

Spring 2013

Building on Best Practices: Looking Back, Looking Forward

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CLEA NEWSLETTER

- Upcoming CLEA Events
- Articles on Clinical Teaching
- Social Justice Creative Writing

President's Message

These are indeed interesting times for legal education. As law school applications and enrollments continue to decline, law schools face palpable economic pressures. And, as law graduates struggle to find their way in a shrinking job market, the imperatives for real-practice experience grow stronger. Law schools are increasingly being asked to meet two seemingly contradictory goals: (1) provide more practical training to a greater number of students; and (2) lower operational costs. Just how law schools are going to respond to these pressures is uncertain, but "the time is here, the day is now" for change in legal education; and those of us who teach in clinic and externship programs stand at the fulcrum of that change.

The changes in legal education pose both promises and threats for clinicians. For us, there is a silver lining to the low enrollment cloud: with upper-level class sizes going down, some schools are finding that, for the first time, they can seriously think about offering a clinic slot to any student who wants one. Just as the CLEPR funding helped to change the face of legal education by expanding clinical programs in the 1960s and 1970s, the current low-enrollment era is an opportunity to establish a "new normal" in law stu-



Katherine (Kate) Kruse
CLEA President
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dents' expectations for experiential education—expectations that schools will want to continue to meet when law school enrollments begin to rise again. Yet, despite decades of advancement and advocacy, clinic programs continue to be staffed with professionals holding relatively low forms of job security, who are particularly vulnerable to the kinds of deep budget cuts that many schools are experiencing.

CLEA is staying on the forefront of these developments. We continue to monitor the progress of proposed changes in the ABA Standards for Accreditation of Law Schools as they move through the ABA Standards Review Committee and Council of the Section on Legal Education and Admission to the Bar.

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President's Message, continued.

CLEA ad hoc committees have been formed to study the issues of Law Student Employment and Debt and to organize efforts around State Bar Admissions Standards, which have begun to shift—in states like New York, California, Arizona, and Illinois—to recognize the importance of clinic or pro bono work by bar applicants. The CLEA Best Practices Implementation Committee continues to work on materials to inform schools as they move forward in the new world of legal education.

But we wouldn't be CLEA if, in the midst of all the seriousness, we forgot to have fun! The CLEA Creative Writing Contest is back this year, after a respite of several years. The New Clinicians Committee is hard at work on a one-day program to introduce new clinicians to what is one of the best jobs on earth. And, CLEA is throwing itself a Coming of Age Birthday Bash in Old San Juan, Puerto Rico (details inside). We hope you will come along to celebrate CLEA's 21st year in existence!

CLEA Events in Puerto Rico

Details inside on:

New Clinicians Conference (p. 5, 24)

CLEA's Membership Meeting & Coming of Age
Birthday Bash (p. 24)

CLEA Board Meeting (p. 24)

CLEA Committee Reports: ABA Advocacy Committee



Kate Kruse
(Hamline)

CLEA continues to advocate for the interests of clinical legal education in the proposed changes to the ABA Council of Legal Education's Accreditation Standards for Law Schools as they move through the process of revision, review, and public notice and comment.

The Department of Education requires that each accrediting

agency undertake a periodic "comprehensive review" of its standards, and the ABA does such a review every five years. The ABA process involves a referral to the Council's Standards Review Committee for proposed revisions and then final decision making by the Council itself. The last ABA comprehensive review began in the summer of 2008, and the first of the proposed revisions are just now—five years later—emerging from the Standards Review Committee. The

Standards Review Committee sends its recommended changes to the Council for the Section on Legal Education and Admission to the Bar, which votes on whether to send the proposed changes out for public notice and comment. Several of the proposals CLEA has been working on will be going out for notice and comment within the next six months to a year.



Claudia Angelos
(NYU)

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ABA Advocacy Committee Report, continued.

The first CLEA issue to reach the Council from the Standards Review Committee involves the requirement that all law school applicants take a “valid and reliable admission test” and requires law schools to “use the test results in a manner that is consistent with the current guidelines regarding proper use of the test results provided by the agency that developed the test.” Signaling its approach on similarly controversial issues, the Standards Review Committee sent two alternatives to the Council: (1) a proposal to retain the current “valid and reliable test” requirement (but eliminate the qualifying language that schools must follow guidelines for its proper use); and (2) a proposal to eliminate the standard entirely. The Council voted a set of revisions to the chapter under consideration that retained the valid and reliable admissions test requirement and, in the process, restored the language requiring schools to follow agency guidelines about its proper use. After extensive study, the CLEA committee had been unable to reach a conclusion about whether admissions testing should be required, but had advocated that if the ABA were to retain the admissions test requirement, the qualifying language about proper use of test scores should be retained. This issue will be the subject of a hearing on May 15 at the ABA offices in Chicago.

Other issues of concern to CLEA members remain under discussion in the Standards Review Committee,

which meets again on April 26-27, 2013 in Washington, D.C. These include:

- Proposed changes to the rules on the governance rights, academic freedom, and job status of clinical and other faculty, found in Standard 405(c).
- Structural changes to the law school accreditation process that would require law schools to define learning outcomes for their graduates and measure the extent to which they achieve those outcomes.
- Modifications to the ABA regulations that law schools require each student to receive “substantial instruction in . . . other professional skills generally regarded as necessary for effective participation in the legal profession,” which would clarify that at least three credits of professional skills instruction be required and that this instruction must be met by simulation courses, in-house clinics, or field placements.
- Modifications in the externship regulations that would lower the number of credit hours triggering the need to provide opportunities for contemporaneous reflection from four to three, and would change the requirement of periodic site visits to “regular contact between the faculty supervisor or law school administrator and the site supervisor to assure the quality of the student educational experience” and would define

“regular contact” as “in person visits and other methods of communication that will assure the quality of the student educational experience.”

- Proposed changes to the statistical formula for meeting standards for minimum bar passage, which would make it more difficult for schools to meet the standard and which would have an impact on minority enrollment in law school and, by overemphasizing the influence of bar examination courses, on the law school curriculum.

As it has at every step over the last five years, CLEA’s ABA Advocacy Committee and Board continue to attend meetings, lobby members, and comment on proposals in each of these areas.

Any CLEA member who will be in D.C. on April 26-27 (Standards Review Committee meeting) or in Chicago on May 15 (Notice and Comment Hearing on the requirement of the LSAT) should consider attending the meetings. Check the ABA Council’s web site for more information. (http://www.americanbar.org/groups/legal_education.html).

CLEA POSTS CLINICAL JOB OPPORTUNITIES AT

[http://www.cleaweb.org/Jobs?](http://www.cleaweb.org/Jobs?pg=1)
[pg=1](http://www.cleaweb.org/Jobs?pg=1)

Is the Revolution in Legal Education Bubbling Up From the States? The Role of State Regulators and State Bar Groups in Advancing Clinical and Experiential Education

Kate Kruse and Ian Weinstein

Those who regulate admission to the bar, along with leaders of the practicing bar, seem to have no question about the important role of clinical and experiential education in the shifting landscape of American legal education. Rule changes in New York and Arizona, likely changes in California, and important reports in Illinois and New York all tell the same story. Legal licensure is moving to encourage clinical and experiential education and CLEA members have an important role to play.

In New York, the New York State Bar Association Task Force on the Future of the Legal Profession included a group on legal education, chaired by CLEA member Mary Lynch of Albany Law School. The report called for New York to expand the cap on total clinical credits and ease other restrictions to encourage experiential education. While many other factors contributed, the New York Court of Appeals did amend [Section 520 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law](#). Applicants for the New York Bar may now earn as many as 30 of the required 83 credits in clinical courses.

Further recognition of the importance of clinical and experiential classes by the New York Court of Appeals came when the rules for the New York 50 hour pro bono requirement were finalized. After hearing from all the stakeholders, the New

York Court decided that service performed in law school clinics would count toward the required pro bono hours. It was apparent that the Court, and the Advisory Committee it created to recommend the final form of the Rule, were impressed by two arguments advanced by New York clinicians and others. First, the Court and the Committee agreed that clinics are particularly powerful settings in which students shape their professional identities. The rule is intended both to provide service and inculcate the habit of lifelong service and the Court recognized that clinics integrate those goals. Second, both the Court and the Committee agreed that supervision in law school clinics was the “gold standard” and that it was important to recognize and harness faculty supervision as we strive to increase access to justice.

