

# **KATHERINE R. KRUSE**

**Mitchell Hamline School of Law**

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## **PROFESSIONAL EXPERIENCE**

Mitchell Hamline School of Law

Professor of Law, 2016-present.

Vice Dean of Academic and Faculty Affairs, 2019-2020.

Associate Dean of Academic Affairs, 2016-2017.

Hamline University School of Law

Professor of Law, 2012-2015.

Associate Dean of Academic Affairs, 2015.

Associate Dean of Experiential Education and Curriculum, 2013-2015.

William S. Boyd School of Law, University of Nevada Las Vegas

Professor of Law, 2008-2012.

Associate Professor of Law, 2002-2008.

Fordham University Law School

Visiting Professor of Law, 2010.

American University, Washington College of Law

Visiting Associate Professor of Law, 2001-2002.

University of Wisconsin Law School

Clinical Associate Professor of Law, 1995-2001.

Clinical Assistant Professor of Law, 1992-1995.

Clinical Instructor, 1990-1992.

Law Clerk, Chief Judge Barbara B. Crabb

Federal District Court, Western District of Wisconsin, 1989-1990.

## **EDUCATION**

J.D. University of Wisconsin Law School, 1989.

M.A. University of Wisconsin-Madison, 1986.

Department of Philosophy

B.A. Oberlin College, 1984.

High Honors in Philosophy

## **LAW SCHOOL AWARDS AND HONORS**

Daniel B. Grady Award (to the top-ranking student in the graduating class)

Salmon Dalberg Award (to the outstanding student in the graduating class)

*Magna cum laude*

Order of the Coif

*Wisconsin Law Review* (Articles Editor, 1988-89)

## **PUBLICATIONS AND WRITING**

### **Books:**

Part Two, Philosophy of Legal Ethics, in *LEGAL ETHICS, PROFESSIONAL RESPONSIBILITY, AND THE LEGAL PROFESSION*, with Stephen Pepper (2018).

*LAWYERS AND CLIENTS: CRITICAL ISSUES IN INTERVIEWING AND COUNSELING*, with Stephen J. Ellmann, Robert D. Dinerstein, Isabelle R. Gunning and Ann C. Shalleck (2009).

### **Articles:**

*Mitchell Hamline School of Law Summer 2020 Covid-19 Legal Response Clinic*, 28 *CLINICAL L. REV.* 301 (2021) (co-authored with Natalie Netzel, Ana Pottratz Acosta, Joanna Woolman, and Jon Geffen)

*Clinical Scholarship and Scholarship by Clinicians*, 26 *CLINICAL L. REV.* 307 (2019).

*Wrongful Convictions and Upstream Reform in the Criminal Justice System*, 3 *TEX. A&M L. REV.* 367 (2015).

*Client Problem-Solving: Where ADR and Lawyering Skills Meet*, 7 *ELON L. REV.* 225 (2015).

*Legal Education and Professional Skills: Myths and Misconceptions about Theory and Practice*, 45 *MCGEORGE L. REV.* 7 (2013).

*Professional Roles and Professional Judgment: Theory and Practice in Legal Ethics*, 9 *U. ST. THOMAS L. REV.* 250 (2011).

*Getting Real About Legal Realism, New Legal Realism and Clinical Legal Education*, 56 *N.Y.L. SCH. L. REV.* 295 (2011/12).

*The Jurisprudential Turn in Legal Ethics*, 53 *ARIZ. L. REV.* 493 (2011).

*Beyond Cardboard Clients in Legal Ethics*, 23 *GEORGETOWN J. LEGAL ETHICS* 103 (2010).

*In re Gault and the Promise of Systemic Reform*, 75 *TENN. L. REV.* 287 (2008).

*Instituting Innocence Reform: The Wisconsin Experience*, 2006 WIS. L. REV. 645.

*Fortress in the Sand: The Plural Values of Client-Centered Representation*, 12 CLINICAL L. REV. 369 (2006).

*Lawyers, Justice and the Challenge of Moral Pluralism*, 90 MINN. L. REV 389 (2005).

*Biting Off What They Can Chew: Strategies for Involving Law Students in Problem-Solving Beyond Individual Client Representation*, 8 CLINICAL L. REV. 405 (2002).

