As the Center enters its eleventh year of service, we are honored to be the recipient of two national awards from the Association of American Law Schools (AALS) which will be bestowed at its annual conference in January 2007. The William Pincus award will be given to Tony Alfieri for his leadership in clinical education. The Father Robert Drinan award will be given to Tony Alfieri and the Center for Ethics & Public Service for its decade of public service. The releases from the AALS have been overwhelming in their praise of Tony and the Center. From the AALS Section on Clinical Education:

The William Pincus Award honors one or more individuals or institutions of clinical legal education who have demonstrated excellence in service, scholarship, program design and implementation, and other activity beneficial to clinical education or to the advancement of justice.

For two decades, Anthony V. Alfieri has devoted his academic life to clinical scholarship and pedagogy, during which time he has published over 35 articles and essays in such leading journals as Yale, Stanford, California, Harvard and Columbia. His articles have covered a broad range of topics such as clinical legal education, poverty law, criminal justice and education and have been both influential and widely cited. He served as the founder and the co-chair of the AALS Clinical Section’s Committee on Clinical Scholarship and as a member of the founding Board of Advisors and Editors of the Clinical Law Review. While producing extensive and challenging scholarship, Professor Alfieri also founded and directs the University of Miami’s Center for Ethics and Public Service. Anthony V. Alfieri’s contributions have played a major role in shaping clinical legal education and make him a richly deserving recipient of the 2007 William Pincus Award.

The second award is the 2007 Father Robert Drinan Award from the AALS’s Section on Pro Bono and Public Service Opportunities. The AALS recognized the Center for law student training and education and service in the community:

The Center’s six in-house clinics and educational programs provide legal representation to low-income communities in the fields of children’s rights, public health entitlements, and nonprofit economic development. Since its founding eleven years ago, this award-winning Center has trained over 480 fellows and interns; educated over 15,000 members of the Florida bar, bench, Law School, University, and civic communities; and dedicated more than 111,400 hours to public service. Colleagues of Professor Alfieri attribute much of the success of this Center to his “vision, commitment, and energy.” Professor Alfieri has also made a tremendous contribution to scholarship in the areas of clinical education, criminal justice, legal ethics and poverty law. He has published more than 35 articles and essays in leading journals and his work has been cited more than 700 times in law journals and in the media. He has mentored a generation of clinical teachers and students and developed a new field of interdisciplinary scholarship integrating client narrative, critical jurisprudence, and the lawyering process.

The awards are a meaningful affirmation of the hours of public service given by the Center’s leadership team, Fellows, and Interns over the past decade.
I t has been yet another busy and innovative semester with the Corporate & Professional Responsibility Program (CAPR). The returning Fellows and incoming Interns proved to be hard working, intellectually creative, and collaborative. The continuing legal education (CLE) ethics trainings that the students developed and authored were challenging and cutting-edge. As a result, CAPR has received much recognition from area law firms, legal services organizations and government agencies, and has been asked for many follow-up CLE trainings during the Spring semester.

Sullivan & Cromwell Fellow Dean Mallett and Intern Serena Josephs composed and presented a complex training on Prosecutorial Ethics to the Miami-Dade State Attorney's Office on October 19th. Working in conjunction with Tom Headley from the State Attorney’s office, Dean and Serena delved into the challenging areas of prosecutorial discretion, reporting of misconduct, supervisor and subordinate attorney obligations, and due diligence in the context of criminal prosecution.

Zuckerman Spaeder Fellow Matthew Goheen and Intern Meredith Elder worked with the Legal Aid Society of the Dade County Bar Association to develop a site-specific Ethics CLE training on November 2nd. Matthew and Meredith, in conjunction with Juanita Cendan of Dade Legal Aid, worked on drawing out elements of family law which could develop into training on November 2nd. Matthew and Meredith, in conjunction with Juanita Cendan of Dade Legal Aid, worked on drawing out elements of family law which could develop into a complex training on Prosecutorial Ethics to Legal Services of Greater Miami (LSGMI). With the help of LSGMI's Director of Training and Development Margaret Zehren, the students composed two hypotheticals dealing with issues that attorneys may encounter in the representation of clients in housing, public benefits and joint representation. Margaret later commented, “I felt confident about the future of the legal profession after meeting with the students.”

