

CLEA NEWSLETTER

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PRESIDENT'S MESSAGE

Alexander Scherr
University of Georgia
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I'm watching north Georgia ice over in a rare mid-winter storm. Everything's closed, and there's a moment of peace within the crazed, cold beauty sheathing pines and red soil. But soon, the weather will warm, and spring madness will start: new growth, new energy, the flowering of a new season. This onset matches a new season for CLEA. As a phenomenon of colleagues sharing a common vision, CLEA has accomplished much, and has laid the groundwork to accomplish even more this year and in the years ahead.

It's an exhilarating and daunting time to become President of CLEA, and especially so after the year of success and solid progress under the leadership of our immediate past president, **Antoinette Sedillo Lopez** of **New Mexico**. Antoinette has done an extraordinary job, taking the ideas and creativity of the CLEA Board retreat in January 2004, and transforming them into practical growth and real progress. The many initiatives begun or extended under her leadership include a solid increase in our voice and presence at the A.B.A. and the hiring of a new administrative consultant to help broaden and strengthen the range of CLEA's services. As immediate past president, Antoinette will continue to work on issues that will strengthen CLEA's fortunes in the long term.

CLEA's activities in the past months alone have been extensive:

-In November and December, CLEA collaborated with SALT and the Georgetown University Law Center Clinical Program in drafting and filing an amicus brief before the 8th Circuit, in opposition to an attack on Laura Rovner arising from her work at North Dakota's Law Clinic. Special thanks go to Georgetown's Appellate Advocacy Program, and especially to Steven Goldblatt and Elizabeth Wydra for their skilled and energetic work.

- In December, CLEA interviewed and selected a new administrative consultant, **Ann Rivera**, of Denver, Colorado. Ann

brings us experience in academia, and familiarity with clinical legal education from Denver and Las Vegas. Ann will work part-time for CLEA over the year, helping to structure and to coordinate the ever-growing range of CLEA initiatives. Look for Ann at the heart of CLEA's activities in Chicago this spring and summer.

▪ In December, we completed CLEA's annual elections, as the Board once more turns over. We will miss the voices of **Justine Dunlap (Southern New England)** and our past president, **Annette Appell (UNLV)**; both have provided invaluable insight and wisdom in our past work. We welcome our new members: **Mark Aaronson (Hastings)**, **Ellen Marrus (Houston)**, **Jeff Selbin (East Bay Community Law Center)** and **Laura Rovner (Denver)**. **Suzanne Levitt (Drake)** was elected for another three years as CLEA's treasurer, giving us valuable help in organizing and managing our finances. Finally, our new vice-president, and next year's president, **Sue Kay (Vanderbilt)**, brings a wealth of experience and judgment to bear on our work.

▪ CLEA held a series of successful meetings this January in San Francisco. The CLEA Board met twice, adopting a new budget and laying plans for our new year. We had an excellent exchange of views with the membership at the January Membership meeting, with many new members in attendance. CLEA particularly appreciated the fine evening dance and party hosted by Hastings Law School, organized by **Mark Aaronson**.

As active as we have been, the new year promises more. In 2005, the A.B.A. will complete revisions to Standard 405, and in particular to the

provisions governing job security, status and participation of clinicians within law schools. The CLEA Board has voted our advocacy on these revisions as CLEA's top priority. CLEA's Standards Committee has already begun the process of preparing both comments on these standards and broad-gauged strategy to persuade the Council to adopt them. Keep an eye out for calls to action throughout the year: we hope to engage our whole membership with suggestions for work both locally and at key events, particularly the A.B.A.'s summer meeting in Chicago.

The leaders of this committee deserve special gratitude: **Margaret Martin Barry (Catholic)**, **Peter Joy (Washington U. at St. Louis)** and **Jay Pottenger (Yale)**. These three work tirelessly, analyzing and revising proposals, assessing persuasive approaches, sitting through endless meetings, and traveling regularly and routinely throughout the year. The committee itself has grown to include new members, including **Paula Williams (Tennessee)**, **Michael Pinard (Maryland)** and **Sue Kay (Vanderbilt)**, who serve alongside **Jon Dubin (Rutgers-Newark)**, and continues to benefit from the strategic energy and the ebullience of its patron saint (or "Santa") **Gary Palm**.

CLEA also continues its support for the **Best Practices Project**. This past year has seen the gradual emergence of the Best Practices document as an influence in the efforts of many law schools to reform their curricula. The ever-patient **Roy Stuckey (South Carolina)** has shepherded the document to new sections on live-client and for externship clinics. Finally, through the energy of **Vanessa**

Merton (Pace) and the generosity of Pace University School of Law, a national best practices conference will occur on March 12 - 13 at Pace. (See <http://www.pace.edu/lawschool/jjls/examiningCLEA.html> for details.)

CLEA continues its long-standing commitments in other areas as well. A fresh **New Clinicians Conference** will occur during the days just before this spring's AALS Clinical Conference. CLEA will hold another membership meeting during this conference, at which we will award prizes in the Creative Writing Competition, alongside our annual awards for teaching and community service. CLEA's board voted to become the institutional sponsor for the annual Per Diem project, so creatively and tirelessly pursued by **Jeff Selbin (East Bay Community Law Center)** in past years. Finally, CLEA will host its annual dance in Chicago; bring your best dancing shoes and clothes for the occasion!

As important as these perennials are, we need new efforts to extend the reach and to strengthen the foundations of our work. The single most regular topic of my conversation with clinicians remains security, participation and equity at our own schools. I have become especially aware of the number and diversity of clinicians whose positions leave them without security or voice on their own future. CLEA's membership committee will be finding ways to reach out to these individuals, and draw them into our community. A newly created **Job Security Committee** will look for ways to counsel and support clinicians undergoing adverse actions at their schools.

CLEA's financial position continues strong, to the point where we have a surplus on which to draw for new initiatives. However, as our services continue to grow and to diversify, the demands on our income have and will continue to increase. This year, CLEA makes a substantial investment in our future by contracting for our administrative consultant, at the same time as our emergence as a stable organization imposes additional costs. A careful look ahead tells us that we may well need to supplement our membership dues from other sources. Thus, we will form a **Fundraising Group** to explore different sources of support for CLEA's activities over the next years.

The freeze outside my window continues . . . but I'm warmed by the energy and commitment of so many of our colleagues across the country, in service to our shared vision. CLEA is entering an extended spring-time of perennial growth and new flowers. Please contact me at scherr@uga.edu if you have ideas for new things we can do. I look forward to working with you all to tend and to expand the garden into which we have put so much hope and love over the years.

COMMITTEE REPORTS

ABA STANDARDS COMMITTEE

At its December 4-5 meeting, the Council of the Section of Legal Education and Admissions to the Bar approved for notice and comment substantial revisions to Chapter 4 (Faculty) of the ABA Standards for Approval of Law Schools. These

proposals are available on the Section's website

<http://www.abanet.org/legaled>.

There are important proposed revisions to the Interpretations to Standard 405(c). See, for example, Proposed Interpretation 405-8: A law school shall afford to full-time clinical faculty members participation in faculty meetings, committees, and other aspects of law school governance in a manner reasonably similar to other full-time faculty members, including voting on non-personnel matters. This Interpretation does not apply to those persons referred to in the last sentence of Standard 405(c). (December 1988; August 1996)

You can submit comments on these revisions, by letter, e-mail or through appearances at the hearings that will be conducted by the Standards Review Committee during the first months of 2005. Send your comments to Stephen Yandle, Deputy Consultant, at our Chicago office (321 N. Clark Street, Chicago, Illinois 60610; 321-988-6743) or yandles@staff.abanet.org. All comments will be provided to and reviewed by the Standards Review Committee when it meets in mid-May to finalize its recommendations to the Council on these matters. **Martin Burke (Montana)** is the chair and **Bob Dinerstein (American)** is the vice-chair of the Standards Review Committee. **Richard Neumann (Hofstra)** also is a member of the committee. Written comments must be submitted no later than **May 3, 2005**. Final Council action on these matters will occur at the Council meeting scheduled for June 17-19, 2005.

BEST PRACTICES COMMITTEE

Best Practices for In-House Clinics Draft Is Now Available Roy Stuckey (South Carolina)

A draft of Best Practices for Using In-House Clinics was completed by **Mike Norwood (New Mexico)** in December. It is included in the Best Practices documents as Appendix I on page A111. The documents are on-line at <http://professionalism.law.sc.edu> (look in the "news" section on the main page). The draft was discussed at the AALS meeting and will be discussed again at the conference on best practices that will be held at Pace in March (information about the conference is located elsewhere in the Newsletter, or go to Pace University School of Law's website <http://law.pace.edu>).

Comments about the in-house clinic draft should be sent to **Mike Norwood** at New Mexico (Norwood@law.unm.edu). Comments about any other segment of the Best Practices documents should be sent to **Roy Stuckey** at South Carolina (Roy@law.law.sc.edu), though it is unlikely that any more changes will be made to the documents until after the conference. Offers to help continue developing particular segments of the documents are, as always, welcomed.

CLINICAL SCHOLARSHIP COMMITTEE

Kate Kruse (UNLV)

CALL FOR SCHOLARLY WORKS IN PROGRESS

The Clinical Scholarship Committee of the AALS Clinical Section will again

be hosting a "works in progress" session at the upcoming **Workshop on Clinical Legal Education**, which will be held in **Chicago** on **April 30-May 3, 2005**. The format of this year's workshop will differ from those in the recent past. The focus of the upcoming workshop will be on small groups and plenaries, without the usual array of concurrent sessions.

Nonetheless, a special time has been set aside for participants to present articles or other scholarly projects to get feedback from an audience of clinical colleagues from around the country.

Works in progress sessions have provided invaluable opportunities for clinicians to connect with others who are working in similar areas, as well as building on the insights and perspectives of other clinicians whom you might not otherwise know or meet. As those who have presented works know, the very act of preparing your work for presentation can also help you pull your ideas together and move your piece along. In the past, our committee has also hosted sessions for curricular works in progress. However, due to the focus of this year's workshop, participants will be encouraged to bring curricular issues to their small groups, where ample opportunity for feedback will be provided.

If you want to be considered for a scholarly work in progress, please send a description, outline or draft of your article or scholarly project by email to the committee members listed below. The deadline for submissions is Tuesday, **March 1, 2005**. The committee members are **Kate Kruse (UNLV)** kate.kruse@ccmail.nevada.edu;

Michael Pinard (Maryland) MPinard@law.umaryland.edu ; **Dan Filler (Alabama)** dfiller@law.ua.edu ; **Christine Cimini (Denver)** ccimini@du.edu ; and **Liz Cooper (Fordham)** ecooper@law.fordham.edu

If you have questions, or want to talk more about what we are looking for, feel free to contact Kate Kruse at (702)895-2071.

ELECTIONS COMMITTEE



CLEA ELECTION RESULTS

The results of the recent CLEA Elections are as follows:



**Vice-President (President-Elect)
Susan Kay (Vanderbilt)**



Treasurer Suzanne Levitt (Drake)

New Members of the Board:



Mark Aaronson (Hastings)



Ellen Marrus (Houston)



Laura Rovner (Denver)

**Jeff Selbin (Boalt-East Bay
Community Law Center)**

EXTERNSHIP COMMITTEE

The Externship Committee will have its annual meeting at the AALS Clinical Conference this spring in Chicago. Please plan to attend. (Watch for announcement of room and time, closer to the event)

Agenda:

- 1) Meet and greet: learn who else is creating and supervising externship clinical programs.
- 2) Facilitating materials "swap" : Please think about what you have to share and what you may wish to see of others' written materials. Bring copies, if convenient, or bring one version that we will arrange to have copied. (Logistics on collection of these materials are forthcoming.)
- 3) Do you want mentoring? Informal discussion of types of externship program may lead you to the right person to consult.
- 4) Leadership transition: chairpersonship of this committee has rotated successfully, bringing more of us into opportunities to help guide our group. Please consider whether you are interested or have

recommendations for discussion of new chair/co-chairs for the externship committee.

Please contact either of us if you have suggestions for the agenda. See you in Chicago!

Harriet Katz (Rutgers-Camden)

hnkatz@camden.rutgers.edu

Hans Sinha (Mississippi_

hsinha@olemiss.edu

FAMILY-FRIENDLY CONFERENCE COMMITTEE

CLEA has formed a Family-Friendly Conference Committee to work toward increasing the levels of satisfaction of those attending Clinical Conferences who bring family members. If you are interested in serving on this committee, please contact **Kim Diana Connolly** at connolly@law.sc.edu

LAWYERING IN THE PUBLIC INTEREST COMMITTEE

The AALS Clinical Section's Committee on Lawyering in the Public Interest announces the selection of two, new **Bellow Scholar Projects**. The Committee received many wonderful applications, and it was truly a pleasure to read about the many exciting projects happening in the clinical community.

The two new projects selected are **The University of Miami's Community Health Rights Education Clinic** and the **American University, Washington College of Law's (American) Limited English Proficiency Project**.

Miami's Community Health Rights Education Clinic (CHRE), spearheaded by Professor **Tony Alfieri**, will address the clinical, curricular, research and

public policy implications of medical-legal collaborations. It will work with students in graduate schools of law, medicine and nursing, and provide interdisciplinary, community-based health care to multicultural communities. CHRE is part of Miami's Center for Ethics and Public Service. CHRE is developing a teaching and curricular model for medical-legal education, establishing a clinical practice, and conducting research on clients' medical and legal needs. It will also provide education and advocacy training to clients.

American's Limited English Proficiency Project is a collaborative effort involving faculty, staff and students, including **Muneer Ahmad, Susan Bennett, Kate Bunker, Elizabeth Bruch, Stephanie Fitts, Janice Iwama, Margaret Johnson, Synta Keeling, Deborah Morgan, Sarah Paoletti, Josh Sarnoff, and Samantha Thomas**. The project's goal is to develop a collaborative model for delivering legal services to clients with limited English proficiency. They hope to address resource allocation, quality, ethical, teaching and pedagogical issues related to providing services to multicultural clients. They also hope to serve as coordinators of people, materials, and events dedicated to exploring these critical issues.

The **Bellow Scholar Projects** will be the focus of a gathering at the Clinical Conference in May, where you will have an opportunity to learn more details and engage in constructive debate on these issues – one of the major goals of the Bellow Scholar program. Stay tuned for more details.



NOTICES

ANNOTATED BIBLIOGRAPHY OF CLINICAL LEGAL EDUCATION

In December 2005, The Clinical Law Review plans to publish a new edition of the **Annotated Bibliography of Clinical Legal Education**. The new edition will contain all of the entries from the original volume, published in spring 2001, updated with articles published through spring 2005.

The current, online version of the Bibliography, edited by **Sandy Ogilvy (Catholic)** and available at <http://faculty.cua.edu/ogilvy/Index1.htm>, contains entries with publication dates of 2003 and earlier.

