

CLINICAL LEGAL EDUCATION

June, 1982

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CHAIRPERSON'S MESSAGE

By
Elliott S. Milstein

Is clinical education on the verge of becoming a growth industry or is it on the verge of bankruptcy? There is so much activity about that we are on the verge of something. I suspect that each of us has some responsibility for influencing the direction it will go.

Signs of retrenchment seem everywhere but they were nowhere more apparent than to the readers of the Title IX grant applications this Spring. Those of us who were veterans of "reading week" shared a sense that the quality of the applications was lower than last year and that sense was reflected in the scores-- there were fewer high scoring applications than during the past several years. There are various theories as to why that is so, but my own belief is that it is more difficult for schools to claim greater financial commitment, something new and different, or increased faculty supervision when in fact the programs were fortunate to "hold their own" for next year. Of course, no one came out and announced in a grant application, "This school has been forced to cut its clinic budget by 10% due to Reaganomics." Judging by what was not said, however, I came away wondering what is going on out there.

Remember the UCLA teeshirt which depicted the clinic as an octopus, each tentacle grabbing for something--more credits, more money, more faculty, more space, etc? From what I have recently heard there are a number of schools where the octopus is at the clinic's door, the tentacles grabbing back everything that isn't nailed down. It isn't surprising that the clinical budget would be among the first budgets cut during times of retrenchment precisely because so little is "nailed down." (This must be what is meant by a mixed metaphor).

It is ironic that some clinics are having once again to justify their existence (or, at least, their budgets) at a time when the long term viability of clinical legal education seems assured. The anxiously-awaited Harvard study of legal education (The Michelman Committee report) joined the stack of endorsements which clinical education has received in the past several years. That Committee, after documenting the many accomplishments of Harvard Law School in clinical education, said,

...The school has not yet accorded to clinical education efforts a fully secure place in its work. The school has not strongly affirmed to students the value of clinical learning, nor has it made much active effort to encourage faculty members in numbers to involve themselves to any degree in clinical teaching. Occasionally, there has been some tendency to regard the clinical effort as a domain of special pleading and indulgence, rather than as one of full and valued partnership in the common enterprise of learning. By and large, the School has left to the small number of active clinical educators the burden of documenting, explaining, and defending clinical education. Most others have remained largely unobservant of clinical activities, unacquainted with the growing literature of clinical legal education, and only occasionally involved in the burdens of investigation and constructive criticism.

This, of course, aptly describes the state of clinical education in most law schools. Fortunately, the report goes on to devote an entire 29 page chapter to analyzing and describing the benefits of clinical education and concludes by calling for more of it.

I am certain that the Michelman Committee report will be widely read in legal education circles (indeed, it made the New York Times). This report added to the stack which includes the Cramton Committee Report, the Foulis Committee Report and David Brink's speech (these were all discussed in the last issue of this Newsletter), makes me feel that in the long term we are a growth industry.

The question however, is how do we turn these endorsements into tangibles such as more teachers, more programs, more resources, more students and ultimately better quality legal education which more nearly meets the needs of the society? As the saying goes, we have done much but much needs to be done.

What have we done? Well, since the 1978 Key Biscayne conference we have become much better organized than we were and the results have been impressive. The Section has become much more active, more representative and much less of a clique than before and this Newsletter has been very helpful in keeping people informed. The Clinical Teachers Training Conferences have contributed heavily to a general improvement in the quality of clinical teaching throughout the country. The AALS now has a standing committee on clinical education and the ABA clinical committee has been rejuvenated. There are now clinicians on the AALS Executive Committee and even one on the ABA Accreditation Committee and clinicians are routinely appointed as members of inspection teams. Dean Rivkin has been nominated for a four-year term on the ABA Council on Legal Education and Admissions to the Bar. The Section's Committees are working hard to carry out their tasks, including the Committee on Political Interference and the Committee on Faculty Status. Title IX is still alive. There have been improvements in the faculty status of clinicians at a number of law schools, the latest being Georgetown which just granted its clinicians everything except tenure. In short, there have been a number of impressive accomplishments.

