



## CLEA NEWSLETTER

- Upcoming CLEA Events
- Articles on Clinical Teaching
- Tribute to William Pincus

## Presidents' Message

It has been our privilege to serve as CLEA's Co-Presidents this past year, and is an equal privilege to pass the torch on to our energetic, committed incoming Co-Presidents, Janet Thompson Jackson and Mary Lynch! This past year has been a tumultuous one in legal education with respect to many issues at the core of CLEA's mission.

There were a number of important proposals before the ABA Council for the Section of Legal Education and Admissions to the Bar, as that regulatory body wrapped up its multi-year review of the law school accreditation standards. As you know, CLEA has been active for many years on the ABA advocacy front, and we owe a debt of gratitude to our ABA Advocacy Steering Committee Chairs, Kate Kruse and Claudia Angelos. In 2014 alone, CLEA submitted eight comments or letters to the Council and Standards Review Committee on issues ranging from proposed elimination of security of position for clinical faculty to proposed changes to bar passage standards to proposed elimination of the standards' prohibition on paid externships. These comments and letters built on many submissions from 2013 and earlier, and are all posted at <http://cleaweb.org/advocacy>.



**Donna Lee**  
(CUNY)  
CLEA Co-President



**Jenny Roberts**  
(American)  
CLEA Co-President

On a very positive note, the Council ended its review without changing the security of position structure currently in place in Standard 405. Standard 405, while imperfect, has played an important role in the development of retention and promotion policies for clinicians not on a tenure track. It is also far better than any of the proposals the Council considered. In addition, CLEA continued its collaboration with SALT to oppose, based primarily on diversity concerns, another proposal in early 2014 to raise ABA bar passage requirements, and the Council declined to make any changes to Standard 316 this past year.

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Please stay tuned because the ABA (Standards Review Committee, at the direction of the Council) will be looking again at Standard 316 in 2015.

On another positive note, the Council voted to increase the number of “professional skills” credits (taken in a clinic, externship, or simulation course) required for graduation from an accredited law school from one to six. CLEA advocated for an increase to fifteen, and although that number was then sent out for notice and comment, the Council ultimately voted to raise the requirement to six credits. This is obviously an enormous improvement from one credit. There is much work to be done now as our community considers implementation of this new standard, and does so in a time of lower enrollments and financial constraints. It is critical, as we think about the ways law schools can and must prepare our students for practice, that we continue our lively conversations about the variety of real practice settings in which we teach our students.

Things have also been busy at the state bar level. In 2013, California adopted the recommendation of its Task Force on the Future of Legal Education and Bar Admissions that all applicants to the California bar complete 15 credit hours of skills instruction while in law school or participate in a post-graduate clerkship or apprenticeship program. This fall, CLEA's State Bar Initiatives Working Group provided written comments to the California Bar Association's Task Force on Admission Regulation Reform, which has been working to implement the 15 unit requirement (<http://www.cleaweb.org/Resources/Documents/9-10-14%20CLEA%20comment%20to%20CA%20Task%20Force%20FINAL.pdf>). We advocated, among other things, that the 15 units be earned through credit-bearing law school courses so that California's state-specific reform could incorporate by reference the national standards recently adopted by the ABA for six credits of experiential education. Other states are considering similar experiential requirements, and we expect our State Bar Initiatives Working Group to be busy!

CLEA's membership is more than 1,000 strong. We teach students in a variety of settings that range from in-house clinics where students represent clients under full-time faculty supervision to externships supervised by lawyers in the field with whom we collaborate closely. We are

committed to the value of innovation in clinical legal education for preparing law students for practice in the twenty-first century. Our members are at the forefront of responding to the on-going changes in legal education, particularly the increasing recognition of the importance and value of experiential education. CLEA remains an important clearinghouse for information, communicating proposed regulatory changes and developments to our members, and providing a conduit through which these experienced educators can add to the national dialogue about best practices in legal education.

As we finish our year as Co-Presidents, we are encouraged by the hard work of so many members on issues of great importance to our students, legal education, and our community. CLEA's mission, as set out at <http://cleaweb.org/mission>, states that “CLEA exists to advocate for clinical legal education as fundamental to the education of lawyers. CLEA and its members seek to:

- foster excellent teaching and scholarship by clinical educators;
- integrate clinical teaching and extend its methods into the legal education program of every law school;
- reform legal education so as to prepare law students for excellent and reflective law practice;
- advance regulation of legal education that insures the continued vitality of clinical education in law schools; and pursue and promote justice and diversity as core values of the legal profession.”

We have benefited from and appreciated the support and hard work of our fellow CLEA board members and the many community members with whom we have had the opportunity to work over this past year. We look forward to continuing to work towards achieving CLEA's mission with incoming CLEA Co-Presidents Janet Thompson Jackson and Mary Lynch.

**CLEA Events at AALS Meeting in DC**  
**CLEA's Membership & Board Meetings,**  
**Monday, January 5, 2015—All are welcome**  
**7:30 a.m. CLEA Board Meeting,**  
**8:30 a.m. CLEA Membership Meeting,**  
**American University Washington College of Law,**  
**4745 Massachusetts Avenue NW (at the “residence”**  
**enter on 48th St between Mass & Warren Streets)**  
**Breakfast thanks to WCL Dean Claudio Grossman**

**2014 CLEA Executive Committee**

Donna H. Lee (CUNY), Co-President  
 Jenny Roberts (American), Co-President  
 Janet T. Jackson (Washburn), Co-Vice-President  
 Mary Lynch (Albany), Co-Vice-President  
 Maritza Karmely (Suffolk), Secretary  
 Praveen Kosuri (UPenn), Treasurer  
 Kate Kruse (Hamline), Immediate Past President

**2014 CLEA Board of Directors**

Cynthia Batt	Tamar Birckhead
Lisa Bliss	Martina Cartwright
Patience Crowder	Evelyn Cruz
Anju Gupta	D'lorah Hughes
C. Benjie Louis	Karla McKanders
Binny Miller	Perry Moriearty
Jeff Pokorak	Beth Schwartz
Ian Weinstein	Executive Committee

**2015 CLEA Executive Committee Election Results**

Margaret Johnson (Baltimore), Co-Vice President  
 Maritza Karmely (Suffolk), Co-Vice President

**2015 CLEA Board Election Results**

Anju Gupta (Rutgers-Newark)  
 Joy Radice (Tennessee)

Congratulations to all of the new Board members and officers!

**2014 CLEA Elections Committee**

Binny Miller (Co-Chair)  
 C. Benjie Louis (Co-Chair)  
 Laura McNally  
 D'lorah Hughes

**CLEA Elections Committee Report**

CLEA had a successful elections season this year. Margaret Johnson (Baltimore) and Maritza Karmely (Suffolk), were elected to the Executive Committee as Co-Vice Presidents. As in past years, these candidates were nominated by CLEA's executive committee and ran unopposed. (CLEA members can nominate candidates for officer positions but as is typical, none were nominated from the community). Two clinicians were elected to the Board: Anju Gupta (Rutgers-Newark) and Joy Radice (Tennessee). Anju was elected to a second term on the Board;

Joy is a new Board member, and also a "new clinician" as defined by the CLEA bylaws. Under our bylaws, one election "slot" is reserved for a new clinician when current board members do not include any new clinicians.

Every CLEA election year is different. This year we had a contested election (5 candidates for 2 non-Executive Committee slots). The pool of candidates was diverse in terms of the number of new clinicians who ran (3); one (Joy) was elected. One candidate (Anju) was a clinician of color, and Anju was elected to the Board.

The elections committee was co-chaired by Benjie Louis and Maritza Karmely, with D'Lorah Hughes, Laura McNally and Binny Miller also serving as members. When Maritza stepped off the committee when she was nominated to run for a Vice-President, Binny joined Benjie as co-chair.



Benjie Louis  
(Hofstra)



Binnie Miller  
(American)



## **ABA Advocacy Committee Report**

**By Kate Kruse & Claudia Angelos**

In August 2014, the ABA House of Delegates concurred in a comprehensive package of changes to the Standards for Approval of Law Schools, after a six-year process of study and debate. CLEA actively followed this process along with representatives of other groups, such as the Association of Legal Writing Directors (ALWD), the Society of American Law Teachers (SALT), and the Association of American Law Schools (AALS). Although many things in the standards have changed, we highlight and update three issues that have special importance to the clinical community.

First, one of the most significant changes to the Standards will require every student graduating from an ABA accredited law school to take 6 credits in experiential courses, which can be fulfilled in a law clinic, a field placement, or a simulation course. To qualify, the course must meet a new definition of “experiential course” as well as new definitions of “law clinic” and “simulation course.” In subsequent months, it has been brought to the ABA’s attention that the definition of “law clinic” is not broad enough to include mediation clinics, primarily because it requires “a substantial lawyering experience” that includes “advising or representing a client.” The Standards Review Committee is looking for ways to tweak this language to bring mediation clinics under the definition. In the meantime, clinical faculty should

be looking at the new definitions to ensure that their clinic and externship programs comply with the new definitions, which the ABA will begin enforcing for students who enter law school in 2016.

Second, no action was taken with respect to Standard 405, which defines the security of position of clinicians. Although there are factions within the ABA both that would like to strengthen that standard and other factions that would like to eliminate it, the ABA was unable to reach consensus on what changes to make. The Standard remains in its present tripartite form, which requires schools to (1) “have an established and announced policy with respect to academic freedom and tenure”; (2) ensure that clinical faculty have “a form of security of position reasonably similar to tenure”; and (3) protect legal writing teachers only with such security of position that is “necessary to attract and retain a faculty that is well qualified” to provide legal writing instruction. The issue of whether this hierarchy in security of position should be retained or amended remains on the agenda of the Standards Review Committee in the coming year.

Finally, during the comprehensive review process, the ABA Council hotly debated whether to eliminate an interpretation following Standard 305, which prohibits law schools from granting credit for participation in a field placement for which the

student receives compensation. The ABA Law Student Division lobbied hard for the removal of this restriction. However, after putting it out for notice and comment, the ABA Council decided not to recommend any change to the Interpretation, largely in response to the many Externship Directors (organized by CLEA’s Externship Committee) who effectively communicated how the prohibition helps to ensure the educational quality of field placements. After intensive lobbying from the Law Student Division, the House of Delegates voted to send the issue back to the Council for further study. Because the Council did not recommend a change, the existing prohibition remains in effect. However, it will be under continued study and debate in the year to come.



Kate Kruse  
(Hamline)



Claudia Angelos  
(NYU)



## CLEA Awards Committee

### Outstanding Clinician Award:

We clarified the procedure for nominating an individual. Specifically, we stated that while at least three people must endorse the nomination letter, only one of those individuals must be a CLEA member. The other two individuals need not be CLEA members, nor clinical law professors, and, needless to say, need not be at the same school as the CLEA member. The nominating letter should clearly indicate which of the nominators are CLEA members. Letters of support in addition to the nomination letter are also welcome, and the letters of sup-

port can come from members or non-members. We also clarified the eligibility for the award. Individuals who currently are, or at any time during the academic year in which the award is given were, CLEA board members or executive committee members are not eligible to receive the award that year.

### Outstanding Student Award:

We clarified the process for nominating students. Specifically, we stated that only one student from each school may be nominated for the award. Multiple awards will not be given to students at the same

school, and nominations for multiple students will not be accepted. The only exception to this rule is for two students who worked as partners on the same case or project, and whose work is indistinguishable.



Anju Gupta  
(Rutgers-Newark)



Perry Moricarty (Univ.  
Minnesota)

### Relaunch of Clinical Law Prof Blog

The [Clinical Law Prof Blog](#), on Paul Caron's Law Professor Blogs Network, has relaunched! In our community of clinical legal educators, we have many good outlets for online communication: the listservs, the CLEA site, the AALS and CLEA newsletters, and of course, [Best Practices for Legal Education Blog](#) (which has earned a spot in the ABA Journal's *Blang 100*). Our goal is to complement these wonderful sources as well as provide an additional space where we can celebrate what we do everyday as clinical teachers.

We envision this space as a site devoted to the art and craft of teaching: for stories, for updates and announcements, for advocacy, for the promotion of others, and perhaps a little self-promotion, too. Jeff Baker, Director of Clinical Education at Pepperdine Law School, serves as Editor. Seventeen clinicians from around the country, representing a variety of subject areas and experience levels, have committed to providing content for the first year.

Readers can subscribe through email to the blog, at the Facebook group and on Twitter, @clinicallawprof. Suggestions, comments, and feedback are

### Externship Community Events at the AALS Annual Meeting in DC

If you are planning to attend the January AALS meetings, please join us on Saturday January 3 from approximately 7:30-8:30 AM for a breakfast meeting at the Stones Throw Restaurant in the Marriott Wardman Park Hotel for a discussion of issues confronting our externship community. On Sunday, January 4 at 8 PM, we will relax and socialize at District Kitchen located at 2606 Connecticut Ave NW. Please RSVP to [Lisa Smith](#) or [Inga Laurent](#).

## New Clinicians Committee

CLEA will hold the 2015 New Clinicians Conference at the Westin Mission Hills Resort on Monday, May 4th from 8 AM to 4:30 PM. Registration information will be available soon.

Financial support for the New Clinicians Conference is also being provided by UCLA and Pepperdine Law Schools.



Benjie Louis  
(Hofstra)



Beth  
Schwartz  
(Fordham)

**The *Clinical Law Review* will hold its next Clinical Writers' Workshop  
on Saturday, September 26, 2015 at NYU Law School.**

The Workshop will provide an opportunity for clinical teachers who are writing about any subject (clinical pedagogy, substantive law, interdisciplinary analysis, empirical work, etc.) to meet with other clinicians writing on related topics to discuss their works-in-progress and brainstorm ideas for further development of their articles. Attendees will meet in small groups organized, to the extent possible, by the subject matter in which they are writing. Each group will “workshop” the draft of each member of the group. Participation in the Workshop requires the submission of a paper because the workshop takes the form of small group sessions in which all members of the group comment on each other’s manuscripts. **By June 30, all applicants will need to submit a mini-draft or prospectus, 3-5 pages in length, of the article they intend to present at the workshop. Full drafts of the articles will be due by September 1, 2015.**

As in the previous *Clinical Law Review* Workshops, participants will not have to pay an admission or registration fee but participants will have to arrange and pay for their own travel and lodging. To assist those who wish to participate but who need assistance for travel and lodging, NYU Law School has created a fund for scholarships to help pay for travel and lodging. The scholarships are designed for those clinical faculty who receive little or no travel support from their law schools and who otherwise would not be able to attend this conference without scholarship support. **Applicants for scholarships will be asked to submit, with their 3-5 page prospectus, by June 30, a proposed budget for travel and lodging and a brief statement of why the scholarship would be helpful in supporting their attendance at this conference.** The Board will review all scholarship applications and issue decisions about scholarships in early July. The scholarships are conditioned upon recipients’ meeting all requirements for workshop participation, including timely submission of drafts, and will be capped at a maximum of \$750 per person. Comments and suggestions are welcome and should be sent to Randy Hertz at [randy.hertz@nyu.edu](mailto:randy.hertz@nyu.edu).

