supervising 4-7 students in a nine or ten credit hour course with teaching fellows a full time teaching load

One school requires clinical faculty to teach one non-clinical course per year in addition to supervising 8 students in a seven credit hour clinical course.

One School requires clinical faculty to teach one non-clinical course per semester while

.supervising 5 students in a six credit hour clinical course.

### Additional Notes

Four schools indicated that administrative responsibilities reduced the teaching load responsibilities. Almost all the schools report that clinicians also have scholarship and committee responsibilities

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### **Stanford Environmental Clinic Wins Victory**



Given all the depressing events of the past few weeks, I thought it might be nice to share some good news.

On Tuesday, the Stanford Environmental Law Clinic won a major victory in its long-running legal battle over the proposed development of the world's largest garbage dump adjacent to Joshua Tree National Park in California's fragile Mojave Desert.

In late 1998, the federal Bureau of Land Management (BLM) agreed to exchange nearly 4,000 acres of federal public land nestled up against national park wilderness lands to a private mining company for the purpose of creating an enormous solid waste landfill, in return for a handful of scattered desert lands elsewhere in the Mojave. The exchanged lands provide important buffer habitat for dozens of species, including the endangered big horn sheep and desert tortoise. The proposed landfill, if it goes forward, would ac-

cept up to 20,000 tons per day of trash to be rail-hauled and trucked from hundreds of miles away in Southern California's densely populated coastal communities

Since its inception, the Stanford Environmental Law Clinic has been representing the National Parks Conservation Association in that group's efforts to stop this project. Students worked at the administrative level drafting comments on the proposal and, later, an administrative appeal to the Interior Board of Land Appeals. After the administrative appeal was denied, the Clinic pursued the matter in the district court, arguing that the land exchange was not in the public interest, that the federal government did not obtain fair market value for the exchanged lands, and that the environmental review for the project was so narrowly constrained that it failed to evaluate other management options for these federal lands, especially its preservation as an important buffer for wildlife and wilderness protection.

In a September 20, 2005 decision, the district court agreed with the Clinic's arguments, finding that BLM's decision was arbitrary, capricious, an abuse of discretion and in violation of the Federal Land Policy and Management Act and the National Environmental Policy Act.

Congratulations to Debbie Sivas (Director of the Environmental Law Clinic) and all the attorneys, staff and students who have worked so long and so hard to make this happen.



Lawrence C. Marshall  
Stanford Law School  
Crown Quadrangle

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### **Washington University School of Law Clinical Education Program Interdisciplinary Environmental Clinic Wins Victory**

Communities exposed to toxic lead emissions won an

important victory in federal court in St. Louis in September. In a case the Interdisciplinary Environmental Clinic at Washington University filed on behalf of two long-time residents of the lead-contaminated town of Herculaneum, Missouri, and the Missouri Coalition for the Environment, U.S. District Judge Richard Webber ruled:



\* The U.S. Environmental Protection Agency (EPA) "blatantly disregarded Congress' mandate that the lead NAAQS [National Ambient Air Quality Standard] be reviewed at five year intervals."

\* The EPA's proposed timeline for completing its long-overdue review of the lead NAAQS is too long, and "wholly defeats the mandate of Congress."

\* The EPA must complete the lead NAAQS review, with a series of interim deadlines beginning December 1, 2005, by no later than Sept 1, 2008. "The Court will not be inclined to grant extensions."

\* "Plaintiffs are entitled to reasonable attorney fees."

The EPA initially set the governing lead NAAQS in 1978, and has never revised it. During the intervening decades, the federal threshold for lead poisoning has dropped dramatically, and the World Health Organization published a substantially more protective standard for Europe. EPA's failure to act in the face of mounting evidence of lead's harmful effects and multiple expired deadlines prompted the lawsuit. The EPA commenced the lead NAAQS review last November, after the Clinic filed the lawsuit. The agency will now have to expedite its schedule to meet the Court's tighter deadlines.

The Court's ruling is particularly significant to the community of Herculaneum, Missouri, where the nation's largest lead smelter has been operating since

the 1890's. A substantial percentage of the Herculaneum children have been lead poisoned, and many yards and streets have been contaminated. Although the air in Herculaneum finally came into compliance with the outdated lead NAAQS in late 2002 (except for another violation during the first quarter of 2005), current predictions are that yards and streets that were previously cleaned will be recontaminated within the next 3-4 years.

The Interdisciplinary Environmental Clinic's work on this case (dating back to the Spring 2004 semester) reflected the combined efforts of students in the Washington University Schools of Law, Arts & Sciences, Engineering, and the Washington University School of Medicine.

### Civil Justice Clinic

Because of the remarkable commitment and outstanding work of our students, the Civil Justice Clinic has achieved several notable victories this year. In addition to core work in order of protection cases, the Clinic made significant progress in the effort to address the needs of incarcerated survivors of domestic violence. In one clemency case, we succeeded in obtaining a commutation of sentence for a woman, now 73, who killed her batterer and who had spent 27 years in prison on a life sentence. The commutation granted by the governor removed that part of the client's original sentence denying her the ability to seek parole. In another case, the Clinic successfully represented a clemency client at a parole hearing and secured her release from prison. Our work challenging predatory lending also yielded important victories. In a lawsuit filed by the Clinic in federal district court, the Clinic won a fully favorable decision regarding the clients' right to rescind an unfair and exploitative home mortgage loan. The decision, which also denied the lender's motion to enforce a mandatory arbitration clause, helped bring about a settlement of the case that resulted in over \$200,000 in savings to the clients.

The Clinic's successful advocacy this past year on behalf of St. Louis' homeless community has received widespread attention. In two cases of first impression, the Clinic, in conjunction with Saint Louis

University Law Clinic, Legal Services of Eastern Missouri, and the American Civil Liberties Union of Eastern Missouri, challenged efforts by the City of St. Louis and business interests to banish homeless persons from the City's downtown area. In the first case, plaintiffs argued that a so-called homeless community court in downtown St. Louis was in fact an unconstitutional private court funded, operated, and overseen by an anti-homeless coalition of downtown businesses. A state court judge ordered this specialized court dismantled because its very structure deprived defendants, almost all of whom were homeless persons accused of "quality of life" crimes, due process of law. In the second case, plaintiffs challenged the City's use of police sweeps to arrest and jail without cause homeless and homeless-appearing persons. These unconstitutional sweeps, like the community court, were intended to drive homeless people from view and sanitize downtown St. Louis. After obtaining a preliminary injunction from the federal district court and defeating motions to dismiss, the Clinic reached a settlement that will help ensure that such sweeps never recur, that the civil rights of homeless persons are protected, and that the City addresses the needs of the homeless community rather than criminalizes homelessness.



# AMONG US

## PROFESSOR WARREN BINFORD NAMED DIRECTOR OF WILLAMETTE UNIVERSITY CLINICAL LAW PROGRAM



Willamette University College of Law Professor Warren Binford has been named director of Willamette's Clinical Law Program. Binford, who was appointed to the College of Law faculty in June 2005, also recently joined the Clinical Legal Education Association's best practices committee.

Willamette's Clinical Law Program assists disadvantaged populations and non-profit corporations with legal cases and provides externship placements for law students. Under Binford's direction, the current general law clinic will be expanded into three specialized clinics that include a general civil practice clinic, a business law clinic and a family law clinic. She also is developing a 10-year strategic plan for the program to ensure the clinic's continued service to citizens with unmet legal needs.