Perhaps the most difficult of the many things left to be done is to devise a strategy for tapping the support of the organized bar without creating a backlash which would further alienate us from our faculties and also without unleashing the philistines who would "turn law school into a trade school." The Bar represents a largely untapped source of financial and political support for what we do--largely because few practicing attorneys need to be convinced that their traditional legal education insufficiently prepared them for lawyering. The help could come in many forms. For example, law firms could have an enormous impact on law school decision-making simply by announcing a preference for clinic graduates for employment. Thus, it is important that we keep the Bar educated about the contributions which clinical educators are making to understanding and teaching lawyering skills.

However, there is tremendous fear among the law professoriate that Bar involvement in legal education necessarily means regulation which is antithetical to an academic law school. For that reason, any alliance between clinical educators and the Bar which has as its purpose mandating changes in legal education to benefit clinics is fraught with danger. For that reason many otherwise supportive people are concerned about the faculty status issue which is currently pending in the ABA.

The Accreditation Committee of the ABA has proposed an amendment to Standard 405(e) which would require that clinical teachers either be on the tenure track or its substantial equivalent. The Council on Legal Education and Admissions to the Bar has voted to send the proposal to law school deans for informal comment and each of us needs to decide on a position.

Some clinicians believe that the faculty status issue is best fought out at each law school. They feel that the potential faculty backlash to such a regulation would be to eliminate clinical programs rather than succumb to the standard. Others are concerned that the proposal would increase the cost of clinical teachers at a time when no more money is available and therefore the size of programs would shrink. There is also a concern that the hiring and retention standards which would obtain in particular institutions would exclude some of the best incumbent and potential clinical teachers from the field.

On the other hand, I believe that upgrading the employment relationship between law schools and clinical educators will so substantially affect the future of legal education that I think the risks are acceptable. Obviously, the right to vote in faculty meetings will help us to influence the direction of the educational program, the choice of new faculty members and the allocation of resources. Furthermore, the current situation has inhibited us from developing the corps of experienced and thoughtful teacher-scholars, interested in learning, teaching and writing about the lawyering process and the skills which are its components, which is necessary if clinical education is fully to achieve its promise. As the Michelman Committee put it,

...It has become apparent that the intellectual tasks facing clinical legal study are substantial and very hard, unlikely to be achieved without plenty of time and commitment. Persons talented and perceptive enough to understand the full depth of the challenge may be hesitant to undertake it, without assurance of full intellectual companionship and active support from faculty colleagues.

Because the struggle for full partnership for clinical education has been waged for so long and in some places so unsuccessfully, I am convinced that change will occur only if it is required. I am not too concerned about the claim of over-regulation simply because the current standards already regulate much about the employment relationship between the faculty and the law school. Standard 405 already deals with faculty compensation, leaves of absences, secretarial assistance and academic freedom and tenure and the interpretations of that standard are quite specific as to what is required. Standard 403 and its interpretation ensure that the faculty will control decision making in law schools. In short, the Accreditation Standards have been used to protect legal educators from predatory administrators, legislators, and the like. Surely clinical legal educators deserve no less,

MEMBERSHIP DUES FOR CLINICAL SECTION

Section membership dues for 1982 are now due and should be paid to the AALS. This will be the final Newsletter mailed to people on the old membership list. Dues are \$15.00 for the year and an additional \$10.00 for faculty at non-ABA schools and ABA schools that are not service fee paid. Please enclose the following form with your dues.

NAME _____

ADDRESS _____

Faculty Member at _____

Total Dues Paid: _____

Mail to: AALS
Suite 370
One Dupont Circle, N.W.
Washington, D.C. 20036

ANNUAL PROGRAM COMMITTEE SOLICITS TOPICS

The Annual Program Committee has decided tentatively to reserve one two hour session of the all day program at Cincinnati for a program on "Current Issues in Clinical Legal Education." The idea is to have a brief overview of current issues presented to everyone, and then to break into small groups for discussions, workshops, organizing meetings, etc., depending on the specific topics chosen. The committee would appreciate any suggestions for topics (and discussion leaders) from the Section membership; final decisions will not be made until October or November in order to keep the topics current. Please send suggestions to the Chair of the Committee: Frank S. Bloch, Vanderbilt University, School of Law, Nashville, Tennessee 37240, or call Frank at (615) 322-4901.

