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## The 2016-17 Survey of Applied Legal Education

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**Center for the Study of  
Applied Legal Education (CSALE)**

***The 2016-17 Survey of  
Applied Legal Education***

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# Center for the Study of Applied Legal Education (CSALE)

## ***The 2016-17 Survey of Applied Legal Education***

### **I. OVERVIEW**

This report summarizes the results of the Center for the Study of Applied Legal Education's (CSALE) *2016-17 Survey of Applied Legal Education*. The *2016-17 Survey* was CSALE's fourth triennial survey of law clinic and field placement (i.e., externship) courses and educators. The results provide insight into the state of applied legal education in areas like program design, capacity, administration, funding, and pedagogy, and the role of applied legal education and educators in the legal academy. Law schools, legal educators, scholars, and oversight agencies rely on CSALE's data. They do so with the summary results provided here, the earlier *Reports* on CSALE's *2007-08*, *2010-11* and *2013-14 Surveys*, and through hundreds of customized reports cross-tabulating various aspects of the data that CSALE has provided to schools, scholars, and legal educators. Information on obtaining a free, customized report is available at [www.CSALE.org](http://www.CSALE.org).

The *2016-17 Survey* was composed of four parts. A *Master Survey* was directed to the 198 American Bar Association (ABA) fully-accredited U.S. law schools,<sup>1</sup> 187 (94%) of which responded (174 schools responded to the *2013-14 Master Survey*, 163 to the *2010-11 Master Survey*, and 185 to the initial *2007-08 Master Survey*). The respondent school was, in turn, asked to distribute the *Law Clinics* and *Field Placement Course Sub-Surveys* to the person responsible for each distinct clinic and field placement course at its school. Each school was also asked to distribute the *Clinical Faculty Sub-Survey* to every person "employed by the law school who teaches in either in a law clinic or field placement course."<sup>2</sup>

The *Survey* has evolved over its four iterations. Drafting of this survey, like prior iterations, was designed to maintain enough consistency to track changes over time but also to edit and add questions to capture important changes in clinical legal education. The *Field Placement Course Sub-Survey*, in particular, has been significantly revamped and greatly improved through the work of Meg Reuter and Sue Schechter.

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1. At the time of the *Survey*, there were 201 ABA fully-accredited law schools. Schools with provisional ABA accreditation were not included because they had yet to demonstrate fully to the ABA that they were in compliance with all ABA standards, including those regarding applied law clinics and field placement courses. The Judge Advocate General's School and the three law schools in Puerto Rico were also excluded.

2. The *Survey* does not include field placement work-site supervisors (sometimes referred to as "field supervisors") or law school faculty who are primarily doctrinal/classroom teachers but supervise a few students in externship placements or help teach some seminar class sessions.

Because of these changes, differences in responses to some questions across *Surveys* may not be meaningful. Where they are and where there have been changes worth noting in this summary format, we provide comparisons of *2016-17 Survey* responses to prior *Surveys*. The results from prior surveys remain available in summary format in the *Reports* on the CSALE website and, with some limitations, in raw format from CSALE directly.

The results reported herein are made possible by the over 1,000 participants in the various surveys. To each, CSALE and the many who rely on its data are truly indebted. Finally, much of CSALE's work is made possible by grants from the Law School Admission Council and Section on Clinical Legal Education of the American Association of Law Schools, the generosity of the University of Michigan Law School and Washington University School of Law, and donations from schools and legal educators who rely on CSALE's data.

## **II. SURVEY STRUCTURE, FOCUS AND METHODOLOGY**

### **A. THE MASTER AND THREE SUB-SURVEYS**

The *2016-17 Survey* is divided into four parts.<sup>3</sup> The first is the *Master Survey*, which was sent to the person at ABA fully-accredited law schools with primary responsibility for the clinical education program at the school.<sup>4</sup> The *Master Survey* gathers demographic information about each school and provides an overview of its applied legal education program and hiring and retention practices for law clinic and field placement instructors. The *Master Survey* is also the vehicle through which the various sub-surveys are electronically assigned to the proper persons.

Each of the three *Sub-Surveys* is answered independently of the *Master Survey* and provides separate pockets of data. In the *Law Clinics Sub-Survey*, the director of each law clinic identified by the school in the *Master Survey* is asked to provide information on the enrollment, classroom component, and casework of the clinic. The *Law Clinics Sub-Survey* data summarized below in Part IV provide information on 697 distinct law clinics.

The *Field Placement Course Sub-Survey* is similar to the *Law Clinics Sub-Survey* except its focus is field placement courses. The director of each field placement course identified in the *Master Survey* is asked to provide information on the structure, coverage, enrollment, fieldwork, classroom component, and placement supervision of the course. The *Field Placement Course Sub-Survey* data summarized below in Part V provide information on 304 distinct field placement courses.

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3. The *Survey* instruments are available at [www.CSALE.org](http://www.CSALE.org).

4. At schools where there was no single person with such responsibility, the *Master Survey* was directed to a person with considerable knowledge of such programs and, typically, that person sought the assistance of his or her colleagues.

The *Clinical Faculty Sub-Survey* targets each person teaching or supervising in a law clinic or field placement course identified by a school in the *Master Survey*. This sub-survey captures biographical information and characteristics of the respondent's employment, including the nature of the employment relationship, promotion and retention standards, compensation, supervision ratios, committee participation, and support by and rights within the institution. The *Clinical Faculty Sub-Survey* data summarized below in Part VI provide information on 1, 112 law clinic and field placement course instructors.

### **B. RESEARCH METHODOLOGY**

The data was collected on-line through a survey instrument designed and operated by Cicada Consulting Group, Inc. An invitation to complete the *Master Survey* was sent to the person at the law school with primary responsibility for, or considerable knowledge of, its clinical program. That person was responsible for assigning the *Sub-Surveys*.

Invitations to complete the *Master Survey* were sent in November, 2016, asking questions about the 2016-17 academic year. CSALE remotely monitored the progress on invited *Master* and *Sub-Surveys* participants and periodically sent reminders to invitees that had not yet completed a survey. The *2016-17 Survey* closed June 4, 2017. The next *Survey* will be conducted during the 2019-20 academic year.

## **III. MASTER SURVEY RESULTS**

The *Master Survey* questions were grouped into seven sections. *Section A* captured characteristics of each responding law school including: J.D. enrollment; geographic region; and structure of oversight of the clinical program.

*Section B* provided an overview of the law clinic and field placement courses at the school. It gathered the number of such courses, substantive focus, school policies about enrollment in such courses, trends in student demand, and staffing structure. *Section C* gathered information about institutional challenges and support for these courses.

*Section D* electronically assigned the *Law Clinics Sub-Survey* to the director of each law clinic at the school.<sup>5</sup> Similarly, *Section E* assigned each field placement program director an invitation to the *Field Placement Course Sub-Survey*.<sup>6</sup> *Section F* asked for the email addresses for any other persons (other than the law clinic and field placement course

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5. "Law clinics" are defined as "credit-bearing courses under ABA Standard 304(b) in which students advise or represent clients (individuals or organizations) or serve as a third-party neutral, are supervised by a clinical faculty member (faculty, adjunct, fellow, staff attorney, etc.), and include a classroom component."

6. "Field placement courses" are "credit-bearing externship courses under ABA Standard 304(c) that provide substantial lawyering experience where students are supervised in a setting outside the law school by persons not primarily employed by the law school and may or may not include a classroom component, but does require some means of ongoing, contemporaneous, faculty guided reflection."

directors identified in *Sections D & E*) teaching in a field placement or law clinic course. *Section G* collected information on promotion and retention standards for applied legal educators. Additionally, it asked respondents to submit a copy of their school's promotion and retention standards for posting on CSALE's website. Finally, *Section H* collected feedback for use in future surveys.

