



# CLEA Newsletter

May, 2006

Volume XIV, Number 3

## In This Issue

Committee Reports.....	4
Conferences.....	6
Feature Article.....	9
Welcome New Clinicians	11
In Transition .....	12
Honors, Awards & Promotions.....	14
News From Clinical Programs.....	18
Books & Publications.....	38
Position Announcements... ..	40

### Editor

Larry R. Spain  
 Texas Tech University  
 School of Law  
 1802 Hartford Avenue  
 Lubbock, TX 79409-0004  
 (806) 742-3787 x227  
 (806) 742-4199 fax  
[larry.spain@ttu.edu](mailto:larry.spain@ttu.edu)



## PRESIDENT'S MESSAGE

**Susan L. Kay**  
**Vanderbilt University**  
[Susan.kay@vanderbilt.edu](mailto:Susan.kay@vanderbilt.edu)

CLEA continues to strive to represent the interests of clinicians and clinical education. Many projects are ongoing but the most exciting news comes from the Best Practices Project. The project-undertaken by CLEA about five years ago-is reaching fruition. At its May 3, 2006 meeting, the CLEA Board voted unanimously to endorse the report, which is in its final stages of review and revision.

For those of you who are new to this project (or, like me, don't have the same memory as we once did) CLEA began the project in order to commit itself to a report on the best practices for legal education. Importantly, this is not simply a report on the best practices in clinical education or, as more widely understood, experiential education. This is our statement of what we believe legal education in general should entail if it is to provide a strong basis to students who will then be licensed to practice law.

The project is in its next-to-last incarnation. Roy and the Committee expect to finalize it by August. If you would like to view the current draft, it can be found at <http://professionalism.law.sc.edu>

We owe a huge debt of gratitude to **Roy Stuckey (South Carolina)**, who has been engaged in this process from its onset and has shouldered the major drafting responsibilities for the document. We also owe tremendous thanks to the members of the Steering Committee for the project, all of whom have contributed greatly to the report's depth and breadth. Once the project is completed in August, we will begin our next phase: Implementation. I am thrilled to report that **Alex Scherr (Georgia)**, CLEA's immediate past President, and **Carrie Kaas (Quinnipiac)**, who began this project as CLEA's then-president, have agreed to co-chair the Best Practices Implementation Committee. Other members of the Committee are **Mary Lynch (Albany)**, **Antoinette Sedillo Lopez (New Mexico)**, **Sandy Ogilvy (Catholic)**, **Bob Dinerstein (American)**, **Peter Joy (Washington U-St. Louis)**, and **Margaret Moore Jackson (North Dakota)**. Their goal is that every law school and legal educator who wishes to engage in curricular reform begins that process by reading Best Practices. The document should be the starting point of any discussion about the law school curriculum.

CLEA is also engaging in two related projects: increasing our membership and working with the AALS Clinical Section on a mentoring project. Both initiatives stem from our belief that there are substantial numbers of “unaffiliated” clinicians, many of whom are on short term contracts or in other tenuous relationships with their law schools. It is precisely these clinicians whose status is most at risk, and whose input we especially need in thinking about how we advocate for job status and security. Together CLEA and the AALS Clinical Section are going to poll the clinic directors to find out the names of all those teaching in clinics. We wish to capture everyone regardless of status, whether full-time, part-time, soft money or adjunct. Once we have obtained the information, CLEA and the AALS Section will work together to offer mentoring to new clinicians. We have not determined whether this will be one-on-one or group mentoring – such determinations will be assessed by the **Mentoring Committee**. If you are interested in working on the mentoring initiative, please let me know. If anyone is interested in working on the **Membership Committee**, please contact either **Brad Colbert** or **Cynthia Dennis**, the co-chairs of that committee.

**CLEA’s ABA Standards Advocacy Project** continues to be actively involved in advocating before the ABA Council on Legal Education and Admission to the Bar. As you may know, the U.S. Department of Education is currently considering whether to renew the approval of the Council of the ABA Section on Legal Education and Admission to the Bar as the accrediting agency for law schools. The hearings on the renewal were originally scheduled for April, were then moved to June and have now been rescheduled until December. CLEA filed comments with the DOE early in the process. Subsequently, several deans on behalf of ALDA filed comments

with the DOE stating that the Council should not be renewed as the accrediting agency unless it rescinded the standards requiring tenure, requiring job security for clinicians, and requiring faculty status for deans and librarians. They argued that these standards were too intrusive into the administration of law schools and that these types of decisions should be left to the law schools. In addition, the Center for Equal Opportunity and the National Association of Scholars submitted comments to the DOE, arguing that the Council must eliminate its standards on diversity. CLEA responded to both of these submissions. In part, CLEA’s submission states:

*CLEA believes that the ABA Council has largely succeeded in reaching measured and sensible judgments as an accrediting agency, and that its established processes assure that it will continue to do so in the future. More specifically, CLEA suggests that, far from imposing unjust conditions on law schools, the ABA Council has played a key role in fostering creativity and diversity of approaches to legal education, both generally and with reference to the standards relating to security of position . . . CLEA suggests that the ABA Council’s actions in the areas targeted by the ALDA comment represent an effective and balanced use of the Council’s accrediting authority. First, the ABA’s Council’s approach to the question of tenure and of security of position bears a plausible and reasonable relation to its overarching concerns for the quality of legal education. Indeed, one can hardly imagine a factor more closely related to the quality of education than the concern for assuring longevity and accountability in instruction, scholarship and participation in governance of a law school. The nearly universal practice of the legal academy to provide tenure or tenure-like status to a large majority of its teaching faculty demonstrates a similar*

set of practical judgments by the academy itself. Far from imposing its will on an unwilling industry, the ABA Council has accepted that industry's own judgments: tenure or tenure-like security of position remains a key element in attracting teachers, scholars and academic citizens of the highest caliber. . . .CLEA believes that the ABA Council's approach on these questions has both invited and encouraged diversity and experimentation in legal education. The ALDA Comment suggests that there is no need for standards for clinical faculty (or for any other faculty) because law schools appear to have had no difficulty attracting or retaining highly qualified clinical instructors, and because there is no demonstration that the standards would improve the quality of clinics. But this anecdotal suggestion actually serves to defeat the premise on which it is supposedly based. If it is true that law schools no longer have difficulty attracting qualified candidates, the ABA Standards on security of position would have helped to create those conditions. ABA's Standards have played a key role in encouraging the academy to consider the role and presence of clinical legal education with greater depth and clarity. The standards require little more than that clinicians be treated the same (or substantially the same) as the academy treats non-clinical faculty. In so doing, the Standards have prompted healthy and creative inquiry into how to define the scope and role of clinical faculty, how to assess the qualifications of individuals for clinical faculty positions, and how to assure the clinical programs bear an effective relationship to the teaching goals of their supporting institutions. CLEA also strongly disagrees with the views posited by the Center for Equal Opportunity and the National Association of Scholars. CLEA fully supports the ABA Council's efforts to ensure diversity within law schools. As the United States Supreme

Court recognized in Gutter v. Bollinger, the presence of a diverse student body brings much to both the study and practice of law. Law is not a static concept, nor a discipline which is only studied in concept. Law exists in practice and in the context of real cases involving real persons. Having a variety of viewpoints and experiences within the law school classroom enriches the understanding of all students within the law school. Moreover, law students are training for a profession that will serve a multi-cultural and multi-racial national community. The ABA Council has been very specific in not requiring the use of quotas or numeric indicia of diversity; rather it has encouraged law schools to use creative methods to achieve a varied cross-section of students. Such diversity will not only ensure representation of all groups within the legal profession, but will ensure the best legal education for all law students.

CLEA intends to continue its advocacy before the DOE, and to present testimony at the hearings whenever they take place.

Finally, CLEA is in the process of updating our website to include more information and to make it more user-friendly. If you have any suggestions, please let me know or contact **Paula Galowitz**.

**-Susan McKay (Vanderbilt)**



**COMMITTEE REPORTS**

## BEST PRACTICES COMMITTEE

**Best Practices Endorsed by CLEA Board;  
Implementation Committee Reestablished;  
Harvard Moving Toward Problem-Based  
Curriculum**



**Roy Stuckey (South Carolina)**

At its meeting on May 2, 2006, the CLEA Board unanimously endorsed the work product of **CLEA's Best Practices Project, Best Practices for Legal Education**. The March, 2006, draft is on-line at <http://professionalism.law.sc.edu> (look in the "news" section on the main page). A final draft will be prepared this summer.

The CLEA Board has reestablished a committee to develop strategies for facilitating discussion and implementation of best practices for legal education. The co-chairs are **Carrie Kaas (Quinnipiac)** and **Alex Scherr (Georgia)**, both former presidents of CLEA. The other members of the committee are **Bryan Adamson (Seattle)**; **Bob Dinerstein (American)**; **Peter Joy (Washington, St. Louis)**; **Mary Lynch (Albany)**; **Sandy Ogilvy (Catholic)**; **Antoinette Sedillo-Lopez (New Mexico)**. **Margaret Moore Jackson (North Dakota)**, serves as liaison from the CLEA Board. **Roy Stuckey (South Carolina)** serves *ex officio*.

The *Boston Globe* reported on May 7, 2006, that "a key proposal in a review of the Harvard Law School curriculum would push students to take a more practical, problem-solving approach the law beginning in their first year, in addition to studying fixed legal principles. The changes are meant to better prepare graduates for the modern legal world, where an understanding of

balance sheets, marketing, and management, and the ability to think creatively and innovatively, can be as important as an academic grounding in the law." The article quotes curriculum committee chair, Martha L. Minow, as saying "We're trying very much to help students think how to practically solve problems rather than only solve problems the way academics would. In talking with many lawyers, it has been clear to us that we have the opportunity to help very, very smart and motivated students make better use of the time they're in school." The article is on-line at

[http://www.boston.com/business/articles/2006/05/07/twas\\_a\\_time\\_for\\_change/](http://www.boston.com/business/articles/2006/05/07/twas_a_time_for_change/).

The recommendations of Harvard's curriculum committee are consistent with the core recommendations of Best Practices for Legal Education which call on law schools to designate teaching students how to solve legal problems as the primary goal of the program of instruction and to employ context based instruction throughout the curriculum, including expanded use of experiential education.

## COMMITTEE ON INTEGRATION OF CLINICAL LEGAL EDUCATION INTO THE TRADITIONAL CURRICULUM



**Kim Diana Connolly  
(South Carolina)**



**Kathy Hessler  
(Case Western)**

**Co-Chairs**

### **Mission Statement:**

We value innovation in legal education and the integration of new and traditional methodologies in teaching future lawyers because we believe it leads to better education and more well-rounded training. We hope to help legal

educators learn and benefit from many approaches, including clinical, non-clinical, simulation, legal writing, academic success, therapeutic, humanizing, and interdisciplinary methodologies. In order to do this, we plan to identify the positive teaching that is currently being done and to disseminate that information to a wide audience. We hope to showcase outstanding methodologies and innovations, to be a resource for this type of information, and to be able to link people with ideas they will find useful.

### **Name Change:**

The committee has changed its name from: Integration of Clinical Legal Education into the Traditional Curriculum Committee to: Teaching Methodologies Committee

Anyone interested in the work of the committee please contact one of the co-chairs, Kim Diana Connolly at [connolly@law.law.sc.edu](mailto:connolly@law.law.sc.edu) or Kathy Hessler at [kathy.hessler@case.edu](mailto:kathy.hessler@case.edu)

## **INTERNATIONAL COMMITTEE**



**Peggy Maisel** (Florida International)  
**Arturo Carrillo** (George Washington)  
**Co-Chairs**



Eleven people attended the International Committee meeting at the AALS conference. The group shared information on international work including opportunities for working with ABA/CEELI abroad and the ABA Initiatives in Africa and Asia. We also discussed opportunities for international collaboration especially working with GAJE (the Global Alliance for Justice Education). The Committee also discussed possible projects. It decided to ask the AALS to waive fees for clinicians

who come from other countries to make their attendance at future AALS clinical conferences more possible. We also discussed the database kept by Roy Stuckey on clinicians working abroad. The Committee wants to encourage the continuation and expansion of this database.

The Committee also decided to work with the International Association of Law Schools that is a newly formed organization. There was a brainstorm of ideas for international programming at the next AALS clinical conference and the Committee decided to propose several workshops with at least one focusing on funders of international clinical education. Finally, Committee members agreed to review the mission statement and give comments to the Committee Co-chairs. Comments and suggestions from non-participants at the meeting are welcome as well as new Committee members. Please contact the co-chairs if you want to be on a mailing list and/or have other input.

Co-Chairs: **Peggy Maisel, Florida International University** ([maiselp@fiu.edu](mailto:maiselp@fiu.edu))  
**Arturo Carrillo, George Washington University** ([acarrillo@law.gwu.edu](mailto:acarrillo@law.gwu.edu))

## **Shanara Gilbert "Emerging Clinician" Award**



**Michael Pinard (Maryland)**

The Executive Committee of the AALS Section on Clinical Legal Education is proud to announce that **Professor**

**Michael Pinard** has been selected as the 2006 recipient of the **Shanara Gilbert “Emerging Clinician” Award**. Since 2002, Professor Pinard has been an Assistant Professor of Law at the University of Maryland School of Law, where he teaches the Re-Entry of Ex-Offenders Clinic, Criminal Procedure and Legal Profession. He has also taught at the Washington University School of Law, where he was a visiting Associate Professor, 2001-2002, at St. John’s University School of Law, where he was an Assistant Professor, 2000-2001, and at Yale Law School, where he was a Robert M. Cover Clinical Teaching Fellow, 1998-2000.

The Shanara Gilbert Award was presented at the Workshop on Clinical Legal Education’s Awards Luncheon on Monday, May 1, 2006 in New York City. Michael is not only a leader in the clinical community but he is well known as a highly skilled teacher, activist and scholar. He has served on the boards of the Clinical Law Review and CLEA, on the AALS Standing Committee for Clinical Legal Education, co-chair of the AALS Section on Litigation, co-chair of the AALS Clinical Section Scholarship Committee, co-chair of the CLEA Clinical Scholarship Committee, Chair of the AALS Clinical Section Nominations Committee and he has contributed to clinical legal education in many other ways.

The Shanara Gilbert Award is for a recent entrant into clinical legal education who has demonstrated all of some of the following qualities: 1) a commitment to teaching and achieving social justice, particularly in the areas of race and the criminal justice system; 2) an interest in international clinical legal education; 3) a passion for providing legal services and access to justice to individuals and groups most in need; 4) service to the cause of clinical legal education or to the AALS Section on

Clinical Legal Education; and 5) an interest in the beauty of nature.

