

## Clark D. Cunningham



**W. Lee Burge Professor of Law & Ethics**  
*The Burge Chair was established by an endowment from the U.S. District Court for the Middle District of Georgia, using funds collected for alleged lawyer misconduct to promote ethics, professionalism and access to justice.*

Email: [cdcunningham@gsu.edu](mailto:cdcunningham@gsu.edu)  
Georgia State University College of Law  
P.O. Box 4037  
Atlanta, GA 30302-4037  
Phone: (404) 651-1242 Fax: (404) 651-2092

Street Address for Courier Delivery:  
140 Decatur Street, Suite 400  
Atlanta, GA 30303

Faculty Assistant: Karen Butler  
(404) 651-3432 email: [kpbutler@gsu.edu](mailto:kpbutler@gsu.edu)

### Selected Publications

#### Resume

#### Affirmative Action Web Site

#### Professionalism Web Site

#### Lawyer-Client Communication Project

#### In The News ...

#### Recent and Upcoming Activities

Last updated January 11, 2007

**Education: A.B., 1975, Dartmouth College; J.D., 1981, Wayne State University**

#### **Teaches:**

**Professional Responsibility: Heroes & Villains Criminal Justice Fieldwork & Law Reform  
Criminal Justice Clinic Judicial Power**

On June 1, 2002 Professor Cunningham became the first incumbent of the W. Lee Burge Chair in Law & Ethics at the Georgia State University College of Law. He is a member of the Chief Justice of [Georgia's Commission on Professionalism](#) and the [Fulton County Criminal Justice Blue Ribbon Commission](#). In 2004 he served as Co-Reporter to Georgia's [Commission on Indigent Defense](#). He is the director of the [National Institute for Teaching Ethics & Professionalism](#) (NIFTEP) and chairs the Selection Committee for the [National Award for Innovation and Excellence in Teaching Professionalism](#), which is co-sponsored by the ABA Standing Committee on Professionalism and the Conference of Chief Justices. He has served as an [expert on legal ethics](#) in a number of major cases and his reasoning has been adopted by the Missouri Supreme Court and federal courts in Georgia and Illinois in decisions disqualifying lawyers for conflicts of interest.

Professor Cunningham is a widely cited expert on the lawyer-client relationship and directs the [Effective Lawyer-Client Communication Project](#), an international collaboration of law teachers, lawyers and social scientists. In 2006 he was admitted to membership in [The Society of Writers to Her Majesty's Signet](#) in recognition of his work which is leading to fundamental changes in the ways client relationship skills are taught in Great Britain. He is only the second American to become a member of The Society, the oldest professional association of lawyers in the world, which is charged with custody of the royal seal of the British monarchy

He publishes on a variety of topics with an emphasis on interdisciplinary and comparative scholarship. His [article in the Iowa Law Review](#), applying semantics to analyze the ways the meaning of "search" has evolved

in U.S. constitutional law, won the national Scholarly Papers Competition sponsored by the Association of American Law Schools. His *Yale Law Journal* article, "[Plain Meaning and Hard Cases](#)," co-authored with three linguists, has been cited by the U.S. Supreme Court in three different cases. His article, "[Passing Strict Scrutiny: Using Social Science to Design Affirmative Action Programs](#)," *Georgetown Law Journal* (2002), was co-authored with two social scientists and was based on a friend of the court brief he filed in [Adarand Constructors v Mineta](#), argued in the U.S. Supreme Court in 2001.

He is a leading American scholar on the legal system of India and has consulted around the world on reform in legal education. He has been a visiting scholar at the Indian Law Institute, Sichuan University (China), the University of Sydney (Australia), University of Palermo (Argentina), and the National Law School of India. He directed a three year Ford Foundation project to support the development of human rights clinics in Indian law schools and was one of two Americans to serve on the first steering committee of the [Global Alliance for Justice Education](#). In 1997 he organized and chaired an international conference, [Rethinking Equality in the Global Society](#), that brought together leading legal scholars, social scientists and policy makers from India, South Africa and the United States to examine affirmative action policies from a cross-national and interdisciplinary perspective.

He has been an active public interest lawyer, as a legal aid lawyer and civil rights litigator prior to his academic career, as a clinical professor at the University of Michigan, as director of the Washington University Urban Law Clinic (1989-94) and as director of the Washington University Criminal Justice Clinic (1995-98). He has litigated a number of federal class action law suits, argued before the Missouri Supreme Court and the U. S. Court of Appeals for the Sixth Circuit, and authored friend-of-the court briefs filed in the Michigan Supreme Court and the U.S. Supreme Court. From 1987-89 Professor Cunningham was a Clinical Assistant Professor of Law at the University of Michigan Law School. From 1989-1993 he was an Associate Professor at the Washington University School of Law in St. Louis; he was promoted to full Professor with tenure in 1993 and continued to teach at Washington University through May 2002