HARVARD LAW SCHOOL
CLASS OF 2018

CLINICAL AND PRO BONO PROGRAMS
LEARNING THE LAW | SERVING THE WORLD

COMMENCEMENT NEWSLETTER
“The Harvard Law School Clinical and Pro Bono Programs provide an exceptional educational experience for our students and superb legal representation to countless people. Our clinicians and our students work together to solve hard problems, to illuminate complex issues of profound social and legal import, and to serve communities and individuals by providing top flight lawyering. In the process, our students acquire from outstanding teachers and role models excellent experience in practice and procedure, an impressive knowledge of the law in a vast number of areas, a deep understanding of professionalism, and the art of team work. Our students bring to their work a commitment to public service that we hope they take with them throughout their careers. For the JD Class of 2018, fully eighty-three percent of the class will have taken a clinic, and forty-three percent will have taken two or more. I am very proud of the faculty and staff who lead and support our clinics, of the work our clinics and student practice organizations do, and of the great lawyers they help launch into the world.”

John Manning
Morgan and Helen Chu Dean
Harvard Law School

“One of the best aspects of Harvard Law School is working with the remarkable energy, creativity, and dynamism of our students. They come to HLS with a wide range of backgrounds and a wealth of experiences from which our Clinics and our clients benefit and grow. Our Clinical Program is never static—we are constantly reinventing ourselves in response to client needs, student interests, and national and international issues. As we advise and mentor individual students on their path to becoming ethical lawyers, the students, in turn, teach us to look at legal problems with a fresh set of eyes each and every day. This constant sense of wonder permeates our Clinical Programs and invigorates the learning process.”

Lisa Dealy
Assistant Dean
Clinical and Pro Bono Programs
# BY THE NUMBERS

## IN HOUSE CLINICS
- Center for Health Law and Policy Innovation
  - Food Law and Policy Clinic
  - Health Law and Policy Clinic
- Criminal Justice Institute
- Crimmigration Clinic
- Cyberlaw Clinic
- Education Law Clinic
- Emmett Environmental Law and Policy Clinic
- Harvard Immigration and Refugee Clinical Program
- Harvard Legal Aid Bureau
- Harvard Negotiation and Mediation Clinical Program
- International Human Rights Clinic
- Transactional Law Clinics
- WilmerHale Legal Services Center
  - Domestic Violence and Family Law Clinic
  - Federal Tax Clinic
  - Housing Law Clinic
  - Predatory Lending/Consumer Protection Clinic
  - Veterans Law and Disability Benefits Clinic

## EXTERNSHIP CLINICS
- Capital Punishment Clinic
- Child Advocacy Clinic
- Criminal Prosecution Clinic
- Employment Law Clinic
- Government Lawyer: State Attorney General Clinic
- Government Lawyer: United States Attorney Clinic
- Government Lawyer: Semester in Washington Clinic
- Judicial Process in Trial Courts Clinic
- Public Education Policy and Consulting Clinic
- Sports Law Clinic
- Supreme Court Litigation Clinic

## STUDENT PRACTICE ORGANIZATIONS
- Harvard Defenders
- Harvard Law Immigration Project
- Harvard Law Entrepreneurship Project
- HLS Negotiators
- Harvard Mediation Program
- HLS Advocates for Human Rights
- Harvard Prison Legal Assistance Project
- Mississippi Delta Project
- Project No One Leaves
- Recording Artists Project
- Tenant Advocacy Project

## CLASS OF 2018

<table>
<thead>
<tr>
<th>Metric</th>
<th>Value</th>
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<tbody>
<tr>
<td>Pro bono hours required of JD students before graduation</td>
<td>50</td>
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<td>Average number of pro bono hours per student in the JD Class of 2018 during their time at HLS</td>
<td>637</td>
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<td>Pro bono hours completed by JD Class of 2018</td>
<td>376,532</td>
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<td>LL.M. clinical placements</td>
<td>37</td>
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<td>Clinical placements</td>
<td>1012</td>
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<td>Of the JD Class of 2018 participated in clinical work</td>
<td>83%</td>
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<td>Did two or more clinics</td>
<td>43%</td>
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<td>Areas of the law where HLS offers clinical placements</td>
<td>30</td>
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<td>Clinical courses</td>
<td>54</td>
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<td>Clinical Faculty and Teachers</td>
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<td>Hours of pro bono legal services work provided by HLS students since 2005</td>
<td>4,475,107</td>
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<tr>
<td>In-House Clinics</td>
<td>18</td>
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<td>Externship Clinics</td>
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<td>Student Practice Organizations</td>
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Faces of Excellence

Three students win Andrew L. Kaufman Pro Bono Service Awards

By Ina Spaho

Edith Sangueza J.D. ’18, Tabitha Cohen J.D. ’18 & Annie Manhardt J.D. ’18 are the winners of the 2018 Andrew L. Kaufman Pro Bono Service Awards. They were chosen for exemplifying a pro bono public spirit and demonstrating an extraordinary commitment to improving and delivering high quality volunteer legal services in low-income communities. The awards are granted each year in honor of Professor Andrew Kaufman, who spearheaded the pro bono requirement at Harvard Law School.

Edith Sangueza J.D. ’18

Sangueza contributed nearly 2,000 pro bono hours by working with three Student Practice Organizations – HLS Immigration Project (HIP), HLS Advocates for Human Rights, and Project No One Leaves – in addition to working as a student attorney for four semesters with the Harvard Legal Aid Bureau (HLAB). She spent her 2016 Spring Break volunteering with South Texas Pro Bono Asylum Representation Project in Harlingen, TX and her 2017 Spring Break volunteering with American Gateways in San Antonio, TX.

Her outstanding commitment to social justice also extended throughout her summers – she worked with Instituto para las Mujeres en la Migración in Mexico City and with the Bronx Defenders in New York.

Sangueza consistently tackled case challenges head-on and proposed innovative solutions—a skill that makes her an outstanding advocate. In her role as co-director of HIP’s Removal Defense Project, for example, she led a team of 1Ls in their representation of a man who was seeking release from immigration detention. Edith was eager to help despite various case challenges: she spent countless hours interviewing the client and gathered corroborating evidence in support of the case. As another example, Sangueza took the lead in developing a partnership between HLAB and the Harvard Immigration and Refugee Clinical Program (HIRC) particularly in cases involving immigrant youths and the special protections afforded to them. She went above and beyond to find HLAB representation for HIRC clients who needed help in family court.

“Edith has time and again demonstrated her long-standing commitment to advancing the rights of women, children, as well as immigrants” wrote her nominators from the Harvard Immigration and Refugee Clinical Program. “We are impressed with her ability to anticipate legal pitfalls and to proactively craft creative arguments around those pitfalls in order to move her clients’ cases forward.”

“I am deeply grateful for the clinical instructors at the Immigration Clinic and at the Legal Aid Bureau, who all have been role models of dedicated lawyering and who have been generous mentors to me and to other students,” said Sangueza. “I am also grateful to have had the opportunity to learn from my inspiring friends and fellow students at the Legal Aid Bureau, who will be going on to serve in a range of fields, from direct services for clients experiencing homelessness to impact litigation and criminal defense. I feel lucky to have found a place in these two clinical programs and to have had the privilege of working with clients, especially our Special Immigrant Juvenile clients.”
Tabitha Cohen J.D. ’18 & Annie Manhardt J.D. ’18

Tabitha Cohen ’18 and Annie Manhardt ’18 won the Andrew L. Kaufman Pro Bono Service Award as a team for their commitment to serving the cause of prisoners in Massachusetts, especially those who are disabled or elderly.

At Harvard Law School, Cohen and Manhardt both participated in the Harvard Prison Legal Assistance Project (PLAP) and the Criminal Justice Institute. At PLAP, they spent hundreds of pro bono hours as co-executive directors, managing a multitude of daily internal governance and programming issues. Throughout their time, they demonstrated tireless effort and dedication to advocating for the needs of prisoners by conducting investigations, counseling and interviewing clients, and presenting compelling arguments at hearings.

“These prisoners have unique challenges and are largely ignored, even with the recent surge in interest about mass incarceration,” said John Fitzpatrick ’87, who nominated and supervised the students. “Annie’s unsung heroics have helped dozens of these prisoners who otherwise would not have voice in the system.”

“PLAP’s work takes place within the context of a system that is only able to operate as inhumanely and unjustly as it does because its day-to-day atrocities are largely hidden from public view. I am so grateful for this positive recognition, which I hope will provide an opportunity for the broader community to see not just what we are doing at PLAP, but what the prison system is doing to the people we represent,” said Manhardt.

In a precedent-setting case for an elderly disabled parole client Cohen argued before the Massachusetts Supreme Judicial Court whose ruling extended the Americans with Disabilities Act to mentally and physically disabled prisoners seeking parole. As a result of the case, the state must now help parolees get support systems in place in the community. “The case is being cited in other cases and by other disability rights groups seeking to vindicate the rights of these particularly marginalized prisoners,” said Fitzpatrick.

“I feel incredibly honored to be a recipient of the Andrew L. Kaufman Pro Bono Service Award, and am so glad that PLAP’s important work on behalf of incarcerated individuals is being recognized at graduation,” said Cohen. “I believe that our clients are the ones who truly deserve recognition. Their resiliency, strength, determination, and good humor in the face of unfathomable adversity and injustice has taught me more than I could have ever imagined, and it has been a true honor to have had the opportunity to represent them throughout my time in law school.”

While at HLS, Manhardt also worked with Prisoners’ Legal Services of Massachusetts and the Office of the Defender General in Vermont. Cohen worked with the Harvard Immigration and Refugee Clinical Program, the U.S. Attorney’s Office in Florida and La Fundación para el Acceso a la Justicia de Puerto Rico in San Juan.
Amy Volz and Ha Ryong Jung (Michael) win David Grossman Exemplary Clinical Student Award

By Ina Spaho

Amy Volz J.D. ’18 and Ha Ryong Jung (Michael) J.D. ’18 are this year’s winners of the David A. Grossman Exemplary Clinical Student Award. The award is named in honor of the late Clinical Professor of Law David Grossman ’88, a public interest lawyer dedicated to providing high-quality legal services to low income communities, and it recognizes students who have demonstrated excellence in representing individual clients and undertaking advocacy or policy reform projects.

Amy Volz J.D. ’18

Having contributed thousands of hours of pro bono service to clients with the HLS Immigration Project (HIP), the International Human Rights Clinic, and the Harvard Immigration and Refugee Clinical Program (HIRC), Volz is the embodiment of Grossman’s tireless pro bono spirit.

At HLS, Volz co-founded the Immigration Response Initiative, a student group comprised of nearly 400 students working on over a dozen projects, including legal research for the American Civil Liberties Union, state and local advocacy for immigrant-friendly policies, and supporting HIRC’s litigation efforts to stop the Muslim Ban. Volz wrote answers to frequently asked questions related to Deferred Action for Childhood Arrivals (DACA) and helped organize DACA renewal clinics for members of the Harvard community. She also drafted portions of an amicus brief to stop President Trump’s Executive Order from cutting refugee admissions – all without receiving any academic credit.

A noteworthy accomplishment is a report Volz put together detailing a range of issues including detention, denial of parole or release from detention, criminalization of asylum seekers, and the expansion of expedited removal proceedings. The report became the basis for a request for a hearing before the Inter-American Commission and litigation before the Canadian courts.

“The is a consummate professional and clear communicator who is thoughtful about her role as well as her place on a team. She listens effectively but, at the same time, she is always prepared to offer her opinions and ideas,” wrote her nominators from the Harvard Immigration and Refugee Clinical Program. “She is smart, enthusiastic, thoughtful, and totally reliable.”

Her unparalleled commitment to social justice is also evident in her work with the International Human Rights Clinic, where she worked for two years. Throughout this time, she worked on a complicated lawsuit, Mamani, et al. v. Sánchez de Lozada and Sánchez Berzain, being litigated in the U.S. federal court, on behalf of the family members of Bolivian citizens who were killed by the Bolivian military in 2003.

Volz was involved in all aspects of the litigation and her work was nothing short of outstanding. She developed a deep, detailed knowledge of a very intricate case, from the most minute factual details to larger strategic decisions, a testament to not only her intelligence but also her commitment,” her nominators wrote.

“Her ability to connect with people in such a meaningful way, combined with her deep understanding of the case and the evidence that we needed to provide at trial, helped us elicit the testimony that we needed to prove our case from multiple difficult witnesses,” said Clinical Professor of Law Susan Farbstein who teaches the International Human Rights Clinic and also nominated Volz.

In April this year, the jury returned a verdict in favor of the families, awarding them $10 million.

“I am incredibly honored to be a recipient of this award and grateful for the many opportunities I have had to get involved in clinical and SPO work at HLS,” said Volz. “Working with amazing mentors in the Immigration & Refugee Clinical Program and the International Human Rights Clinic has been the greatest gift of my time in law school. I am excited to carry on the lessons I have learned here as I begin my career.”
Ha Ryong Jung (Michael) J.D. ’18

Ha Ryong Jung is an outstanding student from South Korea, with an unparalleled commitment to clinical education and the field of children’s rights. At HLS, he contributed more than 2,000 pro bono hours with the International Human Rights Clinic, Child Advocacy Clinic, and HLS Advocates for Human Rights. He also worked pro bono at the regional office of the United Nations Children’s Fund in Thailand, Extraordinary Chambers in the Courts of Cambodia, Boston Juvenile Court, and Volunteer Lawyers Project, tackling children’s rights from many angles.

“Jung has spent the better part of his lifetime building his capacity to promote the human rights of children, particularly the neediest children,” wrote his nominators in the Child Advocacy Program.

His clinical and academic work were outstanding, showing a drive to learn, intellectual curiosity, and the ability to make connections. In the Child Advocacy Clinic, he received special recognition for his important contributions to his placement organization and the quality of his participation and engagement in the clinic seminar. He worked on laws and policies affecting children and young people, including those undergoing removal proceedings and experiencing custody complications due to undocumented parents facing deportation. “His thoughtful and reflective contributions made him a beloved member of his fieldwork office and the class,” wrote his nominators.

Jung has taken his clinical experiences and infused them into his other aspects of law school life. He became the first student to complete the Harvard-wide Child Protection Certificate Program administered by the FXB Center for Health and Human Rights at the Harvard T.H. Chan School of Public Health. Additionally, he re-ignited the student group, Child & Youth Advocates, organizing events and skills-based training related to child welfare, education, and juvenile justice, as well as starting a student database to encourage networking among HLS students and graduates interested in the field of child advocacy.