California, another large jurisdiction whose admission requirements echo across the nation, is considering a pre-admission practical skills requirement. A [Task Force on Admissions Regulation Reform](#) was charged last summer with examining whether the State Bar of California “should develop a regulatory requirement for a pre-admission practical skills training program.” In February 2013, the Task Force released its recommendations, including a requirement that applicants for the California bar complete 250 classroom hours during the second and third year of law school “dedicated to developing practical skills and the servicing of clients.” An additional 50

hours of pro bono service would be required either pre-admission or post-admission. The Task Force underscored the urgency of acting to protect the public by requiring substantial practical skills training in law school as a bar admissions matter, rather than waiting for the legal academy to act, noting “the persistent, unresolved debate in the legal academy about whether clinical legal education ought to be a mandatory part of the standard legal education curriculum.”

Arizona has taken a different approach, amending its bar admission rules by court order last December to permit law students to take the bar examination in February of their third year of law school. The Arizona Supreme Court order provides that third-year students at ABA accredited law schools may sit for the February bar provided they have completed all but eight credits required for graduation. The reform, developed at the University of Arizona and supported by all three law schools in Arizona, is designed to speed and smooth the transition from school to practice. At the University of Arizona, February bar-takers will devote the first two months of their third year studying for the bar exam and get the remainder of their law school credits in a new 8-to-10-week “theory-to-practice residency,” designed “to explore real-world, practical topics relevant to legal professionals, such as applied ethics and professionalism, economics of modern law practice, cutting-edge issues in

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Is the Revolution in Legal Education Bubbling Up From the States? Cont'd

policy and law and how to better serve client needs.”

A recent report by the Illinois State Bar Association Special Committee on the Impact of Law School Debt on the Delivery of Legal Services is another example of the broad recognition of the importance of clinical and experiential education among bar leaders. That report recommends sweeping changes to the law school curriculum and the job statuses of those who teach experiential and legal writing courses. Noting that the problems of legal education “go beyond cost,” the Special Committee specifically rejected the idea of cutting the third year of law school and urged instead that law schools transform the second and third years of law schools “to help students transition to practice through apprenticeships in practice settings, practical

courses, and teaching assistantships, rather than more traditional doctrinal courses.” The Special Committee also urged reforms to law school faculty, including the increased use of “properly-trained and supervised” adjunct faculty and full inclusion of clinical and legal writing faculty in law school governance.

As state bar regulators and state bar leaders focus more and more upon legal education, clinical legal educators would do well to focus upon their states. While the clinical community has and must continue to pay close attention to national regulation of legal education through ABA accreditation standards, a new sphere of action is emerging. To respond to this new movement for bar admissions reform and opportunities it provides to advocate for strengthening clinical, skills, and experiential

education, CLEA has formed an Ad Hoc Committee on State Bar Admissions. Anyone who is interested in joining this committee to share information among states that are considering reforms and to organize efforts in other states, should contact Ian Weinstein at iweinstein@law.fordham.edu or Kate Kruse at kkruise02@hamline.edu.



Kate Kruse
(Hamline)



Ian Weinstein
(Fordham)



Beth Schwartz
(Fordham)

CLEA's 2013 New Clinicians Conference—Sunday 4/28/13

CLEA hosts a one-day conference for new clinicians every other year, in

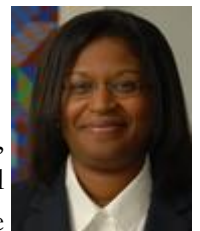
conjunction with and immediately prior to the AALS Clinical Conference. This year's New Clinicians Conference will be held at the University of Puerto Rico School of Law on Sunday, April 28, 2013, and it promises to be both informative and fun. The Conference schedule includes large-group

presentations, small breakout sessions, and even some unstructured time for socializing.

Presentation topics focus on issues of particular concern to newer clinical teachers, such as “Lay of the Land,” “Scholarship,” and “Challenges in Supervision,” and an outstanding group of clinicians has volunteered to present -- Muneer Ahmad, Jane Aiken, Wendy Bach, Margaret Moore Jackson, Donna

Lee, Michael Pinard, Jenny Roberts, Daniel Schaffzin, and Kele Stewart.

In the evening, Conference participants will be treated to a special dinner in Old San Juan at Centro de Estudios Avanzados de Puerto Rico y el Caribe, followed by salsa lessons and CLEA's 21st Anniversary Party!



Benjie Louis
(Albany)

BUILDING ON *Best Practices: Looking Back, Looking Forward*



Carolyn Kaas
(Quinnipiac)



Lisa Radtke Bliss
(Georgia State)

In 2001, after much discussion and several false starts over the preceding decade, CLEA “commissioned” Professor Roy Stuckey, Univ. of South Carolina, to work with a steering committee to write a book covering the “Best Practices” for Clinical Legal Education. The original idea was to collect some of the aspirational notions and good ideas that were in practice in clinics and field placement programs and that would exceed the “minimal standards” expressed in the ABA Accreditation Standards. The initiative quickly took root and evolved into a consensus that the scope of the book needed to address all of legal education, and to constitute a call for law schools to plan and measure their efforts in terms of the degree to which they actually prepare their graduates for the practice of law. The Steering Committee and other interested parties met periodically with Professor Stuckey to review and discuss drafts. The most intense such meeting took place in March of 2005, at Pace Law School, paving the way for the final version of the book, *Best Practices in Legal Education: A Vision and A Roadmap*, which became a lasting legacy of, and labor of love by, Roy Stuckey.

The Impact of the Publication of *Best Practices*

Fortuitously, *Best Practices* was published in 2007, at approximately the same time as Carnegie’s *Educating Lawyers: Preparation for the Profession of Law*¹ was published. The timing could not have been better. The release of the two books at the same time (in addition to the import of their content) resulted in *Best Practices* becoming a significant part of the conversation about legal education reform that the Carnegie Report urged.² Since its publication, *Best Practices* has served as a resource for scholars writing on a variety of topics, and it has served as a guide for individual professors seeking to improve their teaching and for law schools serious about curriculum reform.

Implementing the Vision of Best Practices

CLEA established The Best Practices Implementation Committee following the publication of *Best Practices* by CLEA in 2007. The committee’s goal at that time was to aid in the distribution of the book and to raise awareness of its contents. Over time, the members of the committee presented at numerous conferences and continued efforts to keep the ideas as part of the conversations about legal education reform.³ The Committee also realized an on-going web-based place for discussion was needed, and the *Best Practices* [“BP”] BLOG came to life through the efforts of Mary Lynch and Albany

Law School, with guest bloggers contributing.⁴

In 2010, the committee divided into subgroups: 1) Follow-up book; 2) BP Facilitation Project and 3) BP Blog.

In spring of 2012, the CLEA Board voted not to proceed with the BP Facilitation Project, although there was support for the committee to consider ways in which the ideas from *Best Practices* could be exchanged at conferences and other fora.⁵ The group working on the facilitation project has disbanded, and the overall committee has put its energy into work on the follow-up book. The BP Blog remains active.

History of Second Book (Working title: “Building on Best Practices: The Walls Are Coming Down”)

Antoinette Sedillo Lopez and Deborah Maranville are spearheading the second book project as co-editors. They assembled an advisory board and put out an RFP for chapters in 2011. The call invited contributors to share innovations in teaching. After reviewing the responses to the RFP, members of the advisory board met with multiple other parties who were invited to weigh in on the discussion for a day-long meeting in January of 2012 at the AALS Annual Meeting. After much deliberation, the group decided that based just on the responses to the call, it would be difficult to create a cohesive volume. The groups also concluded that there were other more appropriate outlets for the publication of some of the ideas that were proposed.

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A Short Update on a Work in Progress: *Building on Best Practices*, cont'd.

As a result of the change in direction, the second volume will convey some of the spirit and organization of the original *Best Practices* book, but it will not constitute a traditional “second edition.”

The process of identifying topics and recruiting people who would be interested in writing on those topics commenced. All those who submitted proposals in response to the original RFP were invited to continue with the project as re-envisioned. Authors were also recruited based on their expressions of interest in various iterations of the BP committee and its projects in the past. Members of the CLEA Board were also invited to participate, although the editorial board has been careful not to limit the project only to clinical educators.

Development of Theme and Chapters for *Building on Best Practices*

Subcommittees were formed on the topics the editors and members of the editorial board determined should be addressed. These topics were identified through the original RFP responses, as well as topics which were either not addressed, or not fully addressed, in the original *Best Practices*. Special care has been taken to identify areas where there has been substantial change since 2007. For example, one core theme that has emerged in the last six years and that will be addressed is the development of experiential education as a central emphasis of many reform efforts at schools, as well as the success of the “practice ready” message.

