

**RESUME
SUSAN L. KAY**

Vanderbilt University Law School
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EMPLOYMENT BACKGROUND

2002 – present Associate Dean for Clinical Affairs
Oversee the law school's live client clinical courses, externship program and simulation courses.

2001- 2002 Assistant Dean for Clinical Programs

1995- present Clinical Professor of Law (formerly Professor of the Practice of Law)

1991-1995 Associate Professor of the Practice of Law

1989-1991 Assistant Professor of the Practice of Law

1980-1989 Instructor in Clinical Law

Current Teaching : Evidence (2006-11), Criminal Law (2004-06; 2012-14), Professional Responsibility (1994-2004); Criminal Practice Clinic in which students represent defendants in felony cases, from indictment through sentencing and appeal, state post-conviction cases, represent juveniles in delinquency cases, and represent plaintiffs in federal civil rights cases affecting prisoners and pre-trial detainees (1980-present); Supervise externs (1999-present); Coordinate ten section course on Trial Advocacy, taught by adjuncts (1992-present).

Previous Teaching: "Post-Conviction Criminal Procedure" (1982-2000); Federal Civil Rights Legislation (1987) (co-taught with Professor Robert Belton, 1985-86); Civil Rights Clinic (with Professor Robert Belton) in which students represented plaintiffs in 42 U.S.C. § 1983 cases in the Middle District of Tennessee, from complaint through trial, both jury and non-jury (1984-86); Faculty Advisor and Coach, National Moot Court Team (1986-93; 1997- 2007) (National Champions, 1992-93; National Runners-Up, 1991-92; National Best Brief Award, 1989-90; National Semi-finalists, 1988-89; Regional Champions, 1988-89, 1989-90, 1991-92, 1992-93; 1999-2000; Regional Runners-Up, 1987-88, 2006-07).

1979-1980 Law Clerk, Honorable Jerry Scott, Judge, Tennessee Court of Criminal Appeals.

RESUME - Susan L. Kay

Page 2

VISITING POSITIONS

Summer 1985 Visiting Attorney, NAACP Legal Defense and Educational Fund, Inc., New York, New York.

EDUCATIONAL BACKGROUND

May 1979 J.D., Vanderbilt University Law School, Nashville, Tennessee;
Legal Aid Award.

June 1976 B.A., cum laude, Williams College, Williamstown, Massachusetts;
History Major.

PROFESSIONAL AFFILIATIONS

2014- present Accreditation Committee, ABA Section on Legal Education and Admission to the Bar

2011-2014 Standards Review Committee, ABA Section on Legal Education and Admission to the Bar

2015- present Tennessee Supreme Court Task Force on the Appointment of Counsel

2014-present Davidson County Domestic Violence Death Review Team

2012-2013 Executive Committee, Mayor's Task Force on Domestic Violence

2013-2015 Committee Revising Tennessee Rules of Juvenile Procedure

2005-present Court Appointed Monitor in *John B., et al. v. Mencke, et al.*, Case No. 3:98-0168 (M.D. Tenn.).

2005-2007 Law School Admissions Council Committee on Test Development and Research.

2007-2009 Chair, Law School Admission Council Work Group on Accommodated Testing

2005-present Tennessee Bar Association Committee on Ethics and Professionalism.

1998-2001 Member, Tennessee Indigent Defense Commission.

1997-1999 Advisory Panel, Tennessee Juvenile Justice Reform Commission.

RESUME - Susan L. Kay

Page 3

- 2002-2007 Board of Directors, Clinical Legal Education Association; Vice-president, 2005; President, 2006.
- 1996-1997 Planning Committee, Association of American Law Schools Clinical Workshop for 1996.
- 1994-1997 Executive Committee, Association of American Law Schools Section on Clinical Legal Education.
- 1986-1990 Committee on the Future of In-House Legal Clinics, Association of American Law Schools Section on Clinical Legal Education.
- 1992-1994 Editorial Board, "Correctional Health Care Management," published by American Health Care Consultants.
- 1995-2001 Board of Directors, National Commission on Correctional Health Care (ABA representative); Member, Policy and Standards Committee; Member, Juvenile Committee.
- 1997-2001 Task Force on Juveniles in the Adult System of the Standards Committee of the ABA Criminal Justice Section.
- 1996-1997 Continuing Legal Education Committee of the Criminal Justice Section of the American Bar Association.
- 1997 Nominating Committee of the Criminal Justice Section of the American Bar Association.
- 1990-2000 Committee on Race and Racism in the Criminal Justice System of the Criminal Justice Section of the American Bar Association; Co-chair, 1990-92.
- 1988-present Committee on Corrections and Sentencing of the Criminal Justice Section of the American Bar Association; Vice-chair, 1992-95; Co-chair, 1995-96 and 1997-98; Chair, 1996-97.
- 1998-present Committee on Women in the Criminal Justice System of the Criminal Justice Section of the American Bar Association.
- 1998-present Juvenile Justice Committee of the Criminal Justice Section of the American Bar Association.
- 1981-1983 Chairperson, Committee on Arrest and Detention, Tennessee Criminal Justice Commission, a blue ribbon panel funded by a