Establishing the Child Advocacy Hub was one of his most impressive accomplishments. Seeing an unmet need in the legal services community for additional help, and a desire on the part of HLS students to volunteer, Jung came up with the idea of matching the two groups. With this vision and his exceptional organizational and leadership skills, he reached out to stakeholders and launched the Hub in early 2018. “Jung’s efforts were driven by his ability to identify a problem and solve it, and also by his deep drive to ensure that the range of opportunities to gain skills and participate in child advocacy-oriented activities for current and future HLS students is as robust as possible,” wrote his nominators.

“Jung is truly a one-of-a-kind person and student, and he is undoubtedly going to make significant contributions to the field of children’s rights once he begins his career,” his nominators concluded.

Reflecting on his three years at HLS Jung said, “When I was notified about this award, my first reaction was one of puzzlement and amazement because I knew so many students who were deserving of an award, and I never considered myself to fit that definition. However, the feelings that followed were of immense gratitude and honor with the understanding that the individuals I deeply admire had recognized my work as contributing to the lives of children and trusted that my efforts will firmly persist. I feel blessed to have been a part of the International Human Rights Clinic and the Child Advocacy Clinic for most of my time in law school, and those experiences have undoubtedly taken me a step closer to becoming an effective advocate for children. This award is the greatest gift that I have received, and it will serve to be an immeasurably valuable source of support and encouragement for me as I continue my pursuit of helping to protect children and their rights.”
Margaret Kettles wins CLEA’s Outstanding Clinical Student Award

By Ina Spaho

Margaret Kettles J.D. ’18 is the winner of 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 outstanding clinical coursework and contributions to the clinical community.

An exemplary clinical student and advocate for public interest law, Kettles served as the executive director of the Harvard Legal Aid Bureau (HLAB), a two-year clinic where students represent low-income clients in housing and/or family cases.

According to her supervisors at HLAB, Kettles’ hard work and deep understanding of the Bureau’s mission made her one of HLAB’s best executive directors. She showed consistent leadership on student staffing and performance-related issues, skilfully managing case assignments for 50 students and nine clinical faculty/instructors.

Kettles also worked on many individual cases and her dedication to clients has produced unparalleled results. She is currently negotiating a settlement worth approximately $200,000 for tenants who were forced to endure terrible conditions by an investor/landlord.

In their nomination, Kettles’ nominators noted Kettles’ “legendary” advocacy and her willingness to go above and beyond for people in need, even when they are not her clients. Recently, she learned of 24 individuals living in an illegal boarding house who were being “cleared out” or evicted by the building’s landlord. She quickly got HLAB’s community partners to canvass the building and she created three separate legal clinics to submit answers, motions and discovery requests. Her work resulted in the dismissal of all but one of the eviction cases.

In addition to her work at HLAB, Kettles volunteered as a student attorney with the Tenant Advocacy Project, representing clients in benefits termination, public housing eviction, and application denial hearings at housing authorities, and with Harvard Defenders, providing representation to low-income defendants in criminal show-cause hearings.

Kettles is at her core an incredible advocate for individuals and communities who have been treated unfairly and whose rights and humanity have been violated and ignored, said Clinical Instructor Eloise Lawrence.

“I am very thankful to receive this award,” said Kettles. “My clinical work has been the highlight of my HLS experience. HLAB — in particular my Clinical Instructor Eloise Lawrence and our partner organization City Life/Vida Urbana — has taught me so much about community lawyering and using the law as a tool for social change. I look forward to carrying these lessons into my career as a public defender.”
Cameron Clark J.D. ’18 wins Gary Bellow Public Service Award

By Ina Spaho

Harvard Law School student Cameron Clark J.D. ’18 is the winner of this year’s Gary Bellow Public Service Award, established in 2001 to honor HLS Professor Gary Bellow ’60, his commitment to public service, and his innovative approach to the analysis and practice of law. Professor Bellow was a pioneering public interest lawyer who founded and directed Harvard Law School’s clinical programs.

Each year, the Gary Bellow Public Service Award recognizes a student who exemplifies how lawyers can litigate, educate, advocate, and organize to promote social justice. This year, the finalists were celebrated at an award ceremony and reception on April 17. Clark spoke about the integration of legal ethnography into clinical legal education. At Harvard Law School, he worked in a wide variety of practice areas — including education law, civil rights and legal services — to educate and advocate for social justice.

Cameron Clark J.D. ’18

Cameron is from Houston, TX. The child of West African immigrants, Cameron is the first in his family to attend graduate school. Cameron served as the Managing Editor of the Harvard Journal on Racial & Ethnic Justice, publishing commentaries on legal developments in Critical Race Theory. Cameron has served as a representative to the Dean’s Task Force on Academic Community and Student Engagement, Director of the Student Government Committee on Diversity & Inclusion, and Political Advocacy Chair for both the Harvard Black Law Students Association and HLS Lambda. Cameron is a member of Reclaim Harvard Law and organized with staff, students, and faculty for the removal of the Royall/HLS Shield and in support of Harvard dining hall workers on strike.

In his time at Harvard Law School, Cameron worked to implement and test a body camera pilot program in Boston; supported queer/transgender mental health patients and students in Los Angeles; and uplifted prisoners with intellectual disabilities on death row in Houston. Cameron has participated in the Education Law Clinic and the Delivery of Legal Services Clinic. His placements were at U.S. Department of Education Office of Civil Rights and Prisoners’ Legal Services respectively. He also did an independent clinical placement at the ACLU of Texas over January term. His work in solidarity with marginalized and systemically targeted communities has marked the most enriching part of his legal education.

“My work in solidarity with marginalized and systemically targeted communities has marked the most enriching part of his legal education.

“It is a true honor and privilege to be selected as this year’s recipient of the Gary Bellow Public Service Award.

Professor Bellow’s pioneering work in the field of clinical legal education has enriched my time at HLS in innumerable ways. His legacy has continued long after his passing, and I am thankful to carry his name with me as I begin my legal career,” said Cameron. “I send my sincere gratitude to OPIA, the Gary Bellow Award Committee, and especially to my co-finalists—Annie, Ross, and Amy—who inspire and challenge me to uphold the highest standards in our collective pursuit of the public interest.”

Beginning in Fall 2018, Cameron will join the Southern Poverty Law Center as a recipient of the organization’s Criminal Justice Reform Fellowship. Cameron’s work will take him to New Orleans, where he will support a class action lawsuit challenging Louisiana’s resource-starved public defender system as a violation of defendants’ due process and equal protection rights.
The Office of Clinical and Pro Bono Programs offers its heartfelt congratulations to the 27 Harvard Law School students who received a Massachusetts Supreme Judicial Court Certificate in recognition of their pro bono work. The ceremony was held at the Adams Courthouse on October 18th and the students are listed on the SJC’s Pro Bono Honor Roll website.

The recognition is presented annually to law firms, solo practitioners, in-house corporate counsel offices, government attorney offices, non-profit organizations, law school faculties, and law students who certify that, in the calendar year of 2016, they have contributed at least 50 hours of legal services without receiving pay or academic credit.

HLS Class of 2018 Massachusetts Supreme Judicial Court Pro Bono Honor Roll

Katherine Ambrose
Jyoti Jasrasaria
Heather Artinian
Mark Lee
Katrina Braun
Megan Lee
Elizabeth Carter
Zachary David Lenox

Gianna Ceophas
Emily Chan
Melissa Mikail
Cameron Clark
Emil Nachman
Alicia Daniel
Leah Juhyun Park
Charlotte Robinson

Nadia L. Farjoood
Jacob R. Steiner
Thaya Uthayophas
Angie Geng
Iris Won
Claire Horan

PRO BONO BY THE NUMBERS

40%
11
715

The number of low and moderate-income households that experience a legal problem each year according to the American Bar Association.

The number of Student Practice Organizations at Harvard Law School where students work pro bono on real-life legal matters under the supervision of licensed attorneys.

The number of HLS volunteer student placements for the 2017-18 academic year in Student Practice Organizations.
**HARVARD LEGAL AID BUREAU**

**Native leader, legal beacon**

Growing up in the mostly white city of Lethbridge in southern Alberta, Canada, Julian SpearChief-Morris J.D. ’18, often felt out of place.

With an African-American father from Los Angeles and a Canadian mother from the Blood reserve, one of the four indigenous nations that make up the Blackfoot Confederacy, SpearChief-Morris found it hard to feel completely at home either at the reserve or in the city where he was raised.

“It was pretty difficult, especially in high school, because there weren’t many people who looked like me, or came from a background like mine,” he recalled. “I often felt I didn’t fit in.”

But after graduating from a local college and coming to Harvard Law School (HLS), with its diverse student body, SpearChief-Morris felt right at home. And when he was admitted to the Harvard Legal Aid Bureau, one of the three honor societies at the School, he found a family. It’s a place that SpearChief-Morris has made his own.

In his last year at the School, SpearChief-Morris has left a mark in the storied history of the organization, which was founded in 1913 to provide legal services to low-income clients in the Boston area. He is the first indigenous student to lead the bureau.

Like the Harvard Law Review and the Board of Student Advisers, the bureau is a highly selective organization that has featured among its members former first lady Michelle Obama, J.D. ’88, former Massachusetts Gov. Deval Patrick ’78, J.D. ’82, and former Attorney General Loretta Lynch ’81, J.D. ’84, all of whom represented low-income clients before the courts.

A Massachusetts Supreme Judicial Court rule allows student attorneys to work under the supervision of clinical instructors. As a student attorney with the bureau, SpearChief-Morris has taken on a home-removal case, child-support disputes, custody matters, and eviction proceedings.

As the bureau’s president, SpearChief-Morris worked to build bridges with other student organizations on campus. Esme Caramello ’94, J.D. ’99, the bureau’s faculty director and clinical professor of law, praised him.

“Julian is brilliant, organized, and mission-driven,” Caramello said in an email. “Because of his personal experience, his relationships with other indigenous leaders and people, and his own careful study and reflection, he brings an important sensitivity to the way that historic injustices manifest in modern legal problems. He also helps us see our clients and our mission in ways that are more complex and that transcend whatever might be in the headlines at any particular time.”

**Julian SpearChief-Morris is the first indigenous president of the Harvard Legal Aid Bureau, the country’s oldest student-run organization providing free legal services, in its 104 years.**

Jon Chase/Harvard Staff Photographer

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**Via Harvard Gazette**

His leadership is a source of pride for indigenous students at Harvard, said Leilani Doktor, co-president of the Native American Law Students Association. SpearChief-Morris was co-president of the association last year, and during his term made unique contributions, said Doktor. “He spearheaded initiatives to collaborate with other student organizations, build community for native students, and infuse public service into our everyday lives,” she said.

For SpearChief-Morris, being at the helm of the bureau is both a privilege and a responsibility. His stint there, he said, is a continuation of the work he did as a guidance counselor in his hometown’s school district, where he advised indigenous students. He finds similarities between populations mired in poverty and marginalization.

“Marginalized individuals have a lot in common, regardless of where they are,” said SpearChief-Morris. “We serve low-income individuals in Boston, and the majority are people of color. In the Blood reserve, which is my family’s reserve, unfortunately there are a lot of poverty issues. I see a lot of parallels between what happens there and what we see in Boston.”

Dealing with indigenous students at home slightly younger than he was as they endeavored to earn high school diplomas or equivalency degrees, find jobs, or apply to colleges helped steer SpearChief-Morris’ life in a new direction. It was that experience that drove him to apply to law school, in hopes of deepening his understanding of the roots of social inequality.

“The kids I was helping were 16, 17 years old, and some were 19, 20 years old, and they were working hard to better themselves, but oftentimes they were stuck,” said SpearChief-Morris, who graduated from the University of Lethbridge with an urban and regional studies degree in 2013.

“Working with them showed me that there were deep-seated issues that I didn’t know how to address at the time,” he said, “and it also underlined the fact that I didn’t have all the tools to make the impact I wanted to make.”

After more than two years at HLS, SpearChief-Morris said he has learned how the law can level the playing field for everyone and the role it plays in strengthening communities.

“The law is one piece of the puzzle to build strong communities,” he said. “My goal was to be better prepared to change the things that I wanted to change.”

Full story is available in the Harvard Gazette.
Law School affiliates boost international treaty to ban nuclear weapons

When a Norwegian committee awarded the Nobel Peace Prize to the International Campaign to Abolish Nuclear Weapons (ICAN) for its work behind a treaty to ban nuclear weapons, 3,500 miles away six people at Harvard cheered loudly.

They had reason to celebrate.

Bonnie Docherty, associate director of armed conflict and civilian protection, and clinical instructor Anna Crowe, who teach at the International Human Rights Clinic at Harvard Law School (HLS), and four law students had taken part in the treaty negotiations spearheaded by ICAN, a Geneva-based international coalition of organizations from more than 100 countries.

Supported by 122 countries at the United Nations in July, the treaty is the first to prohibit the use of nuclear weapons since 1945, when the United States dropped the atomic bombs that destroyed Hiroshima and Nagasaki during World War II.

For Docherty, who is also a senior researcher in the arms division of Human Rights Watch, last month’s Peace Prize brought attention to the treaty, reached amid increasing threats of a nuclear confrontation between the United States and North Korea.

“The negotiations were timely and urgent,” said Docherty. “It reminded the world of the need to take tangible steps for nuclear disarmament. The treaty banning nuclear weapons will make a real difference in the world.”

The agreement prohibits countries from developing, testing, producing, manufacturing, acquiring, possessing, or stockpiling nuclear weapons, but it needs to be ratified by 50 states before it can become international law. Complicating matters is the fact that the treaty has been boycotted by the world’s nine nuclear powers: the U.S., Russia, Israel, United Kingdom, France, China, India, Pakistan, and North Korea.

For Mei, taking part in the negotiations at the U.N. was a highlight of her time at HLS.

“Being physically in the negotiating space with all the diplomats and campaigners, that was incredibly humbling,” said Mei in an email.

Mei was especially thrilled about having registered for the International Human Rights Clinic, which is the practice arm of the Law School’s Human Rights Program, at a crucial time.

“I had just happened to be a student in the clinic during the same semester that the campaign’s efforts over the past decade were culminating to this point,” she said. “I couldn’t have imagined that I would be in a position, as a student, to play a role, however small, in something like this.”

Crowe said the students rose to the occasion despite difficulties.

“There were challenges, of course,” said Crowe. “The uncertainty of the fast-changing nature of negotiations, and not having full access to the negotiating rooms. Before the vote, it was a very anxious time.”

Of the 124 countries that attended the U.N. conference, 122 voted in favor, Singapore abstained, and The Netherlands voted against the treaty.

HLS team members said they had a front-row seat to history in the making, particularly as they listened to the moving statement by Setsuko Thurlow, 85, a survivor of the bombing of Hiroshima. She was 13 years old at the time. Honoring the more than 200,000 victims who perished in Hiroshima and Nagasaki, Thurlow said, “Each person who died had a name, each person was loved by someone.”

