Volume 28, Issue 2



President's Message

This was not the 2020 any of us had in mind. It has been only four months since I wrote my first message as CLEA President and, in that time, the COVID-19 crisis has changed the world and the way we live in it. We are seeing colleagues, students, clients, and our communities struggle with their health their circumstances. We are finishing out the spring semester online and missing the bittersweet in-person last classes and graduations. We are sheltering in place and getting Zoom fatigue. But we are also hopeful, strong, and resilient. I am thankful to be a part of such a talented, collaborative. and committed community of legal educators whose collective energy is inspiring and energizing especially in these difficult times.

Although we will not be visiting with one another in person at the annual Clinical Conference this week, I am excited that CLEA and the AALS Clinical Section are planning a joint celebration to honor the 2020 Awardees. The Joint Online AALS and CLEA Awards Ceremony will be held on Wednesday, May 27 at 7:00 p.m. EDT. We will celebrate the well-deserving AALS awardees, Sameer Ashar and CLEA Board Member Alexis Karteron, and the work of the 2020 CLEA Award for Excellence in a Public Interest Case



Kendall Kerew (Georgia State)

or Project recipient, the University of Chicago Law School's Federal Criminal Justice Clinic (FCJC).

Because the Workshop for New Law Clinical School Teachers canceled and the Externships 10 Conference has been postponed, CLEA's New Clinicians Committee in collaboration with CLEA's Best Practices Committee will present online programming on June 15-18 for the new clinicians in our community. Finally, CLEA's Per Diem Project Committee launched its annual campaign by asking you to donate the equivalent of one day's per diem to an organization in your own community serving people affected by the coronavirus in some way.

In direct response to the COVID-19 crisis, CLEA's Social Justice

<u>CLEA</u> <u>NEWSLETTER</u>

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

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President's Message (cont'd)

Committee worked with the AALS Clinical Section on a Joint Statement addressing the coronavirus-related vulnerabilities faced by the communities we serve and urging immediate action at the local, state, and federal levels. With the help of CLEA's Advocacy Committee, the Board of Directors issued a Statement on the 2020 Bar Exam urging state licensing bodies to make equitable decisions that creatively and realistically address the impact of the COVID-19 crisis on both underserved communities and recent law school graduates.

Despite, and perhaps because of, the challenges we face as a community, CLEA's work to advance clinical legal education and to promote justice and diversity as core values of the profession continues. Please read the committee reports that follow for an update regarding ongoing initiatives and plans. If you are not already a member, please join CLEA. If you are already a member, please be sure to renew your membership. Reach out if you are interested in joining one of our committees. We have work to do, and we are better together!

2020 CLEA Executive Committee

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

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STATEMENT OF THE BOARD OF DIRECTORS ON THE 2020 BAR EXAMINATION

April 21, 2020

The Clinical Legal Education Association ("CLEA"), the nation's largest association of law professors, urges State authorities in charge of attorney licensure to promulgate rules and policies in response to the current pandemic that expand the availability of legal representation for underserved clients and equitably account for the impact of the COVID-19 crisis on recent law school graduates. In the face of this unprecedented crisis, we are called to work together to protect each other. We must be pragmatic, flexible and caring. While we are strongly drawn to precedent and tradition, as are all lawyers, we urge that strict adherence to the current model of a single, high takes, timed bar examination as the primary gatekeeper to the profession will needlessly exacerbate inequality and further injustice during this pandemic.

As this crisis has developed, a number of approaches to bar licensure have emerged. Some jurisdictions have announced plans to postpone the bar exam a few months and then require applicants to sit for the traditional exam. These plans seem not to fully grapple with the difficult situation in which we find ourselves. CLEA joins others in calling for jurisdictions to adopt alternatives to the bar exam, such as supervised practice, sequential licensing, and diploma privileges. We recognize that one size may not fit all and that solutions will vary according to the needs and circumstances of each locale. Nevertheless, one thing is certain – this is not a time for business as usual.

CLEA has long expressed concerns about the deficits of the bar exam in the licensure system for American lawyers. This position is rooted in CLEA's mission, which promotes justice and diversity as the core values of the legal profession and recognizes that licensure regulations inevitably shape legal education, particularly clinical legal education. CLEA has consistently urged that direct assessment of relevant professional skills, on analogy to training in medicine, would be better than inferring those skills from academic performance. Bar exam scores correlate well with law school GPAs and, to a lesser extent, with LSAT scores, but neither of these measures has been shown to relate to success in the profession or competence in lawyering. The bar exam is not designed to measure competence in representing clients or advancing justice, as is required of all lawyers. We have repeatedly urged that supervised practice and other experiential assessments would much better protect our clients and foster professional excellence. These deficits of the traditional bar exam are thrown into high relief by the bright light of the virus.

First, there is an unprecedented need for legal counsel for low and moderate income people, so many of whom will need legal assistance on issues of employment, housing, business and finance during and after this crisis. The need for advice and representation in family law, criminal law and immigration matters is also acute. Licensing alternatives such as supervised practice, graduated licensing and admission by diploma privilege would expand the availability of legal services at this crucial time and permit law graduates to serve their communities. Second, the COVID-19 crisis has impacted law students unequally. Some are infected, while others are caring for family members. Many are dealing with severe economic dislocation and beset by daily crises; they are caring for



STATEMENT OF THE BOARD OF DIRECTORS ON THE 2020 BAR EXAMINATION (continued)

children, older relatives and in some cases, face illness themselves. In the coming months, the results of any exam will turn upon the circumstances of the test taker rather than their ability to ethically practice law and meet their professional obligations. Most law schools have recognized that reality by adopting some form of pass/fail grading for this semester. In this moment, limiting admission to practice to those capable of sitting for and passing the traditional bar exam will only exacerbate these inequities; it will adversely impact those facing personal challenges brought on by this crisis while rewarding the fortunate and the wealthy.

Third, we must recognize the impracticality of administering a bar exam now or in the near future. Some states have announced their intention to move forward with the July 2020 exam and others have postponed the July exam to September. Although we cannot be sure, given the dynamism that characterizes this moment, there seems little likelihood that large groups of graduates could safely take an exam in person during the coming months.

We urge the state licensing bodies to recognize that this state of emergency requires us to seek creative, sensible and realistic solutions. We must try to better meet the legal needs of underserved groups and respond with care, concern and thoughtful reforms to the very serious challenges those striving to enter our profession face in this unprecedented time of crisis. Let us not look back and regret that we did not give enough attention to the least fortunate among us and let inequality flourish in disaster.

INTERESTED IN SUBMITTING YOUR WRITING TO THE CLEA NEWSLETTER?

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



Awards

2020 CLEA Award for
Excellence in a Public Interest
Case or Project

University of Chicago Law School's Federal Criminal Justice Clinic 2020 AALS Clinical Section
M. Shanara Gilbert Award

Professor Alexis Karteron (Rutgers)

2020 AALS Stephen J.
Ellmann Memorial Clinical
Scholarship Award

Professer Sameer Ashar

Professer Sameer Ashar (UCLA)

CSALE's Survey of Clinical Legal Education Please Fill Out Your Sub-Survey Now!

The Center for the Study of Applied Legal Education (CSALE) is finishing up the 5th iteration of its triennial Survey of Applied Legal Education. We need your help by participating in the Survey, which is closing in the next few weeks so we can issue our report by the end of the summer.

Data from the Survey is critically important — faculty at over 80% of schools have relied on CSALE data in considering law clinic and externship program design, pedagogy, and staffing, and for their scholarship and employment negotiations.

Every full-time law clinic and externship instructor, regardless of title or position, should have received an email invitation (via Qualtrics and Bob Kuehn) with an individualized link to their CSALE Sub-Survey in late January, with reminders in March and April. Please fill out that short survey, which should take less than 15 minutes on your smartphone or computer, and urge your colleagues to hurry up and do the same.

You can download the results of CSALE's last survey using this link.

If you have any questions or cannot locate your survey invitation, contact Bob Kuehn, CSALE Vice President, at rkuehn@wustl.edu.



CLEA Committee Reports

Faculty Equity and Inclusion Committee

The Faculty Equity & Inclusion Committee began collecting best practices for equitable clinical faculty hiring and plans to produce future resources available through CLEA and AALS. The committee welcomes input from any clinical faculty that can share recent success stories and strategies. The committee worked with the AALS Clinical Conference planning committee to organize a plenary session on faculty diversity and barriers to the profession that included two committee members as speakers, in addition to a concurrent workshop organized by the committee to discuss experiences of hiring and identify potential solutions. The plenary and workshop will hopefully take place at the 2021 conference. The committee also welcomed Jennifer Fernandez as a new member. Professor Fernandez is the Clinical Supervisor and Lecturer in the Civil Practice Clinic at the University of Pennsylvania.

