

**CONCURRENT SESSION**  
*Association of American Law Schools Conference on Clinical Legal Education*  
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## **THE ROLE OF CLIENTS IN TRANSFORMING THE NON-CLINICAL CURRICULUM: INTEGRATING “CLIENTS” INTO THE CLASSROOM**

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### **Bibliography:** **Scholarship and Other Sources for Ideas**

This document lists a few articles and readings that might interest those looking for ideas about integrating clients (or the concept of clients) into non-clinical classes. These readings helped us prepare for this concurrent session at the 2002 AALS Conference on Clinical Legal Education. This list is by no means exhaustive, but intended as a starting point for research into the area. Please get in touch with us at the email or phone numbers above if you wrote or know of additional readings that should be on an updated version of this list. The Integration Committee will be working on such an update in the near future!

Jane Harris Aiken, *Striving to Teach “Justice, Fairness and Morality”*, 4 Clin. L. Rev. 1 (1997).

Peter C. Alexander, Peter N. Kutulakis and Robert M. Ackerman, *Integrating Alternative Design Resolution into the Bankruptcy Curriculum*, 102 Dick. L. Rev. 259 (1998).

Ann Althouse, *The Lying Woman, The Devious Prostitute, and Other Stories from the Evidence Casebook*, 88 Nw. U. L. Rev. 914 (1994).

Barbara M. Anscher, *Turning Novices into Experts: Honing Skills for the Performance Test*, 24 Hamline L. Rev. 224 n1 (2001).

Craig Anthony Arnold, *Casebook Review, How Do Law Students Really Learn? Problem-Solving, Modern Pragmatism, and Property Law: Fundamentals of Modern Real Property Law, 3d edition*, 22 Seattle Univ. L. R. 891 (1999).

Brook K. Baker, *Learning to Fish, Fishing to Learn: Guided Participation in the Interpersonal Ecology of Practice*, 6 Clin. L. Rev. 1 (1999).

Margaret Martin Barry, Jon C. Dubin and Peter A. Joy, *Clinical Education for This Millenium: The Third Wave*, 7 Clin. L. Rev. 1 (2000).

Paul Bateman, *Toward Diversity in Teaching Methods in Law Schools: Five Suggestions from the Back Row*, 17 Quinnipiac L. Rev. 397 (1997).

Roger Bernhardt, Special Essay, *Teaching Real Property Law as Real Estate Lawyering*, 23 Pepp. L. Rev. 1099 (1996).

Barbara Bezdek, *Silence in The Court: Participation and Subordination of Poor Tenants' Voices in Legal Process*, 20 Hofstra L. Rev. 533 (1992).

Richard Boldt and Marc Feldman, *Theoretics of Practice: The Integration of Progressive Thought and Action: The Faces of Law in Theory and Practice: Doctrine, Rhetoric, and Social Context*, 43 Hastings L.J. 1111 (1992).

Elliot M. Burg, *Clinic in the Classroom: A Step Toward Cooperation*, 37 J. Leg. Educ. 232 (1987).

Susan Bryant, *The Five Habits: Building Cross Cultural Competence in Lawyers*, 8 Clin. L. Rev. 33 (2001).

Naomi Cahn and Joan Meier, Symposium, *New Approaches To Poverty Law, Teaching, And Practice: Domestic Violence And Feminist Jurisprudence: Towards A New Agenda*, B.U. Pub. Int. L.J. 339.

William J. Carney, *Preparing the Corporate Lawyer: Teaching Problems in Corporate Law: Making it Real*, 34 Ga. L. Rev. 823 (2000).

Jill Chaifetz, *The Value of Public Service: A Model for Instilling a Pro Bono Ethic in Law School*, 45 Stan. L. Rev. 1695 (1993).

David F. Chavkin, *Training The Ed Sparers Of Tomorrow: Integrating Health Law Theory And Practice*, 60 Brook. L. Rev. 303 (1994).

Leslie L. Cooney and Lynn A. Epstein, *Classroom Associates: Creating a Skills Incubation Process for Tomorrow's Lawyer*, 29 Cap. U. L. Rev. 361 (2001).

