

HUGH B. MCCLEAN

University of Baltimore School of Law, 1420 N. Charles St., Baltimore, MD 21201

Tel (410) 837-5706; email hmclean@ubalt.edu

TEACHING EXPERIENCE

University of Baltimore School of Law, Baltimore, Maryland Aug 2016-present

Assistant Professor; Director, Veterans Advocacy Clinic

- Teach Criminal Law and direct the Bob Parsons Veterans Advocacy Clinic.
- Bob Parsons Veterans Advocacy Clinic, Director since 2014: Supervise students in handling cases for low-income veterans in diverse forums including the Department of Veterans Affairs, Board of Veterans Appeals, Court of Appeals for Veterans Claims, Baltimore City Veterans Treatment Court, and the discharge review boards and board for correction of military records of the military service branches. Teach seminars on poverty and public benefits law, as well as seminars on legal research, writing, interviewing, counseling, and case development.

University of Baltimore School of Law, Baltimore, Maryland Jun 2014-Aug 2016

Visiting Assistant Professor; Director, Bob Parsons Veterans Advocacy Clinic

- Directed the opening of the Bob Parsons Veterans Advocacy Clinic. Taught the clinic seminar, and supervised student attorneys in litigation, legislative advocacy, and community education projects.
- Developed curriculum, devised case acceptance criteria and client intake systems, created the syllabus and clinic manual, and designed the clinic orientation program.
- Established medical-legal partnerships with university partners to promote student collaboration across disciplines and to meet the medical and legal needs of veterans.

United States Air Force Academy, Colorado Springs, Colorado Jul 2007-Jul 2010

Assistant Professor of Law; Director, Legal Research, Writing and Advocacy

- Course Director for *Legal Research, Writing, and Advocacy* (six semesters). Designed the legal writing course for cadets majoring in legal studies. Taught legal research, case synthesis, and objective and persuasive writing. Taught students to draft office memos, motions, and appellate briefs. Conducted oral arguments and critiques using peer assessment and video feedback. Attended Legal Writing Institute conferences, collaborated with legal writing scholars, and subscribed to online scholarly discussion groups.
- Taught five semesters of *Law for Air Force Officers*, an introductory law course on constitutional and criminal law. Taught introduction to the American judicial system, due process, criminal law and procedure, compulsory self-incrimination and the right to counsel, freedom of speech, freedom of religion, and equal protection.
- Co-authored the faculty textbook and casebook supplement. Drafted the writing assignments and final exam. Assisted with the mock trial team and served on the Academic Review Committee for Student Athletes.
- Activities and Honors:
 - Outstanding Academy Educator Award, United States Air Force Academy, 2010
 - Outstanding Young Judge Advocate of the Year, United States Air Force Academy, 2009
 - Teaching Excellence Award, Department of Law, 2009
 - Wakin Character and Leadership Award Nominee, United States Air Force Academy, 2009, 2010
 - Case Legal Advisor, 2009, 2010 (legal advisor on university disciplinary matters)
 - Cadet Academic Advisor
 - Cadet Ethics Advisor

EDUCATION

The George Washington University Law School, Washington, DC

Master of Laws, *with Highest Honors*, Government Procurement Law, August 2011
Activities and Honors: Patricia A. Tobin Government Procurement Law Award
Public Contract Law Journal Writing Competition, First Place

Case Western Reserve University School of Law, Cleveland, Ohio

Juris Doctor, May 2002

Activities and Honors: *Health Matrix Journal of Law-Medicine*, Associate Editor
Milton A. Kramer Law Clinic Center, Criminal Justice Clinic, Student-Practitioner

Miami University, Oxford, Ohio

Bachelor of Arts, May 1996

Major: English Literature, Minor: Anthropology

Activities and Honors: Robert F. Almy Writing Award in Critical Interpretation, First Place
Sigma Tau Delta (English Honor Society)
Alpha Phi Omega (Service Fraternity)

PUBLICATIONS

Delay, Deny, Wait Till They Die: Balancing Veterans' Rights and Non-Adversarial Procedures in the VA Disability Benefits System, 72 S.M.U. L.R. 277 (2019).

The Diversity Rationale for Affirmative Action in Military Contracting, 66 CATH. U. L. REV. 745 (2017).

