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Incendiary weapons inflict almost unrivaled cruelty on their victims. Photos taken after an incendiary weapon attack on a Syrian school show the charred bodies of children, who must have experienced unimaginable agony. The weapons cause excruciatingly painful burns, and treatment for survivors requires sloughing off dead skin, which has been likened to being flayed alive. While individuals often react to accounts of such suffering with horror, government efforts to minimize the harm from these weapons by strengthening international law have been unacceptably slow.

Many countries have expressed outrage at the use of incendiary weapons over the past five years, including at meetings of the Convention on Conventional Weapons (CCW), the treaty that regulates the weapons. The voices of these countries are crucial and they should continue to raise the issue. But it is time to move from condemnation to concrete action. A major disarmament conference scheduled for next year presents an excellent opportunity for progress.

Incendiary weapons produce heat and fire through the chemical reaction of a flammable substance. They can be designed to burn people or materiel, serve as smokescreens or provide illumination. People who survive attacks with incendiary weapons not only experience physical injuries, but also frequently endure psychological trauma, permanent disfigurement and difficulties reintegrating into society.

Over the past two years Human Rights Watch has documented new use of incendiary weapons in Syria and Ukraine, and it is investigating allegations of use in Libya and Yemen in 2015. A report recently released by Human Rights Watch and Harvard Law School’s International Human Rights Clinic provides evidence of these attacks, along with a five-year review of developments on the issue and recommendations for next steps.

Existing international law has failed to prevent the harm caused by incendiary weapons. Protocol III of the Convention on Conventional Weapons, adopted in 1980, restricts use of incendiary weapons in “concentrations of civilians.” As of December 2015, 112 countries had joined the protocol.

But two key shortcomings have limited its effectiveness. First, it defines “incendiary weapon” as being “primarily designed to set fires to objects or to cause burn injury to persons.” As a result some countries maintain that it excludes munitions with incendiary effects, such as those containing white phosphorus. Although primarily designed to function as smokescreens these weapons inflict suffering comparable to other incendiary weapons. White phosphorus burns through flesh to the bone and can reignite when bandages are removed and the substance is exposed to oxygen.

The protocol also makes an arbitrary distinction between air-dropped and ground-launched incendiary weapons, creating exceptions for certain uses of ground-launched weapons. The delivery system is irrelevant to the victims, however, and ground-launched models have become increasingly common and accessible even to non-state armed groups.

The solution to these problems is legally, if not politically, quite simple. Protocol III should be amended to define the weapons based on their effects rather than their design. And it should at a minimum prohibit the use of all incendiary weapons in concentrations of civilians, regardless of their delivery system. An absolute ban would have the greatest humanitarian benefit.

Over the past five years about three dozen countries, along with the International Committee of the Red Cross, the UN secretary-general and independent groups, have spoken out about this issue at meetings of the Convention on Conventional Weapons and other UN bodies, and in letters to Human Rights Watch. Most have highlighted the humanitarian impact of incendiary weapons in general or condemned recent use. Many have urged treaty members to strengthen Protocol III or said they are willing to discuss the adequacy of the protocol.

At the most recent meeting of the states parties, held at the UN in Geneva in November, momentum continued to grow. About 15 countries publicly addressed the incendiary weapons issue, more than in previous years, and others privately expressed support for reviewing Protocol III. A majority of these countries called for closing the protocol’s loopholes while others said they wanted to revisit existing rules. Six countries commented on incendiary weapons for the first time in this forum, demonstrating the increasing recognition of the problem and need to take action. The meeting’s final report included a reference to concerns about incendiary weapons for the fifth consecutive year. Such developments are encouraging.
But amending international law is a slow process and there will be hurdles to success. At the November meeting Russia said the proposal to pursue formal discussions on incendiary weapons would be “counterproductive.” Given that the treaty’s rules require decisions to be made by consensus, Russia alone could block further progress. Russia’s statement on the issue was its first in a meeting of this treaty, however, meaning that at least it takes the calls for change seriously.

