

CLINICAL LEGAL EDUCATION ASSOCIATION

NEWSLETTER

Vol. VIII, No. 3

February, 2000

PRESIDENT'S MESSAGE



**Stacy Caplow
(Brooklyn)**

Greetings and happy new year from CLEA 2000 (doesn't that sound like a sleek racing car model?). The year ahead will be even busier than last for CLEA and its members. With new Board members Annette Appel (UN-LV), Angela Burton (Syracuse), and Paula Galowitz (NYU) and reelected members, Margaret Martin Barry, Jay Pottenger, and Bob Seibel, the Board is continuing to organize

efforts to improve relations with the ABA's Section of Legal Education and Admission to the Bar. In response to the DOJ anti-trust settlement (and the DOE's involvement in its enforcement) which no one except Jay Pottenger, Roy Stuckey, Bob Dinerstein, Gary Palm, and a few other intrepid souls can understand (the words byzantine, labyrinthine, obscure, arcane, enigmatic, unfathomable and inscrutable don't begin to describe this). At its annual business meeting in Atlanta, the Section voted to approve the transfer of accreditation authority from the House of Delegates to the Council. In Atlanta, the CLEA Board delegated a few members (Martin, Pottenger, and Caplow) who, along with Richard Neumann (both a clinician and a spokesperson for ALWD - the Association of Legal Writing Directors), met with Judge Randall T. Shepard, the outgoing Section Chair, and Dean Robert K. Walsh, the Chair for 1999-

2000. At that meeting, the seeds of cooperation were sown leading to another meeting in Washington at the AALS Annual Meeting (where clinicians endlessly feted and feasted in honor of Elliott Milstein's induction as President).

Last year, the Standards Review Committee began a comprehensive review of the Accreditation Standards and made several proposals for changes to Standards 3 and 4. CLEA submitted strong statements concerning the proposed changes. Although many of the proposed changes were adopted, notably to Standard 305 regarding externships, proposed revisions to 405(c) were much more controversial and were referred back to the Standards Review Committee. A new proposed revision to Standard 405(c), effectively providing that schools would not need to have a tenure system for any faculty, including clinicians, was not adopted by the Council at its December meeting in San Diego (CLEA was represented by Terry Player and Linda Morton). The effect of that vote was the retention of the existing version of 405 (c). There will be more rounds of comments on 405(c) at the two Council meetings between now and the July ABA Convention in NYC, but for the moment, substantial changes seem unlikely.

CLEA will continue its vigilant monitoring of these developments and will send at least one delegate to every open

meeting of the Council and will offer written and/or oral testimony when appropriate.

July in NYC

Last year at Lake Tahoe, the cry "August in Atlanta" urged clinicians to attend the business meeting of the Section. Although the politics remained obscure to most, many (but, unfortunately, not hordes) of clinicians descended on Atlanta in the middle of the summer. This year, the convention is in NYC on July 6-7. **KEEP YOUR CALENDARS CLEAR AND LOOK FOR FURTHER ANNOUNCEMENTS.** As it did in Atlanta, CLEA will be sponsoring a half-day mini-conference before the Section business meeting. CLEA urges all clinicians to attend this convention and become more involved in the activities of the Section. As more and more clinicians work with committees such as Standards Review, Skills, and the Council, our presence, our voice, and our perspectives will make a difference.

ABA Site Visits Volunteers Wanted

The ABA Section on Legal Education has made an effort to include a clinician on every site inspection team. These efforts have not been perfect judging by the 1998-99 team rosters. In our meeting with Dean Walsh and Jim White, we offered to act as a conduit and provide them with names of clinicians who would be interested in serving on site inspection teams. **IF YOU ARE INTERESTED, EMAIL ME**

DIRECTLY. Generally, all new site inspectors attend a one- day training session in Indianapolis. The next two will take place on February 5th and September 9th. From the ABA's perspective, it is probably best if volunteers have some depth of experience in clinical teaching, although anyone should feel free to contact me and I will pass along the information. Also, sometimes the ABA needs to replace the clinician member at the last minute. If you know that you could be a last minute recruit, please indicate that when you volunteer.

Site Visit "Training" from CLEA

In the next issues of the Newsletter, clinicians who have been on inspection teams will offer some insights into their experiences serving on a team. Also, some of the clinicians at recently inspected schools will describe some of their preparations for the visit, what worked and what didn't, and the impact of the visit.

Call for CLEA Delegates

The clinical community is large and dispersed making communication and organization difficult. The Board would like to organize a system of "volunteer delegates" to CLEA from each state and the District of Columbia who would be willing to take on several roles. First, when we have to communicate with the membership sometimes the listserv or website is not the best means so we would like to have at least 1 or 2 people in each state who would be willing

to contact other clinicians in their state to spread or gather information. Second, there are times when we would like to be able to contact members of the bench and bar in a state and have no idea of their identities. State delegates could provide that information and also act as liaisons to their legal communities.

If you would like to volunteer as a delegate from the Great State of ... , please email me as soon as possible. In the next Newsletter, I will post which states still need a delegate.

CLEA MEMBERSHIP DRIVE

All clinicians are urged to encourage anyone they know who is connected to clinical teaching to join CLEA. Please take the time to acquaint new clinicians, faculty teaching any kind of clinic or simulation course part- or full-time, field supervisors, adjuncts, law school administrators, clinic administrators, and anyone else with any level of involvement with clinical legal education to join. It's cheap and the benefits are many!

Call for Participation and Feedback

Just a reminder to all CLEA members: Please get involved in CLEA activities and give the Board your suggestions and ideas about how CLEA can help you realize your goals as clinical educators.

I'm looking forward to an exciting year as your Chair.

COMMITTEE REPORTS

CONFERENCE COMMITTEE

Carrie Kaas (Quinnipiac)
carolyn.kaas@quinnipiac.edu
203 287 3234 or
Fax 203 287 3237

For all of you going to Albuquerque in May, the CLEA Conference Committee will hold a meeting there to recruit new members, to decide how best to delegate tasks among us, and to conduct a frank discussion of what role this committee should continue to play in sponsoring and otherwise supporting conferences.

As you all may know by now, CLEA has committed to sponsor a conference for New Clinical Teachers every other year, currently planned to be hooked up with the shorter AALS Workshops held in the odd years. Thus, the next New Clinician's Conference is not expected until the Spring of 2001. However, CLEA will work together with the AALS Section Conference planners to hold some sort of an orientation/ welcoming session for brand new clinical teachers who attend the Albuquerque Conference in May of 2000. And,

CLEA has more of the booklets we put together for the 1999 New Clinical Teacher's Conference. If any of you want one for a new clinical teacher at your school, contact me and I'll send some.

