# IN PRACTICE

A Newsletter of the University of Maryland School of Law

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## Partnerships in Problem Solving: Collaborative Clinical Education at Maryland

he University of Maryland School of Law is known for the diverse models of clinical teaching found at the core of its curriculum. These opportunities to link theory and practice move along a spectrum from highly traditional clinics that include simulation and exercises, to legal theory and practice courses with an intensive seminar component and major analytic writing component. In the middle of that spectrum are clinics with heavy and direct client representation, and legal theory and practice courses that operate essentially as externships. This spectrum reflects the School of Law's efforts to be responsive to the needs of our communities and to expose students to

the myriad of ways that lawyers change and influence society.

Our partnerships reflect this same attitude toward our communities and students. Some opportunities are born out of an effort to solve a particular problem. Others emerge in the course of doing work with colleagues, and some just walk through the door. In this issue, you will read about just six of the partnerships formed in our more than twenty clinical programs. From each we learn about our community, ourselves, our students and our clients. And for each we are grateful.

Professor Deborah Weimer's important work with young people living with AIDS and HIV propelled the

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#### From the Director

This issue of *In Practice* focuses on "partnerships." Working in partnership with others allows us to build and strengthen the community of people working to expand access to justice. Partnerships allow us to help solve problems that affect those who are excluded from opportunities for technical assistance, including legal representation and education. This issue allows our readers to explore the rich work from many fruitful partnerships at the University of Maryland School of Law.

Brenda Bratton Blom, JD, PhD Director, Clinical Law Program

#### A Newsletter of Programs Integrating Theory and Practice at the University of Maryland School of Law

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#### CLINICAL WORK

#### Partnerships in Problem Solving Cont. from page 1

School of Law into a partnership with the University of Maryland School of Nursing and School of Social Work on a five year project to support grandparents raising HIV positive children whose parents have died or are no longer able to parent. This comprehensive work will test theories that holistic support and intervention can keep families together, keep children on medical regimes, and reduce the cost to society by lowering the costs of intervention. Most importantly, it builds families and communities, creating long term benefits for larger society as well.

Rebecca Bowman-Rivas, coordinator of the Law and Social Work Program and Professor Jerome Deise, spent the last year in partnership with the Maryland Office of the Public Defender to serve clients with cases on the Baltimore City District Court criminal case mental health docket. Law students and social work students collaborated in teams to defend clients in criminal proceedings and develop alternative placements and mental health service plans.

The Law and Education Reform clinic directed by Susan Leviton partnered with an innovative high school, Baltimore Freedom Academy, teaching students principles of civic engagement and community problem solving. This partnership allows us to assist in the development of young leaders working for change in challenged Baltimore communities.

Rena Steinzor and students in the Environmental Law clinic continue an ongoing partnerships in projects with

the Senator Brian Frosh of the Maryland General Assembly and with the Natural Resources Defense Counsel. These partnerships expand the reach of our environmental law clinical program, allowing it to approach multi-faceted aspects of Maryland's environmental challenges as a coherent whole.

This year the Legal Resource Center for Tobacco Regulation, Litigation and Advocacy, directed by Kathleen Dachille helped create a partnership national in scope. Seven similar centers across the country joined to create the Tobacco Control Legal Consortium. The Consortium plans to work to make legal technical assistance a core component of state tobacco control programs. Through this partnership broad-based support for tobacco control initiatives is fostered.

Finally, students in the Drug Policy Clinic led by Ellen Weber, built a partnership with the Maryland Department of Public Safety and Correctional Services, the Baltimore City Detention Center (BCDC) and the University of Maryland School of Law to improve drug treatment and detoxification for people incarcerated at BCDC. This interdisciplinary collaboration has resulted in a protocol for methadone maintenance at the Center.

Working in partnership with others allows us to build and strengthen the community of people working to expand access to justice. Partnerships allow us to help solve problems that affect those who are excluded from opportunities for technical assistance, including legal representation and education. We are delighted to have the opportunity to expand the resources available to our students, and we are proud to simultaneously strengthen the community that is working to build a more just society.

## Grandparent Family Connections: An Interdisciplinary Partnership

University of Maryland collaborative team including Professor Deborah Weimer's Child Welfare and AIDS Clinic at the School of Law, the School of Nursing Open Gates Community Nursing Center in West Baltimore, and the Family Connections program of the School of Social Work have been awarded a major grant from the Children's Bureau of the U.S. Department of Health and Human Services. The focus of the five year project is to provide services to at-risk grandparent families and help avoid the unnecessary placement of children in foster care. Previously, the three schools collaborated on a one year pilot project serving grandparent families, and learned a great deal about the issues facing these families and how to work together to address them most effectively.

Two hundred families will receive services during three years of the five year project. Sixty of those families will receive law and nursing services as well as social services. During the fifth year, research data will be reviewed to determine the impact the addition of law and nursing services has on family stability and well being. This project will contribute a wealth of information about what works in intervening with at-risk families. It will provide a model that can be replicated by other entities in the future.

Student attorneys will represent grandparents in a wide range of civil legal issues with the goal of stabilizing the family and reducing stress. The cases are likely to include custody petitions, appeals of denials of public benefits, challenges to eviction proceedings, and intervention in CINA proceedings.



Based on her many years of experience in practice devoted to CINA and custody cases, Professor Weimer believes this collaboration will more clearly identify the key elements for ensuring the stability of at-risk grandparent families. Families that fare best are those who receive substantial social work involvement to address underlying family tensions and needs. When social work is involved, Professor Weimer notes, the resulting custody agreement or order has a much greater chance of being implemented successfully over the long term. Her experience also reveals that

parent and grandparent caretakers tend to neglect their own health needs because they are overwhelmed by childcare responsibilities.

Partnerships with Open Gates of the School of Nursing and Family Connections of the School of Social Work are critical in making sure that the full range of needs are addressed. Challenges to this collaborative work are many. For example, although this has begun to change in recent years, there has been relatively little collaborative practice with lawyers and social workers in part because of concerns about potentially conflicting ethical obligations. The Grandparent Family Connection Project hopes to address these and many other issues in collaboration to help ensure better support for these families.

Deborah Weimer, JD, is a Law School Professor and joined the University of Maryland after many years in public interest practice. She has written extensively on employment law, and AIDS especially as it presents the need for integrated legal, medical and social service support for children and families

## Law and Social Work Students Partner to Serve Clients with Mental Health Needs

n April, 2003, Baltimore City opened a mental health docket based at the criminal division of the Southern District Court. Under this model, all misdemeanor charges and less serious felonies in which there is a question regarding the competency and/or criminal responsibility of the defendant are diverted for evaluation and treatment when necessary. Clients are accepted based upon diagnosis, charges, criminal history and other factors. Unfortunately, many cannot qualify for these services due to charges such as Misdemeanor Assault, or because of a history of non-compliance or substance abuse. Diagnostic criteria is also a barrier in some cases, as the existing model does not handle individuals who are developmentally disabled or braininjured, rather than mentally ill.

In August, 2003, a joint commitment to interdisciplinary work and service to clients led the University of Maryland School of Law, the Maryland Office of the Public Defender (OPD) and the University of Maryland School of Social Work to create a working collaborative to provide such services, as well as extend the educational opportunities of students in the Law and Social Work schools. Led by Rebecca Bowman-Rivas, Coordinator of the Law and Social Work Program, and Jerome Deise, director of the School of Law's Criminal Defense Clinic, the goal was to offer the clients the best and most complete set of defenses and alternatives possible given a complete understanding and evaluation of the challenges the client faces.

