
CLINICAL LEGAL EDUCATION ASSOCIATION

Newsletter

VOLUME IV, No. 1 *Myron Taylor Hall / Ithaca, NY 14853*

September, 1995

* MESSAGE FROM THE PRESIDENT *

Thank goodness CLEA exists as we enter a new phase of struggle in clinical legal education. Let me report some of the activities that are occurring nationally that affect clinical legal education and focus on the role for CLEA for this future.

This summer the ABA entered into a consent decree with the Justice Department settling the antitrust claim challenging the ABA's accreditation process. The result is a shake-up in how accreditation is done by the ABA and significant restrictions on the Section of Legal Education and Admissions to the Bar. There are particular restrictions on the ABA's role in affecting salaries and benefits through the accreditation process. The Consent Decree has made the salary surveys done by Bob Seibel and David Chavkin even more important. CLEA can now play the critical role of collecting and disseminating data on salaries and status that the ABA will no longer be doing. For those of you who have not given that information to Bob and David, I urge you to send it and keep it updated.

Many questions about the site inspection and accreditation process were left unanswered by the Consent Decree. The ABA, through Jim White, has been very good about including clinicians in the site evaluation process. The inclusion of clinicians has ensured that knowledgeable people are evaluating clinical programs and making meaningful recommendations. We understand that will continue. I urge all of you who may be approached by the ABA to assist in a site inspection to make yourself available. It may be hard

work and difficult to accommodate, given our schedules, but our presence in the process has improved clinical education and educated others about the importance of professional skills training. We need to ensure that that will continue.

The Consent Decree also places more power in the ABA Board of Governors. This change could have significant impact on new standards being promulgated by the ABA Standards Review Committee. Their work has been over several years and will result in more useful standards for evaluating law school curriculum. Clinicians have played a very active part in the development of these substantive standards. We need to monitor this progress to ensure that all the work comes to fruition.

Obviously we are not dependent on the ABA to develop standards and goals for clinical legal education. CLEA is making progress in this area on a number of fronts. In January, Mark Heyrman testified before the Wahl Commission on behalf of CLEA. The Wahl

Commission has now issued its report. The Commission rejected suggestions that there should be a particular curriculum imposed on law schools in the skills area. However, the Commission did recommend amendments to Standards 301 which would require that law schools offer instruction in professional skills to all students (Standard 302(a)(iii)). The Commission also recommended a new Interpretation to Standard 302(a)(iii) defining Professional Skills as problem solving, legal analysis and reasoning, legal

research, factual investigation, communication, counseling, negotiation, litigation and alternative dispute resolution

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WELCOME BACK!

CLEA WISHES

EVERYONE

A GREAT YEAR

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procedures, organization and management of legal work, and recognizing and resolving ethical dilemmas. This proposed standard was bolstered by a further recommendation that each school, as a part of the self-study, show how, given its resources and history, it is seeking to accomplish the goal of preparing students to participate effectively in the legal profession. If these recommendations sound familiar, you are probably remembering the recommendations of the Joint AALS-CLEA Task Force on the MacCrate Report. These recommendations are entirely consistent with CLEA's proposal. All those who worked on that document deserve a huge pat on the back. It is another example of how we can affect policy.

This intense interest in standards has also prompted CLEA to create a new committee on clinical standards. We have used the Internet to try to get volunteers and were pleased to get a good number of people willing to work on the project. If you prefer this hard copy medium for solicitation, please feel free to let me know if you would like to participate and I'll get your name to the appropriate people. This Committee will get a kick off at the Midwest Clinical Conference in St. Paul. CLEA will be sponsoring a lunch discussion on "Developing Standards for Clinical Education." As professional skills have taken a more prominent role in the evaluation of legal education, we believe it is important that we discuss what makes an effective program. One of our goals is to develop some draft standards to evaluate at the AALS Clinical Conference in Miami next May. Program evaluation is one of the topics for that Conference.

Title IX continues to be an important struggle for CLEA. As you are aware, the Administration did not seek funding for continuation of this program in the 1994-1995 fiscal year. However, Congress continued funding

and rejected efforts to eliminate the program for the current fiscal year through rescission. The Department of Education obligated that portion of the 1994-95 appropriation attributable to awards for non-competing continuation grants but appears to have decided not to make awards for new competing grants. According to David Chavkin, Chair of the CLEA Committee on Title IX, appropriated funds are sufficient to fund between 8 and 10 new competing grants as evaluated by readers approximately 3 months ago. There is no reason why those funds should not be obligated.

CLEA has written letters to DOE Secretary Riley and OMB Chair, Alice Rivkin to challenge this inaction as a violation of the Impoundment Control Act. DOE's acts are especially troublesome where the Administration had proposed a rescission and that rescission had not been approved by Congress. Under the Impoundment Control Act, the Administration cannot even propose to rescind these funds again. Similarly, no deferral of these funds has been approved by Congress. We hope that this continual pressure will ensure that the moneys will eventually be disbursed. We are eager to hear ideas from those of you who are most affected by the demise of Title IX funding on ways that CLEA can assist you in your struggle.

So as you can see, there is much to be done. This is an extremely critical point in clinical legal education. We will see many changes in the future. I urge you to get more involved in the activities of CLEA as we shape our destinies.

Jane Aiken



REPORT OF COMMITTEE ON CLINICAL TEACHING IN THE PUBLIC INTEREST

The events of this nastiest of years have somewhat overtaken the lofty goals - to examine clinical efforts at "community lawyering" - set by the Committee on Clinical Teaching in the Public Interest at the January, 1995 AALS. In St. Louis, we (or, those of us who could hear each other speak) talked at the lunch about how to shore up our colleagues in field legal services offices. This effort has become critical. By the time the newsletter is distributed, LSC may have been cut to the bone, with some of the services we have come to depend on eliminated. HR 1806, the predominant version of the House LSC authorization bill, in essence withdraws support from the back-up centers and from Clearinghouse Review. We have already e-mailed members of the clinic listserve about the demise of Clearinghouse (last issue scheduled for December, 1995). The National Senior Citizens Law Center, the Center for Law and Education, and the Center for Social Welfare Policy and Law have already eliminated branch offices, and will be hard-pressed to continue operations if LSC money is withdrawn.

The Senate takes up LSC authorization after Labor Day. There are at least two ways in which law school professor can be heard. You could consider contacting your senators to inform them of the non-partisan ways in which Clearinghouse has informed your client service and your scholarship, and of the assistance which back-up centers have provided in your delivery of services. Second, (particularly for those of you who have, and have had, the benefit of LSC grants) you can ask your law schools to consider picking up the tab for what used to be these

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free or cheap resources - or maybe even contributing more to preserve them in the event that the federal funds go away. Please call Kim O'Leary (513) 229-3818 or Susan Bennett (202) 885-1510 if you have more ideas about what else law professors can do.

The committee is also trying to compile a list of newsletters and other publications that can keep clinicians up to date on issues affecting poverty law. An obvious example would be Clearinghouse, but there are a number of others. If you receive any such publication, please send its name, address and subscription information to Kim O'Leary at Univ. of Dayton School of Law, 300 College Pk., Dayton, OH 45469-13120 or at oleary@odo.law.udayton.edu. We hope to have a resource list available for the next newsletter.