**CLEA NEWSLETTER — NEW FORMAT, CONTENT & COMMITTEE**

Besides featuring reports on CLEA’s advocacy work and announcing clinicians’ good news, including promotions, new arrivals, transitions, awards, honors, books and publications (hyperlinks and photos welcome), CLEA hopes to highlight shorter articles on clinical teaching and creative writing on social justice topics. To accommodate this new content, the CLEA newsletter will omit news from clinical programs generally as well as news about conferences, presentations and select appointments. Specifically, CLEA is looking for short articles that more closely resemble what you might read in a bar journal instead of a law review (fewer pages, fewer endnotes). There is no word limit; CLEA wants to see what clinicians are inspired to submit. The topics of course could vary immensely, but rather than a description of a successful clinical endeavor, CLEA is instead looking for more reflective pieces about andragogy—what you tried, what worked (or didn’t) and why. Articles about past presentations and hyperlinks to other websites to read more are also welcome.

One of the reasons that CLEA decided to change the format for its newsletter was because the AALS Clinical Section also has a newsletter that publishes news from clinic programs and many schools were sending the same or similar news to each newsletter. We want to be able to expand resources rather than duplicate them.

CLEA is especially eager to read and publish social justice fiction, non-fiction and poetry from our members. As a service to our clinical community, CLEA hopes not only to share interesting and useful information but also to evolve into a venue where clinicians can publish shorter articles that might count towards tenure requirements in schools that recognize broader definitions of “scholarship” for clinicians. The CLEA Newsletter committee (see p. 36) is also launching a recurring column, “Things I Wish I Knew When I Began Clinical Teaching!”

**CLEA is now soliciting submissions for our spring edition. Please email your submissions to Tanya Asim Cooper at [tcooper@law.ua.edu](mailto:tcooper@law.ua.edu) or any member of the CLEA Newsletter committee. We welcome your ideas and feedback.**

## Good News : Moves, Honors & Promotions



Director of Innocence Project Northwest (IPNW), **Jacqueline McMurtrie**, has been promoted to Professor of Law at the **University of Washington School of Law**. Among her many additional achievements are: leading student and volunteer attorney teams in exonerating wrongfully convicted inmates; induction into the Public Interest Law Association Hall of Fame; and, receiving a “Friend of the Judiciary Award” from the King County Chapter of the Washington Women Lawyers.

**Brenda V. Smith (American)** received the following honors: U.S. Feminist Judgments Project, Commentary, *Dothard v. Rawlinson* (October 2014); Faculty Fellow, Metropolitan Policy Center, American University (October 2014).



**Michael Gregory (Harvard)** was promoted from Assistant Clinical Professor of Law to Clinical Professor of Law. Prof. Gregory co-teaches the Education Law Clinic with Susan Cole, in which law students represent individual families of traumatized children in the special education system and engage in systemic advocacy in education reform at the state level. In conjunction with the clinic, he co-teaches with Ms. Cole the seminars “Education Advocacy and Systemic Change: Children at Risk” and “Legislative Lawyering in Education Law.” Prof. Gregory has also taught Education Law and Policy and Education Reform Movements. Prof. Gregory received his J.D. from Harvard Law School in 2004, graduating *cum laude*. He also graduated *magna cum laude* with a Bachelor of Arts in American Civilization from Brown University in 1998, and received a Master of Arts in Teaching, also from Brown University, in 1999. He was the recipient of a Skadden Fellowship in 2004.



**Rebecca Bowman-Rivas (Maryland)**, Law & Social Work Service Program Manager, was honored by the Living Classrooms Foundation in appreciation for her work “to the entire re-entry community.”

**Wally Mlyniec (Georgetown)** received the Gault Award for Outstanding Dedication and Commitment to Juvenile Justice from the National Juvenile Defender Center at their 10th Anniversary Celebration. ([Press release](#))



**Serge Martinez (New Mexico)** has been hired as Assistant Professor, with primary responsibility for teaching in the Business and Tax Clinic. Martinez works with students in the areas of community and economic development, entrepreneurship, and start-up businesses. He will also enable the School of Law to participate fully in Innovate ABQ, a collaborative initiative among UNM, its Science and Technology Center, the business community, and government. Previously, he directed the Community and Economic Development Clinic at the Maurice A. Deane School of Law at Hofstra University since founding the clinic in 2006. Martinez also founded the first law school clinical program in Taiwan while serving as a Fulbright Scholar and Visiting Professor at the National Taiwan University College of Law in Taipei.



**Florida Coastal School of Law** is very excited to announce that **Annette Ritter** has been appointed the new Dean of Experiential Learning and Professional Development. Annette has been the Director of our mock trial program at Florida Coastal and has deep commitment to public interest work as a Fellow and Life Member of the Florida Bar Foundation.



**Emily Broad Leib (Harvard)** was recognized among [“Young Women to Watch”](#) in the October 2014 *Whole Food Magazine* article “Leading Ladies of the Industry.” Leib was also featured in the Harvard Law School International Women’s Day Photo Exhibit [“Women Inspiring Change.”](#)







Faculty Director of the Federal Tax Clinic and Director of the Graduate Program in Taxation, **Scott Schumacher** (Univ. Washington),

has been promoted to Professor of Law. In addition to his clinical law responsibilities, Scott teaches courses in taxation and white collar crime and regularly contributes articles in these areas of expertise.



**Inga Laurent**, Externship Director at **Gonzaga** has been granted a 5-year, presumptively renewable long term contract.

**Julia Gold** (Univ. Washington), Director of the Mediation and Street Law Clinics has been promoted to Principal Lecturer of Law.



The hard work of **Kathleen Hoke**, **Ellen Weber**, **Deborah Weimer** and others was recognized when the Law and Health Care Program at **Maryland Carey Law** was awarded the Champions of Excellence Award by the University of

Maryland, Baltimore for its No. 1 ranking by U.S. News and World Report.



Clinical Professor **Robert Holmes** has been recommended by the faculty and Dean for promotion to **Rutgers-Newark's** version of "clinical tenure" on the Rutgers-Newark Clinical Scholar track and will also receive a scholar designation and scholar account. Professor Holmes is the Deputy Director of Clinical Programs and the founder and Director of the Rutgers-Newark Law School Community and Transactional Lawyering Clinic. Previously, he was the Assistant Commissioner of the New Jersey State Department of Community Affairs, Chief Executive of the Newark Housing Development Corporation, Commissioner of the Newark Watershed, and partner at the law firm of Wilentz, Goldman & Spitzer. Professor Holmes is the recipient of the Garden State Bar Association's (GBSA) Living Legend's award (2011), the GBSA's Oliver Randolph award for contributions to civil rights (2006), and the City of Newark has declared a "Bob Holmes" day in honor of his public service to the City. His recent publications include *The Clash of Home Rule and Affordable Housing: The Mount Laurel Story Continues*, 13 Conn. Pub. Int. L.J. 325 (2013); *Use of Clinic Students' Extant Talents: Negative Exploitation or a Peek at the Future of Legal Education*, 66 Rutgers L. Rev. \_\_\_\_ (forthcoming 2014); and *Benefits of Chartering in Delaware Versus New Jersey: Busting the Myth and Closing the Gap*, 8 Rutgers Bus. L. J. \_\_\_\_ (forthcoming 2014). He is a Board member of the Victoria Foundation, Beth Israel Hospital's Citizen Advisor Board, Public Interest Law Center of New Jersey, Legal Services of New Jersey, and the Executive Council of AARP of New Jersey.

Congratulations to Clinical Associate Professor **David Breen** (Boston University), who was appointed by the Governor to a judgeship on the Boston Municipal Court.



**Anita Weinberg** (Loyola Chicago), Director of our Legislative and Policy Clinical Program, has received Loyola University's inaugural Ignatius Loyola Award for Excellence in Teaching. This award recognizes faculty whose teaching involves a commitment to excellence, raises global awareness, promotes social justice, and educates the whole student.



**Maxine Lipeles** (Washington Univ.—St. Louis), director of the *Interdisciplinary Environmental Clinic*, has been named one of the *Best Lawyers in America* in Environmental Law.



**C. Benjie Louis** has moved from Albany Law to **Hofstra Law** to teach the Disaster Recovery Law Clinic as Visiting Associate Professor of Law.



**CLEA POSTS**  
**CLINICAL JOB**  
**OPPORTUNITIES**



**Esme Caramello** was appointed Clinical Professor of Law at **Harvard Law School**. Caramello has been a lecturer on law and clinical instructor at the law school as well as deputy director of the Harvard Legal Aid Bureau. Caramello joined the Harvard Legal Aid Bureau in 2009 as deputy director and clinical instructor, after having worked in the Housing Unit at HLS's WilmerHale Legal Services Center and at Suffolk University Law School's Housing Clinic. As a clinical instructor at the WilmerHale Legal Services Center, she worked with students to help protect the rights of low-income tenants and homeowners. After graduating from HLS in 1999, Caramello worked as a litigation associate at Baker & McKenzie in San Francisco, and later served as a law clerk to Judge Charles P. Kocoras, U.S. District Court for the Northern District of Illinois. For five years, she worked as a litigation associate at Holland & Knight, where she concentrated in intellectual property and complex business litigation. While at Holland & Knight, she also served as a Chesterfield Smith Community Service Fellow, from 2001-2003, working exclusively on pro bono matters. Caramello is a graduate of Harvard College, with a B.A. in social anthropology.



**Case Western Reserve University School of Law** congratulates Professor **Judy Lipton**, who has been appointed as the inaugural Honorable Blanche E. Krupansky and Frank W. Vargo Jr. Professor in Criminal Law at Case Western Reserve University. This is a newly endowed chair; with Judy's appointment she becomes our law school's first clinician with an endowed professorship. The appointment reflects the remarkable impact Judy's work has had on our students and their clients through our Criminal Justice Clinic. As Associate Dean for Experiential Education and a member of Case Western Reserve's law faculty for more than two decades, Judy has helped oversee Clinic students on cases including consumer fraud, police misconduct, medical, elder and disability law, and criminal misdemeanors, felonies and appeals.

**Wayne State University Law School** is delighted to announce that **D'lorah Hughes** has joined as Associate Director of Clinical Education and Director of Externships. D'lorah came to Wayne this past summer from the University of Arkansas in Fayetteville, where she was an Associate Professor of Law. In addition to directing Arkansas's Criminal Defense and Criminal Prosecution clinics, D'lorah created a special clinical project on Juvenile Mandatory Life without Parole. She was honored in June with the Special Merit Award by the Arkansas Bar Association and Arkansas Bar Foundation.



**Professor Laila Hlass** joined **Boston University Law's** clinical faculty in July 2014, directing and teaching in the Immigrants' Rights Clinic.



**Univ. St. Thomas Law** Professor **Nekima Levy-Pounds** has been selected as one of *Minnesota Lawyer's* Attorneys of the Year 2014. The selection committee selected 39 honorees based on the following criteria: leadership in the profession, involvement in major cases, other newsworthy events, excellence in corporate or transactional services and public service.



**Mary Leto Pareja (New Mexico)** has been hired as Assistant Professor, and she will focus her teaching and research on Health Law, Torts, and Taxation. Pareja has been teaching at the UNM School of Law since the fall of 2005 in a variety of capacities. She will periodically rotate into the Business and Tax Clinic. In addition, she travels to Madrid, Spain, each summer as part of UNM's Madrid Summer Law Institute and teaches Spanish law students about US law and the common law legal system.

**Clinton Bamberger (Maryland)**, Professor Emeritus of Law, represented John L. Brady in the state court and in the U.S. Supreme Court in the seminal criminal procedure case, *Brady v. Maryland*. On November 6, 2014, Professor Bamberger provided comments and signed a book about the case that has been published by the Baltimore Bar Library.

## Good News : Moves, Honors & Promotions

**William Covington (Univ. Washington)**, Director of the Technology Law and Public Policy Clinic, has been promoted to Senior Lecturer of Law.



**Pam Karlan (Stanford)** received the Attorney General's Award for Exceptional Service for her work on the Windsor implementation team. Professor Karlan, co-director of Stanford's Supreme Court Litigation Clinic, is currently on leave and working in the Civil Rights Division of the Department of Justice.

**Anne Smith**, director and co-founder, and the **University of Wisconsin Law & Entrepreneurship Clinic** were recognized as a 2014 Wisconsin Legal Innovator by the Wisconsin State Bar. [Press release](#)



**UNLV** named Professor **Mary Berkheiser**, one of its founding faculty and director and founder of the Juvenile Justice Clinic, as its inaugural Joyce Mack Professor of Law.

**Anju Gupta** has been recommended by the Faculty and Dean for promotion to Associate Professor of Law. Professor Gupta is the founder and Director of the **Rutgers-Newark** Immigrant Rights Clinic. She has previously directed the University of Baltimore's Immigrant Rights Clinic and was a clinical fellow at both Georgetown and Seton Hall. She is a board member of the Clinical Legal Education Association.

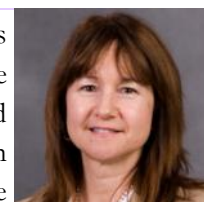


The **UNM** Center for Teaching Excellence has selected Professor **Aliza Organick** to be one of the first UNM Teaching Fellows. Organick will develop a skills based, pre-clinic course, together with assessment tools that measure the high-level transfer of those skills to clinical and law practice.

**Amanda Kool (Harvard)** was promoted to Clinical Instructor at the Transactional Law Clinics (TLC). For the two years before, Amanda served as a fellow advising students in the Community Enterprise Project, a division of TLC. In that role, she and her students have worked in partnership with various community organizations to address persistent legal barriers to economic development in the City of Boston. Amanda also served as a supervising attorney in the Recording Artists Project, a student practice organization in which teams of law students represent recording artists in contract negotiations, intellectual property protection, and other transactional legal matters. Prior to joining the Transactional Law Clinics, Amanda worked as a corporate and finance associate attorney at Nixon Peabody LLP in Boston. During law school, she completed internships with Judge Susan J. Dlott in the Southern District of Ohio, the Massachusetts Department of Environmental Protection, Resource Conflict Institute in Nakuru, Kenya, and Nixon Peabody LLP. Following law school, Amanda spent a year as a pro bono attorney with Conservation Law Foundation.



**South Carolina** is proud to announce its very own **Jaclyn Cherry**, who teaches the Non-Profit Organizations Clinic was named Associate Dean for Academic Affairs in October, after serving as Interim Associate Dean since the summer. We're excited to have a clinician in that essential role for the entire law school!



Managing Director of the Entrepreneurial Law Clinic, **Jennifer S. Fan**, has been promoted to Lecturer of Law. Prior to joining **UW Law**, Jennifer practiced in the area of corporate securities and served as the inaugural director of the Pro Bono Program of the John and Terry Levin Center for Public Service and Public Interest Law at Stanford Law School.



**Karen Tokarz (Washington Univ.—St. Louis)**, director of the *Civil Rights, Community Justice & Mediation Clinic*, has been named one of the *Best Lawyers in America* in Mediation.





**Dalia Topelson (Harvard)** was promoted to Assistant Director of the Cyberlaw clinic. She is also a Lecturer on Law and co-teaches the Practical Lawyering in Cyberspace seminar with Christopher Bavitz. Dalia has concentrated her legal practice on intellectual property and media law, particularly in the areas of technology, media, privacy and digital content. Prior to joining Harvard Law School, Dalia worked as in-house counsel at Amazon.com. From 2004-2009, Dalia worked as an associate in the New York law offices of Weil, Gotshal & Manges LLP and DLA Piper LLP, focusing on intellectual property and technology issues. Dalia received her B.A., *magna cum laude*, from Emory University in 1999 and her J.D. and LL.M. in International Law from Duke University School of Law in 2004.

