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Tanika Vigil chose to attend law school after working as a legal assistant at a small immigration law firm in her hometown of Boulder, Colorado. Once she was at Harvard Law, she spent much time working with the Harvard Immigration Project (HIP).

So, what are Tanika’s future plans? She has accepted a 2-year fellowship with the Immigrant Justice Corps in New York City! We were curious about how her time spent with HIP helped her get to where she is now, so we asked her a few questions:

Q: Do you have any memories you would like to share from your time with HIP?
A: My most salient memories from HIP are those in which a group of students came together in joint advocacy of a client. We had many late nights with members of the Bond Hearing Project mooting arguments and reviewing personal statements. We had many long days waiting to access clients and potential clients at detention facilities. And we had many exciting mornings at immigration court ready to present our client’s bond hearing case in front of Judge Day.

In each of these moments the amount of time and energy that students dedicated to their clients and to each other was truly stunning.

Q: What do you think the biggest learning experiences were?
A: What I have learned most from HIP is that students have the potential to be dynamic, influential, and powerful advocates. The very existence of HIP—and its developing from a policy and interest group to a Student Practice Organization with the capacity to represent clients—speaks to the potential for student vision and motivation to have a very real practical impact on the ground for clients in need.

Q: How did your time with HIP help you to grow personally/professionally and what did you like about it?
A: HIP affirmed my commitment to engaging in direct client work post-law school and helped me begin to develop the skills necessary to do so starting with my first semester of law school. As a member of the Bond Hearing Project I was able to work on client interviewing, issue spotting, legal writing, oral advocacy, and legal strategy. I was also able to learn about legal procedure, working with and accessing clients in detention facilities, and collaborating with family and community members in pursuit of a client’s goal. While I am incredibly grateful for the opportunity to develop these skills as a student, my favorite part of HIP was having the opportunity to do so alongside and with the help of fellow students and our Clinical Instructor, Phil Torrey.

Q: Did your time with HIP influence your post-grad plans and what are your post-grad plans?
A: My work with HIP 100% influenced my post-graduation plans. Over the past three years with HIP I have learned more about the injustices and inequalities that the immigration community faces. I have also learned that a group of committed lawyers, working alongside those communities, has the potential to make positive change. For those reasons I have accepted a two-year fellowship post-graduation with the Immigrant Justice Corps (IJC) in New York City. As a fellow with the IJC I will work as an advocate for the most vulnerable members of the immigrant community—those facing detention and deportation.

Q: What are the long-term goals you anticipate in the coming years?
A: In the long-term I hope to give back to the law school experience that has given so much to me by pursuing work in clinical legal education. We need more HIPs in the world and we need more robust and dynamic opportunities for law students across the country to learn by developing practical skills and engaging with real legal challenges.
CONGRATULATIONS HIRC!
Recent Grad Spotlight: Q & A with Marina Basseas

Via the Harvard Immigration and Refugee Clinic

Marina Basseas is a recent graduate of Harvard Law School and spent time at the Harvard Immigration and Refugee Clinic. In continuing with our recent profiling of this year’s HLS graduates, we asked her a few questions about her time at the clinic. She also shared her plans for next year! Here is what she told us:

Q: What do you think your biggest learning experiences were?
A: I learned a lot from just observing how my supervisors, Sabi and Emily, interacted with their clients. They both genuinely engaged with and took the time to get to know their clients, which allowed them to be effective advocates and compassionate lawyers. During 1L, it is easy to get caught up in legal doctrine and theory. So I was glad that I started off my 2L year as a clinical student at HIRC, where I was reminded that lawyering is ultimately about helping people.

Q: Did the clinic help you to grow professionally and/or personally?
A: HIRC helped me grow personally and professionally in so many ways. I learned how to interact with expert witnesses and psychologists to bolster my cases, the importance of being detail oriented and critical of my work to spot inconsistencies that would hurt my clients’ case, and many strategies for how to properly navigate the lawyer-client relationship when trauma is involved. I also learned how to better control my own emotions when dealing with such sensitive cases.

Q: Did your time at the clinic influence or change your post-grad plans or long-term dreams?
A: My time at HIRC definitely shaped my future career plans. When I came in to law school, I was interested in two fields: immigration and transitional justice. Through my work at HIRC, I realized that I found it satisfying and motivating to meet with my clients on a regular basis and help them achieve a discrete legal objective. Moreover, the clients at HIRC are truly extraordinary people – they have been through so much in their home country yet they remain optimistic about their future. I wasn’t able to experience as much client interaction in my transitional justice work.

