



Clinical Law
Newsletter

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Clinic Connections

Real Clients, Real Cases, Real News

Innocence Project Clinic Client Freed

Larry Lane Hugee, a client of the University of Baltimore Innocence Project Clinic, left the Wicomico County Courthouse in Salisbury, Maryland, a free man on May 16, 2012, after the State of Maryland declined to re-prosecute the armed robbery charges that had kept him in prison since 2004. Hugee, now 57, had served more than eight years in prison for a robbery that the IPC proved he did not commit. His release required countless hours of effort on the part of several UB Law Clinic students, Michele Nethercott, director of the IPC, and staff

attorney, Joseph Owens, who works with the IPC through a federal grant program known as the Wrongful Conviction Review Program.

On March 8, 2012, Judge Leah J. Seaton granted Mr. Hugee a new trial after several rounds of litigation on numerous issues relating to ineffective assistance of counsel and the withholding of exculpatory material from the defense. Hugee accepted prosecutors' offer of a stet (an indefinite postponement that is effectively a dismissal of all charg-



es in this cases) on all charges related to the robbery case. Upon his release, Mr. Hugee was greeted by his wife, daughter, son, and numerous other relatives who have waited years to see him go free.

Civil Advocacy Clinic professor and student attorney testify in support of House Bill 651

In March 2012, University of Baltimore Law School Professor Daniel Hatcher, in collaboration with the Job Opportunities Task Force, drafted legislation and testified, together with former Civil Advocacy Clinic Rule 16 student attorney, Maria Martirano, in support of a bill approved by Maryland Governor Martin O'Malley on May

22, 2012. House Bill 651 establishes that child support payments are not past due and arrearages may not accrue during any period when the obligor is incarcerated and for a specified period after the obligor's release from confinement under specified circumstances and authorizing the Child Support Enforcement

Administration to adjust an incarcerated obligor's payment account in specified cases to reflect the suspension of the accrual of arrearages under the Act. Hatcher and Martirano testified how HB 651 benefits the children, custodial and non-custodial parents, and the State.

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Family Law Clinic—Community Education Project

More importantly, I am also heartened to discover in systemic advocacy a way that attorneys can serve their community, by seeking to understand their clients' experiences and using that understanding to inform efforts to improve the system. Specifically, the client-centered counseling model we are devoted to in clinic instructs us to focus on discovering the goals, and meeting the needs, of each individual client.

— Sarah Witri, '12

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I began my semester as a Student Attorney in the Family Law Clinic hoping to serve my community and improve my litigation skills by providing representation to low-income families who wouldn't otherwise have access to legal help. And indeed, representing clients in divorce, child custody, and domestic violence proceedings was a valuable, if unsurprising, component of our work.

What I did not expect was to get so much else out of the FLC experience, thanks to an aspect of the curriculum I knew almost nothing about prior to the start of the semester: systemic advocacy. Specifically, the Community Education project I undertook with fellow Student Attorneys Sierra Mitchell and Sean Gahagan gave me the opportunity to cultivate a variety of additional skills I now hope to build on throughout my career.

With guidance from our supervisor, Professor Leigh Goodmark, we successfully drafted and advocated for the adoption of Baltimore City Council Resolution 12-

0034R. Sponsored by Councilman Robert Curran, this resolution made Baltimore the second city in the United States to join a growing chorus of voices around the world condemning domestic violence as a violation of fundamental human rights.

Prior to this project, I had never tried to research and draft the text of a resolution. At no time in law school had I ever been expected to meet with Baltimore City Council members to explain how recognizing freedom from domestic violence as a fundamental human right might shift people's thinking about our current laws and about the magnitude of domestic violence in Baltimore. Until clinic, my contact with Baltimore legal services organizations and media outlets like Maryland Legal Aid Bureau and the Daily Record had been limited to internships and networking events, rather than collaboration on such a resolution and publicity for its message.

Working with my fellow Student Attorneys on all these tasks, I realized there is more to the "practical skills" that

are increasingly expected from law graduates these days than simply drafting motions or conducting discovery. Coalition-building, government relations, and pounding the pavement seem unlikely to be listed in our school's course catalog anytime soon, so I appreciate how our Community Education project opens up these additional dimensions of my own client advocacy skill development.