Within a very short time frame, a unique program focusing on enhanced client services and interdisciplinary training was developed and launched through this collaborative venture. Under appropriate supervision specific to their discipline, students have the opportunity to work with OPD-identified clients and to represent or advocate on their behalf in the courtroom. Students participate in interdis-

Jerome Deise, JD, is a Law School Professor, directing the Criminal Defense Clinic. He also teaches in the Law School Advocacy Program and coaches its nationally recognized trial team.

Rebecca Bowman-Rivas, LCSW-C, is Clinical Instructor and Social Work Supervisor. Ms. Bowman-Rivas's brings extensive experience in forensic mental health, joining the Law School after several years at the Baltimore Office of the Public Defender

ciplinary training through law and social work "bridge classes" and grand rounds held throughout the semester at the Law School. Bridge classes and group tours of the jail and booking centers provide formal opportunities for law and social work student interaction, as well as instances of informal clinical consultation by law students. OPD attorneys and staff met with the law and social work students on several occasions, for training and case conferencing.

Eight social work students and fourteen law students participated in the project during the 2003-4 academic year. The social work students served

a group of clients with complex clinical issues including serious and persistent mental illness, substance abuse, mental retardation, brain injury and HIV/AIDS, with the majority of clients being dually-diagnosed. A total of 68 clients were referred to the social work project by mid-March, 2004. Twenty-two cases were declined or closed without action, due to resolution of charges or because private counsel

was obtained by the client. Twenty-seven referred clients were deemed Incompetent to Stand Trial at some point during court proceedings, and seven clients were eventually found Not Criminally Responsible and committed to psychiatric hospitals. Twenty clients were released from incarceration with court-approved treatment plans developed by students. Several others had cases dismissed or placed on the stet docket, with the condition that they follow the plan developed by their social

work student. Law and social work students found new avenues to give comprehensive care and support to clients in need

## Collaborative Work with Innovative High School Yields Youth Leaders

The Baltimore Freedom Academy is a small innovative high school in the Baltimore City Public School. Developed by adjunct professor Terry Hickey's Community Law in Action Clinic, the Freedom Academy operates a curriculum focusing on advocacy and law. The goal of the school is to teach students to become civically engaged, problem-solving leaders and advocates for change in their schools and communities. The school emphasizes developing communication skills, conflict resolution, analytical thinking, decision making and problem solving. Now funded by Bill and Melinda Gates Foundation, Baltimore City Schools and several local foundations, the school is in its second year of operation. The Academy is now operated by an independent Board of Directors which Professor Susan

Leviton chairs. Today, Professor Leviton and students of her Law and Education Reform Clinic are heavily involved in teaching at the school.

This year, law students continue the partnership with the high school. Working in conjunction with the teachers, law students teach a "Student and the Law" class focusing on constitutional, criminal, family and educational law. The law students will also be working with the students on projects such as trying to ensure that the school has adequate resources, after school programs and access to mental health services. Social work students will also be working with the law students and providing counseling and classes in conflict resolution.

Susan Leviton, JD, is a Law School Professor, focusing her work on the needs of children and youth. She directs the Law and Education Reform Clinic.

All of this practical work takes place in the context of the student's academic work in school reform. Students write a seminar paper on some aspects of school reform using the Baltimore Freedom Academy as a laboratory for their ideas. The long term, in-depth partnership between the School of Law and the Freedom Academy has created a new forum for innovation in education reform and for the development of youth leaders.

## Try Not to Breathe—or Swim, Fish or Drink

t the rate the Maryland Department of the Environment is going, it will not complete crucial water quality standards that were due in 1979 until 2056. Meanwhile, the Baltimore/Washington metropolitan area will not achieve attainment with national Clean Air Act standards for ozone by 2005, and will fall even further behind when new, more stringent requirements go into effect. Studies show that the country's most common herbicide. atrazine, causes endocrine disruption in reptiles and amphibians at relatively low doses, potentially affecting several endangered species in the Chesapeake Bay. Statewide advisories for methyl mercury, pesticides, and PCBs warn people to limit or avoid consumption of such popular fish as large and small mouth bass, striped bass, blue gill, blue crabs, yellow perch, and catfish. And

the sad thing is that, as states go, Maryland is widely perceived as progressive on environmental issues.

As several generations of

Environmental Clinic stu-

dents, led by clinic director

Rena Steinzor, have learned, the gap between need and response regarding all these pressing problems is large, and growing rapidly. Maryland is failing to make progress and even backsliding in preserving the Bay and improving air quality. One major source of the performance gap is a severely debilitated state agency. Since 2000, the Department's budget has been cut by approximately 30%, and former secretaries from both parties acknowledge that it started out with severe funding challenges even before

the state began running record deficits.

Rena Steinzor, JD, is Director, Environmental Law Clinic and Professor of Law. Professor Steinzor joined the Law School after an extensive career in private practice and government service. Her research and teaching interests focus on unfunded mandates and environmental federalism, and efforts to reinvent the EPA in preparation for the 21st century.

These scarce resources mean inadequate inspections, weak enforcement, and virtually non-existent public education on better environmental practices.

Decisions at the national level have only compounded the state's struggle to move forward with drastically reduced resources. Congress has defeated efforts to require auto manufacturers to improve the fuel efficiency

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## Tobacco Center Joins to Build National Consortium

he University of Maryland School of Law is home to the Legal Resource Center for Tobacco Regulation, Litigation and Advocacy. The Center provides technical legal assistance to local health departments, community coalitions, State and local legislators, and others working on tobacco control policy or legislation. Center Director, Kathleen Dachille, teaches a

Tobacco Control Clinic through which law students perform work for the Center and its clients.

In the fall of 2002, the Center joined with similar centers across the country to create the Tobacco Control Legal Consortium (TCLC). Affiliated Centers are:

- Technical Assistance Legal Center (TALC), California, affiliated with the Public Health Institute
- Tobacco Control Resource Center (TCRC), Massachusetts, affiliated with the Northeastern University School of Law
- Smoke-Free Environments Law Project (SFELP), Michigan, affiliated with the Center for Social Gerontology
- Tobacco Law Center, Minnesota, affiliated with the William Mitchell College of Law
- Tobacco Control Policy and Legal Resource Center, New Jersey, affiliated with New Jersey GASP
- Arkansas Tobacco Legal Resource Center, affiliated with the University of Arkansas School of Law

The Consortium's priorities are to help make legal technical assistance an integral part of comprehensive tobacco control programs, provide a limited degree of direct legal support and raise awareness of the role of legal services in effective policy change. Within its resources, the Consortium works to assist communities with urgent legal needs and to

Kathleen Hoke Dachille, JD, is Director, Legal Resource Center for Tobacco Regulation, Litigation & Advocacy and Assistant Law School Professor. Professor Dachille joined the Center after eight years with the Office of the Attorney General where she designed and launched the Attorney General's Program to Reduce Youth Access to Cigarettes and worked with state and local officials on tobacco control matters.

increase the legal resources available to the tobacco control movement.

