Clinical Education and Experiential Learning

Columbia Law School
Columbia Law School is a leading innovator in legal education. Our curriculum is global, interdisciplinary, intellectually rigorous—and intensely practical. Throughout our curriculum, experiential learning continually challenges students to apply theory and analytical skills to real-world legal problems.

Experiential learning is the study of law and lawyering in context. At Columbia, clinical legal education and externships are the centerpieces of this approach. Students also gain practical experience through internships, pro bono, and innovative courses that include fieldwork or simulations. In Art of the Deal workshops, for example, students analyze risk, structure agreements, and negotiate the terms of a business transaction. In the Law of Transactions, students help a fictional business navigate the process of becoming a global agribusiness. They manage foreign direct investment deals, complete a merger and acquisition, and even face bankruptcy. Through the Diversity and Innovation seminar, students engage in fieldwork at universities, public schools, and corporations across the country, examining the structure of organizations and developing strategies to address inequality through institutional change.

While experiential learning takes many forms at Columbia, the following pages focus on clinical education and other opportunities outside the traditional classroom. Together with the mentorship of our remarkable faculty and the breadth and depth of our curriculum, this real-world approach to legal education prepares our students to be future leaders, to confidently launch their careers, and to hit the ground running.

Introduction: From Law Student to Lawyer

IN THE CLASSROOM

The Negotiation Workshop
This popular course provides students with an experiential introduction to the theory and practice of negotiation. Through simulations and role-playing exercises, students gain skills to make deals and resolve conflicts as they negotiate contracts, business transactions, and multi-party disputes. Using this practical experience as a springboard, the workshop explores such topics as the nature of conflict; integrative and distributive bargaining; ways to overcome barriers to agreement; lawyer-client relationships; the art of persuasion; and the role of culture, gender, and race in negotiation. Students reflect on their experiences in weekly journals and review videotaped negotiations with their professor. A popular highlight of the workshop is the opportunity to represent their Columbia Business School colleagues in a mock negotiation.
Students in Columbia Law School’s clinical programs serve on the front lines of justice in many areas of the law. From climate change to human rights, small business issues to families in crisis, complex marriage equality litigation to mediating employment discrimination claims, clinic students have the opportunity to work with real clients on some of the most pressing problems of our time. Students become counselors, mediators, litigators, legislators, advocates, system change agents, and educators as they learn to apply the legal knowledge and experience they have gained in law school to their clients’ diverse concerns.

The goal of the Columbia Law School clinical program is to provide outstanding service to its clients while allowing students to begin the lifelong process of becoming thoughtful, responsible, and reflective lawyers. Working under the close supervision of full-time clinical professors, students are encouraged to pursue their own learning goals while taking on the weighty responsibility of providing effective representation to a wide range of clients in important and often sensitive matters.

Clinic students gain critical skills in communication, information gathering, persuasion, and legal and factual analysis that prepare them to address the multifaceted needs of their clients. Students also are encouraged to recognize and resolve the ethical challenges raised by their cases as they strive to solve their clients’ pressing dilemmas. These expectations and responsibilities make the clinical experience one of the most useful and exciting features of a student’s law school years. One former clinic student has commented,
“Working in the clinic was the best hands-on experience I received at Columbia Law School. It was an unmatched opportunity to learn from my classmates, the clinic staff, and our client. The challenges are unlike those posed in the classroom; they have a direct impact on the lives of others. I am confident that they have made me better prepared to contribute immediately in the workplace.”

Participating in a law school clinic allows students with diverse career goals—public interest, private practice, or government service—to gain real-world skills and a critical perspective on the way law should be practiced, before they launch their legal careers. As a result, clinic students are uniquely prepared to take on their post-graduation professional roles.

The clinical program at Columbia Law School has two additional goals. First, students—guided by clinical professors who are experts in their respective fields—are encouraged throughout their clinic experience to envision how legal institutions and practices can be reformed and reorganized to provide the best service to clients and the larger society. Second, clinic students provide pro bono service to clients who are unable to secure representation because of cost, the unpopularity of their causes, or the complexity of their problems. In doing so, they learn to appreciate the professional responsibility and personal rewards of community service. Many Columbia Law School alumni continue this proud tradition of providing pro bono service throughout their legal careers.

CLINICAL EDUCATION

Ethics and Professional Responsibility

Clinical education places students in professional situations where they are required to put abstract classroom theory into practice. Students learn what it means to provide compassionate and zealous advocacy while upholding the profession’s highest ethical standards. Typical ethical questions faced by students include: When representing organizations, how should a lawyer reconcile differences between the needs of the individuals who make up an organization and the organization as a whole? When is it appropriate for lawyers to substitute their judgment for that of a young client? When, if ever, is it right for a mediator to provide a legal evaluation during the course of a mediation? In helping a parent to regain custody of a child, should it matter that the client has been incarcerated for a serious crime?
Communication Skills
Clinic students draft pleadings and discovery motions, interview and counsel clients, mediate complex disputes, and persuade an adversary or a judge—essential skills for any law school graduate. Full-time clinic faculty provide all students with extensive reviews of their written and oral performance.

Understanding Institutions
Today’s lawyers must understand how to work within complex and often overlapping administrative and regulatory systems in order to advocate effectively for their clients. Clinical experience provides students with a basis for understanding other institutional systems that they may encounter as lawyers.

Benefiting Society
Students work on behalf of clients facing human rights abuses, environmental neglect, discrimination, and other legal problems arising from poverty and inequality. They also identify and address serious wrongs that need systemic solutions through legislative advocacy, education, conflict resolution, and community organization.

Reflective Practice
Clinic faculty encourage students to build on their strengths, address any weaknesses, and work toward the goal of becoming lawyers with the ability to reflect upon and learn from their work as professionals.

