



NEWSLETTER

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MESSAGE FROM THE CHAIR

Kimberly O'Leary
University of Dayton

I am so proud to serve as chair of the clinical section. You are an amazing and wonderful group of people, and I am learning volumes about what it means to do this work. You inspire me with the rich and diverse activities in which you engage. Recently, we've received postings on several conferences that involve clinicians – conferences about such diverse topics as Immigrants' Perspectives in the Curriculum (CUNY, April 9-10), Securities Arbitration Clinics (Pace, April 17), Community Lawyering (Toronto, June 24-26), and the GAJE conference in India in December, 1999. Clinicians report significant victories for their clients in such diverse areas as domestic violence work, criminal law, housing and international human rights. Our approaches to teaching are multi-layered and varied. We come from a multitude of backgrounds and offer a range of perspectives. As we head into the last part of our semesters and prepare to come together in May, I'd like for us to think about three broad tasks.

Challenge Ourselves

I'd like to see us, as a community of clinical teachers, challenge ourselves with the same vigor and to the same high standards we challenge our students, our client's opponents, and our institutions.

Let's ask ourselves whether the skills we teach our students are the ones their future clients will need the most? Is our work of such high quality that our students have excellent role models? Are we challenging our students to do their very best work to excel in lawyering and to develop into ethical, moral professionals who value justice?

Let's challenge ourselves in our clinical interactions as well. Those of us who have been around a while, are we mentoring junior faculty by giving them our time and ideas? Are we listening to what they need? Are we sensitive to the needs of the working parents among us, the physically disabled, and others whose causes we champion outside our offices? Do we provide a supportive environment for our staff to flourish, or understand the stresses inherent in their work? Do we seek ways to increase opportunities in clinical education to a broader, more diverse group of people? Specifically, have we thought of ways to increase the racial and cultural diversity of our clinical faculty and staff? The Dealing with Differences committee has provided leadership in the latter task, and those interested in doing that important work can contact its co-chairs, Michelle Jacobs and Mary Zulack, or attend their committee meeting in May.

Do we keep our skills up-to-date? Do we re-tool every so often, to ensure we can provide the best education for our

students? What do we all know about mediation (not just those in ADR clinics)? How are our technology skills? Web research? Do we all know what community lawyering is about and how it might be relevant to our students and to our clients? Do we understand what external clinics are doing in 1999? Do we read the Clinical Law Review, and other clinical scholarship? Are we connected with the latest developments in our substantive areas of practice? What do we know about new state welfare programs that affect our clients? Do we support one another in providing time and resources to stay on top of our game? Let's provide the structures for helping each other improve our work. A variety of section committees provide us with information about many of these areas of our work.

Support innovative legal education

By choosing to be clinical legal educators, we are in the forefront of innovative methods that will benefit our students and their future clients. Our methodologies continue to provide a challenge to the status quo. But the ability to offer our premiere learning experiences to students is limited and faces continuing challenges.

Educate yourselves about the issues. Read the ABA Standards. Understand the proposals to change them, and weigh in on the issues. Talk to your law school deans and colleagues, and articulate your views to the ABA. Bob Dinerstein, who chairs the joint taskforce on ABA Standards with Jay Pottenger from CLEA, and Linda Morton and Bill Patton, who chair the Externship committee, can provide you with information about the proposals to radically alter the standards related to clinicians. Visit the CLEA website, located at <http://clinic.law.cuny.edu/clea/clea.html>, to see the text of the current standards and the proposed ones. Understand that these proposals could tangibly affect our ability to offer quality clinical experiences to our students and **take action**. The section has asked the AALS to oppose the changes to ABA Standard 405(c); we expect to hear in

mid-May whether we can act against these changes as a section. Nonetheless, each of you can read about the proposed changes to 305 and 405(c), and take a stand.

Support others in your institution who are engaging in innovative legal education. Are your legal writing faculty trying to create smaller educational environments for first-year students? Can you help them achieve more security in their positions? Are there "stand-up faculty" who feel marginalized because of race, gender, sexual orientation, teaching methodology, or course content? Do you connect with SALT members at your school? SALT has been very supportive of clinical education and clinical issues. Do you know your librarians? Mid-level administrative staff? Can you provide informal support, institutional support or just be a sympathetic ear?

Let's support each other's diverse contributions to clinical legal education. Clinical scholarship is vibrant, informative and helpful - thanks to those who take the time to write down what they know. Community -building and clinic curriculum development is vital and requires patience and skill - thanks to those who take the time to keep our work relevant to our clients and communities. Let's also think of ways to better communicate the intellectual breadth and depth of all of our work, so that all of its aspects are valued in the academy. Those interested in working on a project to identify and articulate the full range of clinical teaching should attend the Promotion, Retention, Status and Salary committee chaired by Sally Frank.

Appreciate those who have paved the way

Let's appreciate each other - our talents, our diversity, and our wonderful personalities. Appreciate the clients who agree to allow us to train students using their life problems as a laboratory. Appreciate our staffs, our law school supporters, our communities of folks who tell our deans and faculty how much they appreciate our work. Appreciate the energy and enthusiasm of our students. Most of all, appreciate the work of those who have paved the way - our mentors

and the brave clinical educators who have fought long, hard battles to provide us with these incredible teaching environments. By challenging yourselves to better work, and by supporting innovative legal education, you can honor their sacrifices. Join in the fray! See you in May.

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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.

**AALS WORKSHOP ON CLINICAL
LEGAL EDUCATION**

May 5-8, 1999

And

**LAW CLINIC DIRECTORS'
WORKSHOP**

May 4-5, 1999

Lake Tahoe, California

AALS

Law Clinic Directors' Workshop

May 4-5, 1999

Lake Tahoe, California

The Law Clinic Directors' Workshop will begin on Tuesday, May 4 with registration at 4:00 p.m. followed by a reception and dinner beginning at 6:00 p.m. The meeting reconvenes on Wednesday, May 5th at 9:00 a.m. and adjourns at 5:00 p.m. *Please bring 3-4 topics that you will be prepared to discuss.*

AALS

Workshop on Clinical Legal Education

May 5-8, 1999

Lake Tahoe, California

Wednesday, May 5

4:00-7:30 p.m.

Registration

5:30-7:30 p.m.

AALS Reception

Thursday, May 6

8:30-8:45 a.m.

Welcome

H. G. Prince, AALS Deputy Director

Introduction

Ann C. Shalleck, American University and
Chair, Planning Committee for AALS
Workshop on Clinical Legal Education

8:45-9:45 a.m.

Opening

Nancy L. Cook, Cornell Law School

9:45-11:00 a.m.

Structuring the Provision of Clinical Legal Services: Imagining New Possibilities

Jane H. Aiken, Washington University, St. Louis

Minna J. Kotkin, Brooklyn Law School

11:00-11:15 a.m.

Small Group Discussions

12:30-2:00 p.m.

AALS luncheon

2:00-3:15 p.m.

Different Models of Delivery Services: Challenges of Supervision

Victor M. Goode, University of New York at Queens College

Mary Helen McNeal, University of Montana

Jane M. Spinak, Columbia University

3:15-3:45 p.m.

Refreshment Break

3:45-5:15 p.m.

Small group discussions

7:00 p.m.

AALS Dinner

Immediately Following Dinner

University of California At Davis School of Law Sponsored Reception and Dancing

Friday, May 7

8:30-9:45 a.m.

Rebellious Lawyering: Broadening Our Notion of Clinics

Gerald P. Lopez, University of California at Los Angeles

Charles Ogletree, Harvard Law School

Moderator: Kim A. Taylor-Thompson, New York University

9:45-10:00 a.m.

Refreshment Break

10:00-11:15 a.m.

Small Group Discussions

11:15-2:45 p.m.

Box Lunch

Scenic Walk (Optional)

2:45-4:00 p.m.