The treaty’s Fifth Review Conference—a meeting held every five years—is scheduled for next December and will be an important opportunity for countries to take action. There treaty members will reflect on developments since the last review conference in 2011 and make plans for the next five years. Review conferences have historically been pivotal in the evolution of the treaty and its protocols.

In the coming months countries should ensure that incendiary weapons are placed on the agenda for the review conference. At the conference itself they should continue to express their concerns and agree to a new mandate that sets aside time to discuss the implementation and adequacy of Protocol III. The goal should be to negotiate the amendments needed to strengthen the protocol.

When Protocol III was adopted in 1980, some countries criticized its regulations of incendiary weapons as inadequate. They contended that there had been strong support for a ban but that compromise had watered down the final product. Several held out hope that the protocol’s failings would one day be addressed and recommended that the instrument be improved at a future review conference.

Thirty-five years later that has yet to happen, but it is not too late. The horrendous suffering incendiary weapons have caused civilians in recent years and the growing international opposition mean that the time has come to act. Countries should seize the opportunity presented by the 2016 review conference and take tangible steps to increase the protection of civilians from incendiary weapons.

This post, “Unrivaled Cruelty: The Horror of Incendiary Weapons and the Need for Stronger Law,” was originally published in Jurist.

CYBERLAW CLINIC

Cyberlaw Clinic Files Amicus Brief in SJC Cell Phone Search Case

Via Cyberlaw Clinic

The Cyberlaw Clinic filed an amicus brief in the Supreme Judicial Court of Massachusetts on behalf of the American Civil Liberties Union of Massachusetts (ACLUM) in Commonwealth v. White, SJC-11917. This is the third case in as many years in which Massachusetts’s highest court has sought the input of amici to help clarify when law enforcement may glean information from a cell phone to advance a criminal investigation.

At issue in White is the question of what evidence is required to establish probable cause to seize a cell phone without a warrant – especially in view of an allegation that the cell phone contains a remote wipe feature, raising the specter of its contents being erased if the police don’t immediately seize it. The case also considers the length of time after which the warrantless seizure of a phone becomes constitutionally unreasonable due to the police’s continuing failure to obtain a warrant.

ACLUM argues that the ubiquity of cell phones, their powerful functionality, and their capacity to store enormous amounts of private information are reasons that they merit the very strongest privacy protections as enshrined in the Bill of Rights and the Massachusetts Declaration of Rights.

Applying these protections, the brief argues first that the enormous capability of cell phones to store materials of evidentiary value does not automatically establish probable cause to search a criminal suspect’s cell phone, anymore than the enormity of what can be stored in a criminal suspect’s house automatically gives rise to probable cause in that situation. Rather, law enforcement must show some specific and objective indication that the suspect ever stored incriminating evidence on it or used it in relation to the crime to establish probable cause.

Second, the brief argues that the “remote wipe” capabilities built into all modern cell phones does not automatically establish an exigent circumstance allowing law enforcement to seize cell phones without a warrant. Absent some specific, non-speculative evidence that the feature will actually and imminently be deployed, warrantless seizures of cell phones are every bit as unreasonable as every other kind of warrantless seizure.

Third, the brief argues that it is constitutionally unreasonable for law enforcement to hold on to a suspect’s cell phone for nearly ten weeks before applying for a warrant to search it, in view of the strong privacy interest that individuals have in their cell phones given the vast amounts of information that can be stored on one.

The White appeal follows closely on recent SJC and Supreme Court decisions reaffirming individuals’ privacy interests in their cell phones. These cases include the SJC’s recent decisions in Commonwealth v. Estabrook (where the Cyberlaw Clinic filed an amicus brief on behalf of ACLUM and the EFF), and Commonwealth v. Augustine (where ACLUM represented the defendant and the Clinic filed an amicus brief on behalf of the EFF).