Professor Carol Liebman (standing) speaks about clinical legal education during an international conference at Renmin University in Beijing, China. Over the past decade, Columbia Law School faculty members have been instrumental in the development of clinical legal education in China. After their first consultation and training visit in 2000, seven schools started China’s first clinical programs. Today approximately 100 Chinese law schools offer clinics in subjects ranging from environmental law and employment law to criminal law and women’s rights.
Dramatic political changes around the world have created new opportunities for clinical legal education. Since 1996, our clinical faculty have been active internationally in promoting a public-interest approach to law and lawyering. Collaborating with nongovernmental organizations such as the Public Interest Law Institute (PILI), they have made an impact around the world. Many universities in places like Central and Eastern Europe, the former Soviet Union, and China have embraced this chance to develop legal clinics and other innovative and dynamic educational programs. The following are only a few ways clinical faculty have supported these burgeoning efforts:

**RECENT WORK**

- Professor Barbara A. Schatz has worked with professors in China, Russia, and Central and Eastern Europe to develop clinics representing non-profit organizations. Most recently, she has worked with PILI to improve legal education in five countries of the former Soviet Union, making visits to and consulting with Tbilisi State University in Georgia and Yerevan State University in Armenia on clinical legal education initiatives;
- Professors Carol B. Liebman, Suzanne B. Goldberg, and Schatz have worked with colleagues in China to help develop law school clinics;
- Professor Jane M. Spinak has facilitated a series of trainings and meetings that helped create child advocacy clinics in Hungary, Romania, and Poland;
- Professors Philip M. Genty, Schatz, and Liebman have led workshops at the University of Bialystok (Poland) for students and professors from law schools in Poland and five countries of the former Soviet Union. Genty’s work on clinical programs in Macedonia earned him an honorary professorship from the Ss. Cyril and Methodius University; and
- Professor Alexandra Carter taught mediation workshops in Brazil for prosecutors, public defenders, and judges and also conducted a first-of-its-kind training in conflict resolution for female U.N. delegates.
The Child Advocacy Clinic and its Adolescent Representation Project focuses on adolescents aging out of foster care or other institutional settings. Most clients range in age from 16 to 23. Their issues extend across a broad spectrum of need, including housing and homelessness prevention; teen parenting; health and health benefits; income and support benefits; education, tuition, and financial aid benefits; financial planning; civil rights including LGBT issues; job training and career planning; and domestic violence assistance.

At a time when both local and national policymakers are paying increased attention to these older youths, students in the Child Advocacy Clinic have the opportunity to assist clients and to affect evolving policies and practices. Paired in teams, students represent clients referred from legal advocacy offices, foster care agencies, and community-based organizations that help youths through the transition process.

To broaden their views and improve advocacy, clinic students attend a weekly seminar with graduate students from other disciplines such as medicine,
education, sociology, and psychology. These seminars focus on adolescents as viewed from multiple perspectives. Students also participate in a range of policy and training projects, including “know your rights” presentations to youths, interdisciplinary research into improving current models of adolescent representation, and law reform recommendations to policymakers and legislators. One current project investigated serious barriers that foster youths in college face in successfully completing their studies, and presented recommendations for improving outcomes to the New York City commissioner responsible for these young people. Next steps include disseminating essential legal and financial information to foster youths who plan to attend college.

“My clinical experience was deeply rewarding. It allowed me to argue in a New York criminal court, resulting in an order that worked in my client’s favor. It improved my writing. I drafted a motion and worked on case-management strategy. I will advocate for clinical education for the rest of my life.”

UCHECHI C. AMADI ’11
ASSOCIATE, JONES DAY

“The clinic helped me develop the skills needed to provide clients with sound advice and to advocate on their behalf before a range of agencies. The structure of the clinic provided excellent guidance, but I was also given enough independence to figure things out on my own.”

MAREN HULDEN ’12
LAW CLERK, HON. DAVID HAMILTON, U.S. COURT OF APPEALS FOR THE 7TH CIRCUIT

Moving into Adulthood

“Before we met our first client, we heard a lot about how difficult she was to work with. We decided to approach her with open minds. One of her goals was to leave foster care and move in with the father of her two children. Her caseworker didn’t think she could do this, but we decided our job was to help her work toward that goal. At our second meeting—after we had outlined all the steps she needed to take—she told us she knew it was time to grow up. After that things started to change. She and her boyfriend found an apartment and she and the children moved in. We noticed how much more initiative she started taking. Over the course of the year we helped her apply for public assistance and obtain early intervention services for her son. We represented her at foster care case conferences and encouraged her to find a job or enroll in G.E.D. classes. Although she still has obstacles to overcome, we ended the year feeling confident that she had found her stride.”

Student team case report
Legal assistance for community enterprises is often critical to their success. Students in this clinic help nonprofit organizations and small businesses that cannot afford to pay for legal services turn their visions into reality. The emphasis is on planning. Students work to understand clients’ aspirations, help them anticipate and solve problems, and educate them about their responsibilities as heads of nonprofits or businesses. Students also undertake law reform efforts and offer workshops for nonprofits and small businesses on corporate and tax issues. The clinic is of special interest to those interested in promoting community development, working with organizational clients, and representing clients in transactions.

Some of the clinic’s clients are new nonprofits that need help creating legal structures. Other clients are more mature organizations that need help addressing the legal issues arising from changes such as expansion, creation of a national program, or initiation of income-generating activities. Many of the clients are based in low-income neighborhoods in New York City, providing food, shelter, and training for the city’s neediest residents. Some address large-scale problems like the difficulty in retaining qualified teachers in city schools. Some work abroad: one recent client aims to ensure that Honduran students have the funds and motivation to remain in school; another works to develop microenterprises and to care for children in Liberia. Small-business clients have ranged from family daycares and cafés to printing companies and crafts businesses. These clients are primarily located in Harlem and Washington Heights and seek the clinic’s assistance in choosing and forming appropriate business structures, entering into leases and other contracts, and protecting their intellectual property.

Clinic students prepare for their client work by learning the substantive law relevant to forming and operating nonprofit organizations and small businesses; thinking through the distinctive interviewing, counseling, and ethical issues that arise in representing organizations rather than individuals; and practicing the lawyering skills that will allow...
them to represent clients effectively. As they take on responsibility for clients, students explore the variety of roles that lawyers can play in working with community enterprises and examine the choices they have in finding a personally satisfying way of practicing law and promoting social justice.

“Through my clinical experience, I learned a lot about nonprofit organizations and small businesses and the legal and regulatory framework in which they operate. I gained practical lawyering and counseling skills, and I saw the positive impact that our work as lawyers can have on the community.”

CHRISTOPHER LACOVARA '12
LAW CLERK, HON. KENT A. JORDAN, U.S. COURT OF APPEALS FOR THE 3RD CIRCUIT

“I grew both personally and professionally. Doing such challenging work gave me confidence in my abilities. The opportunity to reflect on that work helped me to focus my professional aspirations, making it easier for me to work toward building an enjoyable and fulfilling career.”

