

CLEA  
NEWSLETTER

- Upcoming CLEA Events
- Articles on Clinical Teaching
- Social Justice Creative Writing

## Presidents' Message

We begin with thanks to the many CLEA community members who generously give their time and energy to further our mission of “advocating for clinical legal education as fundamental to the education of lawyers.” Things have been busy since the last newsletter! At national, regional and local levels, CLEA has worked to shape the standards governing law school accreditation, to participate in the debate about the future of legal education, to be a resource for clinicians, and to foster excellence in scholarship and in teaching our students about the theory and practice of law. We do this while remaining mindful of CLEA’s overarching goal of pursuing and promoting “justice and diversity as core values of the legal profession.”

The organization’s continued vibrancy and effectiveness depends on all of you. We urge you to get involved by taking one (or more!) of the myriad opportunities for plugging into CLEA’s mission and the CLEA community – at your home institutions, through regional conferences, by joining a CLEA committee, or by participating in our biannual meetings every winter and spring at the AALS Annual Meeting and Clinical Conference. We summarize some of CLEA’s recent activities below.



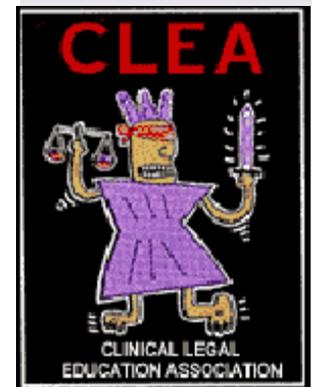
**Donna Lee**  
(CUNY)  
CLEA Co-  
President



**Jenny Roberts**  
(American)  
CLEA Co-  
President

CLEA has been deeply involved in advocating for clinical legal education in connection with proposed changes to the ABA Council of Legal Education’s Accreditation Standards for Law Schools. With former CLEA Treasurer Claudia Angelos and immediate past CLEA President Kate Kruse at the helm, CLEA’s ABA Advocacy Steering Committee consistently and vocally opposed proposals that would further weaken security of position for clinicians. At its mid-March meeting, the Council declined to accept a proposal that it eliminate tenure and “reasonably similar” security of position for clinical faculty from the standards, thus leaving in place the current standard.

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## **Presidents' Message, continued.**

Although far from perfect, the current standard 405(c), which provides some protection for clinical faculty, survived. CLEA was also partially successful with its proposal that accreditation standards require students to complete a minimum of fifteen credits of experiential education. Our proposal would have brought legal education more in line with the practice-based and clinical educational requirements in other professional schools, such as medicine, dentistry, architecture, nursing, and social work. Ultimately, the Council adopted a recommendation to increase the current requirement from at least one credit to at least six credits of experiential education.

The third, critical action that the Council took was to proceed with a notice and comment period on the recommendation that law students be able to receive both credit and employer pay for law school externships. Hopefully, you have already seen the petition circulated by CLEA's Externship Committee opposing this proposed change. Our opposition is based in part on the conflicting goals of paid employment versus educational experience, as well as the likely loss of strong law school faculty oversight of field supervisors. The ABA Standards Review Committee will be meeting at the end of April to consider this issue, and the Council will be meeting in early June. The full ABA House of Delegates will convene in August to vote for approval or remand on all of these proposals. Although the House of Delegates can remand proposed standards back to the Council, the House cannot make amendments, and after two remands, the Council is given full authority to act. There is still much work to be done, so please stay tuned.

CLEA committees have also continued to work on internal projects, such as improving our website functionality and implementing an on-line election process. As a shout out to our technologically savvy colleagues, please consider this a standing invitation to join CLEA's membership committee, which has been particularly tasked with working on these issues. By way of external projects, CLEA has sought to foster communication with our membership through regional conferences. CLEA representatives shared information and sought input from our broader community by participating in the Southern Regional Clinical Conference at the University of Arkansas at Fayette-

ville in August 2013, and at the Midwest Clinical Conference at University of St. Thomas in Minneapolis in November 2013.

CLEA has been collaborating with other organizations and participating in other fora as well. We joined with the Society of American Law Teachers ("SALT") to oppose a proposal before the ABA Standards Review Committee to raise bar pass standards. We expressed our concern about the absence of any evidence-based examination of the likely impact that the proposed changes would have on racial and ethnic diversity in the legal profession. We additionally counseled against premature action that appeared likely to have an unintended, negative impact on diversity. In another venue, CLEA's Best Practices Committee presented "Building on Best Practices: Establishing the Experiential Continuum in Legal Education" at the Clinical Theory Workshop at New York Law School in February 2014.

As this brief summary illustrates, our clinical community is busy. We are generating new ideas; engaging in worthwhile local, regional, national, and international advocacy efforts; trying new, innovative teaching techniques; expanding the theory and scholarly literature about a wide range of topics; and also having our share of fun! Please join us to debate, celebrate, and strategize at our next gatherings in Chicago. CLEA will hold a membership meeting on Tuesday, April 29, 2014, from 5:15 – 6:15pm in Salon 3, located on the Third Floor of the Palmer House Hilton Hotel. Our board meeting, to which all are welcome, will be from 7:45 – 8:45am at the Notre Dame Law in Chicago space at 224 S. Michigan, Suite 250 (thanks to Bob Jones and Notre Dame Law School for hosting and providing breakfast).

### **CLEA Events in Chicago**

**CLEA's Membership Meeting, April 29, 2014**

**5:15—6:15 pm in Salon 3 Palmer House Hilton**

**CLEA Board Meeting,**

**April 28, 2014**

**7:45—8:45 am at Notre Dame Law in Chicago**

**224 S. Michigan Ave., Suite 250**

**All are welcome to attend!**

## ABA Advocacy Update

The Council for the ABA Section on Legal Education and Admissions to the Bar is nearing the conclusion of its five-year comprehensive review of the standards for accrediting law schools. In a meeting on March 14 and 15, 2014, the Council reached important decisions about several of the standards that have been of particular concern to clinicians, and about which CLEA has submitted [numerous comments](#) over the years.



Claudia Angelos  
(NYU)

Kate Kruse  
(Hamline)

Perhaps most importantly, the Council rejected two alternative proposals to change the language of Standard 405, leaving the current standard in place. Current Standard 405(c) specifically addresses the security of position of clinical faculty and requires that law schools must “afford to full-time clinical faculty members a form of security of position reasonably similar to tenure.” Interpretations of this standard explain that a form of security of position reasonably similar to tenure “includes a separate tenure track or a program of renewable long-term contracts,” which must be “at least a five-year contract that is presumptively renewable or other arrangement sufficient to ensure academic freedom.”

### Security of Position

The Council had sent out for notice and comment two proposed alternatives, each of which would have eliminated specific references to tenure, or any other form of security of position, and instead required that law schools maintain conditions “sufficient to attract and retain a competent faculty.” These proposed alternatives came under a barrage of criticism from individuals and groups concerned about the elimination of tenure in law schools at a time when law faculty members were particularly vulnerable to attack. As several key Council members noted in voting down these alternatives, the notice and comment period

**2014 CLEA Executive Committee**  
 Donna H. Lee (CUNY), Co-President  
 Jenny Roberts (American), Co-President  
 Janet T. Jackson (Washburn), Co-Vice-President  
 Mary Lynch (Albany), Co-Vice-President  
 Maritza Karmely (Suffolk), Secretary  
 Praveen Kosuri (UPenn), Treasurer  
 Kate Kruse (Hamline), Immediate Past President

[http://www.cleaweb.org/Default.aspx?  
pageId=1248249](http://www.cleaweb.org/Default.aspx?pageId=1248249)

### **2014 CLEA Board of Directors**

Cynthia Batt	Tamar Bircckhead
Lisa Bliss	Martina Cartwright
Patience Crowder	Evelyn Cruz
Anju Gupta	D’lorah Hughes
C. Benjie Louis	Karla McKanders
Binny Miller	Perry Moriearty
Jeff Pokorak	Beth Schwartz
Ian Weinstein	Executive Committee

[http://www.cleaweb.org/Default.aspx?  
pageId=1250262](http://www.cleaweb.org/Default.aspx?pageId=1250262)

had provoked a wide variety of responses explaining the importance of a tenure system to provide the protection law faculty need to take controversial stands on politically charged issues, while no one had come forward to defend the need to eliminate tenure.

Standard 405 is not perfect, and several Council members noted that it creates hierarchies among faculty members, separating doctrinal, clinical, and legal writing faculty into different categories. Others noted that due to a history of poor enforcement decisions by the Accreditation Committee, the Standard does not provide as much protection for tenure or security of position.

*Continued on p. 4*



## ABA Advocacy Committee Report, continued.

However, inequity and lax enforcement aside, Standard 405 has provided many schools with an impetus to integrate clinical professors more fully into their faculties, and in times of budget instability, clinicians can feel relieved that it will remain on the books.

### Professional Skills

By far the most sweeping changes to the ABA Standards come in the area of the law school curriculum, where the ABA has significantly strengthened its existing requirement for instruction in professional skills. The current standard mandates that every student receive “substantial instruction” in “other professional skills generally regarded as necessary for effective and responsible participation in the legal profession.” Schools have a lot of flexibility in how they deliver this instruction and can fulfill this requirement by providing a minimum of one credit’s worth of professional skills instruction to every student. In early drafts of its revisions, the ABA proposed strengthening the professional skills instruction requirement by mandating that the instruction occur in experiential courses totaling at least three credits.

In July 2013, [CLEA petitioned](#) the ABA to raise the number of required skills credits to fifteen and to include at least one real practice course (clinic or externship) in that total.

CLEA’s petition cited comparisons between the practical training re-

quired in other professions, arguing that law lagged far behind. The ABA first responded by raising the number of required credits to six, and later sent both a 6-credit and a 15-credit professional skills requirement out for notice and comment. After receiving responses, the ABA settled on a 6-credit requirement. However, there was significant support from the practicing lawyers on the Council for the more robust 15-credit requirement. In particular, the ABA Young Lawyer Division came out in support of a 15-credit requirement, explaining that once out in practice, young lawyers realize the benefits of practice-based education and wished their schools had been compelled to provide more of it.

### Changes to Externship Standard

Of particular interest to the externship community, the ABA has made some important changes to Standard 305, which governs academic credit for study outside the classroom. The current standard requires site visits (or their equivalent) and opportunities for contemporaneous reflection for all field placements of 4 or more credits. The changes approved by the ABA Council would lower that threshold to 3 credits, bringing a wider range of externship placements and courses within the scope of heightened attention and scrutiny by law schools. At the same time, the language specifically referring to a “site visit” has been replaced by a requirement of “regular contact be-

tween the faculty advisor or law school administrator and the site supervisor to assure the quality of the student educational experience.”

In one of the few issues that remain unresolved, the ABA has sent out for notice and comment a proposal to delete an interpretation that prohibits schools from granting credit for placements for which students receive compensation. The ABA is gathering written comments and will hold an open hearing on this provision on April 25, 2014 and the Council is expected to take it up at their meeting on June 6-7, 2014, in Cleveland.

### What’s Next?

Before these changes go into effect, they need to go before the ABA House of Delegates, which will meet in Boston on August 8-10, 2014. The House of Delegates may either approve the changes that have been proposed by the ABA Council or remand them; however, the House of Delegates does not have the power to amend the language. If the ABA House of Delegates approves the changes to the ABA Standards, most of them will go into effect immediately. However, some of the changes to the curriculum, including the implementation of the 6-credit experiential education requirement, will go into effect three years after enactment. In the interim, schools can elect to be evaluated under the existing standard or the new standard.

