



SECTION ON

CLINICAL LEGAL EDUCATION

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TO: Section Members
FROM: Roy Stuckey, Newsletter Editor
DATE: December, 1981

This Newsletter is a forum for the exchange of points of view. Opinions expressed here are not necessarily those of the Section and do not necessarily represent the position of the Association of American Law Schools. AALS Executive Committee Reg. 12.4(c).

ANNUAL MEETING PROGRAM ANNOUNCED

The program of the AALS Section on Clinical Legal Education will be held on Thursday, January 7th at the Franklin Plaza Hotel in Philadelphia.

8:30 a.m. Issues of Professional Responsibility
for Clinical Law Teachers
David Barnhizer - Cleveland State
Frank Bloch - Vanderbilt
Roy Stuckey - South Carolina (moderator)

10:15 a.m. Clinical Education: An Appraisal
Gary Bellow - Legal Services Institute
Robert Condlin - Maryland
Norman Redlich - N.Y.U.
Dean Rivkin - Tennessee (moderator)

12:00 noon Luncheon (By advance reservation only.
Submit attached form to Judy Potter with
remittance no later than December 21, 1981.)

There will be a luncheon speaker.

2:00 p.m.

Directions in Clinical Research

Gary Lowenthal - Arizona State (moderator)
Cary Menkel-Meadow - U.C.L.A.
Ronald Staudt - Chicago IIT-Kent
Larry Walker - Virginia

3:45 p.m.

Substantive Issues in Teaching Interviewing
and Counseling

David Binder - UCLA
Mark Schoenfield - Northwestern (moderator)
Andrew Silverman - Arizona

5:15 p.m.

Business Meeting

LUNCHEON RESERVATIONS NECESSARY

No tickets will be available after December 21st
for the Section's Luncheon at Noon on January 7th. The Section
must guarantee in advance the number of people who will be at
the luncheon.

To reserve your ticket/s, send the reservation form
below with full remittance to Judy Potter, University of Maine
Law School, 246 Deering Ave., Portland, Maine, 04102.

The price of each lunch is \$10.85 including all taxes
and gratuity. The luncheon will be a cold plate buffet including
cheeses, turkey, imported salami, imported ham, roast beef,
cold vegetables, dessert and juice.

TICKET RESERVATION FORM
AALS CLINICAL SECTION LUNCHEON
JANUARY 7, 1982

Please reserve _____ ticket/s for me. Enclosed is
my check in the amount of \$ _____ (at \$10.85/ticket).

name: _____

address: _____

phone: _____

I understand that I will receive a full refund if the
luncheon is cancelled.

SECTION'S OFFICERS NOMINATED

The Section's nominating committee (Susan Kupfer,
Hofstra, Chair; Ken Gould, Arkansas at Little Rock; Jack Sammons,
Mercer; Peter Hoffman, Nebraska; Arnold Siegel, Loyola, L.A.)
will place the following names in nomination during the business
meeting in Philadelphia at 5:15 p.m. on January 7th:

Chair-elect: Kandis Scott, Santa Clara.

Executive Committee (3 year terms): Roy Stuckey,
South Carolina; and Barbara Schwartz, Iowa.

The executive committee seats are now held by
Jack Sammons, Mercer, and Bill Kerr, Maryland, whose terms will
expire. Other numbers of the Executive Committee are Rod Jones,
Southwestern, and Lonnie Rose, Kansas, who have two years
remaining in their terms; and Susan Bryant, Hofstra, and
Gary Lowenthal, Arizona State, who have one year remaining.
The Executive Committee will also include the Chairperson,
Elliott Milstein, American; the Chairperson-elect; and the
editor of the Newsletter who is expected to be Norman Stein,
Arkansas at Little Rock.

The Section's bylaws do not allow nominations from
the floor, but a regular member of the Section may be nominated
for an elected position by a petition signed by three other
regular members and submitted to the Section Chairperson and the
AALS Executive Director not less than 15 days before the
Annual Meeting (This year, that date is December 23, 1981.)