Concurrent Sessions

Clinical Scholarship: Presentation of Works-In-Progress

Isabelle R. Gunning, Southwestern University

Ann Juergens, William Mitchell College of Law

Court-connected Mediation Clinics: Dissonance Between Theory and Experience – Is It Resolvable? (repeats)

Kimberlee K. Kovach, University of Texas

James R. Coben, Hamline University

Designing Programs to Fulfill Our Visions (repeats)

Margaret Martin Barry, Catholic University

Jon C. Dubin, St. Mary's University

Ethical Issues (continues)

Phyllis C. Craig-Taylor, University of Florida

Louise Anne Howells, University of District of Columbia

Rex R. Perschbacher, University of California, Davis

Externships (continues)

David J. Gottlieb, University of Kansas

Odeanna R. Neal, University of Baltimore

J.P. Olgilvy, Catholic University

Identifying Goals and Methods to Reach Goals: New Clinicians

Gerald F. Hess, Gonzaga University

Lawyering in Public Interest (continues)

Mark N. Aaronson, University of California, Hastings

Sherrilyn Ifill, University of Maryland

Susan F. Lee, Esq., Housing Unit, East Bay Community Law Center

Multiple Conceptions of Case Rounds (continues)

Elliot S. Milstein, American University

Alan D. Minuskin, Boston College

Relationship of Clinical Programs to Legal Services Providers (repeats)

Douglas L. Colbert, University of Maryland
Paul D. Reingold, University of Michigan

Therapeutic Lawyering (repeats)

Barbara A. Babb, University of Baltimore
David B. Wexler, University of Arizona
Bruce J. Winick, University of Miami

Using Technology in Delivery of Legal Services (repeats)

Conrad Johnson, Columbia University
J. Michael Norwood, University of New Mexico

Work and Life: Experienced Clinicians (repeats)

Brigit Mary McCormack, University of Michigan
Charles D. Wesselberg, University of California at Berkley

4:00-4:15 p.m.
refreshment Break

4:15-5:30 p.m.
Concurrent Sessions (please see 2:45-4:00 p.m. for speakers at repeat and continued sessions)

Identifying Goals and Methods to Reach Goals: Experienced Clinicians

Gerald F. Hess, Gonzaga University

Interpretation: Different Voices in the Post-Modern, Neo-Liberal Global Clinic

Jennifer P. Lyman, George Washington University
Richard J. Wilson, American University

Saturday, May 8

9:00-10:30 a.m.
Evolving Identities as Clinical Teachers

David F. Chavkin, American University
Brenda V. Smith, American University

10:30-10:45 a.m.
Refreshment Break

10:45-11:30 a.m.

Closing

Nancy L. Cook, Cornell Law School

NOTE FROM THE EDITOR

The Clinical Section Newsletter is scheduled for publication in November, 1999. We invite everyone to submit articles. Everything is welcome! Essays, requests for information, committee reports, position announcements, publications, descriptions of clinical programs, etc.

In order to meet our publication dates, articles must be received on or before the submission deadlines. **The next submission deadline is October 15, 1999.** Articles received after that date will **not** be included in the Newsletter. If your article is important, it's important to get it here on time!

Long articles (more than one page) and documents with charts or other formatting difficulties should be submitted on a 3 ½ inch diskette, formatted for Word 97, together with a hard copy. Articles may be submitted by mail, e-mail or fax (see address and number information on the cover).

Please contact the editor, Kate Mahern, if you have any questions.

SPECIAL FEATURES

Annual Meeting Supplement

Margaret Martin Barry

The saying that 'I am always my most brilliant on the way back from court' certainly dogged me at the end of the Section's Annual Meeting dinner in New Orleans. After the dinner, as Paula Johnson and I sat around in our room eating leftover catfish, that I began to agonize over the

things that I wish I had said, in fact intended to say, that evening. It occurs to me that this Newsletter offers another chance. The focus of the evening was, as it should have been, on our awardee and those who received recognition. Yet, ending the year as chair of this Section is a time that I also wanted to use to acknowledge others who have worked hard for the Section and to express as best as possible the honor I felt in being elected to the position.

To begin with, I should have formally thanked members of the Executive Committee for their work during the year. In addition to the invaluable help from Peter Joy that I did mention at the dinner, Kim O'Leary, Jay Pottenger, Mary Helen McNeal, Paul Reingold Jon Dubin, Michelle Jacobs and Bernida Reagan were excellent to work with and made my job as chair considerably less daunting. Thanks to each of you for your insight and hard work last year.

One of the things I relied on as chair, and continue to rely on for CLEA, is David Chavkin's up-to-date information about clinicians -- from how to contact us to a wide variety of statistical information. I know that most of you have turned to David or his website for this help, and we are all indebted. We are also, as a Section, indebted to David for getting our financial books in order. As Section Treasurer, David has improved the accounting considerably. Furthermore, as Membership Chair, David has done much to assure that there are funds to account for -- the Section is comfortably in the black. Thank you, David.

The Section has a number of committees, and some are more active than others. While I was grateful to each of you who agreed to chair these committees, a few chairs worked very hard to accomplish their committee objectives.

Paula Johnson and her committee, which included Ellen Marrus, Linda Morton, Odeana Neal, Joe Tulman, Mark Heyrman, Cecelia Espenoza, David Chavkin and Wadine Gehrke did an excellent job of challenging our thinking on issues of

difference at the Section's Annual Meeting program. Thank you all.

Paula Johnson also chaired the Awards Committee, which included Herbie DiFonzo, Carol Izumi, Peter Joy and Homer LaRue. The committee reviewed the records of those nominated and came to an eminently supportable conclusion. It was one of the most gratifying moments as chair to call Shelley Broderick to tell her that she would be recipient of the 1999 Pincus Award. Shelley was having one of those days, and when I called to say I had some news her immediate response was this better be good or else call back. Thanks to Paula and the committee for recommending that we recognize Shelley's work as extraordinary.

Marjorie McDiarmid and Conrad Johnson in their role as chairs of the Technology Committee, presented an informative, and well-attended, program on technological support at the Annual Meeting. Mary Jo Eyster and Linda Morton led once again the very active Externship Committee. They worked on programs, held meetings and prepared and delivered testimony on ABA Standard 3. Chuck Weisselberg worked very hard on the Tulane issue in his role as chair of the Political Interference Group. Bob Dinerstein represented the Section in staying at the forefront on issues such as proposed changes to Standards 3 and 4 and reorganization of the Council on Legal Education. Jane Aiken struggled to coordinate communication with members of the Nominations Committee. Annette Appell and Mark Aaronson, got the Lawyering in the Public Interest Committee off the ground. Thanks to each of you.

As you can tell by looking at the Newsletter, we owe Kate Mahern big time for putting each issue together. What is not as apparent is the work that she does getting people to contribute their articles on time, accommodating late submissions and tracking down information that is useful to Section members. Thank you, Kate.

It was a heady feeling being chair of the Section. Certainly not because one had

the chance to wield unbridled power. As a matter of fact, the AALS structure gives considerable breadth to the term "no". The feeling came because I have consistently been reminded that this is an extraordinary group of people. We can benefit, as Paula's program at the Annual Meeting suggested, from more introspection. We have challenges to meet more aggressively both in terms of education and service. But the threshold is high. The personalities formidable. To be asked by such a group to lead is quite an honor. And quite a challenge. Thank you all for the opportunity.



LEGISLATIVE INGATHERING

Collected and edited by
Gary Palm

On one of our visits to Springfield, Illinois, the Democrats in the State House of Representatives staged a "temper tantribuster" by standing on their desks and yelling at the top of their lungs to delay conclusion of debate. One of the Republican representatives came to see me in the Gallery and suggested I take the law students out because the proceedings were not suitable for idealistic, naïve law students. So we left.

Palm's Three Top Tips

1. Hand out the envelopes before the vote.
2. Rub the nose of Lincoln's bust at his grave at the end of each legislative day.
3. Have the students "schmooze" the legislators and the professors should stay out of the way. The legislators hear too many "professors".

CLEVELAND-MARSHALL COLLEGE OF LAW

Alan Weinstein's Top Two Tips

1. There is a real opportunity to influence policy via our ability to

conduct comparative research re: the law/policy in other jurisdictions. Elected officials are desperate for this information and find it difficult to obtain because of resource limits.

2. Be aware that advocacy can sometimes lead to significant conflicts for students that will need to be addressed. For example, one of our students, an active member of the local Republican Party, wrote a very articulate defense for his request not to be assigned work on the Living Wage issue because of a strong belief that this proposal did not serve the interest of our client and created a conflict of interest for him personally. [Ed. I thought only we had students with those concerns at Chicago]

The Living Wage Campaign

The Community Advocacy Clinic and the Employment Law Clinic are working jointly to provide legal research to a coalition of labor and public interest groups in Cleveland called the Living Wage Campaign. The Living Wage Campaign coalition is advocating the payment of a living wage as minimum compensation. It is developing a legislative proposal to require recipients of major contracts with the City to pay a "living wage" to all employees. Our specific part in this campaign is the research of similar ordinances around the country, research of state and local wage resolution, and the development of proposed legislation for Cleveland. We have not been directly involved with the organizing of the coalition or the direction of the campaign. Instead, clinic students have gathered information on living wage legislation already enacted by local jurisdictions, analyzed it and presented it to the client. We are now working with coalition leaders on the language of a proposed ordinance for Cleveland.

