



NEWSLETTER

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MESSAGE FROM THE CHAIR

by
Sandy Ogilvy
(Catholic University)

In my final message as Chair of the Section, I want to look back over the past year to mark the significant accomplishments of the Section, to look forward to note some of the challenges that the Section faces in the future, and, most importantly, to say thank you for giving me the opportunity to serve the Section this year.

The year saw the reauthorization of the Title IX Law School Clinical Experience Grant program for fiscal year 1995. While many people are responsible for this, we owe a special measure of thanks to Congressman Neal Smith and Senator Tom Harkin, both of Iowa, for putting together the package that became law. This year, the AALS central office was heavily involved in the fight to save the program, as was the ABA. Alice Bullock for the AALS and Bruce Nicholson of the ABA also deserve our thanks. Finally, once again, Dan Power (Drake) worked tirelessly with Congressman

Smith, Senator Harkin and the AALS to assure that the program was reauthorized for another year. Please join with me in thanking Dan for all the work that he put into this effort.

Four new Section committees were inaugurated during the year. The Committee on the International Aspects of Clinical Legal Education was initiated to respond to the growing international emphasis of clinical teachers and in recognition of the globalization of legal practice in general.

The Committee on Ethics and Professionalism was started to serve as a vehicle for sharing about the teaching of ethics and professionalism within the context of clinical legal education.

The Clinical Database and Directory Committee was begun to better coordinate the collection and dissemination of information about clinical programs and clinical teachers and to continue the production of the very useful Directory of Clinical Programs started by the Committee on the In-House Clinic. The database includes the names and biographical

This NEWSLETTER is a forum for the exchange of points of view. Opinions expressed here are not necessarily those of the Section on Clinical Legal Education and do not necessarily represent the position of the Association of American Law Schools.

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information on 1450 individuals who have identified themselves as clinical teachers.

Finally, we have constituted the National and Regional Training Programs Committee, called for in the Section's bylaws, to develop guidelines for responding to requests for funding from the Section by groups and organizations that are sponsoring programs of interest to clinical teachers. The Committee is also charged with the task of encouraging and supporting more regional training workshops and conferences like the highly successful Mid-West Clinical Teachers Conferences.

LAWCLINIC, the electronic discussion group for clinical teachers began operation this year. Now with 259 subscribers, the listserv continues to be an important communication tool for the clinical teachers with access to it. Recent topics have included a discussion of mandatory clinics, clinic facilities, the Mid-West Clinical Teacher's Conference, LSC grants, job

announcements and movie reviews, among other threads.

A new mentoring program for clinical teachers was conceived and authorized at the AALS Conference on Clinical Legal Education in June. Initial matches will soon be made in order to enable the mentors and mentees to meet in New Orleans at the AALS Annual Meeting, if they wish.

The AALS Conference on Clinical Legal Education in Newport Beach, California, drew over 300 teachers, the most ever for an AALS-sponsored teaching conference or workshop of any kind. Plans for the 1995 AALS Workshop on Clinical Legal Education to be held in St. Louis, Missouri, May 3-6, are nearly complete. Our proposal for a five-day conference in 1996 is currently before the AALS Committee on Professional Development. We expect to hear something about this in December.

The joint Section/CLEA Working Group on MacCrate began operation this year. The Working Group will be monitoring the actions taken by the various state bar associations and law schools in response to the MacCrate Report.

Efforts to maintain a dialog with the Legal Services Corporation have continued. The Law School Civil Clinical Grants Program was reauthorized for 1995. Professor Michael Tigar, of the University of Texas School of Law, recently provided LSC with recommendations on the best use of the limited funds provided through the grants program. The National Legal Aid and Defender Association (NLADA) and the Project Advisory Group (PAG) have formed a Subcommittee on Law School Clinics to explore ways to foster mutually beneficial collaborations and linkages among legal services program staff and law school faculty and students. The Subcommittee plans to develop recommendations directed to the legal services community and to LSC. A number of clinical teachers including John

Kramer, Dean at Tulane Law School, Liz Ryan-Cole, Vermont, Homer La Rue, DC School of Law and myself, have been invited to participate in the work of the Subcommittee.

The future is certainly as full as the past.

With the defeat of Congressman Neal Smith of Iowa and with the ascendancy of the Republicans in both chambers of the Congress, any further reauthorization of the Title IX Law School Clinical Experience Grant Program will depend upon a massive effort to educate and convince members of Congress in many districts of the value of the program to their constituents. We cannot wait until the new year to begin reformulating a strategy to save the grant program. All interested persons, and that should be everyone, is encouraged to contact either Glee Scully at McGeorge or Dan Power at Drake, the co-chairs of the Section's Committee on Financial Resources, to begin to craft the strategy.

Section members should keep themselves informed and make their voices heard with respect to a variety of ABA initiatives, including (1) proposed Accreditation Standard 215, which will require law schools to publish basic consumer information, such as the actual availability of clinical and other professional skills courses, (2) the activities of the Standards Review Committee of the Section of Legal Education and Admissions to the Bar, which is beginning a substantive review of the accreditation standards, and (3) the activities of the Wahl Commission, which is reviewing the conduct and process of ABA accreditation.

It is probably time for the Section to revisit ABA Accreditation Standard 405(e). We need to be clear what impact 405(e) has had on clinical teachers and clinical programs and then decide whether to push for an amendment to the Standard that would make it mandatory.

The Skills Training Committee of the ABA Section of Legal Education and Admissions to the Bar will recommend changes in the site inspectors' instructions and the site inspection questionnaire with regard to professional skills programs. The Section should coordinate input from its members to the Skills Training Committee on this and other issues.

If you have other agenda items for the Section, please communicate them to Minna Kotkin, who will become the Section Chair in January, or to any member of the Executive Committee.

Thanks again for giving me the opportunity to serve the Section as the 1994 Chair. I hope to see you in New Orleans.

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FEATURE

LAW SCHOOL CLINICAL TEACHERS 1993-94 SURVEY OF SALARIES

by
Robert F. Seibel
(Cornell Law School)

This is a very preliminary report of some of the data that I have collected this year with a bit of comparison to the past. There are still some responses coming in and soon I will close the database and do more extensive analysis of the data.

This article is based on 413 survey responses, of which 390 indicated that they worked full time as teachers. Over 143 schools are represented. This is a significant increase (about 70%) in the number of responses received over prior years.¹ The final results may vary slightly from what is presented here, but variations should be

slight because I do not expect a significant number of additions to the database.

As a reminder, this data forms the basis for comparisons among clinical teachers. There are still significant issues relating to parity between clinical and non-clinical teachers that are beyond the scope of this discussion.

The overall average salary² for all 390 full time clinical teachers was \$67,143.40. Of the people who teach full time and indicated their status, Table A below shows a breakdown of the average salaries for each status category.

How well are clinic teaching salaries increasing over time? Table B below shows the average salaries for 91-92 and 93-94 in each status category, and the percent change over the 2 year period.

We might be able to compare the rate of increase to the rate of increase of law faculty salaries generally. I will try to obtain that information from the ABA, but you can at least compare your increases to these

national averages for other clinicians with similar status.

Of the full time teaching respondents, 205 (53%) are women and 185 (47%) are men. This is almost exactly the same as in 2 of the 3 other years in which data was collected, though last year the percentages were reversed and only about 48% of the respondents were women. Of the part time teachers who responded and indicated their gender, over 80% are women.

Below I present data on salaries by gender in relation to years out of law school, since that allows comparison of equally experienced people, and that seems to be the most important determinant in setting salaries. Later I will also look at status and years of teaching experience in connection with gender. For purposes of being able to compare with prior years' data, I am initially using five-year groupings. With the higher number of responses this year I believe I can get more refined three-year comparisons, but I will do that later.

TABLE A

Number	(Percent)	Status	Average Salary
116	(30%)	Tenured	\$83,401
69	(18%)	Tenure Track	67,851
91	(23%)	Long Term Contract	65,248
112	(29%)	Short Term Contract	51,824

TABLE B

Status	91-92 Average	93-94 Average	% Increase
Tenured	\$82,181	\$83,401	1.48%
Tenure Track	61,061	67,851	11.12%
Long Term Contract	63,995	65,248	1.96%
Short Term Contract	47,946	51,824	8.09%

TABLE C

Years Out	#	Total Average	#	Men Average	#	Women Average
1-5	16	\$44,518.75	4	\$ n/a	12	\$44,448
6-10	62	54,001.65	27	54,455.56	35	53,658
11-15	90	60,340.93	27	64,183.33	63	58,698
16-20	120	67,239.56	51	69,734.53	69	65,008
21-25	70	83,761.55	50	83,548.80	20	84,288
>25	32	88,383.33	26	1,204.00	6	76,568

This data strongly suggests that women are paid less than men of similar experience, the only category in which that is not true is 21 to 25 years out. In general, these results are consistent with results from prior years.