Robert Cumbow, *Educating the 21<sup>st</sup> Century Lawyer*, 32 Idaho L. Rev. 407 (1996).

Clark D. Cunningham, *Evaluating Effective Lawyer-Client Communication: An International Project Moving from Research to Reform*, 67 Fordham L. Rev. 1959 (1999).

Lynn M. Dagget, *Teaching Torts by Integrating Ethical, Skills, Policy and Real-World Issues, and Using Varied Pedagogical Techniques: Reflections on Using the Henderson, Pearson and Siliciano Casebook*, 25 Seattle Univ. L. R. 63 (2001).

Thomas Disare, *A Lawyer's Education*, 7 Md. J. Contemp. Leg. Issues 359 (1996).

John S. Elson, *Why and How the Practicing Bar Must Rescue American Legal Education from the Misguided Priorities of American Legal Academia*, 64 Tenn. L. Rev. 1135 (1997).

Howard S. Erlanger & Gabrielle Lessard, *Mobilizing Law Schools in Response to Poverty: A Report on Experiments in Progress*, 43 J. Leg. Educ. 199 (1993).

Jay M. Feinman, *The Future History of Legal Education*, 29 Rutgers L.J. 475 (1998).

Marc Feldman, *On the Margins of Legal Education*, 13 N.Y.U. Rev. L. & Soc. Change 607 (1985).

James M. Fischer, *Remedy Discussion Forum: Teaching Remedies Versus Learning Remedies*, 39 Brandeis L.J. 575 (2001).

Jerome Frank, *Why Not a Clinical Lawyer-School?*, 81 U. Pa. L. Rev. 907 (1933).

Jerome Frank, *A Plea for Lawyer-Schools*, 56 Yale L.J. 1303 (1947).

John T. Gaubatz, *Of Moots, Legal Process, and Learning to Learn the Law*, 37 U. Miami L. Rev. 473 (1983).

Carol R. Goforth, *Preparing the Corporate Lawyer: Use of Simulations and Client-Based Exercises in the Basic Course*, 34 Ga. L. Rev. 851 (2000).

Pearl Goldman and Leslie Larkin Cooney, *Therapeutic Jurisprudence/Preventive Law and Law Teaching: Beyond Core Skills and Values: Integrating Therapeutic Jurisprudence and Preventive Law into the Law School Curriculum*, 5 Psych. Pub. Pol. and L. 1123 (1999).

Robert Granfield, *Constructing Professional Boundaries in Law School: Reactions of Students and Implications for Teachers*, 4 S. Cal. Rev. L. & Women's Stud. 53 (1994).

Judith G. Greenberg & Robert V. Ward, *Teaching Race and the Law Through Narrative*, 30 Wake Forest L. Rev. 323 (1995).

Samuel R. Gross, *Clinical Realism: Simulated Hearings Based on Actual Events in Students' Lives*, 40 J. Leg. Educ. 321 (1990).

Margret M. Hazen and Thomas Lee Hazen, *Simulation of Legal Analysis and Instruction on the Computer*, 59 Ind. L.J. 195 (1983).

Frances Gall Hill, Symposium, *Law and the New American Family: Clinical Education and the "Best Interest" Representation of Children in Custody Disputes: Challenges and Opportunities in Lawyering and Pedagogy*, 73 Ind. L.J. 605 (1998).

Alan D. Hornstein and Jerome E. Deise, *Greater Than the Sum of Its Parts: Integrating Trial Evidence & Advocacy*, 7 Clin. L. Rev. 77 (2000).

Jonathan M. Hyman, *Discovery and Intervention: The NITA Method in the Contracts Classroom*, 66 Notre Dame L. Rev. 759 (1991).

M. H. Sam Jacobson, *A Primer on Learning Styles: Reaching Every Student*, 25 Seattle Univ. L. R. 139 (2001).

Marianne M. Jennings, *Moral Disengagement and Lawyers: Codes, Ethics, Conscience, and Some Great Movies*, 37 Duq. L. Rev. 573 (1999).

Alex M. Johnson, Jr., *Think Like a Lawyer, Work Like a Machine: The Dissonance between Law School and Law Practice*, 64 S. Cal. L. Rev. 1231 (1991).

