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*(As adopted by the Faculty Council - Spring 2007)***ST. JOHN'S UNIVERSITY  
SCHOOL OF LAW****I. Standards Governing Faculty Promotion and Tenure**

An institution's total educational program takes conscientious and time consuming effort. Accordingly, in evaluating candidates for promotion and tenure, several attributes are noteworthy. Education of students is the primary mission of the Law School. Therefore, it is essential that faculty members demonstrate a capacity to teach and a commitment to teaching. Similarly, scholarship is a vital aspect of intellectual inquiry and is essential to eligibility for promotion and tenure. Also, the individual's service to the Law School, University, students and the community-at-large as well as the individual's collegiality are proper considerations incident to a promotion or tenure decision.

- I. In addition to possessing such fundamental attributes and qualities as good character, integrity, cooperativeness, etc., candidates for tenure and/or promotion must meet the following standards and criteria:

A. Teaching

1. Definition and Characteristics

- (a) Teaching is broadly defined to include the following characteristics:
- (1) Ability to communicate;
  - (2) Preparation for class;
  - (3) Breadth and depth of knowledge relevant to the field;
  - (4) Thoughtful organization of individual class sessions and the overall course content;
  - (5) Ability to stimulate student interest and effort;
  - (6) Ability to effectively direct a classroom meeting;
  - (7) Accessibility to students and demonstrated interest and involvement in their education; and
  - (8) Ability to stimulate and develop students' critical, analytical and synthesizing skills.

### III. Standards Governing Reappointment and Promotion of Clinical Faculty

Clinical Education faculty are full-time, clinical non-tenure track members of the Law School faculty, hired pursuant to Article VI (9) of the Law School's Faculty Council Bylaws.

I. In addition to possessing such fundamental attributes and qualities as good character, integrity, and cooperativeness, candidates for reappointment and promotion must meet the following standards and criteria:

A. Teaching, Program Management and/or Case Management

Teaching, Program Management and/or case management performance are the primary considerations in the evaluation of clinical faculty.

1. Definition and Characteristics

(a) Teaching, program management and case management are broadly defined to include the following characteristics:

- (1) Ability to communicate;
- (2) Preparation for class, meetings with students individually or in teams, and meetings with members of the community involved in the clinical programs<sup>2</sup> including but not limited to: externship mentor-attorneys; trial advocacy adjunct professors; opposing counsel, co-counsel or clients or witnesses; community groups; other public interest legal organizations; and government agencies;
- (3) Breadth and depth of knowledge relevant to the field of law and lawyering skills relating to the clinical program;
- (4) Thoughtful organization of individual class sessions and the overall course content;
- (5) Ability to stimulate student interest and effort;
- (6) Ability to effectively direct a classroom meeting;
- (7) Accessibility to students and demonstrated interest and involvement in their education;

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<sup>2</sup> Clinical Program shall include live-client clinics, externships, hybrid clinics, and lawyering skills courses.

- (8) Ability to provide insightful, detailed critiques of the lawyering skills needed to perform the skills required of each clinical program;
- (9) Ability to foster and develop students' critical, analytical skills and to create an awareness of professional responsibility concerns.
- (10) Ability to create and/or select materials for the clinical programs.

## 2. Methods of Evaluation

### (a) Peer Evaluations

- (1) Clinical faculty members holding the rank of Assistant Professor for Clinical Legal Education should have one class each academic year visited by at least one faculty member. The visiting faculty member should prepare a written evaluation of the class and provide a copy to the faculty member being visited.
- (2) Clinical faculty members holding the rank of Associate Professor for Clinical Legal Education should have one class each year visited by at least one faculty member for the first two years of their initial five-year contract and should be visited on a periodic basis thereafter.
- (3) Clinical faculty members holding the rank of Professor for Clinical Legal Education should be visited on a periodic basis throughout their nine-year contract;

### (b) Student Evaluations

- (1) Written evaluations of faculty performance should be made by students once in each semester.