Clinical Professor Robert J. Dieter was named by President George W. Bush to be the U.S. Ambassador to Belize and has resigned his position as clinical professor and director of clinical programs at the University of Colorado, School of Law where he taught for the past twenty-six years.

Hi everyone. Just wanted to let you know I have been hired as the Acting Director of Temple's Center for Community Nonprofit Organizations effective August 15, 2005. Before that I was an adjunct

for the business law clinical at Temple Law for 7+ years. The list has already been very helpful!

Sharon Wilson, Esquire  
Beasley School of Law

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## Defending the Rule of Law in Guantanamo



Seton Hall University School of Law Professor **Baher Azmy** is leading a group of civil clinic students in a case at the forefront of controversy: **Guantanamo Bay "enemy combatant" Murat Kurnaz' habeas corpus petition**. Murat Kurnaz was arrested in Pakistan, November 2001, on his way home after visiting there to enrich his religious education. He has been in custody ever since, spending most of his time incommunicado at Guantanamo.

Kurnaz has maintained his innocence from the outset. In light of the Rasul case, which held that Guantanamo Bay is U.S. territory, thus affording due process rights to detainees there, he is now able to undertake the petition process with some hope of success, thanks to the help of Professor Azmy, Clinical Fellow Jessica Yager and **the Center for Social Justice** students. Although limited by distance and the cumbersome security clearance procedures mandated by the sensitive nature of evidence documents, clinic students have fully participated in decision-making, drafting sections of briefs and motions, letters, briefing books, press releases and untraditional advocacy documents. Recently, Kurnaz received the government's "factual return", a significant development, and Professor Azmy is optimistic, and hopes that a release is forthcoming.

## Professor Perlmutter Receives ACLU Awards



Bernard P. Perlmutter, Assistant Professor of Clinical Legal Education, is the 2005 Recipient of the Miami ACLU's C. Clyde Atkins Civil Liberties Award. Professor Perlmutter is director of the University of Miami School of Law Children & Youth Law Clinic. In announcing the award, the ACLU noted:

"As a litigator and professor, Bernard Perlmutter has been an unsung hero providing front-line protection of the civil liberties of children. Bernie represented the child M.W. before the Florida Supreme Court in the landmark case of *M.W. v. Davis & DCF*, which resulted in the Court's adoption of Florida Rule of Juvenile Procedure 8.350, which establishes due process protections for foster children committed to state psychiatric facilities. Bernie has litigated numerous federal and state class action lawsuits seeking to reform Florida's foster care system, and submitted *amicus curiae* briefs in a number of cases of national significance. Whether arguing a case on behalf of an individual child, training law students, or fighting for institutional reform, Bernie Perlmutter has been a powerful advocate for children's rights. The Miami ACLU is indeed proud to honor Bernard Perlmutter with the 2005 C. Clyde Atkins Civil Liberties Award."

Professor Bernard Perlmutter, was also selected to receive an award from the Florida Statewide Advocacy Council. As stated in the notification letter from the Council's Chair, Carolyn Shell, the award recognized Professor Perlmutter for his "outstanding continuous efforts to improve the system for the benefit of those [the Council] represents, and for [Professor Perlmutter's] support of the members of the Florida Local Advocacy Council who perform their mandated duties to protect the health, safety, and welfare of Floridians with unique needs."

The award was presented at a ceremony on November 9, 2005 in Tampa, Florida.

Professor Bernard Perlmutter, was also selected by The Children's Trust for its first annual "Champion for Children" award, in recognition of Professor's Perlmutter's lifetime achievement and dedication to children. The award was given at a lunch held on Tuesday, October 11, 2005, at the Parrot Jungle Island Treetop Ballroom.

The Children's Trust was created by Miami-Dade County voters in 2002, as a dedicated source of funds, to improve the lives of children and families by making strategic investments in their futures.



Karen Tokarz, the Director of the Clinical Program at Washington University, has been selected to receive a Distinguished Faculty Award at the University's Founder's Day celebration in November. The award is University-wide and is a real tribute to Karen's remarkable impact not only on the law school but also throughout the University and larger community.

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Susan Rutberg, Director of the Criminal Litigation Clinic and Innocence Project, at the Golden Gate University School of Law received the Community Service Award at the University's Annual Alumni Awards Ceremony on October 19th at the San Francisco Palace Hotel. The award is given in recognition of exemplary leadership and outstanding service contributions to the local community.



Len Sandler was named to receive one of the first University of Iowa President's Awards for State Outreach and Public Engagement for a clinical law community economic

development and assistive technology project he developed and supervised to expand housing opportunities for persons with disabilities and other residents of the Hawekeye State. The new annual award, created as part of the Year of Public Engagement, honors faculty, staff, and students (individuals or groups) who demonstrate exemplary outreach to the State of Iowa. The award ceremony was October 17, 2005.

The award acknowledges the contributions Student Legal Interns enrolled in the UI Clinical Law Program and Sandler have made in collaboration with Peer Action Disability Support (P.A.D.S), a grassroots disability rights and advocacy organization. Our primary focus has been to enhance paratransit and transportation services and policies in the Cedar Rapids metro area and to educate management and riders about their rights and responsibilities under the ADA and other laws. We also present workshops on Advance Medical Directives, legislation and other topics, team up to conduct accessibility audits of local businesses, and help PADS solve individual and systemic problems.



Catholic University celebrated the 35th Anniversary of our in-house clinical program, Columbus Community Legal Services. Secondly, we celebrate Ellen Scully's 25 years as Director of CCLS.

Ellen has stepped down to return to full-time supervision and teaching. Thirdly, we celebrate Catherine Klein's appointment as Director of our clinical program.



The Urban Law Clinic of the University of Detroit Mercy Law School celebrated its 40th Anniversary. The Urban Law Clinic, although not from the vintage of Mr. Bradway's clinics, was one of the earlier clinics on the scene. In 1967 students in the Urban



Law Clinic worked over a short period of time to have charges dismissed against more than 500 people who had been picked up randomly in street dragnets during the Detroit riots and

held in pens in Tiger Stadium. In 1971, the Detroit Free Press wrote that the Urban Law Clinic students were making waves, rocking the boat and creating new legal landmarks. More recently, students have worked in different areas, including consumer fraud, immigration law, and the recovery of significant disability benefits for clients. They now are also going out into the community on the Mobile Law Office to many provide education as well representation.



Kenneth Gallant from the University of Arkansas, was recently elected the Representative of Counsel to the Advisory Committee on Legal Texts of the International Criminal Court. I was elected for a three year term by the members of the List of Counsel

qualified to represent accused persons and victims before the ICC. The Advisory Committee on Legal Texts is roughly (but not exactly) equivalent to the Criminal Rules Committee in a U.S. state court system.



Alex J. Hurder, clinical professor of law at Vanderbilt Law School, has been re-appointed to the American Bar Association Commission on Mental and Physical Disability Law by ABA President Michael Greco.

The Commission advises the ABA on issues related to legal rights of individuals with disabilities.



Susan R. Jones, Chair Elect of the Section, is serving as Interim Associate Dean for Clinical Affairs this fall while Carol Izumi, Associate Dean for Clinical Affairs, is visiting at Michigan Law School. This semester, Carol is teaching in the Mediation Clinic at Michigan and Susan continues to direct GW's Small Business Clinic/Community Economic Development Project.