You are encouraged to submit suggestions for inclusion in the planned print volume of pieces published in 2003 and earlier, which you believe should be included but are not, and of pieces that have been published in 2004 through the cut-off date of late spring 2005. Do not be shy about suggesting your own articles as well as the work of others.

To keep the Bibliography within a manageable length, please confine your suggestions to pieces that have a direct and substantial relation to clinical legal education.

Also, to assist the editor, you are encouraged, but not required, to submit a draft abstract for any piece that you suggest. The editor retains the right to make changes to the draft abstract to conform to length and style considerations of the Bibliography.

Send your suggestions now and throughout the year via an email attachment to Professor Sandy Ogilvy,

ogilvy@law.cua.edu. You also may mail them to him at Columbus School of Law, The Catholic University of America, 3600 John McCormack Rd., N.E., Washington, DC 20064.

CLINICAL LAW REVIEW

Seeks Applications for Board of Editors

Applications are open for three vacancies on the Board of Editors of the **CLINICAL LAW REVIEW**. The Selection Committee and the Board of Editors urge you to think about whether you are interested, and about others whom you would like to encourage to apply.

Applications and supporting resumes must be received no later than **April 15, 2005**. They should be e-mailed, mailed or faxed to **Kimberly O'Leary**, the Selection Committee Chair, at Cooley Law School, olearyk@cooley.edu, 517-334-5761, 300 S. Capitol Ave., Lansing, MI 48901.

The Selection Committee is made up of Kim O'Leary and two representatives who will be appointed by each of the three sponsoring organizations: AALS, CLEA and NYU School of Law. The Selection Committee will meet in May at the AALS Professional Development conference for clinicians, and make its selections in time for the new board members to join the board at its meeting during the AALS Annual Meeting in January, 2006.

Applicants should explain their interest in the position and should highlight the aspects of their experience that they believe are most relevant. The Selection Committee seeks applications from people

committed to the work of the Review and strives to select a board and editorial staff with diverse backgrounds and varying experiences in and approaches to clinical education.

Members of the Board of Editors have four-year terms. Board meetings are held twice a year: once at the AALS annual meeting and once at the AALS Spring clinical workshop or conference. Board members must attend at least one of these meetings per year to remain a member. Policy matters for the Review and status of upcoming issues are discussed in these meetings. Between meetings board members are asked to work with authors to edit articles. Board members may also be asked to review manuscripts and to make a recommendation on whether to accept or reject the submission.

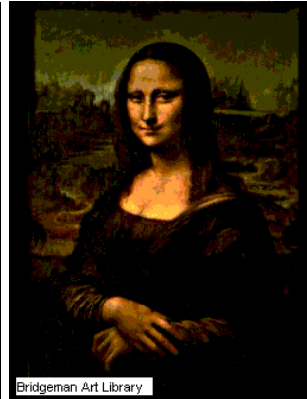
We encourage you to contact us with any questions or for more information about service on the board. We have found it a very rewarding and informative way to continue the advancement of clinical education. You should also feel free to contact **current Board members** (**Jane Aiken, Angela Burton, Stacy Caplow, Cecelia Espenosa, Marty Guggenheim, Bridget McCormack, Binny Miller, Kim O'Leary, Michael Pinard**), the **co-Editors-in-Chief** (**Kate Kruse, Isabelle Gunning, and Randy Hertz**), or **former Board members** (**Tony Alfieri, Bev Balos, Richard Boswell, Bob Dinerstein, Jon Dubin, Steve Ellmann, Gay Gellhorn, Peter Toll Hoffman, Jonathan Hyman, Minna Kotkin, Deborah Maranville, Paul Reingold, Jim Stark, Paul Tremblay, Nina Tarr, Rod Uphoff, Leah Wortham**).



**NOMINATIONS SOUGHT FOR 15th
ANNUAL E. SMYTHE GAMBRELL
PROFESSIONALISM AWARD**

Nominations are now being accepted for the **15th Annual E. Smythe Gambrell Professionalism Awards**, recognizing law schools, bar associations, law firms and non-profit organizations for projects that enhance professionalism among lawyers. Award criteria include overall quality, replicability, likelihood of continuation, innovation, success, substantive strength in the area of professionalism, scope and other distinguishing features of the applicant programs.

The ABA Standing Committee on Professionalism will present up to three awards of \$3,500 each during the ABA's 2005 Annual Meeting in Chicago. The deadline for entries is **March 31, 2005**. Entry forms, guidelines and information about previous recipients are available online at www.abanet.org/cpr/gambrell.html Questions regarding the awards should be directed to Kathleen Maher (312) 988-5307, e- mail: maherk@staff.abanet.org .



**WHY is she smiling?
Because the CLEA
Creative Writing
Contest is still
accepting entries!!**

**The new deadline is March 15--
beware the ides of March as
there will be no extensions! Send
your prose and poetry to:**

Keri Gould
St. John's University
School of Law
8000 Utopia Parkway
Jamaica, NY 11439

**Or you can e-mail them to her at
gouldk@stjohns.edu**

Remember, there is a special division for Student entries this year: Any student who wants to enter must either be enrolled in a clinic now, or have taken one last semester. Please encourage your

students to consider entering. Student entrants must also include the name of the clinic they took and the name of the clinic faculty member who supervised them or who was responsible for the extern program they participated in.



CLINICIANS NEEDED FOR PUBLISHING OPPORTUNITES THROUGH NITA

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

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

Case Files and teaching materials: NITA publishes case files for use in law school clinical courses, pre-trial and trial advocacy courses, and deposition seminars and advanced litigation training. Authors are needed to develop new case files in all areas, **specifically material modeled after cases that students handle in live-client clinical programs (i.e. domestic violence, housing, special education, elder law, immigration, consumer protection, civil rights, environmental law)**. Additionally, NITA publishes litigation related trade books and treatises. NITA has a long and

successful history of publishing materials produced by clinicians and other legal practitioners. An Editorial Board and support staff is available to assist in guiding authors through the publication process. For more information, please contact NITA Associate Editor, **Zelda B. Harris** at 520-747-1847 or zelda.harris@worldnet.att.net

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



CONFERENCES



CLEA New Clinicians Conference **April 29-30, 2005** **Chicago, Illinois**

The **Clinical Legal Education Association (CLEA) New Clinicians Conference** will take place right before the **AALS Clinical Workshop** in **Chicago**, this coming **April 29th** to **30th**. This conference (held every two years) is designed for newer clinicians as a fun and informative introduction to clinical teaching and the clinical community. We will cover pedagogical matters, supervision issues, introduce attendees to the history and current debates of the clinical movement, and much much more!

Often, attendees have been teaching for a year or two when they attend this conference. Accordingly, even those who attended the AALS Workshop for New Clinical Teachers last summer will have a lot to gain, since we design exercises to incorporate the experiences of attendees into the training and build in time to help reflect on particular settings and experiences. However, if a clinical teacher hasn't started teaching yet, this would still be a terrific conference to attend.

Watch for more details in the coming month or so on the clinics listserv. In the meantime, email **Kim Diana Connolly**, **2005 CLEA NCC Planning Committee Chair** at connolly@law.sc.edu if you have any questions or need more information.

Examining the CLEA "Best Practices of Law Schools for Preparing Students to Practice Law"

Pace Law School

March 11-13, 2005
White Plains, New York

Pace Law School and the **Clinical Legal Education Association** Present a Workshop Conference for Legal Educators and Members of the Bench and Bar Friday, March 11 - Sunday, March 13, 2005 at the Judicial Institute Lecture Hall. Pace Law School 78 North Broadway White Plains, NY 10603

Complete conference details are available at www.pace.edu/lawschool/jjls/examiningCLEA

PLEASE SEE CURRENT DRAFT OF CLEA "BEST PRACTICES" at <http://professionalism.law.sc.edu/news.html#CLEA>

CONFERENCE PROGRAM DETAILS and REGISTRATION at www.pace.edu/lawschool/jjls/examiningCLEA.html

The fee for conference registration and materials, including Friday night dinner, Saturday and Sunday morning breakfast, and Saturday lunch is \$75. Please send a check made out to "Pace

University School of Law -- Best Practices Conference" to:

Florie Friedman, JJLS Clinic Administrator
John Jay Legal Services
Pace University School of Law
78 North Broadway
White Plains New York 10603

[Note: CLEA may provide some limited travel support for anyone who otherwise would be unable to attend.]

Please make your own reservations directly at the White Plains Crowne Plaza Hotel

(<http://CrownePlaza.com/whiteplainsny>), which is five minutes from the Law School -- mention the Pace Best Practices Conference for the "blocked" rate, which is \$129 single or double, plus tax. The hotel has an indoor pool and fitness center, high-speed Internet access, and a complimentary shuttle to and from Westchester Airport (code: HPN) which is about fifteen minutes away, plus limo service to JFK and LGA. Complimentary van shuttle service between the hotel and the Law School will be available during the conference. Rooms will be available at the conference rate until February 22, 2005.

For more information about the logistics of the conference or about White Plains, please contact Florie Friedman at 914 422 4253 or ffriedman@law.pace.edu.

For more information about the substantive aspects of the conference, please contact Vanessa Merton at 914 422 4333 or vmerton@law.pace.edu.

Please also join the Pace Law School community on the evening of Thurs., **March 10, 2005** for the **Annual Dyson Lecture**, to be delivered by

renowned teacher, scholar, and social justice advocate Professor **Kevin R. Johnson**, Associate Dean for Academic Affairs and Mabie/Apallas Professor of Public Interest Law and Chicana/o Studies at the University of California at Davis School of Law. Professor Johnson will discuss the history of the forcible expatriation of U.S. citizens of Mexican descent during the Depression and its implications for immigration law and policy today.

Directions to Pace Law School

MetroNorth Train: From Grand Central Terminal in Manhattan, take the Harlem Division train to White Plains. Get off at the White Plains stop. The station is about 3/4 of a mile from the Law School. For schedule information call (800) 638-7646. There is cab service to the campus. For those wishing to walk, go east up Main Street, past the Galleria, to Broadway; across Broadway; turn left and walk uphill several blocks (three traffic lights) to the Law School, which will be on your right.

Auto: From I-287 (Cross Westchester Expressway): If traveling east, take Exit 6 and turn right at the light on North Broadway (Route 22). Proceed to the fifth traffic light and turn left onto campus. If traveling west, take Exit 6 and turn left at exit light. Turn left at next light onto North Broadway and proceed to sixth light. Turn left onto campus.



20 CUNYLS 20

APRIL 1, 2005

A CELEBRATION:

SUE BRYANT,
CUNY, 20 years
teaching and directing
Main Street Legal
Services;

STEVE ELLMANN,
NYLS, 20 years
organizing the Clinical
Theory Workshop.

A SYMPOSIUM:

Curricular Choices for Practice in the 21st Century

This symposium seeks to engage practitioners, scholars and teachers in identifying the skills and knowledge that students need to be excellent lawyers in trans-global, multi-cultural, and multi-lingual practices. The symposium will be an interactive exploration of these topics with many opportunities to engage presenters and participants in exploring curricular choice.

Presenters will explore theories about lawyering to answer questions about what students need to know. Teaching demonstrations will identify innovative ways to engage students in

learning cross-cultural skills and perspectives and to identify community collaborations and group representation as ways to learn from and serve clients as well as create opportunities for social change. The day will end with a Clinical Theory Workshop in which some of these same issues will be explored.

The work product of the symposium will include a website devoted to teaching materials for cross-cultural, cross-lingual representation, as well as community lawyering and group representation.

Panel One 9:15 – 10:30 Cross-Cultural, Cross-Lingual Competence

How can lawyers be excellent practitioners in multi-lingual and multi-cultural communities? This panel includes experienced clinical teachers and innovative practitioners. Paul Uyehara is one of the leading advocates for language equality and access for people with Limited English Proficiency. Andrew Friedman is co-director of Make the Road by Walking, an organization that "fights for justice and opportunity through community organizing on issues of concern to our multi-generational membership". Michelle Jacobs and Ann Shalleck bring a variety of teaching and lawyering experiences to the panel and audience participation will be facilitated by Ann as well.

Facilitator: Ann Shalleck (American)
Panelists: Andrew Friedman, Make the Road by Walking; Michelle Jacobs (Florida); Paul Uyehara, Community Legal Services, Language Access Project

**Panel Two 10:45 – 12:30 Working In
Community And With Groups**

What skills, knowledge and perspectives do students need to engage as lawyers working in communities with organizers, human rights activists and engaged community groups? This presentation facilitated by Conrad Johnson engages 4 other experienced clinical teachers in answering the question of what defines the good lawyer in these settings. What are we teaching students by locating them in these settings?

**Moderator: Conrad Johnson
(Columbia)**

**Panelists: Maria Arias (CUNY); Shin
Imai (Osgoode Hall); Shauna
Marshall (Hastings); Rick Marsico
(New York Law School)**

Lunch 12:15 – 1:15

**Master of Ceremonies: Elliott
Milstein (American)**

**Ann Cammett, NJ Center for Social
Justice; Jean Koh Peters (Yale);
Minna Kotkin (Brooklyn); Ian
Weinstein (Fordham)**

Teaching Demonstrations

1:30 – 3:15 Concurrent

**Teachers: Sue Bryant (CUNY)/Jean
Koh Peters (Yale) –Habit Four, Cross-
Cultural Communication
Sameer Ashar/Donna Lee (CUNY) –
Mobilization Lawyering
Carol Suzuki (New Mexico)/Steve
Wizner (Yale) – TBD
Margaret Barry/Catherine Klein,
(Catholic) –Cross-Cultural Lawyering**

Clinical Theory Workshop

3:30 – 5:30

Presenter: Angela Burton (CUNY)

Cake and Champagne

5:30 – 6:30

**Deans' Toasts: Kristin Booth Glen
(CUNY); Richard A. Matasar (NYLS)**

**ALL EVENTS WILL TAKE PLACE AT
CUNY SCHOOL OF LAW**

**REGISTRATION IS FREE
PLEASE REGISTER BY E-MAIL
ADDRESSED TO LILLIAN
GONZALEZ:
Gonzalez@mail.law.cuny.edu**



**POVERTY, WEALTH AND THE
WORKING POOR: CLINICAL AND
INTERDISCIPLINARY PERSPECTIVES
March 31-April 1, 2005
St. Louis, Missouri**

The Washington University School of Law Clinical Education Program and Center for Interdisciplinary Studies, and the George Warren Brown School of Social Work will host a conference at the School of Law on "**Poverty, Wealth, and the Working Poor: Clinical and Interdisciplinary Perspectives**" on **March 31** and **April 1, 2005**. This conference is free for clinical law faculty and social workers. Our goal for this conference is to explore the myriad barriers to

economic prosperity and well being for America's working poor. Particular emphasis will be given to the interplay of race, gender, wealth, and power. Topics will include the failure of welfare reform and the persistence of poverty among single mothers; the pernicious decline in living wage work in the United States; persistent racial and gender inequalities in the accumulation of wealth; discrimination and inequalities in housing, health care, employment, and educational opportunities; and the impact of environmental hazards on the poor.

