"Only the educated are free."
*Roman Philosopher* Epictetus 55 AD

The freedom gained through education is the focus of STREET LAW, INC., which awarded our Miami STREET LAW program a grant to focus on increasing diversity in the legal community through educating diverse teens about the law. We are honored to be one of the ten law schools in the country to be included in this national initiative inspired by the “Diversity Imperatives” formulated in 2000 by the American Bar Association, the Association of American Law Schools, and the Law School Admission Council. Our teaching of legal concepts and analysis to diverse teens is based on the truth that a truly democratic legal system requires participation of all citizens to operate justly. Representational inclusion of diverse groups in the legal profession is a prerequisite to a strong and fair democracy.

This grant inspired our thirteen Miami Street Lawyers to create a three day law immersion designed to introduce teens to the judicial process, the law school, and the court system. From April 4-6, John Hart Ely Fellow Michael Kim, Palmer Trinity Fellow Soozie Klock, William M. Hoeverel Fellow Mike Odobina, and Hunton & Williams Fellow Jenna Pantel coached a group of twenty-three students in mock trial skills throughout this
continued from page 1

At the national STREET LAW conference for diversity in the profession, (standing l to r) Georgetown STREET LAW Fellow Charitama Hoell, STREET LAW, Inc. Director Lee Arbelman, (seated l to r) Karen Throckmorton, Georgetown Law’s STREET LAW Director Richard Roe, and UM Dean Emerita Jeannette Haasler.

Fernandez, and Monica Beamer. They toured federal court and were then privileged to practice their trials in two federal courtrooms with coaching from Michael Kim, and Interns Sean Steele and David Matz. On day three, a panel advised them on several issues in the legal field. Dean Marcy Cox discussed career options. Director of Student Recruiting Therese Lambert fielded questions about admissions and financial aid. Intern Mindy Reinstein discussed public service. Then, the litigation teams argued two trials on a criminal case involving exploding firecrackers in a high school locker. Judge Kevin Emas officiated over the first trial and Judge Celeste Muir conducted the second. Mock trial coach David Matz reflected that, “The students had great questions for all of the judges. All of their hard work paid off in their mock trials. The program was definitely a success by any measure.”

Remarkably, the dozens of law student hours dedicated to this high school outreach are in addition to the weekly STREET LAW teachings at five sites. Michael Kim and Interns Joe Discepola and Melissa Morris taught issues such as immigration, virtual reality games, eminent domain and defenses to homicide at Coral Reef High School. Soozie Klock and Intern Sean Steele had weekly teachings on issues such as estate planning, the death penalty, and hate crimes as well as drafting a Mock Trial for the Palmer Trinity students on issues in landlord/tenant law. STREET LAW Fellowship award winner Jenna Pantel and Interns Melissa Melshenker, and Mindy Reinstein taught at Miami Senior High on issues such as child custody, freedom of speech, gender selection, conflict diamonds, and music censorship. Melissa Melshenker and Intern David Matz spent weeks assembling and coaching a Miami Senior High team to compete in a high school mock trial competition. The dedicated Street Lawyers work over ten hours per week on top of law school serving teens in our community through STREET LAW. The goal is to serve the community and raise the level of critical thinking and legal analysis. Often, the Street Lawyer also becomes a beneficiary as illustrated in this reflection from STREET LAW Fellowship award winner and Hoeveler Fellow Mike Odrobina who taught troubled teens and has chosen to become a public defender:

I have truly enjoyed the opportunity the Center has given me to explore the kind of lawyer I want to be. Whether helping people now, or thinking of ways to help people in the future, the Center has given me what I believe are the start-up skills necessary to have a meaningful and productive career as a lawyer. Through the individuals the Center has honored and the guest speakers it has brought in to speak to us students, I have learned a great deal about how greatness can be achieved.
COMMUNITY HEALTH RIGHTS CLINIC FELLOWS WRAP UP YEAR OF INNOVATION
By CHRE Director Jo Nel Newman