The case was scheduled for argument on Tuesday, December 8th at the John Adams Courthouse in Boston. Special thanks go to HLS Cyberlaw Clinic students Kenneth Monroe (JD ’16) and Brian Pilchik (JD ’17), who worked closely with Vivek Krishnamurthy, Andy Sellars, and the amici to prepare and file the brief.
I first became interested in the problems that low income taxpayers face while working with HLS TaxHelp. TaxHelp is a student practice organization that operates in the spring semester and assists low income taxpayers with completing their current year tax returns. While many taxpayers came to TaxHelp with relatively easy tax returns and walked away receiving refunds, other taxpayers came with more complicated issues. Sometimes, taxpayers had problems that we could not help them with, like tax debt from prior years or unfiled prior year returns. These problems could spur threatening notices from the IRS, prevent taxpayers from receiving refunds, and affect taxpayers’ feelings of economic security. Therefore, when I found out the LSC was starting up the Federal Tax Clinic, I was excited to delve into these more complicated issues that would have a big impact on taxpayers’ financial wellbeing.

When beginning in the Federal Tax Clinic, I was particularly interested to know more about the challenges and types of disputes that low income taxpayers most often face. However, I didn’t expect that there would be so much substantive and procedural knowledge required to navigate the waters of the tax controversy system. Fortunately, the Director of the Federal Tax Clinic and our clinical supervisor, Professor Keith Fogg, had an enormous wealth of experience from more than thirty years in the IRS Office of Chief Counsel and from directing a low income taxpayer clinic at Villanova Law School. Through the clinical seminar and daily clinical work, Professor Fogg guided me through the opportunities and hazards the tax controversy system can present.

Each week, I learned about the different types of relief available to taxpayers by filling out the forms and petitions that low income taxpayers would have to fill out themselves in order to obtain relief – and concurrently realized how difficult relief is to obtain without representation. By working through clinical cases, I became familiar with the panoply of IRS correspondence and protocol that accompanies all tax controversies – and realized that such would certainly overwhelm the average taxpayer. By discussing clinical experiences with each other, we created a shared knowledge base of the options available to taxpayers in controversies, the various considerations that came with each option, and the potential ethical concerns that could arise. Soon, we began to strategize about the trajectory of our cases and spot where issues might arise right from the intake meeting.

The Federal Tax Clinic also gave me a great opportunity to advocate on a case-by-case basis and on a more global scale. In the course of the clinic, I wrote a detailed request to the IRS to reconsider the results of an audit, based on new information regarding the taxpayer’s liability. I also had the opportunity to assist in writing an amicus curiae brief for the Tax Court, which advocated for interpreting a filing deadline to be subject to equitable tolling. Other students wrote requests to the IRS for offers in compromise, which are requests to settle taxpayers’ debt for less than the full amount owed. Several students collaborated to submit comments and suggestions to the Tax Court regarding proposed changes to the Tax Court’s Rules of Practice and Procedures and Tax Court forms. These different experiences illustrate that the clinic’s mission is two-fold: to help improve individual taxpayers’ economic circumstances and to encourage policy changes that will hopefully lead to better outcomes in the tax controversy system for all low income taxpayers.

By Amanda Klopp, J.D. ’16
In 1848, Horace Mann, the “father” of American education, wrote, “Education then, beyond all other devices of human origin, is a great equalizer of the conditions of men.” These words were rooted in the belief that a great education could overcome the effects of unequal backgrounds and allow any child to thrive in American society. My life experiences have taught me much about the power of education to combat socioeconomic disparities and to transform lives. As a result of these experiences, I have developed a strong interest in the legal and policy issues relating to education equity and adequacy. More than anything, I chose to attend HLS because of the opportunities to pursue these interests through HLS’ diverse and innovative clinical offerings. During the spring semester of my 2L year, I participated in the Semester in Washington Clinic, where I worked in the Educational Opportunities Section of the Department of Justice’s Civil Rights Division. Now, as a 3L, I am participating in my second external clinic in as many semesters – Public Education Policy and Consulting Clinic (PEPCC).

PEPCC brings together graduate students in business, policy, education, and law from universities across the nation to engage in consulting projects serving public and social-sector organizations undertaking and supporting transformational change in the education sector. Through the clinic, I’m on a team with three other students, working with a large urban school district. The district is operating under state-law constraints, and is in the process of developing a strategy toward independence from the state. In December, our consulting team will provide the district with a proposal that will allow the district to transition to an economically and politically feasible “end state” that is aligned with its vision, includes key stakeholders, and sustains academic progress.