For more information, contact Karen Tokarz, Director of Clinical Education and ADR Programs at (314)-935-6414 or tokarz@wulaw.wustl.edu. To register for the conference, <http://law.wustl.edu/Clinics/Conferences/InterdisciplinaryConf/2005/registration.html>

If you have questions regarding registration, please contact Shelly Nelson, Clinical Program Coordinator by phone, (314) 935-6419 or by email smnelson@wulaw.wustl.edu

THURSDAY, MARCH 31, 2005

6:00p.m. Reception and Opening Dinner: Speakers and Out of Town Guests

FRIDAY, APRIL 1, 2005

8:30a.m. Registration and Coffee – Outside Room 310, Law School

9:00a.m. Introductory Remarks: **Joel Seligman**, Dean and Ethan A. H. Shepley University Professor, Washington University School of Law and **Karen Tokarz**, Professor of Law and Director, Clinical Education and

ADR Programs, Washington University School of Law

9:10-10:30a.m. Keynote Address: **William P. Quigley**, Janet Riley Distinguished Professor of Law and Director of the Law Clinic and the Gillis Long Poverty Law Center at Loyola University in New Orleans and author of *Ending Poverty as We Know It: Guaranteeing a Right to a Job at a Living Wage*

10:45-12:15pm Plenary Session: Work, Welfare, Women and Families **Patricia Allard**, Associate Counsel of Criminal Justice, Brennan Center for Justice, NYU School of Law.

Laura Lein, Professor of Social Work and Anthropology, University of Texas, and author of *Making Ends Meet: How Single Mothers Survive Welfare and Low Wage Work*

Mark R. Rank, Herbert S. Hadley Professor of Social Welfare at Washington University and author of *One Nation Underprivileged: Why American Poverty Affects Us All*

12:15-2:00pm Small Group Working Lunch*

2:00-3:15p.m. Keynote Address: **Thomas M. 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*

3:15-4:30pm Plenary Session: Race, Poverty and Environmental Justice

Sheila R. Foster, Professor of Law and Co-Director, Stein Center, Fordham School of Law, and **Luke W. Cole**, Director, Center on Race, Poverty and the Environment, co-authors of *From the Ground Up: Environmental Racism and the Rise of the Environmental Justice Movement*

4:30-4:45p.m. Access to Justice Awards

4:45-5:30p.m Reception - Janite Lee Reading Room

***Small Group Facilitators/ Presenters**

John J. Ammann, Associate Clinical Professor of Law and Director, Legal Clinic, St. Louis University.

Stephanie C. Boddie, Assistant Professor of Social Work, Washington University, and co-author of *The Invisible Caring Hand: American Congregations and the Provision of Welfare*.

Juliet M. Brodie, Clinical Assistant Professor of Law, University of Wisconsin School of Law, and co-author of *Poverty Law: Cases & Materials*.

Susan L. Brooks, Clinical Professor of Law, Vanderbilt University, co-author of *Creative Child Advocacy: Global Perspectives*.

Nancy L. Cook, Associate Professor of Law and Director, Community Justice and Legal Assistance Clinic, Roger Williams University.

Rajesh Nayak, Equal Justice Fellow and Staff Attorney at the Sergeant Shriver National Center on Poverty Law.

Diane Thompson, Staff Attorney, Land of Lincoln Legal Assistance Foundation.



Northeast Workshop on Clinical Legal Education
June 16-19, 2005
Bristol, Rhode Island

In June, **Roger Williams** will be hosting the first **Northeast Regional Clinical Workshop**. Entitled “**Coming Into Community**,” the two and a half day program will focus on models of legal education that bring law students, law faculty, and law school educational and service programs into the local community. Topics to be explored include: relationships with local courts; the global aspects of our home communities; community-generated needs as genesis of program development; working with allies in other disciplines; stand-up law faculty as community players; environment as community; and law schools as community citizens.

Participants will observe existing programs in the particular contexts of Rhode Island’s urban, statewide and environmental communities and actively engage in interdisciplinary, network-building exercises. These experiences will serve as the catalyst for discussions about goals, methodologies, and meeting challenges. Throughout the workshop, participants will have the opportunity to

develop models and strategies for their home schools and communities.

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

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

Watch the list-serve for details on registration, housing and transportation, which will be available shortly. For more information, contact **Nancy Cook** at 401/276-4880 or at : ncook@rwu.edu

INSTITUTE FOR THE ADVANCEMENT OF TEACHING IN HIGHER EDUCATION

***BANFF SUMMER RETREAT
July 7-10, 2005
Banff, Alberta, Canada***

How does who we are affect how we teach, and how does teaching affect how we are? What does it mean to lead a professional life as a teacher in a post-secondary institution? What aspects of ourselves are the most supported and engaged by the work we do? What aspects are the most threatened?

If you're interested in these questions, looking for a unique professional development opportunity to turn inward and reflect on your teaching with a group of interested colleagues, join **Jean Koh Peters (Yale)** and **Mark Weisberg (Queen's, Canada)** at the **Banff Centre** in July for three days of thinking, talking, writing, and walking.

Having facilitated two highly evaluated reflection retreats in recent years, Mark and Jean are looking forward to building on their experience, hoping, as in the previous retreats, participants will explore their teaching through a variety of lenses, meet people with similar concerns and goals, come away with renewed energy for teaching. . . and have fun doing so.

For more information and to register, see <http://www.iathe.org/BanffRetreat> Early registration discounts apply. Limited to 30 participants.

INSTITUTE FOR LAW SCHOOL TEACHING

Teaching the Law School Curriculum



March 11, 2005

Several clinical teachers will be facilitating sessions at the upcoming conference: "**Teaching the Law School Curriculum**" sponsored by the Institute and scheduled for **March 11** at **Villanova Law School**. **Paul Bergman**, **Gail Hammer**, and **Bob Seibel** have each organized a session. The conference is designed to be an active learning experience through 20 breakout sessions, many of which directly relate to clinical teaching. You can get more information on line by going to: www.law.gonzaga.edu; then click on "programs," then click on "Institute for Law Teaching," then click on "Next Institute Conference." Those of you who have participated in Institute conferences know how worthwhile they are and how enjoyable it is to mix with other faculty who really care about teaching.

Flowers in the Desert: Clinical Legal Education, Ethical Awareness and Community Service

Third International Journal of Clinical Legal Education Conference & the Eighth Australian Clinical Legal Education Conference July 13-15, 2005 Novotel, St Kilda, Melbourne

In July, 2005, Monash University, Australia and Northumbria University,

United Kingdom will jointly host the **Third International Journal of Clinical Legal Education** and the **Eighth Australian Clinical Legal Education Conference** in **Melbourne, Australia**.

Flowers in the Desert: Clinical Legal Education, Ethical Awareness and Community Service will bring together justice educators, clinical legal educators, NGO's, community legal centres, legal aid lawyers and legal ethicists from both hemispheres, with the objective of expanding the impact of clinical legal education, operating in a multi-disciplinary ethical framework, in the re-invigoration of legal education, justice education, and client service.

Specific themes will include the clinical-ethics interface, clinical sustainability, specialist clinics, political pressure on clinical programs, justice clinica, clinics as trojan horses in legal education, the clinical IT environment, innovation and evaluation.

Confirmed speakers include:

- **Peter Joy (Washington U)** — "**Political Interference in Clinics**"
- **Philip Plowden (Northumbria)** — "**Integrated Clinical Education**"
- **Jeff Giddings (Griffith Univ.)** — "**Clinical Sustainability**"
- **Adrian Evans, (Monash Univ.)** — "**Virtual Clinics**"

The Conference will include:

- Papers from Australian and international speakers;
- A Workshop training day; and
- A range of post-conference, Australian-focused social activities

Registration Fee:

Early (payment received by 3/13/05)

AUD \$330 incl. GST

Standard

AUD \$420 incl. GST

Further information: Inquiries from those who are interested in submitting papers or in attending, are welcomed by the Conference Co-Convenors: Adrian Evans (Monash) and Philip Plowden (Northumbria).



MIDWEST CLINICAL CONFERENCE October 7-8, 2005 Topeka, Kansas SAVE THE DATE

The **2005 Midwest Clinical Conference** will be held on **October 7-8** at **Washburn University School of Law** in Topeka, Kansas. Conference events will include a visit to the newly opened and very impressive *Brown v. Bd. Of Ed.* National Historic site. We are busily planning the conference's presentations and events. Anyone who would like to provide input is encouraged to contact **John Francis** at john.francis@washburn.edu. Watch for future announcements about details of the conference plans.

Looking down the road beyond this year's conference, Notre Dame plans to host the Midwest Conference in 2006 and Drake plans to host in 2007.

HONORS, AWARDS, PROMOTIONS & MOVES



Frank Bloch (Vanderbilt) was appointed recently to an **Institute of Medicine Expert Committee** that will conduct an 18-month study on improving the Social Security Administration's disability decision process, with special emphasis on the agency's Listing of Impairments and its access to medical expertise.



Terry E. Cavanaugh (Thomas M. Cooley) was **promoted** to **Professor with Tenure**.



Ellen P. Chapnick (Columbia), Dean for Social Justice Initiatives at Columbia Law School and



Clinical Professor **Sande Buhai (Loyola)**, Director of Public Interest Programs at Loyola Law School in Los Angeles were **co-recipients** of the **Father Robert Drinan Award** for furthering the ethic of pro bono service through their personal service, program design and management.

Dean Chapnick, a thirteen-year veteran of Columbia Law and the

founder of its Social Justice Initiatives program and its Center for Public Interest Law. She initiated and ran the mandatory pro bono program at the Law School, one of the first in the nation. Currently, she develops and implements projects to prepare public interest, government and human rights lawyers of the future. She also furthers Columbia's participation in the U.S. and abroad regarding democratic governmental institutions, legal education and civil society



Cynthia M. Dennis (Thomas M. Cooley) was **promoted** to **Associate Professor**.



Michele Gilman (Baltimore) has been **granted tenure** at the University of Baltimore School of Law.



Patrick Keenan (Illinois) became a member of the tenure-track faculty at the **University of Illinois College of Law** in the Fall of 2004. He created and is the director of the **International Human Rights Law Clinic** and has spent the past three years collaborating with NGO's and other organizations on a variety of human rights projects from around the world. Patrick received his B.A. *magna cum laude* from Tufts University and

his J.D. from Yale Law School, where he was an editor of the Yale Journal of International Law. After law school, he served as a law clerk to Judge Myron H. Thompson of the United States District Court for the Middle District of Alabama. Before joining the College of Law in 2001, Prof. Keenan spent five years litigating death penalty cases in Georgia and Alabama as an attorney with the Southern Center for Human Rights in Atlanta. Prof. Keenan also served as a Peace Corps volunteer in the Democratic Republic of Congo. He can be reached at pjkeenan@law.uiuc.edu.



Tom Kelley (UNC), who teaches in UNC-Chapel Hill School of Law's Community Development Clinic recently completed a **Fulbright** year in the Republic of Niger and was **promoted** from Associate Clinical Professor to **Clinical Professor**.



Shauna Marshall (Hastings) was appointed **Academic Dean** at **Hastings College of Law** for a term commencing July 1, 2005 with overwhelming faculty support. As Academic Dean, she is administratively responsible for the implementation of the entire academic curriculum, support for faculty scholarship, and the full array of student services and activities. Shauna joined the Hastings faculty in 1994 as an Assistant Clinical Professor of Law in the Civil Justice Clinic. She became a tenured Clinical Professor of

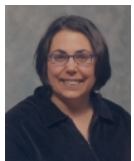
Law in 2000 and thereafter served a two-year term as Associate Academic Dean. As Academic Dean, she will have a reduced teaching and supervising attorney role in the Civil Justice Clinic.



J. Michael Norwood (New Mexico) was the **2005** recipient of the **William Pincus Award** for his leadership in the advancement of clinical legal education, tireless promotion of multidisciplinary collaborations, pioneering work on technology in clinics, and dedication to students and social justice.

Professor Norwood is the Dickason Professor of Law at UNM, where he has been teaching in the clinical programs since 1971. Among his many accomplishments, Professor Norwood served as Reporter for the MacCrate Task Force; authored New Mexico's Kinship Guardianship statute; developed one of the first computerized clinic case management systems; and created a semester in practice program, a highly collaborative, interdisciplinary and community-based clinic.

The Award was presented at the AALS Clinical Section's luncheon on at the AALS annual meeting in San Francisco.



Michele R. Pistone, Director of the Clinical Program and Director of the Clinic for Asylum, Refugee & Emigrant Services at **Villanova**

University School of Law, has been granted **tenure** and also has been promoted to the rank of **full professor**. Michele has been a member of the Villanova Law School faculty since 1999.



Josephine Ross (Michigan State) will be joining **Howard Law School** in the Fall '05 teaching in the Criminal Justice Clinic.



Dean Mark A. Sargent (Villanova), was honored by the **AALS Section on Pro Bono and Public Service Opportunities** at the AALS conference in San Francisco with the **Deborah L. Rhode Award** for his outstanding contribution to increasing pro bono and public service opportunities at his law school, including his support of the growth and development of their clinical program.



Bob Seibel (CUNY) will leave CUNY School of Law at the end of this year. He will visit at **California Western School of Law** in San Diego next academic year. Bob will join **Linda Morton, Janet Weinstein**, and **Irwin Miller** teaching in the clinic program there. The Llamas will remain in Ithaca, however Bob expects the rest of the family to accompany him and enjoy the sunshine, warmth

and hospitality of Cal. Western and the San Diego area. They will also enjoy being together again on a full time basis.



Kathy Swedlow (Thomas M. Cooley) was promoted to **Associate Professor**.



FROM CLINICAL PROGRAMS



Center for Families, Children and the Courts

The **University of Baltimore School of Law's Center for Families, Children and the Courts (CFCC)** officially launched its truancy court program on December 15, 2004. In an event that was covered widely by the media, CFCC held an open house for policymakers, school leaders, and others involved in the truancy court program. Based on an early intervention model, the program itself consists of weekly in-school sessions involving a judge, a team of school representatives, the child, and his/her family. In one of the first truancy

court programs to do so, law school students and other university volunteers will be actively involved as coordinators, tutors, and mentors in participating schools.

CFCC has also introduced a new class following the success of its CFCC Student Fellows program. This semester, for the first time – in order to meet the interest for continued involvement in current projects expressed by CFCC Student Fellows – the School of Law is offering a CFCC Student Fellows Program II. The course, which is taught by Professor **Barbara Babb**, CFCC's Director, and **Gloria Danziger**, CFCC's Senior Fellow, is closely tied to CFCC's ongoing public service and/or foundation-funded projects, including the creation and evaluation of unified family courts in specific jurisdictions, juvenile justice, truancy and truancy courts, and addiction and substance abuse as they affect families in court, among other areas.