Kimberly E. O'Leary
Susan Bennett

Legal Services Grants

The following Law Schools and other institutions were awarded LSC grants for the coming year:

- Brooklyn Legal Services/Cuny--\$76,000
- DC School of Law--\$75,000
- Idaho Legal Aid--\$69,500
- Delaware County Legal Assn.--\$59,000
- Na.tl. Assn. for Public Int. Law--\$184,000
- Evergreen Legal Services--\$50,000
- St. Mary's Univ. School of Law--\$79,000
- Santa Clara Univ. School of Law--\$69,000
- So. New Mex. Legal Services--\$60,000



[Every now and then we have a little "Pause for the Cause," a Word from our Sponsor, as it were... -psl]

GOD'S TOTAL QUALITY MANAGEMENT QUESTIONNAIRE 4/7/95

God would like to thank you for your belief and patronage. In order to better serve your needs, She asks that you take a few moments to answer the following questions.

Please keep in mind that your responses will be kept completely confidential, and that you need not disclose your name or address even if you prefer a direct response to comments or suggestions.

1. How did you find out about God?
- | | |
|--|--|
| <input type="checkbox"/> Newspaper | <input type="checkbox"/> Other Book |
| <input type="checkbox"/> Television | <input type="checkbox"/> Divine Inspiration |
| <input type="checkbox"/> Word of Mouth | <input type="checkbox"/> Near Death Experience |
| <input type="checkbox"/> Bible | <input type="checkbox"/> Torah |
| <input type="checkbox"/> Other | (Specify): _____ |

2. Are you currently using any other source of inspiration in addition to God? Please check all that apply.
- | | |
|---|---|
| <input type="checkbox"/> Tarot | <input type="checkbox"/> Lottery |
| <input type="checkbox"/> Horoscope | <input type="checkbox"/> Television |
| <input type="checkbox"/> Fortune cookies | <input type="checkbox"/> Ann Landers |
| <input type="checkbox"/> Self-help books | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Biorythms | <input type="checkbox"/> Alcohol or drugs |
| <input type="checkbox"/> Mantras | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Insurance policies | <input type="checkbox"/> None |

3. God employs a limited degree of Divine Intervention to preserve the balanced level of felt presence and blind faith. Which would you prefer (circle one)?
- a. More Divine Intervention
 - b. Less Divine Intervention
 - c. Current level of Divine Intervention is just right
 - d. Don't know

4. God also attempts to maintain a balanced level of disasters and miracles. Please rate on a scale of 1 - 5 her handling of the following (1=unsatisfactory, 5=excellent):
- | | | | | | |
|--|---|---|---|---|---|
| a. Disasters (flood, famine, earthquake, war) | 1 | 2 | 3 | 4 | 5 |
| b. Miracles (rescues, spontaneous remission of disease, sports upsets) | 1 | 2 | 3 | 4 | 5 |

5. Do you have any additional comments or suggestions for improving the quality of God's services? (Attach an additional sheet if necessary): _____

(thanks to Joan Meier)

CLEA'S BOARD OF DIRECTORS HAS ADOPTED THE FOLLOWING AS ITS' OFFICIAL MISSION STATEMENT:

CLEA

The Clinical Legal Education Association was founded after several years of discussion among clinical teachers. Membership is open to all people interested in using clinical methodology to prepare law students and lawyers for more effective law practice. Clinical methodology includes supervised representation of clients, supervised performance of other legal work, and the use of simulated exercises in a variety of settings, both within law schools and outside of them, and is designed to teach skills and values necessary to the ethical and competent practice of law.

CLEA was incorporated as a nonprofit corporation in 1992. What follows is a list of some of the principal goals and accomplishments of the organization:

1. **To bring together in one organization all those involved in clinical education.** CLEA welcomes as members not only full-time clinical teachers at law schools belonging to the Association of American Law Schools, but also field supervisors, adjunct teachers, faculty at schools outside the U.S., and other people who are involved in clinical education or are interested in its continued development.
2. **To serve as a voice for clinical teachers and to represent their interests inside and outside the academy.** CLEA has been a vigorous advocate for the interests of clinical teachers on a number of issues, including: the proposed interpretation of the ABA/AALS externship accreditation standard; the ABA proposal for mandatory Pro Bono; the proposed cuts in Legal Services Corporation funding; and a uniform law that would make admission to practice easier for clinical teachers.
3. **To promote and disseminate clinical scholarship and research.** CLEA was instrumental in founding the first Journal of Clinical Legal Education, a peer-review journal which publishes useful and readable articles about improving the teaching of law and the quality of legal practice. Membership in CLEA includes a subscription to the Journal.
4. **To foster professional development of clinical teachers.** CLEA organized the first national conferences on externships and on Alternative Dispute Resolution clinical programs and a workshop for newer clinical teachers. In addition, CLEA has provided training on advanced supervision issues for experienced clinical teachers and field supervisors in two geographic regions. Members receive discounts on the cost of CLEA conferences and training.
5. **To gather and distribute to clinical teachers information about issues and developments that affect clinical teachers.** CLEA publishes a newsletter, maintains active telephone and Internet communications, and sponsors an annual salary and demographic survey of clinic teachers.
6. **To Foster the development of clinical methodologies, the integration of clinical methodology into legal education, and the integration of clinical teachers into Law Schools.** CLEA organized a workshop on the MacCrata report during the 1993 AALS annual convention which attracted a diverse group of faculty and administrators. CLEA also has a committee to help coordinate local efforts of law schools and the organized bar to review and implement MacCrata recommendations where appropriate.

CLEA presently has more than 400 members. If you are interested in these goals, or if you would like to contribute by adding some new objectives to a young and growing organization, please join by completing the attached membership form and submitting it with your annual dues to Mark Heyrman at the address listed.

TEN THOUGHTS ON THE QUESTION OF DIFFERENCE

by Jean Koh Peters, Yale

I dedicate this list to Sue Bryant. Last year, when I returned to work from maternity leave, I told Sue that I felt refreshed and ready to think about the issue that had troubled and eluded me throughout my teaching career difference. I knew I needed to teach more, and more importantly, I needed to learn more. Being the excellent colleague and clinical teacher that she is, she gave me a clear task and deadline: to tell her concrete ideas I had had about the topic by December. I missed the deadline, but finally finished the brief, so here it is. Note the number of teachers I have had in the ongoing process.

10. **Read Peggy Davis's Law as Micro-Aggression, 100 Yale L.J. 1559 (1989).** Kathleen Sullivan added this true classic to our clinic-wide professional responsibility assignment and it is beloved by students and teachers alike. Davis discusses the "regularly irregular" daily incidents of bias and racism experienced by African-Americans with a striking example and broader application of the concept to developments in habeas corpus law. In our ethics session, we then challenge our students to examine for two weeks what instances of MicroAggression they may have experienced as well as those that they have inflicted. Our students talked about it all semester last spring.

9. **Reread Suellyn Scarnecchia's Gender and Race Bias Against Lawyers: A Classroom Response, 23 U. Mich. J.L. Ref 319 (1990).** Suellyn outlines an elegantly simple and short approach to using role play to bring up issues of difference in the classroom. Since the examples derive from everyday experiences in the courthouse or clinic, it can easily incorporate actual events experienced by students.

8. **Think about distances as well as difference.** Our clinical community here has been wondering whether "distance" may be a more useful concept than difference. In some of our class and group discussions, students identified as "different" in any given context tend to feel silenced, in part we believe because once they are identified as different, they feel they have nothing meaningful (or safe!) To add to the discussion. Sameness and differences becomes a switch that empowers some commentators and shuts down other. But the

variations among us all are much more financed, and we all believe that these differences can be overcome.

