Another academic year begins, and we have barely caught our breath from the last one. But the events of the last academic year propel us into this year’s work with power and passion. Maryland’s Clinical faculty, staff, and the students who work with us are reaping the fruits of the persistence of students across many years:

- The Community Development Clinic finally witnessed the passage of legislation allowing for Alley Gating and Greening initiatives for urban spaces. Started more than five years ago when the Community Development Legal Theory and Practice class taught by Professors Bezdek and Bratton Blom took on the issues of retrofitting urban spaces for greening, the Clinic worked in partnership with Community Greens, a national initiative for greening in urban spaces, and a coalition in Baltimore City committed to the concept of creating more sustainable and community-based and managed green space.

- The Community Justice Clinic, along with the larger School of Law community, hosted “The Deeper End of the Pond: Innovative Practices in Community Justice” symposium. Striving to develop local alternatives to mass incarceration, residents of Maryland were able to draw upon the experiences of folks from around the country who are also struggling with the effects of incarceration as a policy applied to poverty — seeking alternatives at the front end of the criminal justice system, and reintegration of our citizens as they leave prisons and come back to the communities that are home.

- The Tobacco Control Clinic, part of our Legal Resource Center for Tobacco Regulation, Litigation and Advocacy, supported work that led to a smoking ban in restaurants and bars in Baltimore City and the State of Maryland. Students in this clinic also represent local jurisdictions who are working to pass legislation that would reduce the amount of harmful products related to smoking, and will promote smoking-reduction activities.

- The Re-entry Clinic celebrated a legislative victory that restored voting rights to ex-offenders who are leaving prison and completing their parole. As part of a larger coalition of forces statewide, Professors Pinard and Ifill have been working on this issue for several years now. Students continue to do work in the Re-entry Clinic that reduces barriers for reintegration for those returning to communities after serving their time.

- The Drug Policy Clinic celebrated several successes this year. After several years of work with Baltimore City to address the zoning code provisions that discriminate against community based drug treatment living...
The justice system’s response to violence in communities is a major impediment to creating a healthy community. Poor communities of all races are experiencing unprecedented and permanent effects due to the justice system’s meting out longer sentences as required by mandatory minimum sentencing legislation. Success in this era may very well require the legal task undertaken by our English ancestors through the sorting issues of law from issues of equity.

Under a traditional criminal justice model, crime is a violation of the law and an offense against the state. Violations of the law create guilt, and justice requires the state to both determine blame and impose punishment. The driving idea is that offenders get what they deserve. Alternatively, a restorative justice framework shifts this foundational thinking. Crime is a violation of people and relationships. Violations create obligations, and justice involves the victims, the offenders, and the community in an effort to put things right. The focus is on “justice” by addressing the needs of the victim and holding the offender accountable for repairing any harm they inflicted.

However, “justice” does not mean a court system that stigmatizes and imprisons large segments of poor communities, leaving individuals and communities with a diminished chance of success. In their infancy, courts focused on individuals and communities — resolving a problem to the satisfaction of those affected. Over time, however, the judicial treatment changed to a more systematic model, handling the case, not the person, in the name of preserving rights and ensuring equal treatment for similarly situated individuals. The ongoing challenge and conversation is to find a way for the community to be a part of what “justice” means.

Community justice requires the collaboration of problem solving and community lawyering practitioners, academics, and community members. As defined by the U.S. Bureau of Justice Assistance, community justice is “a violence and crime prevention model that supports a community’s involvement in trying to repair the harm rendered by a criminal offense.” Community justice provides an effective alternative to the traditional criminal justice system by utilizing support services and dispute resolution strategies coordinated within a community to address criminal activity.

On March 8-10, 2007, nearly 300 people from 26 states came to the University of Maryland School of Law to participate in “The Deeper End of the Pond: Innovative Practices in Community Justice.” The conference was part of the ongoing work of the Community Justice Initiative, which is linked to our nationally ranked Clinical Law Program. It was the perfect opportunity to bring people of diverse backgrounds and expertise together to tackle the difficult issue of violence in communities.

The conference opened with a showcase and media panel moderated by radio show host Marc Steiner, which highlighted powerful videos and photography created by youth concerning how they viewed violence and answered the question “What does justice in my community look like?”
The conference also featured keynote speakers who shared unique insights and strategies on how to make justice a reality in communities. Dr. Elijah Anderson, Charles and William Day Distinguished Professor of the Social Sciences and Professor of Sociology, University of Pennsylvania in Philadelphia, PA, is the author of *The Code of the Street: Decency, Violence, and the Moral Life Of The Inner City*. Dr. Anderson addressed the question “why” individuals choose to embrace criminal/anti-social behavior in a community.

The Honorable Judge Alex Calabrese shared his experiences in the Red Hook Justice Center in Brooklyn, NY. The Center houses an innovative, multi-jurisdictional problem solving court, which handles criminal, housing and family court matters. Judge Calabrese likes to say “If you ask the question ‘why are you here?’ rather than ‘what are you charged with?’, you end up in a very different place. The community wins. The offender wins. And, the court might prevent a recycling of that person in the system.”

Father Gregory J. Boyle S.J., Jesuit Priest and Founder/Executive Director of Jobs For A Future/ Homeboy Industries, an employment referral center and economic development program in Los Angeles, CA, spoke from the heart as he shared stories about working with former gang members in Los Angeles. His focus is creating alternatives for people who believe they have none, and then being consistent with them about the fact that people can build and rebuild their lives if they are willing to step up to the task.

The conference also offered a wide variety of workshops in the areas of problem-solving courts, community capacity building, and community/government collaborations. The topics ranged from mediating criminal cases, to the usage of teen courts, to effective community prosecution, to prison/community gang linkages, to offender re-entry strategies, to tribal justice within indigenous communities. The presenters were equally diverse, including a former Wisconsin Supreme Court Justice, a physician from the University of Maryland Shock Trauma Center, the chairwoman of the New York Human Rights Commission, and the Commander of the Austin, TX police department.

So why does this justice discussion matter for the 21st century? We must create strategies to rebuild the community. Collective risk-taking and collaboration are essential to restore order when violence has taken root. This requires communities to become active participants in the justice discussion.