## ***SECTION A. IDENTIFYING INFORMATION AND RESPONDENT CHARACTERISTICS***

### *Questions A.1, 3 & 4(c): School Location*

One hundred eighty-seven schools across all regions of the country responded to the *Master Survey*. Private schools make up 58% percent of respondents; the balance were public.<sup>7</sup> The geographic locations of survey respondents, and their percentage of all ABA-Accredited schools in the region, are:

**TABLE 1**

<b><i>Region</i></b>	<b><i>Region Definition</i></b>	<b><i>Number of Survey Respondents vs. Total Schools in Region</i></b>	<b><i>Respondents as Percentage of All Schools in Region</i></b>
Region I	Far West (AZ, CA, HI, NV, OR, UT, WA)	32 of 34	94
Region II	Northwest & Great Plains (ID, MT, NE, ND, SD, WY)	7 of 7	100
Region III	Southwest & South Central (AR, CO, KS, LA, MO, NM, OK, TX)	26 of 27	96
Region IV	Great Lakes/Upper Midwest (IL, IN, IA, MI, MN, OH, WI)	34 of 34	100
Region V	Southeast (AL, FL, GA, KY, MS, TN, WV)	26 of 29	90
Region VI	Mid Atlantic (DC, DE, MD, NJ, NC, PA, SC, VA)	32 of 37	86
Region VII	Northeastern (CT, MA, ME, NH, NY (not NY City & Long Island), RI, VT)	20 of 20	100
Region VIII	New York City and Long Island	10 of 10	100

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7. The respondents match the profile of all ABA accredited law schools, of which 57.7% are private. See [http://www.americanbar.org/groups/legal\\_education/resources/aba\\_approved\\_law\\_schools/private\\_law\\_schools.html](http://www.americanbar.org/groups/legal_education/resources/aba_approved_law_schools/private_law_schools.html).

Questions A.4(a) & (b): First-Year Class Size

Enrollments for the 2016 first-year, full-time J.D. class among respondent schools is presented below and reflects the declining entering class sizes at many law schools. Fifty-three percent of respondent schools had a first-year, part-time J.D. class.

**TABLE 2**

<b><i>Number of First-Year, Full-Time Students</i></b>	<b><i>Percentage of Total Respondents</i></b>		
	<b>2010 - 11</b>	<b>2013 - 14</b>	<b>2016-17</b>
1 – 100	4	9	14
101 - 150	19	32	31
151 - 200	23	28	25
201 - 250	25	16	18
251 - 300	13	6	4
301 - 350	6	5	3
351 - 400	4	1	1
401 - 450	3	2	2
451 or more	4	3	2

School Rankings

Many users of CSALE's data seek information on comparable groups of law schools, such as those similarly ranked by *U.S. News and World Report*. *CSALE does not endorse any system of law school ranking and does not provide its data to anyone for use in any rankings.* It nonetheless provides this metric for possible use when comparing responses and as a check on the representativeness of schools that participated in the *Survey*. The *U.S. News* school rankings for the *Survey* respondents, and the percentage within ranking ranges that responded to the *Master Survey*, were:

**TABLE 3**

<b><i>School Ranking</i></b>	<b><i>Percentage of Survey Respondents within Rank Range</i></b>	<b><i>Percentage of All Survey Respondents</i></b>
1 - 25	100 (25 of 25 schools)	11
26 - 50	96 (24 of 25)	13
51 - 75	100 (24 of 25)	13
76 - 100	97 (29 of 30)	16
101-125	100 (21 of 21)	11
126-148	96 (22 of 23)	11
150-197	88 (42 of 48)	23

*Question A.5: Oversight of All Law Clinic and Field Placement Courses*

Over 56% of schools indicated there was a single individual with oversight responsibility for all law clinics and field placement courses at the school. This is up from 53% in the last *Survey* and 45% in the *2010-11 Survey*. Just over 49% of job titles included the word “dean,” up from 47% in 2013-14 and 30% in 2010-11.

Sixty four percent of those responsible for oversight of clinical education courses also had responsibility for other courses or programs. The most common additional responsibility was oversight of simulation/practicum courses (for 45% of clinical program deans/directors), followed by pro bono programs (for 26%), and legal writing (for 16%).

*Question A.6: Oversight of Only All Law Clinics*

Approximately 31% of respondents indicated there was a single individual at their school with oversight responsibility for only law clinics, a drop from 39% in 2013-14 and 58% in 2010-11 as, presumably, people move into the *Question 5* oversight of all clinical courses. Nineteen percent of titles included the word "dean," compared to 14% in 2013-14.

*Question A.7: Oversight of Only All Field Placement Courses*

Over 59% of respondents indicated there was a single individual at their school with oversight responsibility for only all field placement courses, compared to 55% in 2013-14 and 54% in 2010-11. Twenty percent of job titles included the word "dean," compared to 20% in 2013-14 and 23% in 2010-11.

*Questions A.8 & 9: Practices for Hiring Full-Time Clinical Faculty*

A vote of the school's faculty based upon a committee recommendation was the most common method of hiring full-time clinical faculty on tenure track, clinical tenure track, or a long-term, renewable contract, with 74% of schools requiring a faculty vote of some kind (with or without a committee recommendation).<sup>8</sup>

**TABLE 4**

<b><i>Hiring of Full-Time Clinical Faculty by</i></b>	<b>Percentage of Schools</b>	
	<b>2013-14</b>	<b>2016-17</b>
Committee	3	8
Faculty vote upon committee recommendation	67	64
Faculty vote without committee recommendation	12	10
School's dean	11	8
Process differs depending on status of position	8	10
Clinical program or individual clinic dean/director	< 1	0

At schools where a committee was involved in some aspect of the hiring, the composition of that committee was:

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8. For this question, the term "clinical faculty" does not include: (1) fellows, staff attorneys, or others on short-term, fixed duration contracts that do not mimic pre-tenure probationary periods; and (2) persons who are primarily employed by the organization where a student is placed in a field placement course and supervising students in that capacity (sometimes referred to as a "field supervisor").

**TABLE 5**

<b>Hiring Committee Structure</b>	<b>Percentage of Total Respondents Where Committee Is Involved</b>	
	<b>2013-14</b>	<b>2016-17</b>
Committee without any clinical faculty	6	2
Committee with clinical and doctrinal faculty that only doctrinal faculty can chair	12	11
Committee with clinical and doctrinal faculty that any member is permitted to chair	53	59
Committee solely comprised of clinical faculty	2	2
Committees at schools that do not distinguish between clinical and doctrinal faculty	21	18
Varies based on position being filled	7	8

## ***SECTION B. PROGRAMS OVERVIEW***

### *Questions B.1 & 2: Number and Types of Law Clinics*

The 187 schools in the *Master Survey* reported a total 1,433 distinct law clinics offered during the 2016-17 academic year (with clinics offered more than one term during the year counting as just one). All but four schools offered at least one law clinic. The median is 7 clinics per school, unchanged from the *2013-14 Survey*. (Note that the number of clinics offered at a school is often related to the size of the school and does not reflect the number of students enrolled in a particular clinic.)

Respondents were asked to identify the general substantive focus of each of their school's clinics as best described in a menu of subject areas:

**TABLE 6**

<b>Substantive Focus of Clinic</b>	<b>Percentage of Schools Offering</b>	
	<b>2013-14</b>	<b>2016-17</b>
Criminal Defense	54	47
Immigration	46	47
Children & the Law	38	39
Civil Litig./General Civil Clinic	39	36
Family Law	24	34

Mediation/ADR	35	32
Other	33	31
Appellate	27	30
Entrepreneur/Start-Up/Small Bus.	—	29
Tax	18	29
Environmental	26	24
Community/Econ. Development	30	23
Intellectual Property	21	23
Transactional	26	22
Human Rights	20	21
Innocence	21	21
Domestic Violence	26	20
Civil Rights	18	18
Veterans	10	18
Criminal Prosecution	18	17
Asylum/Refugee	14	16
Housing	21	16
Elder Law	18	15
Health Law	14	15
Legislative/Policy	11	12
Disability Law	12	12
Community Justice	—	11
Consumer Law	13	11
Civil & Criminal Litig./General Litig.	9	11
Prisoner's Rights	11	9
Administrative Law	8	8
Bankruptcy	9	8
Indian Law	6	8
Employment Law	14	8
Securities	9	7
Wills/Trusts/Estates	9	7
Death Penalty	7	6
Constitutional Law	5	4

*Questions B.3 & 4: Number and Types of Field Placement Courses*

The 187 schools in the *Survey* reported a total of 1,243 distinct field placement courses during the 2016-17 academic year (not the number of seminar sections that might be associated with an identified course). The median is 4 distinct field placement courses per school, unchanged from the prior *Survey*. Note that, as with law clinics, the number of field placement courses offered at a school is often related to the size of the school and does not reflect the number of students enrolled in a particular course. The number also may reflect a school's decision to offer a few larger field placement courses (with many types of placements) or, instead, a number of smaller courses focused on particular practice areas.

Respondents were asked to identify the title or organizing principle of their school's field placement courses from a menu. The table below shows the percentage of schools that offered a field placement course with that title or organizing principle:

**TABLE 7**

Title or Organizing Principle of Field Placement	Percentage of Schools Offering
	2016-17
Judicial	69
Criminal	60
Public Interest	52
Government	50
General	46
Civil	39
In-House Counsel	34
Subject Matter Focus	30
Legislative	26
Other	25
International	21
Law Firms	20

Respondents also reported the percentage of its field placements during a typical term where the student's work focused on certain practice areas. Not surprisingly, field placement programs relied heavily on litigation oriented placements. Virtually every school (99%) offered some degree of litigation focused placements for its students. While few schools were almost exclusively oriented to litigation placements (just 12 schools had

three-quarters of or more of their placements in litigation practices), 46% of school relied on litigation focused offices for more than half of all field placements.

