THE CSALE 2019-20 SURVEY

PHASE I, MASTER SURVEY
Introduction

Welcome to the 2019-2020 Survey of Applied Legal Education, a project of the Center for the Study of Applied Legal Education (CSALE). Your responses in the Master Survey will be combined with other schools' and collectively reported. CSALE carefully limits distribution and use of its data to scholars and those considering law clinic and field placement program design and staffing. No data is made available for purposes of ranking.

Feel free to stop and start the survey at any point, e.g., to check with others at your school for information. Your answers help assure that our data is comprehensive and valuable. Please complete by November 15.

Critical Definitions: The Master Survey focuses on law clinics, field placement courses, and the people teaching in each. In the Survey, the following definitions apply:

Clinical Faculty or Instructor is a person employed by the law school (even part time) who teaches in either a law clinic or field placement course. This does not include a person:
- primarily employed by the office where a student is placed in a Field Placement Course who supervises students in that capacity (sometimes referred to as a “field supervisor” or “site supervisor”); OR
- primarily a podium/doctrinal teacher who may supervise a few students in externship placements or help teach some law clinic or field placement seminar class sessions.

Law Clinic is a credit-bearing course under ABA Standard 304(c) in which students advise or represent actual clients (individuals or organizations) or serve as a third-party neutral, are supervised by a Clinical Faculty member, and includes a classroom instructional component (includes “hybrids” if your school reports them to ABA as a “law clinic”).

Field Placement Course is a distinct credit-bearing externship course separately listed in the school’s course directory/catalogue that under ABA Standard 304(d) provides substantial lawyering experience where students are supervised in a setting outside the law school by persons not primarily employed by the school and which may or may not include a classroom component but does require some means of ongoing, contemporaneous, faculty-guided reflection.

A. IDENTIFYING INFORMATION

This section seeks information on your school and oversight of its clinical programs. This allows CSALE to report responses by demographic groupings (e.g., school size, region, etc.) and oversight approaches.

1. School Identification: Please choose your law school. *

2. Respondent: Provide the following information about yourself.*

   First Name: 
   Last Name: 
   Title: 
   Email Address: 

3a. Oversight of Entire Clinical Program: Does your school have a single designated person with oversight responsibility for all your school’s law clinic and field placement courses?

   ○ Yes
   ○ No

3b. Please provide the title that accompanies this position:
3c. Reporting Up: To whom does this person report?
- Law school dean
- Vice/associate dean for academic affairs
- Experiential/clinical program dean or director
- [blank] Another person or office (briefly explain)

3d. Additional Responsibility: Does this person have oversight responsibility for courses or programs other than law clinics and field placement courses?
- Yes
- No

3e. Please indicate such other courses and programs (select all that apply):
- [ ] Pro Bono Program
- [ ] Simulation courses
- [ ] 1L Legal Writing/Practice Program
- [ ] Moot Court Program
- [ ] Trial Advocacy Program
- [ ] [blank] Other (briefly explain)

3f. Oversight of Only Law Clinics: Is there a designated person at your school (other than the person identified in question 3a) who has oversight responsibility for all law clinics (but not also field placement courses)?
- Yes
- No

3g. Please provide the full title that accompanies this position:

3h. Reporting Up: To whom does this person report?
- Law school dean
- Vice/associate dean for academic affairs
- Experiential/clinical program dean or director
- [blank] Another person or office (briefly explain)

3i. Oversight of Only Field Placement Courses: Is there a designated person at your school (other than the person identified in question 3a) who has oversight responsibility for only all field placement courses (and not also law clinics)?
- Yes
- No

3j. Please provide the full title that accompanies this position:

B. LAW CLINIC COURSES

B. LAW CLINIC COURSES

This section seeks information on your school’s law clinics during the 2019-20 academic year commencing on or after August 1, 2019, through the summer term (if any) of 2020 (hereinafter the “2019-20 Academic Year”). Note that CSALE’s later Sub-Survey asks clinic directors to provide more detailed information on the operation of their individual clinics.
4a. Number of Clinics: Indicate the number of distinct law clinics offered or to be offered at your school (If the same clinic is offered more than one term, list it only once):


4b. Focus of Clinic: For each law clinic, identify the primary substantive focus as best described by the categories below. Check “Other” only if the clinic’s focus falls well outside of the choices below.