### (c) Review of teaching materials.

### (d) Consultation with the Director of Clinical Legal Education or the Assistant Dean for Professional Skills.

### (e) Any other relevant method for assessing teaching characteristics.

## B. Scholarship and Professional Activities

### 1. Definitions and Illustrations

(a) Scholarship and Professional Activities (hereinafter collectively referred to as "Activities") may be defined as contributions to the law and the legal community which warrant recognition among scholars, educators, jurists and/or practitioners. In some cases, such Activities may be evidenced by a written product and, as noted below, promotion to professor of clinical education will require at least one written product. However, such Activities may also be manifested in non-written forms, such as the delivery of lectures and participation in panel discussions. Regardless of the form chosen, such Activities are to be the product of significant, thoughtful, reflective and analytical effort which is disseminated to an audience and recognized for its quality.

(b) In the clinical legal education field, there are many manifestations of Scholarship and Professional Activities. Such Activities in the clinical context quite naturally take more diverse forms than in other parts of the University. They may be theoretical, empirical, or devoted to improving professional practice, public policy or legal education. They may find appropriate expression in forms other than books and articles. Accordingly, it is necessary that illustrations of such Activities be sufficiently broad so as to embrace the varied contributions that may be made by the clinical academic community. With the foregoing in mind, illustrations of such Activities shall, in addition to the illustrations of Scholarship set forth in I(B)(1)(b), include, but shall not be limited to, the following:

- (1) presentations to professional audiences (including practitioner and academic audiences);
- (2) presentations on legal matters to members of the community served by the clinical and professional skills programs;
- (3) authorship of instructional and other materials for law school clinical and professional skills courses, including but not limited to course handbooks, manuals, simulations and case files;
- (4) creation of materials related to the clinical and professional skills programs (such as national trial competitions); and creation of academic materials, such as case files for law school extra-curricular activities;

- (5) preparation of educational materials for the client, client community, mentor-attorney or adjunct professor communities;
- (6) preparation of clinical and professional skills training publications;
- (7) articles in newspapers and journals for practitioners;
- (8) Substantial public interest projects, including but not limited to: law reform proposals and activities; testimony before governmental bodies; legislative reform efforts; and preparation of materials for community forums and lawyer education; and
- (9) significant legal briefs and other legal documents written and/or supervised by clinical faculty.

## 2. Minimum Activities Required for Personnel Action

The Activities described in §B.1. herein are an essential part of academic life and every clinical faculty member is expected to engage in such Activities. When considering the Activities of applicants for promotion, determinations as to the merit of the applicant's Activities shall rest within the discretion of the tenured faculty and Professors of Clinical Education and Professors of Legal Writing, with emphasis in such determinations placed upon the quality of the Activities rather than their quantity. Standards for promotion must recognize that clinicians' responsibilities require that they devote substantially all of their time to teaching in skills-training programs.

At minimum, however, a candidate must satisfy the Activities requirements set forth below in order to be considered for promotion. As previously noted, such Activities must be the product of significant, thoughtful, reflective and analytical effort which is disseminated to an audience and recognized for its quality.

### (a) Promotion to Associate Professor for Clinical Legal Education

- (1) Promotion to the rank of Associate Professor for Clinical Legal Education shall not be granted unless, at minimum, the candidate has demonstrated three (3) Activities. Written work is not required for promotion to this rank. It can be considered favorably in promotion determination, but cannot be a basis for denying promotion to this rank.

(b) Promotion to Professor for Clinical Legal Education

- (1) Promotion to the rank of Professor shall not be granted unless, at minimum, the candidate has demonstrated five (5) Activities. At least one written work as set forth in B.1.(b) herein, is required for promotion to this rank. Published written work is not required. It can be considered favorably in promotion determination, but cannot be a basis for denying promotion to this rank.

C. Service

1. To the Law School and University

Clinical faculty members have a responsibility to participate in the governance of the Law School and, where appropriate, of the University itself. The faculty retains substantial collective responsibility to provide institutional leadership. To this end, individual professors have a responsibility to assume a fair share of that leadership, including the duty to serve actively on faculty committees and to participate in faculty deliberations.