Defense Base Act Insurance: Allocating Wartime Contracting Risks Between Government and Private Industry, 41 PUB. CONT. L.J., 635 (2012).

Failure of the Current Anticorruption Strategy in Afghanistan, 9 J. CONTRACT MGMT. 41 (2011).

TEACHING INTERESTS

Clinical Teaching; Criminal Law; Administrative Law; Government Contracts

PROFESSIONAL EXPERIENCE

United States Air Force Judge Advocate General Corps Oct 2003-Jul 2014

Major, U.S. Air Force, Active Duty

- Performed the duties of general counsel, defense attorney, and prosecutor as an active duty military judge advocate from Oct 2003 to Jul 2014.

Office of the Air Force General Counsel, Pentagon, Washington, DC Aug 2011-Jun 2014

Major, U.S. Air Force, Active Duty

- Advised the Air Force Service Acquisition Executive, the senior procurement official, on multi-billion dollar defense acquisition programs including the F-35 Joint Strike Fighter, F-22 Stealth Fighter, F-15 Strike Eagle, F-16 Fighting Falcon, Joint Direct Attack Munitions, and the Intercontinental Ballistic Missile (ICBM) nuclear missile program.
- Served as a member of the Defense Acquisition Regulations (DAR) Council, an entity that drafts acquisition regulations for the Department of Defense, and provides policy and guidance to the Federal Acquisition Regulatory Council.
- Selected for special assignment with the Air Force Commercial Litigation Division to litigate bid protests before the U.S. Government Accountability Office and claims before the Armed Services Board of Contract Appeals.

Criminal Defense Attorney, Travis Air Force Base, California Aug 2005-Jun 2007

Captain, U.S. Air Force, Active Duty

- Defended Air Force clients in criminal justice and adverse action matters including courts-martial, appeals, pre-trial confinement hearings, interrogations, demotions, involuntary discharges, flying evaluation boards, and medical credentialing boards. Advised clients on applications to the Air Force Board for Corrections of Military Records involving discharge characterization, un-awarded medals, and other service record issues.
- Defended 22 of the most complex cases in the Air Force, including rape, sexual assault, and drug cases.
- Sentencing arguments resulted in relief for clients in 84% of cases; single-best success rate for military bases located in the western United States.

Criminal Prosecutor, Travis Air Force Base, California

Oct 2003-Jul 2005

Captain, U.S. Air Force, Active Duty

- Prosecuted airmen in courts-martial, conducted investigations and administrative hearings, and represented the Air Force in discharge hearings.
- Advised commanders, contracting officers, civil engineers, and contract administrators on legal matters pertaining to construction, services, and materiel acquisitions. Reviewed government contracts, negotiated contract claim settlements under the command's Alternate Dispute Resolution Program, and provided litigation support to defend the Air Force in bid protests and contract appeals. Trained over 8,000 personnel for annual ethics training, researched and drafted ethics opinions, and advised active duty members and their dependents on civil and criminal matters.

Office of the Public Defender, Lake County, Ohio

Aug 2002-Sep 2003

Assistant Public Defender

- Represented clients in Lake County, Ohio. Lead-counsel in jury and bench trials, pretrial negotiations, motion practice, sentencing, and detention hearings. Conducted investigations and witness interviews.

