# Winter 2020-2021 CLEA CLINICAL LEGAL EDUCATION ASSOCIATION

#### Co-Presidents' Message

We write this message around the holidays, and we are both reminded of how grateful we are to serve as the 2021 Co-Presidents of CLEA, the nation's largest association of law professors, with over 1,400 active members. We are also so excited for the opportunity to work with our terrific Board and Committee members over the next year.

In the spirit of giving thanks, we want to take this opportunity to say thank you to each and every one of you. Thank you for continuing the fight for racial justice, peace and security, expansion of the human rights of the most vulnerable, and so much more. Thank you for mentoring students and colleagues through uncertainty and unprecedented events. And finally, thank you to all of our families, who daily extend their own support so that we may continue to do our work.

We also want to thank outgoing President Kendall Kerew and congratulate incoming Co-Vice Presidents Caitlin Barry and Shobha Mahadev. And we are so very grateful for all of the years of hard work of the outgoing Immediate Past Co-Presidents Lisa Martin and Danny Schaffzin, outgoing Secretary Tiffany Murphy, and outgoing board members Derrick Howard and Joy Radice.



Anju Gupta (Rutgers)



Lauren Bartlett (St. Louis)

2021 will look different than most years. We will not be meeting in in person in January or in May, despite how much Lauren was looking forward to welcoming you all to St. Louis. We recognize that 2021 will likely be another tremendously challenging year for our students and our clients, as well as for us as teachers and practitioners.

As we keep telling our students, it is now more important than ever that we keep creating and sustaining connections within our communities

#### **CLEA** NEWSLETTER

- Updates from CLEA Committees
- Articles on Clinical Education
- Upcoming CLEA Events
- Celebrating Our Community

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### <u>Co-Presidents' Message (cont'd)</u>

and supporting each other in whatever ways we can. This sense of community and connection is what we want to prioritize for 2021. We'll start with an opportunity to socialize at the first ever CLEA Trivia Night on January 7th. We also invite you to attend our virtual CLEA Board and Membership Meeting on January 8, 2021, at 10am ET/9am CT/8am MT/7am PT. Please use this Zoom link to join the meeting: <u>https://zoom.us/j/99637460809</u>.You will hear about the work of our committees and specific opportunities to get involved with CLEA. If you have other ideas for keeping our sense of community during these difficult times, please do not hesitate to contact us at president@cleaweb.org.

We approach the New Year with a sense of trepidation for what lies ahead, but we also retain a sense of hope hope for the return of the rule of law, civility, and respect, and hope for a greater sense of normalcy by year's end. Above all, we look forward to the day when we can greet each of you with hugs, handshakes, or high fives.

Here's to a connected and supported 2021!

<u>2021 Clinical Legal</u> <u>Education Section</u> <u>William Pincus Award</u> <u>Recipient</u> Susan Bennett (American)



<u>2021 Clinical Legal</u> <u>Education Section</u> <u>William Pincus Award</u> <u>Recipient</u> Nancy Maurer (Albany)

Award



<u>2020 SALT Junior</u> <u>Faculty Award</u>

Norrinda Hayat (Rutgers)





#### 2021 CLEA Executive Committee Election Results

Caitlin Barry (Villanova), Co-Vice President/Co-President Elect Shobha Mahadev (Northwestern), Co-Vice President/Co-President Elect Jodi Balsam (Brooklyn), Secretary

#### 2020 CLEA Board of Directors Election Results

Davida Finger (Loyola New Orleans) Crystal Grant (Duke) Llezlie Green (American) (Second Term) Gowri Krishna (New York Law) Tameka Lester (Georgia State) Shanda Sibley (Temple)

Congratulations to all!

<u>CLEA Elections Committee</u> Lynnise Pantin (Columbia), Melanie DeRousse (Kansas), Kendall Kerew (Georgia State), and Lauren Bartlett (St. Louis)

#### 2020 CLEA Executive Committee

Kendall Kerew (Georgia State), President Lauren E. Bartlett (St. Louis), Co-Vice President Anju Gupta (Rutgers), Co-Vice President Tiffany R. Murphy (Arkansas Fayetteville), Secretary D'Iorah Hughes (UC Irvine), Treasurer Lisa V. Martin (South Carolina), Immediate Past Co-President Daniel Schaffzin (Memphis), Immediate Past Co-President

#### 2020 CLEA Board of Directors

Caitlin Barry (Villanova) Jeff Baker (Pepperdine) Laila Hlass (Tulane) C. Benjie Louis (Hofstra) Melanie DeRousse (Kansas) Joy Radice (Tennessee) Jodi Balsam (Brooklyn) Derrick Howard (Valparaiso)

Llezlie Green (American) G.S. Hans (Vanderbilt) Shobha Mahadev (Northwestern) Lynnise Pantin (Columbia) Kathryn Banks (Washington Univ. St. Louis) Alexis Karteron (Rutgers) Julia Hernandez (CUNY)

Thank you for your service this year!



# Clinical Law Review Seeks Applications for Board of Editors

The Clinical Law Review seeks applications for five vacancies on the Board of Editors. Board members serve for a term of 6 years, commencing in January 2022. The primary role of the Board members is to edit articles for the Review in a collaborative process with authors. Board members also serve as small group facilitators at the annual Clinical Law Review Workshop, and the Board typically meets once per year at the annual Workshop.

Applicants should submit a CV and a statement explaining their interest in the position and highlighting relevant aspects of their experience to CLRBoardApps2021@gmail.com no later than January 31, 2021. The Board seeks applications from people committed to the work of the Review and will prioritize applicants from underrepresented groups and with diverse experiences in and approaches to clinical legal education.

The committee to select new Board members is always co-chaired by two current Board members whose term is expiring. Jennifer Koh and Jeff Selbin will be serving this year as the co-chairs of the Selection Committee. The other members of the committee will be designated by the three organizations that sponsor the Clinical Law Review – AALS, CLEA, and NYU – each of which will designate two committee members.

We encourage you to contact the co-chairs or other Board members with any questions or for information about service on the Board. We and other Board members have found the experience to be very rewarding. The other members of the Board are: Muneer Ahmad, Sameer Ashar, Susan Bennett, Warren Binford, Marty Guggenheim, Margaret Johnson, Jen Lee, and Alex Scherr. The other current members whose terms ending are: Muneer, Susan, and Warren. The Editors-in-Chief are Phyllis Goldfarb, Randy Hertz, and Michael Pinard.

### INTERESTED IN SUBMITTING YOUR WRITING TO THE CLEA NEWSLETTER?

CLEA is looking for short articles on clinical teaching, social justice, and other creative writing that more closely resemble what you might read in a bar journal instead of a law review (fewer pages, fewer end-notes). CLEA is now soliciting submissions for our next issue. E-mail cleanewseditor@gmail.com with pitches, submissions, and questions. We welcome your ideas and feedback.



# CLEA Committee Reports

### New Clinicians Committee

Since our last newsletter, the New Clinicians Committee has been hard at work organizing last summer's virtual new clinicians conference and immediately turning our attention to planning CLEA's 2021 New Clinicians Conference.

#### 2020 Virtual New Clinicians Conference

We're thrilled to report that by all accounts, CLEA's 2020 virtual new clinicians conference, held in short increments over four days in June, was a success! We had nearly 300 registrants, including our presenters and facilitators, with well over 200 self-identified new clinicians in attendance. We want to give a special shout out to those who served on the planning subcommittee (Jodi Balsam, Melanie DeRousse, Laila Hlass, Kendall Kerew, Alison Korn, Benjie Louis, Lisa Martin, Nickole Miller, Danny Schaffzin, and Wendy Vaughn), and thank the many clinicians who volunteered as speakers and small group facilitators. The success of the event was due entirely to the dedication of all who gave their time and effort to assemble the conference in such a short timeframe.

#### 2021 CLEA New Clinicians Conference

All new clinicians and those new at heart – the 2021 New Clinicians Conference will be held an all-virtual format. Please keep an eye out for date, time, registration and program information in early to mid-January 2021! In the meantime, check out the CLEA Handbook for New Clinical Teachers and other resources on best practices in clinical pedagogy on CLEA's website.

#### **Communications Committees**

It was a hot summer in 2020 for the CLEA Communications Committee. Our committee, consisting of Kathryn Banks, Lauren Bartlett, Chante Bradley, and Michael Murphy, kept the jobs board updated. We also provided social media support and coverage for the virtual New Clinicians Conference and CLEA/AALS Clinical Section virtual conference. And, we have been keeping our social media feeds updated with news and announcements – please check us out @CLEAweb on Twitter and at @CLEAweborg on Facebook. As always, our website includes CLEA's mission, updated job listings, and other important information about clinical legal education. We welcome any feedback, suggestions, and tips for bread recipes. Stay safe!

#### Committee Co-Chairs



Lisa Martin *New Clinicians* (South Carolina)



Daniel Schaffzin *New Clinicians* (Memphis)

#### Committee Chair



Michael Murphy (Pennsylvania)



Follow CLEA on social media!

### Externship Committee

The CLEA Externship Committee has been co-chaired by Jodi Balsam of Brooklyn and Carrie Kaas of Quinnipiac. With Jodi moving on to the position of Secretary of CLEA, June Tai, from Iowa, will be stepping up to co-chair this committee.

