

NEWSLETTER

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Editor: Larry R. Spain  
Telephone: (806) 742-3787 ext. 227  
FAX: (806) 742-4199

Texas Tech University School of Law  
1802 Hartford Avenue  
Lubbock, Texas 79409-0004

PRESIDENT'S MESSAGE



ANNETTE APPELL  
(NEVADA-LAS VEGAS)  
appell@unlv.edu

Spring semester has ended for most, if not all, of us and hopefully at least some of us will be moving into a slightly less hectic summer. CLEA certainly has had a busy semester, thanks to our active board and general members. You will read more in depth about many of our activities in this newsletter. Let me provide the highlights here.

May Meeting Events

Our board and general members were very active with CLEA events. We presented our third **NEW CLINICIANS CONFERENCE** on May 13-14. Our Southeast powerhouses, **Kim Diana Connolly (South Carolina)** and **Alex Scherr (U. Georgia)**, took the lead in organizing the well-attended conference. More about that later in this newsletter.

Huge thanks to Kim and Alex and the rest of the organizers, **Paulette Williams (U. Arkansas)**, **Carrie Kaas (Quinnipiac)**, **Mary Jo Eyster (Brooklyn)** and **Nancy Cook (Cornell)** and the presenters. A big thanks also to the **University of Georgia Law School** and its **Dean, David Shipley**, for once again printing the **New Clinicians Manual**.

CLEA also held its **GENERAL MEMBER MEETING** on May 18 from about 6:45 to 8:00 p.m. at the Delta Pinnacle, just a short walk from the AALS Workshop. Over fifty members attended for typical CLEA refreshments (unhealthy munchies, sodas, water and coffee) and a chance to see old friends and meet new ones, learn about CLEA's activities, and sign up for CLEA's committees.

Clearly, the highlight of the meeting was the CLEA awards presentations by **Mark Aaronson (UC-Hastings)**, **Calvin Pang (Hawaii)** and **Bob Seibel (Cornell)**. Mark gave the **CLEA's Public Interest Project Award** for the **Foster Children's Mental Health Project of the Children & Youth Law Clinic** of the **University of Miami School of Law** to **Bernard P. Perlmutter** and **Carolyn Salisbury**. Mark also bestowed **CLEA's Outstanding Advocates Award** on **Bob Seibel** and **Nancy Cook (Cornell)** with Bob accepting for both. **Liz Ryan Cole (Vermont)** was also on hand to accept her award from last year (when she was unable to attend) for **Outstanding Legal Advocate**. Many thanks to the **2003 CLEA Awards**

**Committee: Mark Aaronson (UC-Hastings), Chair, Keri Gould (St. John's), Cynthia Dennis (Thomas Cooley), Calvin Pang (Hawaii) and Susan Jones (George Washington).**

Next, Bob and Calvin presented the **Creative Writing Competition** awards to **Dan Filler (Alabama)** for prose and **Lynn Markus (U. Arizona)** for a song which she performed, a cappella, for the members. (Bob searched Vancouver's pawn shops til he found a guitar for Lynn to use when she performed the song for a larger crowd later at the AALS awards luncheon. **Mary Berkheiser (UNLV)** and **Kim O'Leary (Thomas Cooley)** were her back up singers. Dan read excerpts to the luncheon crowd from his short story with no accompaniment. Oh for a tuba.)

Fortunately, CLEA Board Member **Cynthia Dennis**, always prepared, had her camera, so if you were not lucky enough to attend the membership meeting, you can catch a glimpse on these pages. Big thanks also to **Bryan Adamson (Seattle)** for scouting and securing the location. I'll take the blame for the food selection.

We also held a productive **BEST PRACTICES PROJECT** workshop on Saturday afternoon after the conference. More about that too in this newsletter. Thanks to **Roy Stuckey (South Carolina)** for chairing the meeting and carrying most of the water for the Project.

The CLEA Board met twice during the meeting in the "CLEA Presidential Suite" – sponsored by **William S. Boyd School of Law** (thanks to UNLV's law **Dean Dick Morgan**). In the privacy of the suite, we could be more productive than when we meet in loud hotel restaurants.

CLEA agreed to support the inaugural **PER DIEM PROJECT**, the brainchild of **Jeff Selbin (Berkeley-East Bay)**, designed to give clinician dollars to local legal services and community organizations in addition to the restaurants, stores and recreational events we frequent when we travel to the AALS

workshops and conferences. CLEA, through Treasurer **Suzanne Levitt (Drake)**, is receiving tax-deductible donations (CLEA is a § 501 (c) (3) corporation) to be sent to the Vancouver organizations. Checks in the amount of your school's per diem (or more!) should be sent to **CLEA, at Drake Law School, 27<sup>th</sup> & Carpenter, Des Moines, IA 50311** with a notation on the check and envelope that it is for the Per Diem Project.

### **Grutter v. Bollinger**

CLEA filed an amicus brief in support of Michigan Law School's admissions policy. See the story about the brief in this newsletter for more detail. **Peter Joy (Washington U.-St. Louis)**, chair of CLEA's ad hoc Grutter Brief Committee and committee members **Jon Dubin (Rutgers-Newark)**, **Gary Palm**, **Bryan Adamson (Seattle)**, and **Susan Kay (Vanderbilt)** worked closely with CLEA's pro bono lawyers from **Skadden, Arps, Meagher and Flom (Illinois)** on the brief.

### **ABA Collaboration & Advocacy**

CLEA filed effective testimony regarding the Council of the Section of Legal Education's proposed revisions to ABA Accreditation Standard 304 (c) interpretation. Details regarding the proposed new interpretation appear later in this newsletter. Thanks to **Peter Joy (Washington U.-St. Louis)** and **Margaret Barry (Catholic)** for leading the successful effort.

CLEA also submitted a report with the Council regarding CLEA's work for the Council's June 2003 meeting. CLEA files these reports quarterly.

Finally, CLEA is moving along in planning its **Summer Mini-Conference** to coincide with the ABA August meeting in San Francisco. **Angela Burton (Syracuse)** and **Paula Galowitz (NYU)** are the primary organizers of the event. The conference will be at **Hastings Law School** during the afternoon of **August 9, 2003**.

## CLEA Institutional Progress

We are in our first new fiscal year that coincides with the calendar, rather than academic, year. We are fiscally sound thanks to the work of our membership committee, currently co-chaired by **Gary Palm (Clinician at Large)**, **Brad Colbert (William Mitchell)** and **Cynthia Dennis (Cooley)** and find ourselves in the black with a reserve fund that will enable us to expand member services. For example, we are working towards our own independent website with its own webmaster. Even the inimitable **Bob Seibel (CUNY)**, CLEA current webmaster, needs a break sometime. We will also be exploring combining our January and/or May member meetings with a dinner or other social event. The reserve will also help us to shore up our organizational needs. As a free-standing 501 (c)(3) corporation that is run by its volunteer board and members, we must insure that our requisite filings are made and other laws governing non-profits are followed. The Board decided during its meetings in Vancouver that CLEA will discontinue the November issue of the CLEA Newsletter that had been devoted exclusively to job announcements as a result of electronic posting of Job Announcements on the CLEA Website.

In late Summer/early Fall, CLEA will embark on its nomination and election processes. So start thinking now about running or nominating someone to run for the board. We will have about six openings on the board and will be seeking vice-president nominations. **Justine Dunlap (Baltimore)** and **Stacy Caplow (Brooklyn)** have agreed to serve on the Nominations and Election Committee. If you are interested in service on this committee (which means you cannot run for the board or an office), please let me know.

Also, the following committees would love additional members. Let me know if you are interested in serving:

- Membership

- Conferences
- Creative Writing Competition
- Awards
- Summer Mini-Conference (ABA in San Francisco)

## CLEA ACTIVITIES

### CLEA TESTIFIES IN SUPPORT OF MEANINGFUL ASSESSMENT OF LAW SCHOOL INSTRUCTION



**Annette Appell  
(UNLV)**



**Peter Joy  
(Wash. U--St. Louis)**



**Margaret Martin Barry  
(Catholic)**

As many of you may know, the ABA accreditation standards require that accredited law schools must require for a J.D. degree a course of study of at least 56,000 minutes (ca. 80 credits) of “classroom instruction time” and at least 45,000 of those minutes (ca. 65 credits) must be “by attendance at in regularly scheduled class session” (Standard 304(b)). The question of

what counts toward those 45,000 minutes, that is, what is a class session or what are classroom minutes, certainly is relevant to clinical legal education, much of which occurs outside the classroom – in courtrooms, faculty offices, community centers, law offices, etc. The question of what counts is, of course, fundamental to legal education: which type of learning environments provide meaningful and effective legal education.

CLEA had always taken the position that clinical course work (if not externship field placement work) is part of the 45,000 minutes. Inadvertent changes in the language of Standard 304(b) (previously found in Standard 305) called into question the way in which clinical legal education fit within the law school curriculum. CLEA raised this problem last year with the Council. As a result, the Council proposed an interpretation to clarify that clinical courses and seminars should, if they meet certain conditions, be included in the 45,000 minutes. The proposed new Interpretation 304-9 to Standard 304(b) stated, in part, that “regularly scheduled class sessions’ may also include: . . . (b) Minutes allocated for work required in a law school clinical course so long as (i) the clinical course includes a classroom instructional component, (ii) the clinical work is done under the supervision of a full-time member of the law school faculty or instructional staff, and (iii) the time and effort required and anticipated educational benefit are commensurate with the credit awarded.” CLEA supported this clarification, but had concerns about the “full-time” language.

CLEA has also been engaged in larger questions regarding the quality of legal education. CLEA’s Best Practices Project is an example of the engagement in a critical assessment of the methods, relevance and effectiveness of legal education. CLEA continues to push the ABA to participate in this process.

## **SO, HERE’S WHAT CLEA SAID ABOUT THE PROPOSED INTERPRETATION:**

### **CLEA’s Testimony to Standards Review Committee Concerning Proposed New Interpretation 304-9**

*The Clinical Legal Education Association (CLEA) submits the following testimony concerning Proposed New Interpretation 304-9, which seeks to clarify the types of law school instruction that qualify as fulfilling the 45,000 minutes of instruction required by ABA Standard 304. As the December 13, 2002, Memorandum to Deans and others explaining Proposed New Interpretation 304-9 indicates, many deans, law professors, and others involved in legal education have long operated under the assumption that clinical coursework has been includable under the 45,000 minutes requirement. In that regard, CLEA strongly supports Proposed New Interpretation 304-9 as an important step toward removing any ambiguity that may currently exist. However, as this testimony will outline, CLEA urges the Council to consider one minor change. CLEA also urges the Council to adopt a more functional approach in determining which courses qualify under the 45,000 minutes of instruction rule in Standard 304.*

### **Support for Proposed New Interpretation 304-9**

*Proposed New Interpretation 304-9 goes a long way toward recognizing that modern law school instruction includes a variety of teaching methodologies, such as clinical teaching, professional skills instruction, and legal writing. In clinical courses, the “classroom” is often in the courtroom where students represent clients under the supervision of faculty or supervising attorneys, in the clinic law office where students meet with supervising faculty and other law students to discuss client representation issues and receive instructional feedback, and other locations where law students interact with each other and faculty to discuss clinical course subject matter. In professional skills courses, law school instruction often takes place in non-*

classroom settings such as trial and moot court rooms and interview rooms where students are not engaged in traditional “classroom” instruction but rather hands-on simulations where they put theory into practice. CLEA firmly believes that Proposed New Interpretation 304-9 is necessary to clarify that “regularly scheduled class sessions” as currently stated in Standard 304 is not limited solely to traditional classroom sessions. Additionally, Proposed New Interpretation 304-9 is necessary to reaffirm the Council’s position that modern law schools utilize a variety of teaching methodologies in preparing law students for the practice of law.

### **“Full-time” Should be Deleted from the Proposed Interpretation**

Although CLEA supports the reasoning behind and ultimate import of Proposed New Interpretation 304-9, CLEA urges the Council to delete the requirement that the clinical work must be supervised by a “full-time” member of the law school faculty or instructional staff. At many law schools, some faculties who have been, or who are eligible to be, “full-time” law faculty or instructional staff, work less than full-time. Many of those working less than full-time do so because of childrearing, family care, or health reasons. Some of those faculty move between full-time and less than full-time employment without losing other rights and responsibilities, such as participating in law school governance by serving on faculty committees and voting at faculty meetings. In fact, some schools permit persons to be tenured and work on less than a full-time basis. As proposed, the inclusion of “full-time” differentiates such faculty without any necessary relationship to the quality of supervision being provided.

As additional support for requesting the deletion of “full-time” from the proposed interpretation, CLEA notes that there is no similar exclusion from the 45,000 minutes of instruction if less than full-time faculty or instructional staff teaches classroom courses.