*Race, Angst and Capital Punishment: the Burger Court's Existential Struggle*, 9 SETON HALL CONSTITUTIONAL L. J. 67 (1998).

**Essays, Commentaries, and Reviews:**

*Working with Traditional Lawyers*, 47 HOFSTRA L. REV. 91 (2018), in *Movement Lawyering Roundtable Symposium* (with Mary Yanik).

*Lessons of Love and Justice for Criminal Defense Lawyers*, 17 LEGAL ETHICS 324 (2014) (invited review of Robert K. Vischer, Martin Luther King Jr. and the Morality of Legal Practice: Lessons in Love and Justice)

*Fidelity to Law and Moral Pluralism Premise*, 90 TEX. L. REV. 635 (2012) (invited review of W. Bradley Wendel, Lawyers and Fidelity to Law).

*The Promise of Client-Centered Professional Norms*, 12 NEV. L.J. 341 (2012).

*Engaged Client-Centered Representation and the Moral Foundations of Legal Representation*, 39 HOFSTRA L. REV. 577 (2011) (Howard Lichtenstein Distinguished Professorship of Legal Ethics Lecture).

*Forum: Philosophical Legal Ethics: Ethics, Morals and Jurisprudence*, 13 LEGAL ETHICS 165 (2010) (with Alice Woolley, Bradley Wendel, William Simon, Stephen Pepper, Daniel Markovits, and Tim Dare).

*Lawyers in Character and Lawyers in Role*, 10 NEV. L.J. 393 (2010).

*The Human Dignity of Clients*, 93 CORNELL L. REV. 1343 (2008) (invited review of David Luban, Legal Ethics and Human Dignity).

*Standing in Babylon, Looking Toward Zion*, 6 NEV. L.J. 1323 (2006).

*Learning From Practice: What ADR Needs From a Theory of Justice* 5 NEV. L. J. 389

(2004/2005).

*Lawyers Should Be Lawyers, But What Does That Mean?: A Response to Aiken & Wizner and Smith*, 14 WASH. U. J. L & POL'Y 49 (2004).

## **TEACHING**

### **Classroom teaching**

Criminal Law

Professional Responsibility

Evidence

Wrongful Convictions (seminar)

Racism and Criminal Justice (seminar)

Law & Contemporary Problems: Mental Health Systems (seminar)

### **Clinic teaching**

Wrongful Conviction and Sentencing Clinic (Mitchell Hamline, 2022-present)

COVID Response Clinic (Mitchell Hamline, 2020)

Criminal Law Residency (Mitchell Hamline, 2017-2019)

Criminal Misdemeanor Clinic (Hamline, 2012-2014)

Innocence Clinic (UNLV, Director, 2008-2012)

Juvenile Justice Clinic (UNLV, Co-Director, 2002-2008)

Criminal Defense Clinic (Fordham, Visiting Professor, fall 2010)

Criminal Justice Clinic (American University, Visiting Associate Professor, 2001-2002)

Family Law Project (Wisconsin, Director, 1998-2001)

Criminal Appeals Project (Wisconsin, Director, 1993-2001)

Mental Health Project (Wisconsin, Co-Director, 1994-96)

Legal Assistance to Institutionalized Persons Project (Wisconsin, 1990-2001)

## **PROFESSIONAL POSITIONS**

President, Clinical Legal Education Association (CLEA), 2013.

Secretary, Clinical Legal Education Association (CLEA), 2009-2011.

Co-Chair, CLEA Advocacy Committee (2010-2016)

Co-Editor-in Chief, CLINICAL LAW REVIEW, 2003-2013.

Board of Editors, CLINICAL LAW REVIEW, 1999-2003.

Co-Chairperson, Western Juvenile Defender Center (regional center of the National Juvenile Defender Center) (2006-2008).

Co-Chairperson, Clinical Scholarship Committee, AALS Section on Clinical Legal Education (2003-2009).

