

Polarization in the Legal Academy: A Conversation on Looking Inward to Break New Ground

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Seattle University: In-House & Externship

14 in-house clinics

12 taught by faculty

Long-term, year-to-year, adjunct

Serve on committees and in administration

Voting same as t/tt

Summer funding

Writing expected

7 externships

5 taught by faculty

Long-term, year-to-year, adjunct

Serve on committees

Voting not similar to in-house or t/tt

Summer funding

Writing expected

- Co-located in same space with common director
- In-house and externship meet regularly, have teaching rounds
- Highlights:
 - Teach in each other's classes
 - Co-present at conferences
 - Combined outreach to and counseling for students
 - Annual retreat

UC Irvine: In-House & Externship

15 in-house clinics

7 taught by faculty

Most with security of employment;
individual visitors, adjuncts, lecturers

Serve on committees and in
administration

Voting partially the same as t/tt

No summer funding

Writing not expected

3+ externships

1 taught by faculty

Year-to-year and adjunct.

Serve on committees

Voting not similar to in-house or t/tt

No summer funding

Writing not expected

- In-house co-located with doctrinal faculty; externship separate
- In-house and externship meet regularly
- Highlights:
 - Joint retreats and workshops
 - Joint brochure and marketing materials
 - Externship director teaches & co-teaches doctrinal courses, as do in-house

Univ. of Georgia: In-House & Externship

10 in-house clinics

10 taught by faculty

T/tt; long-term contract; year-to-year

Serve on committees and in administration

Voting same as t/tt (but not t/tt hiring)

Summer funds only for t/tt

Writing expected, separate standards for t/tt and clinical track

7 externships

7 taught by faculty

T/tt; long-term contract; year-to-year

Serve on committees and in administration

Voting same as t/tt (but not t/tt hiring)

Summer funds only for t/tt

Writing expected, separate standards for t/tt and clinical track

- 6 in-house co-located off-campus; externships/4 in-house located in law school
- In-house and externship meet regularly, have rounds, in-service
- Highlights:
 - Joint in-house advocacy on issues relating to in-house and externships
 - Combined outreach to and counseling for students
 - Collaboration / consultation on case work within & between in-house and externship
 - Annual retreat and annual writer's workshop for in-house and externship

Nomenclature

- What does the term “clinic” include?
 - Only in-house?
 - Both in-house and externship?
- ABA Standards: distinction between “clinic” and “field placement”
- AALS Clinical Section Glossary for Experiential Education:
 - “Clinical legal education”: courses involve supervised real-world practice experiences, either as a mentee or as a student lawyer.
 - Term includes both “law clinics” and “externship courses”
 - Other sources: BUILDING ON BEST PRACTICES (Lexis-Nexis 2015); Alliance for Experiential Learning in Law, *Experience the Future* 7 ELON. L. REV. 1 (2015)
- For our purposes:
 - In-house clinics
 - Externships or externship clinics

School Location

Region	Region Definition	# of Survey Respondents vs. Schools in Region	Respondents as % of All Schools in Region
Region I	Far West (AZ, CA, HI, NV, OR, UT, WA)	32 of 34	94
Region II	Northwest & Great Plains (ID, MT, NE, ND, SD, WY)	7 of 7	100
Region III	Southwest & South Central (AR, CO, KS, LA, MO, NM, OK, TX)	26 of 27	96
Region IV	Great Lakes/ Upper Midwest (IL, IN, MI, MN,, OH, WI)	34 of 34	100
Region V	Southeast (AL, FL, GA, KY, MS, TN, WV)	26 of 29	90
Region VI	Mid Atlantic (DC, DE, MD, NJ, NC, PA, SC, VA)	32 of 37	86
Region VII	Northeastern (CT, MA, ME, NH, NY (not NY city & Long Island), RI, VT)	20 of 20	100
Region VIII	New York City and Long Island	10 of 10	100

