

CLEA NEWSLETTER

PRESIDENT'S MESSAGE



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I write in the aftermath of a natural disaster so comprehensive, and so devastating, as to shock us into sharp awareness of the suffering and the fragility in our lives together. In some measure, this shock should come as no surprise. As a community of lawyers, teachers, and scholars, clinicians stay closer to the edge of real need and of responsive compassion than most in the legal academy. We have a distinct habit of keeping our moral vision focused on how the law both causes and alleviates injustice, and on how lawyering can both redress and prevent suffering. But the scale of Katrina encompasses and exceeds our more lawyerly instincts. It widens our vision and strains our capacities beyond what we might have expected before such a storm.

We must each follow our feelings in these matters, but I find myself drawn to the notion of smallness as it applies to the helping instinct. We could react to what we have seen and experienced these last weeks with a sense of despair, or of paralyzing outrage, and conclude that nothing that we can do might matter. For days and days, we have witnessed not only a natural disaster, but a human disaster shaped by the worst divisions in our culture and our legal system. But each day, we also hear of one thing or another being tried and succeeding: a gift here; a connection there; an outstretched hand; a clear voice. On their own, small things: but in combination, quite large and movingly powerful. I am more convinced than ever that small good things still retain their value in the face of such a disaster.

In these days, I am especially proud to be a member of the clinical community. I have heard of many, many personal acts of heroism and of commitment from our colleagues in the path of the storm. Even with my limited knowledge, I am amazed and enriched with the rush of resources and ideas that our community has exchanged, and continues to develop. As you will elsewhere in this newsletter, CLEA has taken its own efforts to help,

separately and in collaboration with our other selves in the Clinical Section (with the active approval of the AALS). I hope that these efforts, even in their smallness and partiality, will be of real value to those most in need of what we can provide.

CLEA had had a busy summer, even before the rush of events at the start of the semester. In June, we achieved a success in our efforts to require law schools to achieve equality in their treatment of clinical faculty, a success focused squarely on the importance of academic freedom to clinical teaching. The House of Delegates has since ratified these successes. Now, CLEA's efforts turn to monitoring how the new standards are applied, and to advocating for a more explicitly stated definition of academic freedom as it applies to our work as clinicians. CLEA has also contributed its voice to the Department of Education's review and recertification of the ABA as the accrediting body for law schools. Reports on all these developments appear elsewhere in this newsletter.

CLEA's most important long-term initiative, the **Best Practices Project**, also made substantial progress this summer. As **Roy Stuckey (South Carolina)** reports elsewhere in this newsletter, the Best Practices document has itself come close to its final form. In anticipation of this, the CLEA Board authorized the appointment of a **Best Practices Implementation Committee**, which will focus on securing the acceptance and integration of the

"best practices" principles throughout the legal academy. A description of that committee, its charge and its membership also appears in this newsletter.

The CLEA Board has also completed some significant changes in CLEA's bylaws and organizational practices. As reported elsewhere in the newsletter, a series of technical bylaw changes occurred in the spring. During the summer, we solicited feedback from you, our colleagues, about changes that directly affect the development of leadership for CLEA. That feedback proved critically useful, and resulted in the Board's reaffirming CLEA's policy of open-ended nominations for all CLEA positions. Finally, the Board has adopted changes that, this year or the next, will streamline our elections process and make it less burdensome on our officers. Indeed, in this newsletter, you will see our call for nominations; and elections will occur later in the fall. Also this fall, CLEA will review our new consultant's position, with a view to enhancing and extending our capacity to serve the needs of our community.

At this writing, we do not know where we will meet in January, but we do plan to meet: to celebrate our successes, to assess our challenges, and to lay plans for the next year. We will keep you posted as we know of that event. However, one meeting-related event will occur early. Instead of waiting until we meet to seek your help with our **Per Diem Project**, you will see in this newsletter and on the listserv a call for per diem contri-

butions this fall. We will direct these funds that we collect towards those in need in the gulf coast region, and will ask for the advice of our colleagues there to help us identify the most effective point of contribution. We hope that you will be able to join us early in our continued effort to bring relief where it is needed the most.

HELPING THOSE WHO HELP OTHERS: CLEA'S RESPONSE TO KATRINA

In response to events in the gulf coast states, CLEA has decided on two interrelated responses. On our own, we have chosen to advance the date of our annual **Per Diem** collections, in an effort to provide help this fall for the people living in the region where we had planned to hold our annual celebration this January. You can more read about this effort in a separate article in this newsletter.

Our second response has happened in collaboration with our sibling organization, the **Clinical Section of the AALS**. From early days, **Chuck Weisselberg (UC-Berkeley)**, this year's Section Chair, and I as this year's CLEA president were in close and regular contact. We quickly saw a service that might take advantage of our community's particular strengths: the ability to create resources for clients and for the service providers confronting the task of helping them. We were able to make contact with the incredible **Debbie Bell (Mississippi)**, who with her amazing colleague **Hans Sinha (Mississippi)**, has helped to

coordinate a network of service providers in northern Mississippi, to cope with the huge surge in those moving north from the area of devastation.

Encouraged by Debbie, Chuck and I brought to our respective organizations the idea of creating a network of resource creators from the clinical community, whose task would be to provide practical assistance to service providers and their clients in the region of greatest harm. The CLEA Board voted quickly in favor, as did the Section's Executive Committee. The AALS also signed on quickly, approving the Section's role in collaborating with CLEA, and circulating the idea of the proposed **Katrina Task Force** to others who might be able to help. (Credit goes to **Carl Monk** for acting quickly and without hesitation to gain AALS approval for our joint work.)

The resulting **Katrina Task Force** thus draws on the entire clinical community, taking advantage of our two organizations' complementary features to focus on the needs at hand. A **Coordinating Committee** has been formed, consisting initially of **Jeanne Charn (Harvard)**, **Antoinette Sedillo Lopez (New Mexico)**, **Suzanne Levitt (Drake)** and **Debbie Bell (Mississippi)**, with Chuck and I serving ex officio. We expect to add to this initial group as we become aware of others with the time to devote to the task. We have issued a call for volunteers, and have created an initial list of topics on which help will be required. At this writing, we have a solid pool of volunteers, and are in the midst of

making assignments and assuring that we do not duplicate efforts.

Much work remains, and many complexities confront us as we seek to deliver in a time of need. However, I am already able to report on the synergy and passion with which so many in our community have been responding. I am becoming more and more aware of what legal services providers, law schools, bar associations and private firms are doing to bring expertise to bear where it can best be used. The joint **CLEA /Section Hurricane Katrina Task Force** will serve as only a part of a larger community response, but we intend to make ourselves effective and helpful. We hope that you will be able to join with us as we offer what we can to those whose lives have been so deeply dislocated by the disaster.

PER DIEM NEW ORLEANS

As you know, **CLEA's Per Diem Project** has provided clinicians with an opportunity to give back to the communities hosting our conferences. In the past, we have gathered funds at our conferences and forwarded them to one or more justice organizations selected by local clinicians. The **Per Diem Project** has always sought to help organizations in the communities where we meet, and to rely on local clinicians to identify possible recipients of the funds that we collect.

In the aftermath of Hurricane Katrina, we see a unique and urgent need to advance our per diem activities to help people now, whether or not we end up meeting

in New Orleans next January. Now is the time for us to find and use the money that the **Per Diem Project** can generate. We do not know the AALS' plans, but wherever we go, it seems right to recognize the overwhelming losses in the wake of the storm, and to try to help during the fall rather than next winter.

We plan to work with clinicians working in the affected areas, to identify the points both of greatest need and of most effective help. We are also working out details for contributing that will make the process of giving as easy as possible. We are not ready to take donations or to distribute assistance today, but are working hard to be ready soon. Details will follow shortly on the LAWCLINIC Listserv.

We know that people have been generous already with time and money, and hope you will dig a little deeper to help our colleagues to help their clients in a time of extraordinary need.

On Behalf of the CLEA Board:
Jeff Selbin (jselbin@ebclc.org)
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FINAL A.B.A. RULES ON SECURITY OF POSITION AND GOVERNANCE

In late June, the A.B.A. Council on Legal Education and Admission to the Bar voted to approve changes to key Interpretations of the Standards that govern the accreditation of law schools. These changes significantly altered the Interpretations in ways that benefit clinicians. When these changes were reported in June on the LAWCLINIC Listserv,

CLEA's A.B.A. Relations Committee indicated that they were not final, but were still subject to review by the A.B.A.'s House of Delegates.

We can now report that the House of Delegates has ratified the changes without alteration. Meeting in early August during that A.B.A.'s Annual Meeting in Chicago, the House had the task of reviewing the changes, and had the authority to reject them and send them back to the Council for reconsideration. While CLEA had some early concerns that these standards might draw organized opposition on the floor of the House, none emerged. A full report on the new standards appears on the A.B.A.'s website, at <http://www.abanet.org/legaled/home.html>.

As a result, the new interpretations were ratified, and are now final. They are effective immediately; we should thus see during the upcoming year exactly how accreditation teams, the A.B.A.'s Accreditation Committee and the Council will apply them.

The language of the new interpretations relate to two critical issues: employment arrangements with clinical faculty that should "reasonably similar to tenure"; and law school rules permitting the participation of clinical faculty in governance.

Security of Position: Standard 405(c) requires that clinicians receive a form of security of position that is "reasonably similar to tenure." The new interpretation of this standard eliminates the prior language which had no specific language to define either the length or renewability, nor an overarching

standard by which law school compliance with the provision might be gauged. The new interpretation states:

"For the purposes of this Interpretation, 'long-term contract' means at least a five-year contract that is presumptively renewable, or other arrangement sufficient to protect academic freedom."

The new interpretation creates two alternate ways that law schools can satisfy the Standard's requirement of security of position "reasonably similar to tenure." First, a school may offer clinical faculty a five-year contract, with a presumption of renewal of that contract at its end. Recent commentary to the Standard indicates that this provision is a "safe harbor"; if a school uses this approach, it will have satisfied the standard. Note that the new Interpretation does not further define "presumptively renewable." While a fair interpretation of the language means "renewable except for good cause," the need exists to monitor exactly how accreditation teams and the Council apply this language.

Second, a school may offer clinical faculty another "arrangement sufficient to protect academic freedom." This language, which on first glance looks disturbingly open-ended, in fact offers more guidance than the prior interpretation. The phrase "sufficient to protect academic freedom" requires that any arrangement other than a five-year presumptively renewable contract must be justified by reference to the same principle underlying traditional academic

tenure. In effect, we believe that it shifts the burden to the school to articulate precisely how its arrangement serves the end of academic freedom in a way that is “reasonably similar” to tenure.

The Council enacted this second part of the interpretation as a response to expressions by Deans of a need for flexibility in arranging their employment contracts. The Council specifically discussed one example of that need: schools who were legally prevented from entering into employment contracts longer than one year. Such a school would need to justify its program of one-year contracts against the standard of “sufficient to protect academic freedom”; as noted at the Council meeting, one-year, presumptively renewable contracts might satisfy that standard. As with the “safe harbor” provision, the need exists to monitor exactly how accreditation teams and the Council apply this language.

At the Council meeting in June, CLEA representatives were informally encouraged to help the Council revise its definition of “academic freedom” to clarify how academic freedom works for clinical faculty engaged in clinical law practice. Picking up the suggestion, **CLEA’s A.B.A. Relations Committee** is currently working on draft language that would do just that, seeking to update the A.B.A.’s current definition from its current form which is over five decades old. We will keep you apprised of the progress of that proposal.

We encourage you to notice that the new interpretation does not change other aspects of the

standards relating to security of position. A law school’s clinical programs must be predominantly staffed” by clinicians with these long-term contracts; but a school does not need to extend this protection to all clinical faculty. Moreover, clinical faculty working in experimental programs need not be accorded the protection of the new interpretation.

Despite its ambiguities and its limits, the clarifying language adopted by the Council reflects a substantial change in the landscape of ABA regulation of clinical security of position, and a solid victory for clinicians. For the first time, “presumptive renewability” or an alternative specifically consistent with protecting academic freedom constitutes the only way to provide clinicians with “security of position reasonably similar to tenure.” Moreover, the language sets a solid bar for length of term: it explicitly designates a five year, presumptively renewable contract as in compliance with the standard. A school must justify any “other arrangements” both against this length and stability of contract, but by reference to protection for a clinician’s academic freedom.

Governance Rights: Standards 405(c) also requires law schools to assure that clinical faculty have the right to participate in law school governance in way “reasonably similar to those provided to other full-time faculty.” The new Interpretation specifies that this right includes “participation in faculty meetings, committees and other aspects of law school governance . . . in a manner

reasonably similar to other full-time faculty members.”

CLEA had supported this language in committee and at the Council; and the proposal drew little discussion in the Council’s debates. We did so recognizing a significant omission from the Interpretation: it contains no specific language with respect to voting rights. The tenor of the Council’s discussions was that clinicians should participate in voting to the same extent as other faculty members. However, the Council chose not to mandate “voting”, out of a concern that it would be impossible to regulate all of the different ways in which schools arrange for voting for its faculty. As before, the need exists to monitor exactly how accreditation teams and the Council apply this revised interpretations in the context of future inspections.

In earlier e-mails, we have identified all of the people whose hard work made these changes possible. That list is hearteningly long, and filled with a solid commitment to improving the status and role of clinical faculty in the academy. The next steps will be to monitor the work of the Accreditation Committee, and to make sure that adjustments to the Interpretations be considered as early and timely as the need arises for them. CLEA will continue its long-term commitment to attend and advocate for these changes.

**RECERTIFICATION OF THE
A.B.A. AS ACCREDITING AGENCY
FOR LAW SCHOOLS**

This year, the United States Department of Education is reviewing the A.B.A.’s performance of its task as the accrediting agency for American law schools. This review is necessary because the legal authority for the A.B.A.’s role will end in the near future. The end result of the Department of Education’s review will be to decide whether to continue that review for another period of time. To this end, D.O.E. has already asked for written comments, and will provide the opportunity for oral testimony in early December.

CLEA filed its written comments on August 23, in a letter drafted by the **CLEA A.B.A. Relations Committee** and signed by this year’s president, Alex Scherr. The text of that letter appears below. CLEA has taken a position in support of the A.B.A.’s role; and in general, CLEA has spoken in favor of the structure that A.B.A. has created to handle its accreditation task. At the same time, CLEA had specific criticisms of some A.B.A. practices. In CLEA’s view, the A.B.A., and specifically the Council, needs to provide greater transparency in its decision-making process. The Council should assure that its processes work fairly, free from undue influence from particular groups, especially law school deans. Finally, CLEA argues that the Council should assure that clinical faculty participate actively in all accreditation activities, including the setting of standards, the performance of particular site inspections and the review of site inspections by the Council and its Accreditation Committee.

CLEA'S WRITTEN COMMENTS

I write as President of the Clinical Legal Education Association (CLEA). This letter describes our relationship with the American Bar Association (ABA), and provides comments directed towards the Department of Education's consideration of whether to re-designate the ABA as the organization responsible for the accreditation of law schools.

CLEA is a private non-profit professional organization with a membership of over 650 law professors, consisting primarily of clinical legal education teachers throughout the legal academy. We have engaged actively with the ABA and its Council on Legal Education and Admissions to the Bar for over a decade. Our engagement includes: regular attendance at open meetings of the Council and its committees; review and comment on all proposals concerning standards for accrediting law schools; and regular reports on the activities of CLEA and of the clinical community. In addition, CLEA members often participate in ABA sponsored programs and conferences dealing with legal education issues, and some CLEA members serve on ABA Accreditation Site Teams. The Council currently lists CLEA as an "organization interested in legal education."

In general, CLEA strongly supports both the ABA's role and its handling of its role in the accreditation of law schools, for reasons that I specify below. At the same time, CLEA submits that the ABA should act more forcefully to

assure that its deliberations remain transparent, that its processes remain fair, and that all constituencies concerned with legal education remain actively engaged in the process of accreditation.

CLEA strongly supports the continuation of the ABA as the accrediting body for legal education. We believe that the ABA represents an appropriate mix of those constituencies with a vital stake in legal education: law schools, academics (including many who teach clinical courses), clinicians, practitioners, the judiciary, bar associations and other individuals and organizations, both private and public. We believe that it is especially important to have representatives of the public, including the judiciary and the bar association members, to assist the ABA in accrediting law schools to prepare law students for the practice of law.

