Washington University Law
Clinical Education Program

Promoting Justice through Client Service and Systemic Change
This reprint of the special feature section of our Spring 2011 Washington University Law Magazine highlights the extraordinary trajectory of our Clinical Education Program. From its early roots nearly four decades ago, it grew substantially under the direction of Professor Karen Tokarz. Then under the recent leadership of Professor Annette Appell, the program continued along its current path of excellence in clinical learning, teaching, and scholarship. We are pleased to announce that the program is now under the direction of Professor Robert Kuehn, our new associate dean for clinical education, who also co-directs our Interdisciplinary Environmental Clinic and has substantial experience as a national leader in clinical legal education.

Back in 1973, when Professor Samuel H. Liberman made the bold move to open a storefront legal office in conjunction with Legal Services of Eastern Missouri, he was firmly committed to the power of experiential learning while providing a needed community service. However, even a visionary like Liberman likely could not have imagined that this fledgling program would expand to offer the breadth of our 15 current clinical opportunities.

Indeed, today’s full array of clinical and externship programs allows students and faculty to tackle complex current issues in the law in numerous substantive areas while directly serving clients locally, nationally, and internationally. As the articles here show, our Clinical Education Program has benefited not only from extraordinary leadership and expanded programs, but also in recent years from the new professional facilities that mirror a law office. You also will have the opportunity to hear from several of our alumni whose clinical experiences helped forge their current career goals. Finally, we have added some additional information to the original special section highlighting our New York City Regulatory & Business Externship, Patent Law Field Placement, and newest Clinical Faculty Fellow Cortney Lollar.

I hope you will enjoy reading about our programs, students, faculty, and alumni. We continue to be so proud here of their accomplishments—and nowhere more so than in the areas featured in this piece.
Our Clinical Program:

Features

2 Building on an Illustrious Past, Advocating for a Better Future
4 Kuehn Named Head of Clinical Education Program
5 Law School Launches New York City Regulatory & Business Externship
6 IP/NO Clinic’s Clients Range from Sexual Assault Survivors to Pet Pantry Founders
7 Patent Law Field Placement Provides Needed Professional Training
10 An Increasingly Common Trajectory: Washington U. to Washington, D.C.
12 Civil Justice Clinic Achieves Success in Juvenile Justice, Child Welfare Cases
14 Innovative Environmental Clinic Celebrates 10 Years
17 School Offers Supervised Practicum, Related Public Service Experiences

Alumni Spotlights

8 Criminal Justice Clinic Launches Travis Hill’s Litigation Career
9 Delaware Supreme Court Externship Gives Katherine Childers Invaluable Experience
16 Clinical Externships Integral to Judge Fleissig’s Career
20 Clinic Alumni Find Common Cause in Legal Assistance Foundation

Personal Accounts

17 International Human Rights: A Global Pursuit
18 May It Please the Court
19 Effective Assistance of Counsel

Clinical Education Program
Washington University School of Law
Campus Box 1120
One Brookings Drive
St. Louis, MO 63130
Phone: (314) 935-7238
Website: law.wustl.edu/clinicaled

Admissions
Phone: (314) 935-4525
Fax: (314) 935-8778
Email: admiss@wulaw.wustl.edu
ASHINGTON UNIVERSITY School of Law has a long tradition of valuing the importance of clinical education in furthering students’ professional development while providing ethical and much-needed legal services to underrepresented groups. When Professor Samuel H. Liberman opened the school’s first storefront legal office in 1973, law students and faculty literally expanded outside of the classroom and into the community. This first Introductory Clinic, offered in conjunction with Legal Services of Eastern Missouri, was soon augmented by the Advanced Clinic and Judicial Clerkship Clinic. Five years later, the program expanded nationally with the launching of the Congressional Clinic.

Then under the direction of Professor Karen Tokarz, from 1980 to 2008, the program grew dramatically both in stature and clinical offerings, including international placements, and has been consistently ranked among the top clinical programs nationally. Under the subsequent vision of Associate Dean Annette Appell from 2008 to 2011, the program dedicated its new professional space and expanded to the current 15 distinct local, national, and international clinical opportunities. Now with Professor Robert Kuehn as the new associate dean,
the law school is furthering the program’s mission of providing superior clinical education; award-winning faculty scholarship and advocacy; increased services to clients; and projects to address systemic change.

Recent Clinical Education Program highlights include:
• Beginning this fall, the New York City Regulatory & Business Externship is sending law students to New York City for a semester-long clinical experience.
• The new Corporate Judicial Field Placement is providing students with opportunities to extern in the Delaware Supreme Court.
• The new Patent Law Field Placement expands upon the mission of the Intellectual Property & Nonprofit Organizations Clinic by placing students with the intellectual property law firm of Oliff & Berridge in Alexandria, Virginia, for a semester-long clinical experience.
• Students in the Interdisciplinary Environmental Clinic had the opportunity to research issues related to BP’s massive oil spill in the Gulf of Mexico for Dean Kent Syverud, one of two independent trustees of the Deepwater Horizon Oil Spill Trust. The clinic also celebrated its 10th anniversary.
• The long-standing Congressional & Administrative Law Externship has expanded its offerings to spring and fall placements. It is capitalizing on Washington University’s new space in Washington, D.C., and the university’s partnership with the Brookings Institution.

LOOKING BACK: The law school launched the Clinical Education Program in 1973 with its first clinic in a storefront law office in conjunction with Legal Services of Eastern Missouri.
• The Civil Justice Clinic now focuses on juvenile justice and child welfare matters, and the Civil Rights & Community Justice Clinic now includes mortgage loan foreclosure mediation.
• The new facilities for the four in-house clinics, which were dedicated in fall 2009, are now providing highly functioning professional space that is configured like a law firm.

RESEARCH EXCERPT

Peter Joy, Vice Dean; Henry Hitchcock Professor of Law; and Director, Criminal Justice Clinic, and
Robert Kuehn, Associate Dean for Clinical Education; Professor of Law; and Co-Director, Interdisciplinary Environmental Clinic


“As universities increasingly seek to educate students through service-learning courses, law school clinics may be the bellwether for determining whether the faculty’s academic freedom in teaching will transcend the traditional classroom or be left at the classroom door. Recent legislative and corporate efforts to interfere in the operations of law clinics indicate that academic freedom is at risk when hands-on student learning bumps up against ‘real-world’ disputes.”

Kuehn Named Head of Clinical Education Program

ROBERT KUEHN, professor of law and co-director of the Interdisciplinary Environmental Clinic, has succeeded Annette Appell as head of the Clinical Education Program. Immediate past president of the Clinical Legal Education Association, Kuehn joined the law faculty in 2009. A well-known scholar, teacher, and clinician in environmental law and professional responsibility, he also has served on the Association of American Law Schools’ Standing Committee on Clinical Education and Executive Committee for the Section on Clinical Legal Education. He formerly founded and directed the Tulane Environmental Law Clinic and served as associate dean for skills programs at the University of Alabama School of Law.