The Law & Public Policy Clinic has on-going projects to reform Ohio government.

i) Reform of Ohio's Ethics in Government Law and Ethics Commission

Working at the invitation of State Senator Vernon Sykes, (D-Akron), students and staff in the Clinic examined Ohio's substantive ethics in government laws and the operation of the Ohio Ethics Commission in relation to the laws and implementing agencies in other states. While the resulting 1993 report did not have an immediate effect, we believe it did contribute to building the momentum for changes that were brought to fruition this year.

ii) Welfare Reform in Cuyahoga County

The clinic provided research and analysis of welfare reform options to Cleveland's Federation for Community Planning which was the lead agency in a task force to advise the Cuyahoga County Board of commissioners on their options for county-administered programs under Ohio's welfare reform statute. The clinic's work was used extensively by the federation in proposing suggested options to the Commissioners.

**UNIVERSITY OF WISCONSIN
Steve Meili's Top Two Tips**

1. Build coalitions with other groups/individuals who support your position.
2. Familiarize yourself with the arguments of those on the other side – and be prepared to respond to them as succinctly as possible. [Ed. Beware! The Law and Economics people at Chicago are teaching the use of CBA (Cost Benefit Analysis) to our regulatory opponents in the large law firms.]

University of Wisconsin's Consumer Law Litigation Clinic shows consumer protection is still available in Wisconsin.

Students in our Consumer Law Litigation Clinic have been involved with legislative and administrative advocacy on a number of issues in the past few years, including the following: opposing legislation that would have weakened Wisconsin's Lemon Law by eliminating its double damage and attorneys fee provisions; supporting legislation that will pace an interest rate cap on "payday loans"; and offering comments both pro and con on a proposed rule involving home solicitation sales.

**UNIVERSITY OF CALIFORNIA –
BERKLEY**

(Recently at University of Southern California)

Charles D. Weisselberg's Top Two Tips

1. Consider litigation and other advocacy efforts that will give legislators a real incentive to support your proposed legislation.
2. Get a Republican sponsor. We are always seeking to enforce the law. Aren't all of our efforts simply efforts to enforce the law? Why shouldn't that appeal to "law & order" Republicans?

Chuck Weisselberg's amazing stories of combining various forms of advocacy with legislative efforts.

Will the California legislature actually have the temerity to defeat the "Respect to the Constitution Act of 1999"?

The court has created an impeachment exception to Miranda's, exclusionary rule. Officers therefore have an incentive to violate Miranda, because if they continue to question a suspect over a Fifth Amendment assertion they may get a statement that can be used to impeach the accused if he or she takes the stand at trial. While I was at U.S.C. Law School, my

students and I received reports from a number of public defenders, saying that they were seeing more and more incidents of officer questioning in violation of Miranda. We worked with the public defender's office to gather information and, sure enough, collected a whole lot of police reports that specifically stated that officers questioned "outside Miranda", meaning in violation of the Miranda decision.

We joined with a team of plaintiff lawyers and filed a law suit against several cities and officers in December 1995. Our 1983 action received a fair amount of publicity. We have been fighting that case since. It is currently on appeal to the U.S. Court of Appeals for the Ninth Circuit on the officers interlocutory appeal from the denial of qualified immunity. Interestingly, our discovery in the case turned up lost training materials telling officers that there were advantages to questioning in violation of Miranda.

When we filed the law suit in 1995, one of our clients was the California Attorneys for Criminal Justice, the statewide criminal defense bar association. In late 1998, CACJ's legislative advocate asked whether there was any potential for a legislative effort. We decided to take a shot at it. A student working under my supervision wrote a very simple bill, saying that officers must stop questioning upon a Fifth Amendment invocation, and must stop training other officers to violate Miranda. The legislation was introduced in the California State Assembly in January. Our sponsor is an Orange County Republican who is, quite simply, a real law and order type. (I guess I should also say that this assemblyman was once investigated by the district attorney's office, which makes him particularly sensitive to issues of civil liberties.)

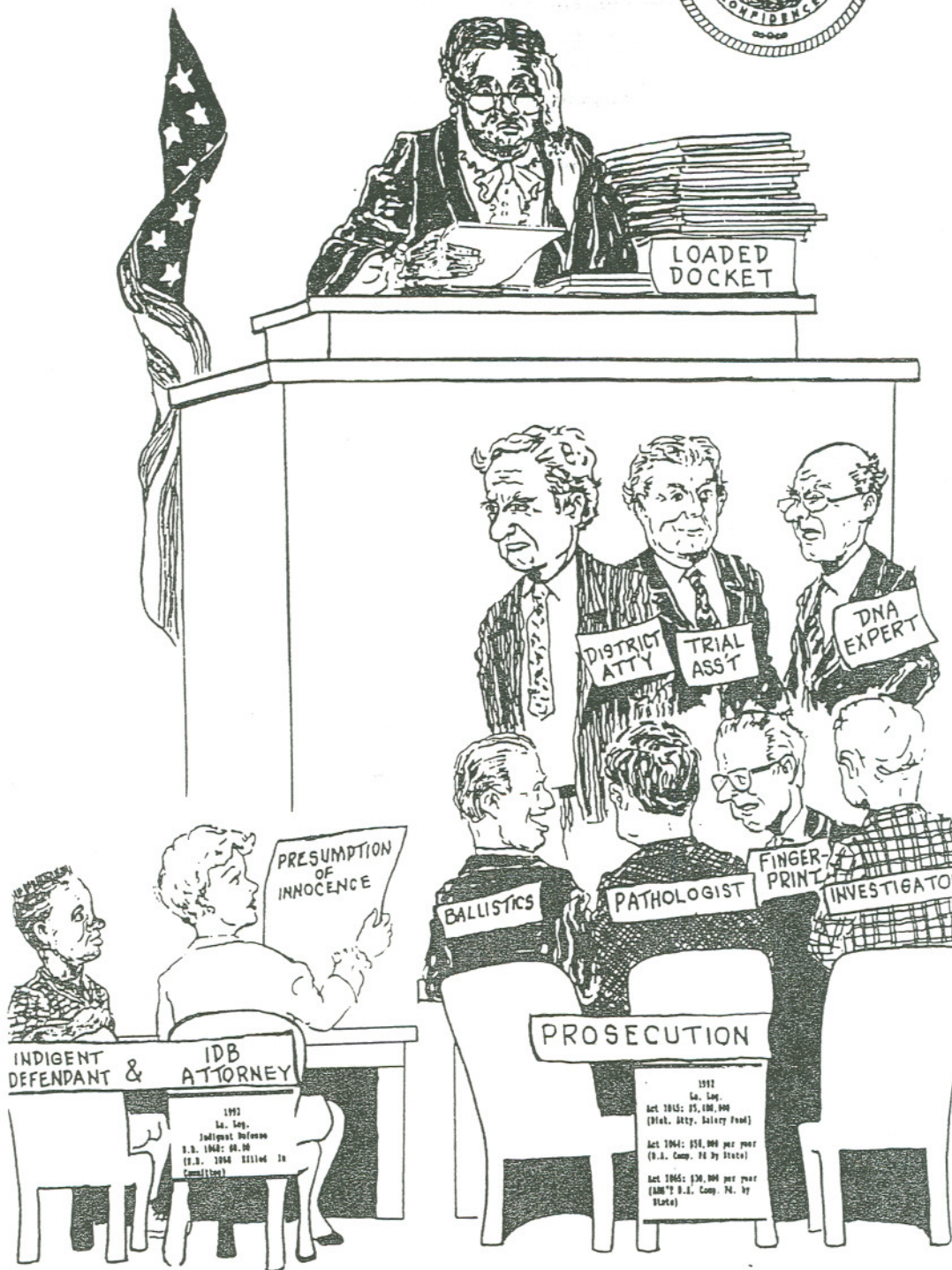
When we sent the draft legislation off, we called it "The Respect to the Constitution Act of 1999." Regrettably, our sponsor has opted for a less entertaining title. (I just wanted to see the State Attorney General stand up and explain that he was against The Respect to the Constitution

Act.) We plan to shepherd the legislation through the legislature. My student will testify, I hope, at a hearing this spring.

