

IV-3. Departmental Structure of School of Law Faculty

A. The School of Law will be divided into three departments: the Department of Legal Studies, the Department of Clinical Education, and the Department of Lawyering Skills. After consulting with the faculty, the Dean will recommend, and the President will appoint, chairs for each of these departments. The Dean will likely recommend that the Associate Dean be appointed to chair the Department of Legal Studies, the Director of Clinical Education be appointed to chair the Department of Clinical Education, and the Director of Lawyering Skills be appointed to chair the Department of Lawyering Skills.

B. The fact that the School of Law is organized into departments will be virtually invisible to anyone outside of the law school—or, for that matter, to most people inside of the law school. It will have almost no impact on any of the operations of the School of Law, except in the areas of appointments and promotions. We will not refer to the departments on our website or in any of our publications. The departmental structure is merely a technical, behind-the-scenes means to achieve our goals in a manner that complies with University policies.

C. Except as described below or specifically provided otherwise in a University or law school policy, all faculty working in all departments will have the same rights and responsibilities. The law school faculty will meet as a whole, and all faculty will vote on all matters. All committees will be committees of the entire School of Law (rather than of individual departments), all committees will be appointed by the Dean, and all faculty will be eligible to serve on all committees. All faculty will carry the rank of “Assistant Professor,” “Associate Professor,” or “Professor,” as appropriate. All faculty will receive contracts on the same form, and all faculty who receive tenure will receive the same tenure to the University. All of the policies of the University and School of Law will apply to all faculty in all departments, unless specific exceptions are made in the policies themselves.

IV-5. Promotion, Tenure and Evaluation

POLICY GOVERNING RANK AND TENURE OF TENURE-TRACK AND TENURED FACULTY

1. General Criteria

a. A candidate for promotion or tenure must demonstrate commitment to the mission and vision of the School of Law and excellence in teaching, engaging the profession, and service to the University, the legal profession, and the community.

b. A candidate may demonstrate commitment to the mission and vision of the School of Law in a wide variety of ways, such as by encouraging students to integrate their faith and values into their professional lives, publishing scholarship that integrates faith and ethics into the study of law, or providing service to the disadvantaged. To be promoted or tenured, a candidate must demonstrate that he or she has undertaken ongoing efforts, individually and in concert with others, to advance the mission and vision of the School of Law. Conduct that is inimical to the mission and vision of the School of Law is grounds for denial of promotion or tenure.

c. Guidelines describing what demonstrates “excellence” in teaching, engaging the profession, and service, together with commitment to the mission and vision of the School of Law, are set forth in the “Standards for Promotion, Review, and Tenure for Faculty at the University of St. Thomas School of Law.”

3. Criteria for Granting of Tenure

a. Teaching

- i. To be granted tenure, a candidate must demonstrate that he or she is an accomplished teacher.
- ii. The faculty candidate’s teaching shall be reviewed by three peer reviewers. This review

ordinarily will be conducted in the academic year prior to the academic year in which the faculty member will be a candidate for tenure, and the faculty candidate may choose whether the review shall take place in the fall or spring semester of that preceding academic year. The faculty candidate may request that this review be conducted in the fall semester of the academic year in which he or she is a candidate, which request shall be liberally granted by the departmental promotion and tenure committee when good cause is shown.

iii The candidate shall select the first reviewer. If the person selected by the candidate declines to be a reviewer, the candidate shall make another selection. The departmental Promotion and Tenure Committee shall select the second reviewer. The Dean of the School of Law shall select the third reviewer. However, neither the Dean nor the Chair of the department may be a reviewer. In special circumstances, with approval of the Chair of the departmental Promotion and Tenure Committee and the Dean, the faculty candidate may select a faculty member from elsewhere in the University or from outside the University.

iv In the Legal Studies Department, the reviewer shall be selected from among the members of the faculty in the School of Law who have been granted tenure.