Among other things, my work has included conducting legal research and drafting memos, interviewing key stakeholders within the district, and attending meetings to brief the district’s superintendent and other leaders on different aspects of our team’s proposal. In addition to the consulting work, the class includes weekly seminars on topics in education policy, governance, management, and politics. We also engage in “skills sessions,” in which we’ve learned tangible skills, like how to translate a scope of work into a clear project plan, how to prepare for and conduct interviews, and how to calculate and analyze descriptive statistics. In the end, I’ll leave the class with a new skill set and knowledge base that far exceeds my original expectations of what I could learn in a semester.

As an aspiring lawyer, I find hope in my belief that through thoughtful collaboration and legal advocacy, our education system will one day become the “great equalizer” that Horace Mann envisioned. I’m thankful that HLS and the Office of Clinical and Pro Bono Programs have allowed me to spend some time away from Cambridge and the traditional law school classroom, to gain practical experiences within organizations tackling the important education issues that I hope to dedicate my career towards addressing.
FOOD LAW AND POLICY CLINIC

Food Law and Policy Clinic’s policy recommendations included in the Food Recovery Act introduced in Congress

Via Food Law and Policy Clinic

In December, 2015, Maine Congresswoman Chellie Pingree introduced the Food Recovery Act, a groundbreaking comprehensive piece of legislation aimed at reducing food waste and promoting food recovery. The Food Law and Policy Clinic (FLPC) enthusiastically supports Congresswoman Pingree’s bill, which incorporates many of the key policy changes recommended by FLPC. FLPC staff and students believe that food waste is one of the most pressing environmental, social, and moral challenges facing our food system. The Food Recovery Act includes valuable reforms in key areas in order to increase food recovery in our nation.

First, the Food Recovery Act includes various provisions to encourage farms, groceries, restaurants and institutions to donate excess food to food recovery nonprofits. The legislation strengthens federal tax incentives that can increase food donations and recovery efforts by offsetting the costs associated with food donation. Notably, the Food Recovery Act will permanently extend the enhanced tax deduction, which is currently only available to C-corporations, to all business entities. In the absence of this legislation, businesses that are not organized as C-corporations are only eligible for the general tax deduction, which is too low to offset the many costs incurred with food donation. Extending the enhanced tax deduction to all businesses on a permanent basis will encourage more businesses to participate in food donation. The bill will also extend enhanced tax deductions to businesses that donate food to innovative non-profit retail models, which are excluded under the current law. Non-profit retail models that re-sell donated food at low-cost provide a more sustainable approach to addressing food insecurity while increasing food recovery. The current limitations that only allow the enhanced deduction for foods that are given away for free poses a significant barrier to these non-profit retail models. Along the same lines, the Act proposes to update the liability protections available for food donors by covering donations to these non-profit retail models. The extension of the enhanced tax deduction and liability protections for donation to these innovative organizations will encourage donation to additional food recovery organizations that offer great promise for serving those in need.

Second, the Food Recovery Act addresses the pervasive challenge of consumer confusion over date labels. Most consumers do not know how to interpret date labels like “best by,” “sell by,” or “use by.” While these labels are generally intended to indicate a food’s peak quality, study after study has shown that consumers believe these dates are actually indicators of safety. This consumer confusion is exacerbated by the lack of a uniform, national system for date labeling. Further, FLPC research published in 2013 showed that in the absence of federal law, many states enforce a variety of inconsistent regulations on date labels, some of which ban the sale or donation of safe, wholesome food after its printed date. The Food Recovery Act provides for a sensible national system for food date labels that will reduce waste while maintaining food safety. The bill standardizes food date labels, giving consumers two messages they can easily understand: quality dates will bear the uniform phrase “Best If Used By,” while safety dates—used only on foods identified as high risk on a list to be created by FDA—will utilize the uniform phrase “Expires On.” This uniform system for date labeling will reduce consumer confusion, simplify regulatory compliance, and cut food waste across the supply chain and in consumers’ homes. The Food Recovery Act also provides funding to USDA for consumer education and awareness, including related to the new date labels, which can help ensure consumers are familiar with the labels and able to use them properly.