“We are very fortunate to have Bob assume this position,” says Kent Syverud, dean and the Ethan A.H. Shepley University Professor. “He is widely praised as a clinical teacher and program administrator. Standing on the shoulders of the terrific work of his predecessors, Annette Appell and Karen Tokarz, he will provide great leadership to our expanding clinical program.”

Appell, who served as associate dean from July 2008 to 2011, has returned to the full-time faculty and continues to direct the Civil Justice Clinic’s Children & Family Defense Project.

LOOKING BACK: Merton Bernstein, now the Walter D. Coles Professor of Law Emeritus, front center, founded the Congressional Clinic in 1978. Its successor, the Congressional & Administrative Law Externship, recently expanded to offerings in both spring and fall in conjunction with a new university-wide academic partnership with the Brookings Institution.

As a research assistant for Professor Mae Quinn, left, Tiffany Ellis, JD ’11, right, worked on an education case in the U.S. District Court for the Eastern District of Missouri. A settlement was reached with the Saint Louis City Public Schools in the lawsuit challenging the constitutionality of disciplinary practices for two high school students. Ellis continued to work on settlement issues as a clinic student with Quinn.
**New York City Regulatory & Business Externship**

**Law School Launches Externship Program in New York City**

**LAW STUDENTS** enrolled in the New York City Regulatory & Business Externship will have the opportunity to learn firsthand about the practice of business associations and regulation in the nation’s largest city.

Offered for the first time this fall, the semester-long clinical experience in New York includes a variety of legal externship opportunities, including those with the Financial Industry Regulatory Authority, New York City Department of Finance, Standard & Poor’s/McGraw Hill, Securities and Exchange Commission, New York Attorney General’s Office, Anheuser-Busch’s New York headquarters, and the New York City Law Department.

“The overarching goal of the New York City Regulatory & Business Externship is to provide opportunities for our students to engage in critical reflection about the legal profession, business regulation, and entrepreneurship while further developing lawyering skills and professional values,” says Kent Syverud, dean and the Ethan A.H. Shepley University Professor. “The program also allows us to expand our national reach in yet another city of strategic importance to our students, faculty, and alumni.”

The new externship program is among the Clinical Education Program’s 15 distinct local, national, and international clinical opportunities. It will follow a model similar to the longstanding and highly successful Congressional & Administrative Law Externship in Washington, D.C., which places law students in semester-long externships on Capitol Hill, in federal agencies, and at the Brookings Institution. The New York program also is being offered in conjunction with Washington University’s Olin Business School, including a companion course in ethics with students from both schools. The externship is being directed by adjunct professors and New York attorneys Sasha Polonsky, JD ’06, and Zack Shankman.

The New York City program is a logical enhancement to the law school’s current curriculum in business associations and other entity regulation and law. It is designed to provide advanced opportunities for eligible second- and third-year law students to be immersed in hands-on learning about business associations, investment banking, and corporate entities, including with regulators, in a city widely considered a mecca for the banking and business industries. The program also fosters interdisciplinary experiences between business and law that prepare students for careers in business law.

“The immersion in the various environments allows our students to further develop legal skills and judgment, both of which are invaluable to becoming effective attorneys,” says Janet Bolin, associate dean of admissions and student services.

“Our students will benefit from the mentoring of their attorney supervisors as they gain a level of experiential training and learning designed to allow a more rapid transition to practice in their postgraduate careers.”

“The New York City Regulatory & Business Externship is ideal for me because of my strong interest in financial regulation and capital markets,” says third-year law student David Myrie, who is pursuing a joint JD/MBA degree. “I spent the summer working at J.P. Morgan Private Bank focusing on asset allocation, trust, and estate planning. The New York externship will allow me to further explore issues related to the Volcker Rule’s impact on investment fund structuring.”

The New York City Regulatory & Business Externship matches students with business and financial entities and regulators in the nation’s largest city.
IP/NO Clinic’s Clients Range from Sexual Assault Survivors to Pet Pantry Founders

A HORRIFIC CRIME 1,700 MILES AWAY led the Intellectual Property & Nonprofit Organizations (IP/NO) Clinic to work on a charitable project that uses music to benefit victims.

Two years ago, a man with a knife invaded a Seattle home, where he stabbed and sexually assaulted two women who had been asleep there. One survived. Her partner, Teresa Butz, a native St. Louisan from a large, musical family, did not.

After struggling with the horrendous news, two childhood friends of Butz decided to pay tribute to her by producing a compact disc and selling it to support sexual assault survivors around the country. Rachel Ebeling and Jean Fox initially consulted a St. Louis lawyer, who early last year referred them to the IP/NO Clinic. The lawyer was acquainted with Senior Lecturer in Law Peter Ruger, JD ’69, who had joined the clinic as co-director several years earlier to expand its mission to work with nonprofit organizations.

From their friend’s tragedy was born the Angel Band Project, which last fall released the CD to raise funds for the Voices and Faces Project, a national organization that supports sexual assault survivors, their family members, friends, and communities.

To accomplish that goal within a year, Ruger and clinic co-director David Deal, working with law students, guided Ebeling and Fox through a number of legal matters. “This project involved both nonprofit issues in creating a not-for-profit corporation for them and some very significant intellectual property issues in getting the rights to the music,” Ruger says.

“Some original pieces of music had been written for this project, and some were remakes of known songs by more popular artists,” explains former clinic student Eric Finch, JD ’11. “We basically had to walk them through the permission process to use the music that was written by others. The project was pretty heart-wrenching since it sprung from a tragedy, but helping them produce the CD allowed us to use our legal skills to obtain a really positive outcome.”

THE CLINIC’S IP AND NONPROFIT practice areas have collaborated to assist other clients as well. One client wanted to incorporate as a nonprofit in metro St. Louis to help disabled and elderly people maintain their homes.

“When they started out, they wanted to use a name called, ‘Lend a Helping Hand,’” Ruger recalls. “Under David’s direction, some of the students checked and found that name was...
being used by a charity that’s based in Los Angeles and a commercial outfit in California.”

The client, a successful businessman, understood the risks of violating a trademark so the name “The Brooktree Foundation” was adopted instead. The bulk of the clinic’s work involves similar transactions, though Ruger says students do represent clients in some administrative or civil hearings concerning, for instance, tax exemptions for real estate. The nonprofit side also helps draft bylaws, review contracts, and dissolve entities whose funding has dried up. Among the clinic’s clients have been several charter schools needing a variety of such services.

“What our students do, I think, accurately reflects what most lawyers in practice do,” Ruger says. “Very few lawyers deal with criminal law issues. To be sure, there’s a substantial number, but not as a percentage of lawyers practicing.”

LAST FALL, then third-year law student Steve Chiang, JD ’11, worked for both sides of the clinic, which he calls “an excellent starting point for law students who wish to experience the transactional side of lawyering.”

In another recent project, students worked with the Bi-State Pet Food Pantry, a nonprofit organization that assists low-income families in St. Louis with free food for their pets. The pantry is the brainchild of St. Louisans Kylie Shafferkoetter and Sandy Lynn who are pet owners themselves and volunteers with Stray Rescue.

