On Tuesday, November 27, 2001, eleven alumni and faculty were sworn in as members of the Bar of the United States Supreme Court. After breakfast at the Court, on motion by Dean Shelley Broderick, herself a member of the High Court’s Bar, Chief Judge William Rhenquist did the honors in open court before oral argument before the entire court and a packed gallery.

The new members of the Supreme Court Bar are Denise Wiktor, ’84; Karen Newton, ’87; Gayle Driver, ’93; Linette Lander, ’93; Mark Sobo, ’94; Janice Washington, ’94, Mark Sobo, ’94, Linette Lander, ’93, and Dana Richard, ’97.

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Olender Foundation Honors Six Third-Year UDC-DCSL Students at Kennedy Center

PUBLIC INTEREST CHAMPIONS: (from left) Tyrona Dewitt, Janell Forgy, Latarsha Jones, Dimone Long, Heather Rubinstein, and Hao Wu. See page 23 for more on their outstanding achievements.

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Dear UDC-DCSL Community and Friends,

This edition of *The Advocate* highlights community service and accomplishments, a wonderful set of recent educational programs on campus, and some change and progress at the School of Law. As always, our students lead the way. We are all so proud of those honored for their outstanding clinical legal services by the Olender Foundation at the Kennedy Center in December (cover photo), and those working every day in the clinical programs. When you read about the work our students undertake, you will know how difficult it is to select award winners. Beginning on page 16 in “Clinic Highlights,” read about student law reform efforts like the Standby Guardianship Bill; individual representation of low-income tenants in Superior Court and in administrative hearings; advocacy on behalf of prisoners facing parole revocation; research and legislative drafting for D.C. Councilmembers to e.g., improve health and safety, criminal justice, and voting procedures; and lawyering for juveniles in the abuse and neglect system and for those with special education needs.

We are also enormously proud of our alumni, ten of whom were sworn into the U.S. Supreme Court Bar in November (cover story). Building on the legal education received in the classroom and in the clinic, alumni are receiving graduate law degrees, becoming judges, being appointed special masters, and for Joe and Brooke Teefey, ‘94), delivering triplets! (page 35).

Our faculty also continue to astonish with an amazing work output pursuing law reform on behalf of vulnerable D.C. residents, speaking at national and local conferences, and publishing at an ever increasing pace (page 8).

As you peruse *The Advocate* you will see coverage of the Reparations in the 21st Century Program (page 4), Jesse Jackson, Jr.’s Book Party for his new book, *A More Perfect Union: Advancing New American Rights* (see page 6), death penalty foe Steve Bright’s lecture (page 30), Fannie Mae V.P. Jamie Gorelick’s career services presentation (page 28) and other programs, e.g., on education, human needs, and non-violent alternatives to war (page 40). These programs brought hundreds of D.C. residents to the UDC campus, many for the first time. Stay tuned! We are already planning an equally exciting spring line-up.

The School of Law has made great progress this year. It became eligible and applied for full American Bar Association accreditation on October 15, 2001. The next site evaluation team arrives April 10 for a three-day inspection, and the Team’s report will be considered at the November 2002 Accreditation Committee meeting (page 7). We are delighted to have reached this milestone! Assisting the School of Law in its final push is a new member of the Management Team, Associate Dean for Administration and Finance, Janice Washington (DCSL ’94). She is already making a wonderful contribution (page 8). Many thanks for the extraordinary service provided by former Associate Dean Stephanie Brown who will resume teaching in the fall as part of the faculty after a much deserved sabbatical leave.

I hope you enjoy this issue!

Sincerely,

Shelley Broderick
Dean, UDC David A. Clarke School of Law
By David S. Neale

Should descendants of African American slaves receive reparations as a form of redress for slavery and the systemic inequalities that still linger in its wake? Will the payment of reparations help or harm current race relations in the United States? In light of affirmative action, welfare, and other social programs, have reparations, in fact, already been paid?

And what about the legal basis for such a pursuit—does a valid case with strong evidence and legal precedents for reparations exist?

These questions and others were addressed at “Reparations in the 21st Century,” a panel discussion held October 15, 2001, in the UDC Auditorium. Officially a fundraiser for the David A. Clarke Scholarship Campaign, the program did more than just raise approximately $42K for law student scholarships. It also succeeded in raising consciousness and creating awareness about an issue fraught with controversy and often misunderstood. Even though the United States walked out of the Durban, South Africa, World Conference Against Racism over the issue of reparations just weeks earlier, UDC President Timothy Jenkins made it clear in his opening remarks that a discussion of reparations is supported and encouraged at UDC.

“For us here at the David A. Clarke School of Law at the University of the District of Columbia, this is the kind of subject matter that we should discuss and expose to the people,” said Jenkins.

After Jenkins’s remarks, Dean Shelley Broderick welcomed the diverse audience—including D.C. Court of Appeals Judge Julia Cooper Mack, D.C. Superior Court Chief Judge Rufus King, Hilda and Charles Mason, DCSL Foundation President Mike Rauh, present and past D.C. councilmembers, ANC commissioners, UDC Trustees, and many others—who were in attendance. Following two musical selections performed by vocalist Norma Ormond and pianist Hildred Roach, an evening of cutting-edge civic, intellectual, and educational discussion began.

Beyond 40 Acres and a Mule

All the panelists for the event supported reparations for the descendants of African American slaves. However, each panelist brought with him a different set of experiences and contributed a unique perspective from which to view and understand the issue. The first panelist, Alexander J. Pires, Jr., of the Washington, D.C. law firm Conlon, Frantz, Phelan, and Pires, won a $1 billion settlement for over 22,000 African American farmers in a discrimination class action lawsuit against the U.S. Department of Agriculture. Pires is also part of the “dream team” of lawyers who plan to file what will likely be (Continued on page 5)
(Continued from page 4)

many reparations lawsuits targeting the U.S. Government and businesses who sanctioned and directly benefited from slavery. Throughout the evening, Pires emphasized how white supremacy has always been part and parcel of the U.S. legal system, which was inherited from the British. Nonetheless, despite the obstacles he and his colleagues will undoubtedly face in pursuing the lawsuits, Pires championed the cause of reparations.

“I can’t think of a lawsuit in this country that is more important. There is nothing in comparison,” said Pires.

The second panelist, Martin Mendelsohn of the Washington, D.C. law firm Verner, Liipfert, Bernhard, McPherson, and Hand, spoke about his efforts to obtain reparations—approximately $7 billion—for victims of the Nazi Holocaust. Mendelsohn noted that the plaintiff class for the case he litigated was very broad and “universal,” encompassing slave laborers, the poor, Jehovah’s Witnesses, “gypsies,” homosexuals, and the disabled. That broad base was crucial to the success of the lawsuit he filed. Although there may be a strong moral and legal basis for reparations in the U.S., according to Mendelsohn the political basis is “tenuous.” If a reparations lawsuit is to succeed, Mendelsohn suggested that proponents form a similar political coalition to that formed in the Nazi Holocaust case.

Pires and Mendelsohn, with the assistance of the evening’s moderator, Wade Henderson, helped situate the topic of reparations within a broad historical, legal, and international context. Henderson, who serves as the Executive Director of the Leadership Conference on Civil Rights and the UDC-DCLS Joseph L. Rauh, Jr. Professor of Public Interest Law, guided the two panelists to explain how the lessons learned from their cases were directly applicable to the case for reparations for descendents of African American slaves. That laid the groundwork for the incisive commentary provided by the third panelist, Charles J. Ogletree, Jr., who argued that—to borrow the subtitle of Randall Robinson’s manifesto on African

American reparations, The Debt—“what America owes to blacks” goes much beyond the 40 acres and a mule still outstanding after the Civil War.

An American Solution

During the discussion, Henderson asked Ogletree whether or not he believes the U.S. should apologize to African Americans for slavery.

“If we are paid-in-full for the hundreds of years of slavery, the nearly one hundred years of Jim Crow laws, the continuing legacy of racial discrimination and oppression—I don’t care much about the apology,” responded Ogletree, summarizing the position he would emphasize and elaborate upon throughout the evening.

The Chairman of the UDC Board of Trustees and a professor at Harvard Law School, Ogletree is spearheading the reparations lawsuit through a personal and professional minefield of criticism and even death threats. But Ogletree is unfazed, focusing his energy on fine tuning the legal cases, which will argue claims such as unjust enrichment and failure to provide equal protection and due process under the law. Combined, the restitution sought in all the cases will result in what Ogletree believes is “an American solution.”

“Eliminating things like poverty, under-education, healthcare disparity, housing discrimination … that’s not solving black problems, that’s solving American problems. I hope that blacks and whites will wake up and see that this is not about a group getting their free payday. This is about changing America fundamentally in a way that would make this a nation that truly is equal justice for all,” said Ogletree.

“We’ve never had that,” he added. “Now is the time to have it.”
PERFECTION BOUND

Congressman Jesse Jackson, Jr. Shares Insights on How to Form “A More Perfect Union.”

On Monday, November 19, 2001, Congressman Jesse Jackson, Jr. (D-Illinois) visited UDC-DCSL to read from and sign copies of his latest book *A More Perfect Union: Advancing New American Rights* (with Frank E. Watkins). Students, faculty, and staff from around the university joined Dean Shelley Broderick in proudly welcoming the congressman to UDC, the site of his first major book signing in the D.C. area for the new title.

Speaking in a captivating, authoritative style he clearly inherited from his father, Jackson eloquently told why he wrote the book, emphasizing how American race relations still govern our lives. “A More Perfect Union is more than 450 years in the making,” said Jackson. “It is a challenge for the reader…because it challenges everything that we know about our nation.”

While Jackson sees “race as the lens through which to see all of American history,” economics and the tension between states’ rights and federal rights are the substance. The struggle for broadly shared economic development, political power, and personal freedom can best be advanced, Jackson argues, by adopting eight new, benchmark-setting constitutional amendments, guaranteeing rights primarily grounded in the Universal Declaration of Human Rights, which the U.S. has ratified. Each is discussed in a separate chapter: the rights to quality health care, housing, education, a clean environment, fair taxes, full employment, equality for women, and the right to vote.

After speaking on these issues, the floor was opened for questions, during which UDC-DCSL students took the opportunity to demonstrate their own understanding of history and the law. Jackson noted how “refreshing it was to be in the presence of law students pursuing public policy.”

“We need public interest and its priorities to reign over the private interests.”

—Congressman Jesse Jackson, Jr., November 19, 2001

One such law student was Amy Castrovinci, 3L, who explained that her recent law review article also discusses the power of a constitutional clause to enforce equal opportunity — particularly regarding funding of school

(Continued on page 7)
districts. Currently, some public school districts in impoverished neighborhoods are overcrowded and lack basic necessities, while others in higher income neighborhoods afford cutting-edge resources that often help students excel. Though Castrovinci’s article is about New Jersey’s constitution, it resonates with Jackson’s proposal of a U.S. constitutional amendment that would ensure public school districts around the country are funded equally, whether they are rich or poor.

The need for such an amendment is most easily recognized in Washington, D.C., which has no state constitution, let alone one with an educational clause like New Jersey’s. Jackson’s proposed amendments to The Constitution therefore overlap with those proposed by supporters of D.C. statehood and voting rights, both of which would require such legislative tweaking, which Jackson supports. Jackson also stated his support for UDC-DCSL’s public interest mission, “We need public interest and its priorities to reign over the private interests.”

This article was compiled with information from Vernard Portis and a Publishers Weekly book review.
Janice Bardley Washington Joins UDC-DCSL Management Team as Associate Dean

The UDC-DCSL community welcomes Janice Bardley Washington to her new position as Associate Dean for Administration and Finance. She will be very busy overseeing budget, finance, personnel, procurement, facilities, and technology for the School of Law. Her background, which combines extensive legal and business training and experience, makes her an ideal choice.

Associate Dean Washington joined the management team after serving as director of the Small Business Center, a project of the Community Development Law Clinic since May 2000. She is a magna cum laude 1994 graduate of the District of Columbia School of Law where she was Legislative Developments Editor of the Law Review and a recipient of the Dean’s Cup for outstanding school service. After law school, Associate Dean Washington clerked for the Hon. Rhonda Reid Winston of the D.C. Superior Court and served as a staff attorney for the D.C. Public Defender Service.

Associate Dean Washington earned a B.A. in 1972 at Northwestern University, an M.A. in 1976 in Adult Education from the University of the District of Columbia, and an M.B.A. in 1980 from the University of North Carolina at Chapel Hill where her concentration was finance and where she received a Consortium for the Graduate Study of Management Fellowship.

Prior to law school, Associate Dean Washington was an accountant with the American Express Company and a management consultant responsible for developing management information, personnel, and other systems for an insurance company. Stephanie Y. Brown’s executive appointment as Associate Dean for Administration and Finance concluded December 31, 2001. She was granted sabbatical leave for the spring semester, 2002, and will undertake full-time faculty teaching and service activities this fall.

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Howells and Morin Present at International Clinical Conference

Professors Louise Howells and Laurie Morin presented their work-in-progress to law professors from around the world at the Fifth International Clinical Conference, which was held at UCLA’s Conference Center in the San Bernadino Mountains of California. The conference focused on teaching problem-solving in law schools. Professors Howells and Morin addressed problem-solving skills that students need to solve the ill-structured, messy legal problems encountered in clinic.

They are grateful to students in the Community Development Law Clinic and Small Business Law Project who have shared their thoughts and thought processes this semester and who have provided valuable insight for their work.
Immigration Law Center Launched
Community and School Leaders Celebrate Inauguration at Kick-off Reception

By Kenneth Y. Best

The Immigration Law Center, designed to serve the growing legal needs of immigrants and refugees in metropolitan Washington, D.C., was formally launched at an impressive reception, held November 14, 2001, at the University Residence. The Center is the result of a unique partnership between Jubilee Center, Inc., a non-profit organization established by Grace Evangelical Lutheran Church and UDC-DCSL.

A distinguished crowd turned out for the ceremony, including guest of honor Ralston H. Deffenbaugh, Jr., president of the Lutheran Immigration and Refugee Service (LIRS), UDC President Timothy Jenkins, several judges from the District of Columbia, Mission Director Jerrett Hansen from Region 8 of the Evangelical Lutheran Church in America (ELCA), Dean Shelly Broderick, Dr. Roy Enquist, professor emeritus at Lutheran Theological Seminary at Gettysburg and Canon Ecumenist at Washington National Cathedral, and Rev. Dean L. Moe, senior pastor of Grace Lutheran Church.

During remarks, Mr. Deffenbaugh said he was “impressed by the amazing confluence of people and institutions which make it possible to provide this much needed service to immigrants and refugees.”

The LIRS and other organizations, he noted, are seeking to find “the model for providing low-cost immigration services in a sustainable way. And it certainly seems that the example of Jubilee Center, Inc., in partnership with Grace Lutheran Church and the UDC Law School, may point the way.”

Mr. Deffenbaugh also said that of the four congregation-based immigration ministries initiated by the Chicago-based Evangelical Lutheran Church in America (ELCA) in 1999, only Grace Church is still fully engaged in immigration work. The program has even expanded through Jubilee Center, Inc. and its partnership with the UDC David A. Clarke School of Law.

Dean Broderick explained the two-fold mission of the David A. Clarke School of Law: to recruit and enroll students of racial, ethnic and other population groups traditionally underrepresented at the Bar; and to represent the legal needs of low-income residents of the District of Columbia through the School’s six legal clinics.

“We have a growing number of students from several foreign nations,” said Dean Broderick, noting that the student body of UDC itself is 15% international. “A growing number of our law students, like a growing number of our alumni, enjoy serving immigrants. The legal needs of the immigrant population in Washington, D.C., are increasing daily, and our students want to help. The School’s partnership with Jubilee Center, Inc., allows us to better serve these needs.”

