

## WAYNE STATE UNIVERSITY LAW SCHOOL

### Promotion Factors for Clinical Faculty

Clinical faculty are not eligible for tenure. They are, however, eligible for promotion. Clinical teaching, clinical supervision, and clinical service are of primary importance in evaluating clinical faculty who are being considered for promotion. Scholarship, doctrinal teaching, and non-instructional service shall be given secondary consideration. In the implementation of this document, all provisions of the collective bargaining agreement will be followed.

#### 1. Clinical Teaching, Clinical Supervision, and Clinical Service

- (1) Clinical teaching refers to teaching students in live-client clinics, internships, simulation courses, and similar curricular offerings. The basic questions in evaluating clinical teaching concern a candidate's ability to identify appropriate teaching objectives; to prepare and select teaching materials and vehicles (including actual or simulated cases) that support those objectives; and to select, use, and integrate diverse teaching methods (including student supervision on cases, simulation, role playing, mock trials, and other experiential methods) to achieve those objectives. It is understood that administration of clinical offerings through activities that concern the design, operation, and management of the law school's clinical programs is counted as part of clinical teaching.
- (2) Clinical supervision refers to supervision of student work on actual and simulated cases. The basic questions in evaluating clinical supervision concern a candidate's ability to use directive and non-directive supervision techniques, as appropriate, to help students formulate goals, explore options, exercise professional judgment, and plan strategy; to foster clinical students' ability to evaluate their own performance; to provide timely, detailed, constructive feedback to students; to ensure that students provide high-quality, professional representation to clients; and to ensure that students comply with applicable legal rules and codes of conduct.
- (3) Clinical service refers to service to the client community beyond the service afforded by supervised individual client representation, and to service to the law school in connection with the law school's clinical programs. Service to the client community includes, but is not limited to, information and referral efforts, community organizing and education, law-reform litigation and public policy advocacy before legislative and executive organs of government. Service to the law school involves participation in committee work related to the operation and administration of the law school's clinical programs.

## **2. Scholarship, Doctrinal Teaching, and Non-Instructional Service**

- (1) Clinical faculty are not expected to produce the type or volume of scholarly work expected of tenured and tenure-track faculty. The time-intensive nature of clinical teaching, clinical supervision, and clinical service make it all but impossible for clinical faculty to do so. Clinical faculty are, however, expected to spend a portion of their time engaged in transmitting knowledge beyond the confines of the law school, through publications or presentation addressed to professional audiences.
- (2) From time to time, clinical faculty are assigned to teach doctrinal courses. The basic questions in evaluating doctrinal teaching concern the candidate's mastery of the subject being taught, ability to communicate the subject effectively, and capacity to inspire the students to learn.
- (3) Clinical faculty are expected to engage in the same types of non-instructional service to the law school and university as tenured and tenure-track faculty.

## **3. Factors for Promotion**

- (1) Candidates for promotion from Assistant Professor (Clinical) to Associate Professor (Clinical) shall be evaluated according to factors of excellence in clinical teaching, clinical supervision, and clinical service. Scholarship, doctrinal teaching, and non-instructional service will be given limited weight in evaluating candidates for promotion to Associate Professor (Clinical). High quality performance in these areas will be treated as a positive factor, but generally will not be sufficient to make up for mediocre clinical teaching, clinical supervision, or clinical service. Poor performance in these areas will be accorded negative weight, but generally will not be sufficient to outweigh excellence in clinical teaching, clinical supervision, and clinical service.
- (2) Candidates for promotion from Associate Professor (Clinical) to Professor (Clinical) in addition to the factors above required for promotion to Associate Professor (Clinical) should have a national reputation for excellence in clinical teaching, clinical supervision, and clinical service, as evidence by law-reform litigation or public policy advocacy that has a major impact on the shape of the law, the administration of justice, or the client community; prizes; favorable reviews; wide and favorable citations of published work; presentations at clinical conferences and other law schools; or leadership roles in clinical organizations.

Adopted by the Law School Faculty: January 24, 2007

# WAYNE STATE UNIVERSITY LAW SCHOOL

## Processes for Appointment and Review of Clinical Faculty

### I. Appointment, Review and Promotion of Clinical Faculty

(A) The Clinical Programs Committee is charged with making recommendations to the Dean on the appointment, promotion, and award of contracts to clinical faculty. The Clinical Programs Committee comprises the tenured, tenure-track, and clinical faculty. The Clinical Programs Subcommittee is a subcommittee of the Clinical Programs Committee and shall have six members. Three members shall be appointed by the Dean to serve three-year terms, with one selected each year. Three members shall be elected by the Clinical Programs Committee to serve three-year terms, with one selected each year.

(B) At the Dean's request, the Clinical Programs Subcommittee shall search for a clinical faculty candidate. The Subcommittee shall recommend a candidate to the Clinical Programs Committee. The Committee shall recommend a candidate to the Dean for appointment to the clinical faculty.

(C) Clinical faculty hired for long-term positions shall be appointed as an initial matter on a three-year contract. The Clinical Programs Subcommittee shall recommend to the Clinical Programs Committee whether to renew a three-year contract. The Clinical Programs Committee shall recommend to the Dean whether to renew a three-year contract. For a qualified candidate, a five-year contract may be initially awarded in accordance with paragraph D. The Clinical Programs Committee, with the exception of the member whose contract is under consideration, is entitled to vote on the renewal of a three-year contract.

(D) After the initial three-year contract and its renewal(s), a clinical faculty member is eligible to be appointed by the Dean to a five-year, renewable contract. The Clinical Programs Subcommittee shall recommend whether to award a five-year contract using the Promotion Factors for Clinical Faculty. The Clinical Programs Committee shall vote on whether to recommend the award of a five-year contract, applying the procedures of the Promotion and Tenure Committee. Only those members of the faculty with tenure and those members of the clinical faculty who have received a five-year contract are eligible to vote on this matter.

(E) When considering the renewal of a five-year contract, the Clinical Programs Subcommittee and the Clinical Programs Committee shall vote to recommend the renewal, except in cases in which the clinical faculty member has failed to meet the law school factors of excellence in clinical teaching, clinical supervision, and clinical service. Only those members of the faculty with tenure and those members of the clinical faculty who have received a five-year contract are eligible to vote on the Clinical Programs Committee recommendation to renew a five-year contract.

(F) The Clinical Programs Subcommittee is responsible for conducting an annual review of the clinical faculty pursuant to the Promotion Factors for Clinical Faculty. The Clinical Programs Subcommittee shall make an annual report to the Clinical Programs Committee regarding the status and progress of each clinical faculty member.

(G) Clinical faculty may request promotion in any academic year. The Clinical Programs Subcommittee shall review the faculty member's eligibility for promotion according to the Promotion Factors for Clinical Faculty, and shall report to the Clinical Programs Committee with a recommendation regarding the request for promotion. The Clinical Programs Committee shall vote on the Subcommittee recommendation, applying the procedures of the Promotion and Tenure Committee. Only those members of the faculty with tenure and those members of the clinical faculty with the same or higher rank as the promotion sought are eligible to vote on the Clinical Programs Committee recommendation for promotion.

## **II. Appointment of the Director of Clinical Programs**

(A) After consulting with the Clinical Programs Subcommittee, the Dean shall appoint the Director of Clinical Programs.

(B) The Director of Clinical Programs will hold a clinical faculty position with an administrative attachment.

Adopted by the Law School Faculty: February 7, 2007