

***Southern Clinical Conference***  
***March 16-17, 2012***

*University of Tennessee Law School*  
*1505 W. Cumberland Ave.*  
*Knoxville, TN 37996*  
*865-974-2331*

*This conference is made possible in part through the support of the  
AALS Section on Clinical Legal Education and the Clinical Legal Education Association*

**Thursday, March 15**

6:00 p.m. – 7:30 p.m.

***Registration and Reception***  
Holiday Inn-- Cumberland Room

**Friday, March 16**

8:15 a.m.

***Shuttles to Law School from Holiday Inn***

8:30 a.m. – 9:00 a.m.

***Registration and Breakfast***

9:00 a.m. – 9:10 a.m.

***Welcoming Remarks***  
Doug Blaze & Val Vojdik, University of Tennessee College of Law

9:10 a.m. – 9:20 a.m.

***Conference Theme and a Few Logistics***  
Wendy A. Bach & Paula Williams, University of Tennessee College of Law

9:20 a.m. – 10:50 a.m.

***Opening Plenary***

***Social Justice Redux: A Re-examination of the Meaning of Social Justice Work in  
Clinical Legal Education***

Panelists confirmed to date:

Elliott S. Milstein, American University Washington College of Law, moderator  
Paula Williams, University of Tennessee College of Law

10:50 a.m. – 11:00 a.m.

***Break***

11:00 a.m. – 12:30 p.m.

*Concurrent Sessions I*

*Educating Money (and Other Motivators): Teaching Social Justice and Life Balance to Future Commercial Attorneys*

Alexander Scherr, University of Georgia  
Kendall Kerew, Georgia State University

A super-majority (or more) of law school graduates find work in for-profit practices, most in large commercial firms. We suspect that relatively few law students arrive with a goal of for-profit practice. But something in law school encourages students to pursue these practices upon graduation and not just the accrual of a substantial debt load. We see the culture of moneyed practice as eliciting new and compelling motivations from within students: to acquire money, potentially in unfamiliarly large amounts; to secure access to influence; to rise in class and status; and to avoid default on debt. Together, these internal motivations may drown out other competing internal messages. Our presentation explores how to teach so as to strengthen those other motivators, especially students' motivations for social justice and for balance in life commitments. This session will use a variety of interactive teaching techniques to explore these issues and will provide participants with an outline of teaching methods and suggestions and, if possible, a bibliography of educational and scientific sources.

*The Pedagogy of Law Reform: The Education Law Practicum*

Dean Rivkin, University of Tennessee  
Selected students and teachers from the UT College of Law Education Law Practicum

In 2009, Dean Rivkin offered a year-long course to ten students called "Public Interest Lawyering: Education Law Practicum". The course had a primary mission: to reform the system of truancy prosecutions of students in Knoxville, Tennessee. In this session, select students from the three classes of the Education Law Practicum and the three clinical instructors will deconstruct the myriad decisions that were made in seeking to fulfill the mission of this course and cause.

*How the Medical-Legal Partnership Model Advances Social Justice Through Clinics and Advocacy*

Lisa Bliss, Georgia State University College of Law  
Sylvia Caley, Georgia State University College of Law  
Emily Suski, Georgia State University College of Law

This presentation will demonstrate how the Medical-Legal Partnership model can be used to advance social justice by involving students in the provision of direct legal services to clients and addressing systemic issues through policy development and advocacy. The presenters will introduce the MLP model and the variety of ways that multiple disciplines can be incorporated into clinic settings. It will also discuss the impact of both direct service and advocacy on the social determinants of health and the need to address issues of public policy affecting low income clients.

12:45 p.m. – 1:45 p.m.

**Lunch**

***Justice Lawyering in Tennessee***

Moderator: Fran Ansley, University of Tennessee, Emeritus  
Additional panelists to be confirmed

2:00 p.m. – 3:30 p.m.

