

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

Bibliography of Articles and Other Resources Published on Student Clinical Exchange

This short bibliography has been compiled to establish the extent of published articles and other resources concerning cross border clinical collaboration involving students collaborating with students. There is a far larger body of published work which considers the work of clinicians supporting the development of clinical legal education in other countries and regions. This has not been included. There is additionally research engaging with international fieldwork and other, mainly international human rights¹ and environmental protection², clinical work involving mostly US students working in other countries. These have been included only in so far as they appear to include some experience of, or advocacy for, student-student collaboration³.

The principal aim of this literature search was to identify publications detailing clinical collaboration in which students from at least two countries worked together in a clinical collaboration. A search was performed on Google Scholar using the search terms “clinical legal education” and “cross border.” The search identified 416 possible articles. The inclusion criteria were papers that included either reports of clinical collaboration between students or advocated such collaboration. Having used these criteria, a very small number of articles were identified. The articles were read and relevant references followed up which led to a few further articles being identified. Finally, the same search terms were employed on Hein Online and cross referenced against those identified on Google Scholar. The abstracts were considered following which a small number of additional articles were identified. Leah Wortham considered these alongside her research files, international experience and, responses to the survey about collaborative work undertaken for the AALS workshop on 1st May 2021.

It is undoubtedly the case that many more student clinical exchanges have taken place but not been written about and some writings may have been missed in this search, but it is hoped that this short bibliography provides a starting place for those interested in this field.

Having considered these articles, they have been placed in broad categories which are intended to identify for the reader what they broadly concern. The categories are as follows:

¹ Daniel Bonilla notes that in 2013 36 out of 46 international human right clinics in the US and Canada had undertaken international fieldwork. From 1980-2011 U.S. and Canadian clinicians had participated in 548 consultancies or international teaching projects. He lists the three major types of clinical projects as fact finding missions (often involving students); consultancies, usually by US academics assisting in clinic formation elsewhere, and conferences. Bonilla's article supports cross border clinical exchange but produces an important critique of the structural dynamics that in many, but not all, cases may lead to the subordination of the Global South by the Global North, Daniel Bonilla, 'Legal Clinics in the Global North and South: Between Equality and Subordination - An Essay' (2013) 16 Yale Hum Rts & Dev LJ 1. He argues for the prioritisation of the social justice mission of such collaboration over the educational objectives

² Legal clinicians such as John Bonine (<https://allard.ubc.ca/about-us/blog/2020/warrior-lawyer-profile-john-bonine-reinventing-networking-legal-tool/centre-law-and-environment> last accessed 26.4.21) at the University of Oregon have established work that takes place internationally and participated in founding international networks such as the Environmental Law Alliance (elaw.org) but published information about their work does not appear to involve clinical students in both countries

³ It is worth noting that the inspirational involvement of US clinical students abroad dates back to at least the 1960's. For an example of such long established work see Northwestern's International Human Rights Clinic: <https://www.law.northwestern.edu/legalclinic/humanrights/> last accessed 26.4.21

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

1. Proposals for student cross border clinical collaboration
2. Student-Student cross border clinical collaboration
3. Outputs from student-student cross border clinical collaboration
4. International students working in US clinics

Proposals for student cross border clinical collaboration

Lauren Carasik, 'Think Glocal, Act Glocal: The Praxis of Social Justice Lawyering in the Global Era' (2008) 15 Clinical L Rev 55

Advocates a model whereby a US law clinic would collaborate with a clinic in China and conducts an in-depth investigation of the possible process by which this could be undertaken including the benefits of doing so.

Sarah H. Paoletti, 'Transnational Responses to Transnational Exploitation: A Proposal for Bi-National Migrant Rights Clinics,' (2009) 30 U. PA. J. INT'L L. 1171, 1183

Advocates the development of bi-national migrant rights clinics and the advantages to students of working with students bi-nationally with other students on client cases. Considers also the challenges to establishing such clinics.

Johanna Bond, 'The Global Classroom: International Human Rights Fact-Finding as Clinical Method,' (2001) 28 WM. MITCHELL L. REV. 317, 332

Considers clinics conducting international human rights fact finding generally in-depth but in the final section proposes clinic-clinic international collaboration as part of the method. "Cross continental collaboration is the next frontier in the movement to promote social justice through law school clinical programs." References a joint project between University of California, Berkeley law clinic students and Bosnian law students. See also outputs section below.

Justin W Evans and Anthony L Gabel, 'Preparing Legal Entrepreneurs as Global Strategists: The Case for Entrepreneurial Legal Education' (2015) 32 Ariz J Int'l & Comp L 727

Advocates cross border business clinics. Presents a model of a 2-year LLM in global entrepreneurship including clinical legal education and a diverse group of LLM students from the US and internationally.