This committee has just completed several major projects. Members of the CLEA Externship Committee made two significant presentations at the Externships 10 conference in October. The first addressed the ABA Accreditation Process with respect to externships. We reported on the current ABA Site Visit process (both pre-COVID-19 and the virtual post-COVID-19 process) and presented our survey results from schools that have gone through an ABA inspection within the last few years. The committee will continue monitoring the ABA inspection process and provide ongoing guidance for externship faculty at schools with upcoming site visits to assist them to assure and demonstrate compliance. We also are happy to assist externship professors with leveraging the ABA process to advance their programs within their own law schools. The committee's other presentation reported the results of a second survey on the issue of paid externships. There has been an increase in the number of schools permitting paid externships, with an array of different conditions. For the full report, click <u>here</u>.

The committee is working with the CLEA Awards committee to approve new awards. There is now a new CLEA Outstanding Externship Student Award to be awarded to one externship student at every law school and which will be awarded in 2021 for the first year. Still under discussion is whether the new Externship Achievement Award will become a CLEA award. This new award was given for the first time this year to Externship teaching pioneers Leah Wortham and Sandy Ogilvy at the Externships 10 Conference.

Up next for the committee: For the next year, we hope to compile supervisor training materials and videos to assist externship professors everywhere with providing increased guidance to field supervisors. We are also considering whether to survey the externship community to gauge assorted issues that may impact externship programs, such as the future of virtual externships or follow up questions on paid externships.



#### Committee Co-Chairs



Jodi Balsam (Brooklyn)

Carrie Kaas (Quinnipiac)



### Awards Committee

The 2020 CLEA Award for Excellence in a Public Interest Case or Project was awarded to the University of Chicago Law School's Federal Criminal Justice Clinic (FCJC) for its innovative "Stash House" litigation, a multi-year endeavor that exposed—and effectively eliminated—racial discrimination in an entire category of federal cases. The FCJC's Stash House project challenged the ATF's discriminatory practice of luring unsuspecting people of color into schemes to rob non-existent drug-stash-houses. The FCJC's district court Stash House litigation used statistical evidence to save their 43 clients from hundreds of years in prison. The FCJC's appellate litigation dramatically improved the legal standard for people seeking discovery about race discrimination by police, ushering in a new wave of litigation challenging racial bias. The FCJC's litigation strategy was so successful that lawyers elsewhere adopted it to change the law in other circuits, and it promises to produce just outcomes for hundreds of people unfairly targeted and incarcerated nationwide.

CLEA also expanded its student award to include externship students. Beginning this year, in addition to the CLEA Outstanding Clinic Student or Outstanding Clinic Team Award, schools can honor students with the CLEA Outstanding Externship Student Award. The addition of the externship-focused award recognizes the valuable work for justice that law students do through externships and provides schools the opportunity to nominate an outstanding and self-reflective externship student for CLEA's recognition.

#### Committee Co-Chairs

(Miami)

Kele Stewart





Jane Stoever (UC Irvine)

# **Virtual CLEA Board and Membership Meeting**

#### Friday, January 8th, 10am-11am ET (7am-8am PT).

All are invited to join this meeting to learn about the work of CLEA and its committees and to raise issues of importance. Zoom link for the meeting: <u>https://zoom.us/j/99637460809</u>.

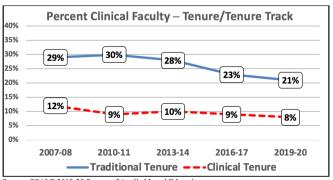


#### CLINICAL LEGAL EDUCATION BY THE NUMBERS A recurring column by Robert Kuehn, Washington University School of Law

#### The Disparate Treatment of Clinical Law Faculty

In her recent presidential message, Abolish the Academic Caste System, the president of the American Association of Law Schools (AALS) called on law schools to address the caste system within law faculties by providing parity in security of positon and salary to non-tenure/tenure track faculty, such as the overwhelming majority of law clinic and externship instructors.<sup>1</sup> Data from the just completed Center for the Study of Applied Legal Education (CSALE) 2019-20 Survey of Applied Legal Education shows widespread disparate treatment of clinical instructors (i.e., law clinic and externship instructors) and a lack of progress in providing parity between those who teach in law clinics and externships and those teaching doctrinal courses.<sup>2</sup>

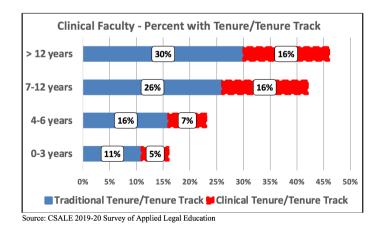
In 1998, 46% of clinical teachers were in tenure or tenure-track positions.<sup>3</sup> Yet as the chart below indicates, the percentage of clinical faculty in tenure/tenure track positions, even when including lesser status clinical/programmatic tenure positions, has declined to just 29%, and decreased by more than 30% over just the last 12 years (temporary appointment clinical fellows excluded from all tables).



Source: CSALE 2019-20 Survey of Applied Legal Education

Though there have been notable exceptions at a few schools, law clinic and externship hiring has disproportionately been for contract positions since the 2010 downturn in law school applications and accompanying financial challenges.

This increasing pattern of hiring non-tenure track clinical faculty can be seen below when comparing employment status to years of clinical teaching. Fortysix percent of clinical faculty teaching more than 12 years are in traditional or clinical/programmatic tenure or tenure-track positions. In contrast, only 23% of those hired within the last four-six years and just 16% of those hired in the last three years are in tenure/tenure-track positions. Although some clinical faculty hired into non-tenure-track positions may be permitted to move later into tenure-track positions, those limited instances cannot account for the increasingly lower status among more recently hired clinical instructors.



Non-tenure status has consequences for clinical faculty, beyond the limited participation in faculty governance and lower prestige that generally come with

appointments other than traditional tenure. The table below compares the salaries the over 70% of law clinic



#### The Disparate Treatment of Clinical Law Faculty (cont.)

and externship faculty not tenured/tenure track with the salaries reported by doctrinal faculty at the same schools. These clinical faculty are paid, on average, \$30,000 per year less than their doctrinal colleagues at similar points in their careers. Even when salaries of clinical faculty with traditional or clinical tenure/tenure track are included in the calculations, clinical faculty on average make over \$20,000 less than their doctrinal colleagues.

	Median Annual Salary in \$		
Instructors	3 years or less (Assistant Professor)	6 years or less (Pre-Tenure Associate Professor)	6+ years (Tenured Professor)
Law Clinic & Externship (non-tenure/tenure track)	85,000-95,000	90,000-100,000	110,000-120,000
Doctrinal/Classroom	108,000	129,400	148,100

Sources: CSALE 2019-20 Survey of Applied Legal Education; 2018-19 SALT Salary Survey

The disparate treatment of clinical faculty in tenure appointments is most pronounced at schools ranked higher in the U.S. News annual law school rankings. Among schools with at least half of their clinical faculty in tenure/tenure-track positions, only one school ranked in the top 25 primarily appoints clinical faculty to traditional tenure-track positions, yet over 36% of the 50 lowest ranked schools provide this status to their clinical faculty.

U.S. News	Percent Schools Offering Clinical Faculty		
School Rank	Traditional Tenure	Clinical/Programmatic Tenure	
1-25	5%	20%	
1-50	12%	15%	
Lowest 50	36%	4%	

Source: CSALE 2019-20 Survey of Applied Legal Education

Some law school clinical education programs even treat types of clinical instructors differently, providing less security of position and salary to those who teach in externships. CSALE survey data show that externship instructors are less likely to have traditional or clinical tenure/tenure track when compared to their law clinic peers (25% vs. 38%) and are almost 15 times more likely to be primarily in an administrative position with only occasional teaching responsibilities and sometimes little training in externship pedagogy.

Frankriger og Starter	Percent Reporting		
Employment Status	Law Clinic Instructors	Externship Instructors	
Unitary tenure/tenure track	24	17	
Clinical tenure/tenure track	14	8	
Long-term presumptively renewable contract	34	29	
Short-term probationary contract leading to long-term	7	4	
Other short-term contract	17	12	
Administrative position	2	29	
Other employment term	1	2	

Source: CSALE 2019-20 Survey of Applied Legal Education

Salaries of externship instructors also are considerably lower, with median annual salaries, on average, \$20,000 less per year than those of law clinic instructors:

Instructors	Annual Salary in \$		
mstructors	25th percentile	Median	75th Percentile
Law clinic instructors	90,000-99,999	120,000-129,999	150,000-159,999
Externship instructors	80,000-89,999	100,000-109,000	120,000-129,999
Source: CSALE 2019-20 Survey of Applied Legal Education			

The latest CSALE survey shows that in spite of occasional stories about a school adopting tenure for its clinical faculty, the AALS president is right - the academy remains highly caste-like in its disparate treatment of clinical faculty, especially at higher ranked



### The Disparate Treatment of Clinical Law Faculty (cont.)

schools and even within clinical education programs at some schools. Indeed, if anything, progress toward parity appears to be slipping as an increasing percentage of new teaching positions in law clinics and externships are without the security of position and salary of doctrinal faculty.

The AALS has moved lately towards an Executive Committee comprised entirely of deans and former deans. If the members of the Executive Committee support their president's call to end the caste system, they could act to do so at their own schools and call upon their fellow deans across the country to do the same.

1. Darby Dickerson, Abolish the Academic Caste System, AALS News (Fall 2020), at

https://www.aals.org/about/publications/newsletters/aals-news-fall-2020/presidents-message-abolish-the-academic-caste-system/.

2. Center for the Study of Applied Legal Education (CSALE), 2019-20 Survey of Applied Legal Education (2020), at https://www.csale.org/#results.