- Administrative Law
- Alternative Dispute Resolution/Mediation
- Appellate
- Asylum/Refugee
- Bankruptcy
- Children & the Law/Children’s Rights
- Civil & Criminal Litigation/General Litigation Clinic
- Civil Litigation/General Civil Clinic
- Civil Rights
- Community/Economic Development
- Community Justice/Lawyering
- Constitutional Law
- Consumer Law
- Criminal Defense
- Criminal Prosecution
- Death Penalty/Post-Conviction
- Disability/Special Education
- Domestic Violence
- Employment/Labor Law
- Elder Law
- Entrepreneurship/Small Business
- Environmental
- Family Law
- Health/Medical Legal Partnership
- Housing
- Immigration
- Indian Law
- Innocence
- Intellectual Property/Technology
- Legislative/Public Policy
- Prisoners’ Rights
- Securities
- Tax
- Transactional
- Veterans
- Wills/Trusts/Estates
- Other (briefly explain)

4c. Major Challenges: What are the major challenges to your law clinics? Check up to 3:

- Insufficient hard money (tuition dollars, endowment income, or, at a public institution, state funds)
- Insufficient support among non-clinical doctrinal faculty
- Insufficient faculty status
- Insufficient support from the administration
- Insufficient student demand
- Insufficient number of faculty
- Other demands on clinical faculty’s time
- Insufficient physical/office space
- Insufficient administrative/secretarial support
- Other (briefly explain)

4d. Enrollment Eligibility: Are the following groups of students permitted to enroll in a law clinic for academic credit:

1st year JD students (“1Ls”):
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

2nd year, first semester/term JD students:
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

2nd year, second semester/term JD students:
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

LL.M. students:
- Yes
- No, because our school does not enroll LL.M. students
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling
C. FIELD PLACEMENT COURSES

This section seeks information on your school’s Field Placement Courses as a group. Note that CSALE’s later Sub-Survey asks directors or persons primarily responsible for a Field Placement Course to provide more detailed information on the operation of their individual course.

5a. Types of Field Placement Courses: Indicate whether your school offers or will offer students placements in the following types of offices or practice areas during the 2019-20 academic year:

- Civil litigation
- Criminal matters (e.g., prosecution and/or defense)
- Government
- In-House counsel at for-profit
- In-House counsel at nonprofit organization
- International
- Judicial
- Law firms
- Legislative
- Public interest law offices
- Subject matter focus (e.g., entertainment, intellectual property)
- Transactional
- Other (briefly explain)

5b. Practice Types Offered: Considering the universe of offices where students are placed in your various field placement courses, estimate the percentage of the placements where the student’s work is focused on the following practice types (Your estimates for the practice categories should add to 100%).

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<th>Practice Type</th>
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<td>Litigation or dispute resolution</td>
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<td>Transactional</td>
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<td>Regulatory</td>
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<td>Legislative or policy</td>
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<td>Other</td>
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<td>Total</td>
<td>0 %</td>
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5c. Full-Time Externship: Does your school allow students in any field placement course to receive 10 or more academic credits for the course?
- Yes
- No

5d. Full-Time Locations: If full-time placements of at least 10 credits are allowed, what locations are permitted? Check all that apply.
- Only in the vicinity of the law school
- Outside the vicinity of the law school
  - In the U.S., but only in specific city(ies) where the school has relationships or a designated program
  - In the U.S., wherever the student has identified an eligible placement
  - In other countries, but in specific location(s) where the law school has relationships or a designated program
  - In other countries, wherever the student has identified an eligible placement

5e. Practice Setting Restrictions: Does your school have restrictions on the practice setting/type of law office (e.g., law firms, corporate) where students in a field placement course(s) may be placed?
- Yes
- No
5f. Which practice settings are excluded?
- Law firms
- In-house counsel at for-profit entity
- In-house counsel at nonprofit entity
- Other (briefly explain)

5g. Compensation (paid externships): Does your school allow students to receive compensation in any field placement course while receiving academic credit (beyond reimbursement for out-of-pocket expenses incurred for working at the placement site)?
- Yes
- Yes, with conditions or limits
- No