## CLEA Report from Best Practices Implementation Committee

A new book, tentatively titled, “Building on Best Practices: Legal Education in a Modern World,” is underway. It will be published sometime in 2015 by LexisNexis Publishing. The ebook will be made available free of charge to anyone who requests a copy. A limited number of hardcopy versions will also be printed. This book is the result of several years of effort by the Best Practices Implementation Committee, Chaired by Carrie Kaas of Quinnipiac University and Lisa Bliss of Georgia State University. The new book will include new topics such as integration of experiential learning, interdisciplinary education, integrative and comprehensive law, and more. It will also update topics addressed in Best Practices for Legal Education based on changes since its publication in 2007. The book is being edited by Deborah Maranville, Lisa Bliss, Carrie Kaas and Antoinette Sedillo Lopez. More than 35 authors and reviewers have contributed to this project. Stay tuned for more details about the publication.



Lisa Radtke Bliss  
(Georgia State)



Carolyn Kaas  
(Quinnipiac)



Debbie Maranville  
(Univ. Washington)



Antoinette Sedillo Lopez  
(New Mexico)

PDF of full book at [Best Practices for Legal Education](#)

## Notes from the New Clinicians Committee



Benjie Louis  
(Albany)

CLEA’s New Clinicians Committee offered a “New Clinicians Track” at the Externships 7 Conference, recently held (February 27-March 2, 2014) in Denver, Colorado, with program sessions specifically designed for those new to field placement programs.



Beth Schwartz  
(Fordham)

The members of the Planning Committee for the New Clinicians Track at Externships 7 included full time clinical faculty, one part time adjunct faculty member, and one externship program administrator. They were: Professor Daniel Schaffzin (Assistant Professor of Law and Director of Experiential Learning, University of Memphis Cecil C. Humphreys School of Law); Honorable Robert McGahey (Judge, Second Judicial District, Denver, Colorado, and Ad-

adjunct Professor of Law, University of Denver Sturm College of Law); Esther Park (Director of Externships and Lecturer, University of Washington School of Law); and Professors Beth Schwartz (Fordham Law School) and Benjie Louis (Albany Law School), Co-Chairs of CLEA’s New Clinicians Committee.

Four separate workshops were developed for the New Clinicians Track. Themes included: the role of field placement programs in legal education; “hot topics” in externships; opportunities and challenges of managing relationships with field placement supervisors; strategic program direction and design; and models for the seminar component of a field placement course.

By all accounts, the sessions were extremely well received. The chance to assist new participants in navigating the world of clinical legal education is always inspiring and enjoyable.

## CLEA Conference Committee Report

The CLEA Conference Committee serves as a resource and support to regional conferences. The Committee approved grants of \$500 each to five conferences in 2013: the Northern California Clinical Conference, the Southern Regional Clinical Conference, the Externship 7 Conference, the Midwest Clinical Conference, and the Symposium on Clinical Legal Education at the University of Caen in Basse-Normandie, France. The Committee also drafted new conference grant guidelines, which will soon be posted on the CLEA website. Claudia Angelos and Bob Kuehn made plenary presentations at three of these on behalf of CLEA’s Advocacy Committee to keep our membership up to date on regulatory activity at the ABA and in state bar admissions.

Janet Thomas Jackson  
(Washburn), Chair



## Report from CLEA Externship Committee



Beth  
Schwartz  
(Fordham)

The CLEA Externship Committee has been actively engaged in supporting the interests of externship clinicians. In the fall of 2013, the Committee organized and convened a series of tele-meetings with externship clinicians across

the United States to discuss the implications of the U.S. Department of Labor's September 2013 letter to the ABA regarding the limitations imposed by the Fair Labor Standards Act when law students perform pro bono work at for-profit law firms.

In late February, CLEA's Externship Committee and the AALS Clinical Section Externship Committee co-sponsored a Town Hall meeting at the Externships 7 Conference, to address both current ABA regulatory issues and recent developments involving the Fair Labor Standards Act.

Finally, the Externship Committee has been actively engaged in advocating to block the proposal to revoke ABA Interpretation 305-3, the "paid externship" rule. Committee members helped to draft comments submitted to the ABA in late January and have drafted two additional comments since then as the issue has proceeded

to the Council for a hearing and an anticipated vote. Among other things, the Committee sponsored a petition in opposition to the revocation of Interpretation 305-3 and representatives will comment on the proposal at a hearing before the Council on April 25, 2014.



Alex Scherr  
(Univ. of  
Georgia)

### Relaunch of Clinical Law Prof Blog

The Clinical Law Prof Blog, on Paul Caron's Law Professor Blogs Network, will relaunch on April 21<sup>st</sup>! In our community of clinical legal educators, we have many good outlets for online communication: the listservs, the CLEA site, the AALS and CLEA newsletters, and of course, Mary Lynch's Best Practices blog. Our goal is to complement these wonderful sources as well as provide an additional space where we can celebrate what we do everyday as clinical teachers.

We envision this space as a site devoted to the art and craft of teaching: for stories, for updates and announcements, for advocacy, for the promotion of others, and perhaps a little self-promotion, too. Jeff Baker, Director of Clinical Education at Pepperdine Law School, will serve as Editor. Seventeen clinicians from around the country, representing a variety of subject areas and experience levels, have committed to providing content for the first year.

Please sign up for updates from the blog and companion accounts on Facebook and Twitter. Suggestions, comments, and feedback are welcome and encouraged! Send to [Jeff.Baker@pepperdine.edu](mailto:Jeff.Baker@pepperdine.edu).

### Externship Community Events at the AALS Clinical Conference in Chicago

There will be a social dinner at 7:30 PM on Sunday, April 27 at the Park Grill in Millennium Park at 11 North Michigan Ave., which is a short walk from the Palmer House Hotel. The annual business breakfast will be held on Monday, April 28 at 7:30 AM at Notre Dame Law in Chicago at 224 South Michigan Ave., Suite 250 Mezzanine (which is around the corner from the conference hotel).

### CLEA POSTS CLINICAL JOB OPPORTUNITIES AT

<http://www.cleaweb.org/Jobs?>

### SUPPORT THE PER DIEM PROJECT 2014: CHICAGO!

As in years past, CLEA's *Per Diem Project 2014: Chicago* is asking you to support a local non-profit. The recipient of this year's award is a Chicago-based non-profit, First Defense Legal Aid ("FDLA"). See <http://www.first-defense.org/>. FDLA's mission is two-fold: to ensure equal justice for people arrested by the Chicago Police and to educate Chicagoans about the power of their constitutional rights. FDLA provides free, 24-hour, legal representation to people in Chicago Police Department custody and educates Chicagoans about how to protect their constitutional rights. Please donate on their website or in person in Chicago at the CLEA dues table. Let's keep the good work going!

***HELP ADVANCE CLINICAL LEGAL EDUCATION -  
TAKE THE NEW CSALE 2013-14 SURVEY***

The Center for the Study of Applied Legal Education (CSALE) is now conducting the third iteration of its *Survey of Applied Legal Education*. The new CSALE 2013-14 Master Survey was sent on April 4 to the director of clinical programs at each fully-accredited ABA law school. Once the program director fills out the online survey, CSALE will distribute *Law Clinic* and *Field Placement Course Sub-Surveys* to the person responsible for each distinct law clinic and field placement course at a school, as identified in the *Master Survey* response. The director of clinical programs will also be asked to identify each person teaching in a law clinic or field placement, and those clinic faculty will then receive a *Faculty Sub-Survey*. Thus, through the *Master* and *Sub-Surveys*, CSALE hopes to capture information on every law clinic and field placement course and every person teaching a clinical course.

If you are interested in advancing clinical legal education, we need your help by participating in the *Survey*. Just over 84% of ABA accredited law schools participated in CSALE's 2010-11 *Survey*, providing data that had a significant impact on applied legal education. Nearly 75% of U.S. law schools have relied on the data in considering live-client clinic and externship program design, pedagogy, and staffing. Today, there are more robust programs serving more clients with more secure faculty due, in no small part, to CSALE's work and the participants in the 2010-11 *Survey*. Scholars and advocates for applied legal education (including CLEA) are also relying on the data in their endeavors.

So, please watch for your email invitation to participate in the new CSALE 2013-14 *Survey*.

To learn more about CSALE's work and see a summary of the results the 2010-11 *Survey*, visit [www.CSALE.org](http://www.CSALE.org).

**CLEA NEWSLETTER — NEW FORMAT, CONTENT & COMMITTEE**

Besides featuring reports on CLEA's advocacy work and announcing clinicians' good news, including promotions, new arrivals, transitions, awards, honors, books and publications, CLEA hopes to highlight shorter articles on clinical teaching and creative writing on social justice topics. To accommodate this new content, the CLEA newsletter will omit news from clinical programs generally as well as news about conferences, presentations and select appointments.

Specifically, CLEA is looking for short articles that more closely resemble what you might read in a bar journal instead of a law review (fewer pages, fewer endnotes). There is no word limit; CLEA wants to see what clinicians are inspired to submit. The topics of course could vary immensely, but rather than a description of a successful clinical endeavor, CLEA is instead looking for more reflective pieces about andragogy—what you tried, what worked (or didn't) and why. Articles about past presentations and hyperlinks to other websites to read more are also welcome.

One of the reasons that CLEA decided to change the format for its newsletter was because the AALS Clinical Section also has a newsletter that publishes news from clinic programs and many schools were sending the same or similar news to each newsletter. We want to be able to expand resources rather than duplicate them.

CLEA is especially eager to read and publish social justice fiction, non-fiction and poetry from our members. As a service to our clinical community, CLEA hopes not only to share interesting and useful information but also to evolve into a venue where clinicians can publish shorter articles that might count towards tenure requirements in schools that recognize broader definitions of "scholarship" for clinicians.

The CLEA Newsletter committee (see p. 25) is also launching a recurring column, "Things I Wish I Knew When I Began Clinical Teaching!," to which Carrie Kaas (Quinnipiac) contributes for its inaugural.

**CLEA is now soliciting submissions for our fall edition. Please email your submissions to Tanya Asim Cooper at [tcooper@law.ua.edu](mailto:tcooper@law.ua.edu) or any member of the CLEA Newsletter committee. We welcome your ideas and feedback.**

## Good News : Moves, Honors & Promotions



**Melanie McMenamín** will join the **Villanova University School of Law** in August 2014 as the founding director of the new Clinic for Law and Entrepreneurship. Melanie is coming from her current position in the Entrepreneurship Legal Clinic at the University of Pennsylvania Law School. At Villanova, she will create its first transactional clinic that serves both for-profit and non-profit ventures.

**Yuri Linetsky** will join the clinical faculty at **The University of Alabama School of Law** as Director of the Civil Clinic. Yuri is currently Director of Litigation Skills at Case Western Reserve School of Law. In that role, he taught both Civil Pretrial Practice and Trial Tactics, and supervised the adjunct instructors who teach other sections of those courses. He previously taught as a Visiting Assistant Professor in the Civil Litigation Clinic from 2007-2011 and as a visiting legal writing instructor in 2011-2012.



**Anne Smith** and **Eric Englund**, co-founders of the [Law & Entrepreneurship Clinic](#) at **University of Wisconsin Law School**, recently received a 2014 Best of Madison Business Award from Madison Magazine. The award recognizes Smith's and Englund's work with the L&E Clinic, which provides free legal services for area entrepreneurs and small business owners. Press release available [here](#).



