

CLEA NEWSLETTER

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Co-Presidents' Message

It is our pleasure to serve as Co-Presidents of CLEA this year. We are fortunate to have an enthusiastic board and energetic committee members. With over 1,300 members, CLEA has been supporting and empowering our clinical colleagues through programs such as the biennial *New Clinicians Conference* and taking on significant advocacy issues on a national and state level. Given the changes in legal education, we are looking to the future of legal education. Our major initiative has been to help CLEA undergo a meaningful strategic planning process. We hope to create a plan that will be targeted and useful for the organization and, more importantly, for its membership in the coming years. We will be working with our terrific Co-VP's, Benjie Louis and Beth Schwartz, to incorporate the strategic plan and determine ways to measure the performance for each major goal we identify through this process.

Strategic Planning

How can CLEA best serve its members today and in the future? This question, and many others, are at the core of CLEA's current strategic planning process. The strategic planning began last fall when CLEA surveyed you, CLEA's membership, to gather data and learn your per-



Margaret E. Johnson
(Baltimore)
CLEA Co-President



Maritza Karmely
(Suffolk)
CLEA Co-President

spective on how CLEA best meets its mission. CLEA shared the findings of the fall survey with membership by email and presented the results during the January 2016 Board and Membership meetings held at Fordham law school (the results are [linked](#) to in this newsletter as well). Since the January meetings, we have surveyed CLEA Committee and Board members with more specific questions based on the earlier survey responses. These survey results have helped shape our focus areas for the upcoming strategic planning retreat this spring. We hope you can join us at the CLEA membership meeting, held during the clinical conference on Saturday, April 30, 2016. At this meeting, we plan to update the membership on the strategic planning process.

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Co-Presidents' Message, continued.

The membership meeting will be held at 6:30 p.m. on April 30, in Harborside E of the Baltimore Marriott Waterfront, which is the conference hotel. As is the custom, CLEA will provide drinks!

While we are just at the beginning stages of the strategic planning process, we have learned the following overall takeaways from the initial survey: (1) there is strong consensus within the membership regarding the relevance and importance of CLEA's current mission statement, and of the organization's effectiveness in fulfilling the mission; and (2) that the planning process provides an opportunity to enhance member engagement and organizational communication. Some of the themes from the follow-up surveys include expanding CLEA's proactive and reactive advocacy work; increasing its function as a clearinghouse for pedagogical best practices; improving CLEA's use of technology to advocate and provide pedagogy resources; and continuing its work on diversity in the profession.

Advocacy

This year, CLEA, led by its Externship and Advocacy committees, continued its advocacy against the ABA's proposal to remove the interpretation that banned credit for field placements when students receive compensation. Despite the excellent advocacy by CLEA's members, the ABA Council on Legal Education and Admissions to the Bar did remove that interpretation on March 11, 2016. As Alex Scherr, co-chair of the CLEA Externship Committee, informed the clinic community, this change will pose a substantial challenge to externship courses, to clinics generally, and to law schools in the coming years.

CLEA was successful in helping to shape changes to the ABA standards governing field placement courses. The ABA created a new Standard 304(c) and repealed former Standard 305(e). The new standard aligns the requirements for field placement courses with those for clinics and simulation courses. It confirms that field placement courses must be educational experiences taught by faculty, carefully supervised, and focused on the student's professional development. Accordingly, it

will significantly improve the quality of field placement courses for other kinds of placements.

Our advocacy committee has been hard at work attending ABA Council and Standards Review Committee meetings. In addition to Claudia Angelos, Co-Chair of the Advocacy Committee, Joy Radice, D'lorah Hughes, and Alex Scherr attended these meetings and continue to help to advocate for clinical education.

What's New on the CLEA Website (cleaweb.org)?

Are you interested in learning more about CLEA and our work? CLEA has several committees that do a range of work such as advocacy, supporting regional conferences, recognizing outstanding clinicians, student attorneys, programs and projects through the granting of annual awards, and providing teaching resources through the New Clinicians' Handbook. CLEA's website will soon be upgraded and available on your phones/tablets. In addition, our website now hosts descriptions of all of the various CLEA committees and identifies the membership of each committee – please feel free to reach out to the CLEA committee members if you are interested in learning more about the work they do for our community. As always, our website includes CLEA's mission, updated job listings, and other important information about clinical legal education.

Upcoming Events

CLEA membership meeting, Saturday, April 30, 2016, at 6:30 p.m. in Harborside E of the Baltimore Marriott Waterfront. As is the custom, CLEA will provide an open bar! We also hope you will stay for the AALS Section on Clinical Legal Education's Townhall, which is planned right after our membership meeting.

We look forward to seeing you in Baltimore!

Maritza Karmely and Margaret Johnson,
Co-Presidents, CLEA

CLEA Events in Baltimore:

CLEA Board of Directors Meeting
 Friday, April 29, 2016 10:00 am — 11:30 am
 Bogomolny Room, University of Baltimore
 Student Center
 21 West Mt. Royal Ave., Baltimore, MD

CLEA Events in Baltimore:

Membership Meeting
 Saturday, April 30, 2016, 6:30 pm — 7:30 pm
 Harborside E, Marriott Baltimore Waterfront Hotel
 Baltimore, MD

CLEA Strategic Planning Survey

Thanks so much to those of you who participated in our CLEA Strategic Planning Survey at the end of 2015. We received a number of responses. The data we collected was valuable; we used the information during our membership and board meetings in early January and will continue to analyze the data as we prepare for our CLEA board retreat at the end of April.

The overall takeaways from the survey indicates that (1) there is strong consensus regarding the relevance and importance of CLEA's current mission statement, and of the organization's effectiveness in fulfilling the mission; and (2) the planning process provides an opportunity to enhance member engagement and organizational communication. You can view the results of the survey [here](#).

We will continue to reach out to our terrific membership as we continue with the strategic planning process.

2016 CLEA Executive Committee

Margaret E. Johnson (Baltimore), Co-President
 Maritza Karmely (Suffolk), Co-President
 C. Benjie Louis (Hofstra), Co-Vice President
 Beth Schwartz (Fordham), Co-Vice President
 Laura McNally-Levine (Case Western), Secretary
 Praveen Kosuri (UPenn), Treasurer
 Janet T. Jackson (Washburn), Immediate Past
 Co- President
 Mary Lynch (Albany), Immediate Past Co-
 President

2016 CLEA Board of Directors

Tamar Birkhead	Martina Cartwright
Melanie DeRousse	Anju Gupta
Laila Hlass	D'lorah Hughes
Lisa Martin	Perry Moriearty
Tiffany Murphy	Joy Radice
Joanna Woolman	Steven Wright

2016 CLEA Executive Committee

From the CLEA Board

The Legal Writing Institute (LWI) has asked that we circulate to CLEA membership LWI's [Statement of Best Practices](#) regarding the 405(c) status positions. CLEA does not adopt this statement, but is circulating it to provide our membership with this information. We appreciate LWI as an ally.

AALS Clinical Legal Education Town Hall

The Section's Town Hall meeting will be held on Saturday, April 30, at 7:30 p.m. immediately after the CLEA Membership meeting. Both meetings will take place in Harborside E in the Baltimore Marriott Waterfront Hotel and both will have open bar!

Externship Events at the AALS Clinical Conference

Externship Committee Meetings: Sunday May 1, 2016, 7:30—9:00 am and Tuesday, May 3, from 7:30-8:30 am, Location TBA
 Externship Dinner, Sunday, May 1, 2016 at 7:30 pm at [B-"A Bolton Hill Bistro"](#). Please [RSVP](#) by Thursday, April 28.



Spring 2016
ABA Advocacy Committee Report
By Kate Kruse & Claudia Angelos



Claudia Angelos
(NYU)



Kate Kruse (Mitchell
Hamline)

The ABA Council of the Section of Legal Education continues to tinker with the Law School Accreditation Standards. Over the past year, the regulation most significant to clinical education that has been reviewed and amended involves externships. CLEA, the CLEA Advocacy and Externship Committees, and the externship community have been deeply engaged in advocacy on those issues. It is likely that the proposed new regulations will go into effect after the ABA House of Delegates meets in August. There will be good news and bad news.

First, the good news. Externships will move out of the domain of “co-curricular” law school activities and into the realm of the curriculum. More robust standards governing ex-

ternships are likely to result in improved experiences for students and better control by externship faculty

The bad news is that the prohibition against employers paying students who are participants in credit-bearing externships will be removed.

At this writing, the new externship standards are available on: pages 17 – 24 of: http://www.americanbar.org/content/dam/aba/administrative_legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/March2016CouncilOpenSessionMaterials/2016_february_src_memo_to_council_re_comments_received.authcheckdam.pdf. A summary of the many comments received by the ABA supporting the improvements in the substantive regulation of externships and opposing the removal of the ban on paid externships is available at pages 3 – 7 of the same document.

The CLEA Advocacy Committee acknowledges and expresses its grati-

tude to the Externship Committee for its hard work on these issues.

In the coming year, the CLEA Externship and Advocacy Committees will be gathering data on how law schools are responding to the removal of the ban on paid externships and on how those externships are shaping up in those schools that permit them.

On the ABA agenda for the coming year, and so also on CLEA’s advocacy agenda, are the regulations involving the minimum bar examination pass rates for law schools under the Standards, whether and how to require law schools to use a standard admissions test (at this point, the LSAT), and issues around diversity and inclusion in law school admissions and staffing. Stay tuned – and get involved – on these.

Finally, please let us know if you hear tell of any activities in your state bars or supreme courts on the proposals to add experiential prerequisites to bar admission. We are happy to help you to work on these issues, as we have done in California and New York.

Best Practices Implementation Committee Report

The newly-revived Best Practices Implementation Committee is devising its plan for both increasing awareness of the book *BUILDING ON BEST PRACTICES: TRANSFORMING LEGAL EDUCATION IN A CHANGING WORLD* (Eds: Maranville, Bliss, Kaas, and Sedillo Lopez) published in the summer of 2015, and for sparking ongoing

discussion of ideas and recommendations for transforming legal education. This book is a follow up to the original book BEST PRACTICES FOR LEGAL EDUCATION, written by Roy Stuckey and self-published by CLEA in 2007. The decision to publish a follow up book was made by the CLEA Best Practices Implementa-

tion Committee in 2011, after it became clear that many changes were well underway in legal education.

The current status of the 2015 book is that it was published by Lexis Nexis with an agreement that it would be available for free as an e-book, on line, with printed copies for sale.

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Report from Best Practices Implementation Committee, cont'd

However, Carolina Academic Press recently bought out Lexis Nexis' print inventory, causing some confusion regarding the availability. Negotiations are still underway, but the best guess is that the book will remain available in hard copy for sale for \$50, but will now be sold by Carolina, and will be available for download from Lexis Nexis at no cost through the end of 2016. After that, there will be most likely be a fee for the e-book.

As soon as this new arrangement is worked out, the Committee will post instructions on the CLEA website and will make announcements on the various list serves. In the meantime, the Committee is setting up a strategy for making proposals for ongoing discussion of the recommendations for current and emerging best practices at various upcoming conferences --within the clinical, experiential, and other legal education communities. For example, the authors of the Externship chapter pre-

sented about the externship recommendations, and the challenges of implementing the recommendations, at the recent "Externships 8" conference at Cleveland-Marshall in March. Please contact us (lbliss@gsu.edu or Carolyn.kaas@quinnipiac.edu) if you have questions, opportunities, or ideas for continuing the dialogue on the transformation of legal education.



Lisa Radtke Bliss
(Georgia State)



Carolyn Kaas
(Quinnipiac)



Debbie Maranville
(Univ. Washington)



Antoinette Sedillo-Lopez
(New Mexico)

Report from CLEA Per Diem Committee

It's almost time for the Clinical Conference! As you're checking items off of your to do before travelling list, here's one you can take care of today--your donation to the Per Diem Project.