Full story is available in the Harvard Gazette.
My time at the International Human Rights Clinic

By Salomé Gómez Upegui LL.M. ’18

I believe in law as an instrument for social change, and I came to Harvard interested in focusing on that. A year is not much time, and as any LL.M. student can confirm, we all suffer from “fear of missing out”. I’m happy to say the International Human Rights Clinic, was perfect to curb this fear. In a short time I was able to do much more than I expected. It was a unique opportunity for hands-on learning, while engaging in public service, and making a difference.

Women’s rights are something I particularly care about, and when I got into this clinic I was eager to learn more about how International Human Rights Law is relevant to feminism. Thankfully, I joined Salma Waheedi’s team for a project on this subject, and my expectations were exceeded. We worked in coordination with Musawah, an NGO advocating for equality of Muslim women. In this project, creative thinking was at the center; using comparative law, alternative interpretations of Islamic law, and human rights standards, we drafted thematic shadow reports on women’s rights for the Committee of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). I had the opportunity to travel to Geneva and participate in the 68th CEDAW Session at the United Nations, where the reports we drafted were presented. This trip was a rare chance to network and learn first-hand how international institutions, governments, and NGOs serve to advance (or sometimes setback) feminist agendas.

The International Human Rights Clinic allowed me to strengthen fundamental lawyering skills. I especially enjoyed learning innovative advocacy strategies, and I have to say I was happily surprised by the people I met. Working alongside individuals with such passion and dedication to human rights was the highlight of this experience. I felt part of something meaningful from day one, there is a real sense of community, and the value of teamwork is constantly stressed. In a world where individuality is the rule, this was an exceptionally wonderful learning environment, and I’m so grateful to have been part of it.

Advancing human rights in the Middle East

By Zeineb Bouraoui LL.M. ’18

Following the escalation of the Syrian Civil War in 2012, I began working for the Syrian American Medical Society in Washington DC, assisting Syrian refugees in emigrating to the United States, mainly through public policy initiatives. This experience greatly influenced my desire to apply to law school. I was craving the opportunity to acquire effective tools that would allow me to fight back against the injustices that outraged me and to advance economic and social equality in my native region, the Middle East and North Africa.

At Sciences Po Law School, I focused my studies on international investment law and economic development, and graduated in 2016 with a masters’ degree in Economic Law and Global Business Law and Governance. I then started working at the Organization for Economic Cooperation and Development in Paris, working on policy coordination efforts in order to help governments resist protectionist pressures and develop effective policies to respond to legal concerns raised by international investment. It was especially important to me to pursue my commitment to advance human rights in the MENA region at Harvard Law School, leveraging the numerous tools that the university provides to its students, in order to conduct the most effective research, and hope to have the most effective impact on the region.

At the International Human Rights Clinic, I am working on the Yemen project. My team, led by Salma Waheedi, is contributing to a Human Rights Watch report on the growth of the missing file in Yemen. Since 2014, Yemen has become home to one of the most violent non-international armed conflicts in the world. Egregious human rights violations are being committed there on a daily basis. My team focused mainly on investigating detention-related abuses being carried out by all sides to the conflict. I helped map the network of secret prisons and outline the human rights abuses committed in them. The project further involves determining the international legal obligations of state and non-state actors and investigating enforced disappearances and extra-judicial killings.

The Clinic constituted an eye-opening experience to me, allowing me to understand firsthand the challenges that human rights lawyers and activists are routinely facing with funding, media outreach and advocacy, or even the simple act of gathering accurate and reliable information. It was particularly challenging to work on a non-international armed conflict, as raising awareness on a conflict happening on the other side of the world, with very little interest for the United States can be at times frustrating. I particularly enjoyed conducting in-depth factual research and interacting with local Yemeni NGOs such as Mwatana, which are doing an incredible job in producing exhaustive accounts of the human rights violations committed throughout the course of the civil war, often at the peril of their lives.
Via Harvard Law Today

In March, 2017, Jin Kim, J.D. ’18 participated alongside fellow HIRC member Malene Alleyne LL.M. ’17 in an emergency hearing at the Inter-American Commission on Human Rights (IACHR) headquarters in Washington, D.C., on the effects of the Trump administration’s executive orders on immigration.

The IACHR granted HIRC’s request to attend with Canadian advocates to give testimony on the Canada–U.S. Safe Third Country Agreement (STCA), which allows Canada to turn away asylum seekers entering from the United States. Under the Agreement, refugee claimants are required to request refugee protection in the first safe country they arrive in, unless they qualify for an exception to the Agreement.

Earlier, on February 8, Deborah Anker, clinical professor and director of the Harvard Immigration and Refugee Clinic (HIRC) sent a letter to Canada’s prime minister and minister of immigration urging them to halt enforcement of Canada’s Safe Third Country Agreement with the U.S. HIRC produced a report on the effects of President Trump’s executive orders on people seeking asylum protection in the United States under longstanding provisions of U.S. and international law, including refugee law and the Convention Against Torture. The report warned that the orders will dramatically restrict access to asylum and other immigration protections in the U.S., and will usher in a new regime of large-scale detention, expansion of expedited removal without due process, and deputizing of state and local officials to detain certain individuals on “mere suspicion” of immigration violations.

Since January, HIRC has mobilized to strengthen protections for the refugees and asylum seekers with whom they work. More than 400 students at the Law School have joined this collective post-election effort, called the Immigration Response Initiative.

By Jin Kim, J.D. ’18

When the Inter-American Commission on Human Rights began its emergency hearing, the room was packed. There were private citizens, state officials, journalists, and representatives from the civil society organizations, all there to discuss the effects of President Trump’s executive orders.

But one party was noticeably absent: the United States. Although the IACHR invited the United States to participate in the hearing and answer questions on the effects of the executive orders, it declined to send any representative.

As members of the Harvard Immigration and Refugee Clinical Program, Malene Alleyne, LL.M ’17, and I were there to testify specifically about the Safe Third Country Agreement (STCA), which allows Canada to turn away asylum seekers entering from the United States on the false premise that the United States is a “safe country of asylum.” We presented our testimony alongside five other civil society organizations, including the American Civil Liberties Union.

Despite the glaring absence of the U.S. government officials, we civil society organizations had productive conversations with the Commission. Malene and I testified that the executive orders greatly curtail asylum seekers’ ability to meaningfully pursue their claims for protection and increase the risk of deportation to countries where they face persecution or torture.

When asked for specific examples, we spoke about the climate of fear pervading the lives of our asylum clients. In some cases, our clients have even been afraid to leave their houses or report crimes to the police for fear that they will be taken into custody and deported.

The Commission was visibly moved by our collective testimony, and asked us to continue to provide information regarding the impact of the executive orders. In the meantime, until our clients feel safe, it’s our responsibility to come together as a community to stand up for those who have been targeted.
It is an odd scene: thirty or so strangers gesticulating, nipping at each other, and slowly repositioning their cars along a single-lane road in exurban Missouri. We’re all here to catch our two-minute glimpse of the Great American Eclipse. Parking space is scarce, and everyone wants a spot. Still, we might, with a little creativity squeeze everyone in and preserve the view from our chosen bluff.

This shuffling draws my memory back to the first day of the “Negotiation Workshop.” During the opening plenary, the teaching team highlights how every student has extensive negotiation experience. Here in Lone Elk Park, I see exactly how. My path to the dispute resolution community at Harvard began just forty miles from this midwestern park. As a high school teacher in north St. Louis County, I witnessed and participated in policy disputes about educational equity and racial justice that drew national attention. I came to law school to study how law shapes conflicts like those. In the “Negotiation Workshop,” I also found the opportunity to explore the human elements that ultimately define them.

Since then, opportunities provided by the Harvard Negotiation & Mediation Clinical Program (HNMCP) have challenged me to take those human questions as seriously as the legal ones. My clinical team, for example, was asked to evaluate and propose revisions to a special education dispute resolution process for Washington, D.C. public schools.

Rachel Krol, our clinical instructor, encouraged us to learn from community members in creative ways: attending a family engagement summit, examining chatter about our client on social media, and more.

Those conversations complicated our early understanding of the special education landscape. School leaders and families told stories that illustrated how problems the law construed narrowly actually had roots that spread as broadly as they ran deeply. Resolutions that turned only on students’ rights tended to be unstable. More persistent were those that incorporated both those rights and the interests of those charged with protecting and implementing them. Something as simple as moving a school bus stop might ultimately serve a student and school better than an individualized transportation plan.

Courses taught by HNMCP faculty have also provided a toolkit for nurturing that kind of mutual-gains option in roles off campus. This summer, I worked at the U.S. Office of Special Counsel (OSC)—a past HNMCP client. OSC’s Alternative Dispute Resolution Unit mediates disputes between whistleblowers in federal agencies and the departments that had allegedly retaliated against them. Tensions in our cases were often high: Employee and employer would point to the other as the sole bad actor. Often negotiating in the shadow of third-party interest, mediation participants would struggle to articulate and listen to broader framings of the conflict.

Drawing on learnings from courses like “The Lawyer as Facilitator” and “Dispute Systems Design,” as well as my experience as a teaching assistant for the “Negotiation Workshop,” I drafted a training module that helps complainants and agencies think expansively about their situations. Our product built directly on the techniques and structures taught at Harvard Law School and was, in fact, first inspired by a recommendation made to OSC in one of their HNMCP clinical projects.

When I arrived on campus, I expected to spend three years studying the legal rules and structures that help determine what happens in this country’s schools. I hoped—and still do—to contribute to communities’ efforts to ensure that every kid has access to a strong education. The dispute resolution practitioners who mentor and teach us remind us that such vast landscapes demand a wider lens. They have given me the conviction that lasting change requires both mastery of the relevant legal doctrine and an embrace of the interests held by those an issue most affects.

Whether the stakes include a student’s education, a whistleblower’s career, or a few strangers’ aspiration to experience an eclipse, I am grateful for how HNMCP equips its students to study, approach, and address the distinctly human elements of the conflicts they encounter.
EMPLOYMENT LAW CLINIC

My formative experience with the Department of Labor

By Monica Wilk, J.D. ’18

My internship with the Department of Labor was a wonderful, formative experience because I actually enjoyed traditional lawyering work for the first time. On the first day of class in the Employment Workshop, our Clinic Director, Steve Churchill asked us to share our biggest fear of becoming a lawyer. I explained my fear of burnout by expressing how much I honestly disliked lawyering work. At the time, I regretted attending law school, let alone signing up for a clinic. However, this internship completely changed my attitude about pursuing a career in law because I discovered satisfying, challenging work that I enjoyed. The work involved pressing, important issues and required quick problem solving, creative thinking, and sophisticated analysis. I found myself looking forward to returning to work, something I never imagined would happen at the beginning of the clinic. As a result, I had the opportunity to identify for myself some of the work environment characteristics necessary for a satisfying, successful career.

While I had encountered complex, interesting legal work before, a number of factors distinguished the Solicitor’s Office from my other experiences. First, the office worked at a very fast pace to respond to new cases and burgeoning legal issues faced by the Department. The work’s constant urgency was a terrific motivation and energized day-to-day operations.

Second, the attorneys and staff fostered a supportive, collaborative work community. They appeared to genuinely like one another, cared about everyone’s success, and felt comfortable reaching out to ask for help or second opinions. Forgoing social politics in favor of a culture of collegiality allowed the office to maintain an effective community of lawyers conducive to producing great work. Third, the attorneys demonstrated their pride and appreciation in their career as a platform to affect change through their work. The seriousness and intensity with which everyone approached their work showed how sincerely the attorneys are driven by the Department of Labor’s mission. When attorneys spoke of how privileged they felt to work for the Department, they cited individual cases and plans to address the needs of communities rather than broad concepts like “upholding employment rights.” Allowing the work and its relevance to speak for itself pushed the role of the lawyer to the background and rightfully foregrounded the importance of service to lawyering. Such a humble, supportive work community complemented the challenges of addressing complicated problems at an urgent pace, and created a work environment in which the attorneys—and I—thrived.

JUDICIAL PROCESS IN TRIAL COURTS CLINIC

Students’ first day in court

By Hon. John C. Cratsley (Ret.)

Twenty-three students, enrolled in the Judicial Process in Trial Courts Clinic and class, worked with judges throughout the Massachusetts trial courts. Below, some of them reflect on the impact of their first days with their judges and confirm the value of leaving the classroom for the courtroom.

“My first day in court had a more profound impact on me than the mere opportunity to see and hear things I had only read about in books and learned in the classroom. Experiencing firsthand all the elements of a trial, albeit only for the closing arguments portion of it, as one living whole rather than discrete parts to be analyzed in the abstract made me rethink my attitude toward the “practice of law” and indeed helped me appreciate the fact that law is not only a subject area to be studied in law school but a “practice” and a way of life. This insight has both humbled and reinvigorated me, and I hope that during the remainder of my internship I can continue to broaden my understanding of the law and my capacity to practice it.”

— Aaron Seong, J.D. ’18

“It confirmed my prior expectations that the criminal justice system is a hard place for defendants. This type of experience is one of the reasons I wanted more time in the courtroom.”

— Nicolas Mendoza, J.D. ’18

“[My judge] was, in a word, dazzling. She casually listed the legal issues she was concerned about, slipping effortlessly from one to another while I struggled to make mental notes. It was in this moment that I fully appreciated the need for focus, commitment, and diligence in chambers. … I left the courthouse eager to come back the next day…”

— Marina Shkuratov, J.D. ’18

“Overall I had a challenging and eye-opening first week in court. I learned a lot and I am looking forward to the coming months. I think I underestimated how challenging it may be to become involved with criminal trials involving real defendants and victims. I think the clinic will be good preparation not only in terms of learning about rules of evidence and procedure, but also in learning how to deal with these more difficult, interpersonal aspects of being a trial lawyer.”

— Nasheen Kalkat, J.D. ’18
CRIMMIGRATION CLINIC

In Crimmigration Clinic victory, Supreme Judicial Court rules state law enforcement lacks ‘detainer’ authority

Via Harvard Law Today

In July, 2017, in a victory for the Harvard Immigration and Refugee Clinical Program’s Crimmigration Clinic, the Supreme Judicial Court of Massachusetts issued a significant ruling on the question of whether Massachusetts police can detain and arrest someone for a U.S. immigration violation.

The court ruled in the case of Lunn v. Commonwealth that the Commonwealth’s law enforcement officers do not have the authority to arrest and detain an individual solely pursuant to a Detainer—a request from federal immigration authorities that a person placed under arrest by local authorities be further detained if Immigration and Customs Enforcement (ICE) believes the person may be deportable. The court arrived at the ruling based on the fact that there is no state statutory law or common law authorizing such an arrest.

