



# AALS NEWSLETTER

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## Message from the Chair



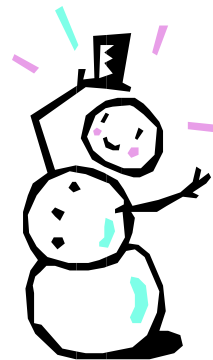
Dear Colleagues:

I hope this finds you all well. The Section has been busy and I'm happy to have this space to tell you about our work and our plans for the upcoming annual meeting and beyond. This is my last message as Chair. In January, Randi Mandelbaum and Kathy Hessler will become Co-Chairs. As Co-Chairs Elect over the last year, they have been central in all of the Section's work. They will no doubt serve the Section exceedingly well in the coming year.

### Highlights of the Section's Activities

In addition to its important but more routine activities, the Section has been busy on several initiatives connected by the common goal of building a broader and more inclusive community of clinicians. For example, the Section's new ad hoc **Membership and Outreach Committee** is working to help the Section both better serve its members and reach out to clinicians who, through no fault of their own, lie out at the margins of the profession. Inclusion of their voices and perspectives is critical to our coalescence, strength and vitality as a community. Chaired by Amy Applegate (Indiana) and Hans Sinha (Mississippi), the Committee has developed and is now beginning to implement new and creative outreach strategies to bring more clinicians into the Section, the community and, ultimately, the clinical movement.

In May the Section's Executive Committee reaffirmed and expanded its commitment to funding **regional conferences**. Over the last several years the Section has provided support for a number of successful regional conferences. Each has provided a great, low-cost opportunity for clinicians who cannot travel to the Annual Meeting or May conference to nonetheless meet and exchange ideas with clinicians outside of their immediate area. To further foster these exchanges, the Executive Committee voted to increase the support it would provide to up to \$1,500 per conference. And the once cumbersome and confusing process of getting the funding has been streamlined by Section Treasurer Beth Belmont in easy to follow guidelines which will be available in January.



The Section's **Taskforce on Clinical Legal Education** also remains hard at work in an effort to address the questions of who we are and, in the name of better serving our students and clients, where we should be going. Created in response to the success of the Section's 2005 Townhall meeting, one of the Taskforce's charges is to assess various models of clinical appointments. The Taskforce is also examining how these models relate to the quality of teaching and scholarship and how they may advance and improve legal education. At the annual conference in May, the Taskforce conducted a Townhall meeting focused on its *Interim Report on Clinicians in the Academy*. The meeting provided much needed feedback for the Taskforce as it writes its final report which will be the subject of a Townhall meeting at the annual conference in Tucson next May. The final report will include recommendations for the future based, in part, on an assessment of the state of clinical education today. That assessment will be largely based on the data gathered in the Center for the Study of Applied Legal Education's on-going survey, which is being conducted with support from the Section, CLEA and others.

#### Annual Meeting; Pincus Award; Nominations for Section Office

The Section has a very busy Saturday during the Annual Meeting in New York this January. Our **lunch and business meeting** runs from 12:15 to 1:30 p.m. At the lunch we will honor John Elson, this year's recipient of the **William Pincus Award**. The Awards Committee (chaired by Kurt Eggert) selected John from among a number of prominent nominees. As the Committee aptly put it, his "work toward advancing the cause of clinical education, his ground-breaking legal work, his scholarship asserting the need to repair the system of legal education, and his fundamental and inspiring commitment to his students and his clients" make him a very deserving recipient.

We have expanded access to the **business meeting** portion of the lunch this year. People who do not attend lunch will now be able to enter at 1:15 to attend the business meeting. During this meeting we will elect the Section's officers for next year. The Nominating Committee (chaired by Russell Engler) has nominated Carol Suzuki (New Mexico) for Chair-Elect. Carol has been a moving force in the Section for a number of years chairing many important committees and serving as Secretary. She will make an excellent and innovative Section Chair. From a very large and impressive field of nominees, the Committee has also nominated Kurt Eggert (Chapman) and Mary Lynch (Albany) to serve on the Section's Executive Committee. Both will bring energy, experience and creativity to the Committee.

The **Section's Program** begins right after lunch. This year's Program Committee (Peter Knapp, Chair) has put together something truly different. Entitled *Teaching the Art of Listening*, the program will focus on different types of, and contexts for listening and different listening theories and teaching techniques. The program will be a highly interactive one that promises a lively and engaging experience while helping attendees to think differently about this often overlooked art.

#### Thanks

Thank you to all those who have generously provided assistance and support this last year in helping move the Section's work forward. Co-Chair Elects Randi Mandelbaum and Kathy Hessler have really gone beyond the call. The Executive Committee -- Toni Alfieri, Amy

Applegate, Beth Belmont, Doug Frenkel, Susan Jones (Immediate Past Chair), Hans Sinha, Carol Suzuki, and Paulette Williams -- have all worked very hard to help the Section move in new, innovative and more inclusive directions. Hans and Susan are rotating off the Committee this year and their presence will be sorely missed. I also want to thank Kim O’Leary. Her long hours of careful work make this newsletter possible.

I also want to thank Paula Williams and Michael Pinard, President and Vice-President of CLEA. Their work with the Section on several important issues made clear just how complementary the two organizations are and how important our continued collaboration is.

It has been an honor to serve as Section Chair. I truly appreciate the support and friendship offered by countless members. I look forward to seeing you in New York in January. Best wishes and safe travels.

-David Santacroce

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# **Committee Reports**

## **Nominations**

Many thanks to all of you who submitted nominations of candidates for the Chair-Elect and Executive Committee positions. The AALS Clinical Section Nominations Committee has completed its work, and forwarded the names below as our nominees. Our only regret is that we had only 2 slots to fill on the Executive Committee, which required us to pass over a number of qualified, deserving candidates. We urge anyone nominated, but not selected, to consider throwing your hat in the ring again next year, and finding other ways to help the Section in the interim.

--Russell Engler, New England School of Law, for the Nominations Committee

PS As a die-hard, life-long Red Sox fan, I feel compelled to note that "Wait Till Next Year" is a message of hope, not futility, these days...

Nomination for Chair-Elect: Carol Suzuki, New Mexico

Nominations for Executive Committee: Kurt Eggert, Chapman & Mary Lynch, Albany

# Feature Articles

## **WILLAMETTE UNIVERSITY CLINICAL LAW PROGRAM INVESTIGATION LEADS TO MULTI-STATE FRAUD LAWSUIT**

SALEM, Ore. - Willamette University College of Law students spent more than a year investigating four California corporations and an individual that allegedly engaged in unlawful trade practices, including misleading marketing of an English language instruction course and unconscionable collection tactics. The investigation culminated in early August when Oregon Attorney General Hardy Myers announced the filing of a \$1.2 million lawsuit spanning 12 states.

The lawsuit alleges that the defendants advertised "free" English language instruction course materials and later charged the consumers exorbitant shipping and handling fees. The defendants also repeatedly demanded payment for products that some consumers never ordered or received. Thereafter, the defendants falsely represented themselves as third-party debt collectors and lawyers and threatened legal action in an effort to extract more money from the victims. In all cases, the victims owed the defendants nothing.

Willamette Clinical Law Program students began work on the case in fall 2006. Third-year student Elan Martinez was involved in the initial investigation and coordinated efforts with local police. Jared D. Boyd, also a 3L, conducted legal research on the admissibility of certain evidence. Laurie Nelson, who is fluent in Spanish and a May 2007 Willamette law graduate, translated affidavits and served as a liaison to consumers involved in the case. In addition, third-year student Lonon Johnston drafted the complaint.

David A. Friedman, visiting assistant professor of clinical legal studies, supervised the students' work and filed the case in Marion County Circuit Court in conjunction with Oregon Department of Justice (DOJ) financial fraud and consumer protection attorneys.

In 2006, Professor W. Warren H. Binford, director of the Clinical Law Program, and Friedman were deputized special assistant attorneys general by the Oregon DOJ. Under their supervision, students enrolled in Willamette's Clinical Law Program have helped the



Standing, from left: Students Laurie Nelson, Jared Boyd and Lonon Johnston  
Seated, from left: Professors W. Warren H. Binford

DOJ investigate and prosecute numerous civil cases involving financial fraud and consumer protection issues. A number of the cases have involved misconduct targeting the Hispanic community.

"Willamette's partnership with the Oregon DOJ provides a unique opportunity for our Clinical Law Program students," Binford said. "Many of our law students are committed to public service and using their partnership with the DOJ allows them to act on their commitment in a meaningful way."

Through the Clinical Law Program, students represent clients in actual cases and transactions under the close supervision of Willamette faculty. The program instills in students a strong sense of professionalism, standards of excellence, and an appreciation for the importance of reflection and balance in the practice of law. In addition to a general civil clinic, program offerings include specialized clinics in business law, trusts and estates, tribal law, family law, and general civil practice, which includes consumer fraud.

## **DU law students win prisoner byline rights**

Three University of Denver law students who represented a federal prisoner fighting for the right to publish articles from prison won their case against the Federal Bureau of Prisons on Thursday. U.S. District Judge Marcia Krieger ruled that the prison byline regulations prohibiting prisoners from writing stories for the news media violated the First Amendment rights of prisoners and the press.

DU law professor Laura Lee Rovner, who oversaw the students' work, could not be reached Thursday evening for comment about the ruling. Donald Bounds, Jack Hobough and Michelle Young worked on the case for a year. They represented Mark Jordan, a prisoner at Supermax, the ultra-high-security prison in Florence where many of the nation's most notorious are held, including Sept. 11, 2001, terrorism conspirator Zacarias Moussaoui and Unabomber Ted Kaczynski.

Jordan was convicted of bank robbery, and in 1999 he stabbed an inmate to death at the adjacent U.S. Penitentiary in Florence. He is scheduled to serve another 41 years behind bars. Jordan had published several stories on prison life in Off!, a New York publication. He was punished by prison officials in 2001 for publishing under a byline. Krieger's ruling is not exclusive to Jordan. It says that the Federal Bureau of Prisons may not punish any inmate who decides to publish under a byline.

The government argued that inmates who act as reporters or publish under a byline could rise to undue prominence within the inmate population, thereby becoming a security risk. Also, the government was concerned that inmates could make a business out of it.

"No historical evidence that any inmate's publications in the news media created such security problems were presented," Krieger wrote in her ruling. The judge also noted that punishment for the violation was inconsistent and said that Kaczynski had written articles under bylines

without disciplinary action being taken against him.

"The Court finds that the evidence is insufficient to correlate a bylined publication in the news media with the danger of an inmate conducting a business," the judge wrote. "To the extent that there is a risk, the existing regulation prohibiting inmates from conducting a business is an easy and effective alternative to the regulation at issue."

## **Big Win for Seattle U Administrative Law Clinic**

Please allow me to brag about a remarkable victory for my colleague Lisa Brodoff and two of her students in the Administrative Law Clinic. Two years ago, the state Department of Social and Health Services eliminated Vision Therapy from the list of services covered under Medicaid. A woman I'll call Roberta contacted the Clinic because Vision Therapy was the only treatment that had provided her with relief from migraines, blurred vision, and other conditions she experienced as a result of a car accident. Lisa and her students, Jesse Denike and Amie Hirsch, contested the denial of services before an Administrative Law Judge who ruled against Roberta. Undaunted, well, perhaps slightly daunted but unrelenting, Lisa and the students teamed up with Northwest Health Law Advocates to mount a challenge in Superior Court. Continuing to investigate, the students discovered that in the course of its rulemaking, the agency had failed to provide the public with notice of its intention to eliminate coverage for vision therapy. The SU team presented this discovery to the folks in the Office of the Washington Attorney General. In a startlingly short period of time, the AG agreed to withdraw the rule, cover Roberta's care for the preceding two years, and notify providers and denied claimants statewide that retroactive coverage was available to them.

## **Family Violence Clinic at Chapman's**

Chapman University School of Law has launched its brand new Family Violence Clinic. Directed by Professor Marisa Cianciarulo, the clinic represents victims of domestic violence and sex crimes. The clinic is housed in and works in conjunction with the Anaheim Family Justice Center, an organization comprised of Anaheim police and prosecutors, Orange County prosecutors, victims' advocates, and social service providers. Students working under the supervision of volunteer attorneys from the Orange County office of Latham & Watkins prepare and present applications for temporary and permanent restraining orders. Students working under the supervision of Professor Cianciarulo prepare applications for domestic violence-related immigration relief, such as U visas and Violence Against Women Act self-petitions. Please visit the clinic's website at:



[http://www.chapman.edu/law/programs/clinics/family\\_vio.asp](http://www.chapman.edu/law/programs/clinics/family_vio.asp).

# Stanford Law School

Stanford Law School is pleased to announce the development of clinical fellowship sponsorships from two prominent law firms respected for their ongoing commitment to pro bono service.

## **Orrick Herrington & Sutcliffe LLP Establishes Teaching Fellowship for Nonprofit and General Counsel Clinic at Stanford Law School**

Orrick has committed \$250,000 to support a teaching fellowship for five years for the law school's newest clinic, Organizations and Transactions, which will provide students with opportunities to work with not-for-profit entities and micro-businesses in a way that provides great value to clients and allows the students a practical opportunity to develop their legal skills.

Professor Larry Marshall, who serves as the David and Stephanie Mills Director of Clinical Education, and Associate Dean for Public Service and Clinical Education, explained that, "Stanford has a wide array of clinical opportunities in the litigation context, but this will be our first explicitly transactional program. Students pursuing corporate practice careers benefit greatly from the reflective, highly supervised hands-on training that is the hallmark of our clinical program. This new clinic will also drive home the message that public service and pro bono practice takes place in many arenas—in the boardroom as well as the courtroom."

"Orrick's transactional expertise, community responsibility commitment, and pro bono program align perfectly with the focus and goals of the nonprofit and general counsel clinic at Stanford Law School," said Steve Graham, Managing Director of Corporate Practices for Orrick. "We are happy to support the teaching fellow for this new clinic, and we are excited about the community work that the clinic will do while helping students develop skills in transactional practice areas."

## **Cooley Godward Kronish Establishes Clinical Teaching Fellowship at Stanford Law School**

Cooley Godward Kronish LLP has committed \$250,000 to support a teaching fellowship for five years for the Immigrants' Rights Clinic (IRC), which enables law students to get practical training by representing individual immigrants and immigrants' rights organizations. Attorney Jennifer H. Lee has been named the inaugural Cooley Godward Kronish Fellow for the 2007-2008 academic year.

Cooley's gift has grown out of a long-standing relationship with Stanford Law School and a shared focus with the IRC on immigrants' human rights. Cooley has been an affiliate partner of another clinic, the Stanford Community Law Clinic, since 2003.

We're pleased to help support the teaching mission of the Immigrants' Rights Clinic at Stanford Law," said Maureen Alger, Cooley's full-time pro bono partner. "The IRC's work dovetails with Cooley's ongoing commitment to pro bono work on behalf of indigent immigrants and asylum-seekers."

"Immigrants' rights are a major civil rights issue of our time," said IRC director Jayashri Srikantiah. "Together with the Cooley Godward Kronish Fellow Jennifer Lee, I hope to inspire and teach the next generation of compassionate and public service-minded-lawyers."