The GW Immigration Clinic, under the director of Prof. Alberto Benitez, received the Hispanic Bar Association of the District of Columbia 2005 Hugh A. Johnson Memorial Award. This award is given annually to a community organization from the DC metropolitan area that demonstrates unwavering commitment and achievement in public service and dedication to the principles of equality, cultural respect and social justice.

**Thomas & Mack Legal Clinic Developments**

The William S. Boyd School of Law and its Thomas and Mack Legal Clinic warmly welcome Dina Haynes, as Visiting Associate Professor of Law, who is teaching in the Immigration Clinic with Lety Saucedo and David Thronson and teaching International Law. Dina



comes to us most from American University where she taught in the International Human Rights Law Clinic and developed and taught a seminar on Post-Conflict Nation Building. Before that, she was at Georgetown where she began her teaching career after performing human rights work for the United States Department of Justice, United Nations High Commission for Refugees in Knin, Croatia, the Organization for Security and Cooperation in Europe in Sarajevo, BiH, and Belgrade, Serbia

Prof. Rutberg was recently named a local hero by the San Francisco Bay Guardian for her efforts in

the Innocence Project. The first sentence of the explanatory article says it all, "Thanks to Rutberg and her colleagues, a guy named Peter Rose strode out of prison in October 2004 after serving 10 years for a crime he didn't commit."



J. Herbie DiFonzo has been selected to give Hofstra's Fall 2005 Distinguished Faculty Lecture, entitled "The Surprising Unreliability of DNA Evidence: A Tale of Bad Labs and Good Statutes of Limitations" at Hofstra University on October 19.

The lecture will explore how DNA evidence has proven itself to be unexpectedly unreliable, due not to any question about the scientific principles underlying its methodology, but rather to the public DNA labs' systemic corruption, gross negligence, and endemic failure to properly train technicians on how to process DNA samples. To make the situation worse, prosecutors and state legislators-convicted of DNA's perfection - have been rushing to extend, outflank, and even eliminate statutes of limitations on sex offenses. Prof. DiFonzo will conclude by suggesting several reforms aimed at restoring confidence to the process of DNA identification and testimony.



Professors Leticia Saucedo, co-director of the Immigration Clinic, and Raquel Aldana, a clinician in spirit, taught a pilot clinic this summer in Mulukukú, Nicaragua, in collaboration with the Maria Luisa Ortiz Cooperative and Women's Center. The six law students and professors Saucedo and Aldana worked primarily on family and domestic violence matters in an area that is the opposite of the desert, urban sprawl and bright lights of Las Vegas. In Mulukukú, they shared sleeping quarters, endured constant rain and harsh living conditions, and uncovered strength, need and different narratives of domestic violence.



The Public Interest Advisory Group, a student organization at Columbus Law School, created a new annual Award for Public Interest Law given “to the faculty member or administrator who has most supported and inspired a significant portion of the public interest law student community.” The first recipient of the award is Professor Philip Genty. His colleagues agree wholeheartedly with the students’ choice!

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Professor Barbara Schatz and the Nonprofit Organizations/Small Business Clinic at CLS have been awarded a special Cornerstone Award by the Lawyer’s Alliance of New York. The Lawyer’s Alliance is the leading provider of business and transactional legal services for nonprofit organizations in New York City. The Cornerstone Awards honor outstanding pro bono service to New York nonprofit organizations by members of the New York legal community. The Clinic and Barbara were honored “for the breadth, volume and significance of the pro bono work you and the Clinic have performed on behalf of Lawyers Alliance clients.” The award “recognizes and pays tribute to volunteers whose pro bono service has had a particularly far-reaching impact.” CLS joins in saluting Barbara and her students for their outstanding work!

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Ragini Shah, clinical staff attorney in the Child Advocacy Clinic, and Reed Super, senior clinical staff attorney in the Environmental Law Clinic, have both been given faculty Lecturer in Law status at the Columbia Law School. Ragini and Reed are wonderful new colleagues who have added immensely to our teaching and practice experiences.

### **New Faculty Join Syracuse Clinics**



Syracuse University College of Law, Office of Clinical Legal Education, has several new faculty joining the team this year. The College of Law offers six different in-house clinics, staffed

mostly by tenured or tenure-track clinicians, and an extensive externship program

Mary Helen McNeal, formerly Clinic Director at the University of Montana, has joined Syracuse University as Director of the Office of Clinical Legal Education. She brings more than twelve years of clinical teaching experience, and previously has taught at the University of Maryland and Boston College. Arlene Kanter, who directed the Syracuse program for sixteen years, has stepped down as Clinic Director to coordinate the University’s new Disability Law and Policy Center. Professor Kanter will continue to work with the externship program this year, and to collaborate with students and faculty in the clinic.



Suzette Melendez, who has been a visitor in the Office for Clinic Legal Education since 2002, was appointed to a tenure-track position directing the Children’s Rights and Family Law Clinic. Professor Melendez came to Syracuse with extensive experience in family law, having worked in legal services for more than ten years. She has been instrumental in creating new collaborations with Upstate University Medical School and S.U.’s School of Social Work.



Professor Jenny Roberts comes to Syracuse from N.Y.U., where she was a Senior Research Fellow at the Center for Research in Crime and Justice and taught in the Lawyering Program from 2001-2004. Prior to teaching, Professor Roberts worked as a public defender at the Legal Aid Society in New York City, where she was both a staff attorney and trial trainer. Professor Roberts will be directing the Criminal Defense Clinic. Her research interests include effective assistance of counsel issues and indigent defense systems.

Also joining us in the clinic are two Practitioners-in-Residence. Patricia Warth, formerly with the New York State Capital Defender Office in Rochester, New York, will be assisting in our Criminal Defense Clinic and the Public Interest Law Clinic. Kelly Gonzalez, formerly a Staff Attorney at the Frank H. Hiscock Legal Aid Society in Syracuse and at the Legal Aid Society of Suffolk County, in Central Islip, New York, will be assisting in the Children's Rights Clinic and potentially the Community Development Law Clinic.

The new faculty join our other "seasoned" clinicians: Deb Kenn directs the Community Development Law Clinic, Margaret Harding and Jim Sonnenborn direct the Securities Arbitration Clinic, and Rob Nassau and Sherman Levy direct the Low Income Taxpayer Clinic. We are excited to have these wonderful new folks on board.

### **Notice about changes in the clinical program at Rutgers-Newark**

**November 17, 2005**

We thought the clinical community might like to know that Rutgers-Newark has substantially enhanced the perks for its clinical faculty. Last month, the faculty, by a large and supportive majority, adopted changes in our clinical professor position that will provide clinical teachers with support for research and scholarship equivalent to that of tenure-track faculty, including semester leaves every three years. The scholarship standard embraces major writings directed to clinical educators, lawyers and judges and topics such as lawyering theory, clinical pedagogy and design, doctrinal developments in one's practice areas, and writings on the improvement of the practice of law or the functioning

of legal institutions, agencies, or procedures,

among other areas. Clinical faculty professors in this writing stream will also participate fully in faculty governance (except for tenure-track personnel matters). This change means that our fourteen clinical faculty will, over time, be able to join our six tenured and tenure track clinical faculty even more completely in the academic life of the law school. Look for their writing in the years to come!

### **Temple University**

Hi everyone. Just wanted to let you know I have been hired as the Acting Director of Temple's Center for Community Nonprofit Organizations effective August 15, 2005. Before that I was an adjunct for the business law clinical at Temple Law for 7+ years. The list has already been very helpful!