Finally, the Food Recovery Act will modernize the food practices of government institutions in order to encourage them to reduce their food waste, modeling these best practices for individuals and institutions. The bill will establish the USDA Office of Food Recovery, which will coordinate federal activities related to measuring and reducing food waste. This office can provide a directive plan on how to successfully achieve the newly-announced USDA and EPA food waste reduction goal of halving the amount of U.S. food waste by 2030. The bill also strengthens enforcement of the Federal Food Donation Act, which requires the donation of excess food by any company that receives a contract for food service on federal properties. Additionally, the legislation support changes to the National School Lunch Program procurement rules to encourage purchasing of lower-price non-standard size or shape produce, as well as provide fund projects that help schools connect with farms to decrease food waste.

Food waste leads to wasted money on the part of businesses and individuals, harms our environment by causing us to waste the many natural resources that go into food production, and is inexcusable in a nation where so many people in need could benefit from access to this healthy, wholesome food. FLPC is thrilled to work in support of the Food Recovery Act, which provides a groundbreaking, visionary response to this fundamental challenge facing our nation.
MISSISSIPPI DELTA PROJECT

Harvard’s ties to the Mississippi Delta region continue to thrive and grow stronger and deeper with each passing year

By Colin Ross, Harvard Mississippi Delta Project Co-Chair, J.D. ‘16

On the evening of November 18th, the students and faculty of the Harvard University community came together for the 7th annual Delta Celebration—a chance to share appreciation for the beauty and culture of the region, and to exchange insights about ways to help confront its challenges. Students and faculty of the Harvard Law School and School of Public Health were joined by special guest speaker Professor John Green, the Director of the Center on Population Studies at the University of Mississippi. HLS Dean Martha Minow also took the time to attend and give remarks.

The Delta region continues to face a range of economic, social, and health challenges, from poverty to obesity to unemployment. Since its inception, the Food Law and Policy Clinic has been committed to helping address these challenges, including supervising the student practice organization, the Harvard Mississippi Delta Project. At the event, the leaders of the Delta Project presented about their team’s efforts to study and address these challenges for clients in Mississippi. These include:

- The Food Policy Initiative is working to get healthier, local food into Mississippi’s schools. The team members are working with the state’s burgeoning farm-to-school network to study what policies could further support the growth of farm to school programs in Mississippi;
- The Health Initiative is doing advocacy work to support a bill in the Mississippi legislature to encourage breastfeeding, and spread the health and economic benefits the practice brings;
- The Economic Development Initiative is studying the ways grant funding works in the region and how it might be streamlined; and
- The Child & Youth Initiative is tackling a delicate but critical issue: the obstacles to contraceptive access in Mississippi and how reducing them could end the state’s high rates of teen pregnancy and sexually transmitted diseases.

Dean Minow praised these efforts and the overall commitment to the Delta as a concrete example of students carrying out the HLS mission to advance justice in society. Harvard’s ties to the Delta region extend far beyond Cambridge: two fellows, one each from the law and public health schools, live and work in Mississippi for two year terms. HLS Fellow Desta Reff and HSPH Fellow Maya McDoom gave a glimpse into the crucial work they do to connect the policy research students do in Massachusetts to the needs of government and non-profit organizations on the ground in the Delta.

Earlier that day, Professor Green delivered a lunch presentation about innovative methods to undo the confluence of bad trends that lead to negative maternal and child health outcomes in the Delta. By a happy coincidence, a group of Delta region leaders was in town for the Delta Leadership Institute at the Harvard Kennedy School, and the audience swelled as these leaders joined students to hear Professor Green’s remarks.

In his concluding remarks, Green first described his reaction years ago when he first heard of Harvard’s new public policy efforts to help the Delta region. “Poverty tourism!” he recalls angrily accusing the Harvard representative. Green said his initial skepticism was borne of his general reluctance to trust ivory tower, feel-good intentions over hard data. But this year, Green made the trek up to Cambridge for the Celebration because he’s been incredibly impressed with Harvard’s community-responsive process and the results Harvard has helped produce. Data has clearly shown that Harvard’s policy efforts can and do help improve realities in the Delta, he said.