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## **Karen Tokarz named holder of Washington University Law School endowed Chair in Public Service**

Karen Tokarz, will be the inaugural holder of the Kirby Family Chair in Public Interest Law and Public Service on March 25, 2008. Karen has devoted more than 25 years directing Washington University's award-winning Clinical Education Program. At the end of this academic year, Karen plans to step down as Executive Director of Clinical Education to redirect her energies to helping develop the School's ADR Program. She will also play a key leadership role in planning the School's Africa Public Service Initiative.

During her well-earned sabbatical in 2008-2009, Karen will study ADR programs at other top law schools. Karen has not only been instrumental in developing clinical education at Washington University. She also has been a tireless leader and advocate for clinical legal education on the national and international level. She is past chair of the AALS Section on Clinical Legal Education, a founder and past president of CLEA, a founding member of the Global Alliance for Justice Education, and a founding member of Mediators Without Borders. She chaired the ABA Clinical & Skills Training Committee for 4 years, served on the ABA Standards Review Committee for 3 years, and served on the ABA Accreditation Committee for 2 years. A frequently called upon clinical consultant here and overseas, Karen has served on 9 ABA accreditation committees and assisted many new clinicians in their promotion and tenure reviews.



When she returns, Karen will continue to teach her Civil Rights & Community Justice Clinic; coordinate the school's Public Interest Law & Policy Speaker Series that each year features several clinical law faculty (this year's schedule includes Muneer Ahmad, Bill Ong Hing, Abbe Smith, and Charles Ogletree); and assist with faculty advising for the Journal of Law & Policy.

Karen has inspired countless students and colleagues through her teaching, her activism, her scholarship, her generosity in assisting others, and her unique ability to build institutions and coalitions within the law school, the university, and the community.

As Karen embarks on this new phase of her career the Executive Director for Clinical Education position will welcome Associate Dean for Clinical Education. Washington University School of Law will undertake a national search for Karen's successor, beginning immediately. More information about this new position will be released soon.

## **Once Upon a Time We Had a Fantastic Storytelling Conference**

**-Ruth Anne Robbins**

What was the biggest storytelling news of the summer? Right, the release of the seventh and final book in the Harry Potter series. This article doesn't talk about that although we could if you let us. After all, 80 professionals from 13 countries were there for the book's opening in London. But that's just a coincidence. We were really there to talk about the nature of storytelling as it pertains to the practice of law and the teaching of law students. And for three days that's exactly what we did.

The conference, *Once Upon a Legal Time: Developing the Skills of Storytelling in Law*, took place from July 18-20 in London. The conference was designed to spotlight what the organizers refer to as the subject matter, "Applied Legal Storytelling." What is Applied Legal Storytelling? Well, to borrow and adapt some eloquence from greater legal writing minds than mine, "we know it when we see it."

The conference was sponsored by City University Law School, housed at Gray's Inn in London. Gray's Inn is one of the four Inns of Court and all barristers must belong to one of the Inns. City Law School offers primarily the lawyering skills needed for barristers and solicitors. We saw many barristers and their (very nice) cars as we walked about the square on their way to and from Starbucks. Just to round out this paragraphs, whose topic was supposed to be "sponsors," let me now add that the conference's other sponsor was the Legal Writing Institute. LWI has been hosting more and more international conferences but this was the first specialized-by-subtopic symposium. It was a smashing success.

The conference began with an opening by Dean Adrian Keane of City University Law School, which is housed at Gray's Inn, a law school that teaches the skills components of legal education to future barristers and solicitors in the United Kingdom. This conference was the first that the law school has produced. Thereafter the group broke up into three concurrent sessions over the next two days. The presenters came from the legal writing, clinical and casebook teaching backgrounds. We also were honored to have deans and judges among the presenters. Talk topics were selected to focus on storytelling in either the practice of law or the teaching of law and included:

- the better storytelling that can happen in the new Aboriginal Courts in Australia
- our internal stock stories and how that affects legal analysis
- meta-narratives that influence and perhaps interfere with custody cases
- the re-telling of child-client stories in documents submitted to courts
- crafting immigrant and asylum stories in a way that combats the compassion fatigue of hearing officers

- ways in which jurors process the stories told about the parties
- unsolved mysteries in law and the story of trying to solve them
- teaching law students banking law through an analysis of Gringotts in the *Harry Potter* books
- using techniques from art to help the writer develop the visual impact moment of the client's story
- the use of stories in maternal infanticide or in non-traditional victim situations

As you can probably tell just from that short list, the presentations were rich enough to merit symposium issues by two journals: *Legal Writing: Journal of the Legal Writing Institute* and *The Law Teacher: The International Journal of Legal Education*.

The facilities and location were just as wonderful as the presentations. Near the British Museum, if you must know. It was lovely. The lunches even boasted bagels and lox. Are you listening LWI??? The final dinner, held at nearby Lincoln's Inn, was worth the price of the whole trip. We dined in the room that Charles Dickens immortalized in *Bleak House*. The scene that night was anything but bleak. Rather, participants tumbled over themselves making impromptu toasts and thank you speeches to City Law School, LWI and all of the organizers/administrative support. Afterwards at least 50 law professors and assorted sundry other folks all trooped off to a local bookstore for more wine and the midnight release of *Harry Potter and the Deathly Hallows*. Honest – we set the dates of the conference before Bloomsbury/Scholastic set the date of their little shindig. It was just a beautiful coincidence.



OK – almost done. I need to drop some “big names in Applied Legal Storytelling” and not just because that might increase my chances that the article will be cited by others (no, I don't really encourage that). The man-on-the-ground-and-star-of-the-hour was really Robert McPeake, the barrister and principal lecturer who made sure everything really happened. He was aided by an administrative support team that was so good they even designed artwork for the program cover. Dr. Erika Rackly, a lecturer in the law department at Durham University was our other UK professor collaborating on the conference. From the western side of the pond, besides myself, Professors Steve Johansen (Lewis & Clark) and Brian Foley (Florida Coastal & Drexel) also put in countless hours planning the conference.

The Upshot? We are planning on doing this again in two years. Look for a call for proposals in the fall of 2008.

## **IPMN Case Leads to Release of Innocent Man**

Sherman Townsend was imprisoned for more than ten years for a crime he did not commit. Years ago he convinced lawyers, professors and law students working with the Innocence Project of Minnesota of his innocence, but they could not find a way to prove it. Earlier this year the true perpetrator contacted them admitting his guilt and giving a candid, detailed and chilling account of what transpired the night that changed Mr. Townsend's life. On October 2, 2007 Sherman Townsend walked out of prison a free man.

Julie A. Jonas, Innocence Project staff attorney, prepared the court pleadings with assistance from Michael Davis, adjunct clinical faculty member. The weekday Innocence Clinic at Hamline. worked on this file, including students in the current clinic. Sherman's case was a frequent topic of discussion during class time.

Two students deserve special credit: Jessica McKinney, and Tonya Dugree (formerly Tonya Dugree-Pearson). Jessica and Tonya met with Sherman at least twice at the prison, interviewed possible new witnesses, tracked down promising leads, located and interviewed trial counsel to get his insights on the case, examined the court record and court exhibits, and never doubted his innocence.

"Over the years, I've used a variation of Sherman's case as a teaching exercise. The case presents many of the common causes of wrongful convictions: mistaken identification, false accusations, poor police work, statements of an accused that are misconstrued as an indirect confession, and the emergence of new forensic techniques by which to prove actual innocence," Davis said.

"That David Jones - the only witness who claimed that Sherman committed the crime - turned out to be the person who actually committed the crime is a real eye opener. Students and I always believed that his identification of Sherman was both mistaken and false; he was not, however, high on our list of suspects. Jones' detailed account of how he broke into the house is a stark reminder that all of us need to ask, constantly, whether all possibilities are being considered, and whether anything is being overlooked," Davis added.



Established in 2002, Innocence Project of Minnesota (IPMN) is a private, volunteer based, non-profit organization that provides pro bono investigative and legal assistance to prisoners trying to prove their innocence. IPMN investigates potential claims of wrongful conviction from prisoners convicted of crimes in Minnesota, North Dakota, and South Dakota. In affiliation with , IPMN uses the resources of Hamline University's College of Liberal Arts and the School of Law, including office space, administrative support, forensic science experts, faculty, and students. IPMN's first course offering, "Wrongful Convictions: Causes and Remedies" began at Hamline University. The first Minnesota Innocence Clinic was also established at Hamline.

## UC Clinic Celebrates 60 Years



The University of Colorado Law School clinical program celebrates its 60<sup>th</sup> anniversary this academic year. The clinic began in 1948 with a budget of \$750, one faculty mentor and a student board of directors. By the early 1960s, the clinic was staffed by fulltime clinical faculty, and students received clinic credit if they worked at least one hundred hours. As we enter our sixtieth year, Colorado Law has seven fulltime clinicians supervising nine clinics, and three adjunct clinicians supervising two additional clinics. Our clinics now serve over 700 clients per year.

## UT Clinic Celebrates 60 Years with Symposium



We have had quite a Fall here at the University of Tennessee. Please forgive our unseemly braggadocio, but we are really proud of the celebration we hosted for our Clinic's 60<sup>th</sup> Anniversary. The celebration included a two day conference, a forthcoming symposium issue of the Tennessee Law Review, and a celebratory dinner to cap it all off. The thanks for the success, as always, goes to the exceptional panelists and presenters we were fortunate enough to attract.

On Friday we hosted a writing workshop clinical faculty. Kristin Henning served as our moderator and commenter, and Stephen Rosenbaum, Deirdre O'Connor, Mae Quinn, Ben Barton, and Paula Williams all presented papers. Patience Crowder, Cynthia Adcock, Dean Rivkin and Penny White also attended and added excellent comments along the way.

On Saturday we hosted a symposium entitled "Looking Forward to the Next Sixty Years of Clinical Legal Education." The panels were uniformly excellent, and included:

- 1) "Gideon, Gault, and Beyond" with Kate Kruse, Tamar M. Meekins, Pam Metzger, and Mae C. Quinn;
- 2) "Education Advocacy: Past, Present & Future" with Dean Rivkin, Stephen Rosenbaum, and Jane R. Wettach;
- 3) "Clinics and the Community" with Jerry Black, Brenda Bratton Blom, Christina Kleiser, and Paula Williams;
- 4) "Expanding Clinical Experiences" with Kim Connolly, Becky L. Jacobs, Carl Pierce, and Susan Deller Ross, Georgetown University; and
- 5) "The Future of Clinics and the Law School Curricula" with Ben Barton, Bob Kuehn, Bridget McCormack, Michael Pinard, and Roy T. Stuckey.

It was quite a day of presentations that were both challenging and inspiring. The Tennessee Law Review will be publishing a symposium issue of some of the papers presented. We're planning on sending the issue itself out to AALS Clinical Section and CLEA members, so keep your eyes peeled for it!

We also honored our outgoing clinic director, current Associate Dean Doug Blaze, at a dinner Saturday night for his thirteen years as the director of our clinics. Lastly, we met to discuss a restart for the Southeastern Association of Legal Clinics. If you were not involved in that conversation, but would like to be involved in resuscitating the SEALS clinical group or a SEALS clinical conference/workshop, please email Ben Barton ([bbarton@utk.edu](mailto:bbarton@utk.edu)) or Mae Quinn ([mquinn3@utk.edu](mailto:mquinn3@utk.edu)).

## **University of Baltimore's Center for Families, Children and the Courts Launches Major National Unified Family Court Initiatives**

The University of Baltimore School of Law's Center for Families, Children and the Courts (CFCC) is launching several major initiatives following the successful ABA/CFCC "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly," that took place on May 3-4 in Baltimore. CFCC's projects include: guest editing a special issue of the *Family Court Review*; producing a national newsletter devoted to Unified Family Court issues, the only one of its kind in the country; and publishing a Summit Report based on conference papers and presentations. In addition, CFCC has begun its third year of operating the Truancy Court Program (TCP) in six elementary and middle schools in Baltimore.

Over one hundred fifty judges, court personnel, attorneys and academic experts representing twenty-seven states attended the Summit, co-sponsored by the American Bar Association and CFCC and funded by the Maryland Administrative Office of the Courts and Casey Family Programs. Following the conference, the Maryland Administrative Office of the Courts provided funding to CFCC for several initiatives designed to capitalize on the momentum created by the Summit.

The first project is a quarterly newsletter, the **Unified Family Court Connection**. The inaugural edition has been published, making the newsletter the only one of its kind devoted exclusively to nationwide efforts among states to establish, expand and maintain Unified Family Courts in their jurisdictions. The newsletter intends to track Unified Family Court developments nationwide and is available in hard copy or online at CFCC's web site.

CFCC also is developing a major report, scheduled for publication in June 2008. The Summit Report is intended to provide high quality, peer-reviewed materials to offer instruction, technical assistance, and guidance to jurisdictions interested in establishing and/or replicating the Unified Family Court model. CFCC plans to include conference abstracts, highlights, and original papers or chapters based on conference presentations.

Professor Barbara Babb, CFCC's Director, and Gloria Danziger, CFCC's Senior Fellow, also are guest editing the April 2008 special issue of the *Family Court Review*. This is the journal of the Association of Family and Conciliation Courts and is published in cooperation with the Center for Children, Families and the Law at Hofstra University School of Law. The special issue is devoted to articles on Unified Family Courts submitted by judges, legal scholars, and family court experts and emanating from the May Summit.

CFCC's Truancy Court Program has added a Mentor Coordinator and a School Liaison to its team of faculty, staff, and service providers addressing truancy in Baltimore. Second and third year law students are involved in the program, where circuit and district court judges volunteer their time to act as on-site TCP judges in the schools. Students, who work with the TCP team as part of the CFCC Student Fellows Program, act as law clerks and coordinators

volunteer their time to act as on-site TCP judges in the schools. Students, who work with the TCP team as part of the CFCC Student Fellows Program, act as law clerks and coordinators for the program. So far, the TCP has resulted in significantly improved attendance for students during and immediately after participating in the program.

For further information, if you would like to receive a copy of the **Unified Family Court Connection**, or if you are interested to contribute an article to the Summit Report, contact: Barbara Babb, CFCC Director, [bbabb@ubalt.edu](mailto:bbabb@ubalt.edu) or 410-837-5661; or Gloria Danziger, CFCC Senior Fellow, [gdanziger@ubalt.edu](mailto:gdanziger@ubalt.edu) or 410-837-5613. To view the newsletter, please visit CFCC's website: <http://law.ubalt.edu/cfcc/index.html>

## **Brooklyn Law School's Corporate and Real Estate Clinic Assists Community Group Responding to Columbia University's Expansion**

As a strategy to make real estate development accountable to local neighborhoods, community coalitions and developers are increasingly signing Community Benefits Agreements ("CBAs"), legally binding contracts through which developers agree to provide benefits to affected communities in exchange for the coalition's support when a project reaches the city council for approval. Last spring Brooklyn Law School's Corporate and Real Estate clinic became involved in the effort to negotiate a CBA between Columbia University and the surrounding community in connection with Columbia's proposed expansion.

The request for assistance came from a former clinic student whose firm is providing pro bono assistance to West Harlem Local Development Corporation (West Harlem LDC), the not-for-profit group coalition conducting the negotiation. The Clinic was asked to act as special corporate counsel to make recommendations about the by-laws and to conduct the first annual election. Because the group West Harlem LDC Board of Directors includes such diverse parties as business owners, tenants, and leaders of established community groups as well as city and state politicians, the by-laws are crucial in determining the balance of power and the process for CBA approval.



