

# AALS CLINICAL SECTION NEWSLETTER

FALL 2010

## Message from the Chair

Amy G. Applegate, Chair, Section on Clinical Legal Education



Dear Friends in Clinical Legal Education:

As my term as Section Chair draws to a close, I thought I'd share a few reflections, looking both backward and forward. There have been many times, during this unusually busy year, that I wondered when and if Section business would ever slow down. Looking back, though, I realize that I got so much more out of my work on the Executive Committee than I put in. This is largely because I enjoyed the time I spent working or interacting with so many of you. Having spent twenty years in practice as a litigator, and now in my tenth year of teaching as a clinician, it's fair to say that I have never been happier being part of such a vibrant professional community.

I love that over these past ten years I have been mentored by clinicians who are both younger and older than I am (though all were definitely more experienced in some way or another!). I also love that it's fun and energizing to go to conferences or have visits or phone calls with other clinicians. (In what other context could you say with pride that at the first professional conference you attended (2001 Midwest Clinical Law Conference on psychodrama in trial practice at Cooley Law School) you felt like you were being held hostage by Gerry Spence and his Trial College associates, and at the last professional conference you attended (2010 Midwest Clinical Law Conference on "Looking to the Future Informed by the Past: Defining Clinical Education in the Next 25 Years" at Northwestern University School of Law) you were part of an amazing set of conversations hosted by the outstanding clinicians at the law school whose dean has achieved national attention for his tireless efforts to derail security of position for clinicians). I guess what I love most is how much I have learned from so many of you – les-

Section	Page
Letter from the Chair	1
Notice of Membership Vote	7
Task Force on Clinicians in the Legal Academy Report	9
Committee Reports	11
News from the Clinical World	17
Hiring and Promotions	41
Publications and Presentations	49
Announcements	57
AALS Clinical Section Committees	62
Survey of Clinicians	73
Proposed By-Laws: Clean Copy	74
Current By-Laws	83
Proposed By-Laws – Marked-up Copy	90

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

sons in the importance of good listening, thoughtful reflection, treating others with respect, following one's convictions, knowing when compromise is necessary or appropriate, and caring about and supporting your colleagues.

Ours is an active, engaged, and welcoming community, so if you have not been involved in the past, I urge you to start getting involved now. The first step, if you have not done so yet, is to pay your Section dues. As of December 31, 2010, clinicians who have not paid their AALS Clinical Section dues will no longer be Section members. Section membership, which costs only \$15, is an inexpensive price to pay for the benefits of Section membership, which include:

- support for our professional development as teachers and scholars;
- advocacy on our behalf through the AALS;
- efforts to enhance clinical programs and law school curricula;
- renewed efforts to promote and value our diversity; and
- regular (scintillating!) communication with our members.

If you have not yet paid your 2010-2011 dues, please go to [www.aals.org/clinical/](http://www.aals.org/clinical/) and follow the instructions to pay. If you are not sure whether you have paid this year, I sent out an announcement (actually two announcements because I forgot to attach the attachment the first time) on November 18 over the AALS communications platform (it appears as e-mail from me with [SECTCE.annc] in the subject line) to help everyone figure out whether they had paid their dues this year, and included instructions again on how to pay. Though there has been a change in how we pay our dues, it is not difficult to pay.

Our work, and our joy, is never done. Towards this end, I look forward to seeing you at the **AALS Annual Meeting January 4-8, 2011, in San Francisco**. The **Section luncheon** is scheduled for **12:15-1:30 p.m. on Saturday, January 8** (location TBD, as we have requested relocation). At our Section luncheon, we will be doing three important things:

*Honoring Christine Zuni Cruz, our Pincus Award recipient this year.* A great big thank you to **Awards Committee Chair Miye Goishi (Hastings)**, and **Committee members Gordon Beggs (Cleveland-Marshall)**, **Zelda Harris (Arizona)**, **Alan Minuskin (Boston College)**, and **Alex Scherr (Georgia)**, for all their hard work and fortitude this past year and for selecting such a tremendous honoree.

*Voting on proposed Section bylaw amendments.* Please see the Notice and related documents in this Newsletter. We deeply appreciate our **Bylaws Committee Chair Alan Kirtley (Washington)** and **Committee members Bob**

**Jones (Notre Dame), Beth Belmont (Washington & Lee), and Charles Auffant (Rutgers-Newark)** for their outstanding, dedicated, and time-consuming work on the proposed amendments to our bylaws.

*Electing the new Chair-Elect and Executive Committee members.* The **Nominating Committee** has nominated **Bob Jones (Notre Dame)** as our next **Chair-Elect**, and **Mary Jo Hunter (Hamline)** and **Jayesh Rathod (American University)** as new members of the **Executive Committee**. At the luncheon we will be thanking **Quiche Suzuki and Mary Lynch**, whose terms are expiring, for their service. I am also looking forward to **Alan Kirtley** assuming his new role as **Chair of our Section!** We are very grateful to **Nominating Committee Chair JoNel Newman (Miami)**, and **Committee members Michelle Pistone (Villanova), Suzette Melendez (Syracuse), David Thronson (Michigan State), and Kurt Eggert (Chapman)** for their excellent work this past year.

This year the Section is co-sponsoring our annual meeting program with the Poverty Law Section. The **Section's program** starts right after the clinic lunch on January 8, and runs from **1:30–3:15 p.m.** The program is entitled *Fostering Justice and Public Service: Preparing Students to Be Active Participants in Developing the Law, Legal Processes, and Legal Systems*. I extend hearty thanks to the **2011 Annual Meeting Program Committee (Juliet Brodie (Stanford) (Co-Chair from Clinical Section), Davida Finger (Loyola, NO) (Co-Chair from Poverty Law), Andrea Seilestad (Dayton), Ezra Rosser (American), Steve Virgil (Wake Forest), and Karen Tokarz (Wash U))** for developing such an exciting program. Through an anonymous review process, the Committee has selected a wonderful panel of papers and presenters: **Jessica K. Steinberg (George Washington), Douglas Colbert (Maryland), Linda F. Smith (Utah), and Deborah Weissman (North Carolina)**. Rounding out the panel is sociology professor **Rebecca Sandefur (Stanford)**. **Juliet Brodie** will serve as the moderator. The panelists' papers will be published in the Georgetown Journal of Law and Policy.

We already are hard at work planning our **2011 AALS Clinical Conference**, taking place **June 13 – 16 in Seattle, Washington**. The timing and format of our gathering will differ from that of prior years, as we are teaming up with the **AALS Curriculum Committee** for the first two days of our clinical conference and presenting a joint conference as part of the AALS mid-year meeting. We will spend the first two days of the conference (June 13 and 14) with non-clinical faculty and deans interacting and exchanging ideas about the law school curriculum on a macro level. We will spend the next two days of the conference (June 15 and 16) on our own as

clinical faculty, reflecting on what we learned during the first two days, and drilling down into one of the core components of clinical legal education: problem solving. The theme of this year's conference is "**Learning for Transfer: (Re) conceptualizing What We Do in Clinics and Across the Curriculum**"; the Clinical Directors' Workshop, entitled, "**(Re)considering Security of Position and Academic Freedom in Clinical Legal Education,**" will be held immediately following the Clinical Conference on June 17. Through plenary sessions, concurrent sessions, and small group meetings, we will examine four areas of problem-solving: (1) understanding the content and context of legal problems; (2) diagnosing or defining legal problems; (3) making decisions in the context of developing client-centered solutions; and finally, (4) integrating what students have learned in law school and transferring that learning into practice. Many thanks to my **Co-Chair** on the **Planning Committee Elliott Milstein (American)**, and **Committee members Bryan Adamson (Seattle), Elizabeth Cooper (Fordham), Carolyn Grose (William Mitchell), Donna Lee (CUNY), and Barbara Schatz (Columbia)** for all the work they have done already and will continue to do to make this conference a success. We are especially fortunate to have been invited by the AALS to collaborate with the Curriculum Conference Planning Committee for the mid-year meeting. The conference is shaping up nicely and promises to be innovative and engaging.

The past year has not been without its challenges: The Section's **Executive Committee** (with special thanks to **Elizabeth Cooper (Fordham), Mary Lynch (Albany), and Jay Pottenger (Yale)**), has coordinated carefully with the AALS about important issues to the clinical community – ABA standards and political interference. I am very pleased and grateful that the AALS, through its President **Reese Hansen**, its **Executive Committee**, and its **Executive Director Susan Westerberg Prager**, has been outspoken and supportive of clinicians' role in the legal academy with the ABA Council on Legal Education, as that body considers worrisome changes to the standards for accrediting law schools. If you haven't read Reese Hansen's June 2010 letter to the ABA, then take the time to read that now (his letter is identified as "AALS, June 2010" and it is located in the category called "General" under "Comments on the Comprehensive Review" at <http://www.abanet.org/legaled/committees/comstandards.html>).

The AALS has also taken a public stand against political interference with clinics, and is making plans to post a political interference bibliography (created under the direction of **Bob Kuehn**, and paid for by our Section) on the AALS web site. Susan Prager has been tremendously responsive to Section concerns. Susan has actively encouraged us to work within, and as an essential part of, legal academia in opposing efforts that would undermine the integrity of legal education. I appreciate the many comments I have heard recognizing the efforts of the AALS in dealing with these issues.

Early in the year, the **Task Force on the Status of Clinical Faculty in the Legal Academy**, completed its outstanding **Report and Recommendations on**

**the Status of Clinical Faculty in the Legal Academy, March 29, 2010 (“Task Force Report”)**. Every time I re-read or refer to the report I find myself again in awe of the outstanding research, scholarship, and persuasive arguments reflected in the report. I’d like to acknowledge again **Co-Chairs Bryan Adamson (Seattle)** and **Calvin Pang (Hawai’i)**, and **Task Force members Brad Colbert (William Mitchell), Kathy Hessler (Lewis and Clark), Kate Kruse (Nevada), Robert Kuehn (Wash U), Mary Helen McNeal (Syracuse)**, and David Santacroce (Michigan) for their dedicated efforts on behalf of clinical legal education.

The Section’s Membership and Outreach Committee has worked hard all year on outreach, and implemented our Section’s mentoring program this past spring. By all reports, the mentoring program is achieving its goals and matching up clinician mentors and mentees. If you are interested in mentoring or being mentored, please be sure to take advantage of this program. Many thanks to **Co-Chairs Cynthia Batt (Temple), Margaret Johnson (Baltimore)**, and **Randi Mandelbaum (Rutgers–Newark)**, and **Committee members Charles Auffant (Rutgers–Newark), Bridgette Carr (Michigan), Marisa Cianciarulo (Chapman), David Santacroce (Michigan), and Hans Sinha (Mississippi)**, for all their excellent work.

The Section’s **Communications Committee** has been working on the AALS communications platform so that it will contain important and useful resources for clinicians. The AALS has been setting up the files on the platform for us – the files are too many to name here, but include items such as teaching and scholarship materials, Section committee materials, and conference materials. **Co-Chairs Matt Andres (Cooley)** and **David Santacroce (Michigan)** are gathering and loading materials into the files. This is still a work in progress, so if you have materials that you would like to have loaded onto the platform (and we encourage this!), please send your materials to Matt at [andresm@cooley.edu](mailto:andresm@cooley.edu). Many thanks to the Co-Chairs and Committee members **Margaret Johnson (Baltimore), Bob Jones (Notre Dame), Liz Hubertz (Wash U), Beth Belmont (Washington & Lee), and Sarah Paoletti (Pennsylvania)**.

The Section’s newest Special Committee – **Enhancing Diversity in Leadership** – is chaired by **Charles Auffant (Rutgers–Newark)**, who with Committee members **Elizabeth Cooper (Fordham), Marisa Cianciarulo (Chapman), Carwina Weng (Indiana Maurer), Mary Jo Hunter (Hamline), JoNel Newman (Miami), and Alan Kirtley (Washington)**, are examining, among other things, ways to identify, cultivate, and mentor Section members who are members of minority groups into leadership positions in the Section and the AALS.

Our Section’s other Committees – **Bellow Scholars, National and Regional Training, ADR, Clinicians of Color, Ethics and Professionalism, Externships, Interdisciplinary, International, Political Interference Group, Scholarship, Teaching Methodologies, and Technology** – have also been

meeting and working hard in their respective areas of interest. Some of the Committees Chairs have provided reports for this Newsletter. Most of the Committees will be meeting at the clinical conference in June, and some will also be meeting at the annual meeting in January.

Finally, I would like to thank **Liz Hubertz (Wash U)** for all her outstanding work and endless patience in serving as the Section's **Newsletter Editor**. We are all indebted to Liz for making the Newsletter happen!

Undoubtedly I have not thanked or identified folks who have made significant contributions to our community this year. For that, I apologize in advance.

Thank you again for the most amazing year!

With best regards,

Amy G. Applegate (Indiana Maurer), Chair, Executive Committee, AALS Section on Clinical Legal Education

**Clinical faculty are invited to participate in the Joint Service Project of Sections on Poverty Law and Pro Bono and Public Service Opportunities:**

**St. Anthony Foundation Community Service Project.**

**Thursday, Jan 6, 2011, 9:00 a.m. - 1:45 p.m.**

(Advance sign-up for this service project is necessary. There is no fee for participation.)

The community service project will be at the St. Anthony Foundation (SAF) in the Tenderloin neighborhood of San Francisco. The mission of SAF is to feed, heal, shelter, clothe, lift the spirit of those in need, and create a society in which all persons flourish. The Foundation is guided by the values of healing, community, personalism (respecting diversity and treating all people with dignity and respect), justice and gratitude. This service project will include an introduction to the St. Anthony Foundation, the Tenderloin, and the unmet legal needs in the community. The hands on part of the project will include assisting in preparing and serving the lunch meal (in which we will be invited and encouraged to join the guests for lunch). Other opportunities may be available depending on the size of the group, including working in the Tenderloin Tech Lab, Adult Day Health Centers, St. Anthony's Clothing Program and delivering meals to homebound seniors. After the meal, we will gather with a SAF staff member to reflect on the experience. Every day, the Foundation provides over 3,500 people with food, clothing, recovery help for their drug and alcohol addictions, and medical care on a daily basis. We invite AALS members to come along for this meaningful and informative service project.

## Notice of Membership Vote on Proposed Bylaw Amendments

AALS Section on Clinical Legal Education

**To the Members of the AALS Section on Clinical Legal Education: There will be a membership vote on proposed amendments to the Section's bylaws during the Section's business meeting at the January 2011 AALS Annual Meeting in San Francisco, CA.**

For the last 18 months the Section's Executive Committee has been working on a bylaws project. The project started with a modest goal of removing an unnecessary restriction on the Section's ability to communicate statements of position or policy on matters affecting legal education. The relevant bylaw requires AALS Executive Committee approval of Section statements, when AALS policy does not. This led, however, to the decision that it was time again for a comprehensive review of the Section's bylaws. That review has resulted in a set of proposed bylaw amendments that have been approved by the Section's Executive Committee and pre-approved by the AALS Executive Committee. The Section's Executive Committee now recommends that the Section membership adopt these amendments.

The proposed new bylaws and, for comparative purposes, the current bylaws are available for review at the end of this Newsletter. A marked-up set of the current bylaws, showing each of the proposed changes, is included as well. All three of these documents are also available under the "File Library" entitled "Bylaw Amendments" on the Section's AALS webpage at <https://connect.aals.org/p/co/ly/gid=85>.

Upon request made on or before December 15, 2010, Section members will be provided a complete set of the bylaws documents as e-mail attachments and/or in hardcopy via the U.S. mail. **To make such a request, please contact the Section's Chair Amy G. Applegate in any one of the following ways:**

**E-mail: [aga@indiana.edu](mailto:aga@indiana.edu)**

**Telephone: 812-855-8684**

**Mail: Amy G. Applegate, Clinical Professor of Law, IU Maurer School of Law, 211 S. Indiana Avenue, Bloomington, IN 47401**

Here is a list of the more significant changes to the current bylaws:

### **Article II. Membership**

Conforms member rights and privileges to existing practices

Adds flexible standard on members' rights subject to change by the AALS to give members rights to the fullest extent possible and to avoid need for future bylaw amendments

### **Article III. Officers and Committees**

Clarifies terms of office for officers and Executive Committee members

Converts office of the Treasurer to an elected position  
Collects (and enumerates) Executive Committee's duties in one place  
Establishes meeting requirements for the Executive Committee  
Adds additional groups to diversity/anti-discrimination policy  
Transfers functions of the National and Regional Program Training Committee to new Membership, Outreach and Training standing committee  
Creates new Communications standing committee  
Empowers Chair to establish or terminate special committees with the Executive Committee's approval

**Article IV. Nominations and Elections**

Conforms nominations process to current practice – timing and allowing nominations from the floor  
Eliminates nominations-by-petition process  
Adds process for Section elections if AALS Annual Meeting does not take place

**Article V. Duties of Officers**

Collects (and enumerates) officers' duties in one place  
Tasks secretary and treasurer with passing on records to foster organizational memory

**Article VI. Dues**

Reflects Section's change to July 1 -- June 30 fiscal year  
Establishes process for preparing and approving Section's annual budget  
Updates process for approving Section expenditures

**Article VII. Policy Statements**

Removes AALS Executive Committee approval as a requirement for Section to communicate statements of position or policy

**Article VIII. [Bylaw] Amendments**

Expands allowable forms of notice of proposed bylaw amendments

This bylaw project has been an 18-month marathon of multiple drafts and lengthy negotiations. The credit for its successful completion goes to a drafting committee of Section Executive Committee members: **Bob Jones, Jr. (Notre Dame); Elizabeth Belmont (Washington and Lee); Charles Auffant (Rutgers – Newark); and Alan Kirtley (U Washington)**, committee chair.

**TO VIEW THE PROPOSED BYLAWS, PLEASE GO TO THE FINAL SECTION OF THE NEWSLETTER**



## **AALS Section on Clinical Legal Education's Task Force on the Status of Clinicians and the Legal Academy**

In March 2010, the **Task Force on Clinicians in the Legal Academy** completed its work on examination of U.S. clinical programs, and recommendations on the appointment, promotion, and retention of clinical faculty.

***“clinical education is a foundational and essential component of legal education ... ”***

The Report affirms four conclusions: 1) 2) the legal academy and profession benefit from full inclusion of clinical faculty on all matters affecting the mission, function, and direction of law schools; 3) there is no justification for creating hierarchies between clinical and non-clinical faculty; and 4) the standards for hiring, retention, and promotion of clinical faculty must recognize and value the responsibilities and methodologies of clinical teaching. It concludes that those core principles are best realized when full-time clinical faculty are appointed to a unitary tenure track, with continued development of fellowships and use of short-term contracts limited in duration, scope and purpose.

In addition, the Report recommends that law schools implement standards for hiring, promotion, and retention that reflect the teaching responsibilities and methodologies, as well as practice and service obligations, unique to their clinical faculty. To facilitate the development of such standards, the Report also sets out good practices for hiring, promotion, and retention of clinical faculty on a unitary tenure track. A version of the Report will be published in an upcoming edition of the Journal of Legal Education.

***“there is no justification for creating hierarchies between clinical and non-clinical faculty ... ”***

Certainly, the Report is relevant in light of the ongoing ABA deliberations on all faculty status and security of position regulations. It should be noted that, at this time, the views expressed in the Report are only those of the Task Force members. If you haven't yet seen or read the Report please visit the AALS site, or SSRN as directed below.

**Bryan L. Adamson, Co-Chair (Seattle U), Calvin Pang, Co-Chair (U Hawai'i), Bradford Colbert (William Mitchell), Kathy Hessler (Lewis and Clark), Katherine Kruse (UNLV), Robert Kuehn (Washington U), Mary Helen McNeal (Syracuse), David Santacroce (U Michigan).**

To access the Report from SSRN, go to <http://ssrn.com/abstract=1628117>.

To access the Report through AALS:

Click on [connect.aals.org](http://connect.aals.org) and follow the login instructions (your username is your e-mail address; if you don't remember your AALS password, follow the instructions for password help – the AALS will send you a new temporary password by e-mail).

Once logged in, click on “Communities” in the top tool bar. Then click on “Section” in the middle of the page, and then click on “Clinical Legal Education.”

The Newsletter, along with Task Force Report and several other important documents, is located under “File Library” towards the bottom of the page. When you click on the document, you will see instructions to download or e-mail yourself the Newsletter.

If you have a problem getting onto the platform, please contact Pati Abdulina at [pabdullina@aals.org](mailto:pabdullina@aals.org).