Professor **Sarah Steadman (New Mexico)** is visiting this academic year, teaching Family Law and in the Community Lawyering Clinic. Steadman has a private practice focused on elder law and disability law and has taught four semesters in the Clinic. She previously worked for a business law and estate planning firm and as a special assistant attorney general for a state agency serving low-income persons with disabilities.



The Massachusetts Bar Association honored **Gerald Wall** with an Access to Justice Award for his exemplary legal skills and service to the community. He is a Clinic Supervisor at the **Harvard** Immigration and Refugee Clinic and Senior Attorney at the Greater Boston Legal Services. Gerald Wall is the most senior attorney in GBLS' Immigration Unit, with a 40-year career in legal services. The Massachusetts Bar Association describes Wall as more invested in his work than any other attorney in the Commonwealth. The first immigration cases he handled with GBLS involved El Salvadoran refugees seeking asylum in the United States from violence and death squads during their home country's civil war. [Press release](#)



**Elon University School of Law** appointed Professor of Law **Faith Rivers James** as Elon Law's first associate dean for experiential learning and leadership. In this role, Rivers James will provide guidance and coordination for the law school's experiential learning initiatives, including externships, residencies, clinics and the school's nationally recognized leadership program. [Press release](#)

Clinical Professor **Laura Cohen** has been recommended by the faculty and Dean for promotion to **Rutgers-Newark's** version of "clinical tenure" on the Rutgers-Newark Clinical Scholar track and will also receive a scholar designation and scholar account. Professor Cohen directs the Rutgers-Newark Law School's Criminal and Youth Justice Clinic (CYJC) and is the former Director of Training of the Juvenile Rights Division of the Legal Aid Society of NYC. She is the recent recipient of the John D. And Catherine MacArthur Foundation Champion of Change Award (2012), the ACLU of New Jersey's Legal Leadership Award (2013), and the National Juvenile Defender Center Robert E. Shepherd Leadership (2012). Laura has recently been retained as an expert for the United States Department of Justice, Civil Rights Division to evaluate remedies for systemic due process violations in St Louis County (MO) family court juvenile justice proceedings (2013) and as a consultant to the National Juvenile Defender Center on the development of National Juvenile Defense Standards published in 2012.



**Sabrina Balamwala** joined the faculty of the **University of North Dakota School of Law** as an Assistant Professor of Law in Fall 2014. Sabrina comes to UND from the clinical program at the University of Baltimore School of Law, where she served for three years as a fellow in the Immigrant Rights Clinic. She is now leading the Immigrant Rights Project in the UND Clinical Education Program, where her students' docket focuses on removal defense, immigrant workers' rights, and language access.





**Nancy Kelly and John Willshire Carrera**, co-managing directors of HIRC

at Greater Boston Legal Services recently won the **Harvard Law School's** Dean's Award for Excellence for their exceptional teaching and mentoring of students at Harvard Law School and for their leadership in developing child asylum and gender-based asylum law, as well as indigenous Guatemalan and gang-based asylum claims. John and Nancy helped found HIRC 30 years ago and have worked tirelessly over the years to help immigrants and to train generations of immigration attorneys. In their nominations letters, John and Nancy's colleagues described the dedication, compassion and skill they have brought to HIRC over the past 30 years.



**Sarah Deer (William Mitchell)** has been named a 2014 MacArthur Fellow for her work with Native American victims of sexual and domestic violence.



**Alonzo Emery**, the **Harvard** Negotiation & Mediation Clinical Program (HNMCP), was named as a Fellow in its Public Intellectuals Program by the National Committee on United States-China Relations. The Public Intellectuals Program (PIP), launched in 2005, is

dedicated to nurturing the next generation of China specialists who have the interest and potential to venture outside of academia to engage in the public and policy community. Mr. Emery's interest in and scholarship around China began in his earliest university career when he studied at Peking University, Tsinghua University, and Taiwan University. After law school, Emery served as Assistant Professor of Comparative Jurisprudence at Renmin University School of Law in Beijing, teaching courses in alternative dispute resolution, international, and American law. He also ran the Renmin University Disability Law Clinic, China's first law school clinic dedicated exclusively to providing legal services to persons with disabilities.

**Michael Millemann (Maryland)**, Jacob A. France Professor of Public Interest Law, received a Legal Excellence Award from the Maryland Bar Foundation for his "commitment to the advancement of unpopular causes."



**Molly Cohan and Brenda Williams (Univ. Washington)**, both with extensive criminal defense experience, have been promoted to co-directors of the Tribal Court Public Defense Clinic. Molly was named a "top lawyer" by Seattle Metropolitan Magazine and she has served on the planning committee for the annual Washington State Bar Association Access to Justice Conference. Brenda has served on the Washington State Supreme Court's Minority and Justice Commission as well as on the Board of Governors of the Washington State Bar Association. **Ron Whitener**, who directed the Clinic for 13 years, has moved on to become founder and director of the Center of Indigenous Research and Justice. He is also a Tribal Court judge and he will teach at UW Law on a part-time basis.



**Christopher T. Bavitz** has been appointed Clinical Professor of Law at **Harvard Law School**. Bavitz has been a Clinical Instructor and Lecturer on Law at HLS and is Managing Director of the Cyberlaw Clinic at the Berkman Center for Internet & Society.



Bavitz has concentrated his law practice and clinical activities on intellectual property and technology law, with an emphasis on music, media, and entertainment. Bavitz joined the Cyberlaw Clinic in 2008 as a Clinical Fellow. He was named Assistant Director in 2009 and promoted to Clinical Instructor at HLS in 2010. He became the Cyberlaw Clinic's Managing Director last year. He received his J.D. from the University of Michigan Law School in 1998 and his B.A. from Tufts University in 1995. He also received Cambridge Community TV's (CCTV) Leading Role Award, which honors people who work tirelessly behind the scenes to make our community a better place.

On September 30th, Criminal Justice Institute (CJI) Deputy Director and Lecturer on Law **Dehlia Umunna** won the 2014 Dean's Award for Excellence. The award recognizes staff members who embody a spirit of excellence in collaboration, commitment, innovation, leadership and learning within the **Harvard Law School** community.



Dehlia Umunna joined CJI as clinical instructor in 2007 and became deputy director in 2013. She was nominated by the entire staff at CJI for her dedication to the students and clients and for her leadership of the staff and support for their professional development. In addition to her high-quality supervision and mentoring of students in their criminal defense work, she also coaches a mock trial team and teaches an extremely popular reading group *The Effects of Mass Incarceration: Experiences of Prison and Parole*.

Congratulations to **Kim McLaurin (Suffolk)** on receiving tenure. Many of you know Kim as a dedicated advocate for youth in juvenile delinquency proceedings. You may not know that Kim has also been instrumental in creating constructive programs for youth by co-founding Suffolk's Marshall Brennan program and bringing LSAC's PreLaw Undergraduate Scholars program to Suffolk. If that were not enough, Kim has also been named the Associate Dean of Alumni Relations and Development, the first time a clinical professor has been named to that role.



**Tamar Birkhead** is now Director of Clinical Programs at **North Carolina Law**. Tamar has served as interim director for the past year, and she has done excellent work in that capacity. She has created a supportive and engaging clinic culture, instituting faculty and student rounds, an annual faculty retreat, and a ceremony to bestow the CLEA Outstanding Student Award on the finest 3L student.



Professors of Law **William H. Rodgers** and **Todd Wildermuth, Ph.D.**, are teaching the initial quarter of the Regulatory Environmental Law and Policy Clinic at **UW Law**.



Prof. Rodgers is a well-recognized authority on environmental law and Todd, in addition to his work as Policy Director of the Clinic, serves as Director of the Environmental Law Program at UW Law.

**Kim Ambrose (Univ. Washington)**, Director of the Tools for Social Change: Race and Justice Clinic, has been promoted to Senior Lecturer of Law.



**Philip Genty** received the highest teaching award granted by **Columbia University** last May. [Press release](#)



**Deborah Maranville (Univ. Washington)**,

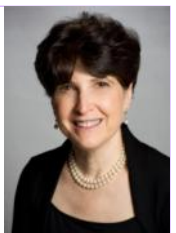
has returned to direct the Clinical Law Program (CLP) after a term leading the experiential learning initiatives at UW Law. She previously completed six years of service as director and will lead the CLP until her replacement is found.

**Boston College Law School** is delighted to announce **Paul Tremblay** has



been named Associate Dean of Experiential Learning. Originally appointed as Faculty Director of Experiential Learning two years ago, Paul is now our inaugural clinical dean.

Congratulations to **UC Hastings Professor Robin Feldman** on being named one of the 50 Women Leaders in Tech Law for her work in founding the [Startup Legal Garage](#) at UC Hastings Law in San Francisco. She



was also one of 25 recipients to receive the first-ever Innovator Awards, which recognizes the most creative minds in the legal industry—people who are changing the way legal services are delivered, driving down costs and improving outcomes. The Innovator Awards were chosen by the American Lawyer publication, The Recorder, article [here](#).



**Heather Scheiwe Kulp** was promoted from Clinical Fellow to Clinical Instructor at the **Harvard** Negotiation & Mediation Clinical Program (HNMCP). Heather's main work will focus on supervising clinical students and recruiting new clinical projects. For the past two years, Heather served as HNMCP's first Clinical Fellow, advising student organizations related to dispute resolution, including Negotiators and the Harvard Negotiation Law Review. She has conducted research and revised case studies, lectures, and readings to support the pedagogy of the Clinic and related courses, as well as developed approaches to teach new skills, including facilitation. She has also helped cultivate new clients for clinical projects. Prior to joining HNMCP, Heather was a Skadden Fellow with Resolution Systems Institute/The Center for Conflict Resolution in Chicago. There, she partnered with courts and government agencies to develop small claims, foreclosure, and other mediation programs for low-income litigants. She has consulted with multiple states, the Uniform Law Commission, and the Department of Justice about best practices in foreclosure mediation. Heather is a graduate of Northwestern University School of Law and Saint Olaf College.



Both **Anna Tolin** and **Lara Zarowsky (Univ. Washington)** of the Innocence Project Northwest have been promoted to Lecturers of Law. Anna serves as Deputy Director of the Innocence Project



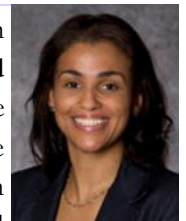
Northwest Clinic and Lara directs the IPNW track of the Legislative Advocacy Clinic.

Clinical Professor **Tyler Giannini** was selected to receive the prestigious Albert M. Sacks-Paul A. Freund Award for Teaching Excellence. He was selected by the HLS Class of 2014 in recognition of his teaching ability and general contributions to student life at the law school.



Giannini is co-director of **Harvard Law School's** Human Rights Program and the International Human Rights Clinic. His work focuses on Alien Tort Statute litigation, business and human rights, human rights and the environment as well as communities and human rights. He has extensive experience with Myanmar and South Africa and a strong interest in social entrepreneurship and clinical pedagogy in the human rights context. Previously he was a founder and director of EarthRights International, an organization at the forefront of efforts to link human rights and environmental protection. After receiving an Echoing Green fellowship to start EarthRights in 1995, Giannini spent a decade in Thailand with the organization conducting fact-finding investigations and groundbreaking corporate accountability litigation. He holds a B.A. from the College of William and Mary and a J.D. and M.A. from the University of Virginia.

Professor **Renée Hutchins** has been appointed Co-Director of **Maryland Carey Law's** Clinical Law Program. She has served as a board member of the Clinical Legal Education Association (CLEA) and for seven years chaired CLEA's Per Diem Committee. At the law school, Professor Hutchins teaches the Appellate Advocacy and Post-Conviction Clinic. In this capacity, Professor Hutchins and her students represent incarcerated clients through all stages of the appellate and collateral processes. In her capacity as Co-Director, Professor Hutchins will work with Co-Director Michael Pinard to steer the Clinical Law Program into the future of legal education as it provides legal services to underrepresented individuals and communities in and around the state of Maryland.



#### **Professor Scott Taylor (New Mexico)**

is visiting from the University of St. Thomas School of Law this academic year and will supervise the spring 2015 Southwest Indian Law Clinic. He taught at the UNM Law School from 1982 to 2002 and has returned to teach a Tribal Courts Seminar, and serve as Guest Editor of the Tribal Law Journal. Taylor is a national authority on taxation in Indian Country and serves as a Commissioner on the Navajo and Tesuque Tax Commissions.







The CLEA Board of Directors is pleased to announce that **Jon C. Dubin**, Professor of Law, Alfred C. Clapp Public Service Scholar, and Associate Dean for Clinical Education at **Rutgers-Newark School of Law**, is the recipient of the 2014 CLEA Award for Outstanding Advocate for Clinical Teachers. Jon Dubin has been at Rutgers-Newark since July 1999. He was appointed as the law school's first overall Clinic Director in 2002 and Associate Dean in 2010. In addition to teaching in the Civil Justice Clinic, he teaches Administrative Law and Poverty Law. Prior to coming to Rutgers, Jon was on the faculty at St. Mary's University School of Law. From, 1990 to 1994, he was Associate Professor of Law and Director of its Civil Justice Clinic, and from 1994 to 1999, he held the position of Professor of Law and Coordinator of Clinical Programs. Jon's commitment to clinical legal education has been ever-present throughout his teaching career. Jon has served on nearly every national organization involved with the development and advancement of clinical legal education. He also has been involved with the Clinical Law Review, having served on its Board of Editors from 1997 to 2003, and as the clinician on several ABA Accreditation Review Site Inspection Teams. Further, Jon is a frequent presenter at AALS conferences, and has not only been involved in presentations, but he also has been invited to be on several planning committees. At Rutgers Jon has been the leader in all of the positive changes for clinical faculty in terms of governance, status, and clinical tenure. In his scholarship, Jon has both championed clinical education and developed poverty law doctrine that protects and promotes the rights of clients served by law school clinics. He has received numerous awards for his scholarship. Jon's commitment to underserved communities has been recognized by several notable and honorable awards that Jon has recently received. In 2014, he was awarded the 2014 National Organization of Social Security Claimant Representatives' Eileen W. Sweeney Award for advancing the quality and availability of advocacy for disability claimants and improving the adjudicatory process. In 2010, he received the Oliver Randolph Award for Civil Rights Advocacy by the Garden State Bar Association. And in 2007, he was the recipient of the Stanley Van Ness Leadership Award for Career Contributions to Public Interest Law by New Jersey Appleseed and the New Jersey Public Interest Law Center. The CLEA Award recognized Jon's contributions to, and tireless advocacy on behalf of, the clinical community last May.



**Professor Ann Shalleck (American)** has been chosen as the recipient of the AALS Section on Clinical Legal Education's William Pincus Award for outstanding contributions to the cause of clinical legal education. Ann was described as a tireless advocate on behalf of the clinical movement. She received CLEA's Outstanding Advocate for Clinical Teachers in 2009; as a member of the AALS Executive Committee from 2010 to 2013, she represented the AALS at ABA Standards Review Committee meetings and hearings during the contentious re-evaluation of all of the accreditation standards; she has been on at least 10 AALS conference planning committees and done countless presentations at AALS conferences -- she even created a primer for clinical conference or workshop presentations; she has hosted the Women and the Law Breakfast in conjunction with the AALS Annual Meeting for over 15 years; she has been a member of the Georgetown Summer Institute faculty for each of its four years; is a co-founder and co-facilitator of the Rounds About Clinical Teaching for Experienced Clinicians in Washington, DC; she is a past member of the SALT Board; and she has contributed in other venues, such as Law & Society and the Southern Clinical Conference. Ann has authored over 25 works, including her recent work as co-author of *TRANSFORMING THE EDUCATION OF LAWYERS: THE THEORY AND PRACTICE OF CLINICAL PEDAGOGY* (2014). We will say what you all undoubtedly know, that Ann has had a profound effect on the teaching of and thinking about clinical legal education. In addition to her clinical scholarship and teaching, Ann is a feminist scholar. Her latest focus is developing the Women and the Law Program's Student Debt and Education Justice Project Inaugural Conference. **The award will be presented at the Section's luncheon at 12:15 pm on Saturday, January 3rd at the AALS Annual Meeting in Washington DC.**

## Retiring Faculty



**Kathy Goldwasser (Washington Univ.—St. Louis)** is retiring after many years teaching our popular Governmental Lawyering Externship, which places students in the civil and criminal divisions of the U.S. Attorneys Offices for the Eastern District of Missouri and Southern District of Illinois.