In March, HIRC’s Crimmigration Clinic filed an amicus brief in Lunn v. Commonwealth that discussed the lack of legislative authorization for Massachusetts law enforcement officers and courts to arrest and detain an individual solely pursuant to an ICE Detainer. Specifically, the brief analyzed other civil arrest and detention authority under Massachusetts law and noted that procedural protections in those instances are absent when someone is held pursuant to an ICE detainer.

Crimmigration Clinic Supervisor and Lecturer on Law Phil Torrey, who is also HIRC’s managing attorney, and supervising attorney for the Harvard Immigration Project, filed the brief with Mark C. Fleming ’97, a partner at WilmerHale and vice-chair of the firm’s appellate and Supreme Court litigation practice.

Following the court’s decision, Torrey said, “In this landmark decision, the Massachusetts Supreme Judicial Court has recognized what advocates have been saying for years — there is no legal authority for a Massachusetts law enforcement officer to detain someone solely pursuant to an ICE detainer. It is unlawful.”

Five HLS students helped write the brief: Tess Hellgren ’18, Emma Rekart ’17, Madelyn Finucane ’19, Harleen Gambhir ’19, and Alexander Milvae ’19. Hellgren and Rekart described the case and the brief, from which parts of the decision were drawn, on the HLS Clinical and Pro Bono Programs blog.

The decision is the first ruling by a state’s high court on the question of whether state or local authorities can detain individuals based solely on a request by federal immigration authorities.

EMMETT ENVIRONMENTAL LAW AND POLICY CLINIC

Clinic Releases Report on Sampling Household Tap Water for Lead Contamination

Via Emmett Environmental Law and Policy Clinic

The Emmett Environmental Law & Policy Clinic released its new report, “Detecting Lead In Household Tap Water: Sampling Procedures for Water Utilities,” which makes recommendations for how water utilities should sample household tap water to monitor the level of lead in their customers’ drinking water. The paper primarily focuses on sampling carried out by utilities for purposes of Lead and Copper Rule compliance.

The details of when and how utilities collect water samples can dramatically influence the levels of lead that those samples contain. Some sampling methods risk significantly underestimating the lead levels to which customers may be exposed.

The Clinic provides a series of recommendations covering all stages of the sampling process, including ensuring that sampling sites represent at-risk homes; determining the best time of year for sampling; instituting a minimum nine-hour stagnation period; instructing residents not to remove aerators and to use high flow rate when collecting samples; and collecting additional and sequential samples.

The paper was authored by Clinic student Joshua Kestin, JD ’18 and Deputy Director Shaun Goho, J.D. ’01.
VETERANS LEGAL CLINIC (LSC)

Using law to protect veterans

Via Harvard Gazette

Harvard students who have served in the armed forces represent a diverse range of backgrounds and experiences, but all have one thing in common: a profound dedication to serving the nation, under the most perilous of circumstances. In honor of Veterans Day, HLS profiled three of its students, including Anne Stark.

Anne Stark, J.D. ’18

Credit: Heratch Photography
Anne Stark, J.D. ’18

During her 10 months as company commander in a U.S. Army attack reconnaissance battalion in a volatile region of Afghanistan several years ago, Anne Stark, J.D. ’18, commanded a company that was responsible for the daily operations of a 500-soldier battalion. Charged with all aspects of her soldiers’ welfare, equipping, and training, Stark was so exceptional at her job that she was recognized as one of the top five commanders in the 47-commander brigade, according to the brigade commander.

As pilot of an AH-64 Apache attack helicopter, Stark also flew 150 hours in combat operations in Afghanistan, heading out three or four times a week for eight-hour missions to protect soldiers on the ground. Though she was company commander with significant responsibility, there were never enough pilots to fly missions, so she and every other qualified Apache pilot pitched in.

“The area we were stationed in in Afghanistan was at the time, and still is, very volatile, so there was heavy demand for aviation assets,” said Stark, a graduate of the U.S. Military Academy at West Point and one of the few women in her battalion who can pilot the Apache, which carries missiles, rockets, and reconnaissance equipment. “Insurgents recognize what the Apache looks and sounds like and they very rarely attack a convoy if it’s being protected. I feel being in that role was a real privilege for me.”

While acknowledging the inherent danger of air missions, Stark — who graduated in the top 10 percent of her class in the Army’s Aviation career course — said her greatest concern was protecting soldiers on the ground. “If you ask any Apache pilot, they’d say if they were afraid of one thing, it’s that we wouldn’t do the best we possibly could to support troops, that we didn’t get there quickly enough or deploy our weapons systems quickly enough to save American lives,” she said.

Stark, whose parents both served in the U.S. Marine Corps, grew up in Ohio; at West Point, she majored in physics and earned the highest class rank in all nuclear physics classes as well as in political analysis and physical geography. Named a 2005 Marshall Scholar, she earned a master’s degree in technology policy at the University of Cambridge in the United Kingdom, then a second master’s degree, in Middle Eastern and Central Asian security studies, at the University of St. Andrews, where she played rugby.

During a college summer shadowing an Apache pilot on an Army base in Korea, Stark became fascinated with the helicopter. After graduating St. Andrew’s, she entered the U.S. Army Aviation Center of Excellence in Fort Rucker, Ala., where she met and married a fellow Apache pilot, Capt. Aaron Stark, a 2017 M.B.A. candidate at Harvard Business School. The couple was assigned as platoon leaders at the same Army base in Colorado, then sent to Germany as company commanders. Shortly after arriving, they were deployed to different parts of Afghanistan, Anne Stark to a region near the Pakistan border.

As headquarters commander, she learned that many of her soldiers struggled with serious financial problems. “I realized many of them have exorbitant loans at high interest rates,” said Stark, who became a coordinator for Financial Peace University, a financial literacy course for soldiers and their families.

“It outraged me a bit that these less-than-reputable companies were targeting soldiers, and that got me interested in the legal and policy side of the regulation of the financial industry.”

Her final assignment before leaving the army, as chief of relocation operations, involved relocating — from Germany to the United States — her battalion and its operations, including 55 families and $10 million in equipment. Stark then matriculated at HLS, which she chose because of its Veterans Law and Disability Benefits Clinic, which assists military veterans with a range of legal issues.

"Working as a student attorney in the Veterans Legal Clinic was one of the best parts of my HLS experience. The time I spent as a clinical student not only helped equip me with valuable practical skills, but also provided an enormously rewarding opportunity to advocate on behalf of veterans. Learning more about the many practical and legal challenges that veterans face has sharpened my interest in working on behalf of veterans in the future.”

— Anne Stark J.D. ’18
DOMESTIC VIOLENCE AND FAMILY LAW CLINIC (LSC)

By Sarah White, J.D. ’18

As a 3L who has always planned to practice in the private sphere after graduation, my education here at Harvard and my work experience have been immersed in assumptions about the roles and responsibilities of lawyers. So much of the curriculum offered focuses on client-centric lawyering – but client-centric lawyering for a particular type of client. I have always tried to be aware of the extent to which my background (and in particular my summer employment experiences working in litigation for large corporate law firms) has reinforced this limited perspective. I have tried to compensate by seeking out diverse experiences that challenge my assumptions and provide new perspective; working at the Family Law and DV Clinic has been one of the most fruitful of these attempts.

I have come to learn that some of my most basic assumptions about the role of the lawyer lead to a myopic obsession with the economic concerns of the client. My training and experience have given priority to this perspective: Lawyers are responsible for promoting the financial interests of their clients. Lawyers are responsible for managing the risk exposure of their clients. In the regulatory context, lawyers are responsible for protecting their client’s profitability from the coercive power of the state. But working in the Domestic Violence and Family Law Clinic has exposed me to the public health perspective on client-centric lawyering: Fundamentally, lawyers are responsible for promoting the physical and psychological wellbeing of their clients.

Through this process I have learned that while the client’s financial and physical/emotional wellbeing are always connected to some degree, the relationship is not straightforward, and focusing solely on the economic concerns of the client is not universally sufficient. Sometimes fighting for the client’s financial rights is an appropriate proxy for protecting her human needs for autonomy and dignity as a survivor of domestic abuse. For example, survivors have spoken to me about how (after years of enduring emotional, physical, sexual, or financial abuse) enforcing their legal rights to a fair disposition of property in divorce can make them feel empowered. For other clients, financial security means the ability to move away from their abuser, to feed themselves and provide for the basic human needs of their children.

In other circumstances, no amount of financial compensation can provide our clients with physical safety or emotional healing, and these cases are the ones that have most tested my limits as a lawyer. For a client who has been denied a restraining order, the prospect of a future award simply cannot offset the fear she feels at the prospect of being victimized again before the court will grant her request. Similarly, a client who fears that her husband will obtain full custody of her children may give up any and all of her rights to a fair financial outcome in exchange for parenting time. These are not simple problems, and they are certainly not situations for which the traditional law school curriculum equips students. Rather they require innovative thinking and creative problem solving to search out the underlying client interest and propose a solution when numbers and dollar signs are not appropriate proxies for the client’s needs. For example, understanding specifically why our client may be hesitant to allow her husband parenting time and crafting a responsive compromise is more effective than trying to trade hours of visitation for settlement dollars. In this context, it is impossible to ignore the emotional and personal underpinnings of the conflicts that we address, and the flexibility of the family law system and the structure of this clinic has empowered me to engage in reframing general conflict into solvable problems – a skill that I anticipate will prove useful in many facets of my future practice.
Clinical Professor of Law

she arrived in Richmond, VA., the night before.

though Feinberg was

to wait nearly an hour to put forward her client

for the Fourth Circuit was also the first time she had ever

in a courtroom. Second on the docket that day, she had

been in a courtroom. For Feinberg, appearing before the U.S. Court of Appeals

for the Fourth Circuit was also the first time she had ever

at Legal Services Center of Harvard Law School in 2015.

For Feinberg, appearing before the U.S. Court of Appeals

for the Fourth Circuit was also the first time she had ever

in a courtroom. Second on the docket that day, she had

to wait nearly an hour to put forward her client’s case, even

though Feinberg was “hyped and ready to go” almost since

she arrived in Richmond, VA., the night before.

Clinical Professor of Law Keith Fogg, who directs

the Federal Tax Clinic, notes that many attorneys can be

practicing for 10 or more years before they get the kind of

experience that Feinberg, and her predecessor Jeff Zink ’17,
have gotten while enrolled in the Clinic.

Other students in the Clinic have had the opportunity to file

amicus briefs and help prepare appeals for court. All stu-

dents work directly with clients and carry a docket of cases.

And almost all have the opportunity to negotiate directly

with the IRS and state tax authorities – experiences that

many lawyers seldom get.

Tax Clinic’s Strategic Challenge to IRS Interpretation

of Filing Deadline

“The opportunity to appear in the circuit courts, file amicus

briefs, and to promote law change through policy advocacy

if necessary is an outgrowth of a strategy that the Federal

Tax Clinic developed to assist taxpayers, many of whom are

low income, who have missed the deadline to file a petition

in the United States Tax Court by one or more days because

of misleading information or notices sent by the IRS,” Fogg

says.

In a number of cases that the Tax Clinic has taken to the ap-

pellate level, the Tax Court dismissed the case for lack of

jurisdiction. The Tax Clinic has argued that the Court does

have jurisdiction based on a series of Supreme Court cases

over the past dozen years.

The Tax Clinic’s position is that these individuals had suffi-

ciently good reasons for missing the deadline — and that the

Supreme Court has given lower courts the leeway through

the proper interpretation of jurisdiction to allow taxpayers to

overcome procedural missteps where good cause ex-

ists. Cases in these circumstances should be allowed to

move forward and be judged based on the substance of their

tax arguments, Tax Clinic lawyers and students argue —

rather than being tossed out on a technicality.

Via Harvard Law Today

At root, these cases involve the question of whether certain

IRS code provisions containing filing deadlines are jurisdic-

tional in nature or whether the code provisions are non-

jurisdictional and hence subject to what lawyers call the

doctrine of equitable tolling.

Getting Up to Speed

Feinberg began in the Tax Clinic in the Fall, and briefs for

the case she would argue — Cunningham v. Commissioner — had been written over the summer by other law

students in collaboration with Fogg and Tax Clinic volunteer

Carl Smith ’81. Smith deserves the credit for developing the

overall strategy to challenge the IRS interpretation of filing

deadlines, and the students who have worked on the briefs

and oral arguments have continued to hone the basic

argument, Fogg says.

Even if we don’t win in the courts, we hope to win the issue

by bringing to light the inequities that can prevent taxpayers,

usually low income taxpayers, from having their day in

court because of the obstacles placed in front of them by the

IRS or other sources,” says Fogg.

Feinberg’s tasks over the term included talking with Smith

and Fogg to better understand the legal arguments, reading

the case law and the briefs, mastering the arguments put

forth by others, and participating in three moot court appear-

ances in which she was grilled on the fine points of the

applicable cases and statutes.

Feinberg accomplished her work on behalf of Ms. Cunning-

ham while simultaneously handling the cases of five other

Tax Clinic clients and working on an amicus brief in another

case.

The Cunningham case involves Internal Revenue Code

(IRC) 6330, which, like IRC 6015, was added to the Code in

1998. It is the first case on the jurisdiction of IRC 6330 to

be argued before any circuit court. Section 6330 gives a tax-

payer 30 days to petition the Tax Court following a determi-

nation that the IRS can levy upon their property. The deter-

mination letter that the IRS sends to taxpayers says that you

have 30 days to petition the Tax Court and that the 30 days

starts on the day after the date of the letter. Ms. Cunningham

interpreted the letter in a way that caused her to file her Tax

Court petition on the 31st day after the date of the notice.

Full story is available in Harvard Law Today.
My experience at HLS’s Federal Tax Clinic

By Varsha Bhattacharya LL.M. ’18

I am a tax lawyer, hailing from India. I did my first law degree in India and worked there for four years with a law firm prior to coming to Harvard. While many factors went into my decision to do my LL.M. this year, the primary one was to gain a different experience by placing myself in unfamiliar situations. Consequently while beginning my LL.M. year this August, one of my main aims while choosing courses was to pick as wide a variety as possible. This led me to apply for a clinical course, which Harvard alumni had strongly recommended to me.

Coming into the Federal Tax Clinic, I was not sure what to expect. At my law firm back in India, I dealt mostly with corporate clients. However, I represented some individuals in their tax cases and also undertook some pro bono work in conjunction with a non-profit organization, and I remembered those as being some of my most memorable assignments because of the personal connection they involved. I wondered if working at the clinic would feel similar.