**Political Cartoon Shows Theory of The
Case and Gets Legislature to Act.
Charles D. Weisselberg
University of California-Berkley**

Several years ago, my students and I submitted an amicus brief to the Louisiana Supreme Court in State v. Pearl 621 So.2d780 (1993). The case concerned the funding of indigent defense services in the State of Louisiana. Funding was woefully inadequate. A trial judge ordered the state legislature to promulgate legislation to secure the right to counsel for all those accused of crime. As you might imagine, this aroused some interest. On appeal to the State Supreme Court, the Court declined to order the legislature to do anything, but found that the record showed that defendants were not going to receive effective assistance counsel in the trial court I the parish of Orleans. Thus, the Louisiana Supreme Court said that there would be a rebuttable presumption that indigent people were not receiving effective assistance of counsel in each case. This, I think, gave the legislature the incentive to act, if not a direct order to act.

I am enclosing a cartoon for your enjoyment. (see page 10) I think they practice law in a different way in Louisiana. This cartoon was the first page of an amicus brief submitted to the Louisiana Supreme Court by a local lawyer. The lawyer knew the political cartoonist for the Times Picayune paper, and the cartoonist did this to lay out the theory of the case. I think it's pretty effective. [Ed. I'll bet we have used similar attention getters in briefs and oral arguments. Mark Spiegel opened a brief with a wonderful "Alice in Wonderland" quote.]



In Louisiana, as long as this Honorable Court allows the present Indigent Defense System, under LSA-R.S. 15:144, et seq to exist as presently applied the Indigent Citizens, accused of crime in Louisiana, will be denied the opportunity to participate meaningfully in a judicial proceeding in which their freedom is at stake, simply because of their poverty.

UNIVERSITY OF DAYTON LAW SCHOOL

(Previously at Capital Law School)
Kathy Hessler Wrote Manual for Protesters

A few years ago the clinic at Capital represented a student who had been arrested for protesting the "Contract on America" and also coordinated the representation of the other eight students arrested. In the course of this work, it became appallingly clear that the law students were unprepared logistically and legally. As a result, I worked with a number of students to put together a manual to help advise advocates in Ohio how to protest within the law, and what to expect and prepare for both practically and legally. The good news was that the criminal charges against our client were dropped based on a first amendment defense. We then were asked to represent our work at an environmental conference for regional advocates. For those interested, contact Kathy to obtain the manual. If any or all of the manual is useful, please feel free to use it, with the caveat that it is dated and needs to be updated.

SETON HALL

Seton Hall furthers anti-poverty goals for drug offenders seeking work.

Linda Fisher (one of Gary Palm's best students ever) and Jon Rombert and their students at Seton Hall have worked with Integrity House, a drug rehabilitation program in Newark. After Integrity House's clients leave jail and enter the residential rehab program, they face court fees and penalties that they are unable to pay. When they don't pay, state statutes automatically revoke their driver's licenses, which makes it difficult to find work, which in turn makes it all the more difficult to overcome their drug problems.

The clinic students engaged in a comprehensive review of relevant New Jersey statutes and regulations, looking for

solutions to Integrity House's problem through;

- a.) litigation (challenging the regulations as unauthorized by statute, or the statutes as unconstitutional.
- b.) Informing Integrity House how its clients could take advantage of the flexibility already present in the law – e.g., opportunities for payment plans and waivers that are on the books, but that are presently underutilized, and
- c.) Suggesting and drafting proposals for amending the legislation.

Integrity House has taken the student's report, and has already approached several legislators who have expressed interest in introducing legislation to make the laws operate more rationally. Although legislation that is perceived as going easy on drug offenders is a difficult sell, we hope to help Integrity House to get across to the state legislature that the current laws do not give drug addicts any reasonable opportunity to rehabilitate themselves.

YALE LAW SCHOOL

J. Pottenger's Top Two Tips

1. Never prepare to take more than three minutes for planned remarks or testimony.
2. Try to get your clients to speak, not you, whenever possible.

Yale students practice appearing before legislative bodies for their future political careers.

Students at Yale's clinic have testified concerning suburban affordable housing issues, particularly the state's special appeals procedure facilitating challenges to zoning denials of proposals for new affordable housing; taxation and fiscal issues as they affect low-income children, particularly the need to broaden and increase negative income tax rebates for working

families in poverty; prison health care privatization oversight and management; and privacy concerns arising in connection with the State's planned privatization of its entire data management system.

UNIVERSITY OF CHICAGO LAW SCHOOL

Illinois Community Intervenors Seek \$100 Million for Access for the Poor to Advanced Telecommunications Over Six Years from Savings Resulting from Merger of SBC and Ameritech.

One of Gary Palm's law school classmates, Don Samuelson, approached him to help Don and others ask the Illinois commerce commission to deny approval of the SBC/Ameritech merger unless a very significant sum was set aside for providing improved access, training and affordability of advanced telecommunication services to the disadvantaged and underserved persons in Illinois. We are in negotiations now. California required \$50 million to be set aside from a smaller pot. Ohio received several million for the poor. When SBC comes to your state to set up its "national/local" program, feel free to contact me to get our briefs and material from Ohio and California. [Ed. Ameritech executives are receiving tens of millions in "golden parachutes".]

"We are Number 48" Among The States in Child Support Enforcement.

The University of Chicago's Anti-Poverty Project wrote a proposal for radically changing the management of Illinois Child Support Enforcement Program to a client centered approach including vertical representation rather than the assembly line approach now used. This proposal was adopted in great part by the Chicago Council of Lawyers Task Force on Child Support Enforcement. In turn, the Attorney General and Governor's office will be including much of the Project's work in

their proposed major restructuring legislation.



Women's Employment Rights Clinic at Golden Gate University School of Law Marci Seville Donna Ryu

The Women's Employment Rights Clinic (WERC) has handled several cases of significant impact for low wage workers in California.

Sexual Harassment

WERC represented a migrant farmworker in a sexual harassment and retaliation claim against a major California grower. The farmworker alleged that she was forced to submit to sexual relations with the supervisor in order to obtain work, and that she was fired after she complained. The case developed into a pattern and practice claim by the EEOC and the individual and class claims were resolved with a record \$1.85 million settlement. A fund has been established for claims by other workers who have suffered harassment or retaliation, and Spanish language radio and newspaper notice are among the tools for outreach to potential claimants. Our client was a tremendously courageous woman who came forward to vindicate her rights and to bring attention to and improve the working conditions of other farmworkers.

Wage and Hour Laws

In *Cuadrera v. Millan*, 17 Cal. 4th 855 (1998), the California Supreme Court ruled unanimously that the state Labor Commissioner's method of calculating back wage awards was unlawful and arbitrarily deprived workers of wages due to them. The Labor Commissioner is the California agency that receives wage claims and holds administrative hearings on those claims. WERC represented three individual workers in a writ of mandate proceeding challenging the Labor Commissioner's practice. The

favorable ruling has resulted in a statewide order changing the agency practice and has benefited thousands of workers throughout California.

Gender-Based Wage Discrimination

In *Stilz v. Beverages & More*, WERC brought a class action Equal Pay Act and Title VII suit on behalf of female entry level sales clerks who claimed they were paid less than male employees with similar experience. Local store managers had discretion to set the entry level wages and that discretion was often exercised in a way that minimized the importance of work experience of women workers. After many months of negotiation, the case was settled with broad based injunctive relief that changed the wage setting practices of the company, as well as back wage and liquidated damage payments of class members. Because the back wage claims of individual class members were small, this is the type of case that usually does not interest private counsel. The clinic felt that case was significant because gender based wage discrimination at the entry level so often mushrooms as women move up the promotional ladder.

Unemployment Benefits

The Clinic, along with co-class counsel, obtained certification of a class of women and African-Americans who were not hired into blue-collar jobs in defendants' steel processing plants, as well as a class of African-Americans who were hired, but were subjected to a racially hostile work environment. The hiring claims were settled with a consent decree providing for comprehensive injunctive relief and nearly \$2 million in monetary relief to the plaintiffs and class members. The race harassment claims went to trial and plaintiffs are awaiting a decision from the judge.

