

Scholarship and clinical focus



Scholarship occupies a wholly different area from our clinical focus

Examples:

- A civil clinic focuses on employment and housing, but scholarship focuses on education rights.
- A veteran's clinic focuses on benefit denials, but the scholarship focuses on family law issues.

Some Considerations

Time efficiency
Possibility of student involvement
Pedagogy in tension with topic area
Personal interests of clinician

In-Between Examples:

- Community development clinic client advocated for legislation on community benefit corporations; scholarship abstracts from that experience, although clinic no longer represents that client.
- Immigration clinic focuses on asylum domestically and scholarship focuses on quality of representation in the immigration system.

Scholarship centers on same topic as clinical focus

Examples:

- Family law clinic focuses on protection orders and scholarship focuses on improving the system, identifying protection gaps, etc.
- Civil clinic represents children in foster care and does FOIA litigation; FOIA results feed the scholarship in improving the system.
- Clinic has innovative community project; clinician writes scholarship on the pedagogy of that project.

Revealing, assigning and/or teaching our scholarship



Never

Proposition

Students will take our work as *the* answer, no matter how much we encourage them to debate the ideas.

Some Considerations

Overlap between our writing and the clinic's focus
Teacher-student power dynamics
Availability of other materials

In-Between Proposition:

So long as we assign alternate viewpoints, we can position our work among broader scholarly debates, but students can benefit from our passion and knowledge for subjects we have delved into deeply.

Always

Proposition:

We write because we care deeply about the topic, and the research involved makes us expert. Choosing not to assign our own writing robs students of benefiting from that passion and expertise.

The ethics of using our clients' stories



Never.

Proposition

Using client stories is inherently exploitative and not necessary to convey important scholarly points.

Some Considerations
Value added to the scholarship
Dignity of the client
Client consent
Rule 1.6 Confidentiality
Rule 1.8 (Specific Rules with Current Clients)

In-Between Proposition

Client consent needs to be carefully navigated because of the potential for exploitation, but sometimes a specific real story adds tremendous impact to the scholarship.

Front and center in the scholarship.

Proposition:

Client narratives are crucial to effective scholarship, and can be disguised in such a way that we maintain client dignity and confidentiality.

The ethics of using our students' stories and legal work



Never.

Some Considerations
Value of the student voice
Co-authoring opportunity
Dignity of the client *and* student
Client *and* student consent
Rule 1.6 Confidentiality
Rule 1.8 (Specific Rules with Current Clients)

Front and center in the scholarship.

Proposition

Using student stories (and often the client stories embedded within them) is inherently exploitative and not necessary to convey important scholarly points.

In-Between Proposition

Student stories add richness to scholarship and offer possible publishing opportunities to our students, but must be carefully navigated because of the potential for exploitation of both the client and the student.

Proposition:

Narratives about our students' experience are critical to recognizing how clinics work and gives deserved recognition to the students whose work drives our clinic accomplishments.