## COMMITTEE REPORTS

### **AWARDS COMMITTEE REPORT**

This fall, the Committee had the daunting and humbling task of recommending to the Executive Committee the recipient of the **2011 William Pincus Award** from among eight outstanding nominees. The award recognizes excellence in service, scholarship, program design and implementation, and other activity beneficial to clinical education or to the advancement of justice. Committee members **Gordon Beggs (Cleveland-Marshall)**, **Zelda Harris (Arizona)**, **Alan Minuskin (Boston College)**, **Alex Scherr (Georgia)**, and **Miye Goishi, Chair (Hastings)** engaged in spirited and in-depth deliberations given the extraordinary strength of the pool. Ultimately, **Professor Christine Zuni Cruz** emerged as the clear choice. The Committee was impressed with Professor Zuni Cruz's long-standing and deeply felt commitment to the law and policy of indigenous peoples. She has served as a core member of a strong clinical faculty at the University of New Mexico, and has established and maintained a unique clinical design devoted to training students towards a particular model of lawyering. Her ongoing record of creative and energetic scholarship, public speaking, organizing and community engagement has proven influential in New Mexico, nationally and internationally. The Committee extends its congratulations to Professor Zuni Cruz for this well-deserved recognition.

### **COMMUNICATIONS COMMITTEE REPORT**

The Communications Committee unveiled the Clinical Section's new online dues platform in May at the Conference on Clinical Legal Education in Baltimore. The clinical community, renowned for its zeal to embrace technology, has taken quickly to this new method of paying AALS Clinical Section dues, and the system seems to be running without a hitch. The new dues system allows individual clinicians to pay their dues online and gain immediate access to the Clinical Section website. If your school would like to pay all of its clinicians' section dues as a group, or if you have trouble with the online dues payment system, please contact **Communications Committee Co-Chair Matt Andres** at [andresm@cooley.edu](mailto:andresm@cooley.edu). The Communications Committee is also working feverishly with the technology experts at AALS to roll out the Clinical Section's online resource library, which will contain teaching materials, handouts and presentations from numerous conferences, information on Clinical

*(Continued on page 12)*

Section activities, and other valuable resources on countless topics of interest to clinicians. We will be soliciting documents from clinicians to help populate the site, and we hope to be able to make the site accessible to all members of the Clinical Section by the end of the year. If you have documents that you believe would be important to share with your fellow clinicians, please submit them to **Communications Committee Co-Chair Matt Andres** at andresm@cooley.edu. We look forward to providing you access to the collective brilliance of the clinical community right at your fingertips!

### **ENHANCING DIVERSITY COMMITTEE**

In an effort to increase diversity at all levels of our clinical community, Clinical Section **Executive Committee** chair **Amy Applegate** established a special committee named the Enhancing Diversity in Leadership Committee

The special committee is charged with the following tasks:

- Consider and recommend ways to identify, cultivate, and mentor into leadership positions in the Section and the AALS Section members who are members of minority groups
- Review existing procedures for appointment of members to Section standing and special committees, and make recommended changes or additions to the existing procedures with the goal of achieving greater diversity
- Review existing procedures for nominating members to serve on the Section's Executive Committee, and make recommended changes or additions to the existing procedures with the goal of achieving greater diversity
- Review existing procedures for nominating Section members to serve on AALS Committees, and make recommended changes or additions to the existing procedures with the goal of achieving greater diversity
- Review existing procedures for considering program proposals (to the extent under the control of the Section and its members), and make recommended changes or additions to the existing procedures with the goal of achieving greater diversity

The committee invites comments, suggestions and recommendations from all persons interested in working to advance the committee's charge. The committee is composed of **Charles Auffant (Chair)**, **Liz Cooper**, and **Marisa Cianciarulo**, **Carwina Weng** and **Mary Jo Hunter**, **JoNel Newman**, and **Alan Kirtley**, *ex-officio*.

## **COMMITTEE ON EXTERNSHIPS**

The **AALS Clinical Section Committee on Externships** will hold a breakfast meeting at the AALS Annual Conference in San Francisco on Thursday January 6<sup>th</sup> at the Urban Taverna at 9:15 at the Hilton Hotel. New co-chairs for the Committee will be selected and other pertinent issues will be discussed. Please read emails posted on the LEXTERN listserv as location may change. All those interested in serving as co-chair should send a **short bio and a statement of interest to the current co-chairs (listed below) by December 1<sup>st</sup>, 2010**. All bios/statements will be posted to the LEXTERN listserv.

### **Co-chairs, AALS Clinical Section Committee on Externships:**

**Avis Sanders**, Director, Externship Program, American University Washington College of Law, ([alsanders@wcl.american.edu](mailto:alsanders@wcl.american.edu))

**Bob Parker**, Director, Field Placement Program, Pacific McGeorge School of Law ([rparker@pacific.edu](mailto:rparker@pacific.edu))

**Eden Harrington**, Director, Center for Public Interest Law, University of Texas School of Law ([EHarrington@law.utexas.edu](mailto:EHarrington@law.utexas.edu))

## **INTERDISCIPLINARY CLINICAL LEGAL EDUCATION COMMITTEE**

Along with the membership of the Clinical Legal Education Section, the Interdisciplinary Clinical Education Committee is saddened by the recent passing of our co-chair, **Alan Lerner**.

A committee meeting was held at the annual Clinical Legal Education meeting in Baltimore, Maryland on May 6, 2010. Eight persons attended the meeting, including one co-chair. Topics of discussion included:

- Recent opportunities to gather and discuss shared interests in interdisciplinary education (the MLP Annual National Summit held in Washington, DC in March 2010, the Interdisciplinary Collaborative Education conference held at Georgia State University in September 2009, the work groups and presentations available at the AALS Clinical meeting, the Empirical Research conference held at the University of Pennsylvania in October 2009.
- Results of a survey conducted prior to the 2010 annual clinical meeting. The survey sought responses to three (3) questions: (a) describe what you are doing in the realm of interdisciplinary education; (b) what issues would you like this committee to

address and/or discuss; and (c) describe any research, especially empirical research, with which you are engaged.

- Discussion of existing programs, including descriptions of innovations at Yale, Buffalo, Loyola Chicago, Arizona, and others.
- Suggestions for activities for the committee. Some of the suggestions include establishing mechanisms for staying in touch, developing a program for presentation at the next AALS Clinical Legal Education meeting (topics for consideration might include supervision, assessment, including clients in research and evaluation, institutional and structural issues confronted in developing interdisciplinary clinics, disciplines to be included in interdisciplinary programs, developing effective curricula, identifying potential collaborators, and marketing interdisciplinary enrollment).
- Next Steps: Create a list serve and/or blog; Develop an educational program on the ethical implications of interdisciplinary work Consider collaboration with another committee, such as Ethics and Professionalism on regarding an educational program.

**Sylvia Caley, Co-Chair, Interdisciplinary Clinical Education Committee**

### **NOMINATING COMMITTEE REPORT**

This fall our Section's Nominating Committee (**Kurt Eggert (Chapman)**, **Suzette Meléndez (Syracuse)**, **JoNel Newman, (Miami)**, **Michele Pistone, (Villanova)** and **David Thronson, (Michigan State)** reviewed a very impressive group of nominees for Executive Committee positions. We thank all who nominated themselves or a colleague to serve. We prepared the following slate, which was approved by the Executive Committee and AALS. We are therefore pleased to submit the following slate to the Section for consideration:

**Chair-Elect: Robert Jones, Notre Dame.** Bob is the Director of the Notre Dame Legal Aid Clinic and currently serves on the Section's Executive Committee. ]

**Section Executive Committee: Jayesh Rathod,** American University Washington College of Law. Jayesh directs WCL's new Immigrant Justice Clinic and has become increasingly involved with clinical matters both within WCL and with the Section; **Mary Jo Hunter,** Hamline University School of Law. Mary Jo is a Professor in the Child Advocacy Clinic and was elected as the first Chief Justice of the Ho-Chunk Nation Supreme Court in July 1995. She continues to preside over that court while being active in Section activities, currently serving as a Committee Co-Chair.

We hope you will agree that these are extraordinarily well-qualified candidates with much to offer our Section. We were faced with the very difficult dilemma of having many wonderful colleagues who volunteered to serve whom we were not able to accommodate in this slate. We hope all those individuals will continue to work with the Section. Thank you again to everyone who participated in this process.

**JoNel Newman, Chair, AALS Clinical Section Nominating Committee**

## **SCHOLARSHIP COMMITTEE REPORT**

The Scholarship Committee of the AALS Section on Clinical Legal Education provides support to clinicians working on scholarly projects in three main ways:

### **Clinical Peer Network**

The Scholarship Committee offers every clinician an opportunity for supportive, non-evaluative feedback on a scholarly work-in-progress from a clinical colleague with shared substantive expertise. We have already matched many writers and reviewers. If you have a work-in-progress and would like to be paired with a clinical colleague at another school, send a request to this address: [clinicalpeernetwork@gmail.com](mailto:clinicalpeernetwork@gmail.com). We have an extensive database of clinicians willing to provide feedback in your subject-matter area. If you are willing to offer constructive feedback, join our amazing database of subject-matter experts at this link: [http://spreadsheets.google.com/viewform?key=pZsCVzJPWhTPxGN\\_ikLSZMQ&email=true](http://spreadsheets.google.com/viewform?key=pZsCVzJPWhTPxGN_ikLSZMQ&email=true). This is not a commitment to serve as a peer reviewer. You will simply be in our database, and when an author in your area of expertise asks for peer review, we will contact you to see if you are interested. If you have questions, email Michele Gilman at [clinicalpeernetwork@gmail.com](mailto:clinicalpeernetwork@gmail.com).

### **Works-in-Progress**

The Scholarship Committee will be sponsoring works-in-progress sessions at the annual Conference on Clinical Legal Education, which is being held this year in June in Seattle. At these sessions, clinicians can present their work, at any stage of the writing process, to other clinicians for feedback. We will be soliciting papers for the works-in-progress sessions in February via the listserv.

### **Small-Group Sessions**

Third, the Scholarship Committee plans to sponsor one of the small group sessions at the annual clinical conference, entitled the Scholarship Support and Development

Workgroup. In this workgroup, participants talk about the writing and placement process, encourage development as scholars, and share ideas about writing projects.

**AALS Section on Litigation**  
**"Current Issues in Judicial Disqualification"**  
**AALS Annual Meeting, Friday, January 7, 2011, 4:00pm**

On Friday, January 7, 2011 at 4:00 pm, as part of the AALS Annual Meeting in San Francisco, the AALS Section on Litigation will be sponsoring a program on "Current Issues in Judicial Disqualification." The AALS Sections on Civil Procedure and Professional Responsibility are co-sponsoring the Program.

The legal landscape for judicial disqualification has received a few recent jolts: *Caperton v. A.T. Massey Coal Co.*, 556 U.S. \_\_\_\_, 129 S. Ct. 2252 (June 2009), where the United States Supreme Court ruled that due process required disqualification of a West Virginia supreme court justice whose campaign received \$3 million in campaign support; *Citizens United v. Federal Election Commission*, 558 U.S. \_\_\_\_, 130 S. Ct. 876 (January 2010), the Supreme Court invalidated restrictions on direct corporate expenditures concerning political issues that could include judicial electoral processes; and the ABA's 2007 Model Code of Judicial Conduct, which recommended that states require disqualification in cases of substantial campaign contributions. With interest groups' asserting themselves into judicial elections with zeal, and scholars' noting the risk of judges' unconscious bias, issues of judicial disqualification are more prominent than ever in litigation.

The Program will explore the current shape of judicial recusal, including efforts to limit the influence of money in judicial elections and the degree to which the introduction of expanded due process considerations has altered the disqualification equation. The Program's speakers will include Les Abramson, University of Louisville School of Law; Charles Geyh, Indiana University School of Law at Bloomington; Margaret Tarkington, Brigham Young University Law School; and the Honorable M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit.



# NEWS FROM THE CLINICAL WORLD



## ALBANY LAW SCHOOL

Late last year, after five years of advocacy, the students of the **Civil Rights & Disability Law Clinic** at the **Albany Law & Justice Center** finally saw the adolescent unit at a local intensive care residential institution for the developmentally disabled close down completely. Some of the children represented by the clinic had lived in this institution for years despite the fact that all parties agreed that they could live in a community setting. Now the clinic is concentrating its efforts on securing discharge to the community for many of the adults at the institution.

Professor **Mary Lynch** moderated a panel discussion co-sponsored by the Women's Law Caucus "Have Domestic Violence Courts Helped Deter Domestic Violence by Keeping Victims Safe and Batterers Accountable," which was followed by the lighting of candles and illumination of the law school with purple lights as part of the statewide "Shine the Light on Domestic Violence" campaign. The discussion involved a review of the very courts staffed by Domestic Violence Prosecution Hybrid students.



On October 8th, Albany **Law School's Law Clinic and Justice Center and Government Law Center** hosted a conference titled Taxpayer Advocacy: Addressing Systemic Tensions During Tight Budget Times. The conference was inspired by **Assistant Clinical Professor Deborah Kearns, Director of Albany Law School's Low Income Taxpayer Clinic**, and sought to bring together taxpayer advocates in a forum where they could discuss their work, learn from one another, learn from the communities they serve and learn from and educate the departments they serve. Speakers included Jack Trachtenberg, New York Taxpayer Rights Advocate, Todd Gilman, California Taxpayer Advocate, Jamie Woodward, Acting Commissioner of the New York State Department of Taxation and Finance, Professor Leslie Book of Villanova, Practitioner Flora Hezel, Esq. of Virginia and ALS's LITC Director, Deborah Kearns. A podcast of the day's discussions can be found at <http://albanylaw.classcaster.net/2010/10/11/taxpayer-advocacy-conference/>.

The **Albany Law School Securities Arbitration Clinic** has a new **Director, Joan Stearns Johnsen**. Joan has taken over for **Christine Sgarlata Chung** who has become a doctrinal professor. Much has been happening in the Clinic this term. The students have engaged in drafting and filing securities arbitration claims, collecting on a prior award, client interviewing and counseling and direct negotiations. They will participate in a mediation in a month. Several practitioners have traveled to the law school to provide assistance and differing perspectives including an Expert who prepared a full profit and loss analysis for one of the cases. At the end of the term, the students will participate in a mock arbitration at FINRA's offices in New York which will be presided over by securities practitioners



Albany Law received a \$205,000 grant for the clinic through the New York State Subprime Foreclosure Prevention Program, which is administered by New York State Homes and Community Renewal (HCR), as part of a comprehensive plan to address the foreclosure crisis in New York State. Students will work with faculty to provide legal services for tenants in Albany, Rensselaer and Schenectady counties who are adversely affected by their landlords facing foreclosure. "Often tenants can be the forgotten victims in the mortgage crises, and it's heartening for the Capital Region to gain a formidable advocate like Albany Law School in their corner," said Brian Lawlor, Commissioner and CEO of HCR, who joined Albany Law students and faculty at the ribbon cutting. ☀

## ASU Civil Justice Clinic secures \$250,000 settlement in foreclosure rescue scheme case

The **Civil Justice Clinic at the Sandra Day O'Connor College of Law at Arizona State University** has announced a \$250,000 settlement with Fidelity National Title Insurance Co., the largest title company in the United States. The settlement resolves allegations related to a "foreclosure rescue" scheme, and marks the culmination of a long journey for a group of former homeowners, who began the lawsuit as strangers and now consider each other family, promising a backyard barbecue in the near future. The agreement represents the largest settlement attained by the Clinic in its 41-year history, and settles a lawsuit filed in May 2009 in Maricopa County Superior Court.



Former Civil Justice Clinic student Andy Gaona, second from right, assists, from left, Rudy Hernandez, Jose Garcia and Armando Moreno, plaintiffs in a large settlement of a foreclosure rescue scheme lawsuit. The case was pursued and negotiated by the Clinic faculty and students. (Photo by Andrea Esquer)

“This case exemplifies the Clinic’s two main goals: providing a quality educational experience for the students who work on the cases, and serving the community by providing quality representation to people who may not otherwise be able to afford an attorney,” said Clinical Professor **Bob Dauber**, the Clinic’s faculty supervisor. “In this case, it was a long journey – undertaken by 15 students and four faculty members – to reach the end and achieve our goals.” ☀

**NEWS from DePaul University College of Law.** John W. (Jack) Martin Jr. (LAS ’58, JD ’61) recently designated the College of Law’s clinical education program as the beneficiary of an irrevocable planned \$1 million gift to endow pro bono legal services for low-income Chicagoans. **Professor Andrea D. Lyon, associate dean for Clinical Programs**, explains that some 70 qualified second- and third-year law students work on both civil and criminal issues brought to the college’s nine clinics by more than 100 indigent clients each semester. She also points out that law firms are rarely offering two- or three-year apprenticeships to learn on the job, and are giving preference to law graduates with negotiating, interviewing and transactional skills acquired through clinical experience.

“Jack Martin’s gift affirms the unique value of the clinical model of teaching for the new market,” she says. Martin received the American Bar Association’s Pro Bono Publico Award just a few years before The National Law Journal named him one of the 100 most influential lawyers in America. Over a remarkably successful career, Martin has held fast to his conviction that professional excellence and public service belong together in the practice of law.

In addition to the casework performed by clinical students supervised by faculty in the **Asylum and Immigration Law Clinic**, there are also opportunities for students to engage in pro bono work through the Clinic. This summer, the **Asylum and Immigration Law Clinic** initiated its first U Visa Project. The Project provided law students with the opportunity to assist undocumented victims of crime pursue lawful immigration status through the U nonimmigrant visa provisions. The DePaul AILC partners with 25 community-based organizations (CBO) serving low-income immigrants throughout the Chicagoland area, including the collar counties. CBO partners often identify clients potentially eligible for the U visa, but CBO partners lack the resources required to assist in gathering evidence in support of the application. Because the need for assistance in the U visa application process far exceeds the availability of services and because the Clinic’s CBO partners regularly present the DePaul AILC with clients in need of services beyond their scope, the DePaul AILC recognized it was in a unique position to provide assistance in a limited number of cases with the help of pro bono law students.

While the **DePaul Special Education Advocacy Clinic** has celebrated several successes of late, perhaps the most striking difference was made in the case of Roberto (not his real name). Roberto is a 12-year-old boy who had been in self-contained special education classes at Chicago Public Schools since third grade but had never learned to read. While Roberto attended a CPS neighborhood school, he was being allowed less and less inclusion opportunities because of his behavior. The CPS school had determined he was a “bad” kid from a dysfunctional family. The DePaul SEAC filed due process and settled for a therapeutic school placement for Roberto in late 2009. While his new school is technically a “more restrictive environment,” it allows Roberto access to a scientifically-based reading intervention program and he is able to participate more in activities with other students his age. Since he started at his new school in August 2010, the school reports Roberto is doing well and they really like him.

In January of 2010, the **DePaul Civil Rights Clinic** agreed to represent a transgender woman of color denied necessary medical treatment while incarcerated in a de-

tention facility in a civil rights case she filed *pro se*. The **DePaul Civil Rights Clinic**, upon filing its appearance on behalf of the plaintiff, engaged in extensive written discovery with the incarceration facility and obtained thousands of pages of documents and policies to determine who may have been at fault and to document the improper care the plaintiff received while incarcerated. After an amended complaint was filed, the Clinic was able to successfully negotiate with the defendants and resolve the case on behalf of the plaintiff, ending the standstill and bringing at least some justice to a cruel situation.

**DePaul Legal Clinic** has a new addition: the **Poverty Law Clinic**. Ten law students are participating in the fledgling one-semester clinic. Cases for the DePaul Poverty Law Clinic are assigned through the Legal Assistance Foundation of Metropolitan Chicago. Currently, the clinic is working primarily on housing law cases, representing clients who are in eviction proceedings or who face termination of their Section 8 Voucher. The clinic is led by **Visiting Professor Anita Maddali**, another new addition to the DePaul College of Law community. Professor Maddali is a Chicago native and attended Northwestern Law School. She has worked previously with Mexican American Legal Defense and Educational Fund (MALDEF) and as a clinical instructor at Northwestern.

**Emory Law Appoints New Director of Barton Child Law and Policy Center**  
The founding **Director** of **Emory's Barton Child Law and Policy Center, Karen Worthington**, left this fall to move closer to family and pursue an independent consulting practice. We are grateful for Karen's many wonderful contributions over the years, and she is dearly missed. Replacing Karen has been a difficult task, because her vision, energy, and commitment have gotten the Barton Center to where we are today.

After an extensive search, we are thrilled to announce that we have found an extraordinary person to lead the Barton Center through the next phase of our work. **Emory Law School** has appointed **Melissa Dorris Carter** to serve as the **next Barton Center Director**. Melissa has been closely associated with the Barton Center for years. Her legal career as a child advocate started first with an internship through the Center's Emory Summer Child Advocacy Program, and then with two years as the Barton Post-Graduate Fellow in Law. Since then, Melissa has had a distinguished career, including work in leadership positions in the federally funded Court Improvement Pro-

jects of both Georgia and Illinois, and in private practice as an adoption attorney. She served for three years as Deputy Director of Georgia's Office of the Child Advocate before being appointed by Governor Perdue as the Director of that office in February of this year. In addition to her work experience, Melissa brings to the Barton Center her credentials as a published scholar on child welfare policy, as well as the relationships she has built working as a pro bono attorney, as a federal child welfare reviewer, and as an active member and former chair of the State Bar's Juvenile Law Committee. Melissa will be joining the Barton Center effective December 1, 2010. ☀

The **George Washington University Law School's Small Business & Community Economic Development (SBCED) Clinic**, directed by **Professor Susan Jones**, has been selected to participate in the pilot program at the US Patent and Trademark Office (USPTO). SBCED students will be certified to represent clients before the USPTO in trademark application matters, expanding their repertoire of client service.