The Executive Committee would like to thank the **Awards Committee** for its work in the selection process: **Kurt Eggert, Chair (Chapman); Baher Azmy (Seton Hall); Maury Landsman (Minnesota); Dina Schlossberg (Pennsylvania); Carol M. Suzuki (New Mexico); and Paulette J. Williams (Tennessee).**

## CONFERENCES

### Affordable Housing & Community Development Law



The **Legal Educators' Committee of the ABA Forum on Affordable Housing and Community Development Law** will meet on **Wednesday May 24, 5:30-8:00 p.m.** in the Capital Hilton Hotel in Washington, D.C.

The topic for our panel discussion will be the “*Community Development Issues Facing the Rebuilding of New Orleans Post Katrina.*” Our panelists will be **Bill Quigley (Loyola New Orleans), John Lovett (Loyola New Orleans)** and **Una Anderson (New Orleans Neighborhood Development Collaborative)**. We hope to discuss the issues facing communities as they rebuild, the legal issues associated with that, the lessons to be learned for the rest of the country, and how law schools may be of assistance. Our panelists are all working on these issues.

The program will begin at 6:30 p.m., preceded by a committee meeting at 5:30 (with a light meal being served at 6:00). We will meet in Room South America A/B.

The Forum's Conference on Affordable Housing and Community Development Law will take place May 25 and 26. The theme this year is "In the Eye of the Storm."

We invite you to attend.

**Alicia Alvarez (DePaul)** and **Paula Williams (Tennessee)**, **Co-Chairs, Legal Educators' Committee**

## 20<sup>th</sup> Annual Midwest Clinical Conference



**October 13-15, 2006**

**Save the Date!** The **20<sup>th</sup> Annual Midwest Clinical Legal Education Conference** will be held **October 13-15, 2006** on the beautiful campus of the **University of Notre Dame**. A planning committee is hard at work crafting a program around the theme of social justice and clinical education. The conference will include a writers' workshop and a "clinic in progress" workshop; a look at back at twenty years of clinical evolution in the Midwest; and a thorough analysis of how our social justice commitment should shape our curricula, our case selection, and our approach to ethics. If you would like to participate in planning or contribute great ideas, please contact **Bob Jones** at the Notre Dame Legal Aid Clinic (574-631-4863; [rjones1@nd.edu](mailto:rjones1@nd.edu)).

## Mountain West Regional Clinical Conference

## Interdisciplinary Perspectives on Clinical Education in the Western Frontier

University of Nevada, Las Vegas



**November 17-18, 2006**

The **William S. Boyd School of Law** is pleased to announce that it will host the **Mountain West Regional Clinical Conference** (previously known as the Rocky Mountain Regional Clinical Conference) on **November 17-18, 2006**. The theme of this year's conference will be *Interdisciplinary Perspectives on Clinical Education in the Western Frontier*.

The western frontier states share historical, demographic, and political features. Their political geography alternates between booming urban centers such as Los Angeles, Phoenix and Las Vegas that have expanded rapidly to meet an influx of new residents, and relatively isolated and sparsely populated "frontier" communities built on mining or ranching. Historically and demographically, the Mountain West has provided a refuge for Mormons, a site for numerous Native Americans reservations, a place of hope for prospectors, and most recently a destination for both retirees and immigrants. Politically, the Mountain West is a land of fierce individualism with strong political resistance to taxation and government spending and a commitment to direct democracy through voter initiatives.

This conference will explore how law school clinical programs can both understand and respond to our unique region by drawing on the expertise of other disciplines. We will draw on local expertise in other disciplines such as history, sociology and political science to enhance our understanding of this region. We will also explore the ways in which interdisciplinary law school clinics can collaborate with social workers, psychologists, educators and professionals in other disciplines to help meet the needs of clients in our resource-starved communities.

We invite clinicians from both inside or outside our region—especially those involved in interdisciplinary clinics—to save these dates and plan to join us for this exciting conference. A special track will include break-out sessions for clinic administrators on issues of case management and avoiding the unauthorized practice of law in dealing with members of the public. We are also reserving the morning of Sunday, November 19, as a special opportunity for members of the Interdisciplinary Clinic Committee of the AALS Clinical Section to meet and work on the ongoing project of defining best practices for interdisciplinary clinics.

### **Report of the 2006 Northern California Clinical Conference**



**Bill Quigley (Loyola-New Orleans)** speaks at 2006 Northern California Clinical Conference

On February 25, more than 60 Northern California clinicians gathered at **Stanford Law School** for the **2006 Northern California Clinical Conference**. After opening remarks by **Larry Marshall (Stanford)**, a plenary session introducing all of the area's clinical programs was moderated by **Marci Seville (Golden Gate)** and **Miye Goishi (Hastings)**.

The conference then broke into concurrent sessions. **Mark Aaronson (Hastings)** led a panel on *Policy Advocacy in a Clinical Setting*, **Larry Marshall (Stanford)** moderated a session on *Representation from Indictment to Expungement and Everything in Between: Exploring the Many Forms of Criminal Representation in Clinical Settings*, and **Jayashri Srikantiah (Stanford)** moderated a session on *Civil Representation in Cross-Cultural Contexts*.

At the luncheon, the group was addressed by **Stanford Dean Larry Kramer**, after which **Pam Karlan (Stanford)** introduced the keynote speaker, **Bill Quigley (Loyola-New Orleans)**. Professor Quigley gave a stirring talk on the lessons of Katrina and the imperative of fueling law students' passion for using the law as a vehicle of serving others.

During the second set of concurrent sessions, **Miye Goishi (Hastings)** led a session on *Evaluating Clinical Performance: Feedback, Grading Policies, and Methods of Evaluation*, **Jeff Selbin (Boalt Hall)** moderated a session on *Clinical Students: How Directive Should We Be?*, and **Ascanio Piomelli (Hastings)** led the session on *Constructing Seminars and Classroom Components of Clinical Courses*.

The Conference closed with a town meeting moderated by **Chuck Weisselberg (Boalt Hall)** and a Cocktail Reception in Honor of New Clinicians

hosted by Stanford Law School in its new Clinical Center.

## Feature Article

*I believe that the U.S. News & World Report rankings caused the lowest number of African-American first-year enrollees in 15 years.*

**-Gary H. Palm**  
**CLEA Board**

Since presenting our proposals for stopping the recent decline in the enrollment of those minorities traditionally discriminated against, the situation has gotten much worse. The latest statistical data is alarming! The enrollment of African-Americans in first year of law school hit the lowest total number (3,107) in any of the past 15 years. This year 350 less African-American first-year students enrolled down from last year's 3,457. Applications show consistently improving average undergraduate GPA's and average LSAT's for African-Americans and rising average undergraduate GPA's for Puerto Rican-Americans and Mexican-Americans. How do we explain the fact that schools claim they are endeavoring to be diverse but are enrolling fewer minority students?

Whites continue to increase their percentage of student bodies. These schools are not using race-based diversity admissions as permitted by the U.S. Supreme Court in *Grutter*. Mexican-Americans and Puerto Rican-Americans are down below 1994-1995 levels. Of course neither group was close to their percentages in the general population then. Many African-Americans whose LSAT scores and grades are the same as those who were admitted, graduated and passed the Bar in the 1994-'95 entering class are not being admitted now.

As I have talked with many deans and faculty, the nearly unanimous explanation is that ABA accredited schools are reacting to *U.S. News & World Report* and giving greater weight to individual LSAT scores in isolation from other factors.

CLEA/SALT endorsed proposals for changes in Accreditation Standards recognizing the adverse effect of *U.S. World & News Report* rankings on diversity, equal opportunity and fairness to all applicants. Our proposed disparate impact requirement is designed to stop this supposed meeting of third parties' preferences. It is like a customer preference in employment law that cannot be relied on absent a showing that the factor is otherwise demonstrably valid and reliable. Moving up in rankings to satisfy alumni, donors, students, judges, university administrators should not be allowed if it discriminates against minorities. The ABA needs to prohibit the misuse of the LSAT scores and educate the many constituencies in legal education to simply make clear the limitations of the LSAT. They would understand that any admissions requirements that have a greater impact on any group must be shown to be valid and reliable. We submitted the following language:

***“Schools shall not use an admission policy or practice that has the effect of discriminating on the basis of race, color, religion, national origin, sex, or sexual orientation unless that policy or practice has been proven by objective evidence to be valid and reliable in assessing an applicant's capability to satisfactorily complete the school's educational program. Policies and practices adopted to increase a critical mass of traditionally discriminated against minorities do not violate this Interpretation.”***

Some examples of admission criteria that would likely be prohibited are legacy admissions, recommendations from donors, and payment by applicants or others on their behalf. Law school admission policies and practices too often are driven by some irrelevant and detrimental goals and objectives including increasing ranking and reducing workload. For instance, many law schools have set a presumptive deny cut-off score as a means of increasing the median LSAT. LSAC correlation studies document that students with LSAT scores below the school's designated cut-off score are capable of satisfactorily completing law school. Yet, because of the "presumptive deny" process, applicants below the cut-off do not get the same consideration as applicants above it. Minorities, in general, and Blacks and Latinos specifically, are disproportionately denied effective consideration for law school.

Based on the earlier submissions, I personally and not for the Group have submitted the following additional proposal to directly address head on the severe negative effect of the *U.S. News & World Report*.

#### **PROPOSAL FOR NEW INTERPRETATION:**

**Law Schools shall not give increased weight on any admission criteria in admission decisions for the purpose of enhancing the school's position in any rankings system now in effect or to be established in the future. No law school shall provide admissions data to any rankings system that isolates some admissions criteria from all others considered by each school, such as admissions test scores and undergraduate grade point averages. Nor shall the Council request or disseminate information compiled from students' individual admissions information, whether by averages, means, medians or any other way.**

#### **REASON FOR NEW INTERPRETATION:**

Schools are using the *U.S. News & World Report* ranking system as a justification for raising LSAT score requirements for admission. But there is no educational justification for using rankings as a sole or controlling basis for rejecting applicants who are otherwise qualified for admission. This Committee and the Council have made great strides by recommending that schools "shall use the test results in a manner that is consistent with the current guidelines" of the LSAC or any other test provider. But we had also overlooked the fact that the ABA's own questionnaires and its Official Guide abuse the data and do not follow the LSAC's guidelines for sound use of LSAT scores in making admissions decisions. The Official Guide reports individual LSAC scores rather than score bands. Other admission factors at each school are not even reported, let alone quantified by percentage of effect on admissions. Then applicants rely on the ABA's official guide to make their choices about where to apply and go to law school.

As our group said before, "According to LSAC Cautionary Policies, scores should be viewed as approximate indicators rather than exact measures of an applicant's abilities. Distinctions on the basis of LSAT scores should be made among applicants only when those score differences are reliable." LSAC recommends the use of a score band - that is a "range of scores that has a certain probability of containing the test taker's actual proficiency level. A seven point score band reported for the LSAT includes the test taker's actual proficiency level in approximately 68 percent of cases. In other words, there is a 32 percent level of confidence that the test taker's true score actually falls outside the band. In plain English, for applicants who score a 150, there is a

68% probability that their actual skill level is between a 147 and a 153 . . . Thus, a single score is almost meaningless for making distinctions among students.” Yet, the LSAT score is too often the controlling factor.



The National Institute for Trial Advocacy (NITA) is committed to providing their "learning by doing" programs in taking and defending depositions, basic trial skills, teacher training, child advocacy, legal services, domestic violence, to name a few, to public interest lawyers and clinicians at low or no cost. To that end, NITA appointed Clinical Professor and Assistant Dean **Marcia Levy, Hofstra Law School**, as the **Associate Director of Public Service Programs** to help promote these programs and the availability of scholarships to the public interest and clinical community.

Professor Levy is interested in working with communities that might not have access to NITA type training programs, in order to develop programs, which are tailored to their training needs. If you are interested in taking a NITA program or have public interest colleagues in the community who might be interested and need scholarship support, or if you have ideas about a specialty training program, please look at the NITA website ([www.nita.org](http://www.nita.org)) to see the programs offered, and contact **Marcia Levy** re: scholarship availability and or ideas. Her e-mail is: [lawmnl@hofstra.edu](mailto:lawmnl@hofstra.edu) (516) 463-4256; FAX (516)463-4710.

**WELCOME**  
**NEW CLINICIANS**



**Kim Bart (Alabama)** has been appointed an **Assistant Professor of Clinical Legal Instruction** at The **University of Alabama School of Law** and will direct the new **Domestic Violence Law Clinic**. Kim currently is a teaching fellow in the clinical program at Georgetown University School of Law and previously was an associate with the law firm of Crowell & Moring in Washington, D.C. She is a graduate of Duke Law School and received a B.A. and Masters in Public Administration from Syracuse University.



**Jason Eyster (Ave Maria)** has joined the **Ave Maria School of Law Clinical Program** as an **Assistant Clinical Professor**. He supervises the **Asylum Clinic**. Prior to joining Ave Maria he served first as Executive Director of the Princeton in Asia Foundation and then in the same capacity for the University of Michigan's Southeast Asia Business Program. This was followed by nine years in private practice in Ann Arbor as an immigration attorney. He received his J.D. from Fordham Law School. He serves as Senior Editor of the annual Immigration and Nationality Law Handbook.



**Anne Hornsby (Alabama)** has been appointed an **Assistant Professor of Clinical Legal Instruction** at **The University of Alabama School of Law** and will direct the **Civil Law Clinic**. Anne currently is a litigation partner with

Lightfoot, Franklin & White in Birmingham and previously clerked for Judge Myron H. Thompson of the U.S. District Court for the Middle District of Alabama. She is a graduate of The University of Alabama School of Law, where she was editor in chief of the Alabama Law Review, and also received her B.A. and M.B.A. from The University of Alabama.

**Glenn Roque-Jackson (Texas Tech)** has been appointed Director of the Criminal Justice Clinic at Texas Tech University School of Law. A graduate of Harvard Law School, he clerked for Chief Judge Harry Lee Hudspeth of the U.S. District Court for the Western District of Texas, was a Litigation Associate at Fulbright & Jaworski in Houston and for the past 11 years has been an Assistant U.S. Attorney for the Western District of Texas in Midland.

## IN TRANSITION



**Bryan Adamson (Seattle)** will step down this summer as **Director of the Ronald A. Peterson Law Clinic** at Seattle University School of Law.



**Susan Bennett (American)** will step down as **Director of Clinical Programs** at American University, Washington College of Law, this summer.



**Jeanne Charn (Harvard)** will step down as **Director** after nearly three decades leading Harvard Law School's oldest and largest clinical teaching facility -- known today as the **Hale and Dorr Legal Services Center**. Charn, a Senior Lecturer, will continue teaching at HLS, where she was a co-founder of the Center in 1979 with her late husband, Gary Bellow, a pioneer of clinical legal education. Since its founding, the Legal Services Center has served more than 20,000 clients in need of legal assistance and representation. During Charn's tenure, the Center expanded its mission beyond traditional legal aid practice to provide a range of legal and advocacy services to individuals, small businesses and the community. Charn also helped develop partnerships with several community-based organizations and agencies. As a Senior Lecturer on Law at HLS, Charn will teach several courses next year that draw on her extensive experience as a teacher and practitioner. She will also continue her work on the Bellow-Sacks Access to Civil Legal Services Project, an HLS-based project that investigates new ways to offer civil legal advice and assistance to low- and moderate-income households.