We also support the ABA's internal institutional structure for accomplishing its role as accrediting agency. The Council on Legal Education and Admissions to the Bar plays an appropriately central and critical role in meeting the ABA's responsibility both to create standards for accreditation, and to apply those standards to individual schools. As a structural matter, the Council has created an appropriate system of sub-committees through which to accomplish its work: for the creation of regulations, the Standards Review Committee; and for managing the inspection and accreditation process, the Accreditation Committee. Finally, the Council has fostered an effective role for the Consultant on Legal Education,

whose office provides critical assistance both to the Council and its sub-committees.

At the same time, we stress certain aspects of this structure that are critical to its success; and in each, we submit that the ABA could act more effectively to protect its role as a national accrediting agency. First, oversight of the Council by the ABA's House of Delegates is critical to assuring that the accreditation process remains accountable to all those with a stake in legal education. With the passing of the Department of Justice Consent Decree with the ABA, the House of Delegates provides the only means to assure that decisions by the Council receive full and fair review. For reasons we discuss below, the Council serves at the intersection of strong pressures within the legal academy, pressures which we feel that it has navigated successfully. However, the need remains for review beyond the Council, by a body that reflects the views of the entire legal profession, and not just of the legal academy. It is in this critical capacity that the ABA's House of Delegates serves.

Second, it remains vitally important for the Council to act with the greatest transparency and fairness towards all individuals and organizations with a record of consistent, credible commentary on the accreditation process. A persistent risk exists that the Council itself, or its subcommittees, might become captives of a particular constituent group within the legal academy. The Consent Decree sought to combat that risk; with the passing of that Decree, it becomes even more important to assure that the

Council's decision-making process remains open, inclusive and broad-based. Toward that end, current ABA Internal Operating Practices require that except for matters to relating to the accreditation of particular law schools, all other proceedings, writings and documents of the Section of Legal Education and Admissions to the Bar shall be public. CLEA believes that this Internal Operating Practice is essential to the proper work of the ABA in accreditation.

Third, we want to highlight a particular risk of the ABA structure: the risk that the Council or its committees might apply in- formal, unstated rules for reviewing law schools without subjecting those rules to notice and comment, or formalizing them in the language of the Standards or their Interpretations. For example, until this year, the Accreditation Committee had consistently applied an unwritten rule that law schools that provided clinical instructors with three-year contracts would satisfy the requirement of the Standards that clinicians have a security of position "reasonably similar" to tenure. This three year rule appears to have emerged from the Accreditation Committee's regular review of schools, and was applied for many years both by the Committee and the Council in reviewing and ratifying accreditation decisions for schools. Not until this year, however, did the issue go through notice and comment, and become the subject of an Interpretation to the Standard.

We recognize that the Council and its committees face a daunting task in applying the general language of

the Standards to the particular circumstances of the various law schools. We support both the Accreditation Committee and the Council in their efforts to assure that they review each school in depth, on the merits of its each school's individualized circumstances. We also recognize that the Accreditation Committee and the Council may well find that approaches that helped in the evaluation of one school may also help in the evaluation of other, similarly situated schools.

However, at the point where these approaches ripen and harden into rules of general application, the Council must take appropriate steps to assure that these rules of general application be referred to its rule-making process for public airing and comment. CLEA has found that this process generally works well: the development of proposals by the Standards Review Committee through open hearings and written comment; overall review and vote by the Council; and finally, review and ratification by the House of Delegates. The Council should not apply any rule to all law schools without assuring that the rule has received full discussion and comment. In this regard, CLEA recommends that the ABA adopt better processes, perhaps through the use of its website, to make all written comments received and transcripts of open hearings available to the public while proposed changes to the Standards and Interpretations are in the comment period. Failure to make these comments and testimony public impede transparency in the rule-making process.

In the same spirit, we would warn against the possibility that the composition of the Council or its committees come to rely too heavily on any particular constituent group. We have a particular concern for the role and influence of law school deans. We understand the purpose of the Consent Decree to include the lessening of decanal influence in managing the accreditation process. We believe that, while the deans are essential participants, they are not sufficient alone, and do not necessarily consistently speak for the interests of law students, the general public, or any other interests group either within or outside the legal academy. As a group of law faculty teaching clinical courses, in particular, CLEA has consistently noted the efforts of deans to lessen or eliminate the appropriate efforts of the Council to assure full participation by clinical faculty in the life of the law schools and the future of legal education. Indeed, the a special report of the ABA in 1990, "Report of the Special Committee to Study the Law School Approval Process to the Council, otherwise known as the Ramsey Report, contained the recommendation that the Accreditation Committee "include . . . faculty with a variety of interests and backgrounds, including librarianship and clinical education." It continues: "This mélange of experience brings a broad perspective to the work of the Committee."

For these reasons, we applaud the Council's past practice of assuring a clinical faculty voice as a participant in its deliberations, and to include clinical faculty input in the

work of its subcommittees, especially its Standards Review Committee. We note with great disappointment that the Council has recently re-composed the Accreditation Committee in such a way as not to include anyone actively engaged in clinical teaching. The work of the Accreditation Committee is vital to assure that all perspectives, including the perspectives of clinical faculty, receive a full and valued hearing in legal education. At the same time that the clinical faculty perspective has been eliminated from the Accreditation Committee, the current and former deans continue to comprise the largest group on that Committee. CLEA submits that this is an ill-advised action that threatens the ABA's Accreditation process by backing away from the goal of inclusiveness in accreditation that we see as a principal goal of the Council.

With respect to accreditation reviews, CLEA both applauds and exhorts the Accreditation Committee and the Consultant's office to continue and to expand its efforts to include experienced and trained clinical faculty as participants in inspection teams. Viewed over a period of years, we think that the Council has successfully included more clinicians in these teams. At the same time, we notice that the effort often lags, and that team members without any substantial experience in clinical teaching are frequently given the responsibility for reviewing the clinical program. For example, during 2003-2004 academic year the ABA conducted twenty-five accreditation visits of ABA-approved and provisionally approved schools,

and there was an active clinical faculty member on all but five of these teams. When there is not a clinical faculty member on a team, this seems not only non-inclusive, but unnecessary and counterproductive. The clinical community represents one of the largest single teaching constituencies within the academy. The perspective of the only segment of the law school involved in working with students in the actual practice of law is essential to an effective site accreditation visit, and CLEA hopes that Council will make an effort to have at least one faculty member teaching clinical courses on every accreditation site team.

On a separate point, we express our disappointment at the loss of John Sebert as the Consultant on Legal Education to the Council and to the ABA. During his tenure, the Council steadily opened up its processes, and created greater transparency and inclusiveness, not just for clinicians but for a wide variety of constituent groups. We especially appreciate his recognition that the regulation of legal education requires the consideration of a wide variety of voices, and that the Council must listen to and consider all of these voices, without relying too heavily on any one group in accomplishing its task. We trust that, in hiring a new Consultant, the Council will seek to further the values of transparency and inclusiveness that have so substantially improved in recent years.

Finally, on a very practical point, we would like to express a specific concern about the mechanics

through which the Consultant's office provides notice of Committee and Council actions and meetings. CLEA takes an active role in reviewing and providing comment (as appropriate) on the issue before the Council and its Committees. On average, the Consultant's office has succeeded in providing us and other constituent groups with timely notice of prospective proposals and meetings. However, we have noticed that on certain occasions, we do not receive full notice of key documents until too late to allow us to evaluate or respond effectively.

Despite the concerns I have just expressed, let me restate CLEA's overall view: the ABA remains the most appropriate agency for the task of accrediting law schools; and the ABA's accreditation bodies and processes have done an effective, credible job of overseeing and managing the accreditation process. We support DOE's efforts to assure that the ABA continues to serve the important public values at stake in the regulation of law schools.

**/s/ Alexander W. Scherr
President, CLEA**

BEST PRACTICES IMPLEMENTATION COMMITTEE

The **Best Practices Project** has become one of CLEA's most important projects, of a potential importance equal to CLEA's historical advocacy with the A.B.A. or its co-sponsorship of the Clinical Law Review. You will see elsewhere in this newsletter that the Best Practices document itself is reaching its final form. Through the

incredible persistence and patience of **Roy Stuckey (South Carolina)**, and with the help of numerous volunteer drafters and editors, we are close to realizing our goal: a document which articulates a clear, organized and compelling vision of how law schools should approach the task of preparing students for the practice of law.

Anticipating the completion of the draft, and in the aftermath of the successful conference on Best Practices at Pace last spring, the CLEA Board authorized the formation of a **Best Practices Implementation Committee**. The Board saw the need to shift CLEA's focus from drafting to advocacy and persuasion, in an effort to assure that the Best Practices principles become as influential as possible in the legal academy.

Over the summer, in consultation with Board members and others, the **Best Practices Implementation Committee** was formed. I am pleased to announce that **Peter Joy (Washington, St. Louis)** has agreed to serve as Chair of this committee, and equally pleased to identify the others who have agreed to serve: **Bryan Adamson (Seattle)**, **Bob Dinerstein (American)**, **Carrie Kaas (Quinnipiac)**, **Antoinette Sedillo Lopez (New Mexico)**, **Mary Lynch (Albany)**, and **Sandy Ogilvy (Catholic)**. **Roy Stuckey (South Carolina)** will serve on the committee in an ex officio capacity.

The heart of the Implementation Committee's charge from the Board is as follows:

"The Board charges this Committee with exploring and

recommending how to achieve the broadest possible use of and influence for the principles of the Best Practices Project in the legal academy. Your tasks include, without restriction: to investigate both the opportunities for and barriers to applying these principles in law schools; to generate ideas for realizing those opportunities and overcoming those barriers; and to create practical strategies through which CLEA (and other organizations, institutions or individuals) can implement those ideas.

“Each of you will have heard many different ideas about how to implement the Best Practices Project, including at the Pace Conference as well as on the Listserv in recent months. While as a committee you might find some of these ideas useful, this charge does not recommend that you pursue any particular one. Instead, I encourage you to imagine broadly and to assess carefully, towards a goal of finding and pursuing the most effective strategies.”

The **Implementation Committee** will not focus on drafting concerns; Roy Stuckey will continue with his role as principal drafter, in collaboration with the Steering Committee and the contributing drafters and editors. The Implementation Committee will report regularly to the Board and through it, to the membership. The Board has allocated \$1,000 to the Committee for its work during this calendar year. Finally, the **Implementation Committee** has the flexibility to act as it sees necessary to pursue its charge. At the same time, we have asked the

Committee to remain aware that it is acting for CLEA, and to consult with the Board when it encounters issues or proposes actions that might require Board approval.

The formation of this Committee represents a transition from contemplation and reflection to action and advocacy about Best Practices. I hope that you will all join me in wishing the Committee well in its work, which we hope will influence the legal academy in significant ways in the years to come.

CLEA BYLAW CHANGES

This summer, the CLEA Board reviewed and made some adjustments to the CLEA Bylaws. Some of the changes were technical: the Board struck the designation of “ex officio” from the officers, clarifying that the president, vice-president, past president, secretary and treasurer were meant to participate as full members of the Board. It also passed a measure permitting the Board to consider electronic voting for the Board of directors.

One proposed change proved more controversial: a change addressing whether those who run for the CLEA presidency must first serve on the CLEA board, and may run for office as a CLEA member, without prior board service. To become CLEA president, a CLEA member must run for vice-president and serve a year in that capacity, followed by a year as president and a year as immediate past president. Under the existing bylaws, candidates for the “presidency track” must be CLEA

members, but did not first have to serve on the board before running.

In May, the Board considered a proposal to require prior board service for candidates to the presidency. In favor of such a measure, the activities of CLEA have become increasingly diverse, complex and significant in recent years. With the creation of the Best Practices Project, the increasing success of our Standards Advocacy, and CLEA's traditional outreach and support for clinicians, a feeling arose that service as president required more than one year of exposure.

However, strong reasons exist against such a measure. CLEA has consistently valued the practice of openness and responsiveness to membership opinion and membership views. With the increasing complexity of CLEA's activities, more work would be done by the Board and its leadership; and the risk exists that the Board might become too homogeneous and self-perpetuating. The feeling existed that to require prior board service for the president would strengthen this risk.

The Board discussed this change in May, but eventually deferred a final vote until after it could consult with the CLEA membership. An e-mail to the Listserv in June solicited input broadly, and 14 members responded, with views on both sides of the question. The Board reviewed all these submissions, and decided not to make the proposed change. As a result, the bylaws remain as they were, with any CLEA member

eligible to run for the "presidency track" without prior board service.

Thanks go a committee led by **Paula Williams (Tennessee)** for creating the proposals for consideration. Special thanks also go to those CLEA members who took the Board up on its invitation to comment; those comments proved critical in helping the Board reach its decision.

CLEA'S ELECTIONS PROCESS

You will have seen both on the Listserv and in this newsletter a call for nominations: it's election time for CLEA, an important test of our ability to renew our leadership with new energy and new ideas. I hope that you will respond to that call for nominees, and help our **Elections Committee**, chaired by **Laura Rovner (Denver)**, and including **Alicia Alvarez (DePaul)**, **Alice Dueker (Rutgers-Camden)** and **Steven Gunn (Washington-St. Louis)**. Your active participation in the nominations process assures that your views and your energy are well-represented in the leadership of CLEA.

CLEA has also considered a number of different changes to its elections process, and has made a handful of changes designed to reduce the cost and improve the efficiency of our process. In May, the Board passed a bylaw change that authorized the creation of a system for electronic voting for board and officer elections. During the summer, a working group explored whether the time was right for electronic voting. **David Santacroce (Michigan)** chaired

that group, which included **Paula Williams (Tennessee)**, **Jeff Selbin (UC-Berkeley)** and **Paula Galowitz (NYU)**. That Committee made a series of recommendations, and the Board has recently voted to adopt them all.

First, the Board has decided to reject electronic voting for the board and its officers. The Ad Hoc Committee had determined that electronic voting still faced too many questions about security and reliability to justify its use. Moreover, even in this age of electronic information, the Committee found reason to question whether we would reach everyone with the electronic ballot, and concluded that we would still have to rely on paper ballots to a significant degree, eliminating the cost savings of the electronic system.

Second, the Board has decided to shift over to the use of scantron balloting. This should ease the burden of counting votes, which falls on the Secretary's shoulders every year.

Third, and perhaps most important, the Board has voted to make the process of verifying eligible voters easier. As in the past, only those who have paid their dues for the current year will be eligible to vote. However, in the future, the CLEA Board will set a date by which you must postmark your dues check in order to vote. Gone will be the days when you could pay your dues with your ballot. We recognize the convenience of this procedure for our voters; but to make it work, CLEA has had to send out a large number of ballots to members from the previous year

who had not renewed. Each of these ballot has had to include different envelopes to assure that the dues payment was separate from the vote, so as to preserve the anonymity of the process and to assure that only votes from paid members were counted.

To give a sense of scale, in 2004, we sent out ballots to our 641 members who had paid in 2004; we also sent out 184 ballot envelopes to people who had paid in 2003 but not 2004. Each of the unpaid members received not only this year's ballot, but also a dues statement, along with different envelopes for their dues and for their vote. Of those 184 people, only 10 paid their dues and submitted ballots for 2004.

The Board decided that it would be administratively less burdensome to designate a date by which members must pay their dues, and to accept ballots only from members who have paid by that date. We believe that this approach will be just as likely to reach that small number unpaid people from the previous year. We will of course assure full and fair notice of the cutoff date; you can expect a series of e-mails on the listserv to that effect every year at around this season.

We have not yet finalized our plans for a cutoff date, but by the time you read this newsletter, you should have heard whether we plan to implement this system this year. I recognize and respect any anxiety you may feel about your ability to vote in such conditions of uncertainty. However, I hope that you'll forgive me if I note one great way to

manage that anxiety: simply send in your dues check when you read this article. That way, we get your vote and your dues, and you get the satisfaction of knowing that your money has gone to support all of the great activities that CLEA sponsors. And: if you DON'T like something about CLEA, your check assures that you can vote your dream ticket into office!

**-Alex Scherr
(U. Georgia)**



Hurricane Katrina Relief Efforts

The **AALS Section on Clinical Legal Education** and **CLEA** are forming a joint task force to assist providers of legal services to the survivors of Hurricane Katrina. We ask for your help.

The survivors are already spread around the U.S., and they face many legal problems. Lawyers (and, we hope, law students) around the country who are assisting them will need easy access to information on critical issues of federal and state law. We would like to help marshal resources and get them to legal service providers.