**Jaime Lee** was honored as one of **University of Baltimore School of Law's** "Teachers of the Year" at the AALS Meeting in New York City in January 2014.



The faculty at **St. Thomas University School of Law** voted overwhelmingly to grant Professor **Michael Vastine** tenure and promote him to full Professor of Law. Professor Vastine directs the Immigration Clinic at STU law.



**UMass Law** announces that **Margaret Drew** will be joining the school as an associate professor and Director of Clinical Programs and Experiential Education this summer. Previously, Margaret was director of clinics and experiential learning at the University of Cincinnati College of Law. She has also taught at Northeastern University School of Law and the University of Alabama School of Law where she directed domestic violence clinics.



**Penn State Law** Clinical Professor **Shoba Sivaprasad Wadhia** was named the Samuel Weiss Faculty Scholar.

**Jason Schultz** of **NYU Law's** Technology Law and Policy Clinic was awarded clinical tenure.



Congratulations to **Jayashri Srikantiah (Stanford)** who was on the legal team awarded the 2014 Immigration Law CLAY award for their work on a class action establishing rights to bond release hearings for immigrants detained for more than six months. (*Rodriguez v. Robbins*, 715 F.3d 1127 (9th Cir. 2013).) Together with the ACLU, Jayashri and Stanford's Immigrants' Rights Clinic have been litigating the prolonged detention issue in the Ninth Circuit for many years. The appellate ruling in April was the first by a circuit court to set a bright-line designation for when individuals must be granted bond hearings. Further details are available in the March edition of [California Lawyer](#).



**Paul Holland**, associate dean, clinical professor, and former clinic director, has received the prestigious McGoldrick Fellowship at **Seattle University School of Law**. This award is given annually to the most extraordinary teachers and administrators at the university. Press release available [here](#).



## Good News : Moves, Honors & Promotions

### Deborah Thompson Eisenberg

(Maryland) was promoted to Associate Professor of Law. Professor Eisenberg is the Faculty Director of the Center for Dispute Resolution. She writes and teaches in the areas of employment law, dispute resolution and civil procedure. She provides professional trainings and workshops on negotiation, mediation, and workplace dispute resolution and serves as a mediator in civil and employment cases.



**Alina Das** of NYU Law's Immigrant Rights Clinic has been promoted to Associate Professor of Law on their tenure-track.



The National Organization of Social Security Claimants' Representatives (NOSSCR) will present its highest honor, the Eileen P. Sweeney Distinguished Service Award, to **Rutgers-Newark** Associate Dean for Clinical Education **Jon C. Dubin** at its May 2014 national conference. An expert in Social Security disability law, Dubin will be recognized for his work in advancing the quality and availability of advocacy for disability claimants and in improving the Social Security adjudicatory process. In 2012, Dubin served on the Administrative Conference of the United States (ACUS) Social Security Disability Adjudication Project Working Group. He has also been chair of the Association of American Law Schools' Poverty Law Section, a board member of the National Center on Law and Economic Justice (formerly Center on Social Welfare Policy and Law) and New Jersey Institute for Social Justice, and member of the ABA Commission on Poverty and Homelessness. "In his scholarship, clinical practice, and public service, Jon Dubin is an astute and dedicated advocate on behalf of the rights of SSI and Social Security disability claimants and other low-income persons," said Ronald K. Chen, Acting Dean.



Please join the **University of Tennessee College of Law** in congratulating Associate Professors **Wendy Bach** and **Karla McKanders**, members of our clinical faculty. The faculty voted overwhelmingly to recommend the grant of tenure for each of them. Wendy and Karla have greatly enriched our clinical program while producing superb legal scholarship on issues involving race, gender, immigration law, and poverty.



Professor **Lisa Radtke Bliss** (pictured on pages 5, 23), Associate Clinical Professor, Director of Experiential Education, and Co-Director of HeLP Legal Services Clinic at **Georgia State University College of Law**, has been selected as the 2014 recipient of the AALS Section on Clinical Legal Education's Shanara Gilbert Award. **The award will be presented to Lisa during the luncheon on Monday, April 28, at the Clinical Legal Education Conference in Chicago.** The Shanara Gilbert Award honors an "emerging clinician," with ten or fewer years of experience who has (1) a commitment to teaching and achieving social justice, particularly in the areas of race and the criminal justice system; (2) a passion for providing legal services and access to justice to individuals and groups most in need; (3) service to the cause of clinical legal education or to the AALS Section on Clinical Legal Education; (4) an interest in international clinical legal education; and (5) an interest in the beauty of nature (desirable, but not required). Lisa's nomination was supported by many of her academic and professional colleagues throughout the country and the world. Lisa's work and commitment as a teacher, scholar, and advocate more than fulfill the letter and the spirit of the Shanara Gilbert award criteria. In particular, her ground-breaking work in developing the medical-legal partnership at HeLP (Health Law Partnership); her service as a member of the Executive Committee of the AALS Section on Clinical Legal Education; her leadership as Director of Experiential Education at Georgia State; the clinical legal education training and workshops she has provided at law schools in Thailand, Myanmar, and Vietnam; her great love and respect for the beauty of nature; and her significant impact as a teacher, advocate and scholar demonstrate that Lisa is, as one recommender said, "the total package in the spirit of Shanara herself."

**Good News : Moves, Honors & Promotions**

Please congratulate Profs. **John Craft**, **Ken Dunham** and **Kelly McTear** in the clinics at **Faulkner University Jones School of Law**, who received the [Unity Award from Leadership Montgomery](#). This is a community-wide award and is a major event in Montgomery, to honor nonprofits and



community organizations working to build cultural bridges in the city, to overcome historic barriers and to serve the vulnerable in marginalized communities.

**Kathryn Pierce** (Washington Univ.—St. Louis) (*Children and Family Advocacy Clinic & Criminal Justice Clinic*) was the recipient of the 2014 Black Law Students Association (BLSA) Outstanding Achievement in Practice award for her service on behalf of law clinic clients.



Please join **Case Western Reserve University School of Law** in congratulating



Professor **Judy Lipton**, who has been named Associate Dean for Experiential Education, and Professor **Laura McNally** who has been named Co-Director of the Milton A. Kramer Law Clinic.



After a year-long visit, **Leigh Goodmark** has been hired as a Professor of Law and will join the faculty at the **Maryland Carey Law Clinic** next year. Professor Goodmark is the former Director of the Clinical Education and Family Law Clinic at the University of Baltimore School of Law. At Maryland, Leigh is teaching a Gender Violence Clinic.



**Laurie B. Serafino**, Director of Clinical Legal Education and Associate Professor of Law, gained tenure this semester. After joining **Duquesne University** in fall 2012, Serafino launched a long-term strategy for Clinical Legal Education and created a plan to involve more research

faculty in the programs, including having a professor of law lead ethics discussion groups in all of the clinics. She is currently working to expand the yearlong externship programs. Serafino most recently directed clinical programs at Pepperdine University School of Law, where she administered multiple clinics and externship placements for students with the U.S. State Department, federal courts, private companies, and public interest law firms. She practiced law in California for 30 years, primarily as a criminal defense attorney.

The **University of Arkansas School of Law** welcomes **Tiffany Murphy** to the faculty. Currently a professor at Oklahoma City University School of Law, Tiffany directs the Oklahoma Innocence Project. Prior to founding the Oklahoma Innocence Project, she served as legal director of the Midwestern Innocence Project and taught at the University of Missouri-Kansas City and the University of Missouri-Columbia Schools of Law. Tiffany's practice experience includes work as a Federal public defender.



**Loyola University Chicago** Clinical Law Professor **Emily Benfer**, has been chosen to receive the inaugural Albert Schweitzer Leadership Award. The annual award honors an individual who has done significant work to mitigate the social



determinants of health in their community, and whose commitment to service has influenced and inspired others. Emily is receiving the award for her work as the founder and director of the Health Justice Project, a law school clinic at Loyola University Chicago School of Law.



**Ragini Shah (Suffolk)** has been appointed the new Director of Clinical Programs. She also teaches the Immigration Law Clinic at Suffolk Law.

## Good News : Moves, Honors & Promotions



**Rebecca Sharpless**, director of the **Miami Law** Immigration Clinic, has been promoted to Professor of Clinical Legal Education.

Professor **Lisa Martin (Catholic)** was appointed to serve as the faculty Director of the Experiential Curriculum, where she will oversee CUA's externship and hybrid clinical programs. Lisa will continue to teach in CUA's Families and the Law Clinic.



**Susan Bennett (American)** won the Egon Guttman Casebook Award for Susan Bennett, Brenda Bratton Blom, Louise A. Howells & Deborah S. Ken, **COMMUNITY ECONOMIC DEVELOPMENT LAW: A TEXT FOR ENGAGED LEARNING** (Carolina Academic Press 2012).

**Luz Herrera** will be joining **UCLA** as the new Assistant Dean for Clinical Education, Experiential Learning and Public Service. Luz has a national reputation in the clinical community, particularly for her work in developing the Small Business Law Center and Solo Practice Incubator Program at Thomas Jefferson, which helps graduates understand how to set up and run their own small firms, and her commitment to access to justice. Her connections to a wide range of community partners, her experience in building clinical programs and her teaching experience, especially in the transactional area, offer a unique set of perspectives for our students and faculty.



**Saint Louis University School of Law** announced the appointment of **Patricia Hureston Lee** as an associate professor and the new director of the school's Legal Clinics. She will assume her post on July 1 and succeeds interim clinical director Barbara Gilchrist and longtime director John Ammann, who led the clinic for 17 years. Both Professor Gilchrist and Professor Ammann continue to serve as clinic faculty.



**Jenny Roberts (American)** will receive the 2014 University Faculty Award for Outstanding Scholarship, Research, Creative Activity, and Other Professional Contributions. This important award "requires distinction as a scholar as documented through publications, invited lectures and papers, performances or shows, leadership in professional societies, work on editorial boards, membership in prestigious professional organizations, references, quotes or appearances in the media, or other kinds of selective positions of leadership." Additionally, Prof. Roberts was just appointed Associate Dean for Scholarship, effective Fall 2014.

### Michigan State University College of Law

Legal Clinic is pleased to announce the arrival of Professor **Nina W. Tarr**. Professor Tarr, Visiting Professor of Law, is on leave from the University of Illinois College of Law. Professor Tarr's primary teaching responsibility at MSU College of Law is to develop and run the Conflict Resolution Clinic. Professor Tarr is admitted to the Michigan Bar and has been approved as a Mediation Trainer by the Michigan Supreme Court Administrative Office, Office of Dispute Resolution.



While on the faculty at the University of Illinois, Professor taught courses in family law, mediation, food policy, professional responsibility, evidence, and domestic violence. She served two terms as the Director of Clinical Education after developing the first clinical education program in 1995.

Professor Tarr's published articles include, among others, "Food Entrepreneurs and Food Safety Regulation;" "Ethics, Internal Law School Clinics, and Training the Next Generation of Poverty Lawyers;" "Civil Orders for Protection: Freedom or Entrapment;" "The Cost to Children When Batterers Misuse Order for Protection Statutes in Child Custody Cases;" "Clients' and Students' Stories: Avoiding Exploitation and Complying with the Law to Produce Scholarship with Integrity;" and "The Skill of Evaluation as an Explicit Goal of Clinical Education." Professor Tarr is co-author of the third edition of *Legal Ethics in the Practice of Law* with Richard A. Zitrin and Carol M. Langford (LexisNexis) published in 2007.