NOMINATIONS SOLICITED

The Nominating Committee solicits nominations from the membership for Chair-Elect of the Section and two positions on the Executive Committee. Please send your nominations to the Committee's Chair--Professor Jack L. Sammons, Mercer Law School, Macon, Georgia 31207.

TEACHING MATERIALS COMMITTEE QUESTIONNAIRE

The Section's Teaching Materials Committee has been charged with surveying and collecting written and videotaped course materials, as well as syllabi and some curricular information. Your help is strongly needed. The Committee thanks those who have already responded to its request for materials and encourages all clinical teachers to participate. A questionnaire (attached) is needed from each clinic, and it can be filled out in a few minutes. The result will be a bank of materials that would be available to clinicians wishing to improve their courses, and an additional benefit will be up-to-date and comprehensive data on the types of clinics operating in the United States. Will you help? If so, please complete the questionnaire, attaching any syllabus and written materials you may have, and return it to Professor Beatrice Frank, Room 430, N.Y.U. Law School, 40 Washington Square South, New York, N.Y. 10012

When returning the questionnaire:

- send one copy of this questionnaire back to the Committee for each clinical or simulation course taught at your school (if the number of questionnaires we sent you is insufficient, please photocopy extras) and

- attach to each questionnaire a syllabus for the course (if you have one) and a copy of any photocopy materials you may use.

It is important that the Committee receive photocopy materials even if they cover only local law, even if they are in embarrassingly rough condition, and even if you are presently redoing them. (Since virtually everyone's clinical materials are in rough condition, yours would be in good company).

COURSE MATERIALS QUESTIONNAIRE

1. Your school: _____
2. Name of course: _____
3. If the course focuses on certain substantive fields of law, please specify them:

4. This course is _____ live-client _____ simulation _____ both.
5. This course is _____ one semester/quarter _____ two sems./qrtrs.
(please circle semester or quarter)
6. This course is _____ civil _____ criminal _____ both
_____ other (please explain on last page)
7. This course is _____ graded on same basis as classroom courses
_____ pass/fail or the equivalent
8. How many credit hours are earned? _____
(If a two semester/quarter course, please report the total.)
9. Does the course include a seminar or other "reflective component"?
_____ no _____ yes, meeting for _____ hours per week
10. The usual student/faculty ratio is _____ students per teacher.
11. Approximately how many students enroll in the course in each academic year?

12. How many people teach the course? _____
13. If there is a seminar or other reflective component and if the course is a live-client clinic, is the reflective component taught by
_____ a person who does not supervise students in the field
_____ the person who supervises all the students in the seminar
_____ a person who supervises some but not all such students
_____ other (please explain on last page)
_____ there is no reflective component
14. If a live-client clinic, is the law office setting
_____ "in-house" (owned or controlled by the law school)

_____ "out-house" (an independent, cooperating organization)

_____ other (please explain on last page)

15. If you use a commercially published text, please list below:

16. Do you use photocopies materials? _____ (If so, please attach. Photocopy materials can include problems, transcripts, an analytical text, cases/statutes, and so forth.)

17. Excluding student work recorded only for the purpose of critique, have you made any instructional videotapes? _____
If so, please describe on the last page, noting whether the tapes would, in your opinion, be useful to other clinicians and whether you would permit AALS or individual clinicians to copy them.

18. If you have tapes that would be useful to others and that you would permit to be copied, please specify your videotape format:

_____ 3/4-inch cassette

_____ Betamax 1

_____ 1/2-inch reel-to-reel

_____ Betamax 2

_____ VHS

_____ other: _____

19. If there are any significant features of the course not covered (or only ambiguously covered) by the questions above, please describe them below:

20. If you need to add an explanation or amplification to any question, please do so below:

21. Your name: _____ telephone number: _____
and mailing address: _____

SPECIAL COMMITTEE ON FACULTY STATUS TO UPDATE SURVEY

The Special Committee on Faculty Status will update the 1980 survey of faculty status of clinical teachers which was done by Stacy Caplon, Brooklyn, Chair of the Committee. Members of the Committee will be telephoning individual law schools to gather information, with particular attention to the following topics:

Number of clinicians, rank and title;
Nature of appointment (faculty and other);
Tenure or non-tenure track;
Standards for appointment, promotion and tenure;
Is anyone tenured?
Contractual arrangements - details;
Governance (voting, committees);
Relationship of program to school (on campus, intern, extern, etc.);
Copies of any standards promulgated for clinicians;
Whether these issues have been reviewed recently.