Pastor Moe gave background on Grace Church’s involvement with refugees. The first African to join the parish since Moe became pastor in 1985 was a Nigerian, who soon brought over his fiancée. “This was followed by a big wedding, then the birth and baptism of their first son,” the pastor said. “Shortly before their second son was born, the husband died. Meanwhile, though, more Africans came, and

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STATEMENT OF JOHN F. TERZANO  
Vice President, Vietnam Veterans of America Foundation  
Member of the Constitution Project’s Initiative on Liberty and Security  
November 28, 2001

My name is John Terzano and I serve as Vice President of the Vietnam Veterans of America Foundation. I am honored to represent VVAF as a member of the Constitution Project’s Initiative on Liberty and Security. I commend the Project’s Executive Director, Virginia Sloan, for convening such a distinguished group of Americans to consider these difficult and important issues, and I thank my fellow Initiative members for agreeing to participate in this critical effort.

VVAF is a Washington DC-based international humanitarian organization dedicated to global security and understanding by engaging in programs that promote justice and freedom. The organization was founded by, and is run by, Vietnam veterans who know first hand the havoc war wreaks both on the society on whose soil war is fought and on our society at home. In some of the countries where VVAF runs rehabilitation clinics such as Vietnam, Cambodia, and Angola, as well as scores of other countries, war’s aftermath continues to kill innocent civilians with landmines and unexploded ordinance. Similarly, the U.S.’s new war on terrorism threatens to roll-back protections on civil liberties, protections that were the result of our government’s attempts to mute dissent at home during Vietnam.

Throughout the history of our country, threats to domestic security have led the government to limit free speech, freedom of the press and other civil liberties in a misguided attempt to preserve order. President Lincoln suspended the writ of habeas corpus during the Civil War. The federal government prosecuted anti-draft advocates during World War I. And at the outset of World War II, of course, over 100,000 Japanese-Americans were rounded up from their homes and businesses and placed in camps throughout the Western United States. Over the course of the war, only 10 Americans, all Caucasians, were convicted of spying for Japan. Milton Eisenhower, who as a government official helped carry out this policy, later wrote: “How could such a tragedy have occurred in a democratic society that prides itself on individual rights and freedoms?”

The relationship between war and civil liberties is of special concern to those of us who served in Vietnam. Ours was a war in which tensions ran especially high between the government and those who came to disagree with the aims and means of the war. As the fighting dragged on, and the anti-war movement grew, the federal government tried to gag its political opponents through various unconstitutional tactics from illegally spying on Dr. Martin Luther King, Jr. (and countless others) to attempting to block the publication of the “Pentagon Papers,” to attempts to suppress efforts of Vietnam veterans to tell the truth about the war.

In response to these Vietnam-era abuses, Congress put in place legal safeguards to protect civil liberties from government overreaching. For example, Congress created strict limits on the CIA’s ability to spy on Americans, and erected barriers between intelligence gathering and domestic law enforcement. But the new USA-PATRIOT Act would give the FBI and other agencies broad powers to eavesdrop on Americans and detain people the government considers suspicious. The new law rolls back important protections passed in the wake of the Vietnam War.

Among the most disturbing aspects of the legislation is the extent to which it limits the role of judges in checking excessive executive authority. Judicial review is a cornerstone of our system of government. But some provisions of the USA-PATRIOT Act limit judicial review of law enforcement activities altogether, or create the illusion of judicial review while transforming judges into rubber stamps.

But the executive branch is not just neutralizing the power of the judiciary. Since the signing of the USA-PATRIOT Act, the executive branch has also neutralized the power of Congress through unilateral executive decisions such as authorizing eavesdropping on privileged communications between detainees and their attorneys, and the establishment of military tribunals where the President and the Secretary of Defense establish the rules.

With these extraordinary assertions of executive power, the Administration calls into question whether the legislative and the judicial branches of our government are full partners in this war on terrorism. In circumventing the judiciary and the legislature, the new measures undermine the constitutional checks and balances that protect all Americans.

(Continued on page 11)
Integrating Clinical Methodology into First-year Courses” was the topic of Dean Shelley Broderick’s panel presentation at the Annual Meeting of the American Association of Law Schools in New Orleans, January 3, 2002.

“I love to get the chance to spread the word about our groundbreaking Law and Justice Community Service Program,” said Dean Broderick. "Every School of Law should follow our lead in orienting students in justice beginning day-one of law school and in requiring community service. In too many schools, ‘justice’ enters the curriculum as a third year elective.”

Some fifty program participants listened to a description of the program structure and goals. As outlined by Dean Broderick, L&J/CSP provides students with one credit for a two-week seminar which is conducted for the two weeks immediately prior to the start of first-year courses. In addition, during the first year of law school, each student is required to perform 40 hours of community service. The intensive seminar is taught by the legendary professor Edgar Cahn. Students discuss affirmative action and other critical issues of the day, they meet lawyers who represent homeless people in the District of Columbia, and they share their application essays in which they describe an instance of injustice that they experienced or observed. On the final day of class, public interest, public service, and public policy lawyers (e.g. from the D.C. Human Rights Commission, D.C. Corporation Counsel, D.C. Public Defender Service, the Immigration Law Project and Time Dollars Youth Court) describe the ever increasing need for student help to represent vulnerable residents of the District of Columbia. Students then meet the lawyers over lunch and often make arrangements for community service placements. Students are also assigned a faculty advisor who approves and certifies community service placements and hours. During the course of the year, students meet periodically with Professor Edgar Cahn to discuss their progress, issues, and concerns. Finally, students draft a three page essay describing their work at the placement.

Dean Broderick also described her perception of some of the goals of the program. First, L&J/CSP sends a strong message to students about the mission of the UDC David A. Clarke School of Law. It also allows the students the opportunity to build a cooperative and supportive relationship with each other. The Program facilitates student interaction with all faculty members who serve as role models because of the extensive community service provided by each. L&J/CSP initiates a career path for students because it often leads the way to public interest, public service, and public policy summer jobs, internships, and post graduate placement. Students are inspired by meeting some of the District’s great advocates for the poor, including many of the School of Law’s alumni. L&J/CSP also meets UDC-DCSL’s mission of service to the community. Through the program, students already have contributed more than 8,000 hours of service to individuals and organizations. Finally, every student experiences the opportunity to serve people in need and the feeling of accomplishment that can bring. The final essays submitted by students routinely identify L&J/CSP as a transformative experience, and a major highlight of the law school education.

Terzano Speaks Out ...

(Continued from page 10)

The war on terrorism poses many other threats to civil liberties, which are the ultimate threat to all we are fighting so hard to protect. One is inevitably reminded of the words of a forgotten general, “I bombed the city to save it.”

We as a nation must heed the words of the Supreme Court in United States v. Robel, 389 U.S. 258, 264 (1967): [T]his concept of “national defense” cannot be deemed an end in itself, justifying any exercise of…power designed to promote such a goal. Implicit in the term “national defense” is the notion of defending those values and ideas which set this Nation apart...It would indeed be ironic if, in the name of national defense, we would sanction the subversion of one of those liberties...which makes the defense of the Nation worthwhile.

I look forward to discussing these and other issues with the other members of this Initiative, and I am sure we will agree on principles that can help balance the legitimate needs of security with the liberties we value as Americans.
Family and Medical Counseling Service Presentation

On September 21, 2001, Professors Gay Gelhorn and Joyce Batipps presented a training session at the Family and Medical Counseling Service, Inc. (FMCS), a collaborator of the Family Ties Project. The topic of the training was “Helping Our Clients: Social Security Disability and Medicare, Supplemental Security Income (SSI) and Medicaid.” Attending the session were nearly all of the FMCS’ case managers, many of whom were fairly new to the organization. They shared in this interactive presentation by speaking about problems which they routinely encounter with their client’s Social Security disability issues. The goal of the training was to enable case managers to understand the fundamentals of Social Security disability; to do quick assessments of their clients’ Social Security disability or SSI status; to understand the five step evaluation process for disability claims; to know how to preserve their clients’ rights and be an effective co-advocate; and to be able to make appropriate referrals to, and work effectively with, legal services.

As a result of this training, case managers are routinely calling the UDC-DCSL Legal Clinics for advice or assistance as new issues and questions arise. This training session served to forge a stronger bond between the collaborators and a greater understanding of the roles and duties of the participants.

Custody Forum for Domestic Violence Victims

In October, Prof. Natalie Wasserman spoke at the House of Ruth to a group of women who are victims of domestic violence. The topics covered included steps for acquiring permanent custody of children (Civil Protection Orders grant one year of custody), procedures for filing for Social Security Disability or TANF benefits, and guidelines for drafting Durable Powers of Attorney and Living Wills.

Prof. Robinson and Henderson Share Experiences of World Conference Against Racism

A panel of participants from the United Nation’s World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) shared their conference experiences with the university community at a symposium held October 2, 2001.

The event gave students, faculty, and alumni an opportunity to hear about the work done at the WCAR in Durban, South Africa. The conference, held August 28 to September 7, 2001, focused on identifying victims of intolerance world-wide, solutions to address past wrongs, and possibilities for moving past blame. The conference included two sessions: the first was composed of Non-Governmental Organizations (NGO’s) and the second a meeting of official representatives from governments that have signed the United Nations Convention Against Racial Discrimination (CERD). Each session was charged with formulating a declaration of principles and a program of action.

The speakers at the UDC symposium were four of the nearly 7000 representatives from Non-Governmental Organizations (NGOs) who participated in the WCAR.

Dean Shelley Broderick began the symposium by introducing the panel. First to speak was Dr. Sylvia Hill, a UDC professor and a longtime civil rights activist. Dr. Hill led the audience through a typical day for participants while laying out the structure and procedures for the conference.

Next to present was JoAnn Chase, recently named Executive Director of the National Network of Grantmakers. Ms. Chase gained a reputation as a leading advocate for the rights of Native Americans through her work as the former Executive Director of the National Congress of American Indians. Ms. Chase spoke on the issues of indigenous peoples that were addressed at the WCAR. The meeting in Durban was the third world conference against racism but it was the first time that the rights of indigenous people has been addressed in this international forum. Modest but important gains were made in recognizing the validity of the rights of indigenous people.

The third panelist, Prof. William Robinson, discussed the role of consensus in the adoption of language for the declaration of principles and the plan of action in any international forum sponsored by the United Nations. Robinson related his personal awareness and awakening to feelings of being an African-American returning to Africa.

The evening’s final speaker was UDC-DCSL Rauh Professor of Public Interest Law Wade Henderson, Executive Director of the Leadership Conference on Civil Rights, the nation’s premiere civil and human rights coalition. Known for his expertise in civil rights enforcement and in the economic and political empowerment of the oppressed, Henderson explained the political maneuverings that occurred at and around the WCAR. He also addressed some of the more controversial aspects of the conference such as reparations and the discussion of Zionism as racism. He explained that, despite the controversy, the WCAR succeeded in adopting a declaration and plan of action that included positive proposals on both these difficult issues.

The event concluded with a brief question and answer period moderated by Prof. James Gray. The symposium drew a full house and was followed by another symposium on October 15 on reparations for victims of intolerance.
Dean Broderick Offers Sound Advice

*Sound Advice*, UDC’s Cable 19 television show hosted by Dean Shelley Broderick has aired Fall 2001 programs featuring the American Civil Liberties Union, the D.C. Human Rights Commission, the D.C. Employment Justice Center, the rights of government whistleblowers, and the District’s housing crisis. A special edition introduced members of the Board of the Frederick B. Abramson Memorial Foundation which provides D.C. high school students with scholarships and law school graduates with public interest fellowships. Abramson Foundation President William Causey, scholarship recipient Cinnamon McCann and fellowship recipient Tammy Seltzer (DCSL ‘94) talked about the nuts and bolts of applying for the Foundation awards as well as the ways in which the awards changed the lives of recipients. *Sound Advice*, which can be seen Tuesday and Friday at 9:00 p.m. and Wednesday at 7:00 p.m., is co-hosted by the UDC-DCSL School of Law and the D.C. Consortium of Legal Services Providers. It is available to 175,000 District households.

In the Fall 2001 premiere, D.C. Human Rights Commission Chair Frank Wu and Executive Director Charles Holeman outlined the array of protections afforded by the D.C. Human Rights Act for residents including students, seniors, people with disabilities, tenants, families and all those facing discrimination because of race, gender, ethnicity and other reasons.

In another edition, Johnny Barnes, Executive Director, and Art Spitzer, Legal Director of the ACLU appeared on *Sound Advice* with Muslim firefighter Calvert Potter. Mr. Potter was recently put on administrative leave and threatened with firing because of his beard. Fire Chief Ronnie Few disciplined many firefighters with long hair or beards this year although no health or safety problems related to hair had been reported. The ACLU lawyers also talked about other cases on their litigation docket involving, e.g., free speech protections under the First Amendment and claims of police misconduct.

A fourth program featured guests Judi Conti and Kerry O’Brien, the two co-founders of the D.C. Employment Justice Center. They talked about the current employment crisis caused by the slowed economy and the pending employment needs for people required to leave welfare in February of 2002. They also described the legal services available for employees at the EJC and the rights of workers in general.

In another edition of *Sound Advice*, Tom Devine, Legal Director of the Governmental Accountability Project; Martin Anderson, a former Department of Justice employee whistleblower represented by GAP; and Elaine Kaplan, Special Counsel for the Office of Special Council, talked about the rights of whistleblowers under federal and local whistleblower protection laws. The three raised particular concerns about the need to protect those who attempt to warn the public about hazardous and unsafe conditions post September 11.

A sixth edition of *Sound Advice* introduced Linda Leaks, Executive Director of Washington Inner-city Self Help (WISH), a tenant advocacy group; Sczerina Perot, a lawyer with the Washington Legal Clinic for the Homeless; and Ed Lazere, Policy Director for the D.C. Fiscal Policy Institute. The panel evaluated many of the provisions of the “affordable” housing legislation pending in the D.C. Council. The guests generally agreed that the bill would benefit some poor people through the Housing Trust Fund which will assist developers in building rental housing. The guests also noted that the bill will clarify the fact that individuals with Section 8 housing vouchers are protected by the D.C. Human Rights Act.

Stay tuned for upcoming shows on the District of Columbia’s pending stand-by Guardianship legislation, the abuse and neglect system, and on special education law.

Get Sound Advice

Dean Shelley Broderick’s Sound Advice airs Tuesdays at 9 p.m., Wednesdays at 7 p.m., and Fridays at 9 p.m. on UDC Cable Television 19.

You may need it!
Dean Broderick Testifies Before D.C. Council
Supports Local Election of D.C. Attorney General and Mayor’s Right to Appoint Judges

Testimony on behalf of
The University of the District of Columbia
David A. Clarke School of Law

By
Dean Katherine S. Broderick

Before
The Committee of the Whole of the D.C. Council,
and the Subcommittee on Labor, Voting Rights
and Redistricting

Concerning
PR 14-34, “Sense of the Council Regarding the
Establishment of an Attorney General for the District
of Columbia, Resolution 2001”
And
Bill 14-22, “Local Selection of Judges
Charter Amendment Act of 2001”

October 9, 2001

Good morning. My name is Katherine Broderick and I am here today in my capacity as Dean of the District of Columbia’s only public law school, the University District of Columbia David A. Clarke School of Law. I am pleased to have this opportunity to testify in support of two bills that will expand home rule in profoundly important ways destined to improve the effective administration of justice for our residents.