RESUME - Susan L. Kay

Page 4

grant from the Edna McConnell Clark Foundation to look into alternatives to incarceration.

- 1984-1991
1995-1996 Board of Directors, Tennessee Association of Criminal Defense Lawyers; Committee preparing death penalty defense manual for Tennessee attorneys; Law school liaison; Amicus committee chair.
- 2001-present Board of Directors, Tennessee Alliance for Legal Services; vice president, 2006-2008; president, 2008-2010.
- 1992-1993 and
2001-present Board of Directors, Legal Aid Society of Middle Tennessee, Inc.; Treasurer, 2004-2006; Second Vice-President, 2006-2008; First Vice-President, 2008-2010; President, 2010-2012.
- 2002-2013 Board of Directors, Nashville Pro Bono, Inc.;
- 2000-2002 Tennessee Bar Association Committee on Legal Education and Admission to the Bar; Chair, 2001-02.
- 2001-2002 Tennessee Bar Association Juvenile Justice Commission.
- 1999-present Board of Directors, ACLU of Tennessee; Chair, Legal Committee; Vice-President, 2001-2009; President, 2009-present.
- 1984-1985 Committee organized by Chief Judge Thomas A. Wiseman, Jr., United States District Court for the Middle District of Tennessee to review Tennessee's Prison Grievance Procedures.
- 1986 Community Resource Board, Tennessee Sentencing Support Center.

COMMUNITY ACTIVITIES

- 1997-2002 Board of Directors, Vanderbilt Center for Health Services; Vice Chair, 1999-2000; Chair, 2000-02.
- 1998-2003 Board of Directors, Jewish Family Service of Middle Tennessee; President-Elect, 1999-2001; President, 2001-03.
- 1991-1994 Board of Directors, Reconciliation, Inc.; Chair, Administrative Committee, 1991-93.
- 1982-1986 Board of Directors, Rape and Sexual Abuse Center of Davidson County, Inc.; President, 1982-84.

RESUME - Susan L. Kay

Page 5

- 1982-1985 Steering Committee, WEAV - Woman's Equity at Vanderbilt.
- 1980-1983 Vanderbilt Prison Project Advisory Board, a subcommittee of the University Committee on Religious Affairs.
- 1992-1993 and Lawyers' Association for Women; Chair, Banquet Committee; Co-
1996-1998 chair, Program Committee; Board of Directors and Newsletter Editor.

PRESENTATIONS

Ethical Responsibilities of Government Lawyers, Tennessee Attorney General's Office CLE Program, April 29, 2015

Prosecutorial Ethics, Davidson County District Attorney's Office CLE Program, February 17, 2014

Promoting Pro Bono Among Lawyers and Law Students: Lessons to Learn from Experiences in Poland and the United States (Including Mandatory Pro Bono in New York), Global Alliance for Justice Education, Delhi, India, December 10, 2013

Ethics in Child Dependency Cases, Nashville, Tennessee, November 26, 2013

NITA Program for Juvenile Court Practice, instructor, August, 2013

Prosecutorial Ethics, Davidson County District Attorneys' Office CLE Program, Nashville, Tennessee, February 18, 2013 and February 17, 2013

And Justice [Education] for All: Integrating and Assessing Justice Education in the Traditional Law School Curriculum, Global Alliance for Justice Education, Valencia, Spain, July 2011.

Is it a Clinic, an Externship or Something Else? Shedding Orthodoxies While Developing Transformative Conceptual Frameworks for Experiential Learning Opportunities, SALT Biennial Teaching Conference, Honolulu, Hawaii, December 11, 2010

Supervising New Lawyers, All Staff Meeting, Legal Aid Society of Middle Tennessee and the Cumberland, November 11, 2010

RESUME - Susan L. Kay

Page 6

Re-vision Quest: A Law School Guide to Designing Experiential Courses Involving Real Lawyering, New York Law School Clinical Theory Workshop, October 1, 2010.