**Patricia Roberts** has been promoted to Clinical Professor of Law with security of position at **William & Mary Law School**, effective July 1. As many of you know, Patty manages nine clinics at William & Mary, five of which were started under her leadership. She is perhaps best known currently for her direction of William & Mary's Special Education Advocacy Clinic and the founder and director of the Institute of Special Education Advocacy. Patty is also an important contributor to AALS and is currently chair of the Interdisciplinary Clinical Education Committee.

**Richard (Rick) Wilson (American)** won the Pauline Ruyle Moore Scholar Award for his article, Omar Khadr: Domestic and International Litigation Strategies for a Child in Armed Conflict Held at Guantanamo, *SANTA CLARA JOURNAL OF INTERNATIONAL LAW* volume 11, no. 1 (2012).



Professor **Michael McGonnigal (Catholic)** received the Pro Bono Award from the John Carroll Society, a spiritual, intellectual, social, and charitable organization for Washington-area Catholic professionals, recognizing his long partnership of service with the Archdiocesan Legal Network. Michael and his students in CUA's Advocacy for the Elderly Clinic accept a substantial number of referrals each year from the Legal Network to represent low income senior citizens in family law, consumer, landlord-tenant, and other civil law matters, and conduct seminars on wills and probate for the Network and its clients. In accepting his award, Michael noted, "For years I have been telling people that my clients teach the course and I get the paycheck. Now I can tell them that my students do the lawyering and I get the award."



**Florida State University** selected **Wendi Adelson's** book, *THIS IS OUR STORY*, for the [One Book, One Campus Initiative](#) so 7,000 freshman will learn about public interest lawyering and the fight against human trafficking.

**Dana Thompson (Univ. of Michigan)**, who directs the growing Entrepreneurship Clinic (EC), was promoted to clinical professor of law on a 7-year presumptively renewable contract. At the EC, Dana and her colleagues foster student start-ups and other intellectual property as part of the U-M's interdisciplinary Zell Entrepreneurship and Law Program.



**Boston University School of Law** is thrilled to announce that **Margaret (Peggy) Maisel**, an international scholar in experiential legal education, has been appointed as its Associate Dean for Experiential Education.



Peggy, who will join the faculty on July 1, will oversee more than 20 clinical and externship programs, in which more than 250 students participate annually. She will also advance curriculum initiatives, pedagogical practices and academic research that strengthen linkages between the School's experiential education program and its traditional academic curriculum.

Peggy's career has included leadership positions in both public interest law and the legal academy, having served as dean of the New College of California School of Law and as executive director of The Massachusetts Fair Housing Center. She has co-chaired the International Clinical Committee of the Association of American Law Schools, served on the Board of Governors of the Society of American Law Teachers, and been a steering committee member of the Global Alliance for Justice Education.

From 1997 to 2001, she was an associate professor of law at the University of KwaZulu-Natal in South Africa, where she co-authored two textbooks, *Introduction to Law and Legal Skills* and *Foundations of South African Law: Critical Issues for Law Students*, that drew from her experiences transforming the law school's in-house law clinic and first-year curriculum. During this time, she also helped found Global Alliance for Justice Education, which advocates for international clinical legal education.

Peggy is currently a professor of law at Florida International University, where she has been the director of the law school's Clinical Legal Education Program since its inception in 2003. She also teaches an interdisciplinary health law and policy clinic in partnership with FIU's College of Medicine.

## Honors & Promotions



**Maureen Sweeney (Maryland)** was promoted to Law School Associate Professor. Professor Sweeney has been directing the Immigration Clinic since 2004. She is the founding member and current board member of the Maryland Immigrant Rights Coalition, a non-profit organization dedicated to assisting Maryland immigrants through the coordination and enhancement of pro bono representation of low-income immigrants, community education, and advocacy on behalf of immigrants. She also serves as an emeritus member of the board of directors of the Baltimore-based non-profit Advocates for Survivors of Torture and Trauma, which provides comprehensive services and referrals to Maryland residents who are survivors of torture.



Prof. **Doug Frankel's (UPenn)** and **Jim Stark's (UConn)** recent article *Changing Minds: The Work of Mediators and Empirical Studies of Persuasion* has been selected as the

outstanding scholarly article of 2013 by the International Institute for Conflict Prevention and Resolution (CPR). CPR, an organization of executives and counsel from the world's largest companies and global law firms, government officials, retired judges, highly experienced neutrals, and leading academics, was founded in 1979 and has been at the forefront of the growth and development of dispute resolution practice and policy ever since. The cite to the article is 28 Ohio State J. Dispute Resol. 263-352 (2013) and the SSRN link is: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1769167](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1769167)



## Retiring & Dearly Departed Faculty

Please join the faculty in congratulating and celebrating **Paula Galowitz** on her upcoming retirement from **NYU Law School**. After 34 years on the NYU faculty and a prior career as a legal services lawyer, Paula has decided to go on *emerita* status and to divide her time between teaching and other activities. We NYUers will miss having her around here on a regular basis but are very glad that she will continue teaching courses here as a professor *emerita*. Needless to say, she will remain an important member of the clinical community and the numerous other public interest causes in which she participates actively. Paula will be attending the AALS Clinical Conference later this month and so those of you who'll be at the conference will be able to congratulate her in person. If you would like to send her an e-mail message, you can reach her off-list at: [paula.galowitz@nyu.edu](mailto:paula.galowitz@nyu.edu).



### Jerome E. Deise (Maryland)

On December 31, 2013, Professor Jerome E. Deise retired after more than 23 years teaching the Federal / State Criminal Defense Clinic and the Director of Trial Advocacy where he led our National Trial Team to a National Championship in 2006. Professor Deise is an Academic Fellow of the Pound Civil Justice Institute, a legal "think tank" dedicated to the cause of promoting access to the civil justice system through its programs, publications and research grants. In 2004 Professor Deise was awarded the institute's prestigious Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy, a national award given annually to an outstanding law professor "who exemplifies the best attributes of the trial lawyer as teacher, mentor and advocate." In addition, Prof. Deise has received the University of Maryland School of Law Award for Outstanding Teacher of the Year. At his retirement celebration, Professor Deise was recognized with Professor Emeritus status among other awards and commendations.



### Eddie Ohlbaum (Temple), 1950-2014.

[http://articles.philly.com/2014-03-16/news/48247346\\_1\\_law-professor-temple-university-wesleyan-university](http://articles.philly.com/2014-03-16/news/48247346_1_law-professor-temple-university-wesleyan-university)





### New Faculty



**Michigan State University** College of Law is pleased to announce the return of **Joshua Wease** to the Alvin L. Storrs Low-Income Taxpayer Clinic, this time as Co-Director. He started his legal career as an Equal Justice

Works Public Interest Law Fellow at MSU Law's Tax Clinic, previously having been a MSU Law student enrolled in the clinic. He was a senior attorney with the Midwest law firm of Foster Swift, Collins & Smith and was a partner in Wease Halloran, PLC, a boutique tax law firm, for almost five years.

As an assistant clinical professor at the Tax Clinic, he teaches clinic students substantive and procedural tax law and supervises their client work. Professor Wease also assists with the general operations and management of the clinic, which serves low-income clients in controversy with the Internal Revenue Service and taxpayers for whom English is a second language and provides MSU Law students with hands-on experience practicing tax law.

Professor Wease graduated cum laude from Michigan State University College of Law and received his LLM in trial advocacy from the Beasley School of Law at Temple University. He is admitted to practice in Michigan, the United States Tax Court, the Western District of Michigan, the Eastern District of Michigan, and the U.S. Supreme Court.

### Retiring Faculty

After 40 years in the Clinical Law Program at **Maryland**, Professor **Susan Leviton**, is retiring. Professor Leviton, one of the clinical law program's founding members, has written and participated extensively in representing children in special education proceedings and the juvenile court. She is



past Chair of the Maryland Human Relations Commission and founder of Advocates for Children and Youth, a statewide child advocacy group. Her advocacy work has won numerous awards from the ABA Young Lawyers Division, the National Association of Women Business Owners, The Women's Law Center, the Maryland Chapter of the American Academy of Pediatrics, the Maryland Bar Foundation, the Foster Care Review Board, the Maryland Coalition of Women for Responsive Government, and the Maryland Interdisciplinary Council for Children and Adolescents. Even though she has retired from her full-time faculty position, Professor Leviton will continue to supervise law students in the congressional externship program.

## Good News: New Faculty

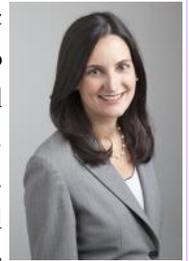
The **University of Alabama School of Law** is pleased to welcome **John Gross** to the clinical tenure-track faculty as Director of the Criminal Defense Clinic. Mr. Gross is Indigent Defense Counsel for The National Association of Criminal Defense Lawyers as well as an Adjunct Associate Professor of Law at American University, Washington College of Law where he teaches Criminal Procedure and Evidence. Prior to joining the NACDL, he was a Visiting Assistant Professor of Law and Acting Director of the Syracuse University College of Law's Criminal Defense Clinic for 2 years. Prior to his teaching and clinical career, he was a staff attorney at the Legal Aid Society in New York City in the Criminal Defense Division, where he represented indigent defendants at all stages of prosecution, from arraignment through disposition. He has over a decade of experience as a criminal defense attorney. A 1999 graduate of Hofstra University College of Law, he received his Bachelor of Arts degree from Georgetown University in 1995.



**Jamie Renner** has joined **Vermont Law School** as an Assistant Professor of Law to design and supervise the school's new Food and Agriculture Clinic (FAC) which will be offered as of Fall 2014. The FAC will provide legal support to targeted constituencies within the sustainable food and agriculture movement -- including farmers, food producers, food entrepreneurs, consumers, legislators and healthcare professionals -- and help build the movement's legal and market infrastructure. Before coming to VLS, Jamie was a law clerk on the District of Columbia Court of Appeals, a four-year associate in the Government Investigations and Environmental Strategies groups of Bracewell & Giuliani LLP in New York City, and an AmeriCorps volunteer at the Central VT Council on Aging. Jamie received his JD from the Washington College of Law and his BA from Middlebury College.



The Samuelson Law, Technology & Public Policy Clinic at **Berkeley Law** is pleased to announce that **Catherine Crump** has accepted an offer to join the Berkeley Law faculty. Crump will join Clinic Director Jennifer M. Urban in the Fall as a new Assistant Clinical Professor of Law and Associate Director of the Samuelson Clinic.



Crump graduated from Stanford Law School in 2004 and clerked for Judge McKeown on the Ninth Circuit Court of Appeals. She is currently a staff attorney at the American Civil Liberties Union's Speech, Privacy and Technology Project. She is also a Non-Resident Fellow at the Stanford Center for Internet and Society.

She has litigated challenges to government surveillance programs, such as the NSA's mass collection of domestic call records, and the Department of Homeland Security's assertion that it can search individuals' laptops and cell phones at the international border absent suspicion. She has argued before numerous federal district and circuit courts, has testified before Congress and the European Parliament, and appears regularly in the national news media. Additionally, she's a FOIA expert, and has led students in FOIA projects with Professor Jason Schultz at the Technology Law and Policy Clinic at NYU. Recently, her research has focused on license plate readers and drone surveillance.

Crump will begin at Berkeley Law on July 1, 2014.