Two students began the painstaking process of comparing the existing by-laws with the New York Not-for-Profit Corporation Law and then drafting suggested revisions to many of the sections including: the definition of members, the board and member quorum requirements, the removal of board members, proxy voting and meeting notice. The students made a presentation to the board, finalized amendments for approval and coordinated the meeting in which they were adopted. The Clinic then handled the nomination process for the annual election and provided advice during the election. The newly expanded and empowered board is proceeding through an assortment of subcommittees in areas such as housing, education and the environment to identify concerns, develop proposals and pursue negotiations with Columbia.



## Missouri Family Initiatives launched



The Family Violence Program at the University of Missouri Law School @ Columbia has conducted several initiatives aimed at individual and social justice for battered women.

Professor Mary Beck and her law students collaborated with faculty and students from the MU Schools of Journalism and Medicine to conduct a 3 year state funded investigation into the justice system response to domestic violence in Missouri. Law students collected annual numbers of civil protective order petitions, domestic violence criminal charges, and domestic violence police reports in every Missouri County for fiscal years 2003, 2004, and 2005. Statisticians analyzed the data and rank ordered the counties. Journalists investigated on site those counties with high or low numbers and developed radio, broadcast, &/or newspaper reports describing conditions in those counties contributing to under reporting by police, and under charging by prosecutors, as well as practices of judges impacting the filing of civil protective orders. The interdisciplinary team published a report of their findings in the Missouri Bar Journal (*Byrd, Davidson, Beck, Beck, & Petroski "Investigating the Justice System Response to Domestic Violence in Missouri" 63 J MO Bar 222 (2007)*), and presented their results to annual conventions of law enforcers, judges, and prosecutors.

Following the study's pilot project, one Missouri County increased its prosecution of domestic assaults and violations of civil protective orders by 1000%, and the Missouri Judicial College informed judges that charging guardian ad litem fees to abused women petitioners in child protective orders constituted grounds for reversal. The team is now looking at numbers of domestic homicides by county.

MU law students Richard Kroeger and Kelly King were the first law students to enter their appearances in the Missouri Supreme Court, and Richard was the first student to ever argue there. The students represented Lynda Branch under the supervision of Professor Beck, a woman convicted of capitol murder in the death of her abusive husband at a time before evidence of battered women syndrome was allowed in Missouri. Starting some 9 years ago, professors and students from the 4 Missouri law schools participated in the Missouri Battered Women's Clemency Coalition petitioning for clemency for 11 women similarly situated. Governor Holden commuted the 'life without parole' sentences of Lynda Branch and Shirley Lute who were both eligible for immediate parole. When the Missouri Board of Probation and Parole declined to grant their paroles, Professor Beck from MU and Professor Aiken from Washington University filed Writs of Habeas Corpus for Ms. Branch and Ms. Lute respectively to force the Board to honor the intent of the Governor in commuting the sentences. The Missouri Supreme Court ultimately decided the writs in favor of the women. Both women were released from prison and are now leading exemplary lives as productive citizens. *State ex rel. Shirley Lute v. Missouri Board of Probation and Parole, et al., (consolidated with) State ex rel. Lynda Ruth Branch, v. Jennifer Miller, superintendent, Chillicothe Correctional Center, et al. 217 SW3d 431 (April 17, 2007).*



The Missouri Battered Women's Clemency Coalition successfully lobbied for enactment of RSMo 217.692 in 2007 which allows the Missouri Board of Probation and Parole to grant parole to women convicted of murdering their abusive partners where evidence of abuse was not presented as affirmative defenses at their trials. Professor Beck and students Amanda Wolf and Karen Bickel are filing RSMo 217.692 petitions to request release for Carleen Borden and Vickie Williams who were convicted of murdering their abusive spouses.

Family Violence Clinic students have drafted putative father registry bills for Virginia, South Dakota, and Alaska attorneys charged with developing such laws for their states. Virginia enacted its putative father registry law in 2006 which was originally drafted by students Lindsay Biesterfeld and Marcus Wilbers. South Dakota and Alaska will consider bills originally drafted by students Min Lee and Elizabeth Wilhelmi in their present legislative sessions.

## **First Crossroads Conference Held at South Carolina**

On November 2-4, a conference of 57 reform-minded deans, associate deans, clinical teachers, traditional teachers, legal writing teachers, academic support people, and various other people discussed how to implement the recommendations of the Carnegie Foundation's report and the Best Practices book. The by-invitation-only conference, Legal Education at the Crossroads, Ideas to Action, Part I, was planned and facilitated by Roy Stuckey, South Carolina, and Judith Wegner, North Carolina. Judith Wegner delivered the keynote address, but most of the conference time was spent in small group discussions followed by group reports and discussions.

The following is a very broad summary of the conclusions reached during the conference.

There are three questions to keep in mind, why? what? and how? The participants at the conference did not discuss why legal education should be reformed because they all understood the need for it, but they did discuss the fact that the majority of law teachers may not yet agree that legal education needs to be changed significantly. The conference participants also did not spend much time discussing what needs to happen, because the Carnegie report and the Best Practices book explain what law schools need to do to improve the quality of their students' educational experiences.

Most of the conference discussion, therefore, focused on how the recommendations of Carnegie and Best Practices could be implemented. We agreed that one need is to develop and disseminate models of best practices -- program design, syllabi, materials, computer applications, and demonstrations of effective pedagogy, in short "Best Practices on Parade." Various ideas for improving law teacher training were also discussed.

Another need is to increase the number of reform-minded law teachers. We should encourage and support colleagues who want to become better teachers. We should screen new faculty applicants to ensure that they have a teaching agenda that includes an interest in collaboration,

integrating skills and values instruction throughout the curriculum, and participating in curricular innovations, in general. We need to help all teachers understand "what's in it for me?" if they make the effort to improve the quality and effectiveness of their teaching.

Not much is going to happen at most law schools without leadership within the institution. Curricular reform should be led by the dean, associate dean, and senior traditional faculty members, particularly those who are recognized by their colleagues as effective teachers. Incentives and rewards should be developed for innovative and excellent teaching. We need to build and grow communities of people within each law school and among groups of law schools who take pride in the quality of their teaching and show it.

We also need to encourage external pressure for institutional change, including pressure that reaches each faculty member not just deans. The ABA and regional accreditors are potential sources of external stimuli for change. Alumni, boards of trustees, and central administrators are additional resources that might be useful, especially if they get the sense that their law school's curriculum is less modern and effective than its competitor schools. We also should empower students by educating them about the shortcomings and potential of legal education and encouraging them to demand more value for their tuition dollars. Student evaluation forms should reflect whether faculty members are employing best practices for legal education.

There seems to be some momentum building toward changing legal education in significant ways for the first time in 130 years. We need to help that momentum get traction and move forward. We need to challenge myths about legal education such as "we are doing a good enough job of preparing students for practice," and we need to counter negative narratives with positive narratives.

Here are ten of the negative narratives and positive narratives that were identified by Bob Dinerstein and Randy Hertz along with other conference participants:

Negative narratives that might be voiced by naysayers who are opposed to the envisioned reforms of legal education: 1) these reform efforts will pass away, again; 2) only scholarship matters; 3) that's why we have a clinic; 4) US News rankings are all we care about; 5) employers don't care; 6) it will turn this into a vocational school; 7) it's too much work to change; 8) what we are doing now has worked for over 100 years, and so leave well enough alone; 9) it would violate my academic freedom; and 10) we've tried curriculum reform before and it hasn't worked.

Positive narratives that might help overcome resistance include: 1) there are resources available to help you rethink what you teach and how you teach; 2) sell younger faculty on the fact that if they embrace excellence in teaching they will help the law school of the future (a key group may be those who have just achieved tenure); 3) "top ten" law schools are doing it, even though they value scholarship: maybe we should be doing it, too; 4) external forces require us to change (ABA and regional accreditors, schools competing with us for faculty and students); 5) other schools in our tier are doing it and we need to keep up with them; 6) I was skeptical, too, but when I began employing more best practices teaching became easier and more enjoyable: I love going to class; 7) educational specialists have concluded that our teaching

and assessment methods could be much more effective; 8) next year the dean is going to base your raise on the extent to which you are using best practices in your teaching; 9) if we really believe in our mission as professional educators in a law school, this is something we really need to do; 10) if we were in this for the bucks, we would be in practice, so we must be in it for something else such as making a difference in our students' lives or feeling fulfilled in all aspects of our work.

It will help build momentum if we continuously publicize success stories and innovative changes through newsletters and other publications, blogs, websites, list serves, conferences, faculty colloquia, and any other means possible.

Participants at the Crossroads Conference discussed the possible need for a new organization that would help "incentivize" good teaching, but no action was taken. They also discussed the possibility of developing criteria that could be used as the basis for recognizing and rewarding various types of law school programs, if not entire programs of instruction, that employ best practices. The Institute of Legal Writing will probably hold a conference to explore this in more detail in Kansas City on June 6-7, 2008. At least two more "Crossroads" conferences are being planned for other parts of the country that will encompass a broader range of people. And there are many other meetings on the horizon that will give people opportunities to share success stories and discuss strategies and tactics for implementing educational reforms along the lines proposed in the Carnegie report and the Best Practices book. We should all try to be a part of as many of those discussions as possible.

-Roy Stuckey and Others

## **Grant Award**

The Syracuse University College of Law's Community Development Law Clinic (CDLC), directed by Professor Deborah Kenn, has been awarded an "Initiative" grant. This grant, awarded by the University as part of its Syracuse Campus-Community Entrepreneurship Initiative, provides \$40,000 for the clinic to broaden its services into the area of intellectual property law, specifically copyright and trademark.



CDLC has been working in the low income communities throughout Syracuse, Onondaga County, and Central New York since 1988 to assist community organizations and businesses in improving neighborhoods and the lives of people in those communities. With this funding, the CDLC will be able to offer community members access to the valuable ownership interests intellectual property rights can bring. The grant is important recognition of the work of the CDLC and Professor Kenn and their role in promoting entrepreneurship in Syracuse's neighborhoods.

## **University of Michigan Clinic Achieves Victory in Prison Parole Case**

In October 2007, the federal district court in Detroit granted summary judgment to a class of 1,200 state prisoners serving parole able life sentences in a lawsuit filed by Paul Reingold and students at the University of Michigan Clinical Law Program. The prisoners alleged that changes in the parole statutes, policies, and procedures had effectively increased their sentences, in violation of the ex post facto clause of the U.S. Constitution. The district court agreed. Although the litigation is far from over, the opinion and order ends the liability phase of a case that has involved thousands of hours of work by many teams of U-M clinic students over the past several years.

## **Barry University Law School Receives Juvenile Justice Grant**

Barry University Law School receives a grant from the Eckerd Family Foundation to create Juvenile Justice Center

Barry University's Andreas School of Law received a \$778,000 three-year grant from the Eckerd Family Foundation to start a Juvenile Justice Center at its Law School campus in Orlando. The Center will train lawyers and law students to represent children accused of crimes in Florida's juvenile delinquency system.

The partnership between Barry and the Eckerd Family Foundation was formed following a 2006 report by the National Juvenile Defender Center which revealed that Florida's delinquency system fails to provide children adequate legal representation. This report titled, *An Assessment of Access to Counsel & Quality of Representation in Delinquency Proceedings in Florida*, claims that "Florida's juvenile courts cannot guarantee due process and accountability for youth without the participation of well-trained, well-resourced defense counsel." It goes on to conclude that improvements need to be made to Florida's juvenile indigent defense system and that many have been "troubled by Florida's high rates of waiver of counsel, lack of zealous defense advocacy, hectic courtrooms, and inadequate defense resources." Barry and the Eckerd Family Foundation worked together to find ways to improve the representation of children, which resulted in the creation of the Juvenile Justice Center. The Florida Public Defender Association, National Juvenile Defender Center and Southern Juvenile Defender Center will be important partners in the this new Center.

To address this problem, the Law School began operations over the summer. The first task will be training juvenile public defenders and law students. The Center will also identify a public defender office that will work to create a model of best practices for the State. The Juvenile Justice Center, which will be a part of the Law School's clinical programs, will work with juvenile defenders around the state and provide continuous training and consultations with defender offices to improve the provision of representation of children.

## **UNLV Hosts Trial Skills College for Juvenile PDs**

**Kate Kruse** and **Megan Chaney**, from the William S. Boyd School of Law (UNLV), helped to plan and coordinate the Western Juvenile Defender Center's one-day trial skills college for juvenile public defenders, which was held in Portland, Oregon on October 21 in conjunction with the National Juvenile Defender Leadership Summit. The program focused on incorporating emerging information about adolescent brain development, and issues of maturity, disability and competence into advocacy in suppression motions. Other clinicians among the trial skills college faculty included **Simmie Baer** (Northwestern), **Kris Henning** (Georgetown) and **Randy Hertz** (NYU). Interested clinicians can obtain a copy of the case file materials, which include a police report, a social worker's report, a memorandum highlighting applicable law and social science research, an opinion letter drafted for the mock client by national expert Marty Beyer, by contacting Kate Kruse at [kate.kruse@unlv.edu](mailto:kate.kruse@unlv.edu).

## **“Offer in Compromise” Acceptance a First for Low Income Taxpayer Clinic**

A client of the Low Income Taxpayer Clinic (LITC) received some great news last week in the surprising form of a tax notice. The client, a seriously ill local man from Rensselaer County, was officially notified last week by the New York State Department of Taxation and Finance of the acceptance of his \$1,200 “Offer in Compromise (OIC)” on a \$9,000 tax liability. Although the IRS has accepted many Offers in Compromise, this acceptance by the state is a first for the Low Income Taxpayer Clinic! Never before has the N.Y.S. tax department, notorious for rejecting these offers with no opportunity for appeal, accepted an OIC filed by the tax clinic. This remedy, to allow a taxpayer to offer a portion of an outstanding debt because of severe financial hardship, has a difficult threshold to prove in New York. They rarely are accepted by the state tax department because mental and physical health problems do not necessarily factor into their decision-making process.

But this is not the first time this fifty-eight year-old man has received good news as a tax clinic client. He sought the assistance of the clinic after his illness severely diminished his earning capacity. Former tax clinic students Steven Ford '07 and Francine Campbell '08 utilized the IRS's OIC forms to compose such a compelling account of his economic plight, as well as his deteriorating mental and physical health, that the IRS accepted his offer of \$3,000 on a debt of over \$47,000. Gregg Cohen '07 picked up from there the next semester and crafted an equally persuasive N.Y.S. offer that Sean Kim '08 completed over the summer. The client's present law intern, Karen Andersen '09, negotiated the final phase of the offer with the state's OIC Unit. This success story has been two long years in the making and is thanks to the hard work and dedication by the client as well as those who served at the Low Income Taxpayer Clinic. Congratulations to Jeffrey Pearlman and all of his student interns!

## **Albany Law School Interns Obtain Life Prolonging Treatment For Client**

Within days of the beginning of the Fall 2007 semester, Albany Law School Clinic and Justice Center interns Donald Labriola and Daniel Lindenberg were immersed in the turbulent and powerful practice of law. Their client's insurance company had just again denied coverage for CPT-11 and Avistan, an expensive chemotherapy combination, which their client's physician had opined was this father/husband/grandfather's best chance to combat his aggressive brain tumor. The client's next treatment was scheduled for next week but his provider was firm that it needed payment up front. Having exhausted all other financial resources, this client needed to prevail on a final appeal.