It is destabilizing to communities who use a systematic approach to justice in communities to be constantly removing individuals from the community to put them into prison. Furthermore, communities bear the burden of receiving their neighbors, now ex-offenders, back home and dealing with the fact that their options are even more limited than before. Finally, because imprisonment is so prevalent in these communities, young people begin to see it as a normal experience and the threat of prison loses its deterrent effect.

To correct the problem of crime in poor neighborhoods in a manner that allows success for the individual and the community, the justice system will have to take into account the individual and the community. Community development lawyers will need new allies and new knowledge to successfully navigate this new set of challenges.

If you throw a pebble into the shallow end of the pond, you create a temporary splash. If you throw a pebble into the deeper end of the pond, you create ripples that will reach distant shores.

You can listen to podcasts of the workshops and view video of the keynote speakers at [http://www.law.umaryland.edu/communityjustice](http://www.law.umaryland.edu/communityjustice)
Excerpts from Keynote Speaker Father Gregory Boyle, S.J., Founder and Executive Director of Jobs For A Future/Homeboy Industries

Jobs For A Future/Homeboy Industries, an employment referral center and economic development program begun in 1988 for at-risk and gang-involved youth, is a nationally-recognized center that assists 1,000 people a month in re-directing their lives. Through its unique and multi-service approach, Jobs For A Future offers hope to those for whom hope is often foreign.

Located in Boyle Heights, a community with arguably the highest concentration of gang activity in Los Angeles, Jobs For A Future provides employment opportunities, counseling, and many other services (including free tattoo removal). By seeking to address the root causes of gang violence, Jobs For A Future creates opportunities so that at-risk youth can plan their futures and not their funerals. “Nothing stops a bullet like a job” is the guiding principle.

So we did a lot of things, you know. We opened our doors at the church; that was the first thing. And then we listened to them and they talked a lot about “You know, if only I had a job.” You know, and not everything worked. We had Homeboy Tortillas which, you know, we couldn’t compete with these mega conglomerate tortilla dynasties; and Homeboy Plumbing that didn’t work too well either. Who knew people didn’t want gang members in their homes. I just didn’t see that one coming, you know?

I think there’s a kind of common vision that joins us in these two days, or three days really, together. The prophet Habakkuk writes, “The Vision still has its time presses on to fulfillment and it will not disappoint. And if it delays wait for it.” But I suspect that there is nobody in this room that wants to just wait, tapping your feet and staring at your watch. You want to make things happen, and what I want to suggest to you this evening is what I think the over-arching goal is for all of us — to create in the cities from which we hail a community of kinship…

It’s about kinship in the end. A lot of times our focus can be centered on something like peace or centered on something like justice, but no kinship, no peace. No kinship, no justice. ... I suspect that if the goal was kinship, we would no longer be promoting justice we would in fact be celebrating it. And so to that end, try to create an imagined circle of compassion and then we imagine nobody standing outside that circle. And to that end, we stand to the very margins with those whose dignity has been denied. The poor, the powerless, and the voiceless.

We stand with those whose burdens are more than they can bear. We stand with the easily despised and the readily left out. All of us choose to stand with the demonized because we want the demonizing to stop. We stand with those on the margins because we hope that the margins themselves will get erased because of our choosing to stand there. We stand with the disposed because we long for the day when we stop throwing people away. Our goal is to achieve some kind of compassion that can stand in awe of what the poor have to carry, rather than stand in judgment at how they carry it. There is no us and them, it’s just us. And we seek to bridge that gap and discover it is an illusion, an illusion of separation.

I remember a homey named Caesar, everybody calls him Dreamer, and he came into my office after he had just been released from prison. Now, I think I have found him probably five jobs or so in the last twenty years of knowing this guy. A gang member, sold drugs, got high, in and out of being locked up. Sometimes he didn’t last that long in jobs and so this time he came in and said, “I promise you. This time it will be different.” You know, they always say that. And so, alright, I pick up the phone with him right there and I call a friend of mine who runs a vending machine company in Alhambra. And, he hires this kid right away. Well in about two weeks he comes in with his first paycheck. He says, “Damn, Gee. This paycheck makes me feel so good. You know, my mom she proud of me and my kids they’re not ashamed of me. And, well, you know who I have to thank for this job.” And I said, “Don’t cuss, who?” And he looked at me strange and he said, “Well, God, of course!” So I go, “Ya, ya. Absolutely!” And he looked at me and he said, “You thought I was going to say you, didn’t you?” I said, “No! No! Absolutely, God’s number one!” He says, “You are so lucky we’re not living in them Genesis days.” And I do, “Those Genesis days?” He says, “Ya, because God would have struck down your a** already by now.”

I remember a homey named Carlos came into my office. He’s 24 years old and he was just released from Corcoran State Prison. He had been locked up for ten years. I guess I had known him when he was a little guy, fourteen years old…His arms are completely tattooed. He’s all sleeved out, as we say. His neck blackened with tattoo from collarbone to jawbone. His head shaved, which is typical among Latino gang members, covered with alarming
tattoos, but most alarming of all, though nicely done, were two devils horns etched in his forehead. And he looked at me and he says, “You know, I am having a hard time finding a job.” And I said, “Well, yea Carlos. You know maybe we could put our heads together on this one.” So I’m about to nudge him towards our tattoo removal and he says, “You know, I’ve never worked a day in my life.” … And I said, “Well why don’t we change this?” So, this was a Monday afternoon so I called our Homeboy Silkscreen Factory, which is our biggest business that’s been around for ten years. We have 1,900 customers. They actually had a million dollars in profits this last year, which is kind of a record for us. Nearly 500 enemy gang members have worked side-by-side there within the last ten years. We do high quality work. We are reasonably priced. We UPS to the State of Maryland or any other place.

So I sent Carlos to work at the Silkscreen, and he works on Tuesday. On Wednesday, I call over there because I want to know how’s he doing. I said, “Bring that new guy with the devil’s horns to the phone.” And so, Carlos comes to the phone and I say, “Hey, how’s it feel to be a working man?” And Carlos says, “It feels proper. Yea, I’m holding my head up high. In fact, I’m like that guy on the commercial. You know the one who walks up to total strangers and says ‘I just lowered my cholesterol.’ Yea, well, that’s me.”