**Hugh McClean** will be joining the **University of Baltimore** clinical program as the new director of the Veterans Advocacy Clinic. Hugh is joining us from the Office of the General Counsel at the Pentagon. He has previous experience in the Air Force Judge Advocate General's Corps as both a criminal defense attorney and a prosecutor. He was also an Associate Professor of Law at the United States Air Force Academy, where he was honored with numerous teaching awards. Hugh is a graduate of Case Western Reserve University School of Law and holds an LLM from George Washington University School of Law. We are thrilled to have him join us and to expand our legal services to veterans.





**Millicent Newhouse** has joined the **University Of Baltimore School of Law** as the Director of Externships. She has been the Director of

Program Administration for Columbia Legal Services and Statewide Advocacy Coordinator for the Northwest Justice Project. She has also served as an Administrative Law Judge and an Assistant Attorney General in the Washington State Attorney General's Office. Millicent has been active with numerous community and bar-related boards and committees. As UB's first full-time Director of Externships, she will be expanding and diversifying quality externship opportunities for UB students.

**Loyola Law School (Los Angeles)** is pleased to announce two new clinical faculty.

First, **Rebecca Delfino** will be joining the faculty as Director of externships. Rebecca has served for 16 years as a senior appellate attorney in Division Seven of the Second District California Court of Appeal. She is a graduate of UC Davis school of law.



**Sean Kennedy**, the United states Public Defender for the central district of California, will be joining the faculty as Director of the Center for Juvenile Law and Policy. Sean is a graduate of Loyola Law School.



**Jane Darst** has been appointed co-director of the **Washington University (St. Louis) School of Law's** new *Prosecution Law Clinic*. She has been a prosecutor with the St. Louis City Circuit Attorney's Office since 1989 and the First Assistant Circuit Attorney since 2001.



**University of Maryland School of Law's** Newest Clinical Instructor of Law, **Beverly Winstead**, is teaching the Low

Income Taxpayers Clinic. Professor Winstead is a Maryland Law grad and came to us from private practice. She sits on several committees and writes for the Maryland Student Bar Association Journal.



Professor **Dorcas Gilmore** joined the **American University** Washington College of Law's Community and Economic Development Law Clinic this semester as a Practitioner in Residence.

Dorcas comes to WCL from the national office of the NAACP, where she served as Assistant General Counsel. Before working at the NAACP, Dorcas practiced community lawyering as a Skadden Fellow and staff attorney at the Community Law Center in Baltimore. Dorcas's many national recognitions and awards include appointments to the Governing Committee of the ABA's Forum on Affordable Housing and Community Development Law and to the American Express NGen and Harvard Wasserstein Public Interest Fellowships. Her scholarship includes articles and essays on youth entrepreneurship, resilience and leadership development.



**Steve LaBounty (Washington University St. Louis)** has been appointed co-director of the School's new *Low Income Tax Clinic*. He recently retired after 30 years with the Office of Chief Counsel of the IRS and teaches the School's Federal Tax Procedure course.



**Katherine L.W. Norton** was hired this spring as Assistant Professor of Clinical Legal Skills. Norton supervises the new Family Law Clinic and coordinates **Duquesne School of Law's** externship programs. Prior to joining the University, Norton was an attorney with Elliott & Davis, PC, in Pittsburgh, where her practice focused on all areas of family law including divorce, support, and custody at both the trial and appellate level. She is admitted to practice in the state courts of the Commonwealth of Pennsylvania and the U.S. District Court for the Western District of Pennsylvania. Norton serves the Allegheny County Bar Association as Co-Chair of the Public Service Committee and is a Young Fellow of the Allegheny County Bar Foundation.



**Lisa Weissman-Ward (Stanford)**

Stanford is pleased to have recently welcomed Lisa Weissman-Ward to the Immigrants' Rights Clinic as a Clinical Supervising Attorney and Lecturer in Law. Prior to joining SLS, Lisa worked for seven years on immigration matters as an attorney at Van Der Hout, Brigagliano, and Nightingale in San Francisco where she supervised a deportation defense team as a Senior Associate. Among the distinct skills Lisa brings to the program, she specializes in complex litigation before the national immigration agencies and courts and the Ninth Circuit Court of Appeals.



We are pleased to announce that **Benjamin Edwards** joined the **Michigan State University** College of Law Legal Clinic as the founding Director of Michigan State's new Investor Advocacy Clinic. The Clinic was made possible by a grant from the FINRA Investor Education Foundation. The Clinic represents retail investors in FINRA arbitration, provides community education, and comments on regulatory proposals affecting investor interests. Before joining Michigan State College of Law, Professor Edwards practiced in the securities litigation group at Skadden, Arps, Slate, Meagher & Flom LLP's New York office. There, he litigated cases arising out of the Bernard Madoff Ponzi scheme. Professor Edwards researches and writes in the areas of federal civil procedure, immigration, securities regulation, and securities litigation. He is a member of the Public Investors Arbitration Bar Association and the Ingham County Bar Association. In 2013, the Public Investors Arbitration Bar Association recognized him with a service award for his committee work.



**Sarah Narkiewicz (Washington University St. Louis)** has been appointed co-director of the School's new Low Income Tax Clinic. She has taught in the School's LL.M. tax program since 2004 and previously practiced as a tax attorney with Husch Blackwell and The Stolar Partnership and as a tax consultant with PricewaterhouseCoopers.



**Rachel Smith (Washington University St. Louis)** has been appointed co-director of the School's new *Prosecution Law Clinic*. She is the Chief Prosecutor in the Community Affairs Bureau of the St. Louis City Circuit Attorney's Office and previously served as a Special Assistant and Special Prosecutor with the Missouri Attorney General's Office.



**Geraldine Doetzer (Maryland)** joined the Drug Policy Clinic as a staff attorney, working on the implementation phase of its Advancing Access to Addiction Treatment Initiative. Ms. Doetzer brings extensive legal services and policy advocacy experience in public benefits and health insurance to the project. Ms. Doetzer was the staff attorney at the Health Insurance Counseling Project at the George Washington University Law School, Jacob Burns Community Legal Clinics in Washington, D.C., where she provided representation and advice to residents with health law problems, advocated on behalf of low-income consumers and persons with disabilities during the District's implementation of health care reform, and supervised advanced law students enrolled in George Washington's Health Rights Law Clinic.

Professor **Brandon Butler** joined the **American University** Washington College of Law's Intellectual Property Law Clinic last fall as a Practitioner in Residence. Before joining WCL, Brandon was the Director of Public Policy Initiatives at the Association of Research Libraries (ARL), an association of 125 academic and research libraries in North America. At ARL, he worked on a host of issues ranging from fair use to network neutrality to the PATRIOT Act. Before ARL, Brandon was an associate in the Media and Information Technologies practice group at the Washington, D.C., law firm Dow Lohnes PLLC (now Cooley LLP), where he worked on copyright issues, trademark prosecution, litigation, and corporate transactions involving intellectual property.



CLEA will once again continue its tradition of hosting a table at the Clinical conference. Come by and chat with board members! Donate to the per diem project! Pay your dues for next year! In fact, this would be an excellent opportunity for schools that do group memberships by check to drop off their payment and member list. We will be there in between sessions to be of any assistance. See you in Chicago.

## Good News: Books & Publications



**Shoba Sivaprasad Wadhia (Penn State)** has published, *My Great FOIA Adventure and Discoveries of Deferred Action Cases at ICE*, 27 *Geo. Immig. L.J.* 345 (2013).

**Jon C. Dubin (Rutgers-Newark)**, SOCIAL SECURITY DISABILITY LAW AND PROCEDURE IN FEDERAL COURT (2014 EDITION CO-AUTHORED WITH CAROLYN A. KUBITSCHK, THOMSONREUTERS/WEST PUBLISHING CO.) (2014); Jon C. Dubin, *The Rutgers Cases and the State of the Law of State Law School Clinical Programs*, 65 *RUTGERS L. REV.* 817 (2013).



**Mae Quinn (Washington Univ.—St. Louis)**  
*Giving Kids their Due: Theorizing a Modern Fourteenth Amendment Framework for Juvenile Defense Counsel*, 99 *IOWA L. REV.* (forthcoming 2014); *The Other “Missouri Model”: Systemic Juvenile Injustice in the Show Me State*, 78 *MO. L. REV.* (forthcoming 2014); *From Turkey Trot to Twitter: Policing Puberty, Purity, and Sex Positivity*, 20 *N.Y.U. REV. L. & SOC. CHANGE* (forthcoming 2014).

**Tanya Asim Cooper (Alabama)**

*Racial Bias in American Foster Care: The National Debate*, 97



*MARQ. L. REV.* 215 (2013); *Race is Evidence of Parenting in America: Another Civil Rights Story* in *CIVIL RIGHTS IN AMERICAN LAW, HISTORY, AND POLITICS* (Cambridge University Press) (Austin Sarat, ed.) (2014).



**Barbara Bezdek (Maryland)**

“Citizen Engagement in the Shrinking City: Toward Development Justice in an Era of Growing Inequality,” 33 *St. Louis University Public Law Review* (forthcoming 2014).

**Tim Tarvin (Arkansas-Fayetteville)**

*The Privilege Against Self-Incrimination in Bankruptcy and the Plight of the Debtor*, 44 *Seton Hall L. Rev.* 47.



**Deborah Thompson Eisenberg (Maryland)**

*Alternative Dispute Resolution and Public Confidence in the Judiciary: Chief Judge Bell’s ‘Culture of Conflict Resolution’*, 72 *Maryland Law Review* 1112 (2013) (with Rachel Wohl and Toby Treem Guerin). *Regulation by Amicus: The Department of Labor’s Policy Making in the Courts*, 65 *Florida Law Review* 1223 (2013). *Stopped at the Starting Gate: the Overuse of Summary Judgment in Equal Pay Cases*, 57 *New York Law School Law Review* 815 (2013).



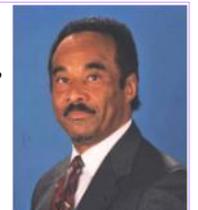
**Jennifer Rosen Valverde (Rutgers-Newark)**

*A Poor IDEA: Statute of Limitations Decisions Cement Second-Class Remedial Scheme for Low-Income Children with Disabilities in the Third Circuit*, 41 *FORDHAM URB. L.J.* 599 (forthcoming 2014); *Hindsight is 20/20: Finding Teachable Moments in the Extraordinary and Applying Them to the Ordinary*, 20 *CLINICAL L. REV.* 267 (2013).



**Robert C. Holmes (Rutgers-Newark)**

*Use of Clinic Students’ Extant Talents: Negative Exploitation or a Peek at the Future of Legal Education*, 66 *RUTGERS L. REV.* \_\_\_\_ (forthcoming 2014); *Benefits of Chartering in Delaware Versus New Jersey: Busting the Myth and Closing the Gap*, 8 *RUTGERS BUS. L. J.* \_\_\_\_ (forthcoming 2014).



**Michael Pinard (Maryland)**

*Criminal Records, Race and Redemption*, 16 *NYU J. OF LEGIS. & PUB. POL’Y* 963 (2013); Op-ed, *Ban the Box in Baltimore*, *Baltimore Sun*, January 8, 2014.



**Laura Cohen (Rutgers-Newark),**

*Extending the Guiding Hand: Incarcerated Youth, Law School Clinics, and Expanding Access to Counsel*, 17 U. PA. J. L. & SOC. CHANGE \_\_\_\_ (forthcoming 2014); *Freedom's Road: Youth, Parole, and the Promise of Graham v. Florida and Miller v. Alabama*, 35 CARDOZO L. REV. \_\_\_\_ (forthcoming 2013).