More importantly, I am also heartened to discover in systemic advocacy a way that attorneys can serve their community, by seeking to understand their clients' experiences and using that understanding to inform efforts to improve the system. Specifically, the client-centered counseling model we are devoted to in clinic instructs us to focus on discovering the goals, and meeting the needs, of each individual client. This process improved my individual case work, but it also positioned me to observe some significant barriers our clients face when they attempt to obtain relief in court. Overall, I found our systemic advocacy work addressing these challenges to be a satisfying way to seek improved outcomes for our future clients and all Maryland litigants.

Family Law Clinic

The Spring 2012 Family Law Clinic student attorneys worked on multiple legislative initiatives. First, they continued the work of former students in pursuing a legislative change to the way in which service of process must be accomplished in domestic violence final civil protective order cases. Specifically, the FLC student attorneys seek to amend the law to permit petitioners to use private process service rather than only law enforcement. The student attorneys

believe this amendment is necessary due to the large number of petitioners who are unable to obtain protective orders because law enforcement is unable to accomplish service. The FLC student attorneys circulated their legal research packet on the bill to relevant MD General Assembly members and received many positive responses, including meetings with various Senators and Delegates and willing sponsors. The FLC student attorneys hope to have the pro-

posed legislation considered in the upcoming MD General Assembly session. In addition, FLC student attorneys, led by **Jennifer Stubbs and Amanda Peterson**, worked on the successful passage on new unemployment insurance coverage for persons subjected to domestic violence, helping to provide economic relief to persons who need to leave their job or are terminated because of domestic violence.



Mediation Clinic for Families

The Mediation Clinic for Families (MCF) is excited to announce its new Collaborative Family Law Project. In conjunction with a state-wide effort led by the Family Division of the Administrative Office of the Courts to make collaborative practice available to low-income Marylanders, MCF will begin representing parties in collaborative family practice.

What is the collaborative law process? The collaborative law process is a conflict resolution process by which parties agree to resolve differences directly, without adversarial legal proceedings or reliance on a court-imposed solution, and with a focus on the needs of the entire family. Each party is represented by a specially trained collaborative attorney who is retained by the party for the limited

purpose of assisting that party in reaching an agreement with the other spouse or partner. Over the course of several meetings, the parties discuss their interests, needs, and goals, determine questions to be answered and frame issues, exchange information, generate options, evaluate those options, and then work to reach resolution. Neutral, third party specialists, such as mental health professionals, social workers, or financial experts, who are also trained in the collaborative process participate in meetings in order to help facilitate the collaborative process.

In this Collaborative Family Law Project, attorneys and neutral specialists have agreed to work pro bono. Because low income families often do not have the resources to

engage attorneys and multidisciplinary experts, the collaborative process has been largely unavailable to them. The MCF and other participants hope to use this process to help strengthen these families by engaging in financial and child centered planning as they resolve conflict.

To prepare to represent clients in a collaborative setting, Professor Jane Murphy and three student attorneys completed a three-day training in collaborative law practice for family disputes. They have also reached out to University of Baltimore alumni who are trained in collaborative practice to build a supportive collaborative team. Potential clients are being referred by the Maryland Volunteer Legal Services, the Maryland Legal Aid Bureau, and the Free State Legal Project.

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— Prof. Lydia Nussbaum

Community Development Clinic

The Community Development Clinic assisted almost 20 clients last spring, with student attorneys helping small businesses and non-profit organizations to start up and expand, assisting the Community Law Center in passing important neighborhood preservation legislation in Annapolis, and educating community activists about the use of land trusts to develop and preserve affordable housing.

CDC has begun serving home-based early childhood education centers around the state, providing legal research for a provider who had struggled in interpreting licensing requirements for several years without legal assistance, and helping another small businesswoman to draw up

the paperwork to bring a partner into her business and to protect her personal assets. Other clients are pursuing urban farming as a community revitalization tool and strengthening Haitian-Baltimore ties by raising funds to rebuild a school devastated by the earthquake.

Student attorneys also worked with the University of Baltimore Merrick School of Business to match a growing nonprofit with business services. The CDC also benefited from the expertise of guest speakers who graciously contributed their time to the CDC, including Seema D. Iyer, Associate Director of the Jacob France Institute; Robin Jacobs, staff attorney at the Community Law Center; and Jill Marie Bussey, a

CDC alumna and Vice President of the board of FIRN, a Howard County organization that provides services to the foreign-born.