Our **International Human Rights Clinic** has filed a major federal lawsuit in an effort to combat human labor trafficking. Several clinic students are working with Friedman Fellow Annie Smith, who co-directs the project with **Professor Arturo Carrillo**, to represent more than a dozen Filipino workers brought to the United States under false pretenses and held in near-servitude conditions. As the discovery process gets underway, our hope is that the case will lead to developments in the law interpreting federal anti-trafficking statutes and to increased compensation for survivors of labor trafficking.

This summer the District of Columbia Court of Appeals (DCCA) ruled that **GW's Public Justice Advocacy Clinic (PJAC)** was entitled to attorneys' fees for a 2007 case in which two clinic students, supervised by **Professor Jeffrey Gutman**, won the reinstatement of employment disability benefits for a disabled low-income client. When an administrative law judge denied attorney's fees, as provided by statute, for the students' lawyering work by asserting that law students were not attorneys, the clinic appealed. In reversing the ALJ's denial of fees, the DCCA showed a depth of knowledge and respect for the pedagogy and supervisory structure of clinical programs. In August, 2010, Chief Judge Royce Lamberth granted plaintiffs' motion for summary judgment, finding that the District of Columbia violated the Individuals with Disabilities Education Act (IDEA), due process, and local law by failing to offer a free and appropriate public education to a class of several thousand disabled pre-

school children, aged 3 through 5. Professor Gutman, assisted by PJAC students, served as co-counsel for the plaintiff class.

The **Federal, Criminal, and Appellate Clinic**, directed by **Professor Anne Olesen** and **Visiting Professor Kelly Knepper-Stephens**, has had recent victories as well. On July 14, 2010, the Circuit Court of Baltimore City reversed a client's convictions for first degree felony murder and robbery with a deadly weapon. In granting a new trial, the judge found a juror's failure to disclose her connections to parties in the case violated the client's right to an impartial jury. In another recent case, the Maryland Court of Special Appeals reversed and remanded another clinic client's felony murder conviction because the trial judge failed to address the client's repeated requests to discharge his attorney. Subsequently, the Maryland Court of Appeals, the state's highest court, granted the prosecution's petition for certiorari. The case is currently scheduled for oral argument in January.

On September 10, 2010, the **GW Immigration Clinic**, at the behest of the Citizenship & Immigration Office, hosted a public seminar on the naturalization process. **Friedman Fellow Jacqueline Lainez**, was a primary organizer of the event, attended by about 50 people. Also in September, students in the **GW Immigration Clinic**, directed by **Professor Alberto Benitez**, won political asylum for their Ethiopian client who, as an ethnic Tigrean and a member of the Baha'i faith, had been subjected to detention and persecution **by government officials**.

On October 1, 2010, **Professor Phyllis Goldfarb, Associate Dean for Clinical Programs**, presented a paper co-authored with **Deborah Maranville, Russell Engler, Susan Kay, and Mary Lynch** at New York Law School's Conference on the 25<sup>th</sup> Anniversary of the Clinical Theory Workshop. The paper is entitled *Revision Quest: A Law School Guide to Designing Experiential Courses Involving Real Lawyering*. She also presented the paper at the New England-area Clinical Theory Workshop. Dean Goldfarb spoke about experiential learning across the curriculum as part of the faculty colloquium series at **Albany Law School**.

An article entitled *The Immune Response* published in The October issue of the ABA Journal featured quotes by **Professor Peter Meyers**, director of **GW's Vaccine Injury Clinic**. The article discusses the pending Supreme Court case of *Bruesewitz v Wyeth*, involving statutory interpretation of the National Childhood Vaccine Injury Act adopted by Congress in 1986. Students in the Vaccine Injury Clinic attended oral argument in the case, held on October 12, 2010.

On October 19, 2010, **Professor Laurie Kohn** spoke on a panel organized by the DC Bar about what family law attorneys need to know about domestic violence. **Professor Joan Meier** addressed the annual conference of the National Association of Women Judges held in San Francisco in October, serving on a panel about Confrontation Rights and Domestic Violence with Jeffrey Fisher, Supreme Court lawyer and lead architect of recent developments in confrontation jurisprudence. On October 21, 2010, Professor Meier spoke to the Family Court Conference of the DC Superior Court about Vicarious Trauma in Work on Child Sexual Abuse, serving on a panel with a psychologist. On October 26, 2010, Professor Meier gave a talk to the Feminist Forum, entitled "The Evolution of an Advocate."

On September 30, 2010, **Professor Arturo Carrillo** gave presentations on human rights and clinical legal education at an international conference sponsored by the Supreme Court of Mexico and held at one of Mexico's major private law schools. Thereafter he traveled to Bogota, Colombia to speak at Universidad del Rosario on human rights clinics and public interest law for an audience of Latin-American law professors. While in Colombia, he also celebrated the release of a Spanish-language book on Group and Class Actions in Cases of Gross Human Rights Violations, a text co-authored by GW's International Human Rights Clinic. This summer Professor Carrillo's co-authored article entitled *Transnational Mass Claim Processes in International Law and Practice* was published at 29 Berkeley Journal of International Law 343 (2010).

Our clinical faculty has received more awards. In August, 2010, **Professor Joan Meier** was presented the Sunshine Peace Award from the Sunshine Lady Foundation for her pathbreaking work on domestic violence. At their 10<sup>th</sup> Anniversary dinner, the D.C. Employment Justice Center presented **GW's Public Justice Advocacy Clinic**, one of its community partners, and Professor **Jeffrey Gutman**, director of the clinic, with a Decade of Service Award. Friedman Fellow Shana Tabak has won an Audre Rapoport Prize for her paper on Gender and Human Rights. The monetary prize also includes an offer of publication in the working paper series of the Rapoport Center for Human Rights and Justice at the University of Texas School of Law. ☀

With a recently announced \$500,000 grant from The Elfenworks Foundation in Burlingame, CA, the **Women's Employment Rights Center at Golden Gate University** will establish the **Elfenworks Center for Employment Justice (ECEJ)** to focus on advocacy, legal services, and education for domestic workers and group home caregivers. The Clinic will be serving as counsel for the California Domestic Worker Campaign in an upcoming effort to pass a domestic workers bill of rights in



California. Among WERC's recent victories is a decision by the SF Office of Labor Standards Enforcement ordering a home healthcare referral agency to pay our client \$31,568.83 in back wages and penalties as well as \$22,250 in penalties to the city agency. Our client was a 24-hour live-in caregiver paid only \$100 per day. The decision is the first SF minimum wage decision holding that a caregiver in a private home, who had to be available to work at any time during her round-the-clock shift, is entitled to 24 hours of pay even if not required to work each and every hour.

Our students are also representing two group home caregivers who worked 24/7 for less than \$80 day, caring day and night all alone for severely ill residents. Our first victory for the workers was getting the employer to switch the caregivers from 24 hours to 8 hours per day, ensuring that our clients now receive SF minimum wage for all hours worked. We anticipate that we will resolve the cases soon with payment of all back wages owed. WERC is partnering in the caregiver cases with the Filipino Community Center and Filipino Advocates for Justice, two organizations working hard to bring out into the open the many workplace abuses faced by California group home workers, who are largely from the Filipino community.

In May, the **Environmental Law & Justice Clinic** won an appeal in state appellate court on behalf of a group of California rural residents who opposed construction of a 160-acre composting facility for human waste. In a published opinion, the court called the environmental review inadequate for failing to consider the feasibility of enclosing the facility. Enclosure technologies significantly reduce air pollution and are commonly used. A clinic student successfully argued the lower court case, and the clinic Fellow, a recent graduate of the school, argued the appellate case. In another victory for the communities disproportionately impacted by pollution, the clinic contributed significantly to a Public Utilities Commission decision that yet another power plant was not necessary to serve the San Francisco Bay Area. The territory currently has enormous excess capacity to generate power even during periods of peak energy demand. ☀

Groundbreaking legislation originally drafted by students from the **Harvard Legal Aid Bureau (HLAB)** to protect tenants from losing their homes after foreclosure was signed into law on August 7 by Massachusetts Governor Deval Patrick '82,



WERC Student Pamela Talledo presents a bilingual analysis of NY and proposed CA domestic worker legislation at October 2010 statewide retreat.

former president of HLAB. HLAB students drafted what is considered the heart of the bill, a critically important “just cause” section that prohibits banks from evicting tenants from foreclosed-on properties unless the tenant fails to pay rent, harms the property, or otherwise gives “just cause” for eviction. It is believed to be the first “just cause” law in the country pertaining specifically to tenants in foreclosed-on properties. The original legislation was drafted almost three years ago by a group of four HLAB students working under the supervision of **Lee D. Goldstein, Clinical Instructor at HLAB**. The new legislation is part of a broad strategy – including targeted litigation, neighborhood outreach, and public protests – by students in **HLAB**, the **WilmerHale Legal Services Center**, and an affiliated HLS program, Project No One Leaves, which seeks to maintain Boston neighborhoods by keeping people in their homes despite foreclosure. Because of these creative efforts by the law students, featured as part of a PBS NewsHour series, Boston is having the most success among U.S. cities in keeping people in their homes despite foreclosures.

In August, 75 teenagers from Israel, Palestine, Spain, India, Ireland and the U.S. – each of whom had lost a loved one to an act of terrorism – gathered in Belfast, Ireland, for a week-long program on dispute resolution led by the Harvard **Negotiation and Mediation Clinical Program (HNMCP)**. Curriculum for the Belfast project was designed by Elaine Lin ’10 and Annie Levin ’10 while they were students in HNMCP, and they also helped teach the program, along with **Robert C. Bordone, Clinical Professor of Law and Director of HNMCP**, and **Tobias Berkman ’10, who this year is an Associate with the Clinic. Harvard Law School Negotiation Workshop Lecturer Florrie Darwin ’84** also participated.

Last year, as part of **Harvard’s International Human Rights Clinic**, Susannah Knox ’10 and Lauren Pappone ’11, traveled to British Columbia with Lecturer **on Law and Clinical Instructor Bonnie Docherty ’01** to investigate how mining affects the Takla Lake First Nation people. For centuries, the Takla Lake First Nation people have lived in a remote area of northern British Columbia on land that is inextricably linked to their culture, spiritual life and livelihoods. In recent times, their land—rich in mineral and timber resources—has been the target of Canada’s mining industry. Mining and mineral exploration, which have brought jobs and important revenue to the province, have also disturbed the wildlife and the environment on which the community depends. Working with Docherty for the entire year, Knox and Pappone helped research aboriginal law, analyze existing mining laws and draft what would become a 200-page report released in June, “Bearing the Burden: The Effects of Mining on First Nations in British Columbia,” which found that the province’s laws favor mining interests over the aboriginal rights of Takla and other First Nations.

Twenty senior federal officials – both Republicans and Democrats – met in Washington in July 2010 to hone their negotiation and consensus building skills with members of the **Harvard Negotiation and Mediation Clinical Program (HNMCP)** at **Harvard Law School**. The day-long negotiation training, conducted by **Clinical Professor Robert C. Bordone '97, Director of HNMCP** and **Jeremy McClane '02, HNMCP Clinical Instructor and Lecturer on Law**, included senior staff and officials



from the White House, the Senate, the House of Representatives, the Department of Justice, the Federal Communications Commission and the National Oceanic and Atmospheric Administration. During the course of the day, participants engaged in simulated negotiation exercises and discussed the basic principles of interest-based bargaining. In one simulation, the attendees were asked to step out of their current government roles and take on ones less familiar: that of members of a fictitious country's oil pricing committee. The exercise generated a lively discussion about the effects of cooperation and defection vis-à-vis negotiation counterparts, in this case another fictitious oil producing country in the simulation. ☀

Last fall, **Michigan State University's Chance at Childhood Law and Social Work Clinic** celebrated its tenth anniversary with a celebration and brief program. This fall, Chance at Childhood welcomes 15 students placed in the Law and Social Work Clinic and 29 students attending our Law and Social Work Seminar. CAC staff and students are working on a new project (funded by a grant awarded by the State Court Administrative Office) to evaluate the Genesee County Problem Solving Child (often referred to as PACT, or Parents and Children Together). This new court was created to assist parents in breaking down the barriers that impair their abilities to financially support their children. CAC is also continuing to implement a federal Safe Havens Grant received in partnership with Ingham County. CAC staff also recently completed work on a grant to update the state's child representation training protocol. Staff developed and presented an interdisciplinary social work/law statewide training to present these updated materials. ☀

**Missouri University Family Violence Clinic** students, graduates and faculty, have at last achieved release for their domestic violence clemency clients, women who were convicted of homicide but who were themselves victims of domestic abuse. Missouri University students, part of the **Missouri Battered Women's Clemency Coalition**, wrote two petitions for gubernatorial clemency. When one was granted, and the client's sentence commuted to life with parole, the Parole Board denied parole. **Professor Mary M. Beck** and successive teams of her law students litigated Writs of Mandamus against the Parole Board which ended in the Missouri Supreme Court and included the first ever appearances of law students in that court. The MU team prevailed in the Missouri Supreme Court and won the release of their client. On the same day as argument for the Supreme Court case, Professor Beck and others from the Coalition testified before the Missouri legislature on a bill which provided the possibility of parole for inmates with life sentences who met certain criteria including a documented history of domestic abuse; a bill which became law. Citing the new law, former clinic student Amy Lorenz Moser, now a partner with the St. Louis firm of Armstrong Teasdale, **St. Louis University Professor Patricia Harrison** and Professor Beck filed a successful Writ of Mandamus compelling new hearings, but the Parole Board still refused parole. The team filed a second successful Writ of Mandamus which resulted in the release of 2 clients and an outdate for a third. These releases have been 12 years in the making.

Clinic students Ashley Brittain, Zach Crowell, and Justin Smith co-authored an empirical analysis of child homicides— "Investigating the Justice System Response in Missouri to Child Homicides Related to Hostile Environments"— with **Professor Beck** which they published in the October 2010 Missouri Bar Journal. Additionally, Clinic students have completed the initial stages of a Missouri adoption of an Ethiopian infant born with a genetic disorder that would have claimed his life with the health care available in his home country. ☀

At **Pace Law School, Barbara C. Salken Criminal Justice Clinic (CJC)** student intern Donna Cook '09, with supervision by **Visiting Professor** and former **CJC Director Kate Mogelescu**, prevailed in a suppression hearing in a DUI matter two years ago. The prosecution appealed and CJC student intern Elizabeth Frederick, '10, with supervision by **Visiting Professor** and **CJC Director Chris Fabricant**, opposed the appeal, briefing the case before the New York Supreme Court's First Department of its Appellate Division. The appeals court upheld upholding the lower court's decision unanimously.

Student interns of the **Pace Environmental Litigation Clinic**, with supervision by **Clinic Directors, Professors Karl S. Coplan, Robert F. Kennedy, Jr., and Daniel Estrin**, took initial steps to initiate Clean Water Act litigation against three Kentucky mining companies, filing sixty-day notice letters on behalf of a coalition of environmental and social justice organizations and private citizens. The notice letters allege the miners exceeded permitted pollution discharge limits, consistently failed to conduct required discharge monitoring, and in many cases, submitted false monitoring data to state agencies charged with protecting the public. Joining the lawsuit were several local residents impacted by the dumping of mining waste in Kentucky's waterways .

**Equal Justice America Disability Rights Clinic** student interns have had great success in recent months assisting ten different clients become guardians of their adult disabled children. Students, advocating with supervision by **Professor Gretchen Flint, Executive Director of John Jay Legal Services, Inc.**, counseled the families about the guardianship process and assisted in identifying "standby" guardians and obtaining necessary physician and psychologist certifications.

**Immigration Justice Clinic (IJC)** student interns, Daniel Harvey and Kathryn Sullivan, filed a brief in support of our client's Petition for Review in the United States Court of Appeals for the Third Judicial Circuit. Advocating with supervision by **IJC Director, Professor Vanessa Merton**, the students challenged the Board of Immigration Appeals' (BIA) failure to address enormously changed conditions in Haiti. The client is a severe diabetic who has lived in the United States since 1982. He has continued working and supporting his wife and children only because he observes a rigorous regimen— a regimen utterly unavailable in Haiti. Deportation would sound his death knell. The Clinic anxiously awaits the scheduling of oral argument.

Three Pace Law alumni returned to the **Pace Investor Rights Clinic (PIRC)** this fall to assist with the preparation of two matters slated for Financial Industry Regulatory Authority (FINRA) arbitration hearings in the first five weeks of the semester. For the first time in its history, PIRC, directed by **Professor of Law and Director of Legal Skills, Jill Gross**, and **Assistant Director and Visiting Professor Ed Pekarek**, faced two hearings scheduled in the span of two weeks. With the assistance of clinic alumni Tasha Fasce, Soufane Cherkaoui, now an L.L.M. candidate at Fordham **Law School**, and former SBA president, Chris Bloch, now a Fellow with the **Pace Law School Institute of International Commercial Law**, both matters were successfully resolved through negotiation just prior to the eve of each respective hearing, adding to the tally of four settled matters in three months for PIRC clients.

As part of the **Barbara C. Salken Criminal Justice Clinic's** on-going legislative advocacy to end wrongful trespassing arrests in New York public housing, clinic Director **Visiting Professor Chris Fabricant** testified before the New York City Council regarding the harm residents of public housing complexes in New York City encounter due to allegedly improper police practices, such as "stop-and-frisk" and trespassing arrests. **CJC Law and Public Policy Fellow** Jonathan Hood '10 and other CJC students assisted with written testimony preparation.

The Hon. Colleen McMahon of the United States District Court for the Southern District of New York appointed **Immigration Justice Clinic Director, Professor Vanessa Merton**, as Independent Monitor for compliance supervision of a Consent Decree that requires monitoring of law enforcement activity in the matter of *Doe v. Village of Mamaroneck et al.* ☀

Working with **Director Kathleen A. McKee**, the **Civil Litigation Clinic** at **Regent University School of Law**, in partnership with the Norfolk Portsmouth Bar Association, Young Lawyers Division and community organization, STOP, assisted the 109 residents of a local mobile home park who were facing displacement due to the sale of the park. ☀

During the Spring 2010 semester, students from the **Immigration and Immigrant Workers' Rights Clinic** at the **Seton Hall University School of Law, Center for Social Justice**, conducted a comprehensive investigation and survey regarding the problem of wage theft of day laborers in the Ironbound district of Newark, New Jersey. The result of these extensive efforts is a report entitled "Ironbound Underground: Wage Theft and Workplace Violations Among Day Laborers in Newark's East Ward." The report found that 96% of immigrant day laborers have been victims of wage theft in one form or another; 77% reported at least one instance in the last year of an employer paying them less money than originally promised; and 88% reported that employers rarely, if ever, provided safety equipment. **Bryan Lonigan**, Visiting Assistant Clinical Professor, and **Anjana Malhotra, Practitioner-in-Residence with the International Human Rights/Rule of Law Project**, co-authored the report with the assistance of student attorneys Nicholas Norcia and Rafael Perez, Jr.

The **Impact Litigation Clinic in Seton Hall Law School's Center for Social Justice** recently won an important victory in a published opinion in the Second

Circuit. Clinic students Stuart Youngs and Michelle Ghalli briefed and argued the under **Professor Jon Romberg's** supervision. At the Clinic's urging, the Court considered and for the first time rejected the common practice in which unrepresented litigants (mainly inmates) were denied *pro se* status—and the latitude ordinarily accompanying that status—if those litigants had been involved in several prior lawsuits. The Second Circuit held that any limitation on the ordinary scope of *pro se* latitude must be determined by considering the particular question at issue, and determining whether there is an adequate basis to believe that the litigant's experience and skills are such that there is no reason to accord the litigant latitude as to that particular issue.



**Seton Hall Law School, Center for Social Justice** filed a class action complaint alleging that New Jersey's Department of Human Services is violating permanent residents' equal protection rights under the United States and New Jersey Constitutions by denying them State-funded Medicaid because of their alienage and immigration status. Counsel on the case include **Center for Social Justice** faculty **Baher Azmy, Professor of Law; Jenny-Brooke Condon, Associate Professor of Law; Rachel E. Lopez, Clinical Teaching Fellow**; and law students Lynn Lee '11 and Danielle Alvarez '11. The Plaintiffs are lawful-permanent-resident parents who because of their low incomes were deemed eligible to receive and, until recently, did receive State-funded Medicaid known as New Jersey FamilyCare ("NJFC").