5h. If your school allows compensation with conditions or limits, what methods of compensation are permitted (check all that apply):
- Compensation from a source other than the externship site/office (e.g., fellowship or stipend)
- Compensation from certain types of placement offices (e.g., only government or nonprofit; not law firms)
- Tuition reimbursement/scholarship
- Other (briefly explain)

5i. Major Challenges: What are the major challenges to your school's field placement courses? Check up to 3:
- Insufficient hard money (tuition dollars, endowment income, or, at a public institution, state subsidies)
- Insufficient support among non-clinical podium/doctrinal faculty
- Insufficient faculty status
- Insufficient support from the administration
- Insufficient student demand
- Insufficient number of faculty
- Other demands on clinical faculty's time
- Insufficient physical/office space
- Insufficient administrative/secretarial support
- Other (briefly explain)

5j. Enrollment Eligibility: Are the following groups of students permitted to enroll in a field placement course for academic credit:

1st year JD students (“1Ls”):
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

2nd year, first semester/term JD students:
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

2nd year, second semester/term JD students:
- Yes
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

LL.M. students:
- Yes
- No, because our school does not enroll LL.M. students
- No, because a student practice rule prevents them from participating
- No, because the school has chosen to prevent them from enrolling

D. GRADUATION REQUIREMENTS
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This section seeks information on school policies that might impact enrollment in Law Clinic or Field Placement Courses.

6a. Clinical Experience Requirement: Does your school require participation in a law clinic OR field placement course for J.D. students as a condition of graduation?

- Yes
- No

6b. Which type of participation is required:

- Participation in a Law Clinic
- Participation in a Field Placement Course
- Participation in a Law Clinic OR a Field Placement Course

6c. Participation in Law Clinic: Estimate the percentage of your student body that will participate in a Law Clinic before graduation. [If a law clinic is required, indicate “100”; if no law clinic course is offered, indicate “0”]:

6d. Participation in Field Placement Course: Estimate the percentage of your student body that will participate in a Field Placement Course before graduation. [If a field placement course is required, indicate “100”; if no field placement course is offered, indicate “0”]:

6e. Participation in Clinic OR Field Placement: Estimate the percentage of your student body that will participate in either a Law Clinic or Field Placement Course before graduation. [If a law clinic or field placement course is required, indicate “100”]:

6f. Clinical Experience Guarantee: Does your school have a written guarantee promising any J.D. student a slot/enrollment prior to graduation in a Law Clinic or Field Placement Course:

- Yes
- No

6g. If your school has a written guarantee, indicate which is guaranteed:

- Participation in a Law Clinic
- Participation in a Field Placement Course
- Participation in a Law Clinic OR a Field Placement Course

6h. Credit Limit - Field Placements: Does your school limit the number of field placement course credits a student may apply toward graduation credit requirements? This does not include the school-wide restriction on non-classroom credits to meet the ABA Standard 311 requirement of at least 64 credit hours in regularly scheduled classroom sessions or direct faculty instruction.

- Yes
- No

6i. Indicate the maximum number of field placement credits your school allows students to graduate with:

6j. Credit Limit - Law Clinics: Does your school limit the number of law clinic credits a student may apply toward graduation credit requirements?

- Yes
- No

6k. Indicate the maximum number of law clinic credits your school allows students to graduate with:

E. STUDENT DEMAND

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This section seeks information on enrollment patterns for Law Clinic and Field Placement Courses since the last CSALE survey in 2016-17.