During my first few days at the clinic, I was a little overwhelmed because the entire system was new to me. Not only the body of tax law, but also the manner in which courts and administrative proceedings work in the United States is different. However, after initial hiccups, things were smoother and rewarding.

I found the environment at the clinic to be quite encouraging. The attorneys heading the clinic are extremely supportive, and helpful irrespective of the sort of questions posed to them. Their welcoming attitude to discussions helped clarify a lot of fundamental issues. The discussions we had during lunch sessions about our cases were also helpful. Hailing from a different jurisdiction and culture felt less of a hurdle, and more of an attribute, because it helped bring in a different perspective to issues such as interpretation of provisions, etc. Additionally, and very significantly, I realized that getting the work right lies in caring about the client. The moment I call a client, hear their story, and feel a direct connection with them as their representative, I feel a greater responsibility to give them the best chance in their case. While not every endeavor on behalf of a client is successful, and it can be disheartening when you cannot make headway, it pays off when there is a positive result for even one client.

I would wholeheartedly recommend taking a clinical course to anybody studying at HLS. It has been a valuable learning experience. I sincerely believe that I will leave HLS with a practical experience that a lot of my peers may not gain. While the structure of the clinic comes with certain challenges (mostly lack of continuity in cases as students keep changing every term), I feel that the benefits far outweigh any issues that may arise.

CYBERLAW CLINIC

Cyberlaw Clinic Files Brief for UN Special Rapporteur in Microsoft Ireland Case

Via Cyberlaw Clinic

On December 13, 2017, the Clinic filed an amicus brief in the United States Supreme Court on behalf of United Nations Special Rapporteur on the Right to Privacy Joseph Cannataci in the case United States v. Microsoft. The case—commonly known as the “Microsoft Ireland case”—presents the question of whether a search warrant issued in the United States pursuant to a U.S. statute can compel Microsoft to produce to the U.S. government the contents of an email account stored on Microsoft servers in Ireland. The Supreme Court is hearing the case on appeal from a decision by a three-judge panel of the United States Court of Appeals for the Second Circuit, which held that the U.S. could not enforce a warrant seeking digital information stored on overseas servers.

The Clinic’s brief on behalf of Special Rapporteur Cannataci supports neither party with respect to the question of domestic law at the heart of the case. But, it offers important context about Internet jurisdiction and places the right to privacy in its proper context against the backdrop of global human rights laws and norms. Specifically, the brief urges the Supreme Court “to recognize the universality of the right to privacy, as first recognized in New York on December 10, 1948 when the U.N. General Assembly adopted the Universal Declaration of Human Rights.”

The brief goes on to note that, because of the complexities associated with applying traditional international law principles of territoriality to online privacy, there are no easy answers to the questions raised in this case. Moreover, a sweeping ruling from the Court could have significant repercussions on international efforts—including those already underway—to develop streamlined processes that balance competing interests in scenarios like the one presented by this case. In light of those efforts, the Clinic argues the Court should rule narrowly and thereby “respect the privacy interests of other nations and foster international cooperation.”

Mason Kortz and Vivek Krishnamurthy on the Cyberlaw Clinic team worked with fall 2017 Clinic students Osvaldo Galeano-Gamera LL.M. ’18, Devony Schmidt J.D. ’19, Jon-Paul Berexa J.D. ’19, and Levi Barry J.D. ’19—along with Special Rapporteur Cannataci—in the brief.
**HEALTH LAW AND POLICY CLINIC**

“I participated in the Health Law and Policy Clinic for three semesters. My experience in that time reflected how much the federal health care landscape has changed in the past 20 months. In the beginning, I worked on policy roadmaps designed to give advocates an idea of how to expand access to care in their state. I also worked on helping advocates understand how the new administration's policies would affect the people they worked for. In my third semester, I worked on protecting vulnerable populations from policies that would negatively affect their health. I drafted a comment letter advocating against work requirements in Mississippi, and wrote to legislators in Massachusetts urging them to oppose policies proposed by the governor that would restrict access to prescription drugs for people with conditions like Hepatitis C.

These diverse experiences exposed me to different forms and methods of policy advocacy, from narrow technical assistance to broad advocacy on national policy. I met advocates of various stripes, and saw first-hand the work they did and how it affected the lives of people living with chronic conditions and disabilities. Working in the clinic helped me develop my research and writing skills, as well as exposing me to how change happens. Further, the people who work at the clinic were as committed to my development as I was, making the experience that much more beneficial.

Working in the clinic was the most fulfilling and enriching part of my law school experience. My clinical supervisors, the engaging work I did, and the breadth of experience all contributed to a positive experience. I recommend the Health Law and Policy Clinic to anyone interested in policy advocacy of any stripes.”

— Michael Cunniff, J.D. ’18

**EDUCATION LAW CLINIC**

“Being a part of the Education Law Clinic was a rewarding and deeply humbling experience. Through crucial and warm guidance from the supervisors to direct interaction and advocacy for the students in the Commonwealth’s education system, it was an honor being reminded yet again how fortunate we are to be learning at Harvard Law School, and the responsibility we now carry with us to advocate and speak up for the future generation. The clinic professors and advisors, Mike Gregory, Susan Cole, and Anne Eisner, taught me and the entire clinic to practice empathy, and to always remember that each one of us brings a unique story and experience to the table and to remember that story as we advocate for the next generation. The Education Law Clinic was by far my favorite part of my law school career, and I hope to continue the work post-graduation.”

— Han Park, J.D. ’18

“I am sincerely grateful for the opportunity to participate in the Education Law Clinic. The Clinic is not only engaged in truly impactful work, trauma-sensitive learning and culture change in schools, but it also has the feel of a close-knit and collegial public interest law firm. Our clinical supervisors fostered teamwork and empowered students to take the lead on important projects. For example, we advocated for the inclusion of a line item in the 2019 state budget— at the Massachusetts State House, where we spoke to legislators, aides, and other stakeholders. The experience also exposed us to education policy and systemic issues affecting many families throughout the Commonwealth. In short, the Clinic taught me how powerful advocacy and legislative lawyering can be. I wholeheartedly recommend the Clinic to other HLS students and am confident that the Clinic will continue to do so much for children, families, and educators.”

— Rick Houghton, J.D. ’18
HOUSING LAW CLINIC (LSC)

"The Housing Law Clinic was one of the most impactful experiences I had at Harvard Law School. The clinic provided me with a diverse set of opportunities: representing low-income tenants, working with community organizations to help residents remain in their homes, and learning about the issue of affordable housing. I gained practical skills that will serve me well as I begin my career and gained a greater appreciation for how the law can be used to fight for the interests of vulnerable populations."

— Brandon Hill, J.D. ’18

CRIMINAL JUSTICE INSTITUTE

“The most valuable and meaningful experiences of my time at HLS came while working in the Criminal Justice Institute (CJI). CJI offered a mix of opportunities that I found nowhere else at the law school: the chance to represent and work alongside some of Boston's neediest individuals through every stage of a criminal case; supervision and guidance from talented, compassionate attorneys; and membership in a community of individuals who all shared a deep commitment to public interest. I will be a better lawyer for my time spent in the clinic, and am immensely grateful to have had the opportunity to serve Boston's poor as a part of such an incredible organization."

— Henry Druschel, J.D. ’18

My experience in the Criminal Justice Institute this past year has been the most valuable experience of my entire law school career. I came to law school with the understanding that there was only one type of lawyer: a trial-lawyer. Though I quickly learned that wasn't true, CJI gave me the opportunity to experience real life lawyering, to represent real people, with real issues at stake. Over the course of the year, I had a total of five clients who taught me so much more than any law school course could teach. CJI gave me the opportunity to write motions, to investigate, and to argue before a judge. CJI's most valuable asset is its Clinical Instructors. Professor Dehlia Umunna exemplifies what a fierce and zealous advocate means and is truly inspirational. I have been incredibly fortunate to be a member of the CJI community and to start my career with the experiences I have had here - experiences I am especially thankful for."

— Melissa Mikail, J.D. ’18

SAFETY NET PROJECT OF THE VETERANS LEGAL CLINIC (LSC)

“As an MD/JD student, I have always had an interest in health law. Working on Social Security Disability cases in the Safety Net Project allowed me to explore that interest in an area not particularly covered in the non-clinical curriculum. Indeed, because disability cases depend partially on finding a medically-documented impairment, it was also a great chance to become reacquainted with medical charts and histories. And, working with clients is always a privilege. The work in the Safety Net Project allowed me to hone in my skills in explaining complex medical conditions to administrative law judges – as well as help clients who were not going to be represented by the private bar. It was a fulfilling way to end my time in law school.”

— George Maliha, J.D. ’18

TRANSACTIONAL LAW CLINICS

"My experience at the Transactional Law Clinics was practical and rewarding—it complemented my overall law school experience."

— Cristina Meinz, J.D. ’18

“Working with the Transactional Law Clinics was one of my favorite parts of my law school experience. Coming from an engineering background, I particularly enjoyed learning how to apply what I've learned at HLS in real cases to help those in our community. During my two semesters in the clinic, I developed skills I'll need as a lawyer that are rarely taught in a classroom and reinforced my decision to be a transactional attorney. The supervising attorneys in the clinic were instrumental to my growth and not only taught me the basics of how to be an effective advocate, but also took the time to share their experience and wealth of knowledge when complicated issues arose. I am grateful for the opportunities and experiences the Transactional Law Clinics have given me and I hope to continue to grow as a lawyer in the years to come.”

— Shivang Patel, J.D. ’18
FOOD LAW AND POLICY CLINIC

Making the Case to Clarify Safety Procedures for Food Donation

By Molly Malavey, J.D. ’18

Members of FLPC’s food waste team had the exciting opportunity to attend April 2018’s Conference for Food Protection’s (CFP) Biennial Meeting in Richmond, VA, bringing the issue of food donation for the Council’s consideration. CFP is a wholly unique non-profit organization that gives food regulators, industry, academia, consumers, and professional organizations an opportunity to engage in a formal process to provide input into influential food safety guidance, such as the FDA Food Code. The FDA Food Code includes model food safety standards for the food retail and food service industries, and a version of the Food Code has been adopted by all 50 states.

The CFP’s model for deliberating and accepting issues is both fascinating and exceedingly particular. Any interested party can submit an issue—often a specific change to the FDA Food Code—for consideration. At the Council sessions, submitters briefly make their case to the designated Council, and the Council formally deliberates the issue using a process governed by parliamentary rules. The Council has broad discretion to accept, amend, or deny submissions. Once the Councils makes their recommendations, an Assembly of State Delegates votes to either accept the recommendations or to extract issues for deliberation by the CFP Executive Board. When issues are accepted, either as submitted or as amended, the CFP will take actions such as forming a committee to study a topic or sending a letter to FDA recommending a change to the FDA Food Code.

FLPC presented on food safety for food donation in Council I, Laws and Regulations with the recommendation that the FDA Food Code clarify food safety procedures that apply to food establishments when they donate food to food recovery organizations.

Nothing in the current FDA Food Code prevents the donation of food, but restaurants and retailers are often unsure about the specific safety procedures they need to follow when making donations. Since the FDA Food Code, and most state laws, don’t specifically address which food safety laws apply to food donation, potential donors are left wondering what procedures they must follow to donate safely and in compliance with the law. This confusion and lack of clarity causes potential donors to err on the side of caution and decide not to donate at all, contributing to food waste. Model language in the FDA Food Code affirming that food donation is lawful and specifying food safety procedures for food donations would go a long way toward facilitating food recovery, and would ensure that food is donated safely.

Council I, made up of twenty-two representatives from regulatory agencies, industry, academia, and consumer groups, heard our issue on Day 3 of the Conference. Prior to our presentation, we spoke with several Councilmembers who expressed support for the concept of food donation. Yet we could not predict how our issue would be received by the Council, as our proposal would add an entirely new section on this topic to the FDA Food Code.

The Council’s ultimate resolution was positive. After a long deliberation at the initial hearing on whether the FDA Food Code is the proper medium for food safety guidance for donations (and FLPC believes it is), the Council tabled our recommendation.

Upon rehearing, the Council determined two things. First, it accepted that language be added to the FDA Food Code to clarify that it does not preclude food donations. Second, it determined that a committee should be created to evaluate existing food safety guidance and recommend specific language to be added to the FDA Food Code at the next CFP meeting in 2020. Overall, this was a big step forward for food recovery at the CFP!

This major step for food recovery was the icing on the cake of a great week at the CFP, which proved to be an exciting event for anyone interested in the food system and policy making. While at first the rigorously-procedural nature of the CFP seemed tedious, I grew to love it. It doesn’t take long to see that Council members deeply care about the exercise, and consistently give patient and respectful consideration to every matter that comes before them. Ultimately, these procedures facilitated interesting conversation, especially given the wide array of industry and regulatory interests and viewpoints. At the end of the day, all opinions were welcome at the table.
CHILD ADVOCACY CLINIC

Finding purpose at the Child Advocacy Clinic

By Charlotte Robinson, J.D. ’18

I came to HLS knowing that I wanted to work with children and young people – I just wasn’t exactly sure what that would look like - whether it would be in education, child welfare, juvenile justice, or something else entirely. The Child Advocacy Program (CAP), through its Child Advocacy Clinic, provided opportunities in a whole range of areas related to young people so it felt like a great place for me to try and explore my different interests. The Child Advocacy Clinic exposes students to both substantive legal issues affecting children and the myriad ways that lawyers can work for social change, by matching students with fieldwork placements located in the Boston area and throughout the U.S.

Before the Clinic was due to start, I was still torn as to which substantive area and organization I should select as my top choice. But after meeting with CAP’s Assistant Director Crisanne Hazen and discussing the experiences I had had thus far along with my current interests, I found myself heading to the Youth Advocacy Division (YAD) of the Committee for Public Counsel Services (CPCS). YAD is the arm of the Massachusetts public defender office that represents minors in juvenile justice proceedings.

While at YAD I got to work closely with several attorneys, both observing them in court and helping them to prepare for cases. My work involved a lot of research and writing, including, for example, general research into how to authenticate social media posts and whether we could argue that the police had not had probable cause to arrest our minor client for drug distribution based on an invalid “stop and search.”

My favorite project was writing a motion to dismiss in a case where a boy had been charged with possession of a knife. He had not hurt anyone. He had not tried to hurt anyone. He had not threatened anyone. He simply had a knife to protect himself from the pervasive violence in his neighborhood. For him, a $10 knife was an affordable option for self-defense, whereas a firearm was not. I wrote the motion to dismiss on grounds including that interpreting the second amendment not to include knives would discriminate against people living in poverty for whom a firearm and registration are not affordable. This argument surprised and persuaded both my supervisor and the judge in the case, who ruled in my client’s favor!