The next CLEA event will coincide with the Summer ABA Meetings. CLEA will hold a **Workshop on JULY 8 in New York City**. The location and content is still under advisement, but it will probably be a Scholarship Workshop, with several clinical teachers reporting on their works-in-progress, and will be held at one of the law schools in NYC. It will end in time for people to participate in the meeting of the ABA Section on Legal Education and Admission to the Bar on the same day. **We urge you - especially those of you reasonably local to NYC - to plan for another summer sojourn. This time, it's "July in NY!"**

CLEA continues its practice of offering technical and financial support for Clinicians holding regional or topic area conferences. On occasion, we also support other endeavors, such as the recent wonderful GAJE event in India - reported on elsewhere in this Newsletter. For "domestic" events, grants in the amount of \$400 are available. For example, CLEA has recently supported the Northwest Clinician's Conference and the Rutgers Conference on the Social Justice Mission of clinics. Of course, we hope you are all able to hold conferences that break-

even or do even better....but when you need us, call. For now, you can contact me. Due to my CLEA vice presidency, it is my hope that I will be announcing a new Chair of this Committee soon. CONTACT ME, if you are interested. Otherwise, I will be recruiting a replacement in Albuquerque.

EXTERNSHIP COMMITTEE

At the January, 2000 AALS Meeting, the Externship Committee met to discuss recent changes to ABA Standard 305 which governs law school externship programs. The amendments, adopted in August of 1999, relax the rules applicable to externship programs, and already some schools have responded by weakening their programs. The committee determined that we should make a systematic effort to track changes in externship programs over the next year to judge the impact of the Standard 305 amendments in such areas as status of externship faculty, sufficiency of externship program budgets, and method and quality of student supervision. At the May, 2000 Clinical Conference, we will develop a process for this tracking.

In addition to standard changes, we are beginning to think about programming for the Clinical Conference. Externship

faculty are encouraged to forward possible program topics and other conference suggestions to Marlana Valdez (mvaldez@wcl.american.edu) or Bill Patton (bpatt@LAW.WHITTIER.EDU) for submission to the Clinical Conference program organizers.

NOMINATING COMMITTEE

ELECTION RESULTS

The CLEA Nominating Committee, chaired by Julie Field assembled a stellar group of candidates for our board and officer election in November. Despite the difficulty of choosing among these candidates, almost 200 of our members voted. I am pleased to report that **Carolyn Wilkes Kaas** was elected as Vice President, that **Margaret Martin Barry**, **Jay L. Pottenger** and **Bob Seibel** were re-elected to the Board and that **Annette Appell**, **Angela Olivia Burton** and **Paula Galowitz** were elected to their first terms on the Board. A heartfelt thank you to all the marvelous candidates who were willing to run and to all of you who took the time to vote.

-Mark Heyrman
Secretary-Treasurer

CONFERENCES AND WORKSHOPS

The Inaugural GAJE Conference

Margaret Martin Barry

The Global Alliance for Justice Education (GAJE) inaugural conference took place in Thiruvananthapuram, Kerala, India from December 8-17, 1999. The conference was attended by 125 delegates. Twenty-five delegates were from the United States, most of whom were CLEA members. Forty-five delegates were from the various Indian states. Delegates came from every continent, with twenty-one countries represented in all. The breadth of perspectives brought by such a diverse group served to enhance the pervasive enthusiasm. The delegates were a combination of law teachers, law students, practitioners, judges, trainers, and activists. Many of the attendees from less developed countries were able to attend through generous contributions from CLEA and individual CLEA members. We should as an organization feel proud to have contributed in this way to such a successful event. Other significant financial support came from the Ford Foundation,

Soros, ABA/CEELI, and the British Council.

There were three parts to the conference: the Pre-Conference Workshop on December 8, the Inaugural Conference, December 9-11, and Training the Trainers for Justice Education, December 12 - 17. Most delegates attended all three sessions. The conference goals were to explore the concept of justice education, help the participants to focus on the cultural and political dimensions of justice education, develop ideas for promoting justice education, and, significantly, to forge relationships between people who are concerned with promoting justice education in their teaching and advocacy throughout the world. What was so impressive about the conference was that one left with a sense that these goals are not impossibly idealistic, and this was so if for no other reason than that so many people from so many places are committed to accomplishing them. A detailed report of the conference by Richard Grimes, of the United Kingdom, will be posted to the GAJE website shortly. I urge you to take a look. The web address is:

<http://ls.wustl.edu/Academics/Faculty/Activities/Global>

That the conference went so well was a result of the hard work of the planning committee, which included our own Frank Bloch and Clark Cunningham. Dr. Madhava Menon, who many of you met at the AALS Clinical

Section Workshop in Miami a few years ago, was in charge of local planning. He organized local law teachers, students, practitioners and judges, all of whom contributed to exposing the delegates to Thiruvananthapuram culture and legal practice. Three examples of the work of the local organizers which I mention because they so enriched the conference experience were the Opening Session and Cultural Program, the visit to the Lok Adalats, and the dinners hosted by law teachers, students, practitioners and judges. The Opening Session included a welcome from the Governor of Kerala and a memorable address from the President of the Bar Association of India, Fali S. Nariman, while the Cultural Program that followed, was tour de force of the socio-cultural evolution to the State of Kerala, presented through dance, poetry, music, and a martial arts exhibition. The Lok Adalats are a revival of earlier dispute resolution methods, currently authorized by law, and intended to reduce the huge backlog of civil and criminal cases. The Lok Adalats are presided over by a judge (often retired), an attorney and a social worker or representative of the Women's Commission, and can take place in court-houses when they are not in session, in schools and other public buildings, or even under a tree. Conference delegates took a field trip to the observe the Lok Adalats in

session at the Thiruvananthapuram court, and had the benefit of having the proceedings explained by the law students whose cases were being mediated and by the presiding judges. The "home hospitality" dinners organized by our local hosts allowed delegates the opportunity to go, usually in pairs, to the homes of Thiruvananthapuram judges, practitioners, law students or law teachers, thus providing a chance to get an inside view of the customs and socio-political views, while forging friendships with the host families.

Another conference is planned for 2001. Rumor has it that this one will be in Durban, South Africa. While Thiruvananthapuram is a hard act to follow, the next conference has considerable momentum to build upon. Hopefully, more of our members can make it there.

Get Involved in GAJE

Kim Diana Connolly

CLEA members unable to attend the December 1999 Thiruvananthapuram (Trivandrum) Global Alliance for Justice Education (GAJE) conference can still get involved in GAJE activities. At the "GAJE - Where Do We Go From Here" working session on December 12th, seven initial committees were created to accomplish some early goals for GAJE. In part to ensure that people not at the 1999 conference have the

opportunity to join fully in the work of GAJE before the next conference, each committee is to decide independently how to organize and administer itself. A brief description of each committee, along with email addresses for committee "conveners," can be found in the following paragraph.