In partnership with the Maryland Administrative Office of the Courts, the Open Society Institute-Baltimore, and the American Bar Association Standing Committee on Substance Abuse, CFCC is developing a conference on substance abuse and addiction as they affect families in family court. Entitled "**A Family Disease: The Impact of Addiction and Substance Abuse on Children, Families, Family Courts, and Communities**," the conference is scheduled to take place on **September 23, 2005**. Participants will include judges, masters, and court staff as well as practitioners, service providers, and community organizations. The conference is slated to include sessions on the science of addiction, treatment, and community resources, among others, and to result in the production of a Bench Book for use by the judiciary in identifying substance

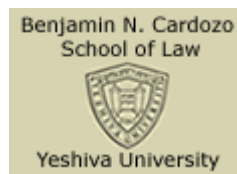
abuse and addiction. For further information, please check CFCC's website at: <http://law.ubalt.edu/cfcc/index.html>

University of California, Davis

U.S. District Judge Lawrence K. Karlton of the Eastern District of California on November 19, 2004 issued an award of \$ 289,011 in attorney's fees in the *Mayweathers* litigation, a class action lawsuit on behalf of Muslim inmates in California State Prison - Solano. The bulk of these fees are for work performed by the Civil Rights Clinic, including \$120,487.50 for 1,071 hours work performed by former supervising attorney **Susan Christian**, and \$114,780.00 for 1,913 hours work done by 34 law students between 1997 and 2001.

In affirming the \$60.00 hourly rate for the students' work (which the government had opposed), Judge Karlton wrote "the students worked on a wide variety of tasks, including discovery, taking and defending depositions, legal research and writing, and arguing motions in court. Because of the nature of the action and the issues involved, the work done by the [Clinic] students was more complex and legally sophisticated than work typically performed by law clerks or paralegals in law firms. Accordingly, the hourly rate of \$60.00 for student work is fair and reasonable."

The underlying order is on appeal to the Ninth Circuit, and we anticipate that the fees award will be appealed as well.



Paris R. Baldacci was a co-panelist in an October 2004 presentation to New York City Housing Court Judges at their annual continuing education meeting on "Petitioner's Prima Facie Case: Evidentiary Issues," sponsored by the New York State Office of Court Administration.

Paris was also one of the organizers of a conference sponsored by the New York County Lawyer's Association and various law schools, including Cardozo School of Law, on "The [New York City] Housing Court in the 21st Century: Can It Better Address the Problems Before It?" Attended by over 100 judicial, governmental, advocacy, social services, and landlord-tenant bar representatives. He was the recorder for the subgroup addressing the issue of the court's assisting pro se litigants. His article on the duty and role of the court to assist pro se litigant's in evidentiary hearings will be published in a forthcoming edition of the Cardozo Public Law, Policy and Ethics Journal.

THE CATHOLIC UNIVERSITY OF AMERICA



On Friday, October 8, 2004, **William Pincus**, former President of the **Council on Legal Education for**

Professional Responsibility (CLEPR), was honored by The Catholic University of America and its Columbus School of Law, with the presentation, by the Very Reverend David M. O'Connell, CM, President of the University, of the **President's Medal**, the University's highest award. The ceremony was followed by a colloquium: **Worldwide Clinical Education: Experiences, Perspectives and Reflections**, organized by Professors **Leah Wortham**, **Catherine Klein**, and **Margaret Martin Barry**. Other speakers at the colloquium were **Barbara Schatz (Columbia)**; **Edwin Rekosh (PILI)**; **Eva Rodriguez (Fulbright Fellow, GWU)**; **Phil Genty (Columbia)**; **Peggy Maisel (Florida International)**; **Jane Spinak (Columbia)**; **Doug Frenkel (Penn)**; **Michelle Caldera (Conn.)**; **Johanna Bond (GULC)**; and **David Koelsch (Detroit-Mercy)**.



On October 28 and 29, 2004, the New York County Lawyers' Association of New York City presented a conference co-sponsored by the law schools of Cardozo, Columbia and Fordham. The working conference, commemorating thirty years of the New York City Housing Court, brought together practitioners, judges, members of government agencies and local legislative bodies, to address serious problems that hamper the Court's stated missions, and to develop recommendations for change. A task

force will be created by NYCLA to develop strategies for implementing the conference proposals.

The program planning committee included several clinical faculty members, and the actual conference drew on the talents of even more clinicians, who served as panel members, facilitators and recorders for the small group working sessions. The planning committee included **Paris Baldacci** and **Ellen Yaroshefsky** of **Cardozo Law School**, **Mary Marsh Zulack** of **Columbia Law School**, and **Bruce Green** of **Fordham Law School**. **Conrad Johnson** of **Columbia Law School** spoke as member of the plenary panel, and the facilitators of the working groups included **Conrad Johnson**, **Ann Moynihan** of **Fordham Law School**, and **Paula Galowitz** of NYU. Recorders in the working groups included **Paris Baldacci** as well as Samuel V. Jones, an LLM student at Columbia Law School. Papers were prepared for the conference by **Paris Baldacci** and **Mary Marsh Zulack** and will be published by the Cardozo Public Law, Policy and Ethics Journal.

Under the auspices of the Open Society Justice Initiative (OSJI) and the Public Interest Law Initiative (PILI), Professor **Jane Spinak** helped to develop and direct two workshops on creating Children's Rights Clinics in Central and Eastern Europe and Turkey. The two workshops- "**Developing Children's Rights Clinics in Central and Eastern Europe**" organized in Budapest, Hungary in November 2003 and "**Children's Rights Clinics: Pedagogical Challenges of Supervision**" organized in Timisuară, Romania in June 2004, brought together clinical professors, students

and NGO activists working with children to discuss the organizational and pedagogical challenges to creating and teaching child advocacy clinics. Professor Spinak discussed her experience in developing and teaching the workshops in October 2004 as part of a panel at a Catholic University Law School colloquium, **Worldwide Clinical Education: Experiences, Perspectives and Reflections**.

Professor **Philip Genty** conducted a training session on parole issues for lawyers in the Legal Aid Society Criminal Appeals Bureau in April. In June, he conducted a training session for volunteer attorneys in the Incarcerated Mothers Law Project, coordinated by Volunteers of Legal Services, Inc. (VOLS) and the Women's Prison Association. In July, Prof. Genty was a small group leader at the **Global Alliance for Justice Education International Conference** in Cracow, Poland. In October, he was a moderator for a conference called "**Worldwide Clinical Education: Experiences, Perspectives and Reflections**" at Catholic University in Washington, D.C. In November, he served as a resource person for regional teacher training, which was held at the Kiril and Metodij University, Skopje, Republic of Macedonia. In December, he visited at Hebrew University in Jerusalem, where he led a workshop for clinical faculty from all of Israel's law schools and conducted a seminar for Hebrew University faculty. He also visited community organizations and prisons with which the clinical faculty work.

Professor **Barbara A. Schatz** taught a course in July at Tokyo University called The Lawyer-Client Relationship: An Introduction to Professional

Responsibility and the Role of the Lawyer in the U.S. She also lectured at Doshisha University in Kyoto. At the Global Alliance for Justice Education conference in Krakow, Poland, Prof. Schatz led two sessions considering how to promote clinical legal education in Europe in light of European Union efforts to both reform and harmonize higher education in Europe. In October, she was a speaker at Catholic University's conference on worldwide clinical education.



It's been quite awhile since I've posted anything in this newsletter about the happenings at The Drake Legal Clinic – but that is certainly not because due to lack of information to report! The past year at the Drake Legal Clinic has been an incredibly busy and exciting one. In addition to our 7 in-house clinical programs, which continue to be very popular courses among students, we have offered several unique conferences, piloted a public-policy/legislative class which is now in our regular list of offerings, and as I write this, we are just putting the finishing touches on what already looks like it will be a very successful benefit that includes Des Moines' first preview showing of the play "The Exonerated" as well as a ½ day conference and CLE offered by the Clinic on "**Eyewitness Examination and Exoneration**".

The Drake Legal Clinic offers Drake Law students a number of in-house live client courses. In the **Elder Law**

Clinic, students concentrate on guardianship cases, financial exploitation cases, drafting powers of attorneys and living wills, and small claims matters. We have three different criminal defense clinics –(1) a basic **Criminal Defense Clinic**, in which students, in addition to representing clients in aggravated misdemeanor cases, second chair felony cases; and (3) an advanced **Criminal Defense Appellate Clinic** – where students brief a criminal appeal and often also argue it before the Iowa Court of Appeals or Iowa Supreme Court. In Drake’s **General Civil Practice Clinic** students handle a variety of family law and small claims matters. And, in our **Children’s Rights Clinic** (part of **The Middleton Center for Children’s Rights**) – our interdisciplinary clinic – students are teamed with a social worker and a graduate education student, working with and representing abused and neglected children in termination proceedings, and representing kids in juvenile delinquency proceedings.

In addition to our clinical offerings, last year we decided to take advantage of our location in Iowa’s Capitol city by beginning a new public policy/ legislative program in conjunction with **Drake Law School’s Legislative Policy Center**. In the new legislative program, students from the Legislative Center enroll in a two semester course which requires them to draft bills and then work with a lobbyist during the legislative term. Students involved in the Clinic’s Legislative program and a full time lobbyist work with the Children’s Rights Center as their client. The Children’s Rights Center’s legislative agenda for the year is

created with significant community input (last year we held several community meetings; this year we held a conference which was dedicated to lobbying and legislative efforts in the child welfare arena, as well as an afternoon breakout session dedicated to creating the Middleton Center’s 2005 legislative agenda). Although last year was our pilot year with this program, students not only passed a bill on our legislative agenda, but they were also specifically recognized and thanked for their work on the floor of the Iowa House of Representatives and were invited to a special bill signing by the Governor and Lt. Governor

In addition to direct representation of abused and neglected children in court and the new Legislative Program, interns in the Middleton Children’s Rights Center have produced several booklets and informational pamphlets on various child welfare issues. These include a Des Moines Resource Guide, Homeless Teen Pamphlet, Non-custodial Parents Pamphlet, Teen Parent Pamphlet and a Professional Terminology Guide. We were honored, recently, when we were asked by the Pew Foundation to partner with them in their national Fostering Results efforts. And, our interdisciplinary work with the Drake School of Education and the Iowa School of Social Work continues – in addition to direct work with kids in our community, in March 2005, we will be holding a second annual joint Drake School of Education/Middleton Center conference on interdisciplinary issues which will be geared toward bringing social workers, teachers and lawyers together around child welfare and juvenile justice issues.

This year, too, the faculty and staff of the Drake Legal clinic have hosted a number of forums, CLE's and conferences. In June 2004, we offered a continuing legal education forum on Concurrent Planning in the child welfare area; In September 2004, we held an invitational forum on legislative initiatives, which resulted in the compilation of the Middleton Center's Legislative program's 2004-05 legislative agenda. In October 2004, we co-sponsored a weekend long conference on child welfare and advocacy. In November 2004, we hosted our 7th Annual Issues in Juvenile Justice Conference. In November 2004, we co-hosted, along with the Iowa Association of Criminal Defense Lawyers, an annual criminal defense conference. And, again in November 2004, hosted a public interest lawyers NITA training on cross-examination and summation techniques.

As if that weren't enough for one year, as I write this (January 25 2005) we are getting ready for a full-day of events on Eyewitness Identification and issues around Exoneration (to be held tomorrow --January 26th). Two local Des Moines theatres companies are bringing the award winning drama, *The Exonerated*, to Des Moines – and together they offered the proceeds from the preview performance of the show to the Drake Legal Clinic. The *Exonerated* is a dramatization of the true stories of 6 people who were wrongfully convicted and imprisoned for 2-22 years on death row, and later exonerated. In addition to a benefit performance of the play, the Drake

Legal Clinic is sponsoring an afternoon conference on "Issues of Eyewitness Identification and Exoneration", which will include panelists who are experts in the area as well as exonerees who will talk about their own experiences.

It's been a great year, and more is in the works – so I'm sure I'll have more to report in the next newsletter.

GEORGETOWN

As part of a large class action settlement in the case of *Bassin and Weems v. District Cablevision Limited Partnership*, Georgetown Law Center's Clinical program received \$2.4 million that will be used to endow the Communications Division of its Institute for Public Representation and other of the Georgetown Clinic's consumer-related cases and projects.

At the urging of Philip Friedman, counsel for the class, the D.C. Superior Court ordered that any funds not claimed in a multi-million dollar class action settlement against Comcast Communications be distributed to legal aid programs whose aims include benefiting the consumers of the District of Columbia. Friedman presented the funds to Georgetown in recognition of its of dedication to providing quality legal services to under-represented individuals and organizations and to help the clinical program continue with its consumer protection efforts. In addition to Georgetown, these *cy pres* distributions went to three other area legal clinics: D.C. Law Students in Court (a clinical program in which all D.C. law

schools participate), Legal Counsel for the Elderly, and George Washington University Law School.



THE JOHN MARSHALL LAW SCHOOL



The **John Marshall Law School Fair Housing Clinic** won an important case on source of income discrimination in the Illinois Appellate Court. The case was argued on October 21, 2003, by Clinical Professor **Damian Ortiz** on behalf of the Clinic's client June Sullivan-Lackey. The primary issue before the court was whether the federal housing assistance program Section 8 is a lawful "source of income" as defined by the ordinance and interpreted by the Chicago Commission on Human Relations. The Chicago Commission has repeatedly held that Section 8 certificates are considered a "source of income" under the Chicago Fair Housing Ordinance.

On August 20, 2004, the Appellate Court rendered its decision in favor of the Clinic's client. The court clarified the Chicago Housing Ordinance. The decision will continue to provide the people of Chicago who participate in the Section 8 program to seek housing without discrimination solely because of their "source of income". The Appellate Court stated, "[t]he circuit court erred in reversing the holding of the Commission. The term "source of income" under the Fair Housing Ordinance refers only to the lawful manner in which one supports oneself and does not elaborate on what means

are included within the lawful manner of support. Therefore, it is logical and reasonable to consider Section 8 vouchers part of the lawful manner for one's support. Our interpretation is consistent with the policy of the Fair Housing Ordinance *** ("the policy of the city of Chicago is to assure a full and equal opportunity to all residents of the city to obtain fair and adequate housing for themselves * * * without discrimination against them because of their * * * source of income."). *Godinez v. Lackey*, 1-02-2101, Illinois First Appellate District, (5th Div.).