v. Before visiting a class session, the reviewer should meet with the faculty candidate to discuss the syllabus, text, and general philosophy of what the faculty candidate is trying to accomplish in the course, as well as the goals of the specific class session to be observed. After visiting the class session, the reviewer should meet again with the faculty candidate to briefly discuss the class session. The criteria for the peer review are those set forth in the Standards for Promotion, Review, and Tenure in Section IV-6.I. Based on these criteria, the faculty reviewers shall write a joint report which reflects the observations each of them has made and which becomes part of the candidate's portfolio.

vi. A copy of the peer review report shall be provided to the faculty candidate, who may file a written response that will be included in the candidate's portfolio. Copies of any response must be sent to the reviewer, the chair of the departmental Promotion and Tenure Committee, and the Dean.

b. Engaging the Profession.

i. To be granted tenure, a candidate must demonstrate that, by December 1 of his or her sixth year on the faculty of the School of Law, he or she has published or had accepted for publication at least three articles or their equivalents. Articles published or accepted for publication prior to the candidate's promotion to Associate Professor of Law are included in this total. [This is a variance from Section IV.B.2.b., which requires at least two pieces of substantive work for tenure.]

ii. The scholarly work of the candidate must provide evidence of significant and influential scholarly accomplishment and the promise of continued achievement in scholarship.

Section IV-5.B.3.b.iii (on granting of tenure) will be retained until no faculty member who joined the faculty before 2006-2007 remain untenured.

iii. To assist it in making this determination, the Promotion & Tenure Committee of the respective department will seek external reviews from at least three experts in the faculty member's field(s) of any of the candidate's scholarship that has not already been the subject of an external review. The Promotion & Tenure Committee may, at its discretion, request additional external reviews of any of the candidate's scholarship that has already been the subject of an external review.

(a) The external reviewers will be selected by the Dean and the Chair of the Promotion & Tenure Committee of the respective department.

(b) Before selecting the external reviewers, the Dean and the Chair of the Promotion & Tenure Committee of the respective department will ask the candidate to identify three experts who would be acceptable to the candidate. If possible, at least one of the external reviewers selected by the Dean and the Chair of the Promotion & Tenure Committee will be one of the three experts identified by the candidate.

(c) Before selecting the external reviewers, the Dean and the Chair of the Promotion & Tenure Committee of the respective department will also ask the candidate to identify up to three experts who would not be acceptable to the candidate. The Dean and the Chair of the Promotion & Tenure Committee will not select anyone so identified as an external reviewer.

(d) External reviewers will be asked whether the faculty member has provided evidence of significant and influential scholarly accomplishment and the promise of continued achievement in scholarship.

Substitute subpart iii below as applicable to those joining the tenure-track in 2006-2007 or later.

iii. To assist it in making this determination, the Promotion & Tenure Committee of the respective department will seek external reviews from at least four experts in the faculty member's field(s) of any of the candidate's scholarship that has not already been the subject of an external review. The Promotion & Tenure Committee may, at its discretion, request additional external reviews of any of the candidate's scholarship that has already been the subject of an external review.

(a) Two of these external reviewers shall be chosen from a list of at least six names submitted by the candidate.

(b) The remaining external reviewers shall be selected by the Chair of the Promotion & Tenure Committee.

(c) The candidate may also list the names of up to three scholars who should not be solicited, due to the candidate's belief that they would not be able to provide an objective evaluation of the candidate's work.

(d) No external reviewer may hold an appointment at the University of St. Thomas. The external reviewer may not have a direct connection with the candidate, which is typically defined as having ever had a faculty or student relationship with the candidate (which does not include merely having been a student in a large law school section course taught by that person), having ever been a co-author with the candidate, or any other professional or personal relationship of comparable closeness. Faculty who have served on a professional committee or conference panel with the candidate would be appropriate external reviewers. If there is doubt about a given relationship between the candidate and a prospective reviewer, a determination on suitability will be made by the department Promotion & Tenure Committee.