I go, “Boy I’m sorry, Carlos, that went right over my head. Cholesterol?” He said, “Yea, yesterday I’m dirty, I’m tired, I’m sitting at the back of the bus, I couldn’t help myself. I kept turning to total strangers and saying ‘Just coming back, my first day on the job; just got off, first day at work.’” Of course, I’m imagining the people on the bus. You know, mothers clutching their kids a little more closely.

I suspect and hope that somebody’s thinking, “Hey, nice going, good for you.” But I suspect, still, there must be somebody overhearing this kid and thinking to himself, “What a waste of a perfectly good job.” The prophet Isaiah writes “In this place of which you say it is a waste, there will be heard again the voice of mirth and the voice of gladness; the voices of those who sing.” And no matter what it is that you do, part of what you do is you make those voices heard. Because, otherwise, nobody knows they are out there unless you do.

I remember in early September I got a phone call – I’d never gotten a phone call like this before – from a homie. It was Friday afternoon. From a guy named Bandit. With homies, sometimes, no news is good news. If you haven’t heard from them in a long time, they’re doing pretty well. Bandit was well named. You know, he grew up in the projects where I worked and he was just a knuckle head. You know, he sold drugs and into gang banging, into his idea of a gang. And nothing seemed to work, you know, until fifteen years ago Bandit stepped-foot into my office at Homeboy Industries and he said, “I’m tired of being tired.” And so I walked him over to one of the job developers who, as luck would have it, found him a job that day. And, it was entry-level, unskilled warehouse worker. Now cut to fifteen years later. Bandit runs the place, he’s the supervisor of this warehouse. He’s married. He owns a home. He has three kids. But, he calls me on this Friday afternoon and there’s a little panic in his voice, and he’s a little breathless, and he says, “Gee, you gotta bless my daughter!” I say, “Oh my God, what’s wrong? Is she sick, is she in the hospital or something?” “Oh, no, no, no. On Sunday, she’s going to Humbolt College. Imagine my daughter, she’s going to college. But she’s a tiny little girl, and I’m afraid for her you know, and it’s far away from home; she’s going to live away from home. Do you think you could give her like a blessing?” I said, “Well, of course. I have baptisms tomorrow at the church. Why don’t you all come at 12:30 before the baptisms at 1:00, and we’ll do a little send-off blessing prayer for her since she’s leaving on Sunday.” So sure enough, they all show up; Bandit and his wife, Jessica, who’s the tiny one headed to college, and her two sibs. We stand in front of the altar and gather around and “Everybody bow your heads and close your eyes, and put your hands on her head, or on her shoulders.” And I do some long-a** prayer; I go on and on, you know.

Somewhere in the middle of this thing, I notice we are all crying. Everybody’s crying, and we’re all getting mushy and sentimental and I don’t know exactly why we are; except for the fact Bandit and his wife don’t know anybody that had gone to college except me. Certainly nobody in their families. And so we wipe away our tears after the prayer is over and we kind of laugh at how mushy and sentimental we got. And so, I look at Jessica and I say, “So, what are you going to study at Humbolt College?” And, she was real quick, she says, “Forensic Psychology!” And I go, “Damn, Forensic Psychology!”

And Bandit chimes in, “She wants to study the criminal mind.”…and he says, “Yea, I’m going to be her first subject.”

So, I found a job for a kid from a gang called White Fence, a Latino gang which goes back far, far to the forties in Los Angeles. They been around for a long time. So predictably, I started getting phone calls from homies from the White Fence Gang. So I get one from a kid I’d never met before and this is all he says to me on the phone, “Ay, this is Chico from White Fence. Kick me down with a holley,” he says. Which roughly translates, “Do you think you can locate gainful employment for me?”

I said, “Well I don’t even know you, maybe we should
meet.” So I scheduled to go to Chico’s house and I meet this seventeen year old hyper-skinny kid, big, huge floppy ears, a lone tattoo on his neck. We sit on his front porch and we talk. I meet his mother, Rosa, who is a very nice lady. She seems happy that I’ve intervened somewhat in her kid’s life. We talk and I say, “If I got you a job, is there some skill that you’d like to pick up?” And he was real quick, he says, “Yeah, computers; I don’t know nothing about ‘em but I want to learn ‘em.” So, long story short, I find a place called the Crystal Center and the Crystal Center is a homeless resort center in downtown L.A. I knew the director at the time. It’s a nonprofit. I’d heard somebody had donated a whole bank of computers, so I call her up and I say, “I got this kid Chico, he’s a gang member but he’s trying to change his life. He goes to an alternative school in the morning, I’d like him to work for you in the afternoon from 1-5 Monday through Friday. Here’s the deal, I will pay him myself every Friday, somehow. If I find out you’re hanging, banging, or slanging, with all due respect and great love, I’m gonna let you go. Are we clear?” And he says, “I won’t let you down.”

So Monday comes and I remember it was part of my consciousness at one o’clock sitting in my office, okay, Chico’s walking into the Crystal Center. Then five o’clock rolls around, okay, he’s walking out of his job. Maybe he’ll call. Maybe he’ll come by and tell me how it went. And nothing, no call no show. Tuesday comes and I go through the same routine, one o’clock enters Crystal Center, five o’clock walks out of the Crystal Center. I wait. No call, he doesn’t come by. Tuesday turns into Wednesday and Wednesday turns into Thursday, and then another occupational hazard kicks in. I start to think the worst. I think, you know, maybe his probation officer arrested him. Maybe he flaked out. Maybe he just changed his mind. Maybe my directions were bad. And just as I’m thinking the worst, on Thursday at three o’clock out of our fax machine comes slowly chugging this memo on Crystal Center letterhead, big block Crystal Center, and then underneath it big block letters from our pal Chico at his new job. “Dear Gee. I am learning how to use a fax machine. I am learning a gang of *** here. Love Chico. P.S.: I really love this job. Thanks for getting it for me.”

