

# Tulane

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EDWARD F. SHERMAN  
Dean

January 2, 1998

Dean James P. White  
Consultant on Legal Education to the  
American Bar Association  
Indiana University  
550 West North St., Suite 349  
Indianapolis, IN 46202-3162

Dear Dean White,

As indicated in the attached correspondence, the Louisiana Supreme Court is reviewing the operation of clinics in Louisiana law schools in response to complaints by three business organizations. One of the organizations proposes ten changes in Louisiana Supreme Court Rule XX, the rule permitting third-year students in a clinical setting to appear before courts and administrative tribunals. We consider the complaints to be unfounded and the proposed amendments to be directed at crippling clinical education in the state.

I hereby propose the following resolution to be considered by the law school deans at the 27<sup>th</sup> Annual Deans' Workshop at Nashville at the end of January:

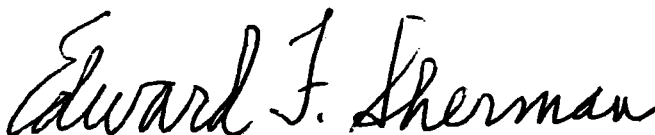
The deans of American law schools reaffirm their support for clinical education in law schools. All fifty states adopted third-year student practice rules in the early 1970's as an appropriate vehicle for enabling third-year law students, under supervision in a clinical setting, to obtain practical legal experience. Rule XX, issued by the Louisiana Supreme Court in 1973, is essentially identical to those in other states. We strongly support the dual objectives stated in Rule XX of "providing assistance to clients unable to pay for such services and encourag[ing] law schools to provide clinical instruction."

We oppose the proposals made by a Louisiana business organization to change Rule XX. First, there is value in having student third-year practice in all states governed by similar language in the enabling rules. Second, Rule XX has worked

well in Louisiana for twenty-five years, and guidelines adopted by the Louisiana law school clinics fully insure a high level of professionalism and ethical standards. Third, the proposals would cripple both clinical education in Louisiana and the use of law students to help meet the obligation of the bar to provide legal assistance to those unable to pay. We concur with the objections to the proposals stated in amicus briefs filed with the Louisiana Supreme Court by the Association of American Law Schools and the Clinical Legal Education Association and in the letter to the Court from Dean Edward Sherman of Tulane Law School and Dean John Makdisi of Loyola Law School.

Thank you for your assistance in bringing this resolution before the deans.

Very truly yours,

A handwritten signature in cursive script that reads "Edward F. Sherman". The signature is written in dark ink and is positioned above the printed name.

Edward F. Sherman

cc. Dean John Makdisi