## **PROFESSIONAL COMMITTEES AND BOARDS**

Minnesota Board of Law Examiners Competency Study, Working Group on Curricular Pathway to Bar Licensing (2022)

Minnesota State Bar Association, Future of Legal Education Task Force (2014-2015).  
 Steering Committee, Alliance for Experiential Learning in Law (2013-2015).  
 Planning Committee, AALS Workshop on Clinical Legal Education (2013 Workshop)  
 (chairperson).  
 Board, Loan Repayment Assistance Program (2012-2015).  
 Board, Law School Initiative Committee (2012-2015).  
 Task Force on the Status of Clinicians and the Academy, AALS Clinical Section (2007-2010).  
 Executive Committee, Juvenile Detention Alternatives Initiative, Clark County, Nevada (2006-  
 2008).  
 Planning Committee, AALS Workshop on Clinical Legal Education (2007 Workshop).  
 Planning Committee, Governor's Summit on Juvenile Justice: Building an Alliance for Nevada's  
 Youth (2003).  
 Planning Committee, AALS Workshop on Clinical Legal Education (2003 Workshop).  
 Executive Committee, AALS Section on Clinical Legal Education (2002).  
 Annual Meeting Program Committee, AALS Section on Clinical Legal Education (2001)  
 (chairperson).  
 AALS Litigation Section, AALS (2001) (chairperson).  
 Governing Board of Criminal Law Section, Wisconsin State Bar (2000-2001).  
 Pro Se Working Group, Wisconsin Supreme Court (1999- 2000).  
 Committee on Pro Se and Pro Bono Litigation, Western District of Wisconsin Federal Bar  
 Association (1992-1995) (chairperson).

## **ACADEMIC CONFERENCE AND PAPER PRESENTATIONS**

*Navigating Bar Admission Reform as Clinicians: The NextGen Bar Exam and Alternatives Paths to Licensure*

AALS Conference on Clinical Legal Education, St. Louis, May 2024

*A Hard Rain's A-Gonna Fall: Clinical Legal Education in the New Bar Licensing Era*

Midwest Clinical Conference, Minneapolis, October 2023

*Unholy Alliances of Bar Examiners and Clinicians: Perils & Reasons for Hope*

AALS Clinical Conference, San Francisco, May 2023.

*"Canceling" Lawyers: Public Criticism for Representing Unpopular Clients*

International Legal Ethics Conference, UCLA, August 2022.

*Legal Ethics in the Shadow of the Law*

Legal Ethics Conference, California Western School of Law, March 2019.

*Movement Lawyering Ethics Roundtable* (by invitation)

Hofstra University School of Law, April 2018.

Legal Ethics Schmooze, University of California, Los Angeles, July 2017.

Workshop on Jurisprudence and Legal Ethics, University of San Francisco, February 2017.

*Legal Ethics in the Low-Bono Space*

International Conference on Legal Ethics VII, Fordham Law School, July 2016.

*Curricular Reform to Integrate Skills and Doctrine*

Innovation Summit, West Academic, July 2016.

Book Conference on BARRY FELD, KIDS ARE DIFFERENT: COMPETENCE, CULPABILITY, EQUALITY, AND THE JUVENILE COURT.  
 University of Minnesota, May 2016.

Facilitator, *Works-in-Progress Session*  
 AALS Clinical Conference, Baltimore, May 2016.

*Town Hall on Changes to ABA Standards*  
 Extenships 8 Conference, March 2016.

*Legal Ethics, Jurisprudence, and Legitimacy*  
 Legal Ethics Schmooze, Stanford University School of Law, June 2015.

*Upstream Reform and Downstream Enforcement of Eyewitness Identification Procedures*  
 Hamline-Bergen faculty exchange, University of Bergen, Norway, May 2015.

*Wrongful Convictions and Upstream Reform*  
 Innocence Network Conference, May 2015.

*ABA Standards: Changes and Opportunities*  
 Mountain West Regional Clinic Conference, October 2014.

*The New Regulatory Environment in Legal Education: Emerging Rules for Accreditation and for State Bar Licensure*  
 SALT Teaching Conference, October 2014

*Ignite Presentation: Hamline Skills Labs*  
 Educating Tomorrow's Lawyers Conference, September 2014.

*Report of the Cost and Sustainability Working Group*  
 Second National Symposium on Experiential Education, Elon University, Greensboro, North Carolina, June 2014.

*Teaching Demonstration: Family Law Skills Lab*  
 Emerging Family Law Scholars Conference, University of Minnesota, May 2014.

*The In-House Clinic in the New Landscape of Experiential Education*  
 AALS Clinical Conference, Chicago, Illinois, April 2014.