To include “full-time” for clinical instruction and not for classroom instruction is inconsistent.

The current ABA Standards also provide sufficient safeguards to ensure the quality of teaching. Standard 402 states: “A law school shall have a sufficient number of full-time faculty to fulfill the requirements of the Standards and meet the needs of its educational program.” Standard 403 requires that the “major burden of a law school’s educational program rests upon the full-time faculty.” Both of these requirements are also furthered by the method of computing student/faculty ratio as described in Interpretation 402-1.

In addition, Standard 405 specifically restricts clinical programs to employing limited number of fixed, short-term appointments and requires that every clinical program must be “predominantly staffed by full-time faculty members.” CLEA believes that, when properly followed by law schools, Standard 405 guarantees the quality of clinical legal education in ABA approved law schools.

For all of the reasons stated above, CLEA believes “full-time” should be deleted from the proposed interpretation.

### **Inclusion of Courses in the 45,000 Minutes Requirement Should be Based on a Functional Definition of Instruction**

CLEA believes that the Council can play a constructive role in introducing areas of law or types of instruction into legal education that otherwise have been overlooked or underutilized by most law schools. CLEA believes that the newly adopted standard on distance education, ABA Standard 306, reflects such an attempt. ABA Standard 306 sets forth certain technology requirements for distance education courses, and then requires the following two educational components before distance education credit may count toward the 45,000 minutes of instruction required by Standard 304(b):

(1) there is ample interaction with the instructor and other students both inside and

outside the formal structure of the course throughout its duration; and

(2) there is ample monitoring of student effort and accomplishment as the course progresses.

In adopting Standard 306, the ABA wisely articulated a rationale that looks at the features necessary to insure a quality learning experience and then equated the method of learning with traditional classroom instruction. This rationale applies equally to some current externship or field placement programs. In order to be consistent with the rationale underlying distance education, the ABA should adopt this approach to external clinical programs as described in Standard 305. In other words, externships or field placements that meet the requirements similar to those for distance education courses should be treated the same as classroom courses. Only those externships or field placements that do not contain a classroom component, ample opportunity for students to meet with faculty and other students both inside and outside the formal structure of the course, and the ample monitoring of student effort and accomplishments as the course progresses should continue to be excluded from the 45,000 minutes of instruction rule. Adopting such a functional approach will not only harmonize Standards 304, 305, and 306, but it will recognize the strides many law schools are taking to improving externships and field placement programs.

In addition, CLEA believes the requirements of ample opportunity for students to meet with faculty and other students both inside and outside the formal structure of the course, and the ample monitoring of student effort and accomplishments as the course progresses should be requirements for all courses to qualify for inclusion under the 45,000 minutes of instruction rule. Whether the course is a classroom course, simulated skills course, in-house clinical course, or externship experience, these two functional requirements for distance education courses reflect sound policies that should be required in every course.

Consistent with developing a more functional approach to monitoring law school course instruction, CLEA urges the Council to consider what conditions, if any, render classroom instruction ineffective. During the last decade, an increasing number of law schools have adopted small section programs for first year courses and other enrollment caps on courses in an effort to improve the quality of the educational experience. At the same time, some law schools have been lengthening the duration of classes from typical one hour class sessions to two hour or, at times, even three hour class sessions. However, current ABA Standards and Interpretations express no guidelines on classroom size or duration. As a result, there is an increasing potential for variance in the structure of classroom instruction that is likely affecting the quality of legal education. Classroom instruction will remain the primary teaching methodology in law schools for the foreseeable future. In light of the primacy of classroom instruction, CLEA urges the Council to conduct a study on the effectiveness of classroom instruction as related to class size, duration of classes, assessment techniques, and other relevant factors. Without such a study and, if necessary, resulting guidelines, CLEA fears that the quality of legal education may erode.

## Conclusion

CLEA supports Proposed New Interpretation 304-9 and urges the Council on Legal Education and Admissions to the Bar to adopt it with the words "full-time" deleted for the reasons previously stated.

In addition, CLEA urges the Council to adopt a more functional approach in determining which courses qualify under the 45,000 minutes of instruction rule in Standard 304. CLEA believes that the Standards Review Committee and the Council have laid the groundwork for a functional approach when they adopted Standard 306. CLEA believes that the requirements of ample opportunity for students to meet with faculty and other students both inside and outside

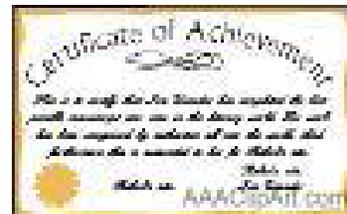
*the formal structure of the course, and the ample monitoring of student effort and accomplishments as the course progresses should be requirements for all courses to qualify for inclusion under the 45,000 minutes of instruction rule. Thus, any course, whether a classroom course, in-house clinical course, or externship course, should be counted under the 45,000 minutes rule only if these factors are present.*

## **AND HERE'S WHAT THE STANDARDS REVIEW COMMITTEE DID ABOUT IT**

The Standards Review Committee responded very favorably to CLEA's concerns that subsection (b)(ii) of the proposed Interpretation required that the person who supervises the clinical work be "full-time" for the credits assigned to the clinic to count in the 45,000 minutes of classroom instruction required by the Standard 304. The Committee stated that the intention of the original language in the Proposed Interpretation was not to require that a person must be employed "full-time" to be able to be a clinical instructor whose course might count toward the 45,000-minute requirement. Instead, the Committee members agreed that the intention was to assure that the instructor responsible for the clinical course was someone whose primary professional work was legal education. Thus, a faculty member or instructional staff person who chose to be employed less than full-time for personal reasons should be able to teach in a law school clinical course and have all of the credits for the course count in the 45,000 minutes. On the other hand, students may not count a course toward the 45,000 minutes rule when it is taught by a lawyer hired by the law school on a part-time basis or for a stipend when the lawyer supervises students in a law school clinical course that relates to the lawyer's practice. The committee reasoned that this position is consistent with the definition of "full-time faculty member" in standard 402(c) [stating that a "full-time faculty member is one who . . . devotes substantially all working time . . ."].

Some on the Committee suggested that one way to address the comments on the "full-time" requirement would be to leave the language alone and explain the original intent in the commentary discussing the changes to the Standards and Rules. Others suggested that dropping "full-time" from the language of the proposed Interpretation and then explaining this in the commentary. The third approach, adopted by a majority of the Committee, was to recommend slightly revised language to make the point clear in the Interpretation. Thus, the Committee recommends to the Council on Legal Education and Admissions to the Bar that subsection (b) of proposed Interpretation 304-9 be modified as follows:

"(b) Minutes allocated for work required in a law school clinical course so long as (i) the clinical course includes a classroom instructional component, (ii) the clinical work is done under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school, and (iii) the time and effort required and anticipated educational benefit are commensurate with the credit awarded."



## **CLEA Annual Awards**

At the CLEA meeting held on May 15 during the AALS Clinical Conference in Vancouver and attended by eighty people, the CLEA Annual Awards Committee announced the recipients of this year's Award for Excellence in a Public Interest Case or Project, Outstanding Advocate

Project, Outstanding Advocate Award, and Outstanding Clinical Student Awards as respectively designated by clinicians from 25 law schools.

The recipient of the **Public Interest Project Award** is the **Foster Children's Mental Health Project of the Children & Youth Law Clinic** of the **University of Miami School of Law**. The Project was recognized for its reform of Florida State law regarding the rights of foster children to a hearing and attorney representation prior to involuntary commitments to psychiatric facilities. In March of this year, the Florida Supreme Court codified these rights by amending Florida's Rules of Juvenile Procedure. This decision was the culmination of a five-year, multi-pronged approach, which involved several successful cases before the Florida Supreme Court, legislatively enacted changes, extensive use of the popular media, and the publication of a scholarly article. At the Vancouver meeting, **Bernie Perlmutter**, who was a member of the Project team, accepted the plaque commemorating the Award. This Award is given each year for a case or project that either effectively calls attention to and/or significantly redresses a high priority need of low income residents or communities, or makes a notable or meaningful contribution to the advancement of civil rights, civil liberties, legal services for the under-represented, environmental protection, or consumer protection.

There were this year four other impressive nominations: From **Albany Law School**, clinic students **Jason LaFlam**, **Robyn Nicol**, and **Catherine Pastrikos** for their outstanding representation of a mother who had to deal with a series of legal problems and cultural biases after she had assumed custody of relatives who had been in her dying sister's care; from **Boalt Hall School of Law (Univ. of Calif. at Berkeley)**, "**AIDS Lanka**," a unique collaboration among Boalt Hall's legal clinics, which

applied a multi-disciplinary approach raising public health, international intellectual property law, and human rights issues to strengthen efforts by non-governmental organizations to mobilize support for state-sponsored HIV treatment programs in Sri Lanka; from **Dedman School of Law (So. Methodist Univ.)**, **Professor Maureen Armour** and **Civil Clinic** students for their long-term representation of a jail inmate who was denied appropriate medical attention and treatment, the eventual legal result of which was a \$250,000 civil judgment upheld by the Fifth Circuit Court of Appeals. *Lawson v. Dallas County*, 286 F.3d 257 (5<sup>th</sup> Cir. 2002), *affirming* 112 F.Supp. 2d 616 (N.D.Tex. 2000); and from the **Univ. of Michigan Law School**, **David Santacroce** (supervisor) and **Chuck Divine**, **Raphe Goldman**, **Diana Swisher**, **Trina Winkelman**, and **Alison Willard** (students) for obtaining the early release of a prison inmate with Hepatitis C and in need of a liver transplant, who was able then to spend his last days a free man, surrounded by his family.

The co-recipients of the **Outstanding Advocate Award 2003** are **Bob Seibel (CUNY Law School)** and **Nancy Cook (Roger Williams Law School)**, both of whom received duly inscribed walnut and brass desk clocks. Bob accepted the Award on behalf of Nancy, who was not able to attend the Vancouver workshop, as well as himself. They were jointly nominated by Karen Tokarz (Washington Univ. School of Law), who wrote the following: "Nancy Cook and Bob Seibel are CLEA's heroes of the highest order and outstanding advocates for clinical teachers and clinical education. Countless clinical faculty, students, and clients have been blessed by Bob's and Nancy's selfless commitment to social justice, community, and clinical education. Both have made extraordinary contributions to CLEA from its embryonic stage and early childhood to the present. Both have worked tirelessly on

numerous endeavors to advance clinical education and foster a spirit of community among clinicians—frequently together—and frequently behind the scenes.”

This year clinicians from 25 law schools nominated students to receive the CLEA Outstanding Student Award. The Award is given for excellence in clinical fieldwork based on the high quality of representation provided clients, and for outstanding participation in an accompanying clinical seminar as determined by exemplary thoughtfulness and self-reflectiveness in exploring pertinent legal and lawyering issues. That description is incorporated into a CLEA Certificate of Recognition that is sent to the clinical faculty at each nominating school to then be given to the recognized student, usually at a public event during the graduation ceremonial period.