JENNIFER ALBRECHT '12
ASSOCIATE, SIMPSON THACHER & BARTLETT

Clinic students with their client, the Ruth Williams Dance Studio, in Harlem

A Bronx Café is Born
Emily Flores is one of many women in low-income communities with the imagination and drive to create a small business. She first came to the clinic for help in creating “non-compete” and “non-disclosure” agreements to protect the special recipes and techniques used in her home-based pastry business. The success of this business inspired her to start a café in her Bronx neighborhood.

Clinic students helped her think through the right structure for her business, given the desire for equity participation by both the chef and a lender, and then drafted a certificate of incorporation, bylaws, and a shareholders agreement, all in plain language and tailored to her particular circumstances. The clinic also represented the business in taking over a lease to a storefront and in closing a loan for the rehabilitation of the space. The students who worked with her have the satisfaction of having helped a dynamic woman achieve her dream and contribute to the commercial vitality of a Bronx community.
Students in the Environmental Law Clinic have the unique opportunity to engage in the practice of law on local, state, regional, and global levels by working on critical issues that face the planet and on pressing problems that affect poor, under-represented communities. Whether countering attacks on the science behind global climate change, preventing natural gas drilling from contaminating drinking water, preserving endangered places and species, or framing a discussion about the impact of climate change on island nations, clinic students strive to find the most effective mechanisms to resolve environmental problems.

Issues raised by clinic clients, as well as environmental conundrums making news around the world, expose students to a panoply of methods for addressing environmental issues. By working on litigation, policy development and implementation, and regulatory reform, Law School students have tested their skills in the international arena, handling projects for the United Nations, the World Bank, and a host of sovereign nations.

In the domestic arena, clinic students work on matters before state and federal administrative agencies, before federal trial and appellate courts (including the U.S. Supreme Court), and at the highest levels of state courts. They represent poor and minority communities in efforts to prevent their neighborhoods from being overrun by toxic facilities, such as power and sewage sludge plants.

The lawyering skills developed and honed in the clinic are applicable to any career a student chooses. The clinic emphasizes proficiency in litigation fundamentals—the drafting of plead-
ings, arguing motions, and negotiating settlements—that have broad applications beyond environmental law. With a heavy emphasis on client interaction, the clinic teaches students to counsel community groups on how to grapple with and settle their cases in ways that best achieve clients’ goals. In weekly classroom seminars, students lead strategic discussions on how to resolve various issues in their cases. The clinic also addresses the interplay of economic development and environmental protection, as well as the impact of contamination and regulation on communities of color and other economically disadvantaged groups.

Students also assist the Law School’s Center for Climate Change Law in its efforts to develop a new body of law to address the global problems of climate change.

“I have worked extensively with the clinic. The students are highly motivated, hard-working, intellectually engaged, and superbly supervised. I have been so impressed that I actively seek summer interns from the clinic.”

DEBORAH GOLDBERG
MANAGING ATTORNEY, NORTHEAST REGIONAL OFFICE, EARTH JUSTICE

“Students in the Columbia Law School Environmental Law Clinic contributed a superb report to inform my work on land issues. I am grateful for their hard work, professional conduct, and substantive expertise.”

OLIVIER DE SCHUTTER
U.N. SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD

Setting Standards

The clinic is part of a team of lawyers from local, state, and national organizations concerned about the impacts of hydraulic fracturing for natural gas extraction in the Marcellus Shale, a shale formation that cuts across New York and Pennsylvania. At the national level, the clinic drafted comments on behalf of 62 groups urging the Environmental Protection Agency (EPA) to include “fracking” in its study of new source performance standards for oil and gas operations that result in contamination of surface and groundwater. The EPA agreed and subsequently announced that it would conduct a comprehensive, peer-reviewed study of the environmental and health effects of these hydraulic fracturing techniques. At the state and local levels, clinic students have reviewed applications to treat fracking fluids. They have also analyzed proposed municipal ordinances designed to protect communities from the environmental threats, and are drafting a model ordinance for use across Pennsylvania. In New York, the clinic drafted a comprehensive hydraulic fracturing bill for introduction in the state legislature.
Columbia Law School’s pioneering Human Rights Clinic exposes students to the practice of law in the international and cross-cultural context of human rights litigation and advocacy. An intensive critical seminar examining the human rights movement is combined with specially tailored exercises and simulations to introduce students to international human rights practice. In addition to research and writing, the clinic fosters the development of other fundamental advocacy skills, including interviewing techniques, collaborative project work, and media advocacy.

The Human Rights Clinic bridges theory and practice, providing students with hands-on experience in ongoing projects. Students learn to work in partnership with experienced advocates and organizations engaged in human rights activism in the United States and abroad and thus contribute to effecting positive change locally and globally as they hone their professional skills.

Clinic projects cover the full range of human rights advocacy, with emphasis on (1) leveraging the tools of international human rights advocacy to address problems in the United States, (2) litigating human rights issues in international fora, and (3) developing and implementing tools to address problems at the intersection of business and human rights. Students bring cases before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, representing ethnic Haitians subjected to mass expulsions by the Dominican Republic, for example. They work with U.N. special rapporteurs on access to justice for people living in extreme poverty. They advocate and conduct research on U.S. counterterrorism measures, such as lethal drone targeting and the impact on civilian lives. The pioneering work on
Confronting the Resource Curse

The Human Rights Clinic has been centrally involved in international efforts to break the “resource curse” and ensure that mineral wealth leads to benefits for local populations. In one project, students joined alumna Elisabeth Caesens ’09 LL.M. in the mining capital of the Democratic Republic of Congo (DRC). They came prepared, having mastered mining code, tax laws, and internet mapping technology. The trip to the DRC was a collaboration with The Carter Center in Atlanta, which hired Caesens based on her experience with the clinic. She now works full time in the DRC, developing resources and strategies to help local activists confront government officials and international mining companies. “In the mining sector, human rights violations are bound up with everything from tax evasion to unfair contracts and stock exchange speculation,” said Caesens. “Having a team of talented law students eager to take on that complexity is not just a delight; it’s a condition to make this project work.”

“Clinic faculty put a lot of time into the class beyond teaching, and their doors are always open. The Human Rights Clinic not only provided me with the practical skills I needed for the work I am doing now, but did so in an environment that encouraged creative and critical thinking about different approaches to human rights work.”