Additional topics were added as the result of multiple committee meetings held at recent clinical conferences and AALS annual meetings. The Editors and Editorial Board will ultimately decide which topics will be addressed in the volume, with input from the Advisory Board.⁶ It is anticipated that the co-authors of individual chapters for the new book will receive acknowledgement as authors of their chapter, and will retain the copyright to their chapter.

Most topics for the new volume have been identified and committees are working on those topics. Additional topic ideas that are suggested or arise through conversations in the working groups are being evaluated on an ongoing basis. The current topics to be addressed in the new book (for which there are active committees) may be found at the end of this document. We are hopeful for a 2014 publica-

tion date.

Plans for Publication

The original *Best Practices* was published by CLEA and distributed for free. Last year, the CLEA Board indicated it did not wish to publish the second volume. Accordingly, the co-editors are pursuing a publisher for the second volume. The co-editors will contract with the publisher and will have final editorial say about the contents of the book, subject to the advice of the editorial board. CLEA, as well as any individuals who have played a role in the development of the book, will receive acknowledgement in the book. Chapter co-authors, as noted above, will receive credit for their chapters. It is the intention of the committee that to the extent there are any proceeds from publication of the book, those proceeds will be donated to CLEA for the express purpose of supporting *Best Practices* implementation activities, including support for raising awareness of the second book, and other legal education reform efforts. We anticipate that five-ten years from this publication, enough change will have occurred to require ‘Book Three.’

Notes

¹ William M. Sullivan, et al., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007) available at http://www.carnegiefoundation.org/sites/default/files/elibrary/EducatingLawyers_summary.pdf [hereinafter Carnegie Report].

² See, e.g., the “Crossroads of Legal Education” conferences in Seattle in September, 2008 and Denver in September, 2009.

³ *Id.*

⁴ <http://bestpracticeslegaled.albanylawblogs.org/> (last visited Mar. 2, 2013).

⁵ For example, at the conferences hosted by other entities, such as the October 2012 Symposium “Experience the Future” by the Alliance for Experiential Learning in Law, hosted by Northeastern University School of Law.

⁶ Members of the Editorial Board are [Lisa Bliss](#), [Carolyn Kaas](#), [Deborah Maranville](#) and [Antoinette Sedillo Lopez](#). Members of the Advisory Board are [Susan Brooks](#), [Carolyn Grose](#), [Steven Homer](#), [Mary Jo Hunter](#), [Marty Katz](#), [Mary Lynch](#), [Vanessa Merton](#), and [Irene Scharf](#).

The results of the CLEA Creative Writing Competition are in, and we are so happy to congratulate the winners. We also want to acknowledge the many talented writers who didn't make the final cut, but whose work evidences the creativity, thoughtfulness, and spirit of this great community.

Awards will be presented at the CLEA Bash, Sunday, April 28, in San Juan, Puerto Rico! And everyone interested in hearing our winners read should plan to stick around at the party; we expect to find a quiet corner to listen, and to provide all participants (not just the winners) an opportunity to share a favorite literary gem. If you can't join us in San Juan, be sure to watch for the winning poems and stories in forthcoming newsletters and on the CLEA website.

CLINICAL LEGAL EDUCATION ASSOCIATION

Creative Writing Committee:
Liz Solar, Maritza Karmely,
Leigh Goodmark, Nancy Cook

Creative Nonfiction

1st Prize

Stacy Caplow
(Brooklyn)
Case Closed

2nd Prize

Susan Rutberg
(Golden Gate)
Revelation, Municipal Court

Honorable Mention

Cindy Adcock
(Charlotte)
Burying Ernest Basden

Cheryl Wattley

(Oklahoma Univ.)
*The Tough Minded, Tender
Hearted Lawyer*

Poetry

1st Prize

Lisa Kelly
(Univ. of Washington)
Dear So

2nd Prize

Michele Halloran
(Michigan State)
Master Silversmiths

Honorable Mention

Diane Adair
(state of Washington)
County Blues

Short Form

1st Prize

Deborah Burand
(Univ. of Michigan)
What Counts

2nd Prize

Stephen Rosenbaum
(Berkeley)
Letter of Nov 9, 2012

Fiction

1st Prize

Lisa Kelly
(Univ. of Washington)
Steal Away

2nd Prize

Diane Adair
(state of Washington)
I'm Sorry

Honorable Mention

Catherine Valdez
(state of FL)
Custody and Sisterhood

Karon Rowden,
(Texas Wesleyan)
I Win

Thakshila Dhammearatchi,
(India)
Thorns of Yesteryear

CLEA NEWSLETTER

NEW FORMAT & CONTENT

Besides featuring reports on CLEA's advocacy work and announcing clinicians' good news, including promotions, new arrivals, transitions, awards, honors, books and publications, CLEA hopes to highlight shorter articles on clinical teaching and creative writing on social justice topics. To accommodate this new content, the CLEA newsletter will omit news from clinical programs generally as well as news about conferences, presentations and select appointments.

Specifically, CLEA is looking for short articles that more closely resemble what you might read in a bar journal instead of a law review (fewer pages, fewer endnotes). There is no word limit; CLEA wants to see what clinicians are inspired to submit. The topics of course could vary immensely, but rather than a description of a successful clinical endeavor, CLEA is instead looking for more reflective pieces about andragogy—what you tried, what worked (or didn't) and why. Articles about past presentations and hyperlinks to other websites to read more are also welcome.

One of the reasons that CLEA decided to change the format for its newsletter was because the AALS Clinical Section also has a newsletter that publishes news from clinic programs and many schools were sending the same or similar news to each newsletter. We want to be able to expand resources rather than duplicate them.

CLEA is especially eager to read and publish social justice fiction, non-fiction and poetry from our members. As a service to our clinical community, CLEA hopes not only to share interesting and useful information but also to evolve into a venue where clinicians can publish shorter articles that might count towards tenure requirements in schools that recognize broader definitions of "scholarship" for clinicians. **CLEA is now soliciting submissions for our fall edition. Please email submissions in to the editor, Tanya Asim Cooper at tcoper@law.ua.edu.**

Good News : Moves, Honors & Promotions

University of New Mexico School of Law welcomes **Aliza Organick**, who rejoins the law school as a tenured faculty member after several years at Washburn University. Aliza will be teaching both in the Community Lawyering and Law Practice Sections.



Penn Law faculty voted to promote **Sarah Paoletti** to full practice professor of law. Sarah is the founder and director of Penn's Transnational Legal Clinic which serves individual clients in asylum, VAWA, trafficking, and other immigration cases, and which provides advocacy before the Inter-American Commission on Human Rights and the UN, as well as a broad range of international advocacy in collaboration with non-governmental organizations. In the end, the promotion review process highlighted what we have all come to know about Sarah: She is a superb teacher and scholar who is dedicated to her students, her colleagues, and her clients. She is yet another shining example of the greatness of this community.



Rachel Lopez will be joining **Drexel Law** this year, and will help launch a new Community Lawyering Clinic in West Philly. Currently a visiting assistant clinical professor at **Seton Hall**, Rachel helped launch a partnership between that school and the Center for Constitutional Rights in New York City and established the Guatemala Rule of Law Program. She will direct a new law school clinic, which is part of a broader University-wide initiative to partner with the neighboring communities of Mantua and Powelton Village.

Jaime Lee is receiving the 2013 Saul Ewing Transactional Award from the **University of Baltimore School of Law**. The award recognizes excellence in the teaching of transactional law.



Professor **Sarah Gerwig-Moore**, Associate Professor of Law at the **Walter F. George School of Law at Mercer University**, has been selected as the 2013 recipient of the AALS Section on Clinical Legal Education's Shanara Gilbert Award. The Shanara Gilbert Award honors an "emerging clinician," with ten or fewer years of experience who has (1) a commitment to teaching and achieving social justice, particularly in the areas of race and the criminal justice system; (2) a passion for providing legal services and access to justice to individuals and groups most in need; (3) service to the cause of clinical legal education or to the AALS Section on Clinical Legal Education; (4) an interest in international clinical legal education; and (5) an interest in the beauty of nature (desirable, but not required). Sarah's nomination was supported by many of her academic and professional colleagues, current and former students and other members of the Mercer law school and local community. Sarah's entire career embodies the letter and spirit of the award criteria. In her particular, her work at Mercer on the Habeas Project, the innovative and unique clinical course she created and has taught since 2006, her work on the school's Law & Public Service Program, her involvement in her local community's preservation efforts and her significant impact as a teacher, advocate and scholar demonstrates the letter and spirit of the award. The award will be presented to Sarah during a luncheon on Tuesday, April 30 at the Clinical Legal Education Conference in Puerto Rico.