I am especially pleased to carry a torch held high by Dave Clarke who spoke passionately in 1980 in favor of a similar bill providing for the local selection of judges. His words apply just as strongly to Bills PR 14-34 and PR 14-22 today. Then D.C. Council Chair Clarke said:

It is basic to a democracy that the standards by which it adjudicates the liberty and property of its citizens are reflective of those whose liberty and property are being protected as well as those whose liberty and property is at stake. Of equal importance are the processes by which those standards are applied and the persons who apply them.

The District of Columbia is the only jurisdiction in the nation in which the Attorney General is appointed by the President of the United States. In forty-three states, the Attorney General is elected and in five U.S. territories, the locally elected governor appoints the Attorney General. Each of these jurisdictions embraces the basic democratic values underlying the right to be represented by those for whom we vote, and the right to recall or vote-out those who fail to represent us effectively.

The District’s United States Attorney makes decisions that affect local citizens every day, e.g., when and if to seek the death penalty or life without parole; when and if a juvenile should be tried as an adult; and the extent to which to prosecute those who fall afoul of our “quality of life” statutes–our homeless, our street musicians, our metro fare jumpers, and the like.

The President of the United States simply does not have the stakes in the District of Columbia needed to represent our community values in these decisions. An elected Attorney General will. And these days, I think that we all agree that the President has other pressing matters to which he must attend.

The District of Columbia is also the only jurisdiction in the country in which the local judges are appointed by the President of the United States. Elsewhere, judges in courts of general jurisdiction are either elected by the citizens or appointed by the governor.

The District of Columbia judges, like the Attorney General, make decisions affecting local citizens every day. Judges in recent years have imposed millions of dollars in judgments against the D.C. government. They seized control of the Housing Authority. They oversee other critical D.C. agency functions performed by D.C. Public Schools and Child and Family Services, etc. And, judges determine whether to impose pre-trial detention, lengthy sentences or bail and terms of probation. Judges with such power over the District’s purse strings, and over the liberty of its citizens, should be responsive to community mores and values. When the Mayor appoints District of Columbia judges, this will be the case. Judges appointed to fifteen year terms, and those seeking reappointment by the President of the United States, simply are not accountable to the local citizens.

In closing, I appreciate the chance to join with so many colleagues and friends and with the unanimous D.C. Council to support two bills which will move the District of Columbia closer to self government.

Many thanks to Prof. Olinda Moyd and to Sharlene Kranz, 3L, in the UDC-DCSL Legislation Clinic who provided research and drafting assistance for this testimony.
Teaching the Prisoners’ Rights and Advocacy Clinic this semester has been an exciting challenge and I consider myself blessed to have had this opportunity. It has been an amazing opportunity for me to change settings and step back from the rigors of practice, review black letter law, and explore new strategies while influencing student attorneys soon to be released to the legal community. While some of the clinic students were initially hesitant, all who provided direct representation became zealous advocates on behalf of their clients.

Through the clinic we have represented a total of 32 clients at parole revocation hearings (15 represented by students and 17 represented by me) with awesome results [see Clinic Highlights]. Many of the students transformed their thinking about incarcerated criminal defendants. One of the highlights of the clinic was having an unexpected guest speaker from Japan talk about prisoners’ rights in Japan one week before we were scheduled to discuss international prisoners’ rights issues.

During my stay here it also became clearly evident that there is much camaraderie among the teaching staff, which was of great help to me during the midterm grading process.

Everyone has been so helpful, but especially Ms. Gibbs (who has helped with faxes, gave directions to guest speakers, etc.), Sharron (whom I interrupted repeatedly at the copy machine and gave volumes of documents to copy, always with a “Need ASAP” note), and Barbara Green (who helped with court certification applications for my students).

A big thank you to Dean Broderick who first planted the seed and approached PDS General Counsel about my teaching the clinic while Susan was out on sabbatical, and to Dean Richard-son who never turned me away when I had academic questions or simply wanted to have her meet guest speakers.

Thanks also to Susan who always trusted that I could handle things and who actually used her sabbatical (anyone who knows Susan knows how difficult it must have been for her to stay away).

Thanks also to PDS General Counsel Ron Sullivan, who did not fall out of his chair when approached by Dean Broderick but was immediately committed to making this happen, and to Bar-bara Brown who was given the gruesome task of working out the details between agencies. Last but not least, to Cynthia Jones for your approval and generosity.

— Olinda Moyd, December 2001

Immigration Law Center

(Continued from page 9)

through weddings, baptisms, funerals and pastoral care, we became more and more involved with helping people in their daily lives. This included immigration problems.”

But the church lacked the resources to do what was required, Pastor Moe continued. “So we turned to the LIRS and the ELCA for help. Then we also found Carolyn Waller, an experienced immigration attorney, who was helping so many of our people with asylum issues. It was partly her vision of expanding the work that has brought us to this day.” Waller proposed that Jubilee Center, Inc. partner with the UDC School of Law, successor to Antioch School of Law, her alma mater.

The pastor also paid tribute to Rev. Eric Campbell, ELCA’s director of African American ministries, and Rev. Reuben Duran, executive director of congregational outreach services in the ELCA’s Division for Outreach, both in the church’s Chicago headquarters. The two ELCA officials got Grace Church on the list of four congregations chosen to do immigration ministry. Pastor Moe then introduced three African immigrants at Grace Church, who were present at the reception. The first was Pastor Waaqtolaa Dinadee from the Horn of Africa, leader of the Oromo Mission at Grace, Assistant Pastor Jessica Mushala, and Kenneth Y. Best, executive director of Jubilee Center, Inc. The three, like so many other African immigrants, are in the United States with their families. Also introduced was Mr. David Rivera, an experienced immigration attorney who is in charge of legal services for the Immigration Law Center. He will work closely with Best, who also serves as intake officer for the Center.

Prof. Carolyn Waller, Chair of the Jubilee-UDC-DCSL Joint Committee that oversees the work of the Immigration Law Center, defined the two aspects of the program. The first is the development of an endowment to support immigration work on an ongoing basis; and the second, the provision of direct legal services immediately through the Jubilee Immigration Law Center.

The Endowment is named in memory of Father James Healy, an Antioch graduate and Catholic priest. His sister Mary Healy sent a statement from her home in Connecticut expressing her deep regret at missing the reception. Her statement about her brother’s passion for social justice and his pride in having been trained at Antioch illustrated why the endowment is named in his memory.

“The diverse mix of people attending the reception, all of whom shared this commitment, would have given both Mary and Jim Healy great satisfaction,” said Waller.
**Gamez’s “Month of the Contract”**

For Ana Maria Gamez, 3L, October 2001 will forever be known as the “Month of the Contract”! One of her clients wanted to hire a particular individual to head up a new division of the client’s ten-year-old management consulting company. Not only did Gamez draft and successfully negotiate the terms of a complex Memorandum of Understanding between the company and that individual, but the client was so impressed by Gamez’s skillful handling of the matter, that she asked Gamez to draft a teaming agreement, employment contracts and independent contractor agreements. During this same period, Gamez drafted a service agreement for a high-tech temporary staffing agency and crafted an operating agreement for another professional services firm. Through her efforts, Gamez has demonstrated that the UDC-DCSL clinical program is second to none!

**Jiles and Williams Provide Assistance**

Rasheda Jiles, 3L, and Guana Williams, 3L, have been learning the frustrations and rewards of a community development law practice this semester. They are guiding a small community development corporation in its application for tax exempt status and assisting a tenant association in negotiations to purchase an apartment building. Both cases pose interesting and challenging issues.

**Theodora Brown Joins Clinic**

Last semester, Prof. Louise Howells obtained the largest start-up grant ever awarded from the D.C. Bar Foundation to further the mission of the Community Development Clinic. The law school used the funds to hire Theodora H. Brown, a solo practitioner whose practice areas include copyright, trademark, communications and business law. Ms. Brown graduated from Temple University School of Law and worked in the Office of the General Counsel of the National Public Radio, Inc. Please take a moment to welcome Theodora Brown to the UDC-DCSL community.

**Student Progress and Achievements**

Several students in the HIV/AIDS Clinic are on their way to becoming experienced family law litigators. Jomeka Shaw, 3L, represented her client at a pendente lite trial for custody. Shaw had to prepare and take direct testimony from her client and cross-examine the opposing side’s witnesses. She was enthusiastic about the experience and the judge’s decision, but found preparing and participating in a trial to be “harder work than she expected.” Dan Toto, 3L, appeared in court twice during the fall semester: once in an uncontested custody case, where he helped clients get joint custody of their granddaughter; and the second time at a hearing in a contested custody case, Jason Simpson, 3L, represented his client at a default joint custody hearing, achieving a joint custody arrangement between the child’s mother and her niece.

Students working on Social Security Disability cases have also had their “day in court” in hearings before administrative law judges. Shala Zokakie, 3L, argued her client’s disability case in a hearing before the judge, after preparing a brief and gathering medical records as evidence of the client’s inability to work. Wagner Dantas, 3L, also had the opportunity to argue a client’s disability case before an administrative law judge of the agency.

Other students spent many hours working on their clients’ issues, whether custody or social security disability. Some students are preparing Last Will and Testaments for clients, durable powers of attorney and/or living wills. The clients are benefiting from the students’ efforts to resolve matters and make their lives less stressful, whether financially or through future arrangements for children should anything happen to parents or other caregivers.

Kosiso Onyia, 3L, represented a client before a local Social Security Administration (SSA) who was wrongly accused of receiving an overpayment of Social Security benefits on behalf of the client’s son. Onyia successfully argued that her client was not in receipt of the overpayment, that SSA had not followed their own regulations with regard to recovery of the overpayment, and that her client was due a reimbursement of monies, which were taken from previous benefit payments as recoupments. This victory came because of Onyia's tenacity and unwillingness to take "no" for an answer. She waited four hours with her (Continued on page 17)
HIV/AIDS Clinic Drafts Standby Guardianship Bill

D.C. Councilmember Sandy Allen: “I love this Bill.”

“This legislation will give chronically ill parents and legal custodians of children the opportunity to make plans for their children before they become incapacitated or die from their disease.”

On November 27, the Human Services Committee of the D.C. Council held a hearing on proposed Bill 14-309, the “Standby Guardianship Act of 2001,” drafted by UDC-DCSL’s HIV/AIDS Law Clinic in collaboration with the Family Ties Project project of the Consortium for Child Welfare. Included in the hearing, Committee Chair Sandy Allen offered her support of the Bill saying: “I love this Bill. It’s the right thing to do for children of the District of Columbia.”

Professor Natalie Wasserman testified for the Bill, stating that “Standby Guardianship laws exist in 21 states,” and the time is “long overdue” in the District of Columbia for enacting similar legislation.

“This legislation will give chronically ill parents and legal custodians of children the opportunity to make plans for their children before they become incapacitated or die from their disease.”

Up to now, the HIV/AIDS Clinic has assisted parents in making plans for their children by filing for joint custody with a trusted relative or friend. The downside of these arrangements is that parents are required to share custody when they are still able to take care of their children. Standby Guardianship allows parents to designate a “standby” for a time when they may be unable to care for their children. Parents do not have to give up any decision-making rights before a triggering event occurs, which encourages them to plan for their children’s future care.

Speakers offering testimony at the hearing enthusiastically supported the Bill. Brenda Donald, Chief of Staff for D.C.’s Child and Family Services Agency, said that “Standby Guardianship provides a tool for parents to plan ahead for the future rearing of their children in the event of their own disability or death. ... It provides the parents with a peace of mind — knowing that their children will be with a person they know, trust and with whom they share common values.”

Ms. Donald went on to say, “This Bill has the potential to reduce the numbers of cases coming into the [child welfare] system. Diverting even one child from unnecessary involvement with the child welfare system through this legislation would render the law a success.”

Laura Flegel, Director of the Legal Services Program of the Whitman-Walker Clinic, spoke in support of the Bill, stating, “Standby guardianship is about two things – planning for the future and ensuring security for our children. ... I think [the law] will provide many parents and many children with the opportunity to have the security of a sound plan ... if a parent is incapacitated or dies.”

Two attorneys from New York and Pennsylvania, states with Standby Guardianship laws, testified at the hearing about their states’ positive experiences in using standby guardianships to ensure seamless legal transfers of children to trusted caregivers when the custodial parent is no longer able to provide care.

Committee Chairperson Allen introduced the “Standby Guardianship Act of 2001” on July 10, 2001. After the November 27 hearing, the next step in the legislative process is for the Committee on Human Services to refer the legislation out to the full Council.

In the meantime, the HIV/AIDS Clinic working with the Family Ties Project of the Consortium for Child Welfare will respond to questions raised by Chairperson Allen and Committee members during the hearing.

HIV/AIDS ... (Continued from page 16)

The National Conference of Bar Examiners (NCBE) developed the MPT for participating jurisdictions. Some twenty-seven states have added this 90-minute test to their bar examinations, and Arkansas and Alabama are projected to adopt the MPT in their jurisdictions by July 2002 and July 2003, respectively. In the local metropolitan area, the District of Columbia is the only jurisdiction presently administering an MPT.

The NCBE tells students that “[t]he performance test is designed to evaluate your ability to handle a select number of legal authorities in the context of a factual problem involving a client.” This examination format seemed uniquely appropriate to clinical teaching and for providing a venue for clinic students to have exposure to the MPT. The students were provided a File and a

Bar Prep

Professors Gelhorn, Wasserman and Batipps of the HIV/AIDS Legal Clinic recently administered an examination to clinic students modeled after the Multistate Performance Test (MPT).

(Continued on page 18)
HIV/AIDS ...

(Continued from page 17)

Library during the introductory phase to the examination. The File contained an Intake Memorandum that provided the factual information about the case and presented the legal issues raised. The fact pattern of the case covered many of the issues that are raised in the clinic regularly. The Library was designed to be self-contained, i.e., it provided all the legal authorities which were needed to complete the task assigned to the students. Students were asked to write a Case Plan Memorandum to their clinic supervisor, addressing specific questions raised by the issues presented in the case.

The introduction of the students to this examination format was done over several class sessions. Initially, with the assistance of Professor Laurie Morin, the students were introduced to the concepts of and the approach to the examination. Prof. Morin instructed the students on the technique of “synthesis of cases” and its applicability to the MPT. In the second phase, students developed a fact statement, by extracting the relevant facts from the File. Thirdly, students developed their arguments, by applying the law to the facts of the case. Finally, students were given approximately 90 minutes to complete the written task in class in an examination setting.

While this is a “work-in-progress” for the HIV/AIDS Legal Clinic and adjustments will likely be made both in substance and procedure, the students were enthusiastic about and intrigued by exposure to the MPT under these controlled circumstances. Many voiced the opinion that they were grateful to have the opportunity to become familiar with and to practice this kind of examination. In developing the MPT, Professors Gellhorn, Wasserman and Batipps felt that the MPT could be easily adapted to the Clinic format, with its emphasis on client representation and problem-solving through legal analysis.

HIV/AIDS Clinic Receives Continued Ryan White Funding

The UDC-DCSL HIV/AIDS Legal Clinic is in compliance for services funded through the Clinic’s Year 11 Ryan White Title I contract with the HIV/AIDS Administration, District of Columbia Health Department. Grant compliance for this review period (3/1/01 through 11/30/01) means that the Clinic has met at least 50% of its annual targeted client and service area goals, and has expended at least 50% of its program funding in each service area.

The Clinic also received notice that its grant will continue through Year 12 (March 1, 2002 through February 28, 2003) with level funding, which is awarded in three categories: legal services, permanency planning, and Metro Cares (the costs associated with preparing mandatory reports).