(e) In Legal Studies, external reviewers shall be tenured faculty at an ABA-accredited law school. For Legal Studies, with prior approval of the Chair of the department Promotion & Tenure Committee and the Dean, the faculty candidate may include on the list of six names a nationally-recognized scholar who is not affiliated with an educational institution or a scholar who holds a tenured faculty position in another discipline with expertise in the field(s) of the candidate's work.

(f) External reviewers shall be solicited by the Chair of the department Promotion & Tenure Committee. The external reviewer's willingness to provide a letter will be confirmed by a standard letter that is available for candidate review (without the names and addresses of the external reviewers).

(g) External reviewers will be asked to provide an independent assessment of one or more of the faculty candidate's works and to evaluate whether the faculty member has provided evidence of significant and influential scholarly accomplishment and the promise of continued achievement in

scholarship. External peer reviewers will not be asked to make a direct recommendation as to whether tenure at the University of St. Thomas should be granted. It will instead be the job of the departmental review committee to interpret and place in context the external letters of evaluation. Evaluations of suitability for tenure are made within the University of St. Thomas, with reference to the external letters and in accordance with the Standards for Promotion, Review, and Tenure in Section IV-6.I. The external reviewers' confidential assessments will be placed in the candidate's file.

(h) In order to protect the confidentiality of external reviewers to the greatest extent possible, the assessment and recommendations written by the department Promotion & Tenure Committee, by the department Chair, by the Dean, and by the University Promotion & Tenure Committee will make no reference by name to the authors of the external letters of evaluation, though they will refer to the substance of those assessments in coming to their own conclusions.

c. Service

i. To be granted tenure, a candidate must demonstrate that he or she provided significant service to the University, the legal profession, or the community

ii. In order to better collect information on the quality of service rendered to the department and to the university by a candidate, the department Committee on Promotion & Tenure may ask committee chairs (or, in the absence of the chair, another member of the committee) on which the candidate has served in the last four years to submit a letter describing the quality of the candidate's service on that committee. Quality shall be judged by impact, which will mean (at a minimum) attending meetings and making a contribution. To document other types of service, including service outside of the university itself (where such service has been agreed as being of relevance to the case for tenure or promotion), letters on the quality of service may be solicited from other individuals named by the candidate or provided directly by the candidate. In the assessment of department chairs, the department Committee on Promotion & Tenure shall ask the Dean or the Chair of the department for comment on the quality of the candidate's service in that role.

IV-6. Standards for Promotion, Review, and Tenure

Promotion, review, and tenure at the University of St. Thomas School of Law are based upon four broad categories of performance: teaching accomplishment; research and scholarship; service to the institution, to the profession, and to the community; and commitment to the mission and vision of the School of Law. Sections I, II, and III below articulate the standards on teaching, scholarship, and service. With respect to the category of commitment to the mission and vision, the University of St. Thomas School of Law Policy Governing Rank and Tenure emphasizes that "[t]o be promoted or tenured, a candidate must demonstrate that he or she has undertaken ongoing efforts, individually and in concert with others, to advance the mission and vision of the School of Law." The policy offers the following as examples of demonstrated commitment to the mission and vision: "encouraging students to integrate their faith and values into their professional life, publishing scholarship that integrates faith and ethics into the study of law, or providing service to the disadvantaged." While not every aspect of instruction, scholarly work, or service need be directly related to the School of Law's mission and vision, the candidate must demonstrate that commitment through some regular and ongoing element of his or her academic or professional life

The individual statements below setting forth standards on teaching, scholarship, and service - must be interpreted in light of the significance of tenure. Recommendation for tenure is a recognition by the faculty and administration of the University of St. Thomas School of Law that the individual to whom it is awarded has demonstrated qualities and achievements that embody the ideals and mission of the School of Law and that continued excellence in professional performance may be anticipated. For that reason, in making promotion, review, and tenure evaluations, an attempt must be made to judge not only the quality of the candidate's past

teaching, existing scholarly production, history of service, and reported advancement of mission, but also the candidate's commitment to and capability of achieving sustained teaching excellence, continuing and significant scholarly engagement, ongoing meaningful service, and enduring dedication to the mission, all as essential elements of academic life at this institution. The burden of persuasion remains always upon the candidate.

