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Appendix A **Clinic Self-Audit Checklist**

EXAMINING CLINICAL STRUCTURE AND DESIGN

Structural Challenges for Review and Consideration

- What is your institution's history with movements (e.g. civil rights, social justice, antiracist)?
- Which obstacles did those before face while making change throughout the history of your institution?
- How does the clinic's relationship with the law school administration support or interfere with antiracist values?
- Has your law school or the larger institution performed any data collection or self-examination on upholding antiracist values?
- Does your law school offer resources that support antiracist initiatives?
- Has the clinic sought guidance and support from a school-wide diversity, equity, and inclusion officer?
- Who currently holds the most influential roles with the most decision-making power?
 - What communities are they from? What intersectional identities do they have?
- How does your clinic's funding mechanism and relationship with its funders impact practicing antiracist values?
- How does your clinic's antiracist mission impact and influence the larger law school community?

Leadership and Decision-making

- Does your clinic have a hierarchy when it comes to decision-making?
- What decisions are made by the various roles in your clinic (e.g. faculty, instructors, administrative staff, students)?
- Which decisions are made by faculty alone?
- Who has the opportunities to participate in the larger institutional decisions (e.g. committees)?
- Who in your clinic has access to funds? Who is more easily able to secure resources such as Research Assistants and books?
- Based on your response to the above inquiries:
 - Does decision-making power rest with many or a few individuals?

- Do those individuals have increased access to funds / resources?
- What forms of privilege do those individuals possess (e.g. race, gender, ability, socioeconomic status)?

Communication

- Who has access to information on institutional decision-making?
- Who has access to information on clinical decision-making?
- How is information communicated to clinical staff (e.g. in staff meetings)?
 - Is information communicated to every member of clinical staff?
- Are clinical leaders communicating with others clearly, regularly, and fully?

Soliciting Input from Staff

- What is the clinic's current process for soliciting input from staff?
- Do your clinical leaders invite feedback on their communication style and frequency?
- Do clinical staff members have the opportunity to meet one-on-one with clinical leadership?
- Do clinical staff members have the opportunity to participate in group meetings?
- Do clinical staff members have the opportunity to participate in anonymous surveys?
- Do clinical staff members have the opportunity to weigh in on clinic policies and direction?

Decision-Making

- How does your clinic arrive at final decisions?
 - Is there one person with final decision-making authority? Who?
 - Does your clinic use a consensus model in final decision-making (i.e. categories of decisions where the whole team must agree)?
 - How is input and information from the clinic incorporated when making the final decision?
- What is your decision-making process generally?
 - How are clinical team members or staff involved in the process?
 - Does your clinic use a consensus model?
 - If some members are not involved in decision-making, why not?
- What are the barriers or limitations to giving all team members access to knowledge or information necessary to make clinic-wide decisions?
 - How can those barriers be eliminated or diminished?
- What methods does your clinic use to promote transparency in the decision-making process?
 - Does clinic leadership explain decisions and their reasoning?

Professional Development of Staff

- Does your clinic encourage staff to examine their personal professional development goals?
- What concrete tools are available to enable staff to advance in their chosen field or develop in new areas of expertise?
- Do staff members have the opportunity to showcase their individual skills?

Community Building

- Does your clinic prioritize internal community connection?
- Are staff members given the opportunity to share their skills and personal values with their colleagues?
- Does your clinic offer opportunities or events that allow the staff members to make deeper connections across teams?
- Does your clinic create an environment where staff members feel they have a work-life balance?
- Do staff members feel supported when they experience a personal crisis?

Student Engagement and Experience

- Examine the relationship your clinic has with students outside of the clinic.
 - Are clinical events open to the general student body?
 - Has the clinic partnered with student organizations to sponsor events or market resources?
 - Can students use the clinic and staff as a resource if they are not enrolled? For themselves or for their family?
- Does your student outreach reflect your clinic's mission statement and priorities?
- What efforts does the clinic undertake to recruit/outreach/ promote clinic selection and registration from larger body of eligible students?
 - Has the clinic connected with student affinity groups or other organized loci of activity for students of color?
- Have you investigated the perspectives and interests of incoming clinical students and match students with appropriate projects?
 - Does your clinic have students fill out a pre-class questionnaire asking how the student identifies and if there are any concerning subjects that may be discussed in class, or any subjects they would like to be covered in class?
- Does the clinic conduct an onboarding process that makes safety & inclusion a priority and takes steps to socialize the values and culture that it wishes to promote?
- Does your clinic conduct ongoing formal or informal assessments of the student experience throughout the semester?
- Do instructors maintain relationships with clinical students and support their efforts to achieve their goals and access new opportunities?
- Does the relationship between staff members and students make intentional space to discuss issues of racial justice?