CHRISTOPHER ALBIN-LACKEY ’04
SENIOR RESEARCHER, BUSINESS AND HUMAN RIGHTS PROGRAM, HUMAN RIGHTS WATCH

business and human rights has ranged from investigating labor rights violations on tea plantations in India to scrutinizing mining contracts in Liberia and promoting socially responsible investment by universities in the United States. Clinic students have been deeply involved in a range of mining issues in the Democratic Republic of the Congo and elsewhere in the world, working to increase transparency and ensure that profits from the nation’s natural resources are used to benefit its people.

The clinic’s work has taken students to Peru, India, Mexico, Azerbaijan, Georgia, South Africa, and the West Bank in the Middle East. They have also worked on human rights cases throughout the United States, for example, representing juveniles facing life sentences without parole.
The Lawyering in the Digital Age Clinic trains students to advocate for clients in courts, in administrative agencies, and on transactional matters. Students learn and apply “conventional” lawyering skills augmented by “digital age” approaches, employing technology to become effective, innovative practitioners and to extend basic access to justice. Year after year, student projects have vital, positive effects on the justice system.

The clinic is unique, both because it focuses on the impact of technology on law practice and because it provides students with opportunities to work on legal issues in a variety of subject areas. For example, housing is one focus of the clinic. Each year, the Civil Court of the City of New York takes on nearly 300,000 eviction cases. About 95 percent of tenants have no legal representation. Without legal training, they cannot use the complicated housing and procedural law that should promote just resolutions in their cases. Judges, lacking a well-crafted pleading from an attorney, have to hope the unrepresented tenant can somehow explain the situation and are often left with a one-sided view of the case.

To address this problem, Lawyering in the Digital Age students worked with the Hon. Fern Fisher, deputy chief administrative judge for New York City courts and director of the New York State Courts Access to Justice Program, to create a web-based expert system that guides unrepresented tenants through a user-friendly, multimedia interface with a series of simple questions and answers. Definitions and explanations in plain language are offered along the path. The tenant learns about law and procedure, becomes familiar with technical terms, and promptly produces a printed pleading to file in court with legal claims accurately stated. Other helpful printable material—customized to that tenant’s factual circumstances—furnishes an opportunity for the tenant to do further study and prepare for court. You can try the program at:
Collateral Consequences

Collateral consequences of criminal charges are not spelled out in the penal code, in contrast to the direct consequences such as prison or fines. Defendants and their lawyers, along with prosecutors and judges, simply cannot know the myriad of collateral consequences for all possible charges. The Collateral Consequences Calculator, a web-based tool developed by the Lawyering in the Digital Age Clinic and the Columbia Center for New Media Teaching and Learning, organizes this specialized knowledge. The first tool of its kind, the Calculator provides legal practitioners and judges with the ability to select a section of the penal code and examine the potential impact of convictions in New York on immigration status and public housing eligibility, two areas commonly resulting in collateral consequences. Jonathan Lippman, chief judge of the New York Court of Appeals, has called the Calculator a “remarkable, innovative tool,” and the work of the clinic a “tremendous achievement.” The Calculator can be viewed at calculator.law.columbia.edu.

courts.state.ny.us/courts/nyc/housing/int_nonpayment.shtml.

Another notable project is the creation of a self-help legal information website for people who cannot afford lawyers in civil cases. Many of these individuals rely on The Legal Aid Society, which provides assistance to low-income people. However, because of the unprecedented need for civil legal services, Legal Aid must turn away six out of every seven people seeking assistance. It is therefore essential to have another method of sharing important legal information on a 24/7 basis. The website provides a valuable alternative. The site offers basic information for housing, employment, benefits, education, domestic violence, and a catch-all “documents” section. A person needing to know, for example, how to combat domestic violence, what organizations can help, and how to obtain an order of protection can go to: legal-aid.org/en/ineedhelp/ineedhelp/self-help/domesticviolence.aspx.

The work of the clinic is occasionally highlighted in the media and locally on the blog of the Columbia Science and Technology Law Review in the Spotlight on Technology and Public Interest Law: stlr.org/2012/04/spotlight-on-technology-and-public-interest-law.
Mass Incarceration

More than 1.6 million Americans are behind bars in state and federal prisons, a larger number than at any point in the nation’s history. Challenging the Consequences of Mass Incarceration is a clinic that addresses this situation and the need it creates for prisoner representation and policymaking.

The Mass Incarceration Clinic focuses on litigation in federal courts and resolution of claims related to prisoners’ conditions of confinement in federal incarceration facilities. Students visit clients in state and federal prisons, where they interview, counsel, and develop strategies. In collaboration with nonprofit organizations, clinic students also have opportunities to litigate issues identified by the clients.

Students work with clients to develop materials that can be used to prepare internal prison administrative remedies and to file administrative claims. The clinic has also worked with the City of New York Department of Probation to create materials for presentations at community meetings focusing on employment barriers to re-entry. Identification of cases is done collaboratively with the clients. Projects may range from federal habeas actions on behalf of state prisoners raising actual innocence claims, to religious freedom claims on behalf of federal prisoners. Claims related to medical care and mental health care are also part of the clinic’s docket. An initiative to examine and supplement resources available to immigration detainees held in the New York area may also become part of the clinic’s work.
Challenging the Consequences of Mass Incarceration

To prepare for their work with the clinic, students read and discuss scholarship about punishment theory and the history of American prisons, as well as the substantive law governing prisoners’ rights. To develop the skills they will need to work with clients, students participate in intensive simulated interview exercises. Other legal skills—including counseling, negotiation, oral argument, and preparation of pleadings, briefs and litigation-related materials—are taught and acquired in the context of client representation. Students are encouraged to raise, reflect on, and discuss relevant issues of professional responsibility that arise while working with confined, indigent clients.

“Through the Mass Incarceration Clinic I used my in-class learning to address the problems of real people. Professor Dignam helps students think critically about how to apply the law in real situations and provides a wealth of feedback on students’ work. The clinic is an excellent opportunity to start getting litigation experience before you graduate.”