Drawing on the expertise of the member legal centers and other tobacco control organizations, the Consortium provides legal technical assistance to support the creation of new legal programs and to help communities with urgent legal needs. Technical assistance services may include help with legislative drafting, legal research, legal analysis and strategy, training and presentations, preparation of amicus curiae legal briefs and litigation support. The Consortium's coordinating office, located at the William Mitchell College of Law in St. Paul, Minnesota, fields requests for information

and coordinates the delivery of services by the collaborating legal resource centers. TCLC maintains a website at *www.tclconlince.org*.

Not only does the Consortium provide resource to the tobacco control community, the organization serves as a valuable resource to member centers. Frequent conference calls and email communications allow members to stay abreast of

each other's work and to call upon each other's expertise or input on new initiatives. TCLC also publishes Law Synopses on current legal issues in tobacco control that allow all members to stay current on law from around the country.

## Partnership with Pharmacy School and Corrections Officials Leads to Drug Treatment

The Drug Policy Clinic is making significant progress in its efforts to have Maryland's public safety and correctional officials implement more humane and effective drug treatment for persons involved in the criminal justice system. Under the direction of Professor Ellen Weber. clinic students uncovered the State's failure to follow statutory requirements for providing appropriate withdrawal treatment for incarcerated persons with opiate dependence at the Baltimore City Detention Center. Additionally, clinic students highlighted the failure of the corrections system to maintain methadone treatment for those already in treatment at the point of incarceration. The clinic successfully advocated for the enforcement of the statutory requirements, which resulted in inclusion of funds in the Governor's '05 budget for a pilot program of methadone detoxification for those still dependent on drugs.

Implementing the treatment program remains an ongoing project for students. Partnering with Anthony Tommasello of the School of Pharmacy faculty, the Maryland Department of Public Safety and Correctional Services and corrections officers at

BCDC, students worked to craft a "methadone delivery" protocol. The purpose of the protocol is to ensure that individuals who are already participating in methadone treatment programs at the time of detention at the Baltimore City Detention Center will not be forced to end their treatment while incarcerated.

The complex problem of drug treatment within the criminal justice system required multi-disciplinary approaches to find a solution. Law students see the value of their expertise as a catalyst and force for change—and learn the value of other experts as well.



Professor Ellen Weber

Ellen Weber, JD, is Assistant Professor of Law. Professor Weber was previously Senior Vice President for the Legal Action Center in New York and Washington, DC. Her teaching and research interests center around drug policy, disability rights, and public health.

## Work in Progress . . .

Professor Barbara Bezdek has spent the summer directing the intensive General Practice Clinic for the summer session, in which 29 students and four faculty members represented



over 100 clients in the many aspects of law practice reflected by Maryland's extensive experiential program. She has also been researching for an upcoming article about resident-controlled revitalization efforts. She is especially interested in expanding her working draft by focusing on equity arguments for greater resident control of urban redevelopment, through analysis of municipal ordinances to do so.

Professor Brenda
Blom is currently
working on two book
reviews, Nickel and
Dimed by Barbara
Ehrenreich and The
Working Poor:
Invisible in America
by David K.Shipler.



She is also working on a paper entitled Cause Lawyering and Social Movements: Can Solo and Small Firm Practitioners Anchor National Movements? which looks at the potential of solo and small firms anchoring national movements today by examining the work of solo and small firms practitioners during the years 1930-1954 in the civil rights movement across the South. This analysis will then be used to examine the development of the National Law School Consortium Project.

Professor Doug Colbert has been researching material for a prospective article growing out of and criticizing the Maryland Court of Appeals' recent



decision in Fenner v. Maryland, that a trial judge's [open-ended] question of an unrepresented defendant — "Is there anything you'd like to tell me about yourself?—at a bail hearing is not "interrogation" within the meaning of Miranda and is therefore admissible at trial. Professor Colbert's focus is on the high court's unexpected Sixth Amendment, sua sponte ruling that poor people have no constitutional right to a lawyer at the bail stage. The Court never certified the Sixth Amendment issue for review in the defense petition for certiorari and did not seek or have the benefit of defense argument or of amicus briefs from the legal community. The Court of Appeals sweeping decision denying counsel to indigent defendants throughout most of Maryland has far reaching consequences: judges may question and prosecutors may use information from uncounseled defendants at trial. Professor Colbert intends to criticize the appellate court's sua sponte practice.

Professor Karen Czapanskiy has been exploring legal issues raised by President Bush's "Marriage Initiative," which is a part of the President's welfare reform



reauthorization proposal. Under the proposed initiative, states would be eligible to receive federal money to promote and maintain marriage, but only to assist opposite-sex couples. Professor Czapanskiy has been exploring whether the program violates federal or state prohibitions on discrimination against people on the basis of sexual orientation, sex, illegitimacy or marital status. In addition, as president of the board of directors of the Homeless Persons Representation Project, Professor Czapanskiy has been directing the search for a new executive director.

Professor Jerome Deise is currently working on an article for the University of Baltimore Law Forum on the recent Supreme Court case, *Crawford* v. Washington, in which he argues that



Maryland should adopt a rule of evidence (like Federal Rule 803 (b)(6) - "forfeiture through wrongdoing") that would allow hearsay evidence from witnesses who become "unavailable" though the wrongdoing of the (criminal) defendant.

Professor Sherrilyn Ifill continued her representation of the Gravel Hill community in its fight to prevent the construction of a landfill in the heart of the community. In



May, with the assistance of former clinic student and TA Jennifer Schwartzott, Professor Ifill successfully briefed and argued before the Court of Appeals the question of whether the developer had exhausted its administrative remedies before seeking review in the Circuit Court last year. In August, the Court of Appeals ruled in favor of the Clinic clients. The developer must now return to the Harford County Board of Appeals to seek a variance from the County's law regulating the construction of landfills

Professor Michael Millemann is currently working on a co-authored article with Professor Steve Schwinn about the pedagogical advantages and disadvan-



tages of using actual, ongoing cases to teach legal research and writing to first year students. The article grows out of

their use of actual cases to teach two legal research and writing courses. In one case, the students' work was on behalf of a prisoner sentenced to life for felony murder in 1969. Both the original and recently-discovered evidence demonstrate that this prisoner was (and is) innocent. Using the students' work, Professor Millemann and his Post-Conviction Clinic students are currently seeking the prisoner's release via parole and/or commutation. In a second legal research and writing course, the students worked on, researched and wrote about several police brutality cases and a potential lawsuit aimed at establishing a right to counsel in civil cases, under the State Declaration of Rights. Professors Millemann and Schwinn are arguing, in their article, that the use of the "clinical method" to teach legal research and writing is a good way to motivate students to learn, to teach students important skills and lessons that "canned" problems can not effectively teach, and to introduce students to pro bono and justice issues early in their law school careers.

Professor Michael Pinard has continued to work on an article analyzing the collateral consequences of criminal convictions and the relationship



between those consequences and the problem of the re-entry of ex-offenders. Over the summer, Professor Pinard co-facilitated a training session titled Re-entry Issues and Collateral Consequences at the Arizona Public Defender Association's Second Annual Statewide Conference, and was a speaker at the Southeastern Association of Law Schools Annual Meeting, presenting "An Integrated Perspective of the Collateral Consequences of Criminal Convictions and the Reentry of Ex-Offenders."

