

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW

Standards and Procedures for Appointment and Retention of Clinical Professors, including the Director of the Law Library

APPLICATION

_____ These standards and procedures apply to the following categories of persons hired in full-time, university-funded law school positions: 1) legal clinic/policy faculty (excluding attorneys who may be hired for limited periods of time); 2) legal writing and academic support faculty; and 3) the director of the law library.

II. INITIAL APPOINTMENT AND PROBATIONARY PERIOD

_____ Initial appointment of clinical faculty subject to these standards and procedures shall be to the position of clinical professor. Clinical professors shall serve a probationary period of five years. During their probationary period, clinical professors are eligible to receive annual contracts. The annual contracts are renewable at the discretion of the university. A notice of nonrenewal shall be in writing. The following notice periods for nonrenewal shall apply during the probationary period:

| <u>Year in Position</u> | <u>Notice (months)</u> |
|-------------------------|------------------------|
| _____ First | Three |
| _____ Second and After | Six |

III. RETENTION

_____ At the beginning of the fourth year in position, a clinical professor shall apply for retention pursuant to long-term contract. If the application is approved, he or she shall be given a presumptively renewable five year contract, to commence at the beginning of the sixth year of service.

Contracts for clinical professors are presumptively renewable for successive five year periods. If a five year contract will not be renewed, the university shall provide written notice of nonrenewal before the end of the fourth year of the contract term.

IV. CRITERIA FOR RETENTION

_____ **A. Legal Clinic/Policy Faculty**

_____ The criteria for the retention of clinical professors beyond the probationary period

are: excellence in teaching; outstanding lawyering skills; commitment and contributions to the improvement of the law, the legal system, legal education and the profession; and academic service. Exceptional strengths with respect to certain criteria may, to a limited extent, offset weaknesses with respect to others.

Excellence in Teaching

_____ Excellence in teaching is demonstrated by effective supervision of students in the clinical setting and successful classroom performance. Supervision of independent study and research and individual counseling of students are considered part of teaching responsibilities.

Lawyering Skills

_____ Clinical professors must demonstrate outstanding ability in the performance of lawyering skills. These skills may include client interviewing, counseling, fact development, case planning, negotiation, hearing advocacy, policy and legislative practice, legal writing, and practice management. In addition, clinical professors must exhibit a high degree of ethical behavior and professionalism as both teacher and attorney.

Professional Contributions

_____ Clinical professors are expected to contribute to the improvement of the law, the legal system, legal education, and the profession. Active participation on committees and in functions of professional associations are examples of ways in which they make these contributions. Clinical professors should also actively participate in efforts to improve the law and the administration of justice in their areas of expertise, including through significant litigation, scholarship, work with public service organizations, or participation in the legislative process.

Academic Service

_____ Clinical professors are expected to engage in activities which serve students and the university. They should accept such assignments as moot court judge, publications advisor, student counselor, and member of university and law school committees. They should be available regularly for individual consultation with students and other members of the university community. Community service which enhances the welfare and reputation of the university should be considered as service to the university.

B. Legal Writing and Academic Support Faculty

The criteria for retention of legal writing and academic support faculty beyond the probationary period are: excellence in teaching and program administration, contributions to legal education and/or the legal profession, and academic service. Exceptional strengths with respect to

certain criteria may, to a limited extent, offset weaknesses with respect to others.

Excellence in Teaching and Program Administration

Excellence in teaching and program administration shall cover the following areas: selecting, training, and supervising adjunct writing professors and student tutors; developing curriculum and course materials; working individually with students; and managing significant administrative responsibilities.

Professional Contributions

Legal writing and academic support clinical professors are expected to contribute to the improvement of the law, the legal system, legal education, and the profession. Examples of ways in which they make these contributions include participation in professional organizations; attendance at professional workshops, seminars, and meetings; assistance to colleagues within and outside the law school in developing course materials and teaching methodologies; scholarship, and enhancement of adjunct faculty's contributions to legal education.

Academic Service

Clinical professors are expected to engage in activities which serve students and the university. These may include serving on law school and/or university committees, advising and mentoring students, supporting student organizations, competitions, and journals, and engaging in community service which enhances the welfare and reputation of the law school and university.

C. Law Library Director

The criteria for the retention of the law library director beyond the probationary period are: excellence in contribution to the educational function of the law school; effectiveness as a manager of the library staff and resources; service to the law school and university; academic and professional service; and scholarship and continued professional growth. Exceptional strengths with respect to certain criteria may, to a limited extent, offset others.

Contribution to the Educational Function of the Law School

The Director is expected to contribute to the educational function of the law school through teaching and oversight of the legal research course offerings of the law school, working to ensure that faculty and students have ready access to the materials needed for teaching and research, and collaborating with faculty colleagues to ensure that research sources and instruction are available to their students.