Q: What’s next?
A: For next year, I received a fellowship to work at ProBAR Children’s Project in Harlingen, Texas, representing detained unaccompanied minors. There has been a recent surge in the number of unaccompanied minors crossing the border. In 2014, it was projected that 60,000 unaccompanied minors will enter the U.S (up from about 7,000 in 2008). Importantly, while 40% of these minors are eligible for some form of legal relief to remain in the country, only 7% of them are represented by a lawyer. With the recent surge, I anticipate that next year will be hectic and overwhelming. But I am looking forward to learning a lot and serving a greatly underserved community.

Harvard Immigration and Refugee Clinic Wins Asylum Case for Elderly Couple

An elderly couple, who suffered attacks and repeated threats at the hands of radical Muslims, escaped to the United States and sought asylum. With the help of students Ryan Kurtz, J.D. ’14, Christopher Liedl, J.D. ’14, Joelle Milov, J.D. ’12, Lisa Sullivan, J.D. ’13, and the Harvard Immigration and Refugee Clinic arguing their case before the USCIS Asylum Office, the couple was granted asylum in April 2014.

The couple and their children are devout Christians. In their home country, they are well known for their faith and lifetime activism in the church. Striving to help others, the mother went to school for social work and spent her career helping those in need—at risk youths, the elderly, people with disabilities, widows and orphans. Together with her husband, also a devout Christian, they raised their children in the same faith. As a result, the family came under repeated attacks. They were spat at and called “infidels” for wearing the cross; the mother suffered an acid attack, and she and her husband were targeted, beaten, and forced at knifepoint to convert to Islam. In one instance, the couple’s son was kidnapped by radical Muslims, beaten, and left to die in the desert. Fearing for their lives the elderly couple fled to the United States.

Former clinic student and current law clerk in the Southern District of New York, Lisa Sullivan, spent almost the entirety of her time at the clinic working on the case. “Every time we met we would learn more about our clients’ experience growing up and raising their family,” she said. “Because many of the experiences had been traumatic, it was difficult for them to speak openly. But, over time — as we talked about happy aspects of their lives as well as sad ones — they grew to trust us and speak more openly about the terrible events that had driven them from their home,” she said.

The case was argued on the grounds of the couple’s religion and their strong belief in human rights and equal treatment of all people, as well as the authorities’ failure to protect them from harm. Kristen Stilt, who was a visiting professor at Harvard Law School, and will be joining the faculty in the fall, served as a country condition expert in the case. The grant of asylum means the couple will be able to apply for their green cards and eventually for citizenship in the United States.
Harvard Law School

CRIMINAL JUSTICE INSTITUTE

5 Weeks, 5 Trials, 5 Wins plus 2 Appellate Arguments

April 10th

HLS student Edeli Rivera, J.D.’14 kicked off CJI’s trial season with a trespass case. Jury was out for 12 minutes before returning a ‘Not Guilty’ verdict.

#1

NOT GUILTY

April 15th

Stephanie Greene, J.D.’14, represented a client charged with assault with a dangerous weapon. The jury was out for 9 minutes before returning a ‘Not Guilty’ verdict.

#2

NOT GUILTY

May 6th

Connie Sung, J.D.’14, represented a client charged with assault and battery and malicious destruction of property. The trial lasted 2 days. The jury deliberated for 23 minutes before returning a ‘Not Guilty’ verdict on both counts.

#3

NOT GUILTY

May 13th

Jamie Singer, and Nick Meyers, J.D.’14 represented a client in an assault case. The jury was out for 10 minutes before returning a ‘Not Guilty’ verdict.

#4

NOT GUILTY

May 13th

CJI Students argue in the Appeals Court and the Supreme Judicial Court

Kimberly Newberry, J.D.’14, argued in the Appeals Court. The issue focused on whether the trial judge abused her discretion in suppressing evidence. Jeanne Segil, J.D.’14, argued before a single justice of the Supreme Judicial Court. The issue focused on the authority of the trial court to allow pretrial diversion for a first time OUI offense.

May 15th

Kimberly Newberry, J.D.’14, tried a 2-day case. Her client was accused of assault with a dangerous weapon - intentionally hitting the complainant with an SUV, and making threats to commit a crime. The Commonwealth called 3 witnesses. The defense called 4 witnesses. The jury was out for 45 minutes before delivering a ‘Not Guilty’ verdict on both charges.

#5

NOT GUILTY
Classroom Hours are no Substitute for Clinical Experience

By Tanya Fridland, J.D. ’14

The Criminal Justice Institute (CJI) has taught me that client work does not run on a student schedule. It has also taught me that no amount of classroom hours can substitute for a clinical experience. The day I most remember from CJI was the third time my elderly, motorized wheelchair-bound client was in court to defend the charge of threat against her. My supervisor and I had mooted our argument for a motion to dismiss, and we argued it well. However, the law was against us. At a probable cause level, the Judge would only grant the motion to dismiss based on the facts alleged in the complaint, so he could not take into account my client’s many disabilities.