Initial GAJE Committees:

1. **Next GAJE Conference** – a committee to plan for the next conference, anticipated to be held in 2001 in Durban, South Africa (conveners: Asha Ramgobin, ramgobina@mtb.und.ac.za and Lillian Tibatemwa-Ekirikubinza, lawdean@imul.com);
2. **Constitution** – a committee to draft a proposed constitution for GAJE (convener: Clark Cunningham, cunningc@law.wustl.edu);
3. **Subject Matter** – see the next paragraph for details (convener: Ved Kumari, vedk@satyam.net.in);
4. **Membership** – a committee to solicit members and consider ways of including more people in the work of GAJE (convener: Monika Platek, platek@atos.warman.com.pl);
5. **Regional Training** – a committee to coordinate with training opportunities in the various regions around the world (convener: Marlene LeBrun, m.lebrun@mailbox.gu.edu.au);
- 6) **Communication** – a committee to work with the GAJE web site, listserv, etc. (convener: Frank Bloch, frank.bloch@law.vanderbilt.edu);

7. **Thiruvananthapuram (Trivandrum) Conference Report** – a committee to put together a report on the December 1999 conference (convener: Richard Grimes, richard.g@virgin.net)

CLEA members might have both a lot to offer and a lot to learn on the **subject matter committee**. That committee is considering how best to share information and ideas regarding different subjects related to justice education in law. The preliminary subject areas are: client inter-viewing/counseling; negotiation; mediation/ conciliation /arbitration / litigation; ethics; women and law; environmental law; rights of children; human rights; labour laws; working with other disciplines; NGOs; and cyber laws. Those interested in sharing ideas on these or related topics (or other justice-related topics not listed) should contact subject matter committee convener Ved Kumari (vedk@satyam.net.in).

In addition, the GAJE listserv is also open to all interested people. Requests to subscribe, and any other questions about the list, should be sent to: owner-gaje@list.vanderbilt.edu.

**ERIC NEISSER
MEMORIAL
PROGRAM**

A memorial program for Eric Neisser, former Acting Dean of Rutgers Law School-Newark, and Dean of Franklin Pierce from July 1 until his untimely death in November, will be held at Rutgers on Friday, April 7, starting at 5 pm. The program will include the unveiling of a portrait to be hung in the Rutgers Clinic, readings from Eric writings and video clips of TV interviews.

The Memorial program will be part of the 30th anniversary observance of the Rutgers' clinical program, which will include a conference on Saturday, the 8th, on the "Social Justice Mission of Law School Clinics."

Prior to the Neisser program on the 7th, the law school will present the final in its 199-2000 Public interest Lecture Series featuring Rutgers clinical alums who had made outstanding contributions to public interest law. The speakers will be Ida Castro, chair of the U.S. Equal Employment Opportunities Commission, and Wade Henderson, Executive Director of the Leadership Conference on Civil Rights.

Following the Neisser service will be the dinner celebrating the 30th anniversaries of the Constitutional Litigation and Urban Legal Clinics.

Featured speakers will be Prof. Emeritus Arthur Kinoy and Prof. Emeritus Annamay Sheppard, founding director of the Urban Legal Clinic.

INFORMATION RESOURCES OF INTEREST ON- LINE

REACHING EACH OTHER ON-LINE

The **CLEA Website** is:

<http://clinic.law.cuny.edu/clea/clea.html>

To get on the **LAWCLINIC Listserv** (run by Washburn), send an email to listserv@law.lib.wuacc.edu Do not put anything in the subject space. In the body of the message, just put the words "subscribe lawclinic" followed by your first and last name. You will get a return e-mail telling you how to post messages.

For the **Externship Listserv** (run by Catholic), send an e-mail to listserv@lists.cua.edu Again, don't put anything in the subject space and in the body, write "subscribe leextern."

The **On-line Directory of Clinical Teachers** is maintained by David Chavkin on the Washington College of Law at American University website.

You can search by name, type of clinic, school or geographical location. The address is <http://www2.wcl.american.edu/clinic/>

Once you join CLEA or the AALS Section, you will be in this database. Remember to get changes in data to David - many of you now have new area codes or other things that cause glitches in getting in touch with each other!

Affordable Housing and Community Development Law Listserv for those who teach community development in clinics and classrooms. To subscribe, send a message <subscribe AHCDLAW> to: maiser@main.nlc.gwu.edu

Humanizing Legal Education Listserv provides the opportunity for interchange concerning the ways we conduct legal education, the impact those choices may have on the attitudes, values, needs, health, and well-being of law students, and the possible relationship between each of those matters and the reputed "crises" in the profession -- including issues of dissatisfaction, depression, excessive work, and substance abuse; broad concerns for eroding civility/ morality/ "professionalism"; and the low opinion of the public for lawyers. TO SUBSCRIBE: send an email to: legaled-subscribe@mail.law.fsu.edu

You do not need to include anything for subject or text.

Receipt of this email will provide you with a welcome message and request for confirmation, which provides security and activates the subscription to the list.

WELCOME TO NEW CLINICIANS

Jerilyn Decoteau (Colorado) has been appointed the new Director of the Indian Law Clinic at the University of Colorado School of Law. Jerilyn, a member of the Turtle Mountain Band of Chippewa, was formerly a trial attorney in the Denver Field Office of United States Department of Justice, Natural Resources and Environment Division, Indian Resources Section as well as a staff attorney for the Native American Rights Fund.

Maura Flood (Syracuse) joined the Syracuse University College of Law as Director of the Housing and Finance Clinic during the 1999-2000 academic year replacing Professor Deborah S. Kenn who is on leave for the academic Year. She spent fourteen years practicing law in Upstate New York and also served as Assistant Corporation Counsel in the Office of the Corporation Counsel for the City

of Syracuse, New York; General Counsel for the Plattsburgh Airbase Redevelopment Corporation; and as an associate with Reno & Cavanaugh in Washington, D.C. working on behalf of public housing authorities in various cities throughout the country.

We are truly delighted to have Maura with us, and hope that you too will have an opportunity to meet her at an upcoming clinical conference. With any luck, she will find this year as a visiting clinical teacher so rewarding that she will decide to become one of us and secure a permanent job as a clinical law teacher, if not here, then elsewhere.

Sheila B. Friedman(UALR) has joined the University of Arkansas Little Rock School of Law Faculty as Visiting Assistant Professor. She is beginning a Victim-Offender Mediation Clinic involving first-time juvenile offenders in Pulaski County, AR. She comes to us from Clayton County, GA, where she ran a juvenile victim-offender mediation program for the court system. She has been a mediator in a variety of contexts, and has taught mediation to both adults and youth.

Craig Futterman (Stanford) was recently appointed as the new Director of Public Interest Programs at Stanford Law School where he hopes to expand and teach public interest and clinical course offerings. Before coming

to Stanford, he was a civil rights lawyer at Futterman & Howard in Chicago where his practice focused on fighting against racism, police brutality and misconduct, and systematic educational discrimination as well as plaintiffs' employment discrimination and other complex class action work advancing consumer rights. He was also a trial attorney with the Cook County Public Defender's Office.