The **Katrina Task Force** will be led by a **Coordinating Committee**, working with service providers and groups of clinicians to identify and deliver legal resources necessary to

help the victims of Katrina. The Coordinating Committee would be relatively small and would serve initially as a liaison between service providers and legal researchers. Research would be handled by volunteer teams of professors and law students, organized into topically-focused working groups.

We ask that you consider volunteering to help with one of these groups, but only if you think that you have the time to make a substantial contribution, keeping in mind the commitments you already have to existing clients. And—fair warning—we will need to move fast.

As an initial project, the task force will assist **Prof. Debbie Bell** and other faculty at the **University of Mississippi Law School**, who are putting together a web-based manual for legal services providers, in collaboration with the Mississippi Bar Association. They have been interviewing survivors. As a first cut, they have identified 14 main topics for the manual; other topics will no doubt be added. The plan is to have a general discussion of each topic, followed by a discussion of federal law and the law in Mississippi, Louisiana and Alabama, where relevant. The Mississippi faculty have lined up volunteers for a number of the topics, but need experts who can write short summaries, edit others' work, or consult. As you may imagine, it would be particularly helpful to have volunteers with knowledge of Mississippi, Louisiana and Alabama law (or who can research state law).

Here is the initial list of topics:

- I. Housing** (including landlord-tenant, public housing, and other issues)
- II. Consumer** issues (including debt collection, bankruptcy, automobiles and consumer credit)
- III. Employment** law (including unemployment compensation and employment benefits)
- IV. Family law** (including divorce, custody, child support, temporary 3d party custodians)
- V. Education** (including school attendance and relocation/residency requirements)
- VI. Insurance** (including home, auto, life, disability)
- VII. Health insurance** (COBRA, Out-of-network requirements after relocation, state medical benefits)
- VIII. Death benefits**
- IX. State, Federal, and Disaster Relief Assistance** (including FEMA, food stamps, TANF, Medicaid, CHIP, social security/SSI)
- X. Banking issues**
- XI. Transportation** issues
- XII. Federal and state taxation**
- XIII. Document replacement** (i.e., birth certificates, social security and health insurance cards)
- XIV. Immigration** law
- XV. Veteran's Benefits**

We recognize that each of these topics covers a very broad area, and contains many sub-topics. For brevity, we've listed only the main headings. Following a meeting of legal providers in Mississippi, we expect to have a series of legal questions generated for the various topics.

We are very much aware of manuals and resources being created by many other organizations to address different parts of

this topic list. For example, the Louisiana State Bar is in the process of creating a manual for use by service providers in that state; and we have learned that the A.B.A. is creating a manual on other topics which a San Francisco firm is producing on a pro bono basis. You will see other examples mentioned on the LAWCLINIC listserv. The task force will need to monitor these efforts, to make sure that we are not duplicating efforts, and to assure that we use good materials created elsewhere. We expect to ask the Coordinating Committee to take on this task, and also to ask working groups on particular topics to search for similar resources. If you have an interest in helping with this resource coordination effort, please let us know.

In deciding whether to help, we ask that you consider selecting topics in which you already have substantial expertise. Further, though we are posting this call for volunteers on the LAWCLINIC listserve, we very much welcome the assistance of non-clinical faculty and other experts. We hope that you will consider engaging others in your school in this effort. If you volunteer, please provide contact information and tell us the specific areas in which you have interest and expertise. The final decision about who will work on what will be made by the Coordinating Committee in consultation with those who have volunteered in a particular area.

If you wish to volunteer, please email the information to **Nancy Watkins** at nwatkins@uga.edu. She

will gather and forward these requests to the Coordinating Committee.

We also hope that the task force can take other steps over time, such as supporting clinics that will provide direct representation, but this is a vital first start. If you have other suggestions, we would like to hear them, but ask that you hold off until we have a Coordinating Committee in place.

We very much hope that you will be able to help us in this effort to respond to the overwhelming human suffering caused by the hurricane. We look forward to hearing from you.

-**Alex Scherr** (for **CLEA**)
-**Chuck Weisselberg** (for the **AALS Clinical Section**)

Mississippi Disaster Recover Centers

An Order allowing lawyers not licensed to practice in Mississippi to provide pro bono legal services has been signed by James W. Smith Jr., Chief Justice of the Supreme Court of Mississippi.

The Mississippi Bar asks the following for those wanting to volunteer with the Disaster Recover Centers:

If you want to staff the hotline from where you are, send an email to mhenry@msbar.org -- put in the subject line "telephone assistance", and in the body of the email: name, telephone number, fax, city and state you'll be in. Melanie Henry reports they are set for the next week and a half, so you won't hear for a few days -- but she says you'll be slotted in soon.

Those wanting to come in-state, email mhenry@msbar.org -- but this time note in the subject line "onsite assistance", and provide in the body: your name, telephone, fax, cellphone number, your home city and state, whether you'll be flying or driving. They are booking people 6-8 weeks out, currently scheduling through October 31.

An affidavit volunteers must complete should be available on the Mississippi State Bar website <http://www.msbar.org>

Hurricane Relief Efforts By Clinical Programs



Loyola University New Orleans Law Clinic is planning to set up a clinic in Houston for displaced hurricane survivors.



UNLV has started only a couple of days ago to organize efforts on behalf of the approximately 1,000 known Katrina survivors who have come up here on their own. FEMA is not yet sending any of the evacuees. So far, **Pamela Mohr**, director of our new **Education Clinic**, has contacted the Catholic Charities agency that is coordina-

ting Katrina survivor support and offered the assistance of her and her students to anyone seeking to get their children enrolled in school. Hopefully our child welfare and capital defense expertise won't be needed! I imagine there may be some issues for our immigration faculty and students as we get things sorted out.



Approximately 500 people from the New Orleans area have taken up temporary residence in Middleton, Rhode Island, many of them in housing units adjacent to first-year law student apartments. On behalf of the law school, the dean has made a commitment to the governor to provide support, including legal assistance, to the displaced residents. The **Roger Williams Clinical Law Programs** and its **Feinstein Institute for Public Service** are working with the dean's office and community leaders to identify and recruit legal experts and social service providers to assist evacuees now living in Rhode Island. Students will be providing pro bono assistance through the auspices of the clinics and the public service programs.



Saint Louis University has accepted 5 students from the affected law schools. The **Legal Clinic** is working with local bar officials to provide legal assistance to the nearly 4,000 families who have come to Missouri from the Gulf Coast.

COMMITTEE REPORTS

ABA RELATIONS COMMITTEE Gary Palm

ABA COUNCIL RECOMMENDS WEAK CHANGES IN LAW SCHOOL ADMISSIONS PRACTICES

CLEA and SALT submitted proposals for significant changes in law school admission practices to stop the decline in the numbers of certain minority groups entering law schools each year. The Council made one (1) improvement but rejected all the rest of CLEA/SALT proposals or put them over to next year for re-consideration by the Standards Review Committee.

The Council approved for comment by law teachers, deans, etc., a new requirement that a law school "shall demonstrate by concrete action a commitment to providing full opportunities for the study of law and entry into the profession of underrepresented groups, particularly racial and ethnic minorities, and having a student body that is diverse with respect to gender, race and ethnicity." (Emphasis added.)

However, the Council rejected CLEA/SALT's proposal to require

“results” rather than continue the ABA’s acceptance of “effort” without “results.” Basically, the arguments of Deans to be free from further regulation to accomplish diversity won out. The Council in its Commentary stated the arguments it considered in deciding to reject the CLEA/SALT “results” requirement:

“The requirement of the Standard is stated in terms of effort. There was extended discussion on this issue, as some urged that the Standard be stated in terms of results. Specifically, it was suggested that the Standard should build on the language of the *Grutter* case and require that law schools have a “critical mass” of students from traditionally underrepresented groups. Evidence was provided to show continuing underrepresentation in law school and in the legal profession of individuals from groups that have been historically discriminated against, and the argument was made that only a results test could ensure that there would be substantial progress toward increasing access to legal education and the profession. The Council and Committee ultimately decided that genuine effort cannot always assure results. The focus on effort also recognizes the constraints imposed upon some schools by applicable law and the demographics of the school’s area.”

Some members of the Council have privately expressed guarded optimism that if there are many comments urging that a “results” requirement be added, there may be the votes to win when final action is taken by the Council in

February 2006. The CLEA/SALT leadership on this issue will meet in mid-September to propose an action plan and develop an information kit. Action will be requested from everyone who wants to assure that every qualified minority can be admitted and obtain a sound legal education.

Not enough thanks can be given to **Vernellia Randall (Dayton)**, who organized the outreach effort that has been so successful.

Watch the SALT and LAWCLINIC Listserves for specific calls for action.

BEST PRACTICES PROJECT **Roy Stuckey (South Carolina)**

If you have not been paying attention to the development of CLEA’s best practices project, you should begin now. During the summer, two significantly revised drafts were posted, most recently on August 31st. The name of the document was changed from “Best Practices of Law Schools for Preparing Students for Practice” to “Best Practices for Legal Education” following the CLEA-sponsored workshop in Chicago on August 6th.

The most significant change for clinical teachers is that the segments on simulations, externships, and in-house clinics were moved from the appendix to the main text, and grouped under the umbrella of “experiential learning.” That section describes principles of best practices for using experiential learning, in general, as well as principles of best

practices that are particularly relevant to simulations, externships, and in-house clinics. These sections are still somewhat rough, and the steering committee solicits your suggestions for improving them. Please send your comments to the chair of the steering committee, Roy Stuckey at Roy@law.law.sc.edu.

The best practices document is located at <http://professionalism.law.sc.edu> (look in the “news” section on the main page). There are actually four documents at that location: the main text (which is now over two hundred pages long), the appendices, a comparison of the current draft to the previous two drafts, and a document containing only the table of contents, the introduction, the executive summary with key recommendations, and the conclusion. The steering committee intends to complete the document no later than the summer of 2006. The sections that will receive the most attention during the coming year are noted on the cover page of the document

CLEA ELECTIONS COMMITTEE

Laura Rovner (Denver)

The **CLEA Elections Committee** is soliciting nominations through **October 1, 2005** of individuals to serve on the **CLEA Board** starting in January, 2006. There are a total of **six open positions: four board member positions** and **two officer positions**. The open officer

positions are **Vice-President** and **Secretary** of CLEA.

The **Vice-President** automatically becomes President of CLEA after one year of service as Vice-President. Thus, the person elected to become Vice-President for 2006 will become President in 2007, and Immediate Past President in 2008, a three-year term. The responsibilities of the Vice-President during the first year include assisting the President in the management of CLEA, taking the role of President when the President is absent or unable to act, and filling in as chair of board meetings in the absence or incapacity of the President.

The responsibilities of the **Secretary** include being the record-keeper of CLEA, recording minutes of the meetings of the Board and membership, ensuring that required notices are given and reports are filed. The Secretary serves for a three-year term. Additional description of the duties of the officers and members of the Board can be found in the Bylaws on the CLEA website at www.cleaweb.org/about/bylaw.html.

In addition to these officer positions, we are seeking to fill four open board positions.

All CLEA members are encouraged to nominate themselves or another CLEA member. (Both the person doing the nominating and the person nominated must be current members of CLEA.) In order to ensure that new clinical teachers have a voice in the governance of CLEA, the Elections Committee is actively soliciting nominations of persons who have been clinical teachers for fewer

than six years. The CLEA bylaws provide additional procedures to ensure that a new clinician (someone who has been a clinical teacher for fewer than six years) is elected to the Board.

Nominate yourself or someone else by contacting the members of the Election Committee who are: **Laura Rovner** lrovner@law.du.edu; **Alicia Alvarez** aalvarez@depaul.edu; **Alice Dueker** dueker@camden.rutgers.edu and **Steve Gunn** sgunn@wulaw.wustl.edu. If you are nominating yourself, please include a paragraph or two about why you are running, which will be included with the election materials to be sent out later in the fall. If you are nominating another CLEA member, there is no need to include such a paragraph; the name alone will suffice and the election committee will then contact the nominee for the information,

All nominations must be received by **October 1st**.

COMMITTEE ON LAWYERING IN THE PUBLIC INTEREST

Mary Helen McNeal (Syracuse)

Bellow Scholar Update

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

become the focus of information sharing, discussion and critique at the annual AALS Clinical Conference.

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

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

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

previously designated projects, and continue the opportunity for discussion and critique of them.

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

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

NOTICES

CALL FOR NOMINATIONS AALS SECTION ON CLINICAL LEGAL EDUCATION

The **Section on Clinical Legal Education** is seeking nominations for **two openings** on the **Executive Committee** beginning in January, 2006. These will be for three-year terms. In addition, the Section is seeking nominations for the **2006**

Chair Elect, whose single one-year term also begins in January, 2006.

Nominees should be from AALS member schools since the AALS requires the Executive Committee to be comprised of faculty from AALS member schools.

Nominations for Chair-Elect are not restricted to current members of the Executive Committee. As a result, you can nominate a current executive committee member or any other person, including yourself, whom you believe is qualified for the position.

If you wish to nominate someone for the Executive Committee and/or for Chair-Elect, or if you wish to nominate yourself for either position, please send the nominee's (or your) name, along with a brief statement in support of the nomination, to:

Nominations Committee
c/o Michael Pinard
University of Maryland Law School
500 W. Baltimore Street
Baltimore, MD 21201

Alternatively, you can e-mail the name and statement to mpinard@law.umaryland.edu or to any other member of the nominating committee:

Russell Engler (rengler@faculty.nesl.edu)
Warren Jones (wjones@pacific.edu)
Nina Tarr (ntarr@law.uiuc.edu)

The Executive Committee typically meets at the AALS Annual Meeting in January and at the AALS Clinical Conference in the spring. The deadline for submitting nominees is **Monday, October 17, 2004**.

Chuck Weisselberg (Berkeley) is outgoing chair of the Section and **Susan Jones (George Washington)** is incoming chair. Both will serve as members of the Committee. Current committee members also include **Calvin Pang (Hawaii)**, ex-officio member as immediate past chair; **Kathy Hessler (Case Western Reserve)** / Term expiring Jan. 2006); **Marcia Levy (Denver)** / Term expiring Jan. 2007); **Randi Mandelbaum (Rutgers)**, Secretary / Term expiring Jan. 2007; **David Santacroce (Michigan)**, Treasurer; **Hans Sinha (Mississippi)** / Term expiring Jan. 2008); **Carol Suzuki (New Mexico)** / Term expiring Jan.2008).

William Pincus Award

The Awards Committee for the AALS Section on Clinical Legal Education is now accepting nominations for the **William Pincus Award for Outstanding Service and Commitment to Clinical Legal Education** through **Friday, September 30, 2005**. The Award, which the Section presents at the January AALS Annual Meeting, honors one or more individuals or institutions of clinical legal education for his/her/their/its (1) service, (2) scholarship, (3) program design and implementation, or (4) other activity beneficial to clinical education or to the advancement of justice.

Past recipients include:

- 1981 **David Barnhizer (Cleveland State)**
- 1982 **Hon. Neil Smith (D. IA)**

- 1983 **William Greenhalgh (Georgetown)**
- 1984 **Robert McKay**
- 1985 **Dean Hill Rivkin (Tennessee)**
- 1986 **Tony Amsterdam (NYU)**
- 1987 **Gary Bellow (Harvard)**
- 1988 **William Pincus**
- 1989 **Gary Palm (Chicago)**
- 1990 **Bea Moulton (Hastings)**
- 1991 **Sue Bryant (CUNY)**
- 1992 **Elliott Milstein (American)**
- 1993 **Roy Stuckey (S. Carolina)**
- 1994 **Harriet Rabb (Columbia)**
- 1995 **Clinical Law Review**
- 1996 **Wally Mlyniec (Georgetown)**
- 1997 **Edgar Cahn (DC School of Law) and Jean Cahn (Antioch, posthumously)**
- 1998 **Steve Wizner (Yale)**
- 1999 **Katherine Shelton Broderick (U.D.C. School of Law)**
- 2000 **E. Clinton Bamberger (U. of Maryland, Emeritus)**
- 2001 **Peter A. Joy (Washington U. at St. Louis)**
- 2002 **Louise Trubek (Wisconsin) and Bernida Reagan (East Bay Community Law Center/Boalt Hall)**
- 2003 **Sandy Ogilvy (Catholic)**
- 2004 **Randy Hertz (NYU)**
- 2005 **J. Michael Norwood (New Mexico)**

To nominate a person or an institution, send the name and a statement setting forth why the Section should honor the individual or institution, specifically referencing the award criteria outlined above where relevant. The Committee will only consider those nominations that are accompanied by a narrative of at least two pages in length and/or other documen-

tary support, such as letters of support and curriculum vitae, for the nominee. Supporting materials should include citations to (but not copies of) articles published or about to be published by the nominee. The Committee strongly encourages nominators to obtain supporting letters for the candidate, given that its deliberations are assisted immensely by a variety of voices speaking about a particular nominee.