Well, about seven months later I walk to my office and I’m fumbling with the keys at 7:30 in the morning to open up, and I can hear the phone insistent inside. I catch it in mid-ring and it’s Chico’s mother, Rosa, to tell me that the night before Chico had been standing not far from his front porch talking to some neighbors, and a car was coming slowly down the block and seemed to decrease its speed once it caught up with this group, mad-dogging glances were exchanged and windows were rolled down and words volleyed back and forth until, finally, a single bullet flew from the back seat and lodged very high up at the back of Chico’s neck and he was taken to General Hospital, Intensive Care. I race over there, I walk into the Unit and I see Chico lying there on his back all tubed up, tubes everywhere; nose, mouth, arms. He’s naked but for a diaper. But the most notable thing of all are his eyes, they’re wide open staring at the ceiling unblinking like you had toothpicks holding them open. There’s a doctor at the foot of his bed and he’s scrib-
buling notes on a clipboard, so I go to him to assess Chico’s condition. And the doctor shakes his head and he says, “You know, Father, in all my years I have never seen a paralysis so high. It’s just so high on the stem of the spine. In fact, we suspect there may well be brain damage though we’re not certain.” And the doctor leaves, and I walk closer to Chico. And still, his eyes are just wide open; riveted, glued to that acoustical tile, unblinking. And I lean into his ear, “Chico?” And his eyes don’t move and he doesn’t seem to register in any way that I’m even there. And as a priest, I give him a blessing and I giving him the anointing of the sick. And I think to myself, it’s just as well that he not know what is going on.

The truth be told, this was a really hard kid to visit the next day though I knew I would. Of course I would. Just a remarkable kid. I can still see him in my mind’s eye sitting on his front porch on a Friday afternoon waiting for me to deliver his little mi sadia of a paycheck. ... And far more valuable than this little paycheck that I’d hand him on a Friday afternoon was the time that we sometimes had to spend discussing what was on God’s mind. And I regret even to this moment that it wasn’t more time.

But I went back, of course, the next day and I walked into the hospital unit and I found him much the same as the day before; lying on his back, all tubed up, eyes unblinking, staring at the ceiling. So I leaned into his ear, “Chico.” But this time, his eyes dart to my eyes and they lock onto my eyes and they will not let go of me. And I’m kind of startled by this. I watch as his eyes well up with tears and mine can’t help but to do the same. I don’t know what to say. “Do you know who this is, Chico.” And to the extent that he can nod at all, he does. And then I’m really at a loss. I look at him and I say, “Do you know that we all love you very much?” And this last thing makes him cry a great deal and he just begins to sob; he’s actually wailing. And his face says in a most unmistakable way, “Please, get me out of this body!” So I blessed him as I had the day before, and I think to myself, the good news is he’s alive and the bad news is that he knows enough to wish that he weren’t. And so a week passed and his heart stopped. He just couldn’t sustain it anymore and I buried him.

To hear more of Father Boyle’s experiences, visit http://www.law.umaryland.edu/communityjustice

On November 15, 2006, the University of Maryland School of Law hosted a discussion focused on alternative methods of justice and reconciliation. In conjunction with The Community Justice Initiative and the Community Conferencing Center, the discussion was moderated by Professor Sherrilyn Ifill from the Clinical Law faculty.

Members of the panel included: Lauren Abramson of Baltimore’s Community Conferencing Center; Lewis A. Brandon, Archivist & Grassroots History Project Coordinator; Patricia Clark, Executive Director of The Fellowship for Reconciliation; Madeline Herrington, Participant Serious Crime Conference; Lisa Magarrell, Senior Associate for the International Center for Transitional Justice; and Ed Whitfield, member of the Greensboro Truth and Reconciliation Commission. The members of this panel focused on answering the question, “How do we resolve the complex problems of systemic inequality without using the traditional methods of justice?”

Professor Ifill opened the discussion, addressing the use of truth and reconciliation commissions, and their use in South Africa and, more recently, in Greensboro, North Carolina. The commissions are an effort to bring about a “truth telling” that may not necessarily come about in the traditional court process. The Greensboro Truth & Reconciliation Commission was the first ever in the United States. Its mandate was to examine the “context, causes, sequence and consequences” surrounding the calamitous events that occurred there in November of 1979. To review the work of the commission go to http://www.greensborotrc.org.

On a local level, Lauren Abramson spoke about the efforts of the Community Conferencing Center here in Baltimore. The Center uses conferencing as a means of effective community justice. She explained how conferencing brings together all of the parties that are affected by the behavior, and discussed ways to repair the damage caused. However, it was Ms. Herrington’s story that made a lasting impression. Ms. Herrington’s mother had been murdered by a woman who was addicted to drugs, and, at the time of the crime, was under the influence. Ms. Herrington, after many years, participated in the Center’s Serious Crimes Conference. After ten years, she sat face to face with the woman who took her mother’s life, and was able to speak with her. In this conversation, Ms. Herrington could see this woman was no longer the young, drug-addicted person who murdered her mother. She said this conversation made a tremendous impact on her life.
Barbara Bezdek

Brenda Bratton Blom

Book Review: THE LEGAL GUIDE TO AFFORDABLE HOUSING DEVELOPMENT (Tim Iglesias and Rochelle E. Lentos, Eds.) in J. Affordable Housing and Community Development Law (Spring 2006)

“Cause Lawyering and Social Movements: Can Solo and Small Firm Practitioners Anchor a National Movement?” STUDIES IN LAW, POLITICS AND SOCIETY (Spring 2006)

Interview, “Pursuing Justice Where People Live,” The Daily Record (March 29, 2007)

“Roundtable Discussion: Community Justice Centers in Baltimore?”, The Marc Steiner Show, WYPR Public Radio (March 26, 2007)

Lead Moderator and Host, “The Deeper End of the Pond: Innovative Practices in Community Justice,” National Community Justice and Community Conference, University of Maryland School of Law, Baltimore, Maryland (March 8-10, 2007)


“Speaking Truth in Restorative Justice: A Story That Builds Community,” Creator and Moderator, Maryland’s First Restorative Justice Conference, Columbia, Maryland (November 2006)

Doug Colbert
“Coming Soon to a Court Near You—Convicting the Unrepresented at the Bail Stage: An Autopsy of a High Court’s Sua Sponte Rejection of Indigent Defendants’ Right to Counsel,” 36 Seton Hall Law Review 653 (2006)

“Connecting Theory and Reality: Teaching Gideon and Indigent Defendants’ Non-Right to Counsel at Bail,” 4 Ohio State Journal of Criminal Law 167 (Fall 2006)