Effectiveness as a Manager of the Library Staff and Resources

The Director must ensure the appropriate acquisition of legal information, both print and electronic, and competently manage all aspects of the library budget. The Director leads a team of professional librarians and paraprofessionals to effectively meet the information needs of library patrons, primarily the faculty and students of the law school, but including all Loyola students and faculty, and the practicing bar. The Director oversees the hiring, training and supervision of all library staff.

Service to the Law School

The Director is expected to participate in activities that will contribute to the improvement of the law school. These activities may include service on regular and special committees, participation in the recruitment of faculty, students and staff, participation in the governance of the law school, fund-raising and other activities to support the law school and law library, and support of the educational and scholarly activities of the faculty and students.

Academic and Professional Service

The Director is expected to participate in library and professional organizations, serve on university committees as requested, and represent the law school within the university library system, and in the professional library community.

Scholarship and Continued Professional Growth

The Director shall demonstrate scholarship and continued professional growth through some combination of the following: published work in substantive law, library science, information science, legal research or related areas; publication of library-related works such as bibliographies, user guides, or surveys of legal/library literature; presentation of professional papers; continuing education in developments in library science and new technologies; leadership and participation in scholarly and professional organizations; and/or attendance at professional workshops, seminars and meetings.

V. PROCEDURE FOR RETENTION

_____ a. Initial Five-Year Contract

A clinical professor who seeks retention beyond the probationary period must apply in writing to the Dean of the law school. The application shall explain how the criteria for retention have been met and shall include supporting documentation. The Dean shall refer the request to the Clinical Advisory Committee, which shall make a report to the faculty with a recommendation. The Committee's recommendation shall be based on a full review of the candidate's job performance as measured by the criteria for retention. The Committee's review may include interviews with present and former students, requests for internal and external reviews of the candidate's written work, and external assessments of the candidate's skills and

professional activities and contributions. The tenured faculty and retained faculty shall review this information and the candidate's application and shall make a recommendation to the Dean concerning the application. A majority of those eligible to vote, determined without reference to the number present at the meeting, but determined after excluding (1) all members of the tenured faculty on leave of absence who are not present at the meeting; and (2) all members of the tenured faculty electing not to vote because of university policy, must concur for retention to constitute a recommendation of the committee. The Dean will then make a recommendation to the university.

b. **Renewal of Five-Year Contract**

When a clinical professor seeks renewal of a long-term contract, the Dean, in consultation with the Clinical Advisory Committee, shall make a recommendation to the University as to whether to renew the contract for an additional five-year term. Such a request should normally be made at the beginning of the fourth year of the contract. Renewal of a long-term contract shall be presumed. Accordingly, the Dean shall recommend renewal unless he or she determines that the clinical professor is no longer adequately performing his or her responsibilities or unless a substantial change in the academic program results in the alteration or elimination of the position. If the Dean's recommendation is to renew the five-year contract, no further faculty action is required, and the Dean shall submit the recommendation to the University. If the Dean decides not to recommend renewal, the Dean shall notify the tenured and retained faculty. The tenured and retained faculty shall review the Dean's recommendation within 30 days of receiving notice of the Dean's decision not to recommend renewal. If, after review, a majority of those entitled to vote do not concur with the Dean's recommendation, the tenured and retained faculty shall prepare its own written report and recommendation to the University. In the case of a Dean's decision not to recommend renewal, the Dean's recommendation to the University shall be accompanied by the written report and recommendation of the tenured and retained faculty.

VI. TERMINATION

_____ A clinical professor may be terminated from the position at any time during the term of a contract, including the probationary period, for the following reasons:

- a) academic incompetence;
- b) substantial neglect of academic duty as defined in one's contract and as specified in the Faculty Handbook;
- c) falsification of credentials or research;
- d) misconduct with respect to generally accepted standards for members of a university faculty;
- e) conduct which violates standards of professional responsibility; or
- f) elimination of the position.

In the event of termination for reasons (a) - (f), the procedures described in the university's Faculty Handbook shall apply.

VII. CLINICAL ADVISORY COMMITTEE

Upon receipt of an application for clinical retention or renewal of a five-year contract, the Dean shall appoint an ad hoc Clinical Advisory Committee, whose composition shall include one or more members of the tenured faculty, one or more retained clinical professors, and the supervisor, if any, of the candidate for retention or renewal.

VIII. PERQUISITES

The compensation and perquisites of clinical professors shall be reasonably similar to other faculty members taking into account the experience, qualifications, job duties, and length of annual service of each faculty member.

IX. GOVERNANCE/PROFESSIONAL SUPPORT

Clinical professors shall have the same rights in governance of the law school as other faculty members, except for decisions concerning tenure or promotion of tenure-track faculty members. Clinical professors shall also be entitled to a comparable level of professional development and support as other faculty members.

Approved by the Law School faculty on March 29, 1994
Amended by the Law School faculty on September 19, 2006
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