University of New Mexico School of Law is delighted to announce the promotion of one of their core clinical faculty, **Camille Carey**, to Associate Professor of



Law and congratulates her on her successful completion of Leadership New Mexico. This year, Camille Carey taught Torts to one third of our first year class, a seminar on Domestic Violence and the Community Lawyering section of our Clinical Programs.

Liz Hubertz (Washington Univ. St. Louis) was honored by *Missouri Lawyers Weekly* for obtaining the largest verdict/settlement in Missouri in 2012 - a \$4.7 billion settlement of *U.S. v. Metropolitan St. Louis Sewer District*, a case brought by the School's *Interdisciplinary Environmental Clinic*.



Good News : “Teacher of the Year” Honors



Carolyn Kaas (Quinnipiac) was selected by graduating students as Professor of the Year. This well deserved honor is in recognition of her countless hours of working with and for students; her excellent teaching; her amazing work with the Center on Dispute Resolution; and her important work with the clinic and externship programs. She will be recognized for this achievement at the SBA Passing of the Gavel Dinner and she will be the graduation speaker.

Robert Dinerstein (American) received the 2013 University Faculty Award of Scholar/Teacher of the Year. This is the highest distinction given by the university in recognition of superb contributions to teaching, scholarship and service. The award “is based on demonstration of exceptional teaching, recognized concern for students and colleagues and sensitivity to the mission of the church-related university, a record of significant contributions to the scholarly life of the university, and a commitment to high standards of professional and personal life.”



Patrick Metze (Texas Tech), the Director of the Criminal Clinics, has been chosen to receive the university-wide Spencer A. Wells Award for Creativity in Teaching, an award “for creativity of the professor’s approach to excellent teaching as attested by students, faculty members and administrators.” Patrick joined the faculty as a Visiting Faculty Member in 2007 after a distinguished career in practice; has subsequently been promoted to a full Professor with tenure; and has consistently served as an excellent role model and mentor to his students. He has also been instrumental in expanding the clinical program through the development of a Capital Punishment Clinic and the Caprock Regional Public Defender Clinic in addition to the Criminal Defense Clinic.



Congratulations to Professor **J.D. King** for winning the annual Student Bar Association's Faculty Award at the

Washington and Lee School of Law.

J.D. was selected from among ten faculty members who were nominated for this prestigious award.



The **Columbia Law School** Class of 2013 has honored our wonderful colleague, **Conrad Johnson**, by selecting him to receive the Willis L.M. Reese Prize for Excellence in Teaching, the highest teaching honor at Columbia Law School. He will address the class during commencement ceremonies in May. Conrad has been a member of the CLS faculty since 1989, co-founding the Fair Housing Clinic and then the Lawyering in the Digital Age Clinic. His dedication to applying the tools of technology to the service of justice has had a broad impact in New York and beyond, helping the legal services community as well as the court system to provide better and more easily accessible information to the most vulnerable New Yorkers and their advocates. The Reese Prize confirms Conrad's extraordinary commitment to teaching and the value of experiential legal education.



Good News : Moves, Honors & Promotions

In December 2012, Clinical Professor of Law **Laura Cohen (Rutgers-Newark)** received the John D. and Catherine T. MacArthur Foundation's "Champion for Change" award. The award, given by the Foundation's Models for Change program, recognized Cohen's zealous and effective advocacy on behalf of youth in the juvenile justice system. Award recipients are selected both for their long-time commitment to creating change on behalf of youth and their innovative and creative use of resources provided by Models for Change.



Karen Tokarz (Washington Univ.—St. Louis) has received the 2013 *Open Doors Award* from the Metropolitan St. Louis Equal Housing and Opportunity Council for her work furthering civil rights through the *Civil Rights, Community Justice and Mediation Clinic's* successful efforts to require mediation by lenders before any housing foreclosure.



Yael Zakai Cannon joined the **University of New Mexico School of Law** tenure-track faculty in the Fall of 2012 from American University Washington College of Law, where she was a practitioner-in-residence in the Disability Rights Law Clinic and served as acting director of that clinic for the 2011-2012 academic year.

Leigh Goodmark (Baltimore) received the 2013 Judge Robert M. Bell Award for Leadership in Public Interest from the University of Baltimore Students for Public Interest Law and the 2013 Professor of the Year Award from the University of Baltimore Women's Bar Association.



Mary Perry (Washington Univ.—St. Louis) has been appointed director of the new *Semester-in-Practice Externship*, the School's 16th clinical course. This new externship allows students to earn academic credit by spending a semester working full time for a nonprofit, government, or in-house corporate law office in the geographic location of their choice (<http://law.wustl.edu/news/pages.aspx?id=9650>). Upon graduation from law school, Mary clerked for the Honorable Cynthia Holcomb Hall of the U.S. Court of Appeals for the Ninth Circuit and worked as an Assistant U.S. Attorney in the U.S. Attorney's Office in Los Angeles, as well as having argued a case before the U.S. Supreme Court.



Former **University of Maryland Carey Law** Clinical Director, **Tom Perez** was nominated March 18 by President Barack Obama as the next U.S. Secretary of Labor. "Perez's story reminds us of this country's promise: that if you are willing to work hard, it doesn't matter who you are, where you come from, what your last name is—you can make it if you try. And Tom has made protecting that promise for everybody the cause of his life," said President Obama during the announcement from the East Room of the White House. A faculty member from 2001 to 2007, Perez taught in the Law & Health Care Program. "His work as a member of Maryland Carey Law was always held in the highest regard," said Dean Phoebe Haddon. "We have no doubt he will succeed as US Secretary of Labor. We are very proud that he was part of our academic community." Perez left the law school in 2007 to serve as Maryland's labor secretary and is currently the assistant attorney general for the Civil Rights Division at the U.S. Department of Justice. He also served as the director of the Office of Civil Rights at the Department of Health and Human Services under the last two years of the Clinton administration.



Gwynne Skinner, assistant professor at **Willamette law school**, was granted tenure and promoted to associate professor, effective this summer.

Good News : Moves, Honors & Promotions

Professor **Jim Cavallaro**, on behalf of the International Human Rights and Conflict Resolution Clinic at **Stanford Law School**, accepted the Courage Award from the San Francisco Bay Area chapter of the Council on American Islamic Relations (CAIR) at the organization's 18th Annual Banquet in late 2012.



Jenny Roberts received the Pauline Ruyle Moore Scholar Award, **American University, Washington College of Law**, established in honor of this alumna by her husband to recognize an outstanding scholar each year in the area of public law, for *Why Misdemeanors Matter: Defining Effective Advocacy in the Lower Criminal Courts*, 45 U.C. Davis L. Rev. 277 (2011).



Carrie Sperling has accepted a position as a senior attorney and Associate Clinical Professor with the Wisconsin Innocence Project at the **University of Wisconsin Law School**. An outstanding lawyer, teacher, and innocence advocate, she is perhaps one of the most knowledgeable lawyers anywhere about shaken baby syndrome.

She is coming from the faculty of the law school at **Arizona State University**, where she previously served as Executive Director of the Arizona Justice Project.



In October 2012, **Rutgers School of Law-Camden** Clinical Professor and Clinical Director **Sandra Simkins** and **Rutgers School of Law – Newark** Clinical Professor **Laura Cohen** received the National Juvenile Defender Center's Robert E. Shepherd, Jr. Leadership Award. The award recognized the two Rutgers clinical programs' collaborative and groundbreaking work with youth incarcerated in New Jersey's juvenile facilities.



Marjorie McDiarmid, Steptoe & Johnson Professor of Law, with **Valena Beety**, associate professor of law, serving as deputy director (**West Virginia**), together with their clinical law program have received the 2012 Excellence in Pro Bono Award from the national rating service Super Lawyers. Their recent accomplishments include obtaining asylum for Syrian refugees, clearing a man's name from the sex offender registry, and signing an agreement with the Louis A. Johnson VA Medical Center in Clarksburg — the first of its kind between a VA hospital and a law school. See more at http://law.wvu.edu/news_events/2013/2/18/wvu-law-receives-super-lawyer-award#.



At their Annual Awards dinner, the **University of Maryland Carey School of Law** Black Law Student Association (BLSA) awarded Clinical Director **Michael Pinard** with the Professor of the Year award.