“Professional Responsibility Post-Katrina: Law Students Respond to the Criminal Justice Crisis,” Baltimore City District Court Judicial Conference, Baltimore, Maryland (March 27, 2007)


Guest, Mark Steiner Show, “Law Students Work To Help Rebuild New Orleans” (January 18, 2007)

Guest, Mark Steiner Show, “Litigating Poor People’s Right to Counsel at the Initial Appearance” (November 27, 2006)

Kathleen Hoke Dachille
Moderator, “‘Safer’ Tobacco Products: Reducing Harm or Giving False Hope?” Center for Tobacco Regulation Conference, University of Maryland School of Law, Baltimore, Maryland (April 20, 2007)

“Preview of the Tobacco Control Agenda for the 2007 Session of the Maryland General Assembly,” First Annual Meeting, MD QUIT (Quit Use and Initiation of Tobacco), Baltimore, Maryland (January 17, 2007)

“Policy and Legislation to Reduce Tobacco Use and Tobacco-Related Disease in Maryland,” Maryland Cancer Council Annual Meeting, Baltimore, Maryland (November 15, 2006)

“Fire Safe Cigarette Litigation: Past, Present, Future and a Call to Action,” Tobacco Public Policy Center, “Waiting to Exhale” Continuing Legal Education Workshop for the Ohio State Bar, Columbus, Ohio (October 27, 2006)

“Employment Policies Based on Smoking Habits,” Making the Business Case for Smoking Cessation and Tobacco Control, Wolfe Symposium, Columbus, Ohio (October 6, 2006)

Debate, “Does Parental Smoking Constitute Child Abuse?” Striking the Rights Balance,” The National Center for Adoption Law & Policy, Capital University School of Law, Columbus, Ohio (October 6, 2006)
Michael Millemann

“Teaching Legal Research and Writing with Actual Legal Work: Extending Clinical Education into the First Year,” 12 Clinical Law Review 441 (2006) (with Steven D. Schwinn)


Fernando Nuñez
“Immigration Consequences of Criminal Convictions,” The Ginsberg Seminar Series, University of Baltimore School of Law, Baltimore, Maryland (March 13, 2007)

Michael Pinard


American Bar Association Site Team Member, University of North Dakota Law School (March 21-24, 2007)


Rena Steinzor


“Rescuing Science from Politics: The “Sound Science” Assault and What It Means to You,” Manta Noon Seminar, Maryland Department of Natural Resources, University of Maryland College Park (December 14, 2006)

Katherine Vaughns
Panelist, “Current Issues in Immigration and Legislative Reform,” Maryland State Bar Association’s Young Lawyers Section Open Meeting and Panel Discussion, BWI Hilton Hotel, Linthicum, Maryland (March 12, 2007)

Ellen Weber


Quote, “City to Vote Today on Zoning Measure,” Baltimore Sun (October 30, 2006)

Interview, “More Drug Treatment Centers,” Baltimore Sun (October 26, 2006)

Presentation: Clinical Health Law Teaching, The 30th Annual Health Law Professors Conference, Boston, MA (June 1, 2007)

Deborah Weimer
“Conaway v. Deane Amicus Brief” (along with several other faculty members), Maryland Court of Appeals (December 2006)

Interview, “Maryland’s Highest Court Hears Same-Sex Marriage Arguments,” Associated Press (December 4, 2006)
Jane Barrett
Professor Jane Barrett joins the School of Law faculty as director of the Environmental Law Clinic. Professor Barrett, a graduate of Loyola College (Baltimore) and the University of Maryland School of Law, most recently was in private practice at Blank Rome, LLP in Washington, D.C. While at Blank Rome, and before that while at Dyer Ellis and Joseph, PC, Professor Barrett chaired the White Collar, Internal and Government Investigations Group. In addition to litigating complex criminal and civil environmental cases, she also conducted many corporate internal investigations, and advised clients on the implementation of corporate compliance programs and the effective use of audits and federal and state environmental self-disclosure programs. Previously, Professor Barrett was an Assistant United States Attorney for the District of Maryland, where she tried numerous criminal cases, including several key environmental criminal cases. She was also Chief, Environmental Litigation and supervised environmental litigation within the District of Maryland, and worked with various state and county Environmental Crimes Task Forces within the State. Prior to joining the United States Attorney’s Office, Professor Barrett was an Attorney General for the State of Maryland for the Hazardous Waste Strike Force/Environmental Crimes Unit and an attorney with the U.S. Environmental Protection Agency. Professor Barrett is the author of numerous articles in the areas of her expertise and has served in leadership and other positions in professional organizations.

Rebecca Saybolt Bainum
Rebecca Saybolt Bainum joined the law school in 2007 as the Managing Director for the Clinical Law Program. In that capacity, Ms. Bainum is responsible for the day-to-day operations of the program, and for long-range planning and administrative functioning of the clinic. She also teaches the summer general practice clinic. Prior to joining the School of Law, Ms. Bainum served on the Maryland Judicial Campaign Conduct Committee, a diverse group of attorneys, judges and professionals from across the State of Maryland dedicated to promoting impartiality and dignity in Maryland’s contested judicial elections. Ms. Bainum also worked for five years as the Research Director and Legal Projects Manager for the Women’s Law Center of Maryland. In that capacity, Ms. Bainum conducted two groundbreaking research initiatives exploring family law trends in the state, one of which provided the first state-wide empirical data on custody and financial distribution in divorce. She also supervised the Women’s Law Center’s court-based domestic violence assistance programs. Previously, Ms. Bainum was an associate in a private plaintiff-side litigation firm in Boston and served as Legal Counsel to a State Senator. Ms. Bainum graduated from Northeastern University School of Law and Amherst College.

Patricia Campbell
Professor Patricia Campbell joined the faculty in 2007 after spending a number of years in private practice with several law firms and corporations. Most recently, she was Associate General Counsel at Kajeet, Inc., a telecommunications company located in Bethesda, Maryland. Previously, Professor Campbell was a litigator and transactional attorney with the Fish & Neave IP Group at Ropes & Gray in Palo Alto, California, and Washington, D.C. Professor Campbell received an LLM in intellectual property law in 2004 from the Santa Clara University School of Law. Her work has been published in the Santa Clara Computer & High Technology Law Journal. She will be the Director of the Maryland Intellectual
Property Resource Center, and supervising the Intellectual Property Clinic.