**Douglas L. Colbert (Maryland),**

*Pretrial Justice: Incarceration Without Representation at First Bail Hearings*, The Constitution Project, Spring 2014 (forthcoming); *Maryland's Pretrial Detention Is Unfair*, The Baltimore Sun (op-ed), December 7, 2013.; *Justice Before The Trial*, The Baltimore Sun, September 6, 2013; *Insecure Justice in Maryland*, The Baltimore

**Hugh M. Lee (Alabama)** has published:

*Foreclosure and the Elderly Homeowner: An Overview of Possible Solutions*, 269 Elder Law Advisory 1 (Thomson Reuters August 2013) (with Jennifer N. Marshall); *Helping to Create an Age-Friendly City: A Town and Gown Community Engagement Project*, 40 Social Work and Christianity 422 (2013) (with Michael W. Parker and twelve interdisciplinary aging professionals); *Waiting for Elder Justice: An Overview of the Elder Justice Act, Its Implementation and Future Viability*, 275 Elder Law Advisory 1 (Thomson Reuters February 2014) (with Jennifer N. Marshall); ALABAMA ELDER LAW (West 2013-2014) (5th ed. September 2013) (with Jo Alison Taylor).

**Patricia Campbell (Maryland)**

"Coping With the America Invents Act: Patent Challenges for Startup Companies," Ohio State Entrepreneurial Business Law Journal, 355 (2013).

**Toby Treem Guerin (Maryland)**

"Preparation, a Key to Getting the Most Out of Mediation," Corporate Disputes Magazine, April – June 2014.

**Professor Benjamin Edwards (Michigan State)**

co-authored a study titled *The Inequality of Investor Access to Information* for the Public Investors Arbitration Bar Association (PIABA). PIABA released the study on March 6, 2014. It has received substantial coverage and Congressional attention. Thus far, *The Wall Street Journal*, *Forbes*, *Investment News*, *Reuters* and others have covered the study's findings. Additionally, U.S. Senators Jack Reed and Chuck Grassley issued a joint statement calling on the Financial Industry Regulatory Authority to release more information to the public.

Professor Edwards's other recent publications include: "FIDUCIARY DUTY & INVESTMENT ADVICE: WILL A UNIFORM FIDUCIARY DUTY MAKE A MATERIAL DIFFERENCE?" \_\_\_\_ J. OF BUSINESS & SECURITIES LAW \_\_\_\_ (forthcoming 2014); "ROLLING BACK THE ECONOMIC LOSS DOCTRINE IN SECURITIES DISPUTES AGAINST FINANCIAL INTERMEDIARIES," 20 PIABA B.J. 39 (2013); "WHEN FEAR RULES IN LAW'S PLACE: SYSTEMIC INTIMIDATION MAY DRIVE PLAINTIFFS OUT OF COURT," VIRGINIA JOURNAL OF SOCIAL POLICY AND THE LAW, 20 V. J. SOC. POLICY & L. 437 (Fall 2013); "WELCOMING A POST-DOMA WORLD," FAMILY LAW QUARTERLY, 47 FAM. L.Q. 173 (Fall 2013).

**Penny Venetis (Rutgers-Newark)**

*Enforcing Human Rights in the United States: Which Tribunals Are Best Suited to Adjudicate Treaty-Based Human Rights Claims*, 23 S. CAL. REV. L. & SOC. JUST. 121 (2014).

**Robert Kuehn (Washington Univ.—St. Louis),**

*Pricing Clinical Legal Education*, 92 DENVER U. L. REV. (forthcoming 2014).

**Anjum Gupta (Rutgers-Newark)**

*Nexus Redux*, 90 IND. L. J. \_\_\_\_ (forthcoming 2015); *The New Nexus*, 85 COLO. L. REV. 377 (2014).

## Good News: Books & Publications

**Deborah Epstein, Jane Aiken, and Wally Mlyniec**, all former or current Associate Deans of the **Georgetown** Clinical Program, have written a textbook for use in the seminar component of clinical courses. Published by West and forthcoming this summer, **THE CLINIC SEMINAR** provides a fully developed seminar curriculum for use in any clinic, regardless of subject matter, and by any teacher, regardless of experience level. Together, **THE CLINIC SEMINAR: TEACHER'S GUIDE** and **THE CLINIC SEMINAR: STUDENT TEXT** provide a full syllabus of 20 model classes designed for two-hour class sessions, with step-by-step instructions so that even a first-time clinician can enter the classroom with complete confidence. Topics in **THE CLINIC SEMINAR** include: Client Counseling, Communication and Assumptions, Interviewing, Project Interviewing, Informal Fact Investigation, Storytelling, Theory of the Case or Project, Collaboration, Direct Examination, Cross Examination, Exhibits, Objections, Opening Statements and Closing Arguments, Negotiation, Presentation Skills, Writing, Establishing Professional Boundaries, Conducting Rounds, Ethics, Challenging Assumptions, System Change, and Exploring Justice.

A typical chapter in **THE CLINIC SEMINAR: TEACHER'S GUIDE** walks the instructor through classroom set up and material preparation, lecture notes, a step-by-step guide to classroom exercises, and questions to pose to students at various stages of class. A typical chapter in **THE CLINIC SEMINAR: STUDENT TEXT** includes: a list of student learning goals, a description of class, an assignment in preparation for class, an interdisciplinary reading assignment, and handouts or other take-aways that



students will continue to use throughout their professional lives.

Professor **Carol Suzuki (New Mexico)**, who teaches in the UNM School of Law's Community Lawyering Clinic, recently published an article in the *Comparative Law Review* of Waseda University's Institute of Comparative Law. "How Law Schools in the United States Are Responding to Decreasing Applications and Job Prospects," 47 *COMPARATIVE L. REV.* 123 (2014) (translated by Yoshitaka Nakamura), was published following a public lecture Professor Suzuki gave in April 2013 at Waseda University, in Tokyo, Japan. Waseda Law School is home to the largest clinical law program in Japan and leads the development of clinical legal education in that country.



**Randi Mandelbaum (Rutgers-Newark)**,

*Re-Examining and Re-Defining Permanency from a Youth's Perspective*, 43 *CAP. U. L. LAW REV.* \_\_\_ (forthcoming 2014).



**Frank Askin (Rutgers-Newark)**,

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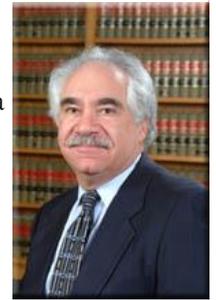
## Good News: Books & Publications

*Transforming the Education of Lawyers: The Theory and Practice of Clinical Pedagogy*, a new book by **Sue Bryant, Elliott Milstein and Ann Shalleck**, will be available in late April. All chapters are co-authored. Co-authors include Jane Aiken, Bob Dinerstein, Conrad Johnson and Jean Koh Peters. The book also includes essays about clinical teaching. Essayists include Mark Neal Aaronson, Bryan Adamson, Alicia Alvarez, Claudia Angelos, Sameer Ashar, Beryl Blaustone, Juliet M. Brodie, Elizabeth B. Cooper, Deborah Epstein, Carolyn Grose, Kristin Henning, Conrad Johnson, Donna Lee, and Wallace J. Mlyniec. The authors have donated any royalties from the book to CLEA.

The book, published by Carolina Academic Press, focuses on what and how to teach students about being a lawyer as they take responsibility for clients in a clinical course. The book identifies learning and lawyering theories as well as practical approaches to planning and teaching; it highlights how the four clinical methodologies—seminar, rounds, supervision, and fieldwork—reinforce and complement each other. It illustrates clinical education's transformative potential to create ethical, skilled, thoughtful practitioners imbued with professional values of justice and service. With contributions by both seasoned and newer clinical educators, the book addresses issues faced by all who teach in experiential lawyering courses. For those attending the clinical conference, the publisher is offering a 20% discount off the purchase price of \$49.95. The discount offer is good through the end of July, 2014.

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## ClinINC: Using Business Concepts to Manage your Clinic

By

**Lisa Pollan**

*Though clinicians are generally not trained in business and management, business principles can help clinics connect with the community, expose students to business principles as they relate to lawyering, and streamline day-to-day operations. This is the first in a series of articles that explores how business concepts can contribute to law school clinics.*

### MARKETING AND BRANDING YOUR CLINIC

You may not have thought about your clinic “brand,” but this business concept can be a valuable tool. In the business world, a strong brand adds value to a company by communicating to the consumer both the tangible benefits of a product and a promise of value and quality. Companies spend time and money ensuring that their brand is properly positioned—that it appeals to the consumer base they most want to target and communicates how the product or service meets those consumers’ needs. As more clinics do work in the local community beyond individual direct representation, including project-based work, a strong clinic brand can lend value by helping clinics to create a reputation within the community and attract project work that is a good match for the clinic’s model. Though not explicitly discussed in this article, a strong clinic brand can also assist clinics in mar-

keting to prospective students. This article shares tips for creating and maintaining a strong clinic brand that is relevant, authentic, and conveys the value of the clinic’s work.

1. Create a positioning statement.

Just like companies position themselves to consumers, clinics should consider how they want to position themselves to potential clients. Clinics can use positioning statements to more clearly and consistently communicate their value to potential clients and attract clients and projects that are a good match. A positioning statement is a short paragraph that:

- Identifies the target consumer or client segment
- Defines what the product or service does for the client (sometimes called the “frame of reference”)
- Differentiates the product or service from other options available to the client
- Deepens the connection to the client by connecting to the client’s emotional goal

Positioning statements can be incorporated into clinic materials to communicate the brand to clients. By telling clients who you are and what you are about, you can attract projects and clients that are an excellent match for your model.

At The Community Justice Project, we use the following positioning statement in our materials for prospective project clients:

*The Community Justice Project is a clinic at Georgetown University Law Center where teams of students, supervised by experienced attorneys, act as advocates for community, non-profit, educational, faith-based, and other organizations and groups. Students serve as advocates, consultants, advisors, capacity-builders, strategic planners, policy analysts, and community organizers to help clients tackle complex, high priority projects across a wide variety of subject areas.*

Our positioning statement defines the project work of the clinic to the target client base, differentiates the clinic by describing the unique role students play to organizational clients, and connects to the emotional goal of the client: solving their biggest, most pressing problems.

Similarly, Michigan Law’s Transactional Lab has a short but powerful positioning statement that defines the target client and work and connects to the emotional goal of the client by highlighting that its projects are of high priority to the client:

*The Transactional Lab presents corporate clients with an opportunity to work with bright and motivated law students, working directly under faculty supervision, on transactional matters of value to the company.*

*Continued on p. 23*

## ClinINC: Using Business Concepts to Manage your Clinic, continued.

The Prisoners and Families Clinic at Columbia Law School's positioning statement uses powerful, action-oriented language to define and differentiate the work of the clinic:

*The Prisoners and Families Clinic operates at the intersection of the criminal justice and family court/child welfare systems and engages in both education and advocacy. The clinic informs people in prison about their parental rights and responsibilities and the ways in which they can advocate effectively for themselves. The clinic also provides advocacy to people who have been released from prison, as well as their family members, to help them achieve reunification.*

Some clinics may already know who their target client is and what sets the clinic apart, and just need to find the right language. Other clinics may need to reflect on their work and their unique value before crafting the positioning statement. The tips in the sidebar can help clinics to develop their positioning statements.