Professor Rena Steinzor has been splitting her time between four book projects this summer, all in various stages of writing. She is coauthoring a book



with Professor Sidney Shapiro (University of Kansas) about the various initiatives underway that are designed to limit the public's access to information, she is completing a book proposal for her book *Mother Earth*, she is working on a chapter for a book on "clean science" that grows out of a recent symposium at the law school, and finally, she is working as a coeditor on a book at the Center for Progressive Regulation entitled *The New Progressive Agenda for Protecting Health*.

Professor Ellen Weber has been working on a new article on attitude changes among law students, with a specific focus on how learning



strategies affect the attitudes of students about individuals with alcohol and drug problems. She is concentrating on how the experiences of her own clinic students fit into theoretical studies regarding adult learning and attitudinal change that has been studied in other contexts.

Professor
Deborah Weimer
has been working
in conjunction with
colleagues in the
School of Social
Work and the
School of Nursing
on an interdisciplinary project for



providing services to at-risk grandparent families. She has also been using the summer to begin to lay the groundwork for research and writing projects to be undertaken over the next four years.

## New Faculty Join Clinical Programs

Renee Hutchins joins the faculty as an Assistant Professor of Law. Professor. Hutchins received her B.A. (in Mathematics) from Spelman College in 1990 and



her law degree from Yale Law School in 1993. After law school, she clerked with the Honorable Nathaniel R. Jones, U.S. Court of Appeals for the Sixth Circuit. After completing her clerkship, she worked as a staff attorney in the Office of the Appellate Defender in New York, NY and then as Death

Penalty Counsel for the Southern Center for Human Rights in Atlanta. From 1997-2000, she was a trial attorney with the tax division at the Dept. of Justice and from 2000-2002, she served as a Senior Associate for a law firm in Newark, NJ. Since 2002, she has been an Acting Assistant Professor at NYU School of Law in the Lawyering Program, teaching a required first year course. Her current scholarship focuses on the 4th amendment. She is completing an article entitled: "Between Magistrates and Mayhem: Finding a Pragmatic Middle Ground for Evaluating Law Enforcement's Warrantless Use of

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## New Faculty Cont. from page 9

GPS Technology." She will be teaching the newly-created Post-Trial Processes in Criminal Cases Clinic with Professor Mike Millemann and in partnership with the Office of the Public Defender. The new clinic will handle direct appeals as well as state post-conviction and federal habeas corpus cases.

Frederick
Provorny joins
the faculty as a
Visiting Professor
and Director of
the Maryland
Intellectual
Property Legal
Resource Center.



He joins us after serving on the faculty at Albany School of Law. At Albany, he was the Harold R. Tyler Professor of Law and Technology and the founding Director of the Science and Technology Law Center. He brings to the IP Center almost thirty years of experience in intellectual property law, complex business transactions, venture capital, and technology transfer. As Director of the Law Center, he created a legal assistance program that operated throughout New York State to provide affordable and high quality legal services to emerging technology companies. Using law students supervised by law firms that volunteered for that purpose, the Law Center handled issues ranging from business formation to complex international joint ventures. Under Professor Provorny's direction, the Law Center also conducted an extensive series of educational programs offered statewide for entrepreneurs, faculty, professional service providers, and others that covered legal and funding issues confronted by emerging technology companies. Earlier in his career,

Professor Provorny served on the faculty at Syracuse University College of Law. He has also taught at Brooklyn Law School and the University of Baltimore School of Law and practiced in his own firm as well as major firms in New York City, Washington, D.C. and Baltimore. For ten years he was an Assistant Company Counsel for Monsanto Company in St. Louis. Provorny graduated summa cum laude from New York University and *magna cum laude* from Columbia Law School. At Columbia, he was an editor of the Columbia Law Review and a Columbia University International Fellow.

Andrew Reese joins the School of Law as a Clinical Instructor after a working as an Assistant Attorney General for the District of Columbia in the Child Protection Section. Mr. Reese will be working with Professor Deborah Weimer in the AIDS Clinic and with the collaborative Grandparent Family Connections project. Mr. Reese received his undergraduate degree from the University of Maryland, College Park and a Masters in Social Work from Howard University. Andrew Reese worked as a social worker in child welfare for fifteen years, including seven years as a clinical instructor with the University of Maryland School of Social Work. He received his J.D. from the University of Maryland, and after graduating from law school, clerked for the Honorable Magistrate Judge Jillyn Schulze in the U.S. District Court for the District of Maryland.

Maureen Sweeney returns to the law school as a Clinical Instructor. Previously, Ms. Sweeney served as an adjunct faculty member to the Clinical Law Program from 1995-2001 in addition to



holding a position as a staff attorney at Associated Catholic Charities Immigration Legal Services in Baltimore, MD. She has also held positions with the Texas Center for Immigrant Legal Assistance, Farmworker Legal Services of North Carolina, the Migrant Legal Action Program in Washington, D.C. and the Lutheran Immigration and Refugee Service in Baltimore. She received her undergraduate degree from Wesleyan University and her law degree from Yale Law School in 1989. At Yale, she was the Director for the Yale TRO Project for Battered Women and also assisted with the Jerome N. Frank Legal Services Organization and The Initiative for Public Interest Law at Yale. Ms. Sweeney will be teaching the General Practice Clinic, which has worked for several years in conjunction with attorneys from the Civil Justice Network, a network of solo, small firm and community based lawyers who share a common commitment to increasing access to justice through traditional and non-traditional means. The goal of the Civil Justice Network is to increase the delivery of legal services to Maryland and DC clients of low and moderate income. A number of CJN attorneys do this, in part, by supervising General Practice Clinic students in matters ranging from family, consumer, and employment law to immigration law. This collaboration complements students' experience of legal practice within the Clinic and gives them first-hand experience of small firm practice and of the broad range of the legal needs of individuals of modest means, as well as providing the valuable opportunity for mentoring by committed local attorneys.

### Jerome Deise Receives Award from The Roscoe Pound Institute

In the syllabus for his Spring 2004 Criminal Defense Clinic, Professor Jerome Deise states "The purpose of this clinic is not merely to acquire knowledge . . . it is to help you begin the transition from student to lawyer. This clinic offers . . . students the opportunity and privilege to serve our clients by representing them in Maryland federal and state courts. From these ... experiences, you will begin to understand your roles, responsibilities and limitations as representatives of clients, officers of the legal system and public citizens having a special responsibility for the quality of justice." Because of this philosophy and upon the glowing recommendations of faculty, students and colleagues alike, The Roscoe Pound Institute chose Professor Deise as its recipient of the 2004 Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy.

A member of the University of Maryland School of Law faculty since 1991, Professor Deise has been an important presence in the clinical law program, as well as a classroom teacher of Trial Advocacy and related courses. In her recommendation letter to the Institute, Dean Karen Rothenberg said Professor Deise "was the driving force behind our burgeoning advocacy program, working with local lawyers and judges to improve the already impressive work of the program in developing the advocacy skills of the next generation of lawyers."



Professor Jerome Deise

Professor Deise has also been a dedicated supporter and coach of the University's National Trial Team, as well as coach to the Mock Trial team at Gilman School, here in Baltimore, MD. The Honorable Paul W. Grimm. consultant to some of these trial teams. wrote "Professor Deise gives tirelessly of his time to act as the Faculty Advisor for the Law School's ... mock trial teams. As an occasional consultant to these teams, I have seen how Professor Deise beings to bear his same teaching and clinical skills to help produce polished, persuasive and successful trial teams."