After 25 years with **Albany Law School**, **Laurie Shanks** is retiring. “I am very grateful to Clinic community. I have learned so much from our conferences, from e-mails on and off the ListServ, and from the personal connections I have made with so many of you. Your dedication to your students and your willingness to share everything you have created has benefitted me and my students more than I could ever properly acknowledge. Thank you all for your friendship and collegiality. I will miss you. I am looking forward to the next “chapter” of my professional life, in which I hope to assist the victims of sexual assault in the military. I am sure that all I have learned from you will be put to good use.”



**James Backman** “This is my last day at **BYU Law School** after 40 years as a professor here. Starting in 1992, I became founder and director of our special externship program. I have enjoyed my association with this group of externship professionals since my first clinical legal education conference in Albuquerque. I have especially loved the Externship conferences. Thanks to Sandy Ogilvy and many others who have contributed so much through this listserv and through our externship committees. We have watched this area of the curriculum grow into something spectacular for our students. It has been a great way to contribute to their practical learning and professional development. I will be serving an LDS Church legal service mission in Preston, England until June 2016.”



“We are both delighted (for him) and sad (for us) to announce that **Professor Jeff Hartje** has retired after almost 50 years of legal service and 40 years of law teaching -- 28 at the **University of Denver**. Jeff has devoted almost all of those years to serving the legal needs of disadvantaged people. Recognized as a pioneer in clinical legal education, he supervised students in class actions involving the rights of Native Americans and people with mental illness and developmental disabilities. Jeff clerked for a federal judge and practiced law as a private law firm attorney, federal public defender, and Legal Services law reform director for a number of years before founding and directing the clinical law program at Gonzaga University Law School in 1974-75. Hired as Clinical Director at the University of Denver College of Law in 1987, he founded the Mediation and Arbitration Clinic and also has served as the supervising professor in the Student Law Office’s civil and criminal representation clinics. In addition, he served as the law school’s Associate Dean for Academic Affairs for four years. Recently he has devoted most of his time directing the Mediation and Arbitration Clinic and teaching Negotiation. Jeff also has served as the chair of the Association of American law School’s Section on Clinical Legal Education; a founder/charter member of the Clinical Legal Education Association and originator and a founding advisory board member of the Clinical Law Review. He has been a consultant to the National Legal Services Corp., the U.S. Department of Education and to a number of law schools, including the University of Dayton and Toledo University. He has taught in law programs in Japan, China, Australia, New Zealand, Argentina and Chile. Jeff has taught a generation of students the skills and responsibility involved in representation of vulnerable clients, generally without access to justice, often discriminated against because of poverty race, gender, age, or disability. He has attempted to help students to do good and not to think only of doing well.



## In Memory of William Pincus

April 29, 1920 - May 15, 2014



"I am sorry to have to inform the clinical community that Bill Pincus died yesterday at his residence in New York at the age of 94. As you know, Bill had a remarkable career in government and philanthropy and is best known to us as the founding and sole president of the Council on Legal Education for Professional Responsibility (CLEPR), which operated from 1968 – 1980. Bill, through CLEPR, using funds provided by the Ford Foundation, made possible the creation of the modern clinical education movement." - J.P. "Sandy" Ogilvy (Catholic), May 15, 2014

"Those of us who had the privilege of knowing Bill Pincus are quite sad to learn of his passing. He was the ultimate True Believer in clinical legal education and was certainly the most influential in making it a reality through his work as president of CLEPR. The definitive tribute to Bill on film was done by Sandy Ogilvy with the release of his excellent documentary, "CLEPR: Its History and Its Legacy 1968-1980." In addition, upon the occasion of CLEPR's 40<sup>th</sup> Anniversary, a commemoration was held at the AALS Annual Meeting in 2009. The speeches and essays are published in 16 Clin. L. Rev. 1 (2009) and Sandy's introduction provides an insightful history of CLEPR's early years. At the AALS Clinical Section annual luncheon in January of 2000, I gave a speech in Bill's honor entitled "Why the Clinical Section Award is Called the "William Pincus Award." Although it is long, I take the liberty of posting it below:

Bill Pincus was the first person to pay my salary in my first job as a clinical teacher back at University of Connecticut in 1969. Pincus bought my first video recorder and camera, which was this fabulous black and white reel to reel system, during my first year at American University in 1972. He treated me to my first fancy hotel room at the Algonquin when I went to my first CLEPR conference. And he taught us that there was magnificent life beyond legal services and although he probably didn't know it at the time, he paid for my first martini.

I love Bill Pincus. Now there is one thing you need to know about the Algonquin Hotel if you've never stayed there, in those days at least, they had a bedside stand and there was the Holy Bible in it that was placed by the Gideons and then there was the clinical bible which was placed by CLEPR and written by Bill Pincus. Bill was the President of the Council on Legal Education for Professional Responsibility that was funded by the Ford Foundation for ten years with one mandate, which was make clinical education happen in America. He had ten million dollars to spend over ten years and he added something to that, in addition to the ten million dollars, he added something more valuable, which is chutzpah. This was the man who was the definition of chutzpah. Chutzpah coupled with a vision coupled with ten million dollars turned out to be very powerful indeed.

Pincus was a program officer with the Ford Foundation and his mandate with the Ford Foundation in the 1950's was to fund things in law schools. He got very skeptical about law schools because he decided that law schools were part of what was wrong with the American legal system. He was outraged by the fact that our complex legal system, upon which everyone is dependent, does not include universal availability of lawyers. How could the adversary presuppose equality before the law and ignore the fact that it just isn't true. Pincus wrote all these things down. In CLEPR's First Biannual Report he said "It was obvious that while the law school was not responsible for the total situation it did reflect the spirit of the entire apparatus. If you could change the curriculum to take in the needs of the larger part of the population it could influence decisively the entire judicial system."

"With exceedingly rare exceptions," he said, "the reaction of most law schools was to stand pat on what they considered to be an intellectually stimulating curriculum, the development of the intellect being the law school's thing." And I know that some of you here remember what law schools were like in the 60's and 70's and 50's perhaps. In mine there were two solid years of required Langdell case Socratic large class method courses.

*Continued on p. 18*



**In Memory of William Pincus**

April 29, 1920 - May 15, 2014



The curriculum ignored questions of justice in order to teach black letter law. It was just deadly beyond imagination and it resisted multiple reform efforts both before and after the second World War, I mean it beat back everything, it beat back legal realism, it beat back every attempt to change it and the amazing thing is not just that someone got it to change, but that it was someone from outside the academy. The person who was the major catalyst for change, Pincus, was from outside the academy and he was able to do it because he was pedaling excellent goods, selling the world on an idea that, of course, we all take for granted today that it would be great for law student's education, great for the justice system to involve law students in the actual representation of poor people and he had a great strategy for selling that idea and it worked very well.

He had a very simple definition of clinical legal education. Clinical in the context of CLEPR's program meant lawyer client work for credit under law school faculty supervision. Pincus saw programs that didn't accomplish that as a fraud and saw them as cheating and they had to have those elements to get his support. The commandments according to CLEPR, according to Pincus, were number one, clinics needed to be staffed by full-time faculty and that was radical, with faculty status. Second that there needed to be an office in the law school. He believed that law practice was corrupting, that the existing institutions of practice taught bad habits and the law school could create a situation where there was better practice. He also believed that criminal clinics were better than civil clinics because he believed that students needed to get their hands dirty. He imagined them riding in the police cars, he imagined them down at the police station, he imagined them in prison and he thought for some reason, you know I don't happen to agree, but he thought that criminal clinics had higher virtue. Fortunately, I got funding for a criminal clinic and those days so it did help. He believed that the law school had to be committed, so a CLEPR grant came with an obligation that in the second year there had to be more law school money than in the first year and in the third year there had to be more law school money than in the second year until the law school took over the funding completely. In order to get funding, a school was required to show that the clinic was part of the curriculum and that students received more than token academic credit. And because he believed that the important thing that clinicians were doing was teaching students about the meaning of commitment, he wanted students to have multiple clients so they would learn to balance conflicting needs. He wanted them to learn about what it meant to have a high level of commitment to a cause. He wanted them to develop sensitivity to the fact that the justice system was awful, that it malfunctioned, that it was a system of injustice.

He set out then to train us. He organized the first clinical conferences. He proselytized to us about what it meant to do the work that we did. He sold the idea to lawyers, to judges, to faculty, to deans, he called them together for conferences. He advocated for and got student practice rules. He got us organized to get student practice rules passed. And strangely enough he also believed that the law curriculum needed to have not just practical, or not just clinical, but it also needed more legal theory, needed some jurisprudence and the like.

Now with a CLEPR grant you got not just money, that might have been nice, but you also got Pincus. Bill Pincus came with the grant and Pincus helped you figure out what to do and he taught you and he nurtured you and he cared about you. And in the end, in his CLEPR final report this modest statement was made, "CLEPR has been credited with having had the most significant impact on legal education since Christopher Columbus Langdell gave the case system of instruction to the law schools a century ago, we would agree." And I can say in the end that, if it weren't for Bill Pincus there wouldn't be a Clinical Section there probably wouldn't be clinical education and so we commemorate him for what he did." - Elliott S. Milstein (American)

## Good News: New Clinicians



**Anna Crowe (Harvard)** joined the Human Rights Program as a Clinical Advocacy Fellow. Her focus is on civilian protection in armed conflict and the right to privacy. Anna supervises students on research, fact-finding, and advocacy projects in these areas. She is particularly interested in the impact of new technologies on the development of international human rights law and international humanitarian law.

Before she joined HRP, Anna was a Legal Officer at Privacy International, a leading human rights organization that campaigns against unlawful communications surveillance across the globe. She also spent a year in Colombia as a Henigson Human Rights Fellow, working with the International Crisis Group in the field of transitional justice.

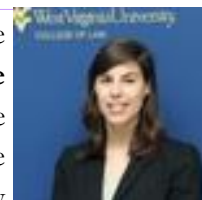
Anna is a graduate of Harvard Law School and an alumna of the International Human Rights Clinic. Prior to Harvard, Anna was a constitutional lawyer for the New Zealand government in the Crown Law Office and served at the New Zealand Supreme Court as a clerk to the Chief Justice for two years. She has also previously worked as a Teaching Fellow at Victoria, University of Wellington Law School and clerked at a top New Zealand law firm. She holds conjoint law and arts degrees from the University of Auckland.

**Berkeley's East Bay Community Law Center** is thrilled to welcome new clinical supervisor, **Meghan Gordon**. Meghan Gordon graduated from University of California Berkeley School of Law



in 2011, and just started a position in the Housing Law Clinic. Prior to working with EBCLC, Meghan has worked as a litigation associate at both Shartis Friese and Wilmer Hale. During law school, Meghan was a clinical student and intern in EBCLC's Housing practice for almost two years, where she represented low-income tenants facing eviction.

This year, the West Virginia Innocence Project at **West Virginia University College of Law** welcomed **Italia Patti**. Italia will be with the WVIP for two years as the Justice Franklin D. Cleckley Fellow. As the Cleckley Fellow, she is representing indigent West Virginians incarcerated for crimes they did not commit. She's also assisting with the Clinical Law Program's initiative to represent federal inmates who meet the DOJ's criteria for clemency because they would be sentenced to a much shorter sentence today and have no record of violence. In her first few months of the fellowship, Italia has already gathered evidence to send for DNA testing, assisted with a federal habeas petition, and drafted a brief for the West Virginia Supreme Court of Appeals.



Italia received her J.D. from the University of Chicago Law School in 2014 and her B.A. in Philosophy from the University of Chicago in 2008, both with honors. Before law school, she worked as a paralegal for the Exoneration Project, a clinic at the University of Chicago Law School representing wrongfully convicted individuals. During law school, she participated in the Mandel Legal Aid Clinic's Civil Rights and Police Accountability Project, receiving the Edwin F. Mandel Award for her work in the clinic. Italia was also a member of the University of Chicago Law Review, where she published a comment on criminal law, and recipient of the D. Francis Bustin Prize for a paper on constitutional law.

**Eunkyong Choi (Washington Univ.—St. Louis)** has been appointed as the supervising attorney in the School's new Low Income Taxpayer Clinic. Prior to joining the clinical faculty, Eunkyong was the Program Director and Supervising Attorney for the Nevada Legal Services' Low Income Taxpayer Clinic.



**University of Idaho** is happy to announce that **Christina Misner-Pollard** has joined our faculty this year to teach Immigration Law and run our Immigration Clinic. She is a great addition to our team.



**Jodi Balsam (Brooklyn)** is our new Director of Civil Externships. Jodi comes to BLS to enhance and improve our vast externship program. Jodi brings a huge range of practical experience to the job with more than 25 years of law practice experience as a federal court law clerk (both trial and appellate), and many years in private law firm and corporate practice. She is also an accomplished law teacher after years teaching at both New York Law School and in the NYU Lawyering Program.

**Kathryn Scott** is the new Office Manager of the Clinic Programs at **Charlotte Law**. She brings a depth and breadth of knowledge and experience that will allow the eight live-client clinic programs to grow and thrive.

**Kate Sablosky Elengold** is a new Practitioner-in-Residence with our Women and the Law Clinic. Prior to joining the faculty at **AUWCL**, Professor Elengold was a trial attorney in the Civil Rights Division of the United States Department of Justice. At DOJ, Professor Elengold litigated cases under the Fair Housing Act, the Americans with Disabilities Act, Title II of the Civil Rights Act of 1964 and the Housing and Community Development Act. She graduated from NYU Law.



**Ahmed Ghappour** joined us at **UC Hastings** this fall. Ahmed will launch the Liberty, Security & Technology Clinic this spring, his work with students will address constitutional issues that arise in espionage, counterterrorism, and computer hacking cases. Ahmed's research focuses on the interplay between emerging technologies and national security—particularly in the context of the modern surveillance state, information security and the evolution of cyberspace as a theater of war.

**Dana Montalto (Harvard)** joined the Legal Services Center as an Attorney and Arthur Liman Public Interest Fellow in the Veterans Law Clinic in 2014. She directs a project to assist low-income veterans discharged less-than-honorably in obtaining discharge upgrades and veterans' benefits and works in partnership with the Home Base Program of Massachusetts General Hospital and the Red Sox Foundation.



Dana received her bachelor's degree magna cum laude from Wellesley College and her law degree from Yale Law School, where she participated in the Veterans Legal Services Clinic and the Iraqi Refugee Assistance Project. While at Yale, she was awarded the Joseph A. Chubb Competition Prize for excellence in legal draftsmanship and the Francis Wayland Prize for negotiation, arbitration, and litigation. After graduating, Dana clerked for the Honorable F. Dennis Saylor IV of the U.S. District Court for the District of Massachusetts.