*Concurrent Sessions II*

*A Rounds About Using Seminar and Rounds to Introduce and Explore Social Justice Issues in a Clinical Program*

Susan J. Bryant, CUNY School of Law

Elliott S. Milstein, American University Washington College of Law

We will conduct a rounds conversation with interested colleagues on the role of the classroom component of a clinical program (both seminar and rounds) to introduce and explore the social justice issues that are embedded in the real-world experiences that the clinic provides. Clinics are designed to create powerful learning moments by providing students their first opportunities to have responsibility in professional role for the well-being of another. In that role, students have a chance to see the way that law operates in the lives of their clients and to see the many injustices that affect them and afflict the legal system. To what extent can the clinical seminar prepare them to understand what they are about to experience? How can rounds conversations be shaped so that the values they acquire about what it means to be a lawyer are illuminated by a deep exploration of issues such as race, gender, poverty, and class?

*Global Cross-Cultural Perspectives on Teaching Social Justice in a Southern Political Climate*

Christina A. Zawisza, University of Memphis

D'lorah Hughes, University of Arkansas

Tienne L. Anderson, University of Memphis

Two clinical law professors and a doctrinal professor will stage a mock “curriculum design” meeting in which they will brainstorm and develop a classroom module that incorporates varied approaches to teaching social justice values to their law students through a cross cultural lens. The three presenters will identify the assorted cross-cultural factors that influence and affect each presenter’s perceptions of social justice, their research paths, and their teaching styles. The module will be designed to gently push their students beyond their comfort zones, to expand students’ knowledge of others in a way that is empathetic and devoid of common stereotypes, and to assist students to come to a deeper understanding of the possible interpretations of social justice.

*Exploring the Role of Clinical Scholarship in Advancing Social Justice*

Valerie Vojdik, University of Tennessee College of Law

Josephine Ross, Howard University School of Law

Wendy A. Bach, University of Tennessee College of Law

Clinical faculty are uniquely positioned to engage in scholarship that both draws upon our practice and advances social justice. This session will explore the various ways in which scholarship by clinicians can advance social justice. Topics to be discussed include: 1) the various genres of legal scholarship that have been used to advance social change (e.g. empirical, narrative, critical, interdisciplinary, etc.); 2) possible audiences (e.g. legal academy, courts, practitioners, media, etc.); and 3) developing a scholarly agenda.

3:30 p.m. – 5:00 p.m.

***Concurrent Sessions III (45-minute sessions)***

***Representing Kids on Sex Offender Registries***

3:30 p.m. – 4:15 p.m.

Amy E. Halbrook, Northern Kentucky University Chase College of Law

Currently, there are thousands of people on sex offender registries for offenses committed as juveniles. For these young people, the stigma and restrictions associated with registration can undermine the rehabilitative process – without improving public safety. This presentation will focus on adolescent development, effectiveness of treatment, recidivism rates, and the collateral consequences of sex offender registration for juveniles. The information provided will assist clinicians who want to represent clients in sex offender registry termination matters and/or support legislation allowing young people to be removed from registries.

***Inspiring Social Justice Work in a Time of Fear***

4:15 p.m. – 5:00 p.m.

Roger Manus, Campbell University

As employment opportunities diminish, our students express increasing fear about the opportunity to engage in meaningful work. “I’ll take anything,” is a constant refrain. This climate presents challenges for clinical teaching as well as opportunities (e.g., for building solidarity with marginalized people). The session will use a brief presentation and discussions to explore the challenges, opportunities, and various approaches.

3:30 p.m. – 5:00 p.m.

***Concurrent Sessions III (90-minute sessions)***

***Jurisprudence and the Clinic Seminar***

Ann Shalleck, American University, Washington College of Law

As clinical teachers, we sporadically think of ourselves as legal theorists and of clinical thought as occupying a space within jurisprudential thought. Some of us have been mapping basic concepts in clinical thought that embody assumptions about how law operates, how clients experience law in their lives, how lawyers function within the legal system, how the lawyer-client relationship mediates and structures clients’ experiences in the legal world, how law relates to social justice and social movements, and how our situated perspective as clinical teachers in clinical courses informs our understanding. In this session, we will explore whether and how to teach jurisprudential concepts as part of the clinic seminar. We frequently claim to operate at the intersection of theory and practice, so how do we teach theory? Through a series of interactive exercises, participants will identify, discuss, and begin evaluating the implicit jurisprudential assumptions that animate (or that we would like to animate) our clinical teaching. This session has three goals: 1) to increase awareness of how legal theory implicitly or explicitly informs pedagogical method and choices; 2) to identify and map the theoretical concepts and questions that operate (or we would like to operate) within our clinical teaching; and 3) to design ways that fundamental concepts in jurisprudence can be built into the design and teaching of a clinical course.