My CAP placement was my first experience working at a public defender office and I had an almost immediate realization that this was the kind of work I had come to law school to learn to do. The Child Advocacy Clinic was therefore a real turning point for me. It offered something that my black letter classes simply hadn’t been able to, by giving me the opportunity to get direct and hands-on experience in an area of law that I was passionate about. My Clinic experience gave me the chance to meet and affect the lives of actual clients, and to see the pros and cons of working within a system that serves to give young people a chance at getting the due process that the U.S. Constitution provides to them. I am incredibly excited to be pursuing this work after my graduation this spring, and my Child Advocacy Clinic experience played a role in giving me a foundation of knowledge and skills to embark on this next phase of my professional career.
The following January, I interned in the Legal Department for the National Football League as part of the Sports Law Clinic. I appreciated the opportunity to see the varied types of legal work in league offices and to network with lawyers in those offices.

While I thoroughly enjoyed those experiences, I wanted to see what it was like to work on the team side during my 3L year. I specifically hoped to gain experience working on salary arbitration cases for teams. In Major League Baseball and the National Hockey League, select players that qualify for arbitration are eligible to negotiate a raise in salary based on their production. If the team and player cannot reach an agreement regarding a fair salary for the player, the parties then turn to an arbitration hearing to determine that player’s salary for the upcoming season.

After discussing my desire to do salary arbitration work with Professor Carfagna, he connected me with Daniel Adler ’17, Director of Baseball Operations for the Minnesota Twins, and Don Fishman, Assistant General Manager & Director of Legal Affairs for the Washington Capitals. Through the clinic, I was able to set up placements at the Twins during our J-Term and the Capitals during the spring semester, working on salary arbitration cases with both organizations.

While at the Twins, I prepared research and analysis on a number of the team’s arbitration-eligible players. The salary arbitration process in Major League Baseball takes place in January and February, so the timing of the placement could not have been any better. The experience was incredible, and I loved every minute of my time in Minneapolis. I left the Twins not only with a solid understanding about the salary arbitration process, but also with immense respect for the Twins organization. My placement with the Capitals has just started and I am excited to learn more about the difference in salary arbitration cases between baseball and hockey.

While I am not sure what path my career will take, I am thankful that I had the opportunity to work for a number of different sports organizations during law school. There is simply no program like the Sports Law Clinic at Harvard Law School.
GOVERNMENT LAWYER: SEMESTER IN WASHINGTON CLINIC

Our Semester in Washington

By Jonathan Wroblewski, Lecturer on Law

Dear Students,

The 2018 edition of the Harvard Law School Semester in Washington Program (SiW) has now ended. In these last three months, we tried to stay focused and model and learn from government policy professionals. We did so by exploring issues arising from our placements and our work in government, from the headlines, from our own interests, and from the interests of our classmates. We read about the dynamics of bureaucracy and thought about how it applied to our placements and other government institutions. What are the institutional dynamics that affect success? What drives organizational culture?

We explored different substantive issues, including federal copyright policy, regulatory budgeting, implementing Obergefell in the Commonwealth of Virginia, fake news, the norms of the Senate, black box medicine, regulating financial institutions, government lawyering in times of crisis, and much more. We learned from one another, from government lawyers and policy makers in our placements, and from leaders in government, and the not-for-profit world. We met fascinating people, including James Wallner of the R Street Institute, Alec Karakatsanis, Founder and Executive Director of Civil Rights Corps, Trevor Burrus, Research Fellow at the Cato Institute’s Robert A. Levy Center for Constitutional Studies and Managing Editor of the Cato Supreme Court Review, Channing Phillips, former U.S. Attorney, and Paige Herwig, who most recently oversaw nominations for the Senate Judiciary Committee. We heard Justice Clarence Thomas reflect on his life and career. And we heard from a dozen or so SiW alumni who shared the work they have been doing since the Program and also a few words of wisdom.

During the semester, we looked at what policy making means and the building blocks that make up rigorous and thoughtful policy making. We tried to expand our thinking to include the effects of bureaucracy and governmental leadership. We worked on some critical skills for the policy lawyer and heard elevator pitches and PowerPoint presentations. We visited the Supreme Court and watched terrific oral advocates argue before the Court over the plain error rule and a statutory exclusionary rule. We set goals for ourselves; met many; and missed a few too. We worked hard at our placements and shared and learned from each other’s experiences. We thought about the ethical responsibilities of the government lawyer and what it means to take care that the laws be faithfully executed. We read about what makes an organization in the social sector great and how leadership and getting the right people “on the bus” factor into that. We ventured outside the Washington of tourists and monuments, and served some of the people who call Washington home, at Bread for the City and the Advice and Referral Clinic.

And we visited the new National Museum of African American History and Culture. We shared a few meals together and got to know one another. For each of us, there were expectations met, expectations missed, and a few surprises too.

As always, what was most gratifying for me was the chance to get to know each of you a bit and to create a small community of learning in DC. I enjoyed learning from you and seeing your energy and passion for justice and for our country over the past three months. I hope I helped channel that energy and passion and that you will now take your places as leaders who will contribute in real and measurable ways to improving our country and our world. In whatever you do next and throughout your career, there will be opportunities for you to serve. I am grateful that I got to spend the last three months with all of you.

I was fortunate to have spent my last semester of law school participating in Harvard’s Semester in Washington Program. By day, my fellow students and I each worked in different agencies and offices within the federal government. By night, we met as a class to learn about the unique ethical challenges that face government lawyers as well as how to be a good lawyer in a policymaking role. My placement was in the Office of the General Counsel at the Securities and Exchange Commission (SEC) where I had the opportunity to contribute to the substantive work of the office. It was the perfect complement to law school lectures. I had the chance to learn more than I thought possible about a substantive area of law that interests me while working at the very agency in charge of that area. All this while taking an intellectually-stimulating seminar about government lawyering. All in a single semester.

— Ed Stein, J.D. ’18
Student in the Government Lawyer: Semester in Washington Clinic

“Today, it is hard to sit on the sidelines. Spending the semester in Senator Durbin’s office gave me the opportunity to get involved in a new way. For example, working on immigration reform allowed me to bring to bear and build on my previous clinical and classroom experiences at Harvard Law School. I heard from constituents, worked with staff, and helped prepare for meetings and floor debate. I got to see what works and what doesn’t—what it takes to make law.”

— Kathleen Shelton, J.D. ’18
Student in the Government Lawyer: Semester in Washington Clinic
INDEPENDENT CLINICAL PROGRAM

Harvard Law students travel across the world in pursuit of clinical work

This winter term, over a hundred students have traveled to 62 cities across the world to pursue clinical projects with governmental agencies, legal services organizations, non-profit organizations and the judiciary.

Students can engage in clinical work with outside organizations through HLS’s Independent Clinical Program and Externship Clinics. Through the Independent Clinical Program students have the opportunity to be entrepreneurial and design a placement that will meet their individualized learning goals. This semester, students have designed a wide range of projects focusing on issues such as community economic development, domestic violence, international human rights, consumer rights, and voting rights located in 26 states across the U.S. and 22 countries worldwide.

Through Externship Clinics, students can also participate in on-site clinical work at hundreds of organizations across the United States. This semester they’re working with the Attorney General Offices in California, Iowa, New York, and Ohio; organizations such as the Office of the Federal Public Defender (Sacramento, CA), The Capital Appeals Project (New Orleans, LA), American Civil Liberties Union (Durham, NC); and private entities such as the Kraft Group (Foxborough, MA), Nashville Predators (Nashville, TN), and the National Football League and Brooklyn Nets (New York, NY). These experiences are further enriched in the classroom through discussions and reflections.

Student Placements for 2018 Winter Term

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Remedying segregation at historically black colleges and universities in Maryland

By Peter Im, J.D. ’18

Through the Independent Clinical Program, I spent one J-term at the Lawyers’ Committee for Civil Rights Under Law in Maryland. I worked on a federal bench trial about remediing constitutional segregation at historically black colleges and universities (HBCUs). During the first week, I was at the Lawyers’ Committee’s D.C. office preparing for trial and then I spent the next two weeks in Baltimore with the trial team. The case was filed in 2006, and litigation has dragged on for the last decade. In 2013, after the first trial, the judge found that the state’s perpetuating segregation at HBCUs violated the Constitution. This trial focused on the issue of remedies.

During the Jim Crow era, Maryland and many Southern states established public HBCUs as the black part of a de jure segregated system. Even after the end of de jure segregation, many states made some efforts to desegregate their white institutions but continued to shortchange their public HBCUs. Several federal lawsuits have addressed these practices, but the Maryland litigation is the first to do so in twenty years. As with desegregation cases and cases that address other systemic inequities in access to educational opportunity, crafting a successful remedy here is daunting. The Supreme Court has held consistently that the remedy must match the scope of the Constitutional violation, but what does this mean when the violation is a century of denying students and schools educational opportunities? And what does integration look like in the higher education setting, given that educating black leaders is a core part of HBCUs’ missions?

To address these thorny questions, the parties presented experts who relied on competing, often irreconcilable social science research. My task at the Lawyers’ Committee was to help prepare our experts to testify about the remedial proposal that they had prepared. Like in any complex litigation, the questions I worked on sometimes seemed distant from the main issues in the case. The experts had to defend their methods, so we discussed the relative merits of different social science methodologies. We explored how research, case studies, and data could be used to craft an “educationally sound and practicable” remedy. This work made me think about the larger question of how empirical research should affect court actions and how education litigation will evolve as we move into the era of “Big Data.” In decades past, courts could trust the expertise of experts who made qualitative claims. Moving into the future, empirical claims about remedies will increasingly need to rely on quantitative analysis. But what do we lose when courts of law privilege numerical data over the lived experiences of students?

It occasionally seemed a bit absurd that on the plaintiffs’ side alone, a dozen people were cooped up in hotel rooms away from their families for six weeks putting together slide decks, filing documents, preparing exhibits, and conducting meetings. But then I would remember that this case will have a huge impact: at stake is the fate of four universities. The outcome of the case will also reflect how Maryland, and ultimately other states, deal with the legacy of segregation.

My Independent Clinical in Sarasota

By Jessica Blanton, J.D. ’18

During winter term, I worked for three weeks at Legal Aid of Manasota in Sarasota, Florida. The experience was invaluable, and I would strongly encourage other Harvard Law students to take advantage of independent clinical opportunities.

Several of my cases involved domestic violence clients, and I was deeply moved by the stories they shared. Sadly, the theme of violence weaved through many of the cases, including those not explicitly about domestic violence. I worked on landlord-tenant cases, which, on the surface level, involved technical legal issues within tenant leases. However, a common underlying issue was that male landlords were threatening female tenants when they made a complaint about the condition of their homes, and thus the women could not safely advocate for themselves.

I was impressed with the commitment of the Legal Aid attorneys in the office, most of whom were retired attorneys working as volunteers. I noticed that clients were frequently relieved to have a safe space to share their stories, and they were often seeking emotional support in addition to legal advice.

Many clients suffered from a mix of chronic health issues, unstable home environments, and limited emotional support networks. I watched as the Legal Aid attorneys expertly balanced listening respectfully to their clients’ stories and directing the conversation to elicit necessary information about their case.

Previously, I had performed legal work in federal offices in DC and NYC (at the Consumer Financial Protection Bureau and U.S. Attorney’s Office), and I did not know what to expect at this small Legal Aid office in southern Florida. Fortunately, I learned that the substance and complexity of legal issues at the state level are no less interesting or challenging than at the federal level. At Harvard Law, our curriculum is often focused on federal law and federal courts, and students frequently seek clerkships with federal judges. Nonetheless, there is a clear need for motivated young lawyers to work at the state level and clerk for state judges, which I am now considering pursuing in my legal career.
INDEPENDENT CLINICAL PROGRAM

Reflecting on my Independent Clinical in Zimbabwe

By Mila Owen, J.D. ’18

Mila Owen spent the 2017 winter term at Zimbabwe Lawyers for Human Rights. At ZLHR, she was able to engage in a wide range of challenging and meaningful work and looks forward to continuing her working relationship with the organization, and furthering as much as possible the relationship between HLS and ZLHR.

Mila’s Reflection

“My goals for my winter term independent clinical were fairly straightforward – to do legal work in Zimbabwe, to get a sense of what being a lawyer is like in my home country, and to contribute to meaningful public interest work. I am grateful that the lawyers at ZLHR enabled me to accomplish much more. Even though the frenetic pace of work and high caseload of ZLHR staff meant that there was a significant amount of casework I am passing on to other interns, my last week fortuitously brought a number of satisfying project conclusions. A case challenging the criminal code provision that penalizes insulting the President was heard before the Constitutional Court – the very first case heard this term. It was a thrilling and educational experience to listen to oral arguments with a full understanding of the case, and in particular for a case I had contributed to briefing. I also finished scoping for potential work pursuing conjugal visitation rights for Zimbabwean prisoners, an extremely ambitious and progressive project that entailed fascinating research about the rights to marry and form a family, sex in prisons and programs to reduce prison violence and recidivism. Finally, an article I co-wrote on State obligations in the face of the current typhoid epidemic in Zimbabwe was published in a national newspaper on Tuesday.

I have also been able while I was there to discuss opportunities for ongoing collaboration between ZLHR and HLS. There is enormous scope for collaborative projects, ranging from future student placements to advocacy campaigns, and even contributing to writing new constitutional law and international human rights casebooks for the University of Zimbabwe. I hope to play a role in the collaborative work and also encouraging and facilitating other student involvement. It is very rewarding to feel that HLS gives me the opportunity to meaningfully contribute to such important work in my home country.”

This past winter term, Mila Owen returned to Zimbabwe Lawyers for Human Rights and worked on a project with the National Association of Societies for Care of the Handicapped, reviewing domestic laws that highlighted provisions that should be changed or added to better conform to the UN Convention on the Rights of Persons with Disabilities as well as Zimbabwe’s new Constitution.
INDEPENDENT CLINICAL PROGRAM

Defending the Indigent in Hawaii

By Cameron Pritchett, J.D. ’18

During winter term, I spent three fantastic weeks at the Federal Public Defender in Honolulu, Hawaii, through HLS’s Independent Clinical Program. Having spent both my 1L and 2L summers at law firms, this was my first opportunity to see a public interest setting.

Client Contact

At HLS, I have been fortunate to take classes with some of the most brilliant legal minds in the country. But due to inherent limitations, a classroom setting can only accomplish so much. The Defenders immediately put me to work doing something I am familiar with: legal research and writing. However, this time, I saw my research make a tangible impact on someone’s life. Since federal defenders carry a lighter case load than do most state defenders, there is more time to thoroughly research legal issues during plea negotiations and in preparation for trial. For example, one of my projects involved drafting a motion in limine to suppress a piece of evidence the government plans to introduce in an upcoming trial. I had the chance to not only conduct research, but also see how the findings influenced the team’s trial strategy.