Sharon Reece
Sharon Reece is a Visiting Associate Professor who is the supervising attorney for the Low-Income Taxpayer Clinic. Professor Reece received a BA degree in Sociology and Modern Languages from the University of the West Indies in Kingston, Jamaica. Subsequently, she obtained a MA degree in Sociology and Urban Studies from Long Island University, a JD degree from Hofstra University, and a LLM degree in Taxation from New York University. Prior to joining the faculty at the University of Maryland School of Law, Professor Reece taught basic and advanced tax courses at the University of Arkansas, Bowen School of Law in Little Rock, Arkansas; Rutgers University School of Law in Camden, New Jersey; and Albany Law School in Albany, New York. She also taught in the Graduate Tax Program at the University of Bridgeport School of Law (currently Quinnipiac Law School). Prior to beginning a career in teaching, she was a tax attorney with the law firm of Berchem & Moses in Connecticut and law clerk for Justice George Bundy Smith, who is currently a member of the New York State Court of Appeals.

Sury Vepa
Sury Vepa joined the School of Law in 2006 as a Clinical Instructor and Staff Attorney for the Maryland Intellectual Property Legal Resource Center. Prior to joining the School of Law, he worked as a Technology Licensing Specialist at the NIH Office of Technology Transfer and at Mount Sinai School of Medicine in New York. He is a registered patent attorney and has experience drafting and prosecuting patents in high technology areas. He has more than fifteen years of experience as a biomedical researcher working in both academic and industry settings. Mr. Vepa obtained his PhD from the Indian Institute of Science, Bangalore, India, and carried out his post-doctoral research work at Indiana University School of Medicine at Indianapolis and Johns Hopkins University School of Medicine in Baltimore. Mr. Vepa graduated with honors from the University of Maryland School of Law in 2003.

facilities, the amendments to the code were adopted, and Baltimore’s code came into line with federal law. For the areas of the law that were not changed, the federal government has launched an investigation that may lead to litigation to bring the other parts of Baltimore’s law and practices into compliance with federal law. With one in 10 people in Baltimore addicted to drugs, the need for ready access to treatment facilities is key to making progress. We are still far behind treatment on demand, but Professor Weber, and the students who work with her, are making great strides.

• The Access to Justice Clinic continues to address the right to counsel at bail proceedings in Maryland. Working with Venable LLP, a class action law suit has been filed on behalf of arrestees. Statistics show that those who are represented at bail hearings are 60 times less likely to ever be incarcerated. This gives great weight to the need for representation, and the students working with Professor Colbert are tireless as they represent current arrestees and look for systemic solutions.

Of course, the Disability Rights Clinic, the Immigration Clinic, the Environmental Law Clinic, the HIV/AIDS Clinic, the Healthy Grandparents’ Clinic, the Low Income Taxpayer Clinic, the Post-Conviction Clinic and the Appellate Advocacy Clinic, along with our Criminal Defense and Intellectual Property Clinics, are all working to not only provide excellent representation to clients on a day to day basis, but to think about the issues in a systemic way so change happens at all levels.

All of this work is also supported by our Law and Social Work program. Professor Bowman-Rivas works with students from the School of Social Work to provide non-legal services to our clients. Sometimes the biggest problems are not legal ones, and our law students grapple with how to untangle the legal problems and provide services and supports to solve the other problems as well.

Students this year will continue the tradition of passionate representation of clients, and will be part of that persistent chain of students who push towards justice. We will all take a deep breath, welcome the new year, and lean into the challenge.

Brenda Bratton Blom, JD, PhD
Director, Clinical Law Program
Student Reflections – Sara Spangler ’08

Everything is connected. The Maryland prison population more than tripled between 1980 and 2001; according to the 2000 Census there are 27,864 families with children living below the poverty level in Baltimore City; and out of the 82,618 U.S. claims for asylum filed in 2004, between 32% and 34% were approved (around 25,000 of the applications).

Although law students like to think that we are struggling, that we are living a life of pain and studying, THE TRUTH IS that we are privileged individuals working hard to learn a trade. We are gathering tools to go out into our world and effect change. The Clinical Program is one of the first places where we can learn about the lives we can positively affect with our newfound skills; it is an opportunity to not only apply theory, but also an opportunity to build our passion for the license we aspire to.

Within the first weeks of my first year, I was working in the Law School Clinic. I was desperate to see the connection between the cases I was reading and the application of the law. I chose to attend the University of Maryland because of its outstanding clinical law program, and I have been lucky enough to see the Clinic in action. My clients have taught me about the gifts that law can give, and the freedoms that it can exact. I have recognized that there is a small film of privilege that separates me from the people that I humbly aspire to serve. I have learned that clients have more to teach you about the theory and application of law than any five pound law book. And I have learned that I desperately want to be a lawyer.

As a law clerk working for the Post-Conviction Clinic, I have opened up hundreds of letters from Maryland inmates claiming innocence and hoping that the Clinic will help them to assert their right to freedom. I have watched as the clinic students diligently work on an appeal for a few of these inmates, visiting them in prison, interviewing witnesses, and putting tireless work into a case and an individual who would have been lost if not for their diligence. There is sadness to the reality that the Post-Conviction Clinic can help only a handful of those asserting their right to justice, but the justice served is necessary to the furtherance of a civilized society.

As a volunteer for the Community Justice Clinic, I learned about the need to empower our communities in Baltimore. The students in the Clinic worked to sponsor a symposium to bring together those who worked in community justice from all over the country to share strategies and ideas. More importantly, the students worked closely with communities to help the members of the community to apply their strategies and ideas to their neighborhood to create a better home for themselves and others.

All of the Clinics and clients I have worked with in the Clinical Program have taught me that the little things I take for granted, privileges like freedom, independence, and opportunity are not things to be taken lightly. They are things to cherish. Because of that I have had an amazing opportunity to observe and participate in the University of Maryland School of Law Clinical Program, its hustle and bustle, its students, professors, staff, and clients. I know that it is where magic happens; that it is where everything connects: where students learn about the power of law and where clients can come for assistance. The Clinical Program is where lawyers are made.