7a. Law Clinic Demand: In the last 3 years, has overall student demand for law clinics at your school generally:

- Increased
- Remained Constant
- Decreased

7b. Check the factor(s) you believe contributed to that increase:

- Increased interest in substantive area(s) of practice within clinics offered
- Students believe clinics improve skills
- Students believe clinics improve job marketability
- Increased support and promotion by law school
- Other faculty promoting clinics/encouraging students to enroll
- School now requires participation in a clinic and/or externship
- New ABA 6-credit experiential requirement
- Larger student body

7c. Check the factor(s) you believe contributed to that decrease:

- Time commitment too high
- Lack of interest in area(s) of practice within clinics offered
- Students believe clinics do not improve skills
- Students believe clinics do not improve job marketability
- Students believe their time should be spent on bar subject courses
- Lack of support and promotion by law school
- Other faculty discourage students from taking clinic
- The school has increased the required number of non-clinical courses
- Smaller student body

7d. Field Placement Demand: In the last 3 years, has overall student demand for field placement courses at your school generally:

- Increased
- Remained Constant
- Decreased

7e. Check the factor(s) that you believe contributed to that increase:

- Increased interest in area(s) of practice within placements offered
- Students believe field placements improve skills
- Students believe field placements improve marketability
- Increased support and promotion by law school
- Other faculty promoting field placements/encouraging students to enroll
- School now requires participation in a clinic and/or externship
- New ABA 6-credit experiential requirement
- Larger student body

- Other (briefly explain)
7f. Check the factor(s) that you believe contributed to that decrease:

- [ ] Time commitment per credit hour too high
- [ ] Lack of interest in area(s) of practice within placements offered
- [ ] Students believe field placements do not improve skills
- [ ] Students believe field placements do not improve marketability
- [ ] Students believe their time should be spent on bar subject courses
- [ ] Lack of support and promotion by law school
- [ ] Other faculty discourage students from enrolling in field placement courses
- [ ] School has increased the required number of non-clinical courses
- [ ] Smaller student body
- [ ] Other (briefly explain)

F. INSTRUCTIONAL STAFFING

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This section seeks information on the persons teaching or projected to teach in a Law Clinic or Field Placement Course at your school during the 2019-20 Academic Year. Before responding to the questions, review these definitions:

As noted in the definition of Clinical Faculty, do not include:

- persons primarily employed by the office where a student is placed in a field placement (sometimes referred to as a "site supervisor" or "field supervisor"); OR
- persons who are primarily podium/doctrinal teachers and may simply supervise a few students in externship placements or help teach a few law clinic or field placement course seminars

**Unitary Tenure/Tenure Track:** A tenure system that extends nearly identical status, governance rights, and hiring/promotion standards to both podium/doctrinal AND clinical faculty (identified below as "Tenured (Unitary)" and "On Tenure Track (Unitary)").

**Clinical Tenure/Tenure Track** (aka “Programmatic Tenure”): A separate tenure system for persons teaching in a law clinic or field placement course that differs from the traditional tenure provided most podium/doctrinal faculty on governance rights and/or standards for hiring and/or promotion, including often different scholarship expectations (identified below as “Clinical Tenured" and “On Clinical Tenure Track”).

**Long-Term Contract:** A contract of at least 5 years duration.

**Presumption of Renewal:** ABA Accreditation Standard 405 defines presumptively renewable contracts as those that include a presumption they will be renewed at the end of each contract term and are generally only subject to termination/non-renewal for good cause.

**Short-Term Probationary Contract:** A contract of less than 5 years that typically mimics the “pre-tenure” employment status of a traditional tenure-track professor, to wit: a contract that places the employee on a track under which the person will ultimately be considered for a longer-term presumptively renewable contract.

**Other Short-Term Contract:** A contract of less than 5 years that is not viewed as a probationary period that can lead to a long-term contract.

8a. **Total Clinical Teachers:** State the total number of persons teaching in law clinics or field placement courses, full or part time, including adjuncts, staff attorneys, fellows, etc.:

[ ]

8b. **Number Full-Time:** Of the total number you just identified, how many are employed by the school full time (defined as someone who works at least 80% of normal teaching/administrative hours or loads at the school (i.e., at least .8 FTE employee)):

[ ]
8c. Status: Of the full-time persons identified above, how many are:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number full-time</th>
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</thead>
<tbody>
<tr>
<td>Tenured (Unitary)</td>
<td>0</td>
</tr>
<tr>
<td>On Tenure Track (Unitary)</td>
<td>0</td>
</tr>
<tr>
<td>Clinical Tenured</td>
<td>0</td>
</tr>
<tr>
<td>On Clinical Tenure Track</td>
<td>0</td>
</tr>
<tr>
<td>Long-Term Presumptively Renewable Contract</td>
<td>0</td>
</tr>
<tr>
<td>Short-Term Probationary Contract</td>
<td>0</td>
</tr>
<tr>
<td>Other Short-Term Contract</td>
<td>0</td>
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<tr>
<td>Fellow</td>
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<tr>
<td>Other Employment Term</td>
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<tr>
<td>Total</td>
<td>0</td>
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</table>