Harriet N. Katz, *Pedagogy: Using Faculty Tutorials to Foster Externship Students' Critical Reflection*, 5 Clin. L. Rev. 437 (1999).

Mary Kate Kearney and Mary Jane Kearney, *Reflections on Good (Law) Teaching*, 2001 L. Rev. M.S.E.-D.C.L. 835.

Deseriee A. Kennedy, Symposia, *Witnessing the Process: Reflections on Civil Procedure, Power, Pedagogy, and Praxis*, 32 Loy. L.A. L. Rev. 753.

Janeen Kerper, *Creative Problem-Solving vs. The Case Method: A Marvelous Adventure in Which Winnie-the-Pooh Meets Mrs. Palsgraf*, 34 Cal. W. L. Rev. 351 (1998).

Philip C. Kissam, *The Ideology of the Case Method/Final Examination Law School*, 70 U. Cin. L. Rev. 137 (2001).

Susan D. Kovac, *Part-Time Employment of Full-Time Law Students: A Problem or an Opportunity*, 58 Tenn. L. Rev. 669 (1991).

Homer C. La Rue, *Theoretics of Practice: The Integration of Progressive Thought and Action: Developing an Identity of Responsible Lawyering Through Experimental Learning*, 43 Hastings L.J. 1147 (1992).

Homer C. La Rue, *Developing an Identity of Responsible Lawyering Through Experiential Learning*, 43 Hastings L.J. 1147 (1992).

Gary S. Laser, *Legal Education I: Educating for Professional Competence in the Twenty-First Century: Educational Reform at Chicago-Kent College of Law*, 68 Chi.-Kent L. Rev. 243 (1992).

Lisa G. Lerman, *Teaching Moral Perception and Moral Judgment in Legal Ethics Courses: A Dialogue About Goals*, 39 Wm. & Mary L. Rev. 457 (1998).

Lisa G. Lerman, *Professional and Ethical Issues in Legal Externships: Fostering Commitment to Public Service*, 67 Fordham L. Rev. 2295 (1999).

Douglas L. Leslie, *Approaches to Teaching Contracts: How Not to Teach Contracts, and Any Other Course: Powerpoint, Laptops, and the Casefile Method*, 44 St. Louis L.J. 1289 (2000).

Howard Lesnick, *Infinity in a Grain of Sand: The World of Law and Lawyering as Portrayed in the Clinical Teaching Implicit in the Law School Curriculum*, 37 UCLA L. Rev. 1157 (1990).

Raleigh Hannah Levine, *Of Learning Civil Procedure, Practicing Civil Practice, and Studying A Civil Action: A Low-Cost Proposal to Introduce First-Year Law Students to the Neglected MacCrate Skills*, 31 Seton Hall L. Rev. 479 (2000).

Antoinette Sedillo Lopez, Symposium, *The Social Justice Mission of Clinical Education: Learning Through Service in a Clinical Setting: The Effect of Specialization on Social Justice and Skills Training*, 7 Clin. L. Rev. 307 (2001).

Sandra Craig McKenzie, *Storytelling: A Different Voice for Legal Education*, 41 Kan. L. Rev. 251 (1992).

Stephen Meili, Special Issue: *Faculty Perspectives: A Voice Crying Out in the Wilderness: The Client in Clinical Education*, 2000 Wis. L. Rev. 617.

Carrie Menkel-Meadow, *Feminist Legal Theory, Critical Legal Studies, and Legal Education or "The Fem-Crits Go to Law School,"* 38 J. Leg. Educ. 61, 80 (1988).

Veryl Victoria Miles, *Raising Issues of Property, Wealth and Inequality in the Law School: Contracts & Commercial Law School Courses*, 34 Ind. L. Rev. 1365 (2001).

Binny Miller, *Telling Stories about Cases and Clients: The Ethics of Narrative*, 14 Geo. J. Leg. Ethics 1 (2000).

John B. Mitchell, Betsy R. Hollingsworth, Patricia Hall Clark and Raven Lidman, *And Then Suddenly Seattle University Was on Its Way to a Parallel, Integrative Curriculum*, 2 Clin. L. Rev. (1995).