Working long hours over Labor Day weekend, Mr. Labriola and Mr. Lindenberg launched a coordinated expedited appeal strategy, updating research, conducting interviews, drafting affidavits, and writing a persuasive appeal in support of "off label" use of the prescribed treatment. Their hard work paid off: Empire Blue reversed its denial just a day before the next round of treatment, finding the treatment to be medically necessary, notwithstanding the lack of FDA approval.

Congratulations to Dan and Don for their zealous efforts in working with this client to make the Law work!

## **News from University of Washington's Clinical Programs**

For its tenth anniversary in October, the University of Washington Law School's Innocence Project Northwest Clinic (IPNW) sponsored a screening of "The Trials of Darryl Hunt" followed by a reception. Mr. Hunt and his attorneys, Mark Rabil and Ben Dowling-Sendor were present for the celebration and discussed his 19-year struggle for exoneration. The film and discussion were well received by the public and reinforced the importance of IPNW's work.

Also in October, IPNW received the good news that the State of Washington Court of Appeals, Division III, had overturned a client's conviction based on newly discovered DNA evidence. This decision rewarded many months of hard work by Clinic Director, Jackie McMurtrie, Clinic students and volunteer attorneys.

The Court Improvement Training Academy (CITA) is a new program of the Children and Youth Advocacy Clinic at the University of Washington School of Law designed to create a learning community comprised of judges, lawyers, and other professionals involved in the Juvenile Court dependency process. This interdisciplinary endeavor will bring together innovative research and practical solutions to improve the operations and decision-making in courts deciding actions under Washington's Juvenile Dependency Statute (RCW 13.34). CITA is funded by a grant of federal Court Improvement Project funds administered by the Washington Administrative Office of the Courts.

CITA is currently surveying the training needs of the child welfare legal community, and is seeking input from anyone interested in the project. The Academy is also looking for opportunities to partner with existing training efforts on issues vital to families and children involved in the child welfare legal system.

Tim Jaasko-Fisher directs CITA. He was an Assistant Attorney General for 11 years, representing the Washington State Department of Social and Health Services Children's Administration. Tim earned his B.A. in Government at New Mexico State University and his J.D. at Seattle University School of Law. Tim can be reached at (206) 616-7784 or [tjfisher@u.washington.edu](mailto:tjfisher@u.washington.edu).

## **HLS Legal Services Center Renamed WilmerHale**

The WilmerHale Legal Services Center (LSC) of Harvard Law School, which has served low-income clients in the Boston area for nearly 30 years, celebrated its renaming ceremony on Oct. 3 at its office in the Jamaica Plain neighborhood in Boston, from which it handles about 1,200 civil cases a year. Formerly known as the Hale and Dorr Legal Services Center, the WilmerHale LSC, a partnership between Harvard Law School and WilmerHale LLP, is the largest in-house clinical placement of the law school, providing placements for more than 90 students each semester at one of the center's 14 clinics under the supervision of clinical instructors and fellows.

## **Washington University Hosts Clinical Scholarship Roundtable**

Washington University in St. Louis hosted the "New Clinical Directions" Scholarship Roundtable at the law school on Nov 8-9, 2007.

In honor of the 35th anniversary of the Washington University Clinical Education Program, the 10th anniversary of the Public Interest Law & Policy Speaker Series, and the upcoming 10th anniversary of the Journal of Law & Policy, the Clinical Program is collaborating with the Journal to publish a double volume in summer 2008 on "Access to Justice & New Directions in Clinical Theory & Practice."

The volume will include nine submissions by clinical faculty from across the country, selected early last summer from over 35 abstract submissions - along with articles from presenters in this year's Public Interest Law & Policy Speaker Series, as it does every year in its annual Access to Justice volume. The goal of this combined issue is to highlight and advance scholarship about innovative, interdisciplinary, and international clinical theory and practice.

The Clinical Education Program hosted a scholarship development roundtable at the law school November 8-9, 2007, with the authors of the nine papers, plus clinic faculty from Washington University, St. Louis University, and the University of Illinois. Washington University hopes to host a roundtable again in fall 2009 and publish a volume on "New Clinical Directions" every other year. Watch for volume 28 coming next summer and stay tuned for news on future roundtables and volumes.

## **Washington University Clinical Education Program annual Public Interest Law & Policy Speaker Series**

This year marks the tenth anniversary of the Washington University Clinical Education Program annual Public Interest Law & Policy Speaker Series, entitled "Access to Justice: the Social Responsibility of Lawyers." Inaugurated in 1998 on the 25th anniversary of the Clinical Program, this series features nationally and internationally prominent clinical teachers, writers, practitioners, and judges who address important access to justice issues. This year's series includes Muneer Ahmad (American), Bill Ong Hing (Davis), Abbe Smith (Georgetown), and Charles Ogletree (Harvard), along with Michael Ratner (Center for Constitutional Rights) and Mary Bauer (Southern Poverty Law Center), among others.

## **HLS Student Is Co-Winner of Pro Bono Award at 13th Annual PSLawNet Ceremony**

Lam Ho (HLS '08) was named co-winner of the 13<sup>th</sup> Annual PSLawNet *Pro Bono Publico* Award. Ho, who throughout his high school, college and graduate careers has dedicated himself to assisting low-income people, works 60 to 70 hours a week as a leader in two initiatives serving these populations: he is President of the Harvard Legal Aid Bureau, and he is supervising member of R.O.A.D (Reaching Out About Depression), which serves low-income women with depression and other mental health issues. During his 1L summer, Ho worked on impact litigation with the ACLU National Legal Department, and this past summer he split his time between the Urban Justice Center in New York and the Massachusetts Law Reform Institute in Boston. A Marshall Scholar at Oxford, Ho dedicated the PSLawNet award to his grandfather, a Vietnamese immigrant who died the same day Ho learned he'd received the Pro Bono recognition. His co-winner was Parag Khandhar of American University Washington College of Law.

## **HLS Human Rights Clinic files lawsuits against former Bolivian President and Defense Minister**

Harvard Law School's International Human Rights Clinic joined a team of human rights lawyers in filing two lawsuits in U.S. federal district courts, charging former Bolivian President Gonzalo Sánchez de Lozada and former Bolivian Minister of Defense Carlos Sánchez Berzaín for their roles in the killing of civilians during popular protests against the Bolivian government in September and October 2003.

Thomas Becker (J.D. '08) spent time in Bolivia before coming to law school working with human rights groups. In September 2006, Becker's human rights group and the Clinic began exploring the possibility of bringing a suit in the United States against the two defendants.

"The lawsuits are the culmination of years of work by Bolivian human rights groups to hold these two defendants accountable for their actions in 2003," said Becker.

The suits, which seek compensatory and punitive damages, charge Sánchez de Lozada and Sánchez Berzaín with extrajudicial killings and crimes against humanity for their roles in the massacre of unarmed civilians, including children. Both suits charge that in September and October 2003, Sánchez de Lozada and Sánchez Berzaín ordered Bolivian security forces to use deadly force, including the use of high-powered rifles and machine guns, to suppress popular civilian protests against government policies.

During those two months, forces under the defendants' leadership killed 67 men, women, and children and injured more than 400 – almost all from indigenous Aymara communities – according to the lawsuits.



On October 17, 2003, both Sánchez de Lozada and Sánchez Berzaín fled to the United States. Sánchez de Lozada now lives in Chevy Chase, Maryland; Sánchez Berzaín resides in Miami, Fla. Two separate cases were filed – one in U.S. federal court in the District of Maryland against Sánchez de Lozada, the other in the Southern District of Florida against Sánchez Berzaín – with the same plaintiffs and charges of human rights violations.

Harvard Law School Clinical Professor of Law and Human Rights Program Executive Director James Cavallaro and Clinical Director Tyler Giannini have led clinical students on several fact-finding missions to Bolivia, during which students and instructors conducted interviews with witnesses, identified plaintiffs, and met with local lawyers and human rights advocates.

“The work of HLS clinical students on this case cannot be understated, with a dozen students providing assistance over the past twelve months,” said Cavallaro.

“The significance of their work on what may prove to be the most high-profile civil suit against a former head of state residing in the U.S. since Philippines president Ferdinand Marcos, is a testament to the dedication of the student human rights community here at HLS,” added Giannini.

The suit was filed by the International Human Rights Clinic at Harvard Law School, the Center for Constitutional Rights in New York, attorneys with the firm Akin Gump Strauss Hauer & Feld LLP, leading ATS attorney Paul Hoffman of Schonbrun, DeSimone, Seplow, Harris and Hoffman, as well as David Rudovsky and Judith Chomsky.

Harvard Law students and recent graduates participating on the case include Becker, as well as Yukyan Lam (J.D. '07), Jacob Kopas (J.D. '07), Nathan Ela (J.D. '07), Britton Schwartz (J.D. '07), Stephanie Brewer (J.D. '07), Meghan Morris (J.D. '08), Karla Quintana-Osuna (LL.M. '08), Andrew McIntyre (LL.M. '08), Katherine Currie (J.D. '09), Katherine Glenn (J.D. '09), and Abigail Moy (J.D. '09).

To view a Washington Post article covering these lawsuits, go to <http://www.washingtonpost.com/wp-dyn/content/article/2007/09/25/AR2007092502252.html>

## **HLS Students Help Launch New Civil Rights Non-Profit**

The Fair Employment Project, a new non-profit organization dedicated to providing legal aid to lower-income workers who are victims of employment discrimination, was launched last spring by Helen Kim (HLS '07) with the help of Danielle Pham (HLS '09).

The Fair Employment Project (FEP) was developed while both Kim and Pham were clinical students at the HLS WilmerHale Legal Services Center (LSC). In the short time it has existed, FEP has fielded more than 100 phone calls from workers who might otherwise have had no place to turn for legal help. Although FEP is now an independent organization with its own board, LSC's Employment Civil Rights Clinic will act as a laboratory to refine the process

of screening cases and educating workers, and HLS's clinical students will play a leading role in that effort.

Kim, who last spring was a clinical student in the Employment Civil Rights Clinic at LSC, was principally responsible for developing the nuts and bolts of the new project. Pham, who worked this summer at LSC's Business and Non-Profit Organization Clinic under the supervision of Clinical Professor of Law & LSC Director Brian Price, drafted the incorporation papers and prepared the lengthy application that the Internal Revenue Service will review to determine FEP's tax-exempt status.

Before helping to launch FEP, Kim had two semesters of clinical work under her belt. She first worked at LSC during the spring of 2006, providing direct legal assistance to victims of discrimination under the supervision of Clinical Instructor and Lecturer-on-Law Steve Churchill (HLS '93). In the fall of 2006, Kim did an independent clinical at the Massachusetts Commission Against Discrimination (MCAD), which enforces the state's civil rights laws. Last spring, Kim was at LSC as her clinical placement for a new course being taught by Churchill – Employment Civil Rights Clinical Workshop – which focused on how to reduce the problems of employment discrimination. Putting theory to practice, she spent the semester talking to civil rights lawyers across the state, and around the country, to develop a system for screening cases and providing information to workers. She used her connections at the MCAD to set up a meeting with its new Chair to discuss possible collaborations between the agency and a new project.

## **Legal Aid Bureau Hosts Post-Katrina Poverty Law Panel, Honors Distinguished Alumni**

The HLS Legal Aid Bureau hosted a panel discussion in October on poverty law challenges after Hurricane Katrina, including the continuing needs of people and organizations in the Gulf Coast region. Issues such as the broken infrastructure of communities, health consequences for clean-up volunteers, litigation with FEMA regarding response efforts, and civil rights violations toward African American citizens trying to relocate to other cities were discussed, along with various proposals and suggested solutions. The Oct. 28 event also served as a time to present the Distinguished Alumni Awards, which honor career achievement in public service, including: Juliet Brodie '91, associate professor and director of the Community Law Clinic at Stanford Law School; Will Gunn '86, president and CEO of the Boys and Girls Club of Greater Washington; and Professor Peter Murray '67, first faculty director of the Harvard Legal Aid Bureau.

## **HLS Students Assist Katrina Victims**

Twenty-five Harvard Law School students volunteered for a week in January 2006 during winter break to provide free legal aid and other services to victims of Hurricane Katrina. Their work encompassed a variety of issues: assisting tenants evicted for not paying rent; handling appeals to FEMA over benefit decisions; assisting immigrant workers; and working with prisoners in the criminal justice system whose cases were affected by the hurricane. They

Worked with a number of organizations providing legal aid including New Orleans Legal Assistance, People's Hurricane Relief Fund, and Common Ground. Another eight students earned clinical course credit during the month of January helping Katrina victims, primarily through the Lawyers Committee for Civil Rights in Washington D.C. and the Gulf Coast. The trips were coordinated by the HLS Office of Clinical and Pro Bono Programs as well as the Student Hurricane Network. The law school provided airfare and transportation for the students, who stayed in free housing provided by churches and other organizations, or stayed with friends.

## **Katrina Tribunal's Preliminary Findings Contend that Federal, State, and City Governments**

The U.S. government and others committed crimes against humanity in their failure to protect New Orleans from flooding and other devastation due to hurricanes, according to an international tribunal of 16 jurists, which convened in New Orleans for five days in August and September, 2007, to hear testimony by experts and survivors of Hurricanes Katrina and Rita.

Jill Soffiyah Elijah, the Deputy Director of the Criminal Justice Institute at Harvard Law School and Coordinating Justice for the International Tribunal on Hurricanes Katrina and Rita, announced the Tribunal's preliminary findings: "It is our view that the U.S. government has committed crimes against humanity particularly in relation to its failure to maintain functional levees that should have protected the city of New Orleans from flooding....it was the reckless disregard and, in some instances, negligence of the U.S. government, the state of Louisiana and the city of New Orleans that created the devastation we continue to see today."

After hearing nearly 30 hours of testimony by hurricane survivors and experts - covering government neglect and negligence in 15 areas, ranging from police brutality to environmental racism, from misappropriation of relief to gentrification -- the jurists announced in preliminary findings that the federal, state and local governments are guilty of violating the human rights to life, dignity and recognition of personhood; the right to be free from racial discrimination, especially as it pertains to the actions of law enforcement personnel and vigilantes; the right to return, resettlement and reintegration of internally displaced persons; the right to be free from degrading treatment and punishment; the right to freedom of movement; the right to adequate housing and education; the right to vote and participate in governance; the right to a fair trial; the right to liberty and security of person; and the right to equal protection under the law. Both actions and failure to act by the governments had disproportionate devastating impact with respect to race and gender, according to Elijah.

The Tribunal -- composed of 16 esteemed jurists from nine countries, including Algeria, Brazil, France, Guadeloupe, Martinique, Mexico, South Africa, Venezuela, and the U.S. -- will deliver its final verdict on Dec. 8, 2007, the second anniversary of the Katrina Survivors' Assembly. In the meantime, prosecutors will be submitting additional evidence and videotaped affidavits from an additional 25 survivors.

The prosecution team included experienced attorneys from respected legal associations around the country: the ACLU of New York, National Economic and Social Rights Initiative, the U.S.