Employment Status: Field Placement Directors	Percentage Reporting
	2016 - 17
Tenured	18
Tenure Track	4
Clinical Tenured	4
Clinical Tenure Track	2
5 year (or more) Contract	16
4 year Contract	0
3 year Contract	8
2 year Contract	3
1 year Contract	10
Adjunct	19
Fellow	<1
Admin position w/ faculty title	8
Administrative position w/out faculty title	4
Other	4

Employment Status: Law Clinic Instructors	Percentage Reporting
	2016 - 17
Tenured	16
Tenure Track	7
Clinical Tenured	8
Clinical Tenure Track	3
5 year (or more) Contract	24
4 year Contract	<1
3 year Contract	12
2 year Contract	4
1 year Contract	12
Adjunct	7
Fellow	3
Admin position w/ faculty title	<1
Administrative position w/out faculty title	1
Other	3

Major Challenges to Law Clinics	Percentage of Schools Reporting	
	2013-14	2016-17
Insufficient hard money (tuition dollars, endowment income, state subsidies)	64	56
Other demands on clinical faculty's time	47	46
Insufficient administrative/secretarial support	26	29
Insufficient number of clinical faculty	40	26
Insufficient faculty status	-	24
Insufficient physical/ office space	37	18
Insufficient support among non-clinical faculty	25	14
Insufficient support from administration	17	11
Insufficient student demand	11	11

Major Challenges to Field Placement Courses	Percentage of Schools Reporting	
	2013-14	2016-17
Insufficient administrative/secretarial support	36	44
Other demands on clinical faculty's time	47	42
Insufficient number of clinical faculty	52	36
Insufficient faculty status	-	24
Insufficient hard money (tuition dollars, endowment income, state subsidies)	23	22
Insufficient student demand	10	12
Insufficient support among non-clinical faculty	14	10
Insufficient support from administration	10	10
Insufficient physical/ office space	12	8

Full-Time Clinic/Field Placement Faculty Teaching Doctrinal or Podium Courses	Percentage Reporting
Prohibited	10
Non-prohibited and taught doctrinal or podium courses over the last 3 years	56
Taught doctrinal courses and not relieved of clinical teaching obligations	76
Not relieved of clinical teaching obligations and received additional compensation for teaching doctrinal courses	24

Full -Time Faculty Teaching Skills Courses	Percentage Reporting
Prohibited	4
Non-prohibited and taught skills courses over the last 3 years	37
Taught doctrinal or skills courses and taught one or both types over the last 3 years	65
Taught skills courses and were not relieved of clinical teaching obligations	83
Not relieved of clinical teaching obligations and received additional compensation for teaching skills courses	21

Demand for Clinics Over Past 3 Years	Percentage of Schools Reporting		
	2010 - 11	2013 - 14	2016 - 17
Increased	80	54	38
Constant	19	34	43
Decreased	1	12	19

Demand for Field Placement Courses Over Past 3 Years	Percentage of Schools Reporting		
	2010 - 11	2013 - 14	2016 - 17
Increased	76	60	42
Constant	20	31	43
Decreased	1	9	15