Nancy C. Kraybill (Pennsylvania) has joined the clinical faculty at the University of Pennsylvania Law School

Lisa Sirkin (Brooklyn) has joined the Federal Litigation Clinic at Brooklyn Law School

NEWS/ ANNOUNCEMENTS

Susan Akram (Boston University) received a Fulbright Senior Scholar Teaching and Research Award for 1999-2000 and is spending the year in East Jerusalem researching and writing recommendations for a durable solution for Palestinian refugees in light of the 1993 Oslo accords, a project she has been working on for the past three years. She will also teach in the graduate law program at Al-quds University, Palestine School of Law.

Terry Cavanaugh (Thomas Cooley) has been promoted to Associate Professor. Terry is assigned full time to the 60+ clinic, and also teaches a section of Wills in the school's weekend program.

Jon Dubin (Rutgers-Newark), formerly of St. Mary's, has moved to Rutgers-Newark.

Ken Gallant (UALR), was one of the presenters at a five day workshop, Train the Trainers for Justice Education, held December 13-17, 1999 at the end of the Global Alliance for Justice Education Conference in Trivandrum, India. The workshop may have been the first ever clinical training workshop including faculty from South Asia, Eastern Europe, Africa, North America, South America, Britain and Australia. Other presenters included Marlene LeBrun and Neil Gold (workshop co-chairs), Clark Cunningham, Ved Kumari, April Land, and Richard Grimes.

Kathy Hessler (Cornell) is pleased to announce the birth of Kele Paul Storhm on November 29, 1999 as a wonderful addition in my life and into the clinic community. Kele, in good clinical form, gives his mother a new look at supervision issues and learning theory, keeping her on her toes with eyes open (longer than she previously thought possible!) Kele enjoyed meeting many new friends at the Annual meeting, is grateful for all

the wonderful good wishes he received, and is very much looking forward to meeting more people in Albuquerque!

Pauline Kim (Washington-St. Louis) has been promoted to full professor with tenure.

Shauna Marshall (Hastings) was granted tenure in December. Shauna is in her sixth year at the Hastings Civil Justice Clinic and is presently on the AALS's Clinical Law Committee among a host of professional and community service activities. All the clinicians at Hastings are thrilled that our faculty colleagues share the high regard and affection which we feel for Shauna.

Marj Russell (Thomas Cooley) has been promoted to Full Professor with Tenure. Marj is assigned full time to extern supervision, and also volunteers supervising one team of students in the 60+ clinic. She has recently been named to direct the school's Trial programs as well.

Paulette Williams, formerly of Cornell, has moved to the University of Tennessee College of Law.

The Effective Lawyer-Client Communication (ELCC) Project

The Effective Lawyer-Client Communication (ELCC) Project has produced a 90 minute video edited from the final rounds of

the 1999 International Client Counseling Competition. The video begins by comparing the opening 8 minutes of each of the three teams in the final round and then follows the winning team interview to conclusion, pausing at points to compare how the other two teams handled similar topics and issues. (The three teams were from the United States, South Africa and India.) The tape is available for US \$30.00 (including shipping and handling). Proceeds will be used to support the work of the ELCC project. You may order by reply email to:

Clark D. Cunningham
Professor of Law
Washington University School of Law
Campus Box 1120
One Brookings Drive
St. Louis, MO 63130-4899
Phone: (314) 935-6413
Fax: (314) 935-6493
cunningc@law.wustl.edu

Information on the ELCC project is available on the following web site:

<http://ls.wustl.edu/Communication/>

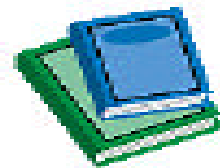
Resource for Migrant Farmworker Cases

Law school clinical programs that work with migrant farmworkers may ask for help and resources from Miner, Barnhill & Galland, a firm with offices in California and Illinois.

The firm has extensive experience representing migrant farmworkers in large-scale overtime pay, minimum wage, AWPAs, and discrimination cases. The firm is interested in expanding its practice and working with cooperative programs, particularly in California, Florida, Arizona, Michigan, Oregon, Texas, and Illinois. Contact:

Valeriano Saucedo
Miner, Barnhill & Galland
1612 W. Mineral King Ave.
Suite A
Visalia, CA 93291
(209) 738-9905
e-mail: Val3T@aol.com

Paul Strauss
Miner, Barnhill & Galland
14 W. Erie St.
Chicago, IL 60610
(312) 751-1170
e-mail: pstrauss@lawmbg.com



PUBLICATIONS

Kenneth S. Gallant (UALR)
“Learning from Communities:
Lessons from India on Clinical

Method and Liberal Education” in Louise G. Trubek and Jeremy Cooper, **Educating for Justice Around the World: Legal Education, Legal Practice and the Community** (Ashgate/ Dartmouth, 1999), pages 222-32.

Martin Geer (Baltimore), *Human Rights and Wrongs in Our Own Backyard: Incorporating International Human Rights Protections Under Domestic Civil Rights Law-A Case Study of Women in Prison* 13 Harvard Human Rights Journal (Spring '00); reprinted in Jean Borger, ed. Breaking Down the Walls: Communities in the New Millenium (University of Michigan Institute of Gender Research, 1999); Chapter title “Private Rights and International Prison Reform Litigation” with Deborah Jewell and Widney Brown (Pub., U.S. Department of Health and Human Services; and K.D. Gaur and Balraj, eds. Criminal Law, Criminology and Criminal Legislation (2d. Ed. 2000)

Frances Gibson (University of New South Wales) announces that The Guide to Clinical Legal Education Courses in Australian Universities 2000 will be available very shortly. This Guide gives contact details and descriptions for all clinical courses in Australian Law Schools. It is available free from:

Frances Gibson
Kingsford Legal Centre
University of New South Wales
11 Rainbow Street,

Kingsford ,NSW 2032
e mail f.gibson@unsw.edu.au

Peter A. Joy (Washington, St. Louis), *Political Interference with Clinical Legal Education: Denying Access to Justice*, 74 Tul. L. Rev. 235 (1999)

Linda A. Kelly (St. Thomas) “Transcending Borders: Escaping the Confines of Gender Violence” in Louise G. Trubek and Jeremy Cooper, **Educating for Justice Around the World: Legal Education, Legal Practice and the Community** (Ashgate/ Dartmouth, 1999) pp. 195-222.

Steven Meili (Wisconsin) “Legal Education in Argentina and Chile” in Louise G. Trubek and Jeremy Cooper, **Educating for Justice Around the World: Legal Education, Legal Practice and the Community** (Ashgate/ Dartmouth, 1999) pp. 138-157.

Jane Schukoske (Baltimore) “Meaningful Exchange: Collaborations Among Clinicians and Law Teachers in India and the United States” in Louise G. Trubek and Jeremy Cooper, **Educating for Justice Around the World: Legal Education, Legal Practice and the Community** (Ashgate/ Dartmouth, 1999) pp. 233-64.