Greenberg Traurig once again invited CAPR to conduct an Ethics CLE training dealing with the complexities and nuances of the Multi-Jurisdictional Practice rule, as it applies to a law firm with both national and international presence. The training addressed issues of multi-jurisdictional practice in the transactional, litigation and real estate fields. With the help of Jeff Gilbert from Greenberg Traurig, Intern Leslie Peterson and Greenberg Traurig Fellow Sara Paris created a complex training, which was discussed via teleconference in all of Greenberg's U.S. offices.

For spring 2007, Bankruptcy Bar Fellow Barrie Filhaber and Intern David Fuchs are preparing a training for the Bankruptcy Bar Association. Interns Daniel Lever and Jonathan Mann and undergraduate Intern Andrej Micovic are preparing a training for the Florida Immigration Advocacy Clinic.

As always, it has been a fast-paced and challenging semester with many great trainings, and more to come next semester. Through their work with CAPR, the student Fellows and Interns continue to inspire the greater Miami community to reach for the highest ethical standards of conduct.
In the Fall of 2006, the Community Economic Development and Design (“CEDAD”) Clinic Fellows and Interns continued to provide transactional and litigation assistance to low-income Miami-Dade County residents and community-based nonprofits in Liberty City, Overtown, and West Coconut Grove.

Interns Kiara Griggs and Jessica Frank, and John B. Alfieri Fellow Sarah Jones continued CEDAD’s long-standing tradition of corporate governance and community development outreach, working closely with community leaders at the Coconut Grove Collaborative, Inc. and the West Grove Homeowners and Tenants Association on anti-displacement strategies. They also strengthened CEDAD’s collaboration with the School of Architecture to better address affordable housing issues in Coconut Grove.

Moreover, Intern Stephanie Davis broadened CEDAD’s relationship with the School of Architecture’s Center for Urban Community Design, organizing a monthly “law and architecture” workshop to encourage dialogue between law and architecture students around urban planning. Next semester she will continue this partnership adding issues of “green” development.

Working with the School of Communication, Intern Brad Johnson and Undergrad Intern Sharon Cordello developed a symposium to address low-income housing issues arising from the Miami-Dade Hope VI scandal revealed in The Miami Herald’s “House of Lies” investigative report. On November 15, they held a panel discussion with reporters and editors of The Miami Herald and School of Communication Professor Sam Terilli to discuss the investigation and legal issues behind investigative reporting. More than one-hundred students from the Schools of Communication and Law attended the symposium.

CEDAD students also continued their exciting litigation team collaboration with Florida Legal Services under the supervision of Adjunct Professor Charles Elsesser. One group of students – Citizen’s Board Fellow Trung Nguyen, Ray H. Pearson Fellow Paul Kaster, and Interns Chris Lomax and Megan Connor – focused on HOPE VI litigation, conducting telephone interviews with displaced Scott/Carver Homes residents in Liberty City, and researching and drafting memoranda of law concerning the federal Uniform Relocation Act. A second group of students – Greenberg Traurig Fellow Ali DiMatteo, Fellow Troy Jordan, Intern Quinn Smith, and Undergrad Interns Patti Mazzei and Ashley Drumm – continued work with the Overtown community group Power U Center for Social Change to combat gentrification and displacement in Overtown. After successfully compelling the City of Miami to conduct an Environmental Assessment on an important tract of publicly-owned land last year, the team worked to persuade the City to use the land for an affordable housing project. To that end, they created a power point presentation on low-income housing options, and presented it at a Miami City Commission meeting in October.

Additionally, Intern Michelle Holmes began a new project this semester to provide the clinics of the Center for Ethics & Public Service with conflicts of interest guidelines. She has created and presented to the Center faculty recommendations for conflict checking, clearance, and screening procedures.
The Children & Youth Law Clinic had a productive second half of 2006. We provided legal services and law reform advocacy for children in the foster care system to help them make successful transitions to adulthood and self-sufficiency. In the fall, we enrolled 24 law students. They were joined by two forensic psychiatrists from the Department of Psychiatry, three undergraduates, and our new staff attorney, Wendi Adelson, a 2006 UM Law graduate, who is supervising students in immigrant children’s cases.