**Janie Chuang (American)**, who has been a Practitioner in Residence in the International Human Rights Clinic at American will be teaching International Law at **American** as a **Visiting Professor**.



In the fall of 2006, **Professor Suzanne Goldberg (Rutgers)** will leave her colleagues at Rutgers, and the Women's Rights Clinic there to become the founding Director of a new clinic at **Columbia Law School, the Sexuality Gender and Law Clinic**. This new clinic was featured in a recent edition of the Columbia University Spectator, the following being the link to the article: <http://www.columbiaspectator.com/vnews/display.v/ART/2006/04/25/444dcfe877d2a>

**Carolyn Grose (American)**, who has been a Practitioner in Residence and taught in the Women and the Law Clinic at American will be moving to **William Mitchell College of Law**.



**Emily Hughes (DePaul)** will join the **Washington University Clinical Education Program** this coming fall. For the past three years, Emily served as Associate Director of the Center for Justice in Capital Cases at DePaul University, where she taught a Death Penalty Clinic and a substantive death penalty jurisprudence seminar. Emily also has taught several courses at the University of Iowa in an adjunct capacity, including Professional Responsibility, Trial Advocacy and Criminal Procedure. At Washington University, she will teach the **Criminal Justice Clinic** (in conjunction with **Professor Peter Joy** who will be on leave in the fall), Criminal Law, and Criminal Procedure.

Emily is the co-author of Federal Habeas Corpus: Cases and Materials (with Andrea Lyon and Mary Prosser) and Illinois Capital Defense Motions and Jury

Instructions Manual (with Andrea Lyon and Stephen Richards). She received a B.A. in English with High Honors from the University of Michigan and a Masters Degree in International Relations from Yale University, where she was a Hochschild Fellow. She received her law degree, *cum laude* and Order of the Coif, from the University of Michigan Law School, where she was an Associate Editor of the Journal of Law Reform. After law school, she clerked for Hon. Michael Melloy, then on the U.S. Dist.Ct., N.D.Iowa and on the U. S. Court of Appeals for the Eighth Circuit. Before entering teaching, she was a Sacks Fellow in Criminal Justice at Harvard Law School for a year and an Assistant Public Defender for the Iowa State Public Defender Office for three years.



**Margaret Johnson (American)**, who has been a Practitioner in Residence and Director of the Domestic Violence Clinic at American will be moving to teach at the **University of Baltimore**.



**Sarah Paoletti (American)**, who has been a Practitioner in Residence in the International Human Rights Clinic at American will be moving to the **University of Pennsylvania**.



**Brian Price (Harvard)**, Senior Clinical Instructor in the Hale and Dorr Legal Services Center's Community Enterprise Project has been appointed **Acting Director** of the Center while a

search for a permanent replacement of Jeanne Charn is conducted.

**Dana Roach (Michigan)** will be joining **Wayne State University Law School** to teach a new **Small Business Clinic**. A University of Michigan Law School graduate, Dana comes to Wayne after teaching in the U of M's Urban Communities Clinic and practice at the Nature Conservancy and the private sector.



**Nina Tarr (Illinois)**, after 17 years as a **Clinic Director** at two law schools, has decided it was time to pass the baton. After a sabbatical next year, she will continue to teach a combination of doctrinal and clinic courses so look for her at those clinic meetings and clinical scholarship workshops.

## HONORS, AWARDS, PROMOTIONS



**Bryan Adamson (Seattle)** was recently **promoted to Associate Professor** at Seattle University School of Law.



**Marguerite Angelari (Loyola Chicago)**, Director of the Elder Law Initiative of Loyola's Institute for Health Law has been **granted retention**, which is their **equivalent of clinical tenure**.



**Frank Askin (Rutgers-Newark)**, founder of **The Rutgers Constitutional Litigation Clinic**, received the **University's Human Dignity Award** on April 19 for his "extraordinary achievements and commitment in promoting the value and importance of diversity at the university and in society." Askin was chosen for his work in establishing the law school's Minority Student Program (MSP) and helping foster its mission for nearly 40 years. "Frank Askin richly deserves this award," said Stuart L. Deutsch, Dean and Professor of Law. "Not only did he play a key role in creating the MSP but he has devoted his career to advancing equal opportunity in the legal profession and protecting the rights of people in New Jersey, especially the poor and those without voice."

In 1968 Askin was appointed to chair a special faculty committee charged with developing a program that would significantly increase the number of minority students at the law school, which at the time was almost exclusively white and male. While the initial focus was on increasing the number of African-American students, the program has been expanded over the years to include Asian Americans, Hispanics, Native Americans, and disadvantaged applicants of all races. More than 2,000 students have participated in the MSP

and have graduated from the law school, making it a nationally recognized model for educating and preparing minorities and disadvantaged students of all races for a law career. MSP alums can be found on the bench, in the U.S. Senate, in the Cabinet of the Governor of New Jersey, in private practice, government agencies, major corporations, legislative bodies, public interest organizations, and academic institutions across the country. Frank Askin has been a member of the law faculty since graduating with highest honors in 1966. In 1970 he founded the Constitutional Litigation Clinic, which has established numerous important legal precedents in civil rights and international human rights cases. In addition to directing the Clinic, Askin teaches Civil Procedure, Election Law, and Public Interest Advocacy.



**Tamar Birckhead (UNC)**, who teaches in the Criminal Clinic, has received a unanimous vote of the faculty to **promote** her from Clinical Assistant Professor of Law to **tenure-track Assistant Professor of Law**.

**Esther Canty-Barnes (Rutgers-Newark)**, Clinical Professor and Director of the Special Education Clinic at Rutgers University School of Law in Newark, New Jersey, was honored on April 30, 2006 by the **National Association of Women Judges (NAWJ), District III**, for her work with the Special Education Clinic and advocacy on behalf of children with disabilities.



**Susan F. Cole (Harvard)** was the recipient of the **Massachusetts Bar Association's 2006 Access to Justice Legal Services Award** on March 24 when the Massachusetts Bar Association held its annual luncheon to recognize outstanding members of the legal community who have made significant contributions through their legal services, volunteer and pro bono efforts. The award is given to an attorney employed by a public or non-profit agency to provide civil legal services to low-income clients, and who has made a particularly significant contribution to the provision of low-income legal services beyond the requirements or his or her position. Cole, a Clinical Instructor with the Hale and Dorr Legal Services Center, is a senior project director at Massachusetts Advocates for Children (MAC) and has been instrumental in steering the statewide children's legal agenda since 1994. Starting in 2004, she has served as director of the Trauma and Learning Policy Initiative, a partnership of MAC and the Harvard Legal Services Center. Splitting her time between MAC and the Legal Services Center, she has advocated tirelessly with her students on behalf of children affected by family violence. Her goal is to help train to a new generation of children's advocates.



Wally Mlyniec reports that **Deborah Epstein (Georgetown)**, Associate Dean for Clinical Education, has been voted "**Faculty Member of the Year**" by the entire Law Center staff. This award is given by the staff each year

to the faculty member who best understands their role and contributions to the shared mission and who treats all members of the community with the respect and dignity to which they are entitled.



**Cyndi Geerdes (Illinois)** has been appointed **Assistant Dean for Clinical Education** at the University of Illinois College of Law.



**Paul Holland (Seattle)** will assume the position of **Director of the Ronald A. Peterson Law Clinic** this summer. Paul came to Seattle U. in 2004 from the University of Michigan Law School, where he taught in the Child Advocacy Law Clinic. He has also served as Director of the ChildLaw Clinic at Loyola University of Chicago and Deputy Director of the Juvenile Justice Clinic at Georgetown University. Paul will continue to teach in the Youth Advocacy Clinic while he takes on his new administrative responsibilities.



**Tom Kelley (UNC)**, who supervises the Community Development Law Clinic at UNC-Chapel Hill School of Law, has been **promoted** from Clinical Professor to **tenure-track Associate Professor of Law**.



**Catherine Mahern (Creighton)** was awarded the **Robert M. Spire Pro Bono Award** from the **Nebraska State Bar Association**, an award that honors outstanding contributions by volunteer lawyers providing legal services to the poor.



**Randi Mandlebaum (Rutgers-Newark)** has been **appointed to the new clinical scholarship track** by the faculty at Rutgers-Newark.



**Binny Miller (American)** will become **Director of Clinical Programs** at American University, Washington College of Law, this summer.



**William Wesley Patton (Whittier)** has been appointed the **John FitzRandolph Associate Dean for Clinical Programs** at Whittier Law School.



**Laura Rovner (Denver)** was appointed **Chair of the AALS Standing Committee on Clinical Legal Education**. She will be replacing **Susan Jones (George Washington University)**

who stepped down upon assuming the chair of the AALS clinical section.



**Louis S. Rulli (Pennsylvania)**

received the University-wide **Provost's Award for Distinguished Teaching** on April 20, 2006. This honor is bestowed each year by the University of Pennsylvania on two university faculty for teaching excellence. He was nominated for the award by Dean Michael Fitts of the Law School.



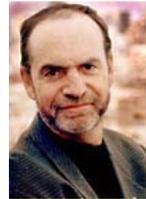
**Linda F. Smith (Utah)** was awarded the **2006 University of Utah Distinguished Service Award** for her devotion to public service through performing extensive pro bono work in complicated, contested family law cases and serving broadly at the University, with local nonprofit agency boards, the Utah State Bar, the American Association of Law Schools and the American Bar Association.



**Penny Venetis (Rutgers-Newark)** has been **appointed to the new clinical scholarship track** by the faculty at Rutgers-Newark.



**Jennifer Wright (St. Thomas)** was the first member of the clinical faculty to be granted **tenure** at the University of St. Thomas School of Law.



**Richard A. Zitrin (UC Hastings)** was selected by the ABA Standing Committee on Pro Bono and Public Service as a **2006 ABA Pro Bono Publico Recipient** for extraordinary contributions of legal services to those who cannot afford representation. The award will be presented at the Pro Bono Publico Awards Assembly Luncheon in Honolulu, Hawaii on August 7, 2006.

Richard Zitrin has been a dedicated volunteer with the Homeless Advocacy Project (HAP) of BASF's Volunteer Legal Services Program's for over four years. He also created the twice-monthly drop in clinic at SF's Glide Memorial Church. Once a month he single-handedly staffed the clinic. When not staffing the clinic he provides direct client services in the HAP office.

Much of his pro bono work is done on a systemic level, working on rules, codes and legislations with bar associations and state governments.

Zitrin is also extremely active in the community and with local, state and national bar associations. He recently completed a term on the BASF Board of Directors, actively participates in BASF's Lawyer Referral and Information Service, and for many years has been the driving force behind BASF's Minority Scholarship Program. In addition to his work with BASF, Zitrin has chaired or been a member of numerous committees of the State Bar of California and the American Bar Association.

Two years after graduating from law school, he and a group of new attorneys and law students founded the Criminal Legal Aid Collective (CLAC), a nonprofit organization in San Francisco that provided pro bono legal defense services

to indigent clients in criminal cases. In total, he worked on thirty CLAC pro bono cases between 1976 and 1981.

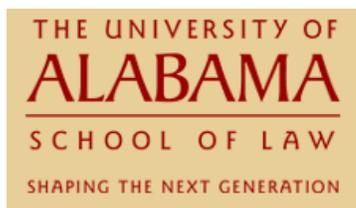


**Mary Marsh Zulack (Columbia)**

has been named to be the next **Director of Clinical Programs** at Columbia.



## FROM CLINICAL PROGRAMS



### **New Clinic Will Aid Domestic Violence Victims in West Alabama**

**The University of Alabama School of Law** is starting a new **Domestic Violence Law Clinic** in July. The new clinic will provide free legal assistance to victims of domestic violence, sexual assault, and stalking in a seven county area of West Alabama. The clinic will provide a holistic approach to a victim's civil legal needs. First, the clinic will represent the victim in obtaining a protection from abuse order to protect the victim from violence. Then, in order to meet the victim's other legal needs, the clinic will provide legal assistance in matters relating to divorce, custody and support, employment and debt issues, housing, property recovery, and public benefits. Finally, the clinic will provide

outreach and educational services to inform victims, service providers, and law enforcement personnel about legal rights and remedies to address domestic violence. The new Domestic Violence Law Clinic will be directed by **Kim Bart**, currently a teaching fellow in the Georgetown University School of Law clinical program.

The addition of this new clinic brings the number of law clinics at The University of Alabama to six: Capital Defense; Civil; Criminal Defense; Domestic Violence; Elder; and Sustainable Communities.



**Ann Shalleck (American)** was **Albany Law School's 2006 Kate Stoneman Visiting Professor of Law and Democracy**

Albany Law School's clinical faculty are delighted to announce that **American University Professor Ann Shalleck**, a leading clinician, prolific writer and mentor was selected as the **2006 Kate Stoneman Visiting Professorship in Law and Democracy**. In that role, she visited Albany Law School on three separate occasions to meet with faculty and students and discuss issues relevant to clinical theory. First, on Tuesday March 21st, she presented a faculty workshop on *"Narrative Theory and Practice: Client Desire, Client Choice and the Lawyer-Client Relationship"*. On Thursday, March 30, she accepted her award at the 11th Annual Kate Stoneman Day. Her third visit to Albany Law was on Monday and Tuesday, April 10th - 11 at which time

she presented a lecture on the "Jurisprudence of Clinical Thought" and conducted some brainstorming sessions with clinical faculty and staff on clinic teaching and administration issues.

### Albany Law School Honors Women In Law, Clinical Professors **Ann Shalleck** and **Margaret Montoya**



**Ann Shalleck**



**Margaret Montoya**

**University of New Mexico Professor Margaret E. Montoya**, Lat Crit scholar, clinician, employment discrimination expert and the first Hispanic woman accepted at Harvard Law School, was the **Keynote Lecturer** and one of the honorees at Albany Law School's annual **Kate Stoneman Day** on Thursday, March 30. **American University, Washington College of Law Professor** and **Carrington Shields Scholar Ann Shalleck** were also honored.

"Kate Stoneman Day" honors those in the legal profession who reflect the spirit of Kate Stoneman (Albany Law Class of 1898 and the school's first female graduate) by actively seeking change and expanding opportunities for women. After being denied admission to the bar based on her gender in 1886, she convinced the New York state legislature to amend New York Law and preclude "the race or sex" of an applicant as a reason for "refusing admission to practice in the court of record of this State as an attorney and counsellor." Immediately thereafter Kate Stoneman became the first female attorney admitted to practice in New York.