Of the full time teachers who indicated their race or ethnic background, 352 (90.7%) are white, while 36 (9.3%) are not. The percentage of non-white clinical teachers is down from 2 years ago when it was 10.4%, though the percentage is in line with results from 3 and 4 years ago.

The average salary for the 352 full time teachers who indicated that they are white was \$67,654. For the 36 who indicated that they were of a different background, the average salary was only \$60,768 (89.8% of whites').

In order to anticipate the suggestion that people of color have come more recently to teaching positions, I next looked at the groups that were out of law school for at least 10 years. There were 285 whites with an average salary of \$71,280, while there were 25 non-whites with an average of \$65,350 (91.7% of whites'). Then I looked at people who had been out for at least 15 years. There were 205 whites with an average of \$75,644; while the 15 others had an average of \$67,973 (89.9% of whites').

As indicated in Table C above, a total of 203 (52%) of the full time clinical teachers are on long or short term contracts. Of these, 109 (53.5%) indicated that they have no voting rights at faculty meetings. Only 20 (10%) reported that they had full voting rights, and 72 (35.5%) said they had partial voting rights. Further refining the look at voting rights, 30 of 91 (33%) long term contract teachers have no voting rights; 79 of 112 (70%) of short term contract clinicians have no voting rights.

Full time clinical teachers still spend nearly all of their time on clinical teaching responsibilities, though less than half spend all of their time doing clinic work--190 (49%) said they spend 100% of their work time on clinical courses and another 99 (25.5%) reported spending 75-99% of their time on clinic courses. Altogether, about 75% of us spend at least 75% of our time on clinic work.

This information is subject to refinement, but I hope that it is helpful. My thanks to the many people who responded to the survey. If anyone needs more specific comparison information in connection with salary negotiations or other information relating to status and working conditions, please don't hesitate to call me or e-mail me (6 0 7 - 2 5 5 - 4 1 9 6 , seibel@law.mail.cornell.edu). Now that I

have school names in the database, I can try to give you information from a group of peer schools that you might designate.

¹ In 1991-92, the last time the survey was conducted, there were 241 responses which included 229 full-time teachers. This is the first year that the survey has been sponsored by CLEA, and I want to thank both CLEA and Kate Mahern, editor of the AALS Section Newsletter, for their help in disseminating forms and encouraging responses.

² All salary information presented here is based on the reported base salary, and does not include research grants, private practice earnings and the like.

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COMMITTEE REPORTS

******* NOMINATIONS *******

Nominating Committee -- Kathleen Sullivan (Yale)

In January 1995, the terms for Executive Committee members, Jean Koh Peters and Nina Tarr will expire. The Nominating Committee proposes the following **nominees for the Executive Committee** for a three-year term to begin January 1995:

Cheryl McDonald, Pepperdine
Linda Smith, Utah

For the **Chair-Elect** the Nominating Committee proposes:

Homer LaRue, Howard

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COMMITTEE ON CLINICAL SCHOLARSHIP -- Ann Juergens (Wm. Mitchell)

The Clinical Scholarship Committee invites the submission of works in progress for discussion at the AALS Annual Meeting in New Orleans in January 1995. Submitted papers will be reviewed and selected by a panel of readers. Discussions of works in progress are usually characterized by suggestions for improvement, areas needing clarification, as well as discussion of the work's ideas.

The Committee plans also to hold a discussion of recently published work or works at the Clinical Conference in St. Louis in May 1995. If you would like your article to be discussed by a group of clinicians, please submit it for consideration as the topic of discussion. The focus here would not be on ways to improve the piece itself, but an examination of the ideas presented in the article.

Call or send papers to Tony Alfieri at Miami (305-284-2735), to Randy Hertz at New York University (212-998-6430) or to Ann Juergens at William Mitchell College of Law (612-290-6391).

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DATA COLLECTION AND DISSEMINATION -- David Chavkin (Catholic University)

Some months ago, there was an electronic dialogue on the Law Clinic bulletin board regarding the confidentiality of salary information. Some correspondents were urging Bob Seibel, the salary survey guru, to unilaterally make the information available in member-identifiable form. To Bob's credit, that was not something he was about to do. However, it raised the issue of the expectations of privacy clinicians should have regarding the information they provide in various surveys.

At nearly the same time, the Section received a request from a for-profit publishing company for member names and addresses so that they could be solicited to buy a new publication that might be of interest to clinicians. That request was denied by me after consultation with the Executive Committee on the grounds that no clinicians had authorized me to release their names for such solicitations.

These two events led to Sandy Ogilvy's appointment of a special committee at the Newport Beach conference to consider issues of data collection and dissemination. David Daniel, Peter Joy, Homer LaRue, Binny Miller and I served on that committee. Together we discussed the data collection needs of clinicians and the ways that those needs should be met.

Since 1992, the membership information and other data of the Section has been collected in a computerized data base. This data base replaced the index cards on which the membership information was maintained prior to 1992. This data base now includes the names of nearly 1450 self-described clinicians and much information about them. This data base has allowed us to generate specialized reports and mailing labels for conferences, mailings of the Clinical Law Review, and contact lists for persons starting subject matter clinics.

The following draft policy regarding data collection and dissemination has been developed by the special committee to meet many needs. First, it attempts to systematically identify the information needs of the Section and its clinicians. Second, it attempts to provide assurance to members that the information they provide will be maintained at predictable levels of security - especially with regard to potentially sensitive information. Third, it attempts to identify the ongoing reports that the Section will generate in the future.

Please review the draft policy. It will be discussed at the Annual Meeting of the Section in New Orleans. If you wish, you can send any comments or questions in advance of the meeting to me (electronically at chavkin@law.cua.edu or by voice at (202) 319-6786) or to any member of the special committee or the Executive Committee of the Section.

**ASSOCIATION OF AMERICAN
LAW SCHOOLS
SECTION ON
CLINICAL EDUCATION**

**Policy on Data Collection
and Dissemination**

I. General

The Section on Clinical Education shall collect, maintain and disseminate information in order to further the mission of the Section.

II. Data Collection

A. Mandatory data collection

The Section on Clinical Education shall request from each member and shall maintain, where available, the following data regarding each member of the Section:

1. Last name
2. First name
3. Middle name
4. Title
5. Name of law school
6. Name of university
7. Mailing address
8. Office telephone number
9. Fax telephone number
10. Internet address
11. Whether the clinician is the overall director of clinical programs at the law school

12. Whether the clinician is a member of the Clinical Legal Education Association (CLEA)
13. Year graduated from law school
14. Years of full-time teaching
15. Years of part-time teaching
16. Subject matter of up to three clinics in which the clinician teaches and the nature of those clinics (i.e., in-house, externship, simulation)
17. Subject matter of up to two non-clinic courses taught by the clinician
18. Employment status (i.e., tenured, tenure-track, clinical tenured, clinical tenure-track, short-term contract, long-term contract)
19. Whether the clinician is working full-time or part-time and the percentage if part-time
20. Whether the clinician is funded through hard or soft money and the percentages (if mixed funding)
21. Race/Ethnicity
22. Gender
23. Membership in Section committees

B. Optional data collection

The Section on Clinical Education may request and maintain additional data regarding members of the Section. The collection of such data shall be requested by a committee of the Section or by a caucus of Section members and must be approved by the Executive Committee of the Section. Such data may include:

1. Salary of the clinician and related information
2. Whether the clinician wishes to be notified of activities approved by the Caucus of Clinicians of Color

3. Whether the clinician wishes to be notified of activities approved by the Caucus of Lesbian/Gay/Bisexual Clinicians
4. Whether the clinician wishes to be notified of activities approved by the Caucus of Women Clinicians

III. Confidentiality

A. Non-disclosure

Salary information, tenure status, race/ethnicity and gender maintained by the Section shall not be released in any format that would permit identification of individual members of the Section.

B. Limited disclosure

Participation in the Caucuses of Clinicians of Color, Lesbian/Gay/Bisexual Clinicians, Women Clinicians or similar groups may not be released in any member-identifiable format except to that group.