My client was frustrated and was ready to give up on the court system when I told her that our motion to dismiss had been denied. She made the journey to court for that third time for our pre-trial hearing shortly after that. Because she was unable to arrange medical transport, she actually rode her motorized wheelchair to court that day in the frigid February weather. When she arrived and I asked her how she was, she answered “froze.”

Student Wins Disciplinary Hearing Appeal

By David Hanyok J.D. ’16

I took this case after doing intake on the client’s case. He was friendly and appreciative of every bit of help we could offer. The situation was hard to believe: after drugs were found in the client’s cell — which he shared with two other prisoners, and in which two more had recently been placed briefly — he was removed from a minimum security placement where he worked two jobs and was on the Boston University honor roll. He lost the two jobs, could no longer attend his classes, and his pending release on parole was suddenly put in jeopardy. All of this happened after he had taken a drug test that was negative for all substances.

The hearing itself was easy. The reporting officer was cooperative, and he didn’t dispute that the drugs were found in a common space. Further, the case was plagued with procedural problems — evidence that someone had thrown away, failures to follow procedures for drug cases, and more. In the end, the hearing officer recognized that he had no evidence suggesting that the drugs belonged to my client rather than any of the other four inmates with access to the cell.

Still, my client was found guilty on one extremely minor contraband charge. He admitted the contraband was his, though some of it was religious property and another piece was a lock he had received at another facility. With little to go on, legally speaking, we submitted an appeal stressing simply the unfairness of the situation. Our client, poised to get out of prison with two jobs and well on his way to earning a degree, had already lost that opportunity. Because of the guilty finding, he was at further risk of having his parole revoked because of property that many inmates have and that corrections officers almost always allow.

Incredibly, the appeal worked. The superintendent dismissed the final charge, and the feeling of helping a man with so much promise get out of prison and move on with his life was truly unforgettable. Also, having heard so many stories about the Prison Legal Assistance Project (PLAP) clients being found guilty despite blatantly inadequate evidence, it was heartening that a prison official would take seriously a claim based exclusively on fundamental fairness.
JUDICIAL PROCESS IN COMMUNITY COURTS

Student Drafts Right to Counsel Statute

By Hon. John C. Cratsley (Ret.)

Among the various approaches to expanding legal services to the poor, the concept of “Civil Gideon” has achieved increasing visibility. The roots of the concept are in the 1963 U.S. Supreme Court decision in Gideon v. Wainright, 372 U.S. 335, which guaranteed the Sixth Amendment right to counsel for criminal defendants facing the possibility of prison. While many low income individuals face similar serious consequences in civil cases, such as child custody cases, evictions, and immigration hearings, the courts and the legislatures have been slow to expand the right to counsel in these areas.

Andrew Spore, a second year student in Judge Cratsley’s Judicial Process in Community Courts Clinic, chose to write his final paper in connection with the work of the Right to Counsel in Targeted Evictions Task Force, an advocacy committee drawn from many local organizations providing legal services to indigent and low income clients. Following several pilot programs in various housing court sessions, the Task Force felt the next step was to draft a statute providing for a right to counsel in three types of eviction cases identified during the pilot programs.

Andrew’s paper tackled just this challenge and after reviewing key policy determinations necessary for the content of such a statute, such as eligibility determinations, attorney delivery models, and sources of funding, he drafted “A Right to Counsel in Certain Eviction Cases; A Law of the Commonwealth of Massachusetts.” Andrew’s draft statute was recently reviewed at a meeting of the Task Force. It resulted in a memorandum outlining issues and next steps and beginning with the words, “We used Andrew Spore’s paper as a jumping off point for our discussion…”

INTERNATIONAL HUMAN RIGHTS CLINIC

Taking on “Killer Robots”

By Bonnie Docherty, Senior Clinical Instructor & Lecturer on Law, International Human Rights Clinic

New weapons that could revolutionize killing are on the horizon. Lethal autonomous weapons systems, also called fully autonomous weapons or “killer robots,” would go beyond today’s armed drones. They would be able to select and fire on targets without meaningful human intervention. In other words, they could determine themselves when to take a human life.

Representatives from 87 countries gathered at the United Nations in Geneva last week to discuss concerns about this technology and possible ways to respond. The conference was the first multilateral meeting dedicated to lethal autonomous weapons systems. It represented a crucial step in a process that should result in a ban on these problematic weapons before it grows too late to change course.

Human Rights Watch and Harvard Law School’s International Human Rights Clinic are calling for a pre-emptive prohibition on the development, production, and use of these weapons. The Campaign to Stop Killer Robots, a global coalition of 51 nongovernmental organizations coordinated by Human Rights Watch, is making the same call.