PLEASE NOTE

This may be the last newsletter you receive if you are not a current member of the Section. To become a member, please fill out the Membership form on pages 30-31 of this newsletter and mail it to David Chavkin. If you are unsure of your membership status, please contact Dave at the address on the form or call him at (202) 274-4168 or e-mail him at dchavkin@wcl.american.edu

AMONG OURSELVES

Ellen Scully, long time director of Columbus Community Legal Services, the legal services clinic at Catholic University's Columbus School of Law, was awarded the 1999 Jerrold Scoutt Award. This award is presented annually for exceptional service by a D.C. Bar member employed full-time by a legal services provider in the Washington area.

Ellen has spent her nearly 30-year legal career representing low-income families in the District of Columbia. She was honored for her scholarship, particularly in the area of landlord-tenant law, and for her dedication to clinical education in poverty law. Ellen joined CCLS after many years of service in Neighborhood Legal Services in the District. In accepting the award, Ellen used words that sent a similar message to the words that she uses in introducing students to the clinic. She said: "Most of all I thank our clients, from whom I have learned and been privileged to serve. They continue to amaze me with good humor, courage, and strength in the circumstances they find themselves in."

Abbe Smith has been hired permanent faculty at Georgetown University Law Center.

OF INTEREST TO CLINICIANS

COMMUNITY ORGANIZING SKILLS WORKSHOP FOR LEGAL EDUCATORS

June 24-26, 1999 Toronto, Canada

Osgoode Hall Law School of York University, in conjunction with Parkdale Community Legal Services and the Clinical Legal Education Association, would like to extend an invitation to you to join us for an informative workshop in the area of community outreach and organizing skills. The program, which follows two prior successful summer workshops in the community lawyering field, will provide an opportunity for skills training, and an opportunity for clinical legal instructors to canvas issues relating to student involvement in community education and organizing.

Thursday, June 24

3:00 Registration
Walking tours (small groups) of the Parkdale Community and of the clinic.

6:00 p.m.
Welcome Reception and Buffet
Dinner at Masaryk Cowen Community Centre in Parkdale.
Keynote Speaker: Professor Bill Quigley
Director, Gillis Long Poverty Law Centre
Director, Loyola Law Clinic, Loyola University, New Orleans School of Law

Friday, June 25

9:00 – 10:00 a.m. Breakfast

10:00-12:00 Breakout Session #1 –
Participants will choose from one of the following:

- I. Use of Media, Skills Training or
- IIA. Challenges in Community Organizing, Skills Training

IIB. Balancing Case Work and Community Work, Round Table

12:00-1:30 Lunch catered by a local Parkdale establishment

1:30-3:30 Breakout Session #2 –
Participants will choose from one of the following:

- I. Use of the Media, Skills Training
- IIA. Organizing Campaigns, Actions and Demonstrations, Skills Training
- IIB. Supervising and Evaluating Students in Community Work, Round Table

3:45-5:00 Small Group Work

7:00 p.m. Dinner in one of Toronto's communities with a local student guide.

Saturday, June 26

10:00-11:15 Breakout Session #3 –
Participants will choose from one of the following:

- I. Working with the Homeless, Round Table
- II. Community Economic Development, Round Table
- III. Violence Against Women, Round Table

11:15-11:30 Coffee Break

11:30-1:30 Small Group Working Lunch:
catered by a local Parkdale establishment.

1:30 – 2:45 p.m. Breakout Session #4 –
Participants will choose from one of the following:

- I. Teaching Advocacy Skills
- II. How To Prepare Students for Difficult Interviewing Situations
- III. Teaching Cultural Differences and Working with Interpreters
- IV. Preparing Students to Work in the Community

2:45-3:00 Coffee

3:00-4:00 Small Group Reports

4:15-5:00 Wrap Up

In addition to the workshop, during your stay in Toronto you may wish to attend one or more of the following activities:

June 24 and 26: Toronto Symphony Orchestra Season Finale

June 24: Toronto Blue Jays Game at the Sky Dome

June 25: CFL Toronto Argonauts Game against the Hamilton Tiger Cats at the Sky Dome

June 25-26: Toronto's Lesbian and Gay Pride Weekend

Ongoing: Andrew Lloyd Webber's The Phantom of the Opera at the Pantages Theatre; ferry from the Harbourfront to Toronto Islands on Lake Ontario; Visit Niagara Falls.

The Parkdale Community and Parkdale Community Legal Services; South Parkdale is a densely populated, culturally diverse neighborhood. The Parkdale Community agencies and residents have worked together to take action on many issues affecting the well-being of the community such as housing, income, safety and health. In 1971, Osgoode Hall School of Law established Parkdale Community Legal Services through the initiative and enthusiasm of the faculty and students.

Cost of the workshop is Canadian \$150.00 (by May 15) \$175.00 Canadian (after May 15). For more information or registration materials, contact Shelley Gavigan, Osgoode Hall School of Law, York University, 4700 Keele Street, Toronto, Canada, N3J1P3, (416) 736-5558, gavigan@yorku.ca or Nancy Cook, Cornell Law School, Myron Taylor Hall, Ithaca, NY, 14853, (607) 255-4196, cook@law.mail.cornell.edu.

**GAJE Conference
December 8-17, 1999**

The Global Alliance for Justice Education (GAJE) is pleased to announce that its inaugural conference, together with

two related workshops, will be held in Trivandrum, the capitol of the south Indian state of Kerala, over a 10-day period from December 8 to December 17, 1999.

GAJE was formed following a meeting in September, 1996, in Sydney, Australia, at which twenty-one law teachers, judges, and legal activists from eleven countries discussed the formation of an international organization to promote socially relevant legal education. Throughout the world legal education is undergoing fundamental transformation, and is rapidly expanding in scale and importance in many countries in conjunction with changes in economic and governmental structure. The inaugural GAJE conference has been designed to bring together persons involved in these transformations in a way never done before. This conference will: (1) be accessible and affordable to persons from less affluent countries, institutions and organizations; (2) foster true international collaboration rather than mere export of ideas and methods; (3) broaden the conception of legal education beyond the academic training of future lawyers; and (4) renew and maintain the focus on justice as the central goal of legal education.

The first event will be a one-day pre-conference workshop on Wednesday, December 8, entitled: "Transforming Legal Education into Justice Education." Participants will be asked to imagine a law school whose primary mission was to reduce injustice (as the primary mission of a medical school might be to reduce disease). The workshop will seek to address such questions as: What would such a school look like? Are there examples now in existence? Is it possible to transform your own law school into such a school? What barriers would block such a transformation? What resources exist that would make such a transformation possible?

The core GAJE conference will take place from Thursday afternoon, December 9, through Sunday morning, December 12. The conference will include an opening plenary session on Thursday afternoon and a conference dinner Thursday night;

substantive sessions on Friday morning, Friday afternoon, and Saturday morning, each with an overview plenary presentation followed by break-out meetings on topics previewed in the plenary; a briefing and field trip to a local legal aid project of the Kerala Law Academy on Saturday afternoon; a closing plenary session and dinner on Saturday night; and working meetings of various GAJE committees on Sunday morning. The final topics for the core GAJE conference have not yet been set, but the following topics are likely to be included: "Community-based Justice Education," "Using Technology for Cross-national Collaboration," "International Collaboration on Ways to Assess and Improve Lawyer-Client Communication," and "Developing Model Teaching Methods and Materials for Use in Multiple Countries." There is also likely to be a session devoted to "Global Justice Projects" underway or in development around the world, and GAJE will present "Global Justice Achievement Awards" to such projects that have already demonstrated significant impact.

The final event will be a post-conference "Train the Trainers" workshop on Monday, December 13, through Friday, December 17. This workshop will consist of a three-day program followed by an optional two-day supplemental program. The first three days will introduce a proposed global approach to clinical teaching theory and methods; during the final two days, participants will develop specific applications of this global approach.

The registration fee for the conference will be \$US 350, with a \$US 225 advance registration fee for persons who register before June 1, 1999. Fee waivers and fee reductions will be available upon application on the basis of need. In order to allow for waivers and reductions whenever needed, all participants who can afford the fee will be expected to pay in full, including those who will play a substantial role in the conference. Workshop fees will be handled separately.