Committee Co-Chairs



Caitlin Barry (Villanova)



Shobha Mahadev (Northwestern)

New Clinicians and Best Practices in Pedagogy Committees

The CLEA New Clinicians and Best Practices Committees are pleased to present a free virtual New Clinicians Conference, which will take place from Monday June 15 –Thursday June 18, 2020, at 2 – 3:30 Eastern/1 – 2:30 Central/12 – 1:30 Mountain/11 – 12:30 Pacific each day.

Each day, the conference will offer 40 minutes of webinar programming on a particular topic, as well as 45 minutes of discussion within pre-assigned small groups. Webinars will include In-House Clinic Design, Externship Clinic Design, Classroom Teaching, Supervision, and Scholarship. Small group discussions will allow participants to get to know other new clinicians, explore questions about webinar content, and raise specific challenges faced in their work.

Registrants can sign up to participate in all or some webinars, and can choose whether to participate in small group discussions. To build community and maximize the value of small group discussions, we ask participants who register for small groups to plan to join all four scheduled discussions.

To see the full conference schedule and program and to register, please visit CLEA's website. There is no registration fee for this conference. Please feel welcome to contact any planning committee members with questions.

Committee Co-Chairs



Lisa Martin
New Clinicians
(South Carolina)



Daniel Schaffzin
New Clinicians
(Memphis)



Melania DeRousse Best Practices (Kansas)



Laila Hlass
Best Practices
(Tulane)



Awards Committee

The 2020 CLEA Award for Excellence in a Public Interest Case or Project is awarded to the University of Chicago Law School's Federal Criminal Justice Clinic (FCJC) for its innovative "Stash House" litigation, a multi-year endeavor that exposed—and effectively eliminated—racial discrimination in an entire category of federal cases. The FCJC's Stash House project challenged the ATF's discriminatory practice of luring unsuspecting people of color into schemes to rob non-existent drug-stash-houses. The FCJC's district court Stash House litigation used statistical evidence to save their 43 clients from hundreds of years in prison. The FCJC's appellate litigation dramatically improved the legal standard for people seeking discovery about race discrimination by police, ushering in a new wave of litigation challenging racial bias. The project exemplifies individual client representation as a vehicle for systemic change. It was helmed by Professor Alison Siegler, FCJC's Founder and Director, along with FCJC Associate Director Professor Erica Zunkel and Professor Judith Miller, and was litigated by FCJC students over four years. Former FCJC students supported the nomination, detailing the thousands of hours they'd devoted to the project and adding: "Professor Siegler's vision and strategic brilliance forged the path..., but it was her enormous dedication to her students and sharp pedagogical insight that ensured we were part of the team at every step." The FCJC's litigation strategy was so successful that lawyers elsewhere adopted it to change the law in other circuits, and it promises to produce just outcomes for hundreds of people unfairly targeted and incarcerated nationwide.

CLEA is inspired by the pathbreaking work of clinics across the nation and honors the following nominees with Honorable Mentions:

- Berkeley Law's Policy Advocacy Clinic for its project to abolish juvenile justice fees.
- City University of New York School of Law's Defenders Clinic and Immigrant & Non-Citizen Rights Clinic for its clemency and deportation defense of Colin Absalam.
- Florida State University College of Law's Collateral Consequences Project for its advocacy on voting rights restoration of returning citizens convicted of felony offenses.
- University of Baltimore School of Law Community Development Clinic's Water Justice Project that resulted in a new accountability and oversight structure for Baltimore's water utility.
- University of Wisconsin-Madison Law School's Wisconsin Innocence Project for its victory in State v. Debelbot.
- Washburn Law Clinic's Rural Immigrant Family Preparedness Project for its legal services clinics in a rural immigrant community.

Committee Co-Chairs



Kele Stewart (Miami)



Jane Stoever (UC Irvine)



Externship Committee

The CLEA Externship Committee has been engaged in a number of initiatives. As many of you may know, the Externships 10 conference "20/20 Vision for the Future" was postponed from March until October 22-25, still to be hosted by Syracuse University School of Law. Our committee is part of the conference planning committee. Members of the CLEA Externship Committee are working with the CLEA New Clinicians and Best Practices Committees to repurpose new clinicians programming from both the AALS Clinical Conference and X10 to a webinar series in June. We will also be presenting live at the Externships 10 conference about the ABA Accreditation Process with respect to externships and reporting on our survey of schools that have gone through the inspection process within the last few years. Our intention remains to provide ongoing guidance for externship faculty at schools with upcoming site visits to assist them to assure and demonstrate compliance.

We completed a first round of information gathering and webinars on the issue of paid externships in 2019, and are planning a second round of surveys to update the information. Finally, this summer we will start plans for creating a common repository of supervisor training videos, an initiative which we hope to be able to further at the October gathering at Externships 10.

Communications Committees

It certainly has been an exciting spring for the CLEA Communications Committee. We welcomed new members, Kathryn Banks and Chante Bradley, and a new Chair, Michael Murphy. We wished our departing chair, Lauren Bartlett, well as she takes over as one of CLEA's Co-Vice Presidents. We have been keeping our social media feeds updated with news and announcements – please check us out @CLEAweb on Twitter and at @CLEAweborg on Facebook. As always, our website includes CLEA's mission, updated job listings, and other important information about clinical legal education. Stay safe!



Follow CLEA on social media!

Committee Co-Chairs



Jodi Balsam (Brooklyn)



Carrie Kaas (Quinnipiac)

Committee Chair



Michael Murphy (Pennsylvania)



ABA and Bar Standards Advocacy Committee

CLEA's ABA and Bar Standards Advocacy Committee has been quite active since early March, addressing issues arising from the challenges faced by law schools, faculty, and students, as a result of the novel coronavirus pandemic. In early April, the committee drafted a position statement with respect to this year's bar examinations, which was subsequently adopted by CLEA's Board of Directors. The statement urges bar licensing authorities "to recognize that this state of emergency requires us to seek creative, sensible and realistic solutions." Rather than proposing one particular alternative to the bar exam, the CLEA board recognized "that solutions will vary according to the needs and circumstances of each locale. Nevertheless, one thing is certain – this is not a time for business as usual." Most recently, the committee drafted a letter to the ABA Council in support of SALT's letter urging suspension of Standard 316.

In addition to addressing concerns about the bar exam, the committee has continued to monitor the actions of the ABA Council. CLEA submitted a written report of its activities to the Council and provided an oral report at its February 2020 meeting. CLEA continues to raise concerns about the lack of transparency that has resulted from the Council's restructuring. In addition, CLEA is closely monitoring the Council's proposed changes to existing ABA Standards.

Shortly before the coronavirus pandemic occurred, the ABA Council's Standards Review Subcommittee proposed several changes to the accreditation standards governing distance education. The Council's Proposal changes the method of obtaining approval for an online JD program, which seeks to award more than one third of the credit hours required for the JD degree for distance education courses, from a required variance to obtaining acquiescence. The Council will revisit its proposal and any comments it receives at its May 15 open session, which will be conducted by telephone.

Committee Co-Chairs



Joy Radice (Tennessee)



Beth Schwartz (Fordham)

PER DIEM PROJECT COMMITTEE ANNOUNCEMENT

This year, the CLEA Per Diem Project Committee is asking you to donate the equivalent of one day's per diem to an organization in your own community that is serving people affected by the coronavirus. We hope that you will make a donations to legal services providers, bail funds, food pantries, mutual aid organizations, or any entity that is working to alleviate the burden for marginalized people in your community. We would love to know where you have chosen to donate and to document our impact on our communities. If you make a donation, please record that information here.



CLINICAL LEGAL EDUCATION BY THE NUMBERS

A recurring column by Robert Kuehn, Washington University School of Law

A Sneaky Peek at CSALE 2019-20: Clinical Law Faculty and Their Courses

We are in the final weeks of collecting data for the Center for the Study of Applied Legal Education's 2019-20 tri-annual survey of clinical legal education.

The <u>CSALE Master Survey</u> was completed in the fall by over 94% of law schools; the follow up <u>CSALE Sub-Survey</u> was sent earlier this year to almost 2,000 law clinic and externship instructors. The ongoing Sub-Survey collects information on each instructor's position and courses and will remain open for additional respondents until the end of May. CSALE will publish a detailed report on the 2019-20 survey, its fifth, in late summer, available with prior reports on its <u>website</u>.

But there's no need to wait. Some of the data in the CSALE Master Survey is available now, and it shows both stability and change in clinical legal education. Relatively unchanged was the number of law clinics, with schools reporting 1,521 clinics, a median of 7 per school, unchanged over the <u>last three surveys</u>. Six schools offer no law clinics and three offer just one, while seven schools reported more than 20. There are some significant changes in the substantive focus of clinics. The most common now is Immigration (displacing Criminal Defense), offered at 63% of schools, a 34% increase in just three years. Intellectual Property clinics also greatly increased in number (at 35% of schools, up 50% from the last survey), as did Entrepreneur/Small Business (now at 36% of schools).