Perhaps the most outspoken supporters of Professor Deise's initial nomination for this award were his students. In a memo to the Institute, Associate Dean Richard Boldt detailed some of

the student evaluations that Professor Deise has received On his classroom method, one student said "He challenges his students and is genuinely supportive of and responsive to each student's individual strengths and weaknesses. It was by far the best experience that I've had in law school....perhaps the best educational experience I've ever had." In regard to his supervision and feedback: "Professor Deise never made me feel as though I was incompetent even when I felt completely overwhelmed...That is an incredible gift to students."

Named for Richard S. Jacobson, a long-time consultant to The Roscoe Pound Institute and an Association of Trial Lawyers of America (ATLA) historian, this award is presented annually to an outstanding law professor who exemplifies the best attributes of the trial lawyer as teacher, mentor and advocate. In addition to the national recognition that this award brings, Professor Deise received a \$5,000 stipend and an Honorary Roscoe Pound Institute membership.

## Doug Colbert Recognized in both Scholarship and Practice

his spring Professor Doug Colbert's work as both a scholar and a practitioner was recognized by two different organizations.

In March 2004, Professor Doug Colbert was invited to participate in Washburn University School of Law's Center for the Excellence in Advocacy inaugural Scholar-in-Residence program. As a part of his scholarship, Professor Colbert was called upon to make three major presentations on various topics to different audiences composed of people from the University and surrounding community.

Doug began his visit by making a presentation to Washburn's law faculty on "Broadening Scholarship: Embracing Law Reform and Justice," a topic of interest to many clinicians. He spoke very persuasively about writings such as op-ed pieces and amicus briefs being valued as scholarly work. He also had the opportunity to make a luncheon presentation to local attorneys, judges and politicians entitled "Forty Years After Gideon: Do Criminal Lawyers Matter Anymore?," in which he discussed the fundamental importance of the right to counsel.

Professor Colbert also made himself available in several classroom settings, presenting and working with the Constitutional Law class, the Constitutional Litigation Seminar, the Trial Advocacy Class, and, of course, the Clinic seminar. After dining with student leaders from NALSA, HALSA and AALSA, Doug delivered a public lecture for the



Professor Doug Colbert

community entitled "The Badges and Incidents of Slavery: The Thirteenth Amendment's Understanding of Today's Racially Discriminatory Practices," discussing the history of the 13th Amendment and how it can be used in litigation today.

Professor John J. Francis, Director of the Law Clinic at Washburn remarked, "Doug was an outstanding inaugural scholar-in-residence, spending time with students, faculty, attorneys and judges. Doug drew from his breadth of experience and spoke on a wide range of topics in several different settings."

In May 2004, Professor Doug Colbert received The Paul J. Davis Memorial Recognition Award from the Correctional Reform Section of the Maryland State Bar Association, in recognition of his many years of

work on behalf of criminal justice and correction reform. Since 1998, Professor Colbert's scholarship and scholarly activities have focused upon reforming states' pretrial and bail systems. His research indicates that in the vast majority of state and local criminal justice systems, the accused appears alone and without legal representation following arrest. Because the bail proceeding affects individual liberty and the accused's ability to prepare a defense, Professor Colbert contends it should be considered a critical stage which requires states to provide counsel to indigent defendants

## Publications and Presentations

#### **Brenda Blom**

"Access to Justice: Partnership and Promise in Legal Education," (with Karen Rothenberg), Legal Services Corporation Board of Directors Meeting, Baltimore, Maryland (May 1, 2004)

"Economic Development as Social Justice: The Role of the University in Community Transformation," (with Teresa LaMaster) Association of American Law Schools (AALS) Clinical Conference, San Diego, California (May 4, 2004)

#### George Burns

"The Legal War Against Mankind's Enemy" MARYLAND BAR JOURNAL (September/October 2004)

#### **Douglas Colbert**

"Bail-Out on Gideon: Detainees Face Hearings Alone," 18 CRIMINAL JUSTICE 32 (Fall 2003) (Issue Dedicated to Gideon's 40th Anniversary)

"The Badges and Incidents of Slavery: The Thirteenth Amendment's Understanding of Today's Racially Discriminatory Practices," First Advocacy Scholar in Residence Program, Washburn Law School, Topeka, Kansas (March 14-17, 2004)

"Broadening Scholarship: Embracing Law Reform and Justice," First Advocacy Scholar in Residence Program, Washburn Law School, Topeka, Kansas (March 14-17, 2004)

"Forty Years After Gideon: Do Criminal Lawyers Matter Anymore?," First Advocacy Scholar in Residence Program, Washburn Law School, Topeka, Kansas (March 14-17, 2004)

#### Karen Czapanskiy

"When Work and Family Responsibilities Collide, Should Employers Pay for Unemployment Insurance Coverage?," Symposium on "Meeting Human Needs: Examining the Safety Net for Working America," Santa Clara University School of Law, Santa Clara, California (January 30, 2004)

"Domestic Violence and the Maryland Family Violence Option," 11 American University Journal of Gender, Social Policy and the Law (2003)

"General Perspectives on Law Teaching," AALS Candidate Workshop, AALS Faculty Recruitment Conference, Washington, DC (October 23, 2003)

"Judicial Developments about Same-Sex Marriage," Margins Town Hall 2003 Symposium, University of Maryland School of Law, Baltimore, Maryland (November 13, 2003)

#### Kathleen Dachille

"Surviving and Triumphing in Residential Settings with Secondhand Smoke Intrusions," National Conference on Tobacco or Health, Boston, Massachusetts (December 2003)

"Call My Lawyer!" Legal Programs as Essential Tools for Public Policy," National Conference on Tobacco or Health, Boston, Massachusetts (December 2003)

"Disparate Impact on Minorities of Weak Clean Indoor Air Law," Poster Session, National Conference on Tobacco or Health, Boston, Massachusetts (December 2003) "Special Topics in Tobacco Control: Reducing Youth Access to Tobacco at Retail Stores: What Works and How to Get There in Your Jurisdiction," Conference for Public Health Officials in Maryland, University of Maryland School of Law, Baltimore Maryland (June 3, 2003)

"The Legal Framework of Youth Access to Tobacco in Maryland and Local Enforcement Programs at Work," United States Department of Health and Human Services, Center for Substance Abuse Prevention, Catonsville, Maryland (November 19, 2003)

"Tobacco and the Latino/Hispanic Community," How to Work Effectively with the Latino/Hispanic Community Conference, Caroline County Health Department, Denton, Maryland (March 23, 2004)

#### Sherrilyn Ifill

"NAACP's Candidate Debate for Mayor and City Council President of Baltimore City," Panelist, Coppin State College, Baltimore, Maryland (August 15, 2003)

Keynote Speaker, Minority Access, Inc. Fourth Annual Role Models Conference, Washington DC (September 13, 2003)

#### Michael Millemann

(Reporter), "Handbook on Limited Scope Legal Assistance," Modest Means Task Force, ABA Section on Litigation (2003)

## Publications and Presentations cont.

#### **Tom Perez**

"Legal and Regulatory Landscape Surrounding the Obligation of Health Care Providers to Ensure Meaningful Access to Health Care for People with Limited English Skills," American Institutes of Research (2003)

"Making Sense of the Recent Supreme Court Decisions on Affirmative Action," National Association of Minority Medical Educators, Kansas City, Kansas (September 2003)