A more detailed description of the conference and workshops will be available in April. In the meantime, questions about registration can be addressed to any of the following correspondents:

Frank Bloch
Vanderbilt University School of Law
131 21st Avenue South
Nashville, TN 27205-1181 USA
email: fbloch@law.vanderbilt.edu
fax: 615-343-6562

Martin Bohmer
Universidad de Palermo
Mario Bravo 1302
Buenos Aires (1175)
Argentina
bohmer@giga.com.ar

Nigel Duncan
Inns of Court School of Law
4 Gray's Inn Place
London, WC1R 5DX
ENGLAND
email: N.J.Duncan@icsl.ac.uk
fax: 44 171 831 4188

Marlene Le Brun
Griffith University
Faculty of Law
PMB 50, Gold Coast Mail Centre,
QLD 4117 AUSTRALIA
email: m.lebrun@law.gu.edu.au
Fax: (61) (7) 55 94 8667

N.R. Madhava Menon
Devi Priya
T.C. 17/2166, Sairam Road
Opp. Pariksha Bhavan, Poojapura
Trivandrum 695 012
Kerala, India

More information on GAJE and the site of the conference is available on the GAJE Webpage:

<http://ls.wustl.edu/Academics/Faculty/Activities/Global>

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Discussion listserv

A new discussion listserv for law teachers, administrators, and staff involved in Externship Programs has been created and is hosted by professor J.P. "Sandy" Ogilvy at Columbus School of Law, the Catholic University of America. To subscribe, send a mail message to Internet address LISTSERV@LISTS.CUA.EDU containing the single line message:

Subscribe LEXTERN.

If you have any questions about our new list, contact Sandy at 202-319-6195 or by e-mail to Ogilvy@law.cua.edu.



Consumer and Personal Rights Litigation Committee Newsletter

The editors of the American Bar Association Litigation Section's Newsletter are seeking articles for publication. If your school has a clinical program which deals with legal issues concerning consumer and/or personal rights, we would be interested in presenting either articles by students or professors about a topic of interest to the committee or about the clinical program. We invite submission of articles discussing interesting aspects and/or issues related to your school's clinical practice for publication in future issues of our newsletter. Contact:

Sunil R. Kulkarni
Morrison & Foerster LLP
755 page Mill road
Palo alto, CA 94304
650-813-5887

Janine N. Marallo
Rivkin, Radler & Kremer
EAB Plaza
Uniondale, New York 11556-0111

516-357-3240

COMMITTEE REPORTS

Awards Committee

Sandy Ogilvy

Nominations are now open for the Annual Award of the AALS Section on Clinical Legal Education for Outstanding Service and Commitment to Clinical Legal Education. Authorized under Article III, Section 3(d) of the Bylaws of the Section on Clinical Legal Education, the award is presented annually to honor one or more individuals or institutions for effecting an outstanding contribution to the cause of clinical legal education. The award is based on service, scholarship, program design and implementation or other activity beneficial to clinical education or to the advancement of justice. The Award was established in 1980 and first presented at the 1981 Annual Meeting of the AALS to David Barnhizer. The winners of the award since 1981 have been:

- 1982 Hon. Neil Smith (D.IA)
- 1983 William Greenhalgh (Georgetown)
- 1984 Robert McKay
- 1985 Dean Hill Rivkin (Tenn.)
- 1986 Tony Amsterdam (NYU)
- 1987 Gary Bellow (Harvard)
- 1988 William Pincus
- 1989 Gary Palm (Chicago)
- 1990 Bea Moulton (Hastings)
- 1991 Sue Bryant (CUNY)
- 1992 Elliott Milstein (American)
- 1993 Roy Stuckey (S. Carolina)
- 1994 Harriet Rabb (Columbia)
- 1995 Clinical Law Review
- 1996 Wally Mlyniec (Georgetown)
- 1997 Edgar Cahn (DC School of Law) and Jean Cahn (Antioch, posthumously)
- 1998 Steve Wizner (Yale)
- 1999 Katherine Sheldon Broderick (U.D.C. School of Law)

To nominate a person or institution, send the name and a brief (no more than 2-3 pages) statement of reasons why the individual or institution should be honored

by the Section, to any member of the Awards Committee:

Sandy Ogilvy (Catholic)
ogilvy@law.cua.edu
Carol Izumi (George Washington)
Carol@clinic.nlc.gwu.edu
Alicia Alvarez (DePaul)
aalvarez@condor.depaul.edu
Linda Morton (Cal Western)
[lm\(a\)cwsl.edu](mailto:lm(a)cwsl.edu)

Clinical Scholarship Committee

Ann Juergens
Isabelle Gunning

Presentation of Works in Progress

Please join us for a discussion of Works in Progress by clinicians on Friday afternoon (2:45-4:00 p.m.) at the upcoming Clinical Legal Education workshop in Tahoe. The presenters' outlines/first drafts will be available through the Internet the week before the workshop. (Watch the lawclinic listserv for instructions on having them sent to you.) Hope to see you there!

**The Argument Against Requiring Clinical Teachers to Espouse a Social Justice Agenda.*

Paul Cain of Case Western Reserve Law School

**Teaching Law Students to Work with Language Interpreters: Ethics and Methods.*
Angela McCaffrey of Hamline University School of Law

**Preparing Externs to Identify, Analyze and Work with Different Organizational Cultures.*

Ann Miller of Thomas Cooley Law School

Each panelist will present her and his draft paper with time after each for questions and comments. We also will pose the question of whether having a social justice agenda helps or hurts in thinking about different cultures – of individuals or of organizations.

Externship Committee

Bill Patton
Linda Morton

First, Linda and I want to thank Mary Jo Eyster for her invaluable spearheading and shepherding of externship professors during her term as co-chair of the externship committee. Unfortunately, we have entered a new era of ABA acquiescence and dean (provost/ceo/vice-president) proposed budget cuts in a zero sum law school funding game. As most of you are aware by now, the Standards Review Committee is proposing changes to Standard 305 which will permit adjuncts to administer externship programs and which eviscerate any required equivalency between the hours spent administering, teaching, and supervising in an externship program and the unit credit received. Linda and I testified in New Orleans and I spoke again at the Annual Deans Meeting in Los Angeles. It does not appear that our efforts have made much impact on the proposed Standard 305 revisions. I invited the Standards Review Committee to meet with clinicians in Lake Tahoe in May, and I even offered them my room, but so far I have not received a response to my invitation.

I guess the true irony of my first Externship Committee update as the new co-chair, is that I have been informed that if the revisions are passed by the Council at their June or August meeting, I will be replaced by an adjunct next Spring. I have directed externships for 12 years, written two articles about externships, and have spoken numerous times at ABA and AALS conferences regarding externship issues. Since I am a tenured professor, I am not at risk; I will just be assigned a different course to teach. However, I fear what my story portends. How many non-tenured externship professors will be fired to save a dime? How many students externship experiences will be diminished by having a part-time, low-paid, adjunct administer the externship program?

For those of you attending the May Lake Tahoe Clinical Conference, the

externship planning committee, composed of Sandy Ogilvy, David Gottlieb, and Odeana O'Neal, have organized the following externship events: Friday May 7 from 2:45 to 4:00 p.m., there will be a plenary session and small group discussion on the ABA's changes to Standard 305. From 4:15 to 5:30, there will be a second session of "topic tables" - small group discussions based on externship topics of interest. From 6:00-7:00, we will hold a meeting of the AALS Externship Subcommittee to address any concerns and to discuss the committee's agenda for the year. During these events, we will distribute a draft of a letter to the Council concerning Standard 305 for interested externship faculty to sign, share with their deans, and/or use as a basis for their own letter. The Council will vote on the Standard 305 changes either in June or August.

Committee on In-House Clinics

Barbara Babb
Alan Minuskin

Unfortunately, the committee did not have time to meet in New Orleans, Louisiana, during the AALS Annual Meeting. We do plan to meet at Lake Tahoe, however. We will continue to pursue our project to gather empirical data on how participation in clinical courses affects students' career development and advancement.

By now, clinic directors should have received a mailing of the following article: Marc W. Patry, David B. Wexler, Dennis P. Stolle and Alan J. Tompkins, *Better Legal Counseling Through Empirical Research: Identifying Psychological Soft Spots and Strategies*, 34 Cal. W.L.Rev. 439 (1998). If you have not received a copy of this mailing, please contact Barbara at (202) 994-8818.

We welcome your participation on the committee, and we look forward to seeing you at Lake Tahoe.

Regional Conference Committee

Justine Dunlap
Peter Joy

The Regional Conference Committee will meet at 6:00 p.m. on Friday, May 7th at the Clinical Conference at Lake Tahoe. Anyone interested in finding out about how to get MONEY for regional or subject matter conferences is welcome to attend, although no money will actually be distributed at the meeting (unless one of the co-chairs hits the lottery in the meanwhile).