Professor **Juliet Brodie (Stanford)** has been named Associate Dean of Clinical Education and Director of the Mills Legal Clinic. Juliet joined Stanford in 2006 and is admired by her students and colleagues alike. Juliet has used her skills and passion to further build the Stanford Community Law Clinic into an

extraordinary program serving the needs of residents of East Palo Alto and adjacent areas. She will continue to run the Community Law Clinic in addition to taking on direction of clinics (which include 11 distinct programs). She takes over from **Larry Marshall** who will continue to teach at Stanford and will serve as faculty co-chair of Stanford's Three Strikes Project.



Good News: Books & Publications

Elisabeth Semel (Berkeley) has co-authored the chapter, *Batson and the Discriminatory Use of Peremptory Challenges* in the 21ST CENTURY IN JURYWORK: SYSTEMATIC TECHNIQUES, 2012-2013 Ed. (ThomsonReuters/West Publishing Co.).



Professor of Law and Associate Dean for Clinical Education **Jon C. Dubin (Rutgers-Newark)**, *SOCIAL SECURITY DISABILITY LAW AND PROCEDURE IN FEDERAL COURT*, 2013 ED. (with Carolyn A. Kubitschek) (THOMSONREUTERS/WEST PUBLISHING CO.).

Jon C. Dubin, *Scapegoating Social Security Disability Claimants (and The Judges Who Evaluate Them)*, 6 ADVANCE: J. ACS ISSUE GROUPS 109 (2012) (co-authored with Robert Rains).

Jon C. Dubin, *The Rutgers Cases and the State of the Law of State Law School Clinical Programs*, 65 RUTGERS L. REV. ____ (forthcoming 2013).



Colleen F. Shanahan (Georgetown) & Emily A. Benfer (Loyola-Chicago), *Adaptive Clinical Teaching*, 19 CLIN. L. REV. 517 (2013).



Tanya Asim Cooper (Alabama),

Racial Bias in American Foster Care: The National Debate, 97 MARQ. L. REV. ____ (forthcoming).



Jay Mitchell, Professor of Law and Director of **Stanford's** Organizations and Transactions Clinic recently authored *Reading (in the Clinic) is Fundamental*, 19 CLINICAL L. REV. 297 (2012).



Barbara Bezdek (Maryland) *Dreaming in Chinese: Accountable Development*, 27 Maryland Journal of International Law 48 (2012).



Yael Zakai Cannon (New Mexico) recently published, *There's No Place Like Home: Realizing the Vision of Community-Based Mental Health Treatment for Children*, 61 DEPAUL L. REV. 1049 (2012).



Prof. Jill Engle, Director of **Penn State Law's** Family Law Clinic has published: *Promoting the General Welfare: Legal Reform to Lift Women and Children in the United States Out of Poverty*, 16 J. GENDER, RACE & JUST. 1 (2013).



Clinical Professor of Law and Deputy Director of Clinical Programs, **Robert C. Holmes (Rutgers-Newark)**, *The Clash of Home Rule and Affordable Housing: The Mount Laurel Story Continues*, 13 CONN. PUB. INT. L.J. ____ (forthcoming 2013).



Good News: Books & Publications

Laura Cohen (Rutgers-Newark),

Freedom's Road: Youth, Parole, and the Promise of Graham v. Florida and Miller v. Alabama, 35 CARDOZO L. REV. ____ (forthcoming 2013).

Michele Gilman (Baltimore)

The Poverty Defense, 47 *Univ. of Richmond L. Rev.* 495 (2013).

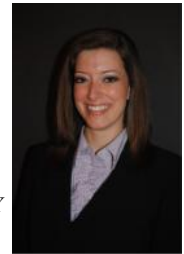
The Class Differential in Privacy Law, 77 *Brooklyn L. Rev.* 1389 (2012).

**Patricia Campbell (Maryland)**

The Emperor's New Clothes: Intellectual Property Protection in China, 7 J. BUS. & TECH. L. 69 (2012) (with Michael Pecht).

Hugh M. Lee (Alabama), Director of the Elder Law Clinic, and

Jennifer Marshall (Alabama), Staff Attorney and Borchard Fellow in the Elder Law Clinic, have co-authored *Troxel v. Granville: The Uncertain State of Grandparent Visitation Rights More Than a Decade Later*, 264 ELDER LAW ADVISORY 1 (Thomson West, March 2013).



Clinical Professor of Law **John Kettle (Rutgers-Newark)** has published:

2012 Seton Hall Journal of Sports and Entertainment Law Symposium, 23 SETON HALL J. SPORTS & ENT. L. 26 (2013) (moderator's comments).

A Trademark Primer- The Rights and Wrongs, 27 ASSOCIATION OF PROFESSIONAL GENEALOGISTS QUARTERLY 183 (Dec. 2012).



Professor **Jim Cavallaro** and **Stephan Sonnenberg** of **Stanford's** International Human Rights and Conflict Resolution Clinic co-authored *Living Under Drones: Death, Injury and Trauma to Civilians from US Drone Practices in Pakistan*, International Human Rights and Conflict Resolution Clinic, Stanford Law School; New York: NYU School of Law, Global Justice Clinic (2012).

**Shana Tabak (American)** (with Rachel Levitan), *LGBTI*

migrants in Immigration Detention, FORCED MIGRATION REVIEW, Issue 42, (April 2013).

Shana was also named Editor of the American Society for International Law ASIL *Insights* Editorial Board on international human rights & humanitarian law.

**Elizabeth Keyes (Baltimore)**

Beyond Saints and Sinners: Discretion and the Need for New Narratives in Immigration Court, 26 GEO. IMMIGR. L. J. (forthcoming).

Examining Maryland's Views on Immigrants and Immigrant Rights, UNIV. OF BALTIMORE L. FORUM (forthcoming 2013).



Douglas L. Colbert (Maryland) SALT's Access to Justice Curriculum Development Initiative, *The Equalizer* (2013).

Jane F. Barrett (Maryland), *Why Environmental Law Clinics Matter*, 43 ENVTL. L. REP. 10039 (2013).



Good News: Books & Publications

Robert C. Bordone (Harvard Negotiation & Mediation Clinical Program) has recently published with **Nancy H. Rogers (Ohio State)**, **Frank E.A. Sander (Harvard)**, and **Craig A. McEwen (Bowdoin)** *Designing Systems and Processes for Managing Disputes*.

The first coursebook of its kind, *Designing Systems* is a readable and useful guide—a practical reference for practitioners, students, and instructors. Ombuds, consultants, policymakers, human resources professionals, and teachers of dispute systems design and conflict management will benefit from its multi-disciplinary, skills-based approach.

The authors employ a narrative, sequential approach, developing over the course of the book six real-life case studies to illustrate dispute resolution systems theory and practice. The cases range from the design and construction of eBay's innovative online dispute resolution mechanism to Cure Violence's groundbreaking deployment of former gang members to mediate street violence. Through these stories, the authors highlight important aspects of dispute system design including: goal-setting; stakeholder engagement; ethics; the use of technology; implementation challenges; and system evaluation. The final section focuses on specific skills practitioners need, not only to build an effective system but also to be effective designers.



Jeff Fisher, Professor of Law and Co-Director of **Stanford's** Supreme Court Litigation Clinic authored *A Clinic's Place in the Supreme Court Bar*, 65 *Stanford Law Review* 137 (2013).



Jeanne Charn (Harvard) & Jeffrey Selbin (Berkeley), *The Clinic Lab Office*, 2013 *Wis. L. Rev.* _____ (forthcoming) (describing how clinics can serve as site of inquiry to inform an emerging civil justice research agenda).

Scott L. Cummings (UCLA) & Jeffrey Selbin (Berkeley), *POVERTY LAW, INTERNATIONAL ENCYCLOPEDIA OF THE SOCIAL AND BEHAVIORAL SCIENCES* (2d ed., Elsevier, forthcoming) (describing the origins, evolution and features of a field defined by the response of law, lawyers and legal institutions to inequality).



Julie D. Lawton (DePaul) has recently published:

Tenant Purchase as a Means of Creating and Preserving Affordable Homeownership, 20 *GEO. J. ON POVERTY L. & POL'Y* 55 (2012).

Book Review, __ *J. Aff. Hous. & Comm. Dev. L.* __ (forthcoming 2013) (reviewing Bruce Kingma, ed., *Academic Entrepreneurship and Community Engagement: Scholarship in Action and the Syracuse Miracle* (Edward Elgar Publishing, 2011)).

Collaboration Between Clinical and Doctrinal Professors for Teaching First-Year Law Students, 20 *The L. Tchr.* 20 (2012).



Brenda Smith (American) *Uncomfortable Places, Close Spaces: Theorizing Female Correctional Officers' Sexual Interactions with Men and Boys in Custody*, 59 *U.C.L.A. L. REV.* 1690 (2012).