Transactional and regulatory/legislative placements were a solid minority of field placements at schools. Transactional placements were offered at 84% of responding schools, while 78% offered some regulatory/legislative placements. But non-litigation offerings were often light — two-thirds of schools offered a small number of placements (less than 25% of total) in transactional or regulatory/legislative practice settings.

*Questions B.5 through 9: Graduation Requirements and Participation Levels*

During academic year 2016-17, 33% of schools required or guaranteed J.D. student enrollment in a law clinic or field placement course before graduating — 20% required a clinical course (law clinic or externship) and 13% guaranteed a law clinic or externship to students who sought one.

*Law Clinic Participation:*

In the tables below, respondent schools estimated the percentage of their students that participate in a law clinic or externship before graduation. The median participation range for law clinics in the most recent *Survey* was 46-50% of graduating students. In the *2013-14 Survey* the median was 41-45%, and in 2010-11 it was 31-35%.

**TABLE 8**

<b><i>Participation Ranges</i></b>	<b><i>Percentage of Respondents in Range</i></b>
1 - 10%	3
11 - 20%	8
21 - 30%	14
31 - 40%	17
41 - 50%	18
51 - 60%	12
61 - 70%	12
71 - 80%	5
81 – 90%	6
91 - 99%	1
100%	3

Field Placement Course Participation:

The median percentage of students who participated in a field placement course before graduation in the latest *Survey* was 51-55%, the same as in the *2013-14 Survey*; in 2010-11 the median was 31-35%.

**TABLE 9**

<b><i>Participation Ranges</i></b>	<b><i>Percentage of Respondents in Range</i></b>
1 - 10%	4
11 - 20%	4
21 - 30%	10
31 - 40%	14
41 - 50%	15
51 - 60%	17
61 - 70%	13
71 - 80%	14
81 - 90%	7
91 - 99%	1
100%	1

Law Clinic OR Field Placement Course Participation:

The median estimated percentage of students that graduated having participated in a law clinic **or** a field placement course in the *2016-17 Survey* was 76-80%; in the *2013-14 Survey* the median was 71-75%.

**TABLE 10**

<b><i>Participation Ranges</i></b>	<b><i>Percentage of Respondents in Range</i></b>
1 - 10%	0
11 - 20%	1

21 - 30%	1
31 - 40%	4
41 - 50%	3
51 - 60%	4
56 - 60%	10
61 - 70%	14
71 - 80%	20
81 - 90%	10
91 - 99%	11
100	25

*Questions B.10 & 11: Demand for Law Clinics*

Schools were asked to report whether student demand for law clinic courses had increased, remained constant, or decreased in the three years since the prior *Survey*:

**TABLE 11**

<b><i>Demand for Clinics Over Past 3 Years</i></b>	<b><i>Percentage of Schools Reporting</i></b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
Increased	80	54	38
Constant	19	34	43
Decreased	1	12	19

Respondents were allowed to select multiple factors to explain the increase or decrease. Among schools reporting an increase in demand in the latest *Survey*, the most common factors were: students believe clinics improve marketability and skills (77%); increased interest in substantive areas of practice within clinics offered (72%); increased support and promotion by law school (57%); and other faculty promoting clinics/encouraging students to enroll (38%).

Of the schools reporting a decrease, the most common reasons were: smaller student body (79%); time commitment per credit hour was too high (35%); students do not believe clinics improve job marketability (21%); other faculty discourage students from taking (18%), and lack of support and promotion by the school (15%). A significant percentage of schools (47%) chose “other,” some noting an increase in externships and concern with bar passage.

*Questions B.12 & 13: Demand for Field Placement Courses*

Schools were also asked to report whether student demand for their field placement courses had increased, remained constant, or decreased in the three years since the prior Survey.

**TABLE 12**

<b><i>Demand for Field Placement Courses Over Past 3 Years</i></b>	<b><i>Percentage of Schools Reporting</i></b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
Increased	76	60	42
Constant	20	31	43
Decreased	1	9	15

Of the schools reporting an increase, the most common reasons were: students believe field placement courses improve marketability (88%); students believe field placements improve skills (67%); increased interest in substantive areas of practice within field placements offered (64%); increased support and promotion by law school (63%); and other faculty promoting field placements/encouraging students to enroll (35%). Of the schools reporting a decrease, the most common reasons were: smaller student body (69%); time commitment per credit hour too high (19%); and other faculty discourage students from enrolling in field placement courses (12%).

*Question B.14: Field Placement Course Limitations*

Almost 58% of schools now allow students to extern full time during a fall or spring academic term. Of those schools, 51% allow full-time externships in the vicinity of the law school, 58% allow full-time externships anywhere in the United States where the student has identified an eligible placement, and 40% allow full-time externships in other countries.

Of the restrictions schools place on the practice setting for field placements, most schools restricted law firms (85%) and in-house counsel at for-profit entities (50%). At the time of the survey, schools were recently permitted by the ABA to allow students to receive compensation in addition to academic credit. Ten percent of schools in the survey permitted compensation and another 10% allowed compensation but with certain limiting conditions.

*Question B.15: Staffing Structure*

Schools reported a median of 11 faculty teaching in a law clinic or field placement course during the 2016-17 academic year (including part-time, adjuncts, staff attorneys, fellows, etc.). The median in the *2013-14 Survey* also was 11 faculty; in the *2010-11 Survey* the median was 9.

In the latest survey, 72% of those teaching in a clinic or field placement course were employed full time by the school; in 2013-14, 78% were full-time employees; and in 2010-11 nearly 82%. The status of those teaching *full time* was:

**TABLE 13**

<b><i>Employment Status</i></b>	<b><i>As Percentage of all Full-Time Instructors</i></b>	
	<b><i>2013-14</i></b>	<b><i>2016-17</i></b>
Tenure	21	18
Tenure Track	7	5
Clinical Tenured	7	7
Clinical Tenure Track	3	2
Presumptively Renewable Long-Term Contract	32	30
Probationary Leading to Presumptively Renewable Long-Term Contract	5	6
Fellow	8	7
Short-Term Contract	—	16
At Will	—	4
Other Employment Terms	—	6
Others on terminal contact	19	—

## ***SECTION C. PROGRAM CHALLENGES AND SUPPORT***

### ***Question C.1: Major Challenges to Law Clinics***

From a menu of choices, respondents were asked to identify the major challenges their law clinics faced (unlike prior *Surveys*, the 2016-17 *Survey* limited the responses to three challenges, which may explain some differences in response rates):

**TABLE 14**

<b><i>Major Challenges</i></b>	<b><i>Percentage of Schools Reporting</i></b>	
	<b><i>2013-14</i></b>	<b><i>2016-17</i></b>
Insufficient hard money (tuition dollars, endowment income, state subsidies)	64	56
Other demands on clinical faculty's time	47	46
Insufficient administrative/secretarial support	26	29
Insufficient number of clinical faculty	40	26
Insufficient faculty status	—	24
Insufficient physical/office space	37	18
Insufficient support among non-clinical faculty	25	14
Insufficient support from administration	17	11
Insufficient student demand	11	11

### ***Question C.2: Major Challenges to Field Placement Courses***

Respondents also were asked to identify the major challenges their field placement courses faced (like the prior question on challenges to clinics, the 2016-17 *Survey* limited the responses to three challenges):

TABLE 15

<b>Major Challenges</b>	<b>Percentage of Schools Reporting</b>	
	<b>2013-14</b>	<b>2016-17</b>
Insufficient administrative/secretarial support	36	44
Other demands on clinical faculty's time	47	42
Insufficient number of clinical faculty	52	36
Insufficient faculty status	—	24
Insufficient hard money (tuition dollars, endowment income, state subsidies)	23	22
Insufficient student demand	10	12
Insufficient support among non-clinical faculty	14	10
Insufficient support from administration	10	10
Insufficient physical/office space	12	8

#### ***SECTION D. PROMOTION AND RETENTION STANDARDS***

##### *Questions G.1 & 2: Written Standards for Promotion, Tenure or Retention*

Over 84% of respondent schools have written standards for the promotion, tenure, or retention of clinical faculty, similar to the 2013-14 Survey.<sup>9</sup> At 72% of these schools, the written standards differed from the promotion, tenure, or retention standards for doctrinal/podium faculty.