COMMITTEES TO BE APPOINTED

During the annual meeting in Philadelphia, Elliott Milstein will appoint members to the Section's standing and special committees. The Standing committees are (1) nominating; (2) annual meeting program; (3) national and regional training programs; and (4) awards. Let Elliott know if you'd like to serve on one of these committees.

The Section presently has two special committees: the Teaching Materials Committee chaired by Norman Stein, Little Rock at Arkansas; and the Guidelines Committee chaired by Gary Palm, Chicago. If you believe these committees should be continued, or if you think additional special committees are needed, please contact Elliott Milstein.

BRING COURSE SYLLABBI TO PHILADELPHIA

The Section's Teaching Materials Committee is continuing to collect course syllabi from Clinical teachers. The committee's chair, Norman Stein, will be at the Annual Meeting and will be happy to receive course syllabi and other teaching materials from those clinicians who haven't mailed them to him already.

STUCKEY OUT/STEIN IN

After two years as editor of the Section's Newsletter, its time to allow someone else the privilege of serving the Section in this capacity. Norman Stein has agreed to let Elliott Milstein appoint him to the position, so future Newsletters will be coming from his office at the University of Arkansas at Little Rock School of Law, 400 W. Markham, Little Rock, Arkansas, 72201. (501) 371-2268.

SUMMER CONFERENCE PLANS IN WORKS

One item of interest to clinicians during the AALS Annual Meeting will be the Sixth Annual AALS Clinical Teachers Conference which will be held on June 19-26. The planning committee has announced its tentative plans to adopt a new format which it believes will preserve the active participation of previous conferences while adjusting to the changing needs of clinical teachers.

The 1982 Conference will feature class-length teaching demonstrations followed by in-depth critique by small groups. There will not be numerous short demonstrations and critiques which have marked past Conferences, some days will be filled by major presentations and large group discussion.

The proposed schedule is:

- Saturday: Orientation and discussion of the History of Clinical Education.
- Sunday: Theories of Clinical Education -- major presentations.
- Monday: Interviewing and Counseling (Allen tape) - teaching demonstration and critique of substance, teaching technique, style, and group dynamics.
- Tuesday: Student supervision - demonstration and critique.
- Wednesday: Free
- Thursday: Negotiation and interviewing -- major presentations.
- Friday: Negotiation-teaching demonstration and critique.
- Saturday: Teaching demonstration on topics to be selected by the small groups, followed by critique.

In the evening programs participants will discuss matters of special interest to clinicians such as faculty status, networking, curriculum and case selection, finances and administration of clinics, and the use of clinical techniques in traditional courses. As always the schedule will be full and the opportunities to learn substantial.

The conference site has not been finalized, but it is expected to be one that will be comfortable and convenient to clinicians nation-wide.

If you have comments or questions about the conference plans, contact the numbers of the planning committee: Dean Rivkin, Tennessee (project director); Susan Bryant, Hofstra; Peter Winograd, New Mexico; Phillip Schrag, Georgetown; and Kandis Scott, Santa Clara.

There will be eight clinical teachers on the conference's faculty. Seven have been announced: Dean Rivkin (Tennessee), project director; Susan Bryant (Hofstra); Walt Heiser (San Diego); Jim Klein (Toledo); Carrie Menkel-Meadow (UCLA); Jennifer Rochow (Boston College); and Kandis Scott (Santa Clara).

A discussion of plans for the conference will be on the agenda for the Section's business meeting at 5:15 Thursday, January 7th in Philadelphia.

LEGAL EDUCATION CONFERENCE HELD AT NYU

A by-invitation-only conference on "Legal Education in the 80's" was held at N.Y.U. on November 12-14. The conference was organized by Robert B. McKay who is cochair of the clinical committee of the ABA Section of Legal Education and Admissions to the Bar. No clinicians made presentations or served on panels during the conference.

ABA CLINICAL COMMITTEE MEETS IN NEW YORK CITY

The Clinical Committee of the ABA Section of Legal Education and Admissions to the Bar met on November 12th. The ABA Accreditation Committee's consideration of issues relating to the status of clinical teachers was the primary topic of discussion.

Also, it was decided that cochair Robert McKay and Section Chair Gordon Schaber would contact the American Bar Foundation about funding for research projects by clinicians.