- Does the clinic conduct ongoing internal trainings or rounds sessions with students to promote these values?
- What steps does the clinic take to acknowledge that the racial reality of white people in the U.S. is very different from the racial reality of Black people and other people of color?
- What does the clinic and its supervisors do as an intentional component of student supervision to facilitate dialogue about diversity, equity and inclusion issues?
- What measures are in place to evaluate a student's performance in connection with navigating issues of diversity, equity and inclusion?

Project and Case Selection

- What macro-level factors does the clinic take into account to shape its portfolio of work?
 - Does it consider the implications of who, or which communities, get access to the clinic's resources?
- What micro-level factors does the clinic take into account to shape the clinic's docket of individual cases and clients?
- If the clinic distinguishes clients by race, ethnicity, and other identities, how are clients referenced to students and other constituencies (e.g., are they assigned cultural stereotypes as shorthand, or otherwise described as "other")?
- Does clinic consider what implications the micro / macro work choices it makes have on the broader community from which its clients are drawn?
- How does the clinic deal with tension that may arise between needs and goals of individual clients and the implications of a client's choices on the larger community?

Training and Education on Diversity, Equity and Inclusion

- What measures does the clinic undertake to train new staff members on issues of cultural competency and/or antiracism – both for their own practice and for the purposes of training law students?
- What regular and ongoing measures does the clinic undertake to train its existing staff on issues of cultural competency and/or antiracism – both for their own practice and for the purposes of training law students?
- Does the clinic employ a method to prompt staff members to ask themselves what experiences they have had with race, privilege and power that filter their perception of society? Or prompt inquiries about what overlapping privilege they have?

Soliciting and Implementing Feedback

- How does your clinic generate feedback from students (e.g. reflection papers, anonymous survey, exit interview)?
- When, how often, and in what form does your clinic gather feedback from students?

- To whom are students are asked to give feedback?
- What methods are used for evaluating the experience specifically of people of color with the clinic (e.g. students, clients, staff, other external parties)?

Hiring & Retention

- How are your clinic's internal hiring processes impacted by the larger institution?
 - Are clinical candidates placed on separate tracks than doctrinal faculty?
 - What are the necessary qualifications for hiring? For promotions?
 - How do the qualifications impact candidates of color?
 - Is there a disparately negative impact?
 - How does your clinic and law school value professional expertise versus scholastic experience?
- What steps, if any, has the law school undertaken to demonstrate a commitment to racial diversity in clinical hiring and retention?
 - What impact do those steps, or lack thereof, have on clinical agency?
- What steps has the clinic undertaken to exhibit commitment to promoting racial diversity in clinical hiring and retention?
- Where is the clinic advertising its job postings to increase the chances of a more diverse audience (e.g. affinity bar associations, local newspapers, Indeed)?
- How does the clinic assess its current hiring and retention atmosphere?
 - Are exit interviews or anonymous surveys used?
- How are staff members empowered to speak out against racial inequity within the clinical setting?
- What steps does your clinic take to practice antiracist values in the hiring and retention of external parties (e.g. contractors, service providers)?

Public Face

- What effect does the clinic's physical location have on what clients it can serve?
 - Does the clinic undertake any measures to mitigate limitations related to the clinic's physical location?
- How does the clinic's relationship with its community partners support or hinder its values related to diversity, equity and inclusion?
- What visual representations are on the clinic's website, marketing materials, office walls?
 - Is the representation genuine or does it tokenize marginalized groups?
 - What other efforts does the clinic undertake to consciously or unconsciously shape the "marketing" of the clinic's work (to students, to the larger community for an awareness or educational purpose)?
- Does the clinic use language of inclusion to refer to groups or communities, that recognizes the preferred terms of a particular community?

- What public-facing information does the clinic publish regarding its approach to issues of racial justice and how the clinic incorporates that work into its larger goals?
- Does the clinic’s mission statement explicitly acknowledge that racism is everyone’s problem—and that the clinic takes responsibility for intentionally working to fight against it?

EXAMINING CLINICAL PEDAGOGY AND INTERPERSONAL RELATIONSHIPS THROUGH AN ANTIRACIST LENS

- Have you read current literature, essays, articles, books on how to engage in antiracist pedagogy in education and specifically in law school clinical and classroom settings?
- Does the syllabus contain a statement of welcoming or inclusion?
- Has the clinic reviewed the syllabus materials for representation of diverse authors and pieces that focus expressly on issues of racial justice?
- Does the seminar have classroom policies and practices to ensure that all students and perspectives are encouraged to be heard?
- Does the clinic acknowledge the trauma of national and other events (like police killings of people of color) on students of color?