GEORGETOWN FACULTY DECIDE TO INCREASE STATUS OF CLINICAL TEACHERS

The faculty of the Georgetown University Law Center has voted to increase the status of full-time clinical teachers other than those hired on a tenure track. Phil Schrag of Georgetown has summarized the newly adopted standards and procedures governing clinical teachers as follows:

non tenure track clinical teachers would be hired in the future by vote of the faculty after committee screening, rather than by the Dean;

specified standards will govern hiring and promotion;

that they will have titles of Assistant Professor, Associate Professor, and Professor, and contracts of 3, 2, and 7 years, respectively;

7-year contracts will be renewable;

all such clinicians will have full voting participation on all faculty committees on the same basis as other non-tenured faculty members;

they may be assigned by the Dean to offer any course in the curriculum that they are qualified to teach;

they will be entitled to participate fully in faculty meetings on the same basis as non-tenured faculty members;

they will have the right to vote in the faculty accorded to non-tenured faculty members, except that they will not be able to vote on appointments to the tenure-track faculty (although they can participate in meetings regarding the hiring of such people);

and they may apply at any time to convert to the tenure-track faculty, meeting normal standards.

The faculty deferred until the fall the recommendation of the Clinics Committee that such clinicians' salaries be increased to a level comparable with those of other faculty members (approximately a 20% increase) and that they be entitled to equal sabbatical and other benefits. This deferral did not necessarily reflect hostility to the recommendation, but rather a need to assess budgetary information which is being assembled by another committee.

CONTACT STUCKEY AT ABA ANNUAL MEETING IN SAN FRANCISCO, AUGUST 3-11

Roy Stuckey, South Carolina, has agreed to serve as an information conduit for clinical teachers attending the annual meeting. Roy asks that all those who will be in San Francisco contact him and tell him when they will be at the meeting and where they will be staying. Roy will be at the Beresford Hotel (673-9900) and Bill Greenhalgh will be at the Sir Francis Drake (392-7755).

ABA CRIMINAL JUSTICE SECTION PROGRAM ON THE TEACHING OF COMPETENCY

The ABA Criminal Justice Section will have a program on the teaching of competency at the annual meeting on Tuesday, August 10th, at the Sir Francis Drake. As evidenced by the topics and speakers on the program, set out below, it is of particular interest to clinical teachers.

1. Can We Teach Professional Judgment?

Speaker: Professor Barbara Caulfield, Hastings School of Law, San Francisco, CA

What are law schools and law firms doing to teach competent professional judgment? This includes analytical skills necessary to case planning, case analysis and case preparation. Why is it that every major criticism of the competency of lawyers includes a criticism of preparation and analysis when these are exactly the skills we believe we teach best in American law schools?

2. How Do We Teach Competency in Major Multiple-Party and Complex Litigation?

Speaker: Robert S. Daggit; Brobeck, Phleger & Harrison; San Francisco, CA

How do the large law firms approach teaching competency in major representations which they undertake complex litigation?

3. How Do We Teach Competency in Law School through the Use of Simulation of Practice?

Speaker: Professor Joseph D. Harbaugh, Temple University School of Law, Philadelphia, PA

4. How Should We Teach Competency in the Clinical Setting in Law Schools?

Speaker: James M. Doyle, Clinical Instructor & Deputy Director, Legal Internship Program, Georgetown University Law Center, Washington, D.C.

This portion of the program will consider the need for clinical training as opposed to simulation or classroom training for law students to ensure competency.