**Professor Baher Azmy** of the **Center for Social Justice** was also a panelist on "Civil Liberties and Civil Rights in Post-9/11 America," at the University of Pennsylvania and the moderator for the "Role of Media in National Security Cases" at the Seton Hall Law Review Symposium. **Lori Nessel, Professor of Law and Director of the Seton Hall Law School Center for Social Justice**, was a panelist at Hofstra Law School's session, "Does Arizona Senate Bill 1070 Violate the Supremacy Clause of the U.S. Constitution?" ☀

**Professor Susan McGraugh** and students in her **Criminal Defense Clinic** obtained an acquittal in a murder trial in St. Louis. The case was one of the first in Missouri using the state's new "castle doctrine" which determines the amount of force a person can use against a home intruder. The students are also representing a large vol-

ume of clients charged with misdemeanor criminal offenses who would otherwise go unrepresented due to the current budget crisis faced by the Missouri Public Defender system.

Students in the **Child Advocacy Clinic** continue to argue appeals in juvenile cases and unemployment compensation cases in the Missouri Court of Appeals. In *In the Interest of M.M.*, 320 S.W.3d 191 (Mo. Ct. App. 2010), student Lauren Groebe, under the supervision of **Professor Tricia Harrison**, successfully argued that a juvenile had not knowingly and voluntarily waived her right to counsel before pleading guilty in a delinquency matter because she was threatened with being detained if she continued the case to obtain counsel for trial, and that her right to counsel had not been adequately explained. In *In the Interest of T.S.G.*, 2010 Mo. App. LEXIS 1315, students successfully briefed and argued that the trial court erred when it found a Juvenile Officer had not proven sexual misconduct beyond a reasonable doubt but thereafter amended the petition to find clear and convincing evidence of the status offense, "behavior injurious to her welfare, in violation of the client's 14th Amendment rights.

Two students in the **SLU Litigation Clinic**, under the supervision of **Professor Brendan Roediger**, tried a case under Missouri's new statute prohibiting fraud by foreclosure rescue companies. The court has asked the students to draft findings of fact and conclusions of law. Other students helped prepare a lawsuit against the State of Missouri challenging its Medicaid program's refusal to pay for adult diapers for persons over age 21. The lawsuit contends that the adult diapers are medically necessary for the adults who use them, and helps keep them in their homes and out of nursing homes.

Several students spent the summer in Jefferson City working for the Missouri Supreme Court as part of the Clinic's expanded **Externship Program**, supervised by **Professor Amany Ragab Hacking**.

The **Community & Economic Development Clinic**, supervised by Professor **Dana Malkus**, is working with several start-up and established nonprofit organizations and small businesses which provide a variety of valuable community services, including a daycare, a drug rehabilitation program, affordable housing, and tax services. The CED Clinic also conducted closings for eight Habitat for Humanity homes this summer, with ten more closings to take place next month.

**Professor Tricia Harrison** and her **Child Advocacy Clinic** were honored by Legal Services of Eastern Missouri with the Ashley Award for Child Advocacy for their work in the medical-legal partnership which serves the St. Louis area. **Professor John**



**Ammann** was quoted in a recent Missouri Supreme Court decision striking down a mandatory arbitration clause in a payday loan contract. Professor Ammann had served as an expert witness on access to lawyers for victims of payday lenders. ☀

The **University of Baltimore School of Law Center for Families, Children and the Courts** (CFCC) is engaged in an on-going collaboration with the American Bar Association's Section of Family Law (ABA FLS) to produce sweeping reform and decrease the devastating effects of divorce and other proceedings on families and children. This summer CFCC and the ABA FLS co-hosted an invitation-only event, the Families Matter Symposium bringing together nearly sixty prominent experts (including judges, lawyers, academics, clinicians, domestic violence experts, financial professionals, mediators, and mental health providers) to identify pressing problems, as well as potential action steps that might be taken to address them. CFCC has also launched the 2010-2011 Truancy Court Program (TCP) with an unprecedented 14 schools participating. In addition, the CFCC publishes two e-newsletters — Full Court Press and the TCP newsletter and its blog continues to attract attention from around the U.S. and abroad. CFCC provided a workshop at the **AALS Conference on Clinical Legal Education** last May, focusing on the development and implantation of the CFCC Student Fellows program, while **Professor Barbara Babb** and **Senior Fellows Gloria Danziger** and **Sharon Rubinstein** presented "Unified Family Courts: How to Tell Whether They Are Doing What We Expect Them to Do" to a group of about fifty participants in Denver, outlining different approaches to the challenges Unified Family Courts face in assessing their own effectiveness. ☀

The **University of Cincinnati College of Law** has announced the opening of its **Entrepreneurship and Community Development Clinic (ECDC)** in January 2011. **Lew Goldfarb** has been named the **Director of the Clinic**, which will offer free legal services to small and startup businesses, both for-profit and non-profit, who cannot afford to pay. The Clinic will be staffed by third-year law students, who will obtain "hands-on" experience representing local business owners and aspiring entrepreneurs on transactional legal issues critical to their success. Students will perform all work at the ECDC under the direct supervision of the Director, an experienced and licensed attorney and CPA. Previously, Professor Goldfarb taught



Professor Goldfarb

and/or directed similar clinics at Lewis & Clark Law School in Portland, Oregon, and Wayne State University Law School in Detroit, Michigan.☀



Under the direction of **Colene Robinson**, students in **Colorado Law's Juvenile Law Clinic** co-authored an amicus brief submitted to the state supreme court on an important issue about the kind of professional relationship an attorney guardian ad litem has with the child for whom the GAL has been appointed. Along with the National Association of Counsel for Children and the Rocky Mountain Children's Law Center, the Juvenile Law Clinic argued that being a GAL should not diminish the kind of relationship that an attorney would normally try and achieve with a child client. Thus, even when the attorney GAL is charged by state law to report to the court on the child's "best interests," children's lawyers should, whenever possible, preserve the confidences of their clients. The Colorado Supreme Court heard oral arguments on the case in early October, with students from the Juvenile Law Clinic in attendance.☀

The **University of Dayton School of Law's Externship Program** was recently recognized nationally for providing externship placement opportunities to students. The October 2010 issue of *National Jurist* magazine ranked the University of Dayton School of Law 20th in the nation for most externship placements per fulltime students. Dayton Law requires every student to complete an externship or in-house clinic during one of their final two semesters of law school.☀

The **University of Miami Law School** welcomed over 150 law school deans, externship directors and faculty and career development professionals representing 106 law schools to Coral Gables, Florida for **Externship 5**, the 5th national conference on externship pedagogy. The conference subtitled "Externships in Changing Times" explored how externships have evolved to respond to-- and advance--changes in the legal profession, changes in legal education, changes in the economy, whether changes in students' career prospects should affect the scope and content of externship programs, and how externship clinics advance the promise of the Carnegie Report and Best Practices. The **Clinical Law Review** will publish a symposium of scholarship stemming from the conference including articles and comment by **James Backman, Cynthia**

**Baker, Carl J. Circo, Harriet Katz, Robert Lancaster, Nancy M. Maurer, Alex Scherr and Robert F. Seibel.**

**Caroline ("Carrie") Bettinger-López**, who joined **Miami Law** this semester as **Associate Professor of Clinical Legal Education** will also be the **Director** of the new **Human Rights Clinic**, which will start in January. The Clinic will be broken into three parts: a critical seminar, a litigation and advocacy skills seminar, and case and project work in the U.S. and abroad. Prior to joining **Miami Law**, she was the **Deputy Director of the Human Rights Institute** and **Lecturer-in-Law and Acting Director of the Human Rights Clinic** at **Columbia Law School**. ☀



Professor Carrie Bettinger-López

Students in the **Health Law Clinic** at the **University of Pittsburgh School of Law** represented the beneficiary in the case of *Papciak v. Sebelius*, which granted the petitioner coverage for ten days of skilled nursing care. The federal court rejected "Improvement" as a Criterion for Continuing Medicare SNF Coverage, ruling that an ALJ improperly denied Medicare benefits to a patient in a skilled nursing facility because the ALJ believed the patient would not improve with additional care. The proper legal standard to be applied to a patient's entitled to Medicare benefits in a skilled nursing facility is whether the patient needs skilled services to enable her to maintain her level of functioning. ☀

The **University of Tennessee School of Law** is thrilled to have **Wendy**



**Bach** surviving and thriving in her first semester teaching in the **Advocacy Clinic**. Along with learning new law and procedure here in Tennessee Wendy has teamed up with the Tennessee Justice Center to

start taking some TennCare appeals. Anyone familiar with the amazing work of the Tennessee Justice Center will know what a tremendous opportunity this is for our students. Wendy's also been busy on the scholarship front, her article *Governance, Accountability and the New Poverty Agenda*, 2010 WISC. L. REV. 239 was just released.

**Ben Barton** is in the middle of his fourth and final year as director. If you missed the position announcement and are interested, it can be found here: <http://www.law.utk.edu/alumni/10ClinicDirector.pdf>. Ben is not going anywhere (he's pretty settled in at this point), but is ready to pass the administrative torch. His book "The Lawyer-Judge Bias" will be coming out from Cambridge University Press in early 2011. Ben's Article "Against Civil Gideon (and for Pro Se Court Reform)" is also forthcoming in December from the Florida Law Review. Thanks to the excellent participants at the group scholarship presentations at this year's clinic conference for all of the thoughtful edits and ideas.

**Stephen Bright** has been here all semester as our inaugural **Advocate in Residence**. Steve has been guest lecturing in various classes and clinic and has also co-taught our Innocence Project/Wrongful Convictions Clinic with **Dwight Aarons**. He also gave a standing-room-only speech on access to justice to the local bench, bar, and UT Faculty and students last month.

**Paula Williams** is back from her visit at **George Washington**. Paula learned a ton up at GW and is pleased to be applying her new ideas in our business clinic. Adjunct professor **Brian Krumm** is co-teaching with Paula this semester.

**Dean Rivkin** is in the middle of his second year teaching "**Public Interest Lawyering: An Education Law Practicum**." The fieldwork/service learning component of the course focuses on issues related to what has been termed "The-School-To-Prison-Pipeline." There have also been opportunities to work with experienced area practitioners, including members of the College of Law's CAN-LEARN Project (Children's Advocacy Network--Lawyers Education Advocacy Resource Network.).

Our **Wills Clinic** is in its second year. The Clinic started with a generous grant from the American College of Trusts and Estate Counsel ("ACTEC") and is a joint project of our exceptional doctrinal colleague **Amy Hess, Ben Barton, Paula Williams** and a great adjunct professor named **Barbara Johnson**. The clinic has been drawing clients from the group Grandparents as Parents and from our excellent local legal aid society.

At the **University of Tennessee**, we have added three new clinical programs as well as reformatted our externship programs. This Spring **Dean** (and former clinic director) **Doug Blaze** will join **Assistant Dean Katrice Morgan** in supervising our prosecutorial and public defender externship programs. Having 50% of our deans involved makes the externships very attractive to the students. In fact, Fall 2010 continues our trend of ever-growing clinic enrollment. We once again have more than 50% of

our third year class taking a clinic or an externship and are on track to top 85% participation in this year's graduating class. ☀

The **Clinical Law Program (CLP)** at the **University of Washington School of Law** celebrated its 30th anniversary with a CLE, awards ceremony and reception. Awards were presented to The Honorable Charles (C. Z.) Smith, Washington Supreme Court (Ret.), for establishing a criminal law clinic that trained students from 1979 to 1982, and to **Alan Kirtley**. Alan directed the CLP from 1984 to 2007 and led the expansion to 12 clinics enrolling 140 students each year. **Current director, Deborah Maranville**, welcomed attendees to the reception and its displays of Program history.

An **Innocence Project Northwest Clinic (IPNW)** client was exonerated based on post-conviction DNA testing after 14 years of incarceration. The Clinic, directed by **Jacqueline McMurtrie**, accepted his case in 2002 and numerous students worked diligently over the years to achieve this positive outcome. Several months later, two other IPNW clients had convictions vacated based on DNA evidence. In the nationwide count, these were the 251<sup>st</sup>, 253<sup>rd</sup> and 254<sup>th</sup> exonerations; they brought IPNW's total to 15.

During its annual meeting in August, the Ninth Circuit Judicial Conference presented its ADR Education Award to the **University of Washington School of Law**; **Dean Kellye Testy** accepted the award on behalf of the School. In the award the **Mediation Clinic**, directed by **Julia Gold** with **Alan Kirtley** serving as supervising attorney, was noted as an integral component of the ADR curriculum,



Directed by **Scott Schumacher**, the **Federal Tax Clinic** has again received the highest grant awarded by the Internal Revenue Service to Low-Income Taxpayer Clinics. The Clinic operates year-round via Scott, **staff attorney John Clynch**, summer law student interns and pro bono attorneys. Over 300 taxpayers in western Washington who have controversies in respect of their federal taxes are represented each year.

The **Tribal Court Public Defense Clinic**, under the direction of **Ron Whitener**, serves as primary public defender for the Tulalip Tribes and has added Squaxin Island, Port Gamble S'Klallam and Sauk-Suiattle Tribes. Clinic faculty and fellows represent clients throughout the year, assisted by work study students and summer interns

**Tim Jaasko-Fisher, Director of the Court Improvement Training Academy** (CITA) has been supporting judges, lawyers and other professionals involved in the Juvenile Court dependency process. He and his small staff have hosted 30 trainings throughout Washington state (numbering approximately 1000 attendees).

For the second consecutive year students of the **Legislative Advocacy Clinic** drafted a bill and pursued its passage in the Washington State Legislature. On behalf of their client, Street Youth Legal Advocates of Washington, and under the supervision of **Casey Trupin** and **Justice Bobbe Bridge (Ret.)**, students succeeded when SHB 2752, "An Act Relating to the Safety of Runaway Youth," was passed. Students of the Clinic also advised the Washington State Bar Association's Juvenile Law Section on pending legislation.

**Technology Law and Public Policy Clinic** students under the direction of **Bill Covington** are collaborating with the House Technology, Energy and Communications Committee, the Washington Utilities and Transportation Commission, and the Washington Department of Information Services to research and develop recommendations for state communications regulation and policy to meet ongoing changes in technology.☀

The **Appellate Advocacy Clinic** at **Wake Forest University School of Law** has had two oral arguments already this school year. On September 24, third-year student John Byron argued in the United States Court of Appeals for the Fourth Circuit, in the case of *United States v. Thomas*, contending that the district court erred in its retroactivity analysis regarding *Watson v. United States*, 552 U.S. 74 (2007). On October 26, third-year student Megan Curran argued in the North Carolina Court of Appeals, contending that the trial court erred in construing restrictive covenants so as to prevent a Catholic Church from paving a parking lot on adjoining land it owns. Since 2007, **Appellate Clinic** students have made ten oral arguments in various appellate courts, including the Fourth Circuit, Seventh Circuit, North Carolina Court of Appeals, and North Carolina Industrial Commission. **Professor John Korzen** is counsel of record and directs the Clinic, which is a two-semester course.



**Professor John Korzen**

**Kate Mewhinney, Clinical Professor and Managing Attorney of The Elder Law Clinic**, invites clinicians to read about her students work at <http://law.wfu.edu/>

**Washington University School of Law's** longstanding **Congressional & Administrative Law Program** has grown from one semester to year-round offerings as part of Washington University's affiliation with the **Brookings Institution**. This partnership opens up many more opportunities for our law students to extern in DC. The course also now has a base and classroom facilities in the university's new space in the **Carnegie Endowment for International Peace** building. Along with the new space, the clinic has drawn another law faculty member into clinic teaching. **Tomea Mersmann** who will teach the students during the fall semester while **Susan Kaplan**, who has taught in the program for 14 years, will continue to teach the spring students. Additionally **Steven I. Jackson**, previously the program director for **Cornell University's D.C. programs**, was named director for Washington University's academic program in Washington, D.C.



Washington University's DC space

Celebrating the conclusion of its first year in operation, the **Civil Justice Clinic's Child and Family Advocacy Project** continues to seek justice for youths in the St. Louis area through its individual client representation work, systemic reform efforts, and public citizen lawyering activities. Building on its success in a lawsuit against the St. Louis City School District earlier this year, the Project's has taken on additional educational matters in the region this semester. The Project has also joined forces with community partners, ACLU of Eastern Missouri, Legal Services of Eastern Missouri, and our friend and colleague, **Patricia Harrison** at **Saint Louis University Law School** clinical program, to form an advocate's working group to address local school to prison pipeline issues.☀

Students enrolled in the **International Human Rights Clinic** at **Willamette University College of Law** filed a lawsuit against several U.S. officials, including U.S. Secretary of Defense Robert Gates and former Secretary of Defense Donald Rumsfeld, on behalf of Adel Hamad of Sudan, who was subjected to forced disappearance, prolonged arbitrary detention at Guantanamo Bay and torture, as well as cruel, inhuman and degrading treatment at the hands of certain U.S. officials, all in violation of international law. Following Hamad's imprisonment, his family fell into poverty, and his youngest daughter died because the family did not have the money to get

her medical treatment. “What our government did to Adel Hamad is unconscionable and should outrage every American,” said **Clinical Law Professor Gwynne Skinner**, who supervises the **International Human Rights Clinic**. Skinner serves as Hamad’s counsel and supervises Clinic students’ work on the case.☀

**William Mitchell School of Law** is proud that **Joanna Woolman** and the **Reentry Clinic** have been named 2009 Changemakers by the MN Women's Press. Many people at William Mitchell share in this recognition, in particular, **Brad Colbert** - who helped start the **Reentry Clinic**. Kudos also to the amazing students, clients and social worker **Jane Johncox Hurley** who keep this special clinic going strong.☀



## HIRING and PROMOTIONS

At **George Washington University Law School**, we are delighted that this year **Professor Laurie S. Kohn** is co-directing the **Civil and Family Litigation Clinic**, along with **Professor Joan Strand** and **Friedman Fellow Vanessa Batters**. In November, **Professor Jessica Steinberg** arrived, after completing her fellowship at Stanford. She will be joining our **Public Justice Advocacy Clinic**, as she prepares to launch a new **Legal Services Clinic** in 2011-12. Laurie and Jessica are the pioneers of our newly adopted clinical tenure track, and we are happy that such dedicated and accomplished clinicians are the faces of our new tenure system.

We are also pleased to have the company and contributions of new clinical fellows, **Jacqueline Lainez** and **Shana Tabak**. Jacqueline, who previously taught in clinics at the **University of the District of Columbia School of Law** and the **University of Memphis School of Law**, has joined us as a **Friedman Fellow in the Immigration Clinic**. Following a judicial clerkship at The International Court of Justice, Shana has joined us as a **Friedman Fellow** in our **International Human Rights Clinic**. We also welcome back former **Friedman Fellow Kelly Knepper-Stephens** who is serving as a 2010-11 visiting faculty member in the **Federal, Criminal, and Appellate Clinic** while **Professor Anne Olesen** is on sabbatical.☀

**Wendy Jacobs, Director of the Emmett Environmental Law and Policy Clinic (ELPC) at Harvard Law School**, has been promoted to **Clinical Professor of Law**. Wendy joined Harvard in July 2007 when she launched the ELPC as part of **Harvard's Environmental Law Program**, which is under the direction of **HLS Professor Jody Freeman**. In 2008, Wendy, who has more than 25 years of experience as a practitioner in environmental and natural resources law, was appointed as an Assistant Clinical Professor of Law.



Wendy Jacobs

**Kara Gagnon** joins **Harvard Immigration and Refugee Clinic** as a social worker who will provide support to clients.

**Tyler Giannini**, formerly a **lecturer on law** at **Harvard Law School**, has been appointed as a **Clinical Professor**. Giannini – who teaches in the fields of business

and human rights, Alien Tort Statute (ATS) litigation, as well as the link between human rights and the environment – is also **Clinical Director of the Human Rights Program**. He is also a specialist on Burma, Southeast Asia, and South Africa.



Professor Tyler Giannini

The **Transactional Law Clinics at Harvard Law School** welcome **Joseph A. Heddal** as a **Clinical Instructor**, as well as two new **Clinical Fellows**, **Tessa Berkel '10** and **Therese Rohrbeck '08**.

**Fernando Delgado '08** joins the Harvard **International Human Rights Clinic** as the **Global Human Rights Advocacy Fellow**.

**Laura Openshaw '10** is a **Pro Bono Clinical Fellow** at the **Harvard Legal Aid Bureau**.

**Justin DuClos** is a **Clinical Fellow** and **Leah Cohen '10** is the **Sumner Redstone Fellow at Harvard Law School's Emmett Environmental Law and Policy Clinic**.

At the **Harvard Negotiation and Mediation Clinical Program**, **Jeremy R. McClane '02** is a Clinical Instructor and **Tobias Berkman '10** is a Clinical Fellow.

At **Harvard Law School's WilmerHale Legal Services Center**, new clinicians include **Emily Broad '08, Delta Senior Fellow**, **Sarah Downer '10, Sumner Redstone Fellow** in the clinic's family unit, **Lawrence Horsburgh '10, Sumner Redstone Fellow** in the predatory lending unit, **Amy Killelea, Health Law and Policy Fellow**, and **Tamara Kolz Griffin** is the **Senior Fellow/Attorney** in estate planning while **Jennifer Schaffer** is out on maternity leave.

