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A TRIBUTE TO LOUISE MCKINNEY

Thomas F. Geraghty[†]

I first met Louise McKinney in 1996 in Ethiopia. We worked together on a project funded by the American Bar Association's Africa Law Initiative and designed to provide information about clinical legal education to East African leaders in legal education. During our month-long stay in Ethiopia, we consulted with deans, law professors, and lawyers from Ethiopia and East Africa. The culmination of the project was a five-day conference on clinical legal education held in Addis Ababa. Attendees included the leading legal educators from Addis Ababa University, the University of Nairobi and Moi University in Kenya, the University of Dar es Salaam in Tanzania, and Makerre University in Uganda. Clinical faculty from the United States in attendance included Peggy Maisel, Elizabeth Gunning, Homer La Rue, and Douglas Frankel. The objective of this conference was to impart useful information regarding clinical education to African legal educators. The challenges were to share, to listen, and to collaborate with our African colleagues in ways that would respond to the needs of African law students, faculty, and the legal community.

All involved in the conference would agree that Louise was our leader. She had served as Director of the Clinical Education Programme at the University of Botswana before joining the faculty at Case Western Reserve University School of Law in 1989, and thus had first-hand experience with the development and administration of a clinical program in Africa. Her background as a legal services lawyer for the Legal Aid Society of Cleveland, her excellence as a clinical teacher, and her demonstrated commitment to social justice in her work in Africa and the United States made her the perfect person to be our leader at the conference in Addis. Louise's final report to the American Bar Association on the status of clinical education in Ethiopia was a model of precision as it described the then-existing system of legal education in Ethiopia.

Louise's report also accurately identified the challenges facing implementation of clinical programs in 1996 in Ethiopia (which then had only three law schools graduating 60 students per year; now Ethiopia has twenty law schools and over 1,500 graduates per year). The issues that she identified persist to this day and will be familiar to those involved in the establishment of clinical programs in the United States. Among the challenges Louise cited in her report were lack of resources to support clinical programming, lack of practical

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experience among law school faculty charged with designing and implementing clinical programs, and the need to prioritize practical training in the law school curriculum.

Her report also made important observations about the state of legal education in Ethiopia and its responsiveness to the needs of Ethiopian society. She observed that because the Ethiopian government was in need of legally trained personnel at all levels, students should receive practical training while in law school, particularly opportunities to participate in well-supervised externships. Louise emphasized the need for a student practice rule and drafted one for consideration by the Ministry of Justice. She pointed out that the then-existing library at Addis Ababa University lacked the resources to support effective professional education and that improvements should be made in the legal writing course. She proposed a lawyering process course and wrote an outline for a course in research, writing, and oral advocacy. Finally, she recommended that Addis Ababa University open an in-house legal clinic while acknowledging the financial and organizational challenges such an initiative would face.

Louise concluded the report with a note of caution and self-criticism applicable to the American faculty (including me) who planned and participated in the conference. She strongly urged that the next conference be planned more cooperatively with African legal educators and that the Americans involved should play a supportive rather than a directive role in the design and implementation of clinical programs in Ethiopia.

I have returned to Ethiopia several times since 1996 to work on various projects designed to support the implementation of the recommendations that Louise made. With the American Bar Association and the DLA Piper law firm, Northwestern Law School has staffed graduate law courses in human rights, international trade, international criminal law, negotiation, and mediation. From 2008 to 2010, I conducted an assessment of legal education in Ethiopia for the American Bar Association's Rule of Law Initiative. Most recently, this summer, I spent two weeks in Ethiopia evaluating the Ethiopian law externship program. The issues that Louise identified in her 1996 report were prescient, and Ethiopian legal educators have made slow but steady progress in addressing them.

In 2008, the Ethiopian Ministry of Capacity Building promulgated a new national curriculum designed to strengthen legal education in Ethiopia's twenty law schools. The new curriculum includes courses on legal writing and oral advocacy, legal clinics, and a required two-month externship course during the fifth year of law school, during which students work full time in government agencies, courts, commercial establishments such as banks, and non-governmental organizations. The externship course, which has been in existence for only two years, has been particularly well received by students, law faculty, and receiving institutions despite the challenges of supervision

when students are placed far from their law schools (which is often the case given the students' preference for living near their homes during the externship period). Many law schools in Ethiopia have opened in-house clinics, as well as community- and prison-based clinics. These clinics are actively supported by students, law faculties, and the communities and individuals they serve.

Although it is difficult to document the impact of the 1996 conference and subsequent efforts to institutionalize experiential learning in Ethiopian legal education, it is possible to say that slow but steady progress is being made in Ethiopia. I am confident that the same can be said about clinical programs in Botswana, Uganda, and Kenya thanks to the efforts of Louise McKinney. As I observed in Ethiopia in 1996 and from following Louise's career since then, her persistent, effective, and diplomatic efforts to spread the word about the value of clinical legal education have had long-term impact on the many law students, law faculty, practitioners, and judges with whom she has worked in the United States and in Africa.

Perhaps the most impressive aspect of Louise's work in Africa has been her willingness to pitch in to support clinical education in a very much "hands-on" way. She has lived and worked for extended periods of time in Botswana, Kenya, and Uganda, collaborating hand-in-hand with law faculty in those countries to establish, maintain, and improve clinical programs there.

In preparing this Tribute, I reached out to one of Louise's colleagues in Botswana, former Dean and Clinical Director Professor Emmanuel Quansah, for his thoughts about Louise. In response, Professor Quansah wrote,

Louise did a tremendous job when she last visited Botswana as a Fulbright Scholar. She did a lot for the Legal Clinic helping to organize the case files and designing new and innovative forms to ease case references at the Clinic. As Co-Coordinator of the University's Legal Clinic at the time, I benefitted immensely from her experience which greatly enriched my own work. I remember her fondly for her generosity and friendship.

There are many more in the United States and in Africa who would agree that Louise is known for her knowledge, skill, and commitment and who are grateful for her generosity and friendship. I count myself among them.