“We felt very fortunate to have Peter and the students on our side,” says Shafferkoetter. “After we formed the pantry, had it incorporated, and started getting the word out, people began giving us donations. Our board had helped us with the bylaws, but we weren’t sure how to proceed with getting tax exempt status. So we went online, but the IRS website was very confusing. It felt overwhelming.”

“The clinic really made the process much more pleasant and easy,” agrees Lynn. “They were able to help guide us through all the steps.”

**Patent Law Field Placement**

**Patent Law Program Provides Needed Professional Training**

**THE NEW** Washington, D.C., area Patent Law Field Placement is helping prepare students for a career focused on the preparation, filing, and prosecution of patent applications. Students have the opportunity to extern at the law firm of Oliff & Berridge in Alexandria, Virginia, for one semester.

“Our students are expected to perform as a first-year associate,” says David Deal, director of the law school’s Intellectual Property & Technology Law Program and co-director of the Intellectual Property & Nonprofit Organizations Clinic. “Students prepare responses to patent office actions, draft amended patent claims, and prepare communications with clients.”

After formal training, law students also are paired with a mentor at the firm and given a slate of projects for the semester. The program is designed to immerse students in a law firm environment and facilitate the transition from law students to competent and productive practitioners.

“There is a steep learning curve involved in patent law work,” Deal says. “Practical preparation and prosecution experience enhances employment opportunities for these students.”

The training is already paying off for both the students and firm. Three students who participated in the first Oliff & Berridge placement in spring 2011 accepted offers of post-graduation employment.
Criminal Justice Clinic

Clinic Launches Travis Hill’s Litigation Career

WHEN TRAVIS HILL, JD ’05, decided to work in the Criminal Justice Clinic as a second-year law student, it wasn’t criminal law that had intrigued him. What he craved was courtroom experience. “The clinic was an opportunity where I knew I would be in the courtroom and have real courtroom experience,” Hill recalls.

The Criminal Justice Clinic offers students such as Hill the opportunity to engage in extensive criminal defense practice while representing indigent defendants through its long-standing collaborative relationship with the St. Louis County division of the Missouri State Public Defender System. Based in Clayton, Missouri, clinic students benefit from the expertise of director Peter Joy, vice dean and the Henry Hitchcock Professor of Law, a clinic faculty fellow, and various public defenders.

Working a minimum of 20 hours a week, Hill recalls that he met with clients, accompanied case investigators on the job, and went to arraignments. But he also called witnesses and cross-examined prosecution witnesses at pre-trial hearings.

“The clinic definitely had an impact on my career,” says Hill, who is currently an Assistant U.S. Attorney in Washington, D.C. “I already had a strong interest in trial work. Working with Professor Joy and the public defenders made me want to pursue that goal even more.”

Hill ingested the clinic experience like a wonderful meal, and as dessert found his calling as a prosecutor. After law school, he began his career with the District Attorney’s Office in Queens, New York. He handled domestic violence cases for 18 months and then narcotics cases and felony assaults, robberies, and burglaries for three years.

Last winter he left Queens, and in January 2011, Hill joined the criminal division of the U.S. Attorney’s Office in Washington, D.C. He explains that he changed jobs because he was both interested in the office’s high-profile cases and because he wanted to be closer to his family in Glade Spring, Virginia.

“I love trying cases,” Hill says. “Being in the courtroom was my whole point in becoming a lawyer. I can’t see myself in an office working on contracts or mergers.

“I love the opportunity to interact with different members of the community,” he continues. “As a prosecutor you’re dealing everyday with the victims, their families, and the police officers working the case.”

No matter what kind of cases he prosecutes, however, his job does carry a burden. “The hardest thing,” he says, “is that every day you’re faced with a very serious matter. You’re dealing with someone’s life.

“You want to investigate fully to determine that the right person has been charged,” he continues. “That’s something you take home with you every day. You’re always thinking, ‘Is this the right person I’m charging? Is this the right person that I’m going to trial against?’

Because you don’t want people sitting in jail for something they didn’t do. And you don’t want to let a guilty person go free either and not get justice for the victim.”

Despite the accompanying job stress, Hill wouldn’t change anything. “It’s been a marvelous career,” he says.

FELLOW LOLLAR JOINS CRIMINAL JUSTICE CLINIC

Cortney E. Lollar, who joined the law school as a clinical faculty fellow in fall 2011, is teaching in the Criminal Justice Clinic. She is an experienced public defender who has argued before the U.S. Court of Appeals for the Eleventh Circuit and submitted petitions to the Supreme Court of the United States. She previously worked at the Federal Defender Program Inc. in Atlanta, Georgia, and the Public Defender Service for the District of Columbia. She has regularly supervised law students, most recently through Emory Law School’s Trial Techniques program. Lollar also has served as a research assistant to the United Nations Special Rapporteur on Violence Against Women and as a legal consultant in Bangalore/Delhi, India, for the Initiative for Medicines, Access, and Knowledge. Her primary research interests involve the intersections among criminal law, evidence law, sexuality, and mental health.
DURING HER EXTERNSHIP at the Delaware Supreme Court, Katherine Childers, JD ’10, often wrote memos on such varied areas of law as workers’ compensation, corporate governance, or criminal law.

Her corporate judicial externship, one of the first offered through the law school, was new territory for Childers. “In law school you’re used to taking a whole semester to master a subject,” she says. “But every week at the court, you’re having to learn a new field of law and doing it quickly and efficiently. And you need to be able to do so in a manner that you’re able to talk intelligently about it to a supreme court justice.”

When she first started the job, the rapid pace of the clerkship created some anxiety, Childers admits. “Sometimes I would get a subject matter and say ‘I don’t even know where to begin.’ But after I had been there for a while, it became much easier.”

Childers’ adaptability not only helped her performance, but also impressed her boss. After graduating from the law school in May 2010, she arrived in Delaware to work as an unpaid extern from September through December. Childers was the first extern in the new Corporate Judicial Field Placement established by Hillary A. Sale, the Walter D. Coles Professor of Law and professor of management.

Within a few weeks, Childers’ boss, Delaware Supreme Court Justice Randy J. Holland, offered to extend her stay until the end of the summer of 2011. “I was converted into a real law clerk—meaning that I was getting paid,” she says, happily.

Childers says the work prepared her well “for what I will be doing the rest of my career.” This fall, she plans to join the general litigation practice at Alston & Bird LLP in Atlanta.

Childers’ assignments with Holland began when he asked her to review a case appealed to the Delaware Supreme Court. Childers then read the lower court opinion and the briefs filed by opposing attorneys before writing a detailed memo for the justice. Sometimes an issue of law was unclear or Holland wanted a legal question answered so Childers conducted further research. “The type of writing we did was very interesting,” Childers says. “Often in law school, you want to make arguments based on fairness—what seems right in your mind. However, most times you’re told not to do that because ‘fairness’ is not really a legal argument. But at the appellate level, the judges do hear those fairness arguments, and sometimes they make a difference. … The writing’s a little more nuanced.”