A number of **Harvard Law School Clinical Fellows** have been promoted to **Clinical Instructor**: **Sabi Ardalan** of the **Harvard Immigration and Refugee Clinic**; **Dena Sacco** and **Christopher Bavitz**, both of the **Cyberlaw Clinic at the Berkman Center for Internet and Society**; **Stephan Sonnenberg** of the **Harvard Negotiation and Mediation Clinic**; and **Dorothee Alsentzer** of the **Health Law and Policy Clinic** at the **WilmerHale Legal Services Center**. **Harvard Law School** has 10 clinical faculty and more than 60 clinical instructors and lecturers on law in its clinical program, which includes more than 28 in-house clinics in areas ranging from cyberlaw to war crimes prosecution.☀

**Emily A. Benfer** joined **Loyola University Chicago School of Law** as a **Clinical Professor of Law** to create and direct the **Health Justice Project**, a live-client clinical course that enables students to participate in multiple aspects of the medical legal community partnership including: *training and education* of healthcare providers and frontline staff to screen for social determinants of health problems (such as food instability, unstable source of income, public benefits denials, substandard or unsanitary housing conditions, etc.); *representation of clients* referred by healthcare provider; and *systemic advocacy* projects. ☀



Professor Emily Benfer

The **Michigan State University College of Law Legal Clinic** welcomed three new clinical faculty members over the summer. First, **Brian Gilmore** comes to MSU from the **Clinical Law Center at Howard University School of Law** to serve as **Associate Clinical Professor of Law** and **Director of MSU's Housing Law Clinic**. In the **Housing Law Clinic** he joins **Elan Nichols**, who was promoted from clinical instructor to **Assistant Clinical Professor of Law**. Gilmore and Nichols are expanding the work of the **Housing Law Clinic** from its current focus on rental housing issues to fair housing, foreclosures, and other issues. **Veronica Thronson** joins the faculty as **Assistant Clinical Professor of Law** and **Director** of the newly created **Immigration Law Clinic**. Finally, **David Thronson** comes from his former role as **Associate Dean for Clinical Studies** at UNLV to join the faculty as **Professor of Law**. He teaches in the **Immigration Law Clinic** and teaches **Constitutional Law**. **Associate Clinical Professor of Law Nancy A. Costello** will lead the new **Great Lakes First Amendment Law Clinic** in 2011, in which students will teach on First Amendment at high schools, provide pro bono legal representation to high school and community college journalists, and conduct a Freedom of Information Act survey of school district regulations that govern First Amendment rights of student journalists. ☀

**Professor Jon Dubin** has been appointed the first **Associate Dean for Clinical Education** at **Rutgers–Newark Law School**. Dubin is **Professor of Law and Alfred C. Clapp Public Service Scholar**. In addition to overseeing the clinics, Professor Dubin teaches clinical and traditional classroom courses. Within the **Urban Legal Clinic**, he handles Social Security/disability matters and impact litigation, primar-

ily in the area of fair housing. His classroom courses are Administrative Law, Civil Rights, and Poverty Law. He was an American Civil Liberties Union Karpatkin Fellow before working as staff attorney and then director of litigation for the New York City Legal Aid Society's Civil Division, Harlem Neighborhood Office. At the NAACP Legal Defense and Educational Fund, he litigated class actions in the area of land use and housing law, including Newark Coalition for Low-Income Housing v. NHA & HUD, a still-active case to which he now assigns his Urban Legal Clinic students.

**Jenny-Brooke Condon**, joined the **Seton Hall Law School, Center for Social Justice** as an **Associate Professor of Law**. Professor Condon directs a new Equal **Justice Clinic**, and her litigation and scholarship address civil and human rights with a focus on the rights of women and immigrants, as well as national security law. Prof. Condon was a clinical teaching fellow and **Visiting Professor** at **Seton Hall Law** from 2005-2008.



Jenny-Brooke Condon

**Rachel E. Lopez** also joined the **Seton Hall Law School, Center for Social Justice**, as a **Clinical Teaching Fellow** for the **Equal Justice Clinic and Immigrants' Rights/International Human Rights Clinic**. She specializes in the litigation of immigration, human rights, and civil rights cases in domestic and international forums. Prior to joining the **Seton Hall Law School** faculty, Ms. Lopez served as a law clerk for the Honorable Justice Petra Jimenez Maes in the New Mexico Supreme Court.

In August 2010, **Patrice Smiley Andrews** joined the **Seton Hall Law School, Center for Social Justice**, as **Administrative Director**. Prior to joining the Center for Social Justice, she was a career counselor at **Rutgers School of Law-Newark**, practiced insurance and ERISA litigation in-house, and served in New York City government.☀



Eva Gutierrez

**Eva M. Gutierrez** joined **Stanford Law School** in 2010 as the **Orrick Herrington & Sutcliffe Clinical Teaching Fellow** in the **Organizations and Transactions Clinic**. Prior to joining the law school, Gutierrez was an associate in the Corporate Transactions Department of Gibson Dunn & Crutcher LLP in San Francisco, where she represented business organizations on merger and acquisition, securities regulation and

corporate governance matters. Previously, Gutierrez worked as an associate in the Corporate and Securities group of Covington & Burling LLP in Washington, DC, where she represented business organizations in transactional and corporate matters.

**Carly Munson** has joined the **Youth and Education Law Project** at **Stanford Law School** as a clinical teaching fellow. Before joining Stanford Law, Munson worked as a staff attorney for the Education Advocacy Program at the Disability Rights Legal Center. While there, Munson co-taught a course on special education law at Loyola Law School.

**Nisha Vyas** has joined **Stanford Law School** as the **Jay M. Spears Clinical Teaching Fellow** with the **Community Law Clinic**. Prior to joining Stanford Law School, Vyas served as deputy litigation director and staff attorney in the litigation department of the Southern California Housing Rights Center. There, she represented the claims of plaintiffs in housing discrimination cases in federal and state courts. She also previously served as a legislative aide in the state legislature, as a participant in the California Senate Fellows Program.



Nisha Vyas

**Anna R. Welch** has joined **Stanford Law School** as the **Cooley Godward Kronish Clinical Teaching Fellow** with the **Immigrants' Rights Clinic**. Before joining Stanford Law, Welch was awarded a J. William Fulbright Foreign Scholarship with the U.S. Department of State, which she used to investigate water systems management in Peru. She then served as an immigration attorney and Chair of the Immigration Department for Verrill Dana, LLP. Welch then went on to teach immigrant law as an adjunct professor at the University of Maine School of Law.☀

**Texas Wesleyan University School of Law** is pleased to announce that Cestina **Contreras**, a long-time supervising attorney in the **Texas Wesleyan Law Clinic**, has recently received a promotion to Law Clinic Professor under 405(c). Ms. Contreras started with the Law Clinic as a part-time **Adjunct Professor** in 2000, then became a full-time Law Clinic staff attorney in 2003 under a grant.☀

At **Syracuse University College of Law, Associate Professor and Disability Rights Clinic Director Michael Schwartz** was awarded tenure in February of 2010. Michael, who has a PhD in Disability Studies from Syracuse University School of Education, began teaching at the College of Law in August 2004. His primary areas of focus are employment, special education, and accessibility issues within public and professional settings. He and his students have developed effective partnerships with Syracuse University faculty in the Sociology Department and School of Education, and helped developed a Parent Advocacy Center that works to help educate students and parents involved in the clinic's special education work.☀



UNIVERSITY OF CALIFORNIA  
HASTINGS COLLEGE OF THE LAW

The **University of California Hastings College of the Law** has some exciting news. **Carol Izumi** has joined the faculty at Hastings after more than twenty years at **George Washington University**. She will be instrumental in expanding mediation clinic opportunities through her work with the **Center for Negotiation and Dispute Resolution** where she serves as **Acting Associate Director**.

**Alicia Plerhoples** is a visitor this year. She is teaching Corporations and Contract Writing & Analysis this fall. Before visiting, she taught at **Stanford** in the **Organizations & Transactions Clinic** where she was the **Orrick, Herrington & Sutcliffe Clinical Teaching Fellow**. In the clinic she supervised students providing transactional and other corporate legal services to Northern California nonprofit organizations.

The **Hastings Center for Gender and Refugee Studies** welcomes **Robin Goldfaden** a **Clinical Teaching Fellow** who is co-teaching in **Refugee and Human Rights Clinic (RHRC)**. Robin joins the RHRC after serving for a number of years as senior staff attorney at the ACLU Immigrants Rights Project. CGRS bid a fond farewell to **Kim Thuy Seelinger** who was CGRS's first **Clinical Teaching Fellow**. Kim has gone on to work on gender-based violence at **U.C. Berkeley's Human Rights Center**.

The **Hastings Civil Justice Clinic** is fortunate to have two **Clinical Teaching Fellows**. **Mai Linh Spencer** is beginning the second year of her fellowship. She most

recently did appellate work with the California State Public Defender's Office. **Lara Bazelon** began her fellowship this summer. She relocated from Southern California where she practiced with the Federal Public Defender and a private firm. Both Linh and Lara are talented teachers and lawyers and we feel honored to be working with them.

## THE UNIVERSITY OF MONTANA SCHOOL OF LAW CLINICAL PROGRAM

**Peggy Tonon** retired from her position as **Clinic Director** for the **UM Law School** at the end of the Summer Clinic Session. We will miss Peggy and the wonderful influence she provided, mentoring students and administering the clinical program for over the last 20 years.

**Greg Munro**, the **UMLS Director of Professional Skills**, has stepped in as **Clinic Director**. He has been a Professor at the School of Law since 1988. In addition to teaching PreTrial

Advocacy, Trial Practice and Insurance Law, Greg has served as the Director of Professional Skills since 1988 and as chair of the Clinic Committee for over 15 years.

This year, we welcome **Jordan Gross** as a member of our full-time and clinical faculty. Professor Gross will supervise the law school's external prosecution clinics and will be teaching Professional Responsibility beginning in the Spring 2011 semester.

**Professor Eduardo Capulong**, the **Director of the Law School's In-House Mediation Clinic** was recently promoted to **Associate Professor**. In addition to his duties as Director, Eduardo supervises students in external civil clinics and teaches Advanced Mediation, Mediation Advocacy, and Cause Lawyering. Prior to joining The University of Montana law faculty, Professor Capulong was **Acting Assistant Professor of Lawyering** at the **New York University School of Law**, and **Director of Public Interest and Public Policy Programs**, and **Lecturer in Law and Urban Studies**, at **Stanford Law School**.

**Peter Joy, Vice Dean and Professor of Law** will be installed as the **Henry Hitchcock Professor of Law** at **Washington University School of Law** on March 22, 2011. Peter is well known and respected nationally and internationally for his many contributions to teaching, practice, and scholarship in clinical legal education, legal ethics, and trial practice. Throughout his 30 years in academia, Peter has inspired countless students and colleagues, and transformed the lives of many clients.



Peter Joy

He is also a Past-President of the Clinical Legal Education Association and a former Chair of the AALS Section on Clinical Legal Education. He was the recipient of the 2001 AALS Pincus Award for his tireless advocacy and scholarship in the defense of law school clinics from political interference.



## PUBLICATIONS AND PRESENTATIONS

### **Annette Appell, (Washington University):**

*Legal Issues in Lesbian and Gay Adoption* in *LESBIAN AND GAY ADOPTION: A NEW AMERICAN REALITY* (eds. D. Brodzinsky, A. Pertman & D. Kunz) (Oxford University Press (forthcoming)).

*The Open Adoption Option*, *CHILDREN'S RIGHTS*, ABA (2010).

*Controlling for Kin: Ghosts in the Postmodern Family*, 25 *WISCONSIN JOURNAL OF LAW, GENDER & SOCIETY* 73 (2010).

*Reflections on the Movement Toward a More Child-Centered Adoption*, 32 *WESTERN NEW ENGLAND LAW REVIEW* 1 (2010).



Annette Appell

**Baher Azmy (Seton Hall)**, *Executive Detention, Boumediene, and the New Common Law of Habeas*, 95 *IOWA L. REV.* 445 (2010).

**Wendy Bach (University of Tennessee)**, *Governance, Accountability and the New Poverty Agenda*, 2010 *WISC. L. REV.* 239.

### **Tamar R. Birckhead (University of North Carolina):**



Graham v. Florida: *Justice Kennedy's Vision of Childhood and the Role of Judges*, 6 *DUKE J. CONST. L. & PUB. POL'Y* 66 (2010).

*Culture Clash: The Challenge of Lawyering across Difference in Juvenile Court*, 62 *RUTGERS L. REV.* 959 (2010).

Guest Speaker, "The Art of Social Change: Child Welfare, Education, and Juvenile Justice," Child Advocacy Program, Harvard Law School, Cambridge, MA, Oct. 28, 2010.

**Frank S. Bloch (Vanderbilt)**, *THE GLOBAL CLINICAL MOVEMENT: EDUCATING LAWYERS FOR SOCIAL JUSTICE* (Oxford University Press 2010) (editor). Contributors to this volume also include the following members of this section: **Margaret Martin Barry, Liz Ryan Cole, Peter Joy, Susan Kay, Catherine Klein, Jennifer Lyman, Peggy Maisel, Ed O'Brien, Jay Pottenger, Barbara Schatz, Karen Tokarz, Chuck Weisselberg, and Rick Wilson.** The Table of Contents and a description of the book can be seen at the Oxford University Website: <http://www.us.oup.com/us/>

catalog/general/subject/Law/GeneralAcademic/?view=usa&sf=toC&ci=9780195381146

**Nicole S. Dandridge, (Michigan State)** *Racial Equity and Social Capital: Challenges Facing Black Entrepreneurs*, 32 W. NEW ENG. L. REV. 471 (2010). Nicole Dandridge will present her forthcoming article, *Choking Out Local Community Service Organizations: Increasing Federal Regulation Requirements Imposed Upon Small Community Nonprofit and Charitable Entities and Potential Realistic Limits*, at the AALS Section on Nonprofit and Philanthropy Law's program of the AALS Annual Conference and presented at the AALS Midwest Conference on Clinical Legal Education on *Looking Forward: Incorporating Aspects of Medical School Clinical Pedagogy to Produce Law Graduates Ready for Hire in a Competitive Market*.

**Chris Fabricant, (Pace)**, *War Crimes & Misdemeanors: Understanding Compstat-Based "Zero Tolerance" Policing as a Form of Collective Punishment*, 3 DREXEL L REV. \_\_\_ (forthcoming 2011).

**Linda Fisher (Seton Hall)**, *Target Marketing of Subprime Loans: Racialized Consumer Fraud & Reverse Redlining*, 18 BROOKLYN J. OF L & POL. 1 (2009).

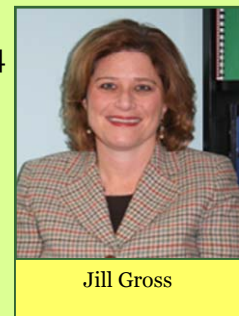
**Barbara Gilchrist (Saint Louis University School of Law)** wrote a chapter on Medicare and Supplemental Health Insurance for the Missouri CLE handbook on Elder Law.

**Jill Gross, (Pace):**

*The End of Mandatory Securities Arbitration?*, 30 PACE L. REV. 1174 (2010)

*Arbitration Case Law Update 2010*, in SECURITIES ARBITRATION 2010 (Practising Law Institute)

*Banks and Brokers and Bricks and Clicks: An Evaluation of FINRA's Proposal to Modify the Bank Broker-Dealer Rule*, 73 ALBANY LAW REV. 465 (2010) (symposium volume) (with Edward Pekarek).



**Amany Ragab Hacking (Saint Louis University)**, *"A New Dawn for Muslims: Asserting their Civil Rights in Post-9/11 America,"* 54 ST. LOUIS U. L.J. 739 (Spring 2010) and *"Plea at your Peril: When is a Vacated Plea still a Plea for Immigration Purposes?"* ST. LOUIS U. PUBLIC LAW REVIEW (forthcoming 2010).

**Henry L. Hecht (University of California— Berkeley),** *Effective Depositions* 2nd ed. (ABA 2010) .

**Deborah Kenn (Syracuse),** *The Road Less Travelled II— Paving a Path to Satisfying Legal Careers Away from the Law Firm Highway* (2010) (presentation).

**Stefan H. Krieger (Hofstra):**

*A Tale of Election Day 2008: Teaching Storytelling Through Repeated Experiences*, 16 J. LEGAL WRITING INST. 117 (2010) (with Serge Martinez).

*The Place of Storytelling in Legal Reasoning: Abraham Joshua Heschel's Torah min Hashamayim*, 6 STORYTELLING, SELF & SOCIETY 169 (2010).



**Robert R. Kuehn & Peter A. Joy (Washington University),** "Kneecapping" *Academic Freedom*, 96 ACADEME 8 (2010).

**Hugh M. Lee (University of Alabama),** recently authored *Alabama Elder Law*, 2010-2011 ed. , (West Practice Series). His co-author is Jo Alison Taylor, former Director of the Elder Law Clinic. He also completed his service as reporter for Alabama's Uniform Guardianship and Protective Proceedings Jurisdiction Act, which was passed into law this year. His article explaining the act and its provisions appeared in the September 2010 edition of Alabama Lawyer magazine.

**Bryan Lonegan (Seton Hall),** *Sinners or Saints: Child Soldiers and the Persecutor Bar to Asylum After Negusie v. Holder*, 31 B.C. THIRD WORLD L.J. (forthcoming Dec. 2010).

**Andrea D. Lyon (DePaul),** *Angel of Death Row: My Life as a Death Penalty Defense Lawyer* (2010).

**Karla McKanders (University of Tennessee):**

*Shades of Gray*, 17 CLINICAL L. REV. 223 (2010).

“Class Based Coalition Building During the ‘Post-Racial’ Era,” 29 ST. LOUIS U. PUB. L. REV. 2 (2010).

“Sustaining Tiered Personhood: Jim Crow and Anti-Immigrant Laws,” 26 HARVARD JOURNAL ON RACIAL AND ETHNIC JUSTICE 163 (2010).

“Unspoken Voice of Indigenous Women in Immigration Raids,” 14 J. GENDER RACE & JUST. \_\_\_ (forthcoming 2011).

**Mary Helen McNeal (Syracuse)** recently presented at the Northwest Clinicians Regional Conference in Leavenworth, WA, speaking on the topic “Lawyering, Culture and Place.”

**Kate Mewhinney (Wake Forest):**

Book review of "*Theories on Law and Ageing: The Jurisprudence of Elder Law*," (Springer 2009, edited by Israel Doron), in NAELA Journal (National Academy of Elder Law Attorneys), Vol. 6, No. 1 (Spring 2010).

Received the Howard L. Gum Service Award from the North Carolina State Bar, for her work in spearheading board certification of elder law attorneys in the state. [www.nclawspecialists.gov/award\\_winners.asp](http://www.nclawspecialists.gov/award_winners.asp)

Presented "*Housing, Employment, Age and Disability Discrimination*," at Advanced Elder Law Review Course, the National Academy of Elder Law Attorneys' annual meeting in Orlando, May 11, 2010.; "*Mediation Before the Clerk of Court*," at the N. C. Guardianship Association Annual Meeting, Asheville, NC, May 20, 2010 and "*Medical Legal Partnerships Serving the Elderly*," National Aging and Law Conference (sponsors include ABA, AARP, NAELA), Alexandria, VA; Dec. 11, 2010.

Professor Mewhinney also Joined the National Center for Medical-Legal Partnership, with Wake Forest University School of Medicine's Department of Internal Medicine, Section on Geriatrics. <http://tinyurl.com/2amewtp>.

**Joey Mogul (DePaul University)**, *Queer (In)Justice: The Criminalization of LGBT People in the United States* (forthcoming 2011) (with Andrea Ritchie and Kay

Whitlock).

**Lori A. Nessel (Seton Hall)**, *The Practice of Medical Repatriation: The Privatization of Immigration Enforcement and Denial of Human Rights*, 55 WAYNE L. REV. 1725 (2009).

**Elan Nichols (Michigan State)** was selected to Chair and served on the Academic Organizing Committee for the 7th Annual International Conference on Law at the Athens Institute for Education Research, in Athens, Greece, July 19-22, 2010.

**David B. Oppenheimer** (University of California — Berkeley):

*The Great Dissents of the Lone Dissenter: The Dissenting Opinions of Justice Jesse W. Carter* (ed., with Alan Brotsky) (Carolina Academic Press 2010).

*Anti-Discrimination Law: A View From 10,000 Meters*, 10 EUROPEAN ANTI-DISCRIMINATION LAW REVIEW 19 (July, 2010)

*Housing Discrimination, Proposition 14 and the Protection of Minority Rights*, 40 GOLDEN GATE LAW REVIEW 117 (2010).

**Edward Pekarek** (Seton Hall):

*The Goldman Sachs Swaps Shop: An Examination of Synthetic Short Selling Through Credit Default Swaps and the Implications of SEC v. Goldman Sachs & Co., et al.*, chapter in *The Short Seller Handbook*, Elsevier Publishing (with C. Lufrano, 2010).