James E. Moliterno, *On the Future of Integration Between Skills and Ethics Teaching: Clinical Legal Education in the Year 2010*, 46 J. Leg. Educ. 67 (1996).

James E. Moliterno, *An Analysis of Ethics Teaching in Law Schools: Replacing Lost Benefits of the Apprentice System in the Academic Atmosphere*, 60 U. Cin. L. Rev. 83 (1991).

Laurie A Morin, Symposium, *Legal Education: Reflections on Teaching Law as Right Livelihood: Cultivating Ethics, Professionalism, and Commitment to Public Service from the Inside Out*, 35 Tulsa L.J. 227 (2000).

Eleanor W. Myers, *Teaching Good and Teaching Well: Integrating Values with Theory and Practice*, 47 J. Leg. Educ. 401 (1997).

Eleanor W. Myers, *"Simple Truths" About Moral Education*, 45 Am. U. L. Rev. 823.

Fernando Colon-Navarro, *Thinking Like a Lawyer: Expert-Novice Differences in Simulated Client Interviews*, 21 J. Leg. Prof. 107 (1996-97).

Catherine Gage O'Grady, *Preparing Students for the Profession: Clinical Education, Collaborative Pedagogy, and the Realities of Practice for the New Lawyer*, 4 Clin. L. Rev. 485 (1998).

Kimberly E. O'Leary, *Using "Difference Analysis" to Teach Problem-Solving*, 4 Clin. L. Rev. 65 (1997).

Kate O'Neill, *Adding an Alternative Dispute Resolution (ADR) Perspective to a Traditional Legal Writing Course*, 50 Fla. L. Rev. 709 (1998).

Michael L. Perlin, Symposium, *Creative Problem Solving Conference: Stepping Outside the Box: Viewing Your Client in a Whole New Light*, 37 Cal. W. L. Rev. 65 (2000).

Don Peters, Symposium, *Dispute Resolution in the Law School Curriculum: Opportunities and Challenges, Part II: Oiling Rusty Wheels: A Small Claims Mediation Narrative*, 50 Fla. L. Rev. 761 (1998).

Don Peters, *Faculty Essay Issue: Mapping, Modeling, and Critiquing: Facilitating Learning Negotiation, Mediation, Interviewing, and Counseling*, 48 Fla. L. Rev. 875 (1996).

Fernando M. Pinguelo, Student Author, *The Struggle Between Legal Theory and Practice: One Law Student's Effort to Maintain the "Proper" Balance*, 1998 BYU Educ. & L. J. 173 (Spring, 1998).

Ronald M. Pipkin, *Teaching Dispute Resolution in the First Year of Law School: An Evaluation of the Program at the University of Missouri-Columbia*, 50 Fla. L. Rev. 609 (1998).

Fran Quigley, *Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics*, 2 Clin. L. Rev. 37 (1995).

E. Michelle Rabouin, *Walking the Talk: Transforming Law Students into Ethical Transactional Lawyers*, 9 Depaul Bus. L.J. 1 (1996).

Vernellia R. Randall, *Increasing Retention and Improving Performance: Practical Advice on Using Cooperative Learning in Law Schools*, 16 T.M. Cooley L. Rev. 201 (1999).

Robert Eli Rosen, Special Issue and Topic, *Ethical Soap: L.A. Law and the Privileging of Character*, 43 U. Miami. L. Rev. 1229.

Elizabeth J. Samuels, *Stories out of School: Teaching the Case of Brown v. Voss*, 16 Cardozo L. Rev. 1445 (1995).

Thomas L. Shaffer, *On Teaching Legal Ethics with Stories about Clients*, 39 Wm. & Mary L. Rev. 421 (1998).

Ann Shalleck, *Constructions of the Client Within Legal Education*, 45 Stan. L. Rev. 1731 (1993).

Ann Shalleck, *Feminist Theory And Feminist Method: Transforming The Experience Of The Classroom*, 7 Am. U. J. Gender Soc. Policy & L. 229.

Randall T. Shepard, *Classrooms, Clinics and Client Counseling*, 18 Ohio N.U. L. Rev. 751 (1992).