Each year, CLEA's Per Diem Project collects donations to support the community that is hosting our conference. Though it began with the collective donation of our per diem allowances, the Project has evolved into a broader fundraising initiative. This year, our recipient is The Public Justice Center.

The Public Justice Center works with people and communities to confront the laws, practices, and institutions that cause injustice, poverty, and discrimination. Donations to The Public Justice

Center can be made on-line on the PJC website: <http://www.publicjustice.org/>. Click on the "Donate to the PJC" link in the upper right hand corner and in the "Comments" box, please write Per Diem Project, so that PJC can keep track of the donations. And if you're not ready to give today, you can bring your checkbook or your cash with you to Baltimore and give at the luncheon on May 2.

All checks should be made payable to PJC with a notation on the memo line that the check is for the Per Diem Project.

If every member makes a donation of just \$50, we can provide an amazing

financial boost to the good work that they do! Help us hit our mark by making your donation today.



Cynthia Batt
(Stetson)



Leigh Goodmark
(Maryland)



Karla McKanders
(Tennessee)

University of Denver Sturm College of Law, Civil Rights Clinic, Decoteau v. Raemisch

This class action lawsuit, litigated by student attorneys and professors with the University of Denver Sturm College of Law Civil Rights Clinic, as well as attorneys at the Civil Rights Education and Enforcement Center (CREEC), resulted in the provision of outdoor exercise for prisoners at Colorado State Penitentiary. For over twenty years, the close custody prisoners who occupy CSP – the vast majority of whom were held in conditions of solitary confinement – were only permitted to exercise in a cell similar to their living cell, with a narrow slit of a window that opened directly to the outdoors. As a result, these prisoners went months, years, or even decades without feeling the rain or sun. As a result of this case, which arose from an earlier individual lawsuit also litigated by the Civil Rights Clinic and CREEC (*Anderson v. Colorado*), the Colorado Department of Corrections will construct three outdoor exercise yards at CSP. The outcome in *Decoteau* has meaningfully contributed to the advancement of civil rights, because a group of students, their clinic professors, and a small civil rights nonprofit – along with the incarcerated men who served as named plaintiffs and constituted members of the class – took on the Colorado Department of Corrections, ultimately obtaining for some 500 prisoners the ability to exercise outdoors.

Maurice A. Deane School of Law at Hofstra University, Law Reform Advocacy Clinic

The Law Reform Advocacy Clinic at the Maurice A. Deane School of Law at Hofstra University, under the leadership

of Professor Stefan Krieger, has just completed a ground-breaking, multi-plaintiff housing discrimination litigation that lasted for over 10 years. In 2004, the clinic began work on behalf of a number of tenants on a particularly complex and disturbing discrimination matter. Over the years, the landlord of a 54-unit building near the center of Farmingdale Village neglected maintenance of the building to force out tenants, and the Village prepared a redevelopment plan for the area that displaced any remaining tenants, most of them low-income Latino laborers. The Clinic filed a Fair Housing Act case (the “*Rivera*” case) on behalf of nine former tenants in federal court alleging that the Village’s redevelopment plans for the building intentionally targeted Latinos and that the developer and owner acted in concert with the Village in its discriminatory plans. The case set a number of significant precedents. Among other things, for the first time in a written opinion in a housing discrimination case, a federal court recognized that plaintiffs displaced from their community because of discrimination can be awarded damages for “loss of enjoyment of life.” The case settled prior to trial with a consent decree that was an extraordinary victory for the clients. In addition to a substantial monetary award, each plaintiff was guaranteed housing in new developments, the Village agreed to set aside housing for low- and moderate-income residents, the Village agreed that its officials will be trained in fair housing law and procedures, and the Village agreed to ongoing compliance monitoring to ensure the consent decree is being implemented. The case has significant ramifications on

Long Island, where racial and ethnic tensions still run high, and where more and more local governments are enacting laws aimed at reducing the places for poor immigrants to live.

Both awards, along with the CLEA Award for Outstanding Advocate for Clinical Teachers (being awarded posthumously to **Gary Palm**) will be presented at the AALS luncheon at the Clinical Conference on Monday, May 2nd.

The Committee received an unusually large number of outstanding nominations in the case/project category this year, and we congratulate all of the nominees on their extraordinary accomplishments.



Anju Gupta
Co-Chair
(Rutgers)



Perry Moriearty
Co-Chair
(Minnesota)



Geneva Brown
(Valparaiso)



Kele Stewart
(Miami)



Jane Stoever
(Irvine)

CLINICAL LEGAL EDUCATION BY THE NUMBERS *A recurring column by Robert Kuehn*

CLINICAL COSTS:

SEPARATING FACT FROM OPINION



The late Senator Daniel Patrick Moynihan once observed, “everyone is entitled to his own opinion, but not his own facts.” When it comes to expanding clinical legal education, the knee-jerk opinion is that it is too expensive for legal education to follow the lead of other professional schools and ensure that every student graduates with a clinical experience through a law clinic or externship. Even the richest law schools couldn’t resist playing the cost card to scare the ABA out of requiring additional professional skills training: “Requiring all law schools to provide 15 experiential credit hours to each student will impose large costs on law schools, costs that would have to be passed on to students. . . . Even a law school with significant financial resources could not afford such an undertaking.”¹

Yet, the facts show otherwise — every school, from the well heeled to the impecunious, can provide a clinical experience to each student without increasing tuition. Indeed, an array of schools already require 15 credits of experiential coursework (simulations, law clinics & externships) and a clinical experience (a law clinic or externship) for all their J.D. students without noticeable impacts on tuition. At the City University of New York, students must take a twelve- to sixteen-credit law clinic or externship prior to graduation, and at only \$15,000 in resident tuition (\$24,000 non-

resident). Students at the University of the District of Columbia similarly must enroll in a seven-credit law clinic in their second year and a second seven-credit clinic in their third year, paying \$11,500 in resident tuition (\$22,500 non-resident). Starting with the 2013 entering class, Washington and Lee University requires twenty academic credits in simulated or real-practice experiences that include at least one law clinic or externship. The professor overseeing the program explained that a review of the first few years of the new curriculum showed it is “slightly less expensive than our former, traditional third-year curriculum. And . . . than our current first and second years.”² Most recently, Pepperdine announced that beginning with next year’s class, students must graduate with at least 15 credits of experiential course work, yet the school increased tuition for 2015 by less than its average increase for the prior three years.

These examples are consistent with studies showing that every school can afford to require a clinical experience for every J.D. student. A study of ABA data on faculty salaries and teaching loads found that while clinical courses were more expensive than higher enrollment doctrinal courses, the curriculum could be restructured to give every student a faculty-supervised clinical experience without changing the size of the faculty, though

“significant changes would of course need to be made in what law schools expected of a good number of their teachers.”³ A study of instructional costs at American University determined that the tuition income generated by law clinic courses came very close to meeting the actual instructional costs to the school, concluding that although clinical education was not a “financial cash cow” like large classes, it is “far more financially feasible than some make it out to be.”⁴ Professors Nancy Maurer and Liz Ryan Cole analyzed salaries and student/faculty ratios in various types of courses and determined that the typical cost per credit hour of an externship course was lower than the cost of a twenty-student class and significantly less than a typical twelve-student seminar.⁵ A subsequent article compared instructional costs for law clinics, seminars, and lecture courses and found that the cost of instruction for a typical clinic course is less per credit per student than for a seminar with fifteen students.⁶

Dean Martin Katz recently proposed a model comparing the costs of experiential education to traditional classroom courses that assumed clinics spend \$45,000/year on outside attorneys for summer coverage and \$95,000/year on litigation expenses.⁷

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**CLINICAL COSTS:
SEPARATING FACT FROM OPINION
continued**



When his “basic model” is adjusted to include more realistic out-of-pocket costs and survey data, rather than assumptions, on clinical faculty teaching loads and lower salaries, the labor cost for a law clinic is half the cost of a seminar and less than the cost of a traditional twenty-student class.⁸ Externships are one-third the cost of seminars and almost one-half as expensive as twenty-student classroom courses.

These studies of instructional costs demonstrate that externship courses cost less than twenty-student podium courses and that even law clinic courses cost less on average than seminars. Thus, if the ABA can require, and schools can afford to provide, an upper-class writing experience for all students through a seminar taught by tenured faculty,⁹ then there is no basis to claim that the costs to the school of a law clinic or externship experience for every student are prohibitive.

But what about possible impacts on the tuition students pay, not the instructional costs to the school? To consider the effect that providing more experiential or clinical courses might have on the cost to students for their legal education, I examined five years of school-report data on the relationship between providing or requiring more of these courses and tuition. I published the results from 2012 and 2013 data before,¹⁰ and here also include results for 2011, 2014, and 2015.

As an initial observation, a school’s public or private status,

U.S. News ranking, and cost of living in the area are all significantly related to tuition. Students at private schools pay on average over \$19,000 more in tuition than students at public schools, and schools on average charge \$1,000 more in tuition for each ten place improvement in U.S. News ranking (e.g., a school ranked 40th charges \$1,000 more than a school ranked 50th, holding other influences on tuition constant).¹¹ These three variables alone have an adjusted R-squared value of around 0.75, therefore explaining about three-quarters of the total variation in tuition among law schools and leaving limited room for the possible effect of other factors.

When these variables are controlled to measure just the relationship between increased course positions or requirements and tuition, there is no statistically significant relationship between the availability of experiential, law clinic, or externship courses and tuition. Indeed, the data even show that the increased availability of those courses is associated with lower tuition, standing any claim of increased costs to students from enhanced clinical education on its head.

I arrived at this finding using an ordinary least squares (OLS) regression model to first examine any relationship between a school’s courses and its published tuition rate for each year from 2011-2015. Thirteen independent variables were tested, including the availability of experi-

ential, law clinic, and externship courses, whether the school offered sufficient capacity for every student to obtain a law clinic or externship experience before they graduate, and whether the school mandated or guaranteed a clinical experience. Of the sixty relationships examined over five years, only eleven were statistically significant at the p -value ≤ 0.10 level (see charts at <http://law.wustl.edu/ClinicalEd/documents/Kuehn-regressionsclinicalcourses.pdf>). Yet of these eleven, ten (91%) showed an unexpected inverse relationship between increased availability or capacity and tuition. That is, in 91% of the statistically significant relationships, average tuition went down as schools offered or required more experiential, law clinic, or externship courses. For example, in 2014, as the ratio of available positions for students in law clinics increased by one, average tuition decreased by over \$1,700. If law clinics are more expensive for schools to provide and if tuition is sensitive to such costs, one would expect tuition to rise as clinic positions (and clinical faculty) are added. The data over five different years show just the opposite.

Because of discounting through grants and scholarships, a school’s advertised tuition amount does not correspond to the net tuition the school receives or the actual tuition many students pay.

**CLINICAL COSTS:
SEPARATING FACT FROM OPINION
continued**



Although schools are not required to publicly report their net tuition, using the reported 25th, 50th, and 75th percentile amounts of average financial aid per student and the percentage of full-time students receiving aid, a discount rate and net tuition was calculated for each private law school. (The lack of comprehensive information on the percentage of students at public schools who pay resident vs. non-resident tuition prevents a reliable estimate of the net tuition at those schools.)

The relationship of experiential and clinical courses to discounted tuition even more dramatically debunks the opinion that increased clinical courses lead to higher tuition. Of the thirty-nine course variables examined for 2013-2015, twenty-three results were statistically significant. And of these, 74% (17) were inversely related to tuition — as the availability of the courses for students increased, average net tuition decreased in amount, in some cases consistently over all three years. For example, the increased availability of experiential, clinical, and externship course positions all yielded statistically significant inverse relationships with net tuition for each year, with decreases ranging from \$2,762 to \$669 for each one unit increase in course availability for students.

