Clinical Education Program
Capitalizing On New Space, Faculty, Student Offerings

Three years ago, when Professor Annette Appell arrived at the law school as associate dean of clinical affairs, the clinical program was widely recognized among the top programs nationally. However, the facilities were lacking. The four in-house clinics were scattered around the school. The faculty members had offices elsewhere in the building. There were no reception areas for visitors, or for that matter, a central telephone number to reach all the clinics.

What these four in-house clinics (as distinct from those clinics based in the community) needed was dedicated space configured like a law firm. The law school’s administration had already committed to the new space as part of the overall renovations of Anheuser-Busch Hall, but waited for Appell’s arrival to lead the actual clinic space project. In fall 2009, the new space for the clinics was dedicated, and the Civil Justice Clinic (CJC), Interdisciplinary Environmental Clinic (IEC), Intellectual Property & Nonprofit Organizations (IP/NO) Clinic, and Appellate Clinic now share new, spacious quarters on the first floor of Anheuser-Busch Hall.

“We have a really high-functioning professional space,” Appell says. “There is a reception area. There are conference rooms. There’s a large confidential space for the students to work together, either in their own carrels or in groups. All the clinic faculty also have regular or smaller ‘hoteling offices’ that ring around the student space.”

The model law office is the most obvious of the significant changes in the law school’s clinical program during the past few years, but there are others. Three clinics have altered or expanded their focus, bringing in faculty members with special expertise. The CJC has shifted from its longtime mission of handling domestic violence cases to juvenile justice and child welfare matters. The former Intellectual Property Clinic has broadened its scope to include assisting nonprofit organizations. The Civil Rights & Community Justice Clinic also has expanded its focus to include mortgage loan foreclosure mediation. Additionally, the Lawyering Practice Externship was created to increase clinical opportunities for students, and the Patent Law Field Placement is now being offered.

The changes in the Clinical Education Program are part of a trajectory of expanded and improved clinical offerings that furthers the law school’s commitment to educating tomorrow’s leaders by providing students with high-quality legal education. Building on the award-winning work of longtime and now former clinical director Karen Tokarz and the expertise of both long-standing and newer faculty, the clinical program is better preparing students to meet the market demand for practice-ready graduates. The clinical program now offers 15 distinct...
opportunities, greatly expanding placements for students both in the law school-based clinics and those that provide externships in the greater St. Louis community, nationally, and overseas.

Other highlights of the program include increased opportunities for faculty scholarship and for professional partnerships. For example, at the request of Dean Kent Syverud, who is one of two independent trustees of the Deepwater Horizon Oil Spill Trust, IEC students this past fall helped research issues related to BP’s massive oil spill in the Gulf of Mexico. To date, the law students have performed background research on legal and environmental issues in order to lay a foundation for the orderly distribution of $20 billion. BP has allocated these funds for damage claims and reimbursements of government cleanup expenses.

At the IEC, Professor Robert Kuehn arrived in 2009 to join Senior Lecturer in Law Maxine Lipeles, that clinic’s founder, as co-director.

“The Interdisciplinary Environmental Clinic is, if not the top, one of the top environmental clinics in the country,” Appell says. “The clinic performs very complex work on behalf of community organizations and sometimes individuals, protecting vulnerable communities from toxic and harmful waste and other pollution. They have a very high-level, complex practice that is akin to what you might see in a law firm.”

On campus, the IEC also has deepened its relationship with the George Warren Brown School of Social Work. As a way to better connect with local community organizations, the IEC started a community outreach program, staffed by a Master of Social Work (MSW) student as part of the Brown School’s practicum requirement. Other MSW students work alongside law, engineering, and environmental studies students on interdisciplinary teams in the clinic, which last year marked its 10th anniversary.

**ALTHOUGH THE FOCUS** is not new, the Appellate Clinic’s work supports efforts to give students exposure to professional practice. This clinic tackles nuances in the law while handling cases before the U.S. Court of Appeals for the Eighth Circuit.

“We often have highly complex procedural settings, delicate balances of authority between federal and state courts, or delicate balances of authority between Article III federal courts and Article I courts, legislative courts, or the military courts,” says Appellate Clinic founder and director D. Bruce La Pierre, professor of law. “We represent clients who face continual uphill battles. The government holds the upper hand in this type of litigation.”
While a clinic student last year, alumnus Wade Carr, JD ’10, argued a complex case before the Eighth Circuit involving a challenge to a court martial. Carr was later hired to clerk on that bench.

La Pierre observes: “I think Wade is one of the few clerks on the U.S. Court of Appeals who has already argued a case in the court in which he is clerking.”

ACROSS THE SCHOOL’S clinics, hallmarks remain serving underprivileged members of the community locally, nationally, and internationally, as well as working for systemic change to protect their clients’ rights and to give voice to their interests.

“Part of being a professional is understanding how we are privileged, but another part is understanding how our tools can be used,” says Appell. “People who make it through law school, even if they didn’t start out privileged, gain social and economic status as lawyers. The lessons about how the law affects people who are not so privileged are important for lawyers to learn because legal professionals often serve as leaders in their communities, in legislatures, and in the court system.”