The **2003 CLEA Outstanding Student Award** recipients are **Renee Hebert (Albany Law School)** for her work on disability rights issues and superb representation of individuals with disabilities in need of special education and special medical equipment; **Rhonda Scarborough (Catholic Univ. Law School)** for her development of special needs trusts and counseling of clients with mild mental retardation and for her terrific success in handling the “Social Security case from hell”; **Vanessa Ray-Hodge (Columbia Univ. Law School)** for her outstanding participation in the Human Rights Clinic and her distinctive role in establishing a Native American Law Students’ Moot Court program; **Cara Cutler (Univ. of Conn. School of Law)** for her representation both during her clinical semester and afterwards in obtaining the granting of political asylum for her client; **Derrick Etheridge (Cooley Law School)** in recognition of his outstanding work for four semesters and his student leadership in the Innocence Project; **Tiffany Bowers (David A. Clarke School of Law—Univ. of the District**

**of Columbia)** in recognition of her work as a clinical teaching assistant and on several cases, including successfully bringing the first case decided under the District of Columbia’s Standby Guardianship Law, which enabled a mother suffering from AIDS to retain custody of her daughter; **Julie Ward (Hastings College of the Law)** for her work in the Immigration Clinic, with the Center for Gender and Refugee Studies, in providing *pro bono* assistance to Haitian asylum applicants in Florida, and in organizing and raising money in support of the law school in Haiti; **Stacey Tutt (Univ. of Illinois College of Law)** for her work on a major statewide class action involving due process notices for public assistance recipients and in providing individual representation in a variety of civil cases; **Ryan Archer (Univ. of Montana School of Law)** for his stellar work on appellate matters as part of the U.S. Attorney Clinic; **Amy Egloff (Notre Dame Law School)**, an active member of the clinical community for two years, who went beyond the usual representation of individual clients to become trained as a family mediator, to do *pro bono* mediation for low-income disputants, and to create and implement an emergency room protocol for the handling of domestic violence victims; **Scott Papp (Pace Univ. School of Law)** for his incredible diligence and analytical intelligence in obtaining several favorable settlements in the Securities Arbitration Clinic; **Heather Alexander (Univ. of Pittsburgh School of Law)**, who worked in all three Civil Litigation Clinics, for her optimal blend of independence and initiative in representing two clients in difficult SSI cases; **Tasha Lloyd (Quinnipiac Univ. School of Law)** for her work in two externships with Public Defender offices, where in addition to conventional legal research she developed a pamphlet that catalogued specialized research sources, such as websites for tracking weather and traffic conditions and

for obtaining mental health information; **Joy C. Dingle (Roger Williams Law School)** for her great ability, empathy, and initiative in handling a diverse and demanding caseload, including the unusually effective representation of a domestic violence survivor; **Conchita Lozano (Univ. of San Francisco Law School)** for her excellent research, writing and analytic skills in work over three semesters in two different clinics handling landlord tenant cases and lobbying on human rights issues affecting migrant workers; **Ari Halpern (Seattle Univ. School of Law)** for his excellent work in five different clinics and on social justice activities with the Access to Justice Institute and the Public Interest Law Foundation; **Lauren Mobley (Univ. of South Carolina School of Law)** for distinguishing herself by her diligent and professional approach in representing young people in Juvenile Court; **Wendy L. Lejeune (Texas Tech Univ. School of Law)** for her high quality clinical and volunteer activities with West Texas Legal Services on disability, prisoner rights, and probate matters; **Susan Wright (Vanderbilt Law School)** for her compassion, thoughtfulness, dedication, maturity, and professionalism in providing assistance and representation in child abuse and neglect cases; **Michael Taub (Villanova Univ. School of Law)** for excellence in his legal representation and outreach work in the Farmworkers Legal Aid Clinic and the Advanced Advocacy Clinic, as a clinical teaching assistant, and as a spokesperson for public interest law programming; **Ava Brown** and **Derek Howard (Washington College of Law--American Univ.)** for serving as role models for other student attorneys in their representation over two semesters of a mentally disturbed client and a client about to be deported who was seeking to maintain a custody relationship with his infant daughter; **Molly Wohlert (Washington Univ. School of Law)**, who represented criminal defendants in an exceptionally ethical and levelheaded manner in a variety of hearings

as part of the Criminal Justice Clinic; **Amanda McInnis (Univ. of Western Ontario Faculty of Law)**, who, notwithstanding visual impairments since birth, has excelled in her clinical course work and field work, which includes deftly handling civil and criminal matters and extensive research and brief writing; **Heidi DeFord (William Mitchell School of Law)** for excellent representation in several different matters, including a paternity case issue concerning blood testing adversely decided at the trial court but reversed on appeal; and **Lindsay Hoyt (Wyoming College of Law)** for her excellent work in the Defender Aid Program on direct criminal appeals before the Wyoming Supreme Court and on federal and state post-conviction proceedings and for being a leader by example for other students.

The members of the **CLEA 2003 Awards Committee** were **Cynthia Dennis (Cooley)**, **Keri Gould (St. John's)**, **Susan Jones (George Washington)**, **Calvin Pang (Hawaii)**, and **Mark Aaronson (UC Hastings)** as Chair.



**Annette Appell (UNLV)**, CLEA President, with recipients of **CLEA's Award for Excellence in a Public Interest Case or Project**, **Carolyn Salisbury** & **Bernard Perlmutter (U of Miami)**

## CLEA Creative Writing Competition

### Bob Seibel (CUNY)

On behalf of the contest committee (Calvin Pang, Nancy Cook and myself), I am very pleased to announce that this year's winners are:

- **Dan Filler (Alabama)**, prose category
- **Lynn Marcus (Arizona)**, poetry category (Lynn actually submitted a song--we had 2 songs and a short play script this year--either we are getting more creative, or more brave!).

**Congratulations** to both of them, and to those who did not win this year, once again the judges reported a strong field and a difficult selection, so get started now for next year.

I am also glad to be able to report that we have reconnected with the **Cooley Law School Journal of Practical and Clinical Law** and they will be publishing the winning entries from the last 2 years as well as the new ones. I will keep you posted.



**Dan Filler (Alabama)** receiving **CLEA Creative Writing Award for Prose** from **Bob Seibel (CUNY)** and **Calvin Pang (Hawaii)**



**Bob Seibel (CUNY)** receiving **Outstanding Advocate Award 2003** from **Mark Aaronson (UC-Hastings)**



Recipients of **CLEA's Award for Excellence in a Public Interest Case or Project**, **Carolyn Salisbury & Bernard Perlmutter (U of Miami)** with **Mark Aaronson (UC-Hastings)**

*Congratulations!*



**Lynn Marcus (Arizona)** receiving **CLEA Creative Writing Award for Poetry** from **Bob Seibel (CUNY)**

## 2003 CLEA New Clinicians Conference a Success!



**Kim Diana Connolly (U of South Carolina)**



**Alex Scherr (U of Georgia)**

The **Clinical Legal Education Association (CLEA) 2003 New Clinicians Conference** took place on May 13-14 2003 in Vancouver, British Columbia, Canada at the Hyatt Regency. Thirty-eight new clinicians joined a group of seventeen presenters and small group leaders for this day and a half conference.

The New Clinicians Conference covered the history of clinical legal education; clinic design and structure issues; supervision

training; time and life management; political matters, and other issues. Specific presenters and presentations included: **Kim Diana Connolly (South Carolina)** & **Peter Joy (Washington U., St. Louis)**, *New Clinicians Assessment*; **Calvin Pang (Hawaii)** & **Alex Scherr (Georgia)**, *Time Management*; **Carolyn Wilkes Kaas (Quinnipiac)**, **Mary Jo Eyster (Brooklyn)** & **Karen Yau-Smith, (Syracuse)**, *Supervision*; **Paulette Williams, (Tennessee)** & **Alex Scherr (Georgia)**, *Field Guide to Clinical Ecology*; and **Antoinette Sedillo Lopez (New Mexico)**, *Political Issues*. Joining some of the presenters, the following "more experienced" clinicians helped lead small groups: **Angela Burton (Syracuse)**; **Susan Schaffer (Georgia)**; **Bob Seibel (CUNY)**; **Carol Suzuki (UDC David A. Clarke)**; and **Ian Weinstein (Fordham)**.

The following new clinicians attended: **Joseph Alexander, Jr. (Harvard)**; **Kim Ambrose (U. of Washington)**; **Lynn Anders (Hofstra)**; **Roger V. Ashodian (Rutgers-Camden)**; **Ellen Braff-Guajardo (Santa Clara)**; **Carmia N. Caesar (Howard)**; **Timothy M. Casey (Columbia)**; **Lisa Cirillo (Toronto)**; **Jessica Dixon (Southern Methodist)**; **Joanne Gottesman (Rutgers-Camden)**; **Peggy Delinois Hamilton (Yale)**; **Nzinga Hill (Tulane)**; **Deena Hurwitz (Yale)**; **Aminata Ipyana (Howard)**; **Michael J. Jenuwine (Indiana-Bloomington)**; **Margaret E. Johnson (American)**; **Donna H. Lee (Brooklyn)**; **Jeff Leslie (Chicago)**; **Degna P. Levister (CUNY)**; **J. Karnale Manuel, (Drake)**; **Katherine Mattes (Tulane)**; **Yvonne R. Meré (Stanford)**; **Daniel Nagin, (Washington - St. Louis)**; **Novella Nedeff (Indiana-Indianapolis)**; **Christine Paul (Temple)**; **Lisa Porcari (Georgetown)**; **Yoli Redero (Vanderbilt)**; **David Reiss (Seton Hall)**; **Ric Simmons (Ohio State)**; **Hans P. Sinha (Mississippi)**; **Carter Strickland (Rutgers-Newark)**; **Brittany Stringfellow (Pepperdine)**; **Linda Tam (UC- Berkeley)**; **David Thronson**

(Nevada); **Richard Ugelow (American)**; **Dehlia Umunna (American)**; **Debora Wagner (St. Louis U.)**; and **Thomas Wade Young (Barry)**.

Attendees commented on the conference by saying: **“Outstanding!” “This was great and inspiring.” “Excellent – I learned the most from my fellow clinicians here.” “Fantastic.” “Great experience! I am on the road to greater reflection in my work.”**

Co-chairs **Kim Diana Connolly (University of South Carolina)** [connolly@law.sc.edu](mailto:connolly@law.sc.edu) and **Alex Scherr (University of Georgia)** [scherr@arches.uga.edu](mailto:scherr@arches.uga.edu), express enormous appreciation for the presenters and small group leaders who shared their time and expertise with our newer colleagues. We also extend our thanks to our staff for the boundless patience and hard work: **Lisa Hines** at the **University of South Carolina**, and **Nancy Watkins** at the **University of Georgia**. Finally, we thank and welcome the newer clinicians who attended, and look forward to their future years as members of our larger community!

## CLEA Weighs in on the Importance of Diversity



**Peter A. Joy**  
**Washington U-St. Louis**

CLEA filed an amicus brief in the *Grutter* case arguing that there is a compelling interest in enrolling a racially and ethnically diverse law school student body.

Drawing upon the scholarship of many clinical faculty, *pro bono* lawyers from the firm of Skadden, Arps, Slate, Meagher & Flom (Illinois), presented several arguments for endorsing diversity in legal education, particularly clinical legal education.

CLEA argued that all law students benefit from racially and ethnically diverse student bodies, and that the focus of clinical legal education is to prepare student-lawyers to enter a multi-cultural, global legal profession. CLEA also argued that clinical law professors cannot properly train student-lawyers without a diverse student body, noting that law school clinics serve a diverse client base and that student-lawyers need the exposure to a diverse population of law students to become better able to provide effective client-centered counseling. CLEA further argued that law schools must consider applicants as complete individuals and to weigh the contributions each student can make to the law school as a whole.

CLEA maintained in its brief that the benefits of diversity cannot materialize without a critical mass of minority students, that a critical mass is not a quota, and that a critical mass of minority students is necessary to realize the benefits of diversity. CLEA also argued that a critical mass of minority law students is essential to guaranteeing a diverse legal profession, and that a diverse legal profession is essential to fostering and maintaining public confidence in America’s legal system. The full text of the CLEA brief is available on the CLEA website, <http://clinic.law.cuny.edu/clea/clea.html>, and is presently listed as the top item under “New” to the left of the page.

CLEA is very grateful to the *pro bono* lawyers from Skadden Arps, who devoted many hours to crafting an excellent brief. Counsel of Record is **Thomas A. Nelsen** who worked very closely with **Frances P. Kao**, **Eric J. Gorman**, and **Amy M. Gardner**. The **CLEA Amicus Committee** consisted of **Bryan Adamson (Seattle University)**, **Jon**

**Dubin (Rutgers-Newark), Peter Joy (Washington University-St. Louis), Susan Kay (Vanderbilt), and Gary Palm (Retired).**

## 2003 CLEA DUES REMINDER



**Have you paid your 2003 CLEA dues?** Don't you want to continue receiving the Clinical Law Review on your desk? Wouldn't you like to be eligible to vote during the next CLEA election?

If you have not paid your 2003 CLEA dues (\$40.00 U.S. for individual full membership) please do so today.

### CLEA GROUP MEMBERSHIP AVAILABLE

The **Clinical Legal Education Association (CLEA)** also has a Group Membership option for law schools. The Group Membership option provides savings for law schools paying CLEA membership dues for all law faculty teaching clinical courses at one time. Each full time faculty member teaching a clinical course counts as a Full Member and, as part of his/her membership will receive a free subscription to the Clinical Law Review, and the option to receive the CLEA Newsletter via regular mail or e-mail. Associate Membership is

restricted to persons engaged in legal education on a basis that is less than full-time, such as in the capacity of an adjunct educator or field placement supervisor in an externship, or law faculty (full-time or part-time) in countries outside of the U.S., and others interested in the furtherance of clinical legal education who are not full-time legal educators.

### CLEA Group Membership Dues Scale:

- \$150 U.S. for four (4) or fewer Full Members plus four (4) or fewer Associate Members.
- \$225 U.S. for six (6) or fewer Full Members plus six (6) or fewer Associate Members.
- \$300 U.S. for eight (8) or fewer Full Members plus eight (8) or fewer Associate Members.
- \$375 U.S. for ten (10) or fewer Full Members plus ten (10) or fewer Associate Members.

Group Memberships for more than ten (10) Full Members is based on a formula of \$35.00 U.S. for each Full Member, and the school is entitled to an equal number of Associate Members.