I. Teaching

A. General Expectations for Teaching

1. Expectation of Teaching Accomplishment. The University of St. Thomas School of Law Policy Governing Rank and Tenure provides that a candidate for tenure must demonstrate excellence in teaching. A candidate for associate professor must demonstrate that he or she is making reasonable progress toward becoming an accomplished teacher.

2. University Expectations for Teaching. The University of St. Thomas Policy Governing Rank, Tenure and Evaluations provides the following summary of teaching expectations: "Effective teaching presumes currency, breadth, and depth of knowledge. In addition, St. Thomas expects its faculty to communicate information, ideas and values by using teaching methods and techniques that recognize a variety of learning styles, cultural backgrounds, and instructional settings. Whenever possible, faculty should approach teaching with an intent to demonstrate the interrelatedness of disciplines and of learning. Instructional and curricular innovations that are directed to these goals should be developed. Likewise, faculty should provide ways for students to become actively engaged in the work of the discipline(s). Recognizing that much learning goes on outside of the classroom, faculty should also be effective and skillful formal and informal advisors to students."

3. School of Law General Expectations for Teaching. In the School of Law, instruction should develop students' knowledge, understanding, and critical appraisal of various substantive areas of law, the legal system as a whole including its institutions and decision-making processes, the interrelationships between the legal system and other social institutions, the ideas and historical events that have shaped the law and legal system, the integration of faith into an understanding of the law and professional life, and the moral obligations and professional responsibilities of lawyers, as well as essential skills in legal analysis, legal research and writing, oral and written advocacy, problem-solving, negotiation, and counseling.

B. Specific Expectations for Teaching: Specific expectations concerning teaching excellence in the School of Law for Legal Studies faculty include the following components

1. Knowledge of the Subject Matter. The accomplished professor both will have a command of the subject, demonstrating breadth and depth of knowledge, and will remain current on developments in the field.

2. Integration of Faith and Values. The accomplished professor will in a manner appropriate to the course integrate faith and values by (1) facilitating discussion of the relevance of faith and values to the questions raised in class, (2) encouraging students' integration of their faith and deepest ethical principles into their professional character and identity, (3) preparing students to become accomplished servant leaders in the practice of law, in the judiciary, in public and community service, in business, and in education, (4) and enhancing the professional responsibility of students.

3. Planning and Organization. The accomplished professor will be effective in organizing the study of the subject, including defining instructional objectives, being well-prepared for each class, preparing appropriate syllabi and materials, covering material consistently so that large

amounts of material are not left for the end of the semester, and structuring the classroom discussion in a manner that facilitates learning.

4. Planning, Organization, and Supervision of Clinical Casework. The accomplished professor will be effective in acquiring client caseloads that balance the purpose of providing educational opportunities with the need to provide service to the larger community and the necessity of faculty research and scholarship. The accomplished professor will also be an effective supervisor of certified student work with clients, balancing professional obligation to clients with student responsibility for casework.

5. Creating a Learning Environment. The accomplished professor will create a classroom or clinical environment that is conducive to learning and motivates students to learn, making effective use of different teaching methods and technology as appropriate.

6. Fostering Student Development and Engagement. The accomplished professor will foster student engagement in the classroom, or for clinical legal education faculty in case team meetings and the clinical program as a whole, and stimulate critical analysis by students.

7. Effective Communication. The accomplished professor, by being organized and understandable in communication of concepts by lecture, questioning, or moderation of student discussion as appropriate, will effectively and clearly communicate with students.