Value of Competent Defense

Working with Defenders also affected my view of the criminal justice system overall. In the federal system, to say that defendants have an uphill battle is an understatement. My criminal procedure class, under the instruction of Professor Paul Butler, explored many of the inequities in criminal law. But it was still shocking for me to see how these things developed in reality. Whether it is Miranda warnings, searches and seizures, coerced confessions, and a number of other topics, prosecutors have an advantage.

Accordingly, the constitutional right to attorney representation is a bedrock part of our legal system. The Defenders supply counsel to individuals immediately after they are arrested and booked. As defendants speak with pre-trial services regarding basic facts about their background, the Defenders are there to ensure the person’s right against self incrimination remains intact. Similarly, it is the Defenders filing motions to secure a defendant’s release pending trial and it is them arguing to continue sentencing for an additional week so that one person had a few more days with his family. In Honolulu, I observed passionate individuals who were unanimously intelligent, dedicated, and professional. And they had to take on some of the most challenging cases one could imagine.

This opportunity has opened my eyes to an entirely different setting where effective lawyering happens. I am still unsure about my career path, but this J-term has certainly piqued my interest in a career as a defense lawyer.
A Commitment to Pro Bono

This academic year, 49 students chose to spend their spring break traveling across the U.S. and Puerto Rico to provide legal services to communities in need. 29 students traveled to Puerto Rico to provide legal assistance in the aftermath of Hurricane Maria by working with Ayuda Legal Huracán Maria and Fundación Fondo de Acceso a la Justicia, and to provide humanitarian relief by working with the Christian Community Center in Camito. Within the U.S. students also worked with American Gateways in San Antonio, TX, assisting the low-income immigrant community; and with the Delta Directions in Clarksdale, MS, developing community and state-based policy strategies for improving water testing and childhood blood lead level surveillance policies in Mississippi. Locally, students also worked at the Volunteer Lawyers Project of the Boston Bar Association and Project Citizenship.

2018 SPRING BREAK PRO BONO TRIPS

Law students help to mend Puerto Rico

29 travel to hurricane-damaged island to provide legal services, rebuild homes

A few weeks after Hurricane Maria swept Puerto Rico last September, Harvard Law School student Natalie Trigo Reyes ’19 visited the island where she grew up, and found an unrecognizable landscape.

“Everything was brown, barren, leveled to the ground,” said Trigo Reyes on a recent morning in Wasserstein Hall. “It looked as if the island had been hit by a nuclear bomb.”

Six months later, Puerto Rico is still reeling from the devastation, but to Trigo Reyes, who just came back from a weeklong trip as part of a humanitarian and legal brigade, the outlook is hopeful.

“Now, there is vegetation, and you can see the green,” she said, “and even though the government response has been slow and insufficient, there is a sense of hope.”

Trigo Reyes led a group of 29 HLS students who traveled to Puerto Rico over spring break to lend a hand to local residents who are still struggling to obtain disaster relief aid. Puerto Rico is a U.S. self-governing territory and its inhabitants are American citizens, although they can’t vote in presidential elections or elect representatives to Congress.

The HLS trip was spearheaded by Andrew Crespo ’08, assistant professor of law, and coordinated by the Office of Clinical and Pro Bono Programs, led by Lee Mestre. The students joined forces with local groups such as Fundación Fondo de Acceso a la Justicia, Ayuda Legal Huracán Maria, Caras con Causa, and Connect Relief, all of which are working to protect the rights of Puerto Rico residents to federal assistance, employment, and housing protection.

Hurricane Maria was the most devastating hurricane to hit Puerto Rico in 80 years. The death toll reportedly surpassed 1,000, and tens of thousands are still living without electricity, safe drinking water, or adequate shelter. The destruction has deepened the woes of the territory, which was already facing a $70 billion debt.

For five days, HLS students helped dozens of people in eight municipalities across the island file appeals with the Federal Emergency Management Agency (FEMA) for disaster relief assistance. More than 60 percent of FEMA applications are denied due to lack of proper documentation, according to reports.

In some cases, residents lost their property deeds and other legal documents in the hurricane, and in others they lacked titles because they had inherited the land from their relatives without formal documentation. To receive disaster relief for house repairs, FEMA requires proof of ownership, and applicants must have proof of occupancy for assistance replacing lost personal belongings.

Students interviewed in Spanish, and a supervising lawyer prepared affidavits to support their appeals. While residents were glad to have the free legal assistance, they already are growing concerned about the next hurricane season, which starts in June.

“A lot of what we did was listen to people,” said Trigo Reyes. “They’re traumatized by the disaster and their losses, and they worry they still don’t have a roof over their heads, and the hurricane season is going to start soon.”

Credit: Courtesy of Thinlay Chukki
The Law School brigade outside San Juan.
The Harvard Law Immigration Project (HIP) serves as a voice on campus for immigration advocacy. We strive to elevate the voice of the immigrant community on the HLS campus while providing students with meaningful hands-on experience in immigration and refugee law. HIP has been particularly involved on campus during the debates about U.S. immigration policy and the global migrant crisis that put this area of the law in unusual focus.

I joined HIP’s Immigration Services Project in the fall of my 1L year. My case partner, another 1L from my section, and I were matched with a client from Central America who had recently been granted asylum in the U.S. with the help of the Harvard Immigration & Refugee Clinic. Our goal was to assist her with her application for permanent residency in the United States. Over the course of the semester, we met with our client several times to collect the required documents and prepare her application. While we continued assembling her materials over the winter, we took on a second client, also an asylee from Central America. We sent out both applications in the spring and waited impatiently for news from Department of Homeland Security!

The good news came over the summer: both of our clients were granted permanent residency in the U.S. Having learned over the course of the year what our clients had been through on the road to these applications, it was incredibly rewarding to witness their elation when their green cards arrived.

They are now on the path to citizenship and can finally build their lives in Boston with the protections and benefits of permanent residency.

As Co-President, I’m also excited for HIP to continue serving as a resource for students interested in immigration law. HIP members work on two other legal services projects: the Removal Defense Project, in which students represent Immigration and Customs Enforcement detainees in bond hearings before the Boston Immigration Court, and the International Refugee Assistance Project, which provides legal representation to refugees in Jordan, Syria, Lebanon and Iraq. HIP is also developing initiatives to provide students interested in immigration policy with resources to get engaged in the local community. Finally, HIP hosts regular speaker events with practitioners, judges, and HLS professors to highlight current issues in immigration and refugee law.

My experience with HIP has reaffirmed my commitment to working for the public interest in a client-centered role. I’m fortunate to have met a community of passionate and talented people with a wealth of experience in advocacy work.
PLAP court victory helps disabled parolees

Via Harvard Law Today

In May 2017, Massachusetts’ highest court extended the Americans with Disabilities Act to mentally and physically disabled prisoners seeking parole, ruling that the state must help them get support systems in place in the community. The Harvard Prison Legal Assistance Project filed the lawsuit, Crowell v. Massachusetts Parole Board, and Tabitha Cohen ’18 argued the appeal.

The suit was originally brought in state Superior Court but was dismissed on the motion of the defendant, the state Parole Board. PLAP’s Mike Horrell ’14 represented the plaintiff in the 2012 parole hearing that led to PLAP’s later lawsuit. Tucker DeVoe ’15 briefed and argued the case in the Superior Court. Erin DeGrand ’16 worked on PLAP’s appeal to the state Appeals Court, including coordinating the drafting of the appellate and reply briefs with Keke Wu ’18, Beini Chen ’18, and Ethan Stevenson ’17.

The plaintiff, PLAP client Richard Crowell, is a septuagenarian prisoner who, in 1987, suffered a disabling traumatic brain injury. He was originally arrested in 1962 as a teenager for a convenience store robbery in East Boston. He was recruited by several older men to drive a getaway car. During the robbery, one of the older co-defendants shot and killed the storekeeper and as a result, Crowell and his co-defendants were charged with first degree murder under the felony murder theory of culpability. To avoid the death penalty, Crowell pled guilty to second degree murder and received a life sentence. In 1974, his sentence was commuted from life to 36 years to life. He was then paroled and spent several years successfully living in the community, with the exception of some minor parole violations that were not serious enough to prevent re-parole. However, after he was attacked and suffered his brain injury in 1987, his behavior worsened and he returned to prison. Since 1990, he has been repeatedly denied parole.

PLAP’s Mike Horrell ’14 represented the plaintiff in his 2012 parole hearing. During that hearing the Board strongly suggested it considered the plaintiff impossible to parole because of his disability, a decision which would effectively consign Crowell to prison for the remainder of his life. After the client was again denied parole, Horrell helped to draft a complaint filed in the Superior Court seeking to reverse the Board’s decision and obtain a new hearing for Crowell. The central claim in PLAP’s complaint was that the Parole Board had discriminated against the plaintiff because of his disability. In addition, PLAP argued the plaintiff was entitled to annual parole reviews, rather than reviews every five years as contended by the Parole Board.

After the briefing was concluded in the Appeals Court but before the case was scheduled for oral argument, the SJC took the case for direct review and solicited amicus briefing on the disability rights issue raised by PLAP. In response, civil rights and advocacy rights groups including the Massachusetts chapter of the ACLU, Massachusetts Prisoners’ Legal Services, the Center for Public Representation and the National Disability Rights Network filed a consolidated amicus brief in support of PLAP.

After DeGrand’s graduation in June 2016, Tabitha Cohen ’18 continued PLAP’s representation and argued the case before the Supreme Judicial Court on Jan. 6, 2017.

“Tabitha was superb,” said John Fitzpatrick ’87, one of PLAP’s two supervising attorneys in attendance that day along with Joel Thompson ’97. Fitzpatrick added that, “Her poise and the content of her argument, along with her ability to comprehensively answer every of the many questions put to her by the SJC justices, was equal to or even better than many experienced appellate attorneys arguing before the court.”

Cohen said: “It was a tremendous honor and privilege to represent Mr. Richard Crowell in his prisoners’ rights and disability rights appeal before the Massachusetts Supreme Judicial Court. Thanks to the tireless work of my amazing supervising attorney, John Fitzpatrick, and all of my predecessors at the Harvard Prison Legal Assistance Project who worked so diligently on Mr. Crowell’s case, Mr. Crowell was able to make his voice heard in the state’s highest court. Arguing before the justices as a 2L has unquestionably been the highlight of my law school experience, and I cannot thank PLAP and everyone who worked so hard on this case, especially John, enough for this opportunity, and for entrusting me with this profound responsibility.”
I came to Harvard Law School because I wanted to make a difference. As an international student from Thailand, however, I wasn’t originally sure how that would manifest. Should I make a lot of money in corporate law to help my family? Should I become part of legal academia, thinking of new philosophical frameworks that could change the way we think about the world? Or should I be an activist for my people back home in an effort to finally establish a permanent constitution and democratic Thailand?

These are all big dreams. And they are all valid in their own ways. As I’ve come to learn through working with Student Practice Organizations and the clinical programs, however, our dreams can be difficult to put into practice. But therein also lies the magic: that no one’s dream can stand alone. What ultimately inspires me to pursue the dream of becoming a human rights lawyer is not so much the size of my dream or the grandeur of my narrative, but the people, the events, and the projects — the fact that we’re all doing it together as part of something larger, fighting for a seemingly impossible and ever-changing set of ideals that is human rights. And I learned all this by being part of the Harvard Law Student Advocates for Human Rights.

The day-to-day work of an individual Advocates member (and any lawyer, really) borders more or less on the mundane. While it was exciting to see my own project draw fruition with our letter to the UN special rapporteurs on a human rights violation connected to a gold mine in Thailand, I think focusing on the victories misses the point. In order to get the UN letter drafted, my individual team members had to first learn about UN systems, read up on the many violations connected with the mine, and research individual special rapporteurs and the best ways to approach them. Then we had to come together and compile all this information in an accessible form for our partner organization Fortify Rights. It was all very time-consuming, and, at times, it felt like we had to trust our client to know what best to do with the information we provided them. The fact of the matter, however, was that we did trust them — this non-governmental organization more than 8000 miles away. We trusted that their work would eventually help local villagers who suffered from cyanide poisoning and violent attacks because we trusted them as part of the human rights movement, fighting together for a better world.

Advocates leaves the same kinds of trust to organizations fighting for land rights in Liberia, advocating for waste pickers in Latin America, documenting human rights violations of asylum-seeking children in Israel, empowering mining-affected communities in Guinea, countering violent extremism in Tanzania, and holding people accountable for War crimes in Iraq. Our project leaders and members similarly know that it’s not about each of us making individual difference but all of us making differences as a team, and beyond. And it’s not just the project people who are cognizant of this fact. Our events team, for instance, has created a Human Rights Training Series, knowing that many students lack understanding about the fundamental building blocks of a different facet of international human rights. Our directors of organizing and direct action constantly seek out opportunities with other organizations on campus to make an impact on the ground.

As for me, as co-President, I’m little more than a facilitator, making sure things go along and confidentiality forms are filled out. It’s a good job. At the very least, I get to write and talk about all the wonderful things Advocates is doing as part of something larger that is human rights.
TENANT ADVOCACY PROJECT

My three years at the Tenant Advocacy Project

By Ming-Toy Taylor J.D. ’18

I joined the Tenant Advocacy Project (TAP) as a 1L because the organization’s mission resonated deeply with me. For nearly 40 years, TAP has helped tenants and applicants navigate the bureaucracy of subsidized housing in the Greater Boston area. Having grown up in Throggs Neck Houses in the Bronx, I’ve experienced first-hand many of the challenges that TAP works to address. During high school and college, my experiences drew me to service-work related to homelessness. In college and after, I worked in underserved schools where many students dealt with housing insecurity. TAP would be my introduction to the role of the law in this space, and allow me to make an impact with my budding legal skills.

As a brand new TAP member, I learned about the administration and funding of subsidized housing programs in Massachusetts; the various legal obligations placed on housing agencies by federal and state laws; the agencies’ official and unspoken policies; and the rights and obligations of tenants. I represented a fictional tenant in a mock hearing to practice the skills that I would use on behalf of my future clients: oral and written advocacy, direct and cross-examination, opening and closing statements, and legal research.

My most important learning experience was with my first client. He had become homeless after being evicted from an apartment he shared with an abusive partner. When he requested that his public housing application be treated as an emergency due to his homelessness, a housing agency denied this request.