The Committee encourages re-nominations of persons who or institutions which have been previously nominated but not selected for the Award.

Nominations and supporting materials will be accepted in electronic format only. Please send your nominations by e-mail to:

Carol M. Suzuki

Assistant Professor of Law
University of New Mexico School
of Law
e-mail: suzuki@law.unm.edu
Phone: 505.277.5265

Members of the **Awards Committee** are: **Carol Suzuki (New Mexico)**, Chair; **Paula Williams (Tennessee)**; **Maury Landsman (Minnesota)**; **Kurt Eggert (Chapman)**; and **Jim Cohen (Fordham)**.



CLINICIANS NEEDED FOR PUBLISHING OPPORTUNITIES THROUGH NITA

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

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

Case Files and teaching

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

information, please contact NITA Associate Editor, **Zelda B. Harris** at 520-370-7189 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

Call for Papers Clinical Research Institute

The **Clinical Research Institute (CRI)**, an electronic law review sponsored by New York Law School and co-edited by **Steve Ellmann** and **Rick Marsico** is accepting

submissions for its upcoming issue. CRI is part of SSRN, an extensive network of online journals covering many subject, including law. Among the many benefits of publishing with the CRI are that we do not hold the copyright to your work, meaning that you are welcome and encouraged to submit your paper to traditional law reviews and that you can post with us after you have published in a traditional law review (provided you have their permission; we encourage the publication of works in progress; and your paper is easily accessible to a wide audience, including readers not connected with law schools.

Please contact **Rick Marsico**, 212-431-2180, rmarsico@nyls.edu, for more information.

CONFERENCES

**EXTERNSHIPS 3: LEARNING
FROM PRACTICE
March 24-25, 2006
Los Angeles, California**

**CALL FOR PRESENTATIONS
AND WORKSHOPS
Proposal Requirements**

A. Type of Proposal: We invite proposals for (1) Presentations, as well as for (2) Workshops – as described below. We encourage proposals covering a wide array of topics – from the basics of setting up an externship program to administering non-traditional placements (e.g., corporate or entertainment law placements, or

externship programs in rural locales). We also encourage proposals for Presentations and Workshops in which presenters plan to use technology or different teaching methodologies to actively engage the conference participants.

Program administrators as well as directors are encouraged to submit proposals. We anticipate receiving many excellent proposals; due to time and space constraints, however, we will have to make difficult decisions in including only some of the proposals in the conference. You may submit more than one proposal but please note that, except in extraordinary circumstances, each person will be limited to one Presentation or Workshop.

1. **Presentations:** Our call for presentations invites you to describe, evaluate and offer insight/guidance concerning the unique challenges presented in the field placement context as well as in administering the externship program. In selecting presentations, we are looking for a broad range of subjects designed to appeal to the newer program director and/or administrator and a more complex range of subjects to challenge the thinking and practices of more experienced directors and deans.

2. **Workshops:** Workshops will be more “hands on” and each will be limited to a group of 20 participants. We invite you to design workshops that will involve exchanging information as well as “learning by doing.” Workshops might include a roundtable concerning program design,

supervision ratios, etc. Other workshops may be instructional, such as how to administer an online program. Workshops will be reprised each day of the conference, allowing attendees to attend at least two of the top workshops of particular interest.

B. Format: We request that proposals be one to two pages and discuss in detail the content of the Presentation or Workshop. Please **include a coversheet for each proposal which is available at: <http://events.lls.edu/externships/assets/documents/presentation-cover.pdf>**. A proposal for a panel presentation should include the names and schools of all panelists and each person’s specific contribution.

C. Length of Presentations and Workshops: Although we prefer 60-minute presentations, we will consider presentations of 45 or 90 minutes as well. All Workshops will be 90 minutes. In preparing your proposals, please allow time for questions and discussion.

D. Submitting Your Proposal: All proposals must be submitted through email **no later than September 15, 2005** to **Professor Barbara Blanco** and **Dean Doreen Heyer** at:

Barbara.blanco@lls.edu and Dheyer@swlaw.edu

Your submission (including coversheet and description) **must be in WORD** and must be emailed in one complete file.

**2005 MIDWEST
CLINICAL CONFERENCE**



October 7-8, 2005

The **2005 Midwest Conference on Clinical Legal Education**, “**Carrying Brown’s Legacy Forward: Justice, Serving, Teaching**” will be held at **Washburn University School of Law** in **Topeka, Kansas** on **October 7-8, 2005**. Registration form and conference brochure is available at:
<http://www.washburnlaw.edu/clinic/midwestconference/>

**ROCKY MOUNTAIN REGIONAL
CLINICAL CONFERENCE**



October 21-22, 2005

The **Rocky Mountain Regional Clinical Conference** will be held at **Texas Tech University School of Law** in **Lubbock, Texas** on **October 21-22, 2005**. Registration form and brochure is available at:
<http://www.law.ttu.edu/lawweb/assets/ConferenceBrochure2005.pdf>

Institute of Advanced Legal Studies
School of Advanced Study University of London

**SIXTH INTERNATIONAL
CLINICAL CONFERENCE**

UCLA SCHOOL of LAW

ENRICHING CLINICAL EDUCATION

Oct. 27, 2005 – Oct. 30, 2005

The **UCLA School of Law** and the **University of London Institute of Advanced Legal Studies** are delighted to announce the Program and Registration for the **Sixth International Conference on Clinical Legal Education and Scholarship** to be held at **Lake Arrowhead, California**, from Thursday afternoon, **October 27**, through Sunday morning, **October 30, 2005**. Conference organizers are happy to report that this year's theme of "Enriching Clinical Education" has drawn a remarkable range of papers from clinicians around the nation and across the world.

Web-site address: Full information about the conference, including the conference program, the panelists, registration and travel information, can be found at:
www.law.ucla.edu/sixth_international_clinical_conference/

Conference theme: The conference is centered on four broad themes: *Skills Training Revisited, Structuring the Clinical Experience, Learning from Other Perspectives and the Globalization of Clinical Legal Education*. Under these broad rubrics, the schedule offers a series of panels that describe and evaluate

ways in which clinical pedagogy is responding to the challenge of preparing our students to work in an increasingly complex, multi-party, technologically sophisticated, interdisciplinary, global legal world.

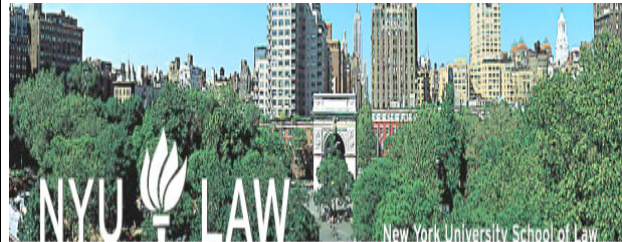
Conference structure: Panel topics range from broad themes of revisiting the relationship between social justice and the clinic; to individual perspectives on how to design an effective clinic; and discrete topics of client counseling and interviewing such as how using an interpreter changes the lawyer-client relationship or prediction issues in client counseling. Other panels take a look at empirical work on measuring lawyer competence and structuring sophisticated simulations. Given the remarkable growth of the clinical movement worldwide in recent years, we have also scheduled significant conference time to an examination of this phenomenon. We are pleased to report that panelists include clinicians from Australia, China, England, India, Israel, Japan, Russia, and Scotland. **Contact for further information:**

Susan Gillig, Assistant Dean for Academic Programs & Centers
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CLINICAL LAW REVIEW “Writers’ Workshop”



April 29, 2006

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

The workshop will provide an opportunity for clinical teachers who are writing about any subject (clinical pedagogy, substantive law, interdisciplinary analysis, empirical work, etc.) to meet with other clinicians writing on similar topics to discuss their works-in-progress and brainstorm ideas for further development of their articles. The workshop also will provide new writers with advice about publishing and feedback about their plans for scholarship.

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

At the workshop, attendees will be in small groups organized by the subject matter in which they are

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

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

If there is interest, one or more small groups will be arranged for works that are still at the “idea stage.” Participants in such a group or groups would be expected to write -- and circulate to each member of their group by March 31 -- as detailed a description as they

can give of the article they plan to write and some background material about the subject matter and the literature that already exists on the subject.

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

1) Whether you would be interested in participating in:

(a) a group for people who have already produced a draft;

(b) a group for people who are still at the “idea stage” but are far enough along to prepare a detailed prospectus for the article they plan to write; or

(c) a group for “new writers” that focuses on subjects such as the process of developing an article and balancing writing with the other responsibilities of a clinical teacher.

2) If you would like to participate in one of the first or second of these groups, what subject matter area (clinical pedagogy, specific areas of the law, and so forth) you plan to write about.

Please send this information, by no later than **September 30, 2005**, to **Randy Hertz** at:

randy.hertz@nyu.edu



Fourth Interdisciplinary Clinical Conference



March 31, 2006

Washington University Clinical Education Program and our Center for Interdisciplinary Studies will host our fourth interdisciplinary clinical conference on "Connecting with Clients and Communities: Community Advocacy, Community Development, and Community-Based Lawyering" at the School of Law in St. Louis, Missouri on Friday, March 31, 2006, beginning with a dinner the evening before. The keynote speaker will be **Gerald Lopez**, Professor of Clinical Law and Director of the Center for Community Problem Solving, **New York University School of Law**, and author of **REBELLIOUS LAWYERING**, one of the most influential books about progressive law practice and community problem solving. Jerry teaches a Community Outreach, Education, and Organizing Clinic; a Community Economic Development Clinic; and an undergraduate course on Latinas and Latinos in New York City. He will speak on "**A Rebellious Vision of Community Problem Solving**." Registration and hotel information will be online

soon. Individuals interested in participating should contact **Karen Tokarz**, Director of Clinical Education & ADR Programs, at tokarz@wulaw.wustl.edu.

REPORT OF THE CONFERENCE



Poverty, Wealth, and the Working Poor: Clinical and Interdisciplinary Perspectives

More than 200 lawyers, social workers, community leaders, government officials, and judges, as well as law and social work faculty and students, attended the conference on "**Poverty, Wealth, and the Working Poor: Clinical and Interdisciplinary Perspectives**" held at the Washington University School of Law March 31 - April 1, 2005. Co-sponsored by the School of Law's Clinical Education Program, Center for Interdisciplinary Studies, and the Journal of Law & Policy, and the George Warren Brown School of Social Work, the conference explored barriers to economic prosperity for America's working poor, and interdisciplinary and clinical strategies for change. The conference coincided with the School of Law's Fifth Annual Access to Equal Justice conference. The conference planning committee included **Jane Aiken**, **Steven Gunn**, **Peter Joy**, **Maxine Lipeles**,

and **Karen Tokarz**, from the School of Law, and Mark Rank from the George Warren Brown School of Social Work.

Keynote speaker **William Quigley** addressed "**Ending Poverty as We Know It: Guaranteeing a Right to a Job at a Living Wage**." Author of the book by the same title, Quigley is the Janet Riley Distinguished Professor of Law at **Loyola University in New Orleans** and director of the Law Clinic and Gillis Long Poverty Law Center. A nationally recognized social justice advocate and commentator, Quigley spoke about his goal to eradicate poverty and his proposal for a constitutional right to a job at an "earn-a-living" wage.

Providing additional perspectives on poverty, wealth, and the working poor were Mark Rank, the Herbert S. Hadley Professor of Social Welfare, Washington University George Warren Brown School of Social Work, and author of *One Nation Underprivileged: Why American Poverty Affects Us All*, and Laura Lein, professor of social work and anthropology, University of Texas, and co-author of *MAKING ENDS MEET: HOW SINGLE MOTHERS SURVIVE WELFARE AND LOW WAGE WORK*.

The plenary session, "**Collateral Consequences of Criminal Convictions on Welfare, Work, and Economic Well-Being**," featured four experts in the field: **Patricia Allard**, associate counsel of criminal justice, Brennan Center for Justice, **New York University**; **Debbie Mukamel**, director, Prisoner Reentry Institute, John Jay College of Criminal Justice,

City University of New York, and author of *AFTER PRISON: ROADBLOCKS TO REENTRY*; **Michael Pinard**, assistant professor of law, **University of Maryland**; and **Margo Schlanger**, professor of law, **Washington University in St. Louis**, as moderator.

Thomas M. Shapiro, the 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*, spoke on "**Race, Homeownership, and Asset Accumulation**." Responders in this plenary session included **Rajesh Nayak**, Equal Justice fellow and staff attorney, Sargent Shriver National Center on Poverty Law; **Diane Thompson**, staff attorney, Land of Lincoln Legal Assistance Foundation; and **Chris Bracey**, associate professor of law, Washington University in St. Louis, as moderator.

The third plenary session on "**Race, Poverty, and Environmental Justice**" featured presentations by **Sheila Foster**, professor of law and co-director, Stein Center, **Fordham University**, and **Luke 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*; Michael Homes, manager, William H. Harrison Northside Education Center, St. Louis Community College; and Sandra Moore, president, Urban Strategies, as moderator.

Facilitators for the conference working groups included **John Ammann**, associate clinical professor of law and director, **Saint Louis University** Legal Clinic; **Stephanie Boddie**, assistant professor of social work, Washington University in St. Louis, and co-author of *THE INVISIBLE CARING HAND: AMERICAN CONGREGATIONS AND THE PROVISION OF WELFARE*; **Juliet Brodie**, clinical assistant professor of law, **University of Wisconsin**, and co-author of *POVERTY LAW: CASES & MATERIALS*; **Susan Brooks**, clinical professor of law, **Vanderbilt University**, and co-author of *Creative Child Advocacy: Global Perspectives*; Nancy Cook, associate professor of law and director, Community Justice and Legal Assistance Clinic, Roger Williams University; and Jim Gannaway, division director, Casey Family Services, Providence, Rhode Island.

The Washington University Journal of Law & Policy will publish a volume on “Poverty, Wealth & the Working Poor” in fall 2005 that will include articles by Boddie, Brodie, Cole, Cook, Lein, Quigley, Rank, and Shapiro, with an introduction by Brooks and Tokarz. To watch the conference on streaming video, visit law.wustl.edu/Clinics/Conferences/InterdisciplinaryConf/2005/povertvideos.html.

**REPORT ON THE NORTHEAST
REGIONAL WORKSHOP
Coming Into Community
Roger Williams University
School of Law**

In June, **Roger Williams University School of Law** hosted the **Northeast Regional Clinical Teachers Workshop** in Bristol and Providence, Rhode Island. The workshop drew a hardy group of law teachers from every northeastern state, from Maine to New Jersey, and as far south as South Carolina. In keeping with the workshop theme of “Coming Into Community,” local service providers and lawyers joined clinical teachers in tackling issues and problems faced by all.

The workshop’s opening dinner featured guest speaker **Doug Ammar**, director of the Georgia Justice Project in Atlanta. The GJP is self-described as “an unlikely combination” of criminal defense lawyers, social workers and landscape workers. (GJP also has a connection with Clark Cunningham and students at Georgia State.) In true clinical fashion, Doug used excerpts from the movie *Groundhog Day* to draw participants into a discussion about lawyer roles.

Our first full day was spent at various locations in Providence. Starting at the Clinic offices, we split into two groups to discuss the politics and practicalities of establishing ourselves within our home communities. **Justine Dunlap (Southern New England)** and **Robert Holmes (Rutgers)** gave presentations to get the groups going. Lunch took place at the John Hope Settlement House in south Providence, where participants observed about 35 service providers engaged in holistic problem solving on a case with legal issues. Afterwards, three groups of law teachers

and service providers formed to discuss the process, as well as the benefits and risks of introducing student lawyers into such discussions. The groups were facilitated by **Mary Connaughten (B.U.)**, **Alan Minuskin (B.C.)** and **Barbara Oro (New England)**.

From John Hope, the group moved to Casey Family Services. There were two sessions at Casey: the first was focused on community needs as the genesis of program or course development, and the second revolved around collaborative efforts at addressing racial justice issues. For the first session, **Laurie Barron (RWU)**, **Susan Bennett (American)**, and **Diana Leyden (U Conn)**, co-facilitating with Casey social workers, led discussions on strategies for responding to community needs in the particular contexts of youth issues, community development and family asset building. At the second session, the focus of discussions was on how law schools and clinical programs can become partners with the community in addressing racial justice issues. A number of local activists who have been involved with Roger Williams Law School in a racial justice initiative joined us for this session. **Liz Tobin Tyler**, director of public service at Roger Williams, provided the context, and topic-specific discussions relating to immigration, criminal justice and housing were led by **Irene Sharf (Southern New England)**, **Andy Horwitz (RWU)** and **Brian Glick (Fordham)**.