**Widener's Veterans Law Clinic** welcomes new AmeriCorps/Equal Justice Works/Taishoff fellow, **Jana DiCosmo**.



**Carmel Shachar** joined the **Harvard Law School** Center for Health Law and Policy Innovation in September 2014 as Staff Attorney. Carmel earned her J.D., cum laude, in 2010 from Harvard Law School and her M.P.H. in 2010 from the Harvard School of Public Health. She clerked for Judge Jacques L. Wiener, Jr. of the U.S. Court of Appeals for the Fifth Circuit from 2010-2011. Carmel is a licensed member of the bars of the State of New York and the Commonwealth of Massachusetts. Prior to joining the Center for Health Law and Policy Innovation, Carmel was an associate in the health care group of Ropes & Gray LLP. She focused her practice in regulatory and compliance work, including advising client on topics such as data privacy and security, implementation of health care reform and public payer billing and reimbursement. Carmel has significant experience advising on managed care network construction, regulation and strategy for non-profit and for profit clients. She also served as temporary-in house counsel to a large medical device company.





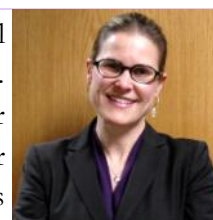
**Cheryl Bratt (Harvard)** is the new Administrative Director for the Child Advocacy Program. She comes most recently from the University of Michigan Law School, where she was a clinical fellow in the Pediatric Advocacy Clinic, a medical-legal partnership that unites healthcare providers, lawyers, and social workers to improve the health outcomes of low-income children and their families. There, she supervised students litigating family, special education, and housing law cases and co-taught the clinic seminar. Previously, she was a senior associate at WilmerHale LLP, in Boston, Massachusetts, specializing in securities litigation and representing a variety of pro bono clients in education and family law matters. She also clerked for the Honorable Norman H. Stahl on the U.S. Court of Appeals for the First Circuit, and for the Honorable Mary A. McLaughlin on the U.S. District Court for the Eastern District of Pennsylvania. She graduated from the University of Michigan Law School. Before law school, she taught eighth grade language arts in New Orleans, Louisiana through Teach For America and later worked for the organization as a regional director.



In June 2014, **Anna Cabot** joined the clinical faculty at the **University of Connecticut Law School** as the William R. Davis Clinical Teaching Fellow in the Asylum and Human Rights Clinic.

Anna comes to clinical teaching from a rich background in immigration and human rights practice. After graduating from Amherst College with a physics degree, she did a Fulbright in India, conducting research in theoretical particle physics. There, she discovered that her real calling was human rights. After interning with NGOs in India and Boston, she attended American University Law School as a Public Interest/Public Service Scholar. She participated in AU's International Human Rights Law Clinic and served as research assistant for the Chair of the U.N. Committee Against Torture. After law school, she did a year-long fellowship with the ACLU's National Prison Project, followed by a year in Tanzania as Legal Services Coordinator for Asylum Access, where she assessed the legal needs of the urban refugee population, designed a legal services program, and advocated for individual clients. Anna then became Managing Attorney at Las Americas Immigrant Advocacy Center in El Paso, where she represented numerous asylum-seekers before the immigration courts and handled a wide range of other immigration matters, while supervising and training attorneys, paralegals, student law clerks, and volunteers.

**Lia Monahan (Harvard)** is a new Clinical Instructor at the Criminal Justice Institute (CJI). Prior to joining CJI, Lia served as a superior court trial attorney with the Committee for Public Counsel Services (CPCS), where she was the lead attorney in serious felony cases, and represented clients in all stages of criminal prosecution from arraignment through post-dispositional advocacy. For the past six years, she served on the advisory committee for the "Campaign for the Fair Sentencing of Youth," where she guided strategic coordination of multi-state legislative efforts with constitutional challenge to juvenile life without parole (LWOP) before the U.S. Supreme Court. She has previously served as a legal fellow for the Children's Law Center of Massachusetts, a legal assistant for New York Legal Aid Society (Special Litigation's Unit), and as a Law Clerk to the Honorable Kenneth M. Karas of the United States District Court for the Southern District of New York. Lia graduated from Dartmouth with a B.A. in Women's Studies, and a minor in African-American Studies, *cum laude*. She received her J.D. from Northwestern University School law, *cum laude*.



**Natalie Chin (Brooklyn)** will join the BLS clinical faculty as the Director of our newest in-house clinic, funded by a \$1,000,000 foundation grant to provide services to adults with intellectual and developmental disabilities. Most recently Natalie was a Clinical Teaching Fellow in the Guardianship clinic at Cardozo. Before that, she worked at Lambda legal Defense & Education Fund, MFY Legal Services and the NYC Law Department. Before law school, Natalie was a journalist in South Africa.

**Vivek Krishnamurthy (Harvard)** is a new Clinical Instructor at the Cyberlaw Clinic. Vivek is a graduate of the University of Toronto and the University of Oxford, where he was a Rhodes Scholar. At Yale Law School, Vivek served as a Coker Teaching Fellow, an editor of the Yale Journal of International Law, and a co-director of the Yale Law Review. After clerking for the Hon. Morris J. Fish of the Supreme Court of Canada, Vivek joined Foley Hoag LLP as an associate in its Corporate Social Responsibility and International Litigation practices. Vivek brings to the Cyberlaw Clinic his extensive experience with domestic and international litigation, privacy and data security, and counseling technology companies on social responsibility and human rights issues. He will contribute to the Clinic's core work on domestic tech law issues while also expanding its practice into the international arena.



**Katie Garfield** joined the **Harvard Law School** Center for Health Law and Policy Innovation as a Clinical Fellow in September 2014. Katie earned her J.D. from Harvard Law School, cum laude, in 2011, where she served



on the Board of Student Advisers. Prior to joining the Center, Katie was an associate in the litigation department of Ropes & Gray LLP. While at Ropes & Gray, Katie worked on a variety of matters, including advising clients in the pharmaceutical and medical device industries on issues related to promotional practices, regulatory compliance, and anti-corruption laws. She also co-authored an article with her colleagues at Ropes & Gray regarding developments in the classification of Qualified Health Plans in Law360. Prior to joining Ropes & Gray, Katie spent a year working in the Housing Unit of Greater Boston Legal Services as part of the Ropes & Gray New Alternatives Program. At GBLS, she represented low-income families with dependent children who were seeking to gain or retain access to Emergency Assistance shelter benefits. Katie received a B.A. in English Language and Literature from Yale University, summa cum laude, in 2007 and an MPhil in Medieval Literature from the University of Cambridge in 2008.

**Sunita Patel (American)** is a new Practitioner-in-Residence in our Civil Advocacy Clinic. Prior to arriving at WCL, she was a staff attorney at the Center for Constitutional Rights in New York, an international human rights organization, where she focused on racial justice litigation and legal support for community organizations. She took a leave from CCR to direct and teach in the Transnational Legal Clinic at the University of Pennsylvania Law School during the Spring 2014 semester. Professor Patel is a graduate of American University, Washington College of Law.



**Brooklyn Law School** welcomes **Marjorie White** Associate Professor of Clinical Law, who brings significant experience in private practice. She worked in the corporate department at Davis Polk & Wardwell and held various positions in corporate legal departments. Her expertise now will benefit clinic students working with tech start-ups and small business clients. **Brooklyn** also welcomes **Edward De Barbieri '08** Assistant Professor of Clinical Law, who worked at the Urban Justice Center Community Development Project and recently taught as Adjunct Professor of Clinical Law at NYU School of Law. At BLS, he will work with students to represent not-for-profit and community-based organizations in real estate and economic development projects.



**Berkeley** welcomes **Anna Kirsch**, who graduated from University of California, Hastings College of the Law in 2011, and has joined EBCLC in the Public Benefits Clinic. Anna was also an EBCLC intern, then worked at EBCLC after graduation, working as a "Bridge Fellow" in our Consumer Law Clinic assisting clients on small claims, citation defense and debt collection cases. She then joined the UC Hastings Civil Justice Clinic for two years as a Lawyering Fellow, where she represented clients in the areas of workers' rights, criminal records clearance, and disability advocacy.



**Maggie Morgan** is the new Albert M. Sacks Clinical Teaching & Advocacy Fellow at the **Harvard** Immigration and Refugee Clinical Program. She is an alumna of both the Harvard Immigration and Refugee Clinical Program (HIRC) and Harvard Law School. Maggie worked most recently as a Clinical Fellow in the Health Law & Policy Clinic at Harvard Law School. As a fellow, she worked on national and state-based health law and policy initiatives to increase access to healthcare for low-income citizens. She also developed several projects focused on improving access to health care for immigrants in the US. Before that, Maggie clerked for the Honorable Nanette K. Laughrey of the Western District of Missouri.

**Andy Sellars** is the Berkman Center's Corydon B. Dunham First Amendment Fellow, and works at the **Harvard Law School** Cyberlaw Clinic. He previously was the Assistant Director of the Berkman's Digital Media Law Project. He received his J.D. with high honors from the George Washington University Law School, where he was awarded the Peter D. Rosenberg Award for Patent and Intellectual Property Law and the Jan Jancin Award from the American Intellectual Property Law Association. During his summers in law school, he interned at the Cyberlaw Clinic, working on a wide variety of intellectual property and cyberlaw matters. Prior to law school, Andy worked in the music industry, including for Great Northeast Productions (the festival production and promotion company) and as assistant tour manager and stage manager for the band moe. He received his undergraduate degree in music, summa cum laude, from Northeastern University in 2008, where he interned at the Volunteer Lawyers for the Arts of Massachusetts (now part of the Arts & Business Council of Greater Boston).



**Sara del Nido** joined the **Harvard** Negotiation & Mediation Clinical Program (HN MCP) as a Clinical Fellow. As a Fellow, Sara will work on special projects within the Clinic as well as with Harvard Law School student practice organizations that focus on alternative dispute resolution. Sara graduated from Harvard Law School in the spring of May 2013, after completing a clinical project with HN MCP and Harvard Vanguard/Atrius Health. Sara's interest in alternative dispute resolution (ADR) began early. Sara served as a fellow at the Center for the Study of the Presidency, where she authored a paper on President Carter's mediation of the Camp David Accords, for which she won the Marron Award for Best Historical Analysis. She has also published several cases with the Harvard Business School.



**Stephanie Davidson (Harvard)** joined the Domestic Violence Clinic at the Legal Services Center (LSC) in July as an Attorney and Clinical Fellow. The Clinic primarily serves clients through the Passageway Health Law Collaborative, a partnership with the Brigham and Women's Hospital where attorneys, law students, and Passageway social workers to work together to confront domestic violence from a public health perspective. Stephanie graduated from Harvard Law School in 2013. After graduation, she received a Public Service Venture Fund grant to work at Urban Justice Center's Domestic Violence Project – providing direct civil legal services to people who were low-income survivors of domestic violence and living with disabilities.



**Ana Carolina Riella (Harvard)** is a new Outreach and Case Coordinator with the Harvard Mediation Program (HMP). In her new role, Ana will focus on developing and expanding mediation opportunities. Ana brings with her a variety of experience, which includes working at the Boston Law Collaborative with David Hoffman, HLS Lecturer on Law, as well as her work as the Mediation Case Coordinator at the Brazilian Immigrant Center in Boston. Ana received her LL.M. degree from Georgetown University Law Center and from Université de Paris II – Panthéon-Assas (Paris, France), after earning her J.D. degree from Pontificia Universidade Catolica, in Brazil.





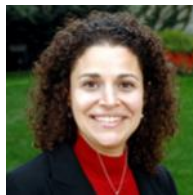
## Good News: Books &amp; Publications

**Lisa V. Martin**  
(Catholic)

[Reconsidering Dual Consent](#), 82 UMKC L. Rev. 705 (2014).



**Amany Ragab Hacking (St. Louis Univ.)** [Jumpstarting The Judicial Externship Experience: Building Upon Common Themes For Student Success In the Classroom and In the Judge's Chambers](#), 21 CLINICAL L. REV. 1 (2014).



**Jon C. Dubin (Rutgers-Newark)**, SOCIAL SECURITY DISABILITY LAW AND PROCEDURE IN FEDERAL COURT (2015 EDITION; CO-AUTHORED WITH CAROLYN A. KUBITSCHKE, THOMSONREUTERS/WEST PUBLISHING CO.) (FORTHCOMING 2015).



**Mae Quinn (Washington Univ.—St. Louis)**



Op-Ed, "[When Will Kids of Color Get the Same Due Process as Officer Darren Wilson](#)," Huffington Post (September 2014) (co-authored with Marsha Levick of the Juvenile Law Center); Op-Ed, "[Open Letter to Mayor of Ferguson Calling for Amnesty](#)," St. Louis American (September 2014).

**Tanya Asim Cooper (Alabama)**

[Implicit Bias, A Listserv Discussion & Compilation of Resources](#), Clinical Law Prof Blog, Oct. 3, 2014; [For Clinicians, "Happiness is the Truth"](#), Clinical Law Prof Blog, Aug. 12, 2014; [Practicing Race Theory](#), Clinical Law Prof Blog, Apr. 28, 2014.



**Barbara Bezdek (Maryland)**

*Citizen Engagement in the Shrinking City: Toward Development Justice in an Era of Growing Inequality*, 33 St. Louis Univ. Public Law Review 3 (2014).



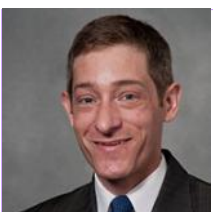
**Jon Bauer (Univ. Connecticut)**

[Multiple Nationality and Refugees](#), 47 Vanderbilt Journal of Transnational Law 905 (2014).



**Renée Hutchins (Maryland)**

*When Enough Is Enough: Location Tracking, Machine Learning and the Mosaic Theory* (with Professor Steve Bellovin, Professor Tony Jebara, and Sebastian Zimmeck), 8 NYU J. OF LAW & LIB. 555 (2014); *You Can't Handle the Truth! Trial Juries and Credibility*, 44 SETON HALL LAW REV. 505 (2014); *Stop Terry: Reasonable Suspicion, Race and a Proposal to Limit Terry Stops*, 16 NYU J. OF LEGIS. & PUB. POL'Y 883 (2014); [LEARNING CRIMINAL PROCEDURE](#) (co-authored with Professor Ric Simmons) (West Academic) (2014).



**Josh Gupta-Kagan (South Carolina)**

[Non-Exclusive Adoption and Child Welfare](#), Alabama Law Review (forthcoming 2015);

[The Standard of Proof at Adjudication of Abuse or Neglect: Its Influence on Case Outcomes at Key Junctures](#), 17 Social Work & Social Sciences Review 22 (2014) (with Ashley Provencher and Mary Eschelbach Hansen); [In re Sanders and the Resurrection of Stanley v. Illinois](#), California Law Review Circuit (forthcoming 2014) ([SSRN](#)).

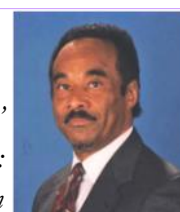


**Jennifer Rosen Valverde (Rutgers-Newark)**

*A Poor IDEA: Statute of Limitations Decisions Cement Second-Class Remedial Scheme for Low-Income Children with Disabilities in the Third Circuit*, 41 FORDHAM URB. L.J. 599 (2014).