##### *Question G.3: Differences in Standards for Faculty on Clinical Tenure Track*

Where the school had a *clinical tenure track*, differences in promotion, tenure or retention standards for that track faculty compared to the standards for *doctrinal/podium faculty* were reported as:

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9. Respondents were asked to submit copies of the standard to CSALE for posting on its website at [www.CSALE.org](http://www.CSALE.org).

**TABLE 16**

Differences from Doctrinal/Podium Standards	Percentage of Schools Reporting
Consider community involvement, bar activities, public committee or commission participation, or teaching CLE	57
Greater emphasis on the quality of teaching	34
Consider briefs and similar works authored by clinical faculty	49
Greater acceptance of “applied” scholarship	58
Require lower number of publications	51
Receive credit for participating in litigation or other activities that raise important questions of public policy	23
Greater emphasis on the administration skills	17
Receive credit for ability to raise funds to support clinical programs	8
Other	23

*Question G.4: Differences in Standards for Faculty on Contracts*

Where the school had a *long-term contract track*, differences in promotion, tenure or retention standards for that track faculty compared to the standards for *doctrinal/podium faculty* were reported as:

**TABLE 17**

Differences from Doctrinal/Podium Standards	Percentage of Schools Reporting
Consider community involvement, bar activities, public committee or commission participation, or teaching CLE	71
Greater emphasis on the quality of teaching	53
Consider briefs and similar works authored by clinical faculty	54
Greater acceptance of “applied” scholarship	58
Require lower number of publications	56
Receive credit for participating in litigation or other activities that raise important questions of public policy	34
Greater emphasis on the administration skills	29

Receive credit for ability to raise funds to support clinical programs	16
Other	24

#### **IV. LAW CLINICS SUB-SURVEY RESULTS**

In the *Law Clinics Sub-Survey*, each person identified in the *Master Survey* as directing a law clinic at that school was asked to provide detailed information on their clinic. Law clinic directors at 160 schools responded to the invitation, providing detailed information on 697 separate law clinics (representing 49% of the total number of clinics identified by schools in the *Master Survey*). The data reported below summarize those responses.

##### **A. STRUCTURE AND ENROLLMENT**

###### **Questions A.3 & C.24: Length and Terms of Enrollment**

The mandatory term of enrollment for most clinics was one semester/trimester /quarter (depending on the length of the school's academic term) — 75% of clinics required students to enroll for one term, 22% required students to enroll for two terms, and the remaining required three or other. In the *2013-14 Survey*, 74% of clinics required students to enroll for one term. In 2010-11, 64% required one term.

A majority of clinics (57%) were offered twice during the 2016-17 academic year (e.g., fall and spring semester), with 31% offered once, and 11% offered three times. Almost 21% of clinics were scheduled to be offered in the summer.

In 64% of clinics, students are permitted to enroll for an additional term(s) beyond the mandatory term of enrollment, typically for three credits (29% of clinics), two credits (20%), or four (15%). In the *2013-14 Survey*, 60% of clinics allowed students to enroll for an additional term(s).

The median percentage of students taking a clinic for an additional term(s) was 11-15%, the same as the *2013-14 Survey*.

###### **Question A.4a: Typical Enrollment and Demand**

The typical enrollments in a law clinic each term are set out below. The median and most common enrollment each term in 2016-17 was 7-8 students, the same as in 2013-14.

**TABLE 18**

<b>Enrollment Ranges</b>	<b>Percentage of Respondents Reporting in Range</b>	
	<b>2013-14</b>	<b>2016-17</b>
1 - 2	1	< 1
3 - 4	5	6
5 - 6	14	17
7 - 8	31	34
9 - 10	16	14
11 - 12	13	12
13 - 14	4	4
15 - 16	8	7
17 - 18	45	3
19 - 20	< 1	1
21 - 24	1	1
25 - 28	< 1	< 1
29 - 32	< 1	0
≥ 33	1	< 1

Directors were asked whether student demand for their law clinic over the past three years exceeded, matched, or was less than the number of slots/positions available for enrollment:

**TABLE 19**

<b>Demand for Clinic Over Past 3 Years</b>	<b>Percentage of Clinics Reporting</b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
Exceeds Available Slots	75	59	53
Matches	21	32	34
Does Not Fill Up Slots	4	9	13

*Question A.5: Part-Time J.D. Students*

Of the schools with part-time J.D. students, 79% of clinics at those school reported that part-time students were allowed to participate. In the *2013-14 Survey*, 81% reported

that part-time students were allowed to participate in that clinic; in 2010-11, 70% permitted those students to participate.

*Question A.6: Person in Charge*

The following table shows the frequency of the most appropriate job description (i.e., position or status) of the person in charge of the clinic (i.e., the director):

**TABLE 20**

<b><i>Job Description</i></b>	<b><i>Percentage Reporting</i></b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
Tenured	23	25	20
Tenure Track	7	7	6
Clinical Tenured	8	8	9
Clinical Tenure Track	5	4	4
5 Year (or more) Contract	19	18	22
4 Year Contract	2	< 1	< 1
3 Year Contract	8	10	8
2 Year Contract	3	2	2
1 Year Contract	9	9	10
Adjunct	9	13	13
Fellow	—	< 1	0
Non-Adjunct At Will Employee	2	1	< 1
Other Employment Terms	8	2	4

*B. CLASSROOM COMPONENT*

*Question B.7: Classroom Student-Teacher Ratio*

Student-teacher ratios for the classroom component of law clinics (i.e., number of classroom students per instructor) are set out below. The median and most common ratios in the 2016-17, 2013-14, and 2010-11 Surveys were 8 to 1. In the latest Survey, almost 10% of clinics had classroom student-teacher ratios greater than 10 to 1; in 2013-14, only 7% had ratios greater than 10 to 1.

**TABLE 21**

<b><i>Student-Teacher Ratio</i></b>	<b><i>Percentage Reporting</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
≤ 2 to 1	2	3
3 to 1	3	3
4 to 1	10	10
5 to 1	5	6
6 to 1	19	16
7 to 1	4	3
8 to 1	36	39
9 to 1	4	2
10 to 1	11	9
11 to 1	< 1	< 1
12 to 1	3	4
13 to 1	0	0
14 to 1	< 1	2
15 to 1	< 1	< 1
16 to 1	1	< 1
17 to 1	< 1	< 1
≥ 18 to 1	1	3

*Question B.8: Total Credits for Law Clinic Course*

The total number of credits per term for the combined classroom and casework components of the clinic is shown below. The median total number of credits was 5 per term, though the most common were 6 and 4 total credits.

**TABLE 22**

<b><i>Total Number of Clinic Credits</i></b>	<b><i>Percentage Reporting</i></b>
1	< 1
2	6
3	19

4	23
5	12
6	24
7	9
8	3
9	< 1
10	< 1
11	0
12	3
13	< 1
14	< 1
15	< 1

*Questions B.9 & 10: Classroom Component Credits and Hours*

The number of credits per term for *just* the classroom component of the clinic is shown below.<sup>10</sup> As indicated in the table below, the median and most common number of classroom credits was 2 per term in the latest and 2013-14 Surveys:

**TABLE 23**

<b><i>Number of Classroom Credits</i></b>	<b><i>Percentage Reporting</i></b>	
	<b>2013-14</b>	<b>2016.-17</b>
1	21	36
2	31	40
3	25	18
4	12	5
5	4	< 1
6	7	< 1

---

10. Where the clinic's credits are not divided between the classroom and casework components, respondents were asked to apportion the total credits between the two components.

The most common number of hours per week spent on the classroom component of the clinic was 2 hours (49% of clinics), followed by 3 hours (24%), 4 hours (12%), and 1 hour (7%).

*Question B.11: Grading the Classroom Component*

Most clinics (72%) graded the classroom component with a mandatory letter or number grade, while 20% gave mandatory pass/fail grades (including systems with “high/low pass”), 4% gave optional pass/fail, and 4% gave mixed pass/fail and letter/number grades. In the *2013-14 Survey*, 75% of clinics gave mandatory letter/number grades.

Where classroom grading is by letters or numbers, a minority of clinics (28%) graded on a curve, compared to 30% in the *2013-14 Survey*.

*Question B.12: Limitations on Classroom Component Credits*

Only 32% of clinics are subject to a school limit on the number or type of classroom component credits a student may count toward the total needed for graduation, down from 37% in the *2013-14 Survey*.

*Question B.13: Focus of the Classroom Component*

The average portion of classroom time devoted to various activities is set out below. Almost every clinic devotes some classroom time to skills instruction (98%), and ethics/professional responsibility, case discussion/rounds, and substantive law (each 95%). On the other hand, 20% of clinics spend no classroom time on simulation and 19% spend no time on procedural law or rules.