Sharon Wilson, Esquire  
Center for Community Nonprofit Organizations (CCNO), Beasley School of Law,



**The Center for Social Justice at Seton Hall Law** belatedly introduces **Jessica Yager**, a 2004-2006 **Faculty Fellow**. In this role, Jessica Has been assisting Professors Baher Azmy and Shavar Jeffries with the Civil Litigation Clinic. Previously, Jessica clerked for Federal District Court Judge Napoleon A. Jones, Jr., in the Southern District of California. Jessica is a graduate of New York University School of Law, where she was a Root-Tilden-Kern Public Interest Scholar. During law school, Professor Yager worked at the American Civil Liberties Union's National Legal Department, the civil rights firm of Koob and Magoolaghan, and the Legal Aid Society's Juvenile Rights Division.

**Jenny-Brooke Condon** is a 2005-2007 **Faculty Fellow** at the **Center for Social Justice at Seton Hall Law**. She teaches in the Immigration and Human Rights Clinic, as well as the Civil Litigation Clinic. Jenny-Brooke comes back to Seton Hall Law School, where she earned her J.D. Previously, Jenny-Brooke was Litigation Director at the World Organization for Human Rights USA, in Washington, D.C., where she oversaw refugee and asylum cases involving gender-based violence and human rights abuses resulting from the war against terrorism. **Jenny-Brooke's commitment to public interest** began as a law student, and continued through two Summer Public Interest Law Fellowships, as well as in international human rights and women's rights work. **Jenny-Brooke clerked for the Hon. Barry T. Albin, Associate Justice of the New Jersey Supreme Court.**



**Raymond Morasse** joins the **Center for Social Justice at Seton Hall Law** as a Visiting Clinical Associate Professor, supervising the Housing and Homelessness Clinic. **Ray has the unique perspective of having been a student attorney, staff attorney and later, clinical teacher, all in the same clinic.** Previously, Ray was in private practice in criminal defense. Before that, he worked for the Public Defender's Office as both a clerk and an Assistant Deputy Public

**PROFESSOR PÉREZ SELECTED FOR INAUGURAL FELLOWSHIP**



Professor Thomas Pérez, Law School Assistant Professor at the University of Maryland School of Law and president of the Montgomery County Council was recently selected as an inaugural member in the Aspen-Rodell Fellowship in Public Leadership. Established by the Aspen Insti-

tute in Washington, D.C., the Fellowship will assist in bringing together 24 of America's young top elected officials to facilitate discussions of broad issues such as true democratic governance and effective public service. Professor Pérez teaches the Civil Rights: Access to Healthcare for Vulnerable Populations Clinic, as well as Public Interest Advocacy and Civil Rights and Access to Healthcare Seminar.

**PROFESSOR BEZDEK RECEIVES UNIVERSITY AWARD**



Professor Barbara Bezdek, Associate Professor of Law, says of her career as a lawyer, "Lawyers are tremendously privileged to be decision-makers in public and private life," she says. "I believe it is our duty to use this advantage to work toward a just society." She practices this philosophy not only with her work within the Law School clinical community, but also through her work with the Faith Fund, Inc. as chairperson and founder. It is for this work that she was honored by the University of Maryland, Baltimore, with the Founder's Week Public Servant of the Year Award on October 20, 2005. The Faith Fund, Inc. is a community development loan fund that serves the people and communities of the Baltimore region by offering loans, technical assistance and innovative products and services that build wealth and create opportunities. For the 2005-2006 academic year, she is teaching the Economic, Housing and Community Development Clinic. Students in these courses assist clients in low-income communities by developing legal strategies that support the community's own revitalization objectives. She also has published extensively on the law of public benefits and community development.

## CLINICAL LAW PROGRAM WELCOMES NEW MANAGING DIRECTOR

The Clinical Law Program is pleased to welcome Kathleen S. Skullney, J.D., as its new Managing Director. Prior to joining the Law School, Ms. Skullney worked as a staff attorney at St. Ambrose Legal Services litigating "flipping" and other housing fraud on behalf of low income homeowners and homebuyers, and she periodically represented St. Ambrose on the Flipping Task Force and the Maryland Consumer Rights Coalition Board of Directors. She previously practiced law as a partner in the law firms of Woodward & Skullney, LLC and Skullney, Gray & Dernoga. Ms. Skullney also served as Executive Director for Common Cause/Maryland, acting as principal spokesperson and lobbyist at the General Assembly in Annapolis. Ms. Skullney was registered to trade stocks, bonds, securities, and commodities, and held various banking and finance related positions before pursuing her career in the practice of law.

### **University of Michigan Students Win Jury Victory**

In November, following a two-day jury trial in federal district court in Detroit, two of Paul Reingold's students at the University of Michigan won a \$219,000 verdict for a prisoner who was transferred laterally in retaliation for having twice gone over a housing-block officer's head (with complaints about his failure to process disbursement forms to get the prisoner's lawyer paid). The verdict was especially tough to win because the prisoner/plaintiff was a first-degree murderer who was 21 years in to a mandatory life sentence.





# Announcements

The New York Law School Clinical Theory Workshops:

The 2005 Schedule is:

*Friday, October 14, 2005:*

Ascanio Piomelli

(University of California, Hastings College of Law), “The Democratic Roots of Collaborative Lawyering”

*Friday, November 11, 2005:*

Stephen Ellmann (New York Law School), “Fast Talking”

*Friday, December 2, 2005:*

Minna Kotkin (Brooklyn Law School), “Do What I Say, Not What I Do: Reality Counseling in the Clinic”

*Friday, January 27, 2006:*

Douglas Frenkel  
(University of Pennsylvania Law School)

and James Stark  
(University of Connecticut School of Law), “Integrating Text and Technology in Teaching Mediation”

*Friday, February 10, 2006*

Ty Alper (Boalt Hall School of Law),  
Anthony G. Amsterdam (New York University),

Todd Edelman  
(Public Defender Service for the District of Columbia, and Georgetown University Law Center),

Randy Hertz  
(NYU School of Law),

Rachel Shapiro Janger

(O’Melveny & Myers LLP),

Jennifer McAllister-Nevins  
(Reproductive Freedom Project, ACLU),

Sonya Rudenstine  
(Florida Coastal School of Law) &

Robin Walker-Sterling  
(Children’s Law Center of the District of Columbia), *Stories Told and Untold: Lawyering Theory Analyses of the First Rodney King Assault Trial*, 12 *Clin. L. Rev.* 1 (2005).

NOTE: This workshop will meet from 3 – 6 PM, rather than our usual 4:10 – 6 PM.

Friday, April 7, 2006:

Cynthia Dennis (Thomas M. Cooley Law School), “When Clinicians Move: Learning to Practice and Teach in a New Jurisdiction”

## *Clinical Law Review*

### *“Writer’s Workshop” on 4/29/06*

The *Clinical Law Review* will host a “clinical writer’s workshop” on Saturday, April 29, 2006, at NYU Law School (which is one of the three sponsors of the Review, along with CLEA and AALS). This is the day immediately preceding the AALS Clinical Conference of Spring 2006, which will be held in New York City.

The workshop will provide an opportunity for clinical teachers who are writing about any subject (clinical pedagogy, substantive law, interdisciplinary analysis, empirical work, etc.) to meet with other clinicians writing on similar topics to discuss

their works-in-progress and brainstorm ideas for further development of their articles. The workshop also will provide new writers with advice about publishing and feedback about their plans for scholarship.