This successful outcome is due to the hard work of grant-funded staff attorneys Prof. Joyce Batipps, Prof. Gay Gelhorn, and paralegal Jacqueline Craig, working together with the attorneys and students in the Legal Clinic. Prof. Gay Gelhorn appreciates the assistance she received from Ana Reyes and others in preparing for the site visit.

THE ADVOCATE WINTER 2002
Housing and Consumer Law Clinic

Although numbers may not do justice to the human dimension of clients’ stories, they are often a significant measure of students’ zeal. At the final class of the fall 2001 semester, Prof. Ed Allen awarded a “Full Court Press Award” to the five students in the Housing and Consumer Law Clinic — Tamala Earle, 3L, Janell Forgy, 3L, Richard Hallock, 3L, Askia Johnson, 3L, and Douglas Stringer, 3L — for the following litigation activities performed:

♦ Students represented clients at some 30 court appearances, administrative hearings, or motions arguments. Several of these were lengthy, involving direct and cross examination; one lasted three days.

♦ Students filed nine answers to civil complaints on behalf of their clients.

♦ Students filed two motions for summary judgment or dismissal and prevailed on both. A third student brought an oral motion for failure to prosecute, which the court also granted.

♦ Students brought four motions for default judgments.

♦ A student filed and prevailed on a motion for a preliminary injunction, restoring heat, a stove, and smoke detectors. The same student filed a pending contempt motion for failure of the opposing party to adhere to the court’s order. Students prepared three other temporary restraining orders which they will file at the appropriate time.

♦ Students filed three motions for discovery sanctions, two of which the court granted.

♦ Students conducted two depositions.

♦ Students preserved housing or garnered substantial rent abatements in all but one of their cases. In one case, a student assisted a client who successfully purchased her home.

♦ The rent administrator awarded more than $10,000 in attorney’s fees to the clinic for its representation of two clients, who also received substantial damage awards.

Special Education Law Clinic, in addition to representing individual clients, focused its efforts on conceptualizing and developing litigation and other strategies to remedy the systemic denial of special education services to qualified adults who are detained or imprisoned by the District of Columbia. Begun by third-year students Tracey Ballard, Charles Green, Edgar Vega, and Gina Walton, this work will be carried forward in the spring semester by second-year students Sarah Bullard, Vanessa Carlo-Miranda, Latrice Flucas, Shenooa McDay, Sean Riley, and Victor Urbaez. The ultimate objective is to compel the District’s public school system and correctional authorities to provide the Clinic’s incarcerated adult clients with the special educational services required by IDEA. In the process, students will create publications and training materials to assist lawyers who are confronted with the same violations of federal law in the District of Columbia and other jurisdictions. As always, the Clinic will continue to provide spe-

(Continued on page 20)
Clinic Highlights ...

Juvenile/Special Ed. ...

(Continued from page 19)

Special education advocacy for children involved in the District’s neglect and delinquency systems.

Regarding the latter category of cases, the Clinic’s special education advocates appeared in the fall before the Superior Court of the District of Columbia on behalf of a delinquency proceeding client who, over her objection, faced commitment to a “faith-based” residential facility in Arkansas. After the Clinic argued that the religion clauses of the First Amendment would be abridged by such a placement, the court reversed course and placed the client in a nonsectarian residential institution in Colorado. Working in conjunction with the client’s delinquency counsel, students pursued review of that order in the District of Columbia Court of Appeals. They argued that due process principles, statutory provisions, and the Superior Court’s own rules were violated by the court’s refusal to hear evidence at the client’s disposition hearing about locally available and less restrictive placement alternatives. Students also argued that the client’s confinement is contrary to the rehabilitative purposes and requirements of District of Columbia statutory law, IDEA, and the Americans with Disabilities Act. Although an appellate briefing schedule has not yet been set, the Clinic anticipates that the appeal will be heard sometime during the spring semester.

The clinic continues to miss the presence of Prof. Mary Hynes, and expresses its deep appreciation to Student Bar Association President Daniel Toto, 3L, who organized the Mary Hynes Fun Run [see page 25], which raised approximately $4,000 for a scholarship to be awarded to a law student with a demonstrable commitment to Prof. Hynes’s passion: the provision of legal services to abused and neglected children.

Legislation Law Clinic

Students Work with D.C. Council on Important, Diverse Legislation

Under the supervision of Prof. Robert Burgdorf, who has directed the Clinic since its inception in 1990, students in the Legislation Clinic in the fall 2001 semester worked with offices of the Council of the District of Columbia on a variety of interesting and worthwhile matters.

Tiambe Belardo, 3L, worked with the Committee on Judiciary and Councilmember Kathleen Patterson’s office (Ward 3). Belardo’s projects included legal research in preparation for Judiciary Committee hearings on the proposed Miranda Codification Act of 2001, examination of the constitutional issues raised by police use of passive alcohol sensors, and analysis of D.C. statutes and regulations affecting parental authority to select an infant’s surname.

Sanaz Dabiri, 3L, worked with the office of Councilmember Carol Schwartz, chair of the Committee on Public Works and the Environment; among her projects, she did extensive research and analysis of a Child Restraint Act (vehicle safety seats and seatbelts) proposal and a proposed Alternative Fuel Vehicle bill (that would authorize a tax credit for purchases of such vehicles).

Ella Alis Hughes, 3L, was assigned to the office of D.C. Council Chair Linda Cropp, where she did in-depth research on proposals for revamping the District’s pension plans, and developed legal analyses of Infant Protection Act and Infant Abortion Act bills.

Sharlene Kranz, 3L, worked with Councilmember Adrian Fenty’s office and assisted with a wide array of projects, including several land use issues (such as successfully opposing Comcast’s proposed transmission facility in Brightwood and attempting to restrain the activities of two establishments featuring nude dancing) and researching legal requirements regarding buffer zones around abortion clinics and their clients. As part of a Legislation Clinic exercise in which students are directed to draft a bill of their own choosing, Kranz drafted a “Miscellaneous Vehicles Helmet Safety Amendment Act” bill. After revising the draft bill and doing some supportive research, she had the gratifying experience of having Councilmember Fenty introduce her bill on December 4.

Sharon Mills, 3L, worked with the office of Councilmember Vincent Orange, chair of the Committee on Government Operations, where she assisted in analyzing bills, conducting legal research, drafting committee reports, crafting hearing questions, and performing various other tasks regarding a range of legislative proposals; these included proposals to revamp the authority of and oversight over the Inspector General, to provide job security for persons undergoing organ or bone marrow transplant procedures, and to make various reforms of D.C. voting procedures.

June S. Phillips, 3L, was assigned to the office of Councilmember Kevin (Continued on page 21)
Legislation ...

(Continued from page 20)

Chavous, chair of the Committee on Education, Libraries, and Recreation. Phillips drafted a "D.C. Developers Tax Credit Program Act" bill to stimulate construction of affordable rental housing and a "Healthcare Services Delivery Crisis Resolution" proposal to urge the Mayor to construct a new city hospital on the grounds where D.C. General was located. She also worked on college education funding proposals, and conducted research on school bus safety.

Working with the office of Councilmember Phil Mendelson and the Subcommittee on Voting, Labor Relations, and Redistricting, Heather Rubinstein, 3L, was assigned to oversee the redrafting of D.C. local electoral boundaries integral to redistricting in the District. Rubinstein was almost single-handedly responsible for completing the time-consuming, tedious, and intensive task of redrawing ward, Advisory Neighborhood Commission (ANC), and Single Member District (SMD) boundaries.

Janelle Ryan, 3L, worked with the office of Councilmember Sandy Allen and the Committee on Human Services, where she analyzed a "Standby Guardianship Act" bill to permit parents with terminal illnesses or periodically recurring debilitating illnesses to make long-term plans for their children. Ryan also drafted a summary of the "Child and Family Service Agency License Exemption of Certain Court Personnel Temporary Act" bill, and she prepared a legal research memorandum on constitutional issues surrounding "Infant Protection Act" legislation that would call for mandatory drug and alcohol blood testing of pregnant women.

Gene Wilkerson, 3L, was assigned to work with the office of Councilmember Jim Graham and the Subcommittee on Human Rights, Latino Affairs, and Property Management, where he worked on a whole range of issues. They include: drafting a ceremonial resolution honoring the Mary House, analyzing legislation that would revise procedures for disposing of real property assets of the District, reviewing and editing a "Creating Affordable and Diverse Housing" bill, and analyzing differences between two bills for preventing lead poisoning from lead-based paint.

Wilkerson also researched the constitutional restrictions on loitering laws and attempted to draft a D.C. loitering measure that would withstand constitutional scrutiny.

As this partial summary of their work indicates, UDC-DCSL Legislation Clinic students are having a substantial impact assisting in the development of the District's laws, at the same time as they are gaining invaluable educational insights into the lawmaking process.

Prisoners’ Rights and Advocacy Law Clinic

Gerard Djate Achieves the Impossible

Gerard Djate, 3L, represented a client at a parole revocation hearing before the U.S. Parole Commission and achieved the impossible. Upon entering the hearing area he discovered that the two hearing examiners on duty were Michael Green (the most lenient) and Charles "Hang 'em up" Lyons (the toughest examiner). As luck would have it, our case was before Mr. Lyons. Unfazed, Djate made his procedural arguments, presented evidence obtained through his thorough investigation, and presented his witnesses (whom he managed to get into the courtroom from jail). The client had only administrative violations (no new crimes) but the recommended guidelines indicated a sentence of 12-16 months. Before deliberating, Mr. Lyons told us that he was considering making a decision above the guidelines because the client had been on parole and revoked previously. After listening to Djate, witnesses, and engaging in a 30-minute long dialogue with the client, Mr. Lyons gave the client a 6-month set off (6 months below the recommended guidelines). He had to leave the room and ask his supervisor how the decision should be worded for the record because he had never made such a recommendation before.

He then complimented Djate for having done a good job. The client was eternally grateful and pleased with the representation Djate provided.

Green and Nave Win Parole for Deserving Clients

Karen Green, 3L, represented a client before the toughest hearing examiner (yes, her case was assigned to the same examiner who heard Djate’s case). The parole officer alleged that the client failed to report for parole supervision but Green produced documents that the client was not given any reporting instructions, presented the client's mother as a witness, and convinced the hearing examiner to make a recommendation that the client be released in February. This was a recommendation below the guidelines since the client was facing an additional 12 months in prison.

Brandi Nave, 3L, represented a client also alleged to have failed to report for supervision. The parole officer requested a summons three weeks after the client was released. Nave investigated the case and presented documentation to show that, while the client did not go to see his parole officer, he did report to submit urine samples on a regular basis (in the same building). Because the client has mental health issues and did not understand his reporting instructions, Nave argued that "his actions were not indicative of someone who was trying to evade his responsibilities." At the conclusion of the hearing, the examiner made a no finding on the allegation (equivalent to a not guilty) and closed the client's parole case. This means that the client will be released next week and will not have to report for parole supervision.
Dear Professor Allen:

On behalf of my family and myself, we would like to thank you, Mr. Toto, Mr. Stiles, Ms. DeWitt and Mr. Hallock for helping us to keep our family home. There are really no words that can express how thankful and how blessed we are to have had you in our lives. During this highly traumatic and devastating time, you all guided me, supported me and taught me a lot about tenants’ rights that I did not know existed. My mother’s passing during this time made things more complicated, but I appreciate all the concern and acts of kindness expressed at that time. Having you all there throughout the whole process gave me the strength and the confidence that I needed to overcome this challenge. I am now able to have peace in my life again and my 9-year-old son is now feeling safe and secure in his home and is able to perform at his best in school again. Also, because of your help, I have now been able to achieve a goal of mine, which is to become a homeowner. As you know, I went to settlement on November 21, 2001 (the day before Thanksgiving). We really had a lot to thank God for. What a perfect time to become a homeowner.

Professor Allen, again I would like to thank you and your students, not only for the help you have given me and my family but also for all of the families you have helped throughout past years and future years to come. Keep up the great work.

Sincerely,
Vivian D. McCarter

The 16th Annual Olender Foundation Awards, which honor public figures and ordinary citizens who make extraordinary contributions to society, were presented at the Kennedy Center’s Terrace Theater in December 2001 by Jack H. Olender, a Washington malpractice lawyer and DCSL Foundation board member. The Olender Foundation aims to counter poverty and violence, and promote opportunity and equal justice. It supports local and national organizations serving the public, especially District residents.

Awards went to the following UDC-DCSL third-year students for their outstanding achievement in clinical legal services: Tyrona Dewitt, Janell Forgy, Latarsha Jones, Dimone Long, Heather Rubinstein, and Hao Wu [see opposite page for more on their achievements]. Award recipients received plaques, a $1,000 scholarship, and signed copies of either Rebels in Law: Voices of Black Women Lawyers or Emancipation, both by law professor J. Clay Smith. The scholarships were given in memory of Earl H. Davis, a trial lawyer who was “a champion of the underdog and a man of great compassion.”


Mr. Olender, a long-time supporter of UDC-DCSL, co-chairs the School of Law’s scholarship campaign. A $30,000 grant in former Mayor Washington’s honor was made to the School of Law’s scholarship fund. Over $650,000 has already been raised toward the campaign’s goal of $2 million.
Six Students Receive Olender Foundation Awards For Outstanding Clinic Achievement

**Tyrone T. Dewitt, 3L,** Executive Articles Editor of the UDC-DCSL Law Review and a Dean’s Fellow, handled a broad potpourri of matters in the Housing and Consumer Law Clinic including a bench trial. Of special note was her work with low-income tenants. Because landlords are trying to increase rent in record numbers, Ms. Dewitt mastered esoteric and nearly inscrutable areas of the law to make persuasive arguments that her clients’ rent increases were illegal.

**Janell Forgy, 3L,** Managing Editor of the UDC-DCSL Law Review, Joseph L. Rauh Jr. Scholar, and Dean’s Fellow, represented a large number of clients in the HIV/AIDS Law Clinic. She was a superb advocate on behalf of her clients, helping one terminally ill client who needed representation keep a child out of the neglect system by writing numerous motions and successfully arguing the case in D.C. Superior Court.

**Latarsha T. Jones, 3L,** was a passionate advocate on behalf of the children she represented in the Juvenile and Special Education Law Clinic. Of particular note was her representation of a child caught up in the delinquency system who was only sporadically attending school. Employing skillful negotiation with education authorities, she pursued services to which her client was entitled and successfully obtained a reevaluation and the provision of a reading specialist to work one-on-one with him.

**Dimone G. Long, 3L,** Editor-in-Chief of the UDC-DCSL Law Review, Joseph L. Rauh Jr. Scholar, and a Dean’s Fellow, excelled in his work in the Small Business Center of the Community Development Law Clinic. He researched complex business law issues. He wrote contracts. He helped launch several small businesses. He advised clients on the best way to structure their businesses. Some of his clients even asked if he plans to practice in the District after graduation so that he could continue to look out for their best interests.

**Heather L. Rubinstein, 3L,** worked long hours at the D.C. Prisoners Rights Project to assess inmates’ access to medical care at a private prison. She zealously advocated for men and women to get the chronic care medications they were supposed to receive, including chemotherapy. Her dedication to her clients was amazing.