Alexander Scherr, *Lawyers and Decisions: A Model of Practical Judgment*, 47 Vill. L. Rev. 161 (2002).

Deborah A. Schmedemann and Christina L. Kunz, Tribute: *Dean James F. Hogg: A Decade of Developments in Performance-Based Legal Education*, 21 Wm. Mitchell L. Rev. 672 (1996).

Terry Jean Seligmann, *Beyond "Bingo!": Educating Legal Researchers as Problem Solvers*, 26 Wm. Mitchell L. Rev. 179 (2000).

Lucia Ann Silecchia, *Legal Skills Training in the First Year of Law School: Research? Writing? Analysis? Or More?*, 100 Dick. L. Rev. (1996).

Marjorie A. Silver, *Therapeutic Jurisprudence/Preventive Law and Law Teaching: Emotional Intelligence and Legal Education*, 5 Psych. Pub. Pol. and L. 1173 (1999).

W. David Slawson, *Changing How We Teach: A Critique of the Case Method*, 74 S. Cal. L. Rev. 343 (2000).

Lewis D. Solomon, *Perspectives on Curriculum Reform in Law Schools: A Critical Assessment*, 24 U. Tol. L. Rev. 1 (1992).

Paul J. Spiegelman, *Integrating Doctrine, Theory and Practice in the Law School Curriculum: The Logic of Jake's Ladder in the Context of Amy's Web*, 38 J. Leg. Educ. 243 (1988).

Dennis P. Stolle, David B. Wexler, Bruce J. Winick and Edward A. Dauer, Symposium, *Law and Psychology: Integrating Preventive Law and Therapeutic*

*Jurisprudence: A Law and Psychology Based Approach to Lawyering*, 34 Cal. W. L. Rev. 15 (1997).

Ruta K. Stropus, *Mend it, Bend it, and Extend it: The Fate of Traditional Law School Methodology in the 21<sup>st</sup> Century*, 27 Loy. U. Chi. L.J. 449 (1996).

Roy T. Stuckey, *Education for the Practice of Law: The Times They Are A-Changin'*, 75 Neb. L. Rev. 648 (1996).

Joseph P. Tomain & Michael E. Solimine, *Skills Skepticism in the Postclinic World*, 40 J. Leg. Educ. 307 (1990).

Arturo L. Torres & Karen E. Harwood, *An Annotated Bibliography of Current Methods for Law Teaching*, 1994 Gonz. L. Rev. 1.

Scott Turow, *Law and Literature, Introductory Remarks and Panel Discussion*, 31 N.M. L. Rev. 67 (2001).

Jeffrey A. Van Detta, *Collaborative Problem-Solving Responsive to Diverse Learning Styles: Labor Law as an Active Learning Experience*, 24 N.C. Cent. L.J. 46.

Lea B. Vaughn, *Integrating Alternative Dispute Resolution (ADR) into the Curriculum at the University of Washington School of Law: A Report and Reflections*, 50 Fla. L. Rev. 679 (1998).

Patricia M. Wald, *Human Voice in Legal Discourse: Disembodied Voices – An Appellate Judge's Response*, 66 Tex. L. Rev. 623 (1988).

James Boyd White, *Essays on Legal Education: Doctrine in a Vacuum: Reflections on What a Law School Ought (And Ought Not to Be)*, 18 U. Mich. J.L. Ref. 251 (1985).

Patrick Wiseman, *Legal Education and Cynicism About the Law: Practicing Ethical Jurisprudence in the Classroom*, 25 Cumb. L. Rev. 1 (1994/1995).

Barbara Bennett Woodhouse, *Mad Midwifery: Bringing Theory, Doctrine, and Practice to Life*, 91 Mich. L. Rev. 1977 (1993).

William J. Woodward, Jr., Book Review: *Empiricists and the Collapse of the Theory-Practice Dichotomy in the Large Classroom: A Review of Lopucki and Warren's Secured Credit: A Systems Approach*, 74 Wash. U. L.Q. 419 (1996).

Mary Marsh Zulack, *Rediscovering Client Decisionmaking: The Impact of Role-Playing*, 1 Clin. L. Rev. 593 (1995).