So, what if we try to think about distance instead? Instead of saying, "he is black, I am white", what if we consider the distance our racial identity puts between us and our client's life experience. Multiple "distances" may be additive or subtractive: one might predict that a client of a different class, race, and gender would find us three times further from his experience. Distances can also be too close; haven't each of us overidentified with clients before, projecting our own feelings and goals onto clients whom we perceive to be like us? The metaphor of difference allows people in a group to acknowledge differential relations and perceptions of clients, without identifying an "in" and "out" group. And, dovetailing as it does with issues of "professional distance" which so many of our students struggle with, it connects back to the issues of professional responsibility which are central to our work. So shouldn't we also try to:

7. **Connect issues of distance/difference to professional responsibility and issues of professional responsibility to distance/difference.** When I have begun to despair that a difference/distance issue was impenetrable, I have often found an ethical entry point. Since so many of the professional rules, in my mind, try to explain to lawyers how, concretely, to respect their clients, confronting and overcoming bias in one's practice is critical to that respect. For instance, at times when I have discounted my client's point of view, or assumed I had permission for things that I had not discussed with her, I had usually also shortchanged my duty to counsel, inform, and abide by my client's perspective.

6. **Announce early your intention to focus on issues of distance/difference to invite examples and concerns throughout the semester.** At the first class, at the first supervision - it's never too early.

5. **Recall in detail an experience of your own bias.** We must keep ourselves honest, and honestly acknowledge our biases as they inevitably surface..

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(Thoughts on difference, contd)

4. **Do not ignore race, class, gender, sexual orientation in your daily work, like supervisions.** One of our new fellows, Ana Mari Bermudez, suggests that supervisors debriefing students on case experiences that the supervisor has not attended routinely ask about the ethnicity, gender, etc. of all new players. It is a fact of life, a fact of the case, and thus part of our fact investigation; don't be shy about it.

3. **Use the pervasive method.** Since it is notoriously hard to schedule a discussion about distance/difference (as it is to schedule a time to talk about ethics), it behooves us to take time for the issue when it arises. In some of our classes, we announce at the first class that we consider ethical and difference questions to be a priority, and one for which we will take class time, schedule extra supervisions, and have long evening calls.

2. **Examine your intake policies.** Does your client pool match racial and other demographics in the poor communities that you serve? A careful look at our immigration clinic intake, inspired by some strong concerns raised by students, led us to two major insights: that we did not know the demographics of our client pool, and that representing poor, nonwhite refugees meant representation of detainees in another state. We make no stronger statements than through the clients we serve.

1. **Resolve to think about teaching about difference a little every week.** If so, maybe we'll each have ten more ideas by this time next year.....

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 fax: (203) 432 1426
 e-mail: peters@mail.law.yale.edu

An Ethical Book Review

By Liz Ryan Cole

Perhaps as part of your clinical teaching you teach ethics, legal profession, professional responsibility or what ever it is called at your law school. There comes a day when you think you should perhaps change the text you use so you ask publishers for ethics text books to review. The cardboard packages arrive, it seems almost daily, and

keep coming until one day you sit on the floor of your office, surrounded by books and teachers manuals. How will you choose?

I confess that I have not carefully reviewed all the books, though one wall of my office appears to be dedicated to copies of a variety of these books. What I did is what we all do- look at as many as possible. One that appealed to me was Legal Ethics in the Practice of Law by Rich Zitrin and Carol Langford. After reading it and imagining how I might use it in the ethics seminar which is part of my external clinic, the Semester in Practice, I decided to use it. Now, I must disclose that Rich Zitrin went to Oberlin and so did I. So when Rich asked me to look at the book I was nervous - what if it turned out to be awful? Even the fact that he and Carol were members of CLEA (in fact they have proudly mentioned CLEA in their promotional material), only made me more nervous. Luckily, I loved the book!

So why should you consider this book?

First, it is written with a clinic in mind. It is based on situations which have come up in clinics and assumes that the students have real experience and knowledge to contribute, a clinical assumption.

Second, the problems are realistic, short, and provide a focus on teaching.

Third, the teacher's manual is written for the average very busy teacher. The comfortable conversational style helps during those late night hours when you are preparing for class after a day in court.

Fourth, it involves students in role plays and other exercises and makes the type of learning we are trying to accomplish in a professional responsibility class - behavior based learning - much more effective.

Fifth, while I don't agree with all the authors' conclusions, they present thoughtful, reasoned arguments for their conclusions and leave room for students (and teachers who use their book) to disagree.

Carol and Rich have long experience in the reality of professional responsibility - not just in the classroom, and as practitioners, but as lawyers actively involved in developing and applying ethical standards in practice. So, read the introduction and look the problems over and perhaps you will also conclude that this is a book worth trying.

Using Narrative Journals in Clinical Legal Education

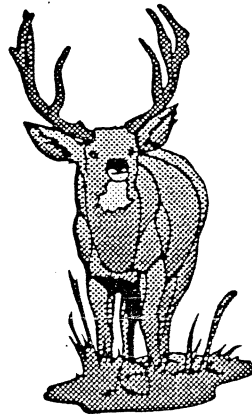
by Sandy Ogilvy
(Catholic University of America)

Student narrative journals are used as a pedagogical tool in many clinical programs, in both externships and client-based clinics. In addition to those contexts, I have also assigned journal writing in courses such as mediation and negotiation, interviewing and counseling, and civil procedure. This column is excerpted from an article I have written. That article explores the theoretical underpinnings for the use of journals and my experiences in using them in legal education. This excerpt will outline the learning theory and provide suggestions for the use of journals.

My starting point is that producing "reflective practitioners" (Schön 1983; 1987) is an explicit goal of most clinical teaching. And I suspect that for most clinical teachers who assign journals, this goal underlies, in large part, the decision to require journals. Donald Schön has argued that the best practitioners in various professions develop their skills through continual reflection about the uncertainties, complexity, and value conflicts that confront them in practice situations. The act of writing is an unusually powerful instance of both immediate and long term self-reflective feedback. (Yinger, 1985.)

Successful problem solvers, indeed, successful learners, are actively aware of the metacognitive processes that are involved in solving problems or learning. Metacognitive processes include planning, monitoring, and reviewing/revising. Although metacognitive processes do take place in the absence of a written record, journal writing allows the learner to manipulate more complex

sets of data in more sophisticated ways than is otherwise possible, given the constraints of storing and retrieving information in short term, working memory. The use of journals encourages students to be self-conscious about their thinking and to develop self-monitoring problem-solving strategies.



Another frequently stated goal of clinical legal education is to help students develop into self-directed learners. (Knowles, 1975.) Indeed much of the theory of the teaching of adults rests on the assumption that adult learners are self-directed learners and that pedagogy (or andragogy) should be attentive to this phenomenon. The reflective process encouraged by journal exercises can assist the student in becoming more aware (1)of his or her own style(s) of learning, (2)of the role that prior experience and prior knowledge play in the learner's construction of new knowledge, and (3)that their learning is greatly enhanced by being "situated" as closely as possible to the reality of the practice in which they will so engage.

Although there are many other theoretical foundations that support the use of journals in clinical (legal) education, space constraints confine me to two additional bases. Much of the current thinking about theories of learning and teaching is derived from the relatively new field of cognitive science. Many cognitive theorists believe that the complex process of learning requires the learner to relate new information to what they already know. Knowledge is not stored in the mind as discrete facts but rather as collections of information organized as schema stories, scripts and, scenes. It has been noted that the process of writing requires the same kind of connecting and organizing that occurs when new information is related to existing information in the learner's mind. Thus, the manipulation, reflection, and deliberation required by writing makes it a potent mode of learning. Properly used, a journal can provide a space for the learner to record both what he or she knows as well as gaps in understanding. The learner's understandings can be tested by committing them to a concrete record, a record that may be analyzed carefully for misunderstandings and gaps in knowledge.