**Hao Wu’s, 3L,** work in the Community Development Law Clinic was outstanding. He worked tirelessly to negotiate, draft, and finalize a very favorable settlement agreement for the members of a tenant association who were facing displacement as the result of a condominium conversion. In the end, all tenants received substantial cash awards, no tenant was involuntarily displaced, and the cash payments enabled some tenants to become homeowners.
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<tr>
<th>Course</th>
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<tr>
<td>Contracts II (3)</td>
<td>Alice Thomas</td>
<td>11:00 - 11:50 a.m. T Th F</td>
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<td>Civil Procedure II (3)</td>
<td>Edward Allen</td>
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<td>Judge William Pryor</td>
<td>2:00 - 3:15 p.m. T Th</td>
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<td>Marta Berkley</td>
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<td>Janet Thompson</td>
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<td>Legal Reasoning I (2)</td>
<td>Laurie Morin</td>
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<td>Bar Preparation Workshop</td>
<td>Morin/Terzano</td>
<td>11:00-12:00 p.m. Th</td>
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<td>Sherman Rogers</td>
<td>5:30 - 8:00 p.m. Th</td>
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<td>Spencer Boyer</td>
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<td>Thomas Mack</td>
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<td>William Robinson</td>
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<td>Remedies (3)</td>
<td>Thomas Mack</td>
<td>10:45 - 12:00 p.m. T F</td>
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<td>James Gray/Anita Parlow</td>
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<td>Carolyn Waller</td>
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<td>Stephen Mercer</td>
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<td>William McLain</td>
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<td>Susan Waysdorf</td>
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<td>Judge Panuthos</td>
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<td>CLINICS (7)</td>
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<td>Howells/Brown</td>
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<td>Allen</td>
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Mary Hynes Fun Run Raises $4K

The November 2001 Mary Hynes 5K Fun Run raised $4,000 which will be used for scholarships to students who pursue a field in the child abuse and neglect area of the law. The scholarship committee will be formed in the spring of 2002.

The event featured a number of interesting outcomes. First, the top finisher was David Hentzel from Baltimore. The first student finisher was Gino Merez, 3L. The first adjunct professor to cross the finish line was John Terzano. The first full time professor was Tom Mack. Mary Hynes’s son, Tony, came in fourth overall, which was very impressive. Tony also raised over $600. Professor Allen’s son, Nathaniel, finished in the top 5 overall.

Professor Mary Hynes started teaching at the law school in 1994 and taught in the Juvenile Law Clinic until her death in June of 2001. Mary participated fully in the Juvenile Law Clinic’s local and national law reform agenda. She lectured in New York City, for example, as a "technical assistant" through the Casey Juvenile Detention Alternatives Initiative. Along with colleagues Susan ("Suji") Sutler and Joe Tulman, Mary participated in bi-annual lawyer training sessions (in addition to teaching law students, of course) for a number of years, and she co-taught a three-day training in 1994 on special education rights for an audience of juvenile prison guards, teachers, mental health workers, and administrators at Oak Hill Youth Center (D.C.’s maximum security juvenile prison). Mary also helped to lead two training sessions for D.C.’s Superior Court judges, one in 1994 and a second in 1999. Approximately 45 judges attended the 1994 session; approximately 65 judges (i.e., virtually all of the judges) attended the 1999 session. On a number of occasions Mary also conducted special education rights and remedies training for social workers in the neglect system.

Mary fashioned her own caseload out of special education cases for parents of children who were enmeshed in the neglect (i.e., child welfare) system. She was perhaps the nation’s leading practitioner in using special education as an effective preventive service in child welfare cases. Because of Mary's work obtaining timely, appropriate, special education services, a number of children destined for foster care never entered the court system at all and were able to remain safely with their families.

Students at UDC-DCSL recognized Mary's impassioned advocacy and inspired teaching. The Class of 1999 honored Mary at the end of the school year with a plaque inscribed as follows: "In deep appreciation of your outstanding commitment and advocacy for justice on behalf of the children of the District of Columbia. In recognition of your unique skills, inspiration, and leadership as a clinical professor of law, members of the UDC-DCSL Class of 1999 Advocates for Justice honor you." In 1999-2000, the UDC-DCSL Student Bar Association presented Mary with the "Clinician of the Year Award". The plaque reads: "For Demonstrating Excellence by Example."

Blancato and 2L’s Mentor High School Students

As of the second week of October 2001, several of my second-year colleagues and I have been volunteering our time at Bell Multicultural High School in Mt. Pleasant. For just one hour a week, we get together and go to the school to participate in their Mentor-Mentee program with selected juniors and seniors who have shown an interest in the law. We took an active role in helping the students prepare for a moot court assignment that led them to the Federal Court house to partake in a pseudo-competition with other area high schools.

There are several important reasons why I believe UDC law students must get involved with the local public schools. When I sit with the students and discuss my educational path to law school, I see the excitement in their eyes. I also feel a sense of duty and fulfillment when I spend a little bit of my time with the next generation of our community. Although school may stress us, making us feel worn out and pulled in a million directions, we must remember that, as educated individuals
NAPIL Cordially invites you to eat, drink, party, and bid on your favorite items

All Proceeds Benefit Public Interest Fellowships!

Redskins Tickets w/ Parking, Catered Dinners, Crab Feasts, Weekend Get-a-ways, Electronics, Jewelry, etc.

7pm February 28, 2002

If you are interested in making a contribution or donating items for our auction, please select the amount or item indicated below, and return the pledge form to:
Brandi Nave, NAPIL President, 4200 Connecticut Ave., Bldg 38, 2nd Floor, Washington, DC 20008

I Pledge the following:

____$100 _____$250 _____$500 ______Gift Certificate ______Jewelry ______Laptop or desktop computer

____$1,000 _____$2,500 _____$5,000 ______Furniture ______Electronic Equipment ______Other

____Tickets for a sporting event, theater, ballet, etc.

Name_________________________________ Address________________________________________________________

Signature_______________________________________________________
attending a school that thrives on public interest, we have to play an active role in molding our future.

As volunteers, our hope for this program is that we can pique the interest of our present first-year class as well as lobby for allowance of community service credit for participating with Bell Multicultural High School.

— Nichole Blancato, 2L

2nd Annual Sports & Entertainment Student Lawyers Association Cook-Off

Once again, the students at UDC-DCSL displayed their culinary skills at the 2nd Annual Sports & Entertainment Lawyers Association (SESLA) Cook-Off. The Judges for the cook-off were Career Services Staffer Roberta Daniels, Prof. James Gray and Prof. Janice Washington. Tiffany Bowers, 2L, Tyrona DeWitt, 3L and Heather Rubinstein, 3L, were the winners, taking home Washington Wizards tickets, a $50.00 gift certificate to Trade Secrets, and a one-week pass to Bally’s Total Fitness, respectively. June S. Phillips, 3L, was the “strongest” link in the game of the evening, “The Weakest Link.” SESLA thanks each participant and encourages everyone to start preparing his/her recipe for the 3rd Annual Cook-Off!

— Ayanna Watson, 3L

Washington Legal Clinic for the Homeless Courts

Sean Riley

As a result of being profiled in the September 2001 issue of The Advocate [“Cafritz Foundation Renews Rauh Public Interest Scholarships,” cover], Sean Riley, 2L, caught the attention of the Washington Legal Clinic for the Homeless. Riley received the following e-mail from Volunteer Coordinator Genesis Fisher: “Hello Sean, One of our staff attorneys who reads The Advocate was impressed by your work and words and encouraged me to contact you. Below is a little information about who we are and what we do. I hope that you will consider working with us in some capacity, either as a volunteer or other, in the future.” Sounds promising! Keep up the good work, Sean!

Show Me The Money!

Sharon Mills, 3L, sends her thanks to everyone who helped make the Fall 2001 luncheon with Jamie Gorelick [see story page 28] the smashing success that it was. She hopes to have an even better luncheon in the spring.

Mills also reminds the Women’s Law Society that annual dues are $5.00. Please make checks payable to “Women’s Law Society” and give to Sharon Mills.
Jamie Gorelick Strikes A Balance
Fannie Mae Vice Chair Blends Law, Business, and Public Service

By Roberta Daniels

Jamie Gorelick, vice chair of Fannie Mae, visited UDC-DCSL on October 30, 2001, as the featured guest in a noon-time program sponsored by the Women’s Law Society and the Office of Career Services. Students, faculty, and staff experienced a golden opportunity to talk with, and gain insight from, a highly accomplished lawyer and businesswoman whose career path has led her to do important work in government and banking, while honoring her commitment to public service. Judging by the enthusiastic response to Ms. Gorelick’s words of wisdom for budding lawyers, she may, by advice and example, have set some of our DCSL students upon a career path that encompasses any or all of these career fields.

Ms. Gorelick, a graduate of Harvard College, and Harvard Law School, has an extensive professional resume that incorporates work in federal agencies as diverse as the Justice Department, the Defense Department, and the Department of Energy. When asked how a newly minted lawyer might start along a successful career path at these or other agencies, Ms. Gorelick was quick to point out that no one does it alone. Even while still in law school, she advised, students should seek out mentors, establish relationships with people working in a student’s field of interest, and actively and persistently lay the groundwork for that first full-time job. This effort, she also indicated, does not stop with the first job; career building, in and of itself, is a full-time job of establishing and nurturing fruitful relationships, and seeking career advice and guidance. Ms. Gorelick was also quick to acknowledge the invaluable counsel and support of those who helped her along her own career path beginning with her first job and continuing through her present position with Fannie Mae.

During the program, the eternal question arose: How does a young attorney, or a third year student who is about to embark on a legal career, strike a balance between the heart—which may call for a full-time commitment to public interest and public service work—and the wallet, which demands the economic benefits often associated with the fruitful practice of law? Ms. Gorelick advised that the key word in that situation is balance.

In her well reasoned response to the question, Ms. Gorelick advised that a young attorney, while ever mindful of economic concerns, can exercise options such as becoming an associate at a law firm, entering government service, or working in the corporate arena. Even with these kinds of early career choices, the young attorney can still find ways to satisfy the need to do public interest work through volunteer efforts on behalf of worthy causes, as well as through involvement with committees or boards of nonprofit organizations doing the kind of work that interests the young attorney. As time passes, Ms. Gorelick advised, the young attorney can increase her public interest efforts and consider moving to full-time participation in that side of the legal profession if that is the more satisfying career path. Ms. Gorelick has certainly illustrated this approach to public interest work in her own career, with her longstanding involvement in such public interest and nonprofit organizations as the John D. and Catherine T. McArthur Foundation, America’s Promise, the Carnegie Endowment for Peace, and the Washington Legal Clinic for the Homeless.

Ms. Gorelick’s appearance as guest speaker represented a timely and powerful illustration for DCSL students on how one person can recognize, establish, and nurture opportunities in both law and business, and then use those opportunities to build a successful career, while at the same time answering the call to public service. By example and advice, Ms. Gorelick showed members of the audience that it is possible to do important work in many diverse career fields, just as it is possible to follow the call to public service inherent in the DCSL mission. It’s often just a matter of balance.
Wind Beneath Their Wings
Judicial Clerks Share Job Experiences with UDC-DCSL Students

By Roberta Daniels

We all have our images of judges: perhaps somewhat stern and certainly serious, sitting high up on the bench, dispensing justice. We think of them as experts at interpreting the laws and statutes that inform and govern our society. Judges are all of these things, but on November 8, 2001, UDC-DCSL students, faculty, and staff gained unique insight into judges through different eyes.

On that day, in a program sponsored by the Office of Career Services, and catered by several of DCSL’s finest students, seven Judicial Clerks, who are “the wind beneath the wings” of some of our most distinguished jurists, paid DCSL a much anticipated visit to explain what it’s really like to work for a judge. Our guests’ grace, style, and obvious intelligence enlivened and informed a program designed to introduce students to the possibilities of externships, internships, and clerkship opportunities in state and federal courts.


Two D.C. Superior Court law clerks received a particularly rousing UDC-DCSL welcome upon their introduction: Perry Foreman (DCSL ‘01), Judicial Clerk to the Hon. Melvin Wright, and Lynette Collins (DCSL ‘01), Judicial Clerk to the Hon. Hiram Puig-Lugo, were rewarded for their academic and career accomplishments to date with a thunderous round of applause.

Two judicial clerks representing distinguished jurists from the D.C. Court of Appeals also graced the panel. They were Ronald A. Lathan, Jr., Judicial Clerk to Chief Judge Annice Wagner, and Catherine Grosso, Judicial Clerk to the Hon. Frank Schwelb. Rounding out the stellar panel was Dana Middleton, who came from the Circuit Court for Prince George’s County, where she is Judicial Clerk to the Hon. Sheila Tillerson Adams. Each was a welcome addition to a diverse and entertaining program.

Over the course of two hours, each judicial clerk described his or her unique experiences working for a judge, and the audience was given valuable insight into the nature of each clerk’s duties and responsibilities. Mr. Azadian, Ms. Migdal, Mr. Lathan, and Ms. Grosso offered specialized information about a clerk’s duty as it relates to conducting legal research and writing tasks for judges whose responsibility it is to write legal opinions that are published in various legal reporters. Ms. Migdal, in particular, explained that her duties often consist of researching and writing memoranda of law on an assortment of fine legal points to which Judge Edwards may turn in writing an opinion. It soon became clear to the audience that each of our guests is an excellent legal researcher and writer, in addition to having exceptional legal analysis skills. It also became clear that judges want their clerks to have opinions, and that those opinions are valued.

Mr. Azadian, who revealed that he has always wanted to be a judge, explained some of the ways that his work with and for Judge Urbina will continue to benefit him as he moves along his chosen career path. He also gave students information regarding some of the requirements for the clerkship application, and the time lines involved in the application process. From the initial application, through one or more interviews, to the hiring decision, (which is extremely competitive), Mr. Azadian outlined the steps a student should take, beginning in the first year of law school. Mr. Azadian, and all the clerks, also stressed the requirement for total accuracy, both during the application process, and later, on the job.

(Continued on page 31)
**OCS Career Fair**

On November 27, the School of Law invited students and recent graduates to meet representatives from a dozen government and judicial agencies, non-profit and for-profit groups. The private sector was represented by Fannie Mae, the nation’s largest home mortgage lending institution, Lexis/Nexis, and the Kelly Law Registry.

Participating national and local government agencies were the US Department of the Interior’s Office of the Solicitor, the US Equal Employment Opportunity Commission (represented by Thais Mootz, ’00) and the D.C. Department of Consumer and Regulatory Affairs (represented by Stephanie Ferguson, ’85.) The D.C. Superior Court was represented by Ramberto Torruela.

Non-profits in attendance were the Appleseed Foundation; HALT: Americans for Law Reform; the D.C. Employment Justice Center; and the National Association for Public Interest Law (NAPIL).

D.C. Corporation Counsel’s Recruiter Carol Burroughs fell ill and could not attend the event. She sent her apologies to all and rescheduled for January 29. Simultaneously, Dean Broderick secured a promise from the Corporation Counsel himself, Robert Rigsby (who has taught Professional Responsibility at the School of Law with his wife, the Hon. Anna Blackburn-Rigsby) to come and speak at UDC-DCSL. We now envision a workshop that focuses on the D.C. Corporation Counsel and features the many D.C. agencies for which it hires attorneys, many of which currently employ our alumni who could be invited to participate.

The Hiring Committee for the Office of the Corporation Counsel handles the hiring of all OCC attorneys and all of the line attorneys in the agencies under the purview of the Mayor: Alcoholic Beverage Regulation Administration, Child and Family Services, Department of Banking and Financial Institutions, Department of Corrections, Department of Consumer and Regulatory Affairs, Metropolitan Police Department, Department of Human Services, Department of Health, Department of Employment Services, Department of Fire and Emergency Services, Department of Insurance and Securities Regulation, Department of Mental Health, Department of Parks and Recreation, Office of Cable Television and Telecommunications, Office of Contracting and Procurement, Office of the Labor Relations and Collective Bargaining, Office of Personnel, Office of the Chief Medical Examiner and the Taxicab Commission. The committee also coordinates the hiring of general counsels, deputy general counsels and OCC supervisory positions for the Principal Deputy, Arabella Teal, and the Senior Deputy for Government Operations, Darryl Gorman.