HELEN ELIZABETH MAYER ’11
ASSOCIATE, ARNOLD & PORTER

“In the seminar part of the clinic, we had a number of guest speakers who had very interesting careers. This introduced me to many different options for applying my legal education after graduation. Through the weekly team meetings run by students, I learned how to structure agendas and guide discussions. I also did significant amounts of research and writing. As a result, I acquired a lot of knowledge about prison law very quickly.”

MALLORY ANN JENSEN ’12
LAW CLERK, HON. JAMES A. PORTER, U.S. DISTRICT COURT, DISTRICT OF NEW MEXICO
Litigation, while glamorized in the media, is time consuming and costly. That’s why more and more people in conflict today are turning to problem-solving strategies like mediation—and why Columbia Law School’s Mediation Clinic is an extremely popular offering. Students in the clinic develop skills that are important to effective problem-solving and wise lawyering. They also explore the rapidly developing field of Alternative Dispute Resolution (ADR) while providing much-needed services to people in conflict.

Students in the Mediation Clinic learn about the benefits and limitations of mediation and other dispute-resolution techniques so that they can responsibly counsel clients about choices. They also develop an understanding of how feelings, background values, and personal styles affect their performance in a professional role, while providing quality assistance to parties whose disputes the clinic mediates.

The hands-on work takes place at Safe Horizon’s Community Mediation Center. Typical cases include disputes between neighbors, roommates, and co-workers, as well as business disputes and organizational conflicts. Students also mediate civil cases at New York City Civil Court Personal Appearance Part and the Harlem Small Claims Court, as well as employment discrimination claims brought by federal employees and referred by administrative law judges from the U.S. Equal Employment Opportunity Commission.

The foundation for actual clinic work is built in the classroom, where students receive mediation skills training and analyze the ethical, systemic, and jurisprudential issues involved in the ADR movement. The “texts” for class include the mediations that students observe or conduct, as well as readings, tapes, and role-plays that highlight important issues in the development of mediation practice. In addition, students observe “neutrals” (mediators) at work in a variety of settings.
An Alternative for a Troubled Teen and His Family

The parents were ready to seek court intervention. Their child stopped attending high school, and his parents also feared he had joined a gang. A two-student team from the Mediation Clinic went to work. They first explained the process to the parties, listened to their stories, and summarized the information in a way that allowed each party to hear what the others were saying. In the course of these tense discussions, punctuated by tear-filled breaks, the troubled teen realized his family had his best interest at heart, but he struggled with his increasing need for autonomy. In the end, the clinic team hammered out an agreement, specifying the terms to which all parties agreed.

The student was granted some additional freedom in exchange for his promise to attend school regularly, quit the gang, and refrain from use of alcohol or illegal drugs. For the present, the family was able to avoid the intervention of the courts.

“The first year of law school taught me to look at precedent for predictable guidelines. The clinic showed me how to listen without judgment and give people the chance to be heard. It was a powerful lesson—one that has single-handedly changed the way I understand the law. The clinic taught me to see the faces behind conflict. No matter the amount in question or the scale of the conflict, it always came down to people: their feelings, their assumptions, and their intentions.”

KATERINA YIANNIBAS ’08
LEGAL ADVISOR, INTERNATIONAL COURT OF ENVIRONMENTAL ARBITRATION AND CONCILIATION, SAN SEBASTIAN, SPAIN
The Prisoners and Families Clinic operates at the intersection of the criminal justice and family court/child welfare systems, and engages in both education and advocacy. The clinic informs people in prison about their parental rights and responsibilities, as well as the ways in which they can advocate effectively for themselves. The clinic also provides services to assist those who have been released from prison and their family members in achieving reunification.

The educational component of the clinic allows participants to work collaboratively with the Parenting Center of Bedford Hills, a women’s prison. During a semester-long course, students observe a family law class taught by an inside facilitator to other incarcerated women and then work in groups to design, prepare, and teach one of the classes later in the semester. The class sessions typically involve role-play simulations that include both the students and the prisoners. These classes are designed to provide preventive lawyering so that the women can take the steps necessary to improve
their chances of success in family court proceedings, and avoid legal problems in the future. Students may also have an opportunity to teach a similar class at a men’s prison.

For the clinic’s advocacy component, the students provide legal assistance to people who have been released from prison, their family members, or both. The students may also provide research and counseling services to staff members at Bedford Hills who are assisting women with problems relating to their children.

To prepare for this work, students are educated through a process of classroom and experiential learning. In the early part of the semester, they are exposed to influential writing about prisons and prison life, and are provided with a background in the relevant substantive law. Students develop the lawyering skills they will need to work with clients by participating in intensive simulation exercises. They also examine issues of professional responsibility that arise when working with indigent clients who are involved in the criminal justice, family court, or child welfare systems.

“In the course of tracking down documentation, we met with one of the client’s parents and saw pictures of her as a young person. This is a very important part of legal work and one that I hadn’t imagined, but it helped to establish credibility with our clients and helped me understand the importance of the work we were doing.”

DARIN DALMAT ’06
ASSOCIATE, JAMES & HOFFMAN P.C.

A Double Caseload
Kim Mosolf ’06 and Darin Dalmat ’06 worked on two compelling cases during their 3L year. The first involved a man convicted under New York State’s harsh Rockefeller drug laws who was facing six years to life in prison. Based on recent state prison reforms, letters of support, and their client’s excellent institutional record, the students sought to reduce his sentence to a shorter fixed term. In preparing for the hearing, they also interviewed the client’s fiancée several times.

In the second case, Mosolf and Dalmat represented two women who had been denied parole four times over a 26-year period of incarceration. Both women had earned college degrees while in prison and their prison records had been exemplary.

The result of Kim and Darin’s work was good news for the defendants and their families. The two women were granted parole. In the re-sentencing case, the clinic’s client was released from prison and reunited with his fiancée within a year.
The Sexuality and Gender Law Clinic is an intensive learning and working environment that offers students a unique opportunity to hone lawyering and advocacy skills while working on cutting-edge sexuality and gender law issues. The clinic provides vital assistance to lawyers and organizations throughout the country and the world that advocate for the equality and safety of women and lesbians, gay men, bisexuals, and transgender individuals.