Loyola Law School is proud to announce the creation of the **Loyola Law School Center for Juvenile Law and Policy**, directed by Professor **Cyn Yamashiro**. The focus of the center is to provide highly effective legal representation to juveniles charged with crimes in the delinquency system. The Center will serve as a trial advocacy training laboratory where law students will represent juveniles under the direct supervision of attorneys and clinical law professors. The Center will also provide training and education for the juvenile bar in Los Angeles and serve as a platform to facilitate dialogue on issues and policies confronted by juveniles and their families in Los Angeles.

Professor Yamashiro was hired as an associate clinical professor in the fall and is teaching his clinical course this semester and with eight students represents children at the Inglewood juvenile delinquency courthouse. J.D., Loyola Law School, Los Angeles

Professor Yamashiro received his J.D. from Loyola Law School, Los Angeles and between 1994 and joining the Loyola Law School faculty in 2004, he served as deputy public defender III with the Los Angeles County Public Defender's Office. During his 10 years with the Office, Yamashiro was a long cause felony trial attorney in the Los Angeles Criminal Division; deputy in-charge with the Juvenile Division in Compton; and felony trial attorney at the LAX Courthouse in Los Angeles. Earlier in his legal career, Yamashiro worked with the San Diego County Public Defender's Office and with Minami, Lew & Tamaki in San Francisco. While in law school, he clerked for the International Labor Rights and Education Fund in Guatemala City and the American Civil Liberties Union of Southern California.



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

CLINIC CELEBRATES 30 YEARS OF PRACTICE

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

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

NEW ADDITIONS



Renee Hutchins joins us from NYU School of Law where she participated in the Lawyering Program by teaching a required first year course. She will be teaching the newly-created Post-Trial Processes in Criminal Cases Clinic with Prof. **Mike Millemann** and in partnership with the Office of the Public Defender. The new clinic will handle direct appeals as well as state post-conviction and federal habeas corpus cases.



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



Maureen Sweeney returns to the law school as a Clinical Instructor. Previously, Maureen served as an adjunct faculty member to the Clinical Law Program from 1995-2001 in addition to holding a position as a staff attorney at Associated Catholic Charities Immigration Legal Services in Baltimore, MD. She has also held positions with the Texas Center for Immigrant Legal Assistance, Farmworker Legal Services of North Carolina, the Migrant Legal Action Program in Washington, D.C. and the Lutheran Immigration and Refugee Service in Baltimore. She received her

undergraduate degree from Wesleyan University and her law degree from Yale Law School in 1989. Prof. Sweeney will be teaching the General Practice Clinic, which has worked for several years in conjunction with attorneys from the Civil Justice Network, a network of solo, small firm and community based lawyers who share a common commitment to increasing access to justice through traditional and non-traditional means.

FACULTY AWARDS



Professor **Jerry Deise** is the recipient of the **2004 Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy**, which is given annually by the Roscoe Pound Institute. Named for Richard S. Jacobson, a long-time consultant to the Roscoe Pound Institute and an Association of Trial Lawyers of America (ATLA) historian, this award is presented annually to an outstanding law professor who exemplifies the best attributes of the trial lawyer as teacher, mentor and advocate. In addition to the national recognition that this award brings, Professor Deise received a \$5,000 stipend and an Honorary Roscoe Pound Institute membership.



Professor **Doug Colbert** is the inaugural recipient of **The Paul J. Davis Memorial Recognition Award** from the Correctional Reform Section

of the Maryland State Bar Association, in recognition of his many years of work on behalf of criminal justice and correction reform. The award was created by the Maryland State Bar Association in honor of Paul J. Davis, a longtime member of Maryland's criminal justice community, who passed away in 2003. Throughout his career, Mr. Davis was regarded as a consensus-builder and an innovator who finished within budget and produced results. Mr. Davis earned the respect of colleagues in corrections, legislators, public officials, judges, lawyers, victims of crimes and their families and prisoners. The award honors his memory by recognizing others who share his devotion to improving the criminal justice system and the characteristics that made Paul such a valuable asset to the system.

University of Nevada, Las Vegas

William S. Boyd School of Law

Clinical Program's Nevada Immigrant Resource Project Is Up and Running

The **Immigration Clinic** at the **William S. Boyd School of Law** **Thomas & Mack Legal Clinic** created the **Nevada Immigrant Resource Project (NIRP)** to help provide needed resources to the large, growing and underserved immigration community in Nevada. To direct NIRP, the law school recruited immigration expert **Yolanda Vazquez**, a former public defender in Chicago and Washington DC and legal services attorney in New Jersey. NIRP particularly aims to

increase the access of low/middle income communities to quality legal services, information, and training in the area of immigration law. With this goal in mind, NIRP engages new graduates who hope to specialize in immigration law and current UNLV law students enrolled in the law school's mandatory community service program to provide research, outreach and community education programs

NIRP hired, on a part time basis, two recently admitted Boyd graduates and former immigration clinic students to assist Yolanda and help supervise the law students in their community service program. In turn, Yolanda and Immigration Clinic co-directors **Leticia Saucedo** and **David Thronson** will help mentor the new graduates. One attorney has started her own immigration practice and the other attorney has joined the Clark County Public Defender's office. From the community service program, Yolanda selected twelve law students from around the state to provide related community service. Half of these students are immigrants themselves from such countries as Iraq, Iran, Korea, Argentina, the Philippines, and England. The other half have worked with immigrants or foreign nationals interested in immigrating to this country. Their experience includes working at the US Consulate in Nigeria, working with migrant farm workers in California, researching employment visas in Utah, and going door to door in immigrant communities on behalf of a citizenship project in Nevada.

NIRP deploys these students and recent grads to conduct trainings in the community for individuals, families

and community advocates. NIRP will also train police officers, public defenders, victim advocates, school counselors, and foreign consulates. Areas of training include Naturalization, Adjustment, Child Citizenship Act of 2000, VAWA, Special Immigrant -Juvenile, immigration consequences of criminal convictions, and U and T visas.



PERSONNEL UPDATES



Lauren Girard Adams, who served for two years as an Equal Justice Works Fellow working on issues relating to the juvenile death penalty, was appointed as a **Clinical Assistant Professor**.



Cathryn S. Crawford was promoted to **Clinical Associate Professor**. Ms. Crawford was also named by the Chicago Daily Law Bulletin and the Chicago Lawyer as one of 40 Lawyers Under 40 in Illinois to watch.



Monica Llorente, formerly a lecturer, was appointed **Clinical Assistant Professor**.



Carolyn Frazier has been named as the **Piper Rudnick (now DLA Piper Rudnick Gray Cary) Fellow**. Ms. Frazier coordinates the firm's and clinic's efforts to provide children in the Cook County Juvenile Court with increased access to legal assistance through direct representation and policy work.

Anita Ortiz has been named as the **Equal Justice Works Fellow**. The fellowship is funded by Greenberg Traurig LLP. Ms. Ortiz represents refugees fleeing persecution and torture under Article III of the Convention Against Torture.

New personnel include:



Uzo Nzelibe – **Clinical Assistant Professor of Law**
Jeff Thomas – **Adjunct Professor**
Elizabeth Healy Coffey - **Clinic Executive Director**

CLINIC NEWS

Center on Wrongful Convictions

On Jan. 6, Gov. Rod R. Blagojevich pardoned Michael Evans, Paul Terry, and Dana Holland -- clients of Northwestern Law's Center on Wrongful

Convictions – based on their innocence, following the men's earlier release from long prison sentences for crimes they did not commit.

"These pardons will make a big difference in these men's lives," said **Karen Daniel**, assistant clinical professor at the Law School and attorney for Evans and Holland. "These are the first official declarations of their innocence. They will allow the men to file for statutory compensation, and their criminal records will be expunged."

These three pardons -- and one for a fourth man, Lafonso Rollins -- were Blagojevich's first pardons for wrongful convictions during his tenure as governor.

"In a way, the ends of criminal cases are anticlimactic," Daniel said. "Clients get exonerated, sentences get set aside and charges are dropped by prosecutors with no further comments. These pardons wrap up the criminal cases in such a meaningful way. The highest elected official of the state offers closure to the long, devastating legal battles, finally saying, 'you are innocent.'"

Michael Evans and Paul Terry, convicted as teenagers in the killing of 9-year-old Lisa Cabassa, were freed from prison sentences of 300 to 400 years in May 2003 after spending 27 years behind bars. They have been clients of Northwestern clinical faculty members **Karen Daniel** and **Jeffrey Urdangen** since 2000, and clinical students at Northwestern Law assisted in the investigation of the DNA evidence and successfully argued in the Circuit Court of Cook County that the DNA testing should go forward.

Dana Holland was convicted in 1995 of attempted murder and armed

robbery and in 1997 was convicted of sexual assault, while his alleged accomplice, his uncle, was acquitted. After he spent 10 years in prison, Holland was exonerated of the sexual assault by DNA testing in January 2003, and in June 2003, a Cook County judge found him not guilty of the remaining crimes. Holland became a client of Northwestern's legal clinic in 2001. Northwestern Law clinical students worked with Daniel on Holland's motion for DNA testing in the sexual assault case, and played a large role in the investigation and pretrial hearings that resulted in his acquittal in the armed robbery case. **Tom Geraghty**, director of Northwestern's legal clinic, was Daniel's co-counsel at Holland's retrial.

Center for International Human Rights

Academics, diplomats, and corporate representatives from the United States and Europe gathered at Northwestern University's Chicago campus on Jan. 24 and 25 for the fourth annual Transatlantic Dialogue conference titled "Reforming the United Nations."

The conference was organized by Northwestern Law Professor Douglass Cassel and co-sponsored by the Bluhm Legal Clinic's Center on International Human Rights with the Northwestern University Journal of International Human Rights and the Catholic University of Leuven, Belgium. In 2003 UN Secretary-General Kofi Annan convened a High-level Panel on Threats, Challenges and Change, composed of 26 "eminent persons," in response to UN debates over military

interventions in Rwanda and Iraq. The panel's December 2004 report, "A More Secure World: Our Shared Responsibility," makes scores of recommendations to reform the UN, the most important of which will be discussed by the UN General Assembly in 2005. Sir David Hannay, a member of the High Level Panel and former permanent UN representative of the United Kingdom, shared his perspective on the panel's recommendations during his keynote address Jan. 24th. Conference participants discussed how the United States' decision to act without Security Council authorization in the war with Iraq has impacted the future role of the UN, and what role the UN should play in protecting human rights. Topics focused on panel recommendations in three inter-related areas: the use of force to preserve international security and to safeguard human rights, and restructuring the UN Security Council.

Small Business Opportunity Center

SBOC clients are providing increasingly challenging assignments for the 18 students enrolled in the program each semester. While most clients continue to be micro-enterprises and one-owner businesses, there has been a marked increase in the number of clients who have several employees, cutting edge products and services, and sophisticated legal problems. "I am excited about this development" says SBOC Director **Thomas Morsch**. "It is our goal to prepare graduates for careers in transactional law. The work that students are doing in the clinic gives them practical, hands-on experience representing clients with really tough problems to resolve".

The Clinic's nonprofit clients, who account for about 25% of the work, are likewise becoming more substantial. Many have asked the SBOC to help them form for-profit affiliates which requires students to wrestle with complex tax and regulatory issues. Joint ventures are also on the increase. For example, the Lawndale Business and Local Development Corp. is transforming an abandoned U.S. Army facility into a job training center and small business incubator. This is a joint venture involving other nonprofit organizations, the City of Chicago, and the U.S. Department of Housing and Urban Development. Kirkland & Ellis and the Law Department of BP Amoco are partnering with the SBOC on this assignment.

The SBOC Student Board, a voluntary student organization which helps run the program at Northwestern, is currently investigating how the SBOC might assist small business owners in the predominantly Hispanic Pilsen/Little Village community. In this case the SBOC's prospective partners are Winston & Strawn and the Hispanic Lawyers Association of Illinois.

Children and Family Justice Center

On November 9, 2004, Bluhm Legal Clinic students Mike Haidas (2L), Katie McCollough (3L), Erin Lovell (3L) and Greg Luloff (3L) accompanied Clinical Professor **Steve Drizin** to the Wisconsin Supreme Court to attend oral arguments in a landmark case involving juvenile interrogations.

Jerrell J., a 14 year old boy, confessed to participating in an armed

robbery after he was subjected to an interrogation of 5 1/2 hours in a police station. Jerrell asked to speak to his mother on several occasions and the detective, a veteran Milwaukee police officer, denied his repeated requests. The confession didn't square with the objectively knowable facts of the crime and could not be corroborated by any evidence. The boy was convicted anyway and committed to a juvenile correctional facility.

Three issues were argued before the court: 1) if Jerrell's confession was voluntary; 2) if the Court should require law enforcement to allow children to consult with their parents before waiving their Miranda rights; and 3) whether to require law enforcement officers to electronically record all custodial interrogations of juvenile suspects. This case exemplifies the way in which the Bluhm Legal Clinic seeks to promote reforms through its case work. In this case, three different arms of the Clinic assisted: Dr. Antoinette Kavanaugh served as an expert, testifying that Jerrell was unable to understand his Miranda rights and that he was highly suggestible and thus susceptible to police coercion; the Children and Family Justice Center filed amicus briefs in the appeals court and in the Supreme Court on the parental consultation rule and recording rules; and the Center on Wrongful Convictions co-wrote an amicus brief on the issue of recording interrogations. Students Kylie Pak, Mike Haidas, and Sandy Bilus worked on the briefs in the case. For those interested, the arguments are available on-line at: <http://www.courts.state.wi.us/opinions/soralarguments.htm>

UNIVERSITY OF ST. THOMAS SCHOOL OF LAW

2004-2005 has proven to be an exciting and challenging year for the **Interprofessional Center for Counseling and Legal Services**. As our client list expands, so do the types of problems our clients present. The Legal Services Clinic ("LSC") currently serves 89 clients. Of the 89 legal services clients, some have been with the clinic since its opening and have ongoing legal matters that require the Center's advocacy. The majority of current cases are new, often presenting causes of action or problems new to the LSC's practice. This provides students with a unique and challenging opportunity to create original documents and case strategies that will serve as a model or template for future case teams. Case teams in the **Elder Law Practice Group** represented a client in a civil lawsuit brought by the nursing home that cared for the deceased husband of our client. The students were able to communicate and negotiate with opposing counsel, conduct discovery, and draft a pre-trial motion. Students from the **Family Law Practice Group** conducted extensive research and advocacy to find a reduced-fee custody evaluator to testify at an upcoming trial about the failure of the county custody evaluator to adequately consider the effect of domestic violence on the children.