The CYLC prevailed in several administrative appeals involving the termination or reduction of clients’ Road to Independence (RTI) benefits by the Department of Children & Families (DCF). The RTI program provides financial support and services to former foster youth enrolled in school. Peter R. Palermo Fellow Jeff Greyber and Interns David Jacob and Joe Discepola successfully represented one client in a fair hearing to preserve his eligibility for benefits. Another appeal aided a client whose RTI benefits were threatened with termination. Intern Megyn Greider’s discovery requests and factual investigation laid the groundwork for a successful settlement, which allowed the client to remain enrolled in his architectural engineering program.

Several clients had RTI benefits terminated or reduced due to school absences related to pregnancy, child birth or lack of child care. In one case, DCF terminated a client’s benefits five weeks after she gave birth, even though she was permitted to be absent from school under its maternity leave policy. After CYLC argued that DCF’s action violated federal and state anti-discrimination laws, DCF withdrew its termination notice. Intern Kevin Roach is working on a First DCA appeal in another case addressing DCF’s obligation under federal and state law to provide child care before reducing RTI benefits. On a systems level, Intern Melissa Shaeffer drafted a new policy and Intern Eun Chang negotiated policy changes with DCF.

The CYLC achieved favorable results for foster children, to facilitate smooth transitions to adulthood. Jeff Greyber, with Interns Sam Randall and Niya Fonville, successfully advocated for two 17 year-old clients to receive Subsidized Independent Living benefits which allow them to live semi-independently with adult mentors in their final year in foster care while receiving financial and social work support from DCF.

The CYLC represented clients in disability, education, immigration, and guardianship cases. Intern Sarah King helped to secure over $17,000 in SSI disability benefits for a client in a complex federal appeal. Sarah and Intern Todd Allison represented a client in a hearing under the federal Individuals With Disabilities Education Act, which will be appealed to federal district court. Eun Chang obtained a permanent guardianship for a client abandoned by her adoptive mother’s family after her mother’s death. Eun’s factual investigation revealed that the adoptive mother bequeathed our client an estate worth over $100,000 that the adoptive family failed to tell the client existed, and the CYLC moved for discharge of the family members as guardians. Interns Ashley Mroczek and Andrew Vitali successfully petitioned to establish a guardianship for a young client whose mother was murdered by his father, currently serving a life sentence.

The CYLC participated in an array of innovative law reform projects. Intern Erin Kippe served on a newly formed Integrated Healthcare Project, which includes Juvenile Court Judge Jeri Cohen, Planned Parenthood and the lead private foster care agency, to reduce the number of unintended pregnancies, sexually transmitted infections and HIV among teens in foster care. We spoke at a national conference on Law and Adolescence, co-sponsored by the Juvenile Law Center and the Temple Law Review, on foster care client organizing initiatives to promote legislative change and policy reform.

The CYLC hosted an “It’s Your Life” life skills workshop in June for over 70 current and former foster youth, and spearheaded a “Know Your Rights” event in August at the Miami-Dade Circuit Court, for over 150 youth with help from Andrew Vitali and Rebecca Gutjahr. We participated as amicus curiae in a successful appeal supporting disabled foster children’s rights to receive developmental services on a crisis basis. Russell v. APD, 929 So.2d 601 (Fla. 1st DCA 2006). In October we participated in oral argument before the Florida Supreme Court on behalf of several children’s rights organizations advocating for amendments to the Florida Rules of Juvenile Procedure to require GALs and counsel for foster children in hearings on the administration of psychotropic medication with help from Florida Bar Foundation Fellow Meghan Jacobson and Intern Brian Barish. We are thankful to the Florida Bar Foundation and the Miami-Dade Children’s Trust for their generous support of over $180,000, and to the Bar Foundation for $70,000 in public service grants for our students.
STREET LAW:
Hunton & Williams and Palmer Trinity School Support Community Outreach
By Karen Throckmorton

Serving our community through the teaching of law and ethics is a privilege. This fall, nineteen students have worked in Street Law researching, analyzing, and presenting complex legal issues in class, then teaching them interactively to high school and college students. A recurring theme for us in all forums was the power of learning through teaching. Learning the law. Thinking through ethical dilemmas. Learning about other cultures. Learning about life.