Human Rights Network, the National Conference of Black Lawyers, the Center for Constitutional Rights, National Lawyers Guild, the Center for Law and Social Justice at Medgar Evers College, the NAACP Legal Defense and Education Fund, Mississippi Workers Center for Human Rights, Washington DC Legal Defender, Mississippi Disaster Relief Coalition, International Association of Democratic Lawyers, Legal Empowerment Center and the Louisiana Justice Initiative.

## **Harvard Law Clinical Students Participate in Historic South Africa Apartheid Litigation**

In an historic decision, the U.S. Court of Appeals for the Second Circuit vacated a district court ruling on Friday, October 12, clearing the way for lawsuits brought by survivors of apartheid to proceed against dozens of multinational corporations. The suits allege that these companies – including IBM, CitiBank, General Motors, and DaimlerChrysler – knowingly aided the apartheid regime in its commission of human rights violations by providing necessary financing, material and training.

Nearly 20 Harvard Law School students assisted on this case over the past two-and-a-half years, through a clinical project with the Human Rights Program’s International Human Rights Clinic and a student group, Harvard Law Student Advocates for Human Rights. The students worked closely with Paul Hoffman, a leading human rights litigator and senior partner with Schonbrun De Simone Seplow Harris and Hoffman LLP, who represented two of the three groups of apartheid survivors in the appeal.

“This ruling is a major victory for corporate accountability, and for holding companies responsible for aiding and abetting known human rights violators,” said Tyler Giannini, Lecturer on Law at Harvard Law School and Clinical Director of the International Human Rights Clinic, who worked with the students on the case.

The plaintiffs include family members of those who were killed by South African apartheid regime. The case was brought under the Alien Tort Statute, a 1789 law that allows non-U.S. citizens to bring civil cases in U.S. courts for the violation of universal human rights norms.

“The message being sent with this case is that companies that do business in the United States must ensure at every possible step that they are not complicit in human rights violations,” said Nathan Ela, a Clinical Litigation Fellow at the Harvard Clinic.

Harvard Law Students that worked on this case include Cori Crider (J.D.’06), Sarah Knuckey (LL.M. ’06), Nathan Ela (J.D. ’07), Andrew Woods (J.D.’07), Sarah Rice (J.D. ’07), Kelsey Shannon (J.D. ’07), Amanda Perwin (J.D. ’07), Jillian Ashley (J.D. ’07), Yvonne Osirim (J.D. ’07), Jose Klein (J.D.’08), David Zionts (J.D. ’08), Jonathan Jenkins (J.D. ’08), Meghan Morris (J.D. ’08), Wiel Shaw (J.D. ’09), Leigh Sylvan (J.D. ’09), Katherine Glenn (J.D. ’09), and Alexia DeVincentis (J.D. ’09).

## **Legal Services Center Hosts City Revitalization Workshop**



As part of a program to revitalize local commercial districts, the WilmerHale Legal Services Center (LSC) of Harvard Law School in October hosted a workshop conference for the City of Boston's Main Streets Program. The Main Streets Program works with 19 neighborhood-based districts to provide merchants and residents with tools for their historic commercial districts to compete in the current market by capitalizing on their cultural and historical assets while focusing on economic development. Five 2L students who are enrolled in the Transactional Practice Clinical Workshop taught by Brian Price, Clinical Professor and Director of the LSC and who also are working in the center's Community Enterprise Project made presentations on legal issues related to non-profit tax-exempt federal and state law. The students were Liliane Ladejola-Diaba, R. Ivan Hernandez, Eric Herrmann, Victoria Shiah, and Jonathan Vance. They were joined in their presentations by Visiting Clinical Instructor Hugh Jones, senior counsel at the law firm WilmerHale.

## **Cooley Law School Sends Students to NAELA Conference Law Student Day**

Sixty Plus, Inc., Elderlaw Clinic of Thomas M. Cooley Law School sponsored five clinic students to attend the National Academy of Elder Law Attorneys (NAELA) conference in Memphis, TN, November 1-4. Faheemah Abdullah, Christopher Gatewood, Amanda Klais, Shanique Moss, and Brian Tucci attended Law Student Day sessions, along with General and Breakout sessions at the conference. The conference allowed the students to learn more about Elder Law Litigation, Medicare, Special Needs Trusts and other areas of elder law.

At the conference, the students realized that they were far more advanced in the area of elder law than other law students from different schools. The clinic students realized that their experiences in the Sixty Plus Clinic and the Estate Planning Clinic put them far ahead of the other law students who attended the conference. The conference had set up a Law Student day, but when the clinic students attended those sessions, they realized the sessions were too elementary. The students from the other schools did not know anything about Durable Power of Attorneys or Medical Power of Attorneys and the Law Student Day sessions were designed to give a very broad overview of these areas of law. However, the clinic students had been creating those documents for clients for weeks. So, the clinic students decided to attend the other sessions that regular attorneys attended.

When the clinic students attended the sessions with the attorneys, they were viewed as colleagues by the attorneys at the conference, and not just law students. The clinic students were able to carry on intelligent conversations about in-depth areas of elder law with the attorneys. The attorneys were so impressed that they asked for clinic students' contact information and asked the students to also contact them. This has led to job opportunities for some of the clinic students who attended. The conference was an invaluable experience for the clinic students. The students encourage the clinical programs to send other clinical students conferences so other students may experience the wonderful opportunities that these conferences have to offer.

## William Mitchell

A lot has been happening at William Mitchell:

In June of this year the Legal Assistance to Minnesota Prisoners (LAMP) Clinic (taught by Brad Colbert) won an important victory at the Minnesota Supreme Court. In *Johnson v. Fabian*, 735 N.W.2d 295 (Minn. 2007), the Court held that (1) extension of inmates' incarceration time for their refusal to admit sexual offenses in sex offender treatment did rise to the level of compulsion for purposes of their Fifth Amendment privilege against self-incrimination, and (2) the Commissioner of Corrections' extension of inmates' incarceration violated their privilege against self-incrimination.

Carnegie Report co-author Judith Wegner did a day-long workshop here to help us brainstorm about changes to make in light of the Carnegie Report recommendations. In the course of her visit, Wegner said about Mitchell: "You're pioneers in that you are working with values and really trying to integrate introduction of the process of becoming a lawyer in a meaningful way for people from the beginning when they walk in the door. You've been imaginative and creative in the range of things you are already doing."

Jay Erstling, former director of the Office of the Patent Cooperation Treaty began teaching at Mitchell this fall and will develop an Intellectual Property Law Clinic for a debut in fall 2008.

Carolyn Grose's article on whether clinical supervisors attend client interviews with their students will be coming out in the *Clinical Law Review* in the spring. Entitled "Flies on the Wall or in the Ointment: Some Thoughts on the Role of Clinical Supervisors at Initial Client Interviews," it is currently available on the Clinical Research Institute's SSRN.



## **Indiana University-Bloomington School of Law**

This fall the faculty approved a new clinic: the Nonprofit Law Clinic, which will enroll its first students in January 2008. Cindy Lott, JD Yale '93, has been appointed a Visiting Clinical Associate Professor, to run the clinic. The NonProfit Law Clinic (NPLC) will focus on transactional work and delivering legal counsel on non-litigation projects. The clinic will instruct students in the process of completing documentation for the life cycle of a nonprofit entity, including applications for nonprofit and tax-exempt status, and the various forms, letters and communications required for nonprofit compliance and representation of clients. The NPLC will also develop a "Best Practices Guide" for Indiana nonprofit entities and create a web site for the clinic which will function as a resource for nonprofit organizations throughout Indiana.

Andrea R. Need has agreed to join The Conservation Law Clinic as a Staff Attorney. Andrea is a magna cum laude graduate of the Indiana University-Bloomington School of Law, and also holds an MS Environmental Science degree from IU's School of Public and Environmental Affairs. She has been counsel to the Indiana Department of Environmental Management for 14 years. Andrea's undergraduate degree from Michigan in Natural Resources reflects her long time interest in conservation. Working half-time, she will be an exceptional addition to the staff and capacity of the Conservation Law Clinic and its parent organization, the Conservation Law Center.

The Entrepreneurship Law Clinic at Indiana University-Bloomington was formally renamed the Elmore Entrepreneurship Law Clinic in October with a ceremony that included remarks by IU President Michael McRobbie. It was named the Elmore Entrepreneurship Law Clinic in recognition of a \$3 million gift from David Elmore, JD'58, and his son, D.G. Elmore, JD/MBA'84, to fund scholarships for clinic students, joint J.D./M.B.A. candidates, and students with strong interest in business law. The clinic is a collaboration of the School of Law and the IU Kelley School of Business. Unique in the country, it provides JD/MBA joint-degree students the opportunity to assist high-growth potential start-up ventures with both legal and business planning.

### Pro Bono Awards:

Indiana Law recently inaugurated the annual student Pro Bono Awards, sponsored by Baker & Daniels LLP. "The results of our pilot year are impressive and inspirational," Dean Lauren Robel said during the ceremony. "About one-third of the students who participated reported more than 100 hours of pro-bono service during the school year, and the six students we recognized today reported working more than 200 hours each." Special guest Carl Pebworth, a partner of Baker & Daniels LLP, presented the awards.

## **Bellow Scholar Workshop**

On September 27-28, 2007, the Clinical Section's Lawyering in the Public Interest Committee and Harvard Law School's Bellow-Sacks Access to Civil Legal Services Project co-sponsored a Bellow Scholar Workshop hosted by the University of Maryland.

Recent Bellow Scholar recipients were joined by clinicians and social scientists to explore innovative approaches to delivering legal services to the poor. Participants posted research questions in advance of the workshop, which described the challenges and opportunities of implementing such inquiry in clinic settings. The group hopes to develop research models and foster evidence-based approaches to anti-poverty lawyering, and a summary of the workshop proceedings will be published in the University of Maryland Law Journal of Race, Religion, Gender and Class.

Attendees included:

Muneer Ahmad (American)  
Fran Ansley (Tennessee)  
Sameer Ashar (CUNY)  
Susan Bennett (American)  
Brenda Bratton Blom (Maryland)  
Juliet Brodie (Stanford)  
Jeanne Charn (Harvard)  
Mary Louise Frampton (Berkeley)  
Luz Herrera (Chapman)  
Alan Lerner (Penn)  
Michael Millemann (Maryland)  
Dean Rivkin (Tennessee)  
Meredith Ross (Wisconsin)  
Rebecca Sandefur (Stanford)  
Jeff Selbin (Berkeley)  
Corey Shdaimah (Maryland)  
Joe Tulman (UDC)  
Deborah Weimer (Maryland)



# AMONG US



As of July 1, 2007, John F. Erbes has been promoted to Clinical Professor at Southern Illinois University School of Law. He has been at the SIU Legal Clinic since 1996. This is a non-tenure track, continuing appointment position now subject to a first time collective bargaining agreement.

## Mills Legal Clinic

Jennifer H. Lee is the inaugural Cooley Godward Kronish Fellow for the Immigrants' Rights Clinic at Stanford Law School, where she supervises students on cases and projects ranging from humanitarian relief from deportation to developing legal arguments for individuals affected by immigration raids.



Jennifer H. Lee

Prior to joining the law school in 2007, Jennifer was a litigation associate at Wilmer Culter Pickering Hale and Dorr LLP in Palo Alto and New York. She has extensive experience working with immigrant survivors of domestic violence and was director of the Community Liaison Project at Sanctuary for Families' Center for Battered Women's Legal Services in New York. Following graduation from Columbia University School of Law, Jennifer clerked for the late Honorable Eugene H. Nickerson of the Eastern District of New York.



Galit Lipa

Galit Lipa has joined Stanford Law School as a Fellow in the Criminal Defense Clinic where she supervises students in the representation of inmates convicted under the California three strikes law for crimes neither serious nor violent.

Galit was most recently a deputy public defender at the Contra Costa County Office of the Public Defender. Prior to that, she was an E. Barrett Prettyman Fellow at Georgetown University Law Center, where she represented people accused of crimes in misdemeanor, felonies, and delinquency hearings in Washington D.C.'s Superior Court and supervised third-year students in the Juvenile Justice Clinic who were representing clients in delinquency proceedings. She is a 2004 graduate of Yale Law School and in 2006 was awarded an LLM from Georgetown Law in Advocacy.

Leah J. Russin joins Stanford Law School's Environmental Law Clinic as a Fellow supervising students in the litigation of natural resources, administrative practice, and policy work involving federal public lands, marine and coastal resources, biodiversity, water quality, and global climate change. Prior to joining Stanford, Leah was a litigation associate at Quinn Emanuel Urquhart Oliver & Hedges in Los Angeles, where her pro bono work included assisting environmental groups oppose the extension of a toll road through a state park. Prior to this, she served as a clerk for Chief Judge Paul J. Barbadoro at the United States District Court in New Hampshire. A 2002 graduate of Duke University School of Law, Leah worked as a research assistant to environmental law professors Jonathan B. Wiener and Christopher Schroeder and as research editor for the Duke Environmental Law and Policy Forum and the Alaska Law Review. Before going to law school, she taught both high school science and math.



Leah J. Russin



Jennifer Urban

Jennifer Urban is serving as visiting associate professor of law and interim director of Stanford Law's Cyberlaw Clinic, which gives students hands-on opportunities to participate in supervised counseling, licensing, litigation, policy and legislative advocacy in matters involving technology and the public interest. At USC, Urban is Clinical Associate Professor of Law and Director of the USC Intellectual Property and Technology Law Clinic. Additionally, she is a member of the USC Center for Communication Law and Policy and a fellow of the USC Annenberg Center for Communication. Before joining USC in 2004, Urban was a lecturer and visiting professor at UC Berkeley's Boalt Hall School of Law. Prior to that, she was an attorney with the Venture Law Group in Silicon Valley. She holds a BA ('97) from Cornell University and a JD ('00) from Boalt Hall.



Jay Mitchell

Jay Mitchell (Stanford) joins Stanford Law School as a lecturer in law and director of the new Organizations and Transactions Clinic. Jay, a former partner at Heller Ehrman White & McAuliffe in San Francisco, joined the law school in August from Levi Strauss & Co., where he has been a senior legal executive since 1992. He brings over 20 years of corporate practice and business experience to the law school, with his recent work at Levi Strauss & Co. focused on capital structure, corporate governance, financial disclosure and product sourcing matters. Jay also has worked on a variety of commercial matters, including trademark licensing, technical product innovation, antitrust, logistics, acquisition, and retail joint venture projects. Jay is a 1980 graduate of Stanford University and a 1983 graduate of the University of Virginia School of Law. Stanford Law School's Organizations and Transactions Clinic is one of ten clinics operating within the umbrella of the clinical education program, the Mills Legal Clinic.

## Stanford Law School



Brenda Shum

Brenda Shum joins Stanford Law School as a Fellow in the Youth and Education Law Project where she supervises students in the representation of youth and families in special education and school discipline matters, community outreach and education, school reform litigation, policy research, and advocacy. Previously, Brenda worked as a project director for the American Bar Association Center on Children and the Law in Washington, D.C. providing training and technical assistance to judges, attorneys, social workers, service providers, and community advocates on issues pertaining to child welfare law. Prior to that, she was a staff attorney for the Juvenile Rights Project where she represented abused and neglected children in the juvenile court system. Upon graduating in 1995 from the University of Washington School of Law, Brenda worked as a research associate for Evergreen Legal Services in Washington researching issues related to the ethical duties of children's attorneys.