The CDC also worked with the Community Law Center to help pass amendments to the CLC's Community Bill of Rights, which makes it easier for Baltimore City communities to fight neglect and decay in their neighborhoods. Community groups now have expanded rights to bring private lawsuits against absentee landlords and others who create local nuisances and where the city is not actively enforcing violations of the housing code, the fire code, or other laws.



Clinic professors Jaime Lee, Lydia Nussbaum and Parag Khandhar participate in the Clinic's weekly brown bag series for law faculty.

“I stayed at UB an extra semester just to be able to take a Clinic, and it was worth every second. My experience in the Civil Advocacy Clinic was so much more than I expected. I hoped only to reduce the number of butterflies in my stomach when faced with the prospect of going before a judge. Instead I learned to transform that nervous energy into confidence and zeal for my client’s causes.”

— **Melissa Wisniewski, '12**

Civil Advocacy Clinic

CAC students are busy litigating cases in federal, state, and administrative courts on behalf of low-income clients. Our students represent tenants, consumers, students, employees, and others in asserting their legal rights. In Spring 2012, CAC students were also busy in the halls of Annapolis, as they lobbied and testified before the General Assembly to support legislation that impacts our clients.

Melissa Wisniewski '12, has an in-depth perspective on the CAC. In addition to her legislative work on a bill that would protect tenants whose landlords fail to make utility payments, Melissa represented a tenant whose landlord failed to make needed repairs to his apartment and an employee who was improperly denied unemployment compensation. She also co-produced, wrote, and directed a video designed to educate low-wage workers about their legal rights. She says:

“I stayed at UB an extra semester just to be able to take a Clinic, and it was worth every second. My experience in the Civil Advocacy Clinic was so much more than I expected. I hoped only to reduce the number of butterflies in my stomach when faced with the prospect of going before a judge. Instead I learned to transform that nervous energy into confidence and zeal for my client’s causes. I already had an interest in public service prior to being chosen for the Clinic, but my experiences really galvanized that for me. I saw just how crucial having representation is to our clients and

how even small victories, as simple as having a judgment for overdue rent vacated, can have a huge impact on someone’s life.

One thing I didn’t appreciate before being in the Clinic was the variety of advocacy opportunities that exist outside of the traditional courtroom-style litigation. I worked on a legislative project and testified in Annapolis, and saw my argument used by a delegate against my opponent. The Clinic can be intense, but I found the successes exhilarating, and learned to trust my abilities. I knew that as a lawyer, I will have the awesome responsibility and ability to affect other’s lives, but Clinic made that real.”

Daniella Darnell '12 also reflects on her CAC experience. Daniella represented a group of workers who were not paid for work they performed digging ditches, and she won an important motion in that case in federal court. She also counseled a couple who were not paid for cleaning work, and she was the co-producer and director with Melissa on the worker’s rights video. She says:

“My Clinic experience has been a priceless asset to my legal career. I like to think of my clinic experience as one where I transformed my “law book smarts” into my “street smarts”: I learned how to zealously advocate for my clients, counsel them in highly sensitive matters, write quality federal and state complaints and motions, and strategize discovery procedures and case development. While

Clinic did not show me how to resolve every issue facing a young litigator, it taught me how to respond by thinking on my feet, creatively using my resources, or seeking help when I needed it! The knowledge that comes with knowing that your client’s future is at stake with every step you take in a case is both exciting and greatly humbling. I believe that this kind of client-centered perspective, which I would not have learned were it not for Clinic, is essential to becoming a passionate and successful attorney.

As a current law clerk to the Maryland Court of Appeals, I am thankful that I learned through Clinic the procedures used in state trial courts and how public policy can greatly impact case strategy and, eventually, judges’ decisions. Both of my Clinic cases, as well as the community-development video that I co-directed, dealt with complicated litigation procedures and with important public policy debates that influence much of the work that I do now. Working on federal and state wage and hour cases also sparked a great confidence and interest to work in employment and labor law for my future legal career. If you want to know how to *be* a lawyer, and not only think like a lawyer, then I highly recommend taking a Clinic at UB.”



House Bill 651 signing.