Although she loved hearing the attorneys’ oral arguments and the justices’ pointed questions in court, Childers says her favorite part of the clerkship was interacting with Holland himself. Appointed to the Delaware Supreme Court in 1986, Holland is the youngest person ever to sit on the court, as well as the longest serving Supreme Court justice in Delaware’s history.

“It was a very easy interaction,” Childers says. “First and foremost, he’s a teacher. He took time to explain very complicated issues that might not make much sense when you first read them. But after listening to him for five minutes, they make perfect sense.”
HAVING A PLACEMENT in Washington, D.C., through the Congressional & Administrative Law Externship makes many law students want to circle back to the nation’s capital to start their careers in the federal government.

As a third-year law student, Raphael B. Moreen, JD ’11, spent last fall at the State Department, where he worked in the Office of the Legal Adviser. He split his time doing research and writing for attorney-advisers in two sections of that office, the Office of Treaty Affairs and the Office of Oceans, International Environmental and Scientific Affairs. He also attended meetings with internal clients and participated in international law sessions hosted by the Office of the Legal Adviser.

“Having the chance to serve in the Office of the Legal Adviser has given me a solid foundation in international law and an understanding of what it means to represent clients in the Executive Branch,” Moreen says. “The attorney-advisers whom I had the chance to serve with are extremely talented, and their professionalism is inspiring.”

Last spring, Moreen served as a primary editor of the Washington University Journal of Law & Policy. Post graduation, he planned to be back in Washington, D.C.

Ebony Gayles, JD ’11, another recent clinic student, externed at the Department of Housing and Urban Development (HUD) in its Office of Fair Housing and Equal Opportunity. She performed most of her work with the Compliance and Disability Rights Division, including joining a team that reviewed a local condominium complex for compliance with the Fair Housing Act. Gayles also briefed and responded to appeals related to violations of civil rights laws covering people with disabilities.

“I specifically wanted to participate in the Congressional & Administrative Law Externship because I knew it would provide me the opportunity to extern with HUD, deepen my understanding of the fair housing laws HUD enforces, and make professional contacts relevant to my future career goals,” Gayles says.

“Prior to my externship, I knew I wanted to specialize in housing law, and thanks to the opportunity provided to me through the Congressional & Administrative Law Externship, I was able to confirm that specialty.”
Her supervisor, HUD Assistant Secretary John Trasviña, says Gayles “helped us immeasurably on fair housing issues ranging from drafting guidance on housing needs of people with disabilities transitioning out of institutions to drafting a white paper on fair housing issues regarding returning veterans.

“The law school’s program gives students like Ebony, who already have a passion for civil rights law enforcement, the experience and exposure to the role of lawyers in the federal government, which, in turn, provides them with greater skills for their legal careers,” he adds.

Washington University has made a significant investment to increase its presence in the nation’s capital. New resources, including a classroom, office space, and the Washington University alliance with the Brookings Institution, have allowed the law school to greatly expand its offerings in Washington, D.C. One of the oldest legal externship programs in the nation’s capital and one of the law school’s oldest clinical opportunities, the program annually attracts more than 10 percent of each third-year law class.

THE PROGRAM was initiated in the late 1970s through the efforts of Merton Bernstein, now the Walter D. Coles Professor of Law Emeritus. Opportunities were further developed under the direction and mentoring of Professors Karen Tokarz and Kathleen Clark and Senior Lecturer Susan Kaplan. Currently, Kaplan and Tómea Mersmann, JD ’91, associate dean for strategic initiatives and lecturer in law, are working to expand student placements in externships on Capitol Hill, in federal agencies, and at the Brookings Institution itself. They also are coordinating efforts with Steven Jackson, director of Washington University’s academic program in the nation’s capital.

“Law students are very interested in these placements,” Mersmann says. “In addition to Raphael’s externship with the State Department and Ebony’s work at HUD, some of the other recent externships are those with the Council on Environmental Quality, the Securities and Exchange Commission, Department of Health and Human Services, and the Department of the Treasury.

“We also have a strong history of placing students in congressional committee offices such as the Senate Judiciary Committee and the Committee on Foreign Relations. The expanded resources have allowed us to increase the number of students experiencing the D.C. program from 24 to between 36 and 38 students each academic year,” she adds.

Robert Kuehn, associate dean for clinical education, agrees that the Congressional & Administrative Law Externship is in high demand: “It has long been one of the leading programs attracting students to our school. Many of our students go to work in Washington after law school. In fact, Washington, D.C., is one of the largest markets for our alumni.”
Clinic Achieves Success in Juvenile Justice, Child Welfare Cases

STUDENTS IN THE CIVIL JUSTICE CLINIC (CJC) last fall achieved a track record in St. Louis County Family Court that would be the envy of any high-end law office.

“We were successful in having a full third of the cases we took on dismissed,” says Mae Quinn, professor of law and CJC co-director. That’s seven out of 20 cases with all charges against an accused youth dropped, either by the prosecutor or the judge. The overall caseload, Quinn says, ranged from serious assault and burglary charges to minor status offenses like truancy and curfew violations.

There’s more. The most serious consequence in juvenile court is transfer of the case to adult court, where a prison sentence can be imposed on a youthful defendant. Two of the “adult certification” cases that CJC students handled resulted in dismissals.

To cap off the semester, then third-year law student Nancy Spencer, JD ’11, successfully argued before the Missouri Court of Appeals for the Eastern District of Missouri for the return of a two-year-old child from foster care to his young mother. The court delivered the unanimous decision in favor of the CJC’s client just before Christmas.

Spencer says she was thrilled by the outcome: “It was so rewarding knowing that justice had been served and all of our hard work paid off.” Spencer adds that she found the experience of arguing before the appellate court “a bit nerve-racking at first, but after I got the first couple of sentences out, all of my preparation took over and I was able to successfully argue the case.”

Clinic attorney Kathryn Pierce, who worked with a number of clinic students on the case, praises Spencer’s dedication in the oral argument. “Nancy’s ability to roll up her sleeves and get down to the work at hand helped in her oral advocacy,” Pierce says. “It was clear that Nancy was not simply reciting a memorized argument, but was instead bringing her client to life for the panel.”

Quinn’s students also have represented youth facing disciplinary action in schools, needing appropriate special education services, or being inadequately educated in alternative schools.

The youth and family advocacy mission is relatively new for the clinic. One of the law school’s oldest clinics, the CJC over the years has focused on a range of important legal issues. The recent change takes full advantage of the long and deep experience with youth and family law of Quinn and Annette Appell, former associate dean of clinical affairs, CJC co-director, and professor of law.

The CJC also helps meet a community need for specialized juvenile advocates in St. Louis County Family Court. Unlike many other metropolitan areas, the family court no longer has a specialized public defender’s office devoted to its docket. The CJC is now one of the few specialized law offices in the state representing children or parents in juvenile court.