Jessica Steinberg has recently joined Stanford Law School as the Jay M. Spears Teaching Fellow and supervising attorney of the Stanford Community Law Clinic, a direct-services clinic serving low-income people in and around East Palo Alto. Previously, Jessica was a deputy city attorney for the Office of the City Attorney in Salinas, Calif., where she litigated civil rights and liability claims on behalf of the City in state and federal court, and before that, an Equal Justice Works Fellow for the Legal Aid Society of San Mateo County. Prior to graduating in 2004 from Stanford Law School, Jessica worked for Partners for Democratic Change, managing programs to increase civic participation among ethnic minorities in Latin America and Eastern Europe.



Jessica Steinberg



Barbara Olshansky

Barbara Olshansky has joined Stanford as the Leah Kaplan Visiting Professor in Human Rights, teaching Guantánamo, Law, and the War on Terror in the fall and establishing an international human rights clinic in the Spring of 2008. Previously, she led the Guantánamo Global Justice Initiative at the Center for Constitutional Rights and served as CCR's deputy legal director litigating civil and human rights cases and supervising new lawyers. After receiving two bachelor's degrees in 1982 from the University of Rochester, Olshansky attended Stanford Law, where she helped establish the East Palo Alto Community Law Project to serve low-income residents. Upon graduation, she clerked for former California Supreme Court Chief Justice Rose Bird; served as a union-side labor and plaintiff's employment discrimination lawyer; and argued cases for the Environmental Defense Fund. In 2005, the Stanford Public Interest Law Foundation named Olshansky its Public Interest Lawyer of the Year.

## George Washington University Law School



Phyllis Goldfarb

George Washington University Law School is delighted to announce that Phyllis Goldfarb has become our new Associate Dean for Clinical Affairs and the inaugural holder of the Jacob Burns Foundation Professorship in Clinical Law. Phyllis joins us from Boston College Law School where she directed a criminal justice clinic for 21 years and was a much-loved colleague, teacher and scholar. The GW Clinics and the law school are grateful that she has come to lead our efforts to strengthen and grow GW's clinical programs. We are excited by her vision, her commitment to clinical education, and the skills and ideas that she brings to our community. Phyllis benefits from the strong foundation laid by Carol Izumi, who served as GW's first Associate Dean for Clinical Affairs. Carol is on leave for the fall semester, but will be returning to direct her Consumer Mediation Clinic in the spring.

## William s. Boyd School of Law



Kate Kruse

It is my pleasure to inform you that our tenured faculty unanimously voted for tenure and promotion for both Kate Kruse and David Thronson. Their impressive files will soon wind their way through the university system and they should be full professors with tenure starting next academic year. Congratulations to Kate and David!



David Thronson

## University of North Carolina

The clinical faculty at University of North Carolina at Chapel Hill is pleased and proud to announce that Deborah Weissman, Director of Clinical Programs, has been named Reef C. Ivey II Professor of Law. This chair recognizes Deborah's accomplishments as a clinical and classroom teacher and as a outstanding scholar of domestic and international human rights.



Deborah Weissman



## **Anniversary Champion Award**

I am thrilled to announce to the list serve that Peter Knapp, the clinic co-director here at William Mitchell, was given a Special 25th Anniversary Champion Award by the Minnesota Justice Foundation (MJF). MJF secures legal aid for thousands of under-represented Minnesotans by coordinating the efforts of volunteer law students and attorneys. Peter was given the award for being a "creator, nurturer and cheerleader" for MJF for 17 years. I am sure he will be placing this award alongside his plaque for best rendition of the Time Warp, from the Rocky Horror Picture Show.



## **National Aging and Law Conference**



Clinical Professor Kate Mewhinney (Wake Forest University), who chairs the AALS Section on Aging and the Law, was a speaker at the National Aging and Law Conference in Washington, D.C. on "The Durable Power of Attorney: Tool for Empowerment or Exploitation?" In A September, she was a plenary speaker at the North Carolina Conference on Aging, on "Street Smarts for Seniors - Financial and Consumer Issues." This past summer, Professor Mewhinney began a three year term on the Council of the NC Bar Association's Dispute Resolution Section. In November, she spoke at the Canadian Conference on Elder Law (Vancouver), on establishing elder law clinics. For news of her students work, she invites you to see <http://law.wfu.edu/eclinic.xml>

## **Update from Maine Law**

Christopher Northrop has been appointed Associate Clinical Professor here at the University of Maine School of Law. For the past year, Chris has been a Visiting Clinical Professor here at the Cumberland Legal Aid Clinic at Maine Law, where he launched and oversaw the highly successful first year of the Juvenile Justice Clinic. In the first two semesters of the Juvenile Justice Clinic Chris' students represented clients in a wide range of cases in both federal and state juvenile proceedings, served as a member of the Juvenile Drug Treatment Court team in a local court, started a Street Law program through which they provide legal information to teens at a local homeless shelter, and developed the curriculum for and served on the faculty of a training program to implement Maine's Disproportionate Minority Contact Research & Training program. Chris also taught a law school wide course in Juvenile Defense Policy and Practice.



In early November Ann Juergens participated in a roundtable at Washington University on “New Directions in Clinical Scholarship.” Her paper, co-authored with Angela McCaffrey of Hamline, “Role Plays as Rehearsals for ‘Doing the Right Thing:’ Teaching Ethical Practice in Moldovan and U.S. Legal Education,” will be published in the Wash. U. Journal of Law & Policy next spring.

William Mitchell students, alumni, and Professor Diane Dube provided legal assistance to approximately 161 people at Hennepin County’s Project Homeless Connect this month. Approximately 1,900 homeless and low-income people came to the Minneapolis Convention Center to receive housing referrals and placement, employment services, medical care, legal services, haircuts, food, clothing, and much more. A total of 800 volunteers helped with the event, including 15 volunteer lawyers, three paralegals, 19 law students from the four Twin Cities’ law schools—nine from William Mitchell -- and four court personnel.

## **Director of the Environmental Law Clinic at Rutgers Newark**



Steve Gold has been appointed as Director of the Environmental Law Clinic (ELC) and Assistant Professor of Law on the tenure-track faculty. Professor Gold comes to Rutgers-Newark after serving as a Senior Attorney, Appellate Attorney and Trial Attorney in the Environmental Enforcement Section, Environment and Natural Resources Division of the United States Department of Justice (DOJ) for the past 18 years. At the DOJ, Gold garnered 14 different honors and awards from the DOJ or the Environmental Protection Agency for his litigation accomplishments and service. He is a graduate of Harvard College and Yale Law School. At Yale, Gold participated in the Prisoner Rights Clinic, served as Articles Editor on the Yale Law Journal, and published a highly influential and frequently cited Yale Law Journal note on causation in toxic tort litigation. He is a former law clerk to United States District Judge Raymond Dearie in the Eastern District of New York. In addition to directing and teaching in the ELC, Professor Gold will teach Environmental Law and a seminar in Advanced Environmental Legal Issues.

## **Best Lawyers in America**

H. Scott Fingerhut, Assistant Director of the Trial Advocacy Program and Honors College Fellow at Florida International University College of Law, has been selected to Best Lawyers in America.



## Faculty Changes

Bryan Lonegan has joined the Seton Hall University School of Law, Center for Social Justice, as a Visiting Assistant Clinical Professor. Prior to coming to Seton Hall, Prof. Lonegan spent 18 years at the Legal Aid Society in New York City, where he worked in the Society's Criminal Defense Division, Criminal Appeals Bureau, and Immigration Law Unit. He specialized in the representation of non-citizens facing deportation because of criminal convictions. He has taught at New York University and Hofstra Law Schools. Prof. Lonegan is supervising students and litigating at the Center for Social Justice's new Immigrant Workers' Rights Clinic.



Bassina Farbenblum has joined the Seton Hall University School of Law, Center for Social Justice, as a Practitioner-in-Residence in the International Human Rights/Rule of Law Project. Ms. Farbenblum comes to Seton Hall from WilmerHale, LLP, where she argued before the Court of Appeals for the Third Circuit in the first appellate case to consider the national-security exception to asylum under U.S. law. Prior to private practice, Ms. Farbenblum was a fellow and consulting attorney with the American Civil Liberties Union's Immigrants' Rights Project, where she worked primarily in the areas of international human rights law, immigrants' rights and national security. She has also worked as a litigation attorney at the Public Interest Advocacy Centre in Sydney and as a policy advisor at the Australian Human Rights and Equal Opportunity Commission.

Lori Nessel, Director of the Center for Social Justice at Seton Hall University School of Law, has been awarded a Fulbright Scholarship. She will be conducting research at the Migration Institute at the Universidad Pontificia Comillas in Madrid, Spain during the 2007-2008 academic year. Professor Nessel's research will focus on a comparison of Spain's immigration policies towards sub-Saharan Africans who arrive by sea and the United States' policies towards Haitian boat people. In her absence, Claudette St. Romain, Associate Clinical Professor, Family Law Clinic, has been named Acting Director of the Center for Social Justice, at the Seton Hall University School of Law.



Jenny-Brooke Condon, has been named a Visiting Assistant Clinical Professor and will be supervising the Immigration and Human Rights Clinic at the Seton Hall University School of Law Center for Social Justice. Following a clerkship for the New Jersey Supreme Court, Ms. Condon had been Litigation Director of the World Organization for Human Rights USA in Washington D.C. From 2005-2007, Ms. Condon was a Clinical

Jon C. Dubin, Director of Clinical Programs at Rutgers Law School-Newark, received the Stanley Van Ness Leadership Award in Public Interest at the Awards Gala of New Jersey Appleseed Public Interest Law Center of New Jersey. New Jersey Appleseed is a non-partisan not-for-profit 501(c)(3) organization that has for almost ten years striven to correct systemic problems that are at the root of injustice in New Jersey.

The late Stanley Van Ness, only the third African American ever to attain cabinet status in New Jersey, was known as being a driving force in the passage of legislation benefiting a wide range of public interests. Professor Dubin was recognized by Appleseed for his "...remarkable and unwavering commitment to the fundamental goal of equal justice as reflected in his professional history, his volunteer work and his impressive and influential scholarship."



Daniel M. Schaffzin has joined the University of North Dakota as a Visiting Assistant Professor in the Clinical Education Program, where he co-teaches a Housing and Employment Litigation Clinic.

Professor Schaffzin graduated cum laude from Temple University School of Law in 2000, and earned his B.A. in journalism, magna cum laude, from Temple University in 1996. While in Law School, Professor Schaffzin was a member of the Temple University Law Review and completed legal internships with the Office of the United States Attorney (Eastern District of Pennsylvania), the Philadelphia District Attorney's Office, and the Philadelphia Police Department. For his work teaching constitutional law issues and setting up teen courts in the Philadelphia public school system, Professor Schaffzin received the Beth Early Farnbach Award for outstanding contribution of a law student to the community.

Following law school, Professor Schaffzin worked for five years in the Health Effects Litigation Practice Group of Pepper Hamilton LLP in Philadelphia, where he focused his practice on pharmaceutical and medical device products liability litigation. He also worked for over two years as in-house counsel for GlaxoSmithKline, counseling the company's diabetes franchise and pediatric vaccines product teams, as well as to several sales regions, concerning product promotion, fraud and abuse, and general regulatory compliance issues. Professor Schaffzin maintained an active pro bono practice, including work on a successful death penalty appeal under the Pennsylvania Post-Conviction Relief Act. He was a recipient of the Pennsylvania Bar Association Pro Bono Award in 2005.

## **New Clinicians**

Signe Dortch will direct the Immigration Law Clinic of the University of Washington School of Law. She was awarded her J.D. from the University of Washington and a B.A. from Willamette University. Signe practices with Gibbs Houston Pauw and represents immigrants in a variety of issues, including asylum, naturalization and residency. The Clinic is a joint effort of the Law School and the Northwest Immigrant Rights Project in Seattle.

## **Honors, Awards & Promotions**

Jacqueline McMurtrie was recently promoted to Associate Professor with tenure. She joined the University of Washington Law School faculty in 1989 and directs the Innocence Project Northwest Clinic in addition to teaching core courses.

Kim Ambrose, Senior Lecturer, is Acting Director of the Children and Youth Advocacy Clinic during Lisa Kelly's service as Associate Dean of the University of Washington Law School. In October, Kim presented "Assessing Community-based Mental Health Services for Juvenile Offenders" at the National Juvenile Defender Center Leadership Summit in Portland, OR.



Columbia Law School professors Philip Genty, Carol Liebman and Barbara Schatz recently participated in a three day conference in Bialystok, Poland for all of the clinical teachers in Poland, where every public university and many of the private ones have clinical programs. Also attending were clinical faculty from the Czech Republic and from universities in Moldova, Ukraine, Kyrgyzstan, Armenia and Georgia. Carol ran workshops on mediation, Philip ran workshops on moot court programs and Barbara ran workshops on transactional clinics.

On the way to Poland Philip visited colleagues with whom he had worked previously at the law faculty of the Ss. Cyril and Methodius University in Skopje, Macedonia. He was honored by the Dean for his support and assistance in developing clinical legal education at the university.

Philip was also featured on a panel at Columbia Law School in October ***Behind the Bars: An Interdisciplinary Call to Action to Address Prisoner Reentry***

November 9, 2007, Suzanne Goldberg, the Director of the Sexuality and Gender Law Clinic was a plenary panelist on Gender and Sexuality Law in the 21<sup>st</sup> Century for the 29<sup>th</sup> Annual Conference of the National Association of Women Judges in November 2007.

She also lectured in October as the Leo Goodwin Distinguished Visiting Professor at the Shepard Broad Law Center of Nova Southeastern University

She appeared on ABC World News Tonight as a commentator on sexual harassment and was quoted in several media stories after the verdict in the Knicks sexual harassment suit.

Her clinic filed an amicus brief with the California Supreme Court last month in support of plaintiffs in the marriage equality litigation there.

“NYCLA and **Columbia Law School’s Multi-Disciplinary Center for Excellence in Child and Family Advocacy** co-sponsored a public forum on July 13 at the NYCLA Home of Law to discuss the recommendations and working group reports from the October 2006 NYCLA Family Court Conference, “Family Court in New York City in the 21st Century: What Are Its Role and Responsibilities?” After welcoming remarks by Ann B. Lesk, NYCLA President Elect, and an overview by **Jane Spinak, Clinical Professor at Columbia Law School**, forum participants discussed the recommendations in both a national and local context. ... Prior to the forum, a symposium issue of the '**Columbia Journal of Law and Social Problems**' containing the Family Court Conference recommendations, working group reports, commissioned articles and replies was distributed to the 110 attendees.”

[Caroline Bettinger-López](#)

Attorney with the Human Rights Clinic, School of Law

Columbia University, was part of important training program in New York City in October:

**Using Human Rights in Poverty Law Advocacy**

"Where, after all, do universal human rights begin? In small places, close to home - so close and so small that they cannot be seen on any maps of the world. . . . Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world." --Eleanor Roosevelt

## **Villanova Law School's Clinical Program**

Beth Lyon, Director of the Farmworker Legal Aid Clinic, became a Board Co-Chair for Latino/Latina Critical Theory in October of 2007.

In January of 2007, Beth Lyon joined the Board of the Society of American Law Teachers

Beth Lyon has been promoted to Associate Professor at Villanova Law School. Beth is the Director of the Farmworker Legal Aid Clinic.

