

# Clinic Happenings

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Hamline University School of Law Clinic, (651) 523-2898



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## Clinics

Hamline University is proud to offer a variety of Law Clinics to provide practical experience for its students.

Students represent clients under the supervision of experienced in-house or adjunct faculty members.

This Spring, HUSL offered several clinics to accommodate a variety of interests. The offered clinics included: Child Advocacy, Employment Discrimination Mediation, Immigration Law, Innocence,

Mediation, Small Business/Non-profit, State Public Defender, Trial Practice and Health Law.

Students who participated in these clinics not only received credit towards their Juris Doctor, but they gained a wealth of knowledge in case management, learned lawyering skills, established contacts in the legal community and added valuable experience to their resumes.

All clinics are 3 credits and require professional responsibility as a prerequisite or concurrent course.

This fall, the following clinics are offered: Child Advocacy, Employment Discrimination Mediation Representation, Immigration Law, Innocence, Mediation, Small Business/Non-Profit, State Public Defender and Trial Practice.

There are still openings in the Child Advocacy Clinic for Fall 2008!

## Student Directors

Students who have taken a clinic may enroll as Student Director for advanced experience with faculty permission, for 1, 2, or 3 credits.

Student Directors have the opportunity to work on more challenging cases. They work one-on-one with their supervising attorneys as they follow the course of the cases for which they are responsible.

Because Student Directors already have at least one semester of clinic experience, they are available to assist students taking the clinic for the first

time.

The relationship a Student Director builds with their Supervising Attorney can provide the student with references, networking and a trusted member of the bar to consult with in the future.

The advanced experience a Student Director receives will better prepare him or her for work in the legal field and solidify the legal education he or she receives at HUSL.

Thank you to **Sara Bongers, Sophie Mils, Khanh Nguyen, Karla Valusek, Nathan**

**Bares, Elisabeth Brady, Matthew Buell, Sara Kobbermann, Rainier Mariano, Andrea Pittel, Bruce Ringstrom, and Amy Thompson,** Student Directors for Spring 2008!

Congratulations to **Kimberley Woods, Sara Bongers, Tanya Rosin, Todd Tolkinen, Amanda Anderson, Michael Cavallaro, Thomas Cuthbert, Stacey Langer, Adrienne Mittelstaedt, Daniel Yates, Adam Flood and Natalie Runden,** Student Directors for Fall 2008!

## Child Advocacy Clinic

The Child Advocacy Clinic is taught by Professor Mary Jo Hunter, who has recently been promoted to Clinical Professor of Law! Professor Hunter is also AALS Co-Chair of the Clinicians of Color Committee.

Students in the Child Advocacy Clinic advocate for children in a variety of cases and frequently have the opportunity to appear in Juvenile Court.

*"A person is a person,  
no matter how small."*

*-Dr. Suess*



**Sara Bongers** was selected to be the Student Director for the Spring 2008 Clinic because of her skills and dedication. She assisted Prof. Hunter and gave sage advice to the other clinic students. In addition, she worked on behalf of a grandmother seeking third party custody of her autistic grandson. Sara successfully represented her client and obtained a transfer of legal custody from the mother to the grandmother. The boy and his grandmother are thrilled with the result!

**Krista Freier** represented three children as their Guardian ad Litem in a case stemming from the mother's harsh treatment of the eldest child. However, the bulk of Krista's work involved another grandmother seeking to gain custody of twins. Krista was successful in obtaining party status for the grandmother who lived out of state. For reasons too lengthy for this newsletter, the Clinic had to withdraw from this case.



Top Row: Professor Mary Jo Hunter, Joshua Townsend, Leah Meyer, Sarah Belz, Sara Bongers, Kimberley Woods

Bottom Row: Lindsey Christofferson, Krista Freier, Stacey Meyer

**Lindsey Christofferson and Joshua Townsend** represented a young man at a school expulsion hearing for possession of a weapon. The 12 year old boy was a scout and forgot to remove his scout knife from his pants pocket from the night before. He put on the same pants and wore them to school. When he discovered that he had the knife, he tried to finish the day but instead a teacher discovered the knife. The zero tolerance policy on weapons resulted in a recommendation for the student's expulsion. Lindsey and Joshua were successful in their appeal to the school board to limit the expulsion and allow for the student to be readmitted to his school for the remainder of the academic year.

**Stacey Meyer and Kimberley Woods** also worked on a third party custody case. They were successful in gaining temporary legal custody for grandparents of a 5 year

old who had resided with them for most of her little life. Because of Kimberley's hard work in this case, she was selected as the Student Director for the Fall Clinic!

