

University of Tennessee Law

Legal Scholarship Repository: A Service of the Joel A. Katz Library

Taylor Times (1986 - 1994)

Historic Collections

4-1990

Taylor Times (April 1990)

University of Tennessee College of Law

Follow this and additional works at: https://ir.law.utk.edu/utk_lawtaylortimes



4-1990

Taylor Times (April 1990)

University of Tennessee College of Law

Follow this and additional works at: http://trace.tennessee.edu/utk_lawtaylortimes

 Part of the [Law Commons](#)

Recommended Citation

University of Tennessee College of Law, "Taylor Times (April 1990)" (1990). *Taylor Times (1986 - 1994)*.
http://trace.tennessee.edu/utk_lawtaylortimes/66

This Publication is brought to you for free and open access by the College of Law Communications and Publications at Trace: Tennessee Research and Creative Exchange. It has been accepted for inclusion in Taylor Times (1986 - 1994) by an authorized administrator of Trace: Tennessee Research and Creative Exchange. For more information, please contact trace@utk.edu.

Taylor Times

A PUBLICATION OF THE GEORGE C. TAYLOR LAW CENTER

APRIL, 1990

CALENDAR

April 3

Student Bar Association elections in the White Avenue lobby from 9:00 a.m. - 5:00 p.m.

April 6

1990 Evidence Moot Court Team of Carol Ann Estes, David Overstreet, and Jeff Yates competes in Brooklyn, New York. Professor Cohen is the team's advisor.

April 6 - 7

1990 Tennessee High School Mock Trial Statewide Competition for Regional Champions in Nashville. Sevier County High School and Fulton High School will represent Knox County.

April 10 - 11

Composite pictures for graduating 3Ls taken in the Student Lounge from 9:00 a.m. until 2:00 p.m. Bring cash or a check for your choice: \$10.00 for an 8X10 inch color copy of the composite; or \$15.00 for an 11X14 inch color copy of the composite.

April 11

Professor Dean Rivkin will present "Intimidation Suits Against Environmental Organizations" at 11:00 a.m. in the Moot Court Room. The talk is sponsored by the College of Law Environmental Law Group.

April 13

Good Friday - no classes

April 20 - 21

AALS/ABA Conference on Women in Legal Education in New York

April 25

Gary Davis, a senior fellow with the University of Tennessee Energy Environment Resource Center will present "Safe Substitutes" at 11:00 a.m. in the Moot Court Room. The talk is sponsored by the College of Law Environmental Law Group.

April 26

Classes end

April 30 - May 10

Examination period

May 10

Hoarding

ATTENTION!!!!!!!!!!!!

THIRD-YEAR LAW STUDENTS

IT'S COMPOSITE TIME AT GCT DON'T BE LEFT OUT - GET PUT ON

All third-year law students are encouraged to take part in the annual composite. A photographer from Graham Studio (Remember how painless it was for Lawyers of the Future?) will be in the Student Lounge on Tuesday, April 10, and Wednesday, April 11, from 9:00 a.m. until 2:00 p.m. Please bring cash or a check the day of your setting and be prepared to make a composite selection. The studio is offering: 1) a \$5.00 fee for appearance on the composite, (If you choose not to buy a composite now, your \$5.00 sitting fee will be deducted from the purchase price if you buy one later.) 2) a \$10.00 fee for appearance on the composite and an 8X10 inch color copy of the composite, or 3) a \$15.00 fee for appearance on the composite and an 11X14 inch color copy of the composite. Graham's will provide a Deluxe Wall Composite to the College of Law. Please stop by the Admissions Office to see the "Class of 1989." The "Class of 1990" will proudly take its place next year. For further information, see Tony Cappiello or Betty Stuart.

Faculty Activities

Neil Cohen ...

... presented a CLE program on the new Tennessee Rules of Evidence to the Chattanooga Bar Association, March 15.

Ruth Hill (Assistant Librarian for Reference 1985-88)

... is Acting Director of the law library at Howard University.

John Sebert ...

... has been selected to serve a two-year appointment as Deputy Director of the Association of American Law Schools in Washington, D.C., beginning August 1990.