While engaged in advocacy, students also wrestle with the difficult questions posed by law reform work in the midst of shifting political and legal terrain. What does it mean to advocate on behalf of a community? How do advocates select among issues? Once priorities have been set, how should choices be made among various law reform strategies, including those involving litigation, public education, grassroots advocacy, and legislative efforts? How best can those strategic choices be executed? In the Sexuality and Gender Law Clinic, students have the opportunity to think through these questions while developing strong lawyering skills.
The clinic emphasizes a multidimensional approach, which develops the practice of being strategic, smart, and creative in identifying and deploying resources to advocate for social change. Our projects encompass all forms of advocacy, including litigation, public policy development, legislative drafting, training, organizing, public education, and media outreach. This practical strategic training is coupled with an emphasis on reflective and theoretical inquiry about lawyering in general and specifically on behalf of social movements and in the areas of sexuality and gender.

Clinic students work cooperatively on sexuality and gender law issues with lawyers and advocates at organizations such as Lambda Legal, Equality Now, the ACLU Lesbian and Gay Rights Project, the ACLU Women’s Rights Project, Immigration Equality, the National Center for Lesbian Rights, the Transgender Legal Defense and Education Fund, the International Gay and Lesbian Human Rights Commission, UNICEF and UNIFEM, as well as with statewide and local gender and sexuality law organizations.

The Center for Gender and Sexuality Law—the first center of its kind at any law school in the United States—is the nexus of the field’s research, advocacy, and curricular development at Columbia Law School. In addition to administering the clinic, the Center sponsors events throughout the year that bring leading scholars and activists to campus to discuss current issues and cases. The Center offers students interested in gender and sexuality law a wealth of resources and networking opportunities.

Recent Projects:

- Amicus briefs to the Iowa, Connecticut, and California supreme courts in marriage equality litigation and to the European Court of Human Rights on sex trafficking;
- Development of legal manuals to support women’s rights in Africa and a transgender rights ordinance in New York City;
- Development of public education efforts with UNICEF regarding violence against young women and UNIFEM regarding transitional justice mechanisms’ responses to sexual violence;
- Legislative analysis and drafting in connection with New York State’s domestic violence law and the U.S. immigration law’s ban on entry by people with HIV;
- Preparation of asylum and T and U visa applications for clients with persecution claims based on forced marriage, trafficking, political opinion, sexual orientation, gender identity, and HIV status; and
- Litigation research, drafting and support of women’s rights and those of LGBT individuals in the United States and abroad.
**Clinical Faculty**

**Child Advocacy**

Jane M. Spinak is the Edward Ross Aranow Clinical Professor of Law. A faculty member since 1982, she co-founded the Child Advocacy Clinic, which currently represents youth aging out of foster care. During the mid-1990s, Spinak served as attorney-in-charge of the Juvenile Rights Division of the Legal Aid Society of New York. She was the founding chair and currently serves on the board of directors for the Center for Family Representation, an advocacy and policy organization dedicated to ensuring the rights of parents in child welfare proceedings. Her teaching and scholarship address the complexities of the child welfare, foster care, and family court systems.

**Community Enterprise**

Barbara B. Schatz, clinical professor of law, joined the faculty in 1985. She is president of the Public Interest Law Institute, an international NGO that uses public interest law to advance human rights, and serves on the board of Human Rights First, which she co-founded. She previously was executive director of the organization now known as Lawyers Alliance for New York, where she ran a public interest program for community organizations involving 1,800 pro bono lawyers. She has trained and consulted with law professors interested in establishing law school clinics in Central and Eastern Europe, China, and countries of the former Soviet Union. She lectures and writes in the area of non-profit corporate and tax law.

**Environmental Law**

Edward Lloyd, the Evan M. Frankel Clinical Professor in Environmental Law and director of clinical education, joined the faculty in 2000. Lloyd serves on the New Jersey Pinelands Commission and is a trustee of the Fund for New Jersey. An activist and scholar on a range of environmental legal issues and citizen-suit litigation, he has testified before Congress on environmental enforcement and has worked to establish environmental law clinics in Serbia and Costa Rica.

**Human Rights**

Naureen Shah ’07 is a lecturer-in-law and senior staff attorney for the Environmental Law Clinic. She has spent her legal career representing public interest clients with a particular focus on environmental and land use law. Prior to joining the clinic, she served as counsel to the New Jersey Audubon Society. From 1998 until 2005 she was an associate clinical professor in the Environmental Law Clinic at Rutgers Law School, Newark.
ciate director of the Counterterrorism and Human Rights Project at the Law School’s Human Rights Institute (HRI). Shah is a former fellow of the London-based Human Rights Watch. Lecturer-in-Law JoAnn Kamuf Ward is the associate director of HRI’s Human Rights in the U.S. Project. She is a former law firm associate and fellow at Fordham Law School’s Leitner Center for International Law and Justice.

Lawyering in the Digital Age

Conrad Johnson, director of clinical education from 1992 to 1996, joined the faculty in 1989 after two years as an assistant professor at the City University of New York School of Law and many years as the attorney-in-charge of the Harlem neighborhood office of the Legal Aid Society of New York. He co-founded, and for eleven years directed, the Law School’s Fair Housing Clinic. In 2001 he co-founded and now serves as co-director of the Lawyering in the Digital Age Clinic, which explores the impact of technology on law practice through client work and collaborative projects with major public interest legal organizations and prominent jurists.

Mary M. Zulack joined the faculty in 1990 and co-directs the Lawyering in the Digital Age Clinic. She has also co-directed the Fair Housing Clinic and taught the seminar on Law and Policy of Homelessness. Before joining the faculty Zulack pursued public interest practice in New York City and held several leadership positions including attorney-in-charge at the Harlem Neighborhood Office of The Legal Aid Society. She has served on the board of Bedford-Stuyvesant Community Legal Services Corporation and of Project-FAIR, a welfare rights organization. Within the Association of the Bar of the City of New York, Zulack has been a member of the executive, nominating (twice), judiciary (several terms), and civil court committees, and chaired the Committee on Legal Needs of the Poor. Awards include the 1996 Leadership Award from the Citywide Task Force on the Housing Court, and numerous Legal Aid Society pro bono awards.

Brian Donnelly, lecturer-in-law, helped found the Lawyering in the Digital Age Clinic and has collaborated for many years with Professors Johnson and Zulack on the development of various efforts to teach lawyering and technology. He is an active member of the American Bar Association Law Practice Management Section and is a fellow of the American Bar Foundation. He also serves as a member of the Westlaw Law School Advisory Board.