If you answered “Other Employment Term,” briefly explain:


8d. Instructional Staff Changes: Over the past 3 years, has the total number of full-time persons teaching in your law clinic and field placement courses generally:

- [ ] Increased
- [ ] Remained Constant
- [ ] Decreased

8e. Please check the factor(s) that contributed to the increase in instructors:

- [ ] Increased student interest in law clinic or field placement courses
- [ ] New experiential course requirement
- [ ] Availability of additional funding (from school or outside sources)
- [ ] Addition of new law clinic(s) or field placement course(s)
- [ ] Expansion of existing law clinic(s) or field placement course(s)
- [ ] Other (briefly explain)

8f. Please check the factor(s) that contributed to the decrease in instructors:

- [ ] Faculty layoffs/reductions directed by the school
- [ ] Retirement/death of clinical faculty without a replacement
- [ ] Voluntary departure of clinical faculty without replacement (e.g., move to other school)
- [ ] Decreased student interest in law clinic or field placement courses
- [ ] Other (briefly explain)

Q 8g. Clinical Tenure Track: Does your school have a Clinical Tenure Track?

- [ ] Yes
- [ ] No

8h. Who generally makes the final substantive hiring decision, within the law school, for new Clinical Tenure Track faculty:

- [ ] A Committee (without later faculty vote)
- [ ] Faculty Vote upon Committee Recommendation
- [ ] Faculty Vote without Committee Recommendation
- [ ] Law School Dean
- [ ] Overall Clinical or Experiential Program Dean/Director
- [ ] Individual Law Clinic or Field Placement Course Director
- [ ] Other (briefly explain)
8i. If a committee is involved in hiring **Clinical Tenure Track** faculty, choose the best description of the committee’s composition:

- Exclusively clinical faculty
- Mix of clinical and podium/doctrinal faculty where anyone may chair
- Mix of clinical and podium/doctrinal faculty but only clinical faculty may chair
- Mix of clinical and podium/doctrinal faculty but only podium/doctrinal faculty may chair
- A committee without any clinical faculty
- [Other (briefly explain)]

8j. **Long-Term Contract Track** Does your school have a **Long-Term Contract Track**?

- Yes
- No

8k. Indicate who generally does the hiring of new **Long-Term Contract Track** faculty:

- A Committee (without later faculty vote)
- Faculty Vote upon Committee Recommendation
- Faculty Vote without Committee Recommendation
- Law School Dean
- Overall Clinical or Experiential Program Dean/Director
- Individual Law Clinic or Field Placement Course Director
- [Other (briefly explain)]

8l. If a committee is involved in hiring **Long-Term Contract Track** faculty, choose the best description of the committee’s composition:

- Exclusively clinical faculty
- Mix of clinical and podium/doctrinal faculty where anyone may chair
- Mix of clinical and podium/doctrinal faculty but only clinical faculty may chair
- Mix of clinical and podium/doctrinal faculty but only podium/doctrinal faculty may chair
- A committee without any clinical faculty
- [Other (briefly explain)]

G. PROMOTION AND RETENTION STANDARDS

This section seeks information on how law clinic and field placement course instructional staff, particularly those not on a traditional tenure track, are considered for promotion, tenure, or retention.

9a. **Promotion, Tenure or Retention Standards:** Does your law school have **written standards** for the promotion, tenure, or retention of full-time law clinic or field placement course instructors?

- Yes
- No

Please email a copy of those standards to standards@csale.org. You can see standards from other schools at www.csale.org/promotion.html.