If you have any questions about CLEA Membership, please feel free to e-mail Brad Colbert at [bcolbert@wmitchell.edu](mailto:bcolbert@wmitchell.edu), Gary Palm at [ghpalm@msn.com](mailto:ghpalm@msn.com), or Cynthia Dennis at [dennisc@cooley.edu](mailto:dennisc@cooley.edu).

Please mail dues to:

**CLEA Dues**  
**Attn: Lou Anne Betts**  
**University of Michigan Law School**  
**727 Legal Research Building**  
**625 S. State Street**  
**Ann Arbor, MI 48901-1215**

# COMMITTEES

## BEST PRACTICES PROJECT MOVES FOWARD



**Roy Stuckey**  
**U of South Carolina**

We had a very successful mini-workshop on the **Best Practices Project** immediately following the AALS Clinical Workshop in Vancouver. I am preparing revisions to the core document that I expect to post to the professionalism web site (<http://professionalism.law.sc.edu>) no later than mid-July. I will announce the posting on the LAWCLINIC listserv. We set January, 2005 as the target date for completing work on the Best Practices Document.

During the coming year, we plan to develop sections of the document to describe best practices in simulation courses, in-house clinics, and externships – and even Socratic dialog. We will announce when drafts can be accessed via the internet, and we will try to provide opportunities to discuss drafts whenever possible, but certainly during the AALS Annual Meeting in January, 2004, and the AALS clinical conference in May, 2004.

We also discussed a range of other issues such as revamping the steering committee, establishing an advisory committee, seeking endorsements, developing implementation strategies, and

locating additional forums at which to discuss the Best Practices Project, perhaps including a CLEA-sponsored national conference in the fall of 2004. The discussion about these issues is continuing among the steering committee and CLEA's leadership.

As always, your ideas are solicited. My email address is [roy@law.law.sc.edu](mailto:roy@law.law.sc.edu); my phone numbers are 803/777-2278 and 777-3394 (direct line, no voicemail).

## CLEA Connect (non)Committee



**Michael Pinard**  
**U of Maryland**



**Justine Dunlap**  
**So. New England**

Now that you have returned invigorated from the conference in Vancouver, or enervated ' cause you didn't go, you might be thinking about ways that you can get involved with this wonderful world of clinicians. If you want to be more involved with the work of clinicians nationally, but aren't sure how, here's a suggestion. CLEA has developed a way to help connect folks up with work and projects that need to be done. Contact **Michael Pinard** [mpinard@law.umaryland.edu](mailto:mpinard@law.umaryland.edu) or **Justine Dunlap** [jdunlap@snesl.edu](mailto:jdunlap@snesl.edu). They promise to help you find meaningful ways to get involved.

## AALS Clinical Section Awards Committee



**Michael Martin (Fordham)  
Chair**

### William Pincus Award

The Awards Committee for the AALS Section on Clinical Legal Education will soon be accepting nominations for the annual **William Pincus Award**. The Pincus Award is an Annual Award of the AALS Section on Clinical Legal Education for Outstanding Service and Commitment to Clinical Legal Education.

The Pincus Award is authorized under Article III, Section 3 (d) of the Bylaws of the AALS Section on Clinical Legal Education. The Award is presented annually to honor one or more individuals involved in clinical legal education. The award is based on service, scholarship, program design and implementation, or other activity beneficial to clinical education or to the advancement of justice. The Award was established in 1980 and first presented at the 1981 Annual Meeting of the AALS.

The recipients of the award have been:

- 1981 **David Barnhizer (Cleveland State)**
- 1982 **Hon. Neil Smith (D. IA)**
- 1983 **William Greenhalgh (Georgetown)**

- 1984 **Robert McKay**
- 1985 **Dean Hill Rivkin (Tennessee)**
- 1986 **Tony Amsterdam (NYU)**
- 1987 **Gary Bellow (Harvard)**
- 1988 **William Pincus**
- 1989 **Gary Palm (Chicago)**
- 1990 **Bea Moulton (Hastings)**
- 1991 **Sue Bryant (CUNY)**
- 1992 **Elliott Milstein (American)**
- 1993 **Roy Stuckey (S. Carolina)**
- 1994 **Harriet Rabb (Columbia)**
- 1995 **Clinical Law Review**
- 1996 **Wally Mlyniec (Georgetown)**
- 1997 **Edgar Cahn (DC School of Law) & Jean Cahn (Antioch, posthumously)**
- 1998 **Steve Wizner (Yale)**
- 1999 **Katherine Shelton Broderick (U.D.C. School of Law)**
- 2000 **E. Clinton Bamberger (U. of Maryland, Emeritus)**
- 2001 **Peter A. Joy (Washington U. at St. Louis)**
- 2002 **Louise Trubek (Wisconsin) & Bernida Reagan (EBCLS)**
- 2003 **Sandy Ogilvy (Catholic)**

Please begin thinking about nominations now and watch for further information about nomination guidelines and deadline.

Please submit your nomination to any member of the **Awards Committee**: **Michael W. Martin, Chair (Fordham)**, [mwmartin@MAIL.LAWNET.FORDHAM.EDU](mailto:mwmartin@MAIL.LAWNET.FORDHAM.EDU) **Homer La Rue (Howard)**, [hclarue@law.howard.edu](mailto:hclarue@law.howard.edu); **Cynthia Dennis (Thomas Cooley)**, [dennisc@cooley.edu](mailto:dennisc@cooley.edu) **Carol Suzuki (Yale)**, [Carol.Suzuki@yale.edu](mailto:Carol.Suzuki@yale.edu) or **Theresa Player (San Diego)**, [TPlayer@sandiego.edu](mailto:TPlayer@sandiego.edu)

## CONFERENCES

**SAVE THE DATE!!!**  
**CLEA MINI-CONFERENCE**  
**August 9, 2003, San Francisco, California**



CLEA is continuing its tradition of holding a mini-conference corresponding to the ABA's annual meeting. **Angela Olivia Burton (CUNY)** and **Paula Galowitz (NYU)** are this year's co-chairs of the mini-conference planning committee. The Annual meeting is in San Francisco, August 7-12. This year's topic is **"Access to Justice: The Role of Law Schools in Developing and Assessing Alternative Service Delivery Models."** Confirmed guest speaker is **Lovely Dhillon, Esq.**, Executive Director of The Law School Consortium Project. We are looking to finalize other participants who will

address the ways in which law schools can further the social justice mission by preparing and supporting its graduates to provide quality representation to underserved communities. The mini-conference is scheduled for **Saturday, August 9** at **Hastings College of Law** in San Francisco, Hastings College of Law, 200 McAllister Street, 2nd floor, Alumni Reception Center (thanks to **Mark Aaronson!**). The time is tentatively scheduled for the lunch hour, either 12:00-3:00 or 1:00-4:00 p.m., to give people time to make their way to the Annual Business Meeting of the Section on Legal Education and Admissions to the Bar, which runs from 5:15-5:45. Further information will be forthcoming as our plans are finalized. In the meantime, you can learn more about the ABA Annual Meeting at <http://www.abanet.org>, and about The Law School Consortium Project at <http://lawschoolconsortium.net>.

**AALS Clinical Section Program**  
**Annual Meeting of AALS**  
**Atlanta, Georgia**  
**January, 2004**



The Clinical Section is proud to collaborate with the Litigation and Minority Groups Sections to present our program for the 2004 Annual Meeting. The program is entitled **"Theory Meets Praxis: The Impact of Critical Legal Theory on Lawyering Strategies and Experiential Learning,"** and will seek to develop a dialogue between clinicians and critical legal theorists.

The proceedings for our program will be published in the SEATTLE JOURNAL FOR SOCIAL JUSTICE.

The past three decades have witnessed the simultaneous emergence of critical legal theory and clinical legal education. Scholars from these respective fields have produced rigorous and transformative scholarship, and components of these fields are increasingly interwoven through law school curricula. However, the roots from which these fields have grown are seemingly quite different. As a result, while critical legal theorists have incorporated stories/narratives into their courses and scholarship, and while professors in experiential-based courses have incorporated some teachings of critical legal studies into their courses, caseloads and scholarship, these two groups remain relatively isolated, as they have neither forged productive relationships with each other nor critically examined the benefits and limitations of cross-fertilization in these particular contexts.

In particular, the program will explore the following themes: 1) What is the relevance of critical legal theory to lawyering strategies (both litigation and transaction based) and client representation?; 2) How could those teaching experiential-based courses convey the lessons and insights of critical legal theory to students?; 3) In turn, how can students apply those lessons to client interactions in ways that will enhance understanding and trust, as well as maximize the quality of legal representation?; 4) What lessons can critical legal scholars draw from the practical application of these various critical legal theories? The panelists will explore these questions from both historical and contemporary perspectives, and in various contexts.

After the panelist presentations, the program participants will break into small groups designed to brainstorm ideas generated from the panel discussion. These

small groups will connect specific practice areas to critical legal theory (e.g., race/gender and criminal litigation, gender/sexual orientation and family law, race/class and community development, etc.). Specifically, the small groups will devise ways to bridge the theoretical/experiential divide by developing creative ideas for expanding perspectives.

The program will conclude with each small group reporting their ideas to the entire group. This portion of the program aims to reveal synergies that have long been overlooked, as well as foster ideas and incentives for sustained cross-fertilization. Confirmed speakers are: **Katherine Hessler (Case Western Reserve); Anthony Alfieri (University of Miami); John O. Calmore (University of North Carolina); Sherilyn Ifill (University of Maryland); Rashmi Goel (University of Denver), and Darren Hutchinson (American University).** Planning committee members are: **Phyllis Goldfarb (Boston College); Michelle Jacobs (Florida); Grady Jessup (North Carolina Central); Beverly Moran (Vanderbilt); Michael Pinard (Maryland); Gemma Solimene (Fordham), and Bryan Adamson (Seattle).**

## 18<sup>th</sup> Annual Midwest Clinical Teachers Conference October 17-18, 2003



The **18<sup>th</sup> annual Midwest Clinical Teachers Conference** will be held on Friday and Saturday, **October 17<sup>th</sup> and 18<sup>th</sup>, 2003**, at **William Mitchell College of Law in St. Paul, Minnesota**. Mark your calendars now, and watch for further announcements on the web and in your mail. We define "midwest" very broadly, from Oklahoma and Arkansas

to Ohio and the Dakotas. People from all over the world are, of course, welcome.

This year we will be exploring the theme of how clinic pedagogy is affected by our funding. We are looking for people who want to present or to organize a presentation on some aspect of that topic. The planning committee: **Beverly Balos (U. of Minn.)**, **Ann Juergens (Wm. Mitchell)** and **Angela McCaffrey (Hamline)**-has ideas, but wants input from others as well. In keeping with clinic tradition, we hope for both a visionary and practical meeting, where we discuss the theoretical implications for legal education of the current funding realities and also plan realistically for the choices facing our programs. Please send us your ideas!

**Interdisciplinary Clinical  
Education and Interdisciplinary  
Practice Conference II: The  
Intersections of Mental  
Health and the Law  
March 18-19, 2004**



**Washington University** will host a second conference on **Interdisciplinary Clinical Education and Interdisciplinary Practice** on **March 18-19, 2004**. This conference is co-sponsored by the School of Law Clinical Education Program, the *Journal of Law and Policy*, and the Center for Interdisciplinary Studies; the School of Medicine; the School of Social Work; and the Psychology Department, and will focus on the many intersections of "Mental Health and the Law." **Jim Ellis** from the **University of New Mexico School of Law** will present the keynote address. Last year, Jim successfully

argued *Atkins v. Virginia*, in which the U.S. Supreme Court held that executing individuals with mental retardation violates the Eighth Amendment prohibition on cruel and unusual punishment; he was named the *National Law Journal* 2002 "Lawyer of the Year."

Like the first conference, this conference is designed for those who are involved in and those who are considering the development of interdisciplinary ventures, and builds on the work of the AALS Section on Clinical Education Committee on Interdisciplinary Clinical Education and Committee on Ethics and Professionalism. This conference will combine with the Law School's fourth annual Access to Equal Justice Colloquium that seeks to develop university/community collaborations to improve access to justice in the region. Faculty and practitioners from law, education, medicine, philosophy, psychology, and social work are invited to attend. Suggestions welcome. For more information, contact Karen Tokarz at [tokarz@wulaw.wustl.edu](mailto:tokarz@wulaw.wustl.edu).



**GRANTS AVAILABLE FOR  
REGIONAL CLINICAL  
CONFERENCES!**

The AALS Section on Clinical Legal Education has a limited number of grants available to support regional clinical teacher conferences and subject matter specific conferences in the United States. The purpose of these grants is to encourage more training of clinical teachers. It is hoped that

regional conferences and subject matter specific clinical conferences will proliferate, and that the regional conferences and other training conferences will become self-sustaining like the Midwest Regional Clinical Teachers Conference.