There will not be an admission or registration fee for the writer's workshop. Meals will be provided during the workshop but participants will have to arrange and pay for their own travel and lodgings.

At the workshop, attendees will be in small groups organized by the subject matter in which they are writing. During the course of the day, each group will "workshop" the draft of each member of the group. The groups will be determined before the conference and all participants will be expected to circulate their draft by March 31, 2006 to all members of their group. Because the expectation will be that all group members will have read all the drafts for their group before the workshop, we will be able to dispense with the usual convention of beginning with a detailed summary of each piece by the author (or a reader/reviewer) and will be able to move immediately to a detailed discussion of the draft and whatever issues the author regards as most useful for his or her further development of the piece.

In addition to the foregoing groups that will be organized by subject matter, there will be a group (or, if there is sufficient interest, more than a single group) for "new writers," which will focus on issues such as: choosing a topic; producing the article (including how to make time to write, pacing of the work, and effective use of research assistants); and pitfalls to avoid. There will also be a session for all attendees on general aspects of scholarship, including the "process and art of submitting manuscripts to journals."

If there is interest, one or more small groups will be arranged for works that are still at the "idea stage." Participants in such a group or groups would be expected to write -- and circulate to each member of their group by March 31 -- as detailed a description as they can give of the article they plan to write and some background material about the subject matter and the literature that already exists on the subject.

To make it possible to begin concrete planning for the workshop, the Board of the *Clinical Law Review* would like to hear from anyone who would be interested in participating in the workshop, and would be grateful if those prospective participants would provide the following information:

- 1) Whether you would be interested in participating in:
  - (a) a group for people who have already produced a draft;
  - (b) a group for people who are still at the "idea stage" but are far enough along to prepare a detailed prospectus for the article they plan to write; or
  - (c) a group for Anew writer's that focuses on subjects such as the process of developing an article and balancing writing with the other responsibilities of a clinical teacher.
- 2) If you would like to participate in one of the first or second of these groups, what subject matter area (clinical pedagogy, specific areas of the law, and so forth) you plan to write about.

Please send this information, as soon as possible, to Randy Hertz: [randy.hertz@nyu.edu](mailto:randy.hertz@nyu.edu).

**Washington University:  
Interdisciplinary Clinic Conference**

We invite you to join us for an interdisciplinary clinical conference Friday, March 31, 2006 (beginning with a dinner on Thursday evening, March 30), focusing on "Connecting with Clients and Communities: Community Advocacy, Commu-

nity Development and Community Mediation," co-sponsored by the Washington University in St. Louis School of Law Clinical Education Program and Center for Interdisciplinary Studies and the George Warren Brown School of Social Work.

Keynote speaker Gerald Lopez, Professor of Clinical Law and Director of the Center for Community Problem Solving, New York University School of Law, will keynote the morning session with a talk on "A Rebellious Vision of Community Problem Solving." Lopez, author of *Rebellious Lawyering*, one of the most influential books about progressive law practice and community problem solving, teaches a Community Economic Development Clinic and a Community Outreach, Education and Organizing Clinic.

We envision this conference as a small working conference, with a core group of 50 clinical faculty who are engaged in or interested in community clinics - community advocacy clinics that represent, for example, environmental communities, workers rights groups, indigenous groups, and housing and neighborhood organizations; community development clinics; and community mediation clinics. The morning session, which will include local public interest lawyers and community activists, will focus on the field component of community clinics. The afternoon session will focus on the seminar component of these clinics. The keynote speakers for the afternoon are Martha Mahoney (Miami), John Calmore (N.C.), and Stephanie Wildman (Santa Clara), authors of *Social Justice, Professionals, Communities, and the Law*.

This conference is the fourth in a series of interdisciplinary clinical conferences, co-sponsored by the Washington University School of Law Clinical Education Program and Center for Interdisciplinary Studies and the George Warren Brown School of Social Work. These conferences have produced two volumes of interdisciplinary clinical scholarship in the Washington University Journal of Law & Policy. See volumes 11 and 14 at <http://law.wustl.edu/Journal/index.asp?id=703>

The March 2006 conference will continue conversations begun in the earlier conferences addressing issues related to poverty, wealth and the working poor. Approximately 200 lawyers, social workers, community leaders, government officials, judges, and law and social work faculty and students, attended the March 2005 conference on "Poverty, Wealth and the Working Poor: Interdisciplinary Clinical Perspectives." Keynote speaker Bill Quigley, Janet Riley Distinguished Professor of Law, Loyola University in New Orleans and director of the Law Clinic and Gillis Long Poverty Law Center, and author of *Ending Poverty as We Know It: Guaranteeing a Right to a Job at a Living Wage*, spoke on "Revolutionary Lawyering: Addressing the Root Causes of Poverty and Wealth." Mark Rank, Herbert S. Hadley Professor of Social Welfare, George Warren Brown School of Social Work, Washington University and author of *One Nation Underprivileged: Why American Poverty Affects Us All*, and Tom Shapiro, Pokross Professor of Law and Social Policy, Brandeis University Heller School for Social Policy and Management and author of *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality*, also presented keynote addresses.

The March 2004 conference focused on "Mental Health and the Law: Interdisciplinary Clinical Perspectives" and featured Jim Ellis, Professor of Law, University of New Mexico School of Law. Ellis successfully argued *Atkins v. Virginia*, in which the U.S. Supreme Court held that executing the mentally retarded is unconstitutional. The inaugural March 2003 conference addressed "Promoting Justice Through Interdisciplinary Teaching, Practice and Scholarship" and was co-sponsored by the Committee on Interdisciplinary Clinical Education of the AALS Section on Clinical Legal Education.

Registration and hotel information will be online soon. Individuals interested in participating should contact Karen Tokarz, Director of Clinical Education & ADR Programs, at [tokarz@wulaw.wustl.edu](mailto:tokarz@wulaw.wustl.edu).

**GLOBAL ALLIANCE FOR JUSTICE EDUCATION NORTH AMERICAN REGION  
INTERNATIONAL CONFERENCE  
“INTERNATIONAL COLLABORATION IN TEACHING, LEARNING, LAWYERING AND  
SCHOLARSHIP”**

**MAY 3-4, 2006**

**FORDHAM LAW SCHOOL  
NEW YORK, NEW YORK**

**CALL FOR PARTICPATION  
DUE DATE: JANUARY 17, 2006**

This conference is a one-day workshop designed to explore the theme of facilitating global collaboration in teaching, learning, lawyering and scholarship to promote justice education. It will follow the 2006 Association of American Law School's annual conference on Clinical Legal Education, to be held at the Sheraton New York Hotel from Sunday, April 30 through Wednesday, May 3, 2006. A reception for all participants will be held on Wednesday evening, May 3, and workshops will take place on Thursday, May 4. The conference will conclude with a planning session with our Central and South American colleagues for the fourth international GAJE conference, scheduled for late November/early December 2006 in Cordoba, Argentina.

The conference is sponsored by the North American Region of the Global Alliance for Justice Education. GAJE is an alliance of persons committed to achieving justice through education. Clinical education of law students is a key component of justice education, but this organization also works to advance justice by working with NGOs, practicing lawyers, judges, law students and the lay public. Delegates from every continent and over 50 countries have participated in GAJE's first three worldwide conferences. Membership is open and free to anyone interested in justice education. More information about GAJE is available at <http://www.gaje.org>.