CALIFORNIA CLINICAL WORKSHOP TOPICS REPORTED

It was noted in the October Newsletter that Southwestern University hosted the California Clinical Consortium workshop at South Lake Tahoe on October 16-18, 1981.

The major topics of the program and the people who presented them were:

"A Report on Innovative Clinical Programs"
Georgina Rizk and Rod Jones, Southwestern University

"Improving Field Placement Supervision: Program Design & Issues of Accountability"
Marc Stickgold, Golden Gate and Arnie Siegel, Loyola

"Approaches to Grading & Student Evaluations"
Walt Heiser, Univ. of San Diego and Rex Perschbacher,
U.C. Davis

"Comparative Models of the Classroom Component for
In-House and Off-Campus Placements"
Paul Bergman, UCLA and Kandis Scott, University of
Santa Clara

"Strategies for Survival in the Eighties & Beyond:
Funding & Faculty Status"
Jeanette Rucci, Univ. of San Francisco and Glee Scully,
McGeorge School of Law

CRIMINAL JUSTICE SECTION PLANNING COMPETENCY PROGRAM

The ABA Section on Criminal Justice will include a program on competency during its meeting at the ABA Convention in San Francisco next August. The program will focus on competency in teaching, practicing and judging criminal justice.

LOCAL NEWS

Projects and problems which we think are special to our jurisdictions often prove to be shared by other clinical teachers around the country. It is important to the creation of a better network among clinicians that we share news about events in our schools and states.

Florida - The Florida Supreme Court has amended its rules to allow students who have participated in a law school clinical program to become certified to practice in the offices of the State's Attorney, Attorney General, Public Defender, and Legal Services between the time of law school graduation and admission to the Florida Bar. It is not clear in the rule whether or not out of state graduates may be able to qualify for this certification.

Georgia - The Legal Education and Admission to the Bar Committee, acting jointly with the Judicial Procedure and Administration Committee, has recommended to the Bar the formation of a study committee on lawyering competency, focusing initially on competency for trial practice. The study is expected to last several years. Jack Sammons (Mercer) may have more details.

Hawaii - The Hawaii Supreme Court has amended its Student Practice Rule to allow students who have completed one-third of the graduation requirements to represent clients. This was done on motion of John Barkai at Hawaii.

Iowa - Members of the state legislature, apparently angered by litigation conducted by clinical programs at Iowa, introduced a bill designed to limit the type of activities that could be undertaken by clinical programs there. Unsuccessful with that bill, a later attempt by some legislators to amend the University's appropriations and cut clinical funds failed by a 56 to 43 vote.

Mississippi - In the State Court Educational Fund Act of 1981, the Mississippi legislature established a one dollar filing fee in all civil cases and a one dollar cost in every criminal case in which a fine is imposed, including traffic violations, to go into a fund for the education of state judiciary and court personnel. Included in the program is funding for the out of house intern program at Mississippi. Robert L. Doyel who is the Director of the Court Education Program hopes to obtain the auditors approval to bring the other clinical programs at the University of Mississippi Law Center under the court education program next year. He is interested in learning of any similar funding arrangements.

CONDOLENCES

It is with great sadness that we receive the news of Myra Staudt's death as a result of pneumonia on October 12th. Ron has indicated his wishes for memorial contributions to go to the American Cancer Society or to the Public Interest Law Internship at IIT Chicago-Kent College of Law, 77 S. Wacker Dr., Chicago, Illinois, 60606.

TRANSITIONS

Bill Kerr is leaving law teaching at Maryland to enter private practice at the end of this semester. Roy Stuckey (South Carolina) has been appointed to the Resources Committee of the ABA Section of Legal Education and Admissions to the Bar. William Pincus has become a member of the Board of Visitors at Southwestern. Hermes Moreno has moved from U.C.L.A. to Southwestern. Bob Bartels is leaving Iowa to teach at Arizona State. Mark Schoenfield (Northwestern) has decided to go into law practice in Chicago after this semester.