Jocelyn Getgen Kestenbaum and Esteban Hoyos-Ceballos and Melissa C del Aguila Talvadkar, 'Catalysts for Change: A Proposed Framework for Human Rights Clinical Teaching and Advocacy' (2012) 18 Clinical L Rev 459

Considers the development and benefit of International Human Rights Clinics generally. Does not advocate clinical student-student collaboration but does highlight the positive benefits of including international LLM students from the local region and of engaging clinical students with local academic faculty

Student-Student cross border clinical collaboration

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

William L. Berman, Why Not an International Clinical Legal Exchange Program? It Is Worth the Schlep, 21 CLIN. L. REV. 171 (2014)

Reports on a clinical exchange of students between Israel and the US as a precursor to studying in each institution's respective clinic. The exchange began with Haifa students taking part in the US clinic but at the students' suggestion emerged as an exchange with US students going to Israel and all students taking part in work at the two respective clinics. The programme ended due to funding difficulties, but the author provides some best practice guidance to assist in establishing such exchanges. Makes a case for enabling students to critically analyse their own system; develop cross-cultural competence for the global legal market and advance clinical pedagogy and practice internationally. Reports on a small-scale survey of exchange participants as to the benefits gained from the programme.

Jeremy Perelman, 'Transnational Human Rights Advocacy, Clinical Collaborations, and the Political Economies of Accountability: Mapping the Middle' (2013) 16 YALE HUM. RTS. & DEV. L.J. 89

Describes an alliance between Harvard professors and students and University of Ghana students over a 10-year period and the Leitner Fordham Law School collaboration working with African law students on projects. Also considers Sciences Po and Columbia Law School's clinic – human resource extraction in the DRC.

Kate E Bloch and Roxane Edmond-Dimanche, 'Human Rights from the Ground up: Building the First Law School Legal Aid Clinic in Haiti' (2017) 20 U Pa JL & Soc Change 217

Considers the collaboration by UC Hastings and Grand'Anse Department of Haiti, L'Ecole Superieure Catholique de Droit de Jeremie to establish Haiti's first legal aid law clinic. Students at UC Hastings were involved in both developing and teaching the materials. Professor Bloch tells us that the original simulation teaching module used in a multi-day simulation in Haiti was developed through UC Hastings students Givi Tibaneli and Zoe Overbeck, a then UC Hastings colleague Kim Thuy Seelinger, and Professor Bloch (in consultation with Haitian academic partners Roxane Dimanche and Dean Eustache). This teaching model is further described in **Kate E Bloch, 'Representation for the Accused: Haiti's Thirst and a Role for Clinical Legal Education' (2012) 14 Or Rev Int'l L 432.**

Beth Richards-Bray, Alan East, Stephen Hardy and Stephan van der Merwe, 'Robots and the Law,' Global Focus: The EFMD Business Magazine, 12(3), 46-49

<https://www.globalfocusmagazine.com/robots-and-the-law/> last accessed 21st April 2021

Considers a collaboration involving Coventry University, UK and Stellenbosch Law Clinic. Describes the use of technology in allowing students from the two clinics to take part in client interviews and take part in a mock tribunal hearing through the use of a 'mobile robotic presence.'

Ulrich Stege, 'How Clinical Education is Crossing Borders,' in Cecilia Blengino and Andres Gascon-Cuenca (eds.), *Epistemic Communities at the Boundaries of Law: Clinics as a Paradigm in the Revolution of Legal Education in the European Mediterranean Context* (2019) Leizioni LediPublishing, Milan, Italy

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

Describes the growth in refugee/migration/human rights law clinics in the Mediterranean and Middle East recently and some of the models. Mentions clinical cooperation between the University of Bordeaux, France and University of Rabat, Morocco with plans for student exchange in the clinics of the two institutions. Further reference is made to German clinic students providing legal services to refugees on the Greek Islands (though this does not appear to refer to Greek student collaboration). Some of the challenges encountered when students cross borders are discussed.

Kathleen K. Janus & Dee Smythe, 'Navigating Culture in the Field: Cultural Competency Training lessons from the International Human Rights Clinic,' (2011) 56 N.Y.L. SCH. L. REV. 445, 483-85 (2011- 2012)

An exploration of Stanford's international human rights clinic involving international human rights fieldwork by students over extended periods of time. Describes some experience of students from South Africa and the US clinic collaborating on projects and the benefits to US students of working peer to peer in assisting them to navigate cross-cultural work.

Ben Saul and Irene Baghoomians, 'An Experiential International Law Field School in the Sky: Learning Human Rights and Development in the Himalayas.' (2012) Legal Education Review, vol. 22, no. 2, 2012, p. 273-316

The article reports on a two-three-week experiential course between the University of Melbourne and Kathmandu School of Law. It involves study and field trips in Nepal and reports that a small number of Nepalese students take part as well as those from Australia. There is clearly an experiential, if not clinical element. The article considers the design and operation of the programme and the benefits, challenges and ethical considerations.