In sum, regressions on ninety-nine independent experiential and clinical course variables over a five-year period yielded thirty-four statistically significant relationships with tuition

or discounted tuition. Twenty-eight relationships (82%) were inverse or contrary to the claim that increasing experiential coursework or requiring a clinical experience results in increased costs to students. While statistical relationships do not prove causation and one should be hesitant to read too much into the 4 to 1 ratio of inverse to positive associations with tuition, there is no basis from the data to assert that students are, or would be, charged greater tuition when provided with or required to take more simulation, law clinic, or externship courses. Schools that are not providing these enhanced clinical opportunities cannot claim that costs prevent their students from enjoying this educational benefit.

Three reasons might explain the absence of any relationship (or the statistically significant inverse relationships) between clinical courses and tuition. First, perhaps as noted, instructional costs for clinical courses are not more, or not significantly more, than the costs for many non-clinical courses. Second, although certain clinical courses might have higher instructional costs, the overall amount of those costs is small in comparison to the many other substantial costs that law schools incur (e.g., non-clinical faculty salaries/benefits, faculty research/publication costs, building costs). Or third, perhaps law school tuition is driven by demand rather than costs — schools set prices to reflect the prestige of the school and per-

ceived value of the degree to prospective applicants, not based on the cost to provide the education. Schools then choose to allocate the total amount received in various ways, some prioritizing clinical experiences for students while others spending their tuition on different priorities (e.g., faculty salaries or research, academic centers, buildings). Some support for this last theory is that I found no evidence that lower student-faculty ratios (a surrogate for higher instructional costs) or increased library expenses are associated with higher tuition during any year from 2011 to 2015.¹²

It is time to put to rest the canard that costs prevent the expansion of experiential courses or a required clinical experience for all students. Every school can afford to provide 15 credits of experiential coursework for its students, including a mandated law clinic or externship experience. The facts show that it is the wills of the ABA, state bar admission officials, and law school deans and their faculties, not the costs of clinical legal education, that are obstructing that progress.

Notes

¹ Letter from Yale Law School Sterling Professors to ABA (Jan. 29, 2014); *see also* Letter from Paul G. Mahoney, Dean, Univ. of Virginia School of Law to ABA (Jan. 30, 2014) (requiring 15 experiential credits “would be punishingly expensive and would necessarily drive up tuition”).

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**CLINICAL COSTS:
SEPARATING FACT FROM OPINION
continued**

² James E. Moliterno, *Long-Overdue Medicine for What Ails Law School*, LITIGATION, Fall 2014, at 54, 57.

³ Peter deL Swords & Frank K. Walwer, *Cost Aspects of Clinical Education*, in CLINICAL LEGAL EDUCATION: REPORT OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS—AMERICAN BAR ASSOCIATION COMMITTEE ON GUIDELINES FOR CLINICAL LEGAL EDUCATION 133, 184-85 (1980).

⁴ David F. Chavkin, *Experiential Learning: A Critical Element of Legal Education in China (and Elsewhere)*, 22 PAC. MCGEORGE GLOBAL BUS. & DEV. L.J. 3, 13-14 (2009).

⁵ Nancy M. Maurer & Liz Ryan Cole, *Design, Teach and Manage: Ensuring Educational Integrity in Field*

Placement Courses, 19 CLINICAL L. REV. 115, 157-8 (2012).

⁶ Cody Thornton, Note, *Shared Visions of Design and Law in Professional Education*, 6 NE. U. L.J. 21, 70, 79-80 (2013).

⁷ Martin J. Katz, *Understanding the Costs of Experiential Legal Education*, 1 J. EXPERIENTIAL LEARNING 101, 116-17 (2014).

⁸ Robert R. Kuehn, *Pricing Clinical Legal Education*, 92 DENV. U. L. REV. 1, 23-24 (2014).

⁹ AM. BAR ASS'N, ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Std. 303(a)(2) & Int. 303-2 (2015-16).

¹⁰ Kuehn, *supra* at 27-39.

¹¹ *Id.* at 28-29.

¹² *Id.* at 41.



ON GARY PALM

By John Elson

When I think of Gary, which is often these days, big is what comes to mind; not just because he was big in stature, but far more because he was big in his love and his devotion to justice and fairness. For sure, when most people recall Gary, love is not what comes to mind. And, certainly, for those who stood in the way of his vision of “what is to be done,” he could be obdurate, even to some intimidating. But, for his friends and colleagues in

the fight for justice and clinical education, there was nothing he wouldn't do. On reading the tributes that poured into the clinic listserve on news of his passing, I realized that what I thought of as our own special relationship was just a small part of his web of special relationships that he created for everyone who stood in common cause with his many struggles.

As for my life he was transformative, launching my career in clinical teaching in 1971, guiding me through the morass of ABA politics and since our first meeting in 1965 as first year law students a source of unwavering friendship. To my family, he was a constant presence; as my wife's closest male friend for 50 years, he helped

remedy my cultural deficiencies by accompanying her to the opera, museums, lectures, etc., and he could hardly do enough to support her during her long illness. With my kids, I had originally thought his bond was unique, but have since happily learned that his generosity to the kids of his other friends, of his law students, and of his sister was similarly boundless.

But Gary's loving qualities are obviously not why most in our community will remember him. He **will** be remembered for his lifelong commitment to principles of justice and fairness, but not uniquely so. What makes me so proud to be counted among the ranks of clinical teachers is how widely and deeply that commitment is shared

CLINICAL LEGAL
EDUCATION
ASSOCIATION

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Tribute to Gary Palm (1942-2016)

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throughout our community. Rather, a good part of what distinguishes Gary's commitment was how he approached every client, every case and, indeed, every problem as potential symptoms of deeper, systemic problems requiring systemic solutions. He did this, for example, when: his work with the Illinois Human Rights Commission resulted in a decision he argued before the U.S. Supreme Court which advanced due process rights for the nation; his work on child support collection practices for mothers on welfare succeeded in pressuring County government to adopt fairer, more efficient procedures and; in his last years, his work to reform Illinois condominium governance resulted in state appellate and supreme court decisions mandating more openness and orderliness in how condo boards operate. When he died, he was working on litigation to remedy some of the unfairness in the ways banks foreclose on mortgages. Gary was, of course, not the only poverty lawyer among our ranks who focused on systemic remedies. Another pioneer of clinical education, Gary Bellow, immediately comes to mind. Nevertheless, it's hard to think how our students and poverty lawyers in general could have any better role models for achieving law reform than these two Garys.

For the readers of this Newsletter, however, Gary P. will be most remembered for how he shaped, fought and sacrificed for clinical education. As others have recounted, Gary and others of the "gang of eight" instigated the strategies to start clinical education down the road toward the indispensable role it has played, and is still

fighting to play, in legal education. At the Mandel Clinic in the late sixties, Gary and Mark Spiegel pioneered methods for both supervising law students on real cases and operating a poverty law office in the peculiar environment of a law school. Generations of clinical teachers who either were his clinic students or, as in my case in the early seventies, had worked as clinical teachers under his leadership, are, perhaps, the best evidence of the debt we owe Gary for having blazed a pedagogical path that many now take for granted. And, finally, for those of us concerned with how the ABA Section of Legal Education has treated our status in the legal academy, including our job security and role in faculty governance, as well as how it has needed to do more to promote the admissions of minority law students, Gary has played a pivotal role by closely monitoring Section of Legal Education developments, devising strategies for change, criticizing everyone's shortcomings and always pushing hard for reform.

Gary was, of course, no Saint Francis. His adversaries in litigation, deans in the ABA power structure and even our own CLEA officers sometimes found him too uncompromising and antagonistic. In response, Gary rationalized a theory of "creative conflict," positing in the spirit of fellow Chicago Southsider Saul Alinsky that confronting the establishment with tough, uncompromising demands for justice and fairness would not only unsettle the status quo and wring concessions, but would also spur those of us who supported Gary's causes to push even harder. To those of us who favor

practicing and teaching "getting to yes" approaches to conflict resolution, Gary's antagonism could be discomfiting. Nevertheless, to me, and I believe others, it has been a continuing spur to greater introspection and fortitude. For example, when I had succeeded Gary on the Accreditation Committee and a dean "complimented" me for advocating the same positions as Gary, but being much "nicer" about it, I thought Gary would not be proud and I should be pushing harder against the committee consensus. When I did that, not surprisingly, sometimes it worked and sometimes not.

Which approach is more effective depends, of course, on the power dynamics of each problem situation. For most of us, however, being nice as the default makes for a more natural and happier way of living one's life. In "Gary's way" I believe there is, nonetheless, a lesson for our movement. We badly need outliers like Gary, who will show us what it means to be uncompromising both in upholding the principles we share and in holding all of us to account for living up to those principles. Without Gary for the last four decades as our movement watchdog and prod to fighting harder, we would not be where we are today.

What I should have said both long ago and many times is "thank you Gary" for what your life has meant to me and to the causes I most deeply believe in.

Remembering Professor Emeritus
Gary Palm

By Elliott S. Milstein

Gary Palm was a passionate champion of in-house clinical education. He was a warrior in the never-ending battle over faculty status, a fight that he carried on both for the benefit of all of us and, in the end, for himself. He was a member of the founding generation of clinical teachers and I had the honor of knowing him from the beginning. And, while we often disagreed on tactics, we shared the belief that because clinical legal education is important to the cause of justice, it is worth fighting for.

Gary believed that high quality clinical education is only possible if there is a permanent cadre of trained, committed, and able faculty members in place to achieve its goals. He also understood that the reform of law schools would only succeed if outside pressure moved them in that direction and if clinicians had political power within their law schools. He saw the importance of the ABA as a potential change agent and worked, sometimes as an insider and mostly as an outsider, to get it to play that role.

Gary was elected to the Council of the Section on Legal Education and Admissions to the Bar. He advocated, often successfully, for advancing the things that matter to us in the accreditation process, such as increasing requirements for experiential education, improving the academic rigor of externships, defining and enforcing the governance rights of clinical teachers, and ensuring the participation of clinical teachers in the accreditation process. During his term, he fought

against the infamous consent decree that the ABA agreed to that restructured the accreditation process. After his term ended he became an outside advocate for the things he believed. And, for the rest of his life, he carried on this fight, unafraid of irritating and angering some and still able to find allies among others. He also taught those who came behind him how to carry on the fight and became an important mentor to many.

It was in June of 1973 that I first met him. We were among the fortunate participants in a conference that the Council on Legal Education for Professional Responsibility (CLEPR) held (the Buck Hill Falls Conference) midway through its ten years of existence. Much that is now taken for granted was still in the formative stage in the development of clinical education. Would there be a law office in the law school or outside of it? Who would be the faculty and how would they be trained? What kinds of cases would students handle? What would be taught to the students? What was lawyering and how would we develop the knowledge we needed to teach it? According to the post-conference narrative, Gary spoke about the importance of community-based lawyering and of using the cases as the basis for student learning. With his unusual career trajectory, having come from a big firm rather than legal services and public defender programs like most of us, he seemed perfect to be at the conservative, elite University of Chicago.

Gary and I went on to attend other CLEPR conferences. He took the position that the seminar component of the clinical course should be built

around the students' cases while others (including me) advocated for a syllabus-based course built around a simulation. I later came to believe, as did many others, that both approaches were right and thus the clinical course should have both a syllabus based course and case rounds.

We both adopted the Bill Pincus view of what was important. Clinical education should be in-house, students should have responsibility for poor clients in the real world, close supervision should be provided by real lawyers who were full members of the faculty, students should receive academic credit, faculty needed to be trained, and the funding for clinical education should be provided by the law school. We attended more of CLEPR's conferences together. It was interesting to me to look at the roster of those who attended the 1973 conference and see that Gary and I were among the few there who spent the rest of our careers as in-house clinical teachers.