**TABLE 24**

Classroom Activity	Percentage of Time	
	2013-14	2016-17
Skills Instruction	22	23
Case Discussion/Rounds	23	22
Substantive Law	18	18
Simulation	12	13
Procedural Law/Rules	11	11
Ethics/Professional Responsibility	11	11
Other	3	3

*Question B.14: Person Teaching the Classroom Component*

Of the persons teaching the classroom component of a law clinic, 84% are full-time employees of the school, the same percentage as in 2013-14. Ninety percent of the persons identified as being in charge of the clinic also teach the classroom component. The table below shows the reported position or status of *full-time* faculty teaching the classroom component.

**TABLE 25**

<b><i>Job Description</i></b>	<b><i>Percentage Reporting</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
Tenured	21	20
Tenure Track	7	7
Clinical Tenured	7	8
Clinical Tenure Track	4	4
5 Year (or more) Contract	19	21
4 Year Contract	< 1	< 1
3 Year Contract	11	10
2 Year Contract	3	3
1 Year Contract	11	12
Adjunct	2	2
Fellow	9	7
Non-Adjunct At Will (without contract)	3	3
Other Employment Terms	3	3

**C. CASEWORK COMPONENT**

*Question C.15: Casework Student-Teacher Ratio*

The student-teacher ratios for the casework component are set out below. The median and most common ratio in the 2016-17, 2013-14, and 2010-11 Surveys was 8 to 1. In both the latest and 2013-14 Survey, over 80% of law clinics had casework student-teacher ratios of 8 to 1 or less. Note that the ratios are not sensitive to the number of credits (and related hours of required work) students received for the casework.

**TABLE 26**

<b><i>Student-Teacher Ratio</i></b>	<b><i>Percentage Reporting</i></b>	
	<b>2013-14</b>	<b>2015-16</b>
less than 4 to 1	7	11
4 to 1	12	10
5 to 1	6	7
6 to 1	18	15
7 to 1	4	3
8 to 1	35	37
9 to 1	3	38
10 to 1	11	9
11 to 1	< 1	< 1
12 to 1	2	3
≥ 13 to 1	1	3

*Question C.16: Credit Hours for Casework - Fixed and Variable*

Most clinic students (83%) received a fixed number of academic credits for their casework, rather than a variable number based on the amount of time spent on their casework. In the *2013-14 Survey*, 86% of clinics awarded a fixed number of credits.

**Fixed:** The table below indicates the number of credits a student received for casework where the number of credits was fixed.<sup>11</sup> The median and most common number of fixed casework credits was 3, the same as the *2013-14 Survey*. Only 4% of clinics awarded 8 or more fixed credits for casework; in the *2013-14 Survey*, 5% awarded 8 or more credits.

**TABLE 27**

<b><i>Number of Fixed Credits</i></b>	<b><i>Percentage Reporting</i></b>	
	<b>2013-14</b>	<b>2015-16</b>
1	7	7
2	23	25
3	30	31
4	25	23

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<sup>11</sup> If credits in a law clinic are not formally divided between the classroom and casework components, respondents were instructed to apportion the total credits between the two components.

5	5	5
6	6	5
7	< 1	< 1
8	2	1
9	1	1
10	< 1	< 1
≥ 11	1	< 1

Whether a clinic's credits are fixed or variable, the median number of hours a student was expected to devote to casework per term for each credit was 45 hours, but over 35% of clinics required more than 50 hours per credit.

Variable: Where the credits for casework were variable, the most frequent *minimum* numbers of credits a student could receive were 1/term (35%), 2/term (22%), 3/term (20%), and 4/term (15%). The median minimum number of variable credits was 2/term.

The most frequent *maximum* numbers of credits where students can earn a variable number of credits were 6/term (25%), and 3 and 4/term (both 24%). The median maximum number of variable credits was 4/term. Almost 14% of clinics allowed students to receive over 6 variable credits; 4% of clinics allowed students to earn 10 or more variable credits.

*Question C.17: Grading the Casework Component*

As with the classroom component (Question 11), most clinics (69%) gave a mandatory letter/number grade for casework, while 23% awarded mandatory pass/fail grades, 4% gave students the option of a pass/fail or letter/number grade, and 3% gave mixed pass/fail and letter/number grades. These percentages are unchanged from the *2013-14 Survey*.

Of those clinics that graded with letters or numbers, only 27% graded on a curve. In the *2013-14 Survey*, 29% graded on a curve.

*Question C.18: Limitations on Casework Credits*

In contrast to past surveys, a minority of schools (44%) limited the number of credits for clinic casework that a student could count toward the total needed for graduation. In the *2013-14 Survey*, 53% limited casework credits; in 2010-11, 57% of schools.

*Question C.19: Supervising the Casework Component*

Of those who supervised the casework component of a law clinic, 79% were full-time employees of the school. In the *2013-14 Survey*, 76% were full-time employees, in 2010-11, 84%.

The table below shows the frequency of reported job descriptions (*i.e.*, position or status) of *full-time* persons who supervised the casework component of a law clinic.

**TABLE 28**

<i>Job Description</i>	<i>Percentage Reporting</i>	
	<b>2013-14</b>	<b>2016-17</b>
Tenured	19	18
Tenure Track	7	6
Clinical Tenured	7	4
Clinical Tenure Track	4	8
5 Year (or more) Contract	19	21
4 Year Contract	< 1	< 1
3 Year Contract	11	11
2 Year Contract	3	3
1 Year Contract	11	12
Adjunct	2	2
Fellow	11	8
Non-Adjunct At Will (without contract)	5	4
Other Employment Terms	2	4

*Question C.20: Student Practice Rules*

Two thirds of clinics report that all their students practice under a student practice rule, with 16% reporting that some but not all practice under a rule, and 19% reporting that none practice under a rule. These results are similar to the *2013-14 Survey*.

*Questions C.21 & 22: Pre- and Co-Requisites*

A majority of clinics (56%) had pre- or co-requisites; in the *2013-14 Survey*, 61% reported pre- or co-requisites.

Where there were pre- or co-requisites, the most common were Evidence and Ethics/Professional Responsibility (both 41%), a course(s) in the substantive area of the clinic's practice (27%), Civil Procedure (15%), and Criminal Procedure and Simulation Course(s) (both 11%).

*Question C.23: Use of Technology*

Case management: Case management software is now a common feature of law clinics — 73% reported using it in their clinic. In the *2013-14 Survey*, 59% reported its use; in 2010-11, 49%.

Of those employing case management software, Clio was the most common type (57% of clinics), followed by Time Matters (12%), Amicus (6%), ClinicCases (4%), and MyCase (2%). Twenty-six percent reported using some other software.

Email: Over 88% of clinics permitted students to use email for client contact; in the *2013-14 Survey*, 84% permitted email use.

Dedicated Intranet: Over two thirds of clinics (69%) used a dedicated intranet (school-run computer network permitting document sharing) that provides students with access to client-related documents/files. In 64% of those clinics, students can access that intranet from outside the law school.

Cloud Computing: Over half of clinics (54%) used a cloud computing site (computer network outside school that is accessible over the Internet) providing students with access to client-related documents/files. In 2013-14, only 37% of clinics used a cloud computing site.

Video Recording of Student Work: Over 40% of clinics video recorded student work for feedback or supervision purposes. Of clinics that record, 49% permit recording of student-client interaction.

*Question C.25: Hours of Free Legal Services Delivered by Clinics*

Civil: Four hundred fifty clinics estimated their students provided a total of 1,186,023 hours of pro bono *civil* legal services during the previous 2015-16 academic year, or about 2,600 hours per clinic

Criminal: One hundred five clinics estimated their students provided a total of 220,859 hours of pro bono *criminal* legal services during the 2015-16 academic year, or about 2,100 hours per clinic.

Extrapolating to all law clinics at ABA-accredited law schools, students in clinics provided an estimated 3.6 million total hours of free civil or criminal legal services during the 2015-16 academic year.<sup>12</sup>

*Question C.26: Number of Clients Represented by Clinics*

Civil: Four hundred fifty-seven law clinics estimated their students represented a total of 32,422 *civil* clients during the 2015-16 academic year (organizational clients count as 1), or an average of around 70 clients per clinic.

Criminal: One hundred six clinics estimated their students represented a total of 4,543 *criminal* clients during the 2015-16 academic year, or an average of around 40 clients per clinic.