IV. Data Dissemination

A. Regular dissemination

The Section shall maintain and shall periodically disseminate reports containing the following information:

1. Current membership in the Section
2. Clinical offerings by law school
3. Clinical offerings by subject matter
4. Internet addresses for Section members
5. Mailing labels for Section-related activities

B. Permissive dissemination

1. The Section may disseminate reports containing the following information:
 - a. Mailing labels for the Clinical Legal Education Association and for other non-profit organizations with missions compatible with those of the Section. Any questions regarding mission compatibility shall be resolved by the Executive Committee of the Section or by a subcommittee designated by the Executive Committee. The costs for such labels shall not be borne by the Section.
 - b. Salary, gender and race/ethnicity data in any format that does not permit identification of individual members of the Section.
2. Copies of the Clinical Section membership data base may be provided in electronic or diskette format to the Clinical Legal Education Association or to the Association of American Law Schools. However, such data base information shall not include information regarding salary, gender, race/ethnicity or caucus participation.

C. Directory

At intervals directed by the Executive Committee, a directory shall be produced for distribution to members of the Section. Such directory shall include:

1. Listings of the Section Committees and their chairs;
2. Listings of the Caucus coordinators;
3. Listings of the various subject matter clinics, the clinicians teaching in such clinics and their telephone numbers;
4. Listings of the various clinics by schools, the clinicians teaching in such clinics and their telephone numbers; and,
5. Listings of clinicians by their internet addresses and telephone numbers.

D. Prohibited dissemination

In addition to the provisions governing confidentiality described above, the Section shall not make mailing labels or other information available to any for-profit organization.

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REPORT ON THE MIDWEST CLINIC TEACHERS CONFERENCE – Nina W. Tarr (Washburn)

The Midwest Clinic Teachers Conference was held on Friday, November 4, and Saturday, November 5, in Lawrence, Kansas. It was organized by David Gottlieb, who did a phenomenal job creating a conference that seemed to touch on all aspects of our work. I will report on the meetings in hopes that others will send in their own experiences.

The first session was a presentation by Professor Joey Sprague, a sociologist at the University of Kansas. She has focused her research on feminist issues and feminist methodology. Professor Sprague gave us an overview of the distinctions between positivism and deconstruction or post-modernism. She then queried whether there is some way to maintain a dialogue that brings people back from the margins so as to give hope of some progress. The discussion

shifted to how clinic teachers apply these various theories in the real world contacts, including our work with our students, clients, colleagues, institutions, bar, etc. It was a very thought provoking session.

The conference moved to how the Myers-Briggs Type Indicator can be used to help us in our supervision. Liz Ryan Cole arranged for a number of us to take the test. She explained how the Myers-Briggs Type Indicator (MBTI) was developed and how it is currently being used. Understanding how we gather information and make decisions is useful in considering how we work with students, clients and colleagues. It was quite entertaining to see the similarities we shared, and we were amused to discover that many of us have the same characteristics as non-clinic teachers except that we seem to be extroverts. One person summed it up that "we are law professors with a heart." We barely scratched the surface of the MBTI, but Liz managed to have us do an exercise where those of us who had shared characteristics planned a trip. The introverts complained bitterly about how noisy the extroverts were in our planning process. The groups varied tremendously in the degree of detail and planning, so the exercise illustrated for us the distinction in these various character groups.

The late afternoon had two concurrent workshops, and I can only report on the funding session. Dean Michael Hoeflich from the University of Kansas explained some of the programs that he began at Syracuse. His position is that all students should have a "clinic" experience, which he defines as experiential learning. He challenged us to rethink how we define clinic and for what purposes. He gave us some interesting strategies in working with foundations, nonprofit agencies and other donors who might be interested in funding programs that provide a much wider range of opportunities than some schools are willing to commit from general funds.

There were a lot of questions but not a lot of time for much discussion.

The next panelist was John Irvine, who explained his student legal services program as a cost-effective means of maintaining an excellent program with a wide variety of opportunities. For more details on this program, I would encourage everyone to contact him.

Barbara Schwartz's presentation was a "Moment in Clinic History -- The Confessions of a Grant Junkie." I believe her words will be published somewhere, but her performance was phenomenal. The essence of her message was that we start small and become addicted to grants in various forms. She noted how the deans play the role of the co-dependent or enabler. Watch for her article elsewhere.

Other clinic history was made because Dean Hoeflich invited us all to his house for dinner. On behalf of all of us, we thank him for his gracious entertainment. He has a beautiful house out in the country and we all enjoyed the delicious Mideastern food and New York wine.

Saturday morning we split into substantive small groups. I attended the session that was to focus on Family Law, where we further defined our topic to be violence against women. Beverly Balos has recently had a book published by Carolina Press on violence against women, and she presented how that book grew out of her clinic and seminar work. The thesis of the book is that there is a continuum of violence against women, which the law artificially defines as rape, domestic battery, prostitution, pornography and sexual harassment. In her book, she looks at how racism, sexism, classism and homophobia, etc., have influenced the law to define under what circumstances only a limited number of women are entitled to protection of the law. Moreover, the text notes how the law tolerates a certain amount of violence against

women. I recommend the book to all of you and I believe there will be a more lengthy review coming up in the Clinical Law Review.

Kim Dayton has been doing statistical research looking at the impact of the 1992 Mandatory Arrest Law in one county. She is skeptical whether the Mandatory Arrest Law has provided any assistance or relief to battered women. Her work should be culminating in an article soon.

We then discussed how all this affects our clinic work. The members of the group processed the dilemmas of doing battered women's clinics, the complications of the law in their jurisdictions and various other topics tied to clinical supervision. It was a very thoughtful and satisfying discussion which inspired me to rethink some systems approach to my own program.

After a break we were given a presentation organized by Peter Joy around this issue of how we are responding to having students with mental disabilities in our Clinic. Lynette Petty gave us an overview of the Americans With Disabilities Act so that we know the legal context in which we are working. Peter Joy presented his experience with a student with a mental disability and explained how this has raised a number of issues for him, including what criteria we use to admit people to the clinics, what information we should know or not know, what accommodations we should make, if any, how we represent our clients and how we grade or assess the students. He also challenged us to think about how we would respond to a query by a board of law examiners regarding a student with a mental disability. The other panelists were Rodney Uphoff, Jean Scott and Mary Wolf, who commented on these various queries. We barely began to scratch this topic which we should all continue discussing.

After lunch we got an update on the MacCrate Report from Steve Befort, Gary

Laser and Mark Heyrman. Steve discussed various schools' responses to the MacCrate Report and Gary gave us a description of the program at ITT Kent. Mark Heyrman talked about the work of the joint task force and we looked at the latest draft of the Goals. For copies of the Goals, contact Mark Heyrman or Minna Kotkin. Gary Palm gave us an overview of the Wahl Commission.

The evening entertainment included some of the best songs we have heard in years, thanks to Marla Mitchell, David Gottlieb and Randy Schmidt. Others joined in the chorus and I apologize for not being able to name all of them. Thanks to David.

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AMONG OURSELVES

APPOINTMENTS AND ELECTIONS

Assistant Professor **William E. Adams, Jr.** (Nova Southeastern) has been elected Chair-Elect of the Public Interest Law Section of the Florida Bar Association.

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Frank Bloch was elected to membership in the National Academy of Social Insurance.

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Bob Dinerstein (American) has been appointed by President Clinton to a three-year term on the President's Committee on Mental Retardation. The President's Committee provides advice to the President and executive branch on policy issues concerning people with mental retardation.

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AWARDS & HONORS

Assistant Professor **William E. Adams, Jr.** (Nova Southeastern) has been given the Dan

Bradley Award by the National Lesbian and Gay Law Association. Named for the late former director of the National Legal Services Corporation, the award is given at the organization's biennial conference to a gay or lesbian lawyer who has made an outstanding contribution to gay or lesbian rights. Prof. Adams co-authored a brief challenging an anti-gay ballot initiative in Florida. The Florida Supreme Court removed the measure from the ballot. In addition, Professor Adams has authored an amicus brief challenging Florida's ban on homosexual adoptions for the same court. He is also co-counseling a separate case at the trial court level, which similarly challenges this statute.

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The **Civil Practice Clinic at Franklin Pierce** was awarded a \$45,000 grant by the New Hampshire Bar Foundation.

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A **Public Interest Law Consortium** created by **Minnesota and William Mitchell** has been selected to receive a \$185,000, three-year federal grant under President Clinton's *Learn and Serve America* program.