TAYLOR TRIVIA: In what year did the College of Law first have its own separate building? Answer to last month's Taylor Trivia: The College of Law last changed to the semester system in 1980. The school also operated on the semester system from 1890-99 and from approximately 1938 to 1945.

Poetry and Policy Corner

"The time has come," the walrus said,
"To speak of many things:
Of shoes - and ships - and sealing wax -
Of cabbages - and kings -
And why the sea is boiling hot -
And whether pigs have wings [-]
And how to get through law exams -
And not smoke cut up strings, (or anything else)."

Lewis Carroll and M.J. Hoover

The University's new smoking policy has not designated any of the classrooms that we use for examinations or the hallways or stairwells near these rooms as smoking areas. Therefore, during this spring examination period, for the first time, smoking will not be permitted in any exam room or in the halls or stairwells near exam rooms. Not only will we all be healthier, but this change will permit us to eliminate overcrowding in some classrooms during examinations.

Chewing gum, life savers candy, nail-biting, and other non-tobacco forms of oral gratification will be tolerated (within reason and the realms of good taste).

Also new for the spring exam period - BYOB(S). No, this does not mean bring your own bottle(s). It means bring your own bluebooks. The current financial crunch makes it no longer possible for us to furnish bluebooks for exams as we have done in the past. Bluebooks are available in the University Book and Supply Store. You should plan to bring more than you think you will actually need as they will not be available in the Law College. We are trying to work out an arrangement for the Student Bar Association or some other student organization to sell bluebooks as a fund raiser, but this may not be in place by spring exams. If you are a typist, please also plan to bring your own typing paper.

1990-91 Tennessee Law Review

Editor in Chief: Nick McCall

Managing Editor: Patsy Owen

Articles Editors: Jeff Calk, Sean Haynes, and Pete Heil

Executive/Research Editors: Susan Christenberry, Kimberly Dyslin, Sarah Garland, Bill Mynatt, and Dirk Rountree

Student Materials Editors: Cynthia Bibb, Pam Byrd, Tony Creasy, Carla Fox, Mark Hanshaw, Sharon Tranchant, Norman Templeton, and Joe Welborn

Staff: Lance Baker, Dan Berexa, Jim Cornelius, Mike Dillon, Beth DuPree, Ralph Gibson, David Hill, Bob Horton, John Lippl, John Little, Scarlett May, Marty Phillips, Barbara Powell, Jeff Reed, Ed Weis, and Jim Wilson.

Individual Computer Accounts Now Available to Students

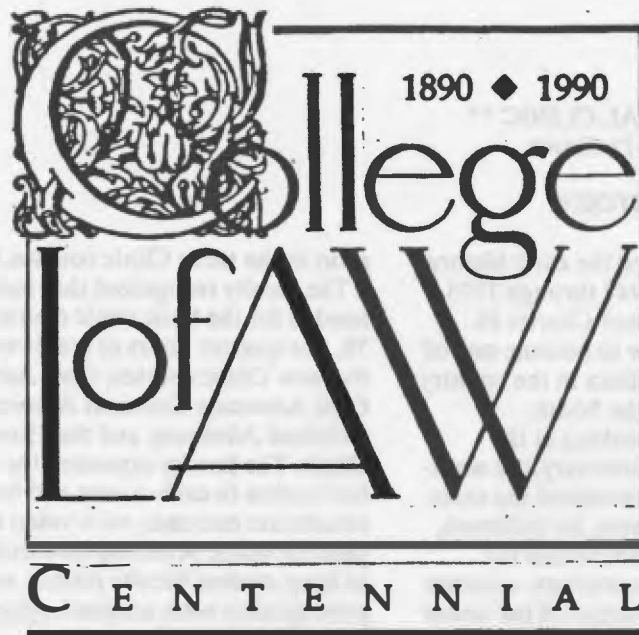
UTK students can now get an individual account on the University of Tennessee Computing Center's VAX/VMS mainframe computers. Students request one of these new Computer Access For Education (CAFE) accounts by registering for and attending a CAFE orientation session. Access to the VAX provides a range of services including: electronic mail and conferencing, computer programming languages, and host based editors and text processing. To register, use the CAFE registration program from a terminal at any one of UTCC's public terminal rooms. Instructions for using the CAFE registration program are provided at the following locations: Art & Architecture (Room 105), Ayres Hall (Room 101), Estabrook Hall (Room 108 - Remote 2), Ferris Hall (Room 414 - Remote 1), Glocker (Room 67 - Remote 8), Hodges Library (Rooms 440 & 642), Human Ecology (Room 23), Morgan Hall (Room 7C), and Veterinary Medicine (Room A301H). For further information contact the CAFE consultant at UTCC, 974-6831.

~~~~~  
**THE "LET'S GO FOR IT" SECTION FOR  
LAW STUDENTS**  
~~~~~