Our joint project came together at CLEPR's last conference in 1979, the legendary Key Biscayne Conference. Eight clinicians were somehow appointed to lead the effort to carry forward CLEPR's mission, Gary and I among them. And it was through this work that I got to see and benefit from his abilities as a leader, an advocate and as a negotiator. Within a few years we had successfully negotiated with both the ABA and the AALS to put in place some of the structures that have been central to the growth of clinical legal education. The AALS agreed to host an annual clinical teach-

Gary Palm Tribute

By Claudia Angelos

Gary Palm, a founder and leader of clinical legal education and its most inexhaustible advocate, died on February 14, 2016, at the age of 73.

Gary was an Order of the Coif graduate of the University of Chicago Law School. In 1970, he joined Chicago's faculty and became the director of its Mandel Legal Aid Clinic, where he had worked as a student, and where he stayed until 2000. He transformed the law practice of the clinic and the teaching of its students. Throughout his career and up until his death, Gary was deeply involved in the national clinical movement, both among us and as an advocate for regulation supporting and protecting our pedagogy. He was the first clinical teacher on the ABA Accreditation Committee and served for six years on the Council of the ABA's Section on Legal Education and Admissions to the Bar. He bedeviled those bodies on behalf of clinical education both while a member and afterward.

Gary was a powerful, provocative, and consequential member of our community. He is not easy to pin down. His combativeness and his kindness; his sense of outrage and his sense of humor. Many who knew him recounted memories, shared grief, and gave tribute to Gary in a series of emails that followed in the days after his friend and colleague John Elson announced his death on our listserv. These voices capture far better than I alone could the impact that Gary had on us all. They are reproduced below, starting with John's notice.

John Elson:

Dear clinical colleagues:

I am so sad to report that Gary Palm died today. The older among us will remember what a fighter he was for so long for clinical education, what an inspiration and mentor he was for generations of law students and clinical teachers, what a great strategist he was for advancing the clinical movement, what a force he was for progressive, systemic change in the law and how much he would go out for his friends. In his battles for what he thought was just, he alienated many people, and sometimes, even I thought he had gone a bit too far. But, he usually picked the right enemies and he was almost always vindicated. I wish I could have had more of his audacious resolve.

He was the most important person in my career, hiring me as a clinical fellow at U of Chicago's Mandel Legal Clinic in 1971, supporting me in every phase of my work in clinical education and being a loving friend to my late wife and my kids. From almost our first day in law school, we were best friends. For the last several years, he suffered from a variety of illnesses, which he fought against with incredible resolve.

I will miss him deeply and I know that feeling will be shared by a great many in the clinical community that he loved so much and that he labored for constantly throughout the last half century.

Kim O'Leary:

Oh John, this makes me so sad. Gary was a complete original. When I started teaching, he engaged me into conversations that were provocative and energetic and completely respectful.



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His advocacy through disruption (or whatever he called it), did alienate some, but almost always worked, at least to achieve many important goals. He wasn't afraid to call anyone on BS. But he was so kind. I know how much you will miss him. I will miss him, too.

Vanessa Merton:

What Kim said, exactly. Original, provocative, unafraid, indefatigable, kind and generous – and often funny as hell. Also, as John says, a brilliant strategist, savvy tactician, and artful, virtuoso advocate. I'd like to believe that he's already met up with Mr. Justice Scalia and is straightening him out about a few things. We shall not see Gary's like again.

Alan Minuskin:

Thank you, John, for letting us all know and for your words about Gary. He was courageous, inspiring, and unstoppable. My experience of him was similar to Kim's -- many provocative conversations that always left me with a much better understanding of our work, our workplaces, and the importance of the clinical education movement. As a young clinical teacher, I benefited greatly from his insight, tenacity, generosity, and humor.

Nina Tarr:

What a terrible loss. He did so much for so many.

Annette Appel:

What a loss. He was a funny and fierce and an original.

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Tribute to Gary Palm, continued*Richard Boswell:*

This is so sad. Gary was the heart and soul of the clinical movement. So many of us owe him so much for paving the way. I can't count the number of times he would send words of encouragement. You could always count on him and he will be sorely missed.

Suzanne Levitt:

How can any of us, in words, possibly express the loss of Gary? I can only really say that I am sad for those new and future clinicians, law students and colleagues that won't have the opportunity to know him personally. They will, though, know him through his work.

Jeanne Charn:

I echo the tributes and memories of Gary Palm – especially John and Kim's remarks. He was such an important, persistent, unique and loyal colleague in the founding years of clinical education and for every decade since. He was an original and will be greatly missed.

Paul Bennet:

Gary was a relentless advocate for all clinicians. And he never pulled any punches about doing the right thing.

Here are a few Gary Palm quotes from emails to this listserv.

"I reject allowing any political considerations to trump what is right."

"But most importantly, this action would be just."

"We cannot allow a further decline in minority enrollment and must act together as part of our commitment to equal justice and the elimination of the badges and incidents of slavery."

"unity should not mean unanimity. And as long as I am around, I can assure that it will not."

Claudia Angelos:

How, on his passing, to take the measure of someone so very consequential as Gary? To those of us who knew him, he was a ferocious, loving, deeply connected advocate for everything we believe in, our clients, causes, and students, and we know how much we owe him. For those of you who did not, the rest of us testify that we owe our pedagogy and our place in legal education in no small way to Gary Palm. His fearsome creative conflict kept us honest and moving forward; his extraordinary sense of mischief kept us laughing and on our toes. And he always drove me to the airport.

Mark Aaronson:

I first met Gary in spring 1970 shortly after he was hired to become the Director of the Mandel Legal Aid Clinic, which at the time was a neighborhood office of the Chicago Legal Aid Bureau located in the basement of the law school. It offered students extra-curricular opportunities to assist poor clients but had no connection to the educational curriculum. Having graduated from the law school the year before, I was a Reggie (the short designation for fellows directly funded by the OEO Legal Services Office) assigned to the Clinic and had spent the year not much supervised to work in the community and on legal aid cases. Because I was leaving shortly as my wife had a job elsewhere, I was concerned who would pick up some of the community work. One activity was working with grass roots activists in a poor black neighborhood just north of Hyde Park on police brutality and police non-responsiveness issues.

(Disturbingly and also sadly, not much has changed over the decades.) I took Gary to a nighttime neighborhood meeting. He had been working at a downtown corporate law firm before he had gotten the Mandel Clinic job, and at first he was somewhat taken aback about where we were and what had to be done. But he quickly enough became a strong advocate for social justice whose positions reflected deep ties to community activists and neighborhood residents. He also became a much needed thorn-in-the-side to the Chicago Law School faculty, which did lead to dramatically transforming the Mandel Legal Aid Clinic but for which he paid a deep price in the end. When more than 20 years later I was hired by UC Hastings to start its in-house clinic program, Gary was there to make sure that I never lost sight of the need to push from the left to help make sure that clinical legal education did not veer off track in its efforts to achieve much-needed changes within law schools and within the larger society.

In a good sense, Gary was a pariah. He was an outsider who said what had to be said whether popular or not. He was truly authentic in his convictions, in his bearings, and in his soul. The world is a lesser place without him.

Margaret Martin Barry:

I agree with Richard thoroughly -- Gary was indeed the heart and soul of the clinical movement. Not only would Gary send words of encouragement, he offered keen insight into the consequences of certain decisions and what needed to be done.

Jane Aiken:

I think it is safe to say that clinical legal education would not be where it is today without Gary. He was fearless. He was the person who would name the harms, demand accountability, remind us of our responsibility. It was often uncomfortable talking with Gary only because it required me to see clearly and to recognize when I was not courageous enough to speak truth to power. Yet I always loved seeing him and talking with him. I learned something every time. He was our soldier and our deep abiding friend. I hope Gary can somehow feel all of this deserved appreciation. Such a tremendous loss.

David Moss:

Gary was already a "clinician in exile" from the University of Chicago by the time I entered clinical teaching, but he continued to be a leader in the clinical community long after most people retire. He was a larger than life figure, a tireless dog with a bone between its teeth, deeply committed to transforming legal education and the world. Yet some of my favorite memories from clinical conferences are long one-on-one conversations with Gary in which he revealed himself to be a golden retriever at heart, rather than a pit-bull. The world is a lesser place for his passing.

Carrie Kaas:

I am loving all these memories of Gary, as it is helping me to truly pause to honor him at his passing. If you did not know Gary, folks, I hope you, too, pause to read these tributes. We all owe so much to this man. For example, CLEA is taken seriously now at ABA Council meetings, and Gary is

the one who assured that would happen-- not by paving the road, though-- by dredging up the muck that would later allow the smoother road to be paved.

I agree with all that has been said and will share something new: -- when he served on the ABA Council, I was just getting active in CLEA leadership. I went to observe and testify at a meeting in 2001. I discovered Gary was refusing to stay in the fancy resort where the meetings were and where everyone else was staying; he was down the road in a cheap no-tell motel. He said that no one should be getting "too comfortable" at that time in Legal Education, and it was just too obscene how much money was spent on those meetings. He made a statement just by entering the room, indeed.

Jeff Pokorak:

I met Gary sometime in the early 90's when I was at St. Mary's. He was all fire-breathing then, and tireless to boot. One year in the mid-90's, the ABA standards and review committee met in San Antonio. Gary flew down from Chicago and press-ganged me into joining him at the meeting. What fun! He thereafter was a great supporter and mentor to me -- he was fiercely loyal (and lovingly conspiratorial) ever after. Certainly, Gary annoyed many from time to time, but his kindness towards me and remembering him at that meeting twenty years ago always kept my heart firmly in his corner. And I have tried to honor him by befriending, mentoring and, when called upon, recommending and promoting younger clinicians.

Even for those who never met him or only knew him recently, perhaps we

can all (try to) live up to his ideals by continuing to advocate on behalf of our community both institutionally and in the personal connections we make with each other.

Steve Wizner:

Gary Palm certainly made his presence known as a moral conscience and gadfly in the world of legal education, both as a clinician and from his pulpit in exile. We will miss his sometimes strident, but always highly principled voice.

Bryan Adamson:

What a loss to the clinical community. When I joined in 1995, it was Gary who most struck me as the most authentic, outspoken and passionate advocate of clinical education--despite the professional costs. That's what it means to stay true to your convictions. Rest in Power, Gary. Thanks for sharing your gifts.

Sue Bryant:

I join in celebrating Gary and celebrating his many contributions. Many of you have already given wonderful tributes in which I heartily join. I will add a few more Gary stories. I first met Gary in Rockport, Maine in the early 80s at what I think was the 3rd AALS sponsored clinical conference, we were co-facilitators of a small group as I recall. I remember him remarking on our second or third day of the then 7 day clinical conference that he had come to the conference highly suspicious of the new clinical "pedagogy." He thought we might be being bought out by our non-clinical colleagues and moving away from our social justice origins.

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After a few days of "reflecting on our reflections," he remarked something like - "I get it this is just about creating really good lawyers for poor people!" Gary was in his own way always a learner as well as a teacher and always committed to social justice. Did I mention he also played golf in the dense Maine fog during a conference afternoon off?

He had some tough last years but it didn't stop him. He moved through life with purpose.

Peter Joy:

It has been touching to read all of the tributes, especially because I share a great sadness in Gary's passing. As many have pointed out, Gary often pushed us as a community and individuals to do more, often at times when we thought that we were doing more than enough. I know this is especially true for most of the presidents and co-presidents of CLEA and any clinician who has had any position with the ABA. Gary also pushed himself hard, and he worked exceedingly hard, helping to engineer the first improvement in status for clinical faculty through the ABA's passage of what was originally Standard 405(e) (now Standard 405(c)) in 1984. This was in the face of considerable opposition from several prominent deans and the AALS Executive Committee. We all owe a lot to Gary who worked hard to help lay the foundation for a strong clinical community.