Student demand for law clinics is up slightly from CSALE's 2016-17 survey, perhaps reflecting the new ABA six-credit experiential coursework graduation

requirement. At 46% of schools, student demand for clinics increased over the past three years (compared to 38% in the last survey), while at only 10% did demand decrease (19% in last survey). In contrast, in the 2010-11 CSALE survey, 80% of schools experienced increased law clinic demand, while only 1% reported a decrease. The most common reasons given for decreased demand in the current survey were the school's smaller student body and the students' belief they should spent their time on bar subject courses.

With externships, criminal (prosecution and/or defense), government, judicial, and public interest law offices continue to be the most common types of field placement practice areas offered to students. A majority of placements continue to be in litigation or dispute resolution practice. At nine schools, 90% or more of placements are litigation/dispute resolution focused, while over 80 schools place less than 10% of their students in transaction-focused offices.

Similar to the last CSALE survey, over half of schools now allow students to receive more than 10 credits in a field placement course, with almost all of those schools (98%) permitting "full-time placements" outside the vicinity of the law school. Fewer than one quarter of schools permit students to extern with a law firm. And while 45% of schools prohibit placements at inhouse counsel offices of for-profit entities, only four schools prohibit placements at not-for-profit entities. Compensation (paid externships) without conditions or limits, such as from law firms or for-profit corporations, is only offered at 17% of schools:



A Sneaky Peek at CSALE 2019-20 (cont.)

Compensation	Percentage of Schools	
Permitted, no conditions	17%	
Permitted, with conditions (e.g., source other than placement site)	19%	
Not Permitted	64%	

Demand for field placement courses is up slightly – 47% of schools report increased demand over the past three years (compared to 42% in the prior survey) – with decreased demand down from 15% of schools three years ago to just 7% in the current survey. Like law clinics, demand for field placement courses peaked in the 2010-11 survey when 76% of school reported increased demand and only 1% reported a decrease.

Looking at faculty changes, schools reported a median of 12 persons teaching in a law clinic or field placement course, full- or part-time, including adjuncts, staff attorneys, fellows, etc. This is up slightly from 11 per school in the last two CSALE surveys. The percentage of clinic and externship courses taught by full-time clinical faculty, however, continues to decrease. During this academic year, 65% of clinical teachers were full time, down from 72% full time in 2016-17, 78% in 2013-14, and 82% in 2010-11.

The status of those teaching full-time shows slightly more on contract and somewhat fewer on some form of tenure (combining traditional and clinical tenure) – dropping to 29% after 35% in the three prior surveys:

Employment Status	CSALE 2010-11	CSALE 2013-14	CSALE 2016-17	CSALE 2019-20
Contractual Appointment	52%	54%	53%	56%
Tenured/Tenure Track	26%	27%	25%	21%
Clinical Tenured/ Clinical TT	9%	8%	10%	8%
Other	7%	4%	6%	7%
Non-Adjunct At Will	4%	3%	_	_
Fellow	7%	4%	3%	8%
Administrator w/ or w/out Faculty Title			5%	_

One third of all clinical faculty are on long-term, presumptively renewable contracts (or on short-term contracts leading to long-term renewable contracts), down slightly from the last two surveys, while 37% are in shorter term, less secure positions as staff attorneys, fellows, or at will administrative positions.

Contrary to worries about contraction of clinical faculty, at half the schools the number of total full-time clinical instructors has remained constant, while at 38% it has increased, and at 12% decreased. The main factors contributing to an increase were the addition of new law clinic or externship courses, while the main factors contributing to the decrease were the retirement/death or voluntary departure of a clinical faculty member without a replacement. Only 5% of schools attributed the decrease to layoffs, and only 5% attributed it to decreased student interest in law clinic or field placement courses.

Finally, this was the first CSALE survey after the implementation of the new six-credit experiential coursework requirement. In response to that new standard, approximately one third of schools made no changes to its courses. However, 43% of schools added new law clinic, field placement, or simulations courses, 30% restructured some previously non-experiential courses to become experiential, and 23% increased the number of slots available to students in existing clinic, field placement, or simulations courses. Ten percent of schools simply restructured an existing legal research and writing course to now be considered experiential. The new standard has had some impact on the firstyear curriculum -- one-fourth of schools now offer or require an experiential course. Yet, only seven schools offer or require a law clinic or field placement course as part of the first-year curriculum as 95% of first year experiential courses are simulations.



A Sneaky Peek at CSALE 2019-20 (cont.)

Our report on the CSALE 2019-20 survey will provide much more detail from the Master Survey on school-wide programs and policies and, from the Sub-Survey, data on specific types of courses and teacher status and demographics. However, the information CSALE can provide is only as good as what we can collect. If you have yet to complete your CSALE Sub-Survey, please do so pronto. There is power in CSALE's clinical legal education data; please add your survey answers to the nationwide database.

<u>Robert Kuehn</u>

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



The Last Time Law Schools Changed Grades to Pass/Fail for Everyone by Martin Guggenheim

For many in our community, this is the first time law school faculties voted to change the grading system mid-year from letter grades to mandatory pass/fail. Some of us, whose experience goes back to the activism days of the 1960s, recall another such event.

A few weeks ago, I shared with NYU Law School faculty the history of the School's closure one May 50 years ago. The reaction of many who never heard of that history was very positive. Now, I share it here both to highlight a difference in activism at law schools, including at the highest levels, and also to ground the foundation of clinical legal education in the zeitgeist of the '60s.

The first time the faculty at NYU Law School voted to grade the entire student body on a pass/fail basis was in

May 1970, when I was a second-year law student. On April 28, of that year, U.S. forces invaded Cambodia, in a dramatic escalation of the war being waged in Southeast Asia. When President Nixon publicly acknowledged the incursion on April 30, it set off a wave of anti-war demonstrations across the country, including, most famously, a protest at Kent State University which resulted in the killing of four students by Army National Guard troops. Another student rally at Jackson State College in Mississippi resulted in the death of two and wounding of 12 when police opened fire on a women's dormitory.

The wave of protests also spread to many law schools throughout the country, including NYU. In those years, Spring classes ended a bit later than they do today. After Nixon's public announcement, NYU students and



The Last Time Law Schools Changed Grades to Pass/Fail (cont.)

faculty walked out of classes as a protest against the war. Shortly thereafter, the NYU faculty held an emergency meeting and voted to cancel final examinations and grade all students on a pass/fail basis based on the work done through that date.

The law school administration was firmly behind this. As the New York Times reported in an article on May 7, 1970:

New York University Law School became a focal pointyesterday for a coordinated national effort to mobilize student and faculty protests against the expanding war in Southeast Asia.

While persons at the Washington Square school worked all day on plans for a mass lobbying campaign (scheduled to begin today in Washington,) Robert B. McKay, dean of the school, sent telegrams to the deans of 150 law schools all over the country. He described the N.Y.U. school's active position against the war.

Because of the 'extraordinary provocation' of President Nixon's 'escalation of the war,' he said, the Law School decided to cancel all examinations and classes to allow unified action to oppose the war. The 'unusual nature' of the widespread concern among students and professors, he said, indicated that law schools should share information.

While his telegram fell short of explicitly recommending that other deans follow his example, Dean McKay invited them to meet with him Monday at the Mayflower Hotel in Washington to discuss common educational problems that might arise from cancellation of classes and examinations.

The Times article also described how NYU Law School became a central figure in national protest and was fully backed by NYU's president, James Hester. The article continued:

By late yesterday afternoon thousands of law students and professors from all over the country were converging on Washington and going to a headquarters set up at George Washington University. They worked throughout the evening on the lobbying effort, which is to include meetings and discussions with virtually every member of Congress.

The student leaders of 12 Northeastern law schools met Tuesday night in the N.Y.U. Law School's Vanderbilt Hall to arrange these activities. Other schools in the South and throughout the West have subsequently been drawn into the plans.

. . .

James A. Hester, president of N.Y.U., strongly supported the Law School's "total commitment" to the antiwar action. In an interview yesterday, he said it was "inappropriate" for any college or university to "function as usual when national problems of the current magnitude are facing the country." Adding that he was personally very disillusioned and disheartened by Mr. Nixon's 'insensitive' actions, he said that he had never witnessed such extraordinary concern among students over an issue.

On Monday Mr. Hester, who chairman of the President's Commission on Higher Education sent a telegram to Mr. Nix on signed by 48 college and university presidents, deploring the



The Last Time Law Schools Changed Grades to Pass/Fail (cont.)

Asian war.

One week later, the New York Times followed up with a story on a May 12 New York Court of Appeals ruling that law students must complete the specified number of classroom hours and take final examinations to be eligible for State Bar examinations. This ruling was issued after the Dean of Fordham Law School, Joseph McLaughlin (a supporter of the Vietnam War who would go on to become a judge on the Second Circuit), alerted the Court of Appeals that "[a]n NYU spokesman had said last week that law students who wished to stay away from classes to protest United States incursions in Cambodia could choose to take no final examinations and receive course credits." After the Court of Appeals ruling, the NYU faculty voted to hold exams in late August, before the beginning of the new semester, and grade everyone on a pass/fail basis.