We also encourage anyone who has participated in the planning of previous regional or subject matter conferences to come to that meeting and share information on what makes for a great conference. Since the committee encourages regional conferences to become self-supporting, any folks who have planned such a self-supporting conference are particularly welcomed to attend. Those persons are also encouraged to contact Peter or Justine before the May 7th meeting if they will be able to attend.

For those unable to attend the meeting or the Tahoe conference, we will still consider your application for grant funding for your conference. The guidelines for receiving regional or subject matter conference funding are:

1. The maximum size of any one grant will not exceed \$2000.
2. Proposals must indicate a projected budget for the conference, including a projection of income and expenses that includes: the number of participants expected, the registration fee to be charged participants, projected food and refreshment expenses if any are included in the registration fee, and other expected expenses.
3. Proposals must indicate the names of the states and/or the particular subject matter interests which will be primary targets for the conference.
4. Conference participants must be charged a registration fee.

5. Conference organizers may not receive compensations from the conference.
6. Proposals must indicate that any excess income from the conference must be passed on to the school or schools hosting this conference in the region in the following year. If there is not another conference planned for the following year, the Clinical Section should be reimbursed up to the amount of the grant from any excess income generated by the conference.
7. Successful grant recipients must agree to file a final accounting of all conference income and expenses with the Clinical Section no later than ninety (90) days after the conference.

Please come to the committee meeting or address any questions to Justine or Peter. (See Committee List for phone and e-mail addresses.)

FACULTY POSITIONS

The Clinical Program at **American University, Washington College of Law** is seeking a practicing attorney interested in clinical teaching to fill an opening as **Practitioner-in-Residence** beginning in the summer of 1999. The position is in the Community and Economic Development Law Clinic. Students in the Community and Economic Development Law Clinic represent small neighborhood-based nonprofits and microenterprises in underserved areas of the District of Columbia. Students assist their clients in deciding on choice of entity, in gaining tax exempt status, in acquiring property and funding, in dealing with licensing and zoning issues, and in other transactional matters. The Clinic's clients include public housing-based landscaping and painting companies, transitional shelters, day care centers, tenants' associations, and community development corporations.

The Clinic teaches students through supervision of their cases, simulations, a seminar and weekly case staffings. The Practitioner-in-Residence will supervise students in their fieldwork and case staffings, and plan classes for and teach in the seminar, all in collaboration with the faculty director of the Clinic. In addition, the Practitioner-in-Residence will participate with the other clinical faculty in the Office of Clinical Programs in periodic small seminars concerning issues in lawyering and clinical teaching. The Practitioner-in-Residence will also have an option to earn an LL.M. degree, and to engage in scholarly research and write for publication with the encouragement, feedback and support of interested colleagues.

The position is for one year, with the possibility of renewal. Minimum qualifications include at least three years of experience as a practitioner, preferably in any field of transactional or community development law relevant to the work of the program. Applicants should demonstrate a commitment to working in low income communities. A demonstration of scholarly interest in the relevant fields of law is beneficial. Because one of the goals of the program is to provide an opportunity for practitioners to develop the abilities and credentials necessary for careers as clinical teachers, applicants should have an academic and professional record that makes it likely that they would fulfill this ambition.

Applicants should send a cover letter and curriculum vitae to Prof. Ann Shalleck, Director of Clinical Programs, American University, Washington College of Law, 4801 Massachusetts Ave., N.W., Washington, D.C. 20016, with a copy to Professor Susan Bennett, the Director of the Community and Economic Development Clinic by April 1, 1999. American University is an equal opportunity employer, and we encourage application by a diverse group of candidates.

American University, Washington College of Law, is seeking a **visiting professor in its Clinical Program** for 1999-2000. Responsibilities in the in-house, live-client clinical program include teaching a seminar component of a clinic, conducting case rounds and supervising students in their fieldwork. In addition, visiting faculty teach one course each year outside of the clinical curriculum and participate fully in all aspects of the life of the law school. The Washington College of Law currently has the following clinics: civil practice clinic, community and economic development law clinic, criminal justice clinic (prosecution and defense); domestic violence clinic (criminal and civil); international human rights clinic; tax clinic; and women and the law clinic. Possible positions include teaching in the civil practice clinic, the criminal justice clinic, the community and economic development law clinic, and the women and the law clinic. The applicant's teaching responsibilities will depend on experience, interest, and the overall needs of the clinical program.

Minimum qualifications include a J.D. degree, outstanding academic record, three years experience as a lawyer, membership in a bar, and experience as a clinical teacher. Desired qualifications include published legal scholarship, participation in clinical teachers' conferences and workshops, and membership in the District of Columbia bar. American University is an EEO\AA employer committed to a diverse faculty, staff and student body.

Applications consisting of a curriculum vitae and cover letter should be sent by April 1, 1999 to Professor Jamin Raskin, Chair, Faculty Appointments Committee, c/o Office of the Dean, American University, Washington College of Law, 4801 Massachusetts Avenue, N.W., Washington, D.C. 20016, with a copy to Professor Ann Shalleck, Director, Clinical Program, at the same address.

Brooklyn Law School: Federal Litigation Clinic

We seek a visitor to teach in this clinic for the Spring 2000 semester. In the Federal Litigation Clinic, students handle a wide range of cases on behalf of plaintiffs in federal court (SDNY and EDNY). Cases often involve employment discrimination, but also include other civil rights, consumer and labor law actions. Our adversaries are represented by both public agencies and private law firms. Students assume full responsibility for all aspects of the cases. There is a docket of both individual and class action matters. Students receive six credits per semester and enroll for a full year so the clinic is a very intensive experience. There is also a weekly seminar. The clinic is taught by two full-time faculty members and an IOLA Social Justice Project Fellow. Generally, between 16-20 students enroll. The visitor would be expected to supervise student case work, and possibly co-teach some of the seminar classes.

One of the full-time instructors will be on sabbatical in the spring. We would like to hire an experienced litigator preferably with some court experience. Clinical teaching experience and/or participation in a clinic while in law school would be a plus but not a requirement. The position would begin no later than the beginning of January, 2000 and last through May.

Interested applicants should contact:
Stacy Caplow
Brooklyn Law School
250 Joralemon Street
Brooklyn, New York 11201
718-780-7944, FAX 718-780-0736

CEELI Clinical Positions

Clinical Legal Specialists – Bratislava, Slovakia (3-6 months beginning May 1999), Moscow, Russia (3-12 months beginning May 1999), and Kyiv, Ukraine (3-12 months beginning August 1999)

- Assist law schools throughout Macedonia, Slovakia, Russia and Ukraine in developing practice based

education programs, e.g. externships and pro bono live client clinical programs.

- Transfer experience and knowledge on the fundamentals of practice-based education.
- Train faculty members on clinical supervision and skills development techniques.
- Help to integrate skills training and skills-based simulations into existing courses.
- Develop written materials on model forms and procedures.
- Conduct roundtable discussion on the importance of professional responsibility and legal service.
- Develop and/or teach legal writing courses.

Contact: Molly Stephenson

ABA/CEELI

740 15th Street

Washington, D.C. 20015-1022

(202) 662-1988

1-800-982-3354

Fax: (202) 662-1597

mstephenson@abaceeli.org

The **Harvard Law School Office of Clinical Programs** is sponsoring an Albert M. Sacks Clinical Law Fellowship at the Criminal Justice Institute for the 1999/2000 academic year. The goal of the Fellowship is to increase practice-related research and scholarship in criminal defense and juvenile justice and to encourage interest in clinical law teaching.

The Criminal Justice Institute (CJI) is Harvard Law School's curriculum-based clinical program in criminal law. Under the direction of Professor Charles Ogletree, CJI's Deputy Director, and the CJI's clinical instructors, students in their third year at Harvard Law School immerse themselves in the criminal defense and juvenile justice work of the Criminal Justice Institute through the representation of indigent criminal defendants and juvenile offenders. The Criminal Justice Institute also pursues a variety of other projects, including criminal justice research, amicus brief writing and conference sponsorship.

The Fellowship honors Harvard Law School Dean Albert M. Sacks, whose vision and support were critical to the founding of in-house legal clinics at Harvard Law School, by supporting clinical research and practice activities in furtherance of:

-the enhanced delivery of legal services;

-a better understanding of the issues involved in implementing public policies; and

-improved methods and approaches to clinical learning in law.