Overall, the talks in Geneva were productive and positive. The conference, under the auspices of the Convention on Conventional Weapons (CCW), attracted hundreds of delegates from governments, the United Nations, the International Committee of the Red Cross, and nongovernmental groups, setting a record for a CCW meeting. Participants engaged in four days of substantive discussions about the technical, ethical, legal, and operational concerns raised by fully autonomous weapons.

This “informal meeting of experts” was also noteworthy for its timeliness, unusual for a CCW conference. This meeting took place just a year and a half after Human Rights Watch and the Harvard clinic issued a groundbreaking report on these weapons, Losing Humanity: The Case against Killer Robots, which the UN website credited with bringing the issue to “the international community’s attention.”
The meeting illuminated both areas of emerging agreement and ongoing points of contention. At their next meeting in November, states parties to the Convention on Conventional Weapons should show that they are serious about taking action to deal with fully autonomous weapons and adopt a mandate for even deeper discussions in 2015.

**Areas of Emerging Agreement**

Four promising themes emerged at the recent meeting. First, there was widespread support for continuing discussions. The countries made clear that they saw last week as merely an initial foray into the issue. Many delegates also explicitly recognized the importance of continuing to involve nongovernmental groups, including the Campaign to Stop Killer Robots and its member organizations.

Second, a significant number of countries expressed particular concern about the ethical problems raised by fully autonomous weapons. The chair’s final report noted that these countries “stressed the fact that the possibility for a robotic system to acquire capacities of ‘moral reasoning’ and ‘judgment’ was highly questionable.” Furthermore, these machines could not understand and respect the value of life, yet they would be given the power to determine when to take it away. Fully autonomous weapons would thus threaten to undermine human dignity.

Third, many countries emphasized that weapons systems should always fall under “meaningful human control.” While the parameters of this concept will require careful definition, obligating nations to maintain that control is vital to averting a watershed in the nature of warfare that could endanger civilians and soldiers alike.

Finally, countries frequently noted in their statements the relevance of international human rights law as well as international humanitarian law. Human rights law applies in peace and war, and it would govern the use of these weapons not only on the battlefield but also in law enforcement operations. In a new report released last week, *Shaking the Foundations: The Human Rights Implications of Killer Robots*, Human Rights Watch and the Harvard clinic found that fully autonomous weapons could contravene the rights to life and a remedy as well as the principle of dignity.

**Legal Debate**

The most contentious part of the discussion surrounded the application of international humanitarian law to fully autonomous weapons. The debate echoed many of the points raised in a second paper that Human Rights Watch and the Harvard clinic released at the meeting. “Advancing the Debate on Killer Robots” responds directly to 12 critiques of a ban on the weapons.

The meeting revealed a divergence of views about the adequacy of international humanitarian law to deal with fully autonomous weapons. Critics of a ban argue that problematic use of these weapons would violate existing law and that supplementary law is unnecessary.

A new treaty banning the weapons, however, would bring clarity, minimizing the need for case-by-case determinations of lawfulness and facilitating enforcement. It would also increase the stigma against the weapon, which can influence even states not party to a treaty to abide by a ban. In addition, a treaty dedicated to fully autonomous weapons could address proliferation, unlike traditional international humanitarian law, which focuses on use.

The debate about the adequacy of international humanitarian law to deal with fully autonomous weapons is reminiscent of arguments made in earlier Convention on Conventional Weapons meetings about cluster munitions. The adoption of the 2008 Convention on Cluster Munitions by 107 states resolved that dispute. Prohibitions on five other weapons that cause unacceptable humanitarian harm—antipersonnel landmines, blinding lasers, chemical weapons, biological weapons, and poison gas—provide additional precedent for new law. While most states are reserving judgment on the best solution to deal with the problems posed by fully autonomous weapons, five countries called for a ban last week.

Participants in the last week’s meeting also disagreed about when action should be taken. Critics of a ban supported a wait-and-see approach, arguing that improvements in technology could address the obstacles to compliance with international humanitarian law. There are serious doubts, however, that robots could ever replicate certain complex human qualities, such as judgment, necessary to comply with principles of distinction and proportionality. Furthermore, grave ethical concerns, the likelihood of proliferation and a robotic arms race, an accountability gap, and the prospect of premature deployment all suggest a technological fix would not suffice to address the weapons’ problems.

Action should be taken now before countries invest more in the technology and become less willing to give it up. The pre-emptive ban on blinding lasers in Protocol IV to the Convention on Conventional Weapons can serve as a useful model.

**Next Steps**

Despite some points of disagreement, the meeting advanced efforts to deal with fully autonomous weapons. Nations need to keep up momentum, however, to avoid having such meetings become what some have called a “talk shop.” In the short term, individual countries should establish national moratoria on fully autonomous weapons.