Professor Montoya's lecture, *Why Kate Stoneman Would Have Liked the Movie 'North Country'* was presented to the New York State Court of Appeals (the highest court in New York), many members of the Third Department appellate court, regional judges, bar leaders, faculty, students and community members. Professor Montoya discussed the similarities between employment issues of Minnesotan miners, Navajo and Hispanic women miners and workers and Kate Stoneman. The clinical community was represented well by both Professors Montoya and Shalleck and Albany Law clinicians were thrilled to have Ann and Margaret share their wisdom locally.



Summer, 2006 will see big changes for the Clinical Program of the Washington College of Law. What we are proud of makes us sad: that the world has recognized the achievements of several of our **Practitioners in Residence**, (and, we hope, the preparation they have received through our practitioner training program) and has offered them wonderful clinical opportunities elsewhere. So we must say good-bye to **Sarah Paoletti**, who will be leaving our International Human Rights Clinic for a position at **University of Pennsylvania**; **Margaret Johnson**, who has led our Domestic Violence Clinic and will be teaching at **University of Baltimore**; and **Carolyn Grose**, who taught in our Women and the Law Clinic and will teach at **William Mitchell**. In addition, **Janie Chuang**, also a Practitioner in our International Human Rights Clinic, will be moving out of clinic to teach international law at **WCL** as a **visiting professor**. Our practitioners have contributed more to our program

than we can possibly acknowledge. We look forward to continuing our relationship with our colleagues as they continue their admirable work in their new homes.

As our old friends leave, we will be welcoming the largest single group of new practitioners in our history as a clinical program. Our new group of Practitioners in Residence, starting this summer, includes **Kristine Huskey** and **Jayesh Rathod**, who will be moving from Shearman and Sterling and Casa of Maryland, respectively, to our **International Human Rights Law Clinic**; **LaShanda Taylor**, currently at the New Jersey Office of the Child Advocate, who will teach in our **Civil Practice Clinic**; **Adrienne Lockie**, now director and supervising attorney at the Domestic Violence Advocacy Project at Rutgers-Newark, who will teach in our **Women and the Law Clinic**; **Jane Stoever**, currently a graduate teaching fellow in the Domestic Violence Clinic at Georgetown, who will direct our **Domestic Violence Clinic**; and **Robin Wright Westwood**, in private practice and an adjunct in corporate and partnership tax at Washington and Lee, who will join our **Federal Tax Clinic**. We consider ourselves to be privileged to work with these talented, committed lawyers, and to assist them in the development of their careers as clinical teachers.

One more transition to note: with gratitude for her colleagues' fellowship, humor and patience over the last three and a half years, (and with no small sense of relief), **Susan Bennett** will step down from the directorship of the Clinical Program, effective July 31, 2006. **Binny Miller** will begin what promises to be an illustrious tenure as our new Clinic Director on August 1. Please congratulate her on adding yet another achievement to her lengthy list of accomplishments as a teacher, clinician, author and editor (and

Mom: Moxi Coleman-Miller, our newest clinic colleague, was born on October 11, 2005.)

Last, we announce with sadness the death on February 19, 2006 of our colleague, **Janet Spragens**, founder of our Federal Tax Clinic. After having taught tax at WCL for many years, Janet founded the Tax Clinic in 1990, the first to focus on representation of low wage workers in need of representation before the Tax Court. She was instrumental in writing and moving the passage of legislation to create the program through which the Treasury Department now funds a national network of low income taxpayer clinics, in clinical programs and legal services organizations. Janet's fervor for assisting unrepresented low income taxpayers only intensified through the years, and her indignation at the disproportionate burdens placed on low wage workers by the IRS persisted even throughout the last stages of her illness. The Washington College of Law has re-named the Tax Clinic as the **Janet R. Spragens Federal Tax Clinic** in her honor. We miss her terribly.



In January the **Ave Maria School of Law Clinical Program** launched the **Women's Immigrant Rights Law Clinic**. The clinic represents non-citizen women in asylum applications, VAWA petitions, SIJS claims, and U and T visa petitions. As part of its inaugural semester the clinic partnered with the National Center for Refugee and Immigrant Children to host a training on SIJS claims in Michigan. The training was the first of its kind in Michigan. Over fifty area attorneys attended and almost twenty signed up to provide representation for

unaccompanied refugee children in Michigan.



Two students in the **Community Development Clinic** recently won an appeal from the Internal Revenue Service's initial adverse determination of the tax-exempt status of a not-for-profit organization working with the U.S.-based Dominican community to provide goods, services and economic support to low-income communities and children in the Dominican Republic. The International Senior Lawyers Project referred the matter to the Clinic. The case was difficult because of the complex relationship between the client and two affiliated foundations and for-profit institutions located in the Dominican Republic and Spain. The students counseled the client regarding the structuring of the relationship among the affiliated entities to ensure the client's compliance with appropriate corporate formalities. In a great example of inter-clinic collaboration, **Dan Smulian** of the **Safe Harbor Project** provided valuable help by translating the relevant documents. The students also unwound the various relationships among the affiliated foundations so that the activities of the two foreign foundations did not overlap with those of the U.S.-based client. This was done to ensure that the IRS would be able to evaluate the tax-exempt purpose and activities of the client separately from the activities of its affiliates. The IRS reversed its initial adverse determination in five weeks, a mere moment in the context of the normal operations of the IRS Exempt Organizations Division and a testament

to the fine work of the BLS students and their supervisor, **David Reiss**.

Clients escaping persecution in Bhutan, The Gambia, Guinea, and Ecuador, represented by students in the **Safe Harbor Project**, were granted asylum.

Students from two clinics argued before the Court of Appeals for the 2<sup>nd</sup> Circuit. In the fall, a student from the **Safe Harbor Project** argued (unsuccessfully, unfortunately) that the removal of a long-term permanent resident without consideration of its impact on his US citizen child violates due process and international law.

Students from the **Capital Defender & Federal Habeas Corpus Clinic** defended the grant of a writ of habeas corpus in the district court on an issue of right to counsel on appeal (decision pending). Students in these clinics are supervised by **Stacy Caplow** and **Ursula Bentele**, respectively.

In the fall semester, the law school will launch a new program in conjunction with the **Brooklyn Family Justice Center**, a brand new initiative for victims of domestic violence to receive holistic assistance on family, immigration and criminal matters. The students, under the supervision of **Lisa Smith**, will rotate between the different units gaining experience in the integrated domestic violence court.



**Reed Super**, of **Columbia's Environmental Clinic** with Ed Lloyd, presented his article-in-progress, tentatively titled "A Taxonomy of Environmental Law and Litigation for

Clinical Students," at the **Clinical Law Review's first Writer's Workshop** on April 29.



Shown at the AALS clinical conference in NYC in May 2006 are **Mary Marsh Zulack**, named to be the next Clinical Director, **Barbara Schatz**, Clinical Director of the recent past, **Jane Spinak**, current Clinical Director, and **Conrad Johnson**, Clinical Director of the rather distant past.

**Ragini Shah**, who has been co-teaching the Child Advocacy and Immigration Clinic with Jane Spinak, presented at the AALS Clinical Conference in New York at the Work-in-Progress Session, *A Critical Look at Immigration Law's Treatment of Children-A Curricular Work-in-Progress*. Ragini would like to thank the participants for an extremely useful and animated discussion.

**Columbia's Lawyering in the Digital Age Clinic** (**Conrad Johnson**, **Mary Marsh Zulack**, **Brian Donnelly**) was commissioned by Chief Judge Judith Kaye, of New York's highest court, to pull together the knowledge about the collateral consequences of criminal charges—the 4-Cs—as she calls them.

Part of a recent article in the New York County Lawyers Association newsletter explaining this project is set forth below, reprinted with their permission. This is the link to the article. [http://www.nycla.org/siteFiles/Publications/Publications230\\_0.pdf](http://www.nycla.org/siteFiles/Publications/Publications230_0.pdf)

**Collateral Consequences of Criminal Charges**  
**The Four C's Website**

[www2.law.columbia.edu/fourcs/](http://www2.law.columbia.edu/fourcs/)  
**OVERVIEW**  
**What It Is and Why We Need It**

### **The Problem**

Unseen and often devastating, the collateral consequences of criminal charges loom as a specter that bedevils efforts at appropriate sentencing and competent counseling. Unlike the explicitly articulated direct consequences of criminal charges, such as prison terms, parole eligibility or fines, collateral consequences lay largely hidden and unspoken, usually until it is too late.

While many collateral consequences attach as a result of felony conviction in New York, a surprising variety take hold following far less serious entanglements with the criminal justice system. Misdemeanor convictions and even mere arrest can result in severe and far-reaching ramifications.

Collateral consequences are in large part difficult to address because they exploit the specialization that has become a hallmark of our profession. These consequences occur across a staggering array of substantive legal fields, confounding the ability of criminal jurists, practitioners and the public they serve to appreciate fully all relevant repercussions.

### **The Four C's Resource**

In May 2005, Chief Judge Judith S. Kaye organized the Partners in Justice Colloquium. This effort brought together judges, practitioners and academics to promote a better understanding of the collateral consequences of criminal prosecutions in New York. The event was a resounding success.

Judge Kaye formed a working group and charged it with finding ways to continue the information sharing that began at the Colloquium. The Working Group, in partnership with the **Lawyering in the Digital Age Clinic** at the **Columbia University School of Law**,

created this site. Ultimately, the site will be hosted by the New York State Judicial Institute, where it may serve as a template for further online judicial education initiatives. The Working Group includes Hon. Judith S. Kaye, Chief Judge of the State of New York, **Professor Randy Hertz**, Director, Clinical and Advocacy Programs, **New York University School of Law**; **Professor Conrad Johnson**, Clinical Professor of Law, Columbia University School of Law

In addition, clinicians are leading many of the expert topic areas, **Conrad Johnson** on Housing; Professor **Melissa L. Breger**, Albany Law School of Union University on Family; and Professor **Paula Galowitz**, New York University School of Law on Financial Impact.



In April 2006, the East Bay Community Law Center closed on the purchase of its own home. The 6,300 square foot facility will allow EBCLC to increase the number of clinic students and expand services to the community. In October 2005, EBCLC publicly launched a "Building for Justice" Campaign to pay for the new building, which will be a state-of-the-art community clinic. With a \$1 million lead commitment from Boalt Hall, the campaign now has gifts and pledges of more than \$2.75 million toward the \$3.25 million campaign goal. EBCLC expects to occupy the facility before the end of the year.

## GEORGETOWN

In January, the **Georgetown Juvenile Justice Clinic**, in collaboration with the National Juvenile Defender Center and the Inter-American Commission on Human Rights, sponsored a conference on the impact of *Roper v. Simmons* and the applicability of various international treaties and protocols on the work of the U.S. juvenile justice system. Speakers included Executive Director Santiago Canton and Commissioner Sergio Pinheiro from the IACHR, Missouri Supreme Court Judge Laura Denvir Stith, Patricia Puritz, Executive Director of the National Juvenile Defender Center, Cynthia Price Cohen Executive Director of the Children's Rights International Research Institute, Professor Jeffrey Butts from the University of Chicago, Professor Nicholas Bala from the Faculty of Law at Queen's University in Canada, and Professors Alex Aleinikoff, Carlos Vazquez, **Kristin Henning** and **Wallace Mlyniec** from Georgetown Law Center

If you were unable to attend this conference, you may now view it on the Georgetown Juvenile Justice Clinic website at

[http://www.law.georgetown.edu/clinics/jjc/roper\\_v\\_simmons.htm](http://www.law.georgetown.edu/clinics/jjc/roper_v_simmons.htm)

You may also request a CD of the Conference materials from the Secretariat of the Inter-American Commission on Human Rights, 1889 F Street, N.W., Washington, D.C. 20006 or by e-mail at [cidhoea@oas.org](mailto:cidhoea@oas.org).

## HARVARD

**Lecturer Appointments:** **David Grossman** and **Paul Collier** have been **reappointed as Lecturers** for the 2006/07 academic year, and the following clinical instructors have received **new lecturer appointments** for

the year: **Roger Bertling, Kimberly Breger (Senior Fellow), Stephen Churchill, Susan Cole, Robert Greenwald, Michael Gregory (Senior Fellow), and Brian Price.**

**Legal Services Center Workshop for Boston Main Streets Program:** This spring, Clinical Instructors and students of the Community Enterprise Project sponsored a workshop for program directors of the City of Boston's Main Streets Program. BMS works to revitalize local commercial districts throughout the neighborhoods of Boston. "The City of Boston's Main Streets Program is the city's primary vehicle for the development of local business districts," explained **Brian Price**, acting director of the Center. "By sharing their legal expertise with these business and community leaders, the student presenters will be making an important contribution to the City's economic development efforts."

**Report Draws Attention of Massachusetts Top Education Leaders:** The clinical casework of students in the **Legal Services Center's Trauma and Learning Policy Initiative** is the foundation of a landmark new report called *Helping Traumatized Children Learn*. The report documents how trauma from exposure to violence—particularly family violence—can be the underlying cause of many learning and behavior problems that children exhibit in the classroom. The true-life stories that form the groundwork for the report's analysis and conclusions come from actual children whom HLS students at the **Hale and Dorr Legal Services Center** have represented in special education and discipline proceedings. The aim of the report is to encourage schools to intervene early to provide both school-wide and individual supports to traumatized students so that they can avoid school failure and/or involvement with the juvenile delinquency system.

In addition to translating the research on trauma into language that is relevant to educators, the report also provides a flexible framework of strategies that schools can use to become trauma-sensitive environments. The report concludes with a series of policy recommendations for the state's educational leaders, encouraging them to devote resources to teacher training and increased access to mental health consultants for schools. *Helping Traumatized Children Learn* was released to the public at a press conference at the Juniper Hill Elementary School in Framingham, Mass. The Framingham Public Schools hosted the event and are currently implementing the strategies outlined in the report across its entire school district. Massachusetts Commissioner of Education David Driscoll has endorsed the report and will attend the press conference to speak about the issue of trauma and learning. Harvard Law Professor Martha Minow has called *Helping Traumatized Children Learn* a major milestone in child advocacy. The report has also been endorsed by Harry Spence, commissioner of the Massachusetts Department of Social Services; Tom Scott, executive director of the Massachusetts Association of School Superintendents; and Glenn Koocher, executive director of the Massachusetts Association of School Committees.

**The Trauma and Learning Policy Initiative** is a partnership between Massachusetts Advocates for Children, a non-profit children's rights organization, and the law school's **Hale and Dorr Legal Services Center**. It serves as a clinical placement for law students interested in child advocacy and education law. Students enrolled in TLPI have the chance to represent real clients in special education proceedings in the Boston Public Schools and conduct

education policy work at the state level in Massachusetts.