Daniel S. Shah (Temple)
Lawyering for Empowerment: Community Development and

Social Change 6 CLIN. LAW REV. 217 (1999).

Robert Stumberg (Georgetown)
Sovereignty by Subtraction: The Multilateral Agreement on Investment 31 Cornell Int'l L.J. 491 (1998).

NEWS FROM CLINICAL PROGRAMS

BALTIMORE

The **University of Baltimore** will start its first Low Income Tax Clinic in the Summer '00 term as their 7th clinical offering.

UNIVERSITY OF CALIFORNIA AT BERKELEY (BOALT HALL)

Chuck Weisselberg

There are some exciting developments in Boalt Hall's clinical program.

The New Clinic

Boalt Hall's in-house Center for Clinical Education, which opened in 1998, currently has two clinics: The International Human Rights Law Clinic and the Federal Practice Clinic. In October, the Boalt faculty

approved plans for a third component, a Law, Technology and Public Policy Clinic. The clinic will develop a public interest, consumer-focused, practice in law and technology. We expect to undertake shortly a search for a new clinical faculty member and we hope to open the Clinic in the fall 2000 semester.

New Status

In December, the Boalt Hall faculty passed a clinical professorship track with long-term contracts. The track must still be approved by the campus, but we are hopeful and it represents a substantial step forward for our law school.

Some Victories

Students in the Federal Practice Clinic won some important victories recently.

In *California Attorneys for Criminal Justice v. Butts*, a civil rights action, the Ninth Circuit affirmed the denial of qualified immunity for police officers who intentionally questioned suspects in violation of *Miranda v. Arizona*. The officers claimed that it was permissible to continue to question people who had asserted their rights. The Court found that training to violate the law is no defense. The case was argued by Clinic student Victoria Wong. The officers have indicated that they will file a petition for writ of certiorari.

In *Bono v. Benov*, the Ninth Circuit affirmed the grant of a habeas corpus petition on behalf of a federal prisoner with two life terms. The U.S. Parole Commission had previously

determined that he should be released in 1997, after serving 30 years. In 1993, we won a habeas corpus petition against the Commission, and they were told to consider him for earlier release. In response, the Commission increased his term from 30 to 42 years. We went back to court, of course. This time, the district court ordered our client's release. Clinic student Scott Fleming argued the appeal. The Circuit affirmed, finding that the Commission's actions were vindictive.

**UNIVERSITY OF CALIFORNIA
AT DAVIS**

The King Hall Civil Rights Clinic is one of four in-house clinical programs at University of California at Davis. The Civil Rights Clinic litigates civil rights cases in the United States District Court for the Eastern District of California on behalf of state inmates. They also brief and argue appeals in the Ninth Circuit U.S. Court of Appeals. Recent cases are illustrative of the types of litigation cases handled by the Civil Rights Clinic.

In Spring 1999, King Hall Civil Rights Clinic students briefed and argued a case involving issues of exhaustion of administrative remedies, specifically seeking judicial interpretation of portions of the federal Prisoner Litigation Reform Act. The Clinic prevailed and the Ninth Circuit's decision was

published at Rumbles v. Hill, 182 F.3d 1064 (9th Cir. 1999). The government filed a petition for writ of certiorari with the Supreme Court. Another Clinic student drafted a brief in opposition, which was joined by an amicus brief on behalf of 36 other states. On January 10, 2000, the Supreme Court denied certiorari.

In 1999, Clinic students also prevailed on cross motions for summary judgment in a transsexual prisoner case involving the administration of feminizing hormones. The students had previously obtained 19 months of injunctive relief on behalf of the inmate, requiring prison officials to prescribe the hormone therapy. Liability was ultimately decided in this plaintiff's favor through the cross motions. Subsequently, the defendants filed a Ninth Circuit appeal of the court's denial of their request for qualified immunity. A Clinic student briefed and argued this appeal, which is still under submission.

In a recent matter, the Clinic was appointed counsel in a class action concerning religious freedom for all Muslim inmates at one state prison. Issues such as facial hair and prayer time that could impact inmates throughout the state are pending before the district court.

The three other in-house clinical programs at U.C. Davis are the Family Protection Clinic, the Immigration Clinic, and the Prisoner's Rights Clinic. For more information on the Civil

Rights Clinic, contact Susan Christian (sdchristian@ucdavis.edu), Margaret Johns (mzjohns@ucdavis.edu), or Bill Hing (bohing@ucdavis.edu).

UNIVERSITY OF COLORADO

A federal district court judge awarded the Indian Law Clinic and our co-counsel \$113,000 in attorneys' fees and \$6,000 in costs for our successful settlement of a school discrimination case. Most of the money will go back to the Clinic

Please visit the website for our Indian Law Clinic at www.colorado.edu/Law/indianlawclinic.

DEPAUL UNIVERSITY

ASYLUM AND IMMIGRATION LEGAL CLINIC

The DePaul University College of Law has expanded its clinic offerings to include a new Asylum and Immigration Legal Clinic for the 1999-2000 academic year. A new collaborative effort between DePaul's Legal Clinic and its International Human Rights Law Institute, the Clinic offers a year-long graded class for the clinic students. New faculty member Susan Schreiber, a 1980 graduate of SUNY Buffalo Law School, coordinates the programs with Craig Mousin. Previously, Ms. Schreiber served as

Managing Attorney for the Midwest Immigrant Rights Center of the Heartland Alliance. Ms. Schreiber has represented low-income immigrants for the last eighteen years, as well as served as managing attorney for one of the largest low-income legal service providers in the Midwest. She has also developed and taught regional training sessions for attorneys, Accredited Representatives and Accredited Agency staffs. Mr. Mousin has taught Immigration Law and an Asylum and Refugee class at DePaul for the last ten years, as well as an Asylum component of the Legal Clinic for the last three years.

Through the Clinic, the students work with asylum applicants to prepare their cases for adjudication at the Asylum Office of the Immigration and Naturalization Service or for hearings before Immigration Judges of the Executive Office for Immigration Review. Students engage in counseling clients, interviewing witnesses, preparing expert witnesses and securing objective evidence of the applicants' cases through country conditions reports and other human rights reports. Clients have fled persecution from El Salvador, Guatemala, Pakistan, Kosovo, Somalia, Sudan, Bulgaria, Liberia, and China, although the program has had an emphasis on serving refugees from the Americas. Students may also, when necessary, help prepare briefs on any appellate cases before the

Board of Immigration Appeals. Students may also assist clients with related immigration law issues.

Starting in 1999-2000, students will also work with community-based organizations (CBO) that provide immigration and asylum law representation to low income clients. Under faculty supervision, students will meet with the CBO staff to explore how students can best coordinate the combined efforts. For example, under faculty supervision, students may offer legal research on pending cases, consultation on specific immigration issues, research on country conditions supporting individual client cases and developing training materials for CBO staff. We will be working with the Polish American Association, InterChurch Refugee and Immigrant Ministries, and World Relief of Chicago in 1999-2000.