8. Developing Student Communication Skills. The accomplished professor will assist students in developing oral and written communication skills through facilitating classroom participation, preparation of papers, client casework and representation, and other means as appropriate to the course. The accomplished professor will provide meaningful and appropriate critique of students' papers, oral presentations, client casework, and classroom preparation, as pertinent.

9. Receptivity and Availability to Students. The accomplished professor will be reasonably available to students, including being receptive to student questions, maintaining regular office hours, offering advice to students on academic and professional matters, and reviewing student examinations and papers. The accomplished clinical legal education professor will be reasonably available to students by scheduling regular meetings for casework review and student evaluation, being receptive to student questions, maintaining availability for appointments with students not currently enrolled in clinical coursework, offering advice to students on academic and professional matters, and reviewing student casework and other clinical responsibilities.

10. Fairly Evaluating Student Performance. The accomplished professor will fairly evaluate student performance, including (as pertinent to the course) devising appropriate examinations; developing guidelines for student papers or presentations; impartially grading student examinations, papers, or presentations; or devising and using appropriate tools for reviewing and evaluating such areas of clinical performance as student goal definition and execution, professional responsibility, and case responsibility.

11. Diligence in Meeting Teaching Obligations. The accomplished professor will be diligent in meeting teaching obligations, including generally beginning and ending class on time; canceling classes only when necessary due to academic or professional conflicts, religious holidays, illness, or other exigent circumstances; generally scheduling a make-up class or other means of replacing a canceled class; and timely submission of grades.

12. Educational Innovation. A professor is encouraged to develop new courses or segments of courses, or prepare innovative teaching materials, such as clinical simulations, problems sets, skills exercises, computer-based materials, and audiovisual materials. Although these activities are not required, they will be considered as favorable evidence of superior teaching ability.

II. Scholarship

A. General Expectations for Scholarship

1. University Expectation for Professional Engagement. The University of St. Thomas Policy Governing Rank, Tenure and Evaluation includes the following general statement on engaging the profession: "Since the primary professional responsibility of the St. Thomas faculty member is the creation and enrichment of the university's learning community, it follows that a corollary expectation is engagement with the discipline. The vital center of any university is the expression of the life of the mind that results from engaging the profession. That engagement is the source of the community's intellectual vitality and connects it with the national and international world of scholarship. That connection means, too, that it is from peers at St. Thomas and at institutions around the world that we receive evaluation of our achievements as teacher/scholars."

2. School of Law Expectation for Professional Engagement. The School of Law expects that its faculty members will engage in research and will disseminate that research through published scholarship. The process of research and scholarship is particularly important to the professional growth and development of untenured faculty members for four reasons. First, as expressed in the Vision Statement of the University of St. Thomas School of Law, scholarly engagement "expand[s] knowledge about law and society and [contributes to] the improvement of legal institutions and other organizations." Second, research activities and the publication of scholarship contribute to a faculty member's expertise and can enhance the quality of his or her teaching. Similarly, through the dissemination of his or her scholarship, a faculty member can extend the reach of his or her teaching to a new and larger audience. Third, the quality of scholarship is a significant indication of the quality of the mind that produces it. Therefore, evidence of scholarly ability and continual productivity are indications that a faculty member is capable of, and committed to, a career of intellectual and professional engagement. Fourth, as stated in the May 13, 1999 Resolution of the University of St. Thomas Board of Trustees which authorized reopening of the School of Law, the University was committed, inter alia, to "establish[ing] a national law school of the highest quality." No law school can attain national prominence without being comprised of faculty who regularly are producing significant and influential scholarship.