"Diversifying the US Healthcare Workforce, Field Hearing, Sullivan Commission, Denver, Colorado (September 2003)

"Enhancing Diversity in the Health Professions in the Post Michigan Universe," National Association of Minority Medical Educators, Kansas City, Missouri (September 22, 2003)

"What Does Michigan Mean For Philanthropy," Robert Wood Johnson Foundation Session on How Philanthropy Should Respond to the Michigan Affirmative Action Decision, Washington, DC (September 12, 2003)

#### **Michael Pinard**

"From the Classroom to the Courtroom: Reassessing Fourth Amendment Standards in Public School Searches Involving Law Enforcement Authorities," 45 ARIZONA LAW REVIEW 1067 (2003)

Broadening the Holistic Mindset: Incorporating Collateral Consequences and Reentry Into Criminal Defense Lawyering, 31 FORD. URB. L.J. (2004) (forthcoming)

From the Classroom to the Courtroom: Reassessing Fourth Amendment Standards in Public School Searches Involving Law Enforcement Authorities, 45 Ariz. L. Rev. 1067 (2003) (adapted in 31 Search and Seizure L. Rep't. (July 2004))

#### **Andrew Reese**

"Evaluating Maryland's Response to Drug Exposed Babies: SB 512 Children in Need of Assistance—Drug Assisted Babies," PSYCHOLOGY, PUBLIC POLICY AND LAW (forthcoming Fall 2004)

#### Rena Steinzor

"A Perfect Storm: Mercury and the Bush Administration," 34 Envtl. L. Rep. 10297 (April, 2004), with Lisa Heinzerling

"Interdisciplinary Education in Environmental Law," University of Maryland School of Public Policy, College Park, College Park, Maryland (April 23, 2004)

#### Ellen Weber

"Failure of the Maryland Department of Public Safety and Correctional Services to Provide Mandated Treatment Services," the Senate Special Committee on Substance Abuse, Baltimore City Detention Center, Baltimore, Maryland (July 8, 2003)

Quoted, "Leaders to Revisit Clinic Debate: Officials say They'll Craft Acceptable Methadone Bill," Baltimore Sun (March 28, 2004)

"Bridging the Barriers: Public Health Strategies for Expanding Drug Treatment In Communities, " 57 RUTGERS LAW REVIEW (2005)

#### Roger Wolf

"The Gray Zone: Mediation and the Unauthorized Practice of Law," 26 MARYLAND BAR JOURNAL 4 (July/ August 2003)

## Professional Responsibility in Electronic Practice Management

students each semester, the Clinical Law Program docket on any given day is of a scope and scale of many mid to large-size law firms. Just as information management systems have helped make those practices more collaborative, effective and efficient, new electronic practice management systems in the School of Law can improve client service and enhance student education.

Over the last year, the Clinical Law Program worked to implement an electronic practice management system. Led by Managing Director, Teresa LaMaster, a team of information technology professionals, lawyers, and administrators selected, customized and implemented TimeMatters® for the Clinical Program. School of Law alum and technology consultant Robert McNeil of the McNeil Group in Baltimore donated more than 150 hours of professional time to work on the project. With his help, the Law School was able to roll out the application this summer and fall to well over 100 students in 20 different clinical programs.

The project began with faculty interviews as part of an overall administrative needs assessment of the Clinical Program in the fall of 2004. Understanding the nature and scope of each faculty member's practice as part of this complex "firm" was critical to customizing the software to best serve student learning. A clear "wish list" of functionality began to emerge through the interviews including the need for better document management, easier ways to share and build upon knowledge, and methods to help maintain continuity between and after semesters all appeared at the top of the list. At the same time, key concerns regarding the shift to a more digital practice security and confidentiality being chief

among them—were identified. Over the winter, several leading products were considered. TimeMatters® was selected for its robustness and ability to handle a complex practice with nearly 150 users each semester.

Implementing new technology provides not simply the

opportunity to automate existing practices. Rather, new technology is a catalyst for reconsidering existing practices, looking for new ways of working and new ways of linking people and information. In an educational context like the School of Law, new technology provides an opportunity for hard thinking about just what it is about a practice that we think students need to understand or experience. For example, in electronic practice management, the easy transmission (and mis-transmission) of documents, and remote access to client information makes the

breach of client confidences easier. The implementation of technology presses us to look for new tools and strategies to teach the importance of confidentiality to the attorney client relationship.

The implementation of electronic practice management led to new "hardware best practices" as well. Clinic documents are stored and backed-up on a secure server separate from the rest of the School of Law



Teresa LaMaster, Baorong Feng and Robert McNeil discuss TimeMatters® training.

documents and databases. Students receive separate email accounts only for client communications that are backed up and stored distinctly as well. Students receive training that the use of courseware to send or receive confidential client communications is prohibited.

Digital communication and information is revolutionizing law and law practice. For legal educators, that revolution creates a host of teaching moments as students encounter first hand, its impact on their professional responsibility.

Teresa K. LaMaster, JD, is Managing Director of the Clinical Law Program. Ms. LaMaster is responsible for overall practice management of the Program. She teaches in cyberlaw and technology issues in law practice.

### Loan Repayment Assistance Focus of Testimony at Legal Services Corporation Board Meeting

n Saturday, May 1, 2004, the University of Maryland School of Law was host to the quarterly meeting of the Board of Directors of the Legal Services Corporation. During the meeting, Karen Rothenberg, Dean and Marjorie Cooke Professor of Law and Brenda Bratton Blom, Director, Clinical Law Program and Law School Associate Professor had the opportunity to address the Board on the issue of the financial burden facing many public interest attorneys as they leave law school for private practice.

In her remarks to the Board, Dean Rothenberg highlighted the ongoing crisis in access to justice faced by many low-income and underrepresented populations in Maryland. Dean Rothenberg emphasized the role that the Law School's students play in working to solve that crisis, through its Cardin Requirement that students must have experience providing legal services to someone who otherwise would lack access to justice in order to satisfy their requirements for graduation. "Because every student – regardless of what kind of lawyer they are going to be and where they are going to practice – have a direct experience with those who lack access to justice, the Cardin Requirement has meant that the students who graduate here have an uncommon commitment to public service."

Professor Blom detailed for the Board the current Clinical Law Programs, its effects on the students and the faculty and the fact that "more than 25 faculty and 230 students provide more than 100,000 hours of free legal services as students work to satisfy the Cardin Requirement in their academic program." The Clinic not only pro-

vides students with real-time law practice, but it also serves as a legal services laboratory, assisting in the development of new models of pedagogy, legal theory and the delivery of legal services to those clients involved in the access to justice crisis. Professor Blom also remarked that many faculty are drawn to the Law School because of this commitment, which enables them to engage in substantive scholarship that addresses key aspects of the crisis in access to justice.

After Professor Blom's remarks, Dean Rothenberg provided the Board with evidence that the practice of public interest law is under a threat from the financial burden law students must shoulder upon their admission to law school. "From 1992-2002, the average amount students borrowed nearly doubled. In 1992, 74% of students borrowed an average of \$37,637 per student. By 2002, 86.4% borrowed an average of \$77,300." These amounts, coupled with the fact that public interest salaries (average starting salary \$36,000) have not kept pace with the salaries of private practice attorneys (average starting salary \$90,000), the amount of debt supported by public interest attorneys is staggering. As shown in studies conducted by Equal Justice Works, National Association for Law Placement (NALP) and the Partnership for Public Service, "the substantial cost of financing a legal education compels many law school graduates to abandon

plans to pursue a career in public interest law."