Villanova Law School's Clinical Program has entered into a collaboration with the Villanova University Department of Education and Human Services. Through the counseling collaboration, Villanova graduate counseling students work with Villanova Law School Clinical Program clients who are in need of counseling services. The program has been very well received by the clinic students and clients, and has offered a unique experience to the counseling students.

T. Keith Fogg has joined the Villanova Law School faculty as a Visiting Associate Professor of Law and Director of the Federal Tax Clinic. Professor Fogg received his B.A. from the College of William and Mary, his J.D. from the University of Richmond T.C. Williams School of Law, and his LL.M. from the College of William and Mary Marshall Wythe School of Law. He has worked for the past 30 years as a lawyer in the Office of Chief Counsel of the Internal Revenue Service, where he has served both in the national office and field offices. Professor Fogg was just recently named the Attorney of the Year by the IRS Office of Chief Counsel. Approximately 1,600 lawyers work for the department in over 40 offices around the country. Each year, the IRS Office of Chief Counsel selects one attorney from around the country as its Attorney of the Year.

## **Cooley Law Students work with Hurricane Network**

Seventy Cooley students experienced the day-to-day practice of law when they went to the Gulf Coast during their term break in August. The students signed up with the Student Hurricane Network, part of the ABA/LSD, to help with legal issues facing residents of New Orleans and Biloxi/Gulfport.

The students all saw this experience as "life changing." They not only received a better understanding of what lawyers do on a day-to-day basis, but also received a vivid picture of the role of an attorney in solving clients' problems when faced with disasters. These students have now formed a student organization, the Disaster Relief Legal Association, and are planning future trips and work from their home campus to assist families and individuals impacted by disaster.

# ANNOUNCEMENTS

## Clinical Law Review Announces Writing Workshop in October 2008

Because the Clinical Law Review's first workshop (in Spring 2006) produced favorable feedback and has resulted in the publication of articles that were work shopped on that occasion, the Clinical Law Review's Board of Editors has decided to offer the Workshop again. If the Workshop continues to be successful, the Board will offer it on a regular basis.

The next Workshop will be held next year on Saturday, October 18, 2008, at NYU Law School. The Workshop will provide an opportunity for clinical teachers who are writing about any subject (clinical pedagogy, substantive law, interdisciplinary analysis, empirical work, etc.) to meet with other clinicians writing on similar topics to discuss their works-in-progress and brainstorm their articles. As at the meet throughout the day in subject matter in which course of the day, each of each member of the



As at the first Workshop, an admission or provide meals during the have to arrange and pay lodgings. To assist those

need assistance for travel and lodging, NYU Law School has committed to provide 30 scholarships of up to \$1,000 per person to help pay for travel and lodgings. Later in this academic year we will announce criteria and procedures for applying for these scholarships. The scholarships are designed for those clinical faculty who receive little or no travel support from their law schools and who otherwise would not be able to attend this conference without scholarship support. The scholarships will be conditioned upon recipients' submission of a draft of an article for discussion at the Workshop.

ideas for further development of first Workshop, attendees will small groups organized by the they are writing. During the group will "workshop" the draft group.

participants will not have to pay registration fee and NYU will workshop, but participants will for their own travel and who wish to participate but who

The announcement we post later in the academic year to set forth the procedures for applying for the scholarships will also provide additional information about the Workshop. We are posting this notice now simply to inform you of our intention to hold the Workshop and to ask you to please save the date if you are interested in attending.

If you have any comments or suggestions you would like to send us, we would be very happy to hear from you. Comments and suggestions should be sent to Randy Hertz at [randy.hertz@nyu.edu](mailto:randy.hertz@nyu.edu).

-- The Board of Editors of the Clinical Law Review

## **Child Advocacy Clinic**

I am thrilled to announce that the Child Advocacy Clinic at St. John's School of Law is hosting a Symposium on March 28, 2008 on our Manhattan Campus entitled "No Place to Live: The Housing Crisis Facing Youth Aging-Out of Foster Care." Attached is the save-the-date postcard, with a call for papers, due March 14, 2008. Upon selection, papers will be published in a dedicated issue of the St. John's Journal of Legal Commentary.

We are looking forward to addressing this critical national issue with child welfare, housing, and other experts from around the country, as well as young people in and out of the system. The ultimate goal is to put an end to the discharge of our youth to homelessness.

If you have any questions, please don't hesitate to contact me by phone or email. Thank you, and I look forward to hearing from/seeing many of you soon!

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## **Save the Date – DV Leap Symposium**

Please save the date for DV LEAP's first Biennial Symposium on Domestic Violence Law & Policy, which will be held on Friday December 7 and Saturday December 8, 2007 at the George Washington University Law School.

This will be a first of its kind national Symposium on bringing custody and abuse cases to the Supreme Court. The following provides a brief synopsis:

Throughout the country, battered mothers and their children have been subjected to unfair processes that would be unthinkable in any other area of the law. Battered mothers have had their children taken away by courts with little or no notice or opportunity to be heard and have been punished for trying to protect their children by raising child abuse allegations.

On December 7 & 8, DV LEAP and George Washington University Law School will host a Symposium to bring together leading Supreme Court scholars and litigators with domestic violence and child custody experts to create a set of best practices for bringing these due process violations for redress to the United States Supreme Court.

Please join us on December 7th to learn more about this important issue and to hear from survivors and other experts on what is going wrong in the nation's family courts. (December 8th will be an invitation-only working program for Supreme Court litigators, pro bono lawyers and dv/custody lawyers.)

For registration information, go to [www.dvleap.org](http://www.dvleap.org).

## **W.M. Keck Summer Fellowship**

Loyola Law School Center for Juvenile Law and Policy will award two summer fellowships made possible by the W.M. Keck foundation to law students who have demonstrated a commitment to public interest law, criminal defense and children's issues. The fellowship provides a generous stipend for two months beginning June 2, 2008.

The summer fellowship will be a unique opportunity for law students to practice law under the supervision of clinical faculty at the Loyola Law School Center for Juvenile Law and Policy. Fellows will provide case management for our active clients and will be responsible for all other aspects of legal representation. Summer fellows will be required to appear in court on behalf of our clients and, as such, must be certified by the California Bar in order to provide legal services under the supervision of an attorney. Candidates must have completed civil procedure and evidence prior to the appointment. Fellows can expect to be exposed to a broad range of juvenile justice issues and will be expected to participate in initiatives that the Center undertakes during the summer.

Applications are to be submitted to the Center for Juvenile Law and Policy at Loyola Law School, 919 Albany Street, Los Angeles, CA 90015, by 5 p.m. December 7th, 2008. Faxed applications will not be accepted. The application should include: a cover letter, a copy of the applicant's resume, an official law school transcript through Fall 2007, and one letter of reference. The reference letter should be sent directly to the Center from the author. The cover letter should describe the candidate's interest in juvenile criminal defense practice and how the fellowship fits into the candidate's future professional interests.

For information on certification by the State Bar of California please go to:

[http://calbar.ca.gov/state/calbar/calbar\\_generic.jsp?cid=10169&id=1342](http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=10169&id=1342)

[http://calbar.ca.gov/state/calbar/calbar\\_generic.jsp?cid=10169&id=1342](http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=10169&id=1342)

## **Breaking News**

CLEA's Best Practices Implementation Committee will be launching a BEST PRACTICES FOR LEGAL EDUCATION Blog in January. The Best Practices BLOG intends to capitalize on the excitement surrounding the publication of The Carnegie Foundation Report and Stuckey's BEST PRACTICES FOR LEGAL EDUCATION book. It will provide links and information on important resources, models and ideas, and encourage a continued dialogue between and among law schools, teaching methods folks, SALT folks, ABA folks, and others interested in the improvement of legal education. Look for the launch of the BLOG at the AALS January conference! The committee is hoping to have a booth at the Exhibitor's Hall and has submitted a HOT TOPICS proposal to present at AALS. If you have any questions about the BLOG, just contact Mary Lynch at [mlync@albanylaw.edu](mailto:mlync@albanylaw.edu) or Albany Law graduate fellow and BLOG administrator Justin Myers.

The materials and audio recordings from most of the sessions at the conference on "The Role of Law Schools in Fostering Commitment to Pro Bono Publico," held on October 5 & 6, 2007 at Columbus School of Law, The Catholic University of America, are now available on the Conference Website:

[http://law.cua.edu/Conference/fosteringacommitment\\_probonopublico/](http://law.cua.edu/Conference/fosteringacommitment_probonopublico/)

Select "Conference Program: Audio download & materials" in the box on the Conference website homepage.

You also can find the materials by starting at the law school's webpage, <http://law.cua.edu>, selecting the Law & Social Justice Initiatives link in the left frame, and then clicking on the Conference icon on the Law & Social Justice Initiatives home page.

If you experience any difficulties in accessing the materials, please let me know.

Sandy

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Columbus School of Law  
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## **SURVEY OF APPLIED LEGAL EDUCATION**

The CENTER FOR THE STUDY OF APPLIED LEGAL EDUCATION (CSALE) is a non profit corporation dedicated to the empirical study of applied legal education. CSALE's initial focus is a long term longitudinal study that will capture significant aspects of the growth and development of applied legal education, its diverse substantive foci, its methodologies, its instructors, and its integration into the American legal academy. The study is endorsed and supported by both CLEA and the AALS Section on Clinical Legal Education. It was vetted by the applied legal education community for over two years under the auspices of the Clinical Section.

The study is currently being conducted via on-line survey. **If you receive an invite to complete some aspect of the survey, please do so at your earliest convenience.** The data collected will lend tremendous support to clinicians advocating for innovation or advancement in program and job design in their institutions. The data will also serve the clinical community on broader status issues and support empirical scholarship. Once the survey closes this winter, the data will be available free of charge through CSALE's website.

Serving on CSALE's Board of Directors is Prof. Steven Croley (Michigan); Prof. & Assoc. Dean Deborah Epstein (Georgetown); Prof. Paula Galowitz (NYU); Prof. Peter Joy (Washington University); Prof. & Assoc. Dean Robert Kuehn (Univ. of Alabama); Prof. Randi Mandelbaum, (Rutgers); Prof. David Santacrose (Michigan); and Prof. Charles Weisselberg (Boalt Hall). Professors Galowitz and Mandelbaum serve on the CSALE board by designation of CLEA and the Clinical Section respectively. For more on CSALE and the study, visit [www.CSALE.org](http://www.CSALE.org).

# PUBLICATIONS

Leigh Goodmark, Going Underground: The Ethics of Advising a Battered Woman Fleeing an Abusive Relationship, 75 UMKC L. Rev. 999 (2007)

Dan Hatcher, Child Support Harming Children: Subordinating the Best Interests of Children to the Fiscal Interests of the State, 42 WAKE FOREST L. REV. \_\_\_\_ (2007) (forthcoming).

Paul J. Cain, "Doing the 'Right' Thing: An Analytical Model Examining the Interplay Between Ethical Professional Conduct, Morality and Justice," Thomas M. Cooley Journal of Practical and Clinical Law, Vol. 10, No. (August 2008) (forthcoming)

Annette Appell, /Representing Children Representing What?/, 39 Columbia Human Rights Law Rev. \_\_ (2008)

“Bad” Mothers and Spanish-Speaking Caregivers,  
Nev. L. J. \_\_ (2007) (in press).

Minna J. Kotkin, Outing Outcomes: An Empirical Study of Confidential Employment Discrimination Settlements, 64 Washington and Lee Law Review 111 (2007)

Scott Schumacher, Director of the Federal Tax Clinic at the University of Washington Law School, recently wrote *Learning to Write in Code: The Value of Using Legal Writing Exercises to Teach Tax Law*, published in 4 Pittsburgh Tax Review 103 (2007).

Michele Pistone, Director of the Clinical Program and Director of the Clinic for Asylum, Refugee and Emigrant Services, has recently co-authored a book with her husband Jack Hoeffner. The book is entitled "Stepping Out of the Brain Drain - Applying Catholic Social Teaching in a New Era of Migration".

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I invite you to click on this link, <http://law.fordham.edu/clinics/spotlight> and view three brief videos about some recent publications by Fordham clinicians. I hope they will be of interest to you. You can see my wonderful colleague Leah Hill describe an article about bias in the New York Family Court, and another wonderful colleague, Brian Glick, discussing a piece he co-authored with our colleague Sheila Foster in which they discuss integrative lawyering in the community development context. I am there too, with thoughts about the value of small case clinics.

As you can see, I am exploring web based video as a communications tool. I hope you like it, but whatever you think, I hope you will share your reactions with me so I can learn from this work. Thanks. - Ian Weinstein



Alan M. Lerner and Erin Talati, TEACHING LAW AND EDUCATING LAWYERS: Closing the Gap Through Multidisciplinary Experiential Learning, Winter 2006, International Journal of Clinical Legal Education (96-132)

Interdisciplinary legal education found its roots nearly a century ago, but recently there has been a renewed trend both in the literature and in practice to increase interdisciplinary opportunities in clinical and scholarly activities. In the classroom, proponents have argued that interdisciplinary education is essential to understanding the cultural and social contexts in which legal conflicts arise. Additionally, scholars praise the interdisciplinary model - in both teaching and practice - for its tendency to generate a higher level of thinking from those considering problems from diverse viewpoints. The use of interdisciplinary models also promotes mutual respect between professionals from different disciplines, a working knowledge of the domain of another discipline, enhanced communication through learning both the mechanisms and vocabulary of other professions, and increased understanding another discipline's "rules, beliefs, and ethical principles." Finally, creating an interdisciplinary framework can enhance the efficacy of the lawyer's problem solving efforts through providing a means by which goals, strategies, and unique insights of different "helping professions" can be united in pursuit of a common purpose.

The value that interdisciplinary approaches offer is often sharply countered by the challenges it creates. The most common challenges are those created by perceived or actual role boundaries within individual professions and the process of professional socialization that occurs during traditional legal training. Although this first criticism is challenging, it is not impossible to overcome. The second barrier to productive interdisciplinary work is also mutable, and reversing a socialization process that disfavors interdisciplinary experiences should therefore be a primary focus of legal educators. This paper proposes that interdisciplinary advocacy for children involved in the child welfare system provides an intense experiential learning process, which engages students in a mutually dependent relationship with students from other disciplines and promotes long-term appreciation and facility for interdisciplinary work. It describes this experience in the context of one such clinic, providing a model for the development of future interdisciplinary endeavors.

I am the author of a new book, True Tales of Trying Times: Legal Fables for Today (Cambridge University Press, 2007). This is a humor collection of 52 illustrated "legal fables," each based on an actual case, retold in fable form & with a moral in verse (of course). There is a foreword by Pennsylvania's Rhymin' Supreme Court Justice, J. Michael Eakin. True Tales is available for order online at [willowcrossingpress.com](http://willowcrossingpress.com) for \$19.95 plus S & H, and tax where applicable.

Bob Rains  
Penn State Dickinson  
717-240-5241



# JOBS

## **Child Advocacy Clinic – Director**

St. John's University School of Law invites applications for the position of Director of the Child Advocacy Clinic, a full-time clinical professor position. The Clinic provides representation in proceedings in Queens and Nassau Family Courts to children who have been abused or neglected. Clinic students are appointed as guardians for the child clients. The position will start no later than June 2008, but we encourage applicants who are available earlier to apply.