3. Richard K. Neumann Jr., Women in Legal Education: What the Statistics Show, 50 J. Legal Educ. 313, 328 (2000).

4. 2018-19 SALT Salary Survey, SALT Equalizer (Nov. 2019), at https://www.saltlaw.org/wp-content/uploads/2015/03/SALT-salary-survey-2019-final-draft.pdf.

#### <u>Robert Kuehn</u>

is Associate Dean of Clinical Education and Professor of Law at Washington University School of Law



#### Requiring Clinical Work for Bar Admission by Deborah Iones Merritt

Should we require all lawyers to complete a supervised clinic before receiving a license? Of course we should: We have been pretending for too long that reading and writing about appellate cases is sufficient preparation for law practice. Now a new national study demonstrates the importance of mandating clinical work before issuing a law license.

The study, Building a Better Bar, stems from research I did with Logan Cornett, Director of Research at IAALS (the Institute for the Advancement of the American Legal System). We designed the project to gather detailed information about the work that new lawyers do. By harnessing the efforts of two dozen terrific colleagues, we held 50 focus groups with lawyers practicing in 18 different locations. These lawyers—who were diverse by race, gender, region, practice area, seniority, and employment setting—gave us a comprehensive view of the work that new lawyers do, as well as the knowledge and skills they need to do that work competently.

We found that a majority of those new lawyers engaged directly with clients during their first year of practice,



#### Requiring Clinical Work for Bar Admission (cont.)

sometimes as early as the first week. Many of them also assumed primary responsibility for client matters. Supervision was spotty and new lawyers had to rely on their own resources to succeed. To achieve that success, new lawyers drew on what we identified as twelve competencies—or "building blocks"—that are essential for entry-level practice. With these building blocks, new lawyers can both serve clients competently and continuously improve their performance:

- The ability to act professionally
- An understanding of legal processes and sources of law
- An understanding of threshold concepts in many subjects
- The ability to interpret legal materials
- The ability to interact effectively with clients
- The ability to identify legal issues
- The ability to conduct research
- The ability to communicate as a lawyer
- The ability to see the "big picture" of client matters
- The ability to manage a law-related workload responsibly
- The ability to cope with the stresses of legal practice
- The ability to pursue self-directed learning

The full report explains each of these building blocks in detail. Even a cursory review, however, suggests that podium classes teach only a few of these essential competencies. Classroom courses instruct students in the rules of professional conduct, but students do not learn how to act professionally—or how to respond to ethical challenges that arise unexpectedly in the workplace. Nor do podium classes develop the abilities to interact effectively with clients, communicate as a lawyer, see the big picture of client matters, manage law-related workloads responsibly, cope with the stresses of legal practice, or develop methods of self-directed learning. Clinics are essential to develop these skills, at the same time that they hone most of the other building blocks.

Simulations and externships can help teach some of the competencies learned in clinics, but neither experience fully matches clinical work. Simulations lack the realworld responsibility and surprising twists that students encounter in both clinics and the workplace. Externships sometimes provide those challenges, but usually lack the student's personal responsibility for the client and the close supervision that clinics provide.

Given the centrality of clinics in developing essential building blocks, our report recommends that states add clinical requirements to licensing. To start, states should require all lawyers to complete at least 4 credits of supervised clinical work, plus another 4 credits of either clinical or externship experience, before obtaining a license. Over time, I would expand that requirement until all lawyers complete a full 15 credits of clinical or externship experiences before licensing with at least 8 of those credits coming from closely supervised clinics.

A clinical requirement is especially timely today, as our profession reflects on the institutional racism and other flaws of the legal system. The new lawyers who engage immediately with clients often serve the most vulnerable clients—those who seek help from nonprofits, government agencies, and small firms. Although those workplaces strive to provide the highest quality representation, they often cannot afford to train or supervise new lawyers closely.

Similarly, large firms sometimes encourage new lawyers to learn necessary practice skills by pursuing unsupervised pro bono work. Some of the new lawyers in our focus groups expressed unease about this



Requiring Clinical Work for Bar Admission (cont.)

practice. "I feel very conflicted about this," one new lawyer told us. "Sometimes I feel like we're sending bad lawyers to people who are in desperate need of help."

The bottom line is that many new lawyers serve clients shortly after they are licensed, and they are especially likely to serve vulnerable clients. Unless our law schools teach students all of the building blocks they need for that work, and unless our licensing system assesses those competencies, clients will suffer. If we want to improve the quality of justice our profession offers clients, especially the most disadvantaged ones, we need to mandate clinical experience before licensing. <u>Deborah Jones Merritt</u> is Distinguished University Professor and John Deaver Drinko/Baker & Hostetler Chair in Law at Moritz College of Law, The Ohio State University





What: First Ever Virtual CLEA Trivia Night When: Thursday, January 7, 9pm-10pm ET (6pm-7pm PT)

We have more than 180 clinicians signed up to participate! The teams are set and should receive details and instructions for joining from their team captains by email.

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# Good News: Moves, Honors & Promotions





Lindsay M. Harris (UDC) received the 2020 American Immigration Lawyers Association Elmer Fried Award for Excellence in Immigration law teaching. She is spending the Fall semester visiting with the International Human Rights Law Clinic at American University Washington College of Law and will return to UDC Law in the Spring.



Jennifer Fan (Univ. of Washington) was promoted to Associate Professor and granted tenure and received a University of Washington Population <u>Health Initiative Grant</u> for approximately \$20K to help BIPOC, LGBTQ+ and women entrepreneurs survive and thrive post-COVID-19.



Karon Rowden (Texas A&M) will assume direction of the Family and Veterans Advocacy Clinic as Interim Director. Karon has been with the Family and Veterans Advocacy Clinic for over 16 years as a supervising attorney.



Stephanie Davidson (UCLA) is the new Director of the Externship and Field Placements Program.



Carlos Teuscher (Suffolk) joined the Law School as an Assistant Clinical Professor of Law and the faculty director of the Transactional Clinic, our newest clinic. The Clinic engages students in the solidarity economy, representing worker-owned cooperatives, community land trusts, and BIPOC organizations.



Quinten Steenhuis (Suffolk) joined the Law School in March during the early days of the pandemic as a Clinical Fellow in the LIT Lab. Since joining the team, Quinten's work on online eviction defense tools has garnered national media attention, including from the New York Times.



Kim McLaurin (Suffolk) was honored as a Racial Equity Champion by Suffolk University at its Annual Celebration of Black Excellence.





Loletta Darden (Suffolk) was promoted to Associate Clinical Professor of Law, effective this past July. Loletta directs the Intellectual Property and Entrepreneurship Clinic, where she has taken on trademark bullies and represented small business in securing their IP.



Naomi Mann (Boston University) has been promoted to Executive Director of the Civil Litigation and Justice Program in September 2020.



Chris Heard (Houston), Director of the Entrepreneurship and Community Development Clinic, was recently promoted to Clinical Associate Professor.



Lisa Holden (Tennessee), Clinic Administrative Coordinator, received the Award for Extraordinary Service to the College of Law.



Joy Radice (Tennessee), Clinic Director, received the Harold C. Warner Outstanding Teacher Award.



Eric Amarante (Tennessee), who directs the Community Economic Development Clinic, received tenure by a unanimous vote of the faculty and received the "Advancing Management Research in Latin America" Best Conference Paper Proposal Award for Latino Business Formation and Growth in New Latino Destinations: A Social Capital Perspective, 2020.







Kathryn Pierce Banks (Washington Univ.– St. Louis) will join Saint Louis University School of Law in July as a clinical professor and director of a new youth advocacy clinic.







On December 4, 2020, the full Rutgers Law Faculty approved by a nearly unanimous vote adoption of a unitary tenure track for all faculty, including clinical faculty and faculty in some other categories (including live client and externship teaching clinicians; legal writing and research clinical faculty; and library faculty). All new such faculty hired after this Academic Year will be hired on the unitary tenure track with podium/doctrinal faculty and all such current faculty can choose to move over to the tenure track or apply for tenure in a new process, the details of which will be worked out by our Co-Deans Kim Mutcherson (Camden) and David Lopez (Newark) and the University's top administration in New Brunswick and subject to their approval. The faculty also overwhelmingly passed a separate special resolution encouraging all current full clinical professors of law and distinguished clinical professors of law to apply for tenure as soon as possible when such university details are completed, because of a collective faculty consensus that they had already accomplished the equivalent or near equivalent of tenure from the many contract reviews and the adoption in large part of a clinical scholarship requirement at least 15 years ago.

Special thanks, recognition and congratulations to incoming

**CLEA President and Professor Anju** Gupta and Distinguished Clinical Professor Ruth Anne Robbins for cochairing the committee which produced this proposal, and their leadership through 15 months of work, several drafts, and multiple organized listening sessions in helping make this happen. Faculty at Rutgers are also grateful to the pathbreaking law schools and programs that have been unitary for a while and leadership of clinical faculty who have shown the way, along with the plentiful scholarship in support of such, also by members of this community.



Laurie Hauber (Oregon) joined the School of Law as the inaugural director of experiential education. In this position, Hauber will manage field placements, clinics, and simulation courses for the school. She is a graduate of Harvard College and received her law degree, magna cum laude, from Boston College Law School.



Catherine Crump (UC Berkeley) was promotion to full clinical professor with Security of Employment. Catherine Crump joined Berkeley Law in 2014 and directs the Samuelson Law, Technology & Public Policy Clinic.





Reena Parikh (Boston College), Assistant Clinical Professor, created and will direct the new Civil Rights Clinic that starts in Spring 2021. Prior to joining the BC Law faculty, Professor Parikh was a Robert M. Cover Clinical Teaching Fellow at Yale Law School, where she co-taught in the Worker and Immigrant Rights Advocacy Clinic.