We are probably all familiar with the phenomenon of writing into a better understanding of a topic. This use of writing to learn is also supported by learning theorists. According to Goodkin (1982), writing seems to help learners run thoughts through their minds repeatedly, a cyclic activity that often results in embedding the new information into the existing cognitive structure. Writing is also a stepping stone to further thought and an instrument for making connections. Writing triggers systematic follow-up and permits the learner to clarify thoughts, reach conclusions, and search for alternatives. Writing promotes direct contact with material under study in a (continued...>>>)

(Journals contd.)

multi-sensory way by affording the learner the opportunity of interacting with the material while writing, reading, and re-reading it.

Finally, although journals usually are not assigned as a "therapeutic" device in the law school setting, it is my experience that they often become one. Journals are used as a place to express and thereby to relieve some of the stresses in the students' personal and professional lives that are caused or exacerbated by law school. This use of the journal is certainly legitimate and supported by the literature.

With this brief summary of some of the underlying theoretical bases for the journal assignment, I want to close this piece with some suggestions for making journal assignments derived from my reading of the literature in other disciplines on the use of narrative journals as a pedagogical tool and from my own experiences in the context of legal education over the past decade.

Getting started with journal assignments

These general guidelines should be tailored to respond to the initial goals and objectives that the individual instructor has for assigning journals as part of his or her pedagogy and then adjusted to respond to the experience that the instructor has with journal assignments.

1. It is imperative to the success of the endeavor that the instructor fully explain the purposes for which the assignment is being made. Although there may be some students in the class who were exposed to journal writing as undergraduates, it has been my experience that this is a new and unusual assignment for the majority of students. Even those students with prior exposure to journals as part of their education may

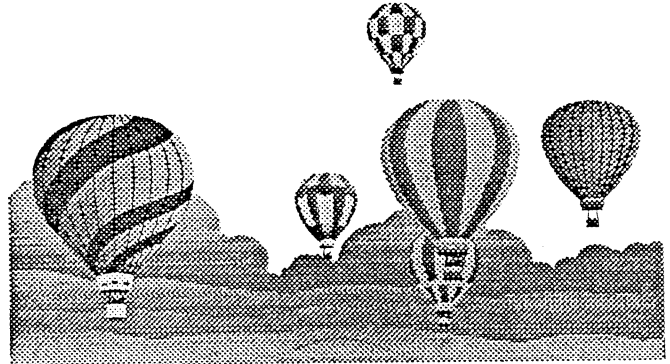
bring attitudes and opinions about the exercise that will be counterproductive unless addressed.

Because of the wide variety of purposes for which journals are assigned, a student with experience with journals in an undergraduate psychology course in human

sexuality may be apprehensive, based on the type of journal writing done for that course, about a "similar" assignment as part of a course in law school. Therefore, the instructor must explain that journals are neither "diaries" nor "class notebooks," but borrow features from each: like the diary, journals are written in the first person about issues the writer cares about; like the class notebook, journals are concerned primarily, though not exclusively, with the content of a particular course.

2. Ask students to buy loose leaf notebooks in which to keep journal entries. Suggest that students divide their journals in several sections, one for your course, one for other courses if they decide to expand the use of the journal to other courses, and another for private entries. When you collect the journal, you need only collect that which pertains to your own course.

3. Ask students to prepare the entries on a word processor if possible. Typewritten entries are much easier to read and the uniformity of the sheets of paper received makes handling journal submissions from a number of students much easier. Don't insist on typewritten entries though. Some students still are not computer literate or have not learned to type. Others



prefer to prepare journal entries at times and places at which a typewriter or computer is not generally available. Requiring the student to retype the handwritten entry is merely busy work that does not advance the purposes for which the assignment is made.

4. Give students permission to disregard grammar, spelling and syntax errors. By placing too much emphasis on error free journal entries, the instructor runs the risk of discouraging the free, open, and creative processes that can be fostered by journal writing. The use of good grammar, correct spelling and syntax can certainly be encouraged, but demanding too much editing and proofreading may be counterproductive.

5. Ask students to indicate clearly at the top of each entry the date and time made and the chronological number of the entry. This information gives you a sense of whether the student is keeping up with the journal assignment and whether, where multiple entries are required each week, the student is pacing the drafting of entries or bunching them up just before the due date.

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(Journals contd.)

6. Give the students clear instructions with respect to the number, length and content of acceptable journal entries. I generally require that each entry be at least a full, double-spaced, typewritten page, or the handwritten equivalent. With respect to content, the goals of the instructor must be considered. Since I want the journal exercise to have the most personal usefulness possible to the student, I tend to make the instruction with respect to content of entries quite open: "As suggested above in the lists of purposes and modes of reflection, a journal is a place to write about everything related to this course, your study of law in general, your struggles to grow personally and professionally, and your struggles to cope with the stress created by the need to balance school, work and family." Where the instructor wants students to focus more exclusively on the course content or some aspect of the course, a more explicit instruction should be given.

Students may be assisted in topic selection for journal entries if the instructor appends a list of potential topics to the journal assignment memorandum. Students are not required to write on any of the topics, but it provides them with a starting point and a better sense of the range of the possible. Furthermore, in those rare instances where a student complains that he cannot think of worthwhile topics for journal entries, he may be referred to the list of topics in the assignment.

If the instructor herself maintains a journal, it may be useful to provide the students with excerpts from the instructor's journal. This has the purpose of further illustrating for the student the nature and style of journal entries and models to the student that keeping a journal is considered valuable enough for the instructor to do it.

7. Collect the journals on a regular basis. I have found that collecting the journals once a week is sufficient to keep the students focused on the need to write regularly. With larger classes, I have collected journals from half of the class each week. It may be illusory, but it seems less overwhelming in terms of volume to collect two weeks worth of journals from 35 students every week than one week's output from 70 students.

8. Count but do not grade student journals. While it's important not to qualitatively evaluate specific journal entries--for here students must be allowed to take risks--good journals should count in some quantitative way: a certain number of points, a plus added to a grade, as an in-class resource for taking tests. I have frequently used the journal entries in lieu of class participation points. Whatever quantitative scoring scheme is used should be disclosed to students at the beginning of the course.



9. If you assign a large number of journal entries or use journals in a large class, do not respond in writing to every entry; you will burn out. Instead, skim-read journals and write responses to entries that especially concern you. Write with sufficient frequency and depth to let each student know that you are in fact reading each entry and value the effort that the student is expending on the journal exercise. Although at some point most students will come to value the exercise intrinsically, some external motivation is welcomed by many, and may be necessary, at least initially, to encourage students to participate fully and meaningfully in this somewhat unorthodox exercise.

10. Assure students repeatedly that their journals will be treated with the utmost respect and kept in absolute confidence. These assurances of privacy may be necessary for many students to create anything more than superficial entries. Assuring privacy means that the journal entries will not be shared by the instructor with anyone, even his or her spouse or colleagues, absent the explicit permission of the student author. There are, of course, sound pedagogical reasons for seeking the permission of students to share some of their journal entries with others.

11. Let the students know from the beginning that you may ask their permission to share some of their entries with other students in the class. I have found that having students share journal entries with colleagues from time to time has several benefits. Sharing journal entries can promote collaborative learning, help to build a sense of a learning community, model entries from which others can learn, promote dialogue and discussion, and allow students to see that they are not isolated or the only one concerned with some aspect of their legal education.

(Continued...>>>)

(Journals contd.)