*The Challenges of Harnessing Holistic Curricular Reform*  
 28<sup>th</sup> Annual Midwest Clinical Conference, University of St. Thomas, Minneapolis, Minnesota, November 2013.

*Curricular Reform in an Era of Austerity: The "Real" Costs of Experiential Education*  
 Southeastern Association of Law Schools, Palm Beach, Florida, August 2013.

*Legal Education and Professional Skills: Myths and Misconceptions*  
 Symposium: The State and Future of Legal Education, McGeorge School of Law, Sacramento, California, April 2013.

*Individual/Corporation: Is There a Difference in the Fundamental Ethical Obligations Depending Upon the Nature of the Client?*  
 Fifth International Conference on Legal Ethics, Banff Conference Center, Alberta, Canada, July 2012.

*Teaching Goals, Skills and Values of Clinical Legal Education*  
 AALS Conference for New Clinical Law Teachers, Washington, D.C., June 2012.

*Professional Roles and Professional Judgment: Why Theory Matters*

The Lawyer's Role and Professional Formation, University of St. Thomas Law Journal  
Fall 2011 Symposium, University of St. Thomas, Minnesota, September 2011.

*The Jurisprudential Turn in Legal Ethics*  
The Ted Schneyer Ethics Symposium: Lawyer Regulation for the 21st Century, James E. Rogers College of Law, University of Arizona, January 2011.

*Engaged Client-Centered Representation and the Moral Foundations of Legal Representation*  
Howard Lichtenstein Distinguished Professorship of Legal Ethics Lecture, Hofstra Law School, October 2010.

*The New Legal Realist Voice of Clinician-Scholars*  
New York Clinic Theory Workshop 25<sup>th</sup> Anniversary Conference, New York Law School, October 2010.

*Philosophical Legal Ethics: Ethics, Morals and Jurisprudence*  
Fourth International Conference on Legal Ethics, Stanford Law School, July 2010.

*Security of Position Working Concurrent Session*  
AALS Conference on Clinical Legal Education, Baltimore, May 2010.

*Racism and Wrongful Convictions*  
AALS Conference on Clinical Legal Education, Baltimore, May 2010.

*Lawyers and Clients: Critical Issues in Interviewing and Counseling*  
UCLA, The Pedagogy of Legal Interviewing and Counseling II, October 2009.

*Engaged Client-Centered Representation*  
Wayne State University, Midwest Clinical Conference, October 2009.

*Colloquium: Discussing David Luban's Legal Ethics and Human Dignity*  
Cornell Law School, October 2008.

*Legal Ethics Shmooze*  
Fordham Law School, June 2008.

*Ethics, Theory, and Lawyer Practice: A Conversation*  
Denver University Sturm College of Law, April 2008.

*In re Gault and the Promise of Systemic Reform*  
University of Tennessee, 60<sup>th</sup> Anniversary of Clinical Program, September 2007.

*Beyond Cardboard Clients in Legal Ethics*  
American University Washington College of Law, Faculty Speaker Series, March 2007.

Conference Organizer, *Interdisciplinary Perspectives on Clinical Education in the Western Frontier*  
Mountain West Regional Clinical Conference, Las Vegas, Nevada, November 2006.

*Interviewing and Counseling in Context: Using Collaborative In-Class Case Work to Bridge Theory and Practice*  
The Pedagogy of Interviewing and Counseling: Models, Techniques and Technology, UCLA, October 2006.

*Vision: Transforming Reassessment* (panel moderator)  
AALS Annual Meeting Workshop on Evaluating Students and Evaluating Outputs: Vision, Revision, Envision: Critical Perspectives in Assessment, San Francisco, January 2005.

*Client-Centered Counseling and Social Justice*

AALS Workshop on Clinical Legal Education, San Diego, May 2004.

*Ethical Challenges in Interdisciplinary Teaching and Practice: Mental Health and the Law*

Justice, Ethics and Interdisciplinary Teaching and Practice: Mental Health Law,  
Washington University-St. Louis Law School, St. Louis, March 2004.

*Designing Clinic Space*

2003 Bricks, Bytes and Continuous Renovation Conference, American Bar Association  
Section of Legal Education and Admission to the Bar, Boston, Massachusetts, March  
2003.