3. General Quantitative Expectation for Scholarship. For these reasons, the University of St. Thomas School of Law Policy Governing Rank and Tenure provides that a candidate for tenure must demonstrate accomplishment in engaging the profession. At each stage of the evaluation process, the Law School Policy defines an expected amount of scholarly contribution in terms of "an article or its equivalent." Thus, a candidate for associate professor "must demonstrate that, by the spring of his or her third year on the faculty of the School of Law, he or she has published or had accepted for publication at least one article or its equivalent. The candidate must also demonstrate that he or she has made progress toward completing a second article or its equivalent." Further, "[t]o be granted tenure, a candidate must demonstrate that, by December 1 of his or her sixth year on the faculty of the School of Law, he or she has published or had accepted for publication at least three articles or their equivalents." Finally, to be promoted to full professor of law, the candidate must have "had two articles or their equivalents published or accepted for publication within any three-year period after being granted tenure."

4. General Qualitative Expectation for Scholarship. As general statements for each stage of review, the University of St. Thomas School of Law Policy Governing Rank and Tenure provides that (1) the scholarship of the candidate for promotion to associate professor must "demonstrate[] the potential to have a substantial impact in the field," (2) the scholarship of the candidate for tenure "must provide evidence of significant and influential scholarship accomplishment and the promise of continued achievement in scholarship, and (3) the scholarship of the candidate for promotion to full professor of law "must provide evidence that the candidate has achieved a national reputation in his or her field."

The quality of the candidate's research and scholarship will be evaluated both (1) by external reviewers, whose expertise in the field and lack of direct connection to the School of Law ordinarily assure an independent and informed evaluation of the scholarship and its impact in the field, and (2) by the Committee on Promotion and Tenure of the pertinent department.

5. Promise of Continued Achievement in Scholarship. The candidate must demonstrate evidence of a continuing and serious commitment to the scholarly enterprise. The award of tenure is a long-term commitment of the institution to the faculty member and therefore should be awarded only if there is substantial reason to believe that significant and influential scholarly work will continue. Three factors may be taken into account in making this evaluation. First, the pattern of scholarship during the untenured period is important. A faculty member who works steadily on research and writing during the untenured period is usually considered more likely to continue scholarly activity than the faculty member who is inactive for long periods of time. Second, consideration will be given to the number and scope of completed projects and works in progress. Although the minimum quantitative expectation is three articles or their equivalents during the untenured period, a candidate's submission of additional works or documentation of additional works in progress strengthens the conclusion that the candidate is inclined to future scholarly efforts. Third, concrete evidence of a thoughtful research agenda, in which present and future planned works are tied together within a theme or plan to achieve a national reputation in a field, suggests the faculty member will continue to work on scholarship.

D. A Statement on Scholarship for Clinical Education Faculty.

1. In addition to their teaching, Clinical Education faculty should contribute through the scholarship (1) to the development of the law, lawyering or legal education, or (2) to the improvement of legal institutions or procedures. Given the different nature of clinical faculty work and the year-round client responsibilities inherent in teaching in this setting, clinical faculty are expected to publish work of a different type and quantity than non-clinical tenure-track faculty.

Because of the nature of their teaching activities and professional engagement, Clinical Education faculty can find many outlets to pursue their areas of scholarship and research. Interests may range from the highly abstract to eminently practical contributions. Clinical Education faculty may seek to accomplish a wide range of purposes in their scholarship. Excellence in scholarship that contributes to the University of St. Thomas community, the community of legal scholars and professionals, and the wider academic community can be manifested in many forms.

However varied the purposes of scholarship and however diverse the forms in which scholarship is manifested, a work of scholarship must ultimately constitute an "article or its equivalent" – that is, it must appear in writing, be the result of thoughtful labor, and be disseminated to, and warrant recognition by, a significant audience, keeping in mind the special characteristics and purpose of the work. Illustrations of what constitutes an article or its equivalent include the following.