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CHANGE OF VENUE

Lisa Gabrielle (Catholic) spent three weeks in May and June as a visiting Lecturer in Poland. She exchanged information about curriculum and teaching methods.

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Gerard F. Glynn has left Florida State to become the Director of Legal Clinic at the University of Arkansas at Little Rock School of Law. His new address is:

Gerard F. Glynn
Director of Legal Clinic
UALR School of Law
1201 McAlmont Street
Little Rock, AR 72202
(501) 324-9912

(501) 324-9911 FAX
gfglynn@ualr.edu

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Rich Rosen (North Carolina) and **Ken Broun** spent two weeks in Russia and Estonia learning about the legal systems and sharing U.S. trial advocacy techniques.

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NOTES & ANNOUNCEMENTS

In July 1994, **Jon Bauer** (UConn) became Director of Civil Clinical Programs at the University of Connecticut School of Law. **Jim Stark**, who served as clinic director for 15 years, stepped down so that he can devote time to several new curricular offerings, including a lawyering skills program for first-year students and a new clinical program in mediation. The civil clinical programs at UConn now include two litigation clinics (Civil Rights and Disability Law), a Mediation Clinic and a Poverty Law Clinic. UConn also has two criminal programs: a Criminal Trial Clinic and Criminal Appellate Clinic. **Todd Fernow** is Director of Criminal Clinical Programs.

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The *Fall 1994 University of Michigan Quadrangle Notes* has a long review of the school's clinical programs.

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Temple has a new **custody mediation clinic** which helps parents and guardians involved in custody disputes resolve their conflicts.

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The **University of Washington Law School and Evergreen Legal Services** have established a new **Refugee Advocacy Project** funded by the Legal Services Corporation Law School Clinical Program for Innovative Clinical Programs. Based at the ELS Seattle Office, the program provides an opportunity for U.W. law students to identify the need for advocacy on public benefits issues on behalf of refugees,

and to provide representation on public benefits issues. The project is supervised by Gillian Dutton, who has done extensive work on refugee public benefits issues.

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Margaret Woo was quoted extensively in the October 6 issue of the *New York Review of Books* for her chapter "Chinese Women Workers: A Delicate Balance Between Biology and Equality" published in C. Gilmartin et. al. eds, *Engendering China* (Cambridge, Massachusetts: Harvard University Press, 1994). She also co-organized "Understanding Ourselves," the first conference ever to bring together Asian Pacific American law professors. The conference brought to Northeastern University and Boston College Schools of Law over 50% of the Asian Pacific American law faculty from as far away as Hawaii.

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OF INTEREST TO CLINICIANS

CONFERENCES & MEETINGS

The **Clinical Theory Workshops** continue to meet at **New York Law School**. The workshops, which are chaired by Steve Ellmann, offer a forum for clinical scholarship, and an opportunity for clinicians to read, respond to and exchange ideas about each other's work. (They're also a chance for people to get together in the midst of hectic lives!) Clinicians from 11 New York area law schools have been part of the workshop, with occasional (and welcome) visits from people teaching elsewhere as well. The speaker at the first workshop of the 1994-95 school year was Phyllis Goldfarb, who discussed her recent article *A Clinic Runs Through It*, 1 *Clinical Law Review* 65 (1994). Binny Miller of American University, Washington College of Law, was the second presenter, in mid-

November; she discussed her forthcoming article *Give Them Back Their Lives: Client Narrative and Case Theory*. The schedule for the rest of the school year is as follows:

Friday, January 27, 1995 -- Charles Ogletree, Harvard Law School

Friday, February 17, 1995 -- Richard Boswell, University of California, Hastings College of Law

Friday, March 17, 1995 -- Clark Cunningham, Washington University School of Law

Wednesday, April 12, 1995 -- Keri Gould, University of Utah College of Law, and Michael Perlin, New York Law School

All clinicians (and others as well) are invited to attend. If you are interested in being added to the mailing list, please contact:

Professor Stephen J. Ellmann
New York Law School
57 Worth Street
New York, NY 10013
(212) 431-2392
(212) 431-1804 FAX

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The **AALS Sections on Professional Responsibility and Clinical Education** will present a **joint program at the Annual Meeting in January 1995**. In connection with this program, the Planning Committee would like to make available materials on teaching professional responsibility in a clinical setting. If you have materials to share with your colleagues, please send them to:

Professor Jackie Nolan-Haley
Fordham Law School
140 West 62nd Street
New York, NY 10023

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Joint Program of the Sections on Clinical Legal Education and Professional Responsibility -- Dilemmas for Law Teachers: Conflicting Obligations, Collegial Responsibilities and Questions of Mission

This program brings together the perspective on the legal profession of the teachers of professional responsibility and the expertise in teaching methodology of the clinicians, with the thought that each would benefit. This program presents an opportunity for cross-fertilization of ideas, methods and materials used by the participants to teach about ethical issues in the classroom and the clinic.

Conveners: Sandy Ogilvy, Catholic University, Chair, Section on Clinical Legal Education; Lisa G. Lerman, Catholic University, Chair, Section on Professional Responsibility.

Planning Committee: Margaret Martin Barry, Catholic University; Gary S. Laser, Chicago-Kent College of Law; Lisa G. Lerman, Catholic University; Homer C. LaRue, Howard University School of Law.

**A Teacher's Troubles:
Risk, Responsibility and
Rebellion** 9:00 - 10:45 am

This plenary session focuses on some ethical issues that confront law teachers. We will present three dilemmas--in the form of role plays. The first explores a teacher's conflicting obligations to students and to clients in clinical work that poses some physical risk for students. The second looks at a teacher's responsibility for taking action to address misconduct by a colleague. The third examines the tension between defining the clinic mission as teaching students litigation skills and selecting clinical work that offers optimal educational opportunities for students while providing a meaningful contribution to the community in which the law school is located.

Facilitators: Homer C. LaRue, Howard University School of Law; Carol Bensinger Liebman, Columbia University.

1. Whose Risks? Whose Obligations?

Student: Conrad Johnson, Columbia University

Supervisor: Margaret Martin Barry, Catholic University

Commenters: Theresa Glennon, Temple University; Michelle Jacobs, University of Florida

2. The Dirty Laundry: To Air or to Err?

Student: Lisa G. Lerman, Catholic University

Supervisor: Margaret Martin Barry, Catholic University

Commenters: Vanessa Merton, Pace University; Theodore J. Schneyer, University of Arizona

3. Expanding the Lawyer's Role: Moral Obligation or Quagmire?

Student: Odeana Rae Neal, University of Baltimore

Supervisor: Margaret Martin Barry, Catholic University

Commenters: Kimberly E. O'Leary, University of Dayton School of Law; Gary H. Palm, University of Chicago

Break 10:45 - 10:55 am

Small Group Meetings 10:55 am - 12:00 pm

The small group workshops address some topics raised in the first plenary session; others will address other topics of interest to members of one or both sessions.

1. Integration of Ethics and Skills Teaching

Facilitators: James E. Moliterno, College of William and Mary; Thomas L. Shaffer, Notre Dame

2. Empirical Research on the Legal Profession: A Roundtable

Facilitators: Clark D. Cunningham, Washington University; Marc S. Galanter, University of Wisconsin

3. Addressing Ethical Dilemmas in Externship Courses

Facilitators: Linda H. Morton, California Western; Leah Wortham, Catholic University

4. Multiple Clients/Families: Who Is Your Client?

Facilitators: Paul R. Tremblay, Boston College; Susan Louise Waysdorf, DC School of Law

5. Community Organizing

Facilitators: Stacy Brustin, Catholic University; Michael Diamond, American University

6. Community Economic Development As a Clinical Program

Facilitator: Susan R. Jones, George Washington University

7. International Clinical Teaching Opportunities

Facilitators: Paula C. Johnson, Syracuse University; Margaret C. Shanara Gilbert, City University of New York

8. International Legal Ethics: Teaching Materials on International Transactions

Facilitator: Mary C. Daly, Fordham University

9. Audio-Visual Teaching Resources on Ethical Dilemmas

Facilitator: David F. Chavkin, Catholic University

Funding of Clinical Programs: The Relationship of Mission to Money 1:30 - 3:15 pm

This plenary session will explore the relationship between the ways that clinical

programs are funded and their mission. Should they be funded primarily through regular law school line-item funding sources? What are the effects of funding clinical education programs through grants from the Department of Education's Law School Clinical Experience Program, the Legal Services Corporation, other agencies of government, foundations or contributions from friends of the clinic? Should law schools be encouraged to fund their clinical programs from fees generated through their in-house clinics? What implications do funding from these sources have on clinical programs: their goals? their clinical professors? their pedagogy? their professionalism? their size? their status?