HOFSTRA

The Hofstra University School of Law, in cooperation with the North Shore-Long Island Jewish Health System, is pleased to announce the opening of their new Child Advocacy Clinic, a new component of the Center for Children, Families and the Law. The doors of the Clinic opened in January, 2000, affording students a third live-client clinical opportunity in addition to the popular Housing Rights and Criminal Justice Clinics.

Visiting Professor of Law, Theodore Liebmann, directs the program with Supervising Attorney Theresa Hughes. Prior to graduating from Georgetown University Law Center in 1995, Mr. Liebmann was one of the original staff members at the Neighborhood Defender Service for Harlem, a cutting-edge model of neighborhood-based criminal representation. Also, Mr. Liebmann has taught street law and conducted mock trials at the Andrew Glover Youth program, a community-based center for at-risk youth in the lower east side of New York. As a 1995 graduate of the City University of New York School of Law, Ms. Hughes has been dedicated to serving the under-represented. Ms. Hughes has advocated for homeless young adults, while at Covenant House Legal Services, and indigent battered women at Main Street Legal Services. Most recently, both Mr. Liebmann and Ms. Hughes served as senior staff attorneys at The Legal Aid Society, Juvenile Rights Division in New York City where each represented hundreds of children in abuse, neglect, juvenile delinquency, PINS and custody cases.

Students in the new Child Advocacy Clinic provide hands-on legal counseling and in-court representation to one of the most vulnerable segments of our society -- children named as victims in abuse and neglect cases. Students have the opportunity to interview and counsel their child-clients, engage

in fact investigations, and conduct legal research. In court, they will have responsibility for all aspects of the practice, including picking up cases at arraignment, advocating at preliminary hearings, engaging in motion practice, conducting direct and cross examinations at trials, and formulating dispositional plans. Weekly seminars, coupled with case review sessions with supervisors, allow the students to frame case strategies and goals, discuss progress and engage in simulations prior to entering the courtroom.

As part of an interdisciplinary partnership between Hofstra and the North Shore-Long Island Jewish Health System, Clinic students will have the unique opportunity to work closely with mental health consultants from North Shore Hospital in the screening, analysis and preparation of their cases. Special attention will be paid to issues of working with mental health professionals to formulate realistic and comprehensive permanency plans for children, and to the professional responsibility issues involved in representing children in child protective proceedings.

promises to provide the opportunity for each law student to participate in a legal clinic during her or his second or third year. At present, our seven clinical courses are able to accommodate approximately 55% of our graduates each year. (Our challenge for the next millenium is mandatory clinic!)

Permanent Faculty: **Jane Aiken**, Civil Justice Clinic; **Stuart Banner**, Capital Punishment Clinic; **Charles Bobinette**, Judicial Clerkship Clinic; **Kathleen Clark**, Congressional & Administrative Law Clinic; **Clark Cunningham**, International Clinical Exchange Programs; **Peter Joy**, Criminal Justice Clinic; **Susan Kaplan**, Congressional & Administrative Law Clinic; **Pauline Kim**, Employment Law Clinic; **Maxine Lipeless**, Interdisciplinary Environmental Clinic; **Kim Norwood**, Civil Justice Clinic; **Karen Tokarz**, Director of Clinical Education, Employment Law Clinic

Visitors for 1999-2000: **Peter Hoffman (Nebraska); Robert Kuehn (formerly Tulane); Cheryl McDonald (formerly Pepperdine); Jane Murphy (Baltimore)**

WASHINGTON, SAINT LOUIS

Washington University School of Law faculty recently adopted a strategic plan that

JOBS

CEELI

Clinical Legal Specialists

Central and East European Law Initiative (CEELI), a public service project of the American Bar Association, is currently seeking experienced clinical law professors to help develop practice-based education programs in law schools throughout Central Asia, Macedonia, Russia, and Ukraine. CEELI Clinical Legal Specialists include transfer experience and knowledge on the fundamentals of practice-based education; train faculty members on clinical supervision and skills development techniques; assist in the integration of classroom components, including skills training and skills-based simulations; conduct seminars and roundtables aimed at conveying a sense of professional responsibility and legal service; and develop workbooks and manuals (model forms and procedures).

Position locations and dates:

- * Central Asia (Kyrgyzstan, Uzbekistan, Kazakhstan, and Turkmenistan) for 3-4 months beginning in May 2000
- * Sofia, Macedonia for 3-4 months beginning Spring 2000
- * Moscow, Russia for 3-12 months beginning July 2000
- * Kyiv, Ukraine for 2 weeks-12 months beginning Spring 2000

All participants receive a generous support package that covers all travel, housing, general

living, and business expenses. In-country foreign language training, medical evacuation insurance, and reimbursement for medical insurance premiums are also included.

To receive an application/information packet, please e-mail your resume, stating your dates of availability, to Molly Stephenson at ceeli@abanet.org. For additional information, please visit www.abanet.org/ceeli.

DENVER

Fellowship in Clinical Legal Education

The University of Denver College of Law is offering a two-year full-time fellowship in clinical legal education to begin approximately May 1, 2000, and to continue for a period of two years (through academic year 2001-2002). The fellow will be immersed in specific clinical tasks associated with development, renewal, and implementation, and evaluation of an extensive and well-established internship/externship (outplacement) program serving 250-300 students per year. The fellow would engage in planning and executing classroom instruction as well as counseling second and third year students enrolled in outplacements. The fellow would work with the Director of Clinical

Programs, other clinical faculty, field placement supervisors, and local attorneys to ensure a high quality educational experience for students that encourages the development of professionalism consistent with the values of a reflective practitioner. The fellowship provides an opportunity to prepare for a career in teaching, litigation, legal administration, or all three.

The Fellowship program offers a stipend of \$32,012 (taxable) per annum and offers tuition waivers for any classes offered at the University of Denver, which the fellow may, but would not be required to take. The fellowship does not result in an advanced degree.

We prefer applicants with at least some experience in both teaching at adult levels and in the practice of law, and who expect to pursue careers in clinical legal education. The fellowship may be contingent on the fellow being licensed to practice law in Colorado, or becoming licensed within the first year of the fellowship. The University of Denver is committed to enhancing the diversity of its faculty and staff and encourages applications from women, people of color, gays, lesbians, and bisexual persons, and/or persons with disabilities and veterans.

A resume and detailed statement of interest should be submitted by February 29, 2000 to the clinical fellow search committee c/o Assistant Clinical Prof. Jacqueline St. Joan,

Director of Clinical Programs,
University of Denver College of
Law, 7039 E. 18th Avenue,
Denver, CO 80220.