Sandy Tarrant (Boston College) became an Associate Clinical Professor and is the director of the Entrepreneurship and Innovation Clinic. Sandy previously directed both the Entrepreneurship and Innovation Clinic and the Community Enterprise Clinic as a Visiting Professor at BC Law. In addition she teaches Introduction to Transactional Law, an experiential 1L elective course.



Lisa Bliss (Georgia State), Associate Dean of Experiential Education and Clinical Programs and Clinical Professor, was named to the Class of 2020-21 Equity Facilitation Fellows by CREATE Teacher Residency. The fellowship is designed to to create a community of teacherleaders who are committed to educational equity and excellence, and who will lead, design, and facilitate equity-centered learning experiences for others.



Jeff Baker (Pepperdine) was promoted to full Clinical Professor of Law and appointed Assistant Dean for Clinical Education and Global Programs.



Tanya Cooper (Pepperdine) was promoted to Associate Clinical Professor of Law with security of position.





Sarah Nissel and Yona Elishis (Pepperdine) of the Faith and Family Mediation Clinic moderated a twopart panel titled "Parenting and Partnership During Pandemic: How to Model Conflict Resolution During this Unprecedented Time." Part I of the panel addressed challenges parents are facing as they navigate their own anxiety and conflicts stemming from the COVID-19 pandemic coupled with their children's. Part II of the panel focused on romantic partnerships, the challenges embedded in the circumstances of the pandemic – e.g. quarantine and confined spaces/limitations on freedom of regular movement, external stressors such as new financial anxiety and increased responsibilities around the home and childcare.





Maryanne Tomazic (Harvard) was promoted from senior clinical fellow to staff attorney for HLPC in August 2020. Tomazic leads projects focused on expanding access to health care, including issues related to private insurance, reproductive and sexual health care, gender-affirming health care, and nondiscrimination protections.





Four members of the Harvard Law School clinical community received the 2019-2020 Dean's Award for Excellence: Clinical Instructor Kendra Albert, Administrative Director Laura Johnston, Director of Externships at the Office of Clinical and Pro Bono Programs Liz Solar, and Director of the Crimmigration Clinic Phil Torrey.



Morgan Franklin (Harvard) was promoted to clinical instructor at the Harvard Negotiation and Mediation Clinical Program. Franklin serves as a Lecturer on Law in the school's flagship Negotiation Workshop and as a Clinical Instructor with HNMCP, where her main work will focus on supervising current and recruiting new clinical projects.







Sylvia Vasquez was named a 2020 Harvard Hero for her work as an interpreter, translator, and administrative assistant at the WilmerHale Legal Services Center in Jamaica Plain.



Karen Tokarz (Washington Univ. St. Louis), director of the Civil Rights and Mediation Clinic, was named one of the 2020 Best Lawyers in America in Mediation for the 10th consecutive year. Karen also was appointed to the ABA Task Force on Eviction and Foreclosure Mediation.



Toby Merrill and Nnena Odim (Harvard) were among the 2020 honorees of the Harvard Law International Women's Day Portrait Exhibit, which showcased the astounding contributions of women around the world to the areas of law and policy.



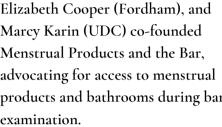


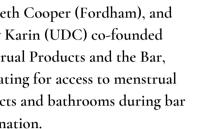


Margaret Johnson (Baltimore), Elizabeth Cooper (Fordham), and Marcy Karin (UDC) co-founded Menstrual Products and the Bar, advocating for access to menstrual products and bathrooms during bar examination.











Medha D. Makhlouf (Penn State Dickinson), Assistant Professor and Director of the Medical-Legal Partnership Clinic, was selected as Penn State Dickinson Law Faculty Member of the Year. In December 2020, Medha will complete her tenure as an Atlantic Fellow for Health Equity, during which she focused on a Clinic project to provide support to international medical graduates who are seeking to become licensed healthcare providers in the United States.



Margaret E. Johnson received the University of Baltimore 2020 **Excellence** in Traditional Scholarship Award.



Liza Livingston de Calderon (Tulane) was promoted to Deputy Director of the Environmental Law Clinic in August 2020.



Tim McEvoy (Tulane) was promoted



Michele Gilman received the University of Baltimore School of Law Award for Outstanding Achievement in Public Discourse Scholarship.



to Deputy Director of the Domestic Violence Clinic in August 2020.



Jaime Lee received the University of Baltimore School of Law's Faculty Service Award.



Maureen Sweeney was named the University of Maryland Public Servant of the Year.



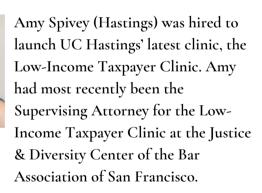


Alina Ball (Hastings) launched the Center for Racial and Economic Justice with Professor Shauna Marshall, which created the podcast Black Hastings Speaks.



Gail Silverstein (Hastings) was promoted to the role of the Associate Dean for Experiential Learning after Professor Ascanio Piomelli who served the last four years stepped down.







Carol Izumi (Hastings) won the school's highest teaching award, the Rutter Award for Excellence in Teaching, a capstone to her career in the field of clinical legal education.

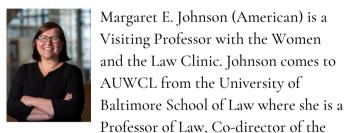


Lauren Onkeles-Klein (American) joins AUWCL as a Visiting Professor and Acting Director of the Disability Rights Law Clinic. Onkeles-Klein comes to AUWCL after having served as Director of the Juvenile and Special Education Law Clinic at UDC's David A. Clarke School of Law.

Center on Applied Feminism, and

Clinic.

Director of the Bronfein Family Law



Priya Baskaran (American) joined the faculty at AUWCL as an assistant professor of law in January 2020. She is the director of the Entrepreneurship Law Clinic, which provides pro bono transactional legal support to small businesses and individual entrepreneurs in D.C. and Virginia. Prior to joining AUWCL, Baskaran was an associate professor at West Virginia University College of Law where she served as director of the Entrepreneurship and Innovation Law Clinic.





Jenny Roberts (American), Co-Director of the Criminal Justice Clinic, received AUWCL's 2020 Excellence in Teaching Award, which recognizes outstanding teaching, as reflected by thoughtful pedagogy, commitment to student mentoring and advising, institutional leadership focused on improving the variety, quality, and rigor of teaching at the Washington College of Law, and/or the creation of an intellectually challenging classroom environment.



Susan Bennett (American), Director of the Community and Economic Development Law Clinic, received American University's 2020 Outstanding Community Engagement Award, which is given to a faculty member leading in teaching, outreach, or scholarship initiatives, and recognizes the recipient's sustained record of collaboration and demonstrated impact, including community-based and communityinformed social change, knowledge creation, problem solving, and capacity building, as well as student learning and thriving.



Brenda V. Smith (American) ended her two-year term as the Senior Associate Dean for Faculty and Academic Affairs and began a sabbatical during AY 2020-2021. She served as an expert in Does v. Michigan Department of Corrections, which resulted in a \$100 million settlement for youth who were sexually assaulted while incarcerated in adult prisons and jails.



Kathryn Kleiman (American), a Practitioner in Residence in the Glushko Samuelson Intellectual Property Law Clinic, is finishing a four-year term as co-chair of the Internet Corporation for Assigned Names and Numbers Review of All **Rights Protection Mechanisms Policy** Development Process Working Group. With her co-chairs, Professor Kleiman helped guide the working group members in reviewing trademark protections created for new top level domains in the domain name system, including the Uniform Rapid Suspension System and the Trademark Clearinghouse.



Annie Eisenberg (South Carolina) was promoted to Associate Professor of Law with continuous tenure.



Lisa Martin (South Carolina) is the principal investigator of Domestic Violence and Access to Civil Justice in South Carolina, a grant-funded study of how pro se parties are faring in seeking civil injunctive remedies to protect themselves from abuse.





Claire Raj (South Carolina ) was promoted to Associate Professor of Law with continuous tenure.



Emily Suski (South Carolina) is the principal investigator on a \$1.025 million grant to fund the development of a model for and the evaluation of collaboration across medical-legal partnerships.



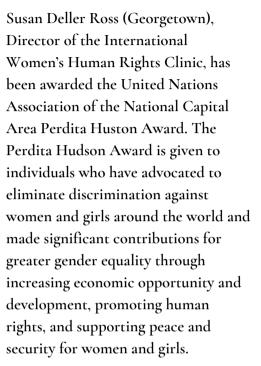
Nino Guruli (UIC Law) joined the law school as a Staff Attorney in the International Human Rights Clinic. She was previously a fellow in the International Human Rights Clinic at the University of Chicago.



Abbe Smith (Georgetown) has been named the Scott K. Ginsburg Professor of Law. Abbe is the Director of the Criminal Defense and Prisoner Advocacy Clinic and Co-Director of the E. Barrett Prettyman Fellowship Program.



Kristin Henning (Georgetown) has been named the Blume Professor. Kris was previously an Agnes N. Williams Research Professor of Law and is the Director of the Juvenile Justice Clinic and Initiative.





Cori Alonso-Yoder (Georgetown) joined the Federal Legislation Clinic in fall 2020 as a Visiting Associate Professor. She is serving as the Director of the Clinic for the 2020-2021 academic year.



Marta Beresin (Georgetown) has been named a Visiting Professor of Law in the Health Justice Alliance Law Clinic and will direct the clinic for the fall 2021 semester.