*Banks and Brokers and Bricks and Clicks: An Evaluation of FINRA's Proposal to Modify the Bank Broker-Dealer Rule*, 73 ALBANY LAW REV. 465 (2010) (symposium volume) (with Jill Gross).

**Andrew S. Pollis (Case Western)**, *The Need for Non-Discretionary Interlocutory Appellate Review in Multidistrict Litigation*, — FORDHAM L. REV. — (forthcoming in March 2011). A preview is available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1651271](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1651271) .

**Sarah E. Ricks (Rutgers-Camden)**, *CURRENT ISSUES IN CONSTITUTIONAL LITIGATION: A CONTEXT AND PRACTICE CASEBOOK* (Carolina Academic Press, forthcoming De-

ember 2010) (with contributions by **Evelyn Tenenbaum** (Albany). The casebook is part of the Context and Practice Series designed and edited by **Michael Hunter Schwartz**.

**Dean Rivkin (University of Tennessee):**

*“Strip-Mining and Grassroots Resistance in Appalachia: Community Lawyering for Environmental Justice,”* 2 L.A. PUB. INT. L.J. 158 (2010) .

*Reflections from Two Boomers,* 17 CLINICAL L. REV. 197 (2010) (co-author, **Minna Kotkin** (Brooklyn).

**Jon Romberg** (Seton Hall), *The Means Justify the Ends: Structural Due Process in Special Education Law,* HARV. J. ON LEGIS. (forthcoming Vol. 48, No. 2).

**Gwynne Skinner** (Willamette):

*“When Customary International Law Violations Arise Under the Laws of the United States,”* 36 BROOK. J. INT’L L. \_\_\_ (2010)

*“Customary International Law, Federal Common Law, and Federal Court Jurisdiction,”* 44 VALPARAISO L. REV. 825 (Spring 2010)

*“Bringing International Law to Bear on the Detention of Refugees and Conditions of Immigrant Detention in the United States,”* WILLAMETTE JOURNAL OF INTERNATIONAL LAW AND DISPUTE RESOLUTION, Vol. 16, 2 (Fall 2010) (symposium publication).

**David Thronson (Michigan State):**

*Thinking Small: The Need for Big Changes in Immigration Law’s Treatment of Children,* 14 U.C. DAVIS J. JUV. L. & POL’Y 239 (2010).

*Immigration Issues—Representing Children Who Are Not United States Citizens,* in CHILD WELFARE LAW AND PRACTICE: REPRESENTING CHILDREN, PARENTS AND STATE AGENCIES IN ABUSE, NEGLECT AND DEPENDENCY CASES (Donald N. Duquette and Ann Haralambie eds., 2d ed. forthcoming 2010) (co-author Kathy Brady).

Professor Thronson will present on the “Progression of Legal Education” at the Harvard Law School’s Board of Student Advisors Centennial Event on October 9, 2010. He

also will present a paper at the University of South Carolina's Race and the Family Conference on October 16, 2010 and will participate in a Roundtable on Impact of Immigration Enforcement and Detention on Parental Rights convened by Legal Momentum on November 3, 2010. In addition, he and Veronica Thronson are conducting an ongoing series of training sessions on immigration issues in state courts for judges and other court personnel in Arizona, Michigan and Nevada through the National Center for State Courts and the Michigan Judicial Institute.

**Deborah Weissman (University of North Carolina):**

*The Legal Production of the Transgressive Family: Binational Family Relationships Between Cuba and the United States*, 88 North Carolina Law Review 1881 (2010)

*The Moral Politics of Social Control: Political Culture and Ordinary Crime in Cuba* (with Marsha Weissman), 35 BROOKLYN J. OF INT'L L. 311 (2010).

Global Economics and Their Progenies: Theorizing Femicide in Context, in *Terrorizing Women, Femicide in the Americas*, (Rosa-Linda Fregoso and Cynthia Bejarano, Eds., 2010 Duke Press) (book chapter) Panels:

Shifting the Paradigm of Femicide Studies, Latin American Studies Association Congress, October 8, 2010, Toronto, CA.

Geographic, Economic, and Social Factors, Influencing Intra-Family Violence and Legal Responses to It, Domestic Violence and Economic Strain: Rethinking Socio-Legal Responses, Law and Society, May 30, 2010 Chicago, IL.

Redefining Human Rights Lawyering Through the Lens of Critical Theory, AALS Conference on Clinical Legal Education. May 7, 2010, Baltimore Md.

The **AALS Section on Pro Bono and Public Service** is pleased to announce the winners of its **Call for Papers** for its session at the **Annual Meeting, *Beyond Externships and Clinics: Best Practices for Integrating Access to Justice Education*** on Saturday, January 8, 2011, at 10:30. The six papers listed below were selected from a field of 19 submissions. At the Section's session, each presenter will describe their curriculum innovation for 5 minutes, followed by discussion. Please congratulate our winners!

**Papers to be Presented  
AALS Section on Pro Bono and Public Service,  
AALS Annual Meeting 2011**

*\*presenting*

<b>Name of Authors</b>	<b>Paper Title</b>	<b>School</b>
Mary Nicol Bowman Associate Professor Lawyering Skills*	Engaging First-Year Law Students through Pro Bono Collaborations in Legal Writing	Seattle
Kimberly Emery, Assistant Dean for Pro Bono and Public Interest*	Instilling a Commitment to Service: The Law Firm Pro Bono Seminar	University of Virginia
Gregory Germain, Associate Professor*	Moving from the Classroom to the Courtroom: A Doctrinal Teacher's Experience Supervising Pro Bono Bankruptcy Cases	Syracuse
Susan Maz-Rothstein, Professor*	Northeastern's Experiential Legal Skills in Social Context Course: Using Law for Social Change and Lawyering Training	Northeastern
David Oppenheimer-Lecturer in Residence, Skills Program Director & Clinical Professor* and Sue Schechter, and Field Placement Director	Engaging Law Students in Pro Bono Work Across the Curriculum: the Student Initiated Legal Services Projects at Berkeley	UC Berkeley
Susan Waysdorf, Professor* and Laurie Morin, Professor	The Service-Learning Model In the Law School Curriculum: Expanding Opportunities For the Ethical-Social Apprenticeship	UDC



# ANNOUNCEMENTS

## **FULL-TIME CLINICAL POSITION**

### **CORNELL LAW SCHOOL**

Cornell Law School seeks applicants to fill a full-time clinical position beginning in August, 2010. Clinical professors are on nine-month academic year appointments and are eligible for summer financial support for case coverage, summer research or special projects. The law school has a number of in-house clinical offerings, and is open to the possibility of a new subject matter clinic.

Duties include classroom teaching as well as direct supervision of second and third year students in professional lawyering contexts. Minimum qualifications include a J.D. degree and at least five years practice experience. Experience in clinical education is preferred. Women, members of minority groups and physically challenged persons are encouraged to apply. Cornell is an equal opportunity, affirmative action employer.

A curriculum vitae and cover letter should be directed to Prof. Sheri Johnson, Clinical Search Committee, Cornell Law School, Myron Taylor Hall, Ithaca, NY 14853.☀

## **NEW DIRECTIONS IN DISPUTE RESOLUTION AND CLINICAL EDUCATION VOLUME**

Volume 34 of the Washington University Journal of Law & Policy, soon to hit the newsstands, will focus on “New Directions in Dispute Resolution and Clinical Education.” The product of a scholarship roundtable coordinated by Annette Appell and Karen Tokarz in fall 2009, this volume features articles by **Beryl Blaustone and Carmen Huertas, CUNY; Kimberly Carpenter Emery, University of Virginia; Jeff Giddings, Griffith University; Jon Hyman, Rutgers; Paul Holland, Seattle University;** and **Carol Izumi, GW**. To access the clinical scholarship volume, go to <http://law.wustl.edu/Journal/index.asp?ID=6826>☀

**Visiting Clinical Professor**  
**University of Iowa College of Law**  
**Clinical Legal Programs - Family Assistance Project**

The University of Iowa College of Law seeks a Visiting Clinical Professor to teach in our Clinical Legal Programs for 2011-12. The professor will be responsible for developing and implementing a clinical family assistance program made possible by a grant from the Iowa Children=s Justice initiative at the Iowa Supreme Court. The principal responsibility will be supervising students in the program who will represent parents involved in Child in Need of Assistance and termination proceedings in state courts in the Iowa City area. Teaching in our clinical classroom component will also be required. The position will also involve developing educational programs for lawyers and judges involved in the child welfare system. This is a twelve month position and the preferred start date is July 1, 2011.

Candidates should have a J.D. from an accredited law school and an excellent academic record, be admitted to or eligible for admission to the Iowa Bar and have significant experience in the adjudication of child welfare cases. Candidates with prior experience in clinical teaching or a strong interest and background in legal education are encouraged to apply. The position will require excellent research, writing, and organizational abilities.

Salary and rank will be commensurate with experience, within the range of law school visitorships. This is a full-time position, with benefits.

The screening of applications will begin on December 15, 2010, and may continue until the position is filled. Please submit a cover letter, resume, writing sample and names of two references to:

**John B. Whiston**  
**Clinical Professor of Law**  
**University of Iowa College of Law**  
**Iowa City, IA 52242**

**Externship 6** – the 6th national conference on externship pedagogy is scheduled to be held in 2012. Clinicians who may be interested in hosting Externship 6 are encouraged to immediately contact Jennifer Zawid, Externship 5 Conference Chair, at the University of Miami School of Law for information, email: [jzawid@law.miami.edu](mailto:jzawid@law.miami.edu) It is anticipated that a host school will be selected shortly after the AALS Annual Conference in San Francisco. ☀

***“Effective Feedback: Performance Critique”***  
**Vermont Law School**  
**January 27-29, 2011**

Improve your own Feedback. Become familiar with a method you can use to help colleagues and those you supervise use feedback as an effective teaching tool. VLS is hosting our 2 day-long workshop *“Effective Feedback: Performance Critique”*. This workshop is appropriate for law teachers, and practicing lawyers, whether they supervise law students or lawyers and support staff. Taking advantage of the relative quiet January at Dartmouth, we will meet at the Hanover Inn (30 minutes from Vermont Law School, 2 hours from Boston with direct express bus service). The session begins on Thursday evening January 27 and ends Saturday mid day, January 29. (you are welcome to stay on until Sunday at the very attractive rates we have negotiated for the workshop).

This workshop is eligible for CLE credit and includes 2 ethics credits for our session on “The Ethics of Supervision”. More information is available on the VLS web site. Note that partial and full scholarships are available, especially for lawyers who are supervising students who are apprenticing for academic credit. You may also contact Liz Ryan Cole directly, 802.831.1240.☀

The **Legal Writing Institute (LWI)** and **CLEA** are co-sponsoring the third biennial **International Applied Storytelling Conference**, taking place July 8-10, 2011 at the University of Denver, Sturm College of Law. This is a very collegial and supportive conference and we welcome proposals from people who are new to applied storytelling as well as from those who have already been part of the conversation. Proposals are due December 7, 2010 and the information can be found on the LWI website ([www.lwionline.org](http://www.lwionline.org)).☀

**CLEA New Clinicians Conference**  
**Seattle, Washington**  
**June 12<sup>th</sup>, 2011**

Continuing the Tradition! The Clinical Legal Education Association (CLEA) New Clinicians Conference will take place right before the AALS Clinical Workshop in Seattle, on June 12th at the Seattle University School of Law. This conference is designed for newer clinicians as a fun and informative introduction to clinical teaching and the clinical community. We will cover pedagogical matters, supervision issues, introduce you to the history and current debates of the clinical movement, and much much more!

Often, attendees have been teaching for a year or two when they attend this conference. Accordingly, even those who attended the AALS Workshop for New Clinical Teachers last summer will have a lot to gain, since we design exercises to incorporate the clinical experiences of attendees into the training and build in time to help you reflect on your particular setting. However, if you haven't started teaching yet, this would still be a terrific conference for you. And if you have been teaching more than two years but have never come, you are more than welcome!

Watch for more details on the LAWCLINIC listserv and the CLEA website ([www.cleaweb.org](http://www.cleaweb.org)) in the coming month or so. In the meantime, if you have questions email Conference Co-Chair Laura McNally at [laura.mcnally@case.edu](mailto:laura.mcnally@case.edu).☀

**Loyola University Chicago School of Law** will host the **2011 Norman Amaker Public Interest Law Retreat**. All mid-west law students and faculty are invited to attend. Amaker offers students, faculty, and practitioners from the Midwest an opportunity to gather together to examine public interest issues. Like the Cover Retreat, the purpose of Amaker is to offer public interest minded law school students an opportunity to meet and network with other students from around the country while grappling with pressing public interest issues and the ways law may be used as an instrument of social change. Not only does this provide students with a network while in school; it provides the foundation for a professional network to support their public interest ambitions throughout their careers. Students also interact with lawyers, legal academics, and other professionals who can offer guidance and serve as role models and mentors, helping students shape their public interest career goals. For more information, please contact Emily Benfer at [ebenfer@luc.edu](mailto:ebenfer@luc.edu).☀

### **11<sup>TH</sup> ANNUAL ACCESS TO EQUAL JUSTICE COLLOQUIUM, MARCH 28, 2011**

This academic year's colloquium, organized by Annette Appell, Adrienne Davis and Emily Hughes, will focus on Black feminist thought and praxis. Confirmed speakers are Beth Ritchie, Angela Harris, Song Richardson, Valerie Purdie-Vaughns, Adele Morrison, Catherine Smith, and Frank Rudy Cooper. Topics include restorative justice, implicit bias, and violence against vulnerable groups. ☼

The Membership and Outreach Committee launched its mentoring project, the **Clinician's Helping Hand Project**, over the summer. Thirty-three people have been matched with a mentor this year as a result of the project. If you would like to request a mentor or are interested in serving as a mentor, please contact Margaret Johnson, Co-Chair, Outreach and Membership Committee, at [majohnson@ubalt.edu](mailto:majohnson@ubalt.edu). ☼

## AALS Clinical Section Committees

### Executive Committee



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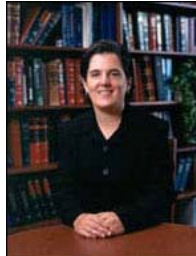
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## AALS Clinical Section Committees Other Standing Committees

### 2011 ANNUAL MEETING PROGRAM COMMITTEE



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## AALS Clinical Section Committees Other Standing Committees

### AWARDS



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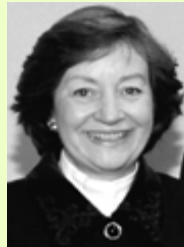
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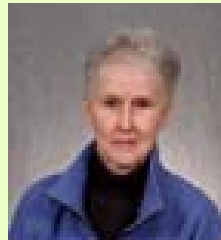


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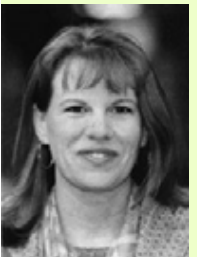
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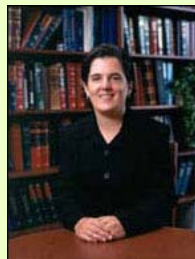
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## **CONTINUING SURVEY OF CLINICIANS WHO HAVE CONSULTED OR TAUGHT IN A FOREIGN COUNTRY**

This is part of an ongoing project to identify clinical teachers in any country who have experience as consultants on legal education or as teachers in any capacity in countries other than their own (including their own schools' semester abroad or foreign summer programs). The compilation of the results of this survey over the years is on the web site of Columbus School of Law, The Catholic University of America. To access it, go to the link the bottom of the page at <http://faculty.cua.edu/ogilvy> "U.S. Clinicians in International Settings"

If you have consulted or taught in other countries, or have confirmed plans to do so, please fill out this form (or report the information in any format) and send it to:

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Columbus School of Law  
The Catholic University of America  
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Washington, DC 20064  
202|319-6195, Fax 202|319-4459  
email: [Ogilvy@law.cua.edu](mailto:Ogilvy@law.cua.edu)

If you want to report more than one international teaching or consulting experience, please complete multiple copies of the survey or write on the back of this form. Please write legibly to help me avoid spelling errors.

**Your Name:** \_\_\_\_\_ **School:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Country where you worked:** \_\_\_\_\_ **City:** \_\_\_\_\_

**Foreign Institution/s:**

**Inclusive Dates:**

**Source of Funding** (circle as many as apply): sabbatical; other funds from your school; CEELI/AFLI; Soros; Ford; USAID; foreign school; foreign government; Fulbright; other:

**Brief Description of Purpose** (including any subjects taught):

## **CLEAN COPY OF THE PROPOSED BY-LAWS**

### **ASSOCIATION OF AMERICAN LAW SCHOOLS Bylaws of the Section on Clinical Legal Education**

#### **Article I. Name and Purpose**

Section 1. Name.

This section shall be known as the Section on Clinical Legal Education (hereinafter referred to as the Section).

Section 2. Purpose.

The purpose of this Section is to promote the communication of ideas, interests and activities among members of the Section and to make recommendations on matters concerning clinical legal education.

#### **Article II. Membership**

Section 1. Membership.

(a) Regular membership in the Section is open to any faculty member at a law school that is a member of the Association of American Law Schools (hereinafter referred to as AALS).

(b) Associate membership is open to any other person who is concerned with the teaching, administration and advancement of clinical legal education.

Section 2. Privileges of Members.

(a) Regular members shall be eligible to vote, hold office in the Section and serve on the Section's Executive Committee, and to participate in the programs, meetings and activities of the Section.

(b) Associate members may participate to the fullest extent permitted by AALS Executive Committee Regulations in the programs, meetings and activities of the Section, but may not vote, hold office in the Section, or serve on the Section's Executive Committee.

#### **Article III. Officers and Committees**

Section 1. Officers.

The officers of this Section are the chair, the chair-elect, the secretary and the treasurer. All officers must be regular members of the Section. At the Section's business meeting during each AALS annual meeting, the membership of the Section shall elect a regular member of the Section to serve a two-year term, the first year as chair-elect and the second year as chair. The Section may elect two members to serve as co-chairs-elect

and then co-chairs. The secretary shall be appointed and the treasurer shall be elected in accordance with Article V of these bylaws.

## Section 2. Executive Committee.

(a) The Executive Committee of the Section (hereinafter referred to as the “Executive Committee”) shall normally consist of nine elected voting members: the Section chair, chair-elect, treasurer and six other elected members (one of whom will be appointed secretary as provided in Article V below). All members of the Executive Committee must be regular members of the Section. In the event the Section elects two members to serve as co-chairs-elect, the size of the Executive Committee shall be increased accordingly. The immediate past chair shall serve as an *ex officio*, non-voting member of the Executive Committee.

(b) The members of the Executive Committee shall be elected by the regular members of the Section at the Section’s business meeting during the AALS annual meeting. Members of the Executive Committee shall serve the following terms: The chair-elect shall be elected to a two-year term, serving in the first year as chair-elect and in the second year as chair. The Treasurer shall be elected to a three-year term and may be elected to one successive three-year term. The remaining six members of the Executive Committee shall be elected to three-year terms and shall be ineligible to serve successive three-year terms. The terms of those remaining members shall be staggered to provide for the election of two members each year. In the event of a vacancy, the chair shall appoint a regular member of the Section to serve until the next AALS annual meeting, at which time a regular member shall be elected to serve any remaining portion of the term.

(c) The Executive Committee’s duties include: (1) discussing issues relating to Section governance and clinical legal education; (2) making recommendations when appropriate on policies affecting clinical legal education to the AALS Standing Committee on Clinical Legal Education and to the AALS Executive Committee; (3) soliciting and receiving reports from standing and special committees of the Section; (4) reviewing and approving the proposed expenditure of Section income in accordance with Article VI; (5) designating a member of the Executive Committee to serve as liaison between the Section and the AALS Standing Committee on Clinical Legal Education; (6) considering the approval of statements of Section position or policy in accordance with Article VII; and (7) taking any other appropriate action in furtherance of the Section’s purpose. With the approval of the AALS Executive Committee, the Section’s Executive Committee may also designate members of its Executive Committee to serve as liaisons between the Section and sections of the American Bar Association and other organizations whose activities bear on clinical legal education.

(d) The Executive Committee shall meet at least annually during the AALS annual

meeting and at such other times as designated by the chair of the Section.

### Section 3. Standing Committees.

(a) The standing committees of the Section shall be the Nominating Committee, the Annual Meeting Program Committee, the Membership, Outreach and Training Committee, the Communications Committee, the Awards Committee, and the Committee on Lawyering in the Public Interest. The chair, in consultation with the Executive Committee, shall determine the size, appoint the membership, and appoint the chair of each standing committee. The chair shall promptly inform the Executive Committee of all appointments. The membership of standing committees should reflect different geographic regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements. With the approval of the Executive Committee, the chair may establish additional standing committees as deemed necessary and appropriate to carry out the functions of the Section.