12. Encourage students to re-read their journals from time to time. Re-reading entries gives the students an appreciation of their growth as learners in the domain of law. Re-reading entries also enables students to re-visit topics about which they initially wrote as novices, but can now address, if not as experts in the domain, at least as intermediate learners. Re-reading entries often provides a renewed commitment to the journal, since the value to the student often becomes apparent through re-reading. Re-reading also frequently will prompt ideas for new journal entries.

Space constraints here preclude me from conveying to you the enthusiasm with which I recommend journal assignments, so I would welcome the opportunity to talk with anyone who is contemplating their use or who already uses them. I can be reached at 212.319.6195 or by e-mail at Ogilvy@law.cua.edu.

For those of you who would like to do some further reading on the theoretical and practical uses of narrative journals as a pedagogical tool, I recommend these additional resources.

Resources:

Andrew J. Deckert, *Keeping a Teacher's Writing Journal*, 77 *English J.* 48 (1988).

James R. Elkins, *Rites of Passage: Law Students "Telling Their Lives,"* 35 *J. Legal Educ.* 27 (1985).

Toby Fulwiler, ed., *The Journal Book* (Portsmouth, NH: Boynton/Cook, 1987).

Theodore C. Wagenaar, *Using Student Journals in Sociology Courses*, 11 *Teaching Sociology* 419 (1984).

References:

Vera H. Goodkin, *The Intellectual Consequences of Writing: Writing as a Tool for Learning* (dissertation, 1982) (University Microfilms Int'l, 1986).

Malcolm S. Knowles. *Self-Directed Learning* (New York: Association Press, 1975)

Donald A. Schön, *The Reflective Practitioner: How Professionals Think in Action* (New York: Basic Books, 1983) and Donald A. Schön, *Educating the Reflective Practitioner* (San Francisco; Jossey-Bass Inc., 1987).

Robert J. Yinger, *Journal Writing as a Learning Tool*, 87 *The Volta Rev.*, 21 (1985).

Possible Supervision Skills Program

Tentative plans have been made for a supervision skills training program in St. Paul, Minnesota on October 10 and 11, just preceding the Midwest Clinical teachers conference.

If you are interested and have not received details, please get in touch with Liz Ryan Cole at Vermont Law School right away. This program may be a joint program with the Minnesota Justice Foundation.

NATIONAL INSTITUTE FOR TRIAL ADVOCACY PRESENTS

Advocacy Teacher
Training
Notre Dame Law School
October 13-15, 1995

This program is designed specifically for law professors interested in learning and applying the NITA teaching method. Experienced faculty will share with you their expertise in utilizing the NITA learning by doing methodology.

You will learn to:

- * Be specific and constructive
- * Effectively deliver and demonstrate key points of critique
- * Teach the group while critiquing the individual
- * Team-teach and critique multiple performers
- * Critique case analysis

For more information contact NITA's admissions office
(800) 225 6482 or
fax (219) 282 1263

ANNOUNCING: THE 10TH ANNUAL MIDWEST CLINICAL LEGAL EDUCATION CONFERENCE
 OCTOBER 13-14, 1995
 WILLIAM MITCHELL COLLEGE OF LAW, ST. PAUL, MINNESOTA

Hosted by William Mitchell College of Law & organized by the University of Minnesota, Hamline University and William Mitchell Law Schools.

SCHEDULE

Friday, October 13:

- 8:00 a.m. Registration
- 9:00 Panel, followed by small group discussions:
 "The Changing Landscape of the Accreditation Process: Benefits & Risks for Clinicians" (Panelists include: Rosalie Wahl, retired Justice of the Minnesota Supreme Court and Chair of the Wahl Commission to Review Accreditation)
- 12:15-1:30 Box lunch (included with registration) and a Clinical Legal Education Association (CLEA) sponsored discussion:
 "Developing Standards for Clinical Education"
- 1:45 p.m. Afternoon panel, followed by small group discussions:
 "Why and How to Teach Law Students to Interview Clients with Language and Cultural Differences."
 (Panelists include: Alicia Alvarez, DePaul; Leticia Magdaleno, Loyola, Chicago; Alberto Benitez, Chicago-Kent; Angela McCaffrey, Hamline.)
- 5:00-6:30 Reception, Dinner, on your own

Saturday, October 14:

- 9:00 a.m. Morning panel, followed by small group discussions:
 "How Various Disciplines Teach About Cultural Difference"
 (Panelists include: Mary Jo Brooks Hunter, Hamline; Mari Ann Graham, College of St. Catherine; Oliver Williams, Univ. of Minnesota School of Social Work; professors of social work, nursing, education & law.)
- 12:00 Lunch, on your own
- 1:30 p.m. Afternoon panel, followed by small group discussions:
 "Technology: The Next 10 Years"
 (Panelists include: Al BeVier, MIS Director of the Schatz Paquin law firm; Maury Landsman, Univ. of Minnesota.)
- 4:30-5 Wrap-up
- 7--1 a.m. Dinner & dancing to the "Public Defenders", Landmark Center

REGISTRATION FEE: \$95.00 (includes 1 lunch, Saturday night dinner & dance)

COORDINATORS: Contact us with answers, questions, ideas, etc.:

~Beverly Balos, Maury Landsman
 Univ. of Minnesota Law School
 612\625-5515
 balos001@maroon.tc.umn.edu
 lands001@maroon.tc.umn.edu

~Ann Juergens
 Wm. Mitchell College of Law
 612\290-6391
 ajuergens@wmitchell.edu

~Angie McCaffrey
 Hamline Univ. School of Law
 612\641-2889
 amccaffr@seq.hamline.edu

Ed. Note: This summer there was some discussion about informing students about the work and responsibility expected of them in clinical programs on the clinic listserv on the internet, and Kathleen Smith of Florida State generated a lot of interest with her description of a form that is used in her clinic before students enrolled. CLEA is pleased to publish the form below. We welcome letters to the editor about this or any other matter in the newsletter, and thank Kathleen for sharing this.

FSU COLLEGE OF LAW CHILDREN'S ADVOCACY CENTER

Acknowledgment of Responsibility

The Children's Advocacy Clinic is a combination of academic and practical experience. Participants in the Clinic are awarded the privilege of practicing law by the Supreme Court of Florida. In exchange, we certify to the Court that the student practitioners will be properly trained and supervised.

As a student at the Clinic, you will handle the real cases involving real clients. Your responsibility to the Clinic and your clients commences on Monday, January 9 and continues through Saturday, May 6, 1995. In addition, it is your responsibility to arrange coverage for your cases for the period from Sunday, May 7, 1995 to Monday, May 15, 1995 (the first day of summer semester), or to ensure that no hearings are scheduled during this time. It is also your responsibility to cover hearings scheduled from March 20 - March 24, 1995 (spring break), or to ensure that no hearings are scheduled during that time. Court is not cancelled because the university is on a break.

The Clinic is a six credit, pass/fail course. In order to receive a passing grade, you must appear in Court each time one of your assigned clients appears on the docket, ***unless you are in class, in a final exam, or have received prior permission from your faculty supervisor to be excused.*** You will receive daily copies of the juvenile court docket. It is your responsibility to track your cases, and check the dockets for hearings involving your clients. ***Any unexcused absence from a scheduled court hearing will result in failure of the course.***

Your time commitment to the Clinic is a minimum of twenty hours per week (total of at least 300 hours for spring semester), including class time. Time sheets (see copy, attached) must be submitted weekly. Classes are held Monday through Thursday from 9:25 - 10:20 AM. Daily class attendance is mandatory for both new and returning students, unless excused by a faculty supervisor. ***Any unexcused absence from class will result in failing the course.*** The Children's Advocacy Center classes will be scheduled in a way that does not conflict with your court schedule. On certain days, class will be at the Leon County Courthouse. We will instruct you the day before whether to go to the courthouse or the classroom. It is your responsibility to check your mailbox at the Clinic by 5:00 PM business days and to follow the instructions.