In November, the parties to the Convention on Conventional Weapons should adopt a mandate to study the issue in greater depth in 2015. They should agree to hold three to four weeks of formal meetings, known as a Group of Governmental Experts. They should also be clear that the meetings would be a step toward negotiating a new protocol on fully autonomous weapons. Such intense discussions would move the debate forward. They would show that the treaty members are committed to addressing this issue and that the Convention on Conventional Weapons is re-emerging as an important source of international humanitarian law.
In a world that is growing ever more complicated, the consequences of our choices—what we buy, how we travel, what we prioritize, what we conserve—have become more and more far-reaching. The debate about how to address climate change is at the center of the tension between humanity’s ever-growing material needs and our knowledge that our world is small, finite, and with limited capacity to absorb the effects of our choices. Views on how to combat climate change run the gamut from outright denial of climate change’s existence, to insistence that we must quickly pump the brakes on our fossil fuel dependent lifestyles in order to avert the end of the world as we know it.

While the issue of fossil fuel divestment started merely as hushed whispers on the fringes of the climate change debate, it has now taken center stage due to the work of environmental activist Bill McKibben, and the thousands of college students around the country that follow his work and are pushing for their educational institutions to divest from fossil fuel companies. As a result of this burgeoning movement, over the past two years many organizations have emerged to help students and community members advocate for divestment. One such organization is the Better Future Project (BFP), which operates locally in Massachusetts in collaboration with the Massachusetts branch of 350.org.

While organizations like BFP and 350Mass have made progress in advocating for divestment, BFP decided to first focus on creating a conflict assessment; an in-depth look at the various perspectives regarding divestment, informed by hours of interviews with student and community activists, endowment professionals, and college/university administrators. The assessment strove to uncover the interests of involved parties, and identify both hurdles and opportunities for moving the conversation forward.

From there, the clinical team utilized the insights gained through the conflict assessment to build a custom negotiation and communication skills training for BFP affiliates. We led a training in November 2013 for a group of student and community divestment activists. The training focused not just on delivering the core concepts of negotiation theory, but also on recognizing the importance within activism for a balancing act between empathy and assertiveness.

The training created a learning experience for all involved, including ourselves. “All in all, it was a wonderful experience. There’s something about building a curriculum like that from the ground up that was incredibly satisfying,” my partner, Alex, noted.

Moreover, it was an opportunity for us to reinforce our understanding of the negotiation theory we’d been studying, first in the Negotiation Workshop and then in the Clinic. It helped us put theory into practice in a meaningful way. “The greatest satisfaction,” continued Alex, “came from seeing some of our participants start to really engage with the material and generate ideas for how it could be used to improve the dialogue on their respective campuses.”

Feedback from the training was quite positive, leaving us satisfied with a job well done. I am so happy to have been a part of this project, not only to continue working with the substance of negotiation theory, but to share it with a community of people that are working on climate change, a topic that will have a huge impact on our society. As clinical students, we can’t change the world in one semester, but by doing work like this we give other people the tools to change the world in their own ways.
FAMILY AND DOMESTIC VIOLENCE LAW CLINIC

More than Student Lawyers

Students in the Family and Domestic Violence Law Clinic manage all aspects of their cases. Under the supervision of Associate Director and Senior Clinical Instructor Nnena Odim, they conduct intake, provide advice, and represent clients in both Family and District Court in Massachusetts. They also draft pleadings, analyze discovery, negotiate with opposing counsel, and work with complex financial issues. These students are more than lawyers. They support clients through difficult and stressful experiences, and make a real impact on their lives.

This past academic year, four students – Alyssa Greenberg, J.D. ’15, Kathryn Mullen, J.D. ’15, Kate Aizpuru, J.D. ’14, and Lana Birbrair, J.D. ’15 – did just that.

Alyssa signed up for the clinic to get substantive litigation experience. “I was not disappointed,” she said. “I drafted complaints for divorce, motions for temporary orders, and discovery requests; I prepared to take depositions, led a negotiation, and represented my client at a hearing in Probate and Family court; I spoke to my clients regularly, counseling them and working with them to determine what course their case should take.” Alyssa’s work has helped women who were married to abusive husbands get the closure and financial support they needed.

For Kathryn, representing clients “has been deeply rewarding”. Kathryn represented a husband seeking a divorce. “This case was not only an excellent learning opportunity, but a good reminder that anyone can be a victim of domestic abuse,” she said. Kathryn’s client experienced great psychological distress, suffered serious health problems and was also in dire financial straits. Yet, despite the difficult circumstances, he did not want anything except a divorce on grounds of cruel and abusive treatment. This “meant he would have to testify about his wife’s behavior,” said Kathryn. “It was important to him to tell his story on the record.” The experience contributed to and shaped her desire to become a public interest lawyer.