Student Reflections – Jason Lee ’09

In the time that I’ve spent interacting with clients, researching law, and working alongside fellow law students, I find myself impacted by my clinic experience in two major ways. The first is that it has exposed me to a completely different aspect of the law. Particularly as a rising 2L, my interaction with the law has been primarily academic and my time has been largely limited to poring through endless pages of casebooks or essays on jurisprudence. I recall during my first semester classes how professors commented on the process that law students go through as they “evolve” and learn how to divorce reason from passion and emotion. Those comments always struck me as ironic since the impetus for my coming to law school, and I suspect I am not alone, was my passion and emotion. However, as soon as I was assigned my cases in the clinic and familiarized myself with the facts, I found myself analyzing the relevant law and outlining the legal arguments for the motions I would need to draft and file. It wasn’t until my first face-to-face
meeting with a client where the reality of the circumstances surrounding my client really sunk in. On one hand there was the client, stuck in a situation which I could not even begin to comprehend how to sympathize with, and on the other hand, there was me, a student attorney blessed with the honor and responsibility of using the skills I’ve gained in the last year to help this individual deal with a major obstacle in their life. It has been through this challenging dynamic that I’ve rediscovered why I decided to devote my energies to learning the law.

The second way that the clinic has impacted me is that it has expanded and stretched my understanding of what it means to be an advocate. On a few of my cases, the bulk of my time was spent on the phone navigating through bureaucracy to chase down a document or the only person in an agency of 50,000 who knows the answer to my question (This person, without fail, usually can only be reached once a week on a random, shifting 15 minute interval). While certainly frustrating, I began to realize that being successful and persistent in these types of tasks is what really defines an advocate.

My clinic experience in many ways has been a type of reeducation, a learning process that one can only hope never ends.

Jason Lee was a student in the Summer 2007 General Practice Clinic.

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2007 Student Awards

Each year, the Clinical Law Program recognizes the hard work and dedication of several students through awards at the end of the academic year.

The Hoffberger Prize - Shakeya Currie ’07
By Professor Michael Pinard

The Hoffberger Prize is awarded annually to an outstanding graduating student who has excelled as a student lawyer in the Clinical Law Program. The 2007 Hoffberger Clinical Law Prize was awarded to Shakeya Currie who, through her active participation in the Re-entry of Ex-offenders Clinic for three semesters and her work outside of the clinic in the area, has emerged as one of the re-entry leaders in Baltimore City.

Shakeya’s client work required her to research and master several areas of law, to articulate those laws in ways her clients could grasp, and to draft court documents. Shakeya handled all of these matters with great skill, resourcefulness, determination, patience and fortitude. She thought creatively of ways to apply the law to her clients’ individualized circumstances, and put the vast community resources to best use for her clients.

Shakeya represented an expungement client whose situation presented particularly challenging circumstances. Our client was seeking a good cause exception to a general rule that required her to wait three years to file the expungement petition. The factual circumstances involved a web of family issues that resulted in the client’s interaction with the criminal justice system, as well as interconnected family and employment issues that trailed the disposition. Shakeya connected with the client and, along with her colleagues, drafted a detailed, yet cogent motion that set out the very unique reasons that justified waiving the three-year rule. The motion was ultimately granted and the client’s record was expunged.

Shakeya’s group work consisted of developing and running the clinic’s expungement workshop, which was held (and continues to be held) each Friday at the Re-entry Center, located in Mondawmin Mall. Shakeya worked with five other students on this project. Although she was the only second-year among this group, Shakeya was truly the team’s nerve center. Shakeya was able to focus the team on the clinic’s goals throughout the semester, as her

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The Community Scholar Prize -
Dorcas Gilmore ’07

The Community Scholar Prize is presented to a graduate who provided outstanding assistance to a Maryland community or neighborhood. This year’s recipient, Dorcas Gilmore, was the natural choice for this award.

A native of Florida with an undergraduate degree in psychology from Rollins College, Dorcas is also a Leadership Scholar, holding the Gilbert and Jaylee Mead Public Interest Scholarship. Last summer, Dorcas worked at CASA de Maryland, a community organization working with predominantly Latino immigrants on issues of work, tenants’ rights, and social services. During the summer of 2005, she interned in the Washington office of the NAACP Legal Defense and Educational Fund, researching potential Supreme Court nominees and assisting in voting rights legislation.

For the next year, Dorcas will work with the Community Law Center in Baltimore to develop neighborhood initiatives to identify aspiring youth entrepreneurs and established entrepreneurs for a youth-adult mentorship program, and to provide targeted legal education on choice of entity, tax issues, and business regulations related to starting a small business in Maryland. Concentrating in the city neighborhoods of Greenmount and Southwest Baltimore, her project will aim to expand the number of opportunities for youth and adult entrepreneurs by strengthening established neighborhood businesses, and will engage youth in productive employment that will incorporate them into the economic and social fabric of their communities.

“[Dorcas] came to law school committed to public interest,” said Brenda Bratton Blom, JD, PhD, her professor in the 2005-2006 Community Justice Clinic. “She will leave law school with that commitment strengthened and a new set of skills added to her toolkit. We are all very proud of her, and look forward to continuing to work together as colleagues to solve problems in Baltimore’s most under-resourced communities.”

leadership, maturity and professionalism set an example for her colleagues to follow.

Shakeya’s clinic work involved extensive contact with clients and potential clients, all of whom presented significant legal and other extremely challenging issues. Shakeya took great pride in her interactions with these individuals and was sensitive to their myriad needs. She had a calming effect on what were often turbulent times for the individuals with whom she interacted.

Shakeya’s commitment to re-entry work extended beyond her semester with the clinic. She spent the summer of 2006 working as a Mayoral Fellow with the Baltimore City Ex-Offender Initiative. As a Fellow, Shakeya researched and provided detailed analyses of re-entry practices in other states, attended several meetings with various Baltimore City stakeholders engaged in re-entry work, and made various presentations on re-entry services, including a presentation at the Annie E. Casey Foundation Annual Young Fathers Conference.