9b. **Clinical Tenure-Track Standards:** If your school has a **Clinical Tenure Track**, check all the differences between its standards and those for **podium/doctrinal faculty** on the traditional tenure track (skip to next question (9c), if no Clinical Tenure Track at your school):

- The number of publications clinical faculty are required to produce is lower
- There is a greater acceptance of applied scholarship by clinical faculty
- Briefs and similar works authored primarily by clinical faculty are considered
- Community involvement, state and local bar activities, public advisory committee or commission participation, or participation in continuing professional education through teaching by clinical faculty are considered
- There is a greater emphasis on the quality of teaching by clinical faculty
- There is a greater emphasis on the administration skills of clinical faculty
- Clinical faculty receive “credit” for participating in litigation or other activities that raise important questions of public policy
- Clinical faculty receive “credit” for their ability to raise funds to support clinical programs
- [Other (briefly explain)]
9c. Long-Term Contract Standards: If your school has a Long-Term Contract Track, check all the differences between its standards and those for podium/doctrinal faculty on the traditional tenure track (if no Long-Term Contract Track at your school, skip this question):

- Publications by clinical faculty are either not required or fewer
- There is a greater acceptance of “applied” scholarship by clinical faculty
- Briefs and similar works authored primarily by clinical faculty are considered
- Community involvement, state and local bar activities, public advisory committee or commission participation, or participation in continuing professional education through teaching by clinical faculty are considered
- There is a greater emphasis on the quality of teaching by clinical faculty
- There is a greater emphasis on the administration skills of clinical faculty
- Clinical faculty receive “credit” for participating in litigation or other activities that raise important questions of public policy
- Clinical faculty receive “credit” for their ability to raise funds to support clinical programs
- Other (briefly explain)

H. EXPERIENTIAL EDUCATION PROGRAM

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This section seeks information on the collection of experiential courses (law clinic, field placement, and simulations) offered or to be offered at your school in the 2019-20 Academic Year.

10a. Experiential Credits: How many total experiential credits does your school require for graduation?

10b. First-Year Curriculum: Does your school offer or require an experiential course in the 1st-year curriculum for JD credit, beyond the ABA required legal writing course:

- Yes, now offer an elective experiential course
- Yes, now require an experiential course
- No

10c. If you offer or require an experiential course in the 1st year, is it characterized as a (check all that apply):

- Law clinic
- Field placement
- Simulation

10d. Curriculum Changes: The ABA recently started requiring 6 experiential credits for each J.D. student. In response, has your school changed or implemented any of the following in addition to requiring these credits (check all that apply):

- No changes
- Increased number of slots available in existing law clinic, field placement, or simulation course(s)
- Added new law clinic, field placement, or simulation course(s)
- Restructured part of the legal research and writing course(s) to be considered experiential
- Restructured previously non-experiential course(s) to become experiential
- Developed a required or optional, separately-credited experiential component tied to a non-experiential course (sometimes referred to as a lab or workshop)
- Require sequencing of experiential courses

Other (briefly explain):

SUB-SURVEY ASSIGNMENT: ALL FULL-TIME INSTRUCTORS & ALL DIRECTORS OF LAW

Sub-Survey Assignment:
FULL-TIME INSTRUCTORS & DIRECTORS OF LAW CLINICS AND FIELD PLACEMENT COURSES

CSALE’s later Sub-Survey collects information about each full-time law school employee teaching or supervising in law clinics and field placement courses AND part-time instructors who direct or are primarily responsible for a law clinic or field placement course (e.g., adjuncts who direct a field placement course).

It is important that as many clinical faculty as possible participate (over 1,100 participated in the last survey). Clinical faculty who direct or otherwise have primary responsibility for a law clinic or field placement course will be directed in the Sub-Survey to also answer additional questions about their individual law clinic or field placement course.
Please provide the email addresses for every full-time law school employee teaching in a law clinic or field placement course AND any other person (if not full-time) who direct or has primarily responsibility for a clinic or field placement course at any time during the 2019-20 Academic Year.

- **Full-time instructors** are defined above in Section F as someone working at least 80% of your school’s normal teaching/administrative hours or loads.
- Field placement site supervisors or part-time adjuncts: Include if and only if they direct or are primarily responsible for a law clinic or externship.
- Do not include faculty members who are primarily podium/doctrinal but might oversee a few field placements or help with a few law clinic or externship seminars.

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Add more emails
Email Address

Please provide any suggestions for improving CSALE's Master Survey:

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