Deeya Haldar (Villanova) has joined the faculty as an Associate Professor of Law and Director of the Civil Justice Clinic.





Natalie Nanasi (Southern Methodist) recently received the ProtectHer award from the anti-human trafficking nonprofit organization New Friends New Life and the Faculty Appreciation Award from the SMU Women in Law student organization.



Mary Spector (Southern Methodist) has served as an advisor to the Supreme Court of Texas as it considers COVID-19 Emergency Orders relating to consumer debt and has been quoted extensively in media coverage of pandemic-related evictions.



Tiffany Murphy (Arkansas Fayetteville), Associate Professor of Law and director of the Criminal Practice Clinic, has been appointed to serve as the law school's Associate Dean of Academic Affairs.



Aliza Organick (New Mexico) taught a series of classes at the University of Buckingham in the UK where she explored clinical teaching methodologies, Representing Indigenous Clients, and Tribal Court Practice with the university's Human Rights class. She was also a panelist at the international conference, Indigenous Peoples and COVID19: Issues of Law and Justice (US), co-sponsored by the Victoria University of Wellington and University of Auckland Law School in New Zealand. This conference explored ways the pandemic has affected Indigenous communities around the world.



Ron Hochbaum (UDC) joined the faculty as an Assistant Professor of Law and directs the Housing and Consumer Law Clinic.

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# Good News: New Clinicians





Jeanne Nishimoto (UCLA) joined the Veterans Legal Clinic as Associate Director.



Jade Brown (Boston University) joined the faculty as Clinical Instructor in the Civil Litigation and Justice Program this Fall.



Cathy Sweetser (UCLA) joined the Promise Institute as Deputy Director. She also directs the Human Rights Litigation Clinic.



Jocelyn Hanamirian (Boston University) joined the faculty as Assistant Director of the BU/MIT Technology Law Clinic this Fall.



Kelly Vieira (Suffolk) joins the HDTP as a Clinical Fellow and Testing Coordinator. Kelly is a 2018 graduate of Suffolk Law, who has been working as an MA District Attorney. Vieira will design and conduct undercover race-based housing discrimination testing through a grant with the City of Boston.



Bryce Willey (Suffolk) joins the LIT Lab as a Clinical Fellow and Python Developer. Bryce is a skilled coder, who has worked for Google, among other tech companies. Bryce will build code for Suffolk's mobile court processes under its grant from Pew Charitable Trusts.



Karla Mendez (Tennessee), Class of '18, <u>was hired as a fellow</u> to work on the ExpungeTN project, funded by a \$100,000 grant from the Tennessee Bar Foundation.



Sam Winder (New Mexico) officially joined the faculty in Fall 2020. Sam is a graduate of our law school who brings extensive experience in the areas of Indian Law and criminal law. He is a former New Mexico District Court Judge and a member of the Southern Ute Tribe. Sam will be teaching regularly in our Southwest Indian Law Clinic (SILC), which he supervised as a Visiting Professor in 2019.

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# New Clinicians (cont.)



S.L. Owens (UIC) joins the law school as a Staff Attorney in the Community Enterprise & Solidarity Economy Clinic. She is working with social equity cannabis businesses.



Daniela Romero (Boston College) joined The Legal Services LAB as a new paralegal.



Lauren Rossman and Sarah Carlow (Boston College) joined the law school as two-year clinical fellows who will be teaching and supervising students in the Innocence Program, as well as guest teaching in the Criminal Justice Clinic and Prosecution Program.



Lisa Dicker (Harvard) joined HNMCP as a clinical instructor. Prior to joining HNMCP, Lisa was Counsel at a global pro bono law firm where she advised on peace negotiations, conflict prevention, transitional justice, and post-conflict democratic transitions.



Sameer Ahmed (Harvard) joined the Immigration and Refugee Clinical Program (HIRC) as a clinical instructor. Sameer was previously an assistant teaching professor at Northeastern University School of Law.



Miriam Liberles (Harvard) joined HIRC as a staff attorney. Prior to joining HIRC, Mariam worked for nine years at Catholic Charities of Boston as a supervising attorney and a staff attorney.



Vanessa O'Connor (Harvard) joined the Transactional Law Clinics as a clinical instructor. Before joining the Harvard faculty, Vanessa was an associate at Goodwin Procter LLP in the Real Estate Industries group.



Joseph Beckmann (Harvard) joined FLPC in August 2020 as a clinical fellow. Prior to joining the clinic, Joseph provided legal services to startups and mid-sized businesses in the food, beverage, and agriculture industries.

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# New Clinicians (cont.)



Esther Akwii (Harvard) joined FLPC in September 2020 as a clinical fellow. Before joining FLPC, Esther worked at the Center for Agriculture and Food Systems (CAFS) at Vermont Law School, where she conducted research on wide-ranging food system topics and taught a course on local food system law and policy.



Emily Poor (Baltimore) has joined UB as a Clinical Fellow with the Civil Advocacy Clinic. She previously worked at the Pro Bono Resource Center of Maryland and the Mid-Minnesota Legal, where she represented survivors of sexual assault and domestic violence. She earned her J.D. from Georgetown University Law Center.



Oladeji Tiamiyu (Harvard) joined HNMCP in September 2020 as a clinical fellow. Prior to joining HNMCP, Oladeji was an Online Dispute Resolution Fellow with the Resolution Systems Institute in Chicago, Illinois, where he helped in developing a pilot online dispute resolution program for family law disputes.



Sakinah Tillman (Baltimore) has joined UB as a Clinical Fellow in the Low-Income Tax Clinic. She has been a senior state and local tax associate at RSM US, LLP. She received the Donald A. Thigpen Rising Star Award from the Washington Bar Association to recognize her contributions to the legal profession.



Jessica Den Houter (Baltimore) has joined UB as a Clinical Fellow in the Bronfein Family Law Clinic. She previously worked at Disability Rights D.C. and completed a fellowship with the DC Affordable Law Firm. She received an LL.M. in Civil Justice and a J.D. from the Georgetown University Law Center.



Matt Vigil (Saint Louis) has joined the School of Law as a staff attorney in the Civil Advocacy Clinic where he and his students help clients with legal issues as part of a community partnership with Mission: St. Louis.



Gianna St. Julien (Tulane) joined the Environmental Law Clinic in October 2020, inaugurating a new position: Community Engagement Specialist.

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# New Clinicians (cont.)



Min Jian Huang (Wayne State) joined the Clinical Education Program as its Clinical Programs Staff Attorney, where he supports the work of the Asylum & Immigration Law Clinic and the Business & Community Law Clinic. He also teaches the Public Service Externship Colloquium as a member of Wayne Law's part-time faculty.



The Women's Prison Project (WPP), a collaboration of the Tulane Criminal Iustice and Domestic Violence Clinics. would like to announce two new hires: Carlotta Lepingwell joined the WPP as a Clinical Instructor in 2020 after serving as the Deputy Director and the Training Director at the Texas statewide capital habeas public defender office in Austin. TX. Her prior experience includes more than seven years as a public defender in New Orleans. Massachusetts and the Bronx. Stanislav ("Stas") Moroz joined the WPP as a Clinical Instructor in 2020 after working as a public defender with the Orleans Public Defenders for nearly six years. He served both as a member the trial division and the special litigation division, representing thousands of clients and leading efforts to re-sentence over forty individuals serving life sentences under Louisiana's habitual offender law.













The SMU Dedman School of Law has hired six new clinicians:

- Tom Leatherbury, an expert in first Amendment law and one of the leading appellate lawyers in Texas, is the Director of SMU's new First Amendment Clinic;
- Greg Mitchell, whose diverse practice focused on bankruptcy and tax matters, is the new Director of the Federal Tax Clinic;
- Kim Murphy, a former CASA supervisor and public defender, serves as a Fellow and Staff Attorney for Child Advocacy Clinic's Aged Out Project;
- Debbie Sanchez, with over 20 years of experience in both criminal defense and prosecution, teaches in the Criminal Clinic;
- Michael Shapiro, an award-wining investigative journalist, serves as the Law Fellow in the First Amendment Clinic; and
- Kandace Walter, who brings extensive business and intellectual property expertise to SMU Law, is the new Director of the Small Business and Trademark Clinic.

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# New Clinicians (cont.)



Michelle Assad (American) is a Practitioner-in-Residence with the Immigrant Justice Clinic, where she was previously a Supervising Attorney for the clinic's newly launched Defending the AU Dream Initiative. Prior to joining the WCL faculty, she worked at the Brooklyn Defender Service and the Maryland Office of the Public Defender. Assad received her J.D. from AUWCL and her B.A. from New York University.



Anna Cabot (American) is a Practitioner-in-Residence with the Women and the Law Clinic. Before coming to AUWCL, Cabot was a Senior Staff Attorney at the Center for Gender and Refugee Studies, and she previously taught in the Asylum and Human Rights Clinic at the University of Connecticut School of Law. Cabot received her J.D. from AUWCL and her B.A. from Amherst College.



Parag Rajendra Khandhar (American) is a Practitioner-In-Residence in the Entrepreneurship Law Clinic and has prior clinical teaching experience at George Washington University Law School and the University of Baltimore School of Law. Khandhar received his J.D. from AUWCL and his B.A. from the University at Albany, SUNY.



Caroline Wick (American) is a Practitioner-in-Residence with the Disability Rights Law Clinic. She previously worked as a Senior Attorney with Children's Law Center in Washington, D.C., where she worked in CLC's medical-legal partnership. Wick has a J.D., magna cum laude, from Tulane University; a M.S.P.H. from Tulane University School of Public Health; and a B.A., magna cum laude, from Tufts University.