**Robert C. Holmes (Rutgers-Newark)**, *Use of Clinic Students' Extant Talents: Negative Exploitation*

or a Peek at the Future of Legal Education, 66 RUTGERS L. REV. \_\_\_\_ (forthcoming 2014); *Benefits of Chartering in Delaware Versus New Jersey: Busting the Myth and Closing the Gap*, 8 RUTGERS BUS. L. J. 1 (2014).



**Laura Cohen (Rutgers-Newark),**

*Introduction: When the Law is Guilty: Confronting the Mass Incarceration Crisis in the United States*, 66 Rutgers L. Rev. \_\_\_\_ (2014); *Extending the Guiding Hand: Incarcerated Youth, Law School Clinics, and Expanding Access to Counsel*, 17 U. PA. J. L. & SOC. CHANGE 401 (2014); *Freedom's Road: Youth, Parole, and the Promise of* *Graham v. Florida and Miller v. Alabama*, 35 CARDOZO L. REV. 1031 (2014)

**Allison Condra (Harvard)**

"Forging Careers in Food Law and Policy: Challenges and Opportunities for Law Schools," 10 J. Food L. & Pol'y 1 (Spring 2014).

**Virgil Wiebe (Univ. St. Thomas)**

has posted

[The Immigration Hotel](#) on SSRN.



**Hugh M. Lee (Alabama)** ALABAMA ELDER LAW (West 2013-2014) (7th ed. Nov. 2014) (with Jo Alison Taylor); "Planning for Medicaid Versus VA Benefits: A Brief Introduction to a Long-Term Care Conundrum" in West's Elder Law Advisor (coauthored with Jennifer N. Marshall) '13).

Clinical Professor of Law and Director of the Human Rights Clinic **Susan Akram (Boston University)** STILL WAITING FOR TOMORROW: THE LAW AND POLITICS OF UNRESOLVED REFUGEE CRISES (co-edited with Tom Syring) (Cambridge Scholars Publishing 2014); "UNRWA and Forced Migration" in OXFORD HANDBOOK OF REFUGEE & FORCED MIGRATION STUDIES (by Oxford University Press 2014).

**Stacy Brustin (Catholic)**

*Making Turner a Reality - Improving Access to Justice Through Court-Annexed Resource Centers and Same Day Representation*, 20 TEXAS JOURNAL ON CIVIL LIBERTIES AND CIVIL RIGHTS (forthcoming Fall 2014).

**Robert Greenwald (Harvard)**

["Speak Up! Watchdogging the ACA for People with HIV,"](#) Achieve, (Vol. 6, No.4): 14-17.



**Malinda Ellwood, Sarah Downer, Emily Broad Leib, Robert Greenwald, (and not pictured) Duncan Farthing-Nichol, Eusebius Luk, and Adrienne Mendle (Harvard),** [Food is Medicine: Opportunities in Public and Private Health Care for Supporting Nutritional Counseling and Medically Tailored, Home-Delivered Meals](#), June 2014.



**Penny Venetis (Rutgers-Newark)** *Enforcing Human Rights in the United States: Which Tribunals Are Best Suited to Adjudicate Treaty-Based Human Rights Claims*, 23 S. CAL. REV. L. & SOC. JUST. 121 (2014).



**Bob Kuehn (Washington Univ.—St. Louis),** *Pricing Clinical Legal Education*, 92 DENVER U. L. REV. (forthcoming 2014).



**Anjum Gupta (Rutgers-Newark)** *Nexus Redux*, 90 IND. L. J. \_\_\_\_ (forthcoming 2015); *The New Nexus*, 85 COLO. L. REV. 377 (2014).

**Brenda V. Smith (American)**

*Boys, Rape and Masculinity: Reclaiming Male Narrative of Sexual Violence in Custody*, 93 N.C. Law Rev. \_\_\_\_ (2015) (forthcoming); Recent Developments in LGBTI Policy in Corrections, National Institute of Corrections (2014); *After Dothard: Female Correctional Workers and the Challenge to Employment Law*, 8 FIU L. REV. 469 (2013); [END SILENCE: Ending Silence: Demanding Safety from Sexual Assault](#) (a series of graphic novels for adults in custody) (2014); *Sam Survives*, a graphic novel for youthful inmates, Youth Justice Press (September 2014) (with Jaime M. Yarussi).





## Good News: Books &amp; Publications



Assistant Professor **Mary Leto Pareja** (New Mexico), [Earned Income Tax Credit Portability: Respecting the Autonomy of American Families](#), \_\_\_\_\_ W. Va. L. Rev. (forthcoming December 2014) (lead article); *Beyond the Affordable Care Act's Premium Tax Credit: Expanding Protection for Domestic Abuse Victims*, \_\_ Hamline L. Rev. \_\_\_\_ (forthcoming 2015).

**Philip L. Torrey (Harvard)**

[The Erosion of Judicial Discretion in Crime-Based Removal Proceedings](#), 14-02 Immigr. Briefings 1 (Feb. 2014).



**Paul Radvany (Fordham)**

[The SEC Adds a New Weapon: How Does the New Admission Requirement Change the Landscape?](#), 15 J. of Conflict Resolution 665 (2014); Preparing Law Students to Become Litigators in the New Legal Landscape, 33 The Review of Litigation 881 (2014).



**Jayashri Srikantiah**

(Stanford), director of Stanford's Immigrants' Rights Clinic released a report, [Access to Justice for Immigrant Families and Communities](#) on November 6, 2014. The [report](#), written in collaboration with the Northern California Collaborative for Immigrant Justice (NCCIJ), shows the dramatic impact that legal representation has on deportation case success rates for immigrant detainees.



Clinical Professor **Kate Mewhinney (Wake Forest)** wrote a book chapter, "State-of-the-Art Problem-Solving: Mediation of Guardianship Disputes," in COMPARATIVE PERSPECTIVES ON ADULT GUARDIANSHIP, Kimberley Dayton, ed. (Carolina Academic Press)(2014).



**Rick Wilson (American)**

Book Review: The Breakthrough: Human Rights in the 1970s (Pennsylvania Studies in Human Rights Series) (Jan Eckel & Samuel Moyn eds. 2014) 36 [Human Rights Quarterly](#) 915 (2014).



**Margaret E. Johnson (Baltimore)**

[A Home with Dignity: Domestic Violence and Property Rights](#), 2014 B.Y.U. L. Rev. 1 (2014).

**Christine N. Cimini (Vermont)**

*Hands Off Our Fingerprints: State, Local and Individual Defiance of Federal Immigration Enforcement*, 47 CONNECTICUT L. REV. \_\_\_\_ (forthcoming 2014).



**Randi Mandelbaum (Rutgers-Newark)**

*Re-Examining and Re-Defining Permanency from a Youth's Perspective*, 43 CAP. U. L. LAW REV. \_\_\_\_ (forthcoming 2014).



**Frank Askin (Rutgers-Newark)**

*Expanding Voter Participation in New Jersey*, 286-FEB N.J. LAW. 10 (2014).

**Heather Scheiwe Kulp (Harvard)**

[A Tightrope Over Both Your Houses: Ensuring Party Participation and Preserving Mediation's Core Values in Foreclosure Mediation](#), 14 PEPPERDINE DISPUTE L. J. 2, 243-44 (2014) ([blurb](#))



**Peter Joy (Washington Univ.—St. Louis)**

*Systemic Barriers to Effective Assistance of Counsel in Plea Bargaining*, 99 IOWA LAW REVIEW 2103 (2014) (co-author); *ABA Approves Researching Jurors' Public Presence on Internet*, 29 CRIM. JUST. 50 (Fall 2014) (co-author); *Confronting Prosecutors With Their Own Words?*, 29 ABA CRIM. JUST. 33 (Summer 2014) (co-author) *Waivers of Ineffective Assistance of Counsel as Condition of Negotiated Pleas*, 29 ABA CRIM. JUST. 32 (Spring 2014) (co-author)





## Good News: Books & Publications

**Camille Carey (New Mexico) and Robert A. Solomon (UC Irvine)**

[Impossible Choices: Balancing Safety and Security in Domestic Violence Representation](#)

21 Clinical L. Rev. 201 (2014).



Clinical Associate Professor **Laila Hlass** and Clinical Fellow **Sarah Sherman-Stokes (Boston Univ.)** of the Immigrants' Rights Clinic have published web videos regarding Deferred Action for Childhood Arrivals, Humanitarian Asylum and Aggravated Felonies, for LegalEd's new video series on immigration law in partnership with FWD.us, available at <http://legaledweb.com/immigration-law>. LegalEd is a novel project developed by law professors to encourage blended or flipped learning, by moving lectures to the internet to be assigned as out of classroom homework, so that professors can devote more time in the classroom for active learning. Prof. Michele Pistone of Villanova University School of Law initiated the Immigration Law series project for LegalEd.



**Jayesh Rathod (American)**

[Riding the Wave: Uplifting Labor Organizations through Immigration Reform](#),

4 U.C. Irvine L. Rev. 625 (2014).



**Sabi Ardalan and Palmer Lawrence (Harvard)**

[The Importance of Nonphysical Harm: Psychological Harm and Violations of Economic, Social, and Cultural Rights in U.S. Asylum Law](#) (Sept. 2014)



**Maureen Sweeney (Maryland)**

[Shadow Immigration Enforcement and Its Constitutional Dangers](#), 104 J. CRIM. L. & CRIMINOLOGY 227 (2014)



**Sandy Freund (Rutgers-Newark)**

[Effective Tax Administration Offers in Compromise - Why So Ineffective?](#), 34 VA. TAX REV. 157 (2014).



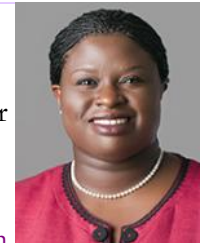
**Nekima Levy-Pounds (Univ. St. Thomas)**

at forefront of #BlackLivesMatter movement in the Twin Cities Star Tribune blogs:

[It's Open Season on Black Men and Boys in America](#);

['No Justice, No Peace' in Ferguson and Across America](#);

[Do Black Lives Matter in Our Community?](#)



**Professor Rachel Settlege (Wayne State)** coauthored a book entitled "Immigration Relief: Legal Assistance for Noncitizen Crime Victims" that was published by the American Bar Association

earlier this year. This book provides an overview of the statutes, regulations, and agency guidance surrounding the different forms of immigration relief available to noncitizen crime victims. It also provides invaluable practice tools such as helpful checklists, charts, and definition of key terms and concepts.



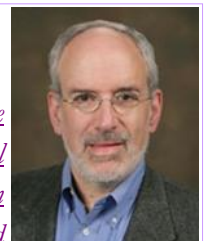
**Emily Leung (Harvard)**

[The Use of Videoconferencing in Immigration Court Proceedings](#)



**Jonathan Hyman (Rutgers-Newark)**

[Beyond Fairness: The Place of Moral Foundations Theory in Mediation and Negotiation](#), 15 NEV. L. J. — (forthcoming 2015).





**Gwynne Skinner (Willamette)**, Associate Professor of Law, *Beyond Kiobel: Access to Judicial Remedies for Corporate Violations of International Human Rights Law in a New (Post-Kiobel) World*, 46 Colum. Hum. Rts. L. Rev. 1 (forthcoming, 2014). Professor Skinner also authored [\*The Third Pillar - Access to Judicial Remedies for Human Rights Violations by Transnational Business\*](#) (with Prof. Olivier De Schutter and Prof. Robert McCorquodale), International Corporate Accountability Roundtable.



**Tamar R. Birkhead (Univ. N. Carolina)** *Introduction to the Symposium: Vulnerable Defendants and the Criminal Justice System*, 93 N.C. L. REV. (with Katie Rose Guest Pryal) (forthcoming 2015); [\*Children in Isolation: The Solitary Confinement of Youth\*](#), 50 WAKE FOREST L. REV. (forthcoming 2015).



**Ahmed Ghappour (UC Hastings)** published

[Justice Department Proposal Would Massively Expand FBI Extraterritorial Surveillance](#)



**Bob Dinerstein (American)** published "On Torture, Ill-Treatment and People with Psychosocial and Intellectual Disabilities: Some Thoughts About the Report of the Special Rapporteur," in TORTURE IN HEALTHCARE SETTINGS: REFLECTIONS ON THE SPECIAL RAPPOREUR ON TORTURE'S 2013 THEMATIC REPORT (WCL Center for Human Rights & Humanitarian Law, Anti-Torture Initiative, 2014).

**Sarah Sherman-Stokes (Boston Univ.)** (picture on page 27) of the Immigrants' Rights Clinic collaborated with the Center for Immigrants' Rights at the Pennsylvania State University Dickinson School of Law to publish the "[Refugee and Asylee Adjustment Toolkit](#)," a comprehensive resource for refugees and asylees applying for lawful permanent resident (LPR) status.

**Professor Greg Sisk (Univ. St. Thomas)**



published to the Mirror of Justice blog - [A Victory for Confidentiality in Prisoner Legal Correspondence With Lawyers: University of St. Thomas Appellate Clinic](#)

**Amanda Kool**

**(Harvard)** and **Brett Heeger (J.D.**

'14) published [Many Advocates, One Goal: How Lawyers Can Use Community Partnerships to Foster Local Economic Development](#).



**Leigh Goodmark (Maryland)**

The Role of Clinical Legal Education in the Future of the Battered Women's Movement, 22 Buffalo Journal of Gender, Law & Social Policy 27 (2013-14); "Intervention by Criminal Justice in Cases of Intimate Partner Violence: What Does Beth Sipe's Story Teach Us?" in *I Am Not Your Victim: Anatomy of Domestic Violence* (Sage Publications 2014); [Healthy Alternatives to Prosecution Can Help Victims](#), New York Times (online), September 11, 2014.



**Baylen J. Linnekin and Emily M. Broad Leib (Harvard)** (picture on page 25), "[Food Law & Policy: The Fertile Field's Origins and First Decade](#)," Wis. L. Rev. 557 (2014) ([video companion](#)).

As the Reporter for the National Association of Criminal Defense Lawyers' Task Force on the Restoration of Rights and Status After Conviction, **Jenny Roberts (American)** published

[Collateral Damage: America's Failure to Forgive or Forget in the War on Crime](#).



**Jane C. Murphy (Baltimore)** and **Jana B. Singer (Maryland)** announce the

forthcoming publication of their book *Divorced from Reality: Rethinking Family Dispute Resolution* (NYU Press 2015) (in press). The book is part of the Families, Law and Society Series, edited by Nancy E. Dowd (Florida).







**University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC) Director, Professor Barbara Babb**, has authored an invited response to a White Paper on how family courts address separating and divorcing families, published by the Institute for the Advancement of the American Legal System's Honoring Families Initiative; "Family Courts Are Here to Stay, So Let's Improve Them," *Family Court Review* (October 2014); and also guest edited the October 2014 issue of the *Family Court Review*. Professor Babb has also co-authored with Professor David Wexler an article on therapeutic jurisprudence in the *Encyclopedia of Criminology and Criminal Justice*. Professor Babb and CFCC Senior Fellow Gloria Danziger have published *A Comprehensive Approach to Truancy for Baltimore City: A Roundtable Discussion Families Matter: Recommendations to Improve Outcomes for Children and Families in Court* and *Families Matter: Recommendations to Improve Outcomes for Children and Families in Court*.