1) The Earl Warren Legal Training Program announces the availability of Public Interest Law Scholarships for black law students. Applications include a one-page essay on the candidate's decision to pursue a career in Public Interest Law. Winners may receive up to \$3,000 per year for their law school education.

2) Americans United for Separation of Church and State will offer \$500 scholarships for law students to attend their annual conference. The conference will be in Alexandria, VA, September 22-26, 1990. One law student will be chosen from each law school. The application deadline is July 2, 1990.

~~~~~  
For further information, see the Contest  
Bulletin Board or Mary Jo Hoover  
~~~~~



LAW WEEK

Friday, April 6

STUDENT FORUM

A Student Forum featuring Associate Justice of the United States Supreme Court Antonin Scalia will be at 11:30 a.m., Friday, April 6, in the University Center Auditorium.

ADVOCATES' PRIZE COMPETITION

The Advocates' Prize Competition is named for six trial attorneys in the Knoxville area and is sponsored by the Moot Court Board. Second- or third-year law student teams research a legal problem, write a brief, and present oral arguments. The final teams compete at 2:00 p.m. on Friday, April 6, in the Moot Court Room. Presiding judges will be the Honorable Antonin Scalia, Associate Justice of the United States Supreme Court, the Honorable Odell Horton, United States District Court for the Western District of Tennessee, and the Honorable Martha Craig Daughtrey, State Court of Criminal Appeals for the Middle Division of Tennessee. Please note that seating in the Moot Court Room will be limited. Viewing via closed circuit television will be available in Room 118.

FACULTY FORUM

A Faculty Forum with Justice Scalia will be held at 5:00 p.m. in the Faculty Lounge.

HONORS PROGRAM

An Honors Program at 7:30 p.m. at the Radisson Hotel will acknowledge academic awards and recognize the Jenkins and Advocates' Prize winners. Justice Scalia will be the featured speaker.

Saturday, April 7

ALUMNI ADVISORY COUNCIL AND DEAN'S CIRCLE MEETING

The College of Law's Alumni Advisory Council and Dean's Circle will meet in the Moot Court Room beginning at 10:00 a.m. to discuss the law school's next 100 years.

LAW FOLLIES

"Law Follies" shows faculty and student talent, from singers and dancers to standup comedians. Tickets to the follies will be sold during Law Week at the College of Law and just before the show at the Knights of Columbus Lodge, 550 Idlewood Road, at 8:30 p.m. Tickets are \$4 for SBA members and \$6 for non-members.

** VOICES FROM THE LEGAL CLINIC **

Gary Anderson, Associate Professor

THE REST OF THE STORY

In last month's issue, I summarized the early history of the Clinic, from its creation in 1947 through 1975. During those 28 years, while Professor Charles H. Miller was Director, the Clinic grew to become one of the largest "in house" law school clinics in the country and one of the largest law firms in the South.

According to Professor Miller, speaking at the celebration of the Clinic's 25th Anniversary, the working philosophy of the Legal Clinic remained the same as it was in 1947. The clinical program, he indicated, was designed to "establish a law office within the curriculum of the law school to give students a chance to observe and participate in the practice of law under supervision and in a controlled setting." Professor Miller cautioned against over-emphasizing the service function of the Clinic because the Clinic's primary goal is the better preparation of future lawyers, and the major theme in that preparation is development of a philosophy of professional responsibility relating to the practice of law. Alumni Headnotes, Fall/Winter, 1973-74.