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# Good News: Books and Publications





Jennifer Koh (Univ. of Washington), *Executive Defiance and the Deportation State*, 130 Yale L.J. (forthcoming 2021).



Amber Baylor (Texas A&M), Boynton v. Virginia and the Anxieties of the Modern African-American Customer, 49 Stetson L. Rev. 315 (2020); Design Justice and Municipal Criminal Law, \_\_ N.M. L. Rev. \_\_ (forthcoming Spring 2021).



Christine Cimini (Univ. of Washington) and Doug Smith (Brandeis), *An Innovative Approach to Movement Lawyering: The Immigrant Rights Case Study*, 35 Georgetown Immigration Law Journal (forthcoming 2021).



Luz Herrera (Texas A&M), The Emerging Legal Architecture for Social Justice, 44 Rev. of L & Soc. Change 355 (2020) (with Louise Trubek); Technological Triage of Immigration Cases, 72 Florida L. Rev. 515b (2020) (with Fatma Marouf); In Times of Chaos: Creating Blueprints for Law School Responses to Natural Disasters, 80 La. L. Rev. 421 (2020) (with Jeffrey R. Baker, Christine E. Cerniglia, Davida Finger, and JoNell Newman).





Bob Probasco (Texas A&M), wrote a book chapter for the 8th edition of the ABA publication *Effectively Representing Your Client Before the IRS*, anticipated publication in January 2021.



Allison Korn (UCLA) co-authored Assessing the Experiential (R)evolution, 65 Villanova Law Review 713 (2020).



Fatma Marouf (Texas A&M), Extraterritorial Rights in Border Enforcement, 77 Wash. & Lee L. Rev. 751 (2020); Technological Triage of Immigration Cases, 72 Fla. L. Rev. 515 (2020) (with Luz Herrera); Executive Overreaching in Immigration Adjudication, 93 TUL. L. REV. 787 (2019); Invoking Common Law Defenses in Immigration Cases, 66 UCLA L. REV. 142 (2019).





Loletta Darden (Suffolk), "Overlapping and Sequential Intellectual Property Rights," Columbia Journal of Law and Art (forthcoming January 2021); "The Supreme Court's Holding that Generic Terms Can Be Trademarks Is Not Fair to Struggling Startups," IP Watchdog Blog (August 17, 2020).



Jamie Langowski, William Berman, and Catherine LaRaia (Suffolk), *Qualified Renters Need not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market*, 27 GEO. J. POVERTY LAW & POL'Y (forthcoming Dec. 2020) (co-authors Grace Brittan, Jee-Yeon Lehmann, and Judson Woods).



Sarah Boonin (Suffolk), A Brief Respite for Abortion Rights: The Supreme Court's Decision in June Medical Services Holds the Line on Abortion – for Now, Ms. Magazine, Fall 2020; The Confirmation of Amy Coney Barrett—and the End of Roe as We Know It, Ms. Magazine, October 21, 2020; Think Abortion Rights Are Safe Now? Maybe Not, Cognoscenti, WBUR, Jul. 1, 2020; June Medical Services: A Precarious Victory, Ms. Magazine Online, June 30, 2020.



James Matthews (Suffolk), "Fair Housing Enforcement in the Age of Digital Advertising: A Closer Look at Facebook's Marketing Algorithms," Boston Bar Journal, Feb. 19, 2020 (coauthor Nadiyah Humber, Roger Williams School of Law).





Quinten Steenhuis (Suffolk), "Suffolk Law's MassAccess Project: Scaling Justice with Rapid Form Automation," ABA Legal Analytics Committee Newsletter, September 2020; "Creating a clinic in a box: why I fell in love with building online legal apps," Medium online, September 8, 2020.



Gabriela Kahrl (Maryland), *Racism in Immigration Asylum Decisions*, Baltimore Sun, October 14, 2020.



Douglas L. Colbert (Maryland), "With a Little Help From My Friends:" Counsel at Bail and Enhanced Pretrial Justice Becomes the New Reality, 55 Wake Forest L. Rev. 795 (2020).





Leigh Goodmark (Maryland), "Best Practices in Legal Reforms," in Transgender Intimate Partner Violence: A Comprehensive Introduction (New York University Press 2020); Domestic violence is also a virus: During the coronavirus crisis, we need the right criminal justice response to the crime, New York Daily News (online), March 26, 2020 (with Aya Gruber); Reimagining VAWA: Why Criminalization Is a Failed Policy and What a Non-Carceral VAWA Could Look Like, Violence Against Women (2020); Surveillance and Entanglement: How mandatory sex offender registration impacts criminalized survivors of human trafficking, 14 Anti-Trafficking Review 125 (2020) (with Kate Mogulescu); Domestic Violence Mandatory Arrest Policies and Arrests for Same-Sex and **Opposite-Sex Intimate Partner Violence** After Legalization of Same Sex Marriage in the United States, 33 Criminal Justice Studies 231 (2020) (with Alesha Durfee).



Sarah Sherman-Stokes (Boston University), op-ed, "Voters Deserve to Hear From the Candidates on Immigration," The Hill (October 2020).



Matthew Swinburne and Kathleen Hoke (Maryland), *State Efforts to Create an Inclusive Marijuana Industry in the Shadow of the Unjust War on Drugs*, 15 J. Bus. & Tech. L. 235 (2020).





Maureen Sweeney and Gabriela Kahrl (Maryland), *Refusing the Legacy of Biased Policing in ICE Detention – By Ensuring Legal Representation*, Wash Post, October 16, 2020.





Karen Pita Loor (Boston University), "If the Conduct Is Expressive, Is the Police Force Excessive?" 94 Southern California Law Review (forthcoming); "Tear Gas + Water Hoses + Dispersal Orders: The Fourth Amendment Endorses Brutality in Protest Policing," in Symposium "Beyond Bad Apples: Exploring the Legal Determinants of Police Violence", 100 Boston University Law Review 817 (2020).





Tiffany C. Li (Boston University), oped, "Twitter and Facebook's election disinformation efforts may be too little, too late", MSNBC (November 2020).



Susan M. Akram (Boston University), US punishes International Criminal Court for investigating potential war crimes in Afghanistan, opinion piece in The Conversation (Sept. 2, 2020); Why the Executive Order on the ICC is Unconstitutional and Self-Defeating, opinion piece in Opinion Juris (Aug. 13, 2020, with Gabor Rona); The pandemic shows that now is the time to end immigration detention, opinion piece in OpenGlobalRights (Aug. 18, 2020).



Andy Sellars (Boston University), Facebook's threat to the NYU Ad Observatory is an attack on ethical research, NiemanLab (October 2020).



Wendy Bach (Tennessee), *Private Debt* and Public Violence, Jotwell (2020); *Poverty, Privacy and Living Out of Reach*, Jotwell (2019).



Eric Amarante (Tennessee), Criminalizing Immigrant Entrepreneurs (and Their Lawyers), 61 Boston College Law Review 1323 (2020); Latino Business Formation and Growth in New Latino Destinations: A Social Capital Perspective, Academy of Management Global Proceedings, Vol. Mexico, No. 2020 (with Beorchia, A. and Gras, D.); Your Tax Dollars are Subsidizing White Supremacy, LA Times, October 14, 2019.



Becky L. Jacobs (Tennessee) "Case Study in Legal Writing Pedagogy: Connecting Doctrine and Skills to Authentic Client Voices, 51 U. Tol. L.R. 1 (2019) (with Pulsinelli, A); Defining Sustainable Business - Beyond Greenwashing, 37 Va. Envtl. L.J. 89 (2019) (with Brad Finney); Crypto-Concerns: A Cyberskeptic Looks for Weak Links in the Blockchain, 20 Tenn. J. Bus. L. 911 (2019); Julian Conrad *Juergensmeyer's "Impact": Development* Finance and Beyond, Festschrift II: J. Comp. Urb. L. & Pol'y (forthcoming Dec. 2020); A Quixotic Quest for Definition: Perceptions of "Organic and Implications for the Environment and Market Participants, 12 Ky. J. Eq. Ag. & Nat'l Res. L. \_\_ (forthcoming 2020). (with Chelsea C. Jacobs).





Girls and the 26th Amendment: Constitutional Connections. Activist Intersections & the First Wave Youth Suffrage Movement, 43 Seattle L. Rev. \_\_\_ (draft in progress - forthcoming 2020)(invited/symposium); Invisible Article III Delinquency: History, Mystery, and Concerns about "Federal Juvenile Courts", 7 Wash. & Lee J. Civ. Rts. & Just. \_\_\_ (forthcoming 2020)(Part 2 of invited/symposium series; co-authored with UF Law student Levi Bradford); Article III Adultification of Kids: Troubling Implications of Federal Youth Transfers, 26 Wash. & Lee J. Civ. Rts. & Just. 523 (2020)(Part I of invited/symposium series; co-authored with UF Law student Grace McLaughlin).

Mae Quinn (UDC), Black Women and



Gabe Pacyniak (New Mexico) will be presenting his work-in-progress Administering Climate Justice in a workshop on The Climate Crisis: Legal Safeguards for Justice and Security hosted by the Stockholm **Environmental Law and Policy Centre** and the Elisabeth Haub School of Law at Pace University. Gabe also presented the work this summer at the Early Career Energy Scholars Workshop hosted by the University of Colorado Law School. An earlier article, Greening the Old New Deal: **Reforming Rural Electric Cooperative** Governance, 85 Mo. L. Rev. 409 (2020), was published this summer. This summer Gabe also coauthored a white paper surveying the legal, policy, and technical landscape with regards to grid modernization in New Mexico with staff from New Mexico's energy department.