Saturday proved to be equally stimulating. The first session was a

panel on immigration issues, facilitated by **Peter Margulies (RWU)**. Presenters **Sameer Ashar (CUNY)**, **Dan Kanstroom (B.C.)** and **Lori Nessel (Seton Hall)** shared information and experiences from their different programs. Their combined presentations highlighted the pervasiveness of immigration issues in the work of all poverty law practitioners. This session was followed by a panel addressing labor and education issues. Presenters **Liz Cooper (Fordham)** and **Mike Gregory (Harvard)** helped bring the workshop participants full circle by moving from macro-issues to a more micro level for planning.

Our last event was a combined presentation and field trip looking at concepts of environment and eco-management, both with respect to the natural environment and as a metaphor for human networks and communities. This session took participants to the Narragansett Bay and to a Marine Lab, where John Torgan of Save the Bay and Tim Scott from Roger Williams Marine Sciences provided background and context for discussions led by **Kim Connelly (South Carolina)** and Kristen Fletcher (RWU Marine Affairs Institute).

The AALS clinical section's committee on regional conferences hopes the success of the 2005 northeast workshop will encourage other schools to pick up the ball to host a conference within the next two years. If interested, contact co-chairs **Karen Tokarz (Washington University)** and **Christine Cimini (University of Denver)**.



NEW CLINICIANS

&

CLINICIANS ON THE MOVE



Warren Binford

(Willamette) has been named **Director of Willamette's Clinical Law Program**. Binford joined the College of Law faculty in June, 2005.

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

W. Warren H. Binford, Assistant Professor of Law and Director of the Clinical Law Program, holds a J.D. from Harvard Law School and an

Ed.M. and a B.A. from Boston University. Prior to joining Willamette, she spent eight years with Pillsbury Winthrop Shaw Pittman LLP in Los Angeles, California, where she specialized in commercial litigation and transactions.

In addition to her expertise in commercial law, Binford has worked throughout her career as a child advocate. She has served as a Court-Appointed Special Advocate for abused and neglected children in the U.S. since 1999 and is a former foster parent. Binford has worked with the International Red Cross in Switzerland, the Croation Red Cross, and the Japanese Red Cross on numerous issues relating to child soldiers and other child victims of war. In addition, she toured Asia to research the role of child labor in the development of the Pacific Rim. Other areas of focus include excellence in inner-city education, child abuse and neglect, quality child care, and homeless children and youth. She is a licensed educator with experience teaching in the inner cities of South Central Los Angeles, Boston and London.

Keith Blair (Baltimore) has joined the faculty at the University of Baltimore School of Law directing the **Tax Clinic**.



Juliet Brodie (Wisconsin)

is spending the 2005-06 academic year working and teaching in the

Community Law Clinic at Stanford.

Michelle Caldera (Connecticut) is belatedly introduced (she's been with U Conn since July 2004), who is teaching and supervising students in the **Asylum & Human Rights Clinic**, together with Professor **Jon Bauer**. Michelle holds the **William R. Davis Clinical Teaching Fellowship**, which is designed to provide law school teaching experience and opportunities for research and scholarship to new entrants to the clinical teaching field. Before joining U Conn, Michelle practiced as a public interest lawyer at the New York Association for New Americans and at Bet Tzedek Legal Services in Los Angeles. She has also taught international human rights law in Russia as a visiting lecturer at the University in Nizhny Novgorod, and worked at Human Rights Watch as a Sadler Fellow. Michelle received her J.D. from Columbia Law School (1998), where she was a Harlan Fiske Stone Scholar, and her B.A. from Claremont McKenna College (1992). Between college and law school, she served as a Peace Corps volunteer in Romania. Since joining us, Michelle has taught classes in the Asylum & Human Rights Clinic and supervised clinic students in asylum proceedings before the Immigration Court and Asylum Office. She has also designed and taught a non-clinical seminar in refugee and asylum law, conducted a training for pro bono attorneys handling asylum cases in Connecticut, and presented a paper, based on her experiences

teaching human rights law in Russia, at the Worldwide Clinical Legal Education Colloquium held at Catholic University.

Jennifer Dieringer (Denver) began a **one year visiting position** during August in the **Civil Litigation Clinic** at the **University of Denver College of Law**. She is currently on leave from Western Massachusetts Legal Services in Springfield, Massachusetts, where she is a staff attorney practicing family and housing law. Jennifer has served as an adjunct professor at Bay Path College in Longmeadow, Massachusetts, the University of Massachusetts, Amherst, and the University of Connecticut School of Law. An article she co-wrote with Carolyn Grose entitled *Judicial Deference or Bad Decision Making: Why Massachusetts Courts Won't Hold the Police Liable for Failing to Enforce Restraining Orders* was recently published in SUFFOLK UNIVERSITY LAW REVIEW. Jennifer graduated from Northeastern University School of Law in 1996.

Molly Dunn (Stanford), formerly an attorney with Legal Services for Children, is serving as a **Clinical Fellow** in the **Youth and Education Law Clinic** at **Stanford**.

Kelly Gonzalez (Syracuse), formerly a Staff Attorney at the Frank H. Hiscock Legal Aid Society in Syracuse and at the Legal Aid Society of Suffolk County, in Central Islip, New York, has joined the Syracuse University College of Law, Office of Clinical Legal

Education, as a **Practitioner-in-Residence** where she will be assisting in the **Children's Rights Clinic** and potentially the **Community Development Law Clinic**.

Holly Gordon (Stanford), who most recently served as an attorney with Communities for a Better Environment, has been appointed a **fellow** in the **Environmental Law Clinic** at **Stanford**.

D. Jill Green (Maine) has joined the **Cumberland Legal Aid Clinic** of the **University of Maine School of Law** as a **Visiting Clinical Professor** for the 2005-2006 school year. Jill is a graduate of the University of Baltimore School of Law and has worked in a number of public interest law positions including Pine Tree Legal Assistance (Portland, Maine), the Children's Law Center (Brooklyn, NY), and Office of the Attorney General for Maine. Jill will join the faculty in the **General Practice Clinic** and will also oversee the Clinic's **Domestic Violence Project**.

Helen Harnett (Baltimore) has joined the faculty at the University of Baltimore School of Law developing a new **Immigrants' Rights Project** and teaching in the **Civil Advocacy Clinic**.



Dina Hayes (UNLV) has joined the **William S. Boyd School**

of Law and its **Thomas and Mack Legal Clinic** as **Visiting Associate Professor of Law**, who will be teaching in the **Immigration Clinic** with **Lety Saucedo** and **David Thronson** and teaching International Law. Dina comes to us most from American University where she taught in the International Human Rights Law Clinic and developed and taught a seminar on Post-Conflict Nation Building. Before that, she was at Georgetown where she began her teaching career after performing human rights work for the United States Department of Justice, United Nations High Commission for Refugees in Knin, Croatia, the Organization for Security and Cooperation in Europe in Sarajevo, BiH, and Belgrade, Serbia.

Kathleen Kim (Stanford), an attorney with the Lawyer's Committee for Civil Rights of the San Francisco Bay Area, will join the **Immigrant's Rights Clinic** at **Stanford** as a **fellow** in October.

David Levine (Stanford), formerly of Kirkland & Ellis, joins **Stanford** as a **fellow** in the **Cyberlaw Clinic** and the Center on Internet & Society.



John C. Lore III (Villanova) has joined Villanova as a **Reuschlein Clinical Teaching Fellow** with the **Farmworker Legal Aid Clinic**, enabling the clinic to add criminal casework to its

offerings. John was previously an Assistant Public Defender in Cook County, Illinois and with the Defender Association of Philadelphia. He was also formerly a Staff Attorney and Adjunct Professor at Northwestern University School of Law.

Elizabeth McCormick (Tulsa), has joined the faculty of the University of Tulsa School of Law in a **tenure-track clinical position**. She previously served as the first William R. Davis Clinical Teaching Fellow from 2000-2004 after which she spent a year as a visiting clinical professor at Cornell.



Mary Helen McNeal (Syracuse), formerly Clinic Director at the University of Montana, has joined **Syracuse University** as **Director of the Office of Clinical Legal Education**. She brings more than twelve years of clinical teaching experience, and previously has taught at the University of Maryland and Boston College.

Arlene Kanter, who directed the Syracuse program for sixteen years, has stepped down as Clinic Director to coordinate the University's new Disability Law and Policy Center. Professor Kanter will continue to work with the externship program this year, and to collaborate with students and faculty in the clinic.



Yoanna Moises (Baltimore) has joined the faculty at the University of Baltimore School of Law teaching in the **Civil Advocacy Clinic**.

JoNel Newman (Miami) has joined the **University of Miami Law School** directing the **Community Health Rights Education Clinic**, an interdisciplinary medical-legal rights advocacy project run in cooperation with the Schools of Medicine and Nursing. A Yale Law School graduate, JoNel comes from Florida Legal Services.

David Olson (Stanford), formerly of the Corporation Counsel for the City of New York, joins **Stanford** as a **fellow** in the **Cyberlaw Clinic** and the Center on Internet & Society.



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

assistance of counsel issues and indigent defense systems.



Dan Smulian (Brooklyn)

has joined the faculty of Brooklyn Law School to teach in the **Safe Harbor Clinic**. Dan joins the faculty as of August 2005 with a strong background in public service lawyering. He served as the Director of Training and Legal Services at the New York Immigration Coalition, managing a statewide program that provides seminars and educational events on immigration law and immigrants rights issues for immigrant communities. Previously, he was Associate Director for Legal Services at Catholic Charities Department of Immigrant and Refugee Services. He has also served as a staff attorney at Catholic Legal Immigration Network, Inc. and for Queens Legal Services Corporation. Following law school, Professor Smulian was an IOLA Fellow with the Legal Aid Society of Rockland County, Inc. in New City, New York, representing clients in eviction proceedings and in their appeals from Social Security denials of disability claims. Dan is a graduate of University of Virginia, received a M. Phil at Yale University, and his J.D. at New York University School of Law.

Steven M. Virgil (Creighton) has been appointed **Director of the Community Economic Development Project** at Creighton

University School of Law, a new clinical opportunity for third-year students through the Milton R. Abrahams Legal Clinic. The CED Project provides students an opportunity to represent and advise community development corporations and non-profit organizations that serve the needs of low-income communities. Mr. Vigil received his J.D. degree, cum laude, from Case Western Reserve University in 1994. He clerked for the Chief Judge of the U.S. District Court for the Northern District of Ohio and practiced law with the Urban Development Office of Cleveland Legal Aid and the Kutak Rock law firm in Omaha. He is the founder and General Counsel of the Great Plains Environmental Law Center and former NAPIL Equal Justice Fellow with the Nebraska Appleseed Center in the Public Interest.

Patricia Warth (Syracuse), formerly with the New York State Capital Defender Office in Rochester, New York, has joined Syracuse University College of Law, Office of Clinical Legal Education, as a **Practitioner-in-Residence** where she will be assisting in our **Criminal Defense Clinic** and the **Public Interest Law Clinic**.

Kele Williams (Miami) has joined the University of Miami Law School as the **Associate Director of the Children & Youth Law Clinic**. A New York University Law School graduate, Kele comes from the Brennan Center for Justice.

HONORS, PROMOTIONS & AWARDS



Leslie Book (Villanova)

received a favorable vote this summer by the Villanova Law School faculty to grant tenure and also promoted to Professor of Law. Les is Director of Villanova's Federal Tax Clinic.

Les is very active in the tax clinic community. He is also the immediate past Chair of the American Bar Association Section of Taxation Low Income Taxpayer Committee. Les's scholarship has focused on the intersection of poverty and tax law and he has become an authority on tax procedure and issues affecting the low income taxpayer community.



Paul Chill (Connecticut),

after sixteen years of clinical teaching in our programs, was appointed in July 2004 as the law school's **Associate Dean for Academic Affairs**. Paul has been taking a break from clinical teaching while serving as Associate Dean.



Christine Cimini (Denver)

was recently granted **tenure** at the University of Denver College of Law and **promoted to Associate Professor of Law**.



Scott L. Cummings (UCLA)

has been named the new **Associate Editor** of the **ABA's Journal of Affordable Housing and Community Development Law**.



Cynthea E. Geerdes

(Illinois) has been named the new **Editor in Chief** of the **ABA's Journal of Affordable Housing and Community Development Law**.



Ann Juergens (William

Mitchell) has received the **Service to Minnesota Women Lawyers Award** in recognition for her work on the organization's Equal Justice Award committee. Prof. Juergens is the Co-Director of Clinics at the William Mitchell College of Law. She is also a widely-published authority on housing law, clinical pedagogy, and feminist approaches to legal issues.



Rebecca J. "Becky" O'Neill (Southern Illinois) received the **2005 Lindell W. Sturgis Memorial Public Service Award**. The Sturgis Award, given annually by the Southern Illinois University Board of Trustees since 1980, recognizes Southern Illinois employees for public service unrelated to their jobs. It carries a \$750 cash prize.

O'Neill co-directs the law school's **Legal Services to Older Persons Program**, where she supervises and trains senior law students who provide free legal services to those over the age of 60 in the 13 southernmost counties of Illinois.

She and a colleague oversee more than 400 cases a year. When students are not in attendance, the two handle all open files. "Clients appreciate the great legal work done for them, but they always comment on how warm and friendly Becky and the students are and how much they appreciate this," **Mary C. Rudasill**, director of clinical programs and associate professor of law, notes in a nominating letter.

"Becky sets a great example for our law students. She demonstrates that you can be an extremely ethical, competent and successful attorney while still treating everyone with a manner of respect," adds Rudasill.

Outside the classroom, O'Neill voluntarily spends countless hours giving free presentations to the

elderly on legal issues that concern them, from grandparents' rights to legal matters related to death and dying.

And she practices what she teaches. Several years ago, she established the Bessie Engram Community Service Award at the law school. Named in memory of her grandmother, the award carries a monetary prize and goes annually to the law student who performs the most community service activities to the elderly.

"One of Becky's main teaching objectives is to impress upon law students the great need for pro bono' legal service activities after they graduate and start their practices," writes Rudasill.

Off campus, she volunteers for numerous arts, sports and church organizations. She belongs to the Marion Civic Center's Foundation Board of Directors, coaches for both the Marion Soccer Association and Marion Youth Baseball Association, volunteers for the American Cancer Society and with the Marion-based Paradise Alley Players stage company.

She founded ArtStarts, a club that helps pay for area children to participate in community arts projects; helped Marion School District pupils stage the 2004 musical production "Fiddler on the Roof"; and performs other volunteer work for the schools' music programs.

In 2004, Our Redeemer Lutheran Church in Marion named O'Neill its Volunteer of the Year. A former congregational president in the church, she also founded its

Christians Promoting Justice program, which advocates restorative justice accountability conferences in the 1st Judicial Circuit.

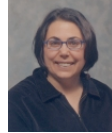
"Becky is an excellent match to the ideals expressed by the Lindell W. Sturgis Public Service Award," writes Beth L. Mohlenbrock, executive director of the SIU Foundation Carbondale/Chicago-SIUC, in her nominating letter.



Suzette Melendez

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

Bernie Perlmutter (Miami), Director of the Children and Youth Law Clinic at the University of Miami Law School, was **promoted** last spring to **Assistant Clinical Professor**.



Michelle Pistone

(Villanova) has been awarded a **Fulbright Scholarship** to teach at the **University of Malta** in Spring 2006. She will help create an Asylum Clinic there and will help Malta develop its asylum procedures.



Joseph A. Vail (Houston),

who teaches in the Immigration Law Clinic at the University of Houston received the **Elmer Fried Excellence in Teaching Award** given by the American Immigration Lawyers Association, a national advocacy and educational organization, in June. The award honors outstanding professors in the area of immigration law.



FROM CLINICAL PROGRAMS



Brooklyn Law School

New Programs:
Health Law Practice and Policy Internship

This clinic is a key component of the law school's Center for Health,

Science and Public Policy. Students work in various public sector field placements that maintain a health law practice. The goal of the clinic is to offer students a practical opportunity to deepen their understanding of legal issues confronting health care organizations and other public and non-profit organizations whose mission include health care delivery, access to care, public health or broader public policy concerns. Placements will be offered in a broad range of sites such as the Division of Bioethics at Montefiore Medical Center, the Health Law Unit of the Legal Aid Society, or the Cancer Advocacy Project of the Association of the Bar of the City of New York. The clinic is taught by Prof. **Karen Porter**, the Executive Director of the Center. A graduate of Yale College and Law School, Karen previously taught at Washington University Law School.