Requests for funding should be directed to the Regional Conference coordinator, **Bryan Adamson**, at [badamson@seattleu.edu](mailto:badamson@seattleu.edu) at least ninety (90) days prior to the conference. Bryan is available to work with applicants and to assist applicants in developing their applications, which will be reviewed and decided upon by the Executive Committee for the Clinical Section. AALS Section Bylaws prohibit the authorization of funds after a conference has taken place, so no proposals submitted after a conference will be considered. The Section Executive Committee will act on requests within thirty (30) days from receipt of final proposals to provide sufficient planning time for regional conferences.

Guidelines for the proposals are as follow:

1. The maximum size of any one grant will not exceed \$2,000.

2. Proposals must indicate a projected budget for the conference, including a projection of income and expenses that includes: the number of participants expected, the registration fee to be charged participants, projected food and refreshment expenses if any are included in the registration fee, and other expected expenses.

3. Proposals must indicate the names of the states and/or the particular subject matter interests which will be the primary targets for the conference.

4. Conference participants must be charged a registration fee.

5. Travel expenses for presenters who are clinical faculty within the region of the conference may not be subsidized by the conference unless there is an explanation of

the unique needs to justify these subsidies. The Clinical Section grant may not be used to subsidize the travel expenses directly since the AALS rules do not permit the Section from spending its money in this way.

5. Conference organizers may not receive compensation from the conference.

6. Proposals must indicate that any excess income from the conference must be passed on to the school or schools hosting the conference in the region in the following year. If there is not another conference planned for the following year, the Clinical Section should be reimbursed up to the amount of the grant from any excess income generated by the conference.

7. Successful grant recipients must agree to file a final accounting of all conference income and expenses with the Clinical Section no later than ninety (90) days after the conference.

If you have any questions, please contact Bryan at least ninety (90) days prior to the conference.

## NOTICES

### CLINICIANS NEEDED FOR PUBLISHING OPPORTUNITES THROUGH NITA

The National Institute for Trial Advocacy (NITA) is seeking experienced clinicians for several publication opportunities, including:

Case Files: NITA publishes case files for use in law school pre-trial and trial advocacy courses, basic trial advocacy and deposition seminars and advanced litigation training. Authors are needed to develop new case files in to all areas, including interviewing, counseling and negotiation. Specific topical files addressing civil litigation are

needed in particular. NITA has support staff available to assist in guiding authors through the process of publishing a case file. For more information, please contact **NITA Associate Editor, Zelda B. Harris** at 520-626-6095 or [harris@law.arizona.edu](mailto:harris@law.arizona.edu)

Commentary Project: NITA has an ongoing Commentary Project with Lexis. The commentaries examine federal rules and code sections from a practice and litigation standpoint. We have several hundred rule and code section commentaries on line with Lexis (and printed in the U.S. Code Service) ranging from the Federal Rules of Civil Procedure to Title 18 USCS Chap 153, Habeas Corpus. Commentary authors are needed, particularly for Title 28 Judiciary and Judicial Procedure code sections – Chapters 155 Injunctions, Chapter 159 and Chapter 176 Federal Debt Collection – and for Title 18 Crimes, Title 21 Chapter 13 Drug Abuse Prevention and Control, and Title 42 Public Health and Welfare. For additional information about writing a commentary, contact **Frank Alan**, NITA Editor of Electronic Publishing at (800) 225-8462 or [Alan.1@nd.edu](mailto:Alan.1@nd.edu) or **Zelda B. Harris**, NITA Associate Editor at (520) 626-6095 or [harris@law.arizona.edu](mailto:harris@law.arizona.edu)



**INTERNATIONAL CHILD ABDUCTION  
ATTORNEY NETWORK (ICAAAN)  
Law School Clinic Division**

**Hague Convention**

The U.S. is party to the Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention), which creates a legal remedy for the prompt return of internationally abducted children. The Hague Convention requires every country party to establish a Central Authority to facilitate treaty implementation. Under a cooperative agreement between the U.S. Department of State, which acts as the U.S. Central Authority for the treaty, and the U.S. Department of Justice, The National Center for Missing & Exploited Children (NCMEC) handles all Hague Convention applications when children from other countries are abducted to, or wrongfully retained in, the U.S. (“incoming cases”).

**International Child Abduction Attorney Network (ICAAAN)**

In a nationwide effort to assist parents, NCMEC seeks attorneys who are willing to represent, on a pro bono or reduced fee basis, left-behind parents of children from other countries who have been wrongfully removed to, or retained in, the U.S. The majority of ICAAN attorneys practice family and/or international law; however, participation in ICAAN is open to all interested attorneys regardless of practice area or expertise.

**ICAAAN-Law School Clinic Division**

NCMEC recently launched a law school clinical education project to expand ICAAN to student-lawyers in law school clinics around the country. **The Law School Clinic Division** project is designed to:

- Serve the immediate legal needs of parents who seek return of their abducted children under the Hague Convention in U.S. Courts;

- Expose law students to private international law practice, and provide them an opportunity to shape rapidly-developing Hague Convention jurisprudence in the U.S.; and
- Prepare the next generation of attorneys to handle international child abduction cases when they go into practice.

### **Training**

In October, 2002, professors were invited from law schools in the D.C. metro area, and four states that have a high volume of incoming Hague Convention cases-Florida (Ft. Lauderdale), Illinois (Chicago), New York (Brooklyn) and Texas (Houston), for a training session at NCMEC on handling international child abduction cases.

### **Cases**

Student-lawyers in participating law school clinics will represent parents in incoming Hague Convention cases forwarded by NCMEC. On occasion, law clinics may also be asked to represent parents in the U.S. seeking return of their children from abroad or judicial safeguards to prevent abduction.

### **Technical Assistance**

Professors and student-lawyers can access an extensive collection of resources for litigating Hague Convention cases—compiled expressly for the project—on NCMEC’s Web site, [www.missingkids.org](http://www.missingkids.org) Attorneys and caseworkers in NCMEC’s International Division, and project legal consultants, are available to provide technical assistance and to provide onsite training for law students and the local legal community.

### **Join ICAAN-Law School Clinic Division**

NCMEC welcomes inquiries from law professors about the law school clinical education project on international child abduction.

If you are interested in joining, have questions about the project, and/or are interested in training, please contact:

Nancy Hammer or Kathy Ruckman  
 International Division  
 National Center for Missing & Exploited  
 Children  
 Phone: 1-800-843-5678  
 FAX: 703-274-2122  
 Email: [icaan@ncmec.org](mailto:icaan@ncmec.org)

### **CLINIC DIRECTOR LISTSERV**

In an effort to create a sustained mode of communication between clinical legal education programs, and to develop an even stronger network of information sharing within the clinical legal education community, we have created a clinic directors list service.

If you are a clinic director, dean, or administrator (or, broadly put, one charged with the overall management of one or several law clinics-whether externships, simulated courses, community-based, or in-house), we hope that this list service will be useful.

The list service could be a mode of reaching out to others when dealing with systemic or day-to-day issues which impact our clinic programs and clinical education. For all of us, it can be a means of sharing data, asking and answering questions, making announcements, and the like. We see this list service as a complement to, not a substitute for, list services that now exist-in the sense that subscribers can share

information or post questions which most specifically address management and operation of law clinics. To sign up, please go to <http://lists.washlaw.edu/mailman/listinfo/lawclinicdir> and follow the instructions. Or, you can send an email to [LawClinicDir-request@lists.washlaw.edu](mailto:LawClinicDir-request@lists.washlaw.edu), and place "subscribe" in the body.

Many thanks to **Joe Hewitt** and **Mark Folmsbee** of **Washburn** for setting this up.

**-Bryan Adamson (Seattle)**

## Clinical Law Review

The Clinical Law Review is pleased to announce the appointment of a new co-Editor-in-Chief, and four new members of the Editorial Board. They are:

### Co-Editor-in-Chief:



**Kate Kruse**  
**William S. Boyd School of Law**  
**UNLV**

### New Editorial Board Members:



**Angela Olivia Burton**  
**Syracuse**



**Bridget McCormack**  
**Michigan**



**Binny Miller**  
**American**



**Kimberly O'Leary**  
**Thomas Cooley**

## PER DIEM PROJECT

**Jeff Selbin**  
**East Bay Community Law Center**

I hope you had a safe return from Vancouver. Here's an update on the **Per Diem Project (PDP)**, with information about recipients of this year's donations and instructions on how to give. Please note that contributions are not restricted to people who attended the conference.

First, to cut to the chase, CLEA has graciously agreed to process PDP donations this year. All such donations should be in check form, payable to "CLEA," with a notation in the memo and on the envelope that the check is for the Per Diem Project. Please send your tax-deductible check as soon as possible, and no later than **May 31st**, to CLEA treasurer:

Suzanne Levitt

Professor of Law  
Drake University  
Des Moines, Iowa 50311-4505

Second, we already have received 45 donations at the conference for a total of \$2,038 - thanks to those who have given so generously! This represents approximately 12% of the registrants at the conference, and is an amazing start. This also means that with 100% participation we could contribute \$15,000 or more to a community in great need, as Allan Parker described so eloquently at the AALS luncheon.

Third, I have pasted below information about the four recipients of our contributions. They were selected by three leading members of the BC poverty law community in consultation with our clinical section and CLEA leaders, all of whom we owe a debt of gratitude for helping on such short notice. As you can see, donations will be divided equally among the groups. In June, Suzanne and I will let you know the final distributions.

Finally, I invite suggestions about how best to institutionalize this tradition, along with any other suggestions you have about the project. Of course, volunteers to make something happen next year in San Diego are most welcome. We would like to do some planning next fall to improve the organization of the effort.

Thanks again to everyone for your wonderful support.

### **AALS - WORKSHOP ON CLINICAL LEGAL EDUCATION PER DIEM PROJECT FUNDING RECOMMENDATIONS**

1. **Community Legal Assistance Society** and **PovNet** - Provide ¼ of the funds received to copy a welfare tribunal decision database to CD's for distribution to community advocates and to assist in posting and maintaining that database on PovNet.

With the recent changes in BC welfare laws, the existing appeal tribunal for welfare client decisions was eliminated, and a new tribunal set up. The previous tribunal had provided a web-based database of all its written decisions. Neither the welfare ministry (the BC Ministry of Human Resources) nor the new tribunal has committed to maintaining the old database, and access to it disappeared on March 31, 2003. The case law is still largely relevant. The Community Legal Assistance Society ("CLAS") has access to the database as a result of a full download before the disappearance of the website. While PovNet may cooperate with CLAS to make arrangements to post the database to its website, access is sometimes difficult for advocates and a CD of the decisions would be a valuable resource. As funding allows, CLAS and PovNet would also look to providing a CD of federal unemployment insurance decisions that are similarly difficult for advocates to access.

2. **BC Public Interest Advocacy Centre** - Provide ¼ of the funds received for disbursements arising from recently joined cases involving a constitutional challenge for the right to legal aid in cases where the provincial government is suing three welfare recipients for alleged overpayments.

The overpayment claims have been filed in the Supreme Court of BC, in the City of Victoria Registry, while the recipients live in the Lower Mainland. There is no realistic opportunity for recipients to retain counsel. The Public Interest Advocacy Centre ("PIAC") has stepped in to assist the defendants. It will be argued that the clients' rights under the Canadian Charter of Rights and Freedoms are being violated by their being unrepresented in this complicated litigation. PIAC is providing co-counsel for this challenge, to assist senior pro bono counsel. There are various disbursement costs that this donation would cover, including copying

and travel costs for counsel to appear in Victoria.

3. **BC Coalition of Women's Centres** - Provide ¼ of the funds received for general assistance to the Coalition as it works with women's centres around the province to advocate for continued funding for the centres. The provincial government, through its Ministry of Community, Aboriginal, and Women's Services, is significantly reducing funding to women's centres throughout the province. These centres provide a range of advocacy and support services for women and children. The BC Coalition of Women's Centres ("CWC") has called on the government to roll back these funding reductions. The CWC has only a limited budget through its member centres.

4. **Pivot Legal Society** - Provide ¼ of the funds received for reprinting a report prepared by Pivot Legal Society entitled "To Serve and Protect: A Report on Policing in Vancouver's Downtown Eastside".

Pivot Legal Society is an advocacy organization focused on the inner city of Vancouver, known as the Downtown Eastside. Pivot lawyers have prepared a report, based on 50 affidavits taken from residents in the area, documenting allegations of police misconduct. The initial 700 copies of the report have been distributed, and there continues to be a strong demand for copies.

The BC Public Interest Advocacy Centre has agreed to receive the donated funds through CLEA, and will disburse the funds as outlined above. Oversight for project accountability will be arranged between Allan A. Parker, Barrister and Solicitor, and Wayne Robertson, Barrister and Solicitor, Executive Director of the Law Foundation of British Columbia.