In addition to classroom and courtroom experience, students are responsible for fulfilling a participation/observation component. The minimum participation/observation requirements are outlined on the attached checklist.

(Continued...>>>)

(Agreement continued)

Participation in the Clinic is a serious responsibility. Our clients deserve the finest representation available. They are relying upon us to provide it. Please review this document carefully to determine whether you can fulfill all of the requirements before signing this Acknowledgment of Responsibility. If you are prepared to fulfill all of the requirements, please sign Page 4 of this form and return it to us on or before the first day of class. We hope you have a wonderful and rewarding semester.

OBSERVATION/PARTICIPATION CHECKLIST

Each student participating in the Clinic must fulfill the following minimum requirements for participation and observation of court proceedings. One page written reports must be submitted following each observation unit. In addition, your completed checklist must be returned to your faculty supervisor by May 6, 1995 in order to pass the course.

Date(s)

- Participation in Arraignment Exercise (Rehearsal): _____
- Observation of Arraignment Calendar: _____
- Submission of Written Report: _____
- Participation in Arraignment Calendar: _____
- Observation of Docket Sounding Calendar: _____
- Submission of Written Report: _____
- Participation in Docket Sounding Calendar: _____

- Participation in Pre-trial Motion Exercise (Rehearsal): _____
- Observation of Pre-trial Motion: _____
- Submission of Written Report: _____
- Participation in Pre-trial Motion:* _____

- Observation of two (2) Plea & Disposition Calendars: _____
- Submission of Written Report(s): _____
- Participation in Plea Negotiation with State Attorney: _____
- Participation in Plea & Disposition Rehearsal (w/faculty supervisor): _____
- Participation in Plea & Disposition Hearing: _____
- Observation of Adjudicatory Hearing (trial): _____
- Submission of Written Report: _____
- Participation in Adjudicatory Hearing (trial):** _____

NOTE : For those students whose cases do not result in a motion, plea or trial, an additional observation unit may be substituted for the participation unit with the faculty supervisor's permission. Other substitutions which satisfy above requirements:

- * Participation in a contested restitution hearing or violation hearing (violation of community control, violation of JASP) may be substituted for a pre-trial motion.
- ** Participation in a Waiver Hearing may be substituted for participation in an adjudicatory hearing.

Students participating in the Legislative Advocacy program may receive additional substitution credit for legislative activities with permission from Professor Smith. Students engaged in juvenile justice research activities may receive substitution credit with permission of Professor Tarbert. All substitutions must be initialed by the faculty supervisor authorizing substitution in order to receive credit.

(Continued...>>>)

(Agreement continued)

**FSU COLLEGE OF LAW
CHILDREN'S ADVOCACY CENTER**

Time Log

NAME: _____

WEEK OF: _____, 1995

[Ed. Note: the actual FSU time log form is not reproduced here, but a weekly time sheet showing each day's activities and the amount of the student's time is required to be submitted every monday]

ACKNOWLEDGMENT OF RESPONSIBILITY

I, _____, have read the foregoing Acknowledgment of Responsibility, pages 1 - 3. I understand my responsibilities and will fulfill all requirements for participation in the Clinic.

Signature

Student's Name (Please print)

Date

The Lighter Side of the Creation of Meetings

courtesy of Janet Stearns (via a social work friend)

For all those preparing for or recovering from meetings.

If God were process oriented, the Book of Genesis would read something like this:

In the beginning God created the heavens and the earth.

The earth was without form and void; and so God created a small community. God carefully balanced the community vis-a-vis race, sex, ethnic origins and economic status in order to interface pluralism with the holistic concept of self-determination according to adjudicatory guidelines. Even God was impressed, and so ended the first day.

And God said, "Let the committee draw up a mission statement." And behold, the committee decided to prioritize and strategize. And God called that process empowerment. And God thought it sounded good. And evening and morning were the second day.

And God said, "Let the committee determine goals and objectives, and engage in long range planning." Unfortunately, a debate as to the semantic difference between goals and objectives was pre-empted almost all the third day. Although, the question was never satisfactorily resolved, God thought the "process" was constructive. And evening and morning were the third day.

And God said, "Let there be a retreat in which the committee can envision functional organization, can be engaged in planning, and can be objective." The committee considered adjustments of priorities and consequential alternatives to program direction. And

God saw that this was good. And God thought that it was even worth all the coffee and doughnuts He had to supply. And so ended the fourth day.

And God said, "Let the committee be implemented consistent with long-range planning and strategy." The committee considered guidelines and linkages and structural sensitivities, and alternatives, and implementation models. And God saw that this was very democratic. And so would have ended the fifth day except for the unintentional renewal of the debate about the differences between goals and objectives.

On the sixth day, the committee agreed on criteria for adjudicatory assessment and evaluation. This wasn't the agenda God had planned. However, He wasn't able to attend the meeting, because He had to take the afternoon off to create day and night, and heaven and earth and seas and plants and trees and seasons and years and sun and moon and birds and fish and animals and human beings.

On the seventh day God rested, and the committee submitted its recommendations. It turns out that the recommended forms for things was nearly identical to the way God had already created; so the committee passed a resolution commending God for implementing according to guidelines. There was, however, some opinions expressed quietly that man should have been created in the committee's image.

And God caused a deep sleep to fall on the committee.



EXTERNSHIP NEWS

COMMITTEE UPDATES

By Larry Krieger

Our various work groups for this year's projects are still intact and looking toward a burst of progress this Fall. We hope you will get involved!

1. The group on accreditation standards/enforcement has had a modest but hopefully useful response to their survey concerning results of recent site inspections of externship programs. MORE RESPONSES WOULD BE HELPFUL; the data to date will be analyzed and circulated in mid-Fall. If you didn't respond (or receive the questionnaire) and have been visited since the new Interpretation became effective, and/or would like to help with this project, contact Bill Patton (Whittier) or Linda Morton (Cal Western). [Ed. Note: the late word from Bill Patton is that a whole new survey form is in the works--please contact Bill if you are interested. Also contact him if your school has had an accreditation visit within the last year.]

2. We need to figure out what the project to create sample/"standard" materials needs to move ahead briskly. This is a project with enormous potential for helping extern clinicians and removing the widespread insecurities about the fabled "classroom component" of our programs. Good discussions were had in St. Louis, but little response to date to Jim Backman's e-mail request for materials and curricula -- GROUP THINKING AND DISCUSSION IS NEEDED HERE.

We're going to try the call-in conference call format to try to form some working principles -- I'll publish date and call-in phone number on email and to our hard copy mailing list soon. Contact Jim at Brigham Young if he's not aware of your interest in helping with this project. Also, let me know by phone or (private) email message if you'd like to be in on the first phone call(s), as I need an approximate number to reserve the appropriate phone line. The call will be limited to a manageable number -- perhaps ten or so? -- but flexible depending on response.

PLEASE NOTE MY CORRECT EMAIL ADDRESS BELOW -- still some erroneous listings out there. Sorry. Also, if you're not a regular email reader and would like to be on our hard-mail extern list (recently quiescent but not dead!) please send me your name, address, type of program(s), and years teaching.

3. I still hope we can get a brief survey form out to help us determine REASONABLE WORKLOADS (or at least typical ones) for extern faculty nationwide. Bob Seibel and others have offered to help; my intended point position on this project has not manifested as yet. But soon I intend to... If you want to be involved in this, let me know -- and especially if you're interested in "taking the point" for a while! I believe fruition of this project will help many under resourced programs as well, and should not take great effort.

