

Facing Our Fears:
Critically Examining the Benefits and Opportunities
of Clinical Legal Education Models
in Order to Lead Within Our Institutions

Presented by:
Deborah Maranville, University of Washington
Carolyn Wilkes Kaas, Quinnipiac University
Antoinette Sedillo Lopez, University of New Mexico
[Special guest appearance by Lisa Radtke Bliss, Georgia State University]

The presenters are co-editors the forthcoming *Building on Best Practices* book and primary co-authors of sections on experiential education, clinics and externships. At the beginning and end of a book editing retreat they shared their hopes and fears for the project. Both as editors and as co-authors, they struggled to define the essential characteristics of law clinics, externships and simulations, going through many iterations of each section. The section on intercultural effectiveness also challenged their ability to understand each other's viewpoints and perspectives.

During this process, they discovered differences among themselves in interpretation, definition, and categorization of key terms and concepts. They were challenged to examine when they were being defensive and when they were being realistic. These tensions stimulated spirited conversations that challenged the editors to see other points of view. Familiar tensions between clinics and externships surfaced, and in the way they conceptualized and “drew lines” between form and content. Even in the midst of tears and fears, the editors were forced to engage in frank and at the same time caring discussions and emails about attitudes, feelings, beliefs, values and facts. This open approach allowed the four to maintain an ongoing, respectful dialogue.

The lessons the group learned are important ones for clinicians in the “new normal.” In order to provide leadership within their institutions during a time of uncertainty, clinicians must face their fears – fear of definitions, fear of loss, fear of change, and fear of the future.

We hope that our process, and our resulting book chapters, will provide inspiration and perhaps even guidance to our colleagues at schools wrestling with these issues, both within the clinical program and across the curriculum.

A few questions to ponder:

- What role does a ritual of sharing candidly our hopes and fears play in working towards resolution among colleagues?
- How can we advance our strongly held beliefs about the value of experiential education without triggering defensiveness in others both within our programs and on the rest of the faculty?
- How can we appreciate the contributions of all the variants of the models of clinical legal education, with honest recognition of the benefits and differences of each, and without having to “rank” some as better than others? How should these differences impact our curriculum planning to meet our students' needs?

Overview of relevant sections in *Building on Best Practices*:

Chapter 5: IMPLEMENTING EFFECTIVE EDUCATION IN SPECIFIC CONTEXTS

Section F: Experiential Education

1. Incorporating Experiential Education Throughout the Curriculum:

- Recommends experiential education used throughout curriculum
- Expresses need for uniform vocabulary
- Within experiential courses, differentiates simulation courses from clinical legal education
- Articulates differences among forms of clinical legal education
- Calls for every law student to have at least one in-house and one externship experience

2. Delivering Effective Education in In-House Clinics

- Using the classic in-house clinic model, describes the essential characteristics and suggested learning outcomes
- Identifies the benefits of Integrated Supervision and the other essential features
- Calls for structured and coordinated administration of various in-house clinics

3. Delivering Effective Education in Externship Programs

- Identifies the essential characteristics of externship courses and programs and suggested learning outcomes
- Describes the features and benefits of dual supervision
- Calls for close faculty engagement and articulates the need for externships to be part of the clinical legal education curriculum

4. Ensuring Effective Education in Alternative Clinical Models

- Articulates the features that are necessary for effective clinical education and how those vary according to variations in design

Chapter 6: TEACHING THE NEWLY ESSENTIAL KNOWLEDGE, SKILLS, AND VALUES IN A CHANGING WORLD

Section E: Intercultural Effectiveness

- Identifies the various aspects of intercultural effectiveness
- Calls for all law students to have education in intercultural effectiveness
- Identifies suggested learning outcomes