That semester was also the last before NYU began offering clinical education. Driven by activist student demand for a relevant education and an opportunity to

serve communities, NYU hired Harry Subin to join the faculty and start the Criminal Defense Clinic in the Fall of 1970. Student demand for increased clinical opportunities continues to push the Law School to expand its offerings to this day.

Note: This article was adapted from an e-mail originally posted to the LawClinic Listserv.

Martin Guggenheim
is the Fiorello LaGuardia Professor of
Clinical Law at
New York University School of Law







Good News: Moves, Honors & Promotions





Margaret E. Johnson (Baltimore) will be a Visiting Professor of Law at Washington College of Law, American University AY 2020-21.



Kathryn Banks (Washington Univ. St. Louis), Director of the Children's Rights Clinic, was elected to the Board of Directors of the Clinical Legal Education Association (CLEA). Kathryn is the co-chair of the Membership Committee and also a member of the Communications Committee.





The University of Baltimore School of Law has a three-year Clinical Teaching Fellowship Program. Sadly, now is the time we say goodbye to our fabulous colleagues as they reach the end of their fellowship. Nicole McConlogue, Clinical Teaching Fellow, Saul Ewing Civil Advocacy Clinic, University of Baltimore, is moving to West Virginia Law School as Associate Professor and Director of the Litigation and Advocacy Law Clinic. Shanta Trivedi, Clinical Teaching Fellow, Bronfein Family Law Clinic, University of Baltimore, is moving to Georgetown Law School as the Fellow in the Domestic Violence Clinic. Nickole Miller, Clinical Teaching Fellow, Immigrant Rights Clinic, University of Baltimore, is staying at the University of Baltimore and will be a Visiting Assistant Professor and Interim Director, Bronfein Family Law Clinic.



Binny Miller (American) received WCL's 2019 Innovation in Pedagogy award, one of two teaching awards conferred annually at WCL to recognize exceptional creativity and innovation in instruction. She received the award for the seminar she created which allowed both clinic and non-clinic students to participate in advocacy for individuals sentenced as juveniles to *de facto* life sentences in Maryland.



Ben Golden (Suffolk), Acting Director of the Health Law Clinic, has been a leader in the Massachusetts Access to Justice Commission's COVID-19 Task Force. Pandemic-related projects include: distribution of information about important legal safeguards; shielding people with consumer debt from abusive collection practices; and developing pro bono projects for lawyers and law students.





Loletta Darden (Suffolk) was promoted to Associate Clinical Professor of Law. Loletta is continuing work on a practice-oriented intellectual property textbook and an article on the constitutionality of certain patent proceedings.



James Matthews (Suffolk) was promoted from Clinical Fellow to Practitioner in Residence and will now direct Suffolk's innovative Accelerator to Practice Program.



Colleen Shanahan (Columbia) was promoted to Clinical Professor of Law.



Bernice Grant (Fordham), Senior Director of the Entrepreneurial Law Program, was recently promoted to Clinical Associate Professor.



Kishwer Vikaas (Pacific McGeorge) recently was recognized by the Sacramento Business Journal as one of the top 40 under 40 young professionals for her work as a staff attorney in Community Legal Service's Immigration Clinic.



Juliet Sorensen and J. Samuel
Tenenbaum (Northwestern) received
the Walter J. Cummings Award for
Pro Bono Service from the Chicago
Chapter of the Federal Bar Association
and the Community Stars Award from
Mothers Opposed to Violence
Everywhere.



Gail Silverstein (UC Hastings) will become Associate Dean for Experiential Learning. Gail has long co-taught the Individual Representation Clinic and Mediation Clinic, and is the author of the path-breaking article All's Well that Ends Well: The Importance of Full and Effective Closure in Attorney-Client Relationships. She succeeds Ascanio Piomelli, who is ecstatic to return to



Professor Emertus Julie Davies (Pacific McGeorge) has joined the School of Law's Community Legal Services' Immigration Clinic as a staff attorney.

full-time clinical teaching.







Emily Broad Leib (Harvard) was promoted to Clinical Professor of Law. Professor Broad Leib is the Founder and Director of the Food Law and Policy Clinic, the first food law and policy clinic in the country, and Deputy Director of the Center for Health Law and Policy Innovation.



Sabi Ardalan (Harvard) was promoted to Clinical Professor of Law and named faculty director of the Harvard Immigration and Refugee Clinical Program.



Eloise Lawrence (Harvard) was promoted to Assistant Clinical Professor of Law and named deputy faculty director at Harvard Legal Aid Bureau.



Kim Ambrose and Bill Covington (University of Washington) were both promoted from principle lecturers to Professors of Teaching. Kim teaches the Race and Justice Clinic and Bill teaches the Technology Law and Policy Clinic.





Rachel M. Krol and Sara del Nido Budish (Harvard) were both promoted to co-Assistant Directors of the the Harvard Negotiation & Mediation Clinical Program. HNMCP also welcomed Morgan Franklin as a Clinical Fellow and Lecturer on Law and Deanna Pantin Parrish as a Clinical Instructor and Lecturer on Law.







Laura Cohen (Rutgers) served as a Juvenile Justice Fellow with the International Legal Foundation in Myanmar during the Spring semester of 2020.



Joanne Gottesman (Rutgers) was appointed Director of Clinical Programs at the Camden location of Rutgers Law School in July 2019. She also continues to direct the Rutgers Immigrant Justice Clinic.





Jackie McMurtrie (University of Washington) received the 2020 Faculty Lecture Award. This annual award has honored current or emeritus faculty whose research, scholarship or art has been widely recognized by their peers and whose achievements have had a substantial impact on their profession, the research or performance of others, and society as a whole. Faculty from all disciplines of the University are eligible for this award and it is a tremendous honor for the law school, and the clinic faculty, that Professor McMurtrie received this award.



Randi Mandelbaum (Rutgers) was awarded the Elliott Milstein Award for Professional Excellence by the American University, Washington College of the Law Clinical Program in January 2020.



Ruth Anne Robbins (Rutgers) was selected by a national committee as one of the 2019-20 ALWD Visiting Scholars and spent two days at Elon Law School, where she gave multiple talks to faculty and students and participated in a scholarshipmentoring workshop.

Lori Outzs Borgen (Seton Hall) was

recently appointed by the President of

to serve as Co-Chair of the NJSBA Pro

the New Jersey State Bar Association

Bono Committee.



Jessica Miles (Seton Hall) was recognized as the 2020 Full-time Teacher of the Year from the Law School. She was also honored as the University Teacher of the Year from Seton Hall University. She was one of two faculty selected from across the University to receive this award.



Margaret Drew (Massachusetts) was awarded tenure. UMass Law School has unified tenure track with the same standards applying to those teaching doctrinal and clinical classes.



Lori A. Nessel (Seton Hall) was recognized as the 2020 Faculty Researcher of the Year at Seton Hall Law School, acknowledging her accomplishments in the pursuit of new knowledge.



Deborah Epstein (Georgetown) was awarded the Margaret Brent Women Lawyers of Achievement Award.





Cori Alonso-Yoder (Georgetown) is joining the Federal Legislation Clinic as a Visiting Associate Professor. Previously, Cori was a Practitioner-in-Residence at American University.





The University at Buffalo School of Law is thrilled to announce the hiring of three new members of our team! In December 2019, the Civil Rights & Transparency Clinic (formerly the Civil Liberties & Transparency Clinic) was fortunate to add Michael F. (Mike) Higgins as a Staff Attorney. Heather Abraham will be joining Mike this fall as the new director of the Civil Rights & Transparency Clinic as an Associate Professor (tenure track). Heather currently serves as the Supervising Attorney and Clinical Teaching Fellow for the Civil Rights Clinic at Georgetown Law. Also arriving in Fall 2020, Associate Professor (tenure track) Alexandra (Ali) Harrington will join UB to direct our new Criminal Justice Advocacy Clinic. Professor Harrington is currently a Senior Liman Fellow in Residence at Yale Law School's Arthur Liman Center for Public Interest Law.



Bernard Perlmutter (Miami) who directs the Children & Youth Law Clinic was awarded tenure and promoted to Professor of Law.









UDC David A. Clarke School of Law is happy to announce the addition to our faculty of Professors Mae Quinn, Andrew Budzinski, Ron Hochbaum, and David Wolitz. Mae will teach Criminal Law and direct our Juvenile and Special Education Law Clinic, with an emphasis in the clinic on appellate litigation and re-entry support to advance youth justice. After stints teaching alongside Professors Deborah Epstein at GULC and Laurie Kohn at GWU, Andy will join Professor Tianna Gibbs in our General Practice Clinic, bringing his experience in domestic violence and child custody litigation. With an extensive teaching, practice, and scholarly background in legal issues relating to homelessness, Ronie will direct our Housing & Consumer Law Clinic. David, whose teaching career started in the legal writing program at GULC, will join us from Tennessee, and will teach criminal law and related classes outside the clinic - at least until he realizes how much fun we have in the clinic. We are absolutely thrilled to have a chance to work with and learn from these wonderful people



JoNel Newman (Miami) who directs the Health Rights Clinic was awarded tenure and promoted to Professor of Law.