Our work in five venues, the Palmer Trinity School, Miami Senior High, the University of Miami, Coral Reef High School and the Bay Point School, has been challenging and productive. Our new location is the Bay Point School, an alternative school for boys directed by Dr. Mary Lou Cole. William M. Hoeveler Fellow Mike Odrobina leads Interns Vance Aloupis, David Matz, Jason Bloom and Sean Steele in teaching lessons on the Eighth Amendment, the purpose of rules in society, Constitutional rights, the war on drugs, theories of criminology, the second amendment, and affirmative action. Each session has been intense, and many emotional, as the law students interact with these teens. Mike Odrobina stated that the law students have “gone in every week with positive attitudes, and have left each class with a heightened sense of hope. We are grateful that we have had the opportunity to act as mentors in the juvenile setting.”

At Coral Reef High School, John Hart Ely Fellow Michael Kim along with interns Melissa Morris and Joseph Discepola led four classes of sophomores, juniors, and seniors in the school’s legal magnet program. They addressed a variety of legal issues such as contracts, adoption, AIDS and privacy, the Bill of Rights, warrantless wiretapping, search and seizure, and habeas corpus. Michael Kim noted that “the students at Coral Reef are representative of Miami’s diverse community. They are not only extremely bright, competitive, and hard-working, but they also bring unique viewpoints and experiences from their backgrounds and cultures that add to discussion and debate in the classroom.” In addition to teaching, Michael, Melissa, and Joe assisted teacher Jan Jacobowitz in coaching the students for the “We the People” competition by helping the students with research, critiquing and editing speeches, and judging practice presentations of the speeches.

In the Miami Senior High legal magnet under Lead Teacher Ed Asper, Hunton & Williams Fellow Jenna Pantel and Interns Melissa Meleshkenker and Mindy Reinstein have taught in two sophomore classes. Issues debated include journalistic ethics, student’s free speech rights, MySpace, hostile speech, asylum for those with AIDS, the 5th Amendment, and music censorship. Students were able to participate in skits, write a “judicial opinion,” brief a case, and present legal arguments before the “Supreme Court.” Jenna was delighted that “each week the students were lively and ready to debate current legal and ethical issues. They would shout in excitement when the Street Law team walked into the classroom.”

At Palmer Trinity, in addition to biweekly teachings, Palmer Trinity Fellow Soozie Klock and Intern Sean Steele debated the Miami Dade County School Board’s recent banning of the book, Vamos a Cuba, from the public school libraries. As described by Soozie Klock, “The presentation consisted of an introduction by Professor Throckmorton, followed by oral arguments by Soozie for the plaintiff, the A.C.L.U, and by Sean for the Defendant, the School Board. Students were then given ballots and asked whether Vamos a Cuba should remain banned. The overwhelming majority [80%] voted to keep the book in the library.”

Our teachings in the undergraduate school continue to prosper. While exposing the students to Supreme Court cases that elucidate the Bill of Rights, we challenged them to be thorough, prepared, and to think analytically. Intern Jessica Levin, and undergraduate interns Jodie Barkin and Joe Neely led them through several oral arguments and interactive learning exercises. Jessica Levin, who hopes to one day be a law professor, reflected, “I have thoroughly enjoyed the experience of discussing current issues from a legal perspective with the undergraduate students because it has allowed me to see the value and significance of my intended profession.”

Our fall theme of reciprocal learning is best exemplified in this quote from Intern Jason Bloom who has been teaching at the Bay Point School. He is delighted that after months of weekly teachings at Bay Point, “some of the students have shown that the spark that we observed earlier in the semester is sincerely a ray of fine intellect.” Yet he is aware that “Street Law has been primarily a period of growth for me.” A double win.
After only a year and a half in the Community Health Rights Education Clinic (CHRE), Florida Bar Foundation Fellow David Cook has provided direct services to more than seventy people. From ensuring that HIV-positive clients have valid wills to representing disabled persons with pending matters before the Social Security Administration, Cook has made a difference in the lives of many of Miami’s poorest citizens.