In addition the Criminal Justice Section will have programs on "Competency - Practicing It" and "Competency - Judging It".

GREENHALGH SOLICITS INTEREST IN CRIMINAL JUSTICE SECTION COMMITTEES

Bill Greenhalgh, Georgetown, ABA Criminal Justice Section Chairperson-Elect, requests that clinical teachers interested in serving on Section committees contact him in writing as soon as possible and include a brief statement of interest areas and experience. The committees include ACLR Criminal Practice Advisory Board, Publications; Amicus Curiae Briefs; Competency, including Subcommittees on Teaching Competency, Practicing It, and Judging It; Criminal Appellate Issues; Criminal Justice and the Military; Defense Function; Economics of Criminal Law Practice; Ethical Considerations; Grand Jury; Jails, Incapititation & Prisons; Juvenile Justice; Privacy; Prosecution Function; Rules of Criminal Procedures & Evidence; Victims; and White Collar Crime, including Subcommittees on Criminal Tax and RICO.

PROPOSED ACCREDITATION STANDARD 405(e) SUBMITTED FOR COMMENT

The ABA Accreditation Committee has recommended a new standard 405(e), and proposed interpretation, to the Council of the Section on Legal Education and Admissions to the Bar for adoption by the House of Delegates. The Council then voted to submit the proposed Standard to law school deans for comment. The proposed Standard and its interpretation are as follows:

Standard 405(e)

Full-time clinical faculty members shall be entitled to an employment relationship substantially equivalent to that required for other members of the faculty under Standard 405.

Interpretation of new Standard 405(e)

Full-time clinical faculty members are entitled to an employment relationship substantially equivalent to that enjoyed by other members of the full-time faculty. This Standard may be satisfied by:

- (1) the inclusion of full-time clinical faculty on the same tenure track as the other members of the faculty;
- (2) a separate tenure track; or
- (3) an approach that provides features substantially equivalent to tenure.

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LAW SCHOOL CLINICAL CURRICULUM IN AGING

by Paul S. Nathanson
University of New Mexico
School of Law

I. The Significance of the Field

It would appear axiomatic that many of the major issues of the next twenty to fifty years facing the United States relate to demographics and the nature and needs of an aging population. The broad policy issues (which in turn relate to specific statutes, regulations and court decisions in the narrower sense) relate to employment and unemployment policies, retirement policy, the use and creation of retirement income, the use and investment of private pension funds (estimated by 1985 to be one trillion dollars), the government versus private role in helping the needy elderly, the policies which will reflect the new needs of the four generation family, etc.

The mere size of the dollars and issues involved (one trillion dollars in the private pension funds, over one quarter of the national budget being devoted to the needs of the nation's elderly) dictate that this is a field where law schools and business schools should be directing more efforts in the future.

II. Substantive Legal Problems of the Elderly

As has been noted elsewhere, the legal problems of the elderly relate to government benefits (Social Security, SSI, Food Stamps, Medicare, Medicaid, etc.), housing, pensions, health, wills and probate, protective services, age discrimination and numerous other issues affecting the population at large. This short discussion is not intended to again elucidate or discuss these substantive legal issues--it assumes the reader is familiar with them.

III. Possible Law School Curriculum

A. Regular Clinical Program

1. Rural Summer Experience

The clinical faculty of the University of New Mexico Law School with a grant from the Administration on Aging of HEW, has initiated an innovative experiment in the delivery of legal services to the needy rural minority elderly of Northern New Mexico.

The project, which officially began in early 1980, includes community lay advocate training, law school courses, and a clinical experience.

During spring of 1980 and 1981, 15 elderly individuals (mostly Indian or Hispanic) from small rural villages in northern New Mexico were trained to be community lay advocates. The six-week training focused on government benefits of significance to the elderly (Social

Security, SSI, Medicare, Medicaid and Food Stamps). Trainees learned to assist other older people to apply for benefits to which they might be entitled.

During each spring semester, more than twenty students enrolled in a course entitled "Legal Problems of the Elderly." The course covered areas of the law affecting the elderly: government benefits, guardianship, pensions, age discrimination and medical problems. An additional summer course focused on day-to-day individual representation issues and on drafting of necessary documents and forms. During the fall semester a course on private pensions (which was open to the practicing bar) was also taught.