### **Compilation of Clinical Teachers With International Experience Updated**

### **Survey Form Now on Internet**



**Roy Stuckey**  
**South Carolina**

We have documented eighty-three (83!) countries in which clinical teachers have taught or consulted, including participation in U.S. law schools' summer programs. If your participation in international work is not included in the compilation, please let me know. Having this information in a data base makes it easier for subsequent clinical teachers to learn about your work and to use you as a resource. It also creates a history of our collective service and accomplishments.

A recently updated compilation is posted at [www.law.sc.edu/clinic/compile.htm](http://www.law.sc.edu/clinic/compile.htm) . Caution: this is a new address and it may not work yet through Yahoo or Google. If you have trouble accessing it directly, you can go to [www.law.sc.edu](http://www.law.sc.edu) , click on "academics and programs," then "clinical programs."

The introduction to the compilation includes a link to a survey form that will make it easier for you to send me updates about your activities - current, anticipated, or past. From time to time, I will summarize the most current international work of clinical teachers for the newsletters of CLEA and the AALS Section on Clinical Legal Education.

### **Meditation and Other Contemplative Practices and the Law**



**Richard Boswell**  
**U.C., Hastings**

This is a general invitation to all of you who would like to be placed on a mailing list or listserv (please state your preference) which is dedicated to meditation and other contemplative practices and the law.

Several law retreats have been held on the East Coast and more recently a retreat was held at the Spirit Rock Meditation Center in Northern California. The retreat was a wonderful opportunity for approx. 70 lawyers, law students, law professors, judges and others to get together. The focus of the retreat was to begin to think about how meditation and other contemplative practices can be brought into various aspects of law practice. Indeed many of the themes discussed at the workshop in Vancouver came up during the retreat. I therefore suspect that there are many out there who would be interested in continuing a dialogue and to explore the possibilities for positive action.

If any of you are interested in talking more about your interest, ideas of this please contact me off list at [boswellr@uchastings.edu](mailto:boswellr@uchastings.edu) -- you can also go to the Center for Contemplative Mind and Society -- Law Program home page at

[www.contemplativemind.org/programs/law](http://www.contemplativemind.org/programs/law)

Please contact me about your interest and let me know if you would like to be put on a mailing list and or listserv or some other technological device to facilitate our

communication. We are planning a retreat on a date to be determined for the Spring of 2004. This retreat will be held in Northern California and once again will be for law students, judges, lawyers and law teachers. In addition, some of us will be starting sitting groups at their respective schools. One school that has been doing quite a bit in this regard is CUNY.

I look forward to hearing from all of you.  
Richard Boswell  
U.C., Hastings  
[boswellr@uchastings.edu](mailto:boswellr@uchastings.edu) or  
[boswellr@pacbell.net](mailto:boswellr@pacbell.net)



## HONORS/AWARDS

### 2003 Shanara Gilbert "Emerging Clinician" Award



**Beth Lyon**  
**Villanova**

The recipient of the **Shanara Gilbert "Emerging Clinician" Award** is **Beth Lyon** of **Villanova University School of Law**. The Award was given at the Section luncheon on Saturday, May 17th in Vancouver.

Beth is the Director of Villanova's Farmworker Legal AID Clinic (FLAC). FLAC is the first law school clinic dedicated to

providing legal representation to farmworkers in the country. Beth has been a clinician for five years. She began her teaching career as a Practitioner in Residence at Washington College of Law, American University, where she taught in the International Human Rights Clinic.

Beth was a founding member and is currently Chair of the AALS Section on International Human Rights. As program chair for the 2002 Annual Meeting, she dedicated the inaugural program to clinical education and service. It was entitled, "Human Rights Service in the Legal Academy: Teaching Well and Doing Good."

Beth's scholarship and presentations have focused on issues of race and social justice. She also serves on the Planning Committee of the 2004 LatCrit Conference which will be hosted Villanova Law School.



**Jane Aiken (Washington University-St. Louis)**, Director of the Civil Justice Clinic, and Ann Davis Shields, Associate Director of Legal Research and Writing, were recognized for their contributions to the advancement of women in legal education at the Washington University Women's Law Caucus fourth annual International Women's Day Celebration.



**Paul Bennett (Arizona)**, Director of the Child Advocacy Clinic, has been promoted to Clinical Professor at the University of Arizona.



Clinical Professor **Robert J. Dieter (Colorado)** was confirmed by the U.S. Senate in April to the Legal Services Corporation eleven-member-bipartisan Board of Directors. He was nominated to the Board by President Bush in March, 2002.



**Dan Filler (Alabama)**, Director of the Children's Rights and Disability Litigation clinics, has been granted tenure by the Board of Trustees of the University of Alabama.



**Kenneth S. Gallant (Arkansas-Little Rock)** has been elected the Council of the International Criminal Bar for the International Criminal Court, at its first General Assembly meeting held in Berlin in March 2003. He has been working for some time on the creation of an institutional voice for defense and victim's counsel and their clients in the International Criminal Court system.

Ken and **Mike Mullane of University of Arkansas (Fayetteville) School of Law** recently obtained grant funding from the Arkansas Department of Health Tobacco Prevention and Education Project to fund the Arkansas Tobacco Legal Resources Center at the two law schools, which will include a Tobacco Clinic at each school designed to help counties, municipalities and grassroots groups in Arkansas with tobacco control efforts, especially among youth.



**Fran Hardy (Indiana-Indianapolis)**, who teaches in the Criminal Defense Clinic, has been awarded a long term contract and promoted to the rank of Clinical Professor of Law.



**Zelda Harris (Arizona)**, Director of the Domestic Violence Clinic, has been promoted to Clinical Professor at the University of Arizona. She also was recently appointed as Associate Editor with the National Institute for Trial Advocacy (NITA).



**Bill Ong Hing (UC-Davis)** has been awarded a Distinguished Scholarly Public Service Award at the University of California, Davis. The UC Davis Academic Senate, representing all tenured faculty at the campus, makes the awards annually to recognize significant contributions to the world, nation, state and community through distinguished public service. Bill Ong Hing, who teaches in both the School of Law and the Asian American Studies program, has been an advocate for immigrants and encouraged philanthropy within the Asian American community for more than two decades.

In 1980, he established the Immigrant Legal Resource Center, a nonprofit support program for community agencies, and he volunteered as executive director for almost 20 years. Today, he continues to serve as the center's general counsel. Hing also provides leadership to two of the most prominent Asian American civil rights organizations in

the country, the Asian Law Caucus of San Francisco and the National Asian Pacific American Legal Consortium. As a member of the board of trustees of the Migration Policy Institute, he advises the non-partisan think-tank on policy position papers and fundraising.

The professor's work on various government and bar commissions, advisory panels and councils has also contributed to better monitoring of Border Patrol conduct, reform of immigration laws, increased attention to the health needs of immigrant families, and a specialist designation for immigration lawyers. He is also a frequent media commentator on immigration issues. As a director of the Rosenberg Foundation and Emma Lazarus Fund of the Open Society Institute, he helps allocate funds to organizations assisting low-income workers and immigrants. He also serves on the board of directors of the Asian American/Pacific Islanders in Philanthropy and the Asian Pacific Fund.



**Bob Kuehn (Alabama)** has been named a "Dean's Scholar" for 2002-03. The award recognizes outstanding research productivity and provides monetary assistance for research and professional development activities.

**Kelly Browe Olson (Arkansas-Little Rock)** has been appointed Assistant Professor of Law on tenure track and will become the Director of Clinical Programs at University of Arkansas at Little Rock William H. Bowen School of Law. She has until now been Director of the UALR Mediation Clinic program. Kelly recently obtained a grant from the Arkansas Department of Education to add Special Education mediations to the Mediation Clinic Program, and to train

mediators from around the state in Special Education mediation.



**Joanne Orr (Indiana-Indianapolis)**, who teaches in the Disability Clinic, has been awarded a long term contract and promoted to the rank of Clinical Professor of Law.



**Karen Tokarz (Washington University-St. Louis)**, Director of Clinical Education, received the 2003 *St. Louis Daily Record* Justice Award, presented each year to a St. Louis woman who has demonstrated vision, community leadership, and a commitment to social justice through personal and professional activities.

## CLINICIANS ON THE MOVE



**Gerard Glynn (Barry University)** has been named the inaugural executive director of Florida Children First, Inc., a not-for-profit organization dedicated to advocacy, education, and lobbying on behalf of children in Florida.



**Steve Gunn (Yale)** will join the faculty at Washington University in St. Louis in fall 2003 where he will teach in the Civil Justice Clinic and also teach a course on Federal Indian Law. Steve has extensive

experience in public interest litigation and clinical practice, and comes to Washington U. from Yale where he co-taught in three clinical courses - Community Legal Services, Consumer Rights, and Landlord Tenant Law. Prior to his appointment at Yale, Steve was a staff attorney for the Volunteer Lawyers Project of the Boston Bar Association and a Skadden Fellow at the Indian Law Resource Center in Washington, D.C.



**Grady Jessup (North Carolina Central)** Grady Jessup will visit at Washington University in St. Louis in fall 2003. He will teach in the Criminal Justice Clinic and also teach Trial Practice & Procedure. Grady, who was the recipient of the 2002 AALS Section on Clinical Education Shanara Gilbert Award, is currently the Director of Clinical Programs at North Carolina Central University School of Law.



**Nekima Levy-Pounds (Illinois)** will be joining the tenure-track faculty at the University of St. Thomas Law School (Minneapolis) to lead the Family Law Practice Group.

**Peggy Maisel** has been appointed Associate Professor and inaugural Director of Clinical Programs at Florida International University College of Law.



**Carol Suzuki (Yale)**, Robert M. Cover Clinical Teaching Fellow, has accepted an appointment to the faculty at

the University of New Mexico where she will be teaching in the community lawyering clinics.



**Jennifer Wright (Willamette)** will be joining the tenure track clinical faculty at the University of St. Thomas Law School (Minneapolis) where she will lead the Elder Law Practice Group.

## NEWS FROM CLINICAL PROGRAMS



The UMC Family Violence Program has projects under several grants. It has cooperated with the UMC Dept. of Psychiatry in recently concluding an interdisciplinary teaching project funded by the U.S. Dept of Justice. The Missouri Dept. of Public Safety extended a grant to the Family Violence Program in fall 2003 to fund Clinic student travel to represent indigent victims of domestic violence in 22 rural Missouri counties. The Altria Corporation renewed its gift of \$50,000 to fund two annual Family Violence Clinical Teaching Fellows for the years 2003 and 2004. **Megan Phillips** completed her fellowship in December 2002, and **Lisa May** began her fellowship in January 2003.

The Family Violence Clinic collaborates with the UMC Medical School Dept. of Obstetrics to assist indigent terminally ill women make custodial plans for their children. Because Missouri is not one of the twenty states who have enacted stand by guardianships for such parents, UMC law students have written such a bill and located

sponsors to introduce it as HB 571 in the 2003 legislative session.

Advocacy, Family Violence, and Public Policy Seminar students have amended Missouri's putative father registry with the purposes of expanding protection of the parental rights of birth father and the safety rights of birth mothers, and expediting the placement of children into permanent homes. Students obtained sponsors who introduced the bill as HB 581 in the 2003 legislative session.

Law students from U Missouri @ Columbia, U Missouri @ Kansas City, St. Louis University, and Washington University are collaborating in writing an article describing their efforts with the Missouri Coalition Against Domestic Violence and Project Hope in developing clemency petitions for 11 incarcerated women convicted of killing their batterers.

Seminar student Jennifer Graddy's paper "The Ethical Protocol for Collecting DNA Samples in the Criminal Justice System" was published by the Missouri Bar Journal. Seminar student Emily Prestidge's paper "Severance Pay - His or Hers? How Courts Approach the Classification of Severance Pay at Dissolution: Past Efforts vs. Future Compensation" is in press with the Texas J. of Women and the Law.

Mary Beck is working with the American Academy of Adoption Attorneys and Senator Mary Landrieu (LA) to draft and enact a national putative father registry. She and her husband, Niels Beck (UMC Dept. of Psychiatry/Neurology), presented the results of a study in Vancouver in May 2003 examining how students rank learning of lawyering skills and values in various venues including stand up classes, summer clerkships, externships, and clinical legal education. The research also analyzes the outcomes of interdisciplinary teaching, the relationships between student demographics and enrollment in specific clinics, and the relationships between law students and

clinical faculty. Mary Beck is also serving as an expert in a civil domestic violence trial for damages against a professional athlete.