Milton A. Kramer Law Clinic Center

The **Case (Case Western Reserve) University School of Law** continues to expand and improve its opportunities for experiential learning through its **CaseArc** curriculum (headed by **Ken Margolis**, co-director of the Milton A. Kramer Law Clinic Center) for its first and second year students. The curriculum is now in its third year and the clinical faculty are enjoying

seeing the fruits of the CaseArc skills training as third year students participate in our in-house real-client clinics. The students have had the opportunity to learn interviewing, counseling, negotiating, ADR, oral advocacy, fact investigation, drafting, strategic thinking, problem-solving and other skills through the integrated two-year curriculum that has greatly expanded the basic legal research and writing course.

Clinical professors **Ken Margolis**, **Kathy Hessler**, **Judy Lipton** and **Louise McKinney** have taught the second year course “Focused Problem Solving” in a variety of legal and factual contexts – business, consumer, health. The students have participated in simulations in a range of legal and factual and procedural settings that have had them learning by doing throughout their law school education.

Now that many of the students who were in the first class in the CaseArc curriculum are in our clinics as licensed legal interns, we are seeing the increased level of skills that they bring to the practice of law in our clinical settings. This year we are teaching four year-long clinics, with seven full-time faculty members: **Tim Casey (Criminal Justice Clinic)**, **Kathy Hessler (Civil Litigation and Mediation Clinic)**, **Judy Lipton (Criminal Justice Clinic and co-director of the Kramer Law Clinic Center)**, **Ken Margolis (Community Development Clinic and director of CaseArc and co-director of Kramer Law Clinic Center)**, **Louise McKinney (Health Law**

Clinic), Laura McNally (Civil Litigation and Mediation Clinic and Health Law Clinic), Matt Rossman (Community Development Clinic). We are enjoying working and teaching with Laura McNally who is a visiting professor; Laura came to us from Suffolk's clinic.

Each of the clinics provides an opportunity for students to earn credits toward one or more of the law school's concentrations, if they choose a concentration. In addition, some of the clinics are integral parts of one or more centers of excellence at the law school.

This year marks some changes in almost all of the clinics. The Criminal Justice Clinic has expanded from a one-semester four-credit hour clinic to become a year-long, six-credit hour clinic with higher enrollment and both professors (Tim Casey and Judy Lipton) teaching it almost full-time (Judy Lipton teaches one semester of Focused Problem Solving, as part of our CaseArc curriculum for second year students). With the expanded time and credits, students will have the opportunity to participate in the Criminal Justice system through the eyes of the prosecutor, the juvenile justice system and other venues – in addition to their major responsibilities of representing indigent defendants in misdemeanor cases.

The Civil Clinic is becoming the Civil Litigation and Mediation Clinic. Kathy Hessler and Laura McNally, plus an adjunct **Wendy Haubaker** (an experienced

mediator), have developed mediation opportunities for students in a municipal court. Mediation is mandatory in rent deposit cases and optional in small claims cases. The students are expanding their roles as attorneys and skills in problem solving and dispute resolution through the complementary mediation and litigation experiences. Kathy Hessler is also Associate Director of Case's new Center for the Interdisciplinary Study of Conflict and Dispute Resolution ("CISCDR" – sound it out, it's kind of cool!) and the development of the mediation component of the clinic this year fits right into CISCDR (say it – "sister" – get it?).

Stay tuned for more initiatives at Case in the next edition of CLEA's newsletter.



The Nebraska Supreme Court has ruled in favor of 10 predatory lending victims who lost their homes and their equity through a scheme perpetrated by the Mid-America Financial Investment Corporation and two individuals acting as representatives of the Omaha-based company. The plaintiffs, represented by Nebraska Appleseed, **Creighton Legal Clinic**, and a private firm, claim that, while their homes were in foreclosure, two representatives of Mid-America induced them to sign loan contracts that, unbeknownst to the plaintiffs, contained terms enabling Mid-

America to obtain title to their homes. In a judgment issued on August 12, 2005, the Supreme Court rejected each of the defendants' claims and upheld the Douglas County District Court's decision awarding the plaintiffs relief in the form of rescission, damages, and attorneys fees. The Supreme Court also remanded for decision the case of one victim that the lower court had dismissed and also directed the lower court to award damages to another victim.



The Hispanic Bar Association of DC has awarded its **2005 Hugh A. Johnson, Jr., Award** to **George Washington University Law School's Immigration Clinic**. This award recognizes the excellent lawyering provided by the law students who have worked in the Immigration Clinic since it was founded in 1979. It also recognizes the great work of **Richard Boswell** and **Paul Grussendorf**, my predecessors as directors of the Immigration Clinic. The Johnson Award is given annually to a DC metropolitan area community organization that demonstrates "unwavering commitment and achievement in public service and dedication to the principles of equality, cultural respect and social justice." Mr. Johnson was an African-American attorney who worked on Capitol Hill, served on the board of directors of AYUDA, and actively supported HBA-DC. Mr. Johnson and his employer,

Congressman Mickey Leland, died in a 1989 plane crash.

University of Miami

The University of Miami Law School's three in-house clinics and two ethics education programs at the Center for Ethics & Public Service continue to grow. This year the Center celebrates its 10th Anniversary. Now housed at the Center, the Children and Youth Law Clinic has moved into enlarged quarters, doubling its capacity to serve students and the community. Matched with Professor **Tony Alfieri's Community Economic Development Clinic** assisting low-income nonprofits, **Clinical Fellow Jessi Tamayo's Corporate and Professional Responsibility Program** providing innovative ethics training to the bar and bench, and **Deputy Director Karen Throckmorton's Street Law Program** educating high school and undergraduate students in law, public policy, and ethics, the Center will enroll more than 85 law school and undergraduate students this year, educate and train hundreds, and represent scores in need.

UNIVERSITY OF MINNESOTA

The **Special Education Law Clinic** at the **University of Minnesota** is a new project housed in the Child Advocacy Clinic. It will provide learning opportunities to students in three main areas: 1. representing children with disabilities and their families in

state-level administrative processes, including the complaint system and due process hearing system, and in appeals to state and federal court;

2. administrative and legislative advocacy concerning proposed changes to state regulations and statutes; and

3. developing contacts with disability advocacy and support organizations to assist in addressing the non-legal needs of students with disabilities and their families.

Dan Stewart, M.A., J.D, a graduate of the U of M law school and former law clinic student director, will lead the special education law clinic. He has private practice experience in the area and was a special education complaint investigator at the Minnesota Department of Education. He also consults with local advocacy organizations and provides training to school districts and staff development to teachers.

William S. Boyd School of Law

University of Nevada, Las Vegas

Professors **Leticia Saucedo**, co-director of the **Immigration Clinic**, and **Raquel Aldana**, a clinician in spirit, taught a pilot clinic this summer in **Mulukukú, Nicaragua**, in collaboration with the **Maria Luisa Ortiz Cooperative and Women's Center**. The six law students and professors Saucedo and Aldana worked primarily on

family and domestic violence matters in an area that is the opposite of the desert, urban sprawl and bright lights of Las Vegas. In **Mulukukú**, they shared sleeping quarters, endured constant rain and harsh living conditions, and uncovered strength, need and different narratives of domestic violence (where, among other things, the nearest police station is a six hour walk away).

In the meantime, our domestic clinical program continues to grow and develop. We have added a clinical psychology PhD student to the clinic and her professor, **Michelle Carro**. The **Nevada Immigrant Resource Project** has been in operation for a year and has, under the leadership of Director **Yolanda Vazquez**, served hundreds of immigrants and immigration advocates throughout the state. It has also served as a cherished placement for students in the Law School's community service program, and continues to mentor two recent graduates in immigra-

on law. As a result of an increase in our state funding, the Law School will be looking to hire a tenured professor to teach half time in the clinic. Watch the listserv and CLEA website for a job posting.

Marty Geer (UNLV) will co-present a paper on "**Globalization of Clinical Legal Education**" with Profs. **Margaret Barry (Catholic)** and **Ved Kumari (U of Delhi Law Faculty)** at the **6th UCLA/ University of London School of Advanced Legal Studies International Clinical Conference at Lake Arrowhead, CA**, 10/27-10/30. The paper will be published

in a symposium issue of the UCLA Law Review.

Katherine R. Kruse (UNLV) presented “**Fortress in the Sand: The Plural Values of Client-Centered Representation**” at the **Clinic Theory Workshop at New York Law School** in February 2005, and will present a more developed version at the **Lake Arrowhead Conference on Clinical Scholarship** at the end of October, 2005.

MORITZ COLLEGE OF LAW THE OHIO STATE UNIVERSITY

U.S. Supreme Court Win for Prof. David Goldberger and his Civil Clinic Students

On May 31, 2005, the United States Supreme Court handed prisoners a victory by upholding Section 3 of the Religious Land Use and Institutionalized Persons Act (RLUIPA). The case, [Cutter v. Wilkinson](#), is also a victory for **Prof. David Goldberger** and students in the **Civil Clinic** at **Ohio State University's Moritz College of Law**.



Prof. Goldberger with Clinic students: left to right) 3L Kelly Ryan, Prof. Goldberger's assistant Jenn Urban '03, 3L Amy Purwin, 3L Jason Small, 3L Chris Reis, 3L Anne Juterbock, 3L Matt McNeil, 3L

Jaime Klausner and 3L Amanda Runyon.



St. John's University School of Law's Immigration Rights Clinic Obtains First Win Nationwide in NSEERS/Special Registration Due Process Litigation

On July 16, 2005, the New York City Immigration Court granted the motion of Mr. M-, an alien in removal proceedings represented by **St. John's University School of Law, Immigration Rights Clinic's** student **Rachita Sharma (3L)** and Catholic Charities Community Services, to suppress all evidence and terminate proceedings against him based on the U.S.

government's violation of his due process rights. The Immigration Rights Clinic partners with Catholic Charities Community Services, Archdiocese of New York. **C. Mario Russell** is a Senior Attorney with Catholic Charities Community Services, Archdiocese of New York, and is an **adjunct professor at St. John's** and **supervises the Immigration Rights Clinic**.

To date, the case appears to be one of the first reported cases in which an Immigration Court has suppressed evidence and terminated removal proceedings due to Department of Homeland Security (“DHS”) violations of an alien's due process rights in the

course of NSEERS Special Registration.

Background

Pursuant to statutory authority asserted under Immigration and Nationality Act Sections 265(b) and 263(a), on November 6, 2002, then-Attorney General John Ashcroft instituted the National Security Entry-Exit Registration System call-in program (“NSEERS” or “Special Registration”). The program was designed specifically to identify and register with DHS males between the ages of 16 and 45 who were nationals of predominantly Arabic speaking or Muslim countries. The NSEERS program required them, subject to criminal prosecution, to “appear before, register with, and provide requested information to the [Department]” on or before a certain date, depending on the country of designation.

On April 16, 2003, Mr. M-, an Egyptian national, appeared at the New York District Office with his sister-in-law. Over the course of the next 36 hours he was coerced and intimidated by government officials, was held in a room with hundreds of other men under armed surveillance, was interrogated four times, was denied adequate translation, was denied food and water, was denied access to a phone, was detained for about 14 hours in a holding cell, and eventually was placed in removal proceedings.

Case Litigation

At his second Master Calendar appearance in Immigration Court Mr. M- argued that proceedings ought to be terminated because DHS’s decision to issue a charging

document against him was based upon information gained through violations of his regulatory and constitutional rights. Mr. M- maintained that his due process rights, his right against self-incrimination, and his right to counsel, each applicable in federal-agency proceedings through the Fifth Amendment, had been infringed upon by DHS.

In a motion to terminate filed by the Clinic shortly thereafter, Mr. M- asked the Immigration Court to invalidate removal proceedings due to DHS’s violation of several regulatory provisions guaranteeing fair process in the course of an alien’s interrogation and arrest. Specifically, Mr. M- argued that DHS: 1) unlawfully had arrested him without a warrant in violation of 8 C.F.R. Section 287.8(c)(2)(ii); 2) unlawfully had arrested and examined him with the same officer in violation of 8 C.F.R. Section 287.3(a); 3) unlawfully had failed to give him notices and advisals in accordance with 8 C.F.R. Sections 287.3(c), 287.8(c)(2)(iii), and 287.8(c)(iv); 4) unlawfully had coerced him to make a written statement in violation of 8 C.F.R. Section 287.8(c)(vii); and 5) unlawfully had failed to inform him of his right to an attorney, in violation of 8 C.F.R. Section 287.3(c) and Section 292.5(b).

Mr. M-’s motion to terminate was supported by two Second Circuit Court of Appeals precedent decisions holding that immigration proceedings may be invalidated where regulations safeguarding an individual’s interests have been

violated. In these cases – the Montilla/Waldron opinions – the Court of Appeals formulated a test allowing for the invalidation of proceedings if it is shown that: 1) the regulation in question benefits the alien; and 2) the regulation implicates a fundamental, constitutional or statutory right; or 3) if the regulation is found not to implicate a fundamental or statutory right the alien can show prejudice in that the regulatory violation affected the outcome or overall fairness of the proceeding.

At oral argument at a subsequent Master Calendar appearance, the Clinic argued on Mr. M-'s behalf that the purpose of the regulations in question was to benefit individual interests and not to further internal agency procedure only. In particular, the Clinic maintained that DHS's regulatory procedures for handling arrests without a warrant are modeled on Fourth Amendment guarantees against warrantless searches and seizures by the government and the other regulatory requirements – regarding who are to be the examining/arresting officers and what notice and advisals must be given an alien – flow from general principles of fairness and from an individual's inherent due process rights. Accordingly, as the regulations did implicate fundamental, constitutional rights, the Clinic argued to the Court that Mr. M- was not required to make a showing of prejudice but was, rather, entitled to termination as a matter of right.

Shortly thereafter, the Clinic also filed a motion to suppress all oral and written statements taken of or from Mr. M-, all documents and papers produced in connection with his case, and all testimony of DHS officers associated with Mr. M-'s arrest and detention. The Clinic requested that the Court consider the motion to suppress in the alternative, only once it had reached a decision on the termination motion.

A six hour evidentiary hearing and oral argument was held at the end of the Spring 05 semester on the two motions filed by the Clinic. As it was Mr. M-'s burden to show that his due process rights had been violated, the Clinic mounted the case in chief and prepared and presented Mr. M-'s direct examination. The Clinic also defended Mr. M- during his lengthy cross-examination by the DHS Immigration and Customs Enforcement attorney and conducted a brief cross-examination by video-conference of the DHS Special Agent who had last interrogated, booked, and placed Mr. M- in proceedings and whose name and signature appeared on various of the DHS charging documents.

By written decision, the Court granted Mr. M-'s motion to terminate. The Court rested its decision on the grounds that the information underlying the charge of removability was obtained in violation of Mr. M-s' fundamental regulatory rights and implicit constitutional rights. As the evidence against Mr. M- had been obtained unlawfully, the Court

determined the proper remedial measure to be suppression. Once all information, statements, and documentary evidence were suppressed, the Court found that nothing remained with which to sustain DHS's charge of removability. As such, proceedings had to be terminated.

For further information, please contact **C. Mario Russell** at mario.russell@archny.org



New Clinical Center is Open

Construction on the new Clinical Center to house the **Stanford Legal Clinics** was completed just three months later in time for the start of the Fall Semester. The new 6,200 square foot space includes 12 faculty offices, spacious cubicles which accommodate 18 students at a time, an open-space student work areas, three interview rooms and a large conference room featuring state-of-the-art audio visual equipment. The Law School's investment in this facility reflects the school's deep commitment to providing a world-class clinical program to all of its students.

Stanford Law School Launches Two New Clinics

This Fall Semester, two new clinics have been added to the

curriculum at Stanford Law School. In the **Capital Defense Clinic**, students work on all aspects of death penalty appeals and post-conviction proceedings under the guidance of **Clinic Director Lawrence Marshall** and lawyers at the California Appellate Project in San Francisco. **The International Community Law Clinic** affords students the opportunity to learn about human rights, economic development and community law by working on lawyering projects in Ghana during the January Term, after having prepared for the experience throughout the Fall Term. This Clinic is directed by **Peter Reid** and **Danielle Jones**, and is working in coordination with a program created by **Lucie White** at the Harvard Law School.