Good News: Books & Publications

Jenny Roberts (American)

Effective Plea Bargaining Counsel, 122 YALE L. J. 100 (forthcoming 2013).

Crashing the Misdemeanor System, 70 WASH. & LEE L. REV. 1089 (forthcoming 2013).

COLLATERAL CONSEQUENCES OF CRIMINAL CONVICTIONS: LAW, POLICY AND PRACTICE (West 2013) (co-authors Margaret Colgate Love and Cecelia Klingele), <http://legalsolutions.thomsonreuters.com/law-products/Treatises/Collateral-Consequences-of-Criminal-Convictions-Law-Policy-and-Practice-2012-2013-ed/p/100088207>.



Ellen Weber (Maryland):

Equality Standards for Health Insurance Coverage: Will the Mental Health Parity and Addiction Equity Act End the Discrimination?, 43 GOLDEN GATE UNIVERSITY L. REV. (forthcoming 2013).

Failure of Physicians to Prescribe Pharmacotherapies for Addiction, excerpt reprinted in Alex Kreit, CONTROLLED SUBSTANCES: CRIME, REGULATION, AND POLICY, Carolina Academic Press (2012).

Maryland Can Prevent Overdose Deaths, BALTIMORE SUN (Feb. 25, 2013) (with Andrea Gielen and G. Caleb Alexander).

Enforcement of the Mental Health Parity and Addiction Equity Act, Marc Steiner Show (Aug. 8, 2012).



Deborah Thompson Eisenberg (Maryland)

Regulation by Amicus: The Department of Labor's Policymaking in the Courts, FLORIDA LAW REVIEW (forthcoming 2013).

Stopped at the Starting Gate: The Overuse of Summary Judgment in Equal Pay Cases, 57 NEW YORK LAW SCHOOL LAW REVIEW (forthcoming 2013).

Robert Dinerstein (American), Experiential Legal Education: New Wine and New Bottles in Syllabus (the publication of the ABA Section of Legal Education and Admissions to the Bar), Vol. 44, No. 2 (Winter 2012-13).



Randi Mandelbaum (Rutgers-Newark),

Disparate Outcomes: The

Quest for Uniform Treatment of Immigrant Children, 20 FAM. CT. REV. 606 (2012) (with Elissa Steglich).

Kathleen Hoke (Maryland),

Waterpipe Smoking Among U.S. University

Students, 15 Nicotine & Tobacco Research 29 (2013) (with others).



Peter Joy (Washington Univ.—St. Louis), *The Criminal Discovery Problem: Is Legislation a Solution?*, 52 WASHBURN L. J. 37 (2013).

Peter Joy, *Ethical Concerns of Internet Communications*, 27 ABA CRIMINAL JUSTICE 45 (Winter 2012).



Jerome Deise (Maryland) *More Than a 'Quick Glimpse of the Life?' The Relationship Between Victim Impact Evidence and Death Sentencing*, 40

HASTINGS CONST. L. Q. 611 (2013) (with Ray Paternoster).

Clinical Professor of Law **Jennifer Rosen Valverde (Rutgers-Newark)**, *Hindsight is 20/20: Finding Teachable Moments in the Extraordinary and Applying Them to the Ordinary*, 20 CLINICAL L. REV. ____ (Forthcoming 2013).



Michael Millemann (Maryland)

Case Studies and the Classroom: Enriching the Study of Law Through Real Client Studies, 12 Univ. of Maryland Journal of Race, Religion, Gender & Class 219 (2012).



Good News: New Faculty



Please join us in welcoming **Galia Phillips** as a staff attorney in **Stanford's** Criminal Defense Clinic. Galia has over 10 years of experience in criminal defense and trial work, including time running her own practice, time as an associate at Keker and Van Nest, and time at the

Defender Association. She has represented clients in a wide array of civil and criminal matters, including misdemeanor, civil commitment and felony cases. Galia clerked for The Honorable Royal Furgeson, U.S. District Court in San Antonio, Texas after receiving her BA from Georgetown and her JD from New York University School of Law.

We are thrilled to announce that **Llezie Green Coleman** will be the latest addition to the tenure-track faculty at **American University Washington College of Law**. She will be a full-time clinician in the General Practice Clinic. Llezie is currently finishing her third year as a Practitioner-in-Residence in that clinic. She has also been teaching a course in complex litigation in civil and human rights cases. She came to the law school from the law firm of Cohen Milstein Sellers and Toll where she worked on class action civil rights and employment cases. Prior to that she served as a federal district court law clerk and as an associate at Wilmer, Cutler and Pickering. She is a graduate of Columbia Law School where she was a student in the Human Rights Clinic. There she was a Harlan Fiske Stone Scholar, a Revson Fellow and the Paul Robeson Endowed Scholar.



Llezie will replace **David Chavkin** who is retiring at the end of next academic year. Until then, there will be 12 tenure-track clinicians at WCL, ten of whom are tenured. WCL has a unitary tenure-track. In addition to these 11 faculty members, the full-time clinical faculty includes 2 long-term contract clinicians and 10 practitioners-in-residence.

We are very pleased to announce that **Lydia Nussbaum** will join our tenure-track faculty this July as an Associate Professor of Law at the



William S. Boyd School of Law, University of Nevada, Las Vegas. Lydia will develop and direct a mediation clinic in conjunction with the Saltman Center for Conflict Resolution and the Thomas & Mack Legal Clinic. Lydia joins us after teaching at the University of Baltimore School of Law for three years as a Clinical Fellow in the Mediation Clinic for Families. At UB, Lydia has taught and supervised students providing mediation and limited representation in mediation for low-income families dealing with divorce, child access, foreclosure, and school conflicts. She also has taught seminars on mediation theory and practice. Prior to her position at Baltimore, Lydia was a Leadership, Ethics, and Democracy Building Fellow at the University of Maryland Francis King Carey School of Law. In addition, Lydia is an experienced mediator and has been mediating for the past three years with the Baltimore City Community Mediation Program.

Lydia received her B.A. from Cornell University and her J.D. from the University of Maryland School of Law, where she pursued studies in international human rights and conflict resolution and served as executive articles editor of the *Maryland Journal of International Law*. Lydia's recent scholarship focuses on how to structure foreclosure mediation and facilitated settlement programs in order to maximize their effectiveness. She intends to continue writing about the challenges and opportunities presented by government reliance on mediation for dispute resolution.

Stanford is pleased to welcome **Jared Haynie** as a staff attorney in the Religious Liberty Clinic. Before coming to the clinic in early 2013, Jared was in private practice where he focused primarily on First Amendment litigation. In addition to his constitutional litigation experience, Jared served as a deputy prosecutor for two years. Jared received his BS from Brigham Young University and his JD from Ave Maria School of Law.



New Faculty



We are very pleased to announce that **Eric Franklin** will join our tenure-track faculty this July as an Associate Professor of Law at the **William S. Boyd School of Law, University of Nevada, Las Vegas**. Eric Franklin will design

and launch in the Thomas & Mack Legal Clinic a new transactional clinic with a focus on social justice and community economic development. The clinic will represent community groups, community-focused nonprofit organizations, and small businesses. Under Eric's supervision, students will engage in a wide range of transactional work, including the formation and governance of nonprofit and for-profit entities; negotiation and drafting of contracts; interaction with federal and local government entities; and drafting applications for tax-exempt status. Eric is currently a Whiting Fellow at the **University of Denver Sturm College of Law**, where he has worked with Patience Crowder to design and run the Community Economic Development Clinic.

Eric received his JD from Cornell Law School and his BA from the University of Texas. After law school, Eric joined Sullivan & Cromwell's corporate group in Palo Alto, where his practice primarily focused on mergers and acquisitions and securities offerings. After several years at Sullivan, Eric moved to Seattle to join the business transaction group of Davis Wright Tremaine. His recent scholarship has examined the need for heightened transparency in contractual transactions and increased regulatory scrutiny of securities sales techniques.

Temple Law School has hired **Jennifer Lee** as a clinical professor at our new Stephen and Sandra Sheller Center for Social Justice. Jennifer comes from the Migrant Farmworker Division of Colorado Legal Services, and she previously had a clinical stint at the Civil Legal Assistance Clinic at the University of North Carolina School of Law.

Retiring Faculty

Retirement Reflection

By **Brenda Bratton Blom**



On January 1, 2103, I woke up a retired Law School Professor. After a lovely send-off by colleagues and friends, I poured a second cup of coffee and turned to face the future.