4. Spring '96 Clinical Conference. If you would like to present, or offer ideas for a program, please let me know soon. What do people need to discuss or hear about??

Please contact our resource people with your ideas, information, and interest. It's your externship program! Have a great Fall, and have fun.

Larry Krieger
FSU
425 W. Jefferson St.,
Tallahassee, Fl 32306
904 - 644 - 7262
lkrieger@law.fsu.edu

EXTERNSHIP NEWS II

CALL FOR MATERIALS

Sandy Ogilvy at Catholic University of America, Columbus School of Law, and Jim Backman at Brigham Young University J. Reuben Clark Law School, are collecting externship materials for a resources bibliography. They want any clinical curricula you have in order to create this bibliography.

They will classify the materials into categories according to the area of law and specific skills they teach. As they collect this information, they will create an electronic database so the information will be readily accessible in an organized format to those who need it. They will be glad to receive course descriptions, syllabi, or full sets of materials.

Please share your materials and ideas with them--Jim Backman has agreed to be the initial recipient. If you are able to send the information through E-mail, the address is:
Rbackman@lawgate.byu.edu

If you prefer to send a disc or hard copy through the mail, the address is:

Prof. Jim Backman Brigham
Young University
J. Reuben Clark Law School
Provo, UT. 84602

A DESIRE FOR EMPIRICAL RESEARCH ON THE IMPACT OF CLINICAL EDUCATION

By Vanessa Merton

I'm looking for colleagues who might like to work on ways to generate scientifically plausible empirical evidence about the various claims we make for the value of clinical programs (vs. nonclinical law school teaching methodologies). Those of you who lasted long enough to hear me speak in St. Louis heard more about what I think those claims are. This project also relates to the work Liz Ryan Cole is doing at Vermont, code named "POW" -- "Prove Our Worth."

Having already talked to a few social scientists about what would be involved, it seems like a lot of work, but interesting:

1. teasing out the incredible array of variables
2. deciding on outcome measures
3. finding or creating databases that have the right kinds of information
4. standardizing definitions (like what is going to count as "clinical?"), etc.

Qualitative outcomes can be assessed on all kinds of comparative measures: job success (is that finding a job, staying in a job, advancing in the job, liking the job, choosing a public-interest job, making more money?); post-graduate performance on all the different MacCrate skills (that'll be fun to figure out assessment techniques for); sense of professionalism and satisfaction in the profession (or maybe it should be dissatisfaction?); ethical and moral sensitivity /behavior; and of course,

that critical one, performance on the bar exam.

It may sound strange, but "validation research" or "evaluation research," as it's called, is a respected tool in many different policy debates. Right now, one of the principal weapons in the fight to save LSC is documentation of unmet legal needs in low income populations and demonstration of how meeting those needs can actually save money for a particular governmental source (e.g., anti-eviction work).

I know what I believe about the multi dimensional superiority of clinical legal education, based on 20 years' worth of anecdotes and experience, but I can't *prove* anything to anybody. Ironic? No, considering what I spend most of my time trying to do for clients.

Without deluding myself that the deprecation (all right, fear and loathing) of clinics and clinicians is actually a function of inadequate empirical data, I have also found that it doesn't work all *that* well to respond to our critical colleagues by saying: "Face it, you're clutching at straws to defend yourself because you're reluctant to try something new and hard, no matter how beneficial it might be for the students, and thus for the institution."

Demonstrating the nature and extent of that benefit could, perhaps, contribute something to the defunding debates of the coming hard years for law schools. So, I would be interested in hearing from anyone who might be genuinely interested in collaborating on such a

project, and especially from anyone who is and/or knows a social scientist with relevant skills, credentials, and possible interest in setting out to discover whether it is true that clinical experience makes you a more reflective and client-centered decision-maker, makes it easier to find work and appreciate the work you find, makes you more professional, and/or reduces your cholesterol without drugs or exercise.

(Anyone who has already responded to my Internet inquiry need not respond again.) Thanks.

*

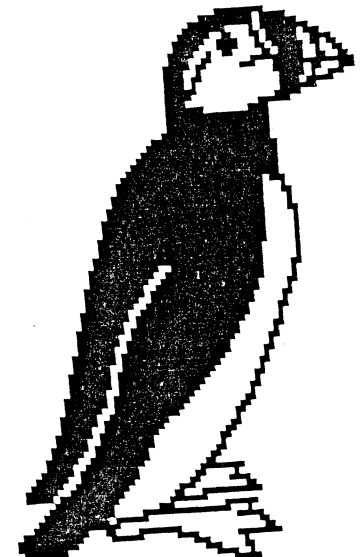
Vanessa Merton, Assoc. Dean for Clinical Education, Pace University School of Law
78 North Broadway
White Plains, NY 10603-3796

Phone: (914) 422-4333

fax: (914) 422-4391

E-mail: VMERTON@

GENESIS.LAW.PACE.EDU



C L I N I C REFLECTIONS--PAST, PRESENT AND FUTURE

Janet Stearns,
University of Washington
School of Law

What did I do during my summer vacation? Well, in the midst of working with clients, interviewing dean candidates, and looking for funding opportunities to replace title IX, I had some opportunity to reflect on the past, present and future of my program on affordable housing development, and clinical education in general. I would welcome thoughts and reactions.

Past--I am a graduate of the Jerome Frank Legal Clinic at Yale, but only this summer did I read Jerome Frank's article "A Plea for Lawyer Schools" (Yale Law Journal, 1947). I was amazed at the degree to which his words continue to ring true today. I encourage those of you who have not yet read his article to put it on your reading list for next summer.

Present--As many of you have seen on the lawclinic discussion group, in June 30 clinicians met in DC to discuss housing and development clinics. Our discussion ranged from curriculum development to funding to coordination with the local bar and legal services. As a follow-up to that meeting, nine of us met in Chicago in August. Those in attendance included Rochelle Lento from U. Michigan, Michael Seng from John Marshall Law School, Alan Weinstein from Cleveland State, John Ammann from St. Louis U., Ben Hecht from Georgetown, Alicia Alvarez from Depaul, and Brad Castel from the National Economic Development Law Center. We

have discussed putting together a directory of clinicians involved in transactional work, a bibliography of resources, and a syllabus bank. We also would like to set up a system for ABA members to assist us with specialized areas of substantive law. Finally, we are planning to have an additional training/roundtable meeting, which will be either in March in Boston, or in June in DC, in conjunction with upcoming meetings of the ABA Forum on Affordable Housing and Community Development Law. Many of you have asked to be on our mailing list. If you would like additional information, or would like to volunteer to help, please feel free to contact any of us.

Future--I finally found my way on to the World Wide Web. The WWW is fun and useful, and a tremendous amount of information is becoming available on "Home Pages." Many law schools already have home pages which provide information about programs and resources. I believe that the clinics should all be making greater use of the WWW to organize office manuals, class directories, course requirements, and reading materials online. In fact, CLEA could also coordinate clinic forms, funding sources, and other information of general interest on a home page that would be accessible to all of us. If you have not yet been surfing, I urge you to take the plunge. The possibilities are endless, but we must all be sufficiently competent in the building blocks of the WWW to promote its full potential.