Mediation

Carol B. Liebman, clinical professor of law, joined the faculty in 1992 and has lectured and taught widely on negotiation, mediation, and legal education. Her current research focus is on conflict resolution in health care. Liebman has been in the forefront of the Alternative Dispute Resolution movement and has taught about mediation and negotiation in Israel, Brazil, Vietnam, and China. She founded the Law School’s Negotiation Workshop. In 2012 she was the first Law School clinical professor to receive the Columbia University Presidential Award for Outstanding Teaching.
Alexandra Carter ’03, associate clinical professor of law, joined the faculty in 2008. She previously worked as a litigation associate for Cravath, Swaine & Moore, where she served as the senior antitrust associate on several multi-billion-dollar mergers and as a litigation associate on a variety of matters. Carter has taught mediation and civil procedure in the Netherlands and Brazil and serves as one of 13 appointed members of the New York State Unified Court System’s Mediator Ethics Advisory Committee.

Prisoners’ Rights
Philip M. Genty, the Everett B. Birch Innovative Teaching Clinical Professor in Professional Responsibility, joined the faculty in 1989 from Brooklyn Law School. Prior to joining the legal academy, Genty worked as an attorney at Prisoners’ Legal Services of New York; at the New York City Department of Housing, Preservation, and Development; and at the Bedford-Stuyvesant Community Legal Services Corporation. He has developed legal resource materials for incarcerated parents and works with several organizations that assist women who are in prison. In addition to teaching the Prisoners and Families Clinic, he directs the first-year Legal Practice Workshop and moot court program. His research interests are in clinical education, prisoners’ rights, legal ethics, and family law. He has taught and consulted on clinical legal education and ethics in Central and Eastern Europe, as well as in Israel. Genty received the Willis L.M. Reese Prize for Excellence in Teaching in 2008.

Brett Dignam, clinical professor of law, joined the Columbia Law School faculty in 2010 from Yale Law School. She is the founder and director of Columbia Law School’s Mass Incarceration Clinic. She has both a criminal and civil trial and appellate practice in federal and state courts, and she has represented prisoners at both levels for more than 20 years. At Yale, Dignam led the Prison Legal Services, Complex Federal Litigation, and Supreme Court Advocacy clinics. She has served on Connecticut’s Commission on Wrongful Convictions and as chairman of the board for both Junta for Progressive Action, Inc., and the Center for Children’s Advocacy.

Sexuality and Gender Law
Suzanne B. Goldberg, the Herbert and Doris Wechsler Clinical Professor of Law, has directed Columbia’s Sexuality and Gender Law Clinic since joining the faculty in 2006. She was previously on the faculty of Rutgers School of Law-Newark, where she taught a range of courses and directed the Women’s Rights Litigation Clinic. Prior to entering academia, she spent nearly a decade as a senior staff attorney with Lambda Legal Defense, serving as counsel in a wide range of cases, including two before the U.S. Supreme Court that became cornerstone gay rights victories. Her scholarship on barriers to equality has won numerous awards. She received the 2009 Willis L.M. Reese Prize for Excellence in Teaching and is co-founder and co-director of the Center for Gender and Sexuality Law.
From The Legal Aid Society to the U.N. to the U.S. Department of State, Columbia Law School provides students with a broad range of externship opportunities.

Externships, like clinics, combine rigorous study of legal doctrine with hands-on experience, but they differ in some fundamental ways. Externship students usually serve as apprentices rather than as lawyers representing their own clients.

Externships allow students to work side-by-side with lawyers in a public interest organization, government agency, or federal court. Leading practitioners—often Columbia Law School graduates—bring their expertise into the classroom as seminar leaders. In most instances, they also supervise the students’ work in the field.

Practicing attorneys, judges, and magistrates become mentors, assigning tasks and providing oversight and feedback. Students may be called upon to apply theory and analytical skills learned in the classroom to an oral argument, legal research and writing, client interviews, contract negotiations, using the media as an advocacy tool, and much more. Students also get a first-hand view of how law offices and lawyers operate—an experience that serves Columbia graduates well, whether they work in private practice, government, or public interest.

Through externships, students broaden and deepen their knowledge in an area of practice and applied legal policy, enhance their understanding of substantive law, gain insight into future career paths, and develop skills essential to the practice of law. Columbia Law School offers a wide array of choices, including:
Arts Law: Assisting staff attorneys at Volunteer Lawyers for the Arts, students gain practical experience in intellectual property, entertainment, and nonprofit law. In the seminar they examine the role of law and lawyers in the arts and entertainment world, and also practice client counseling and contract negotiation.

Bronx Defenders on Holistic Defense: A person of color living in the Bronx is more likely to be stopped and frisked by the police, arrested, evicted, be on welfare, or have their children removed than a resident of any other county in New York state. Students learn interdisciplinary problem-solving approaches at a defender’s office committed to addressing root problems and serving the client. Seminar content and fieldwork train students as future holistic lawyers offering access to services that meet clients’ legal and social support needs.

City and State Policy Advocacy: Course content and fieldwork focus on the role of a lawyer in supporting the implementation of community-conceived policy initiatives at the city and state level—from analyzing constraints on local authority to drafting policy proposals and advising on the political fight to win passage.

Constitutional Rights Enforcement: Students explore how constitutional rights are advanced in high-stakes capital, criminal, and prison civil rights cases. Attorneys involved in the Public Service Initiative at Squire Sanders & Dempsey lead the seminar and fieldwork components. Students work on one or more death penalty, habeas, or prisoners’ rights cases that originate from the American South, or assist in the research and writing of amicus briefs in cases before the United States Supreme Court.

Community Defense: Students have their own misdemeanor cases and work on a major felony case at the Neighborhood Defender Service of Harlem. Criminal law, legal ethics, and the attorney-client relationship come alive as students track the cases through the court system. In the seminar, they engage in topics related to criminal defense and trial preparation.

Criminal Appeals: Working with senior lawyers from the Center for Appellate Advocacy, students draft a brief on behalf of an indigent defendant and often argue their cases before the state appellate court. In the semi-
Federal Government in D.C. Externship:
Students participating in this externship have the rare opportunity to spend a full semester in Washington, D.C., working at federal agencies such as the Department of Health and Human Services, the Department of Education, the Environmental Protection Agency, and the Department of Justice. A complement to the Law School’s conventional course offerings in public law, the federal government externship provides students with valuable hands-on experience in the public sector prior to graduation. The externship includes an intensive seminar in ethics for government lawyers, a weekly seminar, supervised legal research, and a field placement—often alongside Columbia Law School alumni working in high-level positions in our nation’s capital.