Dan Kesselbrenner (Miami), former Executive Director of the National Immigration Project of the National Lawyers Guild, joined the Immigration Clinic as a Distinguished Practitioner in Residence.



Angela Cornell (Cornell), who directs the Law School's Labor Law Clinic, was quoted in the <u>Wall Street</u> <u>Journal twice</u>, <u>USA Today</u>, <u>Financial Times</u>, Cornell Daily Sun, and <u>Harvard Crimson</u>.



Daniela Tagtachian (Miami), the Mysun Foundation Fellow in the Environmental Justice Clinic, will be joining the Sociology PhD Program at the CUNY Graduate Center. Born out of a clinic project, she plans to study the racial and social equity implications of new urbanism by analyzing the relationship between municipalities transitioning to formbased code and the rapid mass displacement of urban, low-income communities of color across the U.S.



Sarah Sherman-Stokes (Boston University) starts as Clinical Associate Professor in July 2020.



Danielle Pelfrey Duryea (Boston University) joined the faculty as a lecturer and Director of the Compliance Policy Clinic in Summer 2019.



Natalie Barefoot (Miami), Director of the Environmental Justice Clinic, is joining Earthjustice as their first International Oceans Wildlife Attorney, a newly created area of practice.



Tiffany Li (Boston University) joined the faculty as a Visiting Clinical Assistant Professor in September 2019.



Sarah F. Rogerson (Albany) received an award from the Catholic Charities Commission on Peace and Justice, as well as the Capital District Solidarity Committee in recognition for the AALS award-winning Detention Outreach Project at the Albany County Jail.



Beatrice Maidman (Boston University) joined the faculty as a Visiting Clinical Assistant Professor in June 2019.





Bob Burdick, Connie Browne, Mary
Connaughton, and Naomi Mann
(Boston University) won the MA Bar
Lifetime Access to Justice
Achievement Award given in
recognition of the poverty-law work of
the Civil Litigation and Justice
Program, including cases that have
instituted the right of committed
patients to refuse antipsychotic
medication, established that law school
clinics can receive reasonable
attorney's fees, and clarified the right
to seek emotional distress damages in
housing cases



housing cases.

Naomi Mann also received a 2019 Top
Women of the Law award from
Massachusettes Lawyers Weekly and
was asked to be part of the Access to

Justice Commission's COVID-19

Taskforce.



Marianne Engelman-Lado (Vermont) is directing the Law School's newly-founded Environmental Justice Clinic.



Bob Probasco (Texas A&M), Director of the Tax Clinic, was named to the LITC Advisory Board of the National Center for Taxpayer Rights.



Seema Kakade (Maryland) was elected as a new fellow in the prestigious American College of Environmental Law in the fall of 2019. She was also one of three people to receive the "Futures Award" in the fall of 2019 from the Environmental Law Institute, for future potential in the field of environmental law.



Mitch (Wisconsin) was promoted to Director of the Economic Justice Institute, home of the University of Wisconsin Law School's Family, Immigration, Restraining Order, Consumer Law, and Neighborhood Law Clinics.



John Kantke (University of St. Thomas), who supervises the Elder Law and Guardianship Alternatives Clinic, was awarded the Mary Alice Gooderl Award by the Minnesota Elder Law Institute.



Rachel Moran (University of St. Thomas) was named Professor of the Year by the 2020 graduating class and has been promoted to Associate Professor.





Mark Osler (University of St. Thomas), supervisor of the Federal Commutations Clinic, testified before the House Judiciary Committee in support of clemency reform.



Thomas Wallrich (University of St. Thomas), who supervises the Consumer Bankruptcy Clinic, was named a 2019 Minnesota Super Lawyer. It is his 17th year on the list.



Rebecca Scholtz (University of St. Thomas), Faculty Fellow and Adjunct Professor in the Immigration Law Practice Group, was among the team of lawyers who filed a class action suit against the Department of Homeland Security and U.S. Citizenship Services regarding a new policy that changes the rights of unaccompanied children seeking asylum.



Teresa Collett (University of St. Thomas), head of the Catholic Social Teaching & the UN Clinic, testified before the U.S. House of Representatives House Energy & Commerce Committee regarding H.R. 2975, the Women's Health Protection Act. She also wrote an article that was included in an online symposium hosted by SCOTUSblog.



Brad Walz (University of St. Thomas), supervisor of the Trademark Clinic, was featured in the Minnesota Lawyer's Breaking the Ice series.



Lisa Holden (Tennessee) won the College of Law's Staff Award for Extraordinary Service.



Heather Marx (University of St. Thomas), head of the Bankruptcy Litigation Clinic, was featured in a Women in Law leadership segment in the Attorney At Law Magazine. She was also interviewed for the Minnesota Lawyer's Breaking the Ice series.



Joy Radice (Tennessee), Director of Clinical Programs, was awarded the Harold C. Warner Outstanding Teacher Award.





Good News: New Clinicians





Tulane Law School is thrilled to announce several new hires, including Mary Yanik, the inaugural director of the Immigrants' Rights Clinic, Katie Schwartzmann, the director of the newly established First Amendment Clinic, and Devin Lowell, Clinical Instructor in the Environmental Clinic.



Sage Kochavi (Vermont) joined the Law School as a full-time Program Coordinator in the JD Externship Program. Sage will support Professor Beth Locker, Assistant Professor Nicole Killoran, Assistant Professor Matthew Bernstein, and several adjuncts in running the ever-growing JD Externship Program at Vermont.





Sam Winder (New Mexico) will join the School of Law faculty. Sam will be teaching in the Southwest Indian Law Clinic, which he supervised as a Visiting Professor in 2019. Sam is a graduate of Stanford University and the University of New Mexico School of Law. He is a former New Mexico District Court Judge and a citizen of the Southern Ute Indian Tribe. He has extensive experience in the areas of Indian Law and criminal law.



Quinten Steenhuis (Suffolk) joined the Law School as a Legal Innovation and Technology Clinical Fellow.



Abigail Fleming (Miami), former clinic student, joined the Environmental Justice Clinic as an Adjunct Professor.



Amy Spivey (UC Hastings) has joined the Law School as a Visiting Associate Professor and launched the new Low-Income Taxpayer Clinic. A UC Hastings alum, Amy, served as as the Supervising Attorney for the Low-Income Taxpayer Clinic at the Justice & Diversity Center of the Bar Association of San Francisco.



New Clinicians (cont.)



Albany Law School Justice
Center welcomed two new staff
members. Joseph Lansing came on
board as the Barry A. Gold Health Law
Staff Attorney in the Health Law
Clinic, and Minsoo Lee joined us as a
new paralegal supporting the Family
Violence Litigation Clinic and the
Immigration Law Clinic.



Iman Saad (Seton Hall) joined the Immigrants' Rights/Human Rights Clinic as a Practitioner in Residence. She leads the newly launched detention project as part of a state-funded Detention and Deportation Defense Initiative, which provides pro bono legal representation to immigrants detained in Newark and the surrounding areas in cases before the Immigration Courts. Prior to joining the Center for Social Justice, she was an Attorney Advisor with the Executive Office for Immigration Review.



Elizabeth Bluestein (LMU Loyola Law School) joined the Law School as Associate Clinical Professor and inaugural Executive Director of the Loyola Social Justice Law Clinic, which unites the clinic's live client clinics under one roof in a law practice setting. She previously worked for 15 years at Public Counsel, a nonprofit pro bono law firm in Los Angeles, where she most recently served as General Counsel and COO.



Zaida Castillo Rivera (Seton Hall) joined the Immigrants' Rights/Human Rights Clinic as a Practitioner in Residence. She helped launch a new project to provide pro bono legal representation to vulnerable immigrants detained at Essex County Correctional Facility. Prior to joining the Seton Hall, she served as a Pro Bono Coordinating Attorney at Kids in Need of Defense.



Jim Murphy (Vermont) joined the Law School faculty as Director of the Environmental Advocacy Clinic. The clinic recently entered into a formal partnership with the National Wildlife Federation, where Murphy also serves as Legal Advocacy Director.



Meg York (Vermont) joined the Law School as an Assistant Professor and Staff Attorney in the Family Law Project at the South Royalton Legal Clinic.



New Clinicians (cont.)



Courtney Beer (Maine) has joined School of Law's Cumberland Legal Aid Clinic as an Associate Clinical Professor. She will oversee the Prisoner Assistance Clinic and also supervise student attorneys in the General Practice Clinic. Previously, Courtney was a litigator at Pine Tree Legal Assistance, Maine's largest civil legal aid organization. Most recently, she served as the Directing Attorney of Kids Legal, a statewide education law project within PTLA that focuses on the rights of minors.