Faculty members who teach in the clinics and guide students in representing clients combine their advocacy with scholarship, a potent one-two punch in the battle for broader reform. Faculty of both the Civil Justice Clinic and Criminal Justice Clinic, for example, have worked on preserving the constitutional right to counsel for indigent people despite the overburdened and understaffed public defender system in Missouri.

“The work with clinic students, cases, and clients often provides us with insights into issues for our scholarship,” says Peter Joy, vice dean, the Henry Hitchcock Professor of Law, and co-director of the long-standing Criminal Justice Clinic.

“The practice in the clinic provides another dimension,” Joy adds. “Instead of seeing issues in a two-dimensional way, some of the issues can be understood in a three-dimensional way—and the writing, I believe, becomes of interest to people who both are scholars and also practitioners.”

THE NEW SPACE for the in-house clinics is not only more functional, it also provides a physical environment that fosters the kind of collaboration that students, once they graduate, will experience in a law firm, group practice, or government counsel’s office.

“It makes a huge difference,” Appell says. “It affords an opportunity for our students to work together across clinics much more easily. It also helps create community among the students and among the faculty who teach in the clinics.”

As contemplated, cross-clinic collaboration is happening.

“As for instance, we already have a situation in which the intellectual property and environmental clinics are sharing a client,” she notes.

RESEARCH EXCERPT

Peter Joy, Vice Dean; Henry Hitchcock Professor of Law; and Co-Director, Criminal Justice Clinic, and

Robert Kuehn, Professor of Law and Co-Director,
Interdisciplinary Environmental Clinic


“As universities increasingly seek to educate students through service-learning courses, law school clinics may be the bellwether for determining whether the faculty’s academic freedom in teaching will transcend the traditional classroom or be left at the classroom door. Recent legislative and corporate efforts to interfere in the operations of law clinics indicate that academic freedom is at risk when hands-on student learning bumps up against ‘real-world’ disputes.”
Kuehn to Succeed Appell as Head of Clinical Program

ROBERT KUEHN, professor of law and co-director of the Interdisciplinary Environmental Clinic, will succeed ANNETTE APPELL as head of the Clinical Education Program. Immediate past president of the Clinical Legal Education Association, Kuehn joined the law faculty in 2009. A well-known scholar, teacher, and clinician in environmental law and professional responsibility, he also has served on the American Association of Law School’s Standing Committee on Clinical Education and Executive Committee for the Section on Clinical Legal Education. He formerly founded and directed the Tulane Environmental Law Clinic and served as associate dean for skills programs at the University of Alabama School of Law.

“We are very fortunate to have Bob assume this position,” says Kent Syverud, dean and the Ethan A.H. Shepley University Professor. “He is widely praised as a clinical teacher and program administrator. Standing on the shoulders of the terrific work of his predecessors, Annette Appell and Karen Tokarz, he will provide great leadership to our expanding clinical program.”

Appell will return to the full-time faculty and Civil Justice Clinic: Child & Family Defense Project. She also is a past president of the Clinical Legal Education Association along with Professors Peter Joy and Karen Tokarz. Appell is a nationally recognized expert in child advocacy, adoption, and child welfare. During her tenure as the school’s first associate dean of clinical affairs, she made important advances to enhance professionalism in the structure and operations of the Clinical Education Program. Her leadership helped accomplish the redesign and renovation of the live-client clinic facilities in Anheuser-Busch Hall, further integration of in-house clinics and of the clinical program generally, strategic hiring of new clinical faculty and staff, and the expansion of clinical offerings.

“My students hang out there. It’s wonderful to have this kind of physical space for them.”

THE GROWTH and development across the clinical program, such as with the intellectual property clinic, is significant. The brainchild of Charles McManis, the Thomas and Karole Green Professor of Law, the IP clinic was originally launched in 2005 thanks in part to funding from an Ewing Marion Kauffman Foundation grant. At that time, the clinic also had an entrepreneurial component. David Deal, who has extensive experience in private practice and as a patent examiner with the U.S. Patent and Trademark Office, was recruited as the clinic’s first director.

In 2008, the clinic changed its name and expanded its work to more fully include the nonprofit side with the arrival of alumnus Peter Ruger, JD ’69. Ruger had been working with the clinic for several years as an adjunct. Now a senior lecturer in law, he is a former general counsel of Washington University and has served on numerous boards of nonprofit organizations.

The Congressional & Administrative Law Program has seen dramatic changes as well. Launched in 1978, the program has expanded its offerings throughout the year and has recently forged a partnership with the Brookings Institution. The Washington, D.C.-based clinical program also moved into Washington University’s new space adjacent to the Brookings Institution, where students attend seminars and meet informally, sharing their experiences in the nation’s capital. Previously, seminars for externs in congressional, administrative, or executive offices were held in borrowed space at various law firms.

“Now we actually have space for the class in the university’s building,” Appell says. “The students also hang out there. It’s wonderful to have this kind of physical space for them.”

Mary Bukus