Extrapolating to all clinics at ABA-accredited law schools, the estimated total number of clients provided with free civil or criminal legal services by law students during the 2015-16 academic year was over 113,000.<sup>13</sup>

***V. FIELD PLACEMENT COURSE SUB-SURVEY RESULTS***

In the *Field Placement Course Sub-Survey*, respondents (each person identified in the *Master Survey* as directing a field placement course at that school) were asked to provide detailed information on those externship courses. Below is a summary of that information.

Two hundred nineteen field placement course directors at 145 schools provided information on the enrollment, structure, operations, and pedagogical methods for the 304 courses they teach (representing 24% of the total number of field placement courses identified by schools in the *Master Survey*).

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12. This estimate is calculated as follows: 1,406,882 total civil and criminal hours from the 38.7% of law clinics (555) of the 1,433 total number of clinics identified in the *Master Survey*. The estimated total for all 1,433 clinics:  $1,406,882 \times 2.58 = 3,629,756$ . The estimate does not include student hours from the 6% of law schools that did not respond to the *Master Survey* invitation.

13. This estimate is calculated as follows: 36,965 total civil and criminal clients from the 32.4% of law clinics (465) of the 1,433 total number of clinics identified in the *Master Survey*. The estimated total for all 1,433 clinics:  $36,965 \times 3.08 = 113,852$ . The estimate does not include clinic clients from the 6% of law schools that did not respond to the *Master Survey* invitation.

## A. ROLE AND SCHOOL/PROGRAM POLICIES

### Questions B-1, 2 & 4: Respondent Role

The highest level of responsibility for the respondents to the *Field Placement Course Sub-Survey* were head of main field placement program (50% of respondents), head of a distinct field placement course (36%), classroom instructor for the academic component of the course (13%), and other (1%).

Of those who were the head of the main field placement *program* at their school, 97% had responsibility for personally and primarily handling placement aspects (e.g., approving sites, monitoring placements, training/communication with field supervisors), 95% for student aspects (e.g., applications process, student advising), 97% for classroom oversight aspects (e.g., selection and management of classroom instructors and curriculum), and 83% for reflection/teaching aspects (e.g., teach seminar, review and comment on journals or logs, assign grades).

Of those who were the head of the field placement *course*, 94% had responsibility for personally handling the reflection/teaching aspects, 92% for placement aspects, 89% for student aspects, and 80% for classroom oversight aspects.

### Questions B-8 & 9: Limitations on Fieldwork Credits

Approximately 71% of schools limited the number of fieldwork placement credits a student may count toward the total needed for graduation, compared to 80% in the *2013-14 Survey*. Of the schools limiting credits, the most common limits were 12 and 6 fieldwork credits.

## B. COURSE INFORMATION

### Questions C-2 through 5: Course and Practice Types

Field placement courses most commonly placed students in a mix of different types of offices/practices (51% of courses) rather than a single type of office/practice (42%) or some other setting (7%).

The most common types of placement courses were: mix of public interest and government agencies (26% of all types); general mix of placements (i.e., civil, criminal, public, private) (24%); judicial only (17%); criminal prosecution or defense only (10%); public interest only (6%); and government only (5%). The least common were: law firm only (also called “private placements”) and international only courses (both less than 1%), mixed courses of firms and corporate counsel (1%), and corporate counsel only courses (3%).

Approximately 60% of field placement courses had no specific subject matter focus. Of those with a specific focus, the most common were criminal defense, criminal prosecution, legislative/policy, and environmental.

Over 90% of courses offered some placements with a litigation practice focus, 66% included placements with a regulatory or legislative focus, and 56% included a transactional practice focus or included other types of practice.

### C. ENROLLMENT AND REGISTRATION

#### *Questions D-1 & 2: Pre- and Co-Requisites*

Approximately 37% of field placement courses required a pre- or co-requisite. Where required, the most common were a course(s) in the substantive area of practice (46% of courses), followed by Ethics/Professional Responsibility (42%), Evidence (25%), an experiential course(s) (19%), Civil Procedure (17%), and Criminal Procedure (12%). In the *2013-14 Survey*, 51% of courses required a pre- or co-requisite(s). The most common was ethics/professional responsibility, followed by "other," a course in the substantive area of practice, civil procedure, and criminal procedure.

#### *Question D-3: Typical Enrollments*

Typical enrollments in field placement courses are set out below. The median enrollment were 11-15 students, the same as the *2013-14 Survey*. Fifteen percent of field placement courses had enrollments of more than 30. Almost two-thirds of field placement courses had an enrollment cap (maximum) for the term.

**TABLE 29**

<b><i>Enrollment Ranges</i></b>	<b><i>Percentage of Respondents Reporting</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
1 - 5	13	17
6 - 10	25	24
11 - 15	19	16
16 - 20	5	13
21 - 30	14	15
31 - 40	9	6
41 - 50	4	3
> 51	10	6

*Question D-5: Student Demand*

Directors were asked whether student demand for their field placement course over the past three years typically exceeded, matched, or was less than the number of slots/positions available for enrollment:

**TABLE 30**

<b><i>Demand Over Past 3 Years</i></b>	<b><i>Percentage of Courses Reporting</i></b>		
	<b><i>2010 - 11</i></b>	<b><i>2013 - 14</i></b>	<b><i>2016-17</i></b>
Exceeds Available Slots	35	24	23
Matches	43	48	34
Does Not Fill Up Slots	22	28	44

*Questions D-6 & 7: Repeat Enrollments*

A majority of field placement courses (55%) permitted students to enroll two or more times in the same course, similar to the last survey.

Of those programs allowing additional term(s), 63% allowed students to continue in the same placement office with conditions/approval, 19% allowed students to continue in the same office without any conditions, and 18% required students to work in a different office.

*Questions D-8 & 9: Part-Time J.D. Students*

Of the field placement courses at schools that have part-time J.D. students, 78% reported that part-time students are allowed to enroll, compared to 90% in the *2013-14 Survey*. Typical enrollments were 1-5 part-time students (70% of courses at schools with part-time students), with 11% reporting no enrollments of eligible part-time students.

*Questions D-10 through 14: Credits Awarded - Fixed and Variable*

Fifty-eight percent of field placement courses offered variable credits for student work (based on the number of hours spent in the course), rather than a fixed number. In the *2013-14 Survey*, 52% awarded variable credits; in the *2010-11 Survey*, 59% provided a fixed (rather than variable) number of credits; and in 2007-08, 63% provided a fixed number.

**Fixed:** The table below indicates the number of credits a student received where the number of credits is fixed. The most common number of fixed credits awarded was 3 per term. Over 22% of fixed credit courses awarded 10 or more credits per term, compared to 19% in the *2013-14 Survey* and 9% in 2010-11.

**TABLE 31**

<b><i>Number of Fixed Credits</i></b>	<b><i>Percentage of Courses</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
1	5	3
2	15	14
3	20	29
4	24	17
5	5	6
6	8	6
7	0	0
8	4	3
9	0	0
10	3	5
11	3	2
≥ 12	13	15

**Variable:** Where the credits a student received was variable, the most frequent *minimum* numbers of credits were 2/term (37%) and 3/term (28%). The most frequent *maximum* numbers of credits was 4/term (22%), followed by 6/term (19%), and 12/term (15%). Twenty nine percent of variable credit field placement courses allowed 10 or more credits/term, the same percentage as the *2013-14 Survey*.

Where students earn separate credits for any required classroom component (in 44% of field placement courses), the most common numbers of credits for the classroom component were 1 credit (48% of courses), 2 credits (39%), and 3 credits (9%).

#### ***D. FIELDWORK***

##### ***Question E-1: Number of Hours of Fieldwork/Credit***

The most common hours a student must work during the term per fieldwork credit hour earned were 50 hours/credit (21%) (about 4 hours/week/credit under a semester

system), 56 and 60 hours/credit (both 12%), and 45 hours/credit (11%). The median number of hours/credit is 50, the same as in the *2013-14* and *2010-11 Surveys*.

*Question E-2: Time Reporting*

Over 90% of field placement courses required students to report their field placement hours in time logs. Of those using logs, 48% required that logs be verified by the on-site supervisor, down from 53% in *2013-14 Survey*.

*Questions E-3 & 4: Fieldwork Grading*

The overwhelming majority of students received a pass/fail grade for their fieldwork (79%), while 11% received a mandatory letter or number grade, 8% received a mixed pass/fail and letter/number grade, and 1% had the option of a pass/fail or letter/number grade, similar to percentages in the *2013-14 Survey*,

Where students are graded with letters/numbers, only 21% of field placement courses graded on a curve, down from 38% in the *2013-14 Survey* and 41% in the *2011-12 Survey*.