(b) Nominating Committee. The Nominating Committee shall: (1) nominate persons who are regular members of the Section to fill open positions on the Executive Committee; and (2) perform such other tasks and make such other nominations as charged by the chair after consultation with the Executive Committee. In order to create a slate of nominees for open positions on the Executive Committee, the Nominating Committee shall solicit from Section members the names of potential nominees who are regular members of the Section; shall select nominees; and shall report the names of the nominees to the Section chair not less 60 days before the AALS annual meeting. When selecting nominees for open positions on the Executive Committee, the Nominating Committee shall consider the suitability of the potential candidates for office and shall strive to have the composition of the Executive Committee reflect different geographical regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements.

(c) Annual Meeting Program Committee. The Annual Meeting Program Committee: (1) shall determine the nature, format and content of the Section program for the AALS annual meeting; (2) shall arrange for speakers, participants and materials for the AALS annual meeting; and (3) shall notify Section members regarding the AALS annual meeting.

(d) Membership, Outreach and Training Committee. The Membership, Outreach and Training Committee shall: (1) design and implement programs and plans to increase and retain membership in the Section; (2) establish and maintain a mentoring program through which experienced clinicians support newer clinicians in their professional development and through which any clinician at a professional transition point might seek guidance and expertise from colleagues; (3) encourage, assist, and provide support for the development and implementation of conference and training programs for clinical educators on a national and/or regional basis; and (4) as requested by the

chair, engage in other projects or activities consistent with the Section's membership, outreach and training goals.

(e) Communications Committee. The Communications Committee shall design and implement effective methods for the Executive Committee to communicate with Section members and for Section members to communicate with one another. At least one member of the Executive Committee shall serve on the Communications Committee.

(f) Awards Committee. The Awards Committee shall proceed as follows:

(1) The Committee shall solicit nominations for two awards, the William Pincus Award and the M. Shanara Gilbert "emerging clinician" award.

(2) The purpose of each of the awards is to honor Section members and other individuals who have made an outstanding contribution to the cause of clinical legal education. The Section's officers – chair, chair-elect, secretary and treasurer – shall be ineligible to receive an award in the year of and the year following their service. The Committee may choose to give one or both of the awards in a given year. The awards may be announced formally at the AALS annual meeting or at an annual clinical conference or workshop.

(3) The Awards Committees shall have no fewer than three members and at least three members who are regular members of the Section.

(4) The criteria for the William Pincus Award shall be based on scholarship, program design and implementation, or other activity beneficial to clinical education or to the advancement of justice.

(5) The Shanara Gilbert "emerging clinician" award will be awarded to a recent entrant (10 years or less) into the clinical legal education community who is eligible to be a member of the Section and who has demonstrated some or all of the following qualities:

- (A) a commitment to teaching and achieving social justice particularly in the areas of race and the criminal justice system;
- (B) an interest in international clinical legal education;
- (C) a passion for providing legal services and access to justice to individuals and groups most in need;
- (D) service to the cause of clinical legal education or to the AALS Section; and,
- (E) desirable, but not required, an interest in the beauty of nature.

(6) The Awards Committee recommendations shall be forwarded to the Executive Committee for consideration and approval, and then forwarded to the AALS for approval in accordance with AALS requirements. Awards made by the Section shall also comply with any other applicable AALS requirements.

(g) Committee on Lawyering in the Public Interest. This Committee shall select and encourage the work of the Bellow Scholars, and shall encourage and support any other activities which advance the cause of public interest lawyering.

(1) The Committee shall select as Bellow Scholars clinical legal educators who propose projects which exemplify the personal and professional qualities, particularly innovation and critical analysis, exhibited by Gary Bellow. The Committee may select one or more Bellow Scholars in any given year.

(2) The Committee shall select Bellow Scholars based on proposals from interested applicants. Interested applicants shall submit proposals that involve law students and faculty in anti-poverty initiatives or access to justice projects. Projects that involve collaboration between lawyers and other professionals or empirical analysis are encouraged. Applications shall include:

- (A) a detailed description of the project;
- (B) the projected goals of the project;
- (C) a timeline for completion of the project; and
- (D) a description of how the project will be evaluated.

(3) The Bellow Scholars shall be announced formally at an AALS event. The Scholars will present their conclusions for debate, reflection and critical analysis.

#### Section 4. Special Committees.

With the approval of the Executive Committee, the chair may establish or terminate special committees as deemed necessary and appropriate to carry out special projects or functions on behalf of the Section. The chair, in consultation with the Executive Committee, shall determine the size, appoint the membership, and appoint the chair of each special committee. The membership of special committees should reflect different geographic regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements.

### **Article IV. Nominations and Elections**

#### Section 1. Nominations.

Nominations to fill open positions on the Executive Committee shall be made by the Nominating Committee in accordance with Article III, Section 3(b) of these bylaws,

and may also be made from the floor of the Section's business meeting during the AALS Annual Meeting.

Upon receipt of the list of names of the nominees from the Nominating Committee, the chair shall submit the nominees to the Executive Committee for consideration and approval. Not less than 45 days before the AALS annual meeting, the chair shall submit the names of nominees approved by the Executive Committee to the AALS national office. The Section membership shall receive notification of the identity of the nominees submitted by the Nominating Committee and approved by the Executive Committee not less than 30 days before the AALS annual meeting.

#### Section 2. Elections.

Open positions on the Executive Committee shall be filled by majority vote of the regular members present at the Section's business meeting during the AALS annual meeting, with each member present having one vote for each open position on the Executive Committee. Elections at that meeting may be by voice or secret ballot, as determined by the chair. In the event that an AALS annual business meeting does not take place, the Executive Committee may conduct the elections to fill open positions on the Executive Committee via mail or e-mail ballot to be voted on by the regular members of the Section, so long as the procedure is not inconsistent with any AALS Executive Committee policy promulgated to address the non-occurrence of an AALS annual business meeting.

### **Article V. Duties of Officers**

#### Section 1. Chair.

The chair shall: (1) preside at all meetings of the Section and the Executive Committee; (2) oversee the expenditure of Section funds as provided in Article VI; (3) appoint a voting member of the Executive Committee to serve as secretary, subject to the approval of the Executive Committee; (4) present at the AALS annual meeting the report of the Section for the prior year including a detailed accounting of Section funds and of all expenditures; (5) in consultation with the Executive Committee, appoint members of the standing and special committees, including the chairs of those committees; and (6) take any other appropriate action in furtherance of the Section's purpose. With the approval of the Executive Committee, the chair may designate Section members with special expertise to be available as resource persons to Section members.

#### Section 2. Chair-Elect.

The chair-elect of the Section shall assist the chair as the chair may request and shall perform the duties of the chair during the absence or disability of the chair. The chair-elect shall prepare a program proposal for the annual clinical conference and shall submit this proposal for approval to the AALS. If the office of the chair becomes vacant, the chair-elect shall succeed to the office of chair and shall serve as chair for the remainder of the two-year term for which she or he was elected.

Section 3. Vacancies in the Office of Chair.

Should both the chair and the chair-elect be unable to serve in the office of chair, a temporary chair shall be elected from the voting members of the Executive Committee and shall serve until elections are held at the next Section business meeting at the AALS annual meeting. This election shall be by majority vote of the Executive Committee. The secretary of the Executive Committee shall, as soon as practicable after learning of the vacancy, call and conduct a meeting of the Executive Committee in person, by conference call, by e-mail or by regular mail for the purpose of this election.

Section 4. Secretary.

The secretary of the Section shall be appointed by the chair, with the approval of the Executive Committee, from among the elected members of the Executive Committee. The secretary shall serve for a one-year term, and may be reappointed for successive terms. The secretary shall: (1) keep written minutes of Executive Committee meetings; (2) maintain a written record of all formal actions taken by the Executive Committee; (3) solicit and maintain written records, if any, of the activities of Executive Committee sub-committees; (4) maintain a record of the terms of the Executive Committee members; (5) maintain copies of formal communications between the Section and the AALS or other organizations whose activities bear on clinical legal education; (6) ensure the transmission of minutes and copies of formal actions and records received by the secretary to his or her successor in office; and (7) perform relevant duties as assigned from time to time by the chair or the Executive Committee.

Section 5. Treasurer.

The treasurer of the Section shall be elected from among the regular members of the Section for a three-year term and may be re-elected for one successive three-year term. The treasurer shall: (1) assist the chair in the preparation of the annual budget; (2) arrange for receipt of any funds that are to be paid directly to the Section, and for the transmission of those funds to the AALS; (3) arrange for payment of expenses on behalf of the Section in accordance with Article VI; (4) keep an account of all Section receipts and expenditures; (5) make regular periodic reports of all Section receipts and expenditures to the Executive Committee; (6) advise the chair in preparing and presenting an annual budget to the Executive Committee; (7) arrange for the solicitation and payment of dues; (8) maintain records of membership; (9) ensure the transmission of such budgets, reports and records to his or her successor in office; and (10) perform relevant duties as assigned from time to time by the chair or the Executive Committee.

## **Article VI. Finances**

Section 1. Dues.

Each regular member and each associate member of the Section shall pay annual dues in an amount to be determined by the Executive Committee. Changes in dues shall occur no more frequently than annually. Any change shall take effect at the beginning of



the Section's fiscal year following the Executive Committee vote. The Section membership shall receive notice of any change at least 30 days prior to the increase. Publication in the Section newsletter, on the AALS's communication platform, or by e-mail to the Section membership shall constitute adequate notice. The chair shall include an explanation for any change in the chair's annual accounting of Section funds and expenditures.

**Section 2. Annual Budget.**

The chair, with the assistance of the treasurer, shall prepare an annual budget for the Section, which shall be approved by the Executive Committee prior to submission to the AALS. The annual budget shall be sufficiently detailed so that the Executive Committee, and subsequently the AALS Executive Committee, may assess and approve allocations of funds for particular activities of the Section.

**Section 3. Expenditures.**

Section dues and other Section income may be spent in accordance with applicable AALS and Section policies, regulations and bylaws. The chair or the treasurer shall confirm that each expenditure is permitted by AALS and Section policy and shall ensure that the Executive Committee complies with any applicable AALS policy requiring notification of the AALS in advance of an expenditure.

**Article VII. Policy Statements**

**Section 1. Policy Statements.**

With the approval of its Executive Committee, and only in compliance with AALS Executive Committee Regulations, the Section may communicate or publish statements of position or policy on matters affecting legal education.

**Article VIII. Amendments**

**Section 1. Amendments.**

These bylaws may be amended at the Section's business meeting during the AALS annual meeting by a majority of the regular members of the Section present and voting. Notice of the meeting to propose an amendment of these bylaws shall include the proposed amendment, a description of its intended purpose, and shall be given no less than 30 days in advance of the meeting at which the vote will occur. Publication in the Section newsletter, on the AALS's communication platform, or by e-mail to the Section membership shall constitute adequate notice. The amendment takes effect when it is approved by the Executive Committee of the AALS.

**Article IX. Suspension of Bylaws**

Section 1. Suspension of Bylaws.

Any of these bylaws may be suspended by a two-thirds (2/3) majority vote of the regular members of the Section present and voting at a business meeting of the Section. A motion to suspend must set forth the specific section to be suspended and the purpose of the suspension.

Adopted: December 23, 1992

Amended: January 4, 2001; January 5, 2002; January \_\_, 2011

## **CURRENT BY-LAWS**

### **ASSOCIATION OF AMERICAN LAW SCHOOLS Bylaws of the Section on Clinical Legal Education**

#### **Article I. Name and Purpose**

Section 1. Name.

This section shall be known as the Section on Clinical Legal Education (hereinafter referred to as the section).

Section 2. Purpose.

The purpose of this section is to promote the communication of ideas, interests and activities among members of the section and to make recommendations on matters concerning clinical legal education.

#### **Article II. Membership**

Section 1. Membership.

(a) Membership in the section is open to a faculty member of a law school that is a member of the Association of American Law Schools (hereinafter referred to as AALS).

(b) Associate membership is open to any other person who is concerned with the teaching, administration and advancement of clinical legal education.

Section 2. Privileges of Members.

(a) Regular members shall be eligible to vote in person at a section meeting and to hold office in the section.

(b) Associate members may participate in the programs, meetings and activities of the section, but may not vote or hold office in the section.

#### **Article III. Officers and Committees**

Section 1. Officers.

The officers of this section are the chair, the chair-elect, the secretary and the treasurer. The chair and the chair-elect shall be elected to single, one-year terms by the membership of the section at each annual meeting of the AALS. The section may elect two members to serve as co-chairs and co-chairs-elect. The secretary and the treasurer shall be appointed and shall serve as provided in Article V.

Section 2. Executive Committee.

(a) The executive committee is comprised of the section chair, chair-elect, and six elected members.

(b) The six elected members of the executive committee shall be elected to three year terms by the membership of the section at each AALS annual meeting. Such members terms shall be staggered to provide for the election of two members each year. Elected members shall be ineligible to serve successive three-year terms. In the event of a vacancy, the chair shall appoint someone to serve until the next annual meeting at which time a member shall be elected to serve any remaining portion of the term.

(c) The immediate past chair of the section shall serve a one year term as an ex officio member of the executive committee.

(d) The executive committee shall determine the size of the standing committees and may create any special committees it deems appropriate. In the interval between annual meetings, the executive committee shall discuss issues relating to section governance and clinical legal education, shall make recommendations on policies affecting clinical legal education to the AALS Standing Committee on Clinical Legal Education and to the AALS Executive Committee, and shall solicit and receive reports from standing and special committees of the section. Pursuant to AALS Executive Committee Regulation 12.6, the executive committee shall also be responsible for reviewing and approving the proposed expenditure of section income.

Section 3. Standing Committees.

(a) Nominating Committee. (1) shall solicit from section membership the names of potential nominees for section officers and executive committee members; (2) shall consider the suitability of the potential candidates for office and select nominees; and (3) shall report the names of the nominees to the section chair and to the AALS Executive Director.

(b) Annual Meeting Program Committee. (1) shall determine the nature, format and content of the section program for the next annual meeting; (2) shall arrange for speakers, participants and materials for the annual meeting; and (3) shall notify section members regarding the annual meeting.

(c) National and Regional Training Program Committee. The chair-elect shall form, convene and appoint a chair for the National and Regional Training Program Committee. This Committee shall (1) encourage and assist in the development of a training program for clinical educators; (2) represent the section in the implementation of national training conferences; and (3) promote the establishment of regional training programs, encourage the formation of regional program committees, and provide support for regional training programs.

(d) Awards Committee. The chair shall appoint an Awards Committee or substitute the

Executive Committee as the Awards Committee. The Awards Committee shall proceed as follows:

(1) The Committee shall solicit nominations for two awards, the William Pincus Award and the M. Shanara Gilbert "emerging clinician" award.

(2) The purpose of each of the awards is to honor individuals, groups or institutions for effecting an outstanding contribution to the cause of clinical legal education. The Committee may choose to give one or both of the awards in a given year. The awards may be announced formally at the AALS annual meeting or at an annual clinical conference or workshop.

(3) The criteria for the William Pincus Award shall be based on scholarship, program design and implementation, or other activity beneficial to clinical education or to the advancement of justice.

(4) The Shanara Gilbert "emerging clinician" award will be awarded to a recent entrant (10 years or less) into the clinical legal education community who has demonstrated some or all of the following qualities:

(a) a commitment to teaching and achieving social justice particularly in the areas of race and the criminal justice system;

(b) an interest in international clinical legal education;

(c) a passion for providing legal services and access to justice to individuals and groups most in need;

(d) service to the cause of clinical legal education or to the AALS section; and,

(e) desirable, but not required, an interest in the beauty of nature.

(5) The Awards Committee recommendations shall be forwarded to the Executive Committee for approval.

(e) Committee on Lawyering in the Public Interest. This committee shall select and encourage the work of the Bellow Scholar, and shall encourage and support any other activities which advance the cause of public interest lawyering.

(1) The Committee shall select as the Bellow Scholar a clinical legal educator who proposes a project which exemplifies the personal and professional qualities, particularly innovation and critical analysis, exhibited by Gary Bellow. The Committee may select one Bellow Scholar in a given year.

(2) The Committee shall select the Bellow Scholar based on proposals from interested applicants. Interested applicants shall submit proposals that involve law students and faculty in anti-poverty initiatives or access to justice projects. Projects that involve collaboration between lawyers and other professionals or empirical analysis are encouraged. Applications shall include:

- (A) a detailed description of the project;
- (B) the projected goals of the project;
- (C) a timeline for completion of the project; and
- (D) a description of how the project will be evaluated.

(3) The Bellow Scholar shall be announced formally at an AALS event. The Scholar will present her conclusions for debate, reflection and critical analysis.

#### **Article IV. Nominations and Elections**

##### **Section 1. Nominations by Committee.**

In nominating members to serve on the executive committee, the nominating committee should strive to have the executive committee reflect the different geographical regions, different clinical program types and different genders and ethnic and racial backgrounds within the section membership. Not less than 60 days before the annual meeting, the nominating committee shall notify the section chair and the AALS Executive Director of the names of persons nominated to fill the officer and executive committee positions. The section membership shall receive notification of the identity of the nominees submitted by the nominating committee not less than 30 days before the annual meeting.

##### **Section 2. Nominations by Petition.**

A regular member of the section may be nominated for an elected position on the executive committee by petition signed by three other regular members and submitted to the section chair and the AALS Executive Director not less than 15 days before the annual meeting.

##### **Section 3. Elections.**

All officers and other elected members of the executive committee shall be elected at the annual meeting. Elections may be by voice or secret ballot, as determined by the chair.

#### **Article V. Duties of Officers**

Section 1. Chair.

The chair shall preside at all meetings of the section and the executive committee. The chair shall present at the annual meeting the report of the section for the prior year including a detailed accounting of section funds and of all expenditures. The chair shall appoint members of the standing and special committees. The membership of such committees should reflect the different geographic regions, different clinical program types and different genders and ethnic and racial backgrounds within the section membership. The executive committee shall designate members of the executive committee to serve as liaison between the section and the AALS Standing Committee on Clinical Legal Education and with the approval of the AALS Executive Committee, the executive committee shall also designate members of the executive committee to serve as liaison between the section and the American Bar Association Section of Legal Education and Admissions to the Bar and other organizations whose activities bear on clinical legal education.

Section 2. Chair-Elect.

The chair-elect of the section shall assist the chair, as the chair may request and shall perform the duties of the chair during absence or disability of the chair. The chair-elect shall prepare a proposal for an annual professional development conference and shall submit this proposal for approval to the AALS. If the office of the chair becomes vacant, the chair-elect shall succeed to the office of chair.

Section 3. Vacancies in the Office of Chair.

Should both the chair and the chair-elect be unable to serve in the office of chair a temporary chair shall be elected from the elected members of the executive committee to complete the term. This election shall be by majority vote of the executive committee. The executive committee shall, as soon as practicable after learning of the vacancy, call and conduct a meeting of the executive committee in person, by conference call or by mail for the purpose of this election.

Section 4. Secretary

The secretary of the section shall be appointed by the chair from among the elected members of the Executive Committee. The secretary shall serve for a one year term, and may be reappointed for successive terms. The secretary shall: keep written minutes of Executive Committee meetings; maintain written record of all formal actions taken by the Executive Committee; solicit and maintain written records, if any, of the activities of section sub-committees; maintain a record of the terms of the Executive Committee members; maintain archival copies of all formal communications between the Section and the AALS or other organizations whose activities bear on clinical legal education; and perform relevant duties as assigned from time to time by the chair or the Executive Committee.

Section 5. Treasurer

The treasurer of the section shall be appointed by the chair from among the membership of the Section, subject to the approval of the Executive Committee. If also elected

to the Executive Committee pursuant to these bylaws, the treasurer shall participate fully as a member of the Executive Committee; otherwise, the treasurer shall serve as an ex officio, non-voting member of the Executive Committee. The treasurer shall serve for a three year term, and may be reappointed for additional terms by the chair acting with the approval of the Executive Committee. The treasurer shall: receive funds on behalf of the Section, transmit those funds to the AALS, and arrange for payment of expenses on behalf of the Section; make regular periodic reports of all Section receipts and expenditures to the Executive Committee; advise the chair in preparing and presenting an annual budget to the Executive Committee; solicit and maintain records of membership; and perform relevant duties as assigned from time to time by the chair or the E.C.

## **Article VI. Dues**

### **Section 1. Dues.**

Each regular member and each associate member of the section shall pay annual dues in an amount to be determined by the Executive Committee. Changes in dues shall occur no more frequently than annually. Any change shall take effect after the annual meeting in the calendar year following the Executive Committee vote. The section membership shall receive notice of any change at least 30 days prior to the annual meeting; notice published in the newsletter shall be considered adequate notice. The chair shall include an explanation for any change in the chair's annual accounting of section funds and expenditures.