Moderator: Gary Laser, Chicago-Kent College of Law

Panelists: Dean Richard A. Matasar, Chicago-Kent College of Law; Marjorie Anne McDiarmid, West Virginia University; Randolph N. Stone, University of Chicago

Clinical Section Luncheon

Thursday, January 5 12:00 - 1:30 pm

Clinical Section Reception

Thursday, January 5 5:00 - 6:30 pm

Clinical Section Business Meeting

Thursday, January 5 6:30 - 7:00 pm

Section on Professional Responsibility Reception and Business Meeting

Thursday, January 5 6:30 - 7:30 pm

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****1995 AALS CLINICAL WORKSHOP****

The 1995 AALS Clinical Workshop entitled *Evaluating Our Students, Ourselves and Our Programs* will be held in St. Louis from May 3 through May 6, 1995 at the Hyatt Regency located in the downtown historic Union Station.

The Planning Committee invites clinicians who plan to attend to send a tape of a supervision session to the AALS office so that it can be forwarded to small group leaders or mentors who will review the tape and provide feedback. We would like to encourage all attendees to provide a tape. **Please mail your tape to:**

AALS Clinical Workshop
Suite 800
1201 Connecticut Avenue NW
Washington, DC 20036

If you are willing to review supervision tapes and to commit to providing feedback, please contact:

Antoinette Sedillo Lopez, Chair
Planning Committee
University of New Mexico
1117 Stanford NE
Albuquerque, NM 87131
(505) 277-5256
(505) 277-0068 FAX
lopez@libra.unm.edu

This is a great opportunity to learn about other clinicians' work and to help them improve their clinical teaching!

We are also planning to have a table of evaluation materials on display. Workshop attendees will be able to review the material and to check it out and have it copied. We invite clinicians to bring their material to the conference where it will be displayed and shared. You can bring diskettes along with a hard copy of the material. This is an opportunity to showcase and share your Clinic's manual and other material you use in evaluating your students. We think this will be especially beneficial for new clinicians.

Planning Committee: Antoinette Sedillo Lopez, UNM, Chair; Bob Dinerstein, American; Leah Wortham, Catholic; Thomas F. Geraghty, Northwestern.

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The **Committee on International Aspects of Clinical Education of the Clinical Legal Education Section of the AALS** will be meeting at the upcoming **AALS Convention in New Orleans**. Anyone interested in participating in this event should contact:

Louise Trubek
University of Wisconsin Law School
Madison, WI 53706
(608) 263-1679
(608) 262-5486 FAX
lgtrubek@facstaff.wisc.edu

Professor Trubek recently returned from a trip to Russia where she met with attorneys just beginning to address development of a cohesive bar and public interest law practice. Professor Trubek and others with similar field experience will be present to discuss their experiences. All interested persons are encouraged to attend.

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The **Consortium on Poverty Law** will continue functioning for another year. Their funding has been extended and they will be active in coordinating law school activities on Welfare Reform, encouraging the teaching of poverty law and peer exchanges. All activities will be coordinated through Louise Trubek at the University of Wisconsin Law School.

Consortium members and interested persons will be meeting at the upcoming **AALS Convention**. This event will be **immediately after the Poverty Law Section program and business meeting on January 6**. Anyone interested in participating in the event should contact:

Louise Trubek
University of Wisconsin Law School
Madison, WI 53706
(608) 263-1679
(608) 262-5486 FAX
lgtrubek@facstaff.wisc.edu

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REQUESTS

The **Clinical Section** is seeking information about **clinicians outside the United States** to provide an opportunity to exchange information with Section members. If you know any clinicians outside the United States, please forward the names, addresses (including e-mail, if available) and phone numbers to:

David F. Chavkin
Visiting Associate Professor of Law
Columbus School of Law
Catholic University of America
3600 John McCormack Road, N.E.
Washington, DC 20064
(202) 319-6786
chavkin@law.cua.edu

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The **ADR Clinic at Southern Illinois University School of Law** has been operating since the spring of 1993. This September the program received a new *Learn and Serve America*: Higher Education Grant in the amount of \$89,775 which will fund an expansion. The expansion aims to incorporate "service learning" into the law school curriculum. Service learning involves students performing work in the community which benefits the community. Through these service activities, students will learn skills and concepts critical to their legal education and develop a commitment to public service.

The Clinic's educational goals in this program include teaching students to be better mediators; to become community problem-solvers; and to appreciate the real life problems facing the community.

These goals should be reached via the students' involvement in the design and operation of three new programs: the development of a service for the mediation of claims arising under the Americans with Disabilities Act (ADA); the development of a City Dispute Resolution Center for the

City of Carbondale, Illinois; and the training and support for several area schools in Peer Mediation. Law students will not only help plan these programs, but will mediate in them and teach others to mediate.

The Clinic is looking for assistance in the area of mediation of ADA claims and would appreciate help from anyone with expertise in this area. Please contact:

Suzanne Schmitz
ADR Project Coordinator
Alternative Dispute Resolution Clinic
Southern Illinois University
School of Law
114 Lesar Law Building
Carbondale, IL 62901-6821
(618) 453-3257
(618) 453-8727 FAX

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ABA ACCREDITATION CHANGES IN THE WIND -- by Roy Stuckey (University of South Carolina)

There will probably be more changes made to the ABA accreditation standards during the next couple of years than at any other time in our lives. These changes could affect every law school and every teacher. Clinical teachers should make an effort to participate actively in the process.

Change will come from three sources: (1) the normal process of adoption and review of standards within the ABA Section of Legal Education and Admissions to the Bar (the Section); (2) a special project of the Section to reconsider the validity and reliability of all standards; and (3) a newly constituted commission of the Section which will independently review the substance and process of accreditation.

(1) As part of the normal process, a new accreditation standard (S215) has been proposed which states "A law school shall publish basic consumer information. Any information released by a law school must

be fairly and accurately presented." Although this standard was initially proposed a few years ago, it appears likely that it will be submitted to the ABA House of Delegates for final approval at its February, 1995, meeting. Among the specific categories of information to be published is "curricular information." One impact of S215 will be that law schools will be required to provide clear and accurate information to prospective students about the actual availability of clinical and other professional skills courses. The clinical community will have input into the specific information which must be published through the Skills Training Committee of the Section and, possibly, other avenues.

A top-to-bottom revision of the standards relating to law libraries is also underway. The Council of the Section is expected to announce its intention to promulgate the new standards at its December meeting. It will then invite comments and schedule public hearings.

(2) The Standards Review Committee of the Section has completed its formal revision of the standards, and it has begun a substantive revision and recodification of each accreditation standard and interpretation. There is no sacred cow. Every standard is subject to review (yes, even S405(e) and Int. 2 of S306). The most difficult issues are expected to arise in connection with the 300 series (curriculum) and the 400 series (faculty). Clinical teachers with ideas as to how the standards and interpretations could be improved should communicate with Roy Stuckey at South Carolina or Gary Palm at Chicago. Eventually, of course, there will be an opportunity for public review and comment, but the redrafting process has already begun.

(3) The Section's Commission to Review the Substance and Process of the Accreditation of American Law Schools is chaired by Rosalie Wahl, a former clinical teacher and retired Justice of the Minnesota

Supreme Court. The Commission is expected to issue its report by August 1995. Two hearings have been scheduled: (1) during the AALS Annual Meeting in New Orleans (Friday, January 6, 2-5 p.m.); and (2) during the ABA Midwinter Meeting in Miami (Friday, February 10, 9:30 a.m.-?; and Sunday, February 12, 1:30-5:00 p.m.). Clinical teachers with opinions about how to improve the accreditation of law schools should plan to speak at one of the hearings or should write to Justice Wahl at the following address:

Honorable Rosalie E. Wahl
Supreme Court of Minnesota
428 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155-6102

Be sure to send a copy to:

Dean James P. White
Consultant on Legal Education
to the ABA
Suite 150
550 West North Street
Indianapolis, IN 46202-3162

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PUBLICATIONS BY CLINICIANS

William E. Adams, Jr. (Nova Southeastern). *But Do You Have to Tell My Parents? The Dilemma for Minors Seeking HIV-Testing and Treatment*. 27 J. Marshall L. Rev. 493 (1994).