- a. A university press book or book in another press (including treatises, text or case books, and monographs);
- b. An article, essay, or book review in a legal periodical, law or multidisciplinary journal or law review. Contributions of this type can advance either the state of the law or the state of clinical teaching methodology or practice;
- c. A section, chapter, or portion of a legal treatise or encyclopedia (includes a major revision);
- d. A research project report, such as one under the auspices of an institute such as the American Bar Foundation or under research grant or contract;
- e. A publication of a learned society such as ALI-ABA, a national or state bar association, AALS, or a publication contributed as part of a judicial, CLE, or administrative conference;
- f. A manual for use by the judiciary, state or federal agencies, or the practicing bar.
- g. A brief, a technical report, policy recommendation, memorandum, or other document, submitted in conjunction with legal, legislative or administrative proceedings;

- h. A report or white paper stemming from a governmental appointment such as a presidential, gubernatorial or other executive commission, legislative committee, court appointment or administrative agency appointment ;
- i. A draft or enacted version (with written comments or testimony) of new or reforming legislation, rules, regulations or guidelines.

2. Specific Quantitative Expectation for Clinical Legal Education Scholarship. For tenure, Clinical Legal Education faculty are expected to publish three articles or their equivalents as defined above. Of the articles, at least one must be approximately 40 pages long. The remaining two articles must be approximately 20 pages long.

In certain circumstances, depending upon the significance and impact of each such work, publication of multiple smaller works may satisfy the expectation of one article or its equivalent of approximately 20 pages. However, a candidate for tenure in Clinical Legal Education must present at least one article or its equivalent of approximately 40 pages and one article or its equivalent of approximately 20 pages. The 40 page work must be drawn from any of categories 1 through 6 above, and no more than one of the 20 page works can be drawn from categories 7 through 9 above.

To be promoted to Professor of Law, a candidate must present at least two articles or their equivalents within any three-year period after being granted tenure. One article must be substantial (i.e. approximately 40 pages long) and be drawn from any of categories 1 through 6, and one article must be approximately 20 pages long.

The School of Law encourages Clinical Legal Education faculty to collaborate with other scholars, practitioners, judges, and policy makers, and members of other disciplines. However, given the difficulty of evaluating the separate contributions of each scholar to co-authored works and the importance of being able to determine that the candidate individually is capable of completing important scholarly work independently, at least two of the articles or their equivalent submitted by the candidate for tenure should be authored solely by the candidate. If the candidate presents a co-authored work to be considered as one of the required articles or its equivalent, the burden is on the candidate to demonstrate clearly his or her contribution and to what degree that contribution is equivalent to an article.

3. Specific Qualitative Expectation for Clinical Legal Education Scholarship. Beyond submitting at least the minimum quantity of published scholarship, the candidate in the Clinical Legal Education Department must present scholarly work of excellent quality. As stated in the University of St. Thomas School of Law Policy Governing Rank and tenure, the candidate for promotion to associate professor must demonstrate that he or she “has undertaken an important research agenda and is making reasonable progress on that agenda.” The candidate for tenure must demonstrate that his or her scholarship “is significant and influential.” The candidate for promotion to full professor must demonstrate that his or her scholarship has gained “a national reputation” in the field. The quality of the candidate’s research and scholarship will be evaluated for the following elements.

- a. Worthiness of the Topic. Identification of a legal or law-related subject worthy of intellectual exploration.
- b. Appropriateness of Research. Indication of careful, accurate, and thorough research in legal and relevant non-legal materials.
- c. Quality of Analysis. Thoughtful and comprehensive analysis and synthesis, that is, going beyond mere description or explication of the subject to offer new insight on a problem or issue such as by identifying and reconciling inconsistencies or apparent inconsistencies in the area; critically evaluating positions, rules, or developments in the area; developing a new organizing principle or frame of reference for the subject; or presenting and defending a solution to a legal or law-related problem.
- d. Nature of Subject. Difficulty or complexity of the subject matter undertaken.