Kate Kruse:

When I started in clinical legal education in the 1990's, Gary was "the guy" on ABA issues. I remember him coming to Midwest Clinical Conferences and drawing org charts of the ABA

Council for Legal Education on the whiteboard and explaining the opportunities and threats to the status of clinical professors.

When I rose to leadership on ABA advocacy as CLEA Secretary and President ten years later, Gary was definitely "the gadfly," applying his techniques of creative disruption to CLEA's ABA advocacy. I can say it was exhausting to be on the other end of that technique! But in the end, Gary was right. A position that CLEA was taking had unintended consequences that only Gary had spotted—and he helped us correct our course.

Through it all, Gary was an absolute delight to be with in person—funny, passionate, caring, and uniquely charming. I will miss him.

Binny Miller:

I am moved by all of these tributes to Gary. I first met Gary in 1981 as a student in the Mandel Legal Aid Clinic at the University of Chicago law school. He was the director of the clinic and a force of nature, both loveable and intimidating. I joined the clinic at the beginning of my 2L year and stayed for 2 years. Although Gary was not my clinic supervisor I saw that his intellect was incredible; he is one of the few people I have met who I consider to be a genius. And he used his intellect in the service of poor people. I also admired him for living a very simple lifestyle without the comforts that many of us in academia have become accustomed to. Back then, besides lawyering and clinical legal education his passions seemed to be watching baseball (the White Sox, I think?) and playing that uniquely Chicago-style softball with the 16-inch ball.

When I saw Gary at a clinical conferences he would greet me with his booming voice and admonish me for not accepting his offer of employment to work in the clinic after my 1L year. I reminded Gary that I had not been offered the position and that a fellow student named Bonnie had been offered the job. It was a need-based work study position and Bonnie's need for financial aid was determined to be greater than mine. Over the years Gary continued to insist (while laughing) that I had turned down a great opportunity to work with him. I think he was joking, but with Gary it was sometimes hard to tell, and part of me thinks that he really did think that I turned him down.

To tell the truth, I think what Gary was really upset about was that Bonnie was not very sports-minded and broke her finger playing softball on the clinic team that summer. I was a pretty good softball player and I think Gary wanted to have me on the team.

Like so many others, I deeply admired and respected Gary.

Patricia Lee:

We will miss Gary's practical advocacy, powerful voice for clinical education and his intellectual acumen. I first met Gary at The University of Chicago Law School in 1998. He would pop by the clinic on entrepreneurship to chat with me about how we could help his clinic clients, those who sought to move beyond welfare. At first, it seemed Gary was skeptical of the power of entrepreneurship, but I believe each time a referred client was served he could see that welfare to work and welfare to self-sufficiency were just

Tribute, continued on p. 17

different sides of the same coin. I learned about social justice from Gary and thank him for caring so very deeply about the people in our communities.

Sue Kay:

I was so sad to see John's email. When I was a new clinician, Gary was so supportive and encouraging. He gave of his time and support without limit, and he taught me to be a better clinical teacher and a better person. While we all remember Gary as the fighter and fierce advocate, I will also always remember Gary as the sweet person who enrolled my dog in the Orvis toy of the month club and how happy I was each month to receive a new toy for her. In addition, at every meeting, he would bring along another chew toy for her. (We even have a Hillary dog toy, thanks to Gary). Whenever I see my dog happily carrying one of her toys around the house, I think of Gary and smile.

Bob Seibel:

It has been really helpful to read the stirring and varied tributes to Gary. It helps ease the pain to remember the many happy and positive moments. In some ways it seemed like Gary did not care if you liked him, and that made you like him all the more because he was genuine, and you immediately would be in awe of his commitment to people and justice.

I had the good luck to start clinical teaching in 1979 across town in Chicago at Kent Law School, but I did not get to know Gary until 1980 when David Gottlieb and I organized a weekend regional clinical gathering in Chicago. Gary led a group to dinner at a Greek restaurant. When the res-

taurant was not ready to seat us Gary persuaded the maître d to serve us complimentary Ouzo until we got seated. You can guess where that led. Gary knew how to make the most of a situation and have fun. He was the conscience of generations of lawyers and clinical teachers.

Even if you did not know him you will miss him.

Conrad Johnson:

Gary was a consistently strong and sincere voice for inclusion and principled action. Like so many others, I will miss him.

Chuck Weisselberg:

I've been reading the amazing tributes to Gary Palm. He touched so many people, and he was such a power within the clinical movement.

Gary Palm and Mark Heyrman gave me my start in clinical teaching; they hired me as a one-year visitor in 1984 when Mark took a leave. Gary was one of the most forceful people I ever met. He was equally demanding of students, colleagues, and state agencies. I don't think that he ever directly answered a student question on a procedural issue. He always sent the students back to the books ("read the rules," he'd incant).

Having been exposed to Gary, I learned how to read the rules. He was demanding of colleagues--he really could be tough--but he was very generous with his advice on legal strategies and teaching methods. I often went to Gary for guidance. And I wouldn't want to represent the state against Gary. Even when he thought that a state official might be sympathetic, he did not hold back. Gary was fond of saying that we had to be pre-

pared to sue our friends, and he practiced what he preached.

Peter Joy mentioned Gary's advocacy in 1984 when the ABA promulgated former Standard 405(e), relating to status for clinical teachers. Among other things, Gary helped lead a group of clinicians in lobbying ABA delegates at the August ABA meeting, which happened to be in Chicago.

This was my introduction to the clinical movement. Gary was unrelenting, sending us out as foot soldiers, attending meetings, and pushing for a floor fight. Just minutes after the ABA adopted a soft version of the standard, Gary and the late Bill Greenhalgh led a discussion of next steps, including possible litigation. He didn't want to bother to wait and see how the schools would act under the new standard.

As others have written, Gary was a complete original. I am personally grateful for his mentorship and his toughness. We all owe him an enormous debt.

Elliott Milstein:

Gary was there at the beginning and was a true believer in the CLEPR gospel that every law school should have a teaching law office, staffed by faculty, in which students would represent real clients and learn to be ethical, socially responsible lawyers. And, he spent most of his life fighting to realize that vision, regardless of the cost to him.

Gary was one of the eight members of the Key Biscayne Group Steering Committee, the group charged in 1979 by William Pincus and our colleagues to carry on the political struggle for clinical education after CLEPR was gone.

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I was very lucky to get to work closely with Gary and to learn from his commitment to our cause and his advocacy on its behalf. He was relentless as we pushed and negotiated with the leadership of the AALS, the ABA Section on Legal Education and the Department of Education. We agreed on our goals but sometimes differed on strategy. Arguing with him was always an adventure but what came out of it was remarkable success. By the time our work as a group was done, among other things, the AALS had agreed to host an annual clinical teachers conference, and the ABA had agreed to include a clinician on every site inspection team. And, the regulations that came to determine how federal funds would be distributed by the Department of Education ensured that clinical education as we defined it would survive and grow. All of these things that we now take for granted were the product of planning, struggle and advocacy and none of them would have happened without Gary's understanding of what was required. His strong voice was central to our success.

Gary went on to become a member of the ABA Council on Legal Education and Admissions to the Bar and even after his term ended, he focused his advocacy there. He pushed, he complained, he proposed and never gave up the struggle. Fortunately for us, he trained many of our colleagues to carry on his work. Whatever continuing success we have in the ongoing attempts to change the accreditation standards can be traced back to the paths that he left behind.

Bob Dimerstein:

Weighing in late on the very sad news of Gary Palm's death allows me

to write "me too" to the many poignant and insightful things folks have written. Gary the strategist, Gary the poverty lawyer, Gary the advocate, Gary the mentor, Gary the generous friend, Gary the very large thorn in the side of the powers-that-be, Gary, one of the clinical founding parents—all true.

Gary's intelligence and persistence were well known, but perhaps less well known was his wonderful sense of humor and puckishness. After he and I appeared some years ago in US District Court for the District of Columbia to oppose the proposed consent decree between the ABA and DOJ, he decided that we were functioning as spies and on a later trip to DC he visited the Spy Museum and gave me various paraphernalia of the spymaster's craft. He took particular delight in the DC practice of entering an appearance through a praecipe, a curiosity that never ceased to amuse him. For some time, he insisted on calling me "Rob" instead of "Bob" after someone in legal education who purported to be a good friend of mine called me that at a meeting he attended.

If Gary thought that you were not advocating forcefully enough for a position he deemed critical, he'd certainly let you know it, but if he thought you had done so he was unstinting in his praise. He did not suffer fools gladly and delighted in cutting down to size those who pontificated and bloviated. He fought just about all of the good fights that the clinical community has had to wage over the last 40 + years. He did much to create and sustain the clinical community, and we will miss him dearly.

Sally Frank:

I have spent the day reading the many tributes about Gary. What a sad day it has been. Yet there has been comfort to know that we are all mourners together. Gary was truly a treasure that we were blessed to share.

I met him in the early 90's. Many have commented on Gary's tremendous accomplishments and organizing for the clinical community. I witnessed it from before CLEA was organized. Gary also stood up for many of us when we needed an ally. There have been several occasions in which I have faced struggles. Gary was always willing to lend his support. In turn, I celebrated with him when he settled his case with the University of Chicago. Gary fought for us and then had to fight for himself. I'm sure he's not only arguing with Scalia but he is up there still arguing for all the poor and oppressed as well.

Anita Weinberg:

One word I have not yet heard used, but was certainly my experience with Gary – along with the other descriptors – was his memory – his ability to recall people, events, times, places.

I met Gary long before I knew what clinical education was. I was a senior in high school, with the opportunity to spend a month interning somewhere I thought I might someday be interested in working. A legal clinic that recognized the importance of law and of social work (so rare then) was where I thought I wanted to be – and U of C's Mandel Legal Aid Clinic provided that, and more. Gary was my supervisor for that month. I didn't see Gary for

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another 20 years – when, as a newly minted clinician, I found myself at a meeting at the Clinic and timidly wandered in to his office to say a belated thank you and tell him where that month had led me. It was Gary who reminded me of my assignment, my findings, and shared with me the results of my research.

I don't know if the U of C was the first University legal clinic to include social workers, but it certainly was among the first – laying the ground work for others to follow. Gary was a strong supporter of social workers and lawyers working together. And as Michelle Geller, the social worker at Mandel once explained, Gary encouraged social workers to find their voice while working with lawyers – not an easy task, but a lesson one could learn and perfect while working with Gary.

Peter Hoffman:

I met Gary sometime in 1975 when I interviewed with the dean and Gary for a position at the Mandel Legal Aid Clinic. I ended up accepting another position, but was very impressed with Gary. I agree with everything others have said about Gary's political wisdom, his efforts to improve the status of clinicians and clinical legal education, and his spirited battling on behalf of the disadvantaged. Important as these are, they are not why I remember him so fondly.

What made Gary special for me was his willingness to engage in long and thoughtful discussions about clinical teaching methods. He was deeply analytic about clinical teaching and brought a fresh perspective to how best to teach in a clinical setting. He was provocative and challenging and often made me think differently about

what we were supposed to be doing in the clinic. I became a better clinical teacher because of Gary for which I am forever grateful. He is missed.

Paula Williams:

Thank you to all who have shared stories about Gary. I, too appreciated Gary's commitment to social justice and clinical education. His advocacy with AALS and the ABA helped to bring clinical legal education to a position of prominence in the academy. He was especially helpful to me during my year as CLEA president. And I must say, Gary and I shared some of the best dinners ever over the years.

Michael Bryce:

I also met Gary in the early 90's when I began a clinic at St. John's Law. I was amazed by Gary's individually powerful approach to most everything. At the annual and clinical AALS meetings he was like a force of nature as he strode through the halls encouraging and cajoling on so many issues facing clinicians. And, it is a good thing he did!