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William E. Adams, Jr. (Nova Southeastern). *Pre-Election Anti-Gay Ballot Initiative Challenges: Issues of Electoral Fairness, Majoritarian Tyranny, and Direct Democracy*. 55 Ohio St. L. J. 583 (1994).

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William E. Adams, Jr. (Nova Southeastern) and **Rebecca Morgan**. *Representing the Client Who Is Older in the Law Office and in the Courtroom*. 2 Elder L. J. 1 (1994).

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Anthony V. Alfieri (Miami). *Practicing Community*. (Reviewing Gerald P. Lopez, *Rebellious Lawyering: One Chicano's Vision of Progressive Law Practice*.) 107 Harv. L. Rev. 1547-1674 (1994).

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Frank Bloch (Vanderbilt). *Assessing Disability: A Six-Nation Study of Disability Pension Claim Processing and Appeals*. 47 Int'l Soc. Sec. Rev. 15 (1994).

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David F. Chavkin (Catholic). *Training the Ed Sparers of Tomorrow: Integrating Health Law Theory and Practice*. 60 Brook. Law Rev. 303-339 (1994).

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George A. Critchlow (Gonzaga). *Teaching Law in Transylvania: Notes on Romanian Legal Education*. 44 J. Legal Educ. 157 (1994).

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Gerard F. Glynn (Arkansas). *Multidisciplinary Representation of Children: Conflicts Over Disclosures of Client Communications*. 27 J. Marshall L. Rev. 617-656 (1994).

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Catherine F. Klein, Leslye E. Orloff. *Providing Legal Protection for Battered Women: An Analysis of State Statutes and Case Law*. 21 Hofstra Law Rev. 801 (1993).

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Joan S. Meier (George Washington). *Notes From the Underground: Integrating Psychological and Legal Perspectives on*

Domestic Violence in Theory and Practice. 21 Hofstra L. Rev. 1295-1366 (1993).

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Carrie Menkel-Meadow (UCLA). *Symposium on the 21st Century Lawyer: Narrowing the Gap by Narrowing the Field: What's Missing From the MacCrate Report--of Skills, Legal Science and Being a Human Being*. 69 Wash. L. Rev. 593 (1994).

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Jane C. Murphy (Baltimore). *Lawyering for Social Change: The Power of the Narrative in Domestic Violence Law Reform*. 21 Hofstra L. Rev. 1243-1293 (1993).

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Nathaniel C. Nichols (Widener). *The Poor Need Not Apply: Moralistic Barriers to Bankruptcy's Fresh Start*. 25 Rutgers L. J. 329-357 (1994).

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Marsha Lynn Merrill (St. Marys). *No More Sacrifice on the Altar of Educational Excellence: ADR & At-Risk Students*. 9 Ohio St. J. on Disp. Resol. 275-306 (1994).

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Marjorie P. Russell (Cooley). *Too Little, Too Late, Too Slow: Compassionate Release of Terminally Ill Prisoners--Is the Cure Worse Than the Disease?* 3 Widener J. Pub. L. 799 (1994).

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Louise G. Trubek (Wisconsin). *Making Managed Competition a Social Arena: Strategies for Action*. 60 Brook. L. Rev. 275-302 (1994).

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Louise G. Trubek (Wisconsin) and **Elizabeth A. Hoffman**. *Symposium: Vital Issues in National Health Care Reform: Searching for a Balance in Universal Health Care Reform: Protection for the*

Disenfranchised Consumer. 43 DePaul L. Rev. 1081 (1994).

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Susan L. Waysdorf (DCSL). *Families in the AIDS Crisis: Access, Equality, Empowerment, and the Role of Kinship Caregivers.* 3 Texas Journal of Women & the Law, 145 (19__).

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Stephen A. Zorn (Pace). *Couldna Done It Without the Players: Depreciation of Professional Sports Player Contracts Under the Internal Revenue Code.* 4 Seton Hall J. Sport L. 337-395 (1994).

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Symposium: The Many Voices of Clinical Legal Education. 1 Clin. L. Rev. 1-197 (1994).

Stephen Ellmann, Isabelle R. Gunning & Randy Hertz. *Foreword: Why Not a Clinical Lawyer-Journal?*

Anthony G. Amsterdam. *Telling Stories and Stories About Them.*

Nancy Cook. *Legal Fictions: Clinical Experiences, Lace Collars and Boundless Stories.*

Phyllis Goldfarb. *A Clinic Runs Through It.*

Peter Toll Hoffman. *Clinical Scholarship and Skills Training.*

Gary Palm. *Reconceptualizing Clinical Scholarship as Clinical Instruction.*

Margaret M. Russell. *Beginner's Resolve: An Essay on Collaboration, Clinical Innovation, and the First-Year Core Curriculum.*

Lucie E. White. *Collaborative Lawyering in the Field? On Mapping the Paths From Rhetoric to Practice.*

Liz Ryan Cole. *Lessons From a Semester in Practice.*

Michelle S. Jacobs. *Legitimacy and the Power Game.*

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Writing for the Clinical Law Review: Collaboration on Collaboration – David Chavkin (Catholic)

Those of us who have written law review articles usually classify our editors in one of two ways. There are the “good” editors and there are the “bad” editors. The “bad” editors intrude in our writings. They insist on moving things around, in altering focus, on tinkering with context. The “good” editors, by comparison, are neither seen nor heard. They do the needed cite checking and expedite publication, but they do not bother us in any substantial ways because they know their place.

Hard as it may be to believe, there appears to be a third classification of editor exemplified by the review and publication process for the new Clinical Law Review. This type of editor neither intrudes nor rubber-stamps. This type of editor is a collaborator with the author in the best sense of the word. Since the article that led to my discovery of this new model of editorship was about collaboration (*Matchmaker, Matchmaker: Student Collaboration in Clinical Programs*, 1 CLIN. L. REV. 101 (1994)), I thought I might try to describe that experience for those considering the Clinical Law Review as a possible site for publication of writings on lawyering, clinical teaching, legal practice and related subjects.

At the 1994 AALS Clinical Section Conference in Newport Beach, Richard Boswell made a pitch on behalf of the new

Clinical Law Review soliciting articles, essays, poems, and other writings for review and possible publication. Richard explained that the *Review* would use a multi-step process for review and publication. Manuscripts would first be considered in an anonymous peer review with three possible outcomes. First, the reviewers might reject the manuscript as not suitable for publication. Second, the reviewers might favorably review the manuscript, but conclude that significant work would need to be done before the manuscript could be considered for publication. The third possibility is that the reviewers might determine that the *Review* would like to publish the manuscript subject to editorial revisions. Regardless of which category the article fell into, the author would receive substantial insightful and thoughtful comments from the editors. This is the first major difference from the normal *Law Review* experience. Peers commit the time and energy to give you something in return for going through the submission and review process.

In my case, the process began with the submission of an initial draft of an article. This draft represented the second draft of the article - the first draft having been presented at a Mid-Atlantic Clinical Theory and Practice Workshop. Although I had had the opportunity to incorporate comments from those clinicians at the workshop, the second draft was still far from a completed work. There were many gaps in the text of the article and in the citations. It was clearly still a "work in progress," although the reviewers made a decision that the *Review* would like to publish the article.

At this stage, I received nine pages of single-spaced comments from Randy Hertz, one of the *Review's* editors-in-chief, on behalf of the team which originally read the article. (Although Randy was the lead editor for my article, I feel confident that these comments can also be applied to articles coordinated by the other editors-in-

chief, Steve Ellmann and Isabelle Gunning.) At this level of review, the comments had a macro focus on the structure of the article and whether changes in the organization would make the article more accessible to readers. Numerous thoughtful suggestions were made for consideration by me in revising the article. As in any truly collaborative process, some of these suggestions triggered new and different ideas by me as I thought about ways to improve the article.

The editors also commented on aspects of the article that might be interpreted in unintended (and possibly alienating) ways. Sometimes these aspects were as small as a word or phrase. This is another of the unique benefits of the *Clinical Law Review*. My editing team was diverse and experienced. They were able to highlight potential problems in ways that student editors could not and even suggested possible sources and perspectives that I either was not aware of or that I had not thought of in that context. In addition, their comments made me think of changes that were not the subject of their comments, but that led me to fruitful revisions and expansions.