THE SUCCESS RATE on child welfare issues is much harder to tally. Appell notes that those cases usually last longer than a semester, and the clinic represents clients until the case closes. When individual clinic students cannot see a case that they started all the way through to the finish, their faculty supervisors are there to work on the cases with subsequent rounds of students.

“Normally, child protection cases, which are highly complex and multidisciplinary, last one, two, three, four, or more years, depending on the situation of the family and the child,” Appell observes. “We become involved in these cases because they provide pedagogical opportunities and because we have the resources, expertise, and personnel to handle challenging matters. And the work itself is important to the community.”

Civil Justice Clinic co-director Annette Appell, right, and clinic attorney Kathryn Pierce discuss a youth advocacy case at the St. Louis County Family Court. Their expertise is guiding the clinic’s new direction in family advocacy.
The juvenile justice system in Missouri, Quinn contends, “really is quite broken” despite “a lot of well-meaning, well-intended, committed, compassionate people doing the best they can.” She identifies three main issues: “a lack of lawyers, a problematic systemic structure, and a juvenile code very much in need of reform.”

Quinn says one complication with the juvenile court’s structure in Missouri is that the prosecutor and probation officer do not work independently, as in most states, but rather the probation officer is “the client” of the prosecutor. “The legal issues get blurred by the individual interests of probation officers,” she concludes.

Appell agrees that the position of the juvenile officer is problematic from both a separation of powers perspective and a resource perspective. She takes the long view, hoping to train a cadre of law students in best practices for the legal representation of children and parents. She pairs this with the clinic’s advocacy in an effort to help change some of the norms of practice in juvenile court. Appell also is hoping to create the conditions for specialized legal offices that would provide high-quality representation of parents and children in the counties, as well as the cities.

Each semester she teaches, Quinn plans to have the clinic focus on at least one particular systemic reform issue. This past fall, law students focused on improving probable cause determinations in juvenile cases. Their efforts resulted in having one case dismissed on those grounds. In addition, Quinn says the adult certification statute makes no provision for a probable cause hearing at that stage, a fact highlighted in research the clinic has done.

CJC STUDENTS working on juvenile cases last fall also had to complete a public citizen lawyering project, a requirement that Quinn had initiated during her tenure at the University of Tennessee. The CJC projects supervised by Quinn and Pierce included letters challenging police stops of alternative school students as possible truants and those warning St. Louis County courts about sharing too much information with schools about their students’ cases.

A further concern for the clinic is protecting the rights of youth committed to Missouri Division of Youth Services’ juvenile facilities.

“Unlike other lawyers, our representation does not terminate with resolution of the court charges,” Quinn explains. “As holistic advocates, we remain on our clients’ cases post-disposition and throughout state placement, if they wish. Often such youth need advocates in the system to ensure that they are receiving educational and other programming to which they are entitled, as well as making sure they are being considered for community re-entry at the appropriate time,” adds Quinn, who is on the Board of Directors of the Clinical Legal Education Association.

But Quinn says state administrators are not used to such advocacy efforts, signaling that they question the right of such children to have independent legal representation while in placement. Through the clinic this fall, she and Pierce vow to advocate for their clients by “reframing the conversation about the right to counsel for young people.”

RESEARCH EXCERPT

Mae Quinn, Professor of Law and Co-Director, Civil Justice Clinic

“Feminist Legal Realism,” Harvard Journal of Law & Gender (forthcoming)

“Beyond providing an account of one forgotten female Realist, [Judge Anna Moscovitz Kross], this article offers some thoughts about contemporary Feminist legal activities, as well as hopes for the future. It suggests that those who are currently grappling with the realities of Feminism and the law—particularly within the academy—may draw some lessons from the life and experiences of Kross, her contemporaries, and Feminist Legal Realism. Like Feminists today, in the shadows of constructed categories and lists, they too sought to establish their own agency and identities while challenging lived injustice ... [but] through activism and not just academics.”
Innovative Environmental Clinic Celebrates 10 Years

**FOUNDED IN 2000**, the Interdisciplinary Environmental Clinic (IEC) has made a name for itself nationally with its unique approach of combining interdisciplinary teams of students and faculty to address complex environmental issues for nonprofit and community organizations. Students in the IEC are drawn from Washington University academic areas of law, environmental studies, engineering, social work, medicine, and business.

In addition to co-directors Maxine Lipeles and Robert Kuehn, the clinic draws upon the expertise of other IEC faculty—Beth Martin, engineering and science director; Elizabeth Hubertz, clinic attorney; Peter Goode, environmental engineer; and Katherine Pawasarat, engineering and science fellow. Last year, alumnus Aaron Oakley, JD ’10, also worked with the clinic on a variety of issues. The IEC’s efforts have won the clinic several recognitions over the years, including most recently a community service award from the Missouri Coalition for the Environment.

When Kuehn arrived at the clinic in 2009, Lipeles says he transplanted an innovation he had initiated at Tulane University. Drawing from the success of the Tulane Environmental Law Clinic’s community outreach coordinator, Kuehn approached Washington University’s George Warren Brown School of Social Work with the idea of attracting a Master’s of Social Work (MSW) practicum student to develop an outreach program in the St. Louis area. Since the spring 2010 semester, the IEC has had a social work student filling that role.

The first student, Lipeles says, did baseline work compiling a database of community organizations that have worked with the clinic and of others that may be interested in doing so. That student also surveyed past clients about their experiences with the clinic.

**MSW STUDENT** Andrea Gross was the 2010–11 community outreach coordinator. Among the areas where she focused her outreach was the Lindell Park Neighborhood in St. Louis. The neighborhood adjoins the abandoned Carter Carburetor plant. Closed in 1985, it has been largely unused since it is “a classic brownfield,” a property whose reuse has been inhibited because of long-standing contamination, Kuehn says.

The U.S. Environmental Protection Agency (EPA) is planning a cleanup of the PCBs, asbestos, and volatile organic compounds at the site, he says.

“Andrea was the one who first learned about this and made the initial contact with the community organization,” Kuehn says. “She continued to help us make sure that we are responsive to what the residents need. In my view, it’s all about trying to give a voice to people and communities that otherwise are either overlooked or ignored.”

**ASKED WHAT HAS BEEN** the IEC’s biggest victory, Lipeles cites a 2004 lawsuit that led to the EPA reducing the national air pollution standard for lead by 90 percent in 2008, following a long process in which the clinic participated. The clinic challenged one aspect of the EPA’s decision, a limitation on monitoring for compliance with the new lead standard that the Office of Management and Budget had pressed the EPA to adopt. Last December, the EPA reconsidered that aspect of its decision and expanded the monitoring requirements.

Similarly, on behalf of the American Bottom Conservancy, a grassroots organization, the IEC filed a petition urging the EPA to object to an air pollution operating permit issued by the Illinois Environmental Protection Agency. The permit had been...
RESEARCH EXCERPT

Elizabeth Hubertz, Lecturer in Law and Clinic Attorney, Interdisciplinary Environmental Clinic.


