Clinical Theory Workshop Presentations, 1985-2003

The list that follows includes publication information whenever available; as workshop members will recall, many or most of the workshop papers had not been published when they were presented here. The list also gives the presenters’ schools; if the speakers have changed schools since their workshop, only the present school is given. All workshops since the Fall of 1992 have met at New York Law School; before that, the workshops met at Columbia Law School. If you see any errors or omissions in this list, please contact Stephen Ellmann at NYLS.


Fall, 1985: David A. Koplow and Philip G. Schrag (both of Georgetown University Law Center), and Lisa G. Lerman (Catholic University, Columbus School of Law), The Learning Contract in Legal Education (co-authored with Jane H. Aiken and J.P. (Sandy) Ogilvy), 44 Md. L. Rev. 1047 (1985)

Spring, 1986: Dean Hill Rivkin (University of Tennessee College of Law), "Petty Disturbances": Lawyering, Power and Reform (see Dean Hill Rivkin, Lawyering, Power, and Reform: The Legal Campaign to Abolish the Broad Form Mineral Deed, 66 Tenn. L. Rev. 467 (1999)


John S. Elson (Northwestern University School of Law), *The Case Against Legal Scholarship, or, If the Professor Must Publish, Must the Profession Perish?*, 39 J. Legal Educ. 343 (1989)

**Fall, 1988:**


**Spring, 1989:**

Peter Margulies (Roger Williams University School of Law), *"Who Are You to Tell Me That?:" Attorney-Client Deliberation Regarding Nonlegal Issues and the Interests of Nonclients*, 68 N. Ca. L. Rev. 213 (1990)


**Fall, 1989:**

Paul R. Tremblay (Boston College Law School), *Toward a Community-Based Ethic for Legal Services Practice*, 37 U.C.L.A. L. Rev. 1101 (1990)

**Spring, 1990:**

Peter Toll Hoffman (University of Houston Law Center), *Valuation of Cases for Settlement: Theory and Practice*, 1991 J. Dispute Resolution 1


Harold A. McDougall (Howard University School of Law), Public Policy Law: Theory and Practice (see Harold A. McDougall, Lawyering and the Public Interest in the 1990s, 60 Fordham L. Rev. 1 (1991))

Spring, 1991: Lisa G. Lerman (Catholic University, Columbus School of Law), Lying to Clients, 138 U. Pa. L. Rev. 659 (1990)


Marie Ashe (Suffolk University Law School), Abortion of Narrative: A Reading of the Judgment of Solomon, 4 Yale J. L. & Feminism 81 (1991)


Nancy Morawetz (NYU School of Law), Bargaining, Class Representation, and Fairness, 54 Ohio St. L.J. 1 (1993)


Beryl Blaustone (CUNY Law School at Queens College), To Be Of Service: The Lawyer's Aware Use Of The Human Skills Associated With The Perceptive Self, 15 J. Legal Prof. 241 (1990)

Fall, 1992:  

Carrie Menkel-Meadow (Georgetown University Law Center), The Clinic as Social Science Lab: What Mandatory Mediation Tells Us About Negotiation

Larry Grosberg, Carol Buckler and Rick Marsico (New York Law School), A Collaborative Effort at Creating a Multiple Use Simulation Problem (Sills v. Englar Pharmaceutical, Inc.)

Spring, 1993:  

Homer La Rue (Howard University School of Law), Ethical Disclosures by Arbitrators of Color: An Empirical Investigation of Changes in the Rules of the Game


Fall, 1993:  
Gay Gellhorn, Lynne Robins and Pat Roth (District of Columbia School of Law, University of Michigan, Department of Postgraduate Medicine, and American University, Washington College of the Law, respectively), Law and Language: Ethnography in a Law School Clinic, 1 Clinical Law Review 245 (1994)

Michelle Jacobs (University of Florida College of Law), People From the Footnotes: The Missing Element in Client Centered Counseling, 27 Golden Gate L. Rev. 345 (1997)