The 2002 Altria Clinical Teaching Fellow Megan Phillips presented at the Missouri Judicial College, where she discussed the application of federal firearms restrictions on persons subject to civil protective orders and the awarding of visitation and child support in protective order cases where paternity is not legally established. Her research on firearms restrictions has formed the basis for her current work-in-progress on that topic. Also during her fellowship, Ms. Phillips developed a brief supporting jurisdiction over out-of-state respondents in child protective order cases using the Uniform Child Custody and Jurisdiction Act. The brief was circulated widely in Missouri and included in a national brief bank.

UMC Journalism students and Family Violence Program law students collaborated in an investigative project examining the response to violence against women in four rural Missouri counties. The investigation revealed circular systemic problems with police, prosecutors, and judges and also identified counties in which prosecution of domestic violence and civil protective order filings are disproportionately low. The students' research and investigative products include several televised reports and a paper developed for publication titled, "The Blame Trap: Pitfalls in The Response to Domestic Violence."

The UMC Dept. Education and Counseling Psychology have initiated field placements of senior level psychology graduate students in the Law School's Family Violence Program. Their participation has included teaching the psychodynamics of abusive relationships and informal counseling on professional team building and professional fatigue.

The North Carolina Bar Association has chosen **North Carolina Central University School of Law's Civil Litigation Clinic** and **Family Law Clinic** as the recipient of the prestigious **Law Students Pro Bono Project Award**. **Grady Jessup**, Associate Professor and Director of Clinical Programs directs the Civil Litigation Clinic, and Professor **Pamela S. Glean** directs the Family Law Clinic. Professors Glean and Jessup are designated **NCBA Champions of Justice**. The award will be presented on June 20th during the Annual Meeting of the North Carolina Bar Association, which will be held at the Grove Park Inn in Asheville, N.C.



**Grady Jessup**



**Pamela S. Glean**

## TEXAS TECH UNIVERSITY™

The Clinical Programs were well represented at the Pro Bono Awards Luncheon in February at the Lubbock County Bar Association in conjunction with West Texas Legal Services. **Elma Moreno**, Office Manager/Legal Assistant with the Texas Tech University Law School Clinical Programs, received the **Legal Clinic Volunteer Lay Advocate Award**. **Katrina Bryant**, a student in the Civil Clinic, received the **Legal Clinic Volunteer Law Student Award**. Professor **Larry Spain** received the **John Crews Pro Bono Lawyer of the Year Award**.



**Elma Moreno, Larry Spain & Travis Bryant (accepting on behalf of his wife, Katrina)**



**C.J. Larkin**, an experienced community and family mediator and trainer, has been appointed as the Administrative Director of Alternative Dispute Resolution Programs. As part of her responsibilities, she will help provide mediation training and coordinate mediation opportunities for the students in our Civil Rights and Community Justice Clinic. **Daniel Nagin**, an experienced community advocate, has been appointed Administrative Director for the Civil Justice Clinic. Prior to moving to St. Louis this summer, he served as the Director of Positive Step at the Partnership for the Homeless in New York City.



**Bill Patton** argued two juvenile law cases in the California Supreme Court in May. In re Zeth S. (Supreme Court

No.S099557) involved the issue of whether newly discovered evidence and/or changes in the children's circumstances during the almost two years between the trial and the appeal can be considered by the appellate court. In re Celine R. (Supreme Court No. S11138) dealt with the issue of conflicts of interest when one attorney represents multiple siblings who have conflicting goals and interests in a parental termination proceeding.

## PUBLICATIONS



**Mary Beck (Missouri-Columbia)**, *Toward a National Putative Father Registry Data Base*, 25:3 HARV. J. L. & PUB. POL'Y 1031 (2002).



**Cynthia M. Dennis (Thomas Cooley)**, *Expanding Students' Views of the Dilemmas of Womanhood and Motherhood Through Individual Client Representation*, 46 HOWARD L. J. 269 (Winter 2003).



**Dan Filler (Alabama)**, *Terrorism, Panic and Pedophilia*, 10 VA. J. SOC. POL'Y & L. 345 (2003).



**Robert R. Kuehn (Alabama) and**



**Peter A. Joy (Washington U. St. Louis)**, *An Ethics Critique of Interference in Law School Clinics*, 71 FORDHAM L. REV. 1971 (2003).

**Peter A. Joy (Washington U. St. Louis)** and Kevin C. McMunigal, *The Alternative Perpetrator Strategy*, 17 ABA CRIMINAL JUSTICE 32 (Winter, 2003).

**Peter A. Joy (Washington U. St. Louis)** and Kevin C. McMunigal, *Inadequate Representation and Wrongful Conviction*, 18 ABA CRIMINAL JUSTICE 57 (Spring, 2003).



**Angela McCaffrey (Hamline)**, *Hamline University School of Law Clinics: Teaching Students To Become Ethical and Competent Lawyers for Twenty-five Years*, 24 HAMLINE J. PUB. L. & POL'Y 1 (fall, 2002)



**Daniel S. Medwed (Brooklyn)** *Actual Innocents: Considerations in Selecting Cases for a New Innocence Project*, 81 NEB. L. REV. 1097 (2003).



**William Wesley Patton (Whittier)**, *JUVENILE LAW AND ITS PROCESSES* (LEXIS Publishing 2003).

## INFORMATION RESOURCES FOR CLINICAL TEACHERS

The **CLEA Website** is located at:  
<http://clinic.law.cuny.edu/clea/clea.html>

To get on the **LAWCLINIC Listserv**, send an email to: [listserv@law.lib.wuacc.edu](mailto: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 email telling you how to post messages.

For the **Externship Listserv**, send an email to [listserv@lists.cua.edu](mailto:listserv@lists.cua.edu) Again, don't put anything in the subject space and in the body, write "**subscribe lextern**" <your first name last name>

An **On-Line Directory of Clinical Teachers** is located on the **Gateway to Clinical Legal Education** Website sponsored by the **University of Michigan Law School Clinical Law Programs**. You can search by name, type of clinic, or law school. The address is: [https://cgi2.www.law.umich.edu/\\_GCLE/index.asp](https://cgi2.www.law.umich.edu/_GCLE/index.asp)

## POSITION ANNOUNCEMENTS

CASE WESTERN RESERVE UNIVERSITY  
SCHOOL OF LAW

### Clinical Faculty

Case Western Reserve University School of Law invites applications for a new clinical faculty position beginning in the 2004-2005 academic year. This is a long-term contract position, for which unlimited renewals are possible. Candidates will be considered for appointment as an Assistant, Associate or Full Professor based upon their practice and teaching experience. We seek candidates with distinguished academic records and practice experience as well as a strong commitment to clinical legal education and teaching. The Clinic Center currently includes 6 clinical faculty teaching in a Civil Litigation Clinic (focused on predatory lending cases), Community Development Clinic, Criminal Justice Clinic, Health Law Clinic and Immigration Clinic. An Intellectual Property Clinic is being considered. Clinical Faculty generally co-teach and supervise in 2 clinics. We seek applicants for this 7<sup>th</sup> clinical faculty position with experience in Community Development, Civil Litigation or Health law. Case Western Reserve is an equal opportunity, affirmative action employer and encourages nominations of and applications from women and minority candidates. Contact: Professor Michael Scharf, Chair, Faculty Appointments Committee, Case Western Reserve University School of Law, 11075 East Blvd., Cleveland, Ohio 44106.



### ANTICIPATED OPENING

**TITLE OF POSITION: Director, Fordham University Interdisciplinary Center for Family & Child Advocacy**

**DEPARTMENT:** Interdisciplinary Center for Family & Child Advocacy, a joint project of the Graduate School of Social Service and Law School, and the Graduate School of Arts and Sciences, Department of Psychology. Located at Lincoln Center campus.

**RESPONSIBILITIES:** In consultation with faculty from the three Schools, the Director will develop, nurture and/or coordinate Center initiatives in the areas of interdisciplinary graduate education, community partnership, and research. Such initiatives include organizing conferences and continuing education programs, developing strategies for maintaining new interdisciplinary website, and overseeing content development of the site. The Center Director will be in charge of all administrative aspects of operating the Center including working with Faculty Directors, Steering Committee and Development offices on fundraising strategies for the Center, including writing grant proposals; developing new Advisory Board; preparing Annual Reports; publicizing the Center's work on a local and national level; and serving as liaison with other departments within the schools and the University.

**QUALIFICATIONS:** A JD and MSW, excellent administrative, organizational and interpersonal skills, experience with agencies serving families and children (child welfare or domestic violence), and the ability to work both independently in a leadership capacity and

collaboratively. Familiarity with websites preferred.

START DATE: As soon as possible.

SEND LETTER & RESUME TO:

Debra Harris, Associate Director  
Interdisciplinary Center for Family &  
Child Advocacy

Email submissions preferred:

adeharris@fordham.edu  
113 West 60th Street, 7th Floor  
New York, New York 10023  
Fax: 212-636-7349

## Georgetown University Law Center

### **Fellow –Georgetown University Law Center-Housing and Community Development Clinic.**

2-year fellowship at Georgetown University Law Center leading to an LL.M. in advocacy; the stipend for 2003-2004 is approximately \$37,000 (taxable) plus some benefits. The Fellow will supervise 2nd and 3rd year law students in the representation of community clients in the development of affordable housing, community-based economic development, and organizational capacity building. The Fellow will also assist in the teaching of a weekly seminar.

Required: minimum 2 yrs. legal experience with background in transactional housing and/or business matters. Spanish language ability is a plus. Admission, or eligibility for admission, to the DC Bar is required. Send letter of interest and resume by 6/16/02 to Michael Diamond, Harrison Institute, 111 F St., NW, Suite 102, Wash., DC 20001-2095.

# Harvard Law School

## **Senior Clinical Instructor Criminal Justice Institute**

The Criminal Justice Institute (CJI) is a curriculum-based clinical program in criminal and juvenile practice, research and teaching at Harvard Law School. All attorney staff at CJI are clinical instructors with responsibilities for direct service to clients as well as supervision and practice instruction of clinical law students. CJI sponsors clinical law students each academic year who, pursuant to the Massachusetts student practice rule, handle all aspects of representation of indigent criminal defendants and juveniles charged with delinquency.

Reporting to the Deputy Director and Director of the Criminal Justice Institute, the Senior Clinical Instructor provides law students with a rigorous educational experience while also ensuring that clients accused or convicted of crime and/or delinquency are provided with high quality legal representation. The Senior Clinical Instructor will directly supervise law students each semester in all aspects of client representation, assist in classroom teaching and curriculum development, provide written evaluations and grades for students, cover student cases when necessary, serve as lead counsel in some cases, coordinate conferences and other educational programs on criminal and juvenile justice issues, and assist in a variety of Institute initiatives, including conferences, research, amicus briefs on criminal justice issues, and other written projects. The Senior Clinical Instructor will also participate in the three-week Trial Advocacy Workshop—critiquing student performances and giving demonstrations of trial components.

**Minimum Requirements:** JD and admission to Massachusetts Bar or must pass next exam; at least five-seven years of criminal trial practice and/or juvenile law practice required with superior professional practice skills; experience with formal mentoring and supervision of law students, beginning attorneys or other professionals preferred; strong oral and written communication and interpersonal skills required; strong motivation, initiative and commitment to meeting the legal needs of persons charged with, or convicted of, crimes or delinquency; ability to work independently as well as collaboratively and in demanding, high-stress circumstances. *Note: Clinical Instructors are hired on term contracts for one, two, or, three years, with an initial one-year term. This is a one-year appointment; eligibility for subsequent terms are based on performance and program needs.*

**Salary:** DOE

**Special Note:** The Criminal Justice Institute is hiring for only one position. Please see Requisition Number 16437 for Deputy Director position.

**Start Date/Deadline for Applications:**

Position begins summer, 2003. Please send cover letter and resume to: Kathy Thurman, Human Resource Services, Harvard Law School, 23 Everett St., Cambridge, MA 02138.

**Deputy Director  
Criminal Justice Institute**

Reporting to the Faculty Director of the Criminal Justice Institute, the Deputy Director is responsible for the day-to-day management and evaluation of CJI staff and students, program development, including an assessment of program needs and the development of new areas of practice and training of staff and students. The Deputy

Director works closely with the Faculty Director to define staff and program goals and provides ongoing leadership to achieve these goals. The Deputy Director assists the Faculty Director in developing educational materials and clinical practice instruction for the *Introduction to Advocacy: Criminal Justice* course and has overall responsibility for running the course's orientation sessions and skills seminars. The Deputy Director works with the Administrative Director of CJI to oversee and help prepare the budget and conducts fundraising as needed, including responsibility for grant writing and reporting. The Deputy Director maintains effective relationships with local courts, bar associations, and agencies to obtain court appointments for students.