**Leah Meyer and Sarah Belz** were assigned several cases during the semester. They provided substantial assistance to a teenager who lost her mother to an illness. The teenager turned 18 while still in high school and was assessed penalties and monies due by the Veteran's Administration for money from her mother's checking account she used to pay rent. This team worked hard on her behalf and they were able to resolve all of her issues with the VA.

The seven law students who were enrolled in the spring 2008 Clinic celebrated the end of the semester by going to GameWorks in Minneapolis for bowling and munching. **Katrina Kaiser**, Clinic Legal Secretary, also joined in the festivities.

## EDMR Clinic

The Employment Discrimination Mediation Representation Clinic is taught by Professor Joe Daly. This clinic takes advantage of collaboration between Hamline, the Equal Employment Opportunity Commission and the Minnesota Department of Human Rights. Students represent victims of alleged employment discrimination in cases where the EEOC and MN Dept. of Human Rights have offered early intervention mediation. The clinic complements theorizing in the classroom about redefining "winning" and "zealousness" by allowing students the opportunity to apply new visions of lawyering to clients' real problems.

**Anthony Gingrasso** and **Michael Trager** teamed up on 3 Human Rights cases. All had successful outcomes despite the fact that each of them had their own difficulties.

Their first case was a tough one –no hard evidence. Yet they successfully negotiated a cash settlement for their African-American female client and an agreement by the employer to institute diversity training.

Next, they helped a Native-American man who alleged that he was terminated by his employer because he spoke up

against the racist comments being made by his boss against an African-American employee. They were able to get him a letter of recommendation and help him get funding to pursue his training to become a firefighter.

Finally, Anthony and Michael settled a race discrimination case with a governmental employer by getting the employer to agree to allow their client to keep his job, get help from the Employee Assistance Program for the stress he felt, and get the employer to agree to help the client find a job with the same employer which better suited their client.

**Andres Ybarra** and **Nicholas Johnson** extracted some significant amounts of money from employers who their clients claimed had violated various Human Rights laws.

First, Andres and Nick settled their first case for an African-American young woman who did not get a job with a school district which she was very qualified for. They obtained a cash settlement and a letter of apology. Rather than return to work for the employer, she chose to pursue her education and participate in a training program in Washington, DC. She was delighted with their help.

Next, Andres and Nick settled a case for \$10,000 for a client who alleged disability discrimination. The case was particularly difficult because it involved a disputed disability in the medical field, i.e. fibromyalgia.

Finally, Andres and Nick settled an ethnic discrimination case for \$19,000 and a letter of recommendation from the employer to their client. Best of all, the settlement saved the client from losing his family home to foreclosure.

Mike, Tony, Andres and Nick all learned that the first interview requires sensitivity. There are more than a few emotions displayed once they developed a trust with their clients. There were tears shed, anger displayed and sadness exhibited. They learned the value of good, human and hard working lawyers in the Human Rights field. They all came away with an understanding of what a great honor it is to be an advocate.

They learned that representing real clients is not the same as reading cases in a book; it is much more satisfying.

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality. . . . Whatever affects one person directly, affects all indirectly."

-Martin Luther King, Jr.

## Immigration Law Clinic

The Immigration Law Clinic was taught by Susan Jorgensen Flores of Immigrant Law Center of Minnesota.

The Immigration Law Clinic provides students with the opportunity to represent clients with immigration cases under the supervision of an experienced immigration practitioner at Immigrant Law Center of Minnesota. Immigrant Law Center of Minnesota provides legal advice and representation to low-income clients. Students worked with several clients

with case types including family-based petitions, fiancée applications, naturalization, adjustment of status to permanent residence, visa processing, Violence Against Women Act, or removal proceedings.

Students also had the opportunity to observe immigration hearings.

Thank you to **Melanie Bormett, Federico Malibago, Tanya Rosin and Jaegyun Ryu** for all your hard work and special thanks to **Sophie Mills and**

**Khanh Nguyen**, student directors for spring 2008!



## State Public Defender

Students participating in the Spring 2008 Clinic were **Ben Gillman, Dan Yates, Kyle Fountain, Stephanie Johnson, Pam Martin, Mark Backstrom, Adrienne Mittelstaedt, and Tazio Lombardo**. The clinic was taught by Cathryn Middlebrook, James Peterson, and Richard Schmitz, attorneys at the State Public Defender Office. Also working at the clinic as student directors were **Rainier Mariano, Elisabeth Brady, Matthew Buell, Bruce Ringstrom, Nathan Bares, Sara Kobbermann and Andrea Pittel**.

The State Public Defender Clinic pairs students with attorneys who work at the State Public Defender Office. Students are given 4-7 actual client files to work on throughout the semester