Spring, 1994:  
David Binder (UCLA School of Law), Excerpts from Albert A. Moore, Paul Bergman & David A. Binder, Trial Advocacy: Inferences, Arguments, and Trial Techniques (1996)


Isabelle R. Gunning (Southwestern University School of Law),
Diversity and Culture in Mediation: Controlling the Impact of Negative Cultural Myths (see Diversity Issues in Mediation: Controlling Negative Cultural Myths, 1995 J. Disp. Res. 55)

Randy Hertz (NYU School of Law), Memorandum on current responses to the MacCrate Report and its Statements of Skills and Values

Fall, 1994:

Phyllis Goldfarb (Boston College Law School), A Clinic Runs Through It, 1 Clinical Law Review 65 (1994)


Spring, 1995:


Richard Boswell (University of California, Hastings College of the Law), Clinical Scholarship: Skills and Values


Fall, 1995:

Minna Kotkin (Brooklyn Law School), Professionalism, Gender and the Public Interest: The Advocacy of Protection, 8 St. Thomas L. Rev. 157 (1995)

Victor Goode (CUNY School of Law at Queens College) and Conrad Johnson, Mary Zulack and Brian Donnelly (all of Columbia Law School), Electric Views: The Creation and Use of Electronic Materials in the Clinic

Spring, 1996:


Jane Harris Aiken (Washington University School of Law), Teaching Compassion (see Jane Harris Aiken, Striving to Teach


Odeana R. Neal (University of Baltimore School of Law), Transference and Countertransference in the Clinical Supervisory Experience

Fall, 1996:

Robert Dinerstein (American University, Washington College of Law), Client Counseling: State of the Art, State of the Skill


Spring, 1997:

Roy Stuckey (University of South Carolina), Make Me Happy: How to Negotiate Effectively, 5 Clin. L. Rev. 211 (1998)


Fall, 1997:

David F. Chavkin (American University, Washington College of Law), Am I My Client's Lawyer?: Legal Constraints on the Supervising Attorney-Client Relationship (see David F. Chavkin, Am I My Client's Lawyer? Role Definition and the Clinical Supervisor, 51 S.M.U. L. Rev. 1507 (1998))

Ian Weinstein (Fordham University School of Law), Facts: The Mysterious Other Half of Thinking Like a Lawyer

Paula C. Johnson (Syracuse University College of Law), Learning to Drive, Driving to Learn: Reflections on the Development of the Law in Zimbabwe Program, 1 J. Gender, Race & Justice 471 (1998)
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<th>Date</th>
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| Spring, 1998 | C. Michael Bryce (St. John's University School of Law), *Plato v. Hume Plate*  
Randolph N. Stone (University of Chicago Law School), *Murder in the Clinic*  
Anthony G. Amsterdam & Nancy Morawetz (both of NYU School of Law), *Applying Narrative Theory to Litigation Planning* |
| Fall, 1998  | Nina W. Tarr (University of Illinois College of Law), *The Law, Ethics and Integrity of Using Clients' and Students' Experiences as the Basis for Scholarship* (see Nina W. Tarr, *Clients' and Students' Stories: Avoiding Exploitation and Complying With the Law to Produce Scholarship With Integrity*, 5 Clin. L. Rev. 271 (1998))  
| Spring, 1999 | Mary Jo Eyster (Brooklyn Law School) & Keri Gould (St. John’s University School of Law), discussing developments in the ongoing revision of the ABA’s accreditation standards (with submissions on this topic to the Standards Review Committee of the ABA Section of Legal Education and Admissions to the Bar, from the Clinical Legal Education Association and from externship directors and teachers, as reading)  
Anthony Alfieri (University of Miami School of Law), *Er)Race-ing an Ethic of Justice*, 51 Stan. L. Rev. 935 (1999)  
Jon C. Dubin (Rutgers (Newark) Center for Law & Justice), *Faculty Diversity as a Clinical Legal Education Imperative*, 51 Hastings L. Rev. 445 (2000) |
| Fall, 1999  | J.P. (Sandy) Ogilvy (Catholic University of America School of Law), *Draft Guidelines/Standards for the Evaluation of Clinical Legal Education Programs* (see J.P. Ogilvy, Guidelines With Commentary for the Evaluation of Legal Externship Programs, 38 Gonzaga L. Rev. 155 (2002-03) |