“Professional engineers working with lawyers may be unable to completely remove their engineering hats, but this is not necessarily a terrible thing. As one scholar has noted, ‘If professionals are not able to retain sufficient independence so as to defend their professional integrity in critical decisions, why, ultimately, pay a premium for their skills?’ If you hire engineers but ask them to take off their engineering hats, have you really hired engineers? After all, surely one of the many lessons of the Challenger disaster is that non-engineers should pay more attention to the engineer’s judgment.”

issued to a massive steel manufacturing facility in Granite City, Illinois. After the IEC sued the EPA to force a decision on the petition, the EPA issued its decision in January 2011, objecting to 50 different aspects of the air permit on the grounds that they are insufficient under federal law. The state must now revise the permit to include additional pollution control requirements and monitoring requirements.

Other victories have addressed issues related to lead contamination in Herculaneum, Missouri; water pollution; global warming; and environmental justice. In a current case, the clinic is representing a grassroots organization in Labadie, Missouri, that is challenging a utility company’s plans to build a large coal ash landfill in the Missouri River floodplain. The initial focus has been at the local government level, where zoning changes to accommodate the landfill proposal are pending. Several clinic students have spoken at contentious public hearings, presenting technical and legal issues to the county decision-makers.

IN ANOTHER HIGH-PROFILE project, the IEC conducted background research for Dean Kent Syverud, one of two independent trustees of the BP Deepwater Horizon Oil Spill Trust.

“He knew that he was taking on a lot of responsibility and could use some assistance with the underpinnings of environmental law and trust law,” recalls Kuehn.

The request of Syverud, the Ethan A.H. Shepley University Professor, was a tall order, but he was confident that the IEC would be up to the task. BP established the $20 billion trust in August 2010 in order to pay claims for business losses, environmental damages, and government costs. The trust was created to address issues caused by the oil leak from the company’s damaged well in the Gulf of Mexico. A team of two law students and two undergraduate seniors majoring in environmental studies was given the assignment.

Throughout the fall semester, the team delivered research covering the role of trustees, trust administration, the Exxon Valdez oil spill, environmental law, and related matters. They passed on their research to both Syverud and Mark Templeton, trust fund executive director. While the trust fund administrators also drew on the advice of legal counsel, the IEC’s research helped trustees through a busy period, Templeton notes.

The trustees and Templeton initially were focused on making sure that the company lives up to its financial commitments, as well as putting legal protections in place. The relatively small operation for the trust fund “didn’t have the bandwidth to be able to handle all those issues and the research at the same time,” says Templeton, a former director of the Missouri Department of Natural Resources who currently is teaching a course on energy law and policy at the law school.

“The work of the clinic was incredibly helpful in a number of ways,” Templeton says. “They were able to tackle some of the more complex research questions that involved a legal perspective, an environmental perspective, and an engineering perspective. We asked for and got their excellent assistance.”
Clinical Externships Integral to Judge Fleissig’s Career

AS A PARTICIPANT in the Judicial Clerkship program during her final year of law school, Audrey Fleissig, JD ‘80, was privy to some of the thought processes of her supervisor, U.S. District Court Judge Edward L. Filippine, a respected jurist on the Eastern District of Missouri bench.

“Judge Filippine would talk candidly to me about cases he was handling and issues he was facing,” says Fleissig, now an accomplished judge, herself, on that same court. “I would get to hear his thinking from a philosophical as well as from a legal standpoint.”

Fleissig says she not only benefited from the mentoring she received, but also the two developed a mutual respect for one another. “Judge Filippine’s been my friend for 30 years,” she recalls. “I don’t know how you put a price on that.”

Later, in a symmetry of events, Fleissig was nominated to the U.S. District Court seat that Filippine had once held. Today it’s Fleissig who talks frequently to law students, offering them insights into the inner workings of the court.

“For instance, if a judicial extern was watching a motion hearing or part of a trial, at the end of the day or during a lunch break, I’m able to share with him or her what I think worked or didn’t work,” she says of the attorneys’ arguments.

“I also discuss with the student why I ruled a certain way, or how the attorneys might have handled the matter differently,” continued Fleissig, who also is a longtime adjunct professor at the law school and currently teaches courses in evidence.

Fleissig has experienced clinical externships from many sides—first as a student, then as a supervisor of law students while an Assistant U.S. Attorney and as the U.S. Attorney, next as a U.S. Magistrate Judge in the Eastern District of Missouri, and now in her current role on the U.S. District Court.

DURING HER STINT in the U.S. Attorney’s Office, Fleissig oversaw students in the Government Lawyering Externship. The placements are designed to expose students to either the civil or criminal divisions of the U.S. Attorney’s Offices in both the Eastern District of Missouri and the Southern District of Illinois. Supervised by Professor Katherine Goldwasser, law students have the opportunity to work on all facets of investigations and prosecutions that come before the U.S. Attorney’s Office.

The experience as a clinic student and now as a supervisor has convinced Fleissig that clinical externships are a winning proposition for both the students and the attorneys or judges they serve.

“Clinics and externships offer incredibly valuable learning experiences,” she notes. “They help prepare students for handling the rigors of practicing law after graduation.”

Fleissig recalls that she entered her clerkship in her final semester of law school with “a pretty good idea that I wanted to be a litigator.” During her clerkship, she learned such valuable nuggets as how the court’s work flowed, where the clerk’s office was located, and who did what in the courthouse.

“As a young trial lawyer, it was wonderful to have had that experience,” says Fleissig, who worked in private practice after law school. “I felt more at ease in federal court. I had a better idea of what was going on and what you should and shouldn’t do.”

Now under the supervision of Charles Bobinette, who has taught in the clinical program for nearly 30 years, the Judicial Clerkship program places students as part-time law clerks under the supervision of local, state, and federal trial and appellate judges in Missouri and Illinois.

Fleissig believes the hard work of her clerks helps the court system run smoothly. “The public deserves to have the finest, most efficient product come out of this chamber that we can possibly create,” she notes. “Our experience shows that with proper supervision and guidance, bright externs help us get that work done more efficiently.”

RESEARCH EXCERPT

Katherine Goldwasser, Professor of Law


“We have come to believe that, if the aim is to significantly reduce domestic violence, approaches that focus on empowering abused women are flawed in ways that render them not just ineffective, but actually counterproductive. Our thesis is that the use of such strategies reflects fundamental misconceptions and false assumptions about the nature of domestic violence, about why this sort of violence persists, notwithstanding the panoply of legal remedies designed to combat it, and, ultimately, about what it takes to change behavior that has long been tolerated, if not actually fostered, as a result of deeply imbedded social and cultural norms.”
International Human Rights: A Global Pursuit

By Sarah Placzek, JD/MSW ’10

Before entering law school and graduate school in social work, I was a Peace Corps volunteer in Timor-Leste, and it whet my appetite to work internationally. Although my stint was interrupted by civil unrest, the experience confirmed my belief that law and social work could be combined to effectively support peace and human development in post-conflict nations. Once I arrived at Washington University, I pursued opportunities to foster my goal of a career in international human rights.