Roget's editors might be surprised that one person could be described by so many adjectives: "feisty, passionate, combative, resilient, interesting, tenacious, bristling, stouthearted, friendly, intense, relentless, true, unshakeable, cantankerous, brave, resolute, gritty, indefatigable and caring for the less fortunate." His work with the Section on Legal Education was so important and the similar battles he and John fought in the early 90's were also precursors to later gains for clinicians. Gary later also fought hard for consumer rights in very lengthy consumer/condo housing litigation that concluded in the past two years. The latter while not taught in a clinical set-

ting is a model for law students on how to be an excellent litigator.

Alex Scherr:

So many have said so much about Gary that matches my own friendship with him that I hesitate to add anything more. But Paula's email reminds me of a dinner that she and I and several others had with Gary in the mid-2000's. We had gathered in Roanoke, VA to persuade an incoming chair of the Council on one issue or another . . . another in a series of disruptive initiatives that Gary pursued. We had dinner in a very nice hotel, with Gary playing the host and regaling us with stories and advice.

It was also the holiday season, and Gary made sure that we each had a gift: a small crystal decorative palm tree. I still have that damn palm lingering near my desk . . . as Gary will linger long in my memory.

Jon Dubin:

I remember Gary for his advocacy and generous personal mentorship on a variety of issues from poverty law strategy to advocacy of law school minority student and faculty inclusion and diversity, to basic clinical teaching matters when I started out in the early 90s. But my most vivid memories of Gary are from his advocacy on behalf of clinical educators --an issue I think he owned as much as anyone. As a clinical director at two different law schools which required advocacy to obtain for cause job security and faculty meeting voting rights for most clinical faculty, I sought Gary's counsel and Gary was a wonderful source of information, encouragement, strategic advice and inspiration.

Tribute, cont'd on p. 20

Tribute to Gary Palm, continued*Ann Shalleck:*

Thank you to everyone who has written so movingly about Gary. You have created for us all a shared remembrance of a beloved member of our community. Each of us fortunate enough to have encountered some aspect of Gary's extraordinary commitment to and engagement with the creation of a world where clinical education is basic to legal education has been able to connect our own encounters with Gary to a collective sense of his meaning to us all. Those who didn't get to know Gary may have a sense of how fortunate we are to have had founders and mentors who have made possible the remarkable world we recreate daily. These tributes sustain us all.

Virgil Weibe:

[Referring to a published photo of Gary at the Mandel Legal Aid Clinic in the 1970's] Dang, those are some great sideburns. Maybe at the clinic conference, we can get some stick-on sideburns. He'd get a kick out of that.

Gary Palm

by Roy Stuckey

The first time I met Gary was in 1979. We were in Key Biscayne, Florida, attending the final CLEPR-sponsored conference. It was a perilous time for clinical legal education. CLEPR funding and leadership were about to disappear, most clinical teachers had no job security, and clinical teachers had virtually no presence within the ABA or AALS. Although a new federally funded program was on the horizon, we learned during the conference that the AALS had convinced Congress to allow some of the money to be spent on empirical research projects. Feeling double-crossed, the fifty or so clinical teachers at the conference held a private meeting to discuss what we could do to protect the federal money and to consider how to promote other interests of clinical teachers.

Gary was at the meeting, red in the face, steam pouring out of his ears, and banging his fist on the table. That is my first memory of Gary Palm. I did not know it at the time, but from that moment on Gary and I would be comrades in arms and trusted friends.

Gary loved a good fight when he saw a chance to correct injustice or unfairness. His battles were never personal. They were about issues; about doing the right thing. I never heard Gary say an angry or mean thing about his adversaries. In his view, they were just not weighing the competing values correctly, and it was Gary's responsibility either to educate them about the virtues of his positions or to find ways to bypass them and get to the correct solutions without their

support. He was not successful every time, but he was successful a lot of the time.

If there is a heaven, one might wonder what Gary is doing today. There is no injustice or unfairness in heaven. There are no causes to fight for. So, what is Gary to do? No problem. While Gary had a passion for causes, he also had a passion for life beyond his professional work. He found joy in many things, and hopefully he still does.

If so, Gary is wandering the galleries of his much-loved Art Institute of Chicago. This summer, he will be at the U.S. Open, which he attended for many years. He can play bingo, bango, bongo at Pebble Beach again whenever he wants. He can golf with friends in Rockport, Maine, but this time the foursome will not have to quit on the sixteenth green. You don't run out of balls in heaven. Most of all, Gary is trading stories with old and new friends, inquiring about their families with sincere interest, and still trying to do the right thing.

Goodbye Gary. And thanks.

Roy Stuckey



Things I Wish I Knew When I Began Clinical Teaching

by

Margaret Martin Barry

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 dlhughes@wayne.edu.

I knew that I was working with extraordinary folks when I began my teaching career at Catholic University's Columbus Community Legal Services. It was a slightly different experience at my first clinical conference. I remember thinking, "Who are these people?" and "Are they for real?" Indeed, they were for real and by my second clinical conference I was beginning to think that I wanted to be a part of the movement they spoke so thoughtfully about.

Clinical teaching presented considerable mountains for me to climb. I wanted to do well by my clients and to have an impact on the crushing problems that defined too much of their lives. I wanted my students to

also care about and do well by these clients. I wanted to learn as much as I could about how to help students become the kinds of lawyers who could effectively bring about change. I wondered how I could do that when I doubted I could effect significant change myself. I wanted to contribute to the dialogue about clinical teaching, connecting with people who seemed to be vigorously climbing and reaching peaks in the same mountains.

What I wish I knew when I started clinical teaching was that being on the path at all was an incredible gift. I understood that but did not know it. I needed to take in a lot more than I was managing to do. Running between the demands at work and demands at home, and trying to be the responsible actor in both is not good enough. It's far more important to find and cultivate the joy on each front, and I think I would have felt more successful if I had discovered this approach.

Personally, I kept losing people I love and was not able to integrate the losses. With each death, my own story crumbled. I patched things over abysmally each time, left with regrets and sowing more regrets.

Professionally, I spent a lot of time focusing on teaching sets of skills — building client relationships, empowering clients, case development and analysis, file management, trial, systems change. I worried about how students were processing the danger their clients faced, and often ignored how I was

processing it. Domestic violence perplexed me at the core, just as raw hatred and its relationship to love is so inevitably perplexing and disorienting. There was a lot to master, but I would have done better to instill true excitement about our potential to help. I was aware enough to want to do this, but I felt myself struggling with the limitations of legal intervention without sufficiently conveying the value of the opportunity my students had to make it work.

Reading *ROOT AND BRANCH*¹ recently reminded me of the power of the law to achieve change. Thurgood Marshall's collaboration with his professor and mentor Charles Hamilton Houston to attack segregation is an inspiring model, including the fact that the greater equality they sought remains ephemeral. Instilling excitement fosters the resilience to keep thinking creatively and energetically about how to make things better, even if that fight is constant. That is fundamentally what I think our work is about, as I look up from the foothills.

My abiding sense has been that many clinic colleagues are doing just that — inspiring students with the work they do and how they do it. So I spent a good part of my time trying to make sure that this group of law faculty are institutionally established and respected. In truth, I hated the thought of the second-class status, so comfortably justified by some faculty colleagues.

Continued on p. 22

Things I Wish I Knew When I Began Clinical Teaching continued

I saw clinics as the part of legal education that had the greatest potential to promote the vision of lawyering that mattered – so, how could our colleagues draw lines justified by inferiority? It had a familiar, irrational strain.

Clinical teaching has traveled from the periphery of legal education to an uncertain point of inclusion. In the paradoxical way that inclusion tends to play out, I worry that the vision of what is important in the practice of law is suffering in the course of this travel. Looking back, I wish I had

spent more time nurturing that vision in myself and sharing it. I wish I had been more honest with myself about the value of goodbyes and facing grief. While I wish I knew the most important things to focus on and had spent my time working more thoughtfully on them when I began my journey as a clinical teacher, I remain grateful that this has been my path – despite how haltingly traveled.

Notes

¹ RAWN JAMES, JR., ROOT AND BRANCH (2010).

Remembering Professor Emeritus Gary Palm, by Elliott Milstein

continued from p. 12

ers' conference and has done so ever since. It created a Committee on Clinical Education that still advises its Executive Committee on matters of concern to clinical teachers. The ABA reconstituted its Skills Training Committee that has helped with the adoption of pro-clinical standards over many years. It agreed to include a clinician on every site-evaluation team and it still does. And, perhaps most importantly, the ABA adopted an imperfect but quite positive standard on the faculty status of clinicians. We also were able to influence the Department of Education regulations that governed the distribution of the Title IX federal program that used to fund clinical education. And, we ensured that clinical teachers would be the grants readers that distributed those funds

and that the program would advance the CLEPR vision of what clinical education was to be. As a whole, the things that we put in place made it possible for clinical education to flourish and become a permanent part of legal education.

Gary Palm was an essential player in all of this. He spent his whole life carrying on this work. He focused his advocacy on the ABA (and I focused mine on the AALS) and he never stopped. We were so fortunate to have him as a member of our founding generation. He was smart, committed, passionate, generous, and zealous. All of us who worked with him will always find motivation in remembering his distinctive voice, urging us on, challenging us, and supporting us.



Margaret Martin
Barry

is Associate Dean
for Clinical and
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Programs and
Professor of Law

at

Vermont Law School.

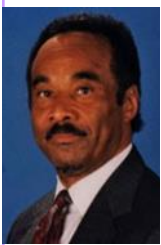
She can be reached at

MBARRY@vermontlaw.edu.

The *Clinical Law Review* will hold its next Clinical Writers' Workshop on Saturday, September 24, 2016 at NYU Law School.

The Workshop provides 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. 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, 2016**. Applicants for travel and lodging 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. Comments and suggestions should be sent to [Randy Hertz](mailto:Randy.Hertz).

Good News : Moves, Honors & Promotions



Robert "Bob" Holmes (Rutgers), Director of the Community and Transactional Lawyering Clinic, Deputy Director of Clinical Education, Clinical Professor of Law, and C. Clyde Ferguson Scholar, was named a recipient of the University's Human Dignity award renamed after the late beloved urban historian, Professor Clement A. Price.

Professor **Patience Crowder (Denver)**, Community Economic Development Clinic, was recommended for



promotion to Associate Professor with Tenure.

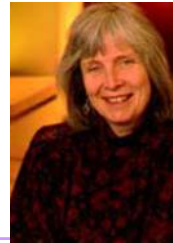
Frank Askin (Rutgers)

ACLU of New Jersey, Light of Liberty Award, March 2016;

Rutgers University Distinguished Service Medal, April 2016



Several faculty received the **University of Maryland-Baltimore's** Dr. Martin Luther King Jr. Special Diversity Recognition Award for planning and teaching a special topic course titled, Freddie Gray's Baltimore: Past, Present and Moving Forward, including **Barbara Bezdek, Doug Colbert, Deborah Eisenberg, Toby Guerin, Sara Gold (pic not available), Leigh Goodmark (pics on pgs. 5, 29), Renée Hutchins, Susan Leviton, Michael Pinard, Maureen Sweeney, Ellen Weber and Deborah Weimer.**



Toby Merrill (Harvard), Lecturer on Law and Clinical Instructor with the Predatory Lending and Consumer Protection Clinic, was selected as an "Up and Coming Lawyer" by the Massachusetts Lawyers Weekly.



Leah Hill is now the Associate Dean for Clinical and Experiential Education at **Fordham** Law. She is in her 20th year at Fordham. As Associate Dean, Leah provides leadership for the extraordinary range of experiential opportunities, including live client clinics, externships, trial advocacy, Pro Bono Scholars and lawyering skills.