Clinic Faculty News

- **Elizabeth Keyes** joined the faculty as Assistant Professor and Director of the Immigrant Rights Clinic.
- **Michele Gilman** was appointed President of the Board of the Public Justice Center. She has served on the Board since 2004.
- **Lydia Nussbaum** has written a new law review article titled *ADR's Place in Foreclosure: Remedying the Flaws of a Securitized Housing Market*, 34 *Cardozo Law Review* (forthcoming 2013).
- **Leigh Goodmark** published *Clinical Cognitive Dissonance: The Values and Goals of Domestic Violence Clinics, the Legal System, and the Students Caught in the Middle*, 2 *Brooklyn Journal of Law and Policy* 301 (2012) (symposium issue).
- **Dan Hatcher** published *Purpose v. Power: Parens Patriae, Federalism, and Agency Self-Interest*, 42 *New Mexico Law Review* 159 (2012) and *Don't Forget Dad: Addressing Women's Poverty by Rethinking Forced and Outdated Child Support Policies*, 10 *Journal of Gender, Social Policy & the Law* 775 (2012).

Spotlight on Clinical Fellows

The Clinical Program is pleased to welcome Parag Khandhar as its newest Clinical Fellow. Parag joins the Community Development Clinic with extensive experience in community lawyering and development, as well as in non-profit organizations. He has worked with the Housing and Community Justice Project of the Asian Pacific American Legal Resource Center and with the National Coalition for Asian Pacific American Com-

munity Development, and also served as a community advocate for ten years prior to law school. Parag joins four other Clinical Fellows at UB. The UB Fellows program began in 1995 and offers extensive training in clinical teaching and scholarship. Former UB Fellows now hold law teaching positions at the University of Denver, Georgetown University, the University of North Carolina, Albany Law

School, and other institutions.



Clinical Teaching Opportunities

FDW Announcement:

Public interest practitioners who may be interested in law teaching are encouraged to attend the LatCrit/SALT Faculty Development Workshop, to be held on October 4-5, 2012, immediately preceding the SALT Teaching Conference at the University of Maryland Francis King Carey School of Law. The FDW is a day-and-a-half long

event designed to recruit and support progressive junior faculty in the teaching, scholarship, and service aspects of professional success. For more information, check <http://www.latcrit.org/latcrit/juniorfacultydevwork.php>. Jaime Lee, Director of the Community Development Clinic, is pleased to serve on the 2012 FDW Planning Committee.

Clinical Law Faculty

- [Leigh Goodmark](#), Director
- [Sabrina Balamwalla](#), Immigrant Rights
- [Michele Gilman](#), Civil Advocacy
- Brian David Green, Criminal Practice
- [Daniel Hatcher](#), Civil Advocacy
- [Margaret Johnson](#), Family Law
- [Elizabeth Keyes](#), Immigrant Rights
- [Parag Khandhar](#) Community Development
- [Jennifer Kim](#), Family Law
- Brian Kleinbord, Appellate Practice
- [Jaime Lee](#), Community Development
- [Cheri Levin](#), Writing Doctor
- Mary Jo Livingston, Criminal Practice
- [Kathryn Loncarich](#), Civil Advocacy
- [Jane Murphy](#), Mediation for Families
- [Michele Nethercott](#), Innocence Project
- [Lydia Nussbaum](#), Mediation for Families
- Linda Penn, Disability Law
- [Robert Rubinson](#), Mediation for Families
- [Daniel Shemer](#), Criminal Practice
- [Donald Stone](#), Disability Law

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Clinic Connections.

Real Clients,
Real Cases,
Real News



Chief Judge Robert M. Bell addresses the Fall 2012 Clinical Law Program student attorneys at the Swearing In Ceremony on August 20, 2012, together with Dean Ronald Weich and Clinic Director, Leigh Goodmark.

Upcoming Events

- The Center on Applied Feminism holds a feminist theory book group twice a semester. Our next book group meeting will be held on Monday, October 1 at noon at the Family Justice Center at 5 W. Chase Street.
- Spring 2013 Open House Information Sessions on Monday, October 8, 2012 at 12:00pm and 5:30pm in the Moot Court Room.
- Applications for Spring 2013 semester will be available October 1, 2012.
- Deadline for Spring 2013 Law Clinic Applications is Thursday, October 10, 2012.
- Results of lottery for Spring 2013 will be posted on October 18, 2012.

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