Following my first year of law school, I did a summer internship at the Legal Resources Centre in Accra, Ghana, through the Africa Public Interest Law Initiative, coordinated by Professors Karen Tokarz and Kimberly Norwood. I engaged in human rights education with various community-based organizations working to gain better access to health care and to combat repressive widowhood rites.

As an intern with the United Nations Inter-Agency Project on Human Trafficking (UNIAP) in Bangkok, Thailand, after my second year, I assisted in the design and implementation of a research study aimed at assessing the influx of Cambodian deportees from Thailand and establishing the level of unidentified or misidentified trafficking victims within these deportees. I also initiated a media project that would enable victims entering shelters to gain more information about their rights through an illustrative video available in multiple languages.

My capstone learning experience, however, was my semester externship in the spring of my fourth year at the International Criminal Tribunal for Rwanda in the Appeals and Legal Advisory Division within the Office of the Prosecutor. I received this assignment through the law school’s new International Justice & Conflict Resolution Practicum, facilitated by Professors Karen Tokarz and Leila Nadya Sadat.

Being a small part of the tribunal’s work provided invaluable insight into the challenges Rwanda and the international community face in working to end impunity and support lasting peace. I realized the historic significance of the tribunal for setting a strong precedent for the International Criminal Court and national jurisdictions; there is much to learn from the tribunal’s achievements, as well as its disappointments.

My semester at the tribunal also provided practical work experience relevant to both domestic and international legal work—I conducted legal research and analysis, drafted appellate briefs, participated in oral advocacy training, and practiced on a multinational team.

I had amazing international learning experiences through the law school in large part because of the support and professional connections of my international and clinical faculty mentors. I am grateful for these unique learning experiences and the many efforts of my professors to ensure international opportunities designed to advance my career goal.

After graduation, I accepted a two-year clerkship with a judge on the Missouri Court of Appeals in my hometown, Springfield, Missouri, where my brother, sister, and father, Mathew Placzek, JD ’73, practice law. I am enjoying this period of time to refine my research skills, reconnect with my family, and refuel for what I hope is a meaningful career in international human rights.

Former international extern Sarah Placzek, JD/MSW ’10, is currently clerking for Judge William W. Francis, Jr., of the Missouri Court of Appeals for the Southern District.

School Offers Supervised Practicum, Related Public Service Experiences

Current clinical students have the opportunity to design an experiential learning opportunity under the supervision of a faculty member through the Supervised Practicum. Externships typically involve field placements in legal settings, such as legal services or other nonprofit law offices. Students may also teach law to others, such as through the Women & the Law class for undergraduates.

Law students also have the opportunity to work with clinic and other faculty members as research assistants and may take advantage of a full array of summer public interest internship placements, such as those through the American Indian Law Program and Africa Public Interest Law Initiative.
“TERRIFIED” PROBABLY BEST DESCRIBES how I felt as I stood at the podium ready to address my panel for oral argument. I wasn’t arguing before the Eighth Circuit. At least not yet.

In one of three moot court sessions organized by Professor D. Bruce La Pierre, my adviser for the Appellate Clinic, my panel of “judges” included Washington University professors and local practitioners ready to subject me to up to 45 minutes of relentless questioning.

The nerves hadn’t completely disappeared when I finally appeared before the Eighth Circuit to argue the clinic’s case, Allen v. United States Air Force, 603 F.3d 423 (8th Cir. 2010). But I was comfortable and confident that I could field any question the real judges might throw at me.

My experience working in the Appellate Clinic taught me far more than how to present a 15-minute oral argument. For several months prior to the argument, Professor La Pierre guided a group of students [now alumni] from the Appellate Clinic—Aaron Block, Nicholas Niles, Shibani Shah, Stephen Winter, Reed Wycuff, and me—as we combed through a challenging record of court martial proceedings, researched military law, developed potential arguments, and, finally, drafted our brief.

Throughout the process, Professor La Pierre provided careful instruction while, at the same time, giving us a significant amount of independence and control over the assignment.

The students decided which arguments would best make our case. The students drafted the briefs. And for the oral argument, I decided exactly how to address the court. Professor La Pierre simply ensured that our work lived up to the Appellate Clinic’s high standards. He helped us tackle a daunting task, and we emerged with a much greater understanding of federal appellate advocacy.

Now as a clerk to the Honorable Lavenski R. Smith on the U.S. Court of Appeals for the Eighth Circuit, I’m viewing the appellate process from a much different perspective. And I’m finding that my clinic experience prepared me well.

As a clerk, I have come to recognize the qualities Professor La Pierre emphasized—thorough preparation, candor with the court, clear and organized arguments, meticulous editing, to name a few—as the hallmarks of effective written and oral advocacy. My clinic experience has helped me become a more critical thinker and a better writer.

On a more practical (and perhaps more mundane) level, my familiarity with appellate rules and practices allowed me to hit the ground running.

I’m extremely grateful for my experiences in the Appellate Clinic—both the joy of working with Professor La Pierre and my classmates and the thrill of arguing my first case before the Eighth Circuit. Just as important, I’m confident that the lessons I learned will serve me well for years to come.

Former Appellate Clinic student Wade Carr, JD ’10, is currently clerking for Judge Lavenski R. Smith on the U.S. Court of Appeals for the Eighth Circuit.
I HAVE ALWAYS SUPPORTED the tenet, “you commit the crime, you do the time.” It was thus with mixed feelings that I began my spring 2010 externship at the Federal Public Defender’s Office for the Eastern District of Missouri.

I feared that in cases where I helped defend persons who had admittedly committed crimes, I would implicitly condone “bad” behavior by either reducing their possible sentences or by eliminating the possibility of their going to jail altogether. As a result, although I had a growing interest in criminal law, my goals for my three-month externship—though sincere—were fairly boilerplate: to improve my legal research and writing skills and to learn more about sentencing law and policy in the United States.

My supervising attorney gave me some interesting writing assignments that allowed me to put my legal research skills to good use. I also attended various stages of court proceedings, from initial appearances to sentencings, that gave me a better grasp of sentencing law and policy within the federal judicial system.

I ultimately achieved my core goals throughout the externship, but I left the externship more enlightened than I had ever anticipated. This enlightenment arose because, in addition to the research, writing, and court appearances, I had many intimate meetings with clients in preparation for court. Along with my supervising attorney, I met clients ranging from those with serious mental health issues to those who had drug and alcohol addictions.

I often read these clients’ files before meeting them. Those files detailed their criminal histories, which usually started at the juvenile stage and were occasionally coupled with a family history of some type of abuse. In reading my clients’ files prior to meeting them, I found the clients—some of whom were career criminals—became humanized for me. This, in turn, increased my desire to ensure that they had a proper defense—one that, when possible, took into account their backgrounds.

Initially, this sentiment concerned me deeply because I was hesitant to overly humanize someone who had admittedly committed a crime. I came to learn throughout the externship, however, that in order to adequately provide legal representation, attorneys must learn and then present their client’s relevant history.