PRESENTATIONS

- Presenter, *Discharged and Discarded: Collateral Consequences of Military Discharges and Their Effect on Veteran Reintegration*, Clinical Law Review Writer's Workshop, New York University School of Law, New York, NY, Oct 3, 2020.
- Panelist, *All Hands On Deck: Veterans Justice Imperative*, Georgetown University Law Center's Center for National Security & the Law, *webinar*, Sep 24, 2020.
- Moderator, *Conversation With Professor D. Watkins, Author of "We Speak for Ourselves: A Word from Forgotten Black America"*, Homeless Persons Representation Project's Jane Harrison Speaker Series, *virtual roundtable*, Sep 23, 2020.
- Presenter, *Can We Forgive Our Veterans? Clemency, Mental Health, and the Restoration of Rights in Military Discharges*, Mid-Atlantic Clinicians Writing Workshop, *virtual workshop*, Jun 5, 2020.
- Presenter, *The Criminalization of Mental Health in Military Discharge Review*, Clinical Law Review Writer's Workshop, New York University School of Law, New York, NY, Sep 21, 2019.
- Discussant, *Clinical Education Workshop for Veterans Clinics*, Southeastern Association of Law Schools 2019 Conference, Boca Raton, FL, Jul 29, 2019.
- Moderator and Discussant, *Best Practices Before Military Review Boards*, 11th Annual Veterans' Legal Assistance Conference & Training, University of Baltimore School of Law, Jun 7, 2019.
- Presenter, *Delay, Deny, Wait Till They Die*, Clinical Law Review Writer's Workshop, New York University School of Law, New York, NY, Sep 22, 2018.
- Presenter, *Veterans Treatment Court: A Collaboration of Local, State, and Federal Partners*, National Association for Court Management Annual Conference, Atlanta, GA, Jul 24, 2018.
- Moderator and Discussant, *Discharge Advocacy, Intake & Hearings*, 10th Annual Veterans' Legal Assistance Conference & Training, University of Baltimore School of Law, Jun 1, 2018.
- Presenter, *Delay, Deny, Wait Till They Die*, Works-in-Progress, AALS Conference on Clinical Legal Education, Chicago, IL, May 2, 2018.

- Moderator, *Rehabilitative Justice: Baltimore City Veterans Treatment Court*, University of Baltimore, Baltimore, MD, Mar 28, 2018.
- Presenter, *Teaching and Preparing Law Students for Discharge Review Board Hearings*, National Veterans Law School Clinic Consortium Conference, Washington, DC, Feb 28, 2018.
- Moderator and Discussant, *Best Practices before Discharge Review Boards and Boards for Correction of Military Records*, 9th Annual Veterans' Legal Assistance Conference & Training, University of Baltimore School of Law, Baltimore, MD, Jun 2, 2017.
- Presenter, *Return on Investment for Veterans Courts*, Works-in-Progress, AALS Conference on Clinical Legal Education, Denver, CO, May 9, 2017.
- Presenter, *Serving Those Who Served Us*, Maryland State Bar Association Leadership Academy, University of Baltimore School of Law, Baltimore, MD, Mar 30, 2017.
- Moderator and Discussant, *Representing Servicemembers in Discharge Upgrades*, University of Baltimore School of Law, Baltimore, MD, Nov 4, 2016.
- Discussant, *The War is Winding Down, They Are Not Over There Anymore*, Judicial College of Maryland, Annapolis, MD, Oct 21, 2016.
- Discussant, *So You Want to Start a Veterans Court: A Prospective From How to Create a Veterans Court-Docket and How to Practice In It*, Maryland Judiciary and Maryland State Bar Association Joint Bench Bar Conference, Ocean City, MD, Jun 15-18, 2016.
- Moderator and Discussant, *Hazardous Chemical Exposure: Agent Orange and Burn Pit Claims; Military Discharges and VA Character of Discharges*, 8th Annual Veterans' Legal Assistance Conference & Training, University of Baltimore School of Law, Baltimore, MD, Jun 3, 2016.
- Facilitator, *Veterans Law Working Group*, AALS Conference on Clinical Legal Education, Baltimore, MD, Apr 30—May 3, 2016.
- Discussant, *Reintegration of Maryland's Former Offenders and the Unique Challenges Faced by Justice-Involved Veterans*, UB Law Forum Symposium, University of Baltimore School of Law, Baltimore, MD, Nov 12, 2015.
- Discussant, *Boots to Books: Veteran Students Transitions Panel*, Hoffberger Center for Professional Ethics, University of Baltimore School of Law, Baltimore, MD, Nov 12, 2015.
- Discussant, *Want to Start Helping Veterans? Learn the Options, Get the Basics*, Second Annual National Conference on Law Clinics Serving Veterans, Capital Visitors Center, Washington, DC, Nov 2, 2015.
- Discussant, *Law School Clinician Panel: Legal Services for Veterans*, U.S. Army Reserve Legal Command, Northeast Region, Judge Advocate General's On-Site Legal Training Conference, Fort Belvoir, VA, Jul 18, 2015.
- Moderator and Discussant, *Child Support Issues for Veterans; Advanced Training for Veterans Practitioners: Discharge Upgrades, and Post Traumatic Stress Disorder and Traumatic Brain Injury Cases*, 7th Annual Veterans' Legal Assistance Conference & Training, University of Baltimore School of Law, Baltimore, MD, Jun 5, 2015.
- Presenter, *Affirmative Action in Government Procurement: Closing the Door on Constitutional Challenges to the 8(a) Business Development Program*, Works-in-Progress, AALS Conference on Clinical Legal Education, Rancho Mirage, CA, May 6, 2015.
- Moderator and Discussant, *Veterans' Needs: The Current State of Veterans In Our Courts*, Judicial Institute of Maryland, Baltimore, MD, Mar 16, 2015.
- Presenter, *Law School Veterans Advocacy Clinics*, Maryland Office of the Public Defender, Ocean City, MD, Oct 20, 2014.
- Convener, *Introduction to Military Discharge Upgrades*, University of Baltimore School of Law, Baltimore, MD, Sep 29, 2014.