Coaching Moot Court Teams, SEALS Annual Conference, Palm Beach, Florida, July 31, 2010

Professional Responsibility Issues, Nashville Bar Association, December 10, 2009.

Professional Responsibility Issues in the Ossian Sweet Case, Midwest Clinical Teachers Conference, Detroit, Michigan, October 10, 2009.

Evidence, Equal Justice Conference, Paris Landing State Park, Tennessee, September 24, 2009.

Professional Responsibility, Office of the Tennessee Attorney General, Nashville, Tennessee, August 5, 2008.

Professional Responsibility, Vanderbilt Alumni Reception, Chicago, Illinois, November 4, 2007.

Mediation and Advertising, ABA Annual Meeting, San Francisco, CA, August 6, 2007.

Evidence, Office of Tennessee Attorney General, Nashville, Tennessee, June 21, 2005.

Trial Advocacy, Train the Trainers, Global Alliance for Justice Education, Krakow, Poland, July, 2004.

Student Practice Rules, Session at AALS Workshop on Clinical Legal Education, San Diego, California, May, 2004.

Professional Responsibility, Tennessee Alliance for Legal Services, Nashville, Tennessee, October, 2002.

Trial Advocacy, Train the Trainers, Global Alliance for Justice Education, Durban, South Africa, December 10-11, 2001.

Juvenile Delinquency and Transfer, Tennessee Public Defenders Conference, Chattanooga, Tennessee, October 25, 2001.

Evidence, Rutherford County Bar Association, Murfreesboro, Tennessee, October 12, 2001.

Discovery in Civil Litigation, Tennessee Attorney General's Office, Nashville, Tennessee, October 10, 2001.

RESUME - Susan L. Kay

Page 7

Tennessee Rules of Evidence, Nashville Bar Association, Nashville, Tennessee, September 21, 2000.

Update of Ethics, Federal Bar Association, Chattanooga, Tennessee, July 21, 2000.

Rule 404(b), Tennessee Association of Criminal Defense Lawyers, Nashville, Tennessee, January 28, 2000.

Ethics in Criminal Practice, Nashville Bar Association, November 16, 1999.

Ethics in Environmental Practice, Tennessee Bar Association, Nashville, Tennessee, November 10, 1999.

Evidence and Ethics, Federal Bar Association, Chattanooga, Tennessee, February 19, 1999.

Evidence, TACDL, Nashville, Tennessee, October 16, 1998.

Update on Evidence and Update on Professional Responsibility, Federal Bar Association, Chattanooga, Tennessee, July 10, 1998.

The Proposed New Rules of Professional Conduct, Tennessee Association of Legal Services, Fall Creek Falls State Park, November 13, 1997.

The Effect of the Proposed Rules of Professional Conduct on State Attorneys and Lobbyists, Nashville Bar Association, November 6, 1997.

Evidence, Lawyers' Association for Women, Marion Griffin Chapter, Nashville, Tennessee, October 21, 1997.

Lawyer Advertising and Lawyer Solicitation, Vanderbilt University School of Law CLE Program, Nashville, Tennessee, October 17, 1997.

Ethics and Professional Responsibility, Nashville Bar Association, July 25, 1997.

Ethical Issues in Criminal Practice, Nashville Bar Association and Tennessee Association of Criminal Defense Lawyers, Nashville, Tennessee, November 28, 1995.

Parity in Community Corrections, Sixth National Conference on Women Offenders, Myrtle Beach, South Carolina, November 7, 1995.

Professional Responsibility: Avoiding Conflicting Interests and Conflicting Loyalties, Vanderbilt University School of Law, CLE Program, Nashville, Tennessee, October 13, 1995.

RESUME - Susan L. Kay

Page 8

Professional Responsibility, Vanderbilt University School of Law CLE Program, Nashville, Tennessee, October 21, 1994.

Qualified Immunity, Federal Judicial Center program for senior staff attorneys, Nashville, Tennessee, April 19, 1994.

Sentencing Update, Tennessee Association of Criminal Defense Lawyers, Knoxville, Tennessee, October 9, 1993.

Probation and Parole: A New Vision, American Correctional Association Annual Meeting, Nashville, Tennessee, August 4, 1993.

Prison Privatization, Leadership Nashville, Nashville, Tennessee, March 4, 1993.

Class Actions, Federal Practice Training, Office of Kentucky Legal Services Programs and Tennessee Association of Legal Services, Nazareth, Kentucky, September 15, 1992.