“I’m particularly proud of my work with CHRE over the summer,” Cook said, explaining that along with Intern Sarah King he won two Social Security/Disability hearings through CHRE. Cook explains, “The first hearing resulted in an eighteen-year-old client with cerebral palsy receiving Medicaid, which allows him to receive physical therapy for his condition. The second hearing resulted in a homeless, HIV-positive client receiving Social Security disability payments, which have provided her with enough money to rent an apartment and purchase nutritional foods which she previously could not afford.”

CHRE interns continue to have a regular intake site at each of the Ryan White-funded HIV Clinics in Miami-Dade County, which include the South Florida AIDS Network (SFAN), the Miami Family Care Program, and the Pediatric Infectious Diseases and Immunology Clinic. Students are assigned to the UM School of Medicine Pediatric Mobile Clinic and receive regular referrals from Jefferson Reeves Health Center.

During the fall semester, CHRE student Interns and Fellows served nearly 150 individual clients in matters ranging from permanency planning, Social Security, immigration, public benefits, and other matters related to health. For example, last year, Cook spent every Thursday morning at SFAN, where he conducted initial intakes of potential clients in both English and Spanish. After assessing those cases, Cook provided direct services to those clients. Now, Cook, along with David P. Catsman Fellow M. McLean Jordan, directly supervises four CHRE interns placed at SFAN, including Intern Brian Toth whose arguments recently prevailed at a Social Security Hearing, winning a disability determination for a seven-year-old boy. “I had little knowledge of Social Security at the beginning of the year, and David took a lot of time to teach me the history of our case, the details of SSI, and how to be successful on appeal,” Toth said, noting that he considers Cook to be a mentor.

In addition to working directly with clients and supervising interns, Cook has also played a key role in advancing CHRE’s educational mission by providing trainings to the caseworkers at the South Florida AIDS Network. These trainings aim to teach front-line workers about the rights of their HIV-positive clients and how best to protect them. According to Cook, these rights include options for permanency planning in order to provide for their loved ones in the event of their death or permanent disability, their right to confidentiality with respect to their HIV status, and legal avenues for addressing and escaping domestic violence. “Our project embraces a model of holistic care,” Cook explained. “By emphasizing the training of providers in addition to patients, we can ensure that care providers who are in daily contact with the target population possess accurate information through which they can assist individuals living with HIV.”

While Cook focuses his work at SFAN, Kozyak Tropin & Throckmorton Fellow Aracely Alicea-Clark and Squire Sanders Fellow Sarah O’Dea, both third-year students, are spearheading significant policy initiatives in local schools. Hearing the stories of students in the Miami-Dade Public Schools whose HIV status had been wrongly disclosed spurred CHRE students to begin work on a policy regarding HIV-affected students. Alicea-Clark and O’Dea have led the charge this year by meeting with healthcare workers and students to craft a policy with true citizen input. They have advocated for HIV-positive students in the schools through their work at the Miami Family Care Center, ensuring that one student whose status was disclosed was able to transfer to a different school.

In addition to hearings and law reform efforts, many CHRE students find success in simply helping individual clients navigate the legal system. Intern Olga Porven has worked mainly with HIV-positive persons whose immigration status is tied to their illness. “I would say it is the small gains in each case that add up and make a difference,” Porven said. “Unfortunately, you cannot successfully guide every immigrant that walks into our door, but every piece of literature, every minute I helped them fill out a form, and every request I initiate to Immigration as a whole helps the immigrant population of Miami who remain in dire need of services.”

* Kennedy is a third-year law student who focuses on the interplay between health and immigration rights through her work at CHRE.
From its inception, the Center has acknowledged the value of creating forums for discussion and debate on issues affecting law, public policy, and ethics. It also recognized that the public service clinical experience expands beyond the practice of law, spilling over into other disciplines and raising issues of public policy in relation to a multitude of social problems. Accordingly, as the Center grew, it often joined together with other academic disciplines around the University to sponsor or co-sponsor seminars, workshops, and colloquia with the goal of creating universal learning experiences for law students, graduate students, and undergraduates alike.