*Question E-5: Student Practice Rule*

Two-thirds of field placement courses reported that some or all of their students practiced under a student practice rule, with 31% reporting that one-quarter or less of their students practice under a rule, and 13% reporting that more than three-quarters practice under a rule.

*E. CLASSROOM AND REFLECTION*

*Questions F-2 & 3: Classroom Component*

The overwhelming majority of field placement courses (86%) included a classroom instructional component, similar to the *2013-14 Survey*. Where students are permitted to repeat the course, 51% of courses required repeat students to attend a classroom component, 29% did not require a classroom component for repeat students, and 20% made other arrangements (e.g., faculty tutorials, attendance at some but not all, journals).

*Question F-4: Number of Sections*

The classroom component was offered in only one section in 73% of field placement courses, although 13% of field placement courses offered two sections of the classroom component, 5% offered three, and 10% offered four or more.

*Question F-5: Classroom Component Grading*

The most common classroom credit grading methods were to award mandatory letter or number grades (55%), mandatory pass/fail grades (38%), mixed pass/fail and letter/number grades (3%), and optional pass/fail or letter/number grades (4%), similar to the *2013-14 Survey*.

Where students were graded with letters or numbers, 47% graded the classroom component on a curve, compared to 43% in 2013-14.

*Question F-6: Classroom Hours*

Approximately 60% of field placement courses spend 1 hour per week in the classroom, 33% spend 2 hours, and 7% spend 3 or more hours. In the *2013-14 Survey*, 50% of courses spent 1 hour per week in the classroom component, 41% spent 2 hours, and 9% spent 3 or more.

*Question F-8: Classroom Student-Teacher Ratio*

The percentage of field placement courses with student-teacher ratios for the classroom component are set out below. The median ratio was 11-15 students to each teacher.

**TABLE 32**

<b><i>Student-Teacher Ratio</i></b>	<b><i>Percentage of Courses with Ratios</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
1 - 5 to 1	9	13
6 - 10	24	30
11 - 15	35	28
16 - 20	8	14
21 - 25	8	9
26 - 30	9	3
≥ 31	7	2

*Question I-2: Classroom Teachers*

Of those teaching the classroom component of the course, 60% were full-time employees of the school, while 35% were one-quarter time or less employees (i.e., adjuncts).

*Question F-9: Classroom Curriculum*

The greatest amounts of classroom time were devoted to fieldwork/case discussion (26% of total classroom time), followed by professional identify/career development (19%), ethics/professional responsibility (16%), skills instruction (13%), substantive law (9%), simulation and procedural law (both 6%), and other (5%).

Almost every course (over 97%) devoted some percentage of class time to professional identify/career development, ethics/professional responsibility, and fieldwork/case discussion. In contrast, 41% of field placement courses spent no time on simulation, 38% spent no time on procedural law or rules, and 34% spent no time on substantive law.

*Question F-10: Journals*

Most field placement courses (85%) used student journals but only 5% shared them with on-site field supervisors. The *2013-14 Survey* yielded similar percentages.

**F. PLACEMENT AND SUPERVISOR MANAGEMENT**

*Question G-1: Number of Placement Offices*

The most common, and median, number of placement offices utilized in field placement courses was 10, followed by 21-30. Approximately 26% of courses placed students with 5 or fewer host offices; 14% of courses placed students with over 30 separate offices.

*Question G-2: Placement Evaluation*

The most common means of evaluating placements to ensure the quality of the student education experience were through supervisor evaluation of student (used by 93% of externship directors), student evaluations of the placement office and supervisor (91%), email communications with the field supervisor (89%), telephone calls with field supervisor (74%), site visits (69%), and remote video connections with field supervisor (13%).

*Question G-3: Placement Site Visits*

Site visits to the placement office were generally performed in approximately 75% of field placement courses, similar to the *2013-14 Survey*. Where visits are done, 34% of courses visited sites irregularly/occasionally, 20% every other year, 17% yearly, 23% each term, and 6% more than once a term.

*Question G-4: Training for On-Site Supervisors*

Over 70% of schools provided training programs for field placement supervising attorneys. Where training was provided, 83% of schools do so through written materials, 42% do live training at the host office or law school, 8% do online training, and 12% use other formats.

Training for field placement supervising attorneys was provided every term at 39% of schools, annually at 33%, and less frequent than annual and for new supervisors to the program, both at 13%.

*G. SUMMER TERM*

*Questions H-1 & 2: Enrollment*

Over half (58%) of field placement courses were offered during the summer term, which was similar to the 2013-14 Survey.

The median average enrollment in a summer field placement course over the past three summers was 15-16 students. Sixteen percent of summer courses enrolled more than 50 students; 20% enrolled 5 or fewer.

*H. FACULTY STATUS*

*Questions I-1 & 2: Status of Field Placement Directors*

Directors of field placement courses and programs reported the following employment status during the 2016-17 academic year:

**TABLE 33**

<i><b>Employment Status</b></i>	<i><b>Percentage Reporting</b></i>
Tenured	18
Tenure Track	4
Clinical Tenured	4
Clinical Tenure Track	2
5 year (or more) Contract	16
4 year Contract	0

3 year Contract	8
2 year Contract	3
1 year Contract	10
Adjunct	19
Fellow	< 1
Administrative position w/ faculty title	8
Administrative position w/out faculty title	4
Other	4

## VI. **FACULTY SUB-SURVEY RESULTS**

Over one thousand persons (1,112) teaching in a law clinic or field placement course (“clinical faculty”) from 168 law schools responded to CSALE’s *Faculty Sub-Survey*. The *2013-14 Faculty Sub-Survey* reported responses from 511 clinical instructors at 110 schools.

In the latest *Faculty Sub-Survey*, approximately 13% of respondents worked less than full-time (defined as four days/week or more) as a clinical educator. The data on part-time instructors is important and has been repeatedly shared by CSALE with legal educators and researchers. However, this group’s less than full-time status can, in some instances, skew summary results. Thus, data from this group has been excluded in some instances where indicated below.

### A: **RESPONDENT CHARACTERISTICS AND TERMS OF EMPLOYMENT**

#### *Question D.1(a): Teaching Experience in Law Clinic or Field Placement Course*

The number of years of teaching/supervision in a law clinic or field placement course as the respondent’s primary occupation ranged from a high of 40 to a low of less than 1. The median years of clinical teaching experience for full-time faculty was 9, the same as the *2013-14 Survey*.

#### *Question D.1(b): Years of Full-Time Law Practice Prior to Teaching*

For *full-time* clinical faculty, the number of years of law practice prior to entering clinical teaching ranged from a high of 40 to a low of less than 1. The median number of years of prior practice was 7, identical to the *2013-14 Survey*.

*Question D.2: Race and Gender*

The composition of both the full- and part-time respondents was 62% female and 38% male. In the *2013-14 Survey*, 63% were female in the *2010-11 Survey*, 60% were female. Among just *full-time* clinical faculty, 65% were female, 35% male.

The race/origin of the *full-time* respondents was:<sup>14</sup>

**TABLE 34**

<i>Race/Origin</i>	<i>Percentage Reporting</i>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
American Indian or Alaska Native	< 1	< 1	< 1
Asian	—	—	6
Asian Indian	2	3	—
Black or African American	5	5	7
Chinese	1	< 1	—
Filipino	0	< 1	—
Latin/Hispanic	2	3	5
Japanese	< 1	< 1	—
Korean	< 1	< 1	—
Native Hawaiian/Other Pacific Islander	< 1	0	< 1
Vietnamese	0	< 1	—
Samoan	0	< 1	—
White	84	84	79
Two or more races	—	—	3
Other	3	2	—

*B: FACULTY STATUS AND COMPENSATION*

*Questions E.3 & 4: Employment Status*

Respondents were asked to describe their employment status. Grouping by type of appointment, the results for *full-time* respondents are:

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<sup>14</sup> The response options in the latest survey were changed to correspond to the categories in the ABA's law school annual questionnaire.

All Respondents — Law Clinic and Field Placement Course Instructors

**TABLE 35**

<b><i>Employment Status — All Full-Time Instructors</i></b>	<b><i>Percentage Reporting</i></b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
Tenured	24	21	18
Tenure Track	7	4	7
Clinical Tenured	6	5	7
Clinical Tenure Track	3	3	3
5 year (or more) Contract	20	22	25
4 year Contract	< 1	< 1	< 1
3 year Contract	10	9	12
2 year Contract	3	5	4
1 year Contract	13	13	12
Adjunct	2	9	2
Fellow	4	4	3
Non-Adjunct At Will Employee	3	3	—
Administrative position w/ faculty title	—	—	3
Administrative position w/out faculty title	—	—	2
Other	5	3	4

Of the *full-time* respondents on contract employment, 70% reported their contract contained a presumption of renewal. The majority of those reporting a presumption of renewal were employed on contracts of 5 or more years in duration.