Beginning in 1973, the Clinic Advisory Committee began a comprehensive study of the Clinic curriculum and caseload. With up to 90 students per quarter handling over 6,000 Clinic cases per year, the Committee concluded that the availability of faculty supervision was not adequate, due to the large number of cases that the average student had to handle over a short period of time and the limited number of supervising faculty and staff members, with most of the faculty spending half-time teaching non-clinical courses on a regular basis. Because the Clinic had assumed the obligation, under the terms of O.E.O. and L.E.A.A. grants, to serve most of the legal needs of Knoxville's poor, the average Clinic caseload of individual students was far too high for three hours of credit, and representing so many clients unduly interfered with the students' other courses. Also, because the Clinic had assumed the burden of handling so many domestic relations (mostly divorce) cases each year, the caseload of many students lacked sufficient variety. It was clear that the Clinic's service obligations had grown to the point that they were interfering with the Clinic's primary goal of educating future lawyers.

The 1973-74 Clinic Advisory Committee made several suggestions about what should be done to improve a student's educational experiences in the Clinic. Recognizing the inadequacy of three hours of credit for each Clinic course, the Committee suggested possible experimentation with a "clinic quarter course" in which a student would receive up to ten or twelve hours of credit. The committee also recommended abolishing the requirement that every law student take Clinic I, a proposal adopted by the faculty which lowered student enrollment and began to improve the student/faculty

ratio in the three Clinic courses, Clinic I, II, and III.

The faculty recognized that more academic credit was needed for the basic clinic courses. Beginning in 1977-78, five quarter hours of credit were awarded in each of five new Clinic courses, *Civil Advocacy*, and *Advanced Civil Advocacy*, *Criminal Advocacy* and *Advanced Criminal Advocacy*, and the *Economic Development Clinic*. The faculty expanded the amount of classroom instruction in each course and began developing simulation exercises, with video review, to teach practice skills. A ceiling on enrollments was established to keep student/faculty ratios around 8:1, and course prerequisites were adopted. Alumni Headnotes, Winter, 1977.

The Clinic's problems in handling a very heavy civil caseload were resolved when the University and the Knoxville Legal Aid Society (KLAS) formally separated the educational and service functions of the Clinic in 1981. From 1981 to 1987, KLAS and the Clinic operated under a contract which provided substantial KLAS financial support for the Clinic. In exchange, the Clinic provided administrative services, including the Director and Assistant Director for the Clinic and KLAS programs, and assumed part of the KLAS civil caseload. In 1987 the Clinic and KLAS severed all formal ties.