**Deborah Anker (Harvard)** [Asylum in the United States](#) (West 2014) **Debbie Anker and Palmer Lawrence** (picture on page 27) ['Third Generation' Gangs, Warfare in Central America, and Refugee Law's Political Opinion Ground](#)



**William W. Patton (Whittier)** *An Update To Striking A Balance: Freedom of the Press Versus Children's Privacy Interests in Juvenile Dependency Proceedings*, 12 *University of North Carolina First Amendment Law Review* 575 (2014); *Open Dependency Courts And Their Risks to LGBTQ Child Abuse Victims: The Price of Sunshine*, 11 *Journal of Hate Studies* (2014); *Bringing Facts Into Fiction: The First "Data-Based" Accountability Analysis Of The Differences Between Presumptively Open, Discretionarily Open and Closed Child Dependency Systems*, 45 *University of Memphis L. Rev.* 831 (2014).



**Prof. Mark Osler (Univ. St. Thomas)**, Director of the [Federal Commutation clinic](#), and **Rachel Barkow (NYU)**, published ["Restructuring Clemency: The Cost of Ignoring and a Plan for Renewal"](#) in the



*University of Chicago Law Review*, [which the New York Times has endorsed](#) to take the clemency process out of the Justice Department and give it to an independent commission to make recommendations directly to the President.

**Anita Sinha (American)**

*Slavery By Another Name: "Voluntary" Immigrant Detainee Labor and the Thirteenth Amendment*, 11 *STANFORD J. C.R. & C.L.* \_\_\_\_ (forthcoming) (2015).



**Professor Nathalie Martin (New Mexico)**

[1,000% Interest – Good While Supplies Last: A Study of Payday Loan Practices and Solutions](#)

published in the *Arizona Law Review* was recently [cited](#) by the New Mexico Supreme Court.



**Kim Ambrose and Deborah Maranville (Univ. Washington)**

are authoring and co-authoring various sections of *Building on Best Practices: Transforming Legal Education in a Changing World* (forthcoming).



**Laila Hlass (Boston Univ.)** (picture on page 27) *States and Status: A Study of Geographical Disparities for Immigrant Youth*, 46 *Col. Hum. Rts. Rev.* \_\_\_\_ (2014)

**Alicia E. Plerhoples**

**(Georgetown)** [Delaware Public Benefit Corporations 90 Days Later: Who's Opting In?](#), 14 *U.C. DAVIS BUS. L. J.* 247 (2014); [Engaging Outside Counsel in Transactional Law Clinics](#), 20 *CLINICAL L. REV.* 379 (2014)

(with Amanda Spratley); [Clinic Collaborations: Going Global to Advance Social Entrepreneurship](#), 20 *INT'L J. OF CLINICAL LEG. EDUC.* 499 (2014) (with Deborah Burand, Susan R. Jones, Jonathan Ng)





## ClinINC: Bringing Business Concepts to your Clinic

By

**Lisa Pollan**

*Though clinicians are generally not trained in business and management, business principles can help clinics connect with the community, expose students to new frameworks and tools that relate to lawyering, and streamline day-to-day operations. This is the second in a series of articles that explores how business concepts can contribute to law school clinics. Lisa Pollan's first article, [ClinINC: Using Business Concepts to Manage Your Clinic](#), appeared in Volume 22, Issue 1 of the CLEA Newsletter (p. 22-24).*

### The Benefits of a Strong Clinic Brand for Students & Clients

The first article in this series discussed how a strong clinic brand helps a clinic create a reputation within the community and attract work that is a good match for the clinic's model. But the value of branding doesn't stop there—there are benefits for students and clients as well. Clinic students who understand the clinic brand and discuss branding with their organizational client gain valuable insights about communication strategies and the importance of audience that translate to future practice. In addition, clinic clients can gain legitimacy and credibility from being associated with the brand of a law school clinic. Clinics can maximize these ripple effects of branding by empowering students and alumni to be brand ambassadors who maintain the clinic's strong identity and reputation.

### *Student Learning:*

As more clinics engage in community work beyond direct representation, including project-based work, students are interacting with various audiences and stakeholders who may be unfamiliar with the clinic and its work. Students who describe the clinic in a way that is consistent with the clinic's brand will help build a clinic's reputation in the community. In seminar and supervision meetings, students can practice how to describe the clinic and their role in representing an organizational client. One way to think about this process is helping students develop an "elevator pitch" tailored to their audience.

Practicing an elevator pitch can be incorporated into classroom sessions on interacting with external stakeholders or third parties, or client interviewing. Exercises where students brainstorm individuals and groups who might have a stake in the outcome of their representation and then role-play introducing the clinic and their project to these parties can be particularly effective.

Asking students to develop this clinic pitch for various stakeholders provides a valuable teaching opportunity to discuss the strategy behind interacting with different audiences. Particular aspects of the clinic's model may be more appealing to certain audiences, and students must think through these differences to make strategic choices. For example, playing

up the student role in the clinic may encourage more reticent stakeholders to share information or take action, as students are often seen as less threatening than the organizational clients themselves. On the other hand, the clinic brand and reputation can give students credibility with stakeholders who might otherwise resist trusting students to take on challenging projects or handle sensitive information.

An important insight for students is that every stakeholder, in addition to being a potential ally or opponent of their current client, is a potential client for the clinic in the future. Thus, practicing how to interact with individuals or organizations that express interest in becoming a client can help solidify students' roles as ambassadors of the clinic brand.

### *Students & Alumni as Brand Ambassadors:*

Part of maintaining a strong clinic brand is using alumni and students as brand ambassadors who share information about the clinic's mission and services with their networks and the community. In the business world, brand ambassadors promote a company to potential customers and exemplify the company's identity and values.

The first step to empowering students and alumni as brand ambassadors is to give them the information they need to talk comfortably and persuasively about the clinic.

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At the beginning of clinic, share with students the clinic's positioning statement (as described in the previous article in this series), the target client segment, and how the clinic selects its clients. Once students have their elevator pitch, they can continue to rely on this language when they become alumni and talk about their clinic experience.

Encourage alumni to refer potential clients to the clinic and give them your marketing materials to distribute to potential clients. You will also want to keep alumni up-to-date as the clinic and its brand necessarily evolve. One way to do this is an alumni newsletter using online tools for sending free electronic email campaigns, such as MailChimp.

#### *Value to Clients:*

Organizational clients can benefit from being associated with a reputable, trusted institution like a law school clinic. The representation can add a layer of credibility to the organization as it interacts with funders, policymakers and community groups. A clinic's focus and screening criteria can also lend credibility to the client. For example, a clinic might only select organizational clients that are responsive to emerging community needs, and brand itself as such. If a clinic chooses to represent a young organization that is seeking to serve homeless adults more holistically in the wake of budget cuts and a shelter closing, the organization's approach is validated.

This co-branding, by which the organizational client borrows the legitimacy of the clinic brand, can take a variety of forms, including:

- Clinic students can produce a written product for a client that has

both the clinic's logo and the client's logo.

- The clinic can post a summary of the representation and the final product(s) to its website.
- The clinic or law school can promote the final product or event in a press release.
- Clinic students can produce written materials or draft a summary of their research that the client can use with funders.

For example, a new nonprofit might seek a clinic's assistance with developing a strategic plan. Clinic students would execute a planning process for the client, and create not only a branded strategic plan, but also a product, such as a one-page handout or a PowerPoint presentation, which describes the clinic and its involvement with the nonprofit and outlines the student attorneys' process for developing the plan. The client could then attach these documents to grant applications to illustrate that it has a clear vision and plan that has been developed by a reputable institution. Creating branded products that summarize not only the content of the students' work but the process itself can allow the client to leverage the representation to attract funding.

As the clinic's work in the community progresses, a cohort of clinic client "alumni" will emerge. As the community recognizes that organizations have been assisted through the clinic, it can become a source of prestige for both the clinic and its clients. As a result, the benefit of the representation can extend beyond the scope of the retainer.

Interested in learning more about the

value of co-branding, developing an elevator pitch, and creating brand ambassadors? Check out these resources:

<http://www.inc.com/geoffrey-james/how-to-give-a-flawless-elevator-pitch.html>

<http://www.forbes.com/sites/williamarruda/2013/10/08/three-steps-for-transforming-employees-into-brand-ambassadors/>

<http://linkhumans.com/blog/how-nokia-employees-brand-ambassadors>

[http://www.businessweek.com/smallbiz/content/jul2009/sb20090710\\_255169.htm](http://www.businessweek.com/smallbiz/content/jul2009/sb20090710_255169.htm)

<http://consultingwithinreach.com/about/news/35-the-power-of-co-branding-for-nonprofits/view>

[http://www.sc.edu/toolbox/brand\\_ambassadors.php](http://www.sc.edu/toolbox/brand_ambassadors.php)

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***Carpe diem, carpe experientiam******...SEIZE YOUR EXTERNSHIP EXPERIENCE  
THROUGH ELECTRONIC BILLING!*****By Lisa A. Bauer**CLINICAL LEGAL  
EDUCATION  
ASSOCIATIONIntroduction

At SUNY Buffalo Law School this semester we required externship and clerkship students to input their time spent at field placements into Clio,<sup>1</sup> using a traditional electronic billing method and requiring classification of tasks with codes from the ABA's Uniform Task Based Management System.<sup>2</sup> "How Draconian!" you might say, "Spare these poor law students the torture of billing time, the bane of a private lawyer's existence!" However, we have used this billing time exercise as a reflective learning tool and have had great success with the results. One student commented that electronic timekeeping is "just like vegetables, you might not like them, but they're good for you!"

The primary purpose of this teaching tool was not just to keep track of the hours spent in the field placement—each student is required to spend eight hours per week at her placement for a total of ninety-six hours for the semester—but to teach reflecting and self-critique on skills being developed. An additional benefit of using this electronic billing program was to teach students how to bill time, as many of them will do so in private practice. Since teaching skills is a goal of externships, this practical skill can be added to the students' cache of experiential learning. Students have also

learned time management and considered ethical issues through their time-keeping. But primarily, requiring the student externs to keep track of their time in a billable manner, under classified activities and tasks, allows them a second opportunity to reflect on what they are doing on a weekly basis, both qualitatively and quantitatively. And it provides the law school with a method to quality-check the field placements and work and experiences assigned to the students.

Technical Method

This semester we have fifty-three students in various externships and judicial clerkships in the Buffalo and Rochester area. We place approximately 130 students in externships and clerkships each year. For each student we created an individual matter in Clio, and in that matter the student keeps track of her time, submits weekly reflections on various legal skills topics, and communicates with the director (myself, a licensed attorney) and the staff administrator of the program.<sup>3</sup> We have asked that students' time be input in no less than fifteen-minute increments and that for each entry they choose activity and task codes from the ABA UTBMS. By recording the task codes, not only do the students learn how to bill for their future employment, but it forces them to break their day down into various activities such as discussing the assignment, performing research,

drafting documents, performing client intakes, observing court proceedings, and other legal activities. The entries have eliminated lump sum descriptions of a student's day in her placement in which working on a research memo would have been one activity.

The fact that Clio has "an app for that" made it easier for the students to input their time, without even needing the computer at their placement office to do so. However, we were not without technical difficulties in that area. The first few weeks many students did not accurately enter time, save time, or understand how to break tasks down and assign UBCs, but it generally evened out within three to four weeks. This illustrated how important it was to teach this skill to the many students who had no familiarity with billing time or the technology often used to do so. It also illustrated the ability of the students to quickly learn how to bill and complete this portion of their externship assignments.

Time Management

The electronic billing helps teach students to manage their time. Focusing on the amount of time spent on various tasks directs the student to plan ahead for the next week, and for the amount of time she now is learning each task will take.<sup>4</sup>

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Multiple students have made observations such as, "I've learned a great deal about how much time it takes to do certain projects because I have kept timed entries." The inputting of time on the various tasks required for an assignment also teaches the student to observe where she has not had enough time for various tasks, and where she has spent too much time on certain issues. It also encourages productivity because students have to actually account for time spent on various legal tasks, rather than merely stating that they were at their placement for eight hours each week.<sup>5</sup> Of course, the method is not foolproof, but a diligent lawyer-in-training will be compelled to keep honest time and be more productive. One student this semester, who had experience billing in a private firm, recognized this in describing the usefulness of the electronic externship billing: "Recording that time forces you to think about the pace you are working at and where you might need improvement." Several students echoed this same sentiment when asked to reflect on time issues. Significantly, two students noted that through time entries they saw an increase in efficiency, one in research and one in overall skills: "Even though many of my tasks don't have a set time to be done, I have found it useful to know how long it takes me for an assignment to see my learning curve improve."

#### Ethical Concepts of Billing

The concept of ethical billing and the importance of accuracy in time-keeping is also introduced to students.

Through actual recording of time students can begin to appreciate the concrete fact that hours will later be billed to a client and converted to actual cash in private practice. Only by recording time in the first instance can a student learn the importance of fastidious time-keeping to a client's, and the firm's, bottom line.<sup>6</sup> Again, when asked about the exercise of time-keeping a student said, "Clients are going to see how you are spending your time when they get billed and being able to describe what you are working on is an important skill."

#### Reflective Lawyering

The inputting of time entries most importantly gives students another opportunity to reflect on what they have done in the field; multiple students have expressed the sentiment that keeping their time electronically helps them reflect on what they accomplished that day and overall in their externship. Reflective lawyering is a recognized successful approach to legal education.<sup>7</sup> By sitting down at the end of a day in the field and recording time, students have a chance to think about what they have done, how well they have done it, what they want to do better, more of, less of, and what it means going forward in their career. For example, if a student has a particularly bad day working in the field she is able to analyze her time entries to see what was difficult and made her unhappy. If it was research on a certain issue, she may realize that is not an area of law in which she wants to focus. If it was observing contentious hearings, she may re-

alize she wants to veer towards more collaborative fields of law. Or perhaps the reflection provides merely an opportunity to recognize what skills the student feels uncomfortable with and will need to improve upon to make the day better.

We have directly observed students reflecting in their time entries on work done, proceedings observed, or issues that arise which may not be directly related to the particular reflection topic of the week but are an opportunity for critical self-analysis. First, the time-keeping requires students to break down projects into tasks that might otherwise be overlooked. These tasks are often items the student would not have reflected on, such as, discussing the assignment with the Supervising Attorney. Here is an example:

A103 Draft/revise L190 Other Case Assessment, Development and Administration: Reviewed research notes on material misrepresentation. **Conferred with supervising attorney about task expectations.**

Second, once the student records this often-overlooked activity, "conferring with a supervising attorney about task expectations," the student has an opportunity to pause, recall the expectations, and consider what needs to be done in order to meet those expectations.

Here is another example of a time entry demonstrating the student's own reflection on skills progress throughout the semester:

A102 Research L110 Fact Investigation/Development: Continuing to research and investigate an issue that requires many different avenues. **Using some new research tools and new keyword searches have led me to a good path. I plan to pick this up again when I return for my next day in the office.**

While sometimes time entries just record time, there has been a consistent element of added reflection in most students' time entries this semester. It provides another opportunity for them to journal about the real-life legal problems they are encountering, often for the first time, and the skills they are developing and utilizing to solve those problems. And because the time entries are specific to what the student herself has been doing as a legal professional it provides a more individual opportunity for critical reflection that is not about an abstract topic generally but her own accomplishments.

#### Quality Assurance

The requirement of electronic task based billing has also provided a quality check on each student's field placement.<sup>8</sup> By reviewing the time entries we have acquired a great deal more information about the assignments and activities each student is given at their field placement. This information is invaluable to determine where

to place students in the future and what type of students are appropriate for each placement. It also gives us information on what skills the student needs to be taught to succeed in her placement so that the law school can offer any needed support. Lastly, we have learned what skills students should gain from their placement; for example, some placements were focused more on client contact than writing but only through reading consistent time entries was that apparent. Often supervising attorneys describe their work differently when talking about the externship opportunity more broadly.