Janet Stearns
University of Washington
School of Law

WOMEN IN INDIA WHO NEED HELP FROM US

Ken Gallant (currently in India) reports:

This is the latest on the project I mentioned about a year ago on Indian women being divorced by their husbands in Western Divorce Courts:

The Committee for Implementing Legal Aid Schemes (CILAS), India's national legal aid organization, chaired by the Chief Justice of India, is seeking cooperating attorneys and legal aid clinics to give pro bono representation to indigent Indian women, resident in India, who are being sued for divorce in Western courts by their husbands who have gone overseas for work or study. Divorce is a great hardship to many of these women, who often are unable to remarry and have few or no economic opportunities here, and thus need representation to protect their economic interests.

The referring Indian agency (CILAS or the Indian State legal aid committees) will be responsible for translating documents in local languages into English and for communications with the client, including terms on which settlements will be authorized. The referring Indian agency will also be responsible for briefing the Western lawyer or clinic on the relevant Indian law.

The Western lawyer or clinic will be responsible for representation in the western court and

(continued...>>>)

(Indian Women contd.)

for preparing documents which can only be prepared and filed in the Western jurisdiction.

Please indicate possible interest in this project to:

Mr. M.D. Chotmurada
Under-Secretary,
Comm. for Implementing
Legal Aid Schemes,
12/11 Jamnagar House
Hutments Shah Jahan Road
New Delhi 110011
INDIA

And to me:

Ken Gallant
National Law School of
India Univeristy
Nagarbhavi
Post Bag No. 7201
Bangalore, 560-072
INDIA

fax: 91-80-338-7858
e-mail: gallantk@
vigyan.iisc.ernet.in

Please indicate your name, your organization's name & contacts (address, phone, fax, email, etc.), jurisdictions and geographical areas of practice of your office, whether you have any limitations on cases you take (e.g., requiring proof of indigency, taking only cases involving child custody, etc.), whether you will be using this as a clinical opportunity for law students, and any other information you think is

relevant, or questions that you have.

We will supply more information based upon the expressions of interest we receive. This plan is still in the initial stages of organization, with many details still to be worked out, so CILAS and I both understand that an expression of interest now is not a commitment to take cases.

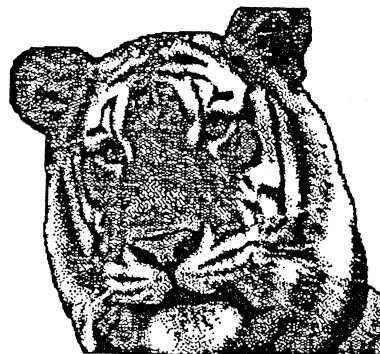
As I have said before, I think this is a marvelous opportunity to introduce students to issues of law, poverty and feminism that are worldwide in scope, though I know handling these cases may not be easy.

Would everyone who previously expressed interest in this project please do so again, to me and to CILAS?

Thanks to all.

Namaste.

Ken Gallant



KUDOS FOR KATE

Congratulations to Kate Mewhinney, of Wake Forest Law School. Kate was recently one of the first attorneys certified in the field of Elderlaw by the National Elder Law Foundation. She was also elected to the Board of the National Academy of Elder Law Attorneys.

The National Academy boasts membership in excess of 2700 lawyers, and elderlaw is one of the fastest growing areas of practice. But Kate's achievement in getting certified by the Foundation puts her in very elite company--- only 40 lawyers in the country are certified. Among other things, certification requires passing an exam on issues that impact the elderly.

This is certainly a great confirmation of the knowledge and skill that she brings to her elderlaw clinic at Wake Forest. In addition to her own clear strengths, Kate has located her clinic in a University Medical Facility, so she and her students can be sure that they and their clients get the benefits of some of the finest medical expertise available.

Board and Officer Nominations

The Nominations/Elections Committee is soliciting nominations for the Board of Directors of CLEA. There are two vacancies on the Board created by the expiration of the terms of Nina Tarr (Illinois), and Mark Heyrman (Chicago). In addition, nominations are being solicited for the positions of secretary-treasurer and vice-president; these two positions are currently filled respectively by Mark Heyrman (Chicago) and Karen Tokarz (Washington U.). All current board members with the exception of Karen Tokarz (who assumes the office of president in January) are eligible to run for reelection.

Any CLEA member interested in becoming a candidate for office or wishing to nominate another for office should contact one of the Nominations/Elections Committee members:

Nancy Cook, Chair
Cornell Law School
Myron Taylor Hall
Ithaca, NY 14850
Phone: (607) 255 4196
FAX: (607) 255-7193
cook@law.mail.cornell.edu

Conrad Johnson
Columbia Univ. School of Law
435 West 116th Street
Box E-3
New York, NY 10027
Phone: (212) 854 2141
FAX: (212) 854 3554
E-mail: cjohnson@lawmail.law.columbia.edu

Karen L. Tokarz
Washington Univ. School of Law
One Brookings Drive
Campus Box 1120
St. Louis, MO 63130
Phone: (314) 935 6414
FAX: (314) 935 6493
e-mail: c53005kt@wuvmd.wustl.edu

A very brief biographical description and statement of reasons in support of the nomination would be helpful to the Committee.

All nominations must be received by **October 6, 1995**. Elections will be held in mid-November and new board members will take office at the CLEA annual meeting in January.

JOB OPPORTUNITY**UNIV. OF DAYTON**

I am pleased to announce the following job opening -- this is a new position for a third tenure track clinician at Univ. of Dayton. This person will be hired to work with Kim O'Leary and Kara Stein in our in-house clinic.

The University of Dayton School of Law is seeking to fill a tenure track position in the area of clinical education. Candidates should have a strong academic record and a commitment to scholarship. Experience in a law clinic environment and civil or criminal practice is desirable. Applications from minority candidates are especially encouraged. Forward resumes and all inquiries to:

Prof. Richard B. Sapphire,
Chair
Faculty Appointments
Committee, University of
Dayton School of Law,
Dayton, Ohio 45469-1320.

**INTERNATIONAL
OPPORTUNITY**

By Roy Stuckey

Dear Colleagues:

My trip to Slovakia was educational and fun. My visit was made all the more productive and

enjoyable by your responses to my request for suggestions (I had twenty-something responses). Thanks.

Hopefully, I will have time to tell you more about it before long. In a nutshell, Slovakia has no professional skills or clinics in its law schools' curriculums (but there is a lot of potential and incentive for movement over the next few years). The Czech Republic is moving more quickly with encouragement and help from Clint Bamberger and from Richard Neumann and Eric Friedman at Hofstra and Michael Seng at John Marshall. Funding to establish at least one in-house clinic is expected to come from the Ford Foundation. Deja vu all over again. Stay tuned, things move quickly sometimes.

The reason for this posting is to help CEELI search for clinical teachers who might want to get involved in its initiatives to help countries develop professional skills or clinical courses. CEELI is certain to need more assistance in Slovakia, Lithuania, Romania and other Central and Eastern European countries. CEELI is also interested in working with African law schools on clinical legal education issues, and it may be getting

involved in Central and South America.

If you have any interest in working with CEELI, possibly on short or long term overseas projects, let me know and I will pass it along to CEELI. No one is asking for a commitment, just interest, and CEELI's needs will extend over the next five years at least.

Although foreign language skills are not required, they may be useful. Therefore, please let me know if you speak or read any foreign language when you respond. It does not have to be the mother tongue of any of the countries I mentioned. For example, Slovakian is not a common language for an American to understand, but a knowledge of Czech, or even Polish would be helpful to a visitor. Many people there also speak German and some speak Russian.

CEELI's projects are separate from the clinical work which is going on in the Czech Republic (Lin Sedlar recently posted a request for help), but CEELI and Lin Sedlar's organization will closely coordinate what they are doing.

Roy Stuckey
Roy @ LAW.LAW.SC.EDU

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