I now believe that humanization of the client is an often inevitable, and perhaps necessary, result of this learning process—one that helps ensure a good attorney will do his or her job properly. In accepting and embracing this notion, I understood truly that everyone does indeed deserve the right to an ample defense.

AS HARD AS THAT IDEA may be for some to accept, I believe that in order for the American legal system to function effectively and fairly, this tenet must hold true regardless of who a client may be or what crime he or she may have committed. While I still believe that if “you commit the crime, you do the time,” I understand better now that crime and punishment may not be as clear-cut as some might like.

In the end, I am truly pleased I had the opportunity to participate in the externship with the Federal Public Defender’s Office. Under the excellent direction of my supervising attorney and legal field placement coordinator, Professor Michael Koby, I was able to seek their professional guidance in working through many of these issues.

While I also improved my research and writing skill set, the externship more importantly forced me to step outside of my comfort zone. I was compelled to broaden my somewhat narrow value system and take to heart that where the client is concerned, personal judgments and values have no place. What matters instead is my legal duty to provide effective assistance of counsel to the client—whoever he or she may be.

Former clinic extern Chansi Powell, JD ’10, is currently working for the Democratic Election Standards Project in Atlanta, Georgia.
Clinic Alumni Find Common Cause in Legal Assistance Foundation

BEVERLY YANG, JD ’06, was forever changed by her experience in the Civil Rights & Community Justice Clinic.

“It’s where I learned the day-to-day practice of law. By co-counseling cases at Legal Services of Eastern Missouri, I learned that I wanted to advocate for justice on behalf of people who usually don’t have a fair shake in court,” says Yang, who now works as a staff attorney with the Land of Lincoln Legal Assistance Foundation in Alton, Illinois.

Yang is among several Washington University law graduates who staff the Land of Lincoln office in Alton. She is joined by staff attorneys and alumni Benjamin Bozicevic, JD ’07, and Clarissa Gaff, JD ’06, and one-year AmeriCorps attorney Linda Jun, JD ’10. The office’s longtime managing attorney is Joan Spiegel, JD ’81, also an alumna and a highly respected public interest lawyer in Illinois.

While in law school, Yang, Gaff, and Jun were members of Professor Karen Tokarz’s Civil Rights & Community Justice Clinic, and Bozicevic interned in South Africa through the Africa Public Interest Law Initiative. Drawing on these experiences in law school and then at the Land of Lincoln, Yang, Gaff, and Bozicevic are now supervising current members of Tokarz’s Civil Rights & Community Justice Clinic.

Gaff says that her experience in the clinic helped prepare her for practice as well as garner her position at Land of Lincoln. “It is thrilling for us to now be in a position to pass on what we have learned to current clinic students,” she says. “We know how valuable the clinic experience was for us and can be for them, so we are very invested in their development.

“It is also very satisfying to have the opportunity to continue to work with Professor Tokarz on projects such as financial literacy and mortgage loan foreclosure mediation,” she adds.

Students choose the opportunity to extern with Land of Lincoln to join in providing “high-quality, free legal assistance to poor people,” says Spiegel, and to have the opportunity to work with experienced lawyers on important issues.

According to Yang, their office provides clinic students with a view of society they don’t always recognize: “While clinic students may expect to interview clients and be in the courtroom, they aren’t always prepared for exposure to the difficult conditions in which our clients live. Our clinic students may see more poverty during the course of our representation than they ever thought the U.S. could harbor.”

Learning new perspectives about clients, client community problems, and the legal system is part of the hands-on legal experience that clinic students crave when they come to Alton. “They interview and counsel clients, research issues, draft pleadings, provide community education, and go to court with us,” Spiegel says. “They do pretty much what a new public interest lawyer would do, but under close supervision.”

Seasoned civil rights attorney Joan Spiegel, JD ’81, right, mentors law alumni and students at the Land of Lincoln office in Alton, Illinois. The former externs and now attorneys, pictured above, were all Professor Tokarz’ students in either the Civil Rights & Community Justice Clinic or the Africa Public Interest Law Initiative. Front row, from left: Beverly Yang, JD ’06, and Spiegel; middle row, from left: Linda Jun, JD ’10, and recent clinic student Natasha Love Rogers; and back row, from left: Benjamin Bozicevic, JD ’07, and Clarissa Gaff, JD ’06.
Spiegel adds that the student attorneys learn what it’s really like to engage in client advocacy, negotiation, administrative practice, litigation, and community education. For example, she says, the students might help a client get public medical insurance or Social Security disability benefits, keep public housing, and/or prevent an eviction.

SPIEGEL ADMITS that the work can be wearing. “Our clients often come to us with many problems, beyond simple legal matters,” she says. “Poverty, legal problems, and mental illness are frequently combined, making resolution of the legal issues all the more challenging. We also deal with victims of violence who’ve lost confidence in their ability to function outside the control of their abuser.”

“When we defend an eviction or foreclosure, not only do we help our clients and their families avoid homelessness, we also help ensure the continuity of their children’s education and the family’s financial stability,” Yang adds. “Often, our clients cannot afford market rent and are receiving help from the government just to remain housed. It would be a monumental loss if they were evicted and lost their eligibility for subsidized housing.”

Because above all the attorneys want to help their clients, being unable to address some of the legal and nonlegal issues can be tough. “We as lawyers have to learn the limits of what the legal system can do and how to be creative at pushing those boundaries,” Yang says. “We also have to develop partnerships with social service agencies when the system doesn’t identify a legal injustice that we can negotiate or litigate. It’s hard to tell a client that the law provides no recourse or remedies for her situation.”

Nevertheless, the work delivers many feel-good moments mixed in with the difficult cases. “My favorite part of the job is the client interaction,” says Bozicevic, a staff attorney specializing in subsidized housing and public benefits issues. “Being able to assist those in need, whether helping clients maintain their subsidized housing or obtain important public benefits, can give you the highest of highs. But the work has its low points as well; unfortunately you can’t always help every client.”

“For students, the experience of representing a client for the first time can provide the ‘Ah ha’ moment where they realize why they wanted to become a lawyer in the first place,” says Yang. “Together, we show our clients, who often don’t trust any authority—especially the legal system—that there’s justice for them, even if they are a marginalized part of society.

“And, we can share with the students what Professor Tokarz taught us about the impact lawyers can have on people’s lives and help them to understand the power and privilege of lawyering,” she adds.
(clockwise, from left) Vice Dean Peter Joy, right, is the longtime director of the Criminal Justice Clinic, which enables students to engage in supervised criminal defense practice. Professor Karen Tokarz, left, founded and directs the Civil Rights & Community Justice Clinic, in which students represent victims of housing, immigration, and public benefits discrimination and collaborate with community legal services providers. Lecturers Maxine Lipeles, second from left, and Peter Goode, second from right, are among the clinical faculty who bring expertise to the Interdisciplinary Environmental Clinic, which addresses a host of community environmental concerns.