2. Build a portfolio of branding materials to support your positioning.

Once you have your positioning statement, you will want to develop the more tangible aspects of your brand, which will allow clients and the community to recognize you and your work. It may be helpful to reach out to your university or law school communications office for assistance in developing your branding materials, as graphic designers may be available to help you execute your vision. The university may have certain branding requirements, and communications office staff can help you to consider how your branding choices fit visually with the university brand. You might develop:

### How to Develop a Positioning Statement

#### ***Identify the target client***

Consider what types of clients you have been best able to serve (large organizations? informal community groups?), or what projects have been the best fit for your clinic's work style (multi-year projects? short one-off projects?). Identify where your unique value intersects with a need of a particular type of client. Who stands to benefit the most from what you offer?

#### ***Define your frame of reference***

It is likely that clinics have numerous ways of describing their work. Comb through the materials you already have (recruitment materials used with students, information on a law school website, or written work produced for clients) and look for themes and buzzwords that appear often. What roles do students often play? What types of activities or learning often takes place? Track the commonalities, and you will have a basis for crafting your messaging. Look for language that resonates the most or that you use often.

#### ***Differentiate your work***

What sets the clinic apart in terms of the type of work it does, or how it goes about its work? It can be helpful to think about any common misconceptions about your work. What is hard to explain about your model because it is unique or different? What do clients or students sometimes assume that is incorrect?

#### ***Deepen your connection to the client***

Relate your work to the client's emotional goal. What is the mission of your ideal client organization and what drives them to do the

*Continued on p. 24*

**ClinINC: Using Business Concepts to Manage your Clinic, continued.**

- *A clinic logo*, which could include the name of your clinic and the name of the university. You will want the logo to be visually appealing in both black and white and color, and in various sizes. Once you have your logo, be sure to use it consistently. It can be helpful to create a style guide for clinic students and staff that explains how to use the logo and other branding elements on written products.
  - *An outreach flyer*, which could include your logo, positioning statement, contact information, and the process for applying to be a client. Calls to action can help motivate potential clients. You may also want to include examples of past projects you have worked on.
  - *Document templates*, which can give your written work products a standard look and feel. Templates in Word can be created fairly easily to set font and style choices. Your communications office may be able to create visually appealing covers for your work that include your logo so you end up with a body of work that has a common visual feel.
3. Use your branding materials consistently.

Now that you have a positioning statement and portfolio of brand materials, you will want to update all current materials with your new messaging and branding elements. This includes your website, student recruitment materials, write ups of past work, and office signage. Take inventory of what materials need to be updated. The more consistent your brand, the more clients will develop strong and positive associations with your clinic.

Interested in learning more? Check out these resources on marketing, branding, and positioning:

<http://blog.ecornell.com/what-is-a-brand/>

<http://blog.ecornell.com/how-to-write-market-positioning-statements/>

<http://www.entrepreneur.com/article/77408>

<http://designshack.net/articles/graphics/how-to-build-a-brand-bible-visual-style-guide/>

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## International Clinical Legal Education Perspectives: How Teaching Abroad Makes Us Better Clinicians

By

**Lisa Radtke Bliss**



CLINICAL LEGAL  
EDUCATION  
ASSOCIATION

Cross cultural collaboration has the potential to transform our teaching and the way we view ourselves as clinicians. The exchange and spread of ideas about clinical teaching, and exploring the nature of clinical teaching in other countries provides us with a new lens through which to view our approach to teaching our students how to become professionals. Such international exchanges extend the boundaries of our home institutions and by extension, our students. Exposing ourselves to the act of not only observing teachers in other countries but attempting ourselves to teach students in those countries, students whose first language is not English, puts us in unfamiliar territory, both literally and figuratively. As other clinicians have noted, it is these moments of “discomfort” from which we have much to learn.

Clinicians who teach in live-client clinics assume great responsibility for our students’ learning while at the same time holding a responsibility toward our clients. We attempt to reconcile these two responsibilities. We also become accustomed over time to not having total control over the progression of a case or the behavior of a client. For many clinicians, the inherent unpredictability of legal cases and the need to adapt and extract important lessons for our students from any case occurrence or outcome makes clinical teaching both exciting and challenging. In my own

three-credit clinic, I have found it challenging to balance the demands of preparing students to handle the varied needs of clients as they occur within a single semester against my desire to create a slower, more deliberate, thoughtful process of progressive learning. I had the opportunity to reflect and gain perspective on these challenges while teaching in Southeast Asia for the past two summers.

I taught students and mentored faculty in Thailand during the summers of 2012 and 2013. These experiences had a profound impact on me both personally and professionally. My time there was a journey that began with a feeling of being “upside down;” I had landed in a place where everything was different. I did not have my usual resources, creature comforts, or language. I had to learn to navigate the town and the university, understand the routines of the faculty and students, and learn the customs of the culture. I was tasked with collaborating with faculty, developing a working plan for a clinic, and helping faculty design experiential exercises for their courses. I was lucky that everyone spoke some English, and I took Thai lessons. Because of differences in culture, language and our accents, it was necessary to test constantly to make sure that we understood each other. I had to force myself to slow my usually fast pace of speaking. My experience of slowing my speech to accommodate learners for whom English was not a first language

turned out to benefit me, as I began to not only slow my speech, but to slow myself down in every way. Because I was away from the usual frenetic pace I experience at home, I was hyper-focused on the tasks and goals I had before me in Thailand. I was forced to deconstruct every lesson, to identify the reasons for every single concept I wanted to teach, to reduce the process of learning into incremental steps. This reductive exercise opened up new channels of thinking for me about how I approach clinical teaching generally, and influenced my thinking about future approaches to curriculum development on a micro as well as a macro level.

I taught students in Thailand who were unfamiliar with active learning, and I asked them to make a transition from the familiar style of passive learning to experiencing more active forms of learning. They had significant resistance to this. I was trying different approaches to encourage students to be active in class, and coaching other professors to do the same. Thai professors admitted that they had received training in many of the techniques I employed, but that they were not prepared to incorporate them into their classes. My presence served as incentive for them to try different approaches, and also for them to debrief the experience afterward. One of the insights I had during this experience was that transpar-

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**International Clinical Legal Education Perspectives: How Teaching Abroad Makes Us Better Clinicians, cont'd**



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parency for students was critical. Clinical pedagogy was new to them, so it was important for me to help them understand why I was doing what I was doing in class. They needed to have a clear understanding of the process of how they were going to be learning and why we were doing it that way. Helping students apply their learning to a bigger context and to understand that what they were learning was a skill that could be employed as a lawyer was an important part of getting them to “buy in” to the idea of a new way of learning. Making frequent connections between individual lessons and exercises to their larger goals as professionals also helped students understand their education as more complete.

In the same way, clinical pedagogy is unfamiliar to my students at home. Upon returning from my international teaching experience, I realized that there were more similarities between my own students and the Thai students than I originally believed. I began to think about how I might make the learning experience more comfortable and perhaps successful for my students if I employed some of the same techniques I used in Thailand. This requires more discipline on my part. It means that I must identify prior to every class, every student supervision meeting, and every client event what my goals

are for student learning in those contexts. To be a better teacher I must slow down, be intentional, and transparent. It can take a little more time to explain the “why,” but often explaining why we are doing something helps complete the lesson for students and connect the threads of their experience into a coherent whole.

Another lesson I re-learned is to take advantage of the accessibility of expertise from others. While I was teaching in Thailand, I regularly communicated with U.S. colleagues via email. In particular, there was a moment where I had reached completely unfamiliar territory when I was asked to teach a course of 300 students. I did not waste time waiting for the panic to set in but instead called upon talented colleagues whom I admire and asked for their ideas. In response, I received their suggestions and encouragement. While the help was important and gratefully received in that context, I also realized that within my own institution and within the clinical community at large I have access to brilliant teachers with whom I can exchange ideas and advice as a regular practice, not just when I am tasked with something overwhelming. Engaging in discussions about teaching makes me a better teacher, and my own experiences in international teaching have given me an important perspective to share in such conversations.

## Perspectives for Clinicians, New Study on Lawyer Well-being

By

Larry Krieger

With my research partner, Ken Sheldon, I was finally able to finish a project of many years seeking to determine what actually contributes to lawyer emotional well-being and life/career satisfaction. We gathered detailed data from 6200 lawyers in four states, and investigated a variety of diverse factors, including choices in law school, legal career, and personal life, and the psychological needs and motivations shown in our previous research to most strongly affect law student well-being. We then standardized the results, to allow comparison of the apparent impact of all of the diverse factors on happiness and satisfaction. The findings were striking and have particular relevance for clinicians; they showed that the hierarchical, competitive, and materialistic priorities common to many law schools and law firms can undermine lawyer happiness and satisfaction.

We delineated five groups of well-being factors, organizing the results by strength of association with lawyer well-being. The highest tier included factors that, unfortunately, are often marginalized in law school and have been shown in previous research to erode in law students -- psychological needs and intrinsic motivation. The second tier included supportive supervision at work (precisely mirroring the exceptional impact of supportive teaching on our law student subjects) and intrinsic/altruistic values. Conversely, the

more external factors typically afforded most importance (income, law school debt, class rank, law review, and USNWR law school ranking) showed zero to small correlations with lawyer well-being. These factors constituted the fourth of the five tiers of well-being correlates, followed only by demographic differences. You may glean the huge disparity between the correlations of these factors and the more personal and interpersonal factors with a few examples (all on a scale where 1.00 represents a perfect 1:1 correlation with well-being): the effect sizes of increasing income and law school debt on graduation were each .19; for law school class rank, .12, for higher USNWR school rank, .05, and for law review participation, .00. By contrast, the correlations with well-being for integrity, close relationships, and sensed competence were .63-.66, for meaning in work, .55, and for supportive supervision, .46.

Various findings suggested that competitive "success" as defined with traditional academic and economic measures does not translate to the real life of lawyers. For example, when comparing subjects by practice grouping, the group with the highest mean pay and class ranks, lawyers in "prestige" jobs, were *less happy, and felt less competent* in practice, than the group with the lowest mean grades and pay, lawyers in public service positions. Thus, both "success" and



"competence" as traditionally measured in law school do not appear to translate to real lawyers in actual work settings. Indeed, simple personal choices such as taking vacation days from work had the same or greater apparent effects on well-being than earning more income or any of the other external markers of success. Other specifics can be seen in the table below. There are many interesting findings not reflected in the table or this summary (see link below for full study).

We did survey to see if clinic or externship experiences would directly relate to improved well-being, but the data was not telling. The methodology used provides many possible explanations for that (other than that clinics are not helpful in this regard), and the mean age of subjects was 47 years old, so that direct effects of clinic in law school could be well obscured by that time. The findings do indirectly support the well-being value of clinics and externships however. First, the most important factors relating to well-being are also factors that would tend to develop more in experiential pro-

*Continued on p. 28*

grams -- autonomy, competence, relatedness to others, interest in/passion for one's work, and valuing altruistic service. Further, our previous related research on law students employed more revealing longitudinal methods and did show that, comparing a traditional, more scholarly second-tier law school and a more "clinical" and practice-oriented fourth-tier school, students at the latter enjoyed an array of benefits after three years of school: greater well-being and less depression, more ideal/internal motivation for their legal career, and better law school grade performance. Notably, they also far outperformed their counterparts (who had higher LSAT scores and incoming college grades) on the same bar examination in two consecutive years.<sup>1</sup>

In my mind, the current lawyer study (combined with the student studies when appropriate) can lend support to our efforts for parity and curricular reform. It can also encourage so many students who will be wonderful lawyers by virtue of their values and motivation, but who are not in the coveted "top of the class." And it can also help many students with high grades avoid the major life mistake of placing higher earnings above passion for their work. The full study may be viewed on SSRN: <http://ssrn.com/abstract=2398989>.<sup>2</sup>

I would be very appreciative to receive any feedback or impressions, if you read the study or circulate the link to your students.