Dean Rothenberg also said that while there are some programs in place to assist public interest attorneys with debt repayment, the American Bar Association reports that only eight state governments and 56 of the 177 law schools nationwide have created Public Interest Loan Repayment Programs. The Dean encouraged the

Board to partner with the Law School to support legislation in Congress as well as mandates by LSC of national loan repayment programs as well as increased advocacy with state and local bar association and foundations, IOLTA programs and other LRAP advocates to support government, statewide and other loan repayment assistance programs. "Through this kind of commitment, not only can we help increase access to justice, but we can help our students live the dream of a life devoted to public service."

## Clinic Celebrates 30 Years

n April 2, 2004 the University of Maryland School of Law celebrated the 30<sup>th</sup> anniversary of the establishment of its Clinical Law Program. The program, titled *Making an Impact*, drew upon leading scholars and public interest lawyers from around the country to consider both the current challenges faced by educators, lawyers and advocates working in public interest law, and the role the legal academy and clinical education can play in expanding access to justice through both panels and keynote speakers.

Of special note were the keynote addresses by leading clinical educators. Bryan Stevenson of the New York University School of Law kicked off



Clinic directors and speakers pose with Dean Karen Rothenberg (center) at the "Making an Impact" conference.

the event with an opening address. His powerful remarks emphasized the importance of a lawyer's voice on behalf of those who are disadvantaged, marginalized and underserved. Stephen Wizner, Clinical Professor at Yale Law School and Jane Harris Aiken, Professor of Law at Washington University in St. Louis University provided a point/ counterpoint during a celebration dinner. Professor Wizner and Ms. Harris presented Walking the Clinical Tightrope: Teaching and Doing as a thought-provoking discussion on the issues faced by clinical instructors in today's academy situations.

Concurrent panels throughout the day led by Law School faculty and leading commentators explored specific models of legal service delivery developed in Maryland's clinical program. The conference provided an excellent opportunity to examine allied clinical programs from a cross-disciplinary perspective. For example, Professors Barbara Bezdek, Rena Steinzor and Brenda Bratton Blom, all working in clinics serving communities in economic, social or environmental stress, examined the role of lawyers when communities are clients. Professors Douglas Colbert, Jerome Deise, Sherrilyn Ifill and Michael Pinard, all working in clinics on the criminal justice continuum from bail to re-entry, examined ways to address criminal justice holistically from each point on the continuum. Professors Ellen Weber, Deborah Weimer, both working in health care related clinics, considered interdisciplinary efforts to address complex health and social welfare problems. Finally, Professors Susan Leviton and Michael Millemann, both working in clinics with a child and youth focus, addressed how clinical work impacted career development in law students.

Making an Impact was made possible by the generous financial support of leading Maryland law firms including Gallagher, Evelius & Jones, LLP, Ballard, Spahr, Andrews & Ingersoll, LLP, Bowie & Jensen, LLC, Brown, Goldstein & Levy, LLP, Gordon, Feinblatt, Rothman,

Hoffberger & Hollander, LLC, Irwin, Green & Dexter, LLP, Kramon & Graham, P.A., Venable, LLP as well as the Legal Aid Bureau, Inc.

### Clinic Faculty Establish New Award Honoring Anne Barlow Gallagher

In her "Personal Statement" on her application to the University of Maryland School of Law in 1991, Anne Barlow Gallagher wrote, "I have always enjoyed working for the benefit of others...It is extensive contact with children and their families that has taken me to an interest in law. I want to have a broader impact on their lives. As an advocate, I want to intervene earlier in the cycle to make the legal and political system work for disadvan-

taged persons and their individualized needs." Even through the battle with the cancer that eventually claimed her life in April 2004, she remained true to what was written on her application many years ago. It was this dedication that led the Clinic to establish the Anne Barlow

Gallagher Prize for Service to Children and Youth.

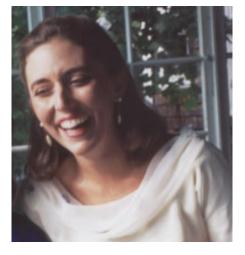
After graduating in 1987 from Bard College in New York, Ms. Gallagher taught home and hospital bound children through the Baltimore City Public Schools. These were children in special circumstances who, either for heath or emotional reasons, could not attend schools. She also taught in the Walter P. Carter Center, a state psychiatric hospital for 9 to 12 year old inpatient children. It was in working with these children that Ms. Gallagher decided she wanted to have a broader impact as a legal advocate.

During law school, Ms. Gallagher found a home in the University of Maryland Clinical Law Program, as a student lawyer and child advocate and where, upon her graduation in 1994, she was honored with the Clinical Award for Outstanding Advocacy. Ms. Gallagher provided legal advocacy for foster children in CINA cases and in later years provided advice to pro se litigants in domestic matters throughout the Eastern Shore of Maryland. For many years, she also held office hours at Maryland courthouses to provide legal counseling and information to over a thousand individuals. On April 7, 2004, Ms. Gallagher was posthumously awarded the 2004 Children's Choice Founders Day Award "as a reminder of a life spent in the service of others." Ms. Gallagher is remembered by friends for her compassion,

> devotion, gentle spirit, kindness, humility, integrity, sense of humor and her remarkable humanity. Ms. Gallagher is also fondly remembered by her professors, fellow lawyers and colleagues, but most of all, she is remembered for always asking "What more can

we do to see that children are well represented."

The 2004 Anne Barlow Gallagher Prize was awarded to Paul Allan Solomon, a graduating student at the law school. During his time at the law school, Mr. Solomon worked closely with Community Law in Action, Inc. (CLIA) in advocating for, teaching and representing children. His work assisting students at Northwestern High School identified problems at their school and advocating for changes exhibited many of the qualities that Ms. Gallagher had — intelligence, patience, compassion, and loyalty.



### 2004 Student Award Winners Reflect on Their Experiences

ogether with the inaugural award of the Anne Barlow Gallagher Prize to Paul Allan Soloman (see story on page 17), clinical faculty recognized three other outstanding students. Anne B. Stewart-Hill ('04) was the recipient of the Hoffberger Clinical Law Prize, given to an outstanding member of the graduating class who has excelled as a student lawyer in the Clinical

Law Program. During her work in the Clinic, she and her colleagues represented a client who is presently serving life plus 20 years for a 1990 murder in Baltimore County. The discovery of a police investigative report that described a photo array administered in 1994 excluding the client that was never disclosed to the client's then defense counsel prompted the reinvestigation of the entire case, with some help from a private investigator. They were able to determine that it was also likely that the State had used a snitch who had concocted a story and then testified about a conversation with Ms. Hill's client in exchange for leniency. Ms. Hill and her colleagues assisted in the drafting of a Motion to Re-Open a Post-Conviction Hearing for the defendant. In short, Ms. Hill says, "Clinic was what made law school bearable." Ms. Hill will be working with Mark Martin ('90) and William Kanwisher ('87) in Baltimore, Maryland, assisting Mr. Martin with his representation of children in IDEA and 504 hearings all over the state and Mr. Kanwisher's death penalty trial and post-conviction/habeas work.