As a Clinic II student this year, Shakeya has helped the clinic, continued some client work, made community presentations, and helped develop class materials. She also co-taught one clinic class each semester that drew on her work as a Mayoral Fellow. Most importantly, Shakeya has been a tremendous resource to the students. She answers all of their case-related questions, points them to the resources necessary for them to serve their clients, and calms them through stressful client-related situations. She has also developed a database of viable reentry service providers, which has proved invaluable to our work. Through her work, Shakeya has developed deep connections to all of the reentry services providers in Baltimore, and is able to access services for our clients with a telephone call. My common response to students who ask me questions is “Ask Shakeya.” The clinic simply would not be the same without Shakeya’s input, guidance and expertise.

Shakeya is well known throughout Baltimore and beyond for her re-entry and legal services work. She is one of the people stakeholders turn to when re-entry-related questions arise. Thus, she has earned a reputation in the re-entry community as a knowledgeable, committed and passionate resource. This reputation extends to the legal, policy-based and grassroots communities. Shakeya has exhibited all of the characteristics of a community lawyer, and has excelled throughout her semesters in our clinical program. She is the best student I have had, specifically because she combines talent with her dedication to work on these issues beyond law school.
The Ward Kershaw Fund Award -
Kristen Skogsberg ’08 and Erica Lynch ’08
By Andrew Reese

The Ward Kershaw Fund award is presented to a clinical student or students who has demonstrated outstanding skills of advocacy on behalf of a client. Second year students Kristen Skogsberg and Erica Lynch received the award for their collaborative work in the Drug Policy and Public Health Strategies Clinic and the Health Care Delivery and Child Welfare Legal Issues Clinic.

In 2003, the federal government passed legislation requiring the states to implement a system of care to respond to the needs of drug affected infants. Maryland had attempted to comply with this mandate through the establishment of a draft policy rather than pursuant to legislation of formal regulation. The policy, developed by the Department of Human Resources, raised a number of complex legal issues, including whether hospital-based reporting to child protective services violated federal and state health privacy laws, and whether hospitals that conduct drug tests on newborns and mothers must adhere to medical standards involving informed consent.

The goal of the clinic project was to investigate the implementation of this draft policy, analyze any legal problems, develop an action plan to bring these problems to the attention of appropriate state officials, and execute that plan. In addition, the students represented a client who had been affected by the state’s draft policy. The client was a woman who when she learned she was pregnant, in February, 2006, entered substance abuse treatment. At the time she delivered her child in July, both she and the child tested negative for the presence of any illicit drugs; however, due to her admitted drug use earlier in her pregnancy, the local Department of Social Services found that she had neglected her newborn child. The students assisted this woman in filing an administrative appeal of this finding.

The students had a very successful year. During the course of less than one year, the students developed a comprehensive legal memorandum addressing the legal issues raised by the state’s draft policy. The client was a woman who when she learned she was pregnant, in February, 2006, entered substance abuse treatment. At the time she delivered her child in July, both she and the child tested negative for the presence of any illicit drugs; however, due to her admitted drug use earlier in her pregnancy, the local Department of Social Services found that she had neglected her newborn child. The students assisted this woman in filing an administrative appeal of this finding.

The students had a very successful year. During the course of less than one year, the students developed a comprehensive legal memorandum addressing the legal issues raised by the state’s draft policy. The students then wrote a demand letter to the Secretary of Human Resources requesting a meeting to identify the problems in the state’s policy and seek necessary changes. In the individual client’s case, the students filed a motion for summary decision. After receiving the motion, the Department of Social Services contacted the clinic and agreed to change the department’s neglect finding to “ruled out.” The students won the appeal without the need for a hearing.

The Anne Barlow Gallagher Prize for Service to Children and Youth -
Alicia Wilson ’07

The Anne Barlow Gallagher Prize is awarded annually by the clinical faculty to a graduating student who has performed outstanding work benefiting youth and children. Graduate Alicia Wilson spent her third year in Susan Leviton’s Juvenile Law, Children’s Issues, and Legislative Advocacy Clinic. She coached the Mock Trial Team at the Baltimore Freedom Academy, leading students from the city charter school to regular victories against opponents from public and private schools throughout Maryland. She also taught “Forming a Legal Argument” during her year there.

Her School of Law experiences have built on a life already enriched by the legal profession. At age 15, while interning with Baltimore’s Public Justice Center, she began interacting with attorneys advocating for tenants and fighting for educational resources for homeless children. She has also worked with the Maryland Disability Law Center and the Office of the Baltimore City Solicitor.

The Center for Forensic Economic Studies Award for Excellence in Litigation -
Emily Datnoff ’08

During her second year of law school, Emily Datnoff participated in the Small Firm Practice: Immigration Clinic. This clinic provides an intensive practice-based learning experience in which supervising faculty work closely with a relatively small number of students to oversee their representation of the clinic’s clients. Student attorneys represent clients before the Department of Homeland Security’s Bureau of Citizenship and Immigration Services (USCIS) and before the Immigration Court. As the primary advocates in their cases, they are required to develop the broad range of skills demanded by the practice of law in this area — client and witness relations, fact investigation, file management, legal research, trial preparation, brief and motion writing, and trial presentation.

Emily had the opportunity to represent several clients with very complicated asylum matters, and succeeded in winning asylum for all of her clients. The award goes to a rising third-year law student who has performed in a litigation setting for clients in an outstanding manner, and includes a $1,000 scholarship.
International Justice Tools
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From the Greensboro Commission to community conferencing, alternative means for handling complex legal issues are being implemented throughout the country. The Commission sought a “truth telling” that could begin the process of healing and understanding that was not provided by the judicial process. The Conferencing initiative has brought individuals from both sides of the event together, to help divert them from what is often a broken criminal justice system.

Practice Inspires....

“All of the Clinics and clients I have worked with in the Clinical Program have taught me that the little things I take for granted, privileges like freedom, independence and opportunity are not things to be taken lightly...I have had an amazing opportunity to observe and participate in the Clinical Program. I know that it is where magic happens; that it is where everything connects: where students learn about the power of law and where clients can come for assistance. The Clinical Program is where lawyers are made.”

--Sara Spangler, ’08
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“Our goal is to achieve some kind of compassion that can stand in awe of what the poor have to carry, rather than stand in judgment of how they carry it. There is no us and them, it’s just us. We seek to bridge that gap and discover it is an illusion, an illusion of separation.”

--Father Gregory Boyle, S.J.
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