Lindsay Harris (UDC) Asylum Under Attack, forthcoming in the Loyola Law Review (Fall 2020). She's published shorter pieces with Ms. Magazine on Trump's war of attrition on women asylum seekers and with a former client on the regulatory attacks on the asylum system. She and Laila L. Hlass of Tulane Law School are publishing Critical Interviewing in the Utah Law Review in Spring 2021. The article features the Legal Interviewing and Language Access Film Project videos as one example of operationalizing critical lawyering in clinical pedagogy.



Cliff Villa (New Mexico) completed updates to his forthcoming article, Remaking Environmental Justice, 66 Loyola L. Rev. \_\_ (2020) to address the disparate impacts of COVID-19 and begin to account for the racial violence and increasing disasters that have wracked the United States in 2020.





Laurel E. Fletcher ( UC Berkeley) "Let's Talk about the Boteros: Law, Memory, and the Torture Memos at Berkeley Law," (38 BJIL 1 (2020)). The article addresses the school's relationship to the Torture Memos and Berkeley Law professor John Yoo through its exhibit of paintings depicting torture at Abu Ghraib.



Laura Cohen (Rutgers), *Incarcerated Youth and COVID-19: Notes from the Field*, 72 Rutgers L. Rev. \_\_\_\_ (forthcoming 2020); Rights, Race, and Reform: Fifty Years of Child Advocacy in the Juvenile Justice System (Kristin Henning, Laura Cohen, and Ellen Marrus, Co-Editors) (Routledge) (first paperback edition, 2019).



Paul Tremblay (Boston College) is featured in video recordings of simulated lawyer-client dialogues for the use of law school instructors who teach interviewing and counseling. The recordings and related materials are available to adopters of Lawyers as Counselors: A Client-Centered Approach, 4th Edition.



Jeffrey R. Baker (Pepperdine), Zero-Tolerance: The Trump Administration's Human Rights Violations Against Migrants on the Southern Border, 13 Drexel Law Review (forthcoming 2021) (with Allyson McKinney Timm).



Victoria Chase (Rutgers), Community Intervention in Context: Gender-Based Violence, Inequality and Intervention in the United States and Cuba, 8 Estudios del Desarrollo Social: Cuba y América Latina 46-59 (September 2020) (with Sara Plummer).



Jon Dubin (Rutgers), Social Security Disability Law and the American Labor Market (New York University Press; forthcoming 2021); Social Security Disability Law and Procedure In Federal Court (2020 edition; coauthored with Carolyn A. Kubitschek) (Thomson Reuters Pub. Co.) (2020); 2020 Update for Social Social Security Law, Policy & Practice: Cases and Materials (co-authored w/ Frank S. Bloch, American Casebook Series, West Academic Pub. Co.) (April 2020).



Sandy Freund (Rutgers), Identity Theft (co-authored with Anna Brsegyan), in Effectively Representing Your Client Before the IRS (8th ed., Editor in chief Keith Fogg) (forthcoming 2021).





Joanne Gottesman (Rutgers), *A Pathway to Permanency: Collaborating for the Futures of Children who are Immigrants in the Child Welfare System*, Vol. 96, No. 6 CHILD WELFARE 25 (2019) (with (Randi Mandelbaum and Meredith Pindar); Courthouses Should be Safe Places for Everyone, Star-Ledger (June 25, 2019).



Robert Holmes (Rutgers), Galvanizing Volunteer Opportunities in the Face of an Unprecedented Medical Emergency: Describing Needed Regulatory Reform Under the Fair Labor Standards Act, 72 Rutgers L. Rev. \_\_\_ (forthcoming 2020); A Mayor for All the People: Kenneth Gibson's Newark (Robert Holmes & Richard Roper Eds.) (Rutgers University Press) (2019).



Anju Gupta (Rutgers), Unwilling or Unable? The Failure to Conform the Nonstate Actor Standard in Asylum Claims to the Refugee Act, 52 Colum. Hum. Rts. L. Rev. \_\_\_ (forthcoming 2021) (with Charles Shane Ellison); Un(avail)Able Protection: The Shifting Legal Landscape in the Eighth Circuit and Beyond for Asylum-Seekers Fleeing Nonstate Persecution, 25 Bender's Immigration Bulletin 1061 (July 15, 2020) (with Charles Shane Ellison).



Norrinda Brown Hayatt (Rutgers), Land Return as Reparations, 45 N.Y.U. Rev. L. & Soc. Change \_\_\_\_ (forthcoming 2021); "Black is A Country": COVID-19, Stay-At-Home Orders and Segregation, 72 Rutgers L. Rev. \_\_\_ (forthcoming 2020).



Alexis Karteron (Rutgers), *Reparations* for Police Abuse, 45 N.Y.U. Rev. L. & Soc. Change \_\_\_\_ (forthcoming 2021); When Stop and Frisk Comes Home: Policing Public and Patrolled Housing, 69 Case W. Res. L. Rev. 669 (2019); The Diversity Imperative Revisited: Racial and Gender Inclusion in Clinical Legal Education, 27 Clinical L. Rev. 127 (2019) (co-authored with Deborah Archer, Caitlin Barry, G.S. Hans, Derrick Howard, Shobha Mahadev & Jeffrey Selbin).



Randi Mandelbaum (Rutgers), Supporting Immigrant Children and Youth: What Pediatricians and Other Clinicians Can Do, 67 Pediatric Clinics of North America, Volume 309 (2020); A Pathway to Permanency: Collaborating for the Futures of Children who are Immigrants in the Child Welfare System, Vol. 96, No. 6 CHILD WELFARE 25 (2019) (with Joanne Gottesman and Meredith Pindar).





Sandra Simkins (Rutgers), *The "Pink Ghettos" of Public Interest Law: An Open Secret*, 68 Buff. L. Rev. 3 (2020).



Andrew Mamo (Harvard) published "Three Ways of Looking at Dispute Resolution" in the Wake Forest Law Review.



Jennifer Rosen Valverde (Rutgers) Medical-Legal Partnership Impact on Parents' Perceived Stress: A Pilot Study, Behavioral Medicine, 45:1, 70-77 (2019) (with Jeffrey Backstrand, Laurie Hills and Hanan Tanuos).



Susan Farbstein (Harvard) published an article about apartheid litigation, "Perspectives from a Practitioner: Lessons Learned from the Apartheid Litigation" (September 2020) in the Harvard International Law Journal.



Julia Devanthery (Harvard), authored "We Need the Housing Stability Act to Prevent Survivors of Domestic Violence from Being Evicted into the Pandemic Winter" on Medium.com.



Lisa Dicker (Harvard) co-authored "Covid-19 and Conflicts: The Health of Peace Processes During a Pandemic" in the Harvard Negotiation Law Journal with HLS alum Danae Askar.



Daniel Harawa (Washington Univ. St. Louis), *Sacrificing Secrecy*, 55 Ga. L. Rev. (forthcoming 2021); *Black Redemption*, 48 Fordham Urban L.J. (forthcoming 2021); *How Much is Too Much? A Test to Protect Against Excessive Fines*, 81 Ohio St. L.J. 65 (2020).



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Peter Joy (Washington Univ. St. Louis), Judge's Misuse of Contempt in Criminal Cases and Limits of Advocacy, 50 Loy. U. Chi. L.J. 907 (2019); Special Counsel Investigations and Legal Ethics: The Role of Secret Taping, 57 Duq. L. Rev. 252 (2019); Post-Conviction Relief After a Guilty Plea?, 35 ABA Criminal Justice 53 (Summer 2020); A Lawyer's Obligation to Avoid Assisting in a Crime or Fraud, 35 ABA Criminal Justice 74 (Fall 2020).





Robert Kuehn (Washington Univ. St. Louis), <u>2019-20 Survey of</u> <u>Applied Legal Education</u> (co-author).



Karen Pita Loor (Boston University), Article, When Protest is the Disaster: Constitutional Implications of State and Local Emergency Power, 43 Seattle U. L. Rev. 1 (2019); Essay, Tear Gas + Water Hoses + Dispersal Orders: The Fourth Amendment Endorses Brutality in Protest Policing, 100 Boston U. L. Rev (forthcoming May 2020).



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Margaret Johnson (Baltimore), Title IX and Menstruation, 43 Harv. J.L. & Gender 225 (2020) (with Bridget J. Crawford and Emily Gold Waldman); Menstrual Products and the Bar: Advocacy Seeks to Create Equal Bar Exam Testing Conditions for Menstruators, Best Practices for Legal Education (August 5, 2020) (with Elizabeth B. Cooper and Marcy L. Karin); Stop the Stigma Against Menstruation: Starting with the Bar Exam, The National Jurist (July 28, 2020) (with Marcy L. Karin and Elizabeth B. Cooper); Lessons Learned from the Suffrage Movement, 2 No. 1 Md. B.J. 115 (2020).



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Tiffany Sizemore (Duquesne), has the following publications forthcoming: Codifying the School-to-Prison Pipeline: How Pennsylvania's Legislature Paved the Way for More Children to be Pushed Out of School and Into Jail, University of District of Columbia, David A. Clarke School of Law, Law Review, Vol. 24 (Forthcoming); "Attend School Daily:" An Examination of How Court-Involved Youth Navigate the School-To-Prison Pipeline co-authored with Dr. Tammy Hughes and Dr. Jeffrey Shook in the 2020-2021 edition of the Chapman University Fowler School of Law Diversity and Social Justice Forum; "Cracks to Chasms: How Black and Brown Children in Special Education Are Being Failed During the COVID-19 Pandemic" co-authored with Dr. Tammy Hughes and Dr. Jeffrey Shook for the Detroit Mercy Law Review 2021 Symposium, Pandemic: From Disparity to Equity. Forthcoming, March 2021.