Kate Aizpuru signed up for the clinic to translate her interests in gender issues into practical experience. “I wanted to spend some time learning the types of skills I wouldn’t be able to get in a classroom: working with clients, drafting legal documents, and appearing in court,” she said. She represented a client who had suffered domestic violence. “At first, I felt nervous—I had only appeared in court on motions, never for a full trial,” said Kate. But the more she thought about the skills she had acquired throughout her two semesters at the clinic, the more confident she felt, and took charge of the entire case. “It was an incredible experience,” she said. Kate delivered the opening statement at trial, answered questions about the case’s procedural history, objected to inadmissible evidence, and cross-examined her client’s husband. Several weeks later, she received a favorable judgment for her client.

Lana took on a divorce case involving domestic violence and custody. “By the end of the semester there was a 6 inch case file with 8 pounds of paper representing 10 weeks of investigation and research,” she said. By her second week at the clinic, Lana was in court seeking a custody order. She met with her client regularly, culled through medical records, tax filings, negotiated with opposing counsel, and subpoenaed records from various banks. She even examined deeds to real estate, written in French. “After a semester, I appreciate the days when we can get a “good” or “great” result for a client we can genuinely help,” she said.
People’s Law School: HLS student helps community members

By Jewel Hand, J.D. ’15

Recently, I was able to contribute to the Legal Services Center’s second annual People’s Law School. It is a unique day-long community outreach program designed to teach people their basic rights as borrowers, tenants, disabled citizens, and veterans, among many other things. Workshops throughout the day informed and empowered approximately 100 local citizens, while one-on-one counseling allowed the staff and students to give more individualized legal advice. The day ended with intake interviews for individuals with legal issues that make them candidates for the Center’s services. As a current student advocate at the Center, I was able to take part in the program at all levels: from planning and setup, to teaching a workshop, to individual counseling and conducting an intake interview. I feel fortunate to have contributed to a program that clearly helped so many individuals while also practicing valuable skills as a counselor and advocate. I hope the People’s Law School continues to grow and that I can contribute again next year!

TRANSACTIONAL LAW CLINICS

The Media Mogul of Mattapan

Via HLS News

Euan (pronounced Ian) Davis, a 41-year-old barber, has known that barbershops serve as community hubs, almost as long as he has been cutting hair. And around 10 years ago, Davis, the owner of Biz Barbershop in the Boston neighborhood of Mattapan, decided to pursue a related business idea that would eventually lead him to cross paths with TLC and student lawyer Javier Oliver-Keymorth ’15.

Davis developed BarberTime based on the idea that barbershops have fulfilled the role of social media, since long before social media existed. Patrons argue politics, talk fashion—even mobilize movements.

“It was time for the barbershop to get more recognized,” Davis says. “We’re very important to the people that we deal with, and so many of them confide in us for so much, from buying cars, to children, to who they marry.”

His concept includes a website, a radio station, television programming and a magazine—all designed for display or broadcast in barbershops. Potentially, BarberTime could reach the clientele of hundreds of shops, with profits coming from advertising.

In 2004, Davis was approached by the Massachusetts Department of Public Health, which sought to raise awareness for WIC, the supplemental nutrition program for women, infants and children. He enlisted about a hundred shops and salons to promote the program within their establishments and through BarberTime’s media offerings. It was a big, multiyear project. “That allowed us to know that we can start whole campaigns based on shops being media sources,” says Davis.

Davis now wants to take BarberTime to the next level. “What I’m trying to be is a media giant,” he says. BarberTime has minority partners and is set up as an LLC, and Davis wants to shore up his business structure before seeking investors. That’s where the HLS clinics and Oliver-Keymorth come in.

He says that working with Davis is helping him better understand how to use the law to set up a complicated business idea for future success. “For me, it’s about learning how companies operate, what documents and forms are legally necessary to file, and learning how to sort out the legal intricacies of such a complex business plan,” he says. “For Euan, it’s about putting the pieces together in a way that wouldn’t be possible if it weren’t for the clinics.”
All Ford Fellows Participated in Clinical Education

Last month, three graduating students, Samuel Weiss ’14, Catherine B. Cooper ’14, and David Baake ’14, received Ford Foundation Law School Public Interest Fellowships. The fellowship is designed to identify and help develop new leaders in social justice. All three students participated in the Clinical and Pro Bono Programs. Here is what they had to say about their experiences:

“My clinical experience at HLS was instrumental in preparing me to be a Ford Fellow at the Center for Reproductive Rights. Through the International Human Rights Clinic, I gained skills in litigation, documentation, and human rights advocacy that are essential for both my fellowship and long-term career. But I am particularly grateful for the incredible people I have had the opportunity to work with. Through the International Human Rights Clinic, the Harvard Immigration and Refugee Clinic, and Harvard Immigration Project, I found brilliant mentors who were both inspiring and challenging and a community of public interest students who were mutually supportive and extremely dedicated to clinical work.”