### **Section 2. Authorized Expenditures of Section Dues and Other Section Income.**

In addition to the purposes described in AALS Executive Committee Regulation 12.6 (d), beginning with the 1985 AALS Annual Meeting, section dues and other section income may be spent for a reception for section members at an AALS annual meeting, workshop or teaching conference, any deficiency in a meal guarantee, for a section survey, section directory, enhanced newsletter, or regional teacher training conferences. Before the activity is undertaken, the section's executive committee must authorize the expenditure of dues or other income for it. In authorizing payment of an expenditure, the section chair must determine that the particular expenditure was authorized by the executive committee and is consistent with the section's bylaws and AALS policies. The executive committee with the prior approval of the AALS Executive Committee may also authorize the expenditure of section income for other specific purposes. The chairperson shall notify the Association's National Office one month before the activity of the section's executive committee decision to authorize expenditure.

## **Article VII. Policy Statements**

### **Section 1. Policy Statements.**

Because sections are part of the AALS, statements of policy or positions adopted by a section may be made public only after they are approved by the AALS Executive Com-



mittee.

### **Article VIII. Amendments**

#### Section 1. Amendments.

The bylaws may be amended at the annual meeting of the section by a majority of the regular members of the section present and voting. Notice of any proposal for amendment, including the proposal and a description of its intended purpose, shall be given no less than 30 days in advance of the meeting at which the vote will occur. Publication in the section newsletter shall constitute adequate notice. The amendment takes effect when it is approved by the Executive Committee of the AALS.

### **Article IX. Suspension of Bylaws**

#### Section 1. Suspension of Bylaws.

Any of these bylaws may be suspended by a two-thirds (2/3) majority vote of the regular members of the section present and voting at a business meeting of the section. A motion to suspend must set forth the specific section to be suspended and the purpose of the suspension.

Adopted: December 23, 1992

Amended: January 4, 2001; January 5, 2002☀

**MARKED-UP COPY OF THE BY-LAWS SHOWING  
PROPOSED CHANGES**

**Additions are underlined and deletions are stricken**

**ASSOCIATION OF AMERICAN LAW SCHOOLS  
Proposed By-laws of the Section on Clinical Legal Education**

**Article I. Name and Purpose**

Section 1. Name.

This section shall be known as the Section on Clinical Legal Education (hereinafter referred to as the Section).

Section 2. Purpose.

The purpose of this Section is to promote the communication of ideas, interests and activities among members of the Section and to make recommendations on matters concerning clinical legal education.

**Article II. Membership**

Section 1. Membership.

Regular Membership in the Section is open to any a faculty member at of a law school that is a member of the Association of American Law Schools (hereinafter referred to as AALS).

(b) Associate membership is open to any other person who is concerned with the teaching, administration and advancement of clinical legal education.

Section 2. Privileges of Members.

(a) Regular members shall be eligible to vote, in person at a section meeting and to hold office in the Section and serve on the Section's Executive Committee, and to participate in the programs, meetings, and activities of the Section.

(b) Associate members may participate to the fullest extent permitted by AALS Executive Committee Regulations in the programs, meetings and activities of the Section, but may not vote, or hold office in the Section, or serve on the Section's Executive Committee.

**Article III. Officers and Committees**

Section 1. Officers.

The officers of this Section are the chair, the chair-elect, the secretary and the treasurer. All officers must be regular members of the Section. At the Section's business meeting during each AALS annual meeting, the membership of the Section shall elect a regular member of the Section to serve a two-year term, the first year as chair-elect and the second year as chair. The chair and the chair-elect shall be elected to single, one-year terms by the membership of the section at each annual meeting of the AALS. The Section may elect two members to serve as co-chairs and co-chairs-elect and then co-chairs. The secretary and the treasurer shall be appointed and the treasurer shall be elected and shall serve as provided in accordance with Article V of these bylaws.

Section 2. Executive Committee.

The Executive Committee of the Section (hereinafter referred to as the "Executive Committee") shall normally consist of nine elected voting members: is comprised of the Section chair, chair-elect, treasurer and six other elected members (one of whom will be appointed secretary as provided in Article V below). All members of the Executive Committee must be regular members of the Section. In the event the Section elects two members to serve as co-chairs-elect, the size of the Executive Committee shall be increased accordingly. The immediate past chair shall serve as an *ex officio*, non-voting member of the Executive Committee.

The six elected members of the Executive Committee shall be elected to three-year terms by the regular membership of the Section at each at the Section's business meeting during the AALS annual meeting. Members of the Executive Committee shall serve the following terms: The chair-elect shall be elected to a two-year term, serving in the first year as chair-elect and in the second year as chair. The treasurer shall be elected to a three-year term and may be elected to one successive three-year term. The remaining six members of the Executive Committee shall be elected to three-year terms and shall be ineligible to serve successive three-year terms. The terms of those remaining members Such members terms shall be staggered to provide for the election of two members each year. Elected members shall be ineligible to serve successive three-year terms. In the event of a vacancy, the chair shall appoint a regular member of the Section someone to serve until the next AALS annual meeting, at which time a regular member shall be elected to serve any remaining portion of the term.

The immediate past chair of the section shall serve a one-year term as an *ex officio* member of the executive committee.

(cd) The executive committee shall determine the size of the standing committees and may create any special committees it deems appropriate. In the interval between annual meetings, The Executive Committee's duties include shall: (1) discussing issues relating to Section governance and clinical legal education,; (2) shall making recommendations when appropriate on policies affecting clinical legal education to the AALS Standing Committee on Clinical Legal Education and to the AALS Executive Commit-

tee,; and shall (3) soliciting and receiveing reports from standing and special committees of the Ssection; Pursuant to AALS Executive Committee Regulation 12.6, the executive committee shall also (4) be responsible for reviewing and approving the proposed expenditure of Ssection income in accordance with Article VI; (5) designating a member of the Executive Committee to serve as liaison between the Section and the AALS Standing Committee on Clinical Legal Education; (6) considering the approval of statements of Section position or policy in accordance with Article VII; and (7) taking any other appropriate action in furtherance of the Section's purpose. With the approval of the AALS Executive Committee, the Section's Executive Committee may also designate members of its Executive Committee to serve as liaisons between the Section and sections of the American Bar Association and other organizations whose activities bear on clinical legal education.

(d) The Executive Committee shall meet at least annually during the AALS annual meeting and at such other times as designated by the chair of the Section.

### Section 3. Standing Committees.

(a) The standing committees of the Section shall be the Nominating Committee, the Annual Meeting Program Committee, the Membership, Outreach and Training Committee, the Communications Committee, the Awards Committee, and the Committee on Lawyering in the Public Interest. The chair, in consultation with the Executive Committee, shall determine the size, appoint the membership, and appoint the chair of each standing committee. The chair shall promptly inform the Executive Committee of all appointments. The membership of standing committees should reflect different geographic regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements. With the approval of the Executive Committee, the chair may establish additional standing committees as deemed necessary and appropriate to carry out the functions of the Section.

(ba) Nominating Committee. The Nominating Committee (1) shall: (1) nominate persons who are regular members of the Section to fill open positions on the Executive Committee shall solicit from section membership the names of potential nominees for section officers and executive committee members; and (2) perform such other tasks and make such other nominations as charged by the chair after consultation with the Executive Committee, shall consider the suitability of the potential candidates for office and select nominees; and (3) In order to create a slate of nominees for open positions on the Executive Committee, the Nominating Committee shall solicit from Section members the names of potential nominees who are regular members of the Section; shall select nominees; and shall report the names of the nominees to the Ssection chair and to the AALS Executive Director not less 60 days before the AALS annual meeting. When selecting nominees for open positions on the Executive Committee, the Nomi-

nating Committee shall consider the suitability of the potential candidates for office and shall strive to have the composition of the Executive Committee reflect different geographical regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements.

(cb) Annual Meeting Program Committee. The Annual Meeting Program Committee: (1) shall determine the nature, format and content of the Ssection program for the next AALS annual meeting; (2) shall arrange for speakers, participants and materials for the AALS annual meeting; and (3) shall notify Ssection members regarding the AALS annual meeting.

(c) National and Regional Training Program Committee. The chair-elect shall form, convene and appoint a chair for the National and Regional Training Program Committee. This Committee shall (1) encourage and assist in the development of a training program for clinical educators; (2) represent the section in the implementation of national training conferences; and (3) promote the establishment of regional training programs, encourage the formation of regional program committees, and provide support for regional training programs.

(d) Membership, Outreach and Training Committee. The Membership, Outreach and Training Committee shall: (1) design and implement programs and plans to increase and retain membership in the Section; (2) establish and maintain a mentoring program through which experienced clinicians support newer clinicians in their professional development and through which any clinician at a professional transition point might seek guidance and expertise from colleagues; (3) encourage, assist, and provide support for the development and implementation of conference and training programs for clinical educators on a national and/or regional basis; and (4) as requested by the chair, engage in other projects or activities consistent with the Section's membership, outreach and training goals.

Communications Committee. The Communications Committee shall design and implement effective methods for the Executive Committee to communicate with Section members and for Section members to communicate with one another. At least one member of the Executive Committee shall serve on the Communications Committee.

(fd) Awards Committee. The chair shall appoint an Awards Committee or substitute the Executive Committee as the Awards Committee. The Awards Committee shall proceed as follows:

- (1) The Committee shall solicit nominations for two awards, the William Pincus Award and the M. Shanara Gilbert "emerging clinician" award.

(2) The purpose of each of the awards is to honor Section members and other individuals who have made individuals, groups or institutions for effecting an outstanding contribution to the cause of clinical legal education. The Section's officers – chair, chair-elect, secretary and treasurer – shall be ineligible to receive an award in the year of and the year following their service. The Committee may choose to give one or both of the awards in a given year. The awards may be announced formally at the AALS annual meeting or at an annual clinical conference or workshop.

(3) The Awards Committees shall have no fewer than three members and at least three members who are regular members of the Section.

(34) The criteria for the William Pincus Award shall be based on scholarship, program design and implementation, or other activity beneficial to clinical education or to the advancement of justice.

(45) The Shanara Gilbert "emerging clinician" award will be awarded to a recent entrant (10 years or less) into the clinical legal education community who is eligible to be a member of the Section and who has demonstrated some or all of the following qualities:

(aA) a commitment to teaching and achieving social justice particularly in the areas of race and the criminal justice system;

(bB) an interest in international clinical legal education;

(cC) a passion for providing legal services and access to justice to individuals and groups most in need;

(dD) service to the cause of clinical legal education or to the AALS Section; and,

(eE) desirable, but not required, an interest in the beauty of nature.

(56) The Awards Committee recommendations shall be forwarded to the Executive Committee for consideration and approval, and then forwarded to the AALS for approval in accordance with AALS requirements. Awards made by the Section shall also comply with any other applicable AALS requirements.

(ge) Committee on Lawyering in the Public Interest. This Committee shall select and encourage the work of the Bellow Scholars, and shall encourage and support any other activities which advance the cause of public interest lawyering.

(1) The Committee shall select as the Bellow Scholars a clinical legal educator who proposes a project which exemplifies the personal and professional qualities, particularly innovation and critical analysis, exhibited by Gary Bellow. The Committee may select one or more Bellow Scholars in any a given year.

(2) The Committee shall select the Bellow Scholars based on proposals from interested applicants. Interested applicants shall submit proposals that involve law students and faculty in anti-poverty initiatives or access to justice projects. Projects that involve collaboration between lawyers and other professionals or empirical analysis are encouraged. Applications shall include:

(3)

(A) a detailed description of the project;

(B) the projected goals of the project;

(C) a timeline for completion of the project; and

(D) a description of how the project will be evaluated.

(3) The Bellow Scholars shall be announced formally at an AALS event. The Scholars will present their her conclusions for debate, reflection and critical analysis.

#### Section 4. Special Committees.

With the approval of the Executive Committee, the chair may establish or terminate special committees as deemed necessary and appropriate to carry out special projects or functions on behalf of the Section. The chair, in consultation with the Executive Committee, shall determine the size, appoint the membership, and appoint the chair of each special committee. The membership of special committees should reflect different geographic regions and different clinical program types, and be inclusive in accordance with AALS diversity requirements.

### **Article IV. Nominations and Elections**

#### Section 1. Nominations by Committee.

In nominating members to serve on the executive committee, the nominating committee should strive to have the executive committee reflect the different geographical regions, different clinical program types and different genders and ethnic and racial backgrounds within the section membership. Not less than 60 days before the annual meeting, the nominating committee shall notify the section chair and the AALS Executive Director of the names of persons nominated to fill the officer and executive committee positions. Nominations to fill open positions on the Executive Committee shall be made by the Nominating Committee in accordance with Article III, Section 3(b) of

these bylaws, and may also be made from the floor of the Section's business meeting during the AALS annual meeting.

Upon receipt of the list of names of the nominees from the Nominating Committee, the chair shall submit the nominees to the Executive Committee for consideration and approval. Not less than 45 days before the AALS annual meeting, the chair shall submit the names of nominees approved by the Executive Committee to the AALS national office. The Section membership shall receive notification of the identity of the nominees submitted by the Nominating Committee and approved by the Executive Committee not less than 30 days before the AALS annual meeting.

Section 2. Nominations by Petition.

A regular member of the section may be nominated for an elected position on the executive committee by petition signed by three other regular members and submitted to the section chair and the AALS Executive Director not less than 15 days before the annual meeting.

Section 32. Elections.

Open positions on the Executive Committee shall be filled by majority vote of the regular members present at the Section's business meeting during the AALS annual meeting, with each member present having one vote for each open position on the Executive Committee. All officers and other elected members of the executive committee shall be elected at the annual meeting. Elections at that meeting may be by voice or secret ballot, as determined by the chair. In the event that an AALS annual meeting does not take place, the Executive Committee may conduct the elections to fill open positions on the Executive Committee via mail or e-mail ballot to be voted on by the regular members of the Section, so long as the procedure is not inconsistent with any AALS Executive Committee policy promulgated to address the non-occurrence of an AALS annual meeting.

## **Article V. Duties of Officers**

Section 1. Chair.

The chair shall: (1) preside at all meetings of the Section and the Executive Committee.; (2) oversee the expenditure of Section funds as provided in Article VI; (3) appoint a voting member of the Executive Committee to serve as secretary, subject to the approval of the Executive Committee; (4) The chair shall present at the AALS annual meeting the report of the Section for the prior year including a detailed accounting of Section funds and of all expenditures.; (5) The chair shall in consultation with the Executive Committee, appoint members of the standing and special committees., including the chairs of those committees; and (6) take any other appropriate action in furtherance of the Section's purpose. With the approval of the Executive Committee, the chair may designate Section members with special expertise to be available as resource persons to Section members. The membership of such committees should reflect the



different geographic regions, different clinical program types and different genders and ethnic and racial backgrounds within the section membership. The executive committee shall designate members of the executive committee to serve as liaison between the section and the AALS Standing Committee on Clinical Legal Education and with the approval of the AALS Executive Committee, the executive committee shall also designate members fo [sic] the executive committee to serve as liaison between the section and the American Bar Association Section of Legal Education and Admissions to the Bar and other organizations whose activities bear on clinical legal education.

Section 2. Chair-Elect.

The chair-elect of the Section shall assist the chair, as the chair may request and shall perform the duties of the chair during the absence or disability of the chair. The chair-elect shall prepare a program proposal for the an annual clinical professional development conference and shall submit this proposal for approval to the AALS. If the office of the chair becomes vacant, the chair-elect shall succeed to the office of chair and shall serve as chair for the remainder of the two-year term for which she or he was elected.

Section 3. Vacancies in the Office of Chair.

Should both the chair and the chair-elect be unable to serve in the office of chair, a temporary chair shall be elected from the voting elected members of the Executive Committee to complete the term and shall serve until elections are held at the next Section business meeting at the AALS annual meeting. This election shall be by majority vote of the Executive Committee. The secretary of the Executive Committee shall, as soon as practicable after learning of the vacancy, call and conduct a meeting of the Executive Committee in person, by conference call, by e-mail or by regular mail for the purpose of this election.

Section 4. Secretary.

The secretary of the Section shall be appointed by the chair, with the approval of the Executive Committee, from among the elected members of the Executive Committee. The secretary shall serve for a one-year term, and may be reappointed for successive terms. The secretary shall: (1) keep written minutes of Executive Committee meetings; (2) maintain a written record of all formal actions taken by the Executive Committee; (3) solicit and maintain written records, if any, of the activities of Executive Committee section sub-committees; (4) maintain a record of the terms of the Executive Committee members; (5) maintain archival copies of all formal communications between the Section and the AALS or other organizations whose activities bear on clinical legal education; (6) ensure the transmission of minutes and copies of formal actions and records received by the secretary to his or her successor in office; and (7) perform relevant duties as assigned from time to time by the chair or the Executive Committee.

Section 5. Treasurer.

The treasurer of the Section shall be elected from among the regular members of the Section for a three-year term and may be re-elected for one successive three-year term. appointed by the chair from among the regular membership of the Section, subject to the approval of the Executive Committee. If also elected to the Executive Committee pursuant to these bylaws, the treasurer shall participate fully as a voting member of the Executive Committee; otherwise, the treasurer shall serve as an *ex officio*, non-voting member of the Executive Committee. The treasurer shall serve for a three-year term, and may be reappointed for additional terms by the chair acting with the approval of the Executive Committee. The treasurer shall: (1) assist the chair in the preparation of the annual budget; (2) arrange for receipt of receive any funds that are to be paid directly to the Section on behalf of the Section, and for the transmission of transmit those funds to the AALS; and (3) arrange for payment of expenses on behalf of the Section in accordance with Article VI; (4) keep an account of all Section receipts and expenditures; (5) make regular periodic reports of all Section receipts and expenditures to the Executive Committee; (6) advise the chair in preparing and presenting an annual budget to the Executive Committee; (7) arrange for the solicitation and payment of dues; (8) solicit and maintain records of membership; (9) ensure the transmission of such budgets, reports and records to his or her successor in office; and (10) perform relevant duties as assigned from time to time by the chair or the E.C Executive Committee.

Article VI. Finances Dues

Section 1. Dues.

Each regular member and each associate member of the Section shall pay annual dues in an amount to be determined by the Executive Committee. Changes in dues shall occur no more frequently than annually. Any change shall take effect at the beginning of the Section's fiscal year after the annual meeting in the calendar year following the Executive Committee vote. The Section membership shall receive notice of any change at least 30 days prior to the increase. annual meeting; Publication in the Section newsletter, on the AALS's communication platform, or by e-mail to the Section membership shall constitute adequate notice. notice published in the newsletter shall be considered adequate notice. The chair shall include an explanation for any change in the chair's annual accounting of Section funds and expenditures.

Section 2. Annual Budget.

The chair, with the assistance of the treasurer, shall prepare an annual budget for the Section, which shall be approved by the Executive Committee prior to submission to the AALS. The annual budget shall be sufficiently detailed so that the Executive Committee, and subsequently the AALS Executive Committee, may assess and approve al-

locations of funds for particular activities of the Section.

Section 32. Authorized Expenditures of Section Dues and Other Section Income. In addition to the purposes described in AALS Executive Committee Regulation 12.6 (d), beginning with the 1985 AALS Annual Meeting, section dues and other section income may be spent for a reception for section members at an AALS annual meeting, workshop or teaching conference, any deficiency in a meal guarantee, for a section survey, section directory, enhanced newsletter, or regional teacher training conferences. Before the activity is undertaken, the section's executive committee must authorize the expenditure of dues or other income for it. In authorizing payment of an expenditure, the section chair must determine that the particular expenditure was authorized by the executive committee and is consistent with the section's bylaws and AALS policies. The executive committee with the prior approval of the AALS Executive Committee may also authorize the expenditure of section income for other specific purposes. The chairperson shall notify the Association's AALS National Office one month before the activity of the section's executive committee decision to authorize expenditure.

Section dues and other Section income may be spent in accordance with applicable AALS and Section policies, regulations and bylaws. The chair or the treasurer shall confirm that each expenditure is permitted by AALS and Section policy and shall ensure that the Executive Committee complies with any applicable AALS policy requiring notification of the AALS in advance of an expenditure.

## **Article VII. Policy Statements**

Section 1. Policy Statements.

Because sections are part of the AALS, statements of policy or positions adopted by a section may be made public only after they are approved by the AALS Executive Committee. With the approval of its Executive Committee, and only in compliance with AALS Executive Committee Regulations, the Section may communicate or publish statements of position or policy on matters affecting legal education.

## **Article VIII. Amendments**

Section 1. Amendments.

These bylaws may be amended at the Section's business meeting during the AALS annual meeting of the section by a majority of the regular members of the Section present and voting. Notice of the meeting to propose an of any proposal for amendment of these bylaws, shall includeing the proposed amendment, proposal and a description of its intended purpose, and shall be given no less than 30 days in advance of the meeting at which the vote will occur. Publication in the Section newsletter, on the AALS's communication platform, or by e-mail to the Section membership shall constitute adequate notice. The amendment takes effect when it is approved by the Executive Committee of the AALS.

## **Article IX. Suspension of Bylaws**

### Section 1. Suspension of Bylaws.

Any of these bylaws may be suspended by a two-thirds (2/3) majority vote of the regular members of the Section present and voting at a business meeting of the Section. A motion to suspend must set forth the specific section to be suspended and the purpose of the suspension.

Adopted: December 23, 1992

Amended: January 4, 2001; January 5, 2002; January , 2011