**Student Job Notes**

Jose Polanco, ’02, has been working at the U.S. Patent and Trademark Office.

Wagner Dantas, ’02, has been offered a position by the Florida Public Defender Service’s Orlando office.

Kenniah Canady, ’04, has been offered a summer internship with Judge Arthur Burnett of the D.C. Superior Court.

Chesley Robinson, ’03, and Tuna Mecit, ’02, have been working with attorney Thomas Fortune Fay and for the Perles Law Firm on an international tort case stemming from the 1984 bombing of the US Marine barracks in Beirut, Lebanon that has been reported on in the national news. The federal court action seeks damages from Iranian assets frozen by the U.S. Department of Treasury.

**Stephen Bright Speaks at UDC-DCSL**

On Thursday, October 18th, renowned death-penalty foe, Stephen B. Bright, addressed fifty members of the School of Law Community in the Window Lounge in an event coordinated by the Office of Career Services and the Dean.

Bright, Executive Director of the Southern Center for Human Rights (see www.schr.org) described his direct legal representation—usually on appeal—of dozens of poor, usually minority inmates who typically received horrendously inadequate representation at trial. He spoke of the systems in many southern counties that often vest the lives of the accused on inexperienced, underpaid or patently incompetent lawyers and of the case law and appellate decisions that permit the situation to continue unabated into the 21st century.

This was Mr. Bright’s second time speaking at UDC-DCSL and he expressed strong support and enthusiasm for the School of Law and its mission.

**Action Without Borders Public Interest Job Fair**

On November 29, UDC-DCSL hosted more than 100 non-profit organizations and 1,500 job seekers in the UDC Gymnasium for the Action Without Borders Job Fair.

These included, among many others, AFL-CIO; Americans for Justice; Association of Farmworker Opportunity Programs; Ayuda, Inc.; Center for Environmental Citizenship; District of Columbia Commission on National and Community Service; Public Allies DC; Public Citizen; Teach For America- HQ; The Brookings Institution; The Center for Food Safety; The Center for Voting and Democracy; and the Whitman-Walker Clinic.
OCS Winter/Spring Calendar

January 29, 2002
Corporation Counsel Forum. 12-2:00 p.m. The Office of Career Services hosted Corporation Counsel Robert Rigsby, and Carol Burroughs, Manager of Attorney and Paralegal Hiring, for a lunchtime program highlighting career opportunities with the Office of Corporation Counsel for alumni and graduating 3L’s, as well as internship opportunities for 1L’s and 2L’s.

February 14, 2002
Judicial Forum. 12-2:00 p.m. The Office of Career Services presents a Judicial Forum with D.C. Court of Appeals Chief Judge Annice Wagner and D.C. Superior Court Judges Ramsey Johnson and Arthur Burnett. The judges will give their unique perspective on hiring judicial clerks, including the selection process, interviewing, responsibilities and duties, and information on what they look for in a successful candidate.

February 19, 2002
U.S. Army JAG Corps Captain Kevin Plummer will describe the JAG program from 12:15-1:00 p.m. Interviews will be scheduled thereafter. Room TBA.

February 21, 2002
Fellowship Fair. 12-2:00 p.m. 1L’s and 2L’s who are eligible for Public Interest Fellowships for the summer will attend a program to meet potential public interest employers who will help them identify opportunities and discuss the application process.

March 6, 2002
Career Fair. 12-2:00 p.m. The Office of Career Services will host the first of two Career Fairs for alumni and 3L’s. Come out, meet employers, interview, and network. The second Career Fair will be held at UDC-DCSL on April 16.

March 21, 2002
LL.M. Workshop. 12-2:00 p.m. Alumni who are now attending or have graduated from LL.M. programs will answer questions about the experience: Why do it? The costs? The admission process? Contact Career Services for more information.

April 16, 2002
Career Fair. 12-2:00 p.m. The Office of Career Services will hold a second Career Fair for alumni and 3L’s. Come out, meet employers, interview, and network.
Support of the School of Law on the part of alumni—from the first graduating class of the Antioch School of Law through the Class of 2001—has surged this year. Brought together largely by our ever-expanding e-mail network and primed by the receipt of an ever-increasing flow of valuable job and career information, alumni have reciprocated in a variety of ways: by providing information on job openings, seeking other alumni for case referrals, turning out as mentors for students, attending reunions and other gatherings, and dramatically stepping up their rate of financial support.

The School of Law’s first e-mailed alumni Career Bulletin was sent out on March 5, 1999, to 140 of the school’s then-2,150 alumni. Since then, we have collected additional e-mail addresses through a variety of means, bringing the total to nearly 900, with approximately 60 alumni opting not to receive the Career Bulletins, but receiving a variety of other School of Law-related news.

School of Law alumni continue to respond to the e-mailed Career Bulletins enthusiastically and to the posting of other time-sensitive opportunities, which allow students and alumni to respond literally within hours of the receipt of information on openings. They both apply for jobs and forward the information to other classmates and friends. Many additional alumni e-mail addresses have been provided by alumni eager to receive this information and to stay in touch, generally, with the School of Law. Each year, dozens of alumni have responded to the prompting provided by the Bulletins—and, no doubt, the ease of responding to them—with job and internship opportunities for both students and other alumni forwarded from other organizations and firms.

The collection of alumni e-mail addresses has facilitated much more than communication about career opportunities. We have used the list dozens of times to announce events at the School of Law, to enlist alumni in the effort to improve our alumni mailing list, to collect information for American Bar Association reports, to solicit articles for our Law Review, to recruit Mentors for our first-year students (forty alumni volunteered—more, in fact, than were needed!) to make death announcements, to seek legal assistance in particular fields of law and/or geographic areas, and to raise funds for the School of Law’s new Public Interest Summer Fellowship Program for first-year law students.

In addition, we have now organized five alumni reunions over the past four years, cumulatively attended by approximately five hundred alumni. In May, 2000, we organized a major reunion celebrating the 25th anniversary of the graduation of the founding class from the Antioch School of Law, but including alumni from virtually every graduating class. It was UDC-DCSL’s largest reunion ever, attended by nearly 200 alumni and their family members. Most recently, we helped a dozen alumni to become sworn in as members of the Bar of the U.S. Supreme Court.


Perhaps the best proof of the quality of this growing relationship is the wonderful response we received to my personal appeal for support late last year in which I offered to match their contributions of up to $25 to a total of $1,500. As of this writing, more than 135 alumni have contributed or pledged a total of nearly $20,000 to support our Summer Public Interest Fellowship Program for first-year students.

As of this writing, 148 Antioch School of Law, D.C. School of Law, and UDC-DCSL alumni have donated or pledged a total of over $19,500 in 2001 year-end support of student NAPIL Summer Public Interest Fellowships, our Immigration Center, and student scholarships. Added to earlier donations by alumni during the Fall reunion and to the Niblack, and Hynes memorial funds—and to our anonymous Activist Scholarship donor ($14K/year!) 195 alumni and former faculty have donated or pledged a total of over $39K in 2001, bringing the total percentage to 11.5% of alumni for whom we have good addresses.

Antioch School of Law Alumni Strongly Support UDC-DCSL!

A peek at who’s been doing the giving shows that Antioch School of Law alumni are now strongly supporting UDC-DCSL. 110 ASL Alumni graduating between the years 1975 and 1988 have contributed or pledged nearly $15,000 in 2001—not including the wonderful full scholarship. 80+ DCSL, UDCSL, and UDC-DCSL grads and former faculty have contributed or pledged just over $10,000.

(Continued on page 33)
Alumni Support Surges ...

(Continued from page 32)

In 2001, alumni support was amazingly evenly distributed between old and new “incarnations” of our law school. The Class of 1982 had the most members making donations or pledges with $15. Following with 12 each were the Classes of ’81, ’85, ’96 and ’98. Next, with eleven were the Classes of ’75, ’77, ’95 and ’97!

In terms of totals donated, again, amazing intergenerational balance was demonstrated: the Class of ’85 led the pack with $3,095, followed by the Class of ’96 with $2,854, the Class of ’77 with $2,825, and the Class of ’98 with $2,060!

The year-end drive began with an appeal via e-mail in late November to the nearly 900 alumni now on our e-mail list. The letter summarized the recent history of the School and explained how a demonstration of broad alumni support could boost chances for ABA accreditation. Putting his money where his mouth was (fingertips were?) Joe offered to match the first $25 of alumni contributions up to a total of $1,500! Simultaneously, Saleema Vanita Snow, ’97, offered a $1,000 challenge to her classmates, offering to match the first forty contributions of $25! In addition, former longtime ASL faculty member Ed Morgan asked for our Arizona alumni list and offered to call each and every one of them for us! Several have arranged to have their workplace make matches to their substantial contributions.

Lynn Streigel, ’77, offered to call her classmates, as has Neil Burns, ’85, and John Dortch, ’94. Tammy Seltzer, ’96, Rita Epps, ’97, Kim Jones, ’97, Doug Hartnett, ’97 and Saleema will also be contacting classmates for a fundraising party in February!

Regular updates on the progress of the campaign were e-mailed out and after a hard-copy letter was sent out, the cards, letters and donations continued to flow. Noteworthy among them was our single largest pledge to date by Ernesto Torres-Almodovar, ’98 who pledged $1,500! Paul Kratchman, ’86 offered to match two classmates’ $25 contributions with $50 contributions. All told five alumni donated or pledged $1,000 or more; seven gave between $500 to $999; nine between $250 to $499; 47 between $100 and $249, 32 gave from $50 to $99, and 32 gave under $50. (Nine made unspecified pledges!)

In addition to the money, their letters and e-mails contained some nice notes, e.g., “Thanks, Joe, for these entertaining and honest updates - they sure beat the slick appeals I receive from my undergraduate school” said Claudia Schlossberg, ’81.

Joe Herring, ’78, sent us a check for $166 and wrote on a photocopy of an Antioch University invoice, "Joe, my contribution to the School I GRADUATED from [arrow to Antioch University Logo]. I match to your (and Dean Broderick’s) vision of the School I very much still BELIEVE IN! Antioch/DCSL IS the only law school I ever wanted to attend. I intend to send you some great students. Best Wishes, Joe H. (P.S. I do read your e-mails Top to Bottom!)"

Supreme Court Bar Swearing-In ...

(Continued from page 1)

The two oral arguments were US v. Arvizu and Owasso v. Falvo. United States v. Ralph Arvizu concerned Fourth Amendment, Search and Seizure, Reasonable Suspicion, and the Totality-of-the-Circumstances Test. The questions were whether the court of appeals erroneously departed from the totality-of-the-circumstances test that governs reasonable-suspicion determinations under the Fourth Amendment by holding that seven facts observed by a law enforcement officer were entitled to no weight and could not be considered as a matter of law AND, whether, under the totality-of-the-circumstances test, the Border Patrol agent in this case had reasonable suspicion that justified a stop of a vehicle near the Mexican border.

In Owasso Independent School District, et al. v. Kristja J. Falvo, Parent Education, the Family Education Rights and Privacy Act (FERPA), and Student Grading were at issue. The question: Does allowing students to grade each other's homework and tests as their teacher goes over the correct answers aloud in class violate FERPA's prohibition against the release of "education records"?

Originally scheduled for Wednesday, October 31, the ceremony was postponed due to the anthrax threat.

The School of Law has already begun organizing the next Supreme Court swearing-in dates. We have reserved 15 slots for December 10, 2002—an oral argument day, and 50 slots for November 18, 2002—a non-argument day. To reserve a slot, contact Joe Libertelli at 202-274-7338 or jlibertelli@udc.edu.
Passing of Carrol Hughes, ‘96

As many of us have now heard, Carrol Hughes, ‘96, died on December 4, 2001, leaving behind his wife Allisoun Hughes, ‘01, and their five-year-old son, Carrol Hughes, IV. David French, ‘95, Carrol’s former classmate, attended Carrol’s service along with many of our alumni, and sent the note below. He forwarded us a letter [at right] from Carrol’s work colleagues who have created an educational trust for Carrol’s son, “Little C.”

A number of alumni have expressed interest in holding a memorial for Carrol at the School of Law. Please let Joe Libertelli (202-274-7338 or jlibertelli@udc.edu) know if anyone would like to participate in organizing such a gathering. An e-mail to this effect has been sent to 237 members of the Classes of 1994 - 2001. Also, please let Joe know if you would be willing to help mail out a letter containing this message to those for whom we have no e-mail address.

Note to Joe Libertelli from David French, ‘95, re Hughes

Joe,

I, as well as many other DCSL folks, attended Carrol's funeral this Saturday past. If the number, and variety, of attendees was any measure, Carrol touched a great many people in his short time on this earth.

There were people spilling out of the church during the service. His boss, the Commonwealth Attorney for Richmond, spoke of Carrol's fine legal skills and dogged self confidence.

It was a moving experience, especially with the knowledge that he left a loving 5 year son as well as a loving family that adored him.

After the service several Class of ’96 mates spoke of doing something in his memory. Professor Battipps pointed out that the Richmond Commonwealth Attorney's Office has already started the ball rolling and suggested that we coordinate our efforts with theirs. I committed to provide the information. Carrol's parents will be the trustees.

Checks can be mailed e/o Chris Nosher at Troutman, Sanders, Mays, & Valentine at PO 1122, Richmond, Virginia 23218-1122. Checks should be payable to The Carrol W. Hughes, III Memorial Trust.

—David French, Class of ‘96

Educational Trust Fund Created for Carrol Hughes IV

Letter from past and present members of the Richmond Commonwealth's Attorney's Office

Friends:

It is with the greatest sorrow and difficulty that we acknowledge that on December 4, 2001, our friend Carrol W. Hughes, III passed away. Carrol's passing has left those of us who worked with him and enjoyed the pleasure of his near-constant company with an indescribable feeling of loss and emptiness. His death has left a void in all of our lives that cannot, and will not, be filled. However, in this very difficult time of deep sadness, we strongly believe that we must set aside our pain and bewilderment, if for just a moment, in order to take stock of what must be done in light of Carrol's passing. We must do this in an effort to ensure that those things that were most important to Carrol are protected.

As anyone who spent even a brief moment with him knows for certain, Carrol treasured above all other things in this world his relationship with his young son Carrol W. Hughes, IV, or "Little C." as we all like to call him. As he looks down upon all of us today, the love, pride and concern that Carrol always demonstrated toward his son continue. We know that foremost on his mind, even now, is the desire to make certain that Carrol, IV, is taken care of. It is to this end that we write all of you today. Each of us can help in an important way to guarantee that the dreams that Carrol had for his son will one day be realized.

Carrol’s friends and colleagues have undertaken to create a trust fund for Carrol, IV, with the purpose of providing financial support for a college education and beyond. The opportunities that this fund can create for Carrol, IV, will be limited only by the degree of participation and contribution that we are able to generate. It is imperative that word of this fund is spread to any and all who knew Carrol. We wish to make certain that all those who share in our grief at Carrol's passing can share also in the joy of giving in his honor. To this end, we ask that all who receive this letter make an effort not only to make a donation to the Carrol W. Hughes, III Memorial Fund, but also to pass this information along to friends, family and colleagues. The process of creating this fund has helped many of us channel the anguish that we feel into a positive outlet that we know Carrol would applaud. We are confident that your support of our effort will help do the same for you.

Diane Abato will supervise the administration of the trust. For the present time, however, if you are interested in making a contribution, please call Chris Nosher at (804) 697-1213 or Susan Parrish at (804) 646-8837. We thank you in advance for your thoughtful contribution.