Kimberly Murphy (SMU) has joined the Child Advocacy Clinic as its newest Law Fellow. Kim is a graduate of SMU Law who has a broad range of experience representing children, having worked in both the Child Welfare Division at the District Attorney's Office and as a public defender representing parents and children in child welfare proceedings.



Texas A&M University School of Law Legal Clinic announced its Medical Legal Partnership with Cook Children's Network. Attorney Kimberly Stoner and Lydia Alvarado, paralegal, are the team who lead this partnership.



Matt Vigil, Associate Trial Counsel Capital Litigation Unit at Missouri State Public Defender, joined SLU Law as an adjunct professor. He coteaches public interest field placements.



Megan Phillips, Judicial Law Clerk, US District Court for the Eastern District of Missouri, joined SLU Law as an adjunct professor. Together with Retired Judge and Professor of Practice, Lisa Van Amburg, she oversees the judicial field placement program.



Tim Tryniecki, Partner at Armstrong Teasdale, joined SLU Law as an adjunct professor in the corporate field placement program.



Jennifer Binkley (Wisconsin) joined the Law School where she directs the Family Court Clinic. She was previously the Operations Director at Community Justice Inc.



Ryan Poe-Gavlinski (Wisconsin) joined the Law School to start its new VOCA Restraining Order Clinic and within the same year promptly won the State Bar's Legal Innovator award for her clinic work.





Good News: Books and Publications





Elizabeth Donovan (Ave Maria), Fight Online Sex Trafficking Act & Stop Enabling Sex Traffickers Act: A Shield for Jane Doe, Volume 52: Issue 1, Connecticut Law Review (forthcoming Spring 2020).



Michael Kagan (Nevada) has a forthcoming article, *Chevron's Asylum:* Reassessing Judicial Deference in Refugee Cases, 58 Hous. L. Rev. ___ (forthcoming 2021). Professor Kagan is also excited to announce the forthcoming publication of his new book, The Battle to Stay in America: Immigration's Hidden Front Line (Univ. Nevada Press) (forthcoming August 2020).



Margaret E. Johnson (Baltimore), Associate Dean for Experiential Education, Professor of Law and Director, Bronfein Family Law Clinic, is publishing: *Title IX and Menstruation*, Harv. J.L. & Gender (forthcoming 2020) (with Bridget J. Crawford and Emily Gold Waldman).



Benjamin Edwards (Nevada) has a forthcoming symposium article, The Fate of State Investor Protection, ___ Transactions: Tenn. J. Bus. L. ___ (2020). He also recently published Uncovering the Hidden Conflicts in Securities Class Action Litigation: Lessons from the State Street Case, 75 Business Lawyer 1551 (2020) (with Anthony A. Rickey) (peer-reviewed); Adversarial Failure, Wash & Lee L. Rev. (2020); Cybersecurity Oversight Liability, 35 Ga. St. U. L. Rev. 663 (2019); Crafting Fee-Shifting Policy, 20 Transactions: Tenn. J. Bus. L. 933 (2019) (invited symposium); and Venture Bearding, 52 U.C. Davis L. Rev. 1873 (2019) (with Ann C. McGinley). Professor Edwards also published in professional journals (Interested in Becoming a Law Professor?, ABA: The Young Lawyer (2020)), and is actively blogging. His recent posts include: (Venture Bearding, Oxford Business Law Blog (Oct. 1 2019), Venture Bearding, Columbia Law School Blue Sky Blog (June 6, 2019), SEC rule merely pays lip service to investor protection, The Hill, (June 18, 2019), and How to Craft Policies on Innovative Corporate Law Provisions, Columbia Law School Blue Sky Blog (May 28, 2019) among others.





Michele Gilman (Baltimore), is spending a sabbatical year as a faculty fellow at Data & Society, researching digital privacy harms facing lowincome communities. Her publications are: Chapter, The Difference in Being Poor in Red States versus Blue States, in Holes in the Safety Net: Federalism and Poverty (Ezra Rosser, ed., Cambridge U. Press, 2019); AI Algorithms Intended to Detect Welfare Fraud Often Punish the Poor, The Conversation & US News, Feb. 14, 2020; Let's Enact a Privacy Law that Advances Economic Justice, The Hill, Dec. 9, 2019.



Jaime Lee (Baltimore), From Socrates to Selfies: Legal Education and the Metacognitive Revolution, 12 Drex. Law Rev. 227 (2019).



Robert Rubinson (Baltimore), coauthored the fifth edition of Ethical Problems in the Practice of Law (Aspen 2020) with Professors Lisa Lerman and Philip Schrag.



Karen Tokarz (Washington Univ. St. Louis), Addressing the Eviction Crisis and Housing Instability Through Housing Court Mediation, 63 Wash. U. J.L. & Pol'y (forthcoming) (co-author).



Elizabeth MacDowell (Nevada), writing as Justice MacDowell, is publishing, Rewritten Opinion in Turner v. Rogers, in Feminist Judgments: Family Law Opinions Rewritten (Rachel Rebouche, Ed., Cambridge Univ. Press, forthcoming June 2020). She also has a chapter forthcoming, Informality in Context: The Politics of Family Court Procedures in Turkey and the United States in Exploring Norms and Family Laws Across the Globe (Melissa Breger, Ed. Lexington Press, manuscript due July 2021). She is also excited that her previously published article, Reimagining Access to Justice in the Poor People's Courts, 22 Geo. J. Pov. L. & Pol'y 473 (2015), will be excerpted in the casebook, Critical Justice: Systemic Advocacy in Law and Society (Francisco Valdes, Steven W. Bender, and Jennifer Hill, eds.) (West Academic) (forthcoming 2020).



Peter Joy (Washington Univ. St. Louis), A Prosecutor's Obligations in Negotiating a Misdemeanor Guilty Plea, 34 ABA Criminal Justice 51 (Winter 2020).





Daniel Harawa (Washington Univ. St. Louis), How Much is Too Much? A Test to Protect Against Excessive Fines, 81 Ohio State L.J. (forthcoming); D.C. Must Protect Its Inmates from the Coronavirus, Washington Post (April 8, 2020).



Binny Miller (American) has two publications: Accidental Scholar: Navigating Academia as a Clinician and Reflecting on Intergenerational Change, 26 Clinical L. Rev. 329 (2019), and Visibility and Accountability: Shining a Light on Proceedings in Misdemeanor Two-Tier Court Systems, 63 St. L. U. L. J. 191 (2019).



Jayesh Rathod (American), recently published a <u>post</u> in SCOTUSBlog analyzing the Court's recent decision in Burton v. Barr.



Jenny Roberts (American) published Gundy and the Civil-Criminal Divide, 17 Oh. St. J. of Crim. Law 207 (2019).



Cori Alonso-Yoder (American) published *Publicly Charged: A Critical Examination of Immigrant Public Benefit Restrictions*, Vol. 97 Issue 1 Denver L.R. I (2019).



Vicki Phillips (American) published Sea Change: The Rising Tide of Pro Bono Legal Services for the Creative Community, 9 Intellectual Property Theory (forthcoming Spring 2020).



Sarah Boonin (Suffolk) published articles in <u>Cognoscenti</u> and <u>Ms.</u>

<u>Magazine</u> analyzing the Supreme Court arguments in *June Medical*Service, LLC v. Russo on abortion rights.



Melissa Deehring (Qatar),

<u>Teaching the Women, Peace and</u>

<u>Security Agenda</u> in MENA Law

Schools, The MENA Business Law

Review, Lexis Nexis (Dec. 2019), and

<u>The Emerging Legal</u>

<u>Profession in Qatar: Diversity Realities</u>

<u>and Challenges</u>, Taylor & Francis

(International Journal of the Legal

Profession).



Robert Greenwald (Harvard) co-authored an op-ed published in The Boston Globe, *Don't Repeat the Mistakes* of 1918 (April 2020).





Katie Garfield (Harvard) co-authored three resources on Tobacco Cessation Counseling, including: <u>Tobacco</u>
<u>Cessation Counseling: Understanding Medicaid, Medicare, and Private Insurance Coverage; Tobacco
Cessation Counseling: Understanding Medicaid, Medicare, and Private
Insurance Coverage; and Lung Cancer
Screening: Understanding Medicaid,
Medicare, and Private Insurance
Coverage (November 2019).</u>



Emily Broad Leib (Harvard) coauthored an op-ed for The Washington Post, *The COVID-19 Crisis is Going to Get Much Worse When it Hits Rural Areas* (April 2020).



Andrew Mamo (Harvard), Against Resolution: Dialogue, Demonstration, and Dispute Resolution, Ohio State University Journal of Dispute Resolution (forthcoming).



T. Keith Fogg (Harvard), Can the Taxpayer Bill of Rights assist your clients?, 91 Temple Law Review 705 (2019).



Carol Suzuki (New Mexico) is a new co-author of the sixth edition of Tort Law and Practice, from Carolina Academic Press, along with Dominick Vetri, Lawrence C. Levine, Joan E. Vogel, and Ibrahim J. Gassama.