**New Art Law Clinic:** This fall, the Legal Services Center launched a new clinical offering in connection with Professor **Terry Martin's** seminar on art law. The Art Law Clinic provides legal assistance to museums and other non-profit arts organizations on a broad range of issues including charitable giving, collections management, corporate governance, cultural property, intellectual property and tax-exemption issues. The clinic has also written, published and distributed two volumes of the *Art Law Clinic Client Newsletter*. Students in the clinic are supervised by **Polly Clark**, Senior Clinical Fellow.



**Mercer University Walter F. George School of Law** announces the creation of a new **Law and Public Service Program**. The centerpiece of the program will be experiential learning opportunities for students through new clinics and expanded public interest externships. The Program will also encourage pro bono opportunities for students, assist students with summer public interest placements, and grow and administer a loan repayment assistance program for graduates who commit to public interest work. This is a University-level program; an important aspect will be finding opportunities for interdisciplinary cooperation between law students and the many professional programs of Mercer University.

Mercer has appointed two new faculty members to develop and teach in this program: **Tim Floyd** and **Sarah Gerwig-Moore**. Tim spent fifteen years on the faculty at Texas Tech, where he designed and implemented the clinical program. For the past two years, he has

been a Visiting Professor at Georgia State University College of Law and Director of the Capital Defender Clinic. Sarah comes to Mercer from the Georgia Public Defender Standards Council, where she has been Senior Appellate Supervising Attorney. She has also taught an innovative clinical course at Emory on Appellate and Post-conviction Remedies.



On May 3, 2006, Montana Governor Brian Schweitzer granted full and unconditional pardons to 77 men and women who were convicted of violating Montana's sedition act during 1918-1919 by speaking unpopular words. This was a joint project of the **School of Law** and the School of Journalism. Our clinical students worked very hard on this project, the results of which may be found at [www.seditionproject.net](http://www.seditionproject.net).

University of Nevada, Las Vegas

William S. Boyd School of Law

The **Thomas and Mack Legal Clinic of the William S. Boyd School of Law, UNLV**, received the **UNLV School of Social Work 2005-2006 Outstanding Agency Award for Social Work Field Education**.



**Northwestern University School of Law** is delighted to announce that in June 2006 the **MacArthur Justice Center**, a non-profit public-interest law firm that focuses on criminal justice reform issues, will move from the University of Chicago to become part of the **Bluhm Legal Clinic at Northwestern Law**. The MacArthur Justice Center, which is supported by the J. Roderick MacArthur Foundation, named for a Chicago businessman and son of philanthropists John D. and Catherine T. MacArthur, has been involved in important cases and reform efforts in such areas as treatment of prisoners, police misconduct, compensation for the wrongfully convicted, the death penalty, gun control, and indigents' rights to legal representation. The center also focuses on human rights issues related to the treatment of detainees in custody as part of the war on terror.

The MacArthur Justice Center's move to the Bluhm Legal Clinic will expand opportunities for Northwestern Law students to gain hands-on experience in the representation of individuals and in litigation and policy work focusing on criminal justice and human rights issues. The center's work dovetails very effectively with the work of the Bluhm Legal Clinic's existing centers, particularly that of the **Center on Wrongful Convictions** and the **Center for International Human Rights**. Indeed, the faculty of the MacArthur Justice Center and the faculty of the Bluhm Legal Clinic have collaborated on cases and projects in the past and have already established close and constructive working relationships.

The MacArthur Justice Center's Legal Director, **Locke Bowman** and Northwestern Law graduate **Joseph Margulies** (JD '88), and two administrative staff members, **Erena Hart** and **Alexandra Sierra**, will move to Bluhm with the Center. Lock Bowman's work focuses on involves police practices, compensation for victims of wrongful convictions, and the rights of the indigent criminal defendants to effective representation. Joe Margulies' work focuses on issues related to the civil liberties and human rights implications of the war on terror.

This is a very positive development for the University, for the Law School, and for the Bluhm Legal Clinic. It demonstrates that Northwestern Law is recognized as a leader in providing students with hand-on experience in the study of criminal justice and human rights issues through our involvement in cutting edge legal and policy issues. We look forward to working with the MacArthur Justice Center, and we are grateful to the Center's Board of Directors, particularly to Rick and Solange MacArthur and to David Bradford for the work of the Center and for being so supportive of this wonderful alliance.

Northwestern will celebrate arrival of the MacArthur Justice Center to Northwestern Law with a dinner in honor of the Center in September of 2006.



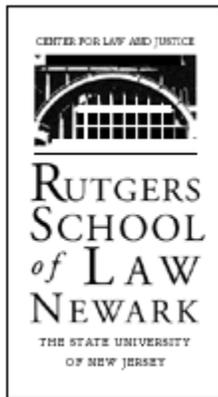
Penn Law School's Gittis Center for Clinical Legal Studies is now completing a year marked by proud milestones, faculty recognition and an exciting new appointment.

- The program celebrated 30 years of

in-house operation with special recognition of **Doug Frenkel** for his 25 years of leadership as director.

- **Lou Rulli** was awarded the **University-Wide Provost's Award for Distinguished Teaching**. Lou's nomination was backed by over thirty letters from past and present students lauding his teaching.

- **Sarah Paoletti** will join Penn's clinical faculty, heading up our new **Transnational Clinic** that will be launched this Fall.



### **Rutgers-Newark Adopts Clinical Faculty Scholarship Track**

**Rutgers-Newark** has commenced a process to enhance the perks and alter the responsibilities of its clinical faculty. This past academic year, the faculty adopted changes in the non-tenure track clinical professor position that is designed to provide full-time clinical teachers with support for research and scholarship equivalent to that of tenure-track faculty through the creation of the **Clinical Scholar Series (CSS)**. The CSS will culminate with tenure-like "for cause" job security at the completion of two major works of clinical scholarship after six years. It will provide two full paid research semester leaves for persons appointed to the track (one in the first three years and another in the second three years) and then either 80% paid leaves every three years thereafter or

100% paid leaves every six years. The track also provides for summer coverage to write among other scholarship/research amenities.

The scholarship standard embraces major writings directed to clinical educators, lawyers, and judges and topics such as lawyering theory, clinical pedagogy and design, doctrinal developments in one's practice areas and writings on improvement of the practice of law or the functioning of legal institutions, agencies or procedures, among other areas. Clinical faculty in this writing stream will participate fully in faculty governance (except for tenure track personnel matters).

The four non-tenure track clinical faculty members on hard money lines as well as the nine funded under outside grants and special state appropriations, are eligible to apply for the new track but the process contemplates a stay of the publish or perish time requirements and or entry of new candidates onto the new track in future years in the event that funding should become unavailable for the research amenities. This means that thirteen additional full time, non tenure-track clinical faculty members should, over time, be able to join the five tenured clinical faculty even more completely in the life of the law school. Look for their writings in years to come!

In April, 2006, **Penny Venetis** and **Randi Mandelbaum** were the first two clinical faculty members appointed to its new clinical scholarship track by the faculty.

### **News from Rutgers Constitutional Litigation Clinic**

The Constitutional Litigation Clinic had a significant victory in the voting rights arena. Clinical Professor **Penny Venetis** challenged the constitutionality of electronic voting machines under the New Jersey Constitution as well as state

law. Electronic voting machines are the most non-transparent voting system in existence. Manufacturers guard the “source code” as a trade secret. And, no court has ever ordered manufacturers to disclose the programs that operate the machines that count our votes. Additionally, electronic voting machines are unreliable. There are many documented instances of electronic voting machines adding votes or misdirecting votes.

The unreliability and lack of transparency of electronic voting machines, Venetis argued, compromise our most fundamental right to vote - which includes the right to have one’s vote counted as cast. Without a voter verified paper ballot, Venetis argued, we have no idea what the voting machines are doing, and whether they are counting ballots as cast.

The Appellate Division of New Jersey agreed with Professor Venetis. It reinstated her lawsuit. After a week-long trial, the trial court that originally dismissed the case issued a favorable ruling, finding that New Jersey’s electronic voting machines cannot comply with newly enacted New Jersey law requiring all voting machines used in New Jersey to produce a voter verified paper ballot by 2008. (Venetis was instrumental in drafting that legislation.)

The Appellate Division is scheduled to hear further arguments on the case this month, and will consider Professor Venetis’s application to de-commission all of the State’s electronic voting machines.

On April 23, 2006 Professor Venetis was honored for her work by the Coalition for Peace Action, a citizen’s group based in Princeton. On the same day, she was also given a New Jersey Senate and General Assembly Citation commending her for her work.

This lawsuit is the only lawsuit challenging electronic voting machines to

survive dismissal. It is in the process of being replicated by voting rights advocates in several states.

The Rutgers Constitutional Litigation Clinic also won a landmark decision from the New Jersey Appellate Division holding for the first time in the nation that a private homeowners’ association was a “constitutional actor” under a state constitution. The ruling has generated enormous interest among residents of common interest communities all over the country. The unanimous 3-judge court decision held that the 10,000-member Twin Rivers Homeowners Association in East Windsor, N.J. had to recognize its members’ rights of free speech and democratic participation in association affairs under the New Jersey Constitution. Among the issues involved were the right to place political signs on members’ lawns, a right of equitable access by members to the monthly community newspaper and a right of access to the member-maintained community room at a nominal fee. The decision relies on prior precedents established through earlier Clinic litigation supervised by Prof. **Frank Askin** that shopping malls are public forums under the New Jersey Constitution. The defendants have filed a petition for review in the New Jersey Supreme Court.

## **News from Rutgers Environmental Law Clinic**

### **Summary of Recent Court Decisions**

**In re Stormwater Management Rules**  
*2006 WL 931754 (N.J. Super. App. Div. April 12, 2006) (slip copy)*  
*Argued 2005 before the N.J. Appellate Division - Decided April 12, 2006*

This case involves 300 foot buffers along each side of waters that are classified as “Category One” under the

antidegradation policy. The New Jersey Builders Association contended that this regulation effectively made the buffer zone a “no-build” zone and was effectively the exercise of plenary land use power that is exclusively delegated to municipalities. The Court ruled that there is no clear distinction between land use and environmental regulations, and that the DEP’s authority in this matter is found in both the agency’s enabling statute, N.J.S.A. 13:1D, and in other laws whose purpose is to improve water quality and prevent water pollution. The court can infer from these laws that the DEP had the authority to create this regulation in order to carry out its responsibility. The Clinic submitted an amicus brief and argued the matter on behalf of several environmental groups.

**In the Matter of AmerGen Energy Co, LLC** (License Renewal for Oyster Creek Nuclear Generating Station), Docket No. 50-0219-LR, ASLBP No. 06-844-01-LR (Feb. 27, 2006)

The Oyster Creek Nuclear Generating Station (“OCNGS”), in Ocean County, New Jersey is currently the oldest operating nuclear power station in the United States. It was initially licensed for forty years of operation, starting in 1969 and ending in 2009. The reactor operator has applied for renewal of the operating license for another twenty years.

The Clinic is representing a coalition of environmental and safety groups; Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Inc., Grandmothers, Mothers and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation. The Clinic has assisted the coalition to build a broad-based strategy to achieve this objective, including representation in the

license renewal proceeding before the Atomic Safety and Licensing Board (“ASLB”) of the Nuclear Regulatory Commission.

The coalition scored a major (and rare) victory when the ASLB granted its request for a hearing on the issue of drywell corrosion. This matter is now on appeal to the full Commission. In addition, the reactor operator has already agreed to conduct additional testing, in an effort to convince the ASLB that the problem highlighted by the coalition is being adequately dealt with. The Clinic is continuing to represent the coalition in the discovery phase of the proceeding, in the appeal of the initial decision, and in attempting to broaden the issues to be heard.

**Natural Resources Defense Council, Inc., et al. v. U.S. Army Corps of Engineers**

*2006 WL 559472 ( S.D.N.Y. March 8, 2006) (slip copy)*

*Argued in December 2005 before the U.S. District Court (S.D.N.Y.) -- Decided March 8, 2006*

This case involves the Corps plans to dredge dioxin-contaminated sediments from Newark Bay. The Corps had issued a “finding of no significant impact” despite the fact that the EPA had recently categorized the Bay as a Superfund site (as a result of advocacy by the Clinic and others). In this NEPA action, the Court had bifurcated the case and ruled in June 2005 that the Corps’s environmental assessment had violated the law. Natural Resources Defense Council, Inc. v. U.S. Army Corps of Engineers, 399 F. Supp. 2d 386 (S.D.N.Y. 2005). On the later ruling regarding remedy for the violation, the Court held that the initial and intervening environmental assessments were flawed for a number of scientific and legal reasons, and gave the Corps four months to prepare NEPA-compliant

documentation before it would reconsider injunctive relief against the award of future dredging contracts. The Clinic represented NY/NJ Baykeeper and is co-counsel with NRDC, which represents itself and Green faith.

**In re Adoption of N.J.A.C. 7:26E-1.13**

*186 N.J. 81 (2006).*

*Argued January 31, 2006, before the N.J. Supreme Court -- Decided February 28, 2006*

This case involved a challenge to the DEP's regulation intended to implement provisions of the Brownfield Act. The regulation set a level of remediation intended to make ground water under contaminated brownfield sites eventually safe to drink. Insurance and industry groups contended that this regulation violated the Brownfield Act by applying pre-existing ground water standards for potable water to remediation of industrial sites instead of promulgating new, less stringent, site specific standards.

The Clinic submitted amicus curiae briefs on behalf of New Jersey Work Environment Council, Ironbound Community Corporation, New Jersey Environmental Justice Alliance NY/NJ Baykeeper, Hackensack Riverkeeper, Edison Wetlands Association, and New Jersey Environmental Lobby. The Clinic submitted an amicus brief on behalf of these groups, arguing that the groundwater is a part of the public trust, that all groundwater in the State has to be protected as a future source of drinking water and that it would be unjust and unwise to write-off groundwater in urban areas. The Appellate Division and the Supreme Court upheld the regulation.

**Alliance for Environmental Renewal, Inc. v. Pyramid Crossgates Company**

*436 F.3d 82 (2d Cir. 2006).*

*Argued September 1, 2005, before the U.S. Court of Appeals (2nd Cir.) -- Decided January 24, 2006*

This appeal was taken from a lower court decision dismissing a citizen suit on the grounds that salt is not a regulated contaminant under the Clean Water Act. The Second Circuit held that the District Court should have resolved standing before reaching the merits and should adopt some process to assess facts underpinning standing even in the procedural posture of a motion to dismiss. The Clinic submitted an amicus brief on behalf of NRDC.