—The Members of the Richmond Commonwealth's Attorney's Office, Past and Present
NAPIL/Alumni Reunion Dinner Dance Raises $6,000

On October 13th, nearly a hundred alumni, their spouses and scores of students and staff ate, drank and danced up a storm in what we hope will become an annual NAPIL-organized community dinner party in honor of returning alumni, with proceeds benefiting NAPIL Summer Public Interest Fellowships. The nearly six thousand dollars in gate proceeds and donations will go to the Fellowship fund. Students, led by NAPIL President Brandi Nave, ‘02, and Gina Walton, ‘02, put in an absolutely huge effort.

Phil McCarthy, ‘00, Obtains LLM

Dr. Mordechai “Phil” McCarthy, ‘00, reports that he graduated from American University Washington College of Law’s LLM Program in Health Law and is back working in regulatory compliance at the U.S. Food and Drug Administration. He’s now considering offers from several major drug and biotech firms as well as continuing at A.U. for a PhD in Law or an LLM in International Law. Phil remarked that he did very well academically at A.U. and felt very well-prepared by his UDC-DCSL education. He points out that with his low LSAT score, but for UDC-DCSL he might never have had the opportunity to prove he could compete with the best in a legal academic setting!

He said he’d gladly come back to the School to share his insights into LLMs with students at an event to be organized by Career Services later this Winter.

Meanwhile, Dr. Phil also reports that both his daughter and his son’s wife gave birth to his first two grandchildren—both boys—and both in April of 2001 only 16 days apart!

Steven Boretos, ‘01, to Form Special Ed. Firm

New member of the D.C. Bar Steven Boretos, ‘01, is in the process of forming a law firm that will specialize in … Special Ed law -- working on behalf of D.C. kids with disabilities who’ve been denied appropriate educational programming by D.C. Public Schools. Steven says he’s confident that there’s plenty of work out there to support him and at least several other alumni who’ve been trained in Special Ed law “at the hands of the masters” here in the School of Law’s clinics. If you know of an alum who’s had the Clinic and who’s looking for good, paying work — whether or not they’ve got the bar under their belt -- have them give Steven a call!

Russ Lehman, ‘86, Elected to Olympia, Wash. School Board

Russ Lehman, ‘86, was recently elected to the School Board for the city of Olympia, Washington, the State Capital. Russ Directs the First American Education Project, whose primary goal is to educate the public about issues of importance to Indians and to inform the public about where candidates stand on these issues. His Board is comprised of Tribal leaders from Washington state, and his organization receives financial support from many Tribes, both in Washington state and throughout the country.

The Nuernberg Report

Ali Nuernberg, ‘00, reports that, while completing his Int’l Law LLM, he’s working part time as a legal archivist at American University’s Equal Justice Library—where the annual Edgar S. and Jean Camper Cahn Award is the highest honor they bestow!

Dan DeMora, ‘99, Profiled in ABA Journal

Here’s an excerpt from an article by Jill Schachner-Channen about Dan DeMora, ‘99, that appeared in the October 2001 ABA Journal:

“Most solos take a while to figure out in what practice areas they want to concentrate their work. Not Dan DeMora. The Swedesboro, N.J., solo immediately opted to have a criminal defense niche practice in undercover drug operations when he began practicing law two years ago.

“‘So many solos have thrown away their past experience,’ says DeMora, a former police officer who worked in drug enforcement. ‘They are searching for something that is right in front of them.’ But is it a good idea for a solo to have a niche? Unlike large-firm counterparts, solos can wipe themselves out by making a bad choice about a niche practice.”

“DeMora says the answer may depend on the niche itself. ‘Most solos developing a niche law practice still need at least two or three areas that they really work at because of the peaks and valleys. I think that I may work in one of the few niches where the valleys are not as deep because the drug trade is a booming business.’” [See http://www.abanet.org/journal/oct01/ fniche.html for the complete article.]

Teefey’s Triplets!

Mary Brooke Jenkins, now Brooke Teefey, ‘94, informed us that she married Joe Teefey in September of ‘94. The two have a law practice together, Teefey & Teefey, P.C., and 4 wonderful children: Mitchell, born 6/6/97, and Mac, Ellie & Grace, who were all born on 4/6/01. “Yes we are quite busy!” writes Brooke.
W.Va. Gov. Appoints Mark Snyder as Judge

West Virginia Governor Bob Wise appointed local attorney and public defender Mark Snyder, ’80, to be a family court judge in Kanawha County. Snyder has worked for the past year as a public defender for the 30th Judicial Circuit in Mingo County, W.Va., where Teressa McCune, ’80, serves as Chief Public Defender. Mark is a member of the State Bar Commission on Children and the Law and was a member of Governor Wise’s Transition Task Force on Children and the Law.

Cohen’s Coffee House Wins Monty

Mark Cohen’s, ’85, “The Coffee House” won the Monty — the top prize for public access television in Montgomery County – for the second year in a row. A panel of judges from other area public access stations picked “The Coffee House” as the best studio informational show.

The winning entry, the September 2001 show, featured several reports, including: a report on why AMU-FM and WETA-FM both offer the same NPR programs at the same time and what is being lost as a result; the remarkable story of how the Kossoy Sisters went to the movies only to learn that their recording decades earlier of “I’ll Fly Away” was on the soundtrack of the hit film, O Brother, Where Art Thou; an interview with the creative duo behind the percussive dance team, “Tappers With Attitude”; civil rights leader and Pulitzer Prize winner Roger Wilkins on his new book Jefferson’s Pillow; and poetry by D.J. Renegade, Rebecca Villareal, and Bernadette Geyer.

In addition to the Monty, “The Coffee House” has also won the 2001 Community Access Magic award and the 1999 Hometown Video Festival.

The Coffee House airs on 12 channels in Maryland, D.C. and Northern Virginia. The schedule and rundown for each show is on the Web at www.coffeehousetv.org.

Alum Anti-Nuke Letter in Post

A letter by Kitty Tucker, ’78, was recently published in the Washington Post (A-25, Saturday, November 17) in response to a letter that criticized activists for publishing information about the vulnerability of nuclear power plants to terrorist attack.

She wrote in part, “Some letter writers would rather silence the messenger than read the bad news [*“Tipsheet for Terrorists,” Free for All, Nov. 10. … Terrorists can identify and strike at vulnerable targets, and the public cannot demand protection for those targets without knowing of the danger. … Environmentalists have long warned that nuclear reactors could become ammunition in wartime enemy attacks. An attack on a spent-fuel pond, which has no concrete dome and little protection, could lead to fires that release massive, deadly clouds of radioactive and chemical gases. The Nuclear Regulatory Commission and the Department of Energy (the agency that produces and stores nuclear weapons) should immediately take steps to improve security at nuclear sites. The public can only demand action when the danger is known.

Discrimination Victims “Crazy About” Athan Tsimpedes

Tom Hucker of “Progressive Maryland” sought an attorney and, through our alumni e-mail network, we hooked him up. Tom wrote, “You should know we ended up retaining one of your alums, Athan Tsimpedes, ’95 and we are proceeding with what Athan thinks will be a multi-million [dollar] racial discrimination and ADA discrimination case in federal court. The tenants are crazy about him. A few of our organizers and I are going door-to-door with tenants this week to get more plaintiffs.”

Special Master Alan Balaran Stings U.S. Dept. of Interior

U.S. District Court Judge Royce C. Lamberth’s Special Master, Alan Balaran, ’92, has been in the news continually for his tough investigation into the mismanagement of a 114-year-old $500 million trust fund for Native Americans by successive Secretaries of the Interior.

In an article on the Federal Page of the Washington Post on December 5, 2001, Post reporter Neely Tucker wrote “In a stinging 154-page report, the special master, Alan Balaran, wrote that the computer security of the Individual Indian Monies account is so poorly managed by the Department of the Interior that a firm secretly hired by the court easily hacked into the system and set up a phony account that would be eligible to receive funds.”

Neely went on to quote Elouise Cobell, lead plaintiff in pending litigation who said that, “It is disgusting and shameful that Secretary Norton and her predecessors have allowed this situation to exist… They’re treating money that belongs to individual Indians – some of the poorest people in this nation like it’s a candy store.”

As a result, the Department of the Interior shut down all its Web sites for over a month—including those for the National Park Service and the U.S. Geological Service. The battle heated up even more when it was disclosed in mid-January that no benefits were paid to Native Americans last month, which some observers have described as a cynical ploy to put pressure on Judge Lambert to loosen control of DOI!
Alumni Letters to Joe Libertelli, Director of Alumni Relations, and Dean Shelley Broderick

Hi Joe!

I just wanted to let you know that the hot job tip that you informed me of panned out! The DC Trial Lawyers Association offered me the Liaison position and I accepted. I am scheduled to start on December 17th.

I wanted to take this opportunity to thank you very much for always being there to help and for your quick e-mail responses. I hope to do the school proud in my new position.

Please let Dean Broderick know that I truly appreciate her efforts as well. If it had not been for the both of you I'd still be flapping in the wind! Have a Happy Holiday Season and I hope to see you all soon.

Nycole Grissett, ‘01

Hi Joe,

Just wanted to tell you that I GOT A JOB!!! I am working for the Lutheran Immigration and Refugee Service on the Hill. I am Policy Advocate, at the moment working on the Unaccompanied Alien Child Protection bill that we want passed. Thanks for your support during my job search. I really appreciate everyone’s helping hand.

See you,

Merritt Becker, ASL ‘88

Joe,

FYI. I am a 1977 graduate of Antioch School of Law. After practicing law for 15 yrs in DC, SC, Va., and NC (first with the federal government and then as a legal aid lawyer during the Reagan/Bush years), I joined the faculty of the University of North Carolina's School of Government where I am a professor of public law and government.

John Saxon, ASL ‘77

Dear Joe,

I very much enjoy getting news about UDC Law & Antioch Folks. Thanks for keeping me posted.

Sincerely yours,

George A. Whitley, ASL ‘81

Shelley,

Hope the holidays find you and yours happy and healthy. It has been a big year here personally and professionally… At work we rang in the 60 month time clock for Tenant Assistance for Needy Families in October and only 3 individuals in NH actually lost benefits. When welfare reform took effect in 1996, NH had over 5,000 families subject to the 10/01 shut off. Though the economy cooperated, we still think these numbers suggest our program works. We continue to monitor these vulnerable families as the word “recession” is officially uttered confirming what most of us already knew. Additionally, two of my cases have been appealed to the NH Supreme Court – keeping me busy and swimming with the big fish.

Lisabritt (Kenefick) Solsky, ‘96
It is never too early to start thinking about what bar examination you are going to take. Many states require early registration or charge significant penalties for late applications. Moreover, the subjects covered in your state’s bar exam should be a key consideration when you are choosing electives in your second and third years of law school. Finally, consideration of the format and subjects on various state bar exams may help you decide where you want to sit for the bar (the topic of a later Bar Counsel column).

Although most states require the Multi-State Bar Examination (MBE), the essay portion of the bar exam differs radically from state to state. Different states test different subjects, select different passing scores, and use different formulas for weighing the multiple choice and essay portions of the exam. Moreover, an increasing number of states now require the Multi-State Performance Test (MPT), a 90-minute exam that tests your ability to solve problems by applying a closed universe of legal authorities to a hypothetical fact pattern.

The first thing you should do when thinking about course selection is see what kind of bar exam your state offers and what subjects are tested. Most states have this information available online, and the School of Law has gathered it all together for you in our “Bar Examination Workshop” online course. To access the information, log on to: http://udc.blackboard.com/. All registered UCD-DCSL students have been given user names and passwords to access the site. Your user name consists of your first initial and the first three letters of your last name. Your password, which you should change as soon as you log on, is your social security number. To access information about the bar exam, click on “External Links.” There is a folder with sites for each state-specific bar exam, and a folder with general bar exam resources.

UDC-DCSL’s first-year required courses introduce students to three of the six MBE subjects that will be tested on virtually every bar in the country: Criminal Law and Procedure, Contracts and Sales, and Torts. The remaining three are required in the second year: Constitutional Law, Evidence and Property. Only two states — Louisiana and Washington State — do not use the MBE. Nonetheless, these two states no doubt test in these six areas.

On their essay exams, most states test some form of state civil procedure, agency and partnership, corporations, family law, and wills and trusts. There is wide variation in what other subjects (and how many) are tested. By the time you finish law school, you should have taken most, if not all, of the subjects tested on your state’s bar exam. Commercial bar review courses (such as BAR/BRI) are invaluable in helping you prepare for the bar exam, but they should be providing review rather than initial coverage of the subjects.

Most states also require a separate exam in Professional Responsibility, the Multi-State Professional Responsibility Exam (MPRE). A few, however, including Maryland, test Professional Responsibility on their essay exams. Finally, don’t forget the admission to the bar involves a demonstration of worthiness in two distinct areas. Competence is established by showing that the applicant holds an acceptable educational credential (J.D. degree) from a law school that meets educational standards, and by achieving a passing score on the bar examination. The second area of inquiry by bar examiners involves the character and fitness of applicants for a law license. In most states, bar examiners seek background information concerning each applicant that is relevant to holding a position of public trust. This can include anything from past criminal activity to employment and credit checks. The character and fitness portion of bar licensing will be the topic of a future Bar Counsel column.

If you have any questions about the bar exam, please feel free to contact me or any members of the Bar Passage Task Force (Dr. Russ Cort, Prof. James Gray, and Prof. Stephanie Brown).
The Law Library has been continuing to improve its service. You may have noticed our increased reference desk hours. Even when the desk is not officially staffed, however, there is a librarian available for reference help from 8 a.m. to 9 p.m. during the week, except on Tuesday. If you come in early in the morning, Mr. Eddie Caparas will be on duty at 8 a.m. Ms. Angela Minor is at the Reference Desk from 9 a.m. to 11 a.m., and then Mr. Caparas takes over from 11 a.m. to 1 p.m. From 2-4 p.m., Mr. Barrett Graham sits at the desk. Ms. Helen Frazer sits at the desk from 1-3 p.m. and she remains in the library until 9 p.m. on Mondays. Ms. Minor is available until 6:30 p.m. on Tuesdays, and Mr. Graham until 9 p.m. on Fridays. The librarians hope you seek them out at the Reference Desk for research assistance. Even when the Reference Desk is not staffed, feel free to ask any Librarian for help.

The Law Library also recognizes that technology skills are essential for lawyers today. It is part of our mission to provide up-to-date technology and to help students learn to use it. The Library's wireless network is our most recent accomplishment. Using your laptop and a PC card, you can now get on the network to access the Library catalog and get on the Internet. You can sit anywhere in the Library or in the second floor classrooms and clinic offices, and do your research, read your email, and print to the dedicated wireless network printer at the Circulation Desk.

To help you learn how to set up your computer to use the wireless network, the Library designated Friday, November 30, 2001, as Laptop Day in the Library. Electronic Services Librarian Barrett Graham, Network Administrator Lewis Perry, and myself were on hand to answer questions and help students figure out how to bring laptops up-to-speed. For example, we helped students install printer drivers, decide which PCMCIA card to buy (DWL 650 or the SMC cards are both good), or decide which laptop to purchase. If you are thinking of upgrading to the new Windows operating system, we recommend the Windows XP Professional software (not the home version). It's important to become familiar with using the wireless network because the computer lab won’t always be accessible during late spring of 2002 due to Library renovation.

The Library renovation project will bring you a more convenient and more attractive library, with comfortable seating and group study rooms. A seating area at the entrance will have recent newspapers and magazines for casual reading. The reference desk will be located in a separate reference room. The Circulation Desk will be automated to make checking out and returning books easier.