MARYLAND

Visiting Environmental Clinician

The University of Maryland School of Law is interested in hiring an environmental clinician on a one or two-year temporary basis to cover the Clinic while members of its faculty are on sabbatical, beginning either in the 2000-2001 academic year and/or the 2001-2002 academic year. While the position will not lead to permanent employment it is an excellent opportunity to participate in a top-ranked environmental law program, and gain teaching and practice experience. Qualifications should include practice experience, teaching experience, and some back-ground in environmental law.

For more information about the environmental program at Maryland or to submit a resume, please contact Professor Rena Steinzor at (410) 706-0564. Professor Steinzor's mailing address is University of Maryland School of Law, 515 W. Lombard Street, Baltimore, MD 21201. Her e-mail address is rstein@law.umaryland.edu.

MICHIGAN

Two Visiting Clinical Positions

The University of Michigan Law School is seeking two Clinical Law Faculty Visitors for the 2000-2001 school year, beginning as early as May 2000, although a later start date is possible.

One visitor will teach in the Michigan Clinical Law Program, the School's general civil/criminal clinic. The other visitor will teach in the Child Advocacy Law Clinic, handling civil child protection cases. Both visitors will handle cases, supervise student attorneys and team-teach a clinic seminar.

Interested candidates should submit a letter of interest and resume to:

Suelyn Scarnecchia
Associate Dean for Clinical
Affairs
University of Michigan Law
School
625 S. State Street
Ann Arbor, MI 48109-1215

Please contact Dean Scarnecchia with any questions: (734)763-5000 or suelyns@umich.edu. We hope to make a decision by April 1, 2000, but we will continue to accept resumes until the positions are filled.

The University of Michigan is an equal opportunity/affirmative action employer.

OKLAHOMA

Director of Civil Clinic

The University of Oklahoma College of Law is looking for a person to fill a tenure-track position to direct our civil clinic. The person will start in Aug. 2000. Interested candidates should send a resume to Prof. Owen Anderson, Chair, Personnel Committee, University of Oklahoma College of Law, 300 W Timberdell Rd., Norman, OK 73019. Anyone interested in discussing the position is welcome to call Prof. Rod Uphoff at 405-325-4690.

PENNSYLVANIA

Transactional Clinic

The University of seeks to appoint a faculty member to teach in its real case transactional (small business planning) clinical program. Practice experience in this area, with for-profit and non-profit clients, is essential; teaching experience desirable. Position to begin Summer of 2000. Women and minority candidates are especially encouraged to apply. Applications should be directed to: Assistant to the Director, Law

School Clinical Programs,
University of Pennsylvania Law
School, 3400 Chestnut Street,
Philadelphia, PA 19104-6204.
*The University is an EOE/AA
employer*

PITTSBURGH

Environmental Clinic

The University of Pittsburgh School of Law is currently searching for an attorney to begin an environmental practice clinic during the 2000-2001 academic year. In 1998 the School received a large gift from the Howard and Vira I. Heinz Endowments in order to allow it to create and maintain an environmental practice clinic to serve both the interests of our students and the needs of communities, groups and individuals located in Western Pennsylvania. The Heinz gift assures a steady source of funds to support the work of the clinic since it becomes part of the University's endowment from which income is annually generated.

The clinic will be an integral part of the School's newly established certificate program in environmental law, science and policy which draws upon the considerable environmental resources of other parts of the University of Pittsburgh, Carnegie-Mellon

University and other institutions and groups located in the Pittsburgh area. Moreover, the clinic will also be in a position to work with a newly established state-wide environmental advocacy organization, Citizens for Pennsylvania's Future, which has its Pittsburgh office located at the Law School.

The focus of the work of the clinic has yet to be determined. It could include litigation in state and federal courts; representation of environmental groups as part of stakeholder negotiations; involvement in environmental remediation efforts such as brownfields redevelopment; participation in federal and state rulemaking; and any number of other environmentally-related endeavors. We are expecting that applicants themselves will suggest particular foci for the clinic's work.

Since the clinic has yet to begin its work and, initially, will have only one clinical instructor to supervise and teach students, the position we are seeking to fill will offer very significant and exciting responsibilities in creating a clinical program from scratch, a program which, we hope, will grow in size and the scope of its work in the future.

Persons interested should send their resumes along with a letter introducing themselves and indicating their interests and relevant back-ground to Professor Thomas Ross, Director of Clinics, University of

Pittsburgh School of Law, 3900 Forbes Ave., Pittsburgh, PA 15260. (FAX 412.648-2649; If you have any questions regarding the environmental clinic program, you may contact Professor William Luneburg at that same address (412.648.1380 ***Affirmative Action/Equal Opportunity Employer.***

SOUTHERN ILLINOIS

Tenure-Track Lawyering Skills

Title & Rank: Assistant or Associate Professor of Law. Rank dependent on qualifications.

Minimum Qualifications:

Applicants must possess the Juris Doctor degree or its equivalent and have an outstanding law school academic record. Factors to be considered in assessing the academic record include: rank in class, selectivity of the J.D. granting institution, participation on law review, participation in other co-curricular activities such as moot court, honors received, and other factors relevant to academic performance.

Preferred Qualifications:

Demonstrated potential for scholarship. Law teaching experience (especially in the legal writing/skills area).

Practice or judicial clerkship experience.

Areas of Concentration:

Lawyering Skills (75%) and Open

(25%). The successful candidate will direct and teach in the first year Lawyering Skills program, which contains substantial components of legal writing and legal research together with other lawyering skills including argumentation, interviewing, counseling and negotiation.

Duties & Responsibilities: (a) classroom instruction; (b) direction of first year Lawyering Skills Program; (c) research and publication involving legal analysis of a high quality; (d) committee and other service work within the law school; and (e) university and public service.

To apply: Send a resume which details your interest, qualifications and relevant experience to:

Professor Keith Beyler, Chair
Personnel Committee
Southern Illinois University
School of Law
Lesar Law Building
Carbondale, Illinois 62901-6804

Deadline for application:
February 15, 2000 or until
position is filled.

ARTICLES

**Keeping up with new ideas: A
"Book Club" for the Clinical
Law Review**

by Carrie Kaas

I thought I would pass on a
new plan I am trying to

implement at my school. (Maybe by “going public” with it, it will help assure that we at Quinnipiac will actually follow through.)

I know I am not alone in my feeling that I never get the time to catch up on all the interesting reading I want to do. The stacks on my desk and on my night table defy gravity. One night, I managed to pick up the latest issue of the Clinical Law Review, and started at the beginning. I began muttering to myself and inserting stickies with notes to “Show this to so-in-so” or “Need to talk about this idea to ...whomever.” The next day, I started with the “Have you read the article on.....” and was dismayed/ relieved to hear “no, but it’s in my pile” from just about everybody. I realized that a gift we can give each other is to put the Clinical Law Review (or any other interesting source of thought-provoking ideas) on our official agenda. Once a month, the clinical faculty will discuss one or two articles over lunch. This is separate from our meetings about administration, student recruitment, case selection and the other topics that we do manage to squeeze in, because ... we have to. Now, we will “have to” take time to think and talk about higher-order stuff, too. (Hey, Bob Seibel - are you going to publish a compilation of the Creative Writing submissions? Now, that would be fun reading.) In my opinion, a few hours a month (reading and discussion time) is not too much

time to take away from students, clients, and other committee work, if it serves to recharge our batteries. Maybe the next step will be to invite some of our most dedicated field placement supervisors, after I sign a handful of them up for CLEA as part of the membership drive. Here’s to keeping the spark lit during those long pauses between the gatherings at conferences that mean so much to many of us. Happy reading.