Domestic Violence Prosecution:
Under the supervision of experienced assistant district attorneys, students take the lead in prosecuting misdemeanor domestic violence cases, working on cases from their inception through trial. Students work in the new Family Justice Center, a unique facility where the efforts of civil service providers working with domestic violence victims are coordinated with those of law enforcement officials. In the seminar, students prepare for field experience and explore topics related to domestic violence prosecution.

Federal Appellate Court:
Working in the chambers of a U.S. Second Circuit judge provides students with a behind-the-scenes look at judicial and adversarial processes. As they help prepare oral arguments and written opinions, students apply their skills in legal research, analysis, and writing. Second Circuit judges lead the seminars, which include discussions with trial judges and experienced appellate attorneys. A moot court argument before three Court of Appeals judges is a highlight of the semester.

Federal Court Clerk:
Students engage in an in-depth examination of federal trial courts. They work closely with a federal judge on drafting opinions and observe trials, oral arguments, and hearings. Seminars include writing judicial opinions and discussing effective courtroom lawyering. Judicial and practitioner guests share their insights and experience.

Federal Prosecution:
Students assist experienced prosecutors as they investigate and prosecute federal criminal cases, including those involving narcotics, fraud, child exploitation, public corruption, terrorism, and violent crimes. Placements are in a U.S. Attorney’s Office for either the Southern or Eastern District of New York, and senior prosecutors lead the seminars, which often involve role-playing exercises.

Immigration Defense:
Working with attorneys providing direct representation to immigrants facing deportation,
The Pro Bono Experience

Through required pro bono work students enrich their legal education, gain practical experience, and learn the rewards of public service. Students choose from hundreds of opportunities and also design projects tailored to their interests. Students may serve as advocates in family court for domestic violence victims, staff legal clinics at a local homeless shelter, or work with leading law firms that have strong pro bono programs. For example, students work with attorneys from Davis Polk & Wardwell on complex asylum cases and team up with attorneys from Milbank, Tweed, Hadley & McCloy to represent low-income taxpayers in IRS disputes. Spring Break Caravans combine travel and public service. Recent caravans have taken students to Texas to assist lawyers working on capital punishment cases, to Miami to work on immigration issues, and to Native American communities to help protect land rights.

students gain in-depth exposure to U.S. immigration laws and policies. The seminar is taught by some of the most respected immigration lawyers in New York, and the field placement is with them or another senior attorney at The Legal Aid Society’s Immigration Law Unit.

New York Attorney General’s Role in Law Enforcement and Social Justice: Students work with attorneys in the AG’s Social Justice Division on pressing problems facing New York and the country, ranging from systemic discrimination to climate change and nuclear waste to fraudulent practices by health insurance and tobacco companies and abuses by officers in nonprofit organizations. The division’s top lawyers teach students how the AG’s office can use its unique jurisdiction and law enforcement authority to advance justice.

Representing New York City—The New York City Law Department: Students are placed in a division of the Law Department. As they work with city attorneys and attend meetings, legislative hearings, depositions, and trials, they gain a deep understanding of the role of government lawyers and the legal and ethical issues they face every day. In the seminar, taught by two senior city attorneys, students complete a counseling memorandum on a policy matter and present their recommendations to the class.

United Nations: Through placements in the U.N., Missions, or other U.N.-related offices, students are immersed in the constitutional law of the U.N. and the processes of institutional law-making. Adjunct professors who held diverse senior legal positions at the U.N. lead the seminar, which examines the interaction between U.N. governing documents and U.N. practice.

Pro Bono Practice and Design: Students are engaged in the critical role of pro bono service in the legal profession and its impact on broader societal issues, such as access to equal justice. Working with both public interest and corporate lawyers at an NGO, students examine the often competing goals of the various constituencies and the need to mediate them if pro bono programs are to succeed.
Summer Programs
Columbia Law School’s summer public interest law program enables students to gain valuable experience as they provide much needed legal assistance to a wide range of not-for-profit organizations and government agencies in the United States and abroad.

Through the Human Rights Internship Program, Columbia students have spent summers helping to establish legal services systems in Africa and developing antidiscrimination law in Hungary. Columbia Arts Law Internships support opportunities to work in the legal departments of organizations such as Channel 13, the Metropolitan Museum of Art, and National Public Radio. Other fellowships support summer public interest work in China, Taiwan, Hong Kong, and Japan.

Moot Court Program
Moot courts simulate all aspects of an appellate or trial litigation. Students conduct research, file briefs, and argue their cases before a distinguished panel of judges. Our students regularly capture top honors at premier national and international competitions. Opportunities include:

- **The Paul, Weiss, Rifkind, Wharton & Garrison Moot Court Program**
  - 1L Foundation Moot Court
  - American Intellectual Property Law Association Moot Court
  - Environmental Law Moot Court
  - Frederick Douglass Moot Court
  - Latino/a Law Students Association Moot Court
  - Native American Law Students Association Moot Court

- **International Competitions**
  - European Law Moot Court
  - Jessup International Law Moot Court
  - Vienna International Arbitration Moot Court (Vis)

Student Journals
Columbia Law School is home to 14 law journals. Many are the leading scholarly publications in their fields. Working on a journal exposes students to cutting-edge research and further hones legal research, writing, and analytical skills—qualities highly valued by employers and essential to the successful practice of law.

- Columbia Business Law Review
- Columbia Human Rights Law Review
- Columbia Journal of Asian Law
- Columbia Journal of Environmental Law
- Columbia Journal of European Law
- Columbia Journal of Gender and Law
- The Columbia Journal of Law & Social Problems
- Columbia Journal of Law & the Arts
- Columbia Journal of Race & Law
- Columbia Journal of Tax Law
- Columbia Journal of Transnational Law
- Columbia Law Review
- Columbia Science and Technology Law Review
- The American Review of International Arbitration

Columbia Law School’s Harlan Fiske Stone Moot Court is often honored to host a U.S. Supreme Court Justice on its panel of judges for the final round of arguments. Here, Chief Justice John G. Roberts, Jr. presides.
For More Information

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Social Justice Initiatives administers the Law School's externship, pro bono, and summer public interest law programs. For information, contact:

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