Responsibilities include direct student supervision in their representation of clients, preparation of seminar materials and other clinic manuals, seminar teaching, and overall administration of the clinic. Applicants should have at least 5 years experience in representing children in Family Court proceedings. Prior clinical teaching is preferred. Activities such as professional presentations, community education and service and prior publication(s) on issues pertaining to child advocacy are a plus. The clinical professor will be hired as a full-time faculty appointment under the law school's long-term contract plan and will report directly to Ann L. Goldweber, Director of Clinical Education.

To apply, please mail or e-mail an application to Professor Michael Perino, Chair, Appointments Committee, St. John's University School of Law, 8000 Utopia Parkway, Jamaica, New York 11439; [perinom@stjohns.edu](mailto:perinom@stjohns.edu). Applications are now being accepted. St. John's University School of Law is an equal opportunity employer.

## **THE WILLIAM R. DAVIS CLINICAL FELLOWSHIP, UCONN LAW SCHOOL ASYLUM AND HUMAN RIGHTS CLINIC**

The University of Connecticut School of Law invites applicants for an anticipated opening as an assistant clinical instructor of law serving in a two-year position as the William R. Davis Clinical Fellow, beginning in the summer of 2008. This position offers practicing attorneys with an interest in clinical teaching the opportunity to refine their teaching and supervisory skills while working together with experienced faculty in a law school clinical program.

The Davis Fellow will work primarily in the Asylum and Human Rights Clinic, which may represent clients seeking political asylum in proceedings before the Department of Homeland Security and the Immigration Court. Prior experience in this area of practice is preferred, but not essential. The fellow will also have opportunities to interact with faculty and students in the law school's other clinics, including clinics focusing on criminal defense. Under Jay's direction, students will form new entities, draft and negotiate contracts, assist with funding and financing projects, advise on governance, communications, and compliance matters, and provide general corporate support to the clinic's clients. Students will have an opportunity to develop fundamental analytical, editorial, counseling, planning and negotiation skills in the context of live projects as well as classroom work, all with an eye to the various ways in which lawyers can provide legal services to the nonprofit sector and the under-represented.

**Assistant/Associate Clinical Professor of Law  
University of Connecticut School of Law  
Search 2008021**

The University of Connecticut School of Law solicits applications for an assistant/ associate clinical professor of law to serve as a supervising attorney in the Intellectual Property and Entrepreneurship Clinic beginning July 1, 2008. The position is subject to the Law School's policy on long-term renewable contracts for clinical faculty, which complies with ABA Standard 405(c).

An excellent academic record, significant law practice and/or clinical teaching experience, demonstrated research and writing ability, and membership in the Connecticut bar or the ability to become a member within one year of hire, are required. The ideal candidate will also have significant intellectual property experience, some transactional business-lawyering experience, and be a member of the Patent Bar. Salary and rank are commensurate with qualifications and experience.

Applicants should send a letter of interest and resume to Professor Tom Baker, Chair, Faculty Appointments Committee, University of Connecticut School of Law, 65 Elizabeth Street, Hartford, CT 06105.

*The University of Connecticut encourages applications from  
under-represented groups including minorities, women and people with  
disabilities.*

**Thomas M. Cooley – Tenure Track Position**

Thomas M. Cooley Law School seeks applications for persons interested in a tenure track position in our Grand Rapids campus teaching clinical courses. This position begins September, 2008. It is anticipated that the new hire will work closely with our Grand Rapids clinic director team teaching in a relatively new in-house clinic called the Access to Justice Clinic. The Access to Justice Clinic works closely with and takes referrals from the Legal Assistance Center located in the courthouse in Kent County. Clients are low income people with legal problems in a variety of civil issues. Primary areas of practice at this time are anticipated to be family law and consumer law. The new professor will have primary responsibility for developing the curriculum for evening and weekend clinic students. It is anticipated that the new professor will help develop a third area of practice particularly suited for evening and weekend students, and will develop a public outreach program where students will extend Legal Assistance Center services into the community during evening and weekend hours. The ideal candidate will have at least three to five years of practice experience and some exposure to and experience teaching using clinical legal education methodologies. Cooley has a unified tenure track.

Our mission is to prepare our graduates for entry into the legal profession, and practical legal scholarship is our guiding principle and focus. That mission can be summed up in three words - knowledge, skills, and ethics. Our goal is to provide our students with the knowledge required for passage of the bar examination and the practice of law; the skills required to competently practice law and represent their clients; and the ethical values necessary to fulfill their responsibilities as lawyers. Our vision is to remain the best at preparing students for practice and to be a leader in innovation. Interested applicants should submit a resume and cover letter. The cover letter should identify both the subjects an applicant is qualified to teach and the applicant's relevant experience in clinical teaching methodologies and law practice. The letter should also contain a statement of how the applicant will help us carry out our mission. Please e-mail these

materials to [hr@cooley.edu](mailto:hr@cooley.edu) or send a copy to Department of Human Resources, Thomas M. Cooley Law School, PO Box 13038, Lansing, MI 48901-3038. Resumes will be accepted through May 31, 2008 or until the positions are filled with qualified candidates. Cooley is the national leader in minority enrollment among all accredited law schools in the 50 states, values diversity in the legal profession, and is an equal-employment-opportunity employer. For more information, please go to [www.cooley.edu](http://www.cooley.edu).

## **CLINICAL FELLOWSHIP IN THE ASYLUM AND HUMAN RIGHTS CLINIC, UNIVERSITY OF CONNECTICUT SCHOOL OF LAW**

The University of Connecticut School of Law invites applicants for an anticipated opening as an assistant clinical instructor of law serving in a two-year position as the William R. Davis Clinical Fellow, beginning in the summer of 2008. This position offers practicing attorneys with an interest in clinical teaching the opportunity to refine their teaching and supervisory skills while working together with experienced faculty in a law school clinical program.

The Davis Fellow will work primarily in the Asylum and Human Rights Clinic, which represents clients seeking political asylum in proceedings before the Department of Homeland Security and the Immigration Court. Prior experience in this area of practice is preferred, but not essential. The fellow will also have opportunities to interact with faculty and students in the law school's other clinics, including clinics focusing on criminal defense, mediation, tax, and intellectual property. The fellow's duties will include supervision of clinic students' casework, and, together with clinic faculty, planning and teaching classes and simulation exercises. The fellow will also have the opportunity to work on scholarship and pursue other learning goals.

Candidates should have at least three years of experience as a practicing lawyer or equivalent experience; strong written and oral communication skills; an interest in and aptitude for supervision and teaching; a demonstrated commitment to public interest or pro bono legal work; and the ability to work both collaboratively and independently. Salary \$45,000 to \$50,000, depending upon experience and qualifications. Benefits include health insurance, retirement annuities and research support.

To apply, submit a letter of interest, resume and three names of references, to:

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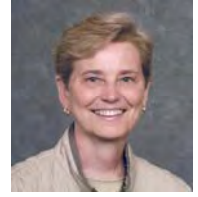


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## **Section on Clinical Education Former Committee Chairs**

1973 Morton P. Cohen, Wayne State (71-73); Connecticut (74-75); Golden Gate (74-present)

1977—1979 David Bainhizer, Cleveland State

1980 Joseph D. Harbaugh, Temple

1981 Judy R. Potter, Maine (Co-chair) & Dean Hill Rivkin, Tennessee (Co-chair)

1982 Elliott S. Milstein, American

1983 Kandis Scott, Santa Clara

1984 Roy T. Stuckey, South Carolina

1985 Susan J. Bryant, CUNY at Queens College

1986 Gary H. Palm, Chicago

1987 Peter Toll Hoffman Nebraska

1988 William W. Greenhalgh, Georgetown

1989 Susan Davis Kovac, Tennessee

1990 Graham B. Strong, UCLA

1991 Jeffrey H. Hartje, University of Denver

1992 Robert D. Dinerstein, American

1993 Karen L. Tokarz, Washington University at St. Louis

1994 Sandy OgUvy, The Catholic University of America

1995 Minna J. Kotkin, Brooklyn Law School

1996 Homer LaRue, Howard University School of Law

1997 Peter A. Joy, Case Western University School of Law

1998 Margaret Martin Barry, The Catholic University of America

1999 Kimberly O’Leary University of Dayton

2000 Antoinette Sedillo Lopez, University of New Mexico

2001 Mary Helen McNeal, Montana

2002 Carol Izumi, George Washington

2003 Bryan Adamson, Seattle

2004 Calvin Pang, Hawaii

2005 Charles D. Weisselberg, University of California—Berkeley

2006 Susan Jones, George Washington

## MEMBERSHIP DUES AND INFORMATION

AALS Clinical Section membership and CLEA membership are all processed through the Section's Treasurer and Database Coordinator, currently David Satacroce from the University of Michigan Law School, with the assistance of staff, currently Cindy Kelley from Michigan. Confidentiality, dissemination and use of Section membership data is governed by the Section's Data Collection and Dissemination Policy.

The Section and CLEA each require the completion of a separate membership form. **Checks for dues must also be separate—checks combining Section and CLEA dues will be returned, delaying active member status.** All checks and membership forms should be sent to the address at the very bottom of this page.

**AALS Section Membership:** You can fill out your MLS Membership form on-line at [http://cgi2.www.law.umich.edu/\\_GCLE/index.asp](http://cgi2.www.law.umich.edu/_GCLE/index.asp) and mail your check in separately, or you can complete the form on the following page and mail it in with you check payable to the AALS. Membership is \$15 per year.

**CLEA Membership:** To join CLEA, you can download and print the membership form at [http://cgi2www.law.umich.edu/\\_GCLE/Index.asp](http://cgi2www.law.umich.edu/_GCLE/Index.asp), complete it and mail it in with your check payable to CLEA. Member ship is \$40 per year.

To update or change any portion of your current membership information, please review your current listing in the directory and e-mail changes to Cindy Kelly.

Forms and checks for both the Section and CLEA should be sent to:

**AALS / CLEA Dues**  
**c/o Cindy Melley**  
**University of Michigan Law School**  
**625 South State Street**  
**Room 996 Legal Research Building**  
**Ann Arbor, MI 48109-1251**

# AALS SECTION ON CLINICAL LEGAL EDUCATION

## 2008 Membership Application / Renewal Form

The AALS Section on Clinical Legal Education is accepting new memberships, renewing memberships, and updating information on its database. Dues deadline is April 15, 2008. To ensure the clinical community's continued growth and enhancement, it is vital that you complete all fields on this form (even if you are not becoming a member). Confidential data is never released in individual identifiable format according to the Section's data collection and dissemination policy. The policy and form are viewable at <[http://cgi2.www.law.umich.edu/\\_GCLE/Index.asp](http://cgi2.www.law.umich.edu/_GCLE/Index.asp)>. You can also check your membership and dues status by searching in the interactive clinician directory. Please allow three to four weeks from mailing for your membership information to be updated on the web.

Please check the boxes that apply:

- I would like to become a new member of the AALS Section on Clinical Legal Education for \$15.00.
- Please renew my 2008 membership for the AALS Section on Clinical Education for \$15.00.
- Please change/update my profile below.

Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

First and Middle Names: \_\_\_\_\_

Ms/Mrs/Mr/Dr.: \_\_\_\_\_ Title: \_\_\_\_\_

E-Mail: \_\_\_\_\_

University: \_\_\_\_\_

University URL: \_\_\_\_\_

Law School Name: \_\_\_\_\_

Law School URL: \_\_\_\_\_

Building/Suite/Box #: \_\_\_\_\_

Law School Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Country (if other than US): \_\_\_\_\_

Office Phone (voice): \_\_\_\_\_ Ext: \_\_\_\_\_ Office Fax: \_\_\_\_\_

Year graduated from Law School: \_\_\_\_\_ Years full-time teaching: \_\_\_\_\_ Years part-time teaching: \_\_\_\_\_

Are you the overall Director of Clinical Programs at your school?  Yes  No

What is your employment/tenure status in the Law School?  Long-Term Contract  Short term

Tenured  Tenured Track  Clinical Tenured  Clinical Tenure Track  Other \_\_\_\_\_

Is scholarship a requirement of your job?  Yes  No

**Please continue on reverse side**

Gender with which you identify:  Male  Female

Ethnicity with which you identify: \_\_\_\_\_

Would you like to be notified of activities of interest to:

Women Clinicians?  Yes  No

Clinicians of Color?  Yes  No

Lesbian/Gay/Bisexual/Transgender Clinicians?  Yes  No

Average supervision ratio in in-house clinic (if applicable): \_\_\_\_\_

Average supervision ratio in externship clinic (if applicable): \_\_\_\_\_

Name of **first** clinical course frequently taught: \_\_\_\_\_

Check type:  in-house  externship  simulation  other

Name of **second** clinical course frequently taught: \_\_\_\_\_

Check type:  in-house  externship  simulation  other

Name of **third** clinical course frequently taught: \_\_\_\_\_

Check type:  in-house  externship  simulation  other

Name of **fourth** clinical course frequently taught: \_\_\_\_\_

Check type:  in-house  externship  simulation  other

Average supervision ratio in in-house clinic (if applicable): \_\_\_\_\_

Average supervision ratio in externship clinic (if applicable): \_\_\_\_\_

Name of **first** non-clinical course frequently taught (if any): \_\_\_\_\_

Name of **second** non-clinical course frequently taught (if any): \_\_\_\_\_

Name of **third** non-clinical course frequently taught (if any): \_\_\_\_\_

Please select one category that best describes your clinic:

- |   |  |
|---|--|
| <input type="checkbox"/> Administrative Law                       | <input type="checkbox"/> Employment Law        |
| <input type="checkbox"/> Appellate                                | <input type="checkbox"/> Environmental         |
| <input type="checkbox"/> Asylum/Refugee                           | <input type="checkbox"/> Family Law            |
| <input type="checkbox"/> Bankruptcy                               | <input type="checkbox"/> Health Law            |
| <input type="checkbox"/> Children & The Law                       | <input type="checkbox"/> Housing               |
| <input type="checkbox"/> Civil/Criminal Lit/ Gen Civil Litigation | <input type="checkbox"/> Human Rights          |
| <input type="checkbox"/> Civil Rights                             | <input type="checkbox"/> Immigration           |
| <input type="checkbox"/> Comm/Econ. Development                   | <input type="checkbox"/> Indian Law            |
| <input type="checkbox"/> Constitutional Law                       | <input type="checkbox"/> Innocence             |
| <input type="checkbox"/> Consumer Law                             | <input type="checkbox"/> Intellectual Property |
| <input type="checkbox"/> Criminal Defense                         | <input type="checkbox"/> Legislative           |
| <input type="checkbox"/> Criminal Prosecution                     | <input type="checkbox"/> Mediation             |
| <input type="checkbox"/> Death Penalty                            | <input type="checkbox"/> Prisoners' Rights     |
| <input type="checkbox"/> Disability Law                           | <input type="checkbox"/> Tax                   |
| <input type="checkbox"/> Domestic Violence                        | <input type="checkbox"/> Transactional         |
| <input type="checkbox"/> Other (please list): _____               | <input type="checkbox"/> Wills/Trusts/Estates  |

I will help AALS save postage and printing costs by receiving the AALS Newsletter via e-mail:

Yes  No

Mail this form, with a CHECK PAYABLE TO AALS in the amount of \$15.00 (if dues are owed), to:

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