JOBS

1. The University of Iowa College of Law is seeking applications from well qualified persons for tenured or tenure-track faculty positions, particularly from those who are interested in devoting part of their teaching to our Clinic programs. The College of Law has an established tradition of encouraging its faculty members to engage in both clinical and traditional teaching, and of providing time and support for all faculty, including clinicians, to pursue legal research and scholarship.

The University is located in Iowa City, a pleasant and cosmopolitan university community of about 60,000 people.

The University of Iowa is an equal opportunity/affirmative action employer. Minorities and women are encouraged to apply. Contact: Professor Barbara Schwartz, College of Law, Iowa City, Iowa, 52242.

2. A substantive law/clinical teaching position will be open at the University of Puget Sound School of Law in the fall of 1982. The appointment will be to a tenure-track position. We seek a person with an excellent academic record, an interest in substantive law teaching and scholarship, and the ability to think creatively about the development of our clinical curriculum. The position is also as Co-Director of the Clinical Law Program and will require some aptitude in administration. Persons with criminal law experience are especially encouraged to apply.

The candidate must be a member of the bar in good standing in any jurisdiction for at least three years, and a member of the Washington State bar, or willing to take the Washington bar exam in the summer of 1982. There is a proposed amendment to the State Rules under consideration which may make the latter requirement unnecessary.

The University of Puget Sound School of Law is a private collegiate institution fully accredited by the American Bar Association and the Association of American Law Schools, and located in Tacoma, Washington approximately 36 miles south of Seattle, and 25 miles north of Olympia, the State capitol.

The search process is in progress. Interested applicants are encouraged to apply promptly. Letters of application and resumes should be sent to: Professor Richard B. Hirst, Chair, Faculty Recruitment Committee, University of Puget Sound School of Law, 950 Broadway Plaza, Tacoma, Washington, 98402. For further information contact Professors Alan Kirtley or Jenifer Schramm at (206) 756-3480.

UNIVERSITY OF PUGET SOUND IS AN EQUAL OPPORTUNITY/
AFFIRMATIVE ACTION EMPLOYER.

CHAIRPERSONS' MESSAGE

Despite the growing stability and cohesiveness within our ranks, clinical education remains in ferment. The evidence is discouraging. Status struggles are being waged throughout the country, as clinicians deservedly seek parity with their non-clinical colleagues. This issue is bound to sap energies and create unproductive tensions at most law schools. The prospects for continued federal funding under Title IX look grim, despite the good efforts of Congressman Neal Smith (D-Iowa), the ABA, and others. All recipients of Title IX grants must face the impact that termination of these funds will have. Retrenchment planning, as our legal services friends will attest, is complex and trying. The best we can hope for is that the careful examination of our programs that reductions necessitate will generate sharper visions for achieving our ambitious goals. On yet another front, some clinical programs are facing political pressures from individuals and groups who view any progressive reform as anathema. Already we have seen efforts in Oregon, Iowa, and Tennessee designed to curb zealous advocacy by clinical programs. Others are bound to follow.

These events are certain to create even more uncertainty in the world of clinical teaching. In this climate, it is imperative for us to fall back on what we do best: educating law students to be critical and reflective about the tasks and assumptions of law practice. This is a challenge whose complexity we are only beginning to understand and that will take years of sustained thought and activity to complete. Balancing our many roles, while building on our strengths, will be no easy task. But the impressive gains made by clinical education over the last decade convince us that, despite today's gloom, our field will mature and prosper. As we link forces with others dedicated to reforming legal education, our isolation will diminish. More importantly, as we continue to build our own networks, to talk more, share more, and collaborate more, we will reach a point, if we haven't already, where we can ride out temporary setbacks. For sure, some of us will leave clinical education for law practice or for the more secure non-clinical life. Nevertheless, the privilege of a life devoted to teaching, learning, and quality lawyering will continue to hold most while attracting new teachers who share our purposes.

Against this ambivalent background, we would like to express our sincere appreciation to the clinical teachers who assisted in the work of the Section this year. We are confident that, as this work continues and grows over the years, the Section will become an effective organization for the representation of the many interests of clinical legal education. We look forward to continuing to be a part of this movement and to seeing many of you in Philadelphia.

Judy Potter

Dean Hill Rivkin