As always, if you have questions about library services, or reference questions, please seek out a librarian. We are here to help make your law school education more rewarding.
Other News

ACLU-NCA Holds Education Roundtable at UDC-DCSL

On October 20, 2001, UDC-DCSL hosted an Education Roundtable organized by the American Civil Liberties Union of the National Capital Area. School violence was the topic of discussion. The event featured four breakout sessions: Prevention and Early Identification; Diversity and Respect; Intervention (Zero Tolerance); and School, Home and Community Partnerships. Between and after the breakout sessions, plenary sessions were held.

The Education Roundtable brought together school administrators, security and law enforcement personnel, local government leaders, interested social service organizations and individuals, teachers, parents, and students in a discussion and recommendation format. Against the backdrop of tragedies such as Columbine, Peda and others, many across the nation are grappling with the problem of how to ensure a safe learning environment without infringing on the civil liberties of students and their parents. Roundtable participants discussed the rights as well as the responsibilities of all who are involved in the education system. While recommendations were made, the overarching goal of the Roundtable was to raise awareness rather than reach consensus.

D.C. Fair Budget Coalition Holds “Human Needs” Forum at UDC-DCSL

On Thursday, November 15, 2001, The Fair Budget Coalition of the District of Columbia held “Meeting Human Needs in D.C.: Providing Stability in Times of Uncertainty” at UDC-DCSL. The two-hour event featured a panel discussion with Carolyn Graham, Deputy Mayor for Children, Youth, and Families; Maria Gomez, Mary’s Center for Maternal and Child Care; George Jones, Bread for the City, John McIlvain, George Mason University, Mary Rudolph, The Greater Washington Board of Trade, and Jos Williams, AFL-CIO. For more information about the Fair Budget Coalition, contact the Washington Legal Clinic for the Homeless at 202-872-8958.

Joshua Cooper Discusses “Nonviolent Alternatives to War”

On Thursday, October 18, 2001, Joshua Cooper visited UDC-DCSL. Mr. Cooper is a lecturer in Peace Education at University of Hawai‘i at Maui and Maui Community College. He received the Hawai‘i Peacemaker of the Year Award in 1997 and currently serves as president of Amnesty International Hawai‘i Chapter. Mr. Cooper focuses on nonviolence, indigenous peoples and human rights. He writes political commentary for Ka Leo O Hawai‘i, East Honolulu, Fil-Am Courier and Maui Time. He is also a summer Lecturer/Facilitator at the International Training Center on Human Rights and Peace Teaching (CIFEDHOP) in Geneva, Switzerland as well as a candidate for PhD in International Human Rights at the University of Hawaii.

Due to the small size of the group, Mr. Cooper initiated what turned out to be more of a discussion of the topic along with UDC-DCSL International Law Prof. Jim Gray and Antioch School of Law, ’80, alumna Anita Parlow, herself with a diverse background in international law and journalism.

The consensus was that the U.S., after years of bashing, underfunding, and undercutting the rightful world's police force and judicial system (the United Nations and the International Court of Justice at the Hague), in addition to not supporting the creation of an International Criminal Court (ICC), had no entity to turn to that was ready to mobilize to investigate, determine if "probable cause" existed to "arrest" Osama bin Laden, and to effectuate such an arrest. An ad hoc process could have been created via the UN Security Council, but that was not attempted.

Joshua reported receiving e-mails of sympathy and shock from many of his friends and contacts from - including usually U.S.-hating indigenous peoples' advocates from around the world. It was consensus that had the U.S. refrained from retaliation, it could have used worldwide sympathy to mobilize support for the ICC and to take vigorous steps to investigate and prosecute in an overtly fair manner, setting a precedent that might have helped avert future wars. U.S. retaliation has now squandered much, if not all of this sympathy.

Despite this, the U.S. could and should still decide to fully fund the U.N. and work to ratify the treaty that would create the International Criminal Court. The September 11 attacks and our subsequent retaliation show how desperately the world needs to have such mechanisms in place.

There was also discussion of U.S. foreign policy in the Middle East and how it laid the groundwork for hatred. Examples included U.S. support for Israel vis à vis the Palestinians, the U.S. CIA assisted overthrow of the democratically elected Iranian government in 1953 and the subsequent training of the Shah's secret police (Savak) and how it resulted in the death of thousands of Iranians; the perpetuation of the Iraqi/Iranian war; the use of NATO rather than the U.N. to expel Sadaam from Kuwait; and the 1984 U.S. CIA car bomb outside a mosque in Beirut (in retaliation for the Marine Corps barracks bombing) that killed 80 and wounded 200, not to mention the continued embargo of Iraq - whether one thinks it is appropriate or not - that is taking a heavy civilian toll.

It was generally felt that U.S. involvement and policy in the Middle East was first fueled by a mixture of Cold War politics and oil addiction, with oil addiction becoming predominant since the fall of the Soviet Empire.

It was also observed that the pre-

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dictable economic slowdown caused by the terrorist attack could also have been predicted to cause a commensurate drop in oil prices, lowered oil revenues in moderate Arab states like Saudi Arabia, Kuwait, etc., and thereby the increased destabilization of those regimes - perhaps the ultimate aims of any (living or dead) fundamentalist Muslims behind the attacks.

The group then spent a good bit of time plotting programming at UDC. One possibility is to support the new student International Law Society with an "Alumni Council" that might assist with bringing alumni and other international law and human rights professionals into the School of Law each month. We also discussed organizing an intensive week-long Human Rights Seminar in May 2002 with evening speeches by known experts and culminating in a weekend conference and Monday Lobby Day. After that, we could work to build a summer long evening course for both undergraduate and law school credit. Finally, in Summer 2003, we would hope to have a summer long internship/evening course patterned after and integrated with our existing domestic civil rights program, which would place students in organizations throughout the District and bring them to campus in the evenings for classes and speeches.

In addition, one of our former students, originally from China, had been urged by a family member who is also a Chinese diplomat, to set up a US/China Human Rights conference that would focus on sharing strategies for just treatment of indigenous people. There was some talk that UDC might be an excellent location for such a conference.

—Joe Libertelli

Youth Court Goes to Capitol Hill

On Monday, December 3, 2001, students from Banneker Senior High School, DeMatha Senior High School, and the Maya Angelou Public Charter School appeared before Congress as part of a National Policy Forum on Youth Court. Youth Court is a peer review process in which teens are able to hear cases involving juvenile offenders, counsel the offenders on ways to improve themselves, and "sentence" them to perform community service. First year students at UDC-DCSL – in conjunction with the staff of the Time Dollar Institute – assist the students in preparing to carry out the functions of the Court.

UDC-DCSL students were joined by youth from a similar program in Colonie, New York. They re-enacted recent cases that they have heard concerning the unlawful possession of a weapon. Following their presentation, Dr. Jeffrey A. Butts from the Justice Policy Center of the Urban Institute reported his preliminary findings from a study of the efficacy of Youth Court programs nation-wide as tools to divert young people from the juvenile justice system.

Representatives from the American Youth Policy Forum, the American Bar Association, the National Council of Juvenile and Family Court Judges, the Constitutional Rights Foundation of Chicago, and the American Probation and Parole Association were in attendance. The primary sources of support for the Youth Court concept are the Justice Department’s Office of Juvenile Justice and Delinquency Prevention, and the Transportation Department’s National Highway and Traffic Safety Administration. UDC-DCSL Prof. Edgar S. Cahn instituted the Youth Court program for the District of Columbia in 1996.

Additional information about Youth Court programs is available at www.youthcourt.net. The Office of Justice Programs is accessible at www.ojp.usdoj.gov. To learn more about Prof. Cahn and the Time Dollar Institute, see www.timedollar.org.

—Jay Stewart

March 1–3, 2002

15th Annual
Robert M. Cover Retreat
At Sargent Camp, near Peterborough, New Hampshire

“Lawyering in Context:
Exploring the Intersections of Law and Community”

Every year, law students, professors, and public interest practitioners from the East Coast and throughout the country gather for a weekend in the idyllic setting of New Hampshire. We relax, we share ideas, and we recommit to work in the public interest. (We also have the opportunity to enjoy a wintry weekend in New Hampshire: long hikes, cross-country skiing, and chatting by the fireplace.)

The Cover Retreat is a wonderful opportunity for informal networking through which people have found new friends and even future jobs. The weekend traditionally includes a keynote address, panel discussions, and time for informal conversations.

Yale Law School is excited to organize this year’s Retreat with the theme, “Lawyering in Context: Exploring the Intersections of Law and Community.” Please join us in New Hampshire! Registration packets will be available in early December. Although there is an attendance fee for the Retreat, scholarships are available to students on a case-by-case basis. For more information about student registration and practitioner participation, please contact Toni Moore at toni.moore@yale.edu or Raj Nayak at rajesh.nayak@yale.edu.

Other News ...
January

29 Corporation Counsel Forum. 12-2:00 p.m. The Office of Career Services of UDC-DCSL hosts Corporation Counsel Robert Rigsby and Carol Burroughs, Manager of Attorney and Paralegal Hiring, for a lunch-time program highlighting career opportunities with the Office of Corporation Counsel for alumni and graduating 3L’s, as well as internship opportunities for 1L’s and 2L’s.

February

6 Blackboard Presentation. 12:15-2 p.m. Professor David Chavkin of American University Washington College of Law gives a presentation about the Blackboard Web application.

12 Dean’s Town Meeting. 12:15 p.m. in Room 201. All faculty, staff, and students encouraged to attend.

12 Roger Wilkins Book Party. 6:00 p.m. in the Student Lounge (Bldg. 38). Roger Wilkins reads from and sign copies of his new book Jefferson’s Pillow: The founding fathers and the dilemma of black patriotism. Praise from the back cover: “Eloquent, penetrating, compelling, and poignant, Jefferson’s Pillow speaks to every American confronting the two-ness of ‘African American.’ Every page of this tough-minded, big-hearted history brings pleasure in the reading.” —Nell Irvin Painter, Edwards Professor of American History, Princeton University

14 Judicial Forum. 12-2 p.m. The Office of Career Services of UDC-DCSL presents a Judicial Forum with D.C. Court of Appeals Chief Judge Annice Wagner and D.C. Superior Court Judges Ramsey Johnson and Arthur Burnett. The judges give their unique perspective on hiring judicial clerks, including the selection process, interviewing, responsibilities and duties, and information on what they look for in a successful candidate.

15 Phi Delta Phi Initiation Week Begins. New members are inducted. For more information see Dimone Long, Exchequer, Chairman, Initiation Committee.

19 U.S. Army JAG Corps Captain Kevin Plummer describes the JAG program from 12:15 to 1 p.m. Interviews will be scheduled thereafter. Room TBA.

20 Dean’s Fellows Luncheon at Dean Broderick’s home.

20/21 Black History Month Events. Sponsored by the Student Bar Association. For more

―David Halberstam, author of The Powers That Be● “Roger Wilkins has presented the African-American with the greatest challenge he will ever face: walking away from history with his head held high, his mind fully informed, and his heart full of love of country. In sharing his family’s American journey from the civilly constipating undertow of blacks’ oppression to an unselfconscious patriotism, he’s performed an act of leadership and bravery that the community cannot move forward without.” —Debra Dickerson, author of An American Story and senior fellow at the New America Foundation ● “Roger Wilkins complicated the past, as all good historians do, but does so in such an open, accessible way that he prompts us to think deeply about our heritage and our ideals. This wise and moving book deserves a wide audience.” —Lawrence W. Levine, author of The Opening of the American Mind

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Fellowship Fair. 12-2 p.m. 1L’s and 2L’s who are eligible for Public Interest Fellowships for the summer will attend a program to meet potential public interest employers who will help them identify opportunities and discuss the application process.

Black History Month Panel. Sponsored by BALSA. For more information see BALSA President Tiambe Belardo.

NAPIL Mardi Gras Auction. 7 p.m. Eat, drink, and party as you bid on your favorite items, including Redskins tickets, catered dinners, crab feasts, weekend get-a-ways, electronics, jewelry, etc. All proceeds benefit Public Interest Fellowships! For more information see Brandi Nave.

March

Career Fair. 12-2 p.m. The Office of Career Services will host the first of two Career Fairs for alumni and 3L’s. Come out, meet employers, interview, and network. The second Career Fair will be held at UDC-DCSL on April 16.

Phi Delta Phi Ethics Seminar. For more information see Dimone Long, Exchequer.

Democracy in the Middle East. A panel discussion sponsored by the International Law Society. For more information see ILS Vice President Robyn Silverman.

LL.M. Workshop from 12-2 p.m. Alumni who are now attending or have graduated from LL.M. programs will answer questions about the experience: Why do it? The costs? The admission process? See Roberta Daniels in Career Services for more information.

Louisa Van Wezel Schwartz Symposium on Mental Health Issues in Correctional Institutions. 9:00 a.m. to 4:00 p.m. in Building 44, Room A03. Papers will be presented in the morning; Dr. Raymond Patterson, Correctional Psychiatrist, will deliver the keynote address at noon; and a panel discussion will be held in the afternoon. Papers to be presented are: “Mental Health and Incarceration: A Bad Idea” by Prof. Olinda Moyd; “Mental Health Issues in Juvenile Detention Facilities” by Dr. Andrea Weisman; “Suicide in Jails” by Dr. Karen L. Cropsey; and “Intimacy, Sexuality, Fertility” by Prof. Brenda Smith. The panel discussion in the afternoon will be led by Dr. Victor Elion, with discussants Harold Cusdenberry, Jr., Deputy Presiding Judge, Criminal Division, Superior Court; Martha Kinsley, Director, D.C. Department of Mental Health; David Norman, Attorney, Public Defender Service, Mental Health Division; and Susan Rosenberg, Prisoners’ and Human Rights Advocate. For more information, contact Russ Cort at rcort@udc.edu.

April

SESLE Event. 12-2 p.m. Sports & Entertainment Lawyers Association panel discussion. For more information, see Ayana Watson.

Tenth Annual Joseph L. Rauh, Jr. Lecture. 6 p.m. in the UDC Auditorium (Bldg. 46). Guest Lecturer Hillary Clinton (invited).

Career Fair. 12-2 p.m. The Office of Career Services will hold a second Career Fair for alumni and 3L’s.
The University of the District of Columbia
David A. Clarke School of Law, The Mental Health in Prisons Group
and
W. Russell Cort  Erias A. Hyman  Mary Gardiner Jones
Joyce D. Miller  Mary O’Melveny  Kate Prager
Arlene L. Robinson  William L. Robinson  Susan Waysdorf
PRESENT

THE LOUISA VAN WEZEL SCHWARTZ
SYMPOSIUM ON MENTAL HEALTH ISSUES IN CORRECTIONAL INSTITUTIONS

Monday, March 25, 2002
9:00 a.m.-4:00 p.m.
University of the District of Columbia Bldg 44
Room A03

Speakers:
- Paul Quander, Esq.
- Dr. Raymond Paterson

Paper Presentations:
- Prof. Olinda Moyd – Mental Health and Incarceration: What a Bad Combination!
- Dr. Andrea Weisman – Mental Health Issues in Juvenile Detention Facilities
- Dr. Karen Cropsey – Suicide Issues in Jail
- Prof. Brenda Smith – Intimacy, Fertility, Sexuality in Prisons

Panel Discussion:
- Dr. Victor H. Elion, Moderator
- Judge Harold Cushenberry
- Martha Knisley, Dir., Department of Mental Health
- David Norman, Public Defender Service
- Susan Rosenberg, Prison Rights Advocate

Box Lunch Provided – Register Early!
Call Russ Cort: 274-7346.