With the launching of these two new clinical programs, Stanford is now offering nine clinical programs, with capacity to accommodate every student in the Law School.

Clinic Achievements

In recent months, the Clinics at Stanford have had some remarkable victories, including the following:

Students in the **Community Law Clinic** successfully represented a single mother at a Section 8 termination hearing in which the Housing Authority sought to evict her from her home of 17 years. The Community Law Clinic has also become deeply involved in a program to assist ex-offenders clear their records to ease their reintegration into society.

For the past four years, students and faculty in the **Cyberlaw Clinic** have been litigating an Internet anti-SLAPP case against Ampex, after Ampex sued Scott Cargle, a former employee who posted critical messages about the company on a Yahoo message board. In May of 2005, after two trips to the Court of Appeal, the Cyberlaw Clinic won a ruling that Ampex's lawsuit was frivolous and was meant only to chill Cargle's legitimate exercise of his right to speak online. As a result, the court awarded Cargle costs and attorneys fees in the suit.

In two separate cases, students in **Immigrants' Rights Clinic** secured relief, after hearings before the Immigration Court, for long-time lawful permanent residents who had been threatened with removal because of old, minor, criminal convictions. Clinic students also obtained relief under the Violence Against Women Act from the Department of Homeland Security for a victim of domestic violence.

The **Supreme Court Litigation Clinic** celebrated victories in two important cases last spring. In *Spector v. Norwegian Cruise Lines*, the clinic represented Douglas Spector and a group of other disabled and nondisabled passengers who sought injunctive relief requiring a cruise ship company to comply with provisions of Title III of the Americans with Disabilities Act. The Supreme Court held that those provisions to cover companies operating foreign flag cruise ships in United States waters. And in *Rousey v. Jacoway*, the clinic represented Richard and

Betty Jo Rousey, an Arkansas couple who sought to keep the funds in their Individual Retirement Accounts exempt in their bankruptcy proceeding. The Supreme Court held that I.R.A.'s like other, more traditional forms of retirement savings, are eligible for exemption. This Term, the Supreme Court Litigation Clinic will be representing parties in at least four cases that are scheduled for argument.



Texas Wesleyan School of Law, in partnership with the Lena Pope Home and the United Way of Tarrant County, announces the expansion of the Law Clinic to include advocacy for children's rights. The expansion was funded by a United Way grant to coordinate social services and legal assistance for neglected and abused children in the Tarrant County community.

The expansion of the Law Clinic serves clients that will be referred by the Lena Pope Home. The expanded Law Clinic also serves clients referred by officials in the Tarrant County court system.

Due to the increased caseload, the Law Clinic has doubled its size. Instead of 16 students, the Clinic now allows 24 students to participate. The Clinic also hired a full-time fellowship attorney and a six-month attorney to finish up cases students will not be able to finish within a year's time frame.



(From L to R): Law Clinic Supervising Attorney Celestina Contreras, Families Way Impact Council Manager Pat Cheong, Dean Frederick G. Slabach, Law Clinic Director Charlotte Hughart, Assistant Dean of Student Affairs Patti Gearhart Turner, Judge Jean Boyd, Lena Pope Home Board President Mark Shelton, and Lena Pope Home Executive Director Ted Blevins.



Leslie Book presented on the future of judicial review of IRS collection determinations at the **American Bar Association Tax Section** meeting in Washington, DC this past May.

Villanova Law School's Clinical Program has entered into a partnership program with **Bryn Mawr Graduate School of Social Work and Social Research**. Under the program, graduate students of social work from Bryn Mawr will be assigned to work with the clinic to collaborate on cases. This academic year, there are two Bryn Mawr students working with Villanova's Clinical Program.

This summer **Beth Lyon** taught "**Human Rights Advocacy and Dissemination**" at **New College, University of Oxford**, in the

Summer Programme in International Human Rights Law

developed by the University of Oxford Department for Continuing Education and the **George Washington University Law School**. The course brought together law students, lawyers and other professionals from around the world to improve and support justice advocacy.

Marisa Cianciarulo will be a member of a panel at the **Pennsylvania Bar Institute/New Jersey Institute of Continuing Legal Education CLE, "Representing Asylum Seekers in the Circuit Courts"** on October 6th in Philadelphia, PA and October 7th in New Brunswick, NJ



The **Legal Assistance to Minnesota Prisoners (LAMP) Clinic** at **William Mitchell** won an important case at the Minnesota Supreme Court. The court ruled that prisoners have a constitutional right to due process before the prison can extend their term of imprisonment. Here is a link to the case if you're interested:

<http://www.courts.state.mn.us/opinions/sc/current/opa031663-0728.htm> .



BOOKS & PUBLICATIONS



Mark Neal Aaronson (UC-Hastings) &



Stefan H. Krieger (Hofstra), *Teaching Problem-Solving Lawyering: An Exchange of Ideas.* 11 CLINICAL L. REV. 485 (2005).



Paolo Annino (Florida State), *The Revised IDEA: Will It Help Children With Disabilities?*, 29 A.B.A. MENTAL & PHYSICAL DISABILITY L. REP. 11 (2005).



Adam Babich (Tulane), *The Apolitical Law School Clinic.* 11 CLINICAL L. REV. 447 (2005).

Adam Babich (Tulane), *A Reply to Wizner and Soloman's "Law As Politics".* 11 CLINICAL L. REV. 481 (2005).



Mary Berkheiser (UNLV), *Capitalizing Adolescence: Juvenile*

Offenders on Death Row, 59 MIAMI L. REV. 125 (2005).



Barbara L. Bezdek (Maryland), *To Forge New Hammers of Justice: Deep Six the Doing-Teaching Dichotomy and Embrace the Dialectic of "Doing Theory".* 4 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 285 (2004)



Leslie Book (Villanova), *CDP and Collections: Perceptions and Misperceptions,* 107 TAX NOTES 487 (April 25, 2005).



Bruce Boyer (Loyola-Chicago), *Justice, Access to the Courts, and the Right to Free Counsel for Indigent Parents: The Continuing Scourge of Lassiter v. Department of Social Services of Durham.* 36 LOY. U. CHI. L. J. 363 (2005).



Christine N. Cimini (Denver), *Principles of Non-Arbitrariness: Lawlessness in the Administration of Welfare,* 57 RUTGERS L. REV. 451 (2005).



Maria Cianciarulo (Villanova), *The W Visa: A Legislative Proposal for Female and Child Refugees Caught in Post-September 11 World*, (forthcoming), YALE J. L. & FEMINISM (Fall, 2005).

Maria Cianciarulo (Villanova), *Terrorism and Asylum Seekers: Why the Real ID Act is a False Promise*, (forthcoming), HARV. J. ON LEGIS. (Winter, 2006).



Leigh Goodmark (Baltimore), *Achieving Batterer Accountability in the Child Protection System*, 93 U. KY. L. J. 613 (2004-05)



Bill Ong Hing (UC-Davis) and Kevin R. Johnson, *National Identity in a Multicultural Nation: The Challenge of Immigration Law and Immigrants* (Reviewing Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity*.) 103 MICH. L. REV. 1347 (2005).



Ann Juergens (William Mitchell), *Practicing What We Teach: The Importance of Emotion and Community Connection in Law*

Work and Law Teaching. 11 CLINICAL L. REV. 413 (2005).



Peter B. Knapp (William Mitchell) and Sharon H. Fischlowitz, *From Here to Next Tuesday: The Minnesota Public Service Program, Ten Years After*. 26 HAMLINE J. PUB. L. & POL'Y 223 (2005).



Lawrence S. Krieger (Florida State), *The Inseparability of Professionalism and Personal Satisfaction: Perspectives on Values, Integrity and Happiness*. 11 CLINICAL L. REV. 425 (2005).



Katherine Kruse (UNLV), *Learning from Practice: What ADR Needs from a Theory of Justice*, 5 NEV. L.J. 389 (2004/2005).

Katherine R. Kruse (UNLV), *Lawyers, Justice and the Challenge of Moral Pluralism*, (forthcoming) MINN. L. REV. (2005).



Charles C. Lewis (Campbell), *The Contract Drafting Process: Integrating Contract*

Drafting in a Simulated Law Practice.
11 CLINICAL L. REV. 241 (2005).

Richard D. Marsico (New York Law School), *DEMOCRATIZING CAPITAL, THE HISTORY, LAW, AND REFORM OF THE COMMUNITY REINVESTMENT ACT* (Carolina Academic Press, 2005) [available at www.caplaw.com; review copies available at comp@cap-press.com]



Jennifer Moore (New Mexico), *Collective Security With a Human Face: An International Legal Framework for Coordinated Action to Alleviate Violence and Poverty.* 33 DENV. J. INT'L. L. & POL'Y 43 (2004).



Jane C. Murphy (Baltimore) &



Robert Rubinson (Baltimore), *Domestic Violence and Mediation: Responding to the Challenges of Crafting Effective Screens,* 39 FAM. L.Q. 53 (2005).



Richard K. Neumann, Jr. (Hofstra), *Women in Legal Education: A Statistical Update.* 73 UMKC L. REV. 419 (2004).



Kimberly E. O'Leary (Thomas M. Cooley), *Clinical Law Office and Local Social Justice Strategies: Case Selection and Quality Assessment as an Integral Part of the Social Justice Agenda of Clinics.* 11 CLINICAL L. REV. 335 (2005).



Calvin G. C. Pang (Hawaii), *Introductory Remarks to Professionalism and Personal Satisfaction.* 11 CLINICAL L. REV. 405 (2005).

Pamela N. Phan (former Yale-China Fellow), *Clinical Legal Education in China: In Pursuit of a Culture of Law and a Mission of Social Justice,* 8 YALE H.R. & DEV. L.J. (2005).

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Meredith Ross (Wisconsin),

Sentence Modification and Early Release for TIS Inmates. THE WISCONSIN DEFENDER, Vol. 13, Issue 1 (Winter/Spring 2005).



Robert Rubinson

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History and Philosophy of the Juvenile Court, in FLORIDA JUVENILE LAW AND PRACTICE (Lexis/Nexis-Florida Bar, 9th ed. 2005).



David Thronson (UNLV),

Of Borders and Best Interests: Examining the Experience of Undocumented Immigrants in U.S. Family Courts, 12 TEX. HISP. J. L. & POL'Y. ____ (2005).



Stephen Wizner (Yale) &



Robert Soloman (Yale),

Law As Politics, A Response to Adam Babich, 11 CLINICAL L. REV. 473 (2005).



JOBS

Notice: Job Listings are only included in the electronic version of the CLEA Newsletter. Job listings may be posted on the CLEA Website by going to the following page and following the instructions listed: <http://www.cleaweb.org/jobs/post.html>



Director, Middleton Center for Children's Rights

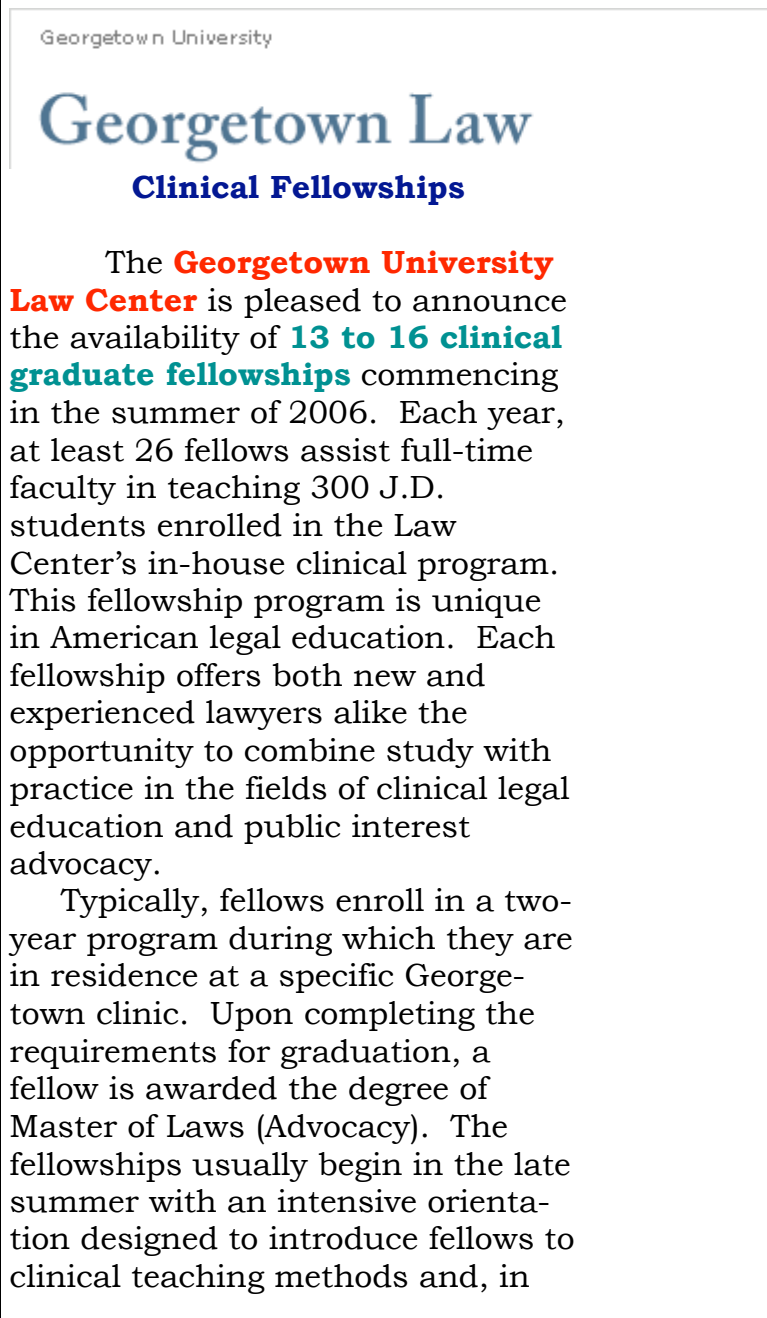
Drake Law School seeks applicants for the position as **Director of the Joan and Lyle Middleton Center for Children's**

Rights, commencing with the 2006-07 academic year. The Children's Rights Center features four distinct program components: (1) an interdisciplinary clinical program; (2) a Training Center; (3) a Resource Center; and (4) public policy/legislative initiatives. The Director will teach the children's rights clinical class, work with Drake's School of Education and the University of Iowa School of Social Work to further interdisciplinary collaboration, and will supervise students' work on clinical cases. In addition, the Director will continue the Center's legislative reform activities in conjunction with the Drake Law School's Legislative Practice program and will help plan conferences or workshops in furtherance of the Center's Training Missions.

The Joan and Lyle Middleton Center for Children's Rights is part of Drake Law School's nationally recognized clinical programs. Drake's Clinical Programs are housed in the Neal and Bea Smith Law Center, a 40,000 square foot fully computerized facility. The building includes conference rooms, offices, a library, courtroom and atrium. The Drake Legal Clinic is supported by a \$5.5 million endowment that ensures continued service to students and the community.

Drake Law School seeks applicants who possess a strong record of clinical teaching and scholarship, administrative skill, and a commitment to public and professional service. Applicants from minority group members and women are particularly encouraged.

The position offers a competitive salary and a renewable contract consistent with ABA Standard 405(c). **Contact: Professor Jerry L. Anderson**, Chair, Faculty Recruitment, Drake Law School, 2507 University Avenue, Des Moines, Iowa 50311. Telephone: (515) 271-2658. Email: Jerry.Anderson@drake.edu



Georgetown University

Georgetown Law

Clinical Fellowships

The **Georgetown University Law Center** is pleased to announce the availability of **13 to 16 clinical graduate fellowships** commencing in the summer of 2006. Each year, at least 26 fellows assist full-time faculty in teaching 300 J.D. students enrolled in the Law Center's in-house clinical program. This fellowship program is unique in American legal education. Each fellowship offers both new and experienced lawyers alike the opportunity to combine study with practice in the fields of clinical legal education and public interest advocacy.

Typically, fellows enroll in a two-year program during which they are in residence at a specific Georgetown clinic. Upon completing the requirements for graduation, a fellow is awarded the degree of Master of Laws (Advocacy). The fellowships usually begin in the late summer with an intensive orientation designed to introduce fellows to clinical teaching methods and, in

some cases, the substantive law practiced by their particular clinic. In at least one of their years in residence, fellows directly supervise J.D. students enrolled in the clinics and assist in teaching clinic seminars. Fellows also work on their own cases or other legal matters on behalf of their clinic's clients. We are currently seeking fellows to work in the following areas: appellate litigation; domestic violence prevention; international women's human rights; communications law; environmental law; criminal defense of juveniles and adults; advocacy for children in need of special education or other services; trade policy and health care policy; housing and community development; federal legislation; political asylum; and law related education (Street Law).