Catherine will serve as a legal fellow at the Center for Reproductive Rights. She will be advocating for reproductive freedom both domestically and globally.

David Baake, who participated in the Emmett Environmental Law and Policy Clinic said “My experience... was one of the highlights of my time in law school. I was able to work on a variety of interesting and important projects, including a memorandum for a Massachusetts State Representative, a Supreme Court amicus brief, and a white paper on offshore drilling. These experiences allowed me to develop practical skills that were not emphasized in other aspects of the law school curriculum. They also allowed me to develop a relationship with Professor Jacobs, who has been an excellent teacher and mentor.”

Samuel will work as a legal fellow at the American Civil Liberties Union’s Center for Justice, in Washington, D.C. During his fellowship he will seek to end the use of prolonged solitary confinement through class-action litigation and policy advocacy.

David Baake, J.D. ’14

David will be working as a legal fellow in the Natural Resources Defense Council’s Climate Center in Washington, D.C. He will be supporting the Obama Administration’s Climate Action Plan through advocacy and litigation.

Samuel participated in the Capital Punishment Clinic and the Crimmigration Clinic. “While the idea of focusing immigration enforcement on folks with criminal convictions has intuitive appeal, in the Crimmigration Clinic we got to see how often good people faced devastating consequences for trivial crimes,” he said. “The statutes most relevant to crimmigration are extremely punitive, especially to people with drug convictions, and often suck discretion out of the system so that immigration judges are left to rubber stamp removal orders. The poor drafting of these statutes makes them confusing but also means that there is room for advocates to be creative in trying to win their clients’ relief. The fact that immigrants facing deportation have no right to counsel creates a huge opportunity for students to help folks navigate an incredibly complex and punitive system. As an experienced practitioner in exactly these types of cases, Phil Torrey was able to closely mentor us as we tried to help folks find some avenue for relief.”

Samuel Weiss, J.D. ’14
Maryum Jordan ’14 Wins CLEA’s Outstanding Clinical Student Award

By Caroline Parker, Intern, Harvard Immigration and Refugee Clinic

Congratulations to Maryum Jordan, J.D. ’14, for winning the Outstanding Clinical Student Award from the Clinical Legal Education Association (CLEA). The award is presented annually to one student from each law school for his/her outstanding clinical coursework and contributions to the clinical community. Maryum was nominated by Clinical Professor of Law Tyler Giannini, Assistant Clinical Professor of Law Susan Farbstein, Lecturer on Law and Clinic Assistant Director Sabi Ardalan, and Clinical Professor of Law Debbie Anker, for her work with both the Harvard Immigration and Refugee Clinic (HIRC) and the International Human Rights Clinic (IHRC). Over the course of her three years at Harvard Law School, she logged over 1000 pro bono hours in service to the community.

Maryum has distinguished herself in many capacities. At IHRC she collaborated with other students to produce a briefing paper on transitional justice in Burma, where she later traveled to conduct research on human rights violations committed near the Taiwan border. As a 3L, Maryum returned to the clinic to work with a student-led reading group on sex-trafficking in Boston. She also worked diligently to prepare asylum cases for traumatized clients from Honduras and Uganda. Her clinical mentors call her “a skilled and extremely conscientious advocate,” who is “intelligent, humble, personable,” and “sensitive to the ethical dimensions of her work.”

“Working with both the International Human Rights Clinic and the Immigration and Refugee Clinic has been part of my best experiences at Harvard Law School and I am grateful for the mentorship, knowledge, and personal growth I have gained as a clinical student. I am deeply honored to receive this award and be recognized by clinicians whom I hold in great esteem,” Maryum said.

This fall, she will be moving to Lima, Peru to work as a fellow for Earth Rights International. Eventually, she plans to continue her work with international and gender-based human rights and pursue a career in clinical teaching.