**IMO Freshwater Wetlands Statewide General Permits (A-115-04)**

*185 N.J. 452 (2006).*

*Argued September 27, 2005, before the N.J. Supreme Court -- Decided January 11, 2006*

This case involved the right of neighboring property owners who challenged a DEP permit to obtain a trial-like hearing in front of the Office of Administrative Law (OAL). Although the New Jersey Legislature has placed severe limits on the rights of third parties for administrative hearings in state permit matters, the neighboring landowners argued that they had a constitutional hearing right because their property rights were threatened by the prospect of flooding by the proposed development. The Appellate Division ruled in their favor and DEP appealed. The Supreme Court held that the DEP's administrative review procedure for the issuance of a freshwater wetlands permit satisfies traditional notions of due process because, in part, DEP's review is just part of an overall land use process that includes planning board review, and POND participated in trial-type hearings over several days of testimony before the planning board, which then denied the

application as incomplete. The Clinic submitted a brief and argued the matter on behalf of Preserve Old Northfield and the neighboring property owners.

**In re NJPDES Permit No. NJ0025241 (A-116-04)**

*185 N.J. 474 (2006).*

*Argued September 27, 2005, before the N.J. Supreme Court -- Decided January 11, 2006*

This case involved the Water Pollution Control Act (WPCA) and the hearing rights that it confers upon third parties from decisions regarding pollution discharge permits. In 2001, the Clinic submitted comments to NJDEP on a proposed wastewater discharge permit that would allow the Asbury Park to discharge effluent into the Atlantic Ocean; our client was principally concerned about the absence of limits in the permit on enterococci and the impacts on the ocean ecosystem. DEP issued the final permit without such limits and denied the Clinic's request for an administrative hearing. The Supreme Court held that, on the facts of this case, COA did not have a right to a hearing because there were no adjudicative facts in issue. However, the Court also held that DEP may not simply deny hearing requests without making factual findings, a very useful admonition to DEP that the Clinic will use in future hearing requests, where it will also be possible to follow the Court's guidelines about setting forth facts that require adjudicative findings. The Clinic submitted a brief and argued on behalf of Clean Ocean Action.

**J.P. Rail, Inc. v. New Jersey Pinelands Commission**

*404 F. Supp. 2d 636 (D.N.J. 2005).*

*Argued in October 2005 before the U.S. District Court (D.N.J.) -- decided December 22, 2005*

This case involved the proposed construction of a waste transfer facility on a site located within the Pinelands National Reserve. The proposed operator sued the State and claimed that it was exempt from the Pinelands Act and solid waste laws because those laws were preempted by a federal statute designed to deregulate rate controls over the rail industry. On cross-motions for a preliminary injunction, the Clinic filed an amicus brief and argued before the District Court. The court said that the proposed facility will probably not involve "transportation by a rail carrier," that preemption was not warranted and granted a preliminary injunction in favor of New Jersey Pinelands Commission. The Clinic submitted an amicus brief and argued on behalf of Pinelands Preservation Alliance.

**Raleigh Avenue Beach Association v. Atlantic Beach Club, Inc., et al. (A-40-04)**

*185 N.J. 879 (2005).*

*Argued January 19, 2005, before the N.J. Supreme Court -- Decided July 26, 2005*

This case involved a private beach club that denied the public any access or use of its beach. The Supreme Court held that Atlantis must allow public access to its upland sands under the Public Trust Doctrine, that the Doctrine extended to privately-owned beaches, and that the DEP had jurisdiction to review fees proposed by Atlantis for use of its beach. The Clinic submitted an amicus curiae brief and argued the matter on behalf of Citizens' Right to Access Beaches, Inc.

**K. Hovnanian Companies of North Central Jersey, Inc. v. New Jersey Department of Environmental Protection**

*379 N.J. Super. 1 (App. Div. 2005).*

*Argued May 9, 2005, before the N.J. Appellate Division -- Decided July 1, 2005*

This case involved a permit allowing wastewater to be discharged to a pristine stream that is habitat for the protected wood turtle. The Clinic successfully petitioned to upgrade the antidegradation classification of the receiving waters, and DEP revoked the permit. The builder filed an administrative challenge to the revocation, and separately filed suit in Superior Court claiming that the revocation violated fair housing obligations because a few of the houses were to be designated as low-income housing. The Appellate Division held that the trial court properly dismissed the complaint grounds of ripeness and failure to exhaust administrative remedies. The Clinic represented John and Wendy Neu and the Concerned Citizens of Union Township.

### **In the Matter of a Petition for a Declaratory Ruling Regarding the City of Plainfield's Park-Madison Site**

*372 N.J. Super. 544 (App. Div. 2004). Argued September 20, 2004, before the N.J. Appellate Division -- Decided October 15, 2004*

In an earlier case, **In re Amendment to Recreation and Open Space Inventory of City of Plainfield**, 353 N.J. Super. 310 (App. Div. 2002), the Clinic had successfully challenged the ability of a municipality to take parkland for the construction of a municipal building. In response, the municipality obtained a special legislative fix that purported to exempt the parcel from applicable diversion rules. The Clinic challenged the application of the amendment to the parcel, but it was developed during the period of litigation. The Appellate Division held that the question brought was not moot because if the amendment did not apply the city would be required

to supply a replacement site or compensation for the lost parkland. In this case, the court ruled that the amendment did apply to the land and that the city did not have to compensate with additional parkland. The Clinic argued the case for Citizens and Friends for Equitable Stewardship and the Sierra Club – New Jersey.

### **Summary of Speaking Engagements**

**Carter H. Strickland, Jr., Esq.**, The Public Trust Doctrine in New Jersey, March 2006 New Jersey Land Trust Rally

**Carter H. Strickland, Jr., Esq.**, Recent Legal Decisions Affecting Open Space Preservation, March 2006 New Jersey Land Trust Rally

### **News from Rutger's Special Education Clinic**

#### **Third Circuit Judge Grants Special Education Clinic Motion for Summary Judgment and Approves Request for Attorneys' Fees**

Third Circuit Court for the District of Newark, New Jersey upheld the obligation of a local school district to provide a residential placement for a special education student where the district could not provide a free and appropriate public education and the right of a parent to obtain attorneys' fees as a prevailing party when represented by a Clinic Legal Program.

The Special Education Clinic represented the parent of a thirteen year old who had been diagnosed with various mental health disabilities including, bipolar disorder, oppositional defiant disorder, Asperger's syndrome, and Attention Deficit Hyperactivity Disorder. After a four day hearing, the Administrative Law Judge (ALJ) ordered the School District to "immediately"

provide a residential placement and to pay for tuition, room and board and all non-medical related services and costs. The School District appealed the decision to the U.S. District Court. In a Motion for summary Judgment, the Court affirmed the ALJ's decision. **Twp. of Bloomfield Bd. of Educ. v. S.C. ex rel. T.M.**, 2005 U.S. Dist. LEXIS 21424 (D.N.J. 2005). Subsequent to this decision, the Clinic filed a request for attorneys' fees and costs under the Individuals with Disabilities Education Act's (IDEA) as the prevailing party. In granting the Clinic's application for over \$29,000.00, the District Court, indicated that "(p)ublic legal services agencies are better able to provide such services if they receive the same kind of payment as private attorneys representing parents in IDEA cases." *Twp. Of Bloomfield Bd. Of Educ. V. S.C. ex rel. T.M. and State of New Jersey*, 2006 U.S. Dist. LEXIS 9697 (D.N.J. 2006).

Clinic Students participated in every aspect of the case and were instrumental in its successful outcomes. They included: **Laura Cubberly ('04)**( Hoagland, Longo, Moran, Dunst & Doukas); **Maurice Gonzalez('05)**(Law Clerk to the Honorable Patricia Medina Talbert, J.S.C.); **Laurie Poppe('05)** (Law Clerk for the Honorable Ann Bartlett,J.S.C); **Eddie Dembling('06)**; and **Celena Gill('07)**.



*Back row: **Laurie Poppie('05)** and **Professor Esther Canty-Barnes**;  
Front row: **Eddie Dembling ('06)**  
and **Maurice Gonzalez ('05)***

## **Special Education Clinic Receives Two Year Grant for State-Wide Judicial Training**

The Special Education Clinic at Rutgers University School of Law in Newark, New Jersey, is pleased to announce that it is the recipient of a two year grant from the New Jersey Children in the Court Improvement Committee (CICIC) to expand its Special Education in the Courts Initiative. The primary goal of the grant is to provide state-wide training to family court judges and court related personnel regarding the unique educational challenges facing children with special needs in child welfare system. The Clinic will serve as a resource and provide training and assistance regarding the early intervention and special education systems.

The Special Education Clinic is operated by **Esther Canty-Barnes**, Clinical Professor and Director, and **Jennifer Rosen Valverde**, Associate Professor.



## **Saint Louis University School of Law Participates in Unique Legal Team to Save Adoption Assistance in Missouri**

The **Legal Clinic at Saint Louis University School of Law** partnered with the national children's advocacy agency called Children's Rights, the Kansas City law firm of Shook Hardy & Bacon, and private attorneys in the St. Louis area to obtain a permanent injunction blocking cuts by the Missouri Legislature to that state's adoption subsidy program. U.S. District Judge Scott O. Wright of the Western District of Missouri issued the injunction on May 1, enjoining the state from implementing

changes to Missouri's adoption assistance program. Judge Wright ruled that the legislative changes violated federal adoption assistance law as well as the equal protection clause and the impairment of contracts clause of the United States Constitution. The ruling saves adoption subsidies for 11,000 children who have already been adopted, and keeps them available for 11,000 more children currently in foster care who are hoping to be adopted.

The legal team presented evidence showing that adoption subsidies are less expensive than foster care for abused and neglected children. The litigation began in August of 2005 and was a unique collaboration of the New York based nonprofit children's agency, the private lawyers, and Saint Louis U.'s Legal Clinic. Clinic faculty members **John Ammann** and **Amy Sanders** served as co-counsel with attorneys from the other offices.

### **Saint Louis University Law School Hosts National Conference on Homelessness**

**Saint Louis U. Law School** joined with the American Bar Association's Forum on Affordable Housing and Community Development Law to sponsor a conference on ending homelessness in February. More than 200 attorneys, government officials, and nonprofit leaders discussed various aspects of homelessness and community development. Mayor Melvin Holden of Baton Rouge spoke to the participants about the challenges of addressing an overnight influx of thousands of homeless in his community after Hurricane Katrina. Congresswoman Julia Carson of Indiana spoke at the conference dinner about her Bringing America Home Act which addresses homelessness. SLU Clinic faculty **Susan McGraugh** and **John Ammann** spoke at

the conference on their recent settlement with the St. Louis Police Department over treatment of the homeless. Law students from Saint Louis U.'s Public Law Review helped organize and sponsor the conference.

## **UNIVERSITY OF ST. THOMAS**

The work of the **University of St. Thomas (MN) Interprofessional Center for Counseling and Legal Services** was on display at the AALS Clinical Legal Education Conference in New York City. Seven members of the Center, including two law faculty (**Jennifer Wright & Virgil Wiebe**), all three law fellows (**Jennifer Musolf, Natasha Merz, Kathleen Lohmar Exel**), the social work services director (**Jim Stolz**), and a Psy.D. student (**Ross Jones**), joined with colleagues from UNLV to present a panel presentation on how we collaborate across disciplines and across practice groups. The Center's work was also displayed in its poster presentation.

Members of the UST Legal Services Clinic received three of UST Law's annual Mission awards. Professor **Nekima Levy-Pounds** also received a Mission Award for Service and Community. Four members of the Family Law Practice Group (**Adam Brown, Kelli Goodwin, Jessica Monson, Artika Tyner**) along with law fellow **Jennifer Musolf**, were awarded a Mission Award for Scholarly Engagement and Societal Reform for working in conjunction with various domestic abuse organizations to draft proposed best practices standards for guardians ad litem in the state of Minnesota. **Janet Kreuger** and **Sonja Larson**, members of the advanced Elder Law Practice Group, was also awarded a Mission Award for Scholarly Engagement and Societal Reform for working to improve the access of family members of nursing home residents to resident councils.

The Center opened a **Client Closet** to provide a resource for clients of the center who need clothing and other basic household items. Members of the UST community have been particularly generous in making donations. **Artika Tyner** was selected as the newest Law Fellow, a fellowship designed for recent graduates who have shown a demonstrated commitment to public service and social justice.

In June 2006, **Professor Nekima Levy-Pounds** will present her paper entitled, "Goodbye Master, Hello Warden: An Explication of the U.S. Criminal Justice System as a Form of Modern Day Slavery for African-American Children and Families" at a conference in Gloucester, England. The paper will be published by the Texas Wesleyan Law Review.

## SETON HALL LAW

### Urban Revitalization Project

**Seton Hall Law School** is announcing a new project housed in the Center for Social Justice at Seton Hall Law. The **Urban Revitalization Project Fellow** will work with faculty in two sections of the Civil Litigation Clinic within the **Center for Social Justice**: one section focuses on improving urban education through empowering parents of schoolchildren, while the other section emphasizes improving the availability and quality of urban housing. The education issues relate to urban parents' rights to control their children's education, in addition to litigation advancing the quality of public education provided in the Newark area, including, for example, actions under the federal No Child Left Behind statute. The housing issues addressed will include predatory lending, home improvement contractor fraud, related issues of mortgage and

consumer fraud, housing discrimination, and the provision of affordable housing to low- and moderate-income persons in northern New Jersey.

The **Urban Revitalization Project Fellow**, with the assistance of Professors **Shavar Jeffries** and **Linda Fisher**, will engage in both litigation and community outreach to advance these objectives. The Project Fellow will also supervise students enrolled in Seton Hall Law School's internship program, as well as students participating in the school's Pro Bono Program, and will co-supervise certain Civil Litigation Clinic students along with Professors Fisher and Jeffries. The students will assist with client intake, all aspects of civil litigation, and will prepare and conduct presentations for community groups and other clinic constituents on various urban housing and education issues. The Fellow may also be responsible for preparation of community training manuals and networking with related advocacy groups.

### International Human Rights/Rule of Law Project

**Seton Hall Law School** is pleased to announce the launching of a new **International Human Rights/Rule of Law Project** housed in the Law School's Center for Social Justice. The inaugural fellow will focus on initiating a multi-disciplinary approach to protecting the rights of immigrant women in New Jersey. The Project will bring legal actions raising trafficking and Violence and Against Women Act (VAWA) related claims as well as explore novel claims in international human rights forums related to the expansion of rights for immigrant women. The Project will also undertake community outreach and education initiatives with the goal of building stronger ties to and better understanding of the legal needs of regional immigrant communities and

educating those populations about their legal rights.

Though working independently, the Project Fellow's work will build upon the work of Professors in two sections of the Center for Social Justice: Professor **Lori Nessel** in the Immigration & Human Rights Clinic and Professor **Baher Azmy** in the Civil Litigation Clinic. Professor Nessel's Immigration & Human Rights Clinic focuses on representation in claims arising under the Refugee and Torture Conventions, the Violence and Women Act, Trafficking Victim Protection Act, and human rights complaints before international tribunals. Professor Azmy's Civil Litigation Clinic represents women in civil cases on behalf of victims of trafficking and is one of the counsel in the Guantanamo Bay detainee litigation. Both Professors are also engaged with the Law School's Haiti Rule of Law Project.