Third year Fellows Aracely Alicea-Clark, David Cook, McLean Jordan, Jennie Kennedy and Sarah O’Dea have much to be proud of this year. As the first-ever group of Student Directors of the Community Health Rights Education Clinic (“CHRE”), they launched a number of innovations that will be regular features of the Clinic in years to come. Before the year began, they assisted in the selection of incoming students and helped plan the agenda for the year. At the beginning of the school year each of the Student Directors was assigned to manage a particular UM/JMH site where CHRE students provided legal services to over 135 impoverished clients this year, and to provide training, interim supervision and “back-up” assistance to incoming interns in a particular substantive area of the law. Kozyak, Tropin, & Throckmorton Fellow Aracely Alicea-Clark and Squire Sanders Fellow Sarah O’Dea managed the Batchelor/Family Care Program site and coordinated work and referrals with the Pediatric Mobile Clinic. They provided expertise on Social Security disability law. Florida Bar Foundation Fellow David Cook and David P. Catsman Fellow Mary McLean Jordan managed the South Florida AIDS Network site – by far our busiest – and assisted interns with public benefits and permanency planning questions. Citizens Board Fellow Jennie Kennedy coordinated work and referrals from the Jeffrey Reeves Clinic and managed the immigration work of the Clinic.

In addition to coordinating scheduling and case assignment each week with the medical partners and supervising Clinic interns, each of these individuals maintained their own case loads, which often consisted of the most challenging cases the Clinic handled. For example, Jennie Kennedy prepared and worked on the litigation of a challenging asylum case in Immigration Court on which a young Haitian immigrant depends for her very survival. Aracely Alicea-Clark and Sarah O’Dea filed and litigated a Rule Challenge under the Florida Administrative Procedure Act before a State Administrative Law Judge in Tallahassee. The case has significant precedential value both in Florida and on a national scale because it challenges an agency’s exclusion of undocumented immigrants from a health-related program without a clear statutory mandate to do so from the State legislature. David Cook and McLean Jordan prepared and filed a Cancellation of Removal petition on behalf of an immigrant whose health could be ruined if she is returned to her country of origin, and successfully litigated a number of Social Security disability cases which made an enormous difference in the lives of their clients.

Under the leadership of these Fellows, the Clinic also organized and conducted trainings of caseworkers and doctors on legal issues relevant to the patient/client community we share. Jennie Kennedy, working with Intern Brian Toth, launched the “Doctors Make the Difference” series of trainings for the Community Health physicians at UM/JMH, which are designed to show doctors how their work can impact and assist patients with important legal matters. David Cook and McLean Jordan, working with a number of interns, trained caseworkers on legal aspects of domestic violence, immigration and public benefits issues. Aracely Alicea-Clark and Sarah O’Dea undertook several important public policy and education projects, including partner notification in HIV-related cases and the rights of HIV+ students in the public schools. As Intern Olga Porven remarked, “the [five Student Directors] have helped us solve our client’s problems creatively and with initiative.” CHRE and its clients owe these Fellows a lasting debt.

(Seated l to r) David Cook, McLean Jordan, Sarah O’Dea, and Aracely Alicea-Clark lobbying for increased support of clinical programs at the law school.