Cliff Villa (New Mexico) is a co-author of the forthcoming third edition of Environmental Justice: Law, Policy, & Regulation, from Carolina Academic Press, along with Nadia Ahmad, Rebecca Bratspies, Roger Lin, Clifford Rechtstaffen, Eileen Guana and Catherine O'Neill.



Laura Cohen (Rutgers), Rights, Race, and Reform: Fifty Years of Child Advocacy in the Juvenile Justice System (Kristin Henning, Laura Cohen, and Ellen Marrus, Co-Editors) (Routledge) (first paperback edition, 2019).



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





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



Robert Holmes (Rutgers), A Mayor for All the People: Kenneth Gibson's Newark (Robert Holmes & Richard Roper Eds.) (Rutgers University Press) (2019).



Alexis Karteron (Rutgers), When Stop and Frisk Comes Home: Policing Public and Patrolled Housing, 69 Case W. Res. L. Rev. 669 (2019).



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



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



Penny Venetis (Rutgers), Misrepresenting Well-Settled Jurisprudence: Peddling "Due Process" Clause Fallacies To Justify Gutting Title IX Protections For Girls And Women, 40 Women's Rts. L. Rep. 126 (2019).



Jessica Miles (Seton Hall), Straight
Outta SCOTUS: Domestic Violence, True
Threats and Free Speech, 74 University of
Miami L. Rev. ___ (forthcoming April
2020).



Linda E. Fisher (Seton Hall) and Judith Fox (Notre Dame), The Foreclosure Echo: How the Hardest Hit Have Been Left Out of the Economic Recovery (Cambridge University Press) (2019).







Lori A. Nessel (Seton Hall), Deporting America's Children: The Demise of Discretion and Family Values in Immigration Law, 61 Ariz. L. Rev. 605 (2019); Hafsa S. Mansoor (J.D. '20) and Katherine Comly (J.D. '20), under supervision of Lori A. Nessel, A Long Time Coming: How the Immigration Bond <u>and Detention System Created Today's</u> COVID-19 Tinderbox (April 20, 2020).



Tanya Asim Cooper (Pepperdine), #SororityToo, 2020 Mich. St. L. Rev. (forthcoming).



Jenny-Brooke Condon (Seton Hall), A Cruel and Unusual Term: The Distortion of Decency and Restraint in the Supreme Court's 2018-2019 Death Penalty Decisions, 32 Fed. Sent'g Rep. 15 (2019); Time's Up: Murphy must accept responsibility for sexual abuse at N.J.'s women's prison, Star Ledger (April 21, 2020).



Abbe Smith (Georgetown), Guilty People (Rutgers University Press 2020).





Philip G. Schrag (Georgetown), Baby Jails: The Fight to End the Incarceration of Refugee Children in America (University of California Press 2020).



Katherine L. Moore (Seton Hall), Disabled Autonomy, 22 J. Health Care L. & Pol'y 245 (2020).



Andrew I. Schoenholtz (Georgetown), The Promise and Challenge of Humanitarian Protection in the United States: Making Temporary Protected Status Work as a Safe Haven (2019) Northwestern Journal of Law and Social Policy, Vol. 15, Issue 1, 1.



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



Deborah Epstein (Georgetown), Discounting Credibility: Doubting the Stories of Women Survivors of Sexual Harassment, Seton Hall Law Review (forthcoming 2020).





Susan Deller Ross (Georgetown), Yes, But: How Human Rights Helps End Women's Subordinate Economic Status, 17 Labor: Studies in Working-Class History, March 2020, at 99 (reviewing Samuel Moyn, Not Enough: Human Rights in an Unequal World (2018)).



Hope Babcock (Georgetown), Using the Public Trust Doctrine to Manage Property on the Moon, chp. in The Cambridge Handbook of Commons Research Innovations, edited by Sheila Foster and Chrystie Swiney (forthcoming 2020); The Current Role of the Environment in Reinforcing Acts of Domestic Terrorism: How Fear of a Climate Change Apocalypse May Strengthen Right Wing Hate Groups, VA Envtl L. J. (forthcoming 2020); Issuance of The Keystone Xl Permit: Presidential Prerogative or Presidential "Chutzpah", 81 Mont. L. Rev. (forthcoming 2020); The Genie Is Out of the De-Extinction Bottle: A Problem in Risk Regulation and Regulatory Gaps, 37 Va. Envtl. L.J. 170 (2019).



Anthony A. Alfieri (Miami), Black, Poor, and Gone: Civil Rights Law's Inner-City Crisis, 54 Harv. C.R.-C.L. L. Rev. 629 (2019); The Poverty of Clinical Canonic Texts, 26 Clinical L. Rev. 53 (2019).



Natalie Barefoot and Daniela Tagtachian (Miami) published Building by Right: Social Equity Implications of Transitioning to Form-Based Code, 28 J. Affordable Housing & Community Dev. L. 71 (2019) (with Adrienne L. Harreveld).



Caroline Bettinger-Lòpez (Miami) published Doctrine, Practice, and Advocacy in the Inter-American Human Rights System (Oxford University Press 2019) (with James L. Cavallaro, Claret Vargas et al.); Developing a National Plan of Action on Violence Against Women and Gender-Based Violence: A Human Rights Approach, in The Politicization of Safety: Critical Perspectives on Domestic Violence Responses 362 (Jane Stoever ed., 2019).



Bernard P. Perlmutter (Miami), Judges Behaving Badly ... Clinics Fighting Back: The Struggle for Special Immigrant Juveniles in State Dependency Courts in the Age of Trump, 82 Alb. L. Rev. 1553 (2019).





Robert Latham (Miami) published A Data Study of Foster Children who Refused Placement in Hillsborough County (December 2019).



Rebecca A. Sharpless (Miami) published Addiction-Informed Immigration Reform, 94 Wash. L. Rev. 1891 (2019) and Divisibility Redux: "Alternatively Phrased Statutes" and State Law in the Post-Mathis Categorical Approach, 1 AILA L.J. 149 (2019) (with former clinic student Elizabeth Montano).



Kele M. Stewart (Miami) published Policies and Practices to Address the Educational Needs of Foster Children in Ten Florida Counties (2019) (with Vanessa Thorrington).



Sarah F. Rogerson (Albany), Cruelty is the Point: Theories of Recovery for Family Separation and Detention Abuses, 21 Nev. L. J. __ (forthcoming 2021).



Emily Suski (South Carolina), Subverting Title IX, 105 Minnesota L. Rev. __ (forthcoming 2021).



JoNel Newman and Melissa Swain (Miami), *Theatre and Revolution in Clinical Legal Education*, 26 Clinical L. Rev. 465 (2020) (with Fergus Lawrie and Donald Nicolson).



Teresa J. Verges (Miami) published Technology in Legal Practice: Keeping Ethical Obligations in Mind, 3 PLI Current, Summer 2019, at Art. 6 (with Christine Lazaro).



Rajika L. Shah (LMU Loyola Law School) co-authored a chapter "Guided by the Terezin Declaration: a Review of Restitution of Stolen Jewish Property after the Holocaust," in the book Reparations for Victims of Genocide, War Crimes and Crimes against Humanity Systems in Place and Systems in the Making (Second Revised Edition, Brill 2020) (co-authors - Michael J. Bazyler, Kathryn Lee Boyd, and Kristen L. Nelson).



Samantha Buckingham (LMU Loyola Law School) published a policy memo: To Protect Our Children and Fight the Coronavirus, Release Youth from Juvenile Detention.





Susan Musarrat Akram (Boston University), "Palestinian Nationality, 'Jewish' Nationality and International Law", Book chapter for Rethinking Statehood in Palestine (Leila Farsakh and Samia Botmeh. eds.) (forthcoming); "UNRWA and Palestinian Refugees", chapter for Oxford Handbook of International Refugee Law (McAdam, Costello and Foster, eds) (Oxford Univ. Press) (forthcoming); "Palestinian Refugees," chapter for Routledge Handbook on the Palestinian-Israeli Conflict (Asaf Siniver, ed) (Routledge, Taylor & Francis) (forthcoming).



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



Sarah Sherman-Stokes (Boston University), *Third Country Deportation*, Indiana Law Review (forthcoming).



Susan Musarrat Akram (Boston University) and Kevin R. Johnson (UC Davis), 'The Targeting of Arabs and Muslims,' book chapter for Islamophobia and the Law (Cyra Choudhury and Khaled Beydoun, eds) (Cambridge Univ. Press) (forthcoming).



Tiffany Li (Boston University), Op-Ed for The Hill: "America has an election access problem — tech can't solve it"; Op-Ed for Slate: "Give All My Data to Google and the CDC."



Sophia Kruszewski (Vermont), "The Vermont Legal Food Hub: Supporting Vermont's Agricultural Economy with Pro Bono Legal Assistance," The Vermont Bar Journal, Vol. 45, Issue 14 (Winter 2019).