The clinical experience provided a group of between 10 and 14 law students during each summer was the most unique aspect of the program. The donated, abandoned post office in the quiet town of Dixon, New Mexico, was transformed almost overnight into a bustling law office, complete with student carrels, law library, copying machine, dictating equipment, files and file cabinets, secretaries, faculty, law students and elderly community lay advocates. During each summer's clinic, approximately 190 cases were opened and a large percentage completed. Most dealt with government benefits, wills, and water and boundary disputes.

Outreach offices were maintained and staffed by teams of law students and elderly community lay advocates in seven other small towns. These offices were usually located at nutrition program sites.

As an adjunct to the clinical experience, students received instruction in legal problems of the elderly, Spanish for lawyers, and cultural values of the area.

Lay advocates worked in teams with the law students. The lay advocates were especially helpful in providing liaison and introductions to the otherwise fairly insular communities. The clientele served were primarily low income older people, mostly Hispanic and Indian. Most of them had had little or no experience with lawyers and the legal profession and had a low opinion of the legal system. However, the student-lay advocate teams were able to present the law, lawyers and the law school in a more positive light.

We hoped the students would glean: a sensitivity to older people as individuals and clients; an understanding of the effect of rural, socio-economic and cultural backgrounds on the practice of law; understanding of the actual legal problems of the elderly; an ability to integrate themselves into a totally unfamiliar set of circumstances and lifestyle; and an ability to generate credibility and subsequent utilization of the legal services by these small communities.

We hoped the elderly trainees would understand government benefits and land and water law; that they would provide the law students with an understanding of the strengths and abilities of their elderly partners, that they would give us (primarily Anglo law students and faculty) an immediate entree and credibility with the local communities.

The law school also had several goals. The first was to educate law students. Legal education should go beyond mere book-learning; the practical aspects of dealing with clients and their problems are legitimate subjects in law school. This program goes beyond most other clinical law experiences by helping students understand the impact of socio-economic and cultural background on client's law choices and alternatives. For example, selling one's land and creating a reverse annuity mortgage for income in one's later years may be viable for an Anglo in Los Angeles. It would never come into question for an Hispanic or Indian for whom the land is never traded as a mere commodity. The law school also wanted the clients to receive the best possible legal services and to maintain a good image among the community and the elderly.

What lessons have we learned from these past two summers? Without the elderly individuals as lay advocates, our credibility and entree into the communities would have been difficult. The law students and the elderly lay advocates often worked well as teams, but at other times law students tried to take over the office and relegate the lay advocates to menial tasks rather than encouraging a full involvement in the provision of legal services. The discontinuity of the office only being open during the summer was not as drastic as we thought. We had a good reputation when we left, the lay advocates remained in the community; and our small office continued on a one-day-a-week basis. We were thus well received when we returned the second year. However, a greater continuing presence could be created if the law school allowed students a full semester away.

Overall, students, the elderly and the faculty have had a worthwhile and broadening experience. Placing law students in a setting where they must learn how to set up a small rural law office, how to deal with people who speak a different language and have different cultural values, and how to apply classroom law to the community cannot help but make them better lawyers and better human beings.

Note: Faculty for the program were William MacPherson, Andres DeAgüero, and Paul Nathanson.

2. Elderly Legislative Clinic.

This course would have a classroom component covering the drafting of legislation, the legislative process, the budgeting process, lobbying, media, the basic organizing and advocacy techniques.

Fall Semester (2 hours)

The two-hour segment during the fall semester could be taken separately by students who do not participate in the spring semester, but students could not receive clinical credit unless they took both semesters. It is envisioned that classroom discussion would focus on: 1) the nature of the legislative process and statutory law and construction; 2) the basic approaches and skills necessary for legislative advocacy on a state level (both in general terms and with specifics for

the State legislature; 3) legislation (both federal and state) which regulates the attempt to influence legislation on state and national levels; 4) the general politics of aging, both on a national level and specifically with respect to the State (this would include discussion of the various organizations and their constituencies and possible political agenda); 5) a substantive overview of the legislative items which are on the horizon for the up-coming legislative session in the State (with discussions of similar legislation in other states, possible arguments which might be encountered against the legislation and political strategies regarding the specific type of legislation).