MEDIA

- Patrick Tandy, *Veterans' Legal Needs Focus of 7th Annual Conference*, Bar Bulletin (Baltimore, MD), Jul 15, 2015.
- Joe Surkiewicz, *Veterans and the Law*, Daily Record (Baltimore, MD), May 28, 2015.
- Jennifer Larrabee, *PBRC: Veterans Legal Assistance Conference*, Bar Bulletin (Baltimore, MD), May 15, 2015.
- Kellye Beathea, *Providing Legal Services for Veterans*, Daily Record (Baltimore, MD), May 15, 2015.

- David Shafer, *University of Baltimore Clinic Aims at Fighting for Veterans' Rights*, Bar Bulletin (Baltimore, MD), Nov 15, 2014.
- Lauren Kirkwood, *Veterans' Next Battle: Legal Rights*, Daily Record (Baltimore, MD), Aug 13, 2014.

BAR MEMBERSHIPS

- United States Supreme Court Bar, since 2011
- United States Court of Appeals for the Federal Circuit, since 2020
- United States Court of Appeals for the Armed Forces, since 2004
- United States Air Force Court of Criminal Appeals, since 2004
- United States Court of Appeals for Veterans Claims, since 2014
- United States District Court for the District of Maryland, since 2018
- United States Court of Federal Claims, since 2013
- Maryland Bar, since 2014
- Ohio Bar, since 2002

PROFESSIONAL MEMBERSHIPS

- American Bar Association, Public Contract Law Section, since 2011
- Maryland State Bar Association, Veterans Affairs and Military Law Section, since 2014
- Federal Circuit Bar Association, since 2014
- U.S. Department of Veterans Affairs Accredited Attorney, since 2014
- National Law School Veterans Clinic Consortium, since 2017

COMMUNITY SERVICE

- President, Maryland State Bar Association, Veterans Affairs & Military Law Section, Jun 2017—Jun 2018.
- Law School Liaison, Maryland State Bar Association, Section on Veterans Affairs and Military Law, Jul 29, 2015—present.
- Board Member, Homeless Persons Representation Project, Oct 1, 2015-present.
- Committee Member, Maryland State Bar Association, Subcommittee on Veterans Treatment Courts, Aug 6, 2014—present.
- Committee Member, National Law School Veterans Clinic Coalition, Jan 2015—Jun 2017.
- Attorney-Volunteer, Joining Forces Project: A Legal Telephone Hotline for Veterans, Maryland Legal Aid, Jul 9, 2015—present.

MILITARY HONORS

- *Distinguished Graduate*, Commissioned Officer Training, Maxwell Air Force Base, Montgomery, Alabama
- *Honor Flight*, Commissioned Officer Training, Maxwell Air Force Base, Montgomery, Alabama
- *Top Third Graduate*, Squadron Officer School, Maxwell Air Force Base, Montgomery, Alabama

MILITARY AWARDS

- Meritorious Service Medal with 1 Oak Leaf Cluster
- Air Force Commendation Medal with 1 Oak Leaf Cluster
- Air Force Outstanding Unit Award
- Air Force Organization Excellence Award
- National Defense Service Medal
- Global War on Terror Service Medal
- Air Force Longevity Service Ribbon with 1 Oak Leaf Cluster
- Air Force Training Ribbon
- Parachutist Badge