The fellowship program currently offers an annual stipend of \$44,275 (taxable), plus all tuition and fees in the LL.M. program. Health insurance and other benefits are also provided. As graduate students, fellows are eligible for deferment of their student loans during their two years in the fellowship. They may also be eligible for their law school's loan repayment assistance program.

Applications must be sent directly to the director of the clinic or program in which the fellowship is sought and not to the Graduate Programs Admissions Office. Application deadlines vary by fellowship. For descriptions of each fellowship and a list of application deadlines, please visit our web site at

<http://law.georgetown.edu/clinics/>

[fellowships](#), or request a brochure by e-mailing us at clinics@law.georgetown.edu or calling (202) 662-9100. Georgetown University is an Affirmative Action, Equal Opportunity employer.

SCHOOL OF LAW HOFSTRA UNIVERSITY

Clinical Professor Securities Arbitration Clinic

Hofstra Law School invites immediate applications for the position of **clinical professor** for its new **securities arbitration clinic**. The clinical professor will supervise approximately eight students in a live-client clinical program providing services to investors against brokers and broker-dealers accused of misconduct. The professor will develop a course plan and caseload, teach a weekly seminar, and directly supervise student work. This position is a nontenure-track, twelve-month appointment with regular vacation and other benefits. Clinical professors are also eligible for long-term contracts and voting rights in law school governance. Salary is commensurate with experience, qualifications, and compensation for other long-term contract positions. We have an institutional commitment to a diverse faculty, and particularly welcome applications from women and members of minority groups. The position is scheduled to begin November 1, 2005, and preference will be given to applications received before **October 1, 2005**. To apply, send a completed

application form (see www.hofstra.edu/law/clinic-hiring) along with your resume to **Professor Grant M. Hayden**, Chair, Clinical Appointments Committee, Hofstra University School of Law, 121 Hofstra University, Hempstead, NY 11549.



Clinical Faculty Immigration Clinic

The **University of Houston Law Center** seeks applicants for a **clinical faculty position** in the Clinical Legal Education Program for academic year 2005-2006 to teach and administer the **Immigration Clinic**. Faculty member is designated as Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor, depending on qualifications and experience. The non-tenure track appointment will have the possibility of a multi-year, renewable contract with the first two years being a probationary period. The salary range for the position is \$40,000 to \$65,000 for a ten-twelve month academic year. The position is responsible for teaching and administering the Immigration clinic, one of our in-house clinics.

Individual appointed to clinical ranks in the Clinical Legal Education Program must, at a minimum, hold a JD Degree from an ABA-accredited law school and be licensed to practice law in Texas. Qualified candidates must have

strong academic credentials and practice experience in the field of Immigration Law. Strong preference will be given to candidates with prior clinical teaching experience.

The University of Houston is an equal opportunity/affirmative action employer. Minorities, women, veterans, and persons with disabilities are encouraged to apply. Interested candidates should send a resume or c.v. to:

John J. Douglass, Professor of Law, University of Houston Law Center, 100 Law Center, Houston, TX 77204-6060. Telephone: 713-743-2094. Fax: 713-743-2574. E-mail: JDouglass@Central.Uh.Edu



Director of Clinics and Skills

The **University of Minnesota Law School** is seeking applicants for the position of **Director of Clinics and Skills**, with faculty rank as either Professor or Clinical Professor of Law starting July 1, 2006.

The Director will teach in and administer a program offering fifteen to eighteen clinical courses (depending on the year and faculty availability) with a broad diversity of subject matters (see <http://www.law.umn.edu/clinics/>). More than fifty per cent of the law school's students take a least one live clinical course. Seven full-time, in-house clinical faculty members and six part-time adjunct instructors teach the program. The Director will also coordinate

simulation courses that are offered as a part of the curriculum (see http://www.law.umn.edu/clinics/1awyering_skills.html). Depending on experience and qualifications, the successful applicant will be hired either as a tenured member of the faculty or with a continuous appointment (clinical tenure).

The Director's duties include the following: Direction and administration of the clinics and skills programs, including review of overall goals, functions and assessment the program; coordination of non-probationary clinic faculty; supervision and annual review of probationary and visiting faculty; supervision of clinic staff; oversight of adjunct clinical faculty; development/review of new clinic proposals; participation in public relations, including brochures and reception; oversight of clinic technology; oversight of clinic financial accounts; oversight of office and space issues; participation in clinic fundraising; and coordination of the student evaluation process. The Director will also teach 1 to 2 courses a year.

Required qualifications for tenure-Applicants must have a completed J.D. or L.L.B. degree, be eligible to practice law in Minnesota or be eligible for admission, have an established record of scholarship and national publications, have practice and academic experiences totaling at least five years, and demonstrate effectiveness in teaching consistent with Law School standards. Previous experience coordinating clinical programs is strongly preferred.

Required qualifications for clinical tenure-Applicants must have a completed J.D., be licensed to practice law in Minnesota or be eligible for admission, have previous practice experience, and have substantial classroom or clinical teaching experience consistent with Law School standards. Previous work coordinating clinical programs is strongly preferred.

Given that this may be a tenured position at the Law School, the Faculty Appointments Committee has established a sub-committee consisting of tenured faculty, clinical faculty and student representatives. This sub-committee will vet the applications and candidates and, per faculty rules, make a recommendation to the Appointments Committee, which will forward its recommendation to the full faculty for approval of any hire with tenure.

Applicants should send a letter of interest and resume to Professor Gregg Polsky, 229-19th Avenue South, Minneapolis, Minnesota 55455. Electronic applications will be accepted and should be sent to polsk001@umn.edu. Priority will be given to applications received by December 1, 2005. Representatives will be available for interviews at the AALS Faculty Recruitment Conference, Friday, November 11, and Saturday, November 12, 2005.

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and

employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation.



Civil and Criminal Clinic Faculty

The **University of North Carolina at Chapel Hill, School of Law** will have **two full-time faculty positions** teaching in our **Civil and Criminal Law Clinics** available beginning Fall 2006. Beginning and experienced teachers will be considered. Positions are available on a fixed term contract, tenure-track, or tenured appointment. The persons hired will supervise students in our in-house criminal and civil clinics, work on further development of the criminal and civil clinical programs, teach a Criminal Lawyering Process or Civil Lawyering Process class to clinic students, and may also have the opportunity to teach additional courses in the Law School.

Applicants must have at least 2 years of practice experience and must be a member of the NC State Bar or must attain membership by examination or comity by the start of the school year.

Applicants should have distinguished academic records, experience in the legal profession, and a record or the promise of achievement as a teacher and schools. Applications will be

accepted until positions are filled. The University of North Carolina at Chapel Hill is an Equal Opportunity Employer. Send cover letter and resume to: **Alice B. Girod**, Administrative Assistant to Faculty Appointments Committee, School of Law, Campus Box 3380, Chapel Hill, NC 27599-3380. Telephone: 919-962-0357. Email: agirod@email.unc.edu. Website: www.law.unc.edu.

Pace Law School

Two Tenure-Track Positions

Pace University School of Law expects to fill two full time, tenure track faculty positions commencing in the 2006-2007 academic year. The ideal candidates for these positions will be entry-level or in the early part of their academic career. Pace Law School is particularly interested in candidates with an interest in business law, administrative law, and/or experiential learning. Applicants with all curricular interests will be considered.

Candidates should have demonstrated commitment to, or records of, scholarly achievement and should be interested in enriching both our curriculum and our academic community. We are particularly interested in candidates who can bring diverse viewpoints to the classroom.

Applications are especially encouraged from people of color, people with all sexual and gender identities, individuals who are

differently-abled, veterans of the armed forces or national service, and anyone whose background and experience will contribute to the diversity of our faculty. Pace is committed to achieving completely equal opportunity in all aspects of University life.

Salaries and benefits, including domestic partner benefits, are commensurate with experience and performance.



Director of Clinical Programs

Rutgers University School of Law - Camden is seeking an experienced clinician to serve as **Director of Clinical Programs**. At this time we have seven clinicians, who teach three clinics (Civil Practice Clinic, Domestic Violence Clinic and Community Development Clinic) and an extensive externship program; roughly half of each graduating class has participated in one or more of the clinical programs. Two current faculty members (including the outgoing Director of Clinical Programs) have clinical tenure and two are on clinical tenure track. We are seeking funding for at least one additional clinic, involving juvenile justice and/or child advocacy. We also have an extensive pro bono program, including programs in mediation, bankruptcy, income tax assistance,

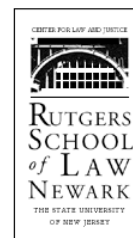
immigration assistance and courthouse assistance for victims of domestic violence. This winter the law school will break ground on a building addition that will include new clinic offices and a moot court room, in addition to new classrooms and other offices.

The Director of Clinical Programs will spend approximately half of his or her time on program needs and half teaching a clinic course and supervising students. There will also be opportunities to teach outside of the clinic.

The successful candidate will have clinical teaching experience as well as administrative experience.

Course development, grant writing and grant administration, and fundraising experience are preferred. The Director of Clinical Programs is a member of the Dean's staff and a representative of the law school to the bench, bar, other units of the university and the public.

To apply, send a letter of interest and resume to: **Alice K. Dueker**, Director of Clinical Programs, Rutgers University School of Law - Camden, 217 North 3rd St., Camden, NJ 08102. Rutgers University is an equal opportunity employer.



Environmental Law Clinic

Rutgers-Newark will be seeking to fill a tenure track slot for an environmental scholar/lawyer who will direct the school's **Environmental Law Clinic** and teach environmental law- related courses. Inquiries should be directed to:

Professor John Leubsdorf
Professor Sherry Colb
Co-Chairpersons, Appointments Committee
Rutgers School of Law-Newark
123 Washington Street
Newark, N.J. 07102



Assistant Professor for Clinical Education/Director of the Securities Arbitration Clinic

St. John's University School of Law is now inviting applicants for a full-time faculty clinical teaching position as an Assistant Professor for Clinical Education and Director of the Securities Arbitration Clinic.

The Clinic, which started in 2004, provides representation to underserved small investors in negotiations and arbitration proceedings before the National Association of Securities Dealers and the New York Stock Exchange. Responsibilities include direct student supervision in their representation of clients, preparation of seminar materials and other clinic manuals, seminar

teaching, and overall administration of the clinic. Clinic students also conduct Investor Education Programs throughout the New York City metropolitan area. Applicants should have experience in handling securities disputes and possess excellent academic records (including a J.D. or its equivalent). Prior clinical teaching is preferred. The position starts in May 2006, to monitor existing cases during summer and prepare for fall semester.

St. John's University is an Equal Opportunity Employer and encourages applications from women and minorities. Applicants should submit a cover letter, curriculum vitae, a writing sample, the names of three references, and teaching evaluations (if available) to: Andrew J. Simons, Associate Academic Dean, St. John's University School of Law, 8000 Utopia Parkway, Queens, NY 11439 or simonsa@stjohns.edu.



Clinical Professor and Director of Community Law Clinic

The **Stanford Law School** invites applications for a tenure-track position as **Clinical Professor and Director for the Stanford Community Law Clinic(SCLC)**. The appointment will become

effective on September 1, 2006. SCLC is an East Palo Alto community-based clinical program faculty providing legal services in the areas of housing, public benefits, and workers' rights. It is one of the nine clinical programs that make up the Stanford Legal Clinic.

We seek candidates with distinguished practice experience, a strong commitment to clinical legal education and public-interest law, and excellent teaching skills necessary to run the seminar that accompanies the students' clinical work. Interested applicants should have at least five years experience in one or more of the areas of practice mentioned above as well as at least five years of increasingly responsible supervisory experience in a law office or law-school clinical program. Applicants should have an academic record that demonstrates the capability for excellent teaching and scholarly achievement. Preference will be given to applicants who have clinical teaching experience. The applicant must either be a member of the California bar, or be willing to take the examination necessary for admission within one year of starting the position. Stanford University is an equal opportunity employer and is committed to diversity.

Duties of the Clinical Director position include management of cases and projects, direct supervision of Clinic attorneys and Stanford law students, teaching, collaborating with clinical faculty at the Law School, managing the operation of the Clinic, budgeting,

community relations, assisting in the development of additional resources, and acting as liaison with the Law School community.

Interested applicants should send a cover letter and resume to:

Professor Lawrence C. Marshall

Associate Dean for Public Service and Clinical Education & David & Stephanie Mills Director of Clinical Education
Stanford Law School
Crown Quadrangle
559 Nathan Abbott Way
Stanford, CA 94305
lmarshall@stanford.edu



Tenure/Tenure-Track Position

Washington University School of Law in St. Louis invites applications for a full-time, tenure-track faculty position to teach in the **Criminal Justice Clinic** and possibly **Government Lawyering Clinic** areas, as well as Legal Profession/Professional Responsibility or Criminal Law, to commence in the fall of 2006. Applicants can be either entry level or experienced clinical teachers. This is a unified tenure-track position, and all faculty teaching clinical courses also teach at least one non-clinical course.

Washington University School of Law in St. Louis has an attractive course banking system that can result in a faculty person having

every fourth semester off from teaching responsibilities, and the benefits package is equally available to persons with domestic partners. Minimum qualifications include a JD degree, a strong academic record, experience practicing criminal law, demonstrated clinical teaching ability or the potential to be a strong teacher in the clinic and the classroom, and a record of scholarship or the promise of scholarly productivity. The Clinical Program currently has seven clinical courses, and every student wishing to take a clinical course is guaranteed an opportunity to take at least one clinical course.

To apply, submit a letter of application, resume, and the names of three references to **Professor Sam Bagenstos**, Chair of the Appointments Committee, Washington University School of Law in St. Louis, One Brookings Drive, Campus Box 1120, St. Louis, MO 63130, by November 1, 2005.

Washington University is an Equal Opportunity/Affirmative Action employer with a commitment to diversity. Persons are selected on the basis of ability without regard to race, color, gender, age, national origin, sexual orientation, religion, disability or veteran status. The employee benefits program at Washington University extends to domestic partners.



Clinical Teaching Position

Wayne State University Law School is seeking applications for a position as a **clinical faculty** member. Responsibilities include teaching a live-client, in-house clinic that addresses unmet legal needs of the surrounding community. The issues to be addressed will depend on the candidate's area(s) of expertise. Examples include poverty law, civil rights, community economic development, or other similar need. The position is non-tenure-track with a long-term contract that may be renewed. Interest in contributing to the clinical or substantive literature is welcome. Ability to generate fees, grants, or other funding is also welcome.

The qualifications for the position include a J.D. degree and significant law practice and/or clinical teaching experience. Persons interested in applying should send a vita and cover letter to **Professor Gregory Fox**, Chair, Faculty Appointments Committee, Wayne State University Law School, Detroit, MI 48202.

Women, members of minority groups and others whose backgrounds will contribute to the diversity of the faculty are especially encouraged to apply.



Tenured/Tenure Track Faculty

William Mitchell College of Law is seeking a **tenured or tenure-track faculty member**.

The College invites applications from both experienced and entry-level candidates. One half of the teaching load in most years will be to co-coordinate either of the two required skills courses. The first-year required course involves not only legal research, analysis, and writing but also interviewing, counseling, negotiating contracts, dispute mediation, and motion practice. The upper-level required course teaches trial and appellate writing and advocacy. Both courses are coordinated by a pair of tenured or tenure-track faculty members, who develop the curriculum, teach some classes, and hire and supervise the adjunct professors who teach small-group sections. The other half of the teaching load will be to teach other courses. Specific areas of need include civil procedure, criminal law, trusts and estates, family law, professional responsibility, evidence, and clinical and skills-based teaching. Applicants should have a distinguished academic record, some relevant work experience, and either actual publications or a very strong potential for scholarly achievement.

In furtherance of our institutional commitment to a diverse faculty, we particularly welcome applications from women and minorities. For more information on the College, please visit www.wmitchell.edu. Interested persons should send a cover letter and resume before **November 1, 2005**, to:

Professor Christina L. Kunz
Chair of Appointments Committee
William Mitchell College of Law
875 Summit Avenue
St. Paul, Minnesota 55105

The next issue of the CLEA Newsletter will be published in February, 2006. Information to be included may be submitted to the Editor:

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