Spring, 2000  
Margaret Martin Barry (Catholic University of America School of Law), Jon Dubin (Rutgers (Newark) Center for Law & Justice) & Peter Joy (Washington University School of Law), The Third Wave: Clinical Education for This Millennium (see these authors’ Clinical Education for This Millennium: The Third Wave, 7 Clin. L. Rev. 1 (2000))


Eileen Kaufman, Jack Battaglia & Tom Maligno (all of Touro Law Center’s Central Islip Program Committee), discussing their Committee’s ongoing work in developing a new curriculum to “take advantage of the opportunities” which Touro anticipated at its new location in Central Islip, where it was to “share a law campus with an extensive state and federal court complex” (with planning materials as reading)

Stefan Krieger & Richard Neumann (both of Hofstra University School of Law), discussing excerpts from their textbook (with Kathleen McManus and Steven Jamar), Essential Lawyering Skills: Interviewing, Counseling, Negotiation, and Persuasive Fact Analysis (1st ed. 1999)

Fall, 2000  

David Binder (UCLA School of Law), A Live-Client Course in Deposition Questioning Strategies & Techniques

Marjorie Silver (Touro College, Jacob D. Fuchsberg Law Center), Multicultural Lawyering and Emotional Competence (see Marjorie A. Silver, Emotional Competence, Multicultural Lawyering and Race, 3 Fla. Coastal L.J. 219 (2002))

Spring, 2001  
Peter Margulies (Roger Williams University School of Law), Public
Interest Lawyering and the Pragmatist Dilemma

Abbe Smith (Georgetown University Law Center) & Ilene Seidman (Suffolk Law School), Lawyers for the Abused and Lawyers for the Accused: An Interfaith Marriage, 47 Loyola L. Rev. 415 (2001)

Shin Imai (Osgoode Hall Law School, York University), Preliminary Thoughts on Community, Critical Race Praxis, and Clinical Pedagogy or, “What I Teach My Students” (see Shin Imai, A Counter-Pedagogy for Social Justice: Core Skills for Community-Based Lawyering, 9 Clin. L. Rev. 195 (2002))

Fall, 2001


Peter Joy (Washington University School of Law) & Robert Kuehn (University of Alabama School of Law), Ethical Considerations in Law Clinic Case and Client Selection (see these authors’ Conflict of Interest and Competency Issues in Law Clinic Practice, 9 Clin. L. Rev. 493 (2002), and An Ethics Critique of Interference in Law School Clinics, 71 Fordham L. Rev. 1971 (2003))

Spring, 2002

Elliott Milstein (American University, Washington College of Law), Clinical Education, Indeterminacy and the Reform of the Law School Curriculum

Russell Engler (New England School of Law), The MacCrate Report Turns 10: Assessing Its Impact and Identifying Gaps We Should Seek to Narrow, 8 Clin. L. Rev. 109 (2001). This workshop was also a celebration of the MacCrate Report’s 10th Anniversary, and included comments by Robert MacCrate, as well as by Margaret Martin Barry (Catholic University School of Law), Richard Matasar (New York Law School) and Barbara Schatz (Columbia Law School).

Margaret Montoya (University of New Mexico School of Law), Using Clinical Pedagogy and Critical Raza Theory to Forge Collaborations With K-12 Educator - Activists

Susan Bryant (CUNY School of Law at Queens College), discussing her paper, co-authored with Jean Koh Peters (Yale Law School), Five Habits for Cross-Cultural Lawyering
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