Barbara Atwood, Graciela Jasa Silveira, Nicole LaViolette and Tom Oldham. 'Crossing Borders in the Classroom: A Comparative Law Experiment in Family Law.' (2005) Journal of Legal Education 55: 542-559.

Describes project to work with students on simulated transnational legal problems in family law with nine law schools across Canada, the US and Mexico with students and faculty in each jurisdiction participating. Describes the benefits to students and faculty and the challenges of designing and operating this form of programme.

J. Anthony VanDuzer and Stephen T. Zamora 'Collaborative Cross-Jurisdictional Teaching: NAFTA from a Tri-Lateral Perspective' (2015) Ottawa Faculty of Law Working Paper No. 2015-5

Sets out how three institutions in Canada, the US and Mexico devised simulated real world problems which students collaboratively worked on across the three countries. This teaching included video recorded moots/discussion boards/email and the use of other technologies.

Daniel D Bradlow and Jay Gary Finkelstein, 'Training Law Students to be International Transactional Lawyers - Using an Extended Simulation to Educate Law Students about Business Transactions' (2007) 1 J Bus Entrepreneurship & L 67

Describes an extended simulation involving students at institutions in the US and Scotland whereby the students represented opposing parties in a cross-border business transaction. Considers the educational benefits, challenges and response of students.

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

Janet Thompson Jackson and Susan R Jones, 'Law & Entrepreneurship in Global Clinical Education' (2018) 25 Int'l J Clinical Legal Educ 85

This paper generally considers the growth of Business Law Clinics globally. Brief mention is made of collaborative cross border clinic ventures including between University of Windsor, Ontario, Canada and University of Detroit, Mercer, stated to be the only cross border clinic of its type in the US or Canada.

Outputs from Student Cross Border Clinical Collaboration

'Girls in Kenya's Juvenile Detention System: Recommendations for Abolition and Reform Joint report of it and Strathmore Law School Nairobi,' <http://www.leitnercenter.org/wp-content/uploads/2020/12/Report-from-Strathmore-law-school.pdf> last accessed 20th April 2021

A report produced as a collaboration between the Leitner Clinic, Fordham Law School, New York and the Strathmore Clinic, Nairobi that involved desk based and field research in Kenya by students from both countries.

Sital Kalantry, Elizabeth Brundige and Priya S. Gupta, 'Promoting Clinical Legal Education in India: A Case Study of the Citizen Participation Clinic,' Cornell Legal Studies Research Paper No. 12-56NYLS Clinical Research Institute Paper No. 21/2012 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2112429 last accessed 20th April 2021

Students at clinics in Cornell, United States and Jindal Global Law School, India, created the initial draft of a report considering the key features of Jindal's Citizen Participation Clinic.

Laurel E. Fletcher and Harvey M. Weinstein, Justice, Accountability and Social Reconstruction: An Interview Study of Bosnian Judges and Prosecutors, 18 Berkeley J. Int'l Law. 102 (2000)

The International Human Rights Law Clinic at the University of California, Berkeley School of Law (Boalt Hall) and the Centre for Human Rights at the University of Sarajevo collaborated with the Human Rights Center in Sarajevo to conduct this study. Clinic interns from both countries conducted the research with academic faculty. The report is based upon semi-structured interviews with 32 Bosnian judges. The report investigated the attitudes of legal professionals towards the International Criminal Tribunal for the former Yugoslavia and made recommendations.

International Students Working in US Clinics

Deborah Burand, 'Crossing Borders to Create Value: Integrating International LL.M.'s into a Transactional Clinic' (2015) 19 Lewis & Clark L Rev 441.

This article considers the experience of the International Transactions Clinic (ITC) at the University of Michigan Law School. The ITC supports cross border transactions in emerging markets through US based clinic students and local organisations. The article considers how the student body in the clinic was diversified to include international LLM students and contains useful material on the challenges of enrolling LLM international students in its

Short Bibliography Compiled to Accompany Gillian Dutton et al, 'How Global Clinical Education Collaboration Can Benefit Our Students, Our Clients, and Ourselves,' Workshop, American Association of Law Schools Conference on Clinical Legal Education 1st May 2021

Report Compiled by Jonny Hall, Principal Lecturer, Northumbria University, UK 27.4.21

clinics including the opportunities and challenges offered by this diversity. While the article does not report on students from other countries' clinics collaborating, it does indicate that the ITC was beginning to be supported by its international LLM graduates on their return to their own country.

Deborah Burand, 'Doing Good While Doing Deals: Early Lesson in Launching an International Transactions Clinic' (2010) Mich. Int'l Law. 22, no. 1: 12-5

A short article on developing the ITC described in the article above by the same author. Considers the project, client and supervision issues rather than integration of international students.