We invite proposals for workshops, presentations, works-in-progress and scholarly papers on issues relating to the conference theme of facilitating global collaboration in justice education, including, but not limited to, any of the following topics:

- Collaborative teaching and program development between and among law schools, NGO's, community organizations, and governmental entities
  - Interdisciplinary efforts at justice education
  - Collaborative learning in clinical and non-clinical contexts
  - Strategies for integrating collaborative approaches into legal education around the world
- Exchanging lessons learned on implementing justice education

Submissions should address the question of why the proposed topic is of interest to an international and multi-cultural audience.

Abstracts of papers and proposals for presentations or workshops should be submitted to the conference committee, in care of Peggy Maisel, [maiselp@fiu.edu](mailto:maiselp@fiu.edu), no later than January 17, 2006. Acceptances will be made by February 15, 2006. Full drafts of papers are due by April 15, 2005.

The Fordham Law School International Law Journal will review and publish selected scholarly papers that are presented at this conference; however, acceptance of a paper for the conference is not a guarantee of publication.

Non-presenters are welcome to attend and participate as well.

Abstracts of papers and proposals for presentations or workshops should be submitted to the conference committee, in care of Peggy Maisel, [maiselp@fiu.edu](mailto:maiselp@fiu.edu), **no later than January 17, 2006**. Acceptances will be made by February 15, 2006. Full drafts of papers are due by April 15, 2005.

The Fordham Law School International Law Journal will review and publish selected scholarly papers that are presented at this conference; however, acceptance of a paper for the conference is not a guarantee of publication.

Non-presenters are welcome to attend and participate as well.

For participants attending from outside the United States and who require a visa, GAJE will provide the necessary documentation as soon as possible after requested.

**REGISTRATION AND FEES:** Registration materials will be forthcoming. We anticipate that the registration fee will be nominal.

**ACCOMMODATIONS:** We anticipate that participants who also attend the AALS conference will be able to extend their stay at the Sheraton's reduced conference rate. Organizers also will attempt to find local hosts for no-cost accommodations.

**CONTACT:** Louise McKinney, Program Co-chair, Case Western Reserve University School of Law, 11075 East Boulevard, Cleveland, OH 44106, USA. Phone: 216-368-6360. Fax: 216-368-5137. E-mail: [Louise.mckinney@case.edu](mailto:Louise.mckinney@case.edu)

Catherine Klein, Program Co-chair, The Catholic University of America, Columbus Community Legal Services, 3602 John McCormack Rd., N.E., Washington, D.C. 20064, USA. Phone: 202-319-6788. Fax: 202-319-6780. E-mail: [Klein@law.cua.edu](mailto:Klein@law.cua.edu)

Minna Kotkin, Local Co-chair, Brooklyn Law School, One Boerum Place, Brooklyn, NY 11201 USA. Phone: 718-780-7994. E-mail: [minna.kotkin@brooklaw.edu](mailto:minna.kotkin@brooklaw.edu)

**23<sup>RD</sup> ANNUAL EDWARD V. SPARER  
SYMPOSIUM CIVIL GIDEON**

Penn Law is pleased to announce the 23<sup>rd</sup> Annual Edward V. Sparer Symposium, **Civil Gideon**, on **March 28, 2005**. The Symposium, co-sponsored by the Philadelphia Bar Association Law School Outreach Committee and the American Bar Association Equal Justice Planning Committee, the Symposium will kick off the ABA's week-long **Equal Justice Conference** in Philadelphia on March 28-April 1. Selected papers will be published by the *Temple Political and Civil Rights Law Review*.

**BACKGROUND**

The United States stands alone among mature democracies in failing to articulate a fundamental right to counsel in disputes involving both civil and criminal matters. The absence of a right to counsel in vitally important civil and quasi-criminal matters including child custody disputes, rights to housing, *habeas corpus* appeals, and immigration matters, coupled with the severe underfunding of the indigent civil legal aid and defense systems translates into a denial of the promise of equal access to justice for all.

A growing national movement focused on implementing a constitutional right to civil counsel in what has been termed '*Civil Gideon*' has emerged. This Symposium will explore the many issues surrounding the right to counsel in the civil context as well as the areas in which improvements can be made to meet the civil legal needs of the poor.

The Journal seeks papers on a wide range of topics related to the movement to implement *Civil Gideon* including the following:

Who is most impacted by the absence of a civil right to counsel? Are certain groups disproportionately adversely impacted by the absence of a right to representation in civil proceedings, e.g. race or ethnic groups, persons with disabilities, limited English proficient immigrants, youth, etc. What issues are raised for right to counsel claims from the interstices of poverty and race? Are certain strategies for implementing a *Civil Gideon* concept impacted by the analysis, e.g. state court litigation; legislation; collaboration within the existing civil legal assistance community?

What is the nature and scope of federal and state constitutional claims for a right to counsel in civil cases? What is the constitutional framework for articulating a civil right to counsel? Is there any rationale under the federal constitutional framework to revisit the case of *Lassiter v. Department of Social Services of Durham County*, 452 U.S. 18 (1986)? Does *Mathews v. Eldridge*, 424 U.S. 319 (1976) remain a viable approach to right to counsel concerns in civil matters?

Are there particular classes of cases or criteria that should be the focus of a civil right to counsel? If so, what classes or criteria and what is the jurisprudential basis for the distinction? If not, then how does the universal right to counsel get articulated and applied in a given case and by whom? What system would

best respond to a universal right?

What is the international law framework for recognition of a civil right to counsel to counsel and what relevance does it have for efforts in this country? What questions does the international framework answer or help address for the implications of a civil right to counsel?

What is the historical context for recognizing or articulating a civil right to counsel? What patterns of development of legal change or recognition of rights does a legal theory, need or development pass through before it is firmly implanted in the judicial consciousness or conscience of a broader community?

*For more information contact:*

Kristen Dama, Sparer Symposium Planning Chair at [kdama@law.upenn.edu](mailto:kdama@law.upenn.edu)

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### **Workshop Announcement: Performance Critique Supervision Skills in Legal Work**

An updated version of Supervision Skills #1: Performance Critique, a 2 day long workshop, will be offered 3 or 4 times in the course of the next 18 months. This event is designed for Clinical Law Teachers, Field Supervisors, Lawyers in Practice, and all interested in supervision in legal work. Participants have an opportunity to improve their ability to give feedback on a supervisee's or a colleague's oral or written performance, whether that be a draft of a document, a client interview or an oral argument.

One workshop will be offered by VLS in Hanover, New Hampshire (tentative date – January 2007). Others will be offered in conjunction with interested law schools (tentative dates – Florida, February 2007. Other dates are yet to be determined). The registration cost for participants is approximately \$195.

As dates are set we will notify people about specific events both via the law clinic list serve and through posting information on the Vermont Law School web page. If your law school might be interested in sponsoring or co-sponsoring one of the workshops, or just for more information please get in contact with Liz Ryan Cole at VLS.

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**EXTERNSHIPS 3: Learning from Practice - the national conference in Los Angeles on March 24 and 25, 2006.** The conference schedule and a brief description of presentations and workshops will be posted on conference websites before the Thanksgiving break. The conference registration link will be posted on the websites in January. Early hotel reservations are encouraged to take advantage of group rates. Check the websites at <http://events.lls.edu/externships/index.html> and <http://www.swlaw.edu/externconference/html> for the conference schedule and links.