Nekima Levy-Pounds (Univ. St. Thomas) named [People to Watch 2016](#) by Minneapolis/St. Paul Business Journal.



Randi Mandelbaum (Rutgers) Co-Dean's Award for Distinguished Service, Oct. 2015



Barbara A. Babb (Baltimore), has been named editor-in-chief of the *Family Court Review* by the Association of Family and Conciliation Courts. [Press release.](#)



Good News : Moves, Honors & Promotions

CLINICAL LEGAL EDUCATION ASSOCIATION



Fernando Ribeiro Delgado (Harvard), a clinical instructor with the HLS International Human Rights Clinic, was awarded the Shatter the Ceiling Award for Excellence in Integrating Critical Race Theory into the Curriculum by Students for Inclusion and the Shattered Ceiling Committee of the Harvard Women’s Law Association.



Geetha Sant, director of the Entrepreneurship and Intellectual Property Clinic at **Washington University School of Law**, received the Legal Scholar Award as part of the Missouri Lawyers Weekly’s 2016 Women’s Justice Awards for “work with the justice system through her research or scholarship and through teaching and inspiring others.”



Professor **Robin Walker Sterling (Denver)**, Criminal Defense Clinic) was recommended for promotion to Associate Professor with Tenure.



Professor **Ronald Tyler (Stanford)** was promoted to Associate Professor of Law. Professor Tyler directs the Criminal Defense Clinic.

Joanne Gottesman (Rutgers)



Co-Dean’s Award for Distinguished Service, Oct. 2015

Professor **Bob Burdick**, Director of **Boston University School of Law’s** Civil Litigation Program, has been awarded BU Law’s Public Service Leadership Award. The award recognizes Professor Burdick’s commitment to teaching the value of pro bono work to his students, and his commitment to public service legal work.



Patricia Whiting, a Senior Clinical Instructor at the **Harvard** Legal Aid Bureau, was honored at the 3rd Annual Harvard Law International Women’s Day. Ms. Whiting teaches law students in the Housing Practice and coordinates HLAB’s participation in the Attorney for the Day Program in Boston Housing Court.

Mae C. Quinn (Washington Univ.) has been invited to serve as the inaugural Director of the Roderick and Solange MacArthur Justice Center (MJC) in St. Louis, which will open this summer. The St. Louis office will join the efforts of three other MJC locations, including the Chicago headquarters at **Northwestern** Pritzker School of Law.



Tamar Birckhead (UNC) will be Visiting Clinical Professor of Law at Yale Law School from July 2016—June 2017. She is scheduled to teach the Juvenile Defense Clinic and the Criminal Defense Clinic.



American University, Washington College of Law is pleased to announce that starting in Fall 2016, **Anita Sinha**, now a practitioner-in-residence in our Immigrant Justice Clinic since 2012, will join the tenure track as an assistant professor and director of the law school’s International Human Rights Law Clinic. Congratulations, Anita!



Mike W. Martin (Fordham) was promoted to Director of Clinical Education and serves as the Executive Director of Lincoln Square Legal Services, Inc., Fordham’s incorporated, not-for-profit legal services firm. He supervises one of the oldest clinics, the Federal Litigation Clinic, and also runs Fordham’s summer study abroad program in Ireland.



Professor **Laura Rovner (Denver)** (Civil Rights Clinic) was recommended for promotion to Full Professor.



The AALS Section on Clinical Legal Education is pleased to announce that **Perry Moriearty**, Vaughan G. Papke Clinical Professor in Law at the **University of Minnesota School of Law**, has been selected as this year's recipient of the clinical section's Shanara Gilbert Award. **The award will be presented to Perry during a luncheon at the Clinical Legal Education Conference in Baltimore on Sunday, May 1, 2016.**



Designed to honor an "emerging clinician," the award is presented to a clinical professor with ten or fewer years of experience who has (1) a commitment to teaching and achieving social justice, particularly in the areas of race and the criminal justice system; (2) a passion for providing legal services and access to justice to individuals and groups most in need; (3) service to the cause of clinical legal education or to the AALS Section on Clinical Legal Education; (4) an interest in international clinical legal education; and (5) an interest in the beauty of nature (desirable, but not required).

The nomination materials detailing Perry's many accomplishments note that Perry's work on race and criminal and juvenile justice issues is an archetype for how a clinician can combine teaching, scholarship, and law reform advocacy. As the co-director of the University of Minnesota Child Advocacy and Juvenile Justice Clinic, Perry led her students into work on cutting edge projects related to the United States Supreme Court's 2012 decision in the case *Miller v. Alabama*. This work has had a national impact on issues of race and justice in criminal and juvenile arenas.

Perry's work on the *Miller* retroactivity issue has garnered substantial attention among academics, advocates and the media. Her 2015 article, *Miller v. Alabama and the Retroactivity of Proportionality Rules*, 17 J. CONST. L. 929, 981 (2015), has been featured in both local and national commentary, and was the subject of SCOTUSblog's September 29, 2015 Academic Highlight. In January 2016, in *Montgomery v. Louisiana*, the Supreme Court held that *Miller* is retroactive, and Perry's article was quoted and cited extensively in amicus briefs. Perry's work on the issue of juvenile life without parole has also led to her to act as an advisor on related matters outside of Minnesota. She has worked with national litigators, including Bryan Stevenson of Alabama's Equal Justice Initiative and Marsha Levick of Philadelphia's Juvenile Law Center, on coordinated litigation strategies at the Eighth Circuit and Supreme Court levels.

In addition, Perry is rapidly becoming an important voice in the scholarly community. She published a series of articles based on her research on race and juvenile and criminal justice issues that have made an impact not only on scholarship in this field, but also on public policy. Her work has been cited in some of the leading law reviews, but it also has provided support for litigation by racial justice advocates and has been used in legislative debates.

Perry routinely extends her work into the public service arena. In addition to her clinical teaching and scholarship, she has played a critical role in legislation, policy and public advocacy on race and criminal and juvenile justice matters. Over the last four years, at the request of the McArthur Foundation in 2012, she has been coordinating a state-level effort to draft and enact a multi-pronged progressive juvenile justice bill.

Perry served on the CLEA Board for four and a half years and has also presented workshops and led working groups at a number of the AALS conferences over the last several years.

Last year, Perry and her students worked with Carolina Rojas Flores, a human rights attorney and clinical professor at the Universidad Catolica de Oriente in Colombia who specializes in penitentiary law, on the development of her clinical program. This work was part of the University of Minnesota's USAID/Higher Education for Development (HED) human rights partnership with four law schools in Antioquia, Colombia.

Finally, Perry is an avid hiker, camper, kayaker and runner, spending as much of her free time as possible in undeveloped wilderness. Perry has kayaked portions of the Sea of Cortez and backpacked through areas of Maine and Colorado. She and her husband have also climbed Mt. Kilimanjaro.

Please join in recognizing Perry for her many accomplishments and contributions. We look forward to celebrating her work together at the conference in Baltimore.

Good News : Moves, Honors & Promotions



Ian Weinstein (Fordham) was recently awarded "Public Service Faculty Member of the Year"

by Fordham students and the Public Interest Resource Center (PIRC) for his commitment to public interest through his professional work, teaching, mentoring and support to students involved public service, and scholarship.



Laura Rovner (Denver) was named to 5280 Magazine's Top Lawyers 2016 list in

the Civil Rights category. Rovner, associate professor and director of the Civil Rights Clinic, was one of nearly 400 lawyers in 49 specialties named to the magazine's second annual list (January 2016).

Robert Greenwald received one of four inaugural Teaching & Advising Awards from the **Harvard** Law School Student Government and will be honored at a luncheon in April 2016. The Award recognizes both exemplary instruction and the ability of an instructor to inspire personal and intellectual development outside the classroom.



Jenny Roberts (American) received the 2016 Alumni Faculty & Staff Award for her law school's Public Interest/Public Service Scholars (PIPS) program (award for "enduring contributions as public service advocates and for their support of the PIPS Scholarship Program.").



Suffolk's Board of Trustees voted to approve the tenure of Associate Clinical Professor **Maritza Karmely**.

This fall Professor **Christine Cimini** will become the Associate Dean for Experiential Education at the **University of Washington** School of Law. Currently Christine is at **Vermont** Law School where she serves as Associate Dean for Research and Faculty Development and directs the school's externship program.



Professor **Juliet Brodie (Stanford)** was honored last spring with the John B. Hurlbut Award for Excellence in Teaching by the class of 2015. Juliet is the Associate Dean for Clinical Education and the Director of the Mills Legal Clinic and the Community Law Clinic.



Professor **Tamara Kuennen (Denver)** (Civil Litigation Clinic) was recommended for promotion to Full Professor.



Professor **James A. Sonne (Stanford)**, director of the Religious Liberty Clinic was recently promoted to Associate Professor of Law.



Suffolk's Board of Trustees voted to approve the tenure of Associate Clinical Professor **Sarah Boonin**.



Retiring Clinicians

Remembrances

Stanford welcomes **Diala Shamas** as a Clinical Supervising Attorney and Lecturer in Law for the International Human Rights Clinic. Diala previously worked as a Senior Staff Attorney for the CLEAR (Creating Law Enforcement Accountability & Responsibility) project, based at **City University of New York** School of Law's clinical program.



Glenn G. Galbreath is retiring from **Cornell Law School** after 30 years of service as a Clinical Professor of Law. Glenn taught in the Cornell Legal Aid Clinic, served as Trial Advocacy instructor and the Director of the law school's full and part time externship program.



Meredith Ross (Wisconsin), died from cancer on April 20, 2016. She joined the University of Wisconsin clinic faculty in 1990 and directed the Frank J. Remington Center for over two decades, skillfully maneuvering it through several phases of re-organization prior to her retirement a few years ago.





Rutgers Law School has hired **Alexis Karteron** to direct and teach in the Constitutional Rights Clinic (CRC). Alexis is currently a senior supervisory attorney at the New York Civil Liberties Union (NYCLU) and lead counsel in one of the federal civil rights challenges to the NYC police department's "stop and frisk" policy.

David E. Boelzner (William & Mary) joined the Lewis B. Puller, Jr. Veterans Benefits Clinic as a Clinical Assistant Professor of Law. David is on the Board of Governors for the U.S. Court of Appeals for Veterans Claims Bar Association, and is co-editor of their Veterans Law Journal.



Eileen Connor (Harvard) is the new Director of Litigation for the Project on Predatory Student Lending. Ms. Connor has extensive litigation experience in the field. Most recently, she was a Senior Staff Attorney with the New York Legal Assistance Group. She received her J.D. from New York University Law School.



Zeba Huq recently joined **Stanford Law School** as a Clinical Supervising Attorney for the Religious Liberty Clinic. Zeba previously taught religious liberty at New York University Abu Dhabi and litigated at the Innocence Project in New York City.



Kathryn Banks rejoins the clinical faculty of **Washington University School of Law** as director of a new Guardian ad Litem Clinic. The new clinic is in collaboration with Voices for Children, where Kathryn is the Legal Services Director.



Albany Law Clinic & Justice Center is delighted to welcome Professor **Edward ("Ted") W. DeBarbieri** to join the clinical faculty next year to direct our Tax & Transactions Clinic. Ted previously directed the Center for Urban Business Entrepreneurship at Brooklyn Law.



Boston University School of Law is pleased to announce that **Andy Sellars** will be joining its clinical programs as director of its new Technology and Cyberlaw Clinic, effective July 1. Sellars is an attorney at Harvard's Berkman Center for Internet & Society. [Press release.](#)



Caleb Stone (William & Mary JD '15) has joined the Puller Clinic as an Equal Justice Works AmeriCorps Legal Fellow.