Sincerely, Larry Krieger

### Notes

<sup>1</sup> Kennon M. Sheldon & Lawrence S. Krieger, *Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory*, 33 PERS. & SOC. PSYCHOL. BULL. 883 (2007).

<sup>2</sup> Lawrence S. Krieger & Kennon M. Sheldon, *What makes Lawyers Happy? Transcending the Anecdotes with Data from 6200 Lawyers*, 83 GEO. WASH. L. REV. (forthcoming 2015).

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<b>Five Tiers of Well-being Factors</b> (standardized correlations)	
	SWB
<b>Tier 1</b>	
Autonomy need satisfaction	.66
Relatedness need satisfaction	.65
Competence need satisfaction	.63
Internal work motivation	.55
<b>Tier 2</b>	
Supervisor autonomy support	.44
Intrinsic values	.30
<b>Tier 3</b>	
Vacation days taken	.23
Children	.20
Married/long term committed	.18
Exercise	.18
Alcohol use (quantity)	-.12
Prayer (affiliated/congregation)	.07
<b>Tier 4</b>	
Income	.19
Law school debt, on graduation	-.19
Class rank	.12
Law journal	.00
Law school ranking	.00
<b>Tier 5</b>	
Age	.17
Other demographics	.00-.03

## Top Ten Reasons Why Regional Clinical Conferences are Terrific

By

**Nina W. Tarr**

CLINICAL LEGAL  
EDUCATION  
ASSOCIATION

With a nod towards the ubiquity of top ten lists that we see on the Web, I provide you my top ten reasons why Regional Clinical Conferences are so terrific. The list has come to mind as I have worked with the wonderful folks at MSU to plan the Midwest Clinic Teachers' Conference that will take place on **September 12, 13, and 14, 2014 in East Lansing, Michigan**. The list has not changed much since I helped plan the first Midwest conference almost 30 years ago.

The list is in no particular order and probably not inclusive, so I encourage you to share your own thoughts on this topic through whatever medium appeals to you: you might even talk to the person in the office next door. Of course, I hope you will attend a regional conference this year and/or volunteer to host in the future.

1. **Flexible.** Since there is no external organizational bureaucracy, the conference organizers can create a program that is timely and responsive to late breaking issues or interesting ideas that pop up.
2. **Affordable.** The tradition has been to keep the costs for the conference at a minimum to maximize the number of people who can attend.
3. **Manageable.** The good news is that we have become a very large movement, but it means our na-

tional meetings can be difficult to navigate. The regional conferences tend to be a more manageable in size so all participants, old and new, can develop closer connections.

4. **Experimental.** Hosting schools have the opportunity to experiment with novel topics and delivery models.
5. **Institution building.** The people involved in the planning often come from one school or a limited number of schools in a region. This provides an opportunity to collaborate across clinics to create a meaningful, concrete project.
6. **Political.** The regional conferences provide a time and place to process and debate politically sensitive issues.
7. **Inclusive.** There are no rules about who can participate in the regional programs, so newer clinicians, adjuncts, and folks from the client community can attend and present at regional conferences.
8. **Local.** The schools who host the conferences have an opportunity to showcase their programs and their institutions. The participants find themselves visiting places they may have otherwise missed and learning about initiatives and methods that they may have never been exposed to.
9. **Interdisciplinary.** Regional conferences provide a place for peo-

ple from many disciplines to meet to discuss how they can achieve common goals.

### 10. Fun.



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## Things I Wish I Knew When I Began Clinical Teaching!

By

Carrie Kaas

The CLEA Newsletter Committee is excited to introduce our new, recurring column, *Things I Wish I Knew When I Began Clinical Teaching!* Each newsletter will feature quotes, stories, and probably a few words of warning or wisdom from clinical colleagues around the country. By highlighting different clinician's perspectives, we hope to offer something that will resonate with everyone.

Funny, heartfelt, serious — all are welcome from clinicians of any experience level. Whether you began teaching thirty years ago or last year, we want to hear from you. To contribute or for any questions, please email Professor D'lorah Hughes at [dlhughes@uark.edu](mailto:dlhughes@uark.edu).

Many thanks to our inaugural contributor, Carolyn Kaas (Quinnipiac).

It was 1989. I was six years out of law school. I knew how important clinical legal education could be, as I had thrived in my own criminal clinical course at U Conn. But here I was, starting in a clinical professorship in a subject area with which I had only minimal experience (family), without any grounding in clinical pedagogy, and no real access to mentoring at my own school. (Is it little wonder why I felt so compelled to work on New Clinical Teachers endeavors for many years?)

I spent a few years getting good at the craft of being a family lawyer first, and stumbling my way through the teaching part, with decent instincts but no real theory as a guide. But I started reading, and two years in, (yes, you read that right) someone at my school told me there was a clinical section of the AALS and perhaps I might like to go to a conference. (For you young folks, remember: there was no internet, websites, list serves, etc. I was alone and in the dark.)

I had no idea you all existed. I got to my first conference (Albuquerque, '92) and was both elated and distressed. Yes, all the things about which I had thought "there has to be a better way to do this" -- there was! But the mountain looked mighty steep for making both personal changes in my teaching and programmatic changes. As they say: one step at a time. In this case, I left with a yellow pad full of great ideas, and the wisdom to realize that if I could make just one major change per year, then I would be fine. Here I am, 25 years later, and I really have made about one major breakthrough change per year, holding myself accountable from one AALS clinical conference to the next as my measuring stick. (By now, perhaps I have worked my way though that first list I made in 1992?) One example of the kind of insight I got from discussions at conferences and decided to implement: the use of journals for

my in-house students as well as my small externship section. You see, I did not quite yet realize the true impact of reflection and viewed the journals as a way to see what students were *doing*, rather than what they were *thinking*, and because I knew what my in-house students were doing, why bother with a journal? But I came back from one of those early conferences, determined to try something new by assigning journals to my in-house students. Lo and behold, there was a very quiet student who just would not talk much – in class, in my office... and I feared there was very little reflection going on. (Ah, the arrogant bias of a verbal extrovert...) Then I read his first journal and was blown off my chair. Was it just that some people processed better in writing than verbally? With bolt-of-lightning insight, I realized that in addition to using journal assignments for everyone, I *also* had to shut up, listen more, give more space... and ask questions! Oh. I was finally "getting" what this nondirective stuff was. Perhaps I just had had to get more confident of my own skill as a family lawyer, scared that I would not have all the answers, before I could start letting go more. However, I am convinced I could have gotten there much faster if I had truly understood reflection and the value of questions earlier.

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## Things I Wish I Knew When I Began Clinical Teaching! continued

By

**Carrie Kaas**

Questions. Ask more questions. Hmmmm. I confess that I still struggled with how to be effective as a non-directive, inspiring supervisor for many more years to come. I would catch myself slipping into coaxing, persuading, telling, directing. I was busy. I was impatient at times. I was pretty good, but from AALS conference to conference, I was still measuring myself against the incredible talent pool that would gather every April-May, and at times, I discovered with a pang that my method still needed work.

I think I am finally getting there, and interestingly, the final boost to adopting questions and non-directive feedback came from a source outside of our clinical community. Through my work in the ADR world, I attended a workshop and began to study Sharon Ellison's Powerful Non-Defensive Communication [PNDC] theory, and read her book, "Taking the War Out of Our Words" [www.pndc.com]. This has become another bolt-of-lightning type experience: how we trigger defensiveness in ourselves and others by using the rules of war in our communication. This was the final piece for me that finally "clicked" into

place so it is now "core" for me – no longer some technique that I need to remember. I now strive to ask only open and curious questions, and not to convey a message, or interrogate. For example, if I want to know what a student thinks she should do, I ask "What is it that you are thinking you should do next?" First, I really want to know—it is not some "tool" I have memorized. I also try not to slip and ask a student "Have you considered doing XYZ?"—which of course, is a not-so-covert message that she should do XYZ. Not truly a question – a veiled statement. When I do need to give guidance, I do it through clear statements or predictions about what I believe will occur for each set of choices. But mostly, my biggest change is that I am asking lots and lots more questions, asking them very differently with a better tone, body language, intention, and format, and mostly, asking them only *to find out the answer*. I am careful to test assumptions, and am more fully unleashing my curiosity.

What I wish I knew? The more curious I am, the better a teacher I am. It is my questions, not my answers, that make all the difference.



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## What is CLEA?

Most clinical teachers are members of the AALS Clinical Legal Education Section. But in 1992, several clinicians realized that there were important activities that could not be performed by AALS Section members, at least not without the cumbersome approval process of the AALS Executive Committee. CLEA was formed as a separate organization to permit clinical legal educators to act swiftly and independently, and to open membership to persons who were not eligible to join the Section. CLEA does not compete with the AALS Section but augments it, and CLEA continues to urge clinical teachers to belong to both entities.

### CLEA is currently engaged in activities such as:

Advocating for excellence in legal education with the ABA Council on Legal Education and its committees (such as the Standards Review Committee). Indeed, this advocacy has become one of CLEA's primary endeavors – whether supporting job security and governance rights for clinical and other skills teachers or seeking ABA support for curriculum reform. CLEA advocacy has made a difference. It has never been more important than it is now, when ABA support for our work preparing students for the practice of law is at risk of erosion.

CLEA supports individual schools and clinicians facing political interference or threats to academic freedom of clinics.

CLEA works with AALS and NYU to publish the peer reviewed Clinical Law Review (which comes free with a CLEA membership).

CLEA sponsors the bi-annual New Clinical Teachers conference and co-sponsors numerous other conferences.

CLEA authors amicus briefs on topics important to legal education.

CLEA commissioned the writing and publishing of the 2007 book, Best Practices for Legal Education (Roy Stuckey et al), which, along with the Carnegie Report, "Educating Lawyers," is prompting a major re-evaluation of legal education.

CLEA sponsors awards for students, clinical teachers, and for clinical programs.

## Upcoming Events

- **CLEA Board Meeting**, Monday, April 28, 2014, 7:45-8:45 am, Notre Dame Law in Chicago, 224 S. Michigan Ave., Suite 250. All are welcome to attend!
- **CLEA Membership Meeting**, Tuesday, April 29, 2014, 5:15-6:15 pm at Palmer House Hilton, Salon 3 (Third Floor). Refreshments will be served.
- **Workshop on Clinical Teaching**, June 21, 2014, University of Texas
- **Midwest Clinic Teachers' Conference**, Sept. 12-14, 2014, MSU College of Law
- **Southern Clinical Conference**, October 23-25, 2014, William and Mary School of Law
- **Mountain West Regional Conference**, October 24-25, 2014, University of Denver Sturm College of Law
- Please stop by the CLEA table at the Clinical conference to pay dues, update memberships, and say hi!

CLINICAL LEGAL  
EDUCATION  
ASSOCIATION

Advocating for clinical  
legal education  
as fundamental to a  
lawyer's education.

### CLEA Newsletter Committee



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