I have been blessed to live a life of sequential adventures. In each chapter of my life, I have met and worked with wonderful people. But, my professional life at the **University of Maryland Francis King Carey School of Law** was the most treasured. Having been given the support and permission to work in some of the most challenged and interesting communities of Baltimore City and across Maryland, I met and worked with an amazing array of people committed to bringing justice to people and places denied justice. Whether it be in the courts or in economic justice long denied, I was granted the privilege of working with the amazing colleagues (both professors and students) who walked the halls of our institution, and the amazing people on the ground willing to put in the hours/days/weeks/months/years it would take to wrest victories small and large.

Working in an academic institution also afforded me the privilege of meeting and working with colleagues in the academic institution writ large. I have been able to meet and work with people from across the country – to learn lessons that improved my teaching, my practice and my scholarship. While the pressures to rebuild and restructure the way that law is taught and learned are increasing in the current environment, I know that the creativity of those who show up every day will help make this change be transformative in positive ways.

I have also had the privilege to work with practitioners – those folks in the trenches, some of whom I met as students, and some who I have met in professional organizations and associations. Through these friendships and working relationships, I am reminded of the soundness of the hearts and minds of America's legal practitioners. Yes, there are outliers, but the core of our profession is in tact and focused on justice for all.

Today, I sit on a small Canadian island in the Bay of Fundy, sipping mint tea and open to the future. Retirement is an opening, I believe, to the next great adventure. I have many great retirement role models, and I will call on them as mentors and friends. There is much to be done. There is much to be savored. There is much to be shared.

Thanks to all of my colleagues and friends across this lovely community of interest. I look forward to the next chapter of my life and hope that our lives continue to intersect and intertwine.

Firsts
By Anita Sinha



There are stereotypes and notions about being a lawyer, and I have vocally bucked the bad ones. Except when it came to taking

gifts from my parents.

Starting from the first Christmas that I was in law school, I would get a “lawyer” gift, typically a suit or a nice bag, for almost every holiday and birthday. Over a dozen years later, the ritual continues. I am not kidding: My current handbag is one that my mother bought me as an early birthday gift. This year, I have often protested that public interest lawyers don’t wear such things, but not too loudly. Because in the end I didn’t want to protest how proud they were of me.

One set of stereotypes I didn’t fight related to the courtroom lawyer. I imagined in my head over and over how it would be like to walk into a court building, meet my client, tell her, “I got this,” walk into the courtroom together, and stand before the judge. This anticipated combination of power and responsibility was exhilarating.

Which is why I was so disappointed by my first time in court.

It was Seattle, October 2001. My client and I were waiting in the security line to get into immigration court. When we got to the front, I was stopped as I tried to take my

client through the special entrance for lawyers. I cannot remember if the guard asked if I was a family member or the interpreter. I cannot recall that specific time because it turned out to be far from the last time I would be mistaken for one or the other. My heart dropped, partly because of the story in my head, but mostly because I felt bad for my client – it must have freaked her out to see that her attorney didn’t wield power like the other lawyers in the court building that day.

Then I got mad. I remembered an argument I had with a colleague just a few days before, because he was making fun of the fact that I get dressed up for client interviews and planned to wear a suit to court. He said that this was the uppity New Yorker in me. He goes to court in jeans and a t-shirt. And I knew he wasn’t exaggerating, because I saw him after a court appearance once wearing such attire, with a shirt that said “Lolita” to boot. But let’s be frank: He is a White man, and I am not. And still...still I was standing in the courthouse, humiliated.

But I had to shake this all off and focus on what I had planned to say to the judge. When my client’s case was called, I open the wooden gate for her. I motioned my client to sit in the appropriate chair, and I stood before the judge. The adrenalin was rushing through me, and I felt good in that storied “I got this” sort of way. The judge ruffled through my submission and without looking up said, “Okay Ms. Singh...”

The problem was that my client’s name wasn’t Ms. Singh. Neither was mine. But my last name is Sinha, and so it seemed that the judge was talking to me. I thought about correcting him, but I didn’t. It was the first time I realized that the power and responsibility that I so anticipated didn’t look like what I had imagined. I wasn’t there for me. I was representing someone else. Which over the years has meant being more subtle about how to wield power, and more selfless about how to shoulder responsibility.

And so, making sure that I was projecting my voice, I answered, “Yes, your honor.” All the while wearing a nice suit, and carrying a very nice, lawyer bag.

Anita Sinha is a Practitioner-in-Residence in the Immigrant Justice Clinic at American University Washington College of Law. Her areas of expertise and scholarly interests include immigrants’ rights, affordable housing, racial justice, and social justice lawyering. Prior to joining the faculty, she spent over a decade litigating and advocating on behalf of low-income people of color across the United States.

Anita can be reached at asinha@wcl.american.edu.

Reversing the Roles: Letting Students Critique Our Pro Bono Work



Elizabeth Keyes directs the Immigrant Rights Clinic at University of Baltimore School of Law.

Her teaching, scholarship and practice all focus on improving access to justice for immigrants in the immigration system and other intersecting areas of the law, from criminal to family law. Liz's clinical work emerges from her years of practice at two organizations whose work with immigrants crossed a spectrum of legal needs and lawyering strategies.

Liz can be reached at ekeyes@ubalt.edu.

By Elizabeth Keyes

Sometimes innovation is less by intent than by accident, and I stumbled upon one small idea in the University of Baltimore Immigrant Rights Clinic in the fall that worked (again, accidentally) in the spring—so well that I will make it intentional in the future.

As so many of us do, I have pro bono cases and am part of policy work beyond what my students work on. This fall, I took on an asylum case with a short timeline, and ended up needing to submit the application a few weeks before the end of semester, instead of over break (which had been my hope). Needing to work quickly, I knew the client's declaration could benefit from collaboration, so I shared my draft with the clinic student-attorneys, and had them provide critiques. They also provided a sounding board for an evidentiary question I had. I genuinely wanted the feedback, and seeing that reinforced for them that collaboration is not just a clinic skill, but a lawyering skill—something that can generate ideas and (on the evidentiary issue) provide reassurance.

This spring, I had agreed to testify in the Maryland legislature on a report the fall clinic students had prepared. None of those students were available to do the testimony, so I pulled it together. Happily, my testimony was the day after we covered legislative advocacy in our clinic seminar. Toward the end of seminar,

after they had been practicing for a mock lobbying visit with a Maryland legislator on an immigrant rights issue, I asked them to pretend to be members of the Judicial Affairs committee. Most of our students are from Maryland, so they adopted their local politics as they listened to me, and the critiques of my statement came fast and furious. Although their engagement throughout the semester had been good, the fact that they knew I was going to deliver this statement the very next day created a level of energy I hadn't yet seen in class, and the critiques were thorough, direct and extraordinarily helpful. I incorporated the feedback, quickly reframed my remarks, and tried again—and they were excited to see what their ideas had created.

What do I hope these small moments gave to my students? First, they got to apply some of their clinic-acquired skills to a new problem they were seeing with fresh eyes. Second, they saw that there is no end point at which we have this "lawyering thing" down. There is always room to grow, and collaboration can be key to that growth. Third, one of my goals as a teacher is to instill an appreciation for pro bono work, so it is important to me that they see me doing—and enjoying—that. And fourth, they have fun with the role reversal, and when the semester gets especially hectic, finding things they can just have fun with is especially great.

THINGS ARE GOING TO SLIDE

**A novel (excerpt) by
Rangeley Wallace**

The story takes place in a law clinic in a fictional south Alabama law school and addresses, in part, different clinical methodologies and why teaching clinic is worthwhile (and difficult).

ChapterOne

...

The student lawyers in the ASU Clinic sometimes got cold feet before they interviewed or counseled a client or made a court appearance. As part of the nondirective pedagogy of the Clinic, the student lawyers were primarily responsible for the clients while the “real attorneys” supervised their work from a distance. The purpose of the supervision meeting was to discuss how the students planned to conduct the counseling of Mr. Hallowell, as well as how they planned to address any issues likely to arise. After the counseling session, they’d meet with Marilee again to discuss what they did, how successful it was, and what might have worked better.

The independence Marilee gave the students with her nondirective, hands-off approach provided them with a unique opportunity to experience lawyering firsthand. If Marilee attended the client counseling the next morning with Lance and Paula, they would defer to her, and Mr. Hallowell likely would look to her as the “real attorney,” undermining the students’ ability to take on the serious responsibility of representing a client, to own the work. Nothing took away ownership more quickly than the presence of a senior lawyer at every important juncture.