A goal of the classroom discussion would be to show the interrelationship of legislative, judicial and administrative law-making with the ultimate goal of having the student recognize how these are inter-related and how they can be orchestrated to achieve particular results on behalf of clients or client constituencies of varying types.

The final product for the class is the presentation of a packet of written materials on a particular substantive issue selected by the student. Included would be model legislation, testimony, support data for the legislation, (e.g. statistics, key individuals and groups and expert witnesses within the state), a memo on the status of the law in the State, arguments in favor and in defense, a memo with strategy for the up-coming session. In addition, students will work in teams of two or three to present a mock hearing at the end of the fall session. This hearing will be orchestrated by the team of students and will include their own testimony and that of expert witnesses from the field involved and perhaps legislators and other key individuals from the State. A panel of committee members will be selected from the law school faculty, other students and hopefully policy-oriented individuals from within the state.

Spring Semester (2 hours of credit)

The spring semester will provide two hours of clinical credit (if the student has taken the fall semester). Thus, a total of four hours of clinical credit with fall and spring will be given.

The classroom and simulation groundwork having been done, the students participating in the clinic will spend the majority of their time following up on the work they did during the fall semester. This follow-up will take place at the legislative session in January and February of 1983. This will be a purely clinical component and classroom discussion will center around the sharing of experiences and strategy for each of the particular topics and pieces of legislation being followed by the students.

3. Community Problems. I am exploring a course which would have law students as well as students from the main campus and other professional schools and would attempt to look at and solve selected problems (from those as mundane as "how do you get a traffic light at the corner of O and X Street" to issues concerning the administration of justice, etc., in the city and state areas). There would be several agenda with such a course, amongst them showing students from different disciplines the strengths and limitations of their own disciplines and the need of

work together with others in the resolution of specific problems. To a certain extent, this is a class in community organizing and the role of the law and lawyers in that, but it is beyond that a class in interdisciplinary problem solving.

4. Legislative/Administration/Judicial Newsletter for Student Credit: Exploration is currently underway as to a monthly policy oriented newsletter focusing on aging issues. Students would research and write the articles with faculty supervision. The hope would be to give students credit for their work (similar to work for the law review) and to combine the learning experience with a service to the community.

B. Regular Law Courses

1. Legal Problems of the Elderly.

This course would provide an overview of the various legal issues affecting the elderly. It could have an exam component, a paper component or (what has been done at the University of New Mexico Law School) a project from the real world which relates to the issues covered in the course and is useful to and needed by those involved with the elderly or the elderly themselves in the community. A project such as this might include a description of social security benefits, or funeral benefits, etc., but written in terms understood by the individuals.

2. Public and Private Pensions.

This course would provide an overview of pension plans, profit sharing plans, IRA's, social security, military, civil service and railroad retirement. At the University of New Mexico, we have had this open to lawyers in the community as a free continuing legal education program, and we plan to open it to business school students.

3. Retirement Planning.

This is a course which would focus on life-family planning for the 35 year old and up client. In other words, it would include estate planning as is presently taught, but would focus more on retirement planning, retirement income needs, and even in a shorter range, income needs for purposes of college education of children, etc., etc.

TRANSITIONS

Joe Harbaugh, Temple, will be a visiting professor at the Georgetown University Law Center during the 1982-83 academic year.

David Rudolph, is leaving the University of North Carolina clinical program to practice law in Durham, North Carolina, with Don Beskind, formerly of Duke.

JOBS AVAILABLE

The University of South Carolina may have an opening for a non-tenure track clinical professor to begin January 1, 1983. Contact Roy Stuckey for more information. (803) 777-2278.

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).

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The law school bears the burden of establishing that its approach is substantially equivalent. This Standard is not meant to preclude employment of full-time clinical teachers on fixed, short-term employment relationships, for example, in situations where a law school receives a short-term grant to fund a clinic in a specific subject matter.