The Fellowship seeks graduates interested in criminal defense and juvenile justice and a career in clinical teaching based on the Harvard "teaching hospital" model developed through the Hale and Dorr Legal Services Center (the civil legal clinic) of Harvard Law School. This model is in place at both the Hale and Dorr Legal Services Center and the Criminal Justice Clinic.

The Fellow will be appointed for a term of one-year (September 1, 1999 through August 31, 2000). The fellowship is supported by a stipend of \$32,000. Health benefits are also available with a contribution by the Fellow.

The core of the Fellowship experience is immersion in criminal defense practice and juvenile justice under the immediate guidance of experienced staff, but increasingly independently. The Fellow will be asked to keep a journal and in other ways record and reflect on his or her post graduate learning experience in order to help clinical faculty better understand the transition from law school to practice and, thereby, improve the clinical program for law students. The Fellow will develop a practice program in relation to the ongoing work of the Criminal Justice Institute.

Concurrently with his or her criminal defense and juvenile justice practice, the Sacks Fellow will also undertake a research project focused on some aspect of the practice and/or educational program of the Criminal Justice Institute. Work on such a project might include gathering and analyzing data, developing teaching

materials, assessing some dimension of the service program, or assessing the effectiveness of aspects of the Criminal Justice Institute's clinical teaching methods. The project will be worked out with the guidance and advice of the Deputy Director of the Criminal Justice Institute, and must be approved by the Faculty Director of Clinical Programs. The Fellow will meet regularly with the Deputy Director who will monitor the Fellows' progress in practice and on the research project and will be expected to make quarterly written reports for review and discussion with the faculty director.

Interested candidates must contact Mary Prosser at the Criminal Justice Institute for an application form and must also submit a resume, writing sample, the names of references, an official law school transcript and a personal statement. Applicants must assure receipt of all application materials by Mary Prosser no later than 5:00 p.m. on Friday, May 14, 1999. Selection criteria will include: a.) strong and demonstrated interest in criminal defense practice and juvenile justice as indicated in clinical work and by references; b.) independence and initiative; and c.) potential for clinical teaching and scholarship. Finalists may be invited for interviews. This interview process will begin in late May, 1999.

All Applications are due by 5:00 p.m. on May 14, 1999 to:

Mary Prosser, Deputy Director
Criminal Justice Institute
Harvard Law School
Austin Hall 302
Cambridge, MA 02138
(212) 496-8143

PUBLICATIONS BY CLINICIANS

Baker, Brook K. (Northeastern) *Transcending Legacies of Literacy and Transforming the Traditional Repertoire: Critical Discourse Strategies For Practice* 23 Wm. Mitchell L. Rev. 491-563 (1997). .
Bowman, Cynthia Grant (Northwestern)
Schneider, Elizabeth M. (Brooklyn)

Feminist Legal Theory, Feminist Lawmaking, and the Legal Profession 67 Fordham L. Rev. 249-271 (1998). . **Cahn, Naomi** (GW) and **Tuttle, Robert** *Dependency and Delegation: The Ethics of Marital Representation* 22 Seattle L. Rev. 97-138 (1998). . **Campbell, Angela J.** (Georgetown) *Ads2Kids.com: Should Government Regulate Advertising to Children on the World Wide Web?* 33 Gonz. L. Rev. 311-346 (1997/98). . . **Chavkin, David, F.** (AU) *Am I My Client's Lawyer? Role Definition and the Clinical Supervisor* 51 SMU L. Rev. 1507-1554 (1998). . **De la Vega, Connie** (U. San Francisco) and **Brown, Jennifer** *Can A United States Treaty Reservation Provide a Sanctuary For the Juvenile Death Penalty?* 32 U.S.F.L. Rev. 735-771 (1998). . **Dinerstein, (American)** **Herr & O'Sullivan** (Maryland), eds., *A Guide to Consent American Association on Mental Retardation*, 1998 . . **Dubin, Jon C.** (St. Mary's) *Clinical Design For Social Justice Imperatives* 51 SMU L. Rev. 1461-1505 (1998). . **Espinoza, Leslie** (Boston) *A Vision Towards Liberation* 19 Chicano-Latino L. Rev. 193-196 (1998). . **Federle, Katherine Hunt** (Ohio State) *The Child As A Client* ABA GP Solo & Small Firm Lawyer Oct/Nov 1998. . **Freamon, Bernard K.** (Seton Hall) *Slavery, Freedom, and The Doctrine of Consensus in Islamic Jurisprudence* 11 Harv. Hum. Rts. J. 1-64 (1998). . . **Gallant, Kenneth S.** (Idaho) *Individual Human Rights in a New International Organization: The Rome Statute of the International Criminal Court* 3 M. C. Bassiouni, ed., Int, Crim. Law (1999). **Gilvelber, Daniel** (Northeastern) *Litigating State Capital Cases While Preserving Federal Questions: Can It Be Done Successfully?* 29 St. Mary's L. J. 1009-1024 (1998). . **Guggenheim, Martin & Randy Hertz** (NYU) *Reflections on Judges, Juries and Justice: Ensuring The Fairness of Juvenile Delinquency Trials* 33 Wake Forest L. Rev. 553-593 (1998). . **Hoffman, Peter T.** (U of Nebraska) *Expert Depositions: Taking and Defending* (CD-Rom) Practising Law Institute (1999) . . **Kelly, Lisa** (West Virginia) *Yearning For Lake Wobegon: The*

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"Institutional Schizophrenia" In Baltimore: Reflections on David Simon's Homicide 2 THE JURIST Books-on-Law Feb, 1999 and *Saving Miranda* 84 Cornell L. Rev. 109 (1998).



Papers Presented at the UCLA/IALS Conference on "Conceptual Paradigms in Clinical Legal Education" 5 Clin. L. Rev. 1-323 (1998)

Caplow, Stacy *What If There Is No Client? Prosecutors as "Counselors" of Crime Victims* p.1-45, **Hyman, Jonathon M.** *Slip-Sliding Into Mediation: Can Lawyers Mediate Their Clients' Problems?* p 47-93, **Kotkin, Minna J.** *Creating True Believers: Putting Macro Theory Into Practice* p. 95-115, **Margolis, Kenneth R.** *Responding To the Value Imperative: Learning To Create Value In The Attorney-Client Relationship* p. 117-210, **Soanes, Marcus** *Flexible Paradigms and Slim Course Design: Initiating a Professional Approach to Learning Advocacy Skills* p. 179-210, **Stuckey, Roy** *Understanding Casablanca: A Value-Based Approach To Legal Negotiations* p. 211-270, **Tarr, Nina W.** *Clients' and Students Stories: Avoiding Exploitation and Complying With The Law To Produce Scholarship With Integrity* p. 271-323.

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**CONTINUING SURVEY OF CLINICIANS
WHO HAVE CONSULTED OR TAUGHT IN A FOREIGN COUNTRY**

This is part of an ongoing project to identify clinical teachers who have served as consultants on legal education or who have taught in any capacity in other countries (including their own schools' semester abroad or foreign summer programs). The compilation now includes approximately 120 clinicians and 60 countries. The information can be accessed via CLEA's website: <http://www.clea.cornell.edu>, or a hard copy can be obtained from Roy Stuckey.

If you fall into any of the categories or know someone who does, please fill out this form (or report the information in any format) and send it to:

Roy Stuckey
USC School of Law
Columbia, SC 29208
803/777-2278; FAX 803/777-3401
NET: Roy@Law.Law.SC.EDU

Confirmed plans for future activities should also be reported. We welcome listings from Canadian members of the AALS Section on Clinical Legal Education.

If you want to report more than one international teaching or consulting experience, please complete multiple copies of the survey or write on the back of this form.

Your Name: _____ School: _____

Country: _____

City: _____

Institution: _____

Duration/Dates: _____

Source of Funding (circle as many as apply):
sabbatical; CEELI/AFLI; foreign school; foreign government;
Fulbright; other: _____

Brief Description of Purpose (including any subjects taught):

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Subject Matter of Clinic(s) in which you are now type of Clinic teaching or in which you customarily teach(Externship/In-House/Simulation)

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** This information will only be released to the applicable caucus of clinicians of color, lesbian/gay/bisexual clinicians, or women clinicians to facilitate activities approved by that caucus.

*Protest at Louisiana Supreme Court
January, 1999*