The Project will include students enrolled in Seton Hall Law School's externship program, as well as students participating in the school's Pro Bono Program. The Project will encompass client intake, individual representation and preparation and presentation of Know Your Rights trainings for community groups and other clinic constituents on various international human rights and rule of law issues. The Fellow will also work on preparing policy reports on international human rights issues that impact immigrant women in New Jersey. This Project provides a unique opportunity for public interest attorneys and public interest minded students to provide and gain experience working in these subject areas.



The **W.W. Caruth, Jr., Child Advocacy Clinic** is hosting a symposium on November 16-17, 2006 entitled "The Legal and Social Impact of Disproportionality in Child Protection Cases". Professor Dorothy E. Roberts, the Kirkland and Ellis Professor of Law at Northwestern University School of Law is the keynote speaker.

The **Civil Clinic** was appointed by the Honorable Judge Jane Boyle of the Northern District of Texas to represent Mr. Alton Marshall in a civil rights suit against a local police officer alleging excessive force. The student trial team prepared the case and presented it to a jury in federal court over a four day period last November. While the jury did not find in favor of Mr. Marshall, post-trial motions are now pending.

A new **Consumer Advocacy Clinic** will open in the fall. Funded by a one-time grant of \$350,000 secured by the Office of the Attorney General of the State of Texas, the clinic will provide pre-litigation advocacy to Spanish-speaking consumers.



The **Washington University School of Law Clinical Education Program** and Center for Interdisciplinary Studies co-sponsored a mini-workshop on **Community Lawyering: Connecting with Clients and Communities** March 31, 2006 as a prelude to a bigger conference on the topic to occur in spring 2007. The keynote speaker, **Gerald**

**Lopez**, Professor of Clinical Law and Director of the Center for Community Problem Solving at New York University School of Law and author of *Rebellious Lawyering*, presented “A Rebellious Vision of Community Problem Solving.”

This workshop was the fourth in a series of interdisciplinary clinical workshops hosted by Washington University in the past four years. To date, these conferences have generated three volumes of interdisciplinary clinical scholarship in the Washington University Journal of Law & Policy (<http://law.wustl.edu/Journal/index.asp>): Volume 11: Promoting Justice Through Interdisciplinary Teaching, Practice & Scholarship (2003). Volume 14: Justice, Ethics and Interdisciplinary Teaching & Practice: Mental Health Issues (2004). Volume 20: Poverty, Wealth & the Working Poor: Clinical and Interdisciplinary Perspectives (2006).

## WILLAMETTE

### Willamette’s Clinical Law Program Celebrates Move to Legal Arts Building



### Willamette University College of Law Dean Symeonides with Professor Binford

On April 7, 2006, Willamette University College of Law hosted an open house to celebrate the Clinical Law Program’s recent move to the Legal Arts Building in Salem, Ore., and to welcome the new program director, Professor **Warren H. Binford**.

Willamette University boasts one of the few endowed Clinical Law Programs in the country. The program assists disadvantaged populations and nonprofit corporations with legal cases and transactions and provides externship placements for law students.

During the open house, more than 100 members of Oregon’s legal community stopped by to tour the newly renovated Legal Arts Building, which has a rich history of housing prominent Salem law firms and attorneys. The program’s new location provides students with a professional law firm environment where they meet with clinic clients and prepare cases under the direction of supervising attorneys.

“I appreciate the support Oregon’s legal community has expressed for Willamette’s Clinical Law Program since my arrival,” Binford said. “The attendance of so many judges, attorneys and alumni at the open house is a reminder of the tremendous amount of time, energy and contributions being made to the Clinical Law Program by the entire community. I am grateful for the opportunity to show them the program’s new facilities and to share the many exciting changes being made to the Clinical Law Program.”

Willamette has launched an ambitious 10-year strategic plan for the Clinical Law Program that promises expanded course offerings, a more challenging curriculum and new hands-on law practice opportunities for students. The previous general civil practice clinic has been expanded to include specialized clinics that cover business law, estate planning, tribal law and family law. Since Binford joined the program in June 2005, the number of students registering for the clinic has doubled and externship placements have tripled.

“Willamette is fortunate to have a great talent like Warren Binford heading

our Clinical Law Program,” said College of Law Dean Symeon C. Symeonides. “Warren brings tremendous energy, spirit and creativity to her role as director. Her hard work and dedication to our students will ensure Willamette’s Clinical Law Program becomes one of the best in the nation.”

The Legal Arts Building, located at 180 Church St. in Salem, also will serve as home to the Oregon Law Commission, a state-sponsored law reform commission whose membership includes attorneys, judges, professors and lawmakers from around the state.

## BOOKS & PUBLICATIONS



**Alberto Manuel Benitez (George Washington)**, *An Introduction to the United States Legal System: Fundamental Cases and Materials* (Carolina Academic Press, 2006).



**Tamar Birckhead (UNC-Chapel Hill)**, *The Conviction of Lynne Stewart and the Uncertain Future of the Right to Defend*, 43 AM. CRIM. L. REV. 1 (2006).



**Bridgette A. Carr (Ave Maria)**, *We Don’t Need To See Them Cry: Eliminating the Subjective Apprehension Element of the Well-Founded Fear*

*Analysis for Child Refugee Applicants* 33 PEPP. L. REV. 535 (2006).



**Christine N. Cimini (Denver)**, *Principles of Non-Arbitrariness: Lawlessness in the Administration of Welfare*, 37 RUTGERS L. REV. 451 (2005).



**Philip Genty (Columbia)**, THE IMPACT OF THE ADOPTION AND SAFE FAMILIES ACT ON CHILDREN OF INCARCERATED PARENTS (Child Welfare League of America, 2005)



**Thomas F. Geraghty (Northwestern)**, *Legal Clinics and the Better Trained Lawyer (Redux): A History of Clinical Education at Northwestern*, 100 NW. U. L. REV. 231 (2006).

**Caroyln Grose (American)**, *A Persistent Critique: Constructing Clients’ Stories*, 12 Clin. L. Rev. 329 (2006).



**Martin Guggenheim (NYU)** and Christine Gottlieb (NYU), *Justice Denied: Delays in Resolving Child Protection Cases in New York*. 12 VA. J. SOC. POL’Y & L. 546 (2005).



**Peter Joy (Washington, St. Louis)**, *Lawyer Ethics and the Expanding Role of the Media in Criminal Cases*, 17

PROF. LAW. 1 (2006) (with Kevin C. McMunigal)

**Peter Joy (Washington, St. Louis)**, *To Tape or Not to Tape: Secret Recordings*, 21 ABA CRIM. JUST. 36 (Spring 2006) (with Kevin C. McMunigal)

**Peter Joy (Washington, St. Louis)**, *Destroying Documents*, 20 ABA CRIM. JUST. 50 (Winter 2006) (with Kevin C. McMunigal)

**Peter Joy (Washington, St. Louis)**, *Criminal Law Clinics in the United States: Variation, History and the Quality of Student Representation*, 7 WASEDA PROCEEDINGS OF COMPARATIVE LAW 93 (2005)

**Peter Joy (Washington, St. Louis)**, *Why Should Prosecutors "Seek Justice"?*, 20 ABA CRIM. JUST. 65 (Summer 2005) (with Kevin C. McMunigal)

**Peter Joy (Washington, St. Louis)**, *Are a Prosecutor's Responsibilities "Special"?* 20 ABA CRIMINAL JUSTICE 58 (Spring 2005) (with Kevin C. McMunigal)

**Peter Joy (Washington, St. Louis)**, *Should Prosecutors Use Inconsistent Arguments?*, 19 ABA CRIM. JUST. 47 (Winter 2005) (with Kevin C. McMunigal)



**Tom Kelley (UNC-Chapel Hill)**, *Exporting Western Law to the Developing World: The Troubling Case of Niger*, GEO. WASH. INT'L. L. REV. (forthcoming)



**Minna J. Kotkin (Brooklyn)**,

*Invisible Settlements, Invisible Discrimination*, 84 N. C. L. REV. 927 (2006).



**Katherine R. Kruse (UNLV)**, *Fortress in the Sand: The Plural Values of Client-Centered Representation*, 12 CLIN. L. REV. 369 (2006).



**Nekima Levy-Pounds (University of St. Thomas)**, *From the Frying Pan into the Fire: How Poor Women of Color and Children are Affected by the Sentencing Guidelines and Mandatory Minimums*, SANTA CLARA L. REV. (forthcoming).



**Michael A. Millemann (Maryland)** & Steven D. Schwinn, *Teaching Legal Research and Writing with Actual Legal Work: Extending Clinical Education into the First Year*, 12 CLIN. L. REV. 441 (2006).



**Wallace J. Mlyniec (Georgetown)**, CONSTRUCTION NOTES, TRANSFORMING A CAMPUS IN WASHINGTON, D.C. [an architectural history of the Georgetown Law Center and its neighborhood, a primer on construction techniques and materials, and a journal documenting Georgetown's latest construction projects] Available from Amazon [ISBN 0-9650998-2-2].



**Linda Morton (California Western)**, *A New Approach to Health Care ADR: Training Law Students to Be Problem Solvers in the Health Care Context*. 21 GA. ST. U.L. REV. 965 (2005).



**William Wesley Patton (Whittier)**, LEGAL ETHICS IN CHILD CUSTODY AND DEPENDENCY PROCEEDINGS: A GUIDE FOR JUDGES AND LAWYERS (Cambridge University Press, June 2006).



**Ascanio Piomelli(UC-Hastings)**, *The Democratic Roots of Collaborative Lawyering*, 12 CLINICAL L. REV. 541 (2006).



**Mae C. Quinn (Tennessee)**, *Revisiting Anna Moscovitz Kross's Critique of New York City's Women's Court: The Continued Problem of Solving the "Problem" of Prostitution with Specialized Criminal Courts*. 33 Fordham Urban Law Journal 665 (2006).



**Bill Quigley (Loyola New Orleans)**, *The Case for Closing the School of the Americas*, 20 BYU J. PUB. L. 1 (2005).

**Kandis Scott (Santa Clara)**, *Non-Analytical Thinking in Law Practice:*

*Blinking in the Forest*, 12 CLIN. L. REV. 687 (2006).



**Virgil Wiebe (University of St. Thomas)**, *Maybe You Should, Yes You Must, No You Can't: Shifting Standards and Practices for Assuring Document Reliability in Asylum Cases*, IMMIGRATION AND NATIONALITY LAW HANDBOOK 2006-07.



**Leah Wortham (Catholic)**, *Aiding Clinical Education Abroad: What Can be Gained and the Learning Curve on How to Do So Effectively*, 12 CLIN. L. REV. 615 (2006).

## JOB ANNOUNCEMENTS



### Associate Director Women & the Law Program

**American University, Washington College of Law (WCL)** seeks applications for a non-tenure-track faculty/ administrative position for the 2006-2007 academic year. The **Associate Director, Women and the Law Program** is responsible for assisting the Director in all facets of developing and implementing the Women & the Law

Program, including the Women & International Law Program, and will teach one course a semester. The Associate Director will have administrative responsibilities in four major areas and will have the support of a Coordinator.

1. Curriculum - The Program works institutionally within WCL, nationally, and internationally to integrate gender into the law school curriculum. Within WCL, the Program coordinates a multi-faceted JD curriculum that fully integrates gender studies, maintains a LL.M. Specialization in Gender & the Law within the International Legal Studies Program, and develops initiatives regarding gender within other academic programs. Nationally, the Program promotes the development of teaching about gender within legal academia. Internationally, the Program has two major projects on gender, legal education and law reform, one in India and the second in Latin America, and sponsors a network in conjunction with the Annual Meeting of the Law & Society Association.

2. Scholarship - The Program supports scholarly activities at WCL. For example, the Program creates in collaboration with others symposia and law review issues on topics involving gender. Working with the Program on Intellectual Property and the Public Interest, the Program has developed expertise in the area of gender and IP and presents annual conferences on IP/Gender: The Unmapped Connections. With the Women & International Law Program and the Specialization in Gender & the Law, WCL has become known as a center for scholarship about and study of issues related to gender in international and comparative law.

3. Work with Students and Student Groups - The Program facilitates externships; counsels students with an interest in women's rights and human rights; distributes a Course Planning

Guide; sponsors receptions; and provides information at law school events. The Program also co-sponsors events with student groups, helps students plan and organize events, coordinates among groups, and maintains a listserv.

4. Publicity and Outreach - The Program does publicity and outreach to prospective students and the community through the development of materials; maintenance of gender-related material on the WCL website; and the presentation of programs. The Program handles inquiries about gender-related work at WCL.

Minimum qualifications include a J.D. degree, experience in advocacy or scholarship involving gender; excellent writing ability; excellent organizational, administrative and interpersonal skills; experience in or capacity for fund raising; creativity and flexibility; and experience in or capacity for teaching. Please send a resume and cover letter to **Professor Robert Dinerstein**, Chair, Faculty Appointments Committee, with a copy to **Professor Ann Shalleck**, Director, Women and the Law Program, American University Washington College of Law, 4801 Massachusetts Avenue, NW, Washington, DC 20016.



### **Visiting Clinical Faculty Criminal Clinic**

The **University of Arkansas School of Law** is looking for **visitors** to supervise our **Criminal Clinics** for the 2006-2007. We have two positions: one for the Fall semester and one for the Spring semester. Individuals may apply for both positions. These positions are to cover for Prof. Lindlee Baker, our Criminal

Clinic supervisor, who will be taking a one year leave of absence beginning in August, 2006

The Fall semester position is in our prosecution clinic. In this course student attorneys prosecute adults charged with misdemeanors in Fayetteville District Court. The Fayetteville City Prosecutor co-teaches as an adjunct, but the primary professional and academic supervision rests with the faculty member. Enrollment is limited to 12 students. There are approximately 6 hours of seminar/lecture associated with this course. The class is divided into three groups of 4, and each group is responsible for covering the court every third week. Cases are assigned a week to 10 days before the court day of their assigned week. Each group has 3 cycles during the semester. Each student with in the group is responsible for approximately 24 cases on each court day. About half of each student's cases involve defense counsel. The other half involve *pro se* defendants. This position will start on August 14, 2006 and end on Friday, December 22, 2006.

The Spring semester position is in our criminal defense clinic. Student attorneys enrolled in the defense clinic defend juveniles accused of misdemeanors and felonies in the Washington County Circuit Court [Juvenile Division]. Cases are assigned to the clinic by the Washington County Public Defender. This course involves about 6 hours of seminar/lecture at the beginning of the semester. Each student maintains an active case load of about 3 cases. The faculty member is fully responsible for professional and academic supervision. This position will start on January 12, 2007 and will end on about Friday, of the third week in May, 2007.