Linda Cole is the new Supervising Attorney/Clinical Instructor for the **Harvard Law** Entrepreneurship Project (HLEP). Linda joins Harvard Law after many years of experience as in-house counsel to emergent technology companies.



Elizabeth A. Andrews joined **William & Mary Law School's** Virginia Coastal Policy Center as its new Director and a Professor of Practice. Elizabeth formerly served as Senior Assistant Attorney General and Chief of the Environmental Section, and Water Policy Manager for the Virginia Department of Environmental Quality.



Harvard's Center for Health Law and Policy Innovation welcomed **Najeema Holas-Huggins** as Communications Manager in March 2016. Previously, Najeema worked at the Bessie Tartt Wilson Initiative for Children as the marketing manager.



Tino Ochoa, Ryan Rippel & Brian Weaver are co-directing **Washington University School of Law's** new Urban Revitalization Clinical Practicum, which focuses on ongoing urban revitalization matters in the St. Louis metropolitan region.



Good News: Books & Publications



Leigh Goodmark (Maryland), *Hands Up at Home: Militarized Masculinity and Police Officers Who Commit Intimate Partner Abuse*, 2015 BRIGHAM YOUNG UNIVERSITY LAW REVIEW 101 (2015).



Emily Broad Leib (Harvard), *LA Times*, [“Is that milk past its 'sell by' date? Drink it anyway.”](#) (February 2016)

Jon C. Dubin (Rutgers), *A Modest, Albeit Heavily Tested Social Security Disability Reform Proposal: Streamlining the Adjudicative Process By Eliminating Reconsideration and Enhancing Initial Stage Development*, 23 GEO. J. OF POVERTY, L. & POL'Y 203 (2016) (lead article); SOCIAL SECURITY LAW, POLICY AND PRACTICE: CASES AND MATERIALS (CO-AUTHORED WITH FRANK S. BLOCH) (WEST ACADEMIC PUBLISHING CO.) (FORTHCOMING 2016); SOCIAL SECURITY DISABILITY LAW AND PROCEDURE IN FEDERAL COURT (2016 EDITION; CO-AUTHORED WITH CAROLYN A. KUBITSCHKEK, THOMSON REUTERS PUBLISHING CO.).



Anju Gupta (Rutgers), ETHICAL PROBLEMS IN THE PRACTICE OF LAW: MODEL RULES, STATE VARIATIONS, AND PRACTICE QUESTIONS (WOLTERS KLUWER 2015-2016) (CO-AUTHORED WITH LISA G. LERMAN AND PHILIP G. SCHRAG)



Chi Mgbako, director of the [Walter Leitner International Human Rights Clinic](#) at **Fordham**, published a new book, [To Live Freely in This World: Sex Worker Activism in Africa](#). Based on original fieldwork by Chi and her students, it documents the history and continuing activism of the movement for sex workers' rights in Africa.



Julie K. Waterstone (Southwestern), [Counsel in School Exclusion Cases: Leveling the Playing Field](#), 46 SETON HALL L. REV. 471 (2016).



John Blume and Beth Lyon (Cornell) published [Cornell Law Clinic Urges Revised Student Practice Rules](#), NEW YORK LAW JOURNAL (March 1, 2016), examining student practice limitations in the U.S. District Court for the Northern District of New York, the Third Judicial Department of the New York State Supreme Court Appellate Division, the Buffalo Immigration Court, and the New York Workers Compensation Board. **Beth Lyon** also published a course reader for secondary and higher ed. students entitled *We Asked for Workers. We Got People Instead. The UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*. (Open Society Foundations 2016).



Sandra Simkins (Rutgers) *The Critical Role of Post-Disposition Representation in Addressing the Needs of Incarcerated Youth*, 48 JOHN MARSHALL L. REV. ____ (2016) (with Laura Cohen; lead article); *Juvenile Solitary Confinement: New Jersey Makes an Important First Step*, 296 N. J. LAW. 22 (Oct. 2015).



Willamette law professor Gwynne Skinner's article: *Rethinking Limited Liability of Parent Corporations for Foreign Subsidiaries' Violations of International Human Rights Law* was published in 2 WASH. & LEE L. REV. 1769 (December 2015) (also published on Columbia Law School's Blue Sky Blog, on February 10, 2016).



**Laura Cohen (Rutgers-Newark)**

The Critical Role of Post-Disposition Representation in Addressing the Needs of Incarcerated Youth, 48 JOHN MARSHALL L. REV. ____ (2015) (with Sandra Simkins; lead article); *Reforming the Juvenile Justice System*, 296 N. J. LAW. 42 (Oct. 2015) (with James Moeser).

University of New Mexico School of Law Associate

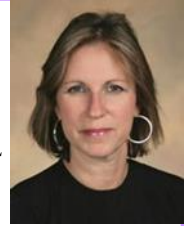
Professor **Yael Zakai Cannon**, *Disrupting the Path from Childhood Trauma to Juvenile Justice: An Upstream Health and Justice Approach*, 43 FORDHAM URBAN L.J. ____ (forthcoming May 2016) (co-authored with Andrew Hsi) (considering their study that found youth in NM's juvenile justice system suffered high numbers of "adverse childhood experiences" preceding incarceration).

**Deborah Thompson Eisenberg (Maryland)**

The Restorative Workplace: An Organizational Learning Approach to Discrimination, 50 RICHMOND L. REV. 487 (2016); *Reflections on "Innovations in Family Dispute Resolution,"* 75 MD. L. REV. ENDNOTES 1 (2016).

Sandy Freund (Rutgers)

The New ITIN Regulations - A Recipe For Disaster for Low Income Immigrants, 17 JOURNAL OF TAX PRACTICE AND PROCEDURE 35 (Oct. 2015).



Heather Scheiwe Kulp and Amanda L. Kool (both Harvard), *You Help Me, He Helps You: Dispute Systems Design in the Sharing Economy*, 48 WASH. U. J. L. & POL'Y 179 (2015).

**Tamar Birckhead (UNC)**, Op-Ed, *Will Supreme*

Court Decision be Death Knell for Life without Parole?, JUVENILE JUSTICE INFORMATION EXCHANGE, Jan. 26, 2016; *The Challenges of Lawyering in Juvenile Court*, NORTH CAROLINA ADVOCATES FOR JUSTICE: TRIAL BRIEFS, Jan. 2016, at 6-10; Op-Ed, *Time to End Our Modern-Day Debtors' Prisons*, NEWS & OBSERVER (Raleigh, N.C.), Dec. 26, 2015.



Kate Soblosky Elengold (American), *Branding Identity*, 93 DENVER LAW REVIEW 1 (2015); *Structural Subjugation: Theorizing Racialized Sexual Harassment in Housing*, 27.2 Yale Journal of Law and Feminism 227 (2016) (forthcoming). [SSRN](#).

Sarah Buhler (Univ. of Saskatchewan College of Law), **Sarah Marsden (not pictured)**, and **Gemma Smyth (Univ. of Windsor Faculty of Law)** [CLINICAL LAW: PRACTICE, THEORY, AND SOCIAL JUSTICE ADVOCACY](#)

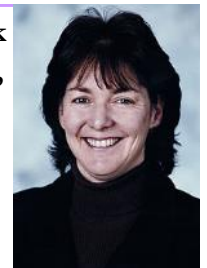


Robert Kuehn (Washington Univ.—St. Louis), *Bias in Environmental Agency Decision Making*, 45 ENVIRONMENTAL LAW 957 (2016). [SSRN](#)

Barbara Bezdek, Community Land Trust: Tools for Development without Displacement (Baltimore Housing Roundtable, Jan. 2016) (together with the Community Equity and Development Clinic students).

**Debra Stark (John Marshall)**,

What's Law Got To Do With It? Judicial Nullification Of Domestic Violence Remedies, 10 Nw. J.L. & Soc. Pol'y. 130 (2015).



**CLEA POSTS
CLINICAL JOB
OPPORTUNITIES**

Jay A. Mitchell (Stanford) just published *Picturing Corporate Practice* (WEST ACADEMIC 2016), a book targeted to students and new lawyers headed into corporate and transactional practice. The book features a user-friendly design, over 50 diagrams, timelines, and other graphics, and considerable vocabulary and practical suggestions for the new lawyer.



Anita Sinha (American) *Slavery By Another Name: "Voluntary" Immigrant Detainee Labor and the Thirteenth Amendment*, 11 STAN. J.C.R. & C.L. 1 (Jan. 2015); [Ending Mass Incarceration but not for Immigrants: A Tale of Two Policies](#), Huff. Post, July 27, 2015.



Sarah Rogerson (Albany), Clinic Director and Director of the Immigration Law Clinic, will publish her latest article, "The Politics of Fear: Unaccompanied Immigrant Children and the Case of the Southern Border" in an upcoming volume of the Villanova Law Review.



Peter Joy (Washington Univ.—St. Louis), *Misuse of Letterhead by Prosecutors and Attorneys General*, 30 CRIMINAL JUSTICE 48 (Winter 2016) (co-author). [SSRN](#)



Sam W. Straus and Robert C. Bordone (both Harvard), Harvard Law School Case Studies, [United States v. Teller](#) (Published: January 2016).



James A. Sonne (Stanford), Religious Liberty, Clinical Education, and the Art of Building Bridges, 22 Clinical L. Rev. 251 (2015).



Brenda Smith (American), Boys, Rape and Masculinity: Reclaiming Male Narratives of Sexual Violence in Custody, 29 N.C.L. Rev. 1559 (2015); Social Science Research Network, Top Ten Download List in Victims' Rights: Boys, Rape, and Masculinity: Reclaiming Boys' Narratives of Sexual Violence in Custody (Aug. 7, 2015).



Michael Pinard (Maryland), *Poor Black and "Wanted": Criminal Justice in Ferguson and Baltimore*, 58 HOWARD L. J. 857 (2015); *Criminal Records in the Post-"Great Society,"* NEW YORK LAW SCHOOL, IMPACT CENTER FOR PUBLIC INTEREST LAW 38-46 (2015).



Mary Lynch (Albany) co-authored a piece with Professor **Andrea A. Curcio (Georgia State)** for the Journal of Legal Education entitled, "Incentivizing and Assessing Faculty Committee Work Contributions: Why Now?"



Jenny Roberts (American), [Collateral Consequences of Criminal Convictions: Law, Policy, & Practice](#) (West 2016) (with Margaret Colgate Love & Cecelia Klingele); [Expunging America's Rap Sheet in the Information Age](#), 2015 Wisc. L. Rev 321.



Joan Meier (George Washington), Donna Coker (Miami), Elizabeth McDowell (UNLV) and Ann Cammett (CUNY), et al. published *Teaching About Domestic Violence* in the [Violence Against Women](#) journal.



Sarah Downer (Harvard), [Massachusetts Community Use Toolkit: Helping Kids and Communities Be Healthy and Active](#) (March 2016).



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.



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

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Upcoming Events

- **CLEA Board Meeting**, Friday, April 29, 2016, 10:00 am—11:30 am, Bogomolny Room, University of Baltimore Student Center, 21 West Mt. Royal Ave., Baltimore, MD
- **CLEA Strategic Planning Retreat** (for CLEA Board), April 29, 2016.
- **CLEA Membership Meeting**, Saturday, April 30, 2016, 6:30 pm—7:30 pm, Harbor-side E, Marriott Baltimore Waterfront Hotel, Baltimore, MD.
- **Externship Committee Meetings**, Sunday, May 1, 7:30-9:00 am and Tuesday, May 3, 7:30-8:30 am, Location TBA.
- **Externship Dinner**, Sunday, May 1, 2016, 7:30 pm at [B-"A Bolton Hill Bistro"](#). **RSVP** by Thursday, April 28.
- [Third National Symposium on Experiential Learning in Law](#), June 10-12, 2016, New York Law School, New York, NY. Register [here](#).



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