ABA Accreditation Issues

by Gary Palm

I am writing to share my deep disappointment that so few in the Clinical Movement showed up at the ABA Annual Meeting in Atlanta resulting in the most significant loss in the last twenty years for those of us committed to the reform of legal education. With only eight months left on my second and last term on the Council of the ABA, Section of Legal Education and Admissions to the Bar, I will make every effort to present issues for consideration

As some of you know, I had worked successfully for the last several years with Tom Leahy, the Illinois State Bar Association and others in the House of Delegates who are interested in reform of legal education and the accreditation process. In Atlanta, we lost the vote on a by-law amendment to remove the House of Delegates as the final

decision-maker on accreditation matters. The result is that the Council is now the final decision-maker. We are likely to have much less chance for future success because it appears likely that the Council will continue to be captured by the deans and academics as the Department of Justice found when it brought its anti-trust action that resulted in the Consent Decree. Nearly everyone agreed at the CLEA Accreditation Conference in Atlanta that CLEA should call off its forces and try to reach an agreement because only 30 clinical teachers showed up in Atlanta. But we did not know that Jim White's campaign only rounded up 60 votes from deans of accredited law schools, Council members and staff. But there is no way that what happened in Atlanta can be legitimately deemed a victory as at least one CLEA officer has claimed.

We narrowly lost the vote to have a secret ballot 60-45. ALDA and the ABA had 60 and we had 45 of which only 30 were clinical teachers. We only needed 20 more votes and we would have defeated the by-law amendment. WHERE WERE YOU? CLEA called for you to attend and very few came less than 3% of its membership showed up to vote. Why were there 400 clinical teachers at Lake Tahoe and only 35 went to Atlanta to vote to determine the future of the accreditation process. This is one of those times when every vote counted.

Please, please, I implore you to plan to be in New York City on July 9 and 10, 2000 to vote on by-law amendments repealing the changes made in Atlanta and other issues you want voted upon.

CLEA was not being radical in opposing the change in the status quo in the By-laws for the House of Delegates to continue to make the final decision which had been in place since at least the 1950's. CLEA was right to organize opposition on this issue. Indeed, Stacy Caplow reported in the September CLEA Newsletter that those members of the Bar on the Council voted against us on some issues. That happened because the members of the Bench and Bar on the Council are selected by Jim White and ultimately elected by the "guild of academics and deans" that the Department of Justice found had captured the accreditation process. That is surely no reason to eliminate the House of Delegates. Now we are damned for sure because when we lose now, the Atlanta amended By-laws give the final decision on accreditation matters to the "captured" Council rather than the House of Delegates. There is no appeal from the "captured" Council to any other body. The House of Delegates is a more egalitarian collection of lawyers and judges. The major advances over the last several years in accreditation issues for improving legal education occurred in the House of Delegates under Tom Leahy's

leadership. With the by-laws changes, there is no review of the Council's action by any ABA entity. The result over time will be a much watered down accreditation process. It is unlikely that the ABA will vigorously defend the Council if schools threaten to challenge the Standards or the accreditation process since the ABA will have to bear the attorneys fees for actions over which it had no control. Besides, the MacCrate Report called for law schools to work together with the Bar more, not less, including state and local bars. Having some ABA entity not controlled by the law schools make the final decision provided some check on abuses of power in the Consultant's Office and the Council of the Section.

I have suffered much for the Movement. Some might characterize me as a "fool" for being willing to set myself up to be abused, embarrassed or betrayed by others both within and outside the Movement. Yes, in part, becoming a "fool" and suffering the consequences has been part of my strategy. Until now, I have had the privilege of job security and the support of so many. But apparently no longer. No matter what, I will continue to fight to eliminate poverty and help assure equal justice for all. I will be the "fool" that argues that these issues should be the leading agenda items for law school clinics and no longer overlooked by the "Greed is good; God is Greed" values of American Law Professors and law

students, as is widely the case today. Academic freedom and job security are important for clinical "fools" to keep entertaining and teaching their students by example.

I plan on presenting many proposals to the ABA Council in my remaining eight (8) months to test the new arrangement that CLEA agreed to. I plan on submitting an amendment to the By-laws to reinstate the final decisional role of the House of Delegates in accreditation matters. I also intend to propose a new mandatory pro bono accreditation standard for all students and faculty. I will present a new interpretation of 405(c) requiring "full and equal governance" for the clinical faculty.

Please send me your suggestions for other issues to raise. If you do not send me a suggestion, you are letting yourself and the Movement down. You do not need to write the accreditation standard, just look at your school and unless you are at Pollyanna U. Law School, write down your complaints and I will convert them to standards. During the last three years, The Skills Training Committee has not submitted any accreditation proposals to the Council. Nor has the Standards Review Committee developed any improvements. CLEA is in a wholly defensive posture. (If we do not move on the offense now, we will never set up the next set of reforms.) As you know, Jim

White is retiring in 2000, the office is moving to Chicago in 2000, the future is a new opportunity to move forward. But this old "fool" needs your help.

You should also consider running for a House of Delegates seat from your state.

See you in New York, NY, in July - - No Excuses accepted!!!

(701) 777-2510
(701) 777-2217 FAX

larry.spain@thor.law.und.nodak.edu

The next CLEA Newsletter will be published in May, 2000. Items of interest may be submitted to the Editor by mail, FAX or email as follows:

Larry R. Spain
University of North Dakota
School of Law
P.O. Box 9003
Grand Forks, ND 58202

NEWSLETTER ON THE WEB

Beginning with the next issue, the CLEA Newsletter will be posted on the CLEA website: clinic.law.cuny.edu/clea/clea. For the foreseeable future, we will continue to print and mail the newsletter. However, if you would like to save CLEA money, you can do so by telling us that we no longer need to mail the newsletter to you. You can do so by FAXing or mailing this form to Mark Heyrman or by sending him an email. Please understand that you are under absolutely no obligation to waive your right to get hard copy. Obviously, whatever choice you make, we will continue to mail you the *Clinical Law Review* and all other CLEA mailings such as the election material. Additionally, if you find this arrangement unsatisfactory, you may change your mind.

Name:

_____ I will read the newsletter on the CLEA website and no longer need to receive hard copy in the mail.

FAX, mail or email to:

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*** Terms expire on December 31st of
year indicated.**