For *full-time* respondents whose contracts do not contain a presumption of renewal, 25% reported that the contracts were “probationary,” defined as a contract that places the employee on a track under which the person will ultimately be considered for a longer-term presumptively renewable contract.

### Law Clinic Instructors

*Full-time* respondents who reported they only taught in a law clinic or taught in both a clinic and a field placement course but primarily in a law clinic reported the following employment status during the 2016-17 academic year:

**TABLE 36**

<b><i>Employment Status — Law Clinic Instructors</i></b>	<b>Percentage Reporting</b>
Tenured	16
Tenure Track	7
Clinical Tenured	8
Clinical Tenure Track	3
5 year (or more) Contract	24
4 year Contract	< 1
3 year Contract	12
2 year Contract	4
1 year Contract	12
Adjunct	7
Fellow	3
Administrative position w/ faculty title	< 1
Administrative position w/out faculty title	1
Other	3

### Field Placement Course Instructors

*Full-time* respondents who reported they only taught in a field placement course or taught in both a field placement and law clinic but primarily in a field placement course reported the following employment status during the 2016-17 academic year:

**TABLE 37**

<i><b>Employment Status — Field Placement Course Instructors</b></i>	<b>Percentage Reporting</b>
Tenured	18
Tenure Track	3
Clinical Tenured	3
Clinical Tenure Track	2
5 year (or more) Contract	20
4 year Contract	0
3 year Contract	7
2 year Contract	3
1 year Contract	9
Adjunct	10
Fellow	< 1
Administrative position w/ faculty title	13
Administrative position w/out faculty title	7
Other	5

*Questions E. 8 through 10: Compensation*

Respondents were asked to provide their annual compensation in a series of fixed ranges. These dollar amounts can be released (in a form that does not tie the information to the respondent) in limited circumstances upon request to *administrator@csale.org*. For purposes of this report, it can at least be noted that the data indicates that salary levels fairly closely correlate to employment status (*i.e.*, tenure/tenure track, clinical tenure/clinical tenure track, contract, etc.). That is, those with what are perceived to be greater employment status generally earn more than those with lower status.

*Full-time* respondents report the *source* of their salaries as: "hard money" — tuition dollars, endowment income, or, at a public institution, state subsidies (81%); "soft money" — grants or other external funding (11%); and a mix of "hard" and "soft" money (8%). The *2013-14 Survey* results for these categories were 80%, 5%, and 12% respectively.

Fifty-six percent of *full-time* respondents reported their base salary covered a 12-month period, similar to the *2013-14 Survey*. One-third of respondents reported that it

covered a 9-month period and nearly 9% reported it covered a 10-month period, both similar to the *2013-14 Survey*.

For those whose base salary covered a 9-, 10- or 11-month period, nearly 58% could apply for a summer salary supplement. Where summer funding was available, respondents were asked to express the amount of the funding as a percentage of their base salary. Percentages ranged from a high of 50%, to a low of 1%. The median was 10%, unchanged from 2013-14.

C: SUMMER RESPONSIBILITIES

*Question F.11: Summer Operations: Law Clinics*

Just over 77% of respondents reported that their law clinic does *not* operate as student-enrolled, for-credit program during the summer, unchanged from the *2013-14 Survey*. Among these "non-operating" clinics that still have ongoing cases during the summer, 49% received funding to hire interns or an attorney to assist with case coverage, similar to the prior survey. Only 20% of clinics that handle ongoing cases in the summer yet do not operate as a for-credit course hire an attorney to take on primary responsibility for the ongoing cases.

*Question F.12: Summer Operations: Field Placement Courses*

Respondents reported that 56% of their field placement courses operated with active, for-credit placements over the summer, similar to the *2013-14 Survey*. Among programs with active summer placements, only 25% of the faculty teaching field placement courses were provided relief from summer field placement obligations to allow them to pursue scholarship or other activities, similar to 2013-14.

D: OTHER RESPONSIBILITIES AND OPPORTUNITIES

*Question G.13: Voting Rights*

Voting rights for *full-time* clinical faculty are set forth below.

**TABLE 38**

<b><i>Matters To Be Voted On</i></b>	<b><i>Percentage of Respondents Entitled to Vote</i></b>		
	<b>2010-11</b>	<b>2013-14</b>	<b>2016-17</b>
All Matters	37	33	29
All Except Classroom/Doctrinal Faculty Hiring, Promotion and Tenure	31	36	—
All Except Classroom/Doctrinal Faculty Hiring	—	—	13
All Except Classroom/Doctrinal Faculty Promotion and Tenure	—	—	33
Not Vote But Can Generally Attend Meetings	19	23	16
Not Permitted to Attend Faculty Meetings	12	7	4
Administrative Matters Only	1	2	5

*Question G.14: Law School Committee Participation*

The chart below displays various types of law school committees and the percentage of *full-time* respondents entitled to participate in and vote on such committees. Note that 8% of *full-time* clinical faculty cannot participate in or vote on any committee.

**TABLE 39**

<b><i>Committee Type</i></b>	<b><i>Percentage of Respondents Allowed to Participate</i></b>	
	<b>2013-14</b>	<b>2016-17</b>
Classroom/Doctrinal Faculty Hiring, Promotion and Tenure	60	62
Clinical Faculty Hiring and Promotion	86	91
Budgeting	81	85
Curriculum	93	95
Academic Standards	91	94
Admissions	89	95
Financial Aid	88	91
Technology	91	95
Career Services/Placement	92	84

*Question G.15: Titles/Roles*

The chart below displays various titles or roles of the *full-time* respondents to the faculty survey (respondents could have multiple titles/roles).

**TABLE 40**

<b><i>Title</i></b>	<b><i>Percentage of Respondents</i></b>
Assoc./Asst. Dean/Director of Experiential Education	5
Assoc./Asst. Dean of Clinical Programs	1
Overall Director of Clinical Programs	8
Director of Two or More Law Clinics	6
Director of Single Clinic	55
Assoc./Asst. Dean/Director of Field Placement Program	1
Overall Director of Field Placement Programs/Externships	9
Director of Two or More Field Placement Courses	3
Director of Single Field Placement Course	6
None of the Above	20

*Question G.16: Teaching Doctrinal or Podium Courses*

Of the *full-time* respondents, only 10% are prohibited by their schools from teaching doctrinal or “podium” courses (*i.e.*, courses other than trial practice, appellate advocacy, and other “applied practice” courses), similar to the *2013-14 Survey*.

Of those not prohibited, 56% taught a doctrinal or podium course(s) over the last three years (same as *2013-14 Survey*), averaging just over 3 courses during that time period.

Of those who taught a doctrinal course(s), 76% were not relieved (partially or fully) of their clinical teaching obligations while teaching such courses (similar to 2013-14). Among those that are not relieved of their clinical teaching (*i.e.*, teaching their regular

clinical course(s) plus an additional doctrinal course), only 24% received additional compensation for teaching the doctrinal/podium course (20% in the *2013-14 Survey*).

*Question G.17: Teaching Skills Courses*

Only 4% of *full-time* respondents are prohibited by their schools from teaching non-doctrinal skills courses, similar to the *2013-14 Survey*.

Of those not prohibited, 37% taught a non-doctrinal skills course(s) over the last three years (up from 27% in 2013-14), averaging over 3 courses during that time period. Of those not prohibited from teaching a doctrinal *or* skills course(s), 65% taught one or both of those types of courses over the last three years (similar to the *2013-14 Survey*).

Of those who taught a skills course(s), 83% were not relieved (partially or fully) of their clinical teaching obligations while teaching such skills courses. Among those not relieved of their clinical teaching (*i.e.*, teaching their regular clinical course(s) plus an additional skills course), only 21% received additional compensation for teaching the skills course.

*Question G.18: Scholarship as a Job Requirement*

Over 37% of *full-time* respondents were required to produce scholarship as part of their job, compared to 43% in the *2013-14 Survey*. Of those who were required, 91% received financial support for research assistance (94% in 2013-14) and 22% had their teaching and supervision obligations reduced at some point (excluding summers) to permit them to pursue scholarship (29% in 2013-14).

*Question G.19: Sabbatical/Developmental Leave*

Paid sabbaticals/developmental leaves are available to nearly 40% of *full-time* respondents. Among this group, the median number of years of teaching required before the first sabbatical becomes available is 6, and the median length of the sabbatical/developmental leave is 4 months. These results are consistent with the *2013-14 Survey*.