*Expanding Clinical Opportunities to Promote Access to Justice and Community Engagement*

Becky L. Jacobs, University of Tennessee  
Cynthia Batt, Stetson University College of Law  
Laura Boeckman, Florida Coastal School of Law  
Daniel M. Schaffzin, University of Memphis

Clinical legal programs exist in diverse areas such as consumer rights, veterans' rights, immigration, environmental, housing, mediation, elder care, etc. These clinics can be designed to expand access to justice opportunities to unique client communities and to serve as powerful vehicles for community service and social justice. The panelists are experienced clinicians who direct diverse clinics, and they will discuss the design, operation, successes, and challenges of their clinics. The panel will seek audience feedback on their clinical experiences and ideas for improving existing clinics or expanding into new clinical directions to further access to justice goals.

7:00 p.m.

***Reception***

**Saturday, March 17**

8:15 a.m.

***Shuttles to Law School from Holiday Inn***

8:30 a.m. – 9:00 a.m.

***Breakfast***

9:00 a.m. – 10:30 a.m.

***Concurrent Sessions IV***

*Teaching Multi-faceted Layering in a Clinic Setting: the Importance and Impotence of Community Education and Advocacy Initiatives*

Laila Hlass, Loyola New Orleans University College of Law  
Ken Mayeaux, Louisiana State University Law Center

The Immigration Clinics at Loyola and LSU Law Schools are using a combined advocacy clinic model which integrate community education and advocacy components into the traditional individual client clinic. Using these two case studies, we will highlight the learning benefits to students in the combined advocacy model, as well as the challenges to implementing these programs, which often require additional costs, space, time and personnel. Further, we will pose questions about whether the benefits justify these costs, as well as how law schools in the deep South, who do not have the stated social justice mission of Jesuit institution like Loyola, might be able to create such programs despite a lack of institutional or community support.

*Metaphor as Heuristic in Family Mediation: Teaching the Importance of Language in Transforming Perspective*

Robert Lancaster, Louisiana State University Law Center

When parties engage litigation to resolve family conflict, their perceptions of 'justice' center around a descriptive narrative focused on past behavior. Effective mediation requires the parties to transform their perceptions and focus their narrative around future behaviors. Metaphor is an important tool in this transformation and one that leads the parties to a conceptual understanding of the possibilities of a future with healthy conflict, and then in the process, creates a shift in their perspectives of 'justice'. This presentation will feature video clips from a mediation session that demonstrate the powerful impact of language in restructuring a 'justice' perspective.

*Lessons Learnable in Litigating Padilla Motions to Vacate: Teaching Social Justice by Serving Vulnerable Populations*

Michael Vastine, St. Thomas University

Suzanne Villano, University of Miami

Melissa Swain, University of Miami

Clinicians are in a unique position to serve indigent and vulnerable victims of ineffective assistance of counsel by incorporating *Padilla* motions to vacate into traditional law school clinics. This presentation will use recent experiences – University of Miami clinics’ successful experiences with *Padilla* motions for individual clients, and St. Thomas University clinic’s systemic challenges for application of *Padilla* in Florida, including the lead case *Hernandez v. State*, presently pending before the Florida Supreme Court – to discuss the challenges and opportunities inherent in teaching students to advocate for convicted criminals. During this interactive session, participants will consider the means of teaching students to value subordinated voices in the legal system, consider championing unpopular causes, and to contextualize their role and responsibility in correcting social (in-)justice.

10:45 a.m.

***Wrap Up – Reports from Concurrent Sessions  
and Plans for Next Year’s Southern Conference!***