Julie Dahlstrom (Boston University), "Trafficking to the Rescue?", 54 U.C. Davis Law Review __ (forthcoming 2020).



Lauren E. Bartlett (Saint Louis),
Human Rights Guidance for
Environmental Justice Attorneys, 98 U.
Det. Mercy L. Rev.____ (forthcoming
Summer 2020).





Kathleen Hoke (Maryland) published the following Law and Policy Insights for the Network for Public Health Law: Federal Housing Policy: From Disappointing Regulatory Proposals to Inspiring Enforcement Actions (December 17, 2019) and Tick Tock: When Will We See Graphic Warnings on Cigarette Packs? (July 18, 2019).



Kevin Jones (Vermont), "Puerto Rico's Road to Resilience: An Island's Challenging Transition to a Cleaner, More Resilient Future," (with Sarah Mullkoff and Justin Cooper), Florida State University College of Law Journal of Land Use and Environmental Law (forthcoming 2020).



Leigh Goodmark (Maryland), Point of View: Help domestic violence victims with real solutions, The Oklahoman, March 16, 2020.; The More the Context Changes, The More Things Stay the Same (review of Oxford Handbook of Gender and Conflict), 42 Human Rights Quarterly 280 (2020).



Michael Pinard (Maryland), Race Decriminization and Criminal Legal System Reform, NYU L. Rev. Online (2020); Teaching Justice-Connectivity, 80 Louisiana L. Rev. 95 (2019).



Leigh Goodmark (Maryland) and Alesha Durfee (Arizona State), Gender, Protection Orders, and Intimate Partner Violence in Later Life: A Study of Protective Order Filings in Arizona, Journal of Interpersonal Violence (2020).



Seema Kakade (Maryland), Remedial Payments in Agency Enforcement, 44 Harvard Environmental L. Rev. 118 (2020); Detecting Corporate Environmental Cheating, Ecology Law Quarterly, (forthcoming, 2021).



Maneka Sinha (Maryland), 89 Junk Science at Sentencing, Geo Wash. L. Rev. (forthcoming 2021); More Prosecutions Won't Make Baltimore Safer, Baltimore Sun (November 5, 2019).





Laila Hlass (Tulane), The Adultification of Immigrant Children, 34 Geo. Imm. L. J 199 (2020).



Laila Hlass (Tulane) and Allison Korn (UCLA), Assessing the Experiential (R)evolution, Villanova Law Review (forthcoming November 2020).



Laila Hlass (Tulane) and Lindsay Harris (UDC), *Critical Interviewing*, Utah Law Review (forthcoming Spring 2021).



Eric Amarante (Tennessee), Criminalizing Immigrant Entrepreneurs (and Their Lawyers), Boston College Law Review, Vol. 61, No. 4 (2019).



Gregory Sisk (University of St. Thomas) co-authored Inputs and Outputs on Appeal: An empirical Study of Briefs, Big Law, and Case Complexity. He published Measuring Law Faculty Scholarly Impact by Citations: Reliable and Valid for Collective Faculty Ranking in the Fall 2019 Jurimetrics Journal. Greg was also recently quoted in an article from BloombergLaw about an excessive force claim from a mistaken identity, a case that will now go before the U.S. Supreme Court.



Rachel Moran and Jessica Hodge (University of St. Thomas) coauthored *Law Enforcement Perspectives* on *Public Access to Misconduct Records*, which will be published in the Cardozo Law Review.



Tom Berg (University of St. Thomas) co-edited Patents On Life: Religious, Moral, And Social Justice Aspects Of Biotechnology And Intellectual Property, published by Cambridge University Press. Tom also wrote the closing chapter summarizing the book's themes.







Becky Jacobs (Tennessee), published several articles, including A Cyber-Skeptic's Concerns about the State of Lex Cryptographia: A Response to Marcia Weldon's "Beyond Bitcoin: Leveraging Blockchain to Benefit Business and Society, in the Tennessee Journal of Business Law. With Brad Finney, a UT Law alumnus, she published Defining Sustainable Business - Beyond Greenwashing in the Virginia Environmental Law Journal. She has several pieces pending publication, one entitled Conrad Juergensmeyer's "Impact": Scholarly, Theoretical, and Practical, which will appear in the Festschrift of the Journal of Comparative Urban Law and Policy, and one with her daughter, in the Kentucky Journal of Equine, Agriculture, and Natural Resource Law, A Quixotic Quest for Definition: Perceptions of "Organic and Implications for the Environment and Market Participants. Her essay, Lon Fuller: A Progenitor of the Pedagogy of Skills, is forthcoming in a collection of essays, Discussions in Dispute Resolution: The Formative Articles that is being published by Oxford University.



Ben Barton (Tennessee) published his fourth book, Fixing Law Schools: From Collapse to the Trump Bump and Beyond (2019).



Jane Stoever (UC Irvine), Firearms and Domestic Violence Fatalities:
Preventable Deaths, 53 Fam. L. Quar.
(forthcoming May 2020) (invited article); The Ultimate Abuse: Perpetrating Domestic Violence Through
Child Abduction, 25 Domestic Violence
Rep. 9 (2019); Empowerment, Stress, and
Depressive Symptoms Among Female
Survivors of Intimate Partner Violence
Attending Personal Empowerment
Programs, J. Interpersonal
Violence (2019) (with Esmeralda
Garcia & Ilona Yim).



Ron Hochbaum (Loyola Chicago), Bathrooms as a Homeless Rights Issue, 98 N.C. L. Rev. 205 (2020).





Retirements





Marcella Silverman (Fordham), a pioneer of the Clinical Program, retires. Passionate to use the law to improve the lives of low-income New Yorkers for the past 38 years, Marcella is the quintessential clinician. She arrived at Fordham Law in the Clinical Program in 1996 after an impressive 14year career at the Civil Division of The Legal Aid Society. At Fordham, Marcella continued to represent low income clients and handle justice reform litigation in an unusually wide array of civil justice areas. Unable to resist new challenges, she created clinics in Community Lawyering, Securities Arbitration (co-taught), Tax and Consumer Litigation, and most recently, Consumer Litigation. Marcella also directed the Externship Program at Fordham for 11 years.



Angela Campbell (Georgetown), former Director of the Communications and Technology Law Clinic, is retiring this spring and will become Professor Emeritus at the Law Center and Faculty Advisor Emeritus for the Institute for Technology Law & Policy.



Jane Murphy (Baltimore), the
Lawrence M. Katz Professor of Law, is
retiring after 32 years. Jane's
career started at UB in 1988 when she
founded the Family Law Clinic.
Since then, she founded the Juvenile
Justice Project, and co-founded the
Mediation Clinic for Families. She
directed UB's Clinical Program from
2000-2004. Her scholarship includes
two co-authored books, one coauthored textbook, and numerous law
review articles. The faculty has
recommended Jane be granted the
status of Emeritus Professor.





Columbia Law School reluctantly announces the retirement of two of our clinical leaders. Barbara Schatz has pioneered clinics devoted to community enterprise, mediation, and community development for 35 years. An expert in clinical pedagogy, she inspired law faculties in China, Russia, Armenia, Georgia, Poland, and Hungary. Mary Zulack exemplifies a lifelong commitment to fair housing and access to legal representation. At Columbia, she taught students in the Lawyering in the Digital Age Clinic, co-directed the Law School's Fair Housing Clinic, and inaugurated a Law and Policy of Homelessness seminar.





Rescheduled and Postponed Events





University of Baltimore's Center on Applied Feminism's 12th Feminist Legal Theory Conference: Applied Feminism & Privacy has been rescheduled to October 15 and 16, 2020.



Rutgers Law School clinical program has postponed "Persistence as a Form of Resistance," our 50th anniversary conference, until sometime in 2021. Specifics and a call for papers will follow in the coming months.



LMU Loyola Law School's Project for the Innocent will host a symposium, "Transforming Criminal & Social Justice: 2020 & Beyond," on September 18, 2020 (rescheduled due to Covid-19 from April 24, 2020).



Vermont Law School's annual Norman Williams
Lecture was moved to webinar format this year, and is available to watch <u>here</u>. The invited speaker was Associate Justice Anita Earls of the North Carolina Supreme Court, who discussed "Implications of Implicit Racial Bias for Environmental Justice."



Association of American Law Schools



The AALS Clinical Section and CLEA are collaborating to deliver some of the Clinical Conference's events in a virtual format. Please mark your calendar for the following events, which will be held via Zoom (follow-up emails about each event will be sent with more information):

- Joint AALS and CLEA Awards Ceremony to celebrate 2020 awardees Wednesday, May 27 at 7:00 p.m. EDT;
- CLEA-organized New Clinicians Programming Week of June 15-18; and
- AALS-organized Bellow Scholars Programming June (dates and times TBA).



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

CLEA Newsletter Committee



Lauren Bartlett (Saint Louis)



Susan Donovan (Alabama)



Ron Hochbaum (Loyola Chicago) Editor

What is **CLEA**?

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

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