*Creating Scholarship to Make Us Better Teachers*

AALS Workshop on Clinical Legal Education, Montreal, Quebec, May 2001.

*Making Space for Scholarship*

AALS Workshop on Clinical Legal Education, Montreal, Quebec, May 2001.

*Prisoner Litigation: the problem of growing numbers*

AALS Conference on Clinical Legal Education, Albuquerque, New Mexico, May 2000.

Conference Organizer, *Clinical Education: Challenges for the New Millennium*,

Midwest Clinical Conference, Madison, Wisconsin, November 1999.

*Diversity: Who, Why and How?*

Midwest Clinical Conference, Madison, Wisconsin, November 1999.

*Teaching Values in Nonclinical Courses: Talking about Racism*

AALS Conference on Clinical Legal Education, Portland, Oregon, May 1998.

*Race and the Criminal Justice System*

Reinventing Progressivism in the Wisconsin Tradition, University of Wisconsin Law  
School, Madison, Wisconsin, April 1998.

*Prison, Parole or Prevention: How the State Allocates Money*

National Organization of Women, Madison Chapter, Madison, Wisconsin, December 11,  
1997.

*Use of Film in the Classroom*

Midwest Clinical Conference, Case Western Reserve University School of Law, October  
1996.

**CONTINUING LEGAL EDUCATION PRESENTATIONS**

*Wrongful Conviction and Sentencing Review* (October 2021)

Minnesota State Bar Association

*Minnesota Supreme Court Case Update* (December 2019)

*Not in My Neighborhood: An Analysis of 20th Century Residential Segregation* (February 2019)

Minnesota Landmarks

*Navigating the Ethical Waters of Small and Solo Practice* (October 2018)

Wisconsin State Bar Small and Solo Practice Section

*Justice, Redemption, and Empathy: The Opera of Dead Man Walking* (January 2018)

Mitchell Hamline School of Law

*Ethics: The Water Law Context* (April 2012)



CLE International, Law of the Colorado River Conference  
*Nevada Criminal Law Update* (April 2011)  
 Nevada Conference of District Court Judges  
*Advanced Evidence: Expert Testimony in Criminal Cases*  
 State Bar of Nevada (March 2010).  
*Experts: Getting Your Money's Worth*  
 State Bar of Nevada (May 2009).  
*How the Bar and the Law School Can Work Together to Prepare New Lawyers for Practice in Nevada*  
 10<sup>th</sup> Anniversary Boyd School of Law CLE Series (March 2009).  
*Ethics and the Gaming Industry*  
 ABA 13<sup>th</sup> Annual National Institute on Gaming Law Minefield (February 2009).  
*Professional Judgment in Ethics: Water Law Dilemmas*  
 National Wetlands Conference (June 2007)  
 CLE International, Law of the Colorado River Conference (May 2007).  
*Ethics and the Gaming Industry,*  
 ABA 11<sup>th</sup> Annual National Institute on Gaming Law Minefield (February 2007).  
*Ethical Challenges for the Gaming Law Practitioner,*  
 Nevada State Bar Gaming Law Conference (November 2006).  
*New Ethical Challenges for Juvenile Defenders,*  
 Nevada Juvenile Defender Summit (September 2006).  
*Ethical Challenges for New Practitioners,*  
 William S. Boyd School of Law Alumni Association (May 2006).  
*Ethical Challenges for the Gaming Practitioner,*  
 Nevada State Bar Gaming Law Conference (Nov. 2005)  
*Confrontation After Crawford,*  
 Nevada Judges Association, Limited Jurisdiction Judges (January 2005) and District Court Judges (April 2005)  
*Evidentiary Privileges in Tax Controversies,*  
 ABA Taxation Section, CLE Teleconference, January 2004  
*Ethics Changes on the Horizon*  
 Nevada State Bar, CLE Smorgasbord, December 2003  
*Preserving the Record: Waiver of Claims*  
 State Public Defender Conference, October 1996.  
*Ethical Problems: Representation of the Incarcerated Litigant*  
 Western District Bar Association Seminar on Section 1983 Law and Prisoner Litigation (Nov. 1993, Nov. 1994 and Dec. 1996).  
*Sentence Modification: What is a New Factor?*  
 State Public Defender Conference, October 1991.