Broadening the Context: Understanding the Legal System from the Clinical Experience, panelist at AALS Conference on Clinical Legal Education, Albuquerque, New Mexico, May 9-13, 1992; also served as small group leader throughout the conference.

Defending Battered Women, Tennessee Association of Criminal Defense Lawyers, Knoxville, Tennessee, February 15, 1992, Chattanooga, Tennessee, February 22, 1992 and Memphis, Tennessee, April 11, 1992.

Dream Deferred: Black Men in the Criminal Justice System, ABA Annual Meeting, Atlanta Georgia, August 12, 1991.

Defending the Battered Woman, sponsored by the Tennessee Taskforce on Domestic Violence and the Tennessee Association of Criminal Defense Lawyers, Nashville, Tennessee, July 20-21, 1991.

Overcrowded Jails: Metro's Response, American Correctional Association Midwinter Meeting, Nashville, Tennessee, January 17, 1990.

Appropriate Sentencing, ABA Annual Meeting, Honolulu, Hawaii, August 5, 1989.

Indigent Criminal Representation, Tennessee Judicial Conference, Paris Landing State Park, April 14, 1988.

Recent Developments in Eighth Amendment Jurisprudence, Annual Conference of Criminal Justice Science, San Francisco, California, April 6, 1988.

RESUME - Susan L. Kay

Page 9

The Eighth Amendment in Historical Perspective, Mid-America Conference on History, Springfield, Missouri, September 25, 1987.

The Tennessee Criminal Sentencing Reform Act of 1982, Criminal Justice Commission, February 19, 1982.

Alternatives to Incarceration, statewide General Sessions Judges Conference, Gatlinburg, Tennessee, September 10, 1982.

Prisoners as Plaintiffs, Memphis Area United Methodist Conference, October, 1982.

Bail Reform, Alternatives: The Local Perspective, November, 1982, Nashville, Tennessee.

Testified before the American Correctional Association Standards Committee on the advisability of proposals to approve double-celling of medium security inmates, Minneapolis, Minnesota, August 2, 1991.

Testified before the joint Tennessee legislative oversight committee on corrections regarding jail overcrowding, March, 1988.

Testified before joint Tennessee legislative committee regarding the constitutional implications of proposed legislation allowing the use of depo-provera on persons convicted of sexual offenses, August, 1984.

PUBLICATIONS

SKILLS AND VALUES: PROFESSIONAL RESPONSIBILITY (in process, expected completion 8/2016) (Lexis/Nexis) (with Richard Zitrin and Susan McGuigan)

"TESTIFYING IN COURT," chapter in *The Handbook of Forensic Psychology* (co-authored with Randy K. Otto)

SKILLS AND VALUES: CRIMINAL PROCEDURE (Lexis/Nexis 2012) (with William B. Cohen)

"Re-vision Quest: A Law School Guide to Designing Experiential Courses Involving Real Lawyering," 56 N.Y. LAW REV. 517 (2011) (with Deborah Maranville, Mary A Lynch, Phyllis Goldfarb, and Russell Engler)

"ADDRESSING LAWYER COMPETENCE, ETHICS AND PROFESSIONALISM," (with Nigel Duncan), chapter in *The Global Clinical Movement: Educating Lawyers For Social Justice* (Frank S. Bloch ed.) (2010)

TENNESSEE EVIDENCE: 2015-16 COURTROOM MANUAL (with Weissenberger).

RESUME - Susan L. Kay

Page 10

CLINICAL ANTHOLOGY: READINGS FOR LIVE CLIENT CLINICS, (2D ED. 2011) (with Hurder, Bloch and Brooks).

"*Filling in the 'Larger Puzzle': Clinical Scholarship in the Wake of *The Lawyering Process**," 10 Clin. L. Rev. 221 (2003) (with Bloch, Brooks and Hurder).

"Report of the Committee on Effective Assistance of Counsel in Death Penalty Cases," Tennessee Bar Association's Criminal Justice Section (co-reporter), 2005.

"*Implications of Prison Privatization for the Conduct of Prisoner Litigation Under 42 U.S.C. Section 1983*," 40 VAND. L. REV. 867 (1987).

"Criminal Court Practice," Chapter in AIDS BENCHBOOK, published by the National Judicial College and ABA, 1991.

"Appropriate Sentencing," materials prepared for program at ABA Annual Meeting, 1989.

"The Constitutional Dimensions of an Inmate's Right to Health Care," monograph published by the National Commission on Correctional Health Care, October, 1991.

Revised January 2014