

Midwest Clinical Teachers Conference

October 11 – 14, 2001



By Professor
Marjorie Russell

“I’ve attended several Midwest Conferences in the past. They were enormously enjoyable and educational, but their memory has blended together in my mind. Did we do that negotiating exercise in Madison? Or was it Chicago? Whatever else might be said about this year’s conference – and there is much one might say if one were inclined to intellectualize – it was memorable, palpably so. It unearthed so many feelings ... that I find it impossible to think about the experience without reliving those feelings. Perhaps that was the point.”

David Moss, Assistant Director of Clinical Education, Wayne State University Law School

Clinical professors from all over the country came to Thomas Cooley from Oct. 11-14, 2001 for the Midwest Clinical Teachers Conference. This annual conference is a time for clinical professors to gather and share ideas about teaching, learn new skills, and recharge our batteries with fresh ideas and inspiration from our colleagues.

This year, the conference was a collaboration between Thomas Cooley Law School and the Trial Lawyers College, founded by Gerry Spence, the famous trial lawyer. I was a member of the first class of students at the Trial Lawyers College (TLC) in 1994. Since 1996, I have been a member of the teaching faculty of the TLC, which is dedicated to bringing humanity, and thereby better justice, to our trial courts by the training of trial lawyers. The principles of the TLC are based on understanding people from the inside out, through the use of psychodramatic techniques. Psychodrama is a method of exploring life events and experiences through action, to better understand the perspectives of those involved and to reach more humane and productive understanding of ourselves and others.

Since 1994, the faculty of TLC have collaborated continually in developing a repertoire of exercises and applied methodology to teach trial lawyers psychodramatic techniques in the litigation setting. We have taught nine classes of lawyers at the summer college, which is three weeks to a month long, and hundreds more in several regional week-end seminars annually. In recent years, week-long colleges for judges, and lawyers specializing in death penalty cases, have been added as well as an annual graduate course. It has been a dream of Gerry Spence’s for some time to develop a seminar for law professors. In this conference, that dream was made reality.

Even without my own connection to both organizations, the collaboration between TLC and Thomas Cooley was a natural. The mission and basic values of each organization are closely aligned. As we know, Cooley is dedicated to ignoring academic elitism and giving real people the chance to be lawyers – and to be lawyers for real people, the ordinary citizens of our country. Cooley’s philosophy of learning through a curriculum focused on practice and development of practical skills is consistent with the message Mr. Spence has been preaching for decades about what law schools should be doing. As we planned the conference, his excitement about it grew the more he learned about Cooley and what we stand for. TLC is dedicated to helping trial lawyers be better human beings, better lawyers for real people, better warriors for justice. And the work of TLC is done entirely through active learning in which participants develop and practice new skills.

In addition, the organization of clinical law professors is made up of law professors who work with students serving real clients. The principles of clinical and skills teaching focus on action methods and on learning by doing and through deep reflection, — again, consistent with the TLC methods and philosophy.

The conference consisted of a series of planned exercises that helped the professors learn more about themselves, their students, and their clients. The program also included sessions designed to help the professors learn how to teach these same skills to their students, and how to apply them in the preparation of clinic cases and in Trial Advocacy courses. A group of eleven members of the teaching faculty of TLC came from all over the country to conduct the conference workshops.

At the opening session, Gerry Spence did a marvelous job of touching those attending with an understanding of the difficulties and challenges they face in their jobs. He expressed the opinion that they may be doing the most important work that law professors can do. He spoke of how they are the people who are working with students in service to real clients. The elderly, the poor, accused citizens, children, immigrants. Law professors have as their primary responsibility the nurturing, training, and mentoring of new lawyers through their first experiences with clients. They hold the future of the profession in their hands. They are dedicated to justice, service, and encouraging these students to develop habits of reflection

and growth as part of their lives. They teach balance and empathy. They constantly fight for clients who are disenfranchised and blocked from access to justice. He energized all of us for the weekend’s work.

Some things were very difficult. We found that there were times when our languages were so different that we couldn’t communicate. It was hard to hear each other and hard to accept the “other side’s view.” We were all challenged to remember basic precepts about acceptance, understanding, and looking at the individual rather than labeling that person as a group. The teaching staff struggled to adjust and discover who clinical professors are and what is important to them in their work. The professor-students were very brave about speaking up when they were confused or uncomfortable with the approach. They were often the first to identify the conflicts and raise them for exploration.

I found myself feeling like a bride whose two families were fighting at the wedding. I had anticipated this event with high hopes and great excitement. I have worked with this group of clinical professors for 17 years. We come together regularly to share and creatively explore new ideas and approaches to our work. I know them all individually. And I speak their language. I have worked within the TLC for over seven years. They are my family. There were times when I felt like a complete failure as a translator.

Nonetheless, we struggled on and found what one professor called “moments of magic:” “While the approaches in the two worlds are in many respects very similar, in other ways they could not be more different ... [the staff] helped us find the value in approaches that seemed foreign and sometimes alienating. I know that I was personally tested by the experience, as were most of those who attended. Well, okay, probably all of those who attended — from both worlds. But amidst the turmoil there were moments of true magic, and ... I had an experience I will never forget.”

Kate Kruse, Visiting Professor, American University, Washington College of Law, Criminal Justice Clinic.

We explored relationships between professors and their students. Sessions were spent working on looking at ways to discover the client’s story through action. Lessons were learned about how to listen with a deeper ear; how to step into the skin of another and see the world through that person’s eyes. We worked on storytelling.

In the end, everyone came away with a greater sense of community. There is a sense of having begun a journey that will continue in the collaboration to bring deeper understanding, a commitment to values of humanity and justice in the practice of law, as we prepare new lawyers.

Gerry Spence



In connection with the Midwest Clinical Conference, Mr. Spence delivered a Krinock Lecture to the Cooley Community and the public on Saturday, Oct. 13, 2001.

An overflow audience in the Cooley auditorium listened with rapt attention as Mr. Spence spoke of the obligations that new lawyers have to fight to preserve our rights, and the principles of justice in challenging times.

He asked that students reflect on their obligations to the greater good as they embark on their careers. Spence spoke of considering what obligations we each have to continue to work for higher ideals, in honor of the struggles of our ancestors to bring us to this place in history. He argued that reflection is necessary at a personal level, in terms of what members of one’s own family would consider honorable endeavor; and also at a professional level, looking at the contributions of predecessors to the betterment of America’s justice system.

Mr. Spence spoke eloquently of the dangers and pitfalls of incursions into our own liberties in the name of patriotism, in the wake of the events of Sept. 11. He warned of the need for lawyers especially to be both vigilant and vocal in protecting and preserving the rights and liberties of all, especially those who seem least deserving. It is and has been an essential theme of Mr. Spence’s discourse, in books, on television, in lectures, and in court, that we are in great danger in this country of sacrificing the essentials of freedom in the name of rooting out evil.

Members of the audience visited briefly with Mr. Spence as he signed books after the lecture. Over and over again we heard how he had truly inspired those in attendance. He raised the consciousness of some, who gained a new perspective on the work of lawyers, especially in the criminal system. Many students declared that they had found in his words the fuel to care about being a lawyer, to care about doing good in the world. It seemed clear his message had its desired impact.