Sarah Coffey Bowes ('04) was the recipient of the Ward, Kershaw Fund

Award, which is presented to a student who has demonstrated outstanding skills of advocacy on behalf of a client. She feels that her most important work was on behalf of a grandfather providing informal care for his granddaughter. The case was referred to the Clinic through the Healthy Grandparent Families pilot program. The grandfather seeking to formalize the relationship and acting on bad advice, reported his granddaughter as a Child in Need of Assistance. Unfortunately, he was not recognized as a party in the CINA proceedings and sought the Clinic's

## "Clinic was what made law school bearable."

help to intervene. Additionally, a previously absent father moved to obtain custody of the child and because the father was recognized as a party in CINA court, it seemed that he would prevail. Ultimately, Ms. Bowes and her colleagues were able to have the case removed to the Family Court and the grandfather was granted custody of his granddaughter. Ms. Bowes says, "Because we worked in conjunction with the Healthy Grandparent Families program, which provided social work and nursing care in addition to legal assistance, I ultimately had a sense that we closed the case leaving the family better equipped to handle legal and familial problems independently and that we had improved their family situation - not merely band-aided it until a future crisis."

Alvaro J. Bellido de Luna received the Community Scholar Prize for his outstanding work in the clinic. Mr. de Luna first began to work with communities in the Community Greening LTP Seminar. He discovered that it was possible to work with communities in a more positive way. He wrote a paper as part of that work. Then, he continued to develop his knowledge of, and interest in, Community Justice programs. Mr. de Luna took Clinic II and worked with several communities, but really began to develop work with Washington Village/Pigtown Neighborhood Planning Council and the Baltimore City States' Attorney's Office in forging the Community Prosecution Program. He continued to work with this community even when he could no longer take clinic, but volunteered to work in training community leaders about the community justice concepts.

A police officer in the Howard County Police Department, Mr. de Luna will continue his police work while also serving as a Community Justice Fellow in the Clinical Law Program.

### The Center for Dispute Resolution Expands Staff for New Projects

-DRUM, under the direction of Roger Wolf, continues to grow and expand not only with new staff, but new and expanded projects. Toby Treem recently joined C-DRUM as its Deputy Director after administering FARM SENSE, the United States Department of Agriculture's state certified agricultural mediation program for the state of Maryland. In this position Ms. Treem coordinated a roster of 30 mediators who provided mediations throughout Maryland involving agricultural producers and

#### **N**EWS

covered issues such as government regulation compliance, water rights, and health and safety concerns by neighbors. A graduate of the University of Maryland School of Law, Ms. Treem has extensive experience as a mediator, is vice president of a community mediation center in Anne Arundel County, and has conducted trainings for local and state government employees on topics such as conflict styles, effective communication, and introduction to mediation. She replaces Connie Beals who, after helping start C-Drum for the past two years, has moved to Chicago, Illinois.

Barbara Grochal has been hired in the new position of Deputy Director for the Maryland School Conflict Resolution Grants Program. She will be primarily responsible for coordinating and developing the collaboration between the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO), the Maryland Department of Education, and C-DRUM which this year awarded financial grants of \$600 to \$10,000 to twenty-one public schools throughout Maryland for innovative conflict resolution programs. Ms. Grochal brings a diverse educational background and professional experience to this position with C-DRUM. She has a master's degree in Education as well as a master's degree in Business Administration in Management and Finance. After a career as a consultant Ms. Grochal has redirected her skills to the area of conflict resolution and, as a trained mediator, has mediated numerous cases in the District Courts of Maryland and the Maryland Human Relations Commission.

#### Clinic Welcomes New Staff

n 2004, the Clinic was pleased to welcome three new additions to its already highly qualified staff—Teresa Barrett, Gynene Sullivan, and Jacqueline Yates.

Ms. Barrett joined the Clinic in July 2004 from the Admissions Department at the Law School. She graduated with a B.A. in paralegal studies from the University of Baltimore, and an AA in pre-Nursing from Villa Julie College. Prior to her work in the law school, Ms. Barrett spent several years as a paralegal in a small civil litigation firm handling personal injury cases, consumer cases, domestic cases and other related matters. Ms. Barrett is a central resource person for students, faculty and the general public at the Clinic Help Desk

Ms. Sullivan joined the Clinic in April 2004 from the law firm of McGuireWoods LLP where she served as a legal assistant in their public finance department. Ms. Sullivan has a B.A. in History from the University of Maryland Eastern Shore and will complete her Paralegal Certificate with a Business Concentration in December 2004. Ms. Sullivan brings to the Clinic nearly 10 years of legal administrative and paralegal experience supporting corporate and transactional practices.

Ms. Yates joined the Clinic in April 2004. Since graduating from high school, Ms. Yates has worked for two solo practitioners in general practice. Ms. Yates currently assists the Managing Director of the Clinic in its day-to-day activities and technology projects, as well as acting as a resource for students and professors on a variety of Clinic administrative matters.

Ms. Yates, Ms. Barrett and Ms. Sullivan join Loris Moore and Linda Whaley-Johnson, members of the clinic since 1990, in supporting the professors and students in the busy, multi-faceted clinic practice.

## Try Not to Breathe Cont. from page 5

of cars and sport utility vehicles. The Environmental Protection Agency let grandfathered power plants in the midwest off the hook when they modify their outmoded plants, allowing these "old dirties" to operate indefinitely without additional pollution controls. EPA also ducked its responsibility to regulate facilities using mercury cells to manufacture chlorine. One such plant, in New Martinsville, West Virginia, loses tons of mercury annually, depositing these "fugitive emissions" throughout the Potomac watershed. And EPA recently gave atrazine another interim registration without considering its potential effects at low doses on wildlife; the Agency has also pared down the process for consulting with the Fish and Wildlife Service experts before such decisions are made.

In partnership with its clients, this year's Environmental Clinic is trying to do something about not one, nor even

two, of these problems, but all of them, placing us at the forefront of Maryland's most intractable debates over who – the public or the manufacturer – should bear the burden of protecting the environment. On behalf of Senator Brian Frosh of the Maryland General Assembly, a team of second and third-year students will prepare a report analyzing why Maryland has fallen short of meeting its ozone attainment deadline, and what the state must do to get back on track. Modeled on the Clinic's highly successful report entitled 2002 Keeping Pace: Maryland's Worst Environmental Problems and What We Can Do to Solve Them, the report will analyze publicly available data, interview key stakeholders, and explore national proposals to improve the performance of the contributors to ozone, from power plants to SUVs.

The Clinic is also co-counsel with Aaron Colangelo, senior attorney at the Natural Resources Defense Council, in a lawsuit challenging EPA's decisions regarding atrazine and endangered species not just in the Bay region, but throughout the Midwest and the South. We represent Ed Merrifield, the Potomac Riverkeeper, in an ongoing effort to quicken the pace and effectiveness of the Maryland program to develop Total Maximum Daily Loads. In the face of EPA's failure to regulate the chlor-akali plant in West Virginia effectively, we will assist the Riverkeeper in doing a public education campaign designed to pressure the manufacturer to reduce its emissions voluntarily.

Down to a lean and, to outsiders, mean contingent of ten student attorneys, demand for the Clinic's assistance has never been higher nor its work more important. Hopefully, by virtue of hard and creative work and sheer commitment to these representations, we can help improve environmental conditions that are becoming more and more disturbing.

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