Once I had an opportunity to consider and incorporate the initial comments, I produced a third draft of the article. Already the article was significantly improved over its earlier incarnations, primarily in structure and focus. The third draft was responded to by Randy with 24 pages of single-spaced comments. Partly because of his experiences in dealing with high-handed editors (read "bad" editors in my earlier classification scheme), Randy erred on the side of non-directive (author-centered) tentative comments. For example, Randy might ask whether the insertion of a comma after a particular phrase wouldn't improve the readability of a sentence. He would then follow this "suggestion" with half a page on the metaphysics of commas. Admittedly, there were times when I would have been

happy to simply say, "Stick the stupid comma in wherever you want!" The attitude reflected in the comments and the attention to nuance began to yield major dividends in the readability of the article.

If the first draft submitted invited nine pages of comments and the second draft provoked 24 pages of comments, you can imagine that I might have hesitated submitting a third draft. However, that hesitation would have been misplaced. In a very short time, we had moved on to galleys, final revisions and forthcoming publication. Along the way, the article continued to become more readable and focused.

It seems somewhat bizarre to describe a writing experience as magical, but that's the way this one feels. I felt valued and improved by the experience in much the same way that we hope clinic students will feel valued and improved by their critical engagements with us.

The structure of the *Clinical Law Review* seems to further three significant interests. First, the publication process is designed to improve our craft as writers. Second, to the extent that we believe that we have something important to say (and are not simply publishing to fulfill obligations to publish), the review and editing process produces manuscripts that are more likely to communicate those thoughts to our audiences. Third, to the extent that we want our manuscripts read and responded to by other clinicians, it is especially significant that the *Clinical Law Review* has already become the one law review that clinicians read cover-to-cover.

I don't know how long Randy (and Steve and Isabelle) can keep up this kind of effort. It might be money well spent to raise a fund to send them to Club Med periodically to extend their useful lives as editors-in-chief. For now, you may want to think about

submitting your manuscripts sooner rather than later.

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FACULTY POSITIONS AVAILABLE

The American University, Washington College of Law, is interested in receiving applications for a **tenure track position in its Clinical Program** and for several **visiting professor positions** for the upcoming academic year, 1995-96. The tenure track position in the Appellate Clinic is subject to final budgetary approval. The number of visiting positions is subject to programmatic and budgetary considerations.

All of the clinical faculty at TAU are expected to teach in both the classroom and in individual student supervision settings, to contribute to the rich intellectual life of the clinic and of the whole faculty, and to produce scholarship. The American University is an EEO/AA employer committed to a diverse faculty, staff and student body. minority anMwomen candidates are encouraged to apply.

Applicants should submit a cover letter and a curriculum vitae to:

Professor Richard Wilson, Chair
Faculty Appointments Committee
c/o Office of the Dean
Washington College of Law
The American University
4400 Massachusetts Avenue, N.W.
Washington, DC 20016

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University of California, Hastings College of the Law, invites applications for a **full-time, tenure-track clinical teaching position**. Hastings intends to expand its in-house clinical offerings. New subject areas under consideration include family,

immigration, consumer or housing law. The present in-house clinic handles Social Security disability, unemployment insurance and wage and hour cases. Applicants should be prepared to develop a clinical offering based on their experience in one of the new areas or have advocacy experience in one of the current areas. Preferred starting date for the position is July 1995. The successful applicant will be an Assistant Professor and eligible for clinical tenure.

Applications should be received by December 15, 1994. Please direct applications to:

Prof. Richard Marcus, Chair
Appointments Committee
Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

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The Law Offices of **Chicago-Kent College of Law, Illinois Institute of Technology**, has been granted a new three-year grant from the United States Department of Education to expand its clinical education program by employing a **practicing attorney/clinical educator in its newly created health law clinic.**

The applicant should have strong academic credentials and a minimum of five years of lawyering experience with a specialty in health/family law. The ideal applicant will have an interest in providing representation mostly to low-income clients with health law problems; for example, clients who are denied access to alternative practitioners such as midwives, or clients who are denied access to treatment or provided unequal treatment due to being on Medicaid, in particular, poor children who have been denied clinic care.

The attorney who is hired for the position will supervise students working on cases that the attorney generates and will teach lawyering skills in a classroom setting. A

substantial salary is negotiable, depending upon background and experience. We offer an excellent opportunity for a talented attorney wishing to teach and practice in a unique setting.

The Illinois Institute of Technology is an affirmative action, equal opportunity employer and encourages minorities and women to apply. Please contact and send resumes to:

Professor Gary S. Laser
Director of Clinical Education
Chicago-Kent College of Law
Illinois Institute of Technology
Suite 600
565 West Adams Street
Chicago, IL 60661-3691

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The Law Offices of **Chicago-Kent College of Law, Illinois Institute of Technology**, is seeking up to **three clinical faculty members** to teach in its in-house clinical program. Applicants should have strong academic credentials and a minimum of five years of lawyering experience. The attorneys who are hired for the positions will supervise students who will work on the cases that the attorneys generate and will teach lawyering skills in a classroom setting. Each attorney will be expected to generate a significant number of fee-generating cases. A substantial salary is negotiable, depending upon background and experience. We offer an excellent opportunity for talented attorneys wishing to teach and practice in a unique setting.

The Illinois Institute of Technology is an affirmative action, equal opportunity employer and encourages minorities and

women to apply. Please contact and send resumes to:

Professor Gary S. Laser
Director of Clinical Education
Chicago-Kent College of Law
Illinois Institute of Technology
Suite 600
565 West Adams Street
Chicago, IL 60661-3691

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Columbus School of Law, the Catholic University of America invites applications for an **assistant or associate professor in its General Practice Clinic** commencing with the 1995-96 academic year.

The General Practice Clinic is one of our in-house, live-client clinics offered at the law school. The three other clinics are the Families and the Law Clinic, the Advocacy for the Elderly Clinic and the Advocacy for Victims of Gun Violence Clinic. In addition, the law school participates in the DC Law Students in Court program in consortium with four other area law schools and has an extensive externship program, including a Criminal Prosecution Clinic.

The General Practice Clinic is staffed by two tenure-track faculty members and represents clients in civil matters and administrative proceedings in the courts and administrative bodies, both local and federal, in the District of Columbia. The clinics are housed on the ground floor of the recently completed law school building.

Persons wishing to apply for the position should send a letter of interest and current resume, together with a list of references, to:

Professor Michael Noone, Secretary
Committee on Appointments
and Promotions
Columbus School of Law
The Catholic University of America
Cardinal Station
Washington, DC 20064

with a copy to:

Professor Sandy Ogilvy
Clinical Coordinator
(at the same address)

All qualified applicants will receive consideration for employment without regard to race, color, sex, age, national origin, religion or handicap. The University offers equality of opportunity and treatment to all employees and qualified applicants for employment. This school values diversity and particularly welcomes women and minority applicants.

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University of Dayton School of Law invites applications for a **tenure-track faculty appointment in the school's professional skills program**, beginning with the 1995-96 academic year. The appointee will teach in the school's Law Clinic which represents live clients in civil cases. Future assignments may include teaching a variety of skills-related courses and substantive courses within the candidate's areas of expertise.

In addition to the particularized qualifications, all applicants must have a distinguished academic record, including law review or other scholarly endeavors. The University of Dayton School of Law especially encourages applications from women, minorities and others whose backgrounds would increase faculty diversity. Contact:

Professor Kelvin H. Dickinson, Chair
Faculty Recruitment and
Development Committee
University of Dayton School of Law
300 College Park
Dayton, OH 45469-1320

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The Florida State University College of Law invites applications for a new **tenure track position of director of skills training**

programs. The duties will include teaching responsibilities, as well as coordination of skills courses and the school's externship and clinical intern programs. The ideal candidate will have a significant background in legal education, a demonstrated commitment to scholarship, excellent administrative skills and a vision for the role of skills training in the law school curriculum. The faculty seeks to foster and enhance intellectual diversity and encourages applications by underrepresented groups. Contact:

Professor Donna R. Christie, Chair
Appointments Committee
Florida State University
College of Law
Tallahassee, FL 32303

The **University of Georgia School of Law** invites applications for an appointment to fill a **Civil Clinical Faculty position.** The person who fills this position will be responsible for developing, supervising and teaching in a civil clinical program initially involving external placements and appropriate classroom components. The clinician would also teach one or more courses involving negotiation and/or alternative dispute resolution skills. The opportunity might also exist to teach in other areas of law. Candidates should have law practice experience and a demonstrated commitment to and competence in legal scholarship. Past successful civil clinical law teaching and administrative experience is highly desirable.