Simultaneously, the Center began to formalize programs dedicated to exploring public policy and issues of legal ethics in institutions outside the University, namely, the Street Law and Corporate and Professional Responsibility programs. It seemed logical, then, that the Center would next seek to formalize a program dedicated to exploring legal, policy, and ethical issues with the University and local community.

Progress took its course this fall, as the Center announced its sixth program: the Law, Public Policy, and Ethics program (LPPE). This program, itself a collaborative effort between the School of Law and the College of Arts and Sciences, was to be both the formalization of the Center’s commitment to take part in interdisciplinary seminars, panels, and discussions around campus, as well as an opportunity to grow the undergraduate experience in the Center both in size and substance.

With these goals in mind – as well as the Center’s guiding principles of interdisciplinary collaboration, public-private partnership, and leadership mentoring – twelve enterprise law students began working head-down, full-steam ahead to launch the program. The students had little to work with in the way of indoctrination, but nonetheless forged ahead, energized by the prospect of having creative input into the development of something new and unique.

LPPE’s first events were workshops in the Phi Alpha Delta fraternity and the Pre-Law Advisory Club regarding legal ethics and the public defender’s office. Assistant Public Defenders Alison Fisher and Migna Sanchez-Lorenz, each attended a seminar to share their experiences. Interns Jessica Dunn, Michele Kalafer, Lindsay Leshin, and Monik Williams presented a history of the public defender system and debated professional responsibility scenarios with students and speakers.

In October, the students collaborated with Varsity Athletics to create a seminar entitled, “Performance Enhancing Drugs: The Case of Blood Doping.” Interns Elena Otero and Steven Safra moderated, presented, and organized the seminar, which included community speakers Dr. Patrick Zeitz of the Miami Heat, the Honorable Edward Newman, and Olympic track star Lauryn Williams. Owing to the wide array of speakers involved, the seminar was able to offer legal, medical, ethical and professional perspectives on this enduring problem in collegiate and professional sports.

In November, Interns Ryan DeRossett, Albert Gibson, and Lindsay Leshin with undergraduate intern Melissa Lustrin, provided an interactive workshop for the Office of Professional Advancement’s Paralegal Studies classes. The workshop reviewed the unauthorized practice of law as it relates to paralegal professionalism. Interns Susanna Hoffman and Zachary Learner, assisted by undergraduate intern Christopher Cook, provided a presentation entitled “Global Warming: Towards a Legal Solution” in Dr. Terri Hood’s Contemporary Environmental Issues I course, which is offered with the Center for Ecosystem Science and Policy. The presentation followed a screening of An Inconvenient Truth, and explored the legal and policy issues entangled in the government’s response to global warming.

LPPE concluded the semester with a panel discussion entitled “House of Lies: Uncovering Miami’s Public Housing Scandal,” which was a collaboration with the School of Communication as well as the Center’s Community Economic Development and Design Clinic (CEDAD). CEDAD Intern Brad Johnson and LPPE Interns Michele Kalafer and Monik Williams organized and moderated the panel, assisted by CEDAD undergraduate intern Sharon Cordello. Panelists Debbie Cenziper, Michael Sallah and Juan Vasquez, all of The Miami Herald, along with Assistant Professor Sam Terilli of UM’s School of Communication provided perspectives on investigative journalism and public corruption, and specifically The Miami Herald’s July 2006 expose on mismanagement and misappropriation of funding for public housing in Miami-Dade County.

After only one semester, the students have succeeded in working together to create something that prides itself on its ability to evolve in an open-minded and collaborative fashion. While the program has room to grow and further define itself, LPPE is already making an impact within the University community and is gaining momentum and support. Indeed, LPPE has already reached out to nearly 500 students in one form or another and has no intention of slowing down during the spring semester.
MISSION STATEMENT

Founded in 1996, the School of Law’s Center for Ethics and Public Service is an interdisciplinary clinic devoted to the values of ethical judgment, professional responsibility, and public service in law and society. The Center provides training in professional ethics to the Law School and the University as well as to the Florida business, civic, education, and legal communities. The Center also provides legal representation and economic development training to low-income communities. The Center observes three guiding principles: interdisciplinary collaboration, public-private partnership, and student mentoring and leadership training. Our goal is to educate law students to serve their communities as citizen lawyers.