Anne Choike (Wayne State), *A New Urban Front for Shareholder Primacy*, 9 Mich. Bus. & Entrepreneurial L. Rev. 79 (2019).



Carol Izumi (Hastings) contributed a chapter for a book coming out this fall on the development of the field of dispute resolution, "Evolution of a Field: Personal Histories in Dispute Resolution."





Medha D. Makhlouf (Penn State Dickinson), reports the following publications: Laboratories of Exclusion: Medicaid, Federalism, and Immigrants, 95 N.Y.U. L. Rev. (forthcoming 2020); Immigrants and Interdependence: How the COVID-19 Pandemic Exposes the Folly of the New Public Charge Rule, 115 Nw. U. L. Rev. Online 146 (2020) (with Jasmine Sandhu); The Ethics of DNA Testing at the Border, 46 Am. J. L. & Med. 253 (2020); Destigmatizing Disability in the Law of Immigration Admissions, in I. Glenn Cohen, Carmel Shachar, Anita Silvers, Michael Ashley Stein, eds., Disability, Health, Law, and Bioethics (Cambridge University Press, 2020).



David A. Marcello (Tulane), "The Case of the Serial Comma: What Can Plain-Language Drafting Tell Legislative Drafters?," 19 The Scribes Journal of Legal Writing 127 (2020); "Legal Origins and Evolution of Local Ethics Reform in New Orleans," 32 New England Journal of Public Policy (2020); International Legislative Drafting Guidebook: 25th Anniversary Celebration (Carolina Academic Press 2020) (Editor).



Katie Kronick (American), Forensic Science and the Judicial Conformity Problem, 51 Seton Hall L. Rev. (forthcoming Jan. 2021).



Laila L. Hlass (Tulane), Assessing the Experiential (R)evolution, 65 Villanova Law Review 713 (2020) (with Allison Korn); "Why Won't the Federal Government Release Immigrant Children?", Slate (March 31, 2020).



Alina Ball (Hastings) published Social Enterprise Lawyering in the UMKC Law Review. The essay explores the methods and strategies corporate lawyers use when representing social enterprise clients—businesses that achieve an articulated social mission using market-based strategies. She argues that social enterprise lawyering should challenge and reimagine conventional corporate lawyering strategies.



Llezlie Green (American), Outsourcing Discrimination, 55 Harv. CR-CL L. Rev. 916 (2020); Erasing Race, 73 SMU L. REV. FORUM 63 (2020).



Anita Sinha (American), *An American History of Separating Families*, American Constitutional Society Expert Forum Blog (Nov. 2, 2020).





Victoria Phillips (American), Sea Change: The Rising Tide of Pro Bono Legal Services for the Creative Community, IP Theory: Vol. 9: Iss. 1 , Article 6 (2020);



Jenny Robrts (American), *The Shadow Bargainers*, Cardozo Law Review (forthcoming, 2021) (co-authors Ronald F. Wright and Betina Wilkinson); *Prosecuting Misdemeanors* in OXFORD HANDBOOK OF PROSECUTORS AND PROSECUTION (forthcoming 2021); Brief of Nat'l Assoc. of Crim. Defense Attorney & Nat'l Assoc. of Fed'l Defenders as Amicus Curiae, Pereida v. Barr, No. 19-438 (U.S.), Feb. 2020.



Jaclyn Cherry (South Carolina) is publishing Understanding Nonprofit and Tax Exempt Organizations, Carolina Academic Press (3d. ed.) (with Nicholas P. Cafardi); Maybank, Dunlap, Wiley and Cherry, S.C. Nonprofit Corporate Manual, South Carolina Bar Association (3rd ed.).



Annie Eisenberg (South ) published Distributive Justice and Rural America in the Boston College Law Review, Economic Regulation and Rural America in the Washington University Law Review, and received a contract to publish her first book, "Reviving Rural America: A Law and Political Economy Prescription for Prosperity," with Cambridge University Press.



Brenda V. Smith (American), Promise Amid Peril: PREA's Efforts to Regulate an End to Prison Rape, 57 Am. Crim. L. Rev. 1599 (2020).



Claire Raj (South Carolina) will publish *The Lost Promise of Disability Law* in the Michigan Law Review in 2021.



Josh Gupta-Kagan (South Carolina) published America's Hidden Foster Care System in the Stanford Law Review in 2020 and will publish Beyond "Children Are Different," The Revolution in Intake and Sentencing in the Washington Law Review in 2021. Along with local colleagues and with help from clinic students, he contributed to a comprehensive juvenile justice reform bill drafted by the South Carolina Senate Select Committee on Raise the Age.





Lisa Martin (South Carolina) published *Litigation as Parenting* in the NYU Law Review in 2020 and will publish *Modernizing Capacity Doctrine* in the Florida Law Review in 2021.



Beth Zilberman (Arkansas Fayetteville), *The Non-Adversarial Fiction of Immigration Adjudication* is forthcoming in the Wisconsin Law Review (tentative cite: 2020 Wis. L. Rev. 708 (2020)).



Emily Suski (South Carolina) published *The Title IX Paradox* in the California Law Review in 2020 and will publish *Subverting Title IX* in the Minnesota Law Review in 2021.



Annie Smith (Arkansas Fayetteville), *The Underprosecution of Labor Trafficking* is forthcoming in the South Carolina Law Review.





Anahid Gharakhanian (Southwestern) and Carolyn Young Larmore's (Chapman) paper "Achieving Externship Success: An Empirical Study of the All-Important Law School Externship Experience" will be published in the Southern Illinois University Law Journal. The paper details their yearlong empirical study of what factors lead to externship success as measured by first-year practice readiness.

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### Retirements





Celestina Flores (Texas A&M), longtime Director of the Family and Veterans Advocacy Clinic, is retiring in December 2020. Karon Rowden will assume the direction of the clinic as an Interim Director. We wish Celestina a wonderful retirement and are happy to have Karon transition into her new role.



Joe Hedal (Harvard) retired in August after over a decade with the Transactional Law Clinics where he served as deputy director and a senior clinical instructor. During his time at TLC, Joe guided countless HLS students through their clinical experience and worked with a diverse number of clients and organizations.



Jane C. Murphy (Baltimore) retired last summer. Over the course of a distinguished thirty-two-year career, Jane directed three clinics at UB, was a leader in law reform and clinical legal education, and received numerous awards. UB is planning a celebration of Jane's career to take place in 2020.



Janet Heppard (Houston), Clinical Professor, Director of the Clinical Program, and Civil Practice Clinic Director, will retire at the end of the 2020 calendar year, after more than 25 years in the clinical program at the UH Law Center, because she has been elected and will become Judge of the 387th State District Court in Fort Bend County, Texas.



Lisa Dealy (Harvard), is retiring after 15 years as the Assistant Dean for Clinical and Pro Bono Programs in March 2021. She is a much-loved person at HLS, and greatly respected for her wisdom, guidance, diplomacy, humility and creative problem solving. She is an excellent advocate for students, and has a deep commitment to clinical legal education. The clinical program has grown enormously under her guidance and leadership. She will be greatly missed and we wish her well.



### Rememberances



Kristin Muniz (Harvard), a former senior clinical instructor at the Criminal Justice Institute (CJI), passed away Sunday, October 4, 2020 of a sudden heart attack. In addition to her years as a clinical instructor she served as trial team coach at CJI for ten years until she left HLS in 2017 to become the Attorney in Charge of the Roxbury Office and then the Boston Office of Committee for Public Counsel Services (CPCS). To all who knew Kristin she was a kind and compassionate person and advocate. She was full of life and vitality, which makes her passing all the more heartbreaking and unexpected.

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Advocating for clinical legal education as fundamental to a lawyer's education. Real Cases, Real News.

#### CLEA Newsletter Committee



Lauren Bartlett (Saint Louis)





Nickole Miller (Baltimore)



Ron Hochbaum (UDC) Editor

#### What is <u>CLEA</u>?

More than 25 years ago, clinical legal educators perceived the need to establish an organization that was separate from the AALS Clinical Section. The Clinical Legal Education Association was incorporated in 1992, in part to enable clinicians to act swiftly and independently – something the Clinical Section cannot do because of its status within the AALS. Another goal in creating CLEA was to broaden our community by allowing membership for many individuals who do not meet the eligibility requirements of the Clinical Section. CLEA and the Clinical Section do not compete; rather, the two organizations collaborate and their interests often overlap. CLEA urges clinical teachers to belong to both entities. CLEA is currently engaged in activities such as:

- Advocating on behalf of its members with the ABA Council of the Section of Legal Education and Admissions to the Bar to further excellence in legal education;
- Supporting individual schools, programs, and teachers who face political interference and other threats;
- Working with the Clinical Section and NYU Law School to publish the peer-reviewed Clinical Law Review;
- Presenting the biennial New Clinicians Conference and other programs specifically designed for new clinical teachers at regional and other conferences;
- Supporting amicus briefs on topics important to clinical legal education;
- Commissioning and publishing Best Practices for Legal Education: A Vision and a Roadmap (Stuckey, et al, 2007), and supporting the publication of Building on Best Practices: Transforming Legal Education in a Changing World (Maranville, Bliss, Kaas, and Sedillo Lopez, et al, 2015).