After the speakers had finished, the assembled crowd of about 50 continued to mingle and network, strengthening the personal connections that will invigorate this important work and facilitate new collaborations and projects to continue contributing to positive change in the Delta region.
On November 15, we traveled as representatives of the Harvard Health and Food Law and Policy Clinics to Jackson, Mississippi for the 9th Annual Southern Obesity Summit. The Summit is the largest regional event that focuses on obesity prevention in the United States. It draws participants from 16 Southern States as well as advocates from around the country. Attendees included policymakers, community-based organizations, health care providers, and members of other public health organizations.

The three-day Summit kicked off at the Mississippi Museum of Art with a delicious meal featuring local Mississippi foods prepared by the Museum’s Executive Chef Nick Wallace. The next two days consisted of panels and work groups, which were interspersed with dance parties and other fun activities to get everyone moving. The panels and work groups covered topics such as school foods and nutrition, food access, obesity research, and physical activity. Ona Balkus, a senior clinical fellow with the Food Law and Policy Clinic, presented about procurement of local foods, describing its importance and its potential for promoting sustainable, healthy food systems. Katie Garfield, a clinical fellow with the Health Law and Policy Clinic, also presented about the Clinic’s exciting work with food banks and food pantries as supporters of health promotion in their communities.

For us first-time students in the Food Law and Policy Clinic, the Summit gave us an exciting opportunity to hear from many influential stakeholders whose innovative initiatives are already addressing the obesity crisis. We were able to learn about programs focused on food-related health outcomes in schools, health care facilities, and the community as a whole. Many of these efforts have informed and are often at the forefront of our clinic research, which strives to provide guidance for communities that want to improve the quality of their food systems. Specifically, we are working this semester to update the FLPC’s Good Laws, Good Food local food policy toolkit, which provides a menu of policy options to communities working to improve their food systems. The Summit provided a plethora of ideas and innovations to incorporate into the updated toolkit to share with other communities around the country. We enjoyed being able to connect with individuals who serve as champions in their respective fields, as it is these individuals that we hope to reach through our work and learn from in the process.

On Saturday, November 21st, students from the Tenant Advocacy Project (TAP) presented information about access to public and subsidized housing, and how criminal history can affect access to these resources, to members of Haley House’s Transitional Employment Program (TEP).

Our goal was to disseminate useful information about access to housing resources, based on the laws and regulations governing Massachusetts public housing, as well as anecdotes and patterns that we have observed while practicing in this area. Public Housing Authorities have substantial discretion in most cases of denying applications, particularly if a criminal history is involved. By connecting the law to what we have seen in our clinical practice, in terms of what arguments are most effective, and how to present evidence of mitigating or changed circumstances, our presentation aimed to provide the TEP participants with the resources to make their cases most effectively.

However, because of other issues relevant to TEP members, we decided not to focus the presentation exclusively on the effect of a criminal background on housing access. We presented information on priority status and on Reasonable Accommodation (RA), so that TEP participants who might have physical or mental health impairments may be able to access housing fairly. We also discussed appealing a denial of housing, RA, or priority. Appeals can be confusing and onerous, and applicants often do not believe that the process would be of help.

TAP sees many initial decisions overturned at the appeal stage, so we encouraged all of the participants to exercise their appeal rights. Especially in the case of a criminal history, an appeal hearing would give the individual a chance to tell his/her story, provide mitigating evidence, and provide any recommendation letters or other corroborating evidence of how his/her life has changed after incarceration.

The event itself was fantastic: the TEP participants were extremely engaged in the presentation, and asked challenging questions. It seemed from their questions and comments that they found the information we provided to be helpful in their housing searches going forward.

While TAP focuses on representing tenants at administrative proceedings, typically application denials, Section 8 terminations, or public housing evictions, participating in outreach events like this one is central to our mission of fair access to public and subsidized housing. Because TAP is limited in the amount of cases it can take, many tenants must go into these hearings unrepresented, without the advantages of knowing how to best make their case, or do not appeal at all. While the provision of this information is not a substitute for having a lawyer or advocate, we hope that these outreach events will empower applicants and tenants, enabling them to know their legal rights, and effectively advocate for themselves if they cannot get the help of TAP or another legal services provider.
Spanish for Public Interest Lawyers: helping faculty and students connect with clients

Since 2007, the Office of Clinical and Pro Bono Programs (OCP) has sponsored a Spanish for Public Interest Lawyers (SPIL) non-credit course to help students learn Spanish language skills. Later, in response to demand, OCP introduced a separate SPIL class for clinicians, in addition to the class for students. The curriculum emphasizes commonly used language in civil and criminal legal services and aims to strengthen attorney-client relations. Over the years, various LL.M. students have taught the course. For the past year, it has been taught by Harvard Legal Aid Bureau alumnae Nicole Summers J.D. ’14.

“Nicole is an outstanding teacher, and she really has a great understanding of what kinds of exercises and vocabulary will be most useful and have a direct application to our different practice areas,” said Clinical Professor of Law, Susan Farbstein who teaches in the International Human Rights Clinic.

Anna Andreeva J.D. ’17, a student in the class, said that she has already gained the confidence to hold an interview with a client in Spanish.

Another student, a native Spanish speaker, Mario Nguyen J.D. ’17 is also taking the course. “My mother is from Mexico, and I worked and went to school in Mexico,” he said. “However, in law school we are introduced to words we didn’t know existed in English—much less Spanish. While taking this course I feel clients already trust me more because I have the words to explain their legal disposition in a language that is familiar to them.”

“Halfway through the summer a judge gave me just a few minutes to advise a Honduran couple on an important choice he needed them to make. We had a Spanish-speaking community organizer available to translate, but using my Spanish from class I was able to monitor and correct the translation and even skip it in many instances to make sure we fit the consultation into the short time allowed by the judge,” said Esme Caramello ’99, Clinical Professor of Law and Faculty Director of the Harvard Legal Aid Bureau. “I don’t think I could have enabled the clients to make a fully informed decision had I not understood legal Spanish.”

Sabi Ardalan ’02, Lecturer on Law and Associate Director of the Harvard Immigration and Refugee Clinic works with Spanish-speaking clients all the time. “My ability to communicate with them has improved tremendously as a result of the course,” she said. “It has given me the vocabulary necessary for all facets of representation, from rapport building to conducting client interviews to explaining the adjudication process. This course is truly unique, and Nicole is a phenomenal teacher! The course has also provided me with a fantastic opportunity to meet and learn from other clinicians and hear about their amazing work. Their tireless and creative advocacy is inspiring.”

Spanish for Public Interest Lawyers will be offered next in Spring semester of 2016.

Harvard Law School Library: A trove of resources for clinics and student practice organizations

The Harvard Law School library offers a wealth of resources including information guides, tools, and toolkits relevant to students and faculty working in clinics and student practice organizations (SPOs). With the front-line lawyer in mind, the library covers more than 50 subject areas, each one detailing the best way to get started with legal research, including pertinent regulations, case law, and journal articles.

There are also more than 10 Library Liaisons, assigned to the clinics and SPOs, ready to help clinical faculty, staff, and students develop efficient research skills and techniques through training sessions and individual meetings.

More than that, clinics and SPOs have access to a number of online tools, including:

- LexisNexis, where a dedicated LexisNexis on-campus-representative can offer trainings on topics related to a specific clinic’s subject matter;
- WestlawNext for quick access to textual forms and clauses, fillable PDF forms, and drafting aids;
- Bloomberg Law to find a topic and keep current on issues; and
- Practicing Law Institute Discover Plus for access to more than 50,000 documents, including treatises, course handbooks, answers books, transcripts, and forms.

Recently, the library also began offering free and total access to Massachusetts Continuing Legal Education’s (MCLE) OnlinePass, a searchable database containing all MCLE’s live and archived webcasts, books, forms, and practice-area professional development plans.