Faculty at the Legal Services Clinic maintain their own research agendas. **Jennifer Wright**, professor for the Elder Law Practice Group, presented at the AALS conference in San Francisco in the joint program of the Section on Aging and the Law and

the Clinical Legal Education Section on “Interviewing and Counseling in Context”. Jennifer presented as part of a breakout session panel on interviewing and counseling elderly clients. In October, **Virgil Wiebe**, Co-Director of the IPC and professor of the Immigration Law Practice Group, presented his research in Rome, Italy. Virgil was invited to present his research on international law relating state responsibility for the use and removal of cluster bombs at a convention for The Italian Campaign to Ban Landmines.

Nekima Levy-Pounds, professor of the Family Law Practice Group, gave birth to a beautiful baby boy in Mid-December. The arrival of Phalen II was a few weeks early. Nekima is rumored to have worn a suit to the hospital so she could attend a hearing that day, just in case she was not actually in labor. She was, in fact, in labor and could not attend the hearing. Being the dedicated professional she is, Nekima lead a conference call from her hospital bed to make sure all the casework was covered in light of her earlier-than-expected leave.

The IPC is pleased and grateful to welcome **Ellen Abbott**, adjunct professor for the Family Law Practice Group, while Nekima is spending time with her new baby. Ellen is an experienced and highly respected family law attorney who specializes in mediation and domestic violence advocacy. IPC faculty and staff are able to draw on Ellen’s years of experience and expertise in the practice of Minnesota family law. The IPC’s practice will be enriched by Ellen’s legal perspective, professionalism, and dedication to her clients.

Speaking of babies, the IPC is thrilled to welcome back Mary Hernández from her maternity leave. Mary is part of the administration and support staff that keeps the office running. Welcome back, Mary!

The IPC continues to deepen and expand the collaboration between professional disciplines. Because social workers and psychologists are mandatory reporters while attorneys are not, each practice group has its own procedures and guidelines regarding when and if to make a referral to counseling or social work. While the Elder Law Practice Group integrates social workers into the first client interview, students in the Family Law Practice Group must analyze the benefits of referring a client to counseling in light of a counselor’s obligations as a mandatory reporter. The Immigration Law Practice Group refers its clients to social workers to help them obtain government benefits and services as well as counseling. Immigration clients, who are primarily refugees, can access counseling from social workers or psychologists to deal with issues related to traumatic experiences in their native countries. In one immigration case, all three disciplines are collaborating: the legal team is helping the client apply for asylum, the social work team is helping the client obtain valid identification in order access government benefits, and the psychology team is providing assessment and therapy for the client’s Post-Traumatic Stress Disorder.

Despite the complexity of working in an independent but professionally collaborative setting, the benefit of working with social workers and psychologists is substantial. By working with other professionals who

are also addressing a client's problems, Legal Services Clinic students learn to look holistically and systemically at the clients needs. Monique Hoglund, a Fall 2004 clinic student, reflected on her experience collaborating on an elder law case with a social worker, "Working with low-income clients was a rewarding experience because I found myself looking past just the legal problem and to the person as a whole. Throughout law school, we are taught to think about the legal aspects of a case and the clinic experience gave us an opportunity to focus on the client as a person. Working with social workers was also valuable in this regard because their focus is mainly on the person and they provide different perspectives on the issues low income clients face." Barb Brekke, also a 2004 clinic student, saw progress in her case because of social work involvement, "I don't think we would have been as successful in improving the clients' quality of life if we had just addressed their legal issues."

Despite charting some new waters and managing changes in staffing, the IPC continues to thrive and expand its service to clients through direct casework, advocacy, and professional collaboration.



**SANTA CLARA UNIVERSITY
ANNOUNCES NEW DIRECTOR OF
ITS KATHARINE & GEORGE
ALEXANDER COMMUNITY LAW
CENTER**



Santa Clara University School of Law is pleased to announce that **Angelo Ancheta** has accepted the position as **Executive Director of the Katharine & George Alexander Community Law Center**, the civil clinical component of the law school. Angelo will begin in June 2005 as Director and as a tenure-track Assistant Professor of Law. His most recent position has been as the Legal Director for The Civil Rights Project at Harvard University, a research and advocacy center focusing on racial discrimination issues. In that capacity, he has published a number of academic articles and monographs and has been a clinical supervisor of both law students and graduate students at the Harvard Law School. He has also been a lecturer at Harvard Law School and at NYU School of Law.

Prior to his time at Harvard, Angelo was a legal services attorney and nonprofit executive director in both Southern and Northern California, where he specialized in immigration, civil rights, and appellate practice. His legal experience includes over three

years as a staff attorney at the Santa Clara County Asian Law Alliance, where he became very familiar with many of the legal needs of the low-income and immigrant communities located in the area served by the Katharine & George Alexander Community Law Center.

He also has a number of years of nonprofit management experience, including nearly four years as the Executive Director of the Asian Law Alliance in San Francisco. In all of his positions, he has had significant responsibilities for supervising lawyers, law students and volunteers.



\$8,000 RAISED FOR TEXAS TECH CRIMINAL JUSTICE CLINIC



A fundraiser, jointly sponsored by the Lubbock Criminal Defense Lawyers Association ("LCDLA"), the Texas Criminal Defense Lawyers Association ("TCDLA"), and the Texas Tech University School of Law, raised approximately \$8,000, for the Texas Tech Criminal Justice Clinic. The fundraiser was held January 7-8, 2005 at Texas Tech, in conjunction with the 25th anniversary celebration of LCDLA

and that organization's annual CLE seminar.

TCDLA and the Criminal Defense Lawyers Project put on a free, 11-hour CLE that drew speakers from around the country. Approximately 180 attorneys attended the two-day CLE.

Proceeds from the weekend went to support the activities of the Texas Tech Criminal Justice Clinic. The clinic is a new, in-house criminal defense clinic for third-year students at Texas Tech University School of Law. Supervised by Professor **Larry Cunningham**, the clinic affords 3Ls the opportunity to spend a full-year defending clients in criminal matters throughout West Texas. Students are currently representing clients charged with burglary, drug crimes, fraud, and other offenses. Students are fully responsible for their cases, but work under the close supervision of Professor Cunningham, a former prosecutor.

The money raised from the LCDLA/TCDLA fundraiser will go towards supporting scholarships for clinic students, as well as supplies and other expenses of the clinic.



The **Tulane Criminal Law Clinic** continues its Supreme Court practice. In March, student attorneys will ask the Louisiana Supreme Court to hold that *Crawford v. Washington* invalidates Louisiana statutes that govern the admission and use of forensic reports prepared by state crime laboratories. At present, the State may rely upon a properly

certified forensic report as *prima facie* proof of the report's contents. As a result, the State need never produce any witnesses to testify about the forensic testing even when the test result is offered to prove an element of the offense. The students will argue that these statutes violate the Confrontation and Due Process clauses of the United States and Louisiana constitutions.

Following on the heels of the recent student victory in *State v. Denson*, the students of the **Criminal Law Clinic**, in conjunction with students from the **Tulane-Loyola Legislative and Administrative Advocacy Clinic** will host a public policy forum on the rights of incompetent criminal defendants. The forum will bring together representatives from law enforcement, mental health treatment, mental health advocacy, criminal defense, and civil liberties organizations. The forum is intended to assist students in the Legislative Clinic to draft consensus-based legislation to be introduced at the next state legislative session.

Finally, in another case with broad public policy implications, student attorneys have successfully challenged the police practice of charging people with trespass when they are present on the grounds of a public housing development that is not their personal residence. Over the past several years, selective enforcement of the municipal trespass ordinance by the police department has resulted in the frequent arrest of people whose only "crime" has been that of visiting relatives or friends who live in public housing. (Police officers have routinely disregarded the plain language of posted "No Trespass" signs

which clearly indicate that invited guests of tenants are not trespassers.) As a result of its success in the district court, the Clinic has now been asked by the Public Defender's Office to lead a concerted challenge to the constitutionality of the municipal trespass ordinance.

In an opinion issued December 2, 2004, the Louisiana Supreme Court handed a victory to the Tulane Law Clinic and to mentally ill criminal defendants throughout Louisiana. Relying on positions briefed and argued by student lawyers, the Louisiana Supreme Court struck down La.C.Cr.P. 648(B)(2), a statute that applies to criminal defendants who (a) are permanently incompetent to stand trial; and, (b) do not pose a danger to themselves or others. The challenged law placed those defendants on probation for a period of a time that could extend up to the maximum punishment that could have been imposed on a competent defendant who was found guilty of the underlying crime.

The Tulane Criminal Clinic has represented the defendant, Ms. Denson, since her initial arrest. She was quickly adjudged permanently incompetent to stand trial, and not dangerous either to herself or others. Nevertheless, Ms. Denson spent three years on probation and approximately two years in the general population of a women's prison, because there was no room for her in an appropriate psychiatric facility. The opinion can be found at: <http://www.lasc.org/opinions/2004/04ka0846.opn.pdf>.

The next step for Ms. Denson and her student lawyers illustrates the intra-disciplinary nature of Tulane's

legal clinics. Students in Tulane's Legislation Clinic are drafting a proposal for legislation that would meet the needs of people like Ms. Denson. And, the Tulane Civil Clinic is evaluating the viability of a lawsuit challenging the State's practice of using jails to house mentally ill people when the State Forensic Hospital is full.

The case was argued in the Supreme Court by Candis Mitchell (3L) and Brandy Sheely (Class of '04). Case Supervisor, **Katherine Mattes** led the charge. Special recognition is also due to 5(!) generations of clinic students who have represented Ms. Denson.



John C. Lore, III, has joined the faculty of **Villanova University School of Law** working as a **Reuschlein Clinical Teaching Fellow** with the **Farmworker Legal Aid Clinic**. John previously worked as an adjunct professor at Northwestern University School of Law in Chicago, IL and also worked as an Assistant Public Defender at the Law Offices of the Cook County Public Defender in Chicago, IL.

Leslie Book, Director of the Federal Tax Clinic at Villanova Law School, made the following presentations:

- *Standard of Review in Tax Litigation*, Presentation before the DC Bar Association Tax Section (December 2004)

- *The Collection Due Process Provisions*, Presentation Before the

Annual Low Income Taxpayer Clinic Conference (December 2004)

- *CLE Training on Tax Collection to Ohio Legal Services Tax Consortium* (November 2004).



Washington University School of Law is home to ten clinics and externships whose focuses include homeless advocacy, representation of victims of domestic violence, environmental protection, American Indian law, criminal defense, and the protection of intellectual property rights. In the fall of 2004, the clinical program enjoyed several successes, some of which are recounted here.

Civil Justice Clinic

The Civil Justice Clinic prevailed in two lawsuits challenging policies of the City of St. Louis and the St. Louis Board of Police Commissioners that harm the homeless. These suits were filed with the Saint Louis University School of Law Legal Clinic, Legal Services of Eastern Missouri, and the American Civil Liberties Union.

The first suit challenged the creation of a privately funded court designed to prosecute so-called "quality of life crimes" that occur within a defined area of downtown St. Louis. The crimes include loitering, begging, and disturbing the peace, among others. The court was created and funded by a non-profit organization representing downtown businesses. Offenders were routinely sentenced to perform community service in the downtown area, cleaning up the parks and streets surrounding these businesses.

In September 2004, a St. Louis Circuit Judge ruled that the city's privately funded "quality of life court" is

unconstitutional. The judge ruled that the court's private funding mechanism violated the due process rights of individuals tried and sentenced by the court, in violation of the Missouri and United States constitutions. In addition, the judge ruled that the different treatment for persons arrested within the specified downtown area constitutes an unconstitutional special law.

The second of the Clinic's suits challenges constitutionality of various practices allegedly employed by the St. Louis police to remove the homeless from downtown St. Louis, including arresting and jailing dozens of homeless individuals at a time and requiring those arrested to perform community service as a condition of release even though they had not yet been arraigned or convicted. The suit alleges that homeless individuals are arrested and "swept" off the streets before, during, and after special events in downtown St. Louis.

In October 2004, a U.S. District Judge issued an order granting the Clinic's request for a preliminary injunction. The order prevents "the St. Louis Board of Police Commissioners from directing or allowing the clearing of homeless people from public areas solely to sanitize public places where the homeless have a right to be, because of the perception that homeless people present an appearance that detracts from an ascetically pleasing environment that promotes commerce." The order further prevents "judicial imposition of punishment for any municipal ordinance violation before a determination of an accused person's guilt under an ordinance has been made."

Law professors **Jane Aiken**, **Katherine Goldwasser**, and **Steven Gunn** and clinic managing attorneys **Catherine Johnson** and **Daniel Nagin** worked with clinic students on these cases.

Interdisciplinary Environmental Clinic

On behalf of a state-wide environmental organization and two long-time residents of Herculaneum, Missouri, home to the nation's largest lead smelter, the Interdisciplinary Environmental Clinic sued the U.S. Environmental Protection Agency in federal court to compel the EPA to review the outdated national ambient air quality standard for lead. The Clean Air Act requires the EPA to set the standard to protect public health, based on the latest science, and to review the standard every five years. The EPA had not amended the standard since it was originally set in 1978, and has not reviewed the standard since 1990. Admittedly triggered by this lawsuit, filed in May 2004, the EPA commenced the review in November 1994. Professor **Maxine Lipeles** and Engineering and Science Director Beth Martin developed this case with an interdisciplinary team comprised of a fourth-year medical student, a law student, and two undergraduate environmental science students.

Since November 2000, the Interdisciplinary Environmental Clinic has been representing four environmental organizations challenging the proposal of an international cement manufacturer to convert 4,000 acres of ecologically-rich land along the Mississippi River into the nation's largest cement plant and accompanying quarry and harbor. When administrative and other efforts failed to prevent the issuance of necessary permits, the Clinic brought numerous lawsuits challenging those decisions. In October 2004, the Clinic's clients entered into a settlement with the cement company. The client organizations agreed to drop their pending Missouri Supreme Court case, federal court case, and state administrative proceeding in exchange for \$3,000,000.00, which will be used to enable third parties to purchase land for permanent preservation, to conduct air pollution reduction projects in the region,

to monitor a conservation easement created on one-half of the site, and to pay the clinic's fees and costs.

American Indian Law and Economic Development Externship

Professor **Steven Gunn** and his students in the American Indian Law and Economic Development Externship helped the Cheyenne River Sioux Tribe in South Dakota defend its sovereignty in an important case concerning the jurisdiction of the Tribe's courts. Working in collaboration with lawyers at Sonnenschein Nath & Rosenthal in St. Louis and the Tribe's senior attorney, Professor Gunn and his students helped draft an amicus curiae brief in a case concerning the Tribe's right to adjudicate a discrimination claim brought by tribal members against a non-Indian bank doing business on the reservation.

In November 2004, the Cheyenne River Sioux Tribal Court of Appeals issued a 19-page opinion affirming the Tribe's jurisdiction over the case. The appellate court also upheld a lower court jury award of \$750,000.00 against the bank and in favor of the tribal member plaintiffs. The tribal appellate court ruling can be appealed to federal court.