CEDAD sponsored panel discussion at the Frankie Rolle Center addressing solutions to the increasing gentrification of the West Grove.
The Community Economic Development and Design Clinic (“CEDAD”) is excited to welcome the newest member of our team – Purvi Shah, a graduate of Boalt Hall Law School at the University of California, Berkeley and a New Voices Fellow at Florida Legal Services. Purvi joins Senior Fellow and Adjunct Professor Charles Elsesser, a staff attorney at Florida Legal Services, and Professor Tony Alfieri, in supervising CEDAD partnerships with low-income, nonprofit groups in Liberty City, Overtown, and West Coconut Grove. Under this able leadership, Greenberg Traurig Fellow Ali Dimatteo, Citizen Board Fellow Trung Nguyen, Lewis B. Freeman & Partners Fellow Trey Jordan, Interns Quinn Smith and Chris Lomax, and Undergraduate Intern Ashley Drumm worked throughout the spring semester with displaced residents of the former Scott Carver public housing project. In a victory for these residents, the City of Miami recently agreed to replace all 850 residential apartments lost through the demolition of the Scott Carver homes. CEDAD students are now in a unique position to aid residents in rebuilding their community. To this end, students are meeting with former residents to discuss needed services as well as ways to reunite the community. Students also researched the history of Scott Carver and Liberty City and soon hope to draft a plan to create a historical museum on the Scott property in cooperation with the University’s School of Architecture and the College’s Department of History. The students are also working on developing health and environmental studies to examine the adverse health effects of displacement on the former Scott residents. In fact, Trung Nguyen and I attended a forum on Race and Economic Justice in Berkeley, California in April where we worked with academics, legal advocates, community activists, and clinical students from the law schools at Boalt Hall, CUNY, Fordham, and UCLA on common issues of community development and displacement across the country.

Continuing efforts that began last semester, Ray H. Pearson Fellow Paul Kaster and Intern Megan Connor addressed criminal justice issues emerging from ongoing efforts to assist former public housing residents in Liberty City. Working closely with Florida Legal Services, the Office of the Miami-Dade County Public Defender, and relocated former residents of Scott Carver, they pursued the reinstatement of now rehabilitated drug offenders who were evicted from public housing units under the Miami-Dade County Housing Agency’s “one strike” policy. Megan Connor reflected on her experience: “The project will likely continue into next year, but already the experience of helping people who have faced severe repercussions for a single mistake is a huge reward for a year’s hard work in CEDAD.”

CEDAD students also had an integral role in the Coconut Grove Village West. John B. Alfieri Fellow Sarah Jones, and Interns Jessica Frank and Kiara Griggs worked closely with the Coconut Grove Collaborative, Inc. in an effort to obtain nonprofit subsidies for the construction of low-income housing. The collaboration entailed research and writing projects on land conveyance, inclusionary zoning, and conflicts of interest. It also involved the presentation of a power point workshop to illustrate ways developers may partner with nonprofit groups to build affordable housing. The presentation was shown to developers and to City of Miami Commissioner Marc Sarnoff. Students also met with University President Donna Shalala, Provost Thomas LeBlanc, and School of Architecture Dean Elizabeth Plater-Zyberk to plan for continuing, cross-disciplinary collaborations among the University’s graduate schools on community development and poverty. Indeed, Intern Stephanie Davis participated in the School of Architecture’s Green Conference with the entire CEDAD family coming out to volunteer and support environmental sustainability initiatives. Both Stephanie and Intern Brad Johnson, as well as Undergraduate Intern Sharon Cordello, have begun creating a community education program on predatory lending to aid low-income residents in Coconut Grove Village West. Brad also worked with the West Grove Homeowners and Tenants Association to plan a criminal justice initiative.

Finally, Fellows Sarah Jones, Paul Kaster, Trung Nguyen, Trey Jordan and myself, were awarded the Law School’s prestigious Innovative Service in the Public Interest Award in April. Together, we logged over 3,000 hours of service dedicated to the assistance of the disadvantaged communities of Miami-Dade County in the last two years.
This past fall semester I returned to the University of Miami School of Law’s Center for Ethics and Public Service. As a law student, I was an intern in the Community Health Rights Education Clinic, better known as “CHRE.” Now, as a staff attorney working primarily with the Children & Youth Law Clinic (“CYLC”), it is thrilling to be back with CEPS, armed and dangerous with a J.D.

The bulk of my work involves the representation of abused, abandoned and neglected children in juvenile court in the hopes of obtaining a special immigrant juvenile visa. Unaccompanied children arriving in Florida are eligible for a form of relief known as Special Immigrant Juvenile Status (SIJ Status) which is a way for certain immigrant juveniles to become permanent residents of the United States. For the most part, minors seeking relief pursuant to the SIJ Statute share similar characteristics. They have either chosen – or been forced – to make a potentially dangerous trip from their country of origin to the U.S., either alone, or with a relative or smuggler. Traveling to the United States often places these children in life threatening situations and exposes them to individuals who might seek to exploit them. It is not unusual for minors to travel to the United States in an effort to escape unbearable living conditions, including persistent abuse and neglect by caregivers, the complete lack of any caregiver or a person responsible for the child’s welfare, threats from local gangs, and political persecution.