Among clinics in the U.S., there were varying degrees of senior staff involvement in student attorneys’ work, ranging from the nondirective clinics, like ASU’s, to the directive clinics, like the Redmont Law School Clinic where Dwight last taught. There, the supervising attorneys represented the clients while the students served as glorified law clerks. The battle between the various models of clinical teaching was being waged in the annals of every Clinical Law Journal in the country, if not the world.

One of Marilee’s draft essays in the pile of papers on her desk addressed the different supervision methodologies and made the case for the nondirective model employed at ASU: PREPARING OUR STUDENTS FOR PRACTICE –WHY SUPERVISING ATTORNEYS SHOULD STAY OUT OF THE WAY.

Lance picked up the binder and flipped through it for his outline. “Here it is,” he said, sounding relieved.

“You could do the counseling without your notes, Lance,” Paula assured him. “You drafted most of it from memory, for goodness sake.”

“Don’t want to leave anything out.” He studied the outline. “So, first, we want to review the case law on custody, and then we want to summarize the procedural history of the case.”

“Based on what?” Marilee asked.

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THINGS ARE GOING TO SLIDE, continued.

"All the court filings from his divorce and the custody battle. A lot happened before he retained us."

"Mr. Hallowell brought the court documents in when we first met him," Paula said, holding one hand up as far as it could reach and the other at her lap, signifying a pile of papers a few feet deep.

"Did he have a lawyer then?" Marilee asked.

The students shook their heads. "He represented himself," Lance said.

"Not a good idea," Paula added.

"After reviewing the history of the case and the law, we're going to recommend he sees a psychiatrist to try to get his behavior a little more normalized so he'll have a chance with custody." Paula's hands flew as she talked. "It shouldn't be too difficult to discuss with him, hopefully, because he's well aware of his mental health issues. We found him someone at the hospital who will treat him *pro bono*."

"That's great," Marilee said. "One thing. Did you-?" Before she could ask them if they'd gone to court to take a look at Mr. Hallowell's official court files, her phone rang. The caller ID showed the number for Ellie's preschool. Her heart flip-flopped and she raised a finger and picked up.

"Everything's fine, Marilee," Jo Ellen, the preschool receptionist began, "but I just wondered if you're gonna have time to bring over the healthy snacks. You signed up for today at back to school night. Remember?"

Damn. At home that morning she'd been so focused on her hair and clothes and the excitement of getting the Chair that she'd forgotten all about the snacks. "Right, right. I just need to finish a few quick things and I'll be right over." After she stopped by the Piggly Wiggly and bought the snacks, that is, something she should have done yesterday.

Lance and Paula looked at her, wondering, she was sure, whether some client crisis required her to leave the law school in the middle of the day. Or perhaps a news producer was asking her to appear on a nightly news show, as she did from time to time, to decipher some obscure legal issue.

But she didn't dare tell them who had actually called or why. She knew from her own and other women's experiences that sharing personal details about your children caused students and colleagues to view you as less than a full-fledged professional and more as a mom. For that reason, she didn't have pictures of Ellie in her office. Some of the male professors' office walls and shelves were covered with photos of their children and wives, and no one doubted their professionalism because everyone assumed someone else (guess who?) took care of the kids while the male professor devoted every waking minute to the attainment of intellectual nirvana at the law school.

She hung up and looked at the students. "Sorry about the interruption. Anything else we need to discuss?"

Lance shook his head, though he grimaced as well. "We're prepared; I'm just nervous!" He looked at Marilee anxiously, his mouth partly open, as though he might change his tune, but he didn't.

"Great. Good luck tomorrow. I'll talk with you after your counseling session."

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THINGS ARE GOING TO SLIDE, continued.**CLINICAL LEGAL
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They packed up their stuff and left, chattering about the case, excited at the prospect of counseling their client. Like the majority of the students, they treasured Clinic work. They were delighted to get out of the classroom, where they focused on hundred-year-old cases that often had no relevance to the type of law they intended to practice, and actually represent clients, which was the reason they had gone to law school in the first place. After a few weeks of Clinic, they often viewed their substantive classes as irrelevant drivel. Real clients! Real cases! Real lawyers at last!

Marilee loved working with the students during their transition from student to lawyer and helping them along the sometimes difficult but always exciting way. Their enthusiasm was catching and contrasted dramatically with the attitude of the associates in the law firm where she'd worked in Atlanta, Wooten and Payne. There, the associates billed and billed, their only goal more billable hours than the other associates vying for partnership. Many had gone to law school to help others, some to save the world, but some had exorbitant educational debts, while others had become addicted to the finer things of life, whether it was a BMW, a club membership, or a steady supply of designer shoes. The dream of becoming an attorney whose job was to help clients with difficult problems was often lost in the race for partnership.

Chair or no Chair, Marilee loved teaching Clinic and she'd be damned if she'd let Sue Scanlon run her out of there.



[Rangeley Wallace](#) is currently a Practitioner-in-Residence in the General Practice Clinic at American University

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Besides having taught a variety of courses there, including legal writing, externship seminar, civil practice clinic, and disability rights clinic, she has practiced public interest law and corporate law, represented white collar criminal defendants in federal court and asylum and immigrations clients on behalf of the Center for Multicultural Human Services. Born in Alabama and a long-time resident of Washington, D.C., Rangeley found time to raise four children and write books.

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THINGS ARE GOING TO SLIDE
(Bev Editions 2012) is an eBook
available at:
<http://rangeleywallace.com/>.

What is CLEA?

Most clinical teachers are members of the AALS Clinical Legal Education Section. But in 1992, several clinicians realized that there were important activities that could not be performed by AALS Section members, at least not without the cumbersome approval process of the AALS Executive Committee. CLEA was formed as a separate organization to permit clinical legal educators to act swiftly and independently, and to open membership to persons who were not eligible to join the Section. CLEA does not compete with the AALS Section but augments it, and CLEA continues to urge clinical teachers to belong to both entities.

CLEA is currently engaged in activities such as:

Advocating for excellence in legal education with the ABA Council on Legal Education and its committees (such as the Standards Review Committee). Indeed, this advocacy has become one of CLEA's primary endeavors – whether supporting job security and governance rights for clinical and other skills teachers or seeking ABA support for curriculum reform. CLEA advocacy has made a difference. It has never been more important than it is now, when ABA support for our work preparing students for the practice of law is at risk of erosion.

CLEA supports individual schools and clinicians facing political interference or threats to academic freedom of clinics.

CLEA works with AALS and NYU to publish the peer reviewed Clinical Law Review (which comes free with a CLEA membership).

CLEA sponsors the bi-annual New Clinical Teachers conference and co-sponsors numerous other conferences.

CLEA authors amicus briefs on topics important to legal education.

CLEA commissioned the writing and publishing of the 2007 book, *Best Practices for Legal Education* (Roy Stuckey et al), which, along with the Carnegie Report, "Educating Lawyers," is prompting a major re-evaluation of legal education.

CLEA sponsors awards for students, clinical teachers, and for clinical programs.

Upcoming CLEA Events in Puerto Rico

- **New Clinicians Conference**, Sunday, April 28, 2013 9:00am-6:00 pm
University of Puerto Rico
Followed by dinner at Centro de Estudios Avanzados de Puerto Rico y el Caribe
- **CLEA turns 21!** Celebrate CLEA's birthday and join us for CLEA's membership meeting on Sunday, April 28, 8:00-11:00 pm at Centro de Estudios Avanzados de Puerto Rico y el Caribe, Calle Cristo #52, Viejo San Juan.
- **CLEA Board Meeting** Tuesday, April 30, 2013 5:30-6:30 p.m., Caribe Hilton Hotel Conference Center, Conference 6/7 CLEA Board meetings are open to interested members.

NOTE: This is a change from the time announced in the Clinic Conference program.

• CLEA posts clinical events and conferences on the Events tab of the CLEA website. Please email [Tanya Cooper](mailto:Tanya.Cooper@law.ua.edu) to have an event posted.

CLINICAL LEGAL
EDUCATION
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Advocating for clinical
legal education
as fundamental to a
lawyer's education.

CLEA's Membership Meeting and Coming of Age Birthday Bash

CLEA will celebrate its twenty-one years in existence with a look back at the founding of CLEA, an overview of CLEA's current projects and events, presentation and readings by the winners of the CLEA Creative Writing Awards, salsa dancing lessons, and more at Centro de Estudios Avanzados de Puerto Rico y el Caribe (Center for Advanced Studies of Puerto Rico and the Caribbean), Calle Cristo #52, Viejo San Juan. The location is an historic building in Old San Juan. The website is www.ceaprc.edu. Buses will be provided from the Hilton Caribe at 7:45 and 8:10 pm.



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