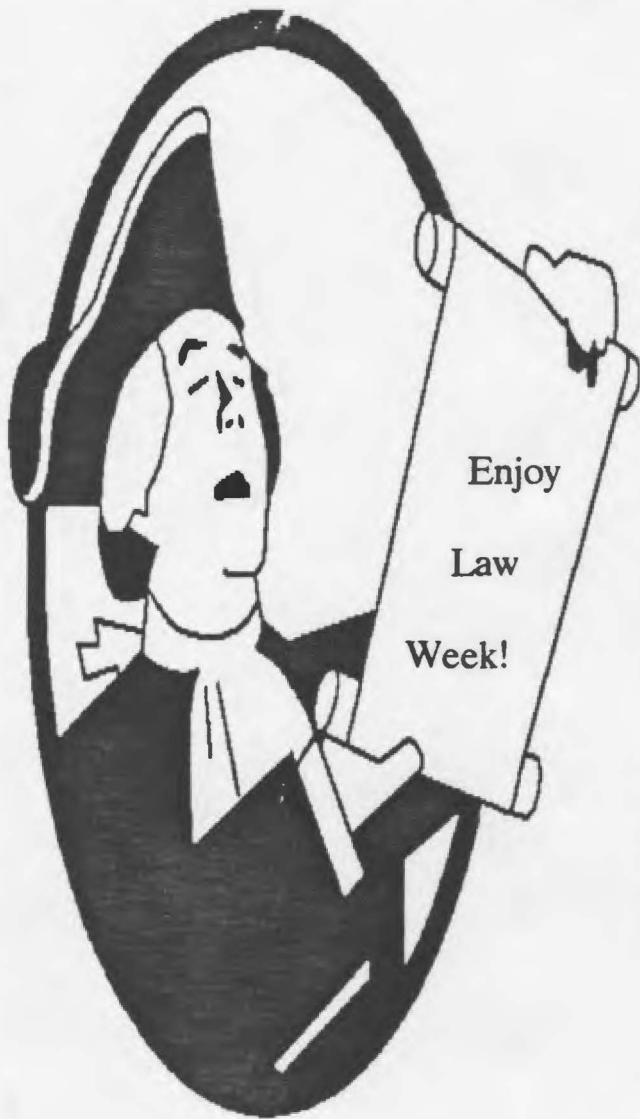
A new clinic curriculum was adopted when the College of Law switched to the semester system in 1980. *Trial Practice* had not been a clinic prerequisite, even though the faculty found it impossible to teach trial skills systematically in the basic clinic courses, *Civil Advocacy* and *Criminal Advocacy*. The clinic faculty proposed teaching a concentrated clinic trial practice course at the beginning of each semester, and a three-hour trial practice component was included in the new eight-hour clinic course, *Introduction to Advocacy*. From 1980 to 1989, student taking *Introduction to Advocacy* spent four hours a day for several weeks in trial practice classes, before they could begin representing clients.

Over the years the Clinic faculty experienced increasing frustration in teaching the trial practice component of *Introduction to Advocacy* because it took so much time at the beginning of the semester. Clinic students had no more time to represent clients than students who took the five-hour *Civil Advocacy* or *Criminal Advocacy* courses under the quarter system, although students were much better prepared for clinic practice after several weeks of concentrated trial practice instruction.

Beginning in 1989, third-year students who enroll in either of the new six-hour courses, *Civil Advocacy* or *Criminal Advocacy*, are able to represent clients over a much longer period of time and to follow through on more cases, because *Trial Practice* (no longer taught in

The Rest of the Story continued ...

the Clinic) has been made a prerequisite. Each clinic student is able to begin supervised practice very early in the semester, after some introductory classes designed to prepare them for practice. Clinic teachers are able to focus more time on teaching basic skills other than trial advocacy skills and to providing supervision to students engaged in such tasks as interviewing, counseling, legal research, development of case theories, investigation, negotiation, drafting of legal documents, and trying cases.



You should know ...

Our "chip off the ole block" congratulations

... go to Professor Fran Ansley's son, Elisha, who was a member of the Bearden High School Science Olympiad team. The team placed fifth in the high school division of the sixth annual East Tennessee Regional Science Olympiad, March 10, at the American Museum of Science and Energy in Oak Ridge.

Our congratulations ...

... go to Mark Hanshaw, Laura Hendricks, and Virginia Schwamm for placing third in the Labor Law Moot Competition in New York City last month.
... go to Bryan Dodson, Mary Gasparini, Nick McCall, and Jonathan Perry for being elected graduate representatives to represent the law school.

Our best wishes and good luck ...

... go to the 1990 Evidence Moot Court team of Carol Ann Estes, David Overstreet, and Jeff Yates as they prepare to compete in the Jerome Prince Evidence Moot Court Competition in New York this month.

Our best wishes ...

... go to Anita Ealy, Senior Word Processing Specialist and Development secretary, and her husband, Chris, who have recently moved into their new home on Strawberry Plains Pike.

The University of Tennessee, Knoxville, does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. UT does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to Title IX of the Education Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX and Section 504 should be directed to the Director of Affirmative Action, 403B Andy Holt Tower, University of Tennessee, Knoxville, TN 37996-0144, telephone 615/974-2498. Charges of violation of the above policy should also be directed to the office of the Director of Affirmative Action. E01-1610-007-90