Without close relatives to petition for them, unaccompanied minors are unable to pursue the most common route to permanent residence or citizenship. As a result, they are unable to go to college, work legally and fully participate in American life. It was these concerns that prompted Congress to pass provisions relating to special immigrant juveniles in the Immigration and Nationality Act and the Florida legislature to enact provisions in Florida in 2005 affecting a similar group of undocumented children.

I supervise CYLC clinical students through all phases of special immigrant juvenile visa proceedings. The law students perform client intakes, prepare cases for multiple hearings in juvenile court, and then follow through with the immigration component necessary to secure lawful status for undocumented children found dependent on the juvenile court. The process through juvenile court alone can take many months, after which the student-lawyers then apply for lawful immigration status through the United States Citizenship and Immigration Service (USCIS). This is yet another time-intensive process that presents a fiery hoop for our vulnerable child clients to jump through.

In conversations after our last hearing in juvenile court, Intern David Jacob spoke about how much he enjoyed listening and learning about the aspirations and goals of his client. Although these sorts of details about his client were never put into any of the pleadings or entered on any of the forms, they allowed him to more fully appreciate the destiny altering consequences of being refused legal status in the United States for his client. David said, “There is nothing more fulfilling than feeling like you have played at least a small role in helping a child escape an abusive situation, allowing them the freedom to safely pursue their hopes and dreams.”

Intern Warren Thomas joined the CYLC in the fall semester and primarily worked on special immigrant juvenile cases. According to Warren:

representing clients in immigration proceedings has been the major highlight in my law school career. Not only have I developed outstanding relationships with my clients, I have had the unique opportunity to formally advocate for their legal rights in both Miami-Dade and Broward County courthouses. As their student lawyer, it is my goal to provide my clients with the same opportunities that citizens undoubtedly have in their high schools and communities. Currently, I am representing two high school-aged women in dependency hearings to eventually establish their special juvenile immigrant status. Additionally, we have successfully represented another child who recently received her best interest order recommending SIJ status from Miami-Dade Juvenile Court. One of my proudest moments as a law student was seeing the huge smile on this client’s face when we told her the great news.
The Spring semester brought a combination of energy, ingenuity and scholarship for the Corporate & Professional Responsibility Program (CAPR). The CAPR students took ownership of various new projects, and dedicated themselves to expanding the breadth and format of the ethics trainings. Another spectacular semester.

On February 1st, Interns Daniel Lever and Jonathan Mann, with help from Undergraduate Intern Andrej Micovic addressed the ethical concerns of immigration lawyers for The Florida Immigrant Advocacy Center (FIAC). In collaboration with of Lisa Lauk of FIAC, Daniel, Jon and Andrej analyzed the unique challenges that attorneys face in the representation of juveniles and families in immigration, particularly as it relates to confidentiality, representing undocumented minors in state custody, and conflicts of interest among family members.

Bankruptcy Bar Fellow Barrie Filhaber and Intern David Fuchs, in consultation with Bankruptcy Judge Laurel Isicoff and UM Law Professor Patricia Redmond, masterd the world of Chapter 7 and Chapter 11 bankruptcy to present two separate ethics trainings to the Bankruptcy Bar Association of the Southern District of Florida. The focus was on the ethics involved in bankruptcy law, particularly as related to the means test and increased duties of investigation placed on bankruptcy attorneys by the Bankruptcy Abuse and Prevention and Consumer Protection Act of 2005. The training took place in both the Miami-Dade Bankruptcy Court on February 23rd and the Palm Beach Bankruptcy Court on March 29th. In addition, Barrie and David also developed an ethics training for the Bankruptcy Bar Association’s annual retreat this summer.