The record of the time spent also provides a quick and easy method to verify students' law-related employment and *pro bono* work. In New York State, both an affidavit regarding previous legal employment and a certification of fifty hours of *pro bono* work done while a law student are required for admission to the Bar. This information is now at the student's and the law school's fingertips.

#### Conclusion

This timekeeping exercise teaches the students to keep better track of their time in practice and learn the basics of electronic code-based billing (and we hope practitioners appreciate this). But, more importantly, it has provided an additional reflective opportunity for students to integrate their skills development and career aspirations. We sincerely hope it has helped them seize the day they spend in the field each week.

#### **Notes**

<sup>1</sup> Clio provides free access to its web-based software platform for legal practice management to any law school or law school clinical program through Clio's Academic Access Program (CAAP). We greatly appreciate their dedication and service.

<sup>2</sup> <http://www.americanbar.org/groups/litigation/resources/uni-form-task-based-management-system.html>

<sup>3</sup> Under the documents section in the student's matter in Clio we also have students upload any other assignments such as a writing sample from their placement work and their case list, and we post the Supervising Attorney's mid semester evaluation and other information about their placement to their matter for them. So even though Clio is case focused, we treat the student as the "case" and use the functions it has as applicable. Only the student, the program administrator, and I have access to the student's case matter in Clio. We are also able to add calendar events in the matter (like externship orientation sessions) and contact information (such as their Supervising Attorney and placement location). When the student signed onto Clio for the first time at the beginning of the semester they each had a "Note" from the former extern in their placement with advice for working there. Then, throughout the semester the students post their weekly reflections in the

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notes and we are able to respond to their reflections and other questions in this individual electronic journal on a contemporaneous basis.

<sup>4</sup> See Christine P. Bartholomew, *Time: An Empirical Analysis of Law Student Time Management Deficiencies*, 81 U. CIN. L. REV. 897, 946-47 (2013).

<sup>5</sup> See Marie A. Monahan, *Towards a Theory of Assimilating Law Students into the Culture of the Legal Profession*, 51 CATH. U.L. REV. 215, 238-39 (Fall 2001).

<sup>6</sup> Monahan, *supra* at 239-40; see also Dennis Curtis and Judith Resnick, *Book Review, Teaching Billing: Metrics of Value in Law Firms and Law Schools*, 54 STAN. L. REV. 1409, 1425 (2002); John O. Sonsteng with Donna Ward, Colleen Bruce and Michael Petersen, *Legal Education: A Legal Education Renaissance: A Practice Approach for the Twenty-First Century*, 34 WM. MITCHELL L. REV. 303, 424 (2007) (noting that Canadian legal curricula

require apprenticeships that teach billing skills).

<sup>7</sup> Roy Stuckey et al., BEST PRACTICES FOR LEGAL EDUCATION, 66-67, 127-28, 173 (“We can also assist students’ self-learning by creating structures and protocols that will help them reflect on and understand better what they are learning from experience, whether or not it is something we intend for them to learn.”) (2007); see also Rachel M. Janitus, *Teaching Remedies as an Introduction to Transactional Thinking*, 57 ST. LOUIS U.L.J. 759, 766-67 (2012-2013) (explaining how students keep time entries in simulated exercises as a way to reflect on the value of the work performed in light of the client’s needs).

<sup>8</sup> See BEST PRACTICES, *supra* at 200-03 (identifying the need for evaluating the ability of field placements and assigned work to meet educational objectives and student preferences).

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**More Good News**



**Mark N. Aaronson (UC Hastings)’s** book-length article “[Representing the Poor: Legal Advocacy and Welfare Reform during Reagan’s Gubernatorial Years](#),” which was first published last May as a special issue of the Hastings Law Journal, is now available as an e-book at [Amazon](#), [Nook](#), and other online sites. The narrative tells the story of how Ralph Abascal and other legal services lawyers in the 1970s countered and stymied Reagan’s regressive welfare reform efforts in California. Ralph, who died in 1997, was the husband of our esteemed colleague Bea Moulton, one of the founders of contemporary clinical legal education.



## Things I Wish I Knew When I Began Clinical Teaching!

### Let Good Enough Be Good Enough

An Essay by

Kim Diana Connolly

The CLEA Newsletter Committee is excited to introduce our new, recurring column, *Things I Wish I Knew When I Began Clinical Teaching!* Each newsletter will feature quotes, stories, and probably a few words of warning or wisdom from clinical colleagues around the country. By highlighting different clinician's perspectives, we hope to offer something that will resonate with everyone.

Funny, heartfelt, serious — all are welcome from clinicians of any experience level. Whether you began teaching thirty years ago or last year, we want to hear from you. To contribute or for any questions, please email Professor D'lorah Hughes at [dhughes@wayne.edu](mailto:dhughes@wayne.edu).

*"When you honor your limits – rather than act like they don't exist – you decrease the stress that is sure to creep in when your goals start to test your reality."*<sup>1</sup>

My friends in the Clinical Legal Education Association have asked me to write an essay reflecting on what I wished I had known as a new clinician. At the start, I must acknowledge that I am still learning more and more about good clinical teaching, even now in my fifteenth year as a clinician. This semester, as always, I have been honored with new adventures, fresh challenges, and many opportunities to reflect and grow as a clinical teacher and lawyer. Yet, as I look back to my first few

years, there was one compulsion to which I clung that made for a rocky start.

In the beginning, I wanted (needed?) a truly impossible thing. I wanted everything to be absolutely perfect.

Okay, that is an overstatement. But I unequivocally wanted everything I did, my students did, and our clients experienced to be truly excellent, amazing, and essentially ideal. This obsession (again, an overstatement... but only slightly) made both sanity and success a challenge.

Why did I think this was the right way to be a clinician? Well, aiming for perfection was how I had done well in law school (and all prior learning experiences), how I had been successful in practice, and, therefore, how I thought good professors must behave. I believed that setting the bar super high was how to prosper in the unique environment of a clinical law office set within the academic world of law.

So, I stayed up late and got up early...not just sometimes, but all the time. I pushed my students hard...likely harder than was good for (most of) them. I demanded flawless legal research and writing, textbook client-centered lawyering, deep reflection, faultless file keeping, etc. etc. etc. I scrutinized my students' work and looked over their shoulders to what I am certain now was not only an annoying, but also probably an alarming,

extent. I checked in with clients obsessively, and sought affirmation from my experienced colleagues far too often.

And we did good work. Great work, in fact. But at what cost?

For the most part, I lived my life exhausted, anxious, and full of doubt. In the world of clinical legal education, perfection (as it is typically defined) is not only impossible, but is also not conducive to good learning or good representation. And I slowly discovered, over several years, that the best learning and the best teaching comes when the clinical instructor learns to recognize and embrace "good enough."

To be clear, when I say "good enough" I don't mean running a clinic that encourages students to do mediocre work. Not at all. I am dedicated to high-quality law school clinics that catalyze great work, and require a serious investment of student time, brainpower, and passion. I believe in effective law school clinics that push students to reach beyond where they think they can go, while doing everything realistically possible for clients. I know that a successful law school clinic requires its instructor(s) to construct and nurture an environment that results simultaneously in high-quality work and profound learning. So "good enough" is not about providing a second-best experience for anyone.

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**Let Good Enough Be Good Enough****An Essay by****Kim Diana Connolly**

Therefore, one must ask what do I do now that is different from my first years teaching? How do I aim for “good enough” and avoid the perfection obsession?

I breathe more. I fret less. And I am not anywhere near as fussy as I was at the beginning.

Don’t get me wrong - I still make sure that “i”s are dotted and “t”s are crossed. But I don’t obsess and check everything fourteen times (or make my students check again and again and again). I recognize which documents need seven drafts and a final polish, and which can go through fewer iterations. I let students be in charge of the files, and ensure that they are complete and mostly up to date without obsessing on every little thing.

And I release the need to be “in charge” of client matters in a way that I felt necessary in the beginning of my career. I let my students truly first chair (with lots of support and practice, of course), without trying to make them practice exactly like I myself would. I help them discover what “lawyering as oneself” means. And I let them make actual mistakes, designed to occur in safe places (of course, I avoid letting them go “over the cliff” when something important is actually on the line, and try my best to help them avoid lesser mistakes through planning and reflection).

Nowadays, it is okay when documents go out that aren’t printed in the font I like, or don’t have perfect

spacing between each and every sentence. It is okay when file naming protocols adopted by students in the lead for a client one semester are changed by the students picking up on that client’s work for the second semester. It is acceptable if students stumble a bit in a client meeting – or actually run the whole meeting differently than I would (if designed to achieve the same end). And I don’t need to step in to make the initial meeting with a client reflect my own definition of a flawless first interview.

My advice does not undercut those who think deeply about training incoming clinical teachers. Wise clinicians have written many helpful articles that new clinicians should explore.<sup>2</sup> A leader in the field has properly urged us to respect “the need for goals, intentionality, clarity, and the need to communicate those goals and expectations to students” and for “new teachers [to] focus on the difficult issues concerning values, ethics, and difference before they embark on case or project supervision.”<sup>3</sup> These and other pieces of advice are very true, and those entering our field should avail themselves of these amazing works.

But even that body of literature relates to my “good enough” claim. One other thing I tried to do in my first few years was read entirely too many of these amazing articles. I read into the night, skipped lunches, and took books and law reviews with me everywhere. Such laudable efforts seemed

to be the “right” thing to do – to take my new job seriously by studying the masters and applying their lessons to my work. But such intense immersion not only took time, it resulted in a frenetic vortex of myriad ideas from others filling my brain right in the midst of a full teaching load and the newness of academia. The sheer volume of different great ideas caused not just more exhaustion, it resulted in too many voices in my head and too many avenues to try. I wanted to follow all the giants, but as I have since learned, they all have their own paths, and my attempts to organize them into one set of rules I could apply to my corner of clinical teaching when I was so new left me feeling lost.

This is not to say that defining “good enough” does not require us to reflect on foundational guidance from clinical experts. As BEST PRACTICES FOR LEGAL EDUCATION points out, “Every choice a supervisor makes should be a conscious choice with a specific goal in mind. The clinical supervisor leads with respect for the student and with the clinical method’s cornerstone of providing opportunities for the student to experience primary professional responsibility for real legal matters. But the supervisor never loses sight of the requirement that no client be subjected to incompetent representation.”<sup>4</sup>

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**Let Good Enough Be Good Enough**

**An Essay by**

**Kim Diana Connolly**

Sometimes, however, the required balance to achieve good clinical teaching is best reached by leaving concepts of perfection behind.

To me, “good enough” means claiming and deploying the healthiest approach for you as a clinical teacher, in such a way as to allow students to explore and develop strong professional identities as future lawyers and simultaneously represent clients competently. If managed well, it can also be an excellent approach to ensure that clients get all they deserve from representation by a law clinic and students emerge with new strengths and engagement. In other words, do good things well, but don’t try to tie everything up in an imaginary bow.

I encourage those of you entering the wonderful profession of clinical legal education to be gentle with yourselves. Stretch. Reach. Dive deep. But also relax. Let go. Embrace some level of chaos.

As Parker Palmer, one of the leaders in the study of developing personally rewarding teaching experiences, has reflected: “I want to learn how to hold the paradoxical poles of my identity together, to embrace the profoundly opposite truths that my sense of self is deeply dependent on others dancing with me and that I still have a sense of self when no one wants to dance.”<sup>5</sup> The work we clinicians have chosen is not easy. Trying to do it with perfection can make you

crazy. So treat yourself, as you assume this new role, with tender care.

In short, over your first few years, I urge you to take some time to decide what is “good enough” for you. Then embrace that reality. Bring it to your teaching and practice. I hope you will find that being a “good enough” clinical teacher, whatever that means to you, can do wonders. In fact, I believe it has the power to make you a perfect clinical teacher.

**Notes**

<sup>1</sup> DANIELLE LAPORTE, THE DESIRE MAP 99 (2014).

<sup>2</sup> J. P. Ogilvy with Karen Czapanskiy, *Clinical Legal Education: An Annotated Bibliography* (Revised 2005), available at <http://faculty.cua.edu/ogilvy/Biblio05clr.htm>.

<sup>3</sup> Wallace J. Mlyniec, *Where to Begin? Training New Teachers in the Art of Clinical Pedagogy*, 18 CLINICAL L. REV. 505, 591 (2012).

<sup>4</sup> ROY STUCKEY ET AL., BEST PRACTICES FOR CLINICAL LEGAL EDUCATION: A VISION AND A ROAD MAP 144 (2007).

<sup>5</sup> PARKER J. PALMER, THE COURAGE TO TEACH: EXPLORING THE INNER LANDSCAPE OF A TEACHER'S LIFE (2010).



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## What is CLEA?

Most clinical teachers are members of the AALS Clinical Legal Education Section. But in 1992, several clinicians realized that there were important activities that could not be performed by AALS Section members, at least not without the cumbersome approval process of the AALS Executive Committee. CLEA was formed as a separate organization to permit clinical legal educators to act swiftly and independently, and to open membership to persons who were not eligible to join the Section. CLEA does not compete with the AALS Section but augments it, and CLEA continues to urge clinical teachers to belong to both entities.

### CLEA is currently engaged in activities such as:

Advocating for excellence in legal education with the ABA Council on Legal Education and its committees (such as the Standards Review Committee). Indeed, this advocacy has become one of CLEA's primary endeavors – whether supporting job security and governance rights for clinical and other skills teachers or seeking ABA support for curriculum reform. CLEA advocacy has made a difference. It has never been more important than it is now, when ABA support for our work preparing students for the practice of law is at risk of erosion.

CLEA supports individual schools and clinicians facing political interference or threats to academic freedom of clinics.

CLEA works with AALS and NYU to publish the peer reviewed Clinical Law Review (which comes free with a CLEA membership).

CLEA sponsors the bi-annual New Clinical Teachers conference and co-sponsors numerous other conferences.

CLEA authors amicus briefs on topics important to legal education.

CLEA commissioned the writing and publishing of the 2007 book, *Best Practices for Legal Education* (Roy Stuckey et al), which, along with the Carnegie Report, "Educating Lawyers," is prompting a major re-evaluation of legal education.

CLEA sponsors awards for students, clinical teachers, and for clinical programs.

## Upcoming Events

- **CLEA Board Meeting**, Monday, January 5, 2015 7:30-8:30 am, American University Washington College of Law, 4745 Massachusetts Avenue NW, "the residence." All are welcome to attend.
- **CLEA Membership Meeting**, Monday, January 5, 2015, 8:30-9:30 am, American University Washington College of Law, 4745 Massachusetts Avenue NW, "the residence." Breakfast will be provided.
- **Externship Breakfast Meeting**, Saturday, January 3, 2015, approximately 7:30-8:30 am, Stones Throw Restaurant in the Marriott Wardman Park Hotel.
- **Externship Dinner**, Sunday, January 4, 2015 at 8 PM, District Kitchen, 2606 Connecticut Ave NW. RSVP to [Lisa Smith](#) or [Inga Laurent](#).
- **CLEA 2015 New Clinicians Conference**, Monday, May 4, 2015, 8 am to 4:30 pm, Westin Mission Hills Resort.

CLINICAL LEGAL  
EDUCATION  
ASSOCIATION

Advocating for clinical  
legal education  
as fundamental to a  
lawyer's education.

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