Arkansas Rules Governing Admission to the Bar permit lawyers to supervise student attorneys in a clinic for a period

of up to one year with out being admitted to the Arkansas Bar, if they:

1. Are a member in good standing of the bar of any state,
2. Have practiced or taught for at least 5 years, and
3. Are a full time faculty member at the law school.

Anyone interested in exploring this opportunity, please contact **Prof. Michael Mullane** by email [Mullane@comp.uark.edu](mailto:Mullane@comp.uark.edu) or by telephone at [479] 575 3056.



### **Clinical Teaching Fellowship**

**St. John's University School of Law's Child Advocacy Clinic** is delighted to announce the establishment of a two-year **Clinical Teaching Fellowship** commencing August 2006. We are seeking an experienced child advocate, with at least 3 years of practice, who is interested in pursuing a career in law school clinical teaching. The Child Advocacy Clinic represents abused and neglected children in New York State Family Court (Queens and Nassau Counties). The fellow will be introduced to clinical teaching methods as he/she assists the faculty in supervising students enrolled in the clinic, covers active clinic cases, and assists in teaching clinic seminars. The fellowship will allow time for research and scholarship in addition to representing clients, conducting community outreach and working with the students. The position offers an annual \$50,000 stipend (\$52,500 for the second year) plus health and dental

benefits. The fellow must be a member of the New York State bar. To apply, please submit a resume, cover letter, three references and a writing sample to **Prof. Theresa Hughes** at [hughest@stjohns.edu](mailto:hughest@stjohns.edu) or Prof. Theresa Hughes, Director, St. John's University School of Law, Child Advocacy Clinic, 8000 Utopia Parkway, Jamaica, NY 11439. Applications must be received by **May 30, 2006**.

## SETON HALL LAW

### **International Human Rights/Rule of Law Project Fellow**

**Seton Hall Law School** is pleased to announce the launching of a new International Human Rights/Rule of Law Project housed in the Law School's Center for Social Justice. As part of this new Project, Seton Hall Law School is seeking applications for an **International Human Rights/Rule of Law Project Fellow** to work in our **Center for Social Justice** from July 2006 until July 2007, with the expectation of renewal of the position for one additional year.

The inaugural fellow will focus on initiating a multi-disciplinary approach to protecting the rights of immigrant women in New Jersey. The Project will bring legal actions raising trafficking and Violence and Against Women Act (VAWA) related claims as well as explore novel claims in international human rights forums related to the expansion of rights for immigrant women. The Project will also undertake community outreach and education initiatives with the goal of building stronger ties to and better understanding of the legal needs of regional immigrant communities and educating those populations about their legal rights.

Though working independently, the Project Fellow's work will build upon the

work of Professors in two sections of the Center for Social Justice: Professor Lori Nessel in the Immigration & Human Rights Clinic and Professor Baher Azmy in the Civil Litigation Clinic. Professor Nessel's Immigration & Human Rights Clinic focuses on representation in claims arising under the Refugee and Torture Conventions, the Violence and Women Act, Trafficking Victim Protection Act, and human rights complaints before international tribunals. Professor Azmy's Civil Litigation Clinic represents women in civil cases on behalf of victims of trafficking and is one of the counsel in the Guantanamo Bay detainee litigation. Both Professors are also engaged with the Law School's Haiti Rule of Law Project.

Although the Project Fellow will not be responsible for supervising a clinic section, the Project Fellow will supervise students enrolled in Seton Hall Law School's externship program, as well as students participating in the school's Pro Bono Program. The Fellow will engage in client intake, individual representation and preparation and presentation of Know Your Rights trainings for community groups and other clinic constituents on various international human rights and rule of law issues. The Fellow will also work on preparing policy reports on international human rights issues that impact immigrant women in New Jersey. This Fellowship provides a unique opportunity for public interest attorneys with significant experience working in these subject areas to gain exposure to clinical teaching.

All applicants must be members of a state Bar; New Jersey bar membership is strongly preferred but not required. All applicants should have a strong academic record, an ability to be proactive and work independently, and excellent written and oral communication skills. We welcome applications from

those with at least 5 years of experience working in one or more of the International Human Rights/Rule of Law Project's areas of concentration. The annual salary is \$75,000 plus benefits including health insurance.

### **Urban Revitalization Project Fellow**

**Seton Hall Law School** is seeking applications for an **Urban Revitalization Project Fellow** to work in our Center for Social Justice from July 2006 until July 2007, with the expectation of renewal of the position for one additional year. The Project Fellow will work with faculty in two sections of the Civil Litigation Clinic within the Center for Social Justice: one section focuses on improving urban education through empowering parents of schoolchildren, while the other section emphasizes improving the availability and quality of urban housing. The education issues relate to urban parents' rights to control their children's education, in addition to litigation advancing the quality of public education provided in the Newark area, including, for example, actions under the federal No Child Left Behind statute. The housing issues addressed will include predatory lending, home improvement contractor fraud, related issues of mortgage and consumer fraud, housing discrimination, and the provision of affordable housing to low-and moderate-income persons in northern New Jersey. The Urban Revitalization Project Fellow, with the assistance of Professors Shavar Jeffries and Linda Fisher, will engage in both litigation and community outreach to advance these objectives.

The Project Fellow will also supervise students enrolled in Seton Hall Law School's internship program, as well as students participating in the school's Pro Bono Program, and will co-supervise certain Civil Litigation Clinic students along with Professors Fisher and Jeffries.

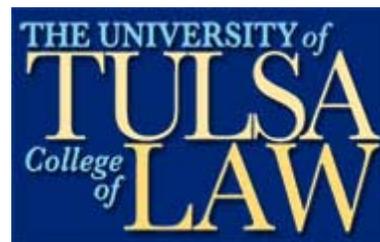
The Fellow will assist with client intake, all aspects of civil litigation, and will prepare and conduct presentations for community groups and other clinic constituents on various urban housing and education issues. The Fellow may also be responsible for preparation of community training manuals and networking with related advocacy groups. This Fellowship provides a unique opportunity for public interest attorneys with significant experience working in these subject areas to gain clinical teaching experience.

All applicants must be members of a state Bar; New Jersey bar membership is strongly preferred but not required. All applicants should have a strong academic record, and excellent written and oral communication skills. We welcome applications from those with at least 5 years of experience working in one or more of the Urban Revitalization Project's areas of concentration. The annual salary is \$75,000 plus benefits including health insurance.

Please respond by **May 22, 2006** to:

**Grace M. Lozito, Esq.**

Administrative Director, Center for Social Justice  
Seton Hall Law School  
833 Mc Carter Highway  
Newark, NJ 07102  
(973) 642-8307 (v)  
(973) 642-5939 (f)  
[lozitogr@shu.edu](mailto:lozitogr@shu.edu)



**Staff Attorney**  
**Boesche Legal Clinic**  
**Muscogee (Creek) Nation Legal Program**

The **University of Tulsa** currently has an opening for a **Staff Attorney** in the **College of Law, Boesche Legal Clinic**. The selected candidate will report to the Clinical Faculty Member and will assist in the supervision of law students in the handling of client matters for the **Muscogee (Creek) Nation Legal Program**. As such, the Staff Attorney assists students in the drafting and review of documents, filing and researching of documents in Tribal and County offices, appearing in court with students, and in attending client meetings for purposes of overseeing the student's interview or execution of documents. The Staff Attorney also participates in case team meetings and case rounds, assists in the teaching of classes when appropriate, handles and manages specific cases assigned by the Clinical Faculty Member, and devises and updates pleadings and information in the program's form bank.

The applicant must be licensed to practice law in Oklahoma, eligible to seek admission upon a waiver, or qualify for a temporary permit to practice law as a law teacher; and be a member in good standing. At least one year of practice in the following areas is preferred: Indian law, clinical legal education, public interest law, estate planning and probate, family law, criminal defense, juvenile matters, and/or real estate transactions.

For questions about this position, contact **Prof. Kathleen Supernaw**, 918-631-5799.

The University of Tulsa is an Equal Opportunity/Affirmative Action Employer. TU offers a competitive benefits package, including 100% tuition benefit after one year of employment. To receive full consideration, individual interest in this vacancy should submit a resume, cover letter, and the name, address, and phone number of three professional references to **The**

**University of Tulsa Office of Personnel Services**, 600 S. College Ave., Tulsa, OK, 74104 or fax to (918) 631-2110 or email [tujobs@utulsa.edu](mailto:tujobs@utulsa.edu). Review of applications will commence **June 1, 2006** and continue until this position is filled.

The next issue of the CLEA Newsletter will be published in September, 2006. Information to be included in the newsletter may be submitted to the Editor:

Larry R. Spain  
Texas Tech University School of Law  
1802 Hartford Avenue  
Lubbock, Texas 79409-0004  
(806) 742-3787 x 227  
(806) 742-4199 FAX  
[larry.spain@law.ttu.edu](mailto:larry.spain@law.ttu.edu)

## 2006 CLEA BOARD OF DIRECTORS



**Susan L. Kay**  
**President (2007)**  
 Vanderbilt University  
 School of Law  
 131 21<sup>st</sup> Avenue South  
 Nashville, TN 37203  
 (615) 322-4151  
 (615) 343-6562 FAX  
[Susan.Kay@law.vanderbilt.edu](mailto:Susan.Kay@law.vanderbilt.edu)



**Paula Williams**  
**Vice-President (2007)**  
 University of Tennessee  
 College of Law  
 75 Taylor Law Bldg.  
 1505 West Cumberland Ave.  
 Knoxville, TN 37996-1810  
 (865) 974-2331  
 (865) 974-6782 FAX  
[Pwilliam@libra.law.utk.edu](mailto:Pwilliam@libra.law.utk.edu)



**Suzanne Jamie Levitt**  
**Treasurer (2007)**  
 Drake University  
 Law School  
 27<sup>th</sup> & Carpenter  
 Des Moines, IA 50311  
 (515) 271-3851  
 (515) 271-4100 FAX  
[suzanne.levitt@drake.edu](mailto:suzanne.levitt@drake.edu)



**Paula Galowitz**  
**Secretary**  
 New York University  
 School of Law  
 245 Sullivan Street  
 New York, NY 10011-1301  
 (212) 998-6430  
 (212) 995-4031 FAX  
[galowitz@juris.law.nyu.edu](mailto:galowitz@juris.law.nyu.edu)



**Alexander Scherr**  
**Past President**  
 University of Georgia  
 School of Law  
 Herty Drive  
 Athens, GA 30602  
 (706) 542-6510  
 (706) 542-5556 FAX  
[Scherr@arches.uga.edu](mailto:Scherr@arches.uga.edu)



**Christine Cimini (2006)**  
 University of Denver  
 College of Law  
 2255 E. Evans Avenue  
 Denver, CO 80208  
 (303) 871-6780  
 (303) 871-6847 FAX  
[ccimini@law.du.edu](mailto:ccimini@law.du.edu)



**Brad Colbert (2006)**

William Mitchell  
 College of Law  
 875 Summit Avenue  
 St. Paul, MN 55105  
 (651) 290-6413  
 (651) 290-6419 FAX  
[brcolbert@wmitchell.edu](mailto:brcolbert@wmitchell.edu)



**Kim Diana Connolly (2006)**

U of South Carolina  
 School of Law  
 Main & Greene Streets  
 Columbia, SC 29208  
 (803) 777-6880  
 (803) 777-3401 FAX  
[connolly@law.sc.edu](mailto:connolly@law.sc.edu)



**Cynthia Dennis (2006)**

Thomas M. Cooley  
 Law School  
 300 S. Capitol Avenue  
 Lansing, MI 48933  
 (517) 334-5760  
 (517) 334-5761 FAX  
[dennisc@cooley.edu](mailto:dennisc@cooley.edu)



**Grady Jessup (2006)**  
 c/o Director  
 Ghana School of Law  
 P.O. Box 179  
 Accra, Ghana  
 West Africa  
 011-233-21-664-775 or  
 011-233-21-664-822  
[giessup@aol.com](mailto:giessup@aol.com)



**Gary Palm (2006)**  
 2800 Lake Shore Drive  
 #3706  
 Chicago, IL 60637  
 (773) 248-9376  
[ghpalm@msn.com](mailto:ghpalm@msn.com)



**Jeff Selbin (2007)**  
 East Bay Community Law Center  
 3130 Shattuck Avenue  
 Berkeley, CA 94705  
 (510) 548-4040 x 344  
 (510) 548-2566 FAX  
[jselbin@ebclc.org](mailto:jselbin@ebclc.org)



**Michael Pinard (2006)**  
 University of Maryland  
 School of Law  
 500 W. Baltimore Street  
 Baltimore, MD 21201-1786  
 (410) 706-4121  
 (410) 706-5856 FAX  
[mpinard@law.umaryland.edu](mailto:mpinard@law.umaryland.edu)



**Mark Aaronson (2007)**  
 University of California  
 Hastings School of Law  
 200 McAllister Street  
 (415) 557-7897  
 (415) 557-7895 FAX  
[Aaronson@uchastings.edu](mailto:Aaronson@uchastings.edu)



**Bill Ong Hing (2008)**  
 UC Davis School of Law  
 400 Mrak Hall Drive  
 Davis, CA 95616-5201  
 (530) 754-9377  
[bhing@ucdavis.edu](mailto:bhing@ucdavis.edu)



**Ellen Marrus (2007)**  
 University of Houston  
 Law Center  
 100 Law Center  
 Houston, TX 77204-6371  
 (713) 743-0894  
 (713) 742-2238 FAX  
[Emarrus@uh.edu](mailto:Emarrus@uh.edu)



**Laura Rovner (2007)**  
 University of Denver  
 College of Law  
 2255 East Evans Ave.  
 Denver, CO 80208  
 (303) 871-6140  
 (303) 871-6847 FAX  
[lrovner@law.du.edu](mailto:lrovner@law.du.edu)



**Margaret Moore Jackson (2008)**  
 University of North Dakota  
 School of Law  
 P.O. Box 9003  
 Grand Forks, ND 58202-9003  
 (701) 777-2932  
[Jackson@law.und.edu](mailto:Jackson@law.und.edu)



**David Santacroce (2008)**  
University of Michigan  
Law School  
363 Legal Research Building  
801 Monroe Street  
Ann Arbor, MI 48109-1215  
(734) 763-4319  
(734) 764-4702  
[dasanta@umich.edu](mailto:dasanta@umich.edu)



**Randi Mandelbaum (2008)**  
Rutgers School of Law Newark  
Center for Law & Justice  
123 Washington Street  
Newark, NJ 07102  
(973) 353-3271  
(973) 353-3397 FAX  
[Mandelbaum@kinoy.rutgers.edu](mailto:Mandelbaum@kinoy.rutgers.edu)