The case, *Bank of Hoven v. Long Family Land and Cattle Company, Inc.*, involves a claim by two tribal members that a non-Indian bank discriminated against them based on their status as American Indians. The tribal members cited discriminatory terms and conditions in the commercial loan the bank made to their cattle company. They also alleged that the bank breached the loan agreement when it failed to lend the full amount promised. The tribal members alleged that the bank's failure to lend them money they needed, when they needed it, contributed to the death of over 500 of their cows, yearlings, and horses during the harsh winter of 1996.

To escape the \$750,000.00 jury verdict, the bank argued on appeal that the Tribe's courts had no jurisdiction over the case. The bank argued that the discrimination claim arose under federal, not tribal, law and therefore could not be entertained in tribal court. (Tribal courts, unlike their state counterparts, are not courts of general jurisdiction.)

The Tribe countered that the Longs' discrimination claim was founded not on federal law, but on tribal common law. Professor Gunn and his students performed exhaustive legal and historical research into the customs of the Tribe and found that those customs, which have the force of law, mandate fairness, respect for individual dignity, and the equal treatment of all people regardless of race or tribal affiliation. The tribal appellate court agreed, ruling that while discrimination is often the subject of federal legislation, it is also actionable under the common law of the Cheyenne River Sioux Tribe.

Sonnenschein's involvement in the case was part of the firm's broader collaboration with the clinical program at Washington University. Working with clinical law professors and students, the firm's attorneys have provided pro bono legal assistance in a wide variety of substantive areas, including American Indian law, domestic violence, and mediation of civil rights disputes.

Criminal Justice Clinic

In the Criminal Justice Clinic, Professor **Peter Joy** and his students continue to defend the rights of indigent criminal defendants in St. Louis. They work in collaboration with the St. Louis County office of the Missouri State Public Defender System, which is the second largest criminal defense office in the state. As certified legal interns, clinic students perform all the work of criminal defense lawyers representing clients in misdemeanor cases, and conducting preliminary

hearings, bond reductions, pretrial motions, and pleas in felony cases. Each semester clinic students are able to secure pretrial release for scores of clients, and sometimes prevail in preliminary hearings and trials when it appears that there was an element of racial profiling leading to an arrest. By performing all of the tasks of providing competent representation to clients, students are exposed to the legal and ethical problems that criminal defense lawyers face in practice. Students confront these problems in the lawyer's role, identify and work to solve their clients' legal problems as well as any ethical issues, and receive feedback on their lawyering skills. By partnering with the Public Defender Office, this clinical program fully immerses students in the workings of this typical public defender office while still providing students with excellent supervision and adequate time and opportunities to reflect on their work.

On another front, **Peter Joy** is counsel of record and co-author of the AALS amicus brief in *Martin Wishnatsky v. Laura Rovner*, 8th Cir. Court of Appeals Case No. 04-3503. The district court judge granted the motion for judgment on the pleadings in favor of Laura Rovner. Professor Laura Rovner was sued by Mr. Wishnatsky in her capacity as Director of the Clinical Education Program at the University of North Dakota after the clinic declined to represent him in a challenge to a statue of "Blind Justice" in a local courthouse. Professor Rovner and the Clinical Education Program at the University of North Dakota declined to represent him for a number of reasons, the principal of which were lack of time and resources. In addition, the case was declined for curricular and ethical reasons based on the lack of meaningful educational opportunities the case presented and the fact the Mr. Wishnatsky had made several harassing statements toward Professor Rovner and the clinical program because the clinical program is

representing clients challenging a Ten Commandment monument at a City Hall. Professor Rovner determined that the clinic would not be able to establish an effective client-attorney relationship with him based on Mr. Wishnatsky's antagonistic position against her personally and the clinical program. Mr. Wishnatsky is arguing that this is viewpoint discrimination, and that he has an absolute right to representation by the clinic regardless of the educational and ethical reasons for declining to represent him.



CLINICAL LAW PROGRAM UPDATES

The **University of Washington's Children and Youth Advocacy Clinic (CAYAC)** has had many happy developments. Most recently, we are pleased to announce that **George Yeannakis** will be joining us to add his expertise in the education area to our clinical offerings. Thanks to a grant from Washington's Children's Administration, we will be able to educate second and third year law students, as well as others throughout the UW campus, to advocate for the educational needs of state-dependent children and youth who have been adopted, are in guardianships, or are in long-term relative care. George Yeannakis has many years of experience with Seattle University in juvenile and education law and currently supervises its externship program.

CAYAC is also happy to announce support from the University of Washington's Provost's Office in the form of a planning grant to develop curriculum

to support a joint JD/MSW degree. Among the benefits of this new curriculum is the introduction of MSW students to work in partnership with our students beginning the 2005-2006 academic year.



The **Jerome N. Frank Legal Services Organization** received the "**Good Egg Award**" from the Greater New Haven Community Loan Fund for its service to the New Haven community.

This semester, we are starting the **Education Adequacy Clinic**. We are representing the Connecticut Coalition for Justice in Education Funding, a coalition of municipalities, boards of education and non-profits seeking to reformulate Connecticut's school financing mechanism. Our representation will include corporate governance, policy analysis, legislative drafting and advocacy, and preparation for possible litigation.

We are also starting a **Community Development Financial Institutions Clinic**, to facilitate our representation of First City Fund Corporation, a private foundation seeking to form a community development bank with the \$25 million proceeds our Community & Economic Development Clinic negotiated on behalf of the City of New Haven in a settlement with New Haven Savings Bank, which demutualized and merged with two other banks. **Bob Solomon** will be teaching the Education Adequacy and CDFI clinics. **Michael Wishnie** will be visiting this semester from NYU. Mike will be working in our Community Lawyering

clinic on workplace and police issues and in our new Education Adequacy project and our 9/11 clinic (Balancing Civil Liberties and National Security after September 11).



BOOKS & PUBLICATIONS



Anthony V. Alfieri (Miami), *Teaching Ethics/Doing Justice*, 73 *FORDHAM L. REV.* 851 (2004)



Annette Appell (UNLV), *Uneasy Tensions Between Children's Rights and Civil Rights*, 5 *NEVADA L.J.* 141 (2004).

Annette Appell (UNLV), *Disposable Mothers, Deployable Children, Review Essay*, 9 *MICH. JOURNAL OF RACE & LAW* 421 (2004).



Paris R. Baldacci (Cardozo), *Lawrence and Garner: The Love (Or at Least Sexual Attraction) That Finally Dared Speak Its Name*, 10 *CARDOZO WOMEN'S L.J.* 289 (2004).



Gary Blasi (UCLA), *How Much Access? How Much Justice?*, 73 FORDHAM L. REV. 865 (2004)

Gregg D. Polsky (Minnesota) and **Stephen F. Befort (Minnesota)**, *Employment Discrimination Remedies and Tax Gross Ups*, 90 IOWA L. REV. 67 (2004).



Stephen F. Befort (Minnesota), *A New Voice for the Workplace: A Proposal for an American Works Council Act*, 69 MO. L. REV. 607 (2004).



Frank S. Bloch (Vanderbilt), *The Case for Clinical Scholarship*, 4 INT'L J. CLINICAL LEGAL EDUC. 7 (2004).



Leslie Book (Villanova), *The Collection Due Process Rights: A Misstep or Step in the Right Direction?* 41 HOUSTON L. REV. 1145 (2004)

Leslie Book (Villanova), *Point & Counterpoint: Should Collection Due Process Be Repealed?*, 24 A.B.A. NEWS Q. SEC. TAX'N. 11 (Fall 2004).



Sande L. Buhai (Loyola), *In the Meantime: State Protection of Disability Civil Rights*, 27 LOY. L.A. L. REV. 1065 (2004).



Deborah J. Cantrell (Yale), *The Obligation of Legal Aid Lawyers to Champion Practice by Nonlawyers*, 73 FORDHAM L. REV. 883 (2004).



Russell Engler (New England), *Normalcy After 9/11: Public Service as the Crisis Fades*, 31 FORDHAM URB. L.J. 983 (2004).



Hillary Farber (New England), *The Role of the Parent/Guardian in Juvenile Custodial Interrogations: Friend or Foe?,,* 41 AM. CRIM. L. REV. 1277 (2004)



Daniel M. Filler (Alabama), *Silence and the Racial Dimension of Megan's Law*, 89 IOWA L. REV. 1535 (2004).



Scott Hughes (New Mexico), *Mediator Immunity: The Misguided and*

Inequitable Shifting of Risk, 83 OR. L. REV. 107 (2004).



Larry Krieger (Florida State)

has just published a booklet to be used to train students in the personal foundations of professionalism and career/life satisfaction: *THE HIDDEN SOURCES OF LAW SCHOOL STRESS – AVOIDING THE MISTAKES THAT CREATE UNHAPPY AND UNPROFESSIONAL LAWYERS* (2005). Larry uses empirical research to explain the critical importance of focusing on personal integrity, relationships, service, and community-building, and alerts students to the ways that "thinking like a lawyer" and other aspects of legal training and law firm practice may undermine their idealism, values, integrity and happiness. A full view of the booklet is available on the "Humanizing Legal Education" website:

http://www.law.fsu.edu/academic_programs/humanizing_lawschool/booklet.php



Carol B. Liebman (Columbia)

and Chris Stern Hyman, *A Mediation Skills Model to Manage Disclosure of Errors and Adverse Events to Patients*, 23 HEALTH AFFAIRS 22 (July/August 2004).



Lawrence C. Marshall (Northwestern), *Gideon's Paradox*, 73 FORDHAM L. REV. 955 (2004)



Jane C. Murphy (Baltimore) &



Robert Rubinson (Baltimore),

Domestic Violence and Mediation: Developing Screens to Keep Square Pegs From Round Holes, 39 FAM. L. Q. 1 (2005) [*forthcoming Domestic Violence Issue*]

Works in Progress: Jane Murphy (Baltimore) and **Robert Rubinson (Baltimore)** are coauthoring a textbook, *Family Mediation: Theory and Practice*. They welcome suggestions for roleplays, articles, essays and cases to include in the text. They would also love to hear from anyone teaching family mediation clinics, seminars, or classes about materials you use and things you would like to see in a text. Jane can be reached at jmurphy@ubalt.edu or 410-837-5657 and Robert at rrubinson@ubalt.edu or 410-837-4094.



Russell G. Pearce (Fordham),

Redressing Inequality in the Market for Justice: Why Access to Lawyer Will Never Solve the Problem and Why Rethinking the Role of Judges Will Help, 73 FORDHAM L. REV. 969 (2004).



Michael Pinard (Maryland),

Broadening the Holistic Mindset: Incorporating Collateral Consequences

and Reentry into Criminal Defense Lawyering, 31 FORDHAM URB. L.J. 1067 (2004).



Michele R. Pistone (Villanova), *The Devil in the Details: How Specific Should Catholic Social Thought Teaching Be?*, 2 J. CATHOLIC SOCIAL THOUGHT 507 (2004).

Marsha Rayner (Fordham), *Conference Report: New York City's Criminal Courts: Are We Achieving Justice?* 31 FORDHAM URB. L.J. 1023 (2004).



Laura L. Rovner (Denver), *Disability, Equality & Identity*, 55 ALABAMA L. REV. 1043 (2004).

Kandis Scott (Santa Clara), *Deportation to Democratization: The Role of an Authentic NGO in Romania*, XLVI CANADIAN SLAVONIC PAPERS 185 (2004).

Kandis Scott (Santa Clara), *Decollectivization and Democratization: Current Law Practice in Romania*, 36 GEO. WASH. INT'L. L. REV. 817 (2004).



Ian Weinstein (Fordham), *The Adjudication of Minor Offenses in New York City*, 31 FORDHAM URB. L.J. 1157 (2004).



Stephen Wizner (Yale) and



Jane Aiken (Washington U. St. Louis), *Teaching and Doing: The Role of Law School Clinics Enhancing Access to Justice*, 73 FORDHAM L. REV. 997 (2004).

POSITION ANNOUNCEMENTS



CLINICAL FELLOW FOR CIVIL ADVOCACY CLINIC

The **University of Baltimore School of Law** invites applications for a **Fellowship** in its **Civil Advocacy Clinic** to start on or about April 1, 2005. This public interest fellowship program offers practicing attorneys exposure to law school clinical teaching.

The Civil Advocacy Clinic Fellow's duties include direct supervision of case work by clinic students and clinic classroom teaching in coordination with clinic faculty. Fellows also pursue professional goals in conjunction with his/her clinic director, including opportunities for scholarship.

This position is a contractual appointment for up to two years with an option for a one—year renewal.

Qualifications: excellent oral and written communication skills; at least

two years of experience as a practicing lawyer primarily in litigation; a strong academic record and/or other indicia of high performance ability; commitment to work for low income clients and a lively interest in teaching.

Salary: The current salary is \$50,000 year 1; \$53,000 year 2. The position includes full benefits, including retirement annuities, research support, and travel allowance.

Applications will be accepted beginning December 2004. The deadline for letters of interest and resumes is **February 15, 2005**.

For detailed job description of the position, please view our website at <http://law.ubalt.edu/clinics/fellows.html>.

To apply, submit a letter of interest and curriculum vitae to:

Michele Gilman
Assistant Professor of Law and
Director, Civil Advocacy Clinic
University of Baltimore School of Law
40 W. Chase Street
Baltimore, Maryland 21201
Phone: 410-837-5709; Fax: 410-333-3053

BOSTON UNIVERSITY
School of
LAW

CRIMINAL CLINIC FACULTY

Boston University School of Law is seeking to fill a full time faculty position to supervise students in the **Prosecutor Program** of the **Criminal Clinic**. This is a non-tenure track, clinical faculty position. Students in the Prosecutor Program have full responsibility for all aspects of the cases they are assigned, under the direction of clinical faculty. The

person who is hired for this position must be a skilled clinical supervisor who can work effectively in a District Attorney's Office as a Special Assistant District Attorney.

Massachusetts bar admission by August 15, 2005 is a necessity. While prior experience as a prosecutor is not an absolute requirement, this position requires someone who has a keen insight into the institutional structure of criminal prosecution and the ability to review the decisions the students make to ensure that they comport with the highest professional standards. In addition to clinical supervision, the position entails teaching trial advocacy, classes related to Massachusetts criminal procedure, and specific topics related to the prosecution of misdemeanor cases.

Boston University School of Law is an equal opportunity employer and welcomes applications from individuals of diverse background. Interested individuals should submit a letter of interest and a resume listing references to Professor Frederick Lawrence, Chair, Faculty Appointments Committee, Boston University School of Law, 765 Commonwealth Avenue, Boston MA 02215.

THE CATHOLIC UNIVERSITY OF AMERICA
Columbus School of Law



DEAN
THE COLUMBUS SCHOOL OF LAW

The Catholic University of America is seeking as **Dean** a leader

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

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

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

Very Reverend David M. O'Connell, C.M.
President and Search Committee Chair

The Catholic University of America
Washington, DC 20064
FAX: 202-319-4441
Email: cua-president@cua.edu

The Catholic University of America is an Affirmative Action, Equal Opportunity Employer.