## **Connecting with Clients and Communities: Community Advocacy, Community Development, and Community Mediation.**

We invite you to join us for an interdisciplinary clinical conference Friday, March 31, 2006 (beginning with a dinner on Thursday evening, March 30), focusing on "Connecting with Clients and Communities: Community Advocacy, Community Development, and Community Mediation," co-sponsored by the Washington University in St. Louis School of Law Clinical Education Program and Center for Interdisciplinary Studies, and the George Warren Brown School of Social Work.

Keynote speaker Gerald Lopez, Professor of Clinical Law and Director of the Center for Community Problem Solving, New York University School of Law, will kick off the morning session with a talk on "A Rebellious Vision of Community Problem Solving." Lopez, author of *Rebellious Lawyering*, one of the most influential books about progressive law practice and community problem solving, teaches a Community Outreach, Education, and Organizing Clinic and a Community Economic Development Clinic.

We envision this conference as a small working conference, with a core group of 50 or so clinical faculty who are engaged in or interested in community advocacy clinics, e.g., clinics that represent environmental communities, workers rights groups, low-income women's organizations; community development clinics; and community mediation clinics. While the morning session will focus on the field component of community clinics, the afternoon session will focus on the seminar component of these clinics. The keynote speakers for the afternoon are John Calmore, Martha Mahoney and Stephanie Wildman, authors of *Social Justice, Professionals, and the Law*.



# Publications



Karen Syma Czapanskiy, *Why does it matter where I live? Welfare reform, equal protection, and the Maryland Constitution*, 63 MD. L. REV. 655 (2004).

Margaret E. Johnson, *An Experiment in Integrating Critical Theory and Clinical Education*, 13 AM. U. J. GENDER SOC. POL'Y & L. 161 (2005).

Michael S. Frisch, *No-stone left unturned: the failure of attorney self-regulation in the District of Columbia*, 18 GEO. J. LEGAL ETHICS 325 (2005).

Johanna E. Bond, *Intersecting identities and human rights: the example of Romani women's reproductive rights*, 5 GEO. J. GENDER & L. 897 (2004).

Lissa Griffin, *"Which one of you did it?" Criminal liability for "causing or allowing" the death of a child*, 15 IND. INT'L & COMP. L. REV. 89 (2004).

Stephen F. Befort, *Accommodation at work: lessons from the Americans with Disabilities Act and possibilities for alleviating the American worker time crunch*, 13 CORNELL J.L. & PUB. POL'Y 615 (2004).

Margaret E. Johnson, *An experiment in integrating critical theory and clinical education* 13 AM. U. J. GENDER SOC. POL'Y & L. 161 (2004).

Antoinette Sedillo Lopez, *Latinas in legal education--through the doors of opportunity: assimilation, marginalization, cooptation or transformation?* 13 AM. U. J. GENDER SOC. POL'Y & L. 109 (2004).

Charles D. Weisselberg, *The detention and treatment of aliens three years after September 11: a new New World?* 38 U.C. DAVIS L. REV. 815 (2005).

Bill Ong Hing, *Detention to deportation--rethinking the removal of Cambodian refugees*, 38 U.C. DAVIS L. REV. 891 (2005).

Ann Shalleck, *Institutions and the development of legal theory: the significance of the Feminism and Legal Theory Project*, 13 AM. U. J. GENDER SOC. POL'Y & L. 7 (2004).

Bryan Adamson, *All facts are not created equal*, 13 TEMP. POL. & CIV. RTS. L. REV. 629 (2004).

Jane H. Aiken, *Walking the Clinical Tightrope: Embracing the Role of Teacher*, U. Md. L.J. Race, Religion, Gender & Class 267 (2004).



Mary Berkheiser, UNLV: *Capitalizing Adolescence: Juvenile Offenders on Death Row*, 59 MIAMI L. REV 125 (2005)

Katherine R. Kruse, UNLV: *Lawyers, Justice and the Challenge of Moral Pluralism*, forthcoming, MINN. L. REV. (2005); *Learning from Practice: What ADR Needs from a Theory of Justice*, 5 NEV. L.J. 389 (2005);

David Thronson, UNLV: *Of Borders and Best Interests: Examining the Experiences of Undocumented Immigrants in U.S. Family Courts*, 12 TEX. HISP. J. L. & POL=Y 45 (2005).





# Job Opportunities



California Western School of Law is seeking an individual to fill an entry level tenure-track position, half-time as a clinical faculty member in our externship program, and half-time teaching Professional Responsibility, beginning August, 2006. Clinical responsibilities include supervising students and teaching a weekly seminar. Applicants must have practical experience in the legal field. Some teaching or counseling experience is also preferred. We encourage applications from candidates whose backgrounds would further enrich the school's diversity. Interested applicants should contact Janet Weinstein ( [jweinstein@cwsl.edu](mailto:jweinstein@cwsl.edu)) or Linda Morton ( [lmorton@cwsl.edu](mailto:lmorton@cwsl.edu)).

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 2006 bar examination required. In addition to a stipend of \$43,500, 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 1, 2005 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](mailto:kathryn.jannke@yale.edu).

*Yale Law School is an Affirmative Action, Equal Opportunity, Title IX employer*

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**YALE LAW SCHOOL 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, 2006 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. The 2006-2008 Fellow will work with the Criminal Defense Clinic. 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](http://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

**POSITION ANNOUNCEMENT**

**Directors, Civil and**

**Domestic Violence Law Clinics**

**University of Alabama School of Law**

**POSITIONS:** The University of Alabama School of Law is seeking applicants for the positions of Director of its Civil Law Clinic and Director of its new Domestic Violence Clinic. The Directors will oversee and/or conduct all phases of legal advocacy for clinic clients, teach and supervise law clinic students, manage other law clinic staff, and teach other courses in the law school's curriculum, as needed.

**QUALIFICATIONS:** Minimum qualifications include a J.D. degree from an ABA accredited law school, a distinguished academic record, and experience as a clinical teacher or practicing lawyer. Candidates must either be licensed to practice law in Alabama

or become licensed no later than one year after accepting the position. Preference will be given to applicants with significant experience in civil or domestic violence matters.

**SALARY:** Commensurate with experience and qualifications.

**TO APPLY:** Please send a letter of interest, resume, and contact information for three references to Professor Robert Kuehn, Director of Clinical Programs, University of Alabama School of Law, Box 870382, Tuscaloosa, AL 35487-0382. For further information regarding the position, contact Robert Kuehn at (205) 348-0316 or rkuehn@law.ua.edu.

**APPLICATION DEADLINE:** The position will remain open until filled.

The University of Alabama is an Equal Opportunity/Affirmative Action employer. Women, minorities, veterans, and persons with disabilities are encouraged to apply.

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## POSITION ANNOUNCEMENT

### Director, Civil Law Clinic

#### University of Alabama School of Law

**POSITION:** The University of Alabama School of Law is seeking applicants for the position of Director of its Civil Law Clinic commencing in the summer of 2006. The Director will oversee and/or conduct all phases of legal advocacy for clinic clients, teach and supervise law clinic students, manage other law clinic staff, and teach other courses in the law school's curriculum, as needed. The position will be either as a contract-track law school faculty member or as a contract clinical instructor in the law school's Clinical Law Program.