It is expected that the person who fills this position will be appointed as an assistant or associate professor eligible for tenure and promotion pursuant to the rules and procedures generally applicable to the law faculty. It is also expected that -- as is ordinarily the case with other tenure-track faculty members -- employment will be on a nine-month academic-year basis with the

opportunity to secure summer stipends to facilitate legal research and writing.

This is a start-up situation. No formal civil clinic now operates at the University of Georgia School of Law. In the near-term, it is expected that this position principally will involve supervision of students in external placements, with no (or very limited) direct responsibility for representing clients. The newly created clinical program may also continue some or all of the work of the school's existing Public Interest Project class. As part of this class, students engage in such activities as representing battered women in proceedings for temporary protective orders, pursuing alternative dispute resolution on behalf of juvenile offenders, and otherwise intervening (often by working through the local homeless shelter, soup kitchen, magistrate's court, etc.) on behalf of persons in need, typically in a non-litigation context.

While future program direction and job duties will depend on such matters as student interest and the availability of resources, this position will provide the opportunity to help build a new civil clinical program.

Applications must be received no later than December 15, 1994. The Law School is committed to diversity in its faculty and encourages all qualified persons to apply. The University of Georgia is an equal opportunity/affirmative action institution. Contact:

Professor Dan T. Coenen, Chair
Faculty Recruitment Committee
University of Georgia School of Law
Athens, GA 30602-6012

Hofstra University School of Law invites applications for a **full-time, regular tenure-track faculty position in its Criminal Justice Clinic.** Applicants should have an interest in directing a live-client criminal justice clinic. Clinic responsibilities include

supervision of students' clinic representation, teaching classroom seminars and administering the individual clinic program. We particularly welcome applications from women and members of minority groups. Applicants should have superior academic records and promise for scholarly publishing. Letters of application with accompanying resume should be sent to:

Professor Lawrence Kessler
Chairperson
Faculty Appointments Committee
Hofstra University School of Law
Hempstead, NY 11550-1090

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The University of Illinois at Urbana-Champaign College of Law invites applications for the position of **Director of Clinical Education** to begin in August 1995 or earlier. The Director will create and run a live-client, in-house clinic. The College desires that the clinic focus on civil practice matters for the poor, although the Director may wish to alter that focus as experience and needs dictate. The Director will have a tenure-track appointment. Qualifications should include excellence in academic legal training and scholarly distinction or promise. The J.D. degree is required. Salary, rank and tenure status are negotiable depending upon qualifications and experience. The College welcomes applications from minority group members, women and others whose backgrounds may contribute to further diversification of faculty ideas and attitudes.

To be assured fullest consideration, applications should be received by January 15, 1995. Contact:

Professor Thomas S. Ulen, Chair
Faculty Appointments Committee
University of Illinois College of Law
318 Law Building
504 East Pennsylvania Avenue
Champaign, IL 61820
(217) 333-4953

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

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The **John Marshall Law School** is seeking a **part-time clinical instructor** to start immediately. Applicants should be admitted to practice law in Illinois. Those with civil trial practice experience in the areas of civil rights and fair housing litigation will be preferred.

Please send resume to:

Professor Michael P. Seng
The John Marshall Law School
315 South Plymouth Court
Chicago, IL 60604

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The **University of Maryland School of Law** seeks candidates for a **tenure track position in its Legal Theory and Practice ("LTP") Program**. LTP teachers integrate the representation of poor people into required first year courses and small second year courses. The position begins in the fall of 1995. Candidates should possess strong academic and practice backgrounds, a record of scholarship or the promise of scholarly productivity and demonstrated teaching ability or the potential to be a good teacher. We are committed to the principles of non-discrimination and affirmative action. Women and persons of color are strongly encouraged to apply. Contact:

Professor Michael Millemann, Chair
Appointments Committee
University of Maryland
School of Law
500 West Baltimore Street
Baltimore, MD 21201

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The **University of Michigan Law School in Ann Arbor, Michigan** is seeking applicants for **three full-time positions in our in-house, live-client clinics**, beginning in September 1995-96. (1) One opening is for

a long-term contract. Depending on the qualifications of the person hired, this position will be filled either by an initial three-year contract as a Clinical Assistant Professor -- which will lead to consideration for a seven-year renewable contract as a Clinical Professor -- or directly by a seven-year renewable contract as a Clinical Professor. (2) The remaining two positions, also with the title Clinical Assistant Professor, will provide two-year contracts, with the possibility of one additional year of employment at the Dean's discretion.

Applicants should have a strong litigation background. Teaching experience is preferred. Demonstrated excellence in clinical teaching and the ability to administer a clinical program are prerequisites for the long-term contract. No specific substantive specialization is required.

Applicants should send a letter of interest and a resume to:

Professor Samuel Gross, Chair
Clinical Advisory Committee
University of Michigan Law School
Ann Arbor, MI 48109-1215

The application deadline is December 15, 1994. Questions should be directed to Professor Samuel Gross (313-764-1519; e-mail: samuel.r.gross@umich.edu) or to Professor Suellen Scarnecchia (313-763-5000; e-mail: suellen.scarnecchia@um.cc.umich.edu). The University of Michigan Law School is an Equal Opportunity Employer.

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University of Pennsylvania Law School seeks to expand its new **Practice Professor** track. Applications are sought from candidates with a teaching practice background in litigation and from those whose interests and qualifications are in the area of business/transactional (non-litigation/planning) lawyering. Individuals appointed will be eligible for appointment to

renewable multi-year contracts, with the potential for future promotion in rank, but will not be tenure-eligible. Standards for retention and promotion will be based on performance in clinical teaching. Women and minority candidates are especially encouraged to apply. Applications should be directed to:

Professor Heidi Hurd, Chair
Faculty Appointments Committee
University of Pennsylvania
Law School
3400 Chestnut Street
Philadelphia, PA 19104-6204

Penn also seeks to make an appointment to a shorter term **Clinical Supervisor** position (one-year contract with three-year cap). This position will commence on July 1, 1995. For this position, write to: Assistant to the Director of Clinical Programs at the above address. The University is an EOE/AA employer.

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The University of Tennessee College of Law invites applications for a **full-time, tenure-track faculty position** to commence in the fall semester of 1995. Although all qualified applicants will be considered whatever their interests, areas of particular need include clinical teaching, litigation skills and professional responsibility.

Candidates must possess a J.D. or comparable degree, have a strong academic background, and be able to satisfy the requirements for admission to the Tennessee Bar. Substantial professional experience and/or experience in clinical and skills teaching is desirable. Candidates also must demonstrate a strong commitment to excellence in teaching, scholarship and service.

In furtherance of the University's and the College's fundamental commitment to a diverse faculty, minority group members

and women are strongly encouraged to apply. Send resume to:

Professor Douglas Blaze
Faculty Appointments Committee
University of Tennessee
College of Law
1505 West Cumberland Avenue
Knoxville, TN 37996-1800

University of Tennessee is an EEO/AA/Title IX/Section 504/ADA employer.

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The U.S. Department of Justice, Civil Division, Appellate Staff is seeking a current faculty member to serve as an attorney in the visiting professor program for one year commencing summer/fall 1995. Send resume and writing samples to:

Robert E. Kopp, Director
Appellate Staff
Civil Division
Room 3617
U.S. Department of Justice
Washington, DC 20530
(202) 514-3311

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MEMBERSHIP

Membership -- David Chavkin (Catholic)

The mailing label for this issue of the newsletter (take a moment and retrieve it from your trash can) contains a date in the upper-right-hand corner. That date is the year in which you were last a member of the Clinical Section. If there is no date on the mailing label, it means that you either have never been a member of the Section or were last a member before I was born. Only the pre-AALS newsletter (this issue) goes to the entire Clinical Section mailing list. If you want to receive all of the issues and stay up on the latest regarding Princess Di, please

get your memberships to me as soon as possible.

Unlike most issues, this newsletter does not contain a membership application form at the end. Instead, I have included a separate print-out of the information that is being maintained on you in the Clinical Section data base. Please review this information, correct any errors, fill in any blanks and mail it back to me at the address at the top of the form. The more information you can provide me on the membership forms, the better we will be able to further the interests of clinical education through advocacy and sharing of information.

If you have any questions about your membership or the data base, please feel free to contact me at 202-319-6786 (voice) or chavkin@law.cua.edu (internet).

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