ASSISTANT DIRECTOR ENTREPRENEURSHIP CLINIC

The **Institute for Justice Clinic on Entrepreneurship** at **The University of Chicago Law School** invites applications for the position of **Assistant Director/Lecturer at Law**. The nationally acclaimed law clinic was founded to stimulate private enterprise in the inner city by offering free legal assistance to low- to moderate-income entrepreneurs. The Clinic assists its clients with general business matters, transactional needs, and regulatory compliance issues. The Assistant Director will guide law students providing legal counsel and services to low- to moderate-income entrepreneurs, co-teach the Clinic's companion course, assist in the administration of Clinic operations, interact with the media, and engage in community outreach to encourage and support entrepreneurship.

The Assistant Director will be a licensed attorney with 3+ years of experience in a general business or transactional law practice, who has demonstrated acumen in contract

drafting, negotiation, and business planning. A strong academic background, a commitment to public interest work, and an intellectual engagement with entrepreneurship and the law are required. A passion for teaching and a facility for working with culturally and economically diverse groups are also necessary. Admission to the Illinois bar and a background in zoning, tax, accounting, or finance, are pluses. Review of candidates will begin immediately and continue until the position is filled. Please send cover letter, resume, and at least three references to:

Elizabeth Milnikel, Director
Institute for Justice Clinic on
Entrepreneurship
6020 S. University Avenue
Chicago, IL 60637
(773) 834-3108
E-mail: emilnikel@ij.org or
FAXFAX (773) 834-3130
*The Institute for Justice is an equal
opportunity employer.*



DIRECTOR of INTERNATIONAL HUMAN

The **George Washington University Law School** is seeking an attorney to fill the position of **Associate Professor of Clinical Law** to direct the school's **International Human Rights Clinic (IHRC)** and the co-requisite Human Rights Advocacy Seminar on a two-year appointment, subject to the availability of funding.

The IHRC's docket consists of human rights cases in U.S. courts under the Alien Tort Claims Act and Torture Victims Protection Act, or before international tribunals, mainly in the Inter-American Human Rights System. Founded in 2003, the IHRC has, *inter alia*,

- served as a full partner with counsel of record in historic human rights litigation before the Supreme Court;
- assisted defense counsel in the pending trials of terrorists before military commissions at Guantanamo Bay, Cuba;
- assisted the Center for Justice and Accountability in the development of human rights cases in federal district courts;
- drafted a memorial for the Ethiopia-Eritrea Claims Commission on violations of international humanitarian law; and
- developed human rights enforcement legislation in cooperation with the American Bar Association Task Force on the Alien Tort Claims Act.

The IHRC seeks to promote the progressive integration of international human rights standards into legal practice in a variety of fields.

Additional information about the IHRC is

available at www.law.gwu.edu/ihrc.

The Director of the IHRC will be responsible for supervising eight-ten second or third-year law students in a four-credit clinical course and teaching a co-requisite two-credit Human Rights Advocacy Seminar focused on skills development. The Director's duties will include developing and maintaining an active docket, potentially including live-client and

Organizational client matters at a variety of procedural stages; coordinating student work with outside counsel and the human rights faculty of the Law School; and pursuing public and private sources of external funding. It may also be possible for the Director to participate in the Law School's summer program in international human rights law, administered jointly with Oxford University.

The Director of the IHRC must have an earned law degree from an accredited law school and be admitted to practice in a U.S. jurisdiction. He or she must have significant academic or professional experience in litigating international human rights cases in domestic courts and international fora, as well as executive or administrative experience, including fund-raising and promotion. Foreign language skills are desirable, as is a strong record of publications in the field. To be considered for this position, please mail or fax your resume with a cover letter, by

February 1, 2005, to:

The George Washington University Law School

Attn: Professor Tom Morgan, Chair
Faculty Appointments Committee
2000 H Street, N.W.

Washington, D.C. 20052

FAX: (202) 994-5157

GW is an equal opportunity employer.

Hale and Dorr Legal Services Center
Harvard Law School

**ALBERT M. SACKS CLINICAL
LAW FELLOWSHIP**

The **Harvard Law School Office of Clinical Programs** is sponsoring an **Albert M. Sacks Clinical Law Fellowship** for the 2005-2006 academic year at the **Hale and Dorr Legal Services Center**. The goal of the Sacks Fellowship is to provide the opportunity for a promising law school graduate to increase his or her practice skills and knowledge and to engage in research and investigative projects in the context of an intensive and strategic practice experience at the Legal Services Center.

BACKGROUND INFORMATION

The Hale and Dorr Legal Services Center is a fully functioning law office located in the Jamaica Plain community of Boston. It is also Harvard Law School's oldest and largest clinical teaching facility offering Harvard Law School students a chance to gain practical legal experience and earn course credits handling cases under the supervision of experienced Clinical Instructors, attorneys and paralegals at the Center.

The Sacks Fellowship is open to an outstanding, recent law school graduate (2002, 2003, 2004 or 2005) with preference given to applicants with prior clinical experience. The Fellowship honors HLS Dean Albert M. Sacks, whose vision and support were critical to the founding of the clinical program at Harvard Law School, by supporting clinical investigation and practice activities in furtherance of:

- the enhanced delivery of legal services
- a better understanding of the issues involved in implementing public policies related to urban income, employment, family, housing, economic development policies, the

criminal justice system, and juveniles; and

- improved methods and approaches to clinical learning in law.

FELLOWSHIP PROJECT/PRACTICE PROGRAM

The core experience of the Fellowship offered for 2005-2006 is immersion in law practice and clinical teaching under the immediate guidance of experienced staff, with increasing independence. The Fellow will be asked to keep a journal and in other ways record and reflect on the post graduate learning experience in order to help clinical faculty better understand the transition from law school to law practice and thereby improve the clinical program for law students.

The Fellowship Project is in the Center's Community Enterprise Project (CEP). CEP has developed a comprehensive program devoted to expanding and preserving homeownership opportunities to lower income individuals. The program includes representation of local community development corporations in their efforts to build affordable housing (land acquisition, zoning, commercial financing, etc.), representation of low-income, first-time homebuyers, and representation of homeowners facing foreclosure. The Fellow will work on both legal and policy issues related to community economic development and homeownership issues.

APPOINTMENT AND SUPPORT

The Fellow will be appointed for an initial term of one year (September 1, 2005 through August 31, 2006) with the expectation of renewal for a second one-year term appointment (September 1, 2006 through August 31, 2007). The Fellowship is supported by a

salary of \$44,000 per year, renewable for the second year at the same level, and the Fellow will have access to the University's health insurance programs.

APPLICATION AND SELECTION PROCESS

Completed applications are due on **February 18, 2005** and are available on our web site at:

<http://www.law.harvard.edu/academics/clinical/lsc/main.shtml>

Questions should be addressed to Cheryl Burg Rusk, Assoc. Director of the Center, at: rusk@law.harvard.edu or (617) 390-2588.

Preference may be given to candidates with public interest backgrounds and/or previous experience in the area of community economic development. An interest in a broad range of real estate transactions – from residential purchases to commercial real estate development -is essential. Must be admitted to, or intend to, sit for the Massachusetts bar. Strong oral and written communication and organizational skills, strong motivation to learn and achieve superior professional practice and mentoring skills are required.

Finalists will be invited for interviews. The selection of the Sacks Fellow will be made no later than March 23, 2005.

The logo for the Harvard Legal Aid Bureau, featuring the words "harvard legal aid bureau" in a stylized, lowercase, blue font on a light blue background.

TWO (2) CLINICAL INSTRUCTORS

The **Harvard Legal Aid Bureau** is currently reviewing applications to fill two **Clinical Instructor** positions for next year. The full-time one has a

flexible start date of Jan/Feb or May/June 2005, and the part-time one for May/June 2005. Interested candidates must apply on-line at <http://atwork.harvard.edu/>.

The Bureau is staffed by an Administrative Director, a Managing Attorney, five part-time Clinical Instructors, and approximately 46 2L and 3L Harvard Law School students fulfilling a two-year commitment. It is a curriculum-based poverty law clinic that since 1914 has functioned under a tradition of student leadership and governance, making it a unique and exciting institution in clinical legal education. Please refer any questions about our program to Susan T. Arteta, Administrative Director, either by email sarteta@law.harvard.edu or phone (617) 495-4408 or visit our web page <http://www.law.harvard.edu/students/orgs/hlab/>

UNIVERSITY OF MIAMI SCHOOL OF LAW



Assistant Professors of Clinical Education

University of Miami School of Law invites applications for up to three (3) clinical faculty appointments in the position of **Assistant Professor of Clinical Education**, beginning in summer 2005. The faculty will direct the **Children and Youth Law Clinic**, the **Community Health Rights**

Education Clinic, and perhaps a third in-house, live-client poverty law clinic. The three positions will remain open until they are filled, but candidates are strongly encouraged to apply as soon as possible. University of Miami encourages women, minorities, and candidates of diverse backgrounds to apply. Please forward cover letter, resume/CV, and contact information for three references to:

Cynthia McKenzie
Coordinator, Center for Ethics & Public Service
University of Miami School of Law
P.O. Box 248087
Coral Gables, Florida 33124-8087

JOB DESCRIPTION

Assistant Professor of Clinical Education in the in-house, live-client clinical programs of the University of Miami School of Law, primarily the Children and Youth Law Clinic and the Community Health Rights Education Clinic. The Children & Youth Law Clinic serves the legal needs of children in the foster care system in dependency, health care, mental health, disability, independent living, education, immigration and other general civil legal matters through direct representation, impact litigation, law reform advocacy, and community lawyering. The Community Health Rights Education Clinic is an interdisciplinary medical-legal curriculum-based clinical program in poverty law practice, research, and teaching dedicated to improving the health and legal outcomes for poor families who are patients at hospitals and community clinics affiliated with

the University of Miami Schools of Medicine and Nursing.

QUALIFICATIONS:

JD and admission to Florida Bar or must pass next exam, and at least three-five years of poverty law practice experience with superior professional practice skills required; experience as a formal mentor and supervisor of law students, beginning attorneys or other professionals, and experience managing and developing accomplished professionals, including program management abilities, preferred; excellent written and verbal communication and interpersonal skills; demonstrated ability to work independently and creatively, as well as collaboratively, to further broad interdisciplinary program needs in demanding high-stress circumstances; expertise in poverty law (children and families, economic development, immigration, and public benefits) and community-based advocacy with ability to develop similar expertise in interdisciplinary professional staff and students; strong motivation, initiative, and commitment to meeting the legal needs of poor families; strong organization, time management, case management, and documentation skills. Ability to speak Spanish and Haitian Creole highly desirable.

RESPONSIBILITIES:

- Report to the Faculty Director of the Center for Ethics & Public Service.
- Responsible for the day-to-day management and evaluation of clinical staff and students, program development, including an assessment of program needs and the development of new areas of practice, and training of staff and students in youth law, public benefits, immigration, and community outreach.

- Assist the Faculty Director to define clinical program goals and provide ongoing leadership to achieve these goals.

- Assist the Faculty Director in developing educational materials and clinical practice instruction for clinical and non-clinical courses in fields related to program, and undertake overall responsibility for running clinical orientation sessions and skills seminars.

- Assist the Faculty Director in traditional and innovative clinical classroom teaching (videotapes, role play exercises, simulations, supervision and feedback sessions).

Temple University **James E. Beasley** School of Law

PROFESSOR OF LAW & DIRECTOR OF TRIAL ADVOCACY PROGRAMS

Temple University James E. Beasley School of Law invites applications for this non-tenure-track faculty/administrative position. The **Director of Trial Advocacy Programs** is responsible for the administering, supervising and teaching in our introductory, integrated and advanced trial advocacy programs. Temple's JD advocacy programs include approximately ten sections of introductory, fourteen sections of integrated and six sections of advanced trial advocacy per year in which approximately 350 enroll annually.

Responsibilities include the hiring, training, supervision and counseling of approximately fifty adjunct instructors. The Director is responsible for writing and coordinating the

production of student and faculty teaching notes for all advocacy courses. As chief administrator of all advocacy programs, the Director is responsible for developing and designing curriculum, submitting funding, grant and award applications, advising and counseling students, coordinating teaching and advocacy workshops and symposia, and interfacing with the Directors of Clinical and LLM in Trial Advocacy Programs. The Director also serves as a member of the Coaching team of Temple's Mock Trial Championship Program with coaching responsibilities throughout the year.

Project tasks will require occasional travel. JD, minimum of five years of trial experience. Must be detail oriented, organized and efficient. High quality interpersonal and administrative skills are essential. Teaching experience highly desirable. Reports to the Director of Trial Advocacy and Clinical Legal Education.

Temple has a strong tradition of accessibility and diversity and we encourage applications from women, minorities, and others whose personal characteristics will further our tradition. Please send resume. **Contact:** Professor Edward D. Ohlbaum, Director of Trial Advocacy and Clinical Legal Education, Temple University Beasley School of Law, 1719 North Broad Street, Philadelphia PA 19122. **Telephone:** 215-204-1856. **E-mail:** ohlbaum@temple.edu. **Fax:** 215-204-5423.



VISITING CLINICAL FACULTY

Villanova University School of Law

is seeking a full-time **Visiting Professor** to serve as the **Acting Director of the Civil Justice Clinic** for the **fall semester of 2005**. Students in the Civil Justice Clinic currently represent low-income clients in a variety of civil matters including family, housing, governmental benefits and consumer matters. The visitor would directly supervise second and third year students in their casework and would teach the associated classroom component, which addresses basic lawyering skills, the lawyers' roles and discussions of the students' cases. The visitor will be expected to assume supervision of some cases continuing from prior semesters and will also have some flexibility in selecting new cases for the clinic. Villanova's Clinical Program consists of 5 clinics, including the Clinic for Asylum, Refugee and Emigrant Services (CARES), Civil Justice Clinic, Farmworker Legal Aid Clinic, Federal Tax Clinic and Advanced Advocacy Clinic. The clinic office is located in the law school and is well-integrated into the law school. The clinic faculty usually meet on a weekly or bi-weekly basis to discuss clinical teaching pedagogy and issues of student supervision. We would encourage the Visiting Professor to join those discussions.

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

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

Professor Michele Pistone at pistone@law.villanova.edu, or mail to:
Professor Michele Pistone
Director, Clinical Program
Villanova School of Law
299 N. Spring Mill Road
Villanova, PA 19085

Inquiries about the position can be made to Michele Pistone, 610-519-5894, or Dveera Segal, 610-519-6417.

Applications will be accepted on a rolling basis, until the position is filled.

Villanova University is an AA/EOE Employer.