- e. Originality. Originality of the ideas expressed.
- f. Clarity of Communication. Clear articulation of the findings and conclusions reached through the candidate's research and analysis.
- g. Impact of the Work. Probable impact or significance of the work, which may be demonstrated by, for example, citations, published reviews, scholarly comment in other publications, documented comments from professionally respected readers, inclusion of the work in solicited symposia, and documented effect on law reform.
- h. Integrity of Scholarly Activity. Demonstration of integrity in scholarship, by acknowledging the contributions of others, making proper attribution to sources, and making appropriate use of research assistants.

Although not required, scholarship that explores the intellectual integration of religious faith into the study of law, professional ethics, public policy, and social justice is particularly valued and also is evidence of the required commitment to the mission and vision of the School of Law.

III. Service

A. University Expectation for Service. The University of St. Thomas Policy Governing Rank, Tenure and Evaluation includes the following general statement on service: "St. Thomas faculty are members of the university community and of communities beyond the boundaries of the campuses. As members, they have responsibilities to each, responsibilities that result from a particular discipline, but also from the special commitment to people that motivates them as educators. Because the faculty of St. Thomas expects those who are part of it to use their energy, knowledge and values to enrich the quality of life in their communities, it includes evaluation of performance in them among the criteria of professional achievement."

B. School of Law Expectation for Service. The University of St. Thomas School of Law Policy Governing Rank and Tenure provides that to be promoted to associate professor, the candidate must have provided "service to the University, the legal profession, or the community." To be granted tenure, the candidate must demonstrate that he or she provided "significant service to the University, the legal profession, or the community." To be promoted to full professor, the candidate must demonstrate that he or she "has continued to provide significant service to the University, the legal profession, or the community."

C. Basic Expectation of Service to the School of Law. While recognizing that each faculty member brings his or her own values and understandings to the responsibilities of service, there are basic expectations of faculty involvement, including service on School of Law committees, participation in the processes of School of Law governance, and assistance to the School of Law in creating an environment that promotes academic achievement and professional responsibility. Faculty teaching Lawyering Skills classes are expected to participate in the development and policymaking of the Lawyering Skills program as part of their service to the Law School and to comply with overall program policies and goals. Clinical legal education faculty are expected to participate in the development and policymaking of the Clinical Legal Education program as part of their service to the Law School and to comply with overall program policies and goals.

D. Service to the University. While service to the School of Law is one integral means of providing service to the University, additional service to the University as a whole, such as through university committees, mentoring of faculty outside the School of Law, or membership in bodies of university governance, is encouraged, especially for faculty who have achieved tenure.

E. Service to the Profession and the Community. Faculty members are expected, in a manner consistent with their own values and understanding of the responsibility of service, to participate in the community, professional organizations, or institutions that comprise the legal system, especially when performed in a manner that draws upon the professional expertise of the faculty member. As examples, the faculty member may participate in programs designed to improve the level of knowledge, competence, and ethical behavior within the legal profession; may participate

in efforts to improve the effectiveness or fairness of the law, legal institutions, or the legal system as a whole; may provide educational opportunities for members of the public or for faith-based or other non-profit organizations about the law and legal institutions; or may provide legal services to the poor and disadvantaged or non-profit organizations. Service that integrates faith and the law in the profession and that addresses the needs and improves the condition of the disadvantaged and underserved is particularly valued and also is evidence of the required commitment to the mission and vision of the School of Law.

F. Recognition That Teaching and Scholarship are Primary Activities for Untenured Faculty. The School of Law expects all of its faculty members to be engaged in service to the university, to the community, or to the profession. Because of its value to the academic, professional, and larger community, as well as its potential to enhance one's teaching and scholarship, every faculty member should be engaged in service. At the same time, it is contemplated that a faculty member's principal focus should be on teaching and scholarship during the years preceding consideration for tenure. This statement is not intended to discourage greater service on the part of untenured faculty, but is made in recognition of the tremendous commitment of time and energy required to meet expectations for teaching and scholarship, as well as the expectation that the contribution of each faculty member to service outside the School of Law will increase as he or she progresses in the academic vocation.