**QUALIFICATIONS:** Minimum qualifications

include a J.D. degree from an ABA accredited law school, a distinguished academic record, and experience as a clinical teacher or practicing lawyer. Candidates must either be licensed to practice law in Alabama or become licensed no later than one year after accepting the position. Preference will be given to applicants with significant experience in civil matters.

**SALARY:** Commensurate with experience and qualifications.

**TO APPLY:** Please send a letter of interest, resume, and contact information for three references to Professor Robert Kuehn, Director of Clinical Programs, University of Alabama School of Law, Box 870382, Tuscaloosa, AL 35487-0382. For further information regarding the position, contact Robert Kuehn at (205) 348-0316 or rkuehn@law.ua.edu.

**APPLICATION DEADLINE:** The position will remain open until filled.

*The University of Alabama is an Equal Opportunity/Affirmative Action employer. Women, minorities, veterans, and persons with disabilities are encouraged to apply.*

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The Hale and Dorr Legal Services Center at Harvard Law School was founded three decades ago by Gary Bellow and Jeanne Charn. Jeanne has been the Center's Director since its founding. This fall, Jeanne decided to step down as director. She will continue to teach and to direct the Bellow-Sacks Access to Civil Legal Services Project. The Center has grown into a large, dynamic, urban community law clinic with vastly expanded areas of practice and clinical work. We are seeking an energetic clinician to direct this clinic. Please see the job posting below.

Harvard Law School (HLS) is hiring a clinical professor for Fall 2006 for the position of Director of the Hale and Dorr Legal Services Center.

Hale and Dorr Legal Services Center is a neighborhood law office in the Jamaica Plain section of Boston that provides comprehensive services to clients in the following areas: AIDS law, art law, consumer law, disability rights, estate planning, employment law, family law (including mediation), housing, government benefits, community economic development and special education.

We seek candidates with outstanding practice experience (at least five years), strong supervisory and management skills, excellent teaching ability, and a commitment to clinical legal education. Candidates must have a demonstrated interest in theoretical and policy issues related to law practice.

Candidates must have or be willing to acquire membership in the Massachusetts bar. Please send a cover letter and resume by January 1, 2006 (by mail or e-mail) to: Lisa Dealy, Director, Office of Clinical and Pro Bono Programs, Harvard Law School, Austin Hall 102, Cambridge, MA 02138. [dealy@law.harvard.edu](mailto:dealy@law.harvard.edu).

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

The William S. Boyd School of Law of the University of Nevada, Las Vegas (UNLV) is seeking an experienced faculty member, to be hired with tenure, to teach half-time in its interdisciplinary live client clinical program and half-time in classroom settings.

The Boyd School of Law opened its doors in August 1998 as the first law school in Nevada's history, and has quickly grown to a faculty of 40 new and experienced legal educators drawn from law schools around the country. It is a state-supported school located in a beautiful desert mountain setting at the heart of the UNLV campus, and in one of the fastest growing cit-

ies in the country. The school has achieved remarkable success in a short period of time. It was accredited by the American Bar Association at the first available opportunity in 2002, and was accepted as a member school in the American Association of Law Schools in 2004. It has also garnered generous support from private donors, which supplements its revenue from public sources.

This tenured clinical/classroom teaching position provides the opportunity to be part of shaping and developing a vibrant clinical program at a pioneering institution whose commitment to high-quality clinical education was central to its founding mission. The Boyd Law School has an integrated tenure track in which faculty who teach in the clinic share equal status with faculty who teach in the classroom. All clinical faculty also teach non-clinical classes as half of their course load, usually on a yearly rotation; receive generous support available for summer research; and are eligible to apply for semester-long research leaves every third year. The clinical program and law school also receive a high level of interest from members of the community, who look to the school for leadership and partnership in addressing the community's legal and policy needs.

The law school seeks to hire an established teacher and scholar to teach in one of the current clinics or to develop a clinic that would augment the existing clinical work, such as habeas corpus, appeals, domestic violence, or legislation. Currently seven tenured and tenure track law faculty teach clinics in the areas of Child Welfare, Juvenile Justice, Capital Defense, Immigration and Education. Boyd's clinical program, The Thomas & Mack Legal Clinic, is interdisciplinary and collaborative. The clinics share a focus on issues affecting children and families in Nevada, which forms the core of the research and policy work done by and among clinic faculty members. In addition to the collaboration on client and other clinic matters that these intersecting legal and policy issues afford, the clinic also hosts graduate-level students and faculty from three other disciplines: social work, education and psychology. These social work, education and psychology students work in interdisciplinary teams with the law students enrolled in the various clinics.

The position is available to begin in July or August, 2006. Application review begins immediately and will continue until the position is filled.

Submit a letter of application, resume and the names of three references to:

Professor Jeff Stempel  
Chair, Appointments Committee  
William S. Boyd School of Law  
University of Nevada, Las Vegas  
4505 Maryland Parkway  
Box 451003  
Las Vegas, Nevada 89154-1003

## Section on Clinical Legal Education Executive Committee

**Charles Weisselberg, Chair**  
*University of California—Berkeley*  
(510) 643-8159  
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# CONTINUING SURVEY OF CLINICIANS WHO HAVE CONSULTED OR TAUGHT IN A FOREIGN COUNTRY

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

If you have consulted or taught in other countries, or have confirmed plans to do so, please fill out the 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

If you want to report more than one international teaching or consulting experience, please complete multiple copies of the survey or write ion 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 you school;  
CEELI/AFLI; Soros; Ford; USAID; foreign school; foreign government; Fulbright;

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Membership and Dues Information

AALS Clinical Section membership and CLEA membership are all processed through the Section's Treasurer and Database Coordinator, currently David Satacroce from the University of Michigan Law School, with the assistance of staff, currently Cindy Kelley from Michigan. Confidentiality, dissemination and use of Section membership data is governed by the Section's Data Collection and Dissemination Policy.

The Section and CLEA each require the completion of a separate membership form. **Checks for dues *must* also be separate—checks combining Section and CLEA dues will be returned, delaying active member status.** All checks and membership forms should be sent to the address at the very bottom of this page.

**AALS Section Membership:** You can fill out your AALS Membership form on-line at [http://cgi2.www.law.umich.edu/\\_GCLE/Index.asp](http://cgi2.www.law.umich.edu/_GCLE/Index.asp) and mail your check in separately, or you can complete the form on the following page and mail it in with you check payable to the AALS. Membership is \$15 per year.

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To update or change any portion of your current membership information, please review your current listing in the directory and e-mail changes to Cindy Kelley.

Forms and checks for both the Section and CLEA should be sent to:

### **AALS / CLEA Dues**

**c/o Cindy Kelley**

**University of Michigan Law School**

**625 South State Street**

**Room 996 Legal Research Building**

**Ann Arbor, MI 48109-1251**

# AALS SECTION ON CLINICAL LEGAL EDUCATION

2005 or 2006 Membership Application / Renewal Form

This form is available via internet at:

[http://cgi2.www.law.umich.edu\\_GCLE/Index.asp](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 on 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 you membership and dues status by searching for yourself in the interactive clinician's directory. Please allow three to four weeks from mailing for you 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 2005 membership for the AALS Section on Clinical Legal Education for \$15.00.
- Please pay my 2006 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: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Country (if other than US): \_\_\_\_\_

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E-Mail 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: \_\_\_\_\_

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

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

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/Bi-sexual/Transgender Clinicians? Yes: \_\_\_\_\_ No: \_\_\_\_\_  
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