The reason? They did not consider him homeless; despite his living in shelters or on the streets for over a year, they focused on some nights spent on a friend’s couch to recover from flare-ups of a painful, chronic medical condition. Together, he and I rehearsed how he would present his disability during an administrative hearing and gathered supporting documents. I prepared to argue that he was entitled to a reasonable accommodation based on his disability before a hearing officer, and opposite a housing authority attorney. My client, even before he knew the agency would place him in an apartment in short order, left that meeting feeling heard and empowered. And I was captivated by the experience of collaborating and succeeding with my client.

What I love about TAP—and what made me come back 2L year and devote my 3L year to being one of its presidents—is how personal the experience is. When you help someone with housing you learn about their history, their family, their hopes for the future, their neighborhood, their doctors, their support networks and more. As you do that “getting to know”, you learn about your voice as an attorney-advocate, and as a person.
My participation in the Recording Artists Project (RAP) has been my most important experience at Harvard law School. In fact, it was one of the reasons I came here in the first place. I had a fledgling interest in the music industry and RAP offered a hands-on opportunity to explore that interest while helping real industry clients. I have always felt music is a foundation of our culture and artists are accordingly vital stewards to protect. Moreover, it’s one of the only Student Practice Organizations at HLS with a practical focus on transactional legal training – hard to find in a law school classroom.

My first client was a musician seeking to release a multi-artist album on his newly founded label. My team and I drafted a form agreement that our client used to license the works from each of the album artists. My second semester at HLS we represented a band that was breaking up. Based on a pre-existing band agreement, we drafted a memo advising the members of their various rights with regards to their discography. Both semesters, I was a Team Leader where I acted as liaison between my team, the client and our supervising attorney. My responsibilities also included setting deadlines and discussing progress with our supervisor – it was a wonderful opportunity to practice client communication.

Through RAP I’ve gained skills and knowledge in three major areas: 1) entertainment/music industry norms; 2) transactional legal practice; and 3) project management. First, RAP trains its students in the complex business structures that make up the music industry and its key actors. Working with my clients showed me firsthand how different industry actors work together and how important their roles are; and furthermore how actors might take advantage of each other. Second, I learned how to read a contract and understand the relevance of “boiler plate terms” to real transactions – something which proved valuable in my 1L and 2L summers. Last, I gained practical skills related to project management including setting timelines, managing group dynamics, and client communication.

I expected RAP to be a fun way to learn about the music industry, get some transactional experience, and fulfill my pro bono hours. I was surprised that instead it became the foundation of my success at HLS. My second year I became the President of RAP – an invaluable lesson in leadership. RAP is the reason I secured my dream internship at Sony Music my 1L summer in New York City, and gave me the confidence to accept an offer to practice transactional entertainment law in Los Angeles after graduation. When my research paper on music copyright law won a UC Berkeley writing award this past Spring, I owed all my thanks to my RAP supervisor. More importantly, I have been surprised by the breadth of individuals RAP has helped, both directly through its clinical work and indirectly through its community work. Through activities like hosting the Boys and Girls Club of America on campus to organizing the Entertainment Law Symposium, I have had the privilege of making important lifelong connections. RAP is proof of the depth that work in entertainment law can offer.

By Jennifer Marr J.D. ’18
In law school, especially as 1Ls, we are convinced that being a law student means certain things. Our role models—professors, impressive alumni, upperclassmen—define the experience as revolving around specific markers of prestige. Clerking. Journals. Ames. And, perhaps most of all, arguing before a judge in court. That being a lawyer means litigating is reinforced by everything from movies and television to our casebooks themselves; when we learn the law almost entirely through appellate opinions, the lesson becomes that lawyering means standing before a panel of robed figures.

But for me, the most important thing I’ve learned at Harvard Law School is that I was all wrong.

Litigation plays an outsized role in how society attempts to solve problems. To be sure, court-talking lawyers are important, but they are just one of many types. The modern field of Alternative Dispute Resolution (ADR) has grown in response to the shortcomings of litigation, particularly the cost, time, and dissatisfying results symptomatic of court-imposed outcomes.

From my early days here, the Harvard Mediation Program (HMP) stood out as a way to answer a nagging question about the legal system and to help me achieve one of my main law school goals. The question was this: why does litigation sometimes seem so dissatisfying? The answer: because it often is. Every law student reads cases where the outcome just isn’t “right,” whether because it seems divorced from common sense or because a sympathetic party gets the short end of the stick.

Mediating with HMP has taught me there are other options. Parties working together within a flexible, collaborative process can arrive at win-win solutions that are less likely to emerge through the blunt instrument of litigation. In a low cost, neutral setting, people can share concerns, discover what makes the other party tick, and better understand what interests underlie their own positions.

Abraham Lincoln said it best: “Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often the real loser—in fees, and expenses, and waste of time. As a peace-maker the lawyer has a superior opportunity of being a good man. There will still be business enough.”

HMP has also helped me fulfill one of my top goals for law school: to acquire the “soft” skills I think are critical to being a lawyer—and to growing as a person. HMP members get exceptional training in how to listen, help speakers feel comfortable and heard, identify the forces animating disputes, and encourage sustainable outcomes. It’s gratifying to see parties respond to the skills I learned by opening up, recognizing each other’s views, and seeking common ground. As a mediator, it has been incredibly rewarding and empowering to talk through problems with people and help them realize a solution. I’ve had people hug me with tears in their eyes after a mediation, which is a grounding reminder of the “real world” after spending so much time in the HLS bubble.

HMP training also has value beyond the mediation context; it informs my every day life more than anything else I’ve learned in Cambridge. Mediation skills are a great way to improve interactions with friends, family, partners, colleagues, and even casual acquaintances. The “pop science” literature is rich with discussions of how showing real interest in others (rather than waiting for our own turns to speak) strengthens relationships and leads to success. And you know what? It’s true.

HMP is an amazing community of people, a terrific place to learn valuable skills, and a wonderful way to give back to the community by helping real people solve real problems.
I signed up to canvass with Project No One Leaves a couple of weeks into my first semester at Harvard Law School. I didn’t know much about the organization, and I was nervous about jumping in a car with 2Ls and 3Ls I had never met, to drive into neighborhoods I had never been. But I’m so glad I did. My Saturday mornings spent canvassing taught me some of the biggest lessons of law school.

Though Harvard students are lucky to have many venues to work on housing justice, Project No One Leaves is one of the only organizations on campus that teaches students what it feels like to participate in the community part of lawyering. Working with the veteran organizers at City Life Vida Urbana, an anti-displacement nonprofit and Boston community anchor that fights foreclosures and evictions, we identify specific properties or whole neighborhoods where evictions or foreclosures are occurring or imminent. Then we set off to try and help City Life stop them.

Every Saturday at 10 am, fueled by bagels and coffee and armed with clipboards, we hop into cars and set off to East Boston, Chelsea, Dorchester, or other Boston neighborhoods to knock on doors and talk to residents about their rights as homeowners and tenants. As a former reporter, I was used to bothering people on their doorstep at odd hours. But I had never done so to promote a cause I deeply believed in, nor to connect a person to resources they might urgently need — all while convincing them to rely, even a little bit, on a gaggle of students in matching red T-shirts standing incongruously on their stoop. Even without the added obstacle course of Boston traffic, this was much harder than my old job.

I learned new lessons: How to greet the curious pull of a curtain with a friendly shout of introduction, and how to know when to walk away; how to interrupt folks as they make breakfast for their kids to tell them, maybe for the first time, that their landlord was foreclosed upon and no longer owns their home; and how to listen for the infuriating and ubiquitous music of canvasses — the beep of smoke detectors in homes where landlords can’t be bothered to change a battery. Hardest of all, I learned how to spot when we are too late. Sometimes that means addresses marked in coal-black, modern fonts; enrobed in fresh paint; and outfitted with a glinting security system. More often it means vacancies — homes boarded up or halfway gutted, their families long gone. Even then, I learned to leave a red bag full of legal information hanging on the door-knob — a sign to the developer, and to the neighborhood, that we stopped by.

Though our efforts are modest, our team is mighty. The students I met at my very first canvass have graduated, but we’re still friends. Every canvass introduces me to more fellow students ready to spend their Saturday morning helping keep roofs over families’ heads. Like many things I’ve experienced here, the opportunity to work with these peers and with City Life is a gift I can’t repay, and it’s difficult to leave my time in Project No One Leaves behind. But I’m heartened to know that next year’s team of canvassers have it covered — and the lessons I’ve learned and friends I’ve made canvassing aren’t going anywhere.
Heather Artinian ’18: ‘When people tell me no, that just becomes more of a motivator for me’

Via Harvard Law Today

When Heather Artinian ’18 walks on stage to receive her HLS degree later this month, it will be the culmination of 18 years working toward the goal of becoming a lawyer. Beginning as a 7-year-old, in fact, she was as sure as a child that young could be that law school would be in her future.

That was one of many ways she was not an average 7-year-old. By that age, she had been featured in an Academy Award-nominated documentary. A viewer can see she was an unusually precocious child as well, asking the type of pointed questions that would make a lawyer proud.

She also is deaf, and enough of an observer of the world even then to notice how her two deaf parents were treated by people who could hear. “It was almost as if they didn’t exist,” she recalls. “Like they were invisible or people to be walked over. I remember watching them struggle to communicate and be taken seriously by their peers. That really upset me.”

Artinian told a teacher about the unfair treatment her parents faced, and asked what she could do about it. The answer: Become a lawyer.

She came to HLS aspiring to fight for justice and empower communities that are marginalized. As a student on campus, she simply wanted to be treated like everyone else, to have access to everything HLS has to offer its students, and to rise or fall on her own abilities.

The documentary, called “Sound and Fury,” chronicles a decision that has had a profound impact on her life. At the time, Artinian requested to receive a cochlear implant, an electronic device surgically placed under the skin that gives some deaf people the ability to hear sound. Her father in particular was against it as were other members of the deaf community, deeming it a rejection of deaf culture. By the end of the movie, Heather had agreed not to get the implant.

At age 10 she did get the implant, and later was the only deaf person in a mainstream school. Having the implant has maximized her ability to integrate among hearing people while she still feels a sense of community with other people who are deaf, she says.

During her time at HLS, she has had two interpreters for the classroom and other campus activities, though she makes a point of going to social events without them (the implant is most effective, she says, when she is in a one-on-one conversation or in a small group). She typically tells hearing people who’ve never met her—and also have never encountered another deaf person—that she won’t always understand their speech and they won’t always understand hers. After a while, people who get to know her, like they have at HLS, can forget she’s Heather a person who is deaf and think of her as just Heather.

There still can be obstacles in her path. Artinian recalls one professor who picked her name from a list of students to answer a question in class, but then, upon noticing that she was the student, said it was a mistake to ask her and posed the question to someone else. “That’s disappointing because it sends a message to students in class that I am somehow inferior or not able to answer the question or not as smart,” she says. Later she explained to the professor why skipping over her wasn’t appropriate, and the professor was apologetic. She will always speak up when she sees injustice, to make sure it doesn’t happen to the next person.

Artinian came to law school thinking her main interest could be constitutional law. But she took criminal law in her 1L year and loved it. She signed up for Harvard Defenders her first year and for the last two years has immersed herself in the Harvard Legal Aid Bureau, eventually becoming its intake director and typically devoting more than 40 hours a week there. As a student legal representative for HLAB, she has mainly worked on behalf of domestic violence survivors, in restraining order hearings and in family court. She was drawn to domestic violence cases because women in her family have experienced it and often people in marginalized communities are vulnerable to it.

“My experiences in both Harvard Defenders and the Harvard Legal Aid Bureau reaffirmed my commitment to social justice, especially for marginalized communities. The effects of poverty and bias are pervasive in multiple facets of the lives of those affected. I am forever grateful to Harvard Defenders and the Harvard Legal Aid Bureau; the organizations allowed me the invaluable experience of putting classroom lessons into practice. I was able to simultaneously serve the community, in which the law school lives, and gain practical litigation experience in the court room. As a Deaf lawyer-to-be; the courtroom litigation experience is critical in my professional development and hopefully, will serve to dispel anyone’s concerns about my abilities to litigate on the basis of my being Deaf.”

— Heather Artinian, J.D. ’18

Full story is available in the Harvard Law Today.
Class of 2018 Performs 376,532 Hours of Free Legal Services!

Congratulations to the Class of 2018 for their great accomplishment of 376,532 pro bono hours in service to the community. Students averaged 637 hours each, working at hundreds of different organizations. 83 percent of the graduating class participated in at least one clinic. Here are the students who completed more than 1,000 and more than 2,000 hours of pro bono service.

Over 2,000 hours

Schuyler H. Daum  
Ha Ryong Jung  
Margaret Kettles  
Hyungwoo David Kim  
Maithreyi Nandagopalan  
Catherine Elizabeth Ordoñez  
Katherine L. Robinson  
Aubrey L. Sparks  
Larkin Claire Turner  
Iris S. Won

Over 1,000 hours

Alicia Bello  
Carina Margret Bentata Gryting  
Brianna K. Beswick  
Jue Bai  
Katrina Marie Braun  
Joseph L. Breen  
Ross C. Brockway  
Marissa R. Brodney  
Chanda L. Brown  
Molly Elizabeth Bunke  
Jeffrey Campbell  
Elisabeth H. Carter  
Marco R. Castanos  
Stephanie R. Charles  
Catherine S. Choi  
Katherine M. Cielinski  
Cameron D. Clark  
Maya Cohen  
Tabitha P. Cohen  
Zachary L. Cowan  
Joseph H. Crupi  
Kelsey Jo Curtis  
Priscilla H. Dao  
Carson E. Denny  
Lucy M. Dicks-Mireaux  
Andrew Dennis Dillon  
Sarah Joy Dorman  
Henry John Druschel  
Jacqueline T. Ebert  
Michael Graham Ewart  
Nadia Laura Farjood  
Erik B. Federman

Charles William Fletcher III  
Aaron M. Francis  
Erika Christine Freema  
Richard M. Frost  
Emily K. Graham  
Robert Gustafson  
Conor T. Hartnett  
Candace J. Hensley  
Claire M. Horan  
Thomas J. Hughes  
Peter Im  
Ginger Jackson-Gleich  
Jyoti Jasrasaria  
Melinda K. Johnson  
Felicia R. Johnston  
Julia E. Jonas-Day  
Alexandra Christine Jumper  
Gurnasheen Kaur Kalkat  
Charles C. Kelsh  
Daniel J. Kieselstein  
Yehoshua S. Komarovsky  
Daniel E. Lasman  
Nimat N. Lawal  
Amanda M. Lee  
Megan Jungsun Lee  
Clarissa Lehne  
Corey J. Linehan  
Cassandra H. Liu  
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