Clinical faculty members have the responsibility to participate in Law School Activities.

2. To the Students

Clinical faculty members should be reasonably available to counsel students about academic matters, career choices and professional interests. Upon request of the Administration, faculty members should provide advisory services to student organizations.

3. To the Community

Service to the community involves pro bono professional activities outside the Law School that offer little or no compensation. Examples include significant participation in national, state or local bar association committees, service on governmental advisory committees or the board of directors of community service or legal organizations, testifying before government bodies, lecturing to community groups, litigating pro bono cases, etc.

D. Collegiality

Clinical faculty members should treat colleagues, staff members and students with civility and respect. Faculty members should make themselves reasonably

available to colleagues for purposes of discussing teaching methods, content of courses, possible topics of scholarship, scholarly work-in-progress and related matters.

II. In addition to satisfying the teaching, scholarship, service and collegiality standards and possessing such appropriate attributes and qualities as set forth in Part I of the Standards Governing Clinical Promotion above, to be considered for promotion an individual must satisfy certain threshold time requirements, as follows:

- A. For an individual with no prior full-time teaching at an ABA approved or ABA provisionally approved law school:
1. For Promotion to Associate Professor:
    - (a) Completion of at least two years of full-time teaching at St. John's University School of Law, so that consideration for promotion can occur no earlier than the first semester of the third year of such full-time teaching.
  2. For Promotion to Professor:
    - (a) Completion of at least four years of full-time teaching at St. John's University School of Law, so that consideration for promotion can occur no earlier than the first semester of the fifth year of such full time teaching. When an associate professor of clinical education seeks promotion to Professor of Clinical Education, the Activities submitted in connection with promotion to associate professor shall also be utilized for promotion to Professor.
- B. For an individual with prior full-time teaching at an ABA approved or ABA provisionally approved law school:
1. For Promotion to Associate Professor:
    - (a) Completion of at least two years of full-time teaching at an ABA approved or ABA provisionally approved law school, as determined by the faculty, including completion of a minimum of one year of full-time teaching at St. John's University School of Law. The determination of full-time law school teaching equivalency shall be made by a majority vote of the tenured and untenured faculty, present and eligible to vote, during the meeting in which it approves the person's appointment.
  2. For Promotion to Professor:
    - (a) Completion of at least four years of full-time teaching at an ABA approved or ABA provisionally approved law school, as

determined by the faculty, including completion of a minimum of one year of full-time teaching at St. John's School of Law. The determination of full-time law school teaching equivalency shall be made by a majority vote of the tenured and untenured faculty, present and eligible to vote, during the meeting in which it approves the person's appointment.

#### **IV. Standards Governing Contract Renewal for the Director of the Law Library and Research Professor of Law**

The Director of the Law Library and Research Professor of Law is a full-time, non-tenure track member of the Law School faculty, hired on a long-term contract basis pursuant to Article VI (10) (g) of the Law School's Faculty Council Bylaws.

- I. In addition to possessing such fundamental attributes and qualities as good character, integrity, and cooperativeness etc., a candidate for contract renewal must meet the following standards and criteria:
  - A. Administration of the Law Library

The law library plays a central role in the educational and scholarly life of the law school. Effective administration of the library is essential to the fulfillment of the school's mission and is the primary responsibility of the Director and Research Professor of Law. Effective administration means competence, creativity and initiative in the overall administration of the law library.

##### Definitions and Characteristics

- (a) Administration of the law library is broadly defined to include the following characteristics:
  - (1) Development of a collection in a systematic manner, consistent with the curricular and research needs of the law school, that contains a proper balance of print and electronic resources, and makes efficient use of financial resources;
  - (2) Assembling and maintaining a library staff that has the competence, credentials, and experience to support faculty teaching and scholarship, play a role in the educational life of the law school through formal and informal instruction and the creation of research guides and aids, and provide effective technical support in the areas of cataloging, acquisitions and collection maintenance;
  - (3) Ability to direct the utilization of technology to effectively deliver services to patrons and process materials;