On February 28th, Intern Rashied McDuffie interviewed Roy Black of Black, Srebnick, Kornspan & Stumpf, P.A. as part of a Leadership Luncheon series sponsored by Advisory Board member Lewis B. Freeman. The luncheon enabled law students to meet a prominent defense attorney from the community in an intimate setting, learn about his career path, successes and failures, and ask questions relating to law and ethics.

Sullivan & Cromwell Fellow Dean Mallett and Intern Serena Josephs worked closely with the Miami-Dade State Attorney’s Office and their Domestic Violence Unit to address ethical issues in the prosecution of domestic violence offenses. In conjunction with Manny Segarra of the State Attorney’s Office, Dean and Serena developed a complex training which will be presented to the new class of Assistant State Attorney in the fall.

On April 17th, Greenberg Traurig Fellow Sara Paris and Intern Kevin Gabriel presented a CLE Ethics training on settlement agreements and negotiations to Greenberg Traurig. With the help of Jeff Gilbert of Greenberg Traurig, Sara and Kevin created a hypothetical which addressed the ethical concerns of candor, misrepresentation of facts during negotiations, and puffery. The complex training included an intricate fact pattern and was teleconferenced nationally to all of Greenberg Traurig’s offices.

The Coral Gables Bar Association once again invited CAPR to their spring luncheon meeting on April 18th for a presentation on the ethical complexities in attorneys fees and fee negotiations in litigation and appellate work. Zuckerman Spaeder Fellow Matthew Goheen and Intern Meredith Elder worked closely with Joseph Dobkin of the Coral Gables Bar Association, and presented an extensive training on April 18th. In addition to the discussion on fees, Matthew Goheen presented a brief overview of the McNulty Memorandum.

The Criminal Justice Ethics Symposium: Round IV took place at the University of Miami Bank United Center on April 13th this spring. Matthew Goheen, Sullivan & Cromwell Fellow Dean Mallett, Interns Maisie Wong, Ethan Wasserman, Rashied McDuffie, Daniel Lever, Meredith Elder and Jonathan Mann, in conjunction with Steven Chaykin of Akerman Senterfitt, Hy Shapiro of Hogan, Greer and Shapiro and Jane Moscowitz of Moscowitz & Moscowitz spent the past year and a half planning for the full-day symposium. The Symposium attracted state and federal prosecutors and defense attorneys, the private criminal justice bar, white collar criminal defense attorneys as well as many highly respected Judges. It was a day of cutting-edge discussion and provocative presentations dealing with ethical issues in Criminal Law, ranging from the role of zealous advocacy in representation and attorney’s fees, to the erosion of the attorney-client privilege and the effect that the McNulty Memorandum will be having on the criminal justice bar. With over 120 people in attendance, it was a huge success and a wonderful opportunity to learn from the best and brightest in the South Florida community.

Overall, this year has been uniquely challenging and dynamic for the Corporate & Professional Responsibility Program. The students continue to refine their ethics expertise and expand the reach of the ethics trainings. It is with a heavy heart that I write my last newsletter article for the Center for Ethics & Public Service. After three years with the University of Miami and the Corporate & Professional Responsibility Program, I will be saying goodbye to the wonderful faculty, staff and students at the Center. I thank everyone who has been involved for their unconditional support and encouragement, and urge the students to continue their immensely valuable work.
ETHICS & PUBLIC SERVICE

LAW, PUBLIC POLICY, AND ETHICS CONTINUES TO INNOVATE AND COLLABORATE
By Director Maryanne Stanganelli

This semester, Law, Public Policy, and Ethics (LPPE) expanded in breadth and scope, becoming involved in more diverse projects, seminars, and lectures, and gaining notoriety around the University. The spring began with an awareness-raising colloquium entitled “Save Darfur,” in which LPPE collaborated with the Model United Nations and the Department of International Studies. At the colloquium, Interns Ryan DeRossett and Albert Gibson, along with Undergraduate Intern Melissa Lustrin, detailed the atrocities occurring in the Darfur region of Sudan and the history of the conflict. Professor Ambler Moss, International Studies, elucidated some of the international legal issues at play. Joanne Harvest Koren, Esq., Chair of the Miami-Dade County Community Relations Board and Director of the Academic Achievement Program at the law school, along with representatives from the Miami Coalition to Save Darfur, a project of the Jewish Community Relations Council of the Greater Miami Jewish Federation, highlighted avenues for students involvement in local, national, and international efforts to save Darfur.