The Deputy Director will also directly supervise law students each semester in all aspects of client representation, develop seminars for clinic students on criminal practice, provide written evaluations and grades for students, cover student cases when necessary, serve as lead counsel in some cases, coordinate programs in criminal justice and juvenile justice, including conferences, research, amicus briefs on criminal justice issues, and other written projects. The Deputy Director coaches, and leads CJI trial team, which participates in an annual national trial competition. Deputy Director will also participate in the three-week Trial Advocacy Workshop—critiquing student performances and giving demonstrations of trial components.

**Minimum Requirements:** JD and admission to Massachusetts Bar or must pass next exam; at least eight-ten years of criminal trial practice experience required with superior professional practice skills; in-depth experience as a formal mentor and supervisor of law students, beginning attorneys or other professionals; at least two years experience managing and developing

accomplished professionals, including program management abilities; excellent written and verbal communication and interpersonal skills required; demonstrated ability to work independently and creatively, as well as collaboratively, to further broad program needs; expertise in criminal law and practice with ability to develop similar expertise in professional staff required; and strong motivation, initiative and commitment to meeting the legal needs of persons charged with, or convicted of, crimes or delinquency. *Note: Clinical instructors are hired on term contracts for one, two, or, three years, with an initial one-year term. This is a one-year appointment; eligibility for subsequent terms are based on performance and program needs.*

**Salary:** DOE

**Note:** The Criminal Justice Institute is hiring for only one position. Please see Requisition Number 16436 for Senior Clinical Instructor position.

**Start Date/Deadline for Applications:**

Position begins summer, 2003. Please send cover letter and resume to: Kathy Thurman, Human Resource Services, Harvard Law School, 23 Everett St., Cambridge, MA 02138.

NORTHWESTERN UNIVERSITY SCHOOL OF LAW

**Clinical Assistant Professor**

This is a non-tenured academic position at Northwestern University School of Law in its Small Business Opportunity Center, part of the nationally-acclaimed Bluhm Legal Clinic. Candidates must be members of the Illinois Bar with a strong record of academic achievement and three or more years experience practicing

transactional law. In addition to being able to supervise students in this innovative clinical program, candidates should have sufficient practical experience to teach a seminar on some aspect of entrepreneurship, corporate, intellectual property or technology law. Teaching experience or a demonstrated interest in an academic career is a plus.

Applications must be submitted by **June 1, 2003** to Thomas Morsch at Northwestern University School of Law, 357 East Chicago Avenue, Chicago, Illinois 60611, or by email to [tmorsch@law.northwestern.edu](mailto:tmorsch@law.northwestern.edu).

Northwestern is an Affirmative Action, Equal Opportunity Employer.

MORITZ COLLEGE OF LAW THE OHIO STATE UNIVERSITY

**Juvenile Justice Clinic Staff Attorney**

The Moritz College of Law invites applications for the position of staff attorney in its Justice for Children Practicum, starting in July or August 2003. Currently, this is a twelve-month renewable contract appointment. The College of Law, however, has recently approved a proposal to create long-term contract clinical faculty positions; we await University approval.

The Practicum is part of the Justice for Children Project at the Moritz College of Law, founded during the 1997-98 academic year. Through a clinical course, the Project provides direct legal representation to children in a variety of legal proceedings, including delinquency, unruly, abuse and neglect, judicial bypass, and custody matters. The Practicum's staff attorney will have several responsibilities, including 1) supervising students who represent clients under the student practice rule promulgated by the Ohio Supreme Court, 2) representing children (primarily in juvenile court matters), and 3) classroom teaching of lawyering

skills.

We will consider all applicants; however, we prefer candidates with at least three years of litigation experience as well as interest or experience in advocacy on behalf of child clients. Candidates should be admitted to the Ohio Bar or eligible for admission. Finally, candidates should have an academic record that demonstrates potential for clinical teaching and clinical scholarship or preparation of clinical educational materials. The salary range will be \$48,000-\$51,000; full University fringe benefits are provided as well. The starting date will be July 1, 2003, or as soon thereafter as possible.

A resume, references, and cover letter should be submitted to Professor Mary Beth Beazley, Chair, Search Committee, The Ohio State University Moritz College of Law, 55 West 12<sup>th</sup> Avenue, Columbus, Ohio 43210. Send e-mail applications to <mailto:beazley.1@osu.edu> Applications will be reviewed immediately and will be accepted until the position is filled.

*The Ohio State University is committed to nondiscrimination, equal employment opportunity and affirmative action. This commitment is both a matter of law and moral imperative consistent with an intellectual community in which individual differences and diversity are celebrated. Accordingly, discrimination against any individual for reasons of race, color, creed, religion, sexual orientation, national origin, sex, age, disability, or veteran status is specifically prohibited.*



## **Tenure-Track Clinical Faculty**

### **Criminal Law/Juvenile Justice**

The Ronald A. Peterson Law Clinic at Seattle University School of Law invites applications for a tenure-track clinical faculty position beginning in the 2004-2005 academic year. We are seeking candidates with criminal law experience, and demonstrated interest in juvenile law. Applicants should have at least three years of practice experience. It is desirable that candidates have at least two years of prior clinical teaching. We seek candidates with a distinguished academic record and a strong commitment to clinical teaching. Candidates should also demonstrate promise through scholarship. Seattle University offers 10 live-client clinical opportunities: The Law Practice Clinic (focusing on juvenile criminal and special education matters); Civil Practice Clinic; Administrative Law Clinic; Bankruptcy Clinic; International Human Rights Clinic; Immigration Law Clinic; Arts Legal Clinic; Not for Profit Organizations Clinic; Professional Responsibility Clinic, and; Trust and Estates Clinic. The Law Clinic also administers the Law School's Externship Program. Our clinics emphasize clinic and non-clinic faculty collaboration.

Seattle University is a Jesuit University and an Equal Opportunity Employer. All persons who meet the position requirements, including women, minorities and persons with disabilities are encouraged to apply. The Seattle University School of Law, finding prejudicial discrimination inconsistent with the spirit of free academic inquiry, does not discriminate in education, employment, or provision of services on the basis of characteristics which are not job related, including sex, race, color, national origin, religion, age, marital status, disability, sexual or political orientation, or Vietnam era veteran status. This position will remain open until filled.

Send resume to:  
Professor Julie Shapiro  
Chair, Faculty Appointments Committee  
Seattle University School of Law  
900 Broadway  
Seattle, Washington 98122-4340



**TWO VISITING CLINIC POSITIONS  
2003-04**

The SYRACUSE UNIVERSITY COLLEGE OF LAW Office of Clinical Legal Education is seeking applicants for TWO one-year visiting positions in our in-house clinics for 2003-04. The positions are as visitors to direct the PUBLIC INTEREST LAW FIRM and the CRIMINAL LAW CLINIC. The directors in these clinics are responsible for supervising ten students per semester on active cases, and teaching the weekly clinic seminar component and case review sessions.

Our PUBLIC INTEREST LAW FIRM ("PILF") is a year long clinic that represents clients in civil litigation, particularly civil rights cases and impact litigation. We encourage applications from individuals with clinical teaching experience, and federal litigation experience for the PILF position. Our CRIMINAL LAW CLINIC is a one semester clinic that represents clients in misdemeanor cases in the local city court. We encourage applications from individuals with clinical teaching experience and criminal practice experience, especially in New York State, for the Criminal Law Clinic position.

Syracuse University is an equal employment opportunity employer.

Interested individuals should submit applications, including a letter of interest, curriculum vitae, and a list of three references with knowledge of the applicant's relevant experience in the areas of lawyering and litigation skills, supervisory skills and teaching or clinical teaching abilities, as soon as possible, to Professor Arlene Kanter, Director of Clinical Legal Education at [kantera@law.syr.edu](mailto:kantera@law.syr.edu) or by mail to her at the Office of Clinical Legal Education, Syracuse University College of Law, Syracuse, NY 13244-1030.

The CLEA Newsletter will be published in the future three times a year: in September, February, and May. Although position announcements will be published in the electronic version of the newsletter, they will not be included in the printed and mailed copies to members. Job announcements may be posted throughout the year on the CLEA Website, <http://clinic.law.cuny.edu/clea/clea.html> by submitting them to the CLEA Webmaster, Robert Seibel, [Seibel@mail.law.cuny.edu](mailto:Seibel@mail.law.cuny.edu)

Information and items of interest for the newsletter may be submitted to the Editor by email, fax or mail as follows:

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

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(702) 895-2482 FAX  
[appell@unlv.edu](mailto:appell@unlv.edu)



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[lopez@law.unm.edu](mailto:lopez@law.unm.edu)



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27<sup>th</sup> & Carpenter  
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(515) 271-4100 FAX  
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[galowitz@juris.law.nyu.edu](mailto:galowitz@juris.law.nyu.edu)



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Campus Box 1120  
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(314) 935-6445  
(314) 935-5356 FAX  
[joy@wulaw.wustl.edu](mailto:joy@wulaw.wustl.edu)



**Bryan Adamson (2003)**

Seattle University School of Law  
1112 E. Columbia  
Seattle, WA 98122-4340  
(206) 398-4130  
(206) 398-4136 FAX  
[badamson@seattleu.edu](mailto:badamson@seattleu.edu)



**Angela Olivia Burton (2005)**  
 Syracuse University College of Law  
 Office of Clinical Programs  
 P.O. Box 6543  
 Syracuse, NY 13210  
 (315) 443-4582  
 (315) 443-3636 FAX  
[AOBurton@law.syr.edu](mailto:AOBurton@law.syr.edu)



**Stacy Caplow (2003)**  
 Brooklyn Law School  
 250 Joralemon Street  
 Brooklyn, NY 11201  
 (718) 780-7944  
 (718) 780-0396 FAX  
[scaplow@brooklaw.edu](mailto:scaplow@brooklaw.edu)



**Brad Colbert (2003)**  
 William Mitchell College of Law  
 875 Summit Avenue  
 St. Paul, MN 55105  
 (651) 290-6413  
 (651) 290-6419 FAX  
[bcolbert@wmitchell.edu](mailto:bcolbert@wmitchell.edu)



**Cynthia Dennis (2003)**  
 Thomas M. Cooley Law School  
 300 S. Capitol Avenue  
 Lansing, MI 48933  
 (517) 334-5760  
 (517) 334-5761 FAX  
[dennis@cooley.edu](mailto:dennis@cooley.edu)



**Justine Allison Dunlap (2004)**  
 University of Baltimore  
 Family Law Clinic  
 40 W. Chase Street  
 Baltimore, MD 21201  
 (410) 837-5639  
 (410) 333-3053 FAX  
[jdunlap@ubalt.edu](mailto:jdunlap@ubalt.edu)



**Susan L. Kay (2004)**  
 Vanderbilt University  
 School of Law  
 131 21<sup>st</sup> Avenue South  
 Nashville, TN 37203  
 (615) 322-4964  
 (615) 343-6562 FAX  
[Susan.Kay@law.vanderbilt.edu](mailto:Susan.Kay@law.vanderbilt.edu)



**Carolyn Wilkes Kaas (2005)**  
Quinnipiac School of Law  
275 Mount Carmel Avenue  
Hamden, CT 06518-1946  
(203) 582-3234  
(203) 582-3237 FAX  
[carolyn.kaas@quinnipiac.edu](mailto:carolyn.kaas@quinnipiac.edu)



**Alexander Scherr (2004)**  
University of Georgia School of Law  
Herty Drive  
Athens, GA 30602  
(706) 542-6510  
(706) 542-5556 FAX  
[Scherr@arches.uga.edu](mailto:Scherr@arches.uga.edu)



**Gary Palm (2003)**  
2800 Lake Shore Drive #3706  
Chicago, IL 60637  
(773) 248-9376  
[ghpalm@msn.com](mailto:ghpalm@msn.com)



**Paulette J. Williams (2005)**  
University of Tennessee College of Law  
75 Taylor Law Building  
1505 West Cumberland Avenue  
Knoxville, TN 37996-1810  
(865) 974-2331  
(865) 974-6782 FAX  
[Pwilliam@libra.law.utk.edu](mailto:Pwilliam@libra.law.utk.edu)



**David Santacroce (2005)**  
University of Michigan Law School  
363 Legal Research Building  
801 Monroe Street  
Ann Arbor, MI 48109-1215  
(734) 763-4319  
(734) 764-4702 FAX  
[dasanta@umich.edu](mailto:dasanta@umich.edu)



**CLEA Webmaster: Robert Seibel**

School of Law  
City University of New York  
65-21 Main Street  
Flushing, NY 11367  
(718) 340-4206  
(718) 340-4478 FAX  
[seibel@mail.law.cuny.edu](mailto:seibel@mail.law.cuny.edu)



**Newsletter Editor: Larry Spain**

Texas Tech University  
School of Law  
1802 Hartford Avenue  
Lubbock, TX 79409-0004  
(806) 742-3787 ext. 227  
(806) 742-3990 FAX  
[lspain@law.ttu.edu](mailto:lspain@law.ttu.edu)