Summer Operations: Law Clinics

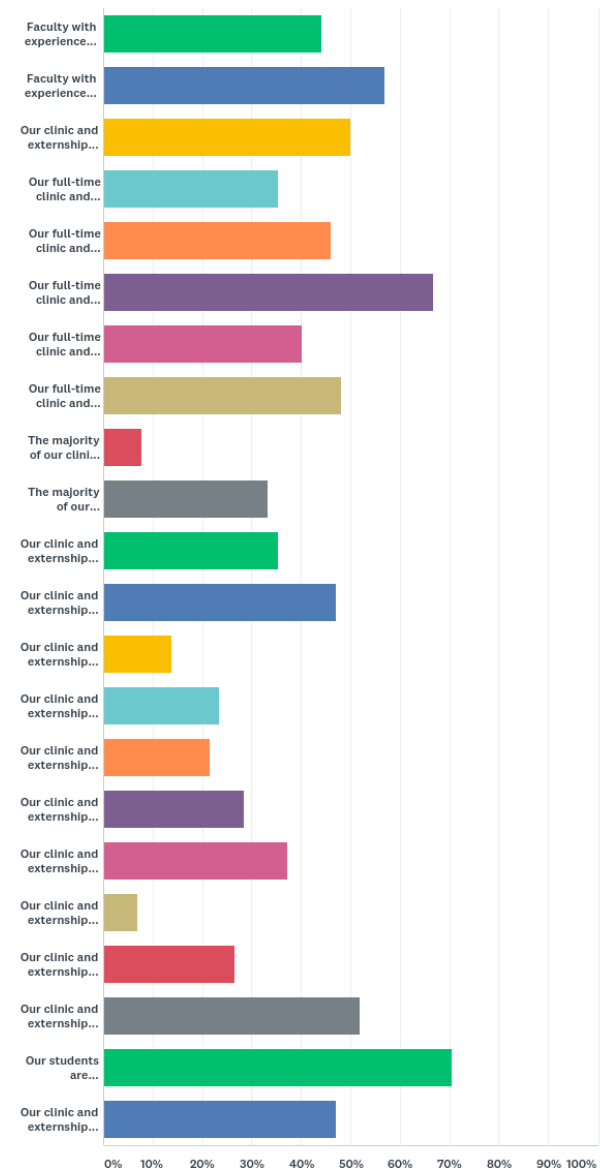
Full Time Faculty and Law Clinics	Percentage Reporting
Law Clinics do <i>not</i> operate as student-enrolled, for-credit programs during summer	77
“Non-operating” clinics with summer cases and received funding to assist with case coverage	49
“Non-operating” clinics with summer cases who hire an attorney	20

Summer Operations: Field Placement Courses

Full -Time Faculty and Field Placement Courses	Percentage Reporting
Field placement courses operated with active, for-credit placements over the summer	56
Faculty teaching field placement courses were provided relief from summer field placement obligations	25

Responses give information to help you assess your own program.

Q1 Responses below give information to help you assess your own program. (If you wish to clarify your answers, use the narrative box below.) PLEASE CHECK ALL THAT APPLY:



Question 1: Responses give information to help you assess your own program.

Themes:

- Title nomenclature
- Assuming a distinction not present here
- FTF teach seminars

Question 2:
What are ideal ways to
**build clinic and
externship
collaborations** (including
curricular innovations) that
you have implemented or
would like to implement?

Lunches joint sessions on
similar topics co-lecture across
client needs require both
dialogue on common
goals and objectives
joint info sessions pro
bono projects no parity develop
common outcomes frame as career
development doing it

Question 3:

List 1 or 2 obstacles that most **impact collaboration** between your clinic and externship programs, and any strategies to overcome them. you have used or would use to overcome them.

Time externship admin
responsibilities economics no
strategic plan enrollment timelines no
respect for externships
want more externships! **silos**
competition Client confidentiality
clinics are “better”
staffing externships non-
academic no co-location

Question 4:

List 1 or 2 obstacles that most **impact parity** between your clinic and externship programs, and the strategies you have used or would use to overcome them.

Pay inequity presence/absence of
teaching pedagogy **second class**
status graded v ungraded no
dialogue **no leadership**
from both hard v soft money **cost**
efficiencies institutional
resistance perception **lack of**
critical mass for voice
clinic v externship

Exercise

- Break into small groups: 2-3 people
- Task:
 - Identify a goal to foster collaboration
 - Sketch a plan for reaching that goal
- Run
- Debrief

Takeaways

- Collaboration offers tangible benefits
 - Recognize challenges AND
 - Expand perspectives / diversify teaching methods
- Making common cause strengthens our impact
- Advocacy for change
 - Conference conversations and presentations
 - Joint action in the national community
 - Development of resources
 - Sharing of ideas/strategies
- Keep the conversation going!

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