LPPE continued its involvement in the Phi Alpha Delta Pre-Legal Fraternity and the Pre-Law Advisory Club, and this semester presented on “Ethics and the State Attorney’s Office” as a follow-up to a fall presentation on legal ethical issues facing the public defender’s office. Interns Mike Boone and Ruth Demeter and Assistant State Attorney Manny Segarra presented on the topic. In addition, LPPE presented at the Phi Alpha Delta annual state conference. Interns Jessica Dunn and Susanna Hoffman discussed flag burning and the First Amendment with an audience of pre-law students from the University of Miami, Florida State University, Florida International University, University of Florida, and University of Central Florida.

In April, nearly all LPPE interns assisted with our student rights and responsibilities colloquia entitled, “Know Your Rights.” Interns Jessica Dunn and Lindsay Leshin, along with Assistant State Attorney Randi Levin, presented on the topics of false identification, driving under the influence, and search and seizure. Interns Steven Safra and Eli Otero presented on the topics of illegal downloading and Internet privacy. Interns Zach Learner and Susanna Hoffman, assisted by Undergraduate Intern Christopher Cook, presented on the topic of landlord-tenant issues facing undergraduate, off-campus tenants.

In addition to collaborative colloquia, LPPE also expanded the number of lectures it provided in undergraduate classes. Interns Ruth Demeter and Michael Boone led discussions on same-sex marriage in Whitney Strub’s Introduction to Women’s and Gender Studies and Special Topics in Women’s and Gender Studies classes and in Gema Perez-Sanchez’ Queer Studies class. Interns Ryan DeRossett, Eli Otero and Steven Safra lectured on the issue of environmental racism in Terri Hood’s Contemporary Environmental Issues class.

Finally, LPPE ended the semester with a follow-up to its fall panel discussion on the House of Lies series by The Miami Herald with a panel discussion exploring ways to provide affordable housing in Miami entitled, “House of Lies Part II: Reforming Miami’s Public Housing.” Interns Michele Kalafer, Ruth Demeter, and Michael Boone, assisted by Undergraduate Intern Carly Rhodes, moderated a panel of non-profit activists, developers, and public policy workers. The lively panel included Phillip Bacon of the Collins Center for Public Policy, John A. Ise of the Alliance for Human Services, Don Patterson of BAME Development Corp. of South Florida, and Sushma Sheth of the Miami Workers’ Center.

Overall, in its first year, LPPE has begun to entrench itself into the undergraduate and legal community at UM, and we are proud of its increased impact this semester. We look forward to next year, as the undergraduate intern enrollment in the Center will be at an all-time high, and LPPE will be finding even more interesting and effective ways to reach across disciplines around the University.
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.

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STREET LAW High School Fellows at Federal Court with (seated l to r) United States Magistrate Judges Robert Dube and Peter R. Palermo

Advisory Board Member Judge William M. Hoeveler with Judge Peter Fay, the recipient of the 2007 William M. Hoeveler award

In attendance after the telling of H. T. Smith’s unique law story: Sean Steele, H. T. Smith, Professor Minnette Massey, President Emeritus Tad Foote, and Black Law Student Association President Joycelyn Brown

Miami Senior High’s Monica Casanova testifying at a mock trial at the law school

Palmer Trinity Seniors after performing a Mock Trial at the law school officiated by “Judges” Sean Steele and Soozie Klock

Janet Reno, Advisory Board Member Alan Greer, and Dean Dennis Lynch at the Hoeveler Award Ceremony