Understand the Clinician-Student Relationship

- Do you engage in self-reflection?
- Have you examined your own identity and position relative to your students?
- Have you identified the biases and privileges you’re bringing into the classroom?
- Have you examined how your positionality and individual biases and privileges may impact students?
- Have you taken action steps to create an equitable learning environment?
- Have you thought about the dynamics of supervising and mentoring students with respect to inherent hierarchy unique to the clinical setting, that of boss-employee?
- Have you thought about and educated yourself about the various dynamics and the role of white culture dominance in both the employment and education setting, particularly as it relates to the messages around “professionalism?”
- Have you had discussions with students as a way to break down some of the structures built into those traditional roles and as a way to build new structures that elevate all students, including their lived experiences that may or may not inform their approach to their clinical work?

Grading

- Are you clear and specific with students about how they are being evaluated with clear expectations that allow all students to succeed? Do your grading criteria use subjective terms, and if so, how are you explaining those terms to students?

- If your rubric says, “effectively lays out a case plan,” what does “effective” mean to you and is that communicated to the students with clear examples?
- Have you shared this grading rubric with the students and reviewed it with your students at the beginning of the semester?
- Have you thought about how your grading structure may be rewarding students for social privileges with which they entered the course?
- Have you conveyed the relative weights of the various course assignments and components being graded?
- How often do you provide informal and ongoing feedback to your students?
- Are you breaking down a task and giving incremental feedback, instead of grading only the final product?
 - Are students aware of how they are doing throughout a project or semester and where they have the opportunity to grow before formal grade?
- How often do you provide formalized, structured, written feedback to your students?
- Is your presumption that a student receives a higher grade unless their performance dictates otherwise? Or that a student gets an average grade, unless they show a higher level of performance than their peers?

Examine the Student-Student Relationship

- Have you taken advantage of any resources available at your institution to assist with cross-cultural skill building and learning?
- How have you incorporated lessons learned from your institution’s resources to foster equitable teams, teach cross-cultural skills, and build solidarity among students?
- Have you considered training in learning and building cross-cultural skills?
- Have you considered developing specific exercises that address navigating inevitable disagreements, misunderstanding, and outright offenses that result from working in diverse teams?
- Have you expressly discussed the role that students themselves play in creating an inclusive learning environment?

Recognize and Understand Some of the Common Inhibitors to Student Performance

- Have you engaged in study around barriers to student performance, like stereotype threats, chronic stress, racial trauma, tokenization, lack of relatable mentors, microaggressions, and imposter syndrome?
- Have you examined how you provide feedback to your students in a way that considers the barriers discussed?
- Have you learned the names and faces of all of your students?

Value the Student’s Lived Experience as a Form of Expertise that Guides the Student-Clinician and the Student-Client Relationships

- Have you created a teaching space that values student individuality and varied lived experiences? Have you been transparent in your pedagogical values?
- Do you ask students to share their backgrounds, motivations, and concerns that they may have about clinic work or legal study?

Train Students to Recognize and Confront Systemic Racism as the Next Generation of Legal Professionals

- Have you examined and discussed with students how systemic racism affects the systems and structures your students are working in?
- Have you educated yourself and your students about the role that one's lived experiences may play in understanding or not understanding the dynamics at play in individual or systemic work?
- Have you thought about how lived experiences may be a tool for social change?

Assess and Reassess Your Syllabus Through an Antiracist Self-Audit

- Have you included a statement in your syllabus about your intention to create an inclusive, antiracist classroom (may include examples about standards that you hold yourself to and statements about student should treat one another and approach difficult conversation)?
- How do you signal to students that all perspectives are encouraged and welcomed?
 - Have you provided different ways that students may meet your class participation requirements including softening some of the language from "shall" to "are welcome" to participate as a signal to students from all backgrounds who may not be comfortable speaking up or challenging their peers?
- Are you familiar with Critical Race Theory? Are you open to discussing its impact on your clinical work with your students?
- Have you considered teaching from an "anti-disciplinary lens" which includes expanding out from judicial decisions and examining more closely how social structures and politics inform those decisions in the first place?
- Do you include sources beyond textbooks to include recent news articles, opinion pieces, white papers, and other advocacy documents that demonstrate the ways in which white supremacist policies play out in the ground, in your clinical work?

Teach Justice, Fairness, and Morality

- Do you consider it part of your work to teach justice, fairness, and morality? If not, why not? If yes, what tools are you developing to support your teaching skills?
- Do you point out to students where unfairness and injustice live and fester and demonstrate that lawyers can and should push back on these policies and laws?

- Are you transparent with your students that you are teaching them skills that you hope they will use to dismantle injustices based on white supremacist values?
- Do you see it as your role to help students understand how everyday injustices – not just the injustices that appear in casebooks and courtrooms-underline the lives of people of color, and what lawyers can do to take action?