CHILD ADVOCACY PROJECT

A Warm Welcome to Cheryl Bratt

Cheryl Bratt is the new Administrative Director for the Child Advocacy Program. She comes most recently from the University of Michigan Law School, where she was a clinical fellow in the Pediatric Advocacy Clinic, a medical-legal partnership that unites healthcare providers, lawyers, and social workers to improve the health outcomes of low-income children and their families. There, she supervised students litigating family, special education, and housing law cases and co-taught the clinic seminar. Previously, she was a senior associate at WilmerHale LLP, in Boston, Massachusetts, specializing in securities litigation and representing a variety of pro bono clients in education and family law matters. She also clerked for the Honorable Norman H. Stahl on the U.S. Court of Appeals for the First Circuit, and for the Honorable Mary A. McLaughlin on the U.S. District Court for the Eastern District of Pennsylvania. She graduated from the University of Michigan Law School. Before law school, she taught eighth grade language arts in New Orleans, Louisiana through Teach For America and later worked for the organization as a regional director.
HARVARD IMMIGRATION AND REFUGEE CLINIC

Congratulations to our Colleague Gerald Wall on his Legal Services Award

On May 15th, The Massachusetts Bar Association honored Gerald Wall with an Access to Justice Award, for his exemplary legal skills and service to the community. He is a Clinic Supervisor at the Harvard Immigration and Refugee Clinic and Senior Attorney at the Greater Boston Legal Services.

Gerald Wall is the most senior attorney in GBLS’ Immigration Unit, with a 40-year career in legal services. According to the Massachusetts Bar Association, he credits his longevity to both the satisfaction he gets from making a direct impact on real clients, and the “hard work and collegial nature” of his like-minded co-workers.

Students from the Harvard Immigration and Refugee Clinic revere him. “He is the best mentor I have ever had. He is supportive, kind, patient, responsive, and encourages me to take more responsibilities. I feel really luck to have Jerry as my mentor, for his guidance and generous support” said Peng Lin, J.D. ’14.

“If I can’t thank him enough for his kindness and patience in mentoring me. His commitment and dedication to his work inspired me to continue to work in asylum representation and advocacy after I graduate,” said Morgan Davis, J.D. ’15, another student.

The Massachusetts Bar Association describes Wall as more invested in his work than any other attorney in the Commonwealth. The first immigration cases he handled with GBLS involved El Salvadoran refugees seeking asylum in the United States from violence and death squads during their home country’s civil war. “Not only did Wall advocate for many of these individuals, he and his wife pursued adoption, ultimately bringing in to their family a 3-year-old son and 21-month-old daughter.”

“We are so proud of Gerry. He’s been a superb model and teacher for our students for so many years; his gentleness, experience, and sense of commitment will be carried forward by the students and clients whose lives he has changed,” said Deborah Anker, Clinical Professor of Law and Director of the Harvard Immigration and Refugee Clinic.

CENTER FOR HEALTH LAW AND POLICY INNOVATION

‘Food is Medicine:’ Health reform should support nutritional counseling, medical meals says HLS report

The Center for Health Law and Policy Innovation (CHLPI) of Harvard Law School released the report “Food is Medicine: Opportunities in Public and Private Health Care for Supporting Nutritional Counseling and Medically Tailored, Home-Delivered Meals.” The report, funded in part by the M•A•C AIDS Fund, examines ways in which public and private health care programs like Medicaid, Medicare and new marketplace health insurance plans can support access to nutritional counseling and medically tailored home-delivered meals within their systems.

HEALTH LAW AND POLICY CLINIC

Report: Left Unchecked, Diabetes Will Cost NC Billions

A report from Harvard University says one-in-10 North Carolinians has diabetes, and that the disease will cost the state $17 billion per year by 2025. Sarah Downer is a fellow at Harvard’s Health Law and Policy Clinic. She said limited access to healthcare, nutritious foods and safe places to exercise are dangerous to communities.

HARVARD IMMIGRATION AND REFUGEE CLINIC

Anker on Immigration Rights: ‘We need civil Gideon’

The Harvard Immigration and Refugee Clinical Program was established by Professor Deborah Anker, LL.M. ’84, three decades ago. One of the first two immigration law clinics in the country, it is run in partnership with Greater Boston Legal Services. Under Anker’s guidance, hundreds of clinical students have helped more than a thousand people gain entry into the United States or avoid deportation.

SJC Decision Clarifies Obligations of Criminal Lawyers Representing Immigrant Defendants

The Massachusetts Supreme Judicial Court (SJC) issued a decision that clarifies the type of legal advice that must be given to immigrant defendants in criminal proceedings. HIRC Clinical Instructor Phil Torrey weighed in on the implications of the decision.

INTERNATIONAL HUMAN RIGHTS CLINIC

New HRP Book: The International Rule of Law Movement: A Crisis of Legitimacy and the Way Forward

By David Marshall, HRP Visiting Fellow 2012-2013 & UN Staff Member, Office of the High Commissioner for Human Rights

In 2011-2012 I was deployed to South Sudan to lead the UN’s development of the justice and prisons system. It was a startling experience. Though the international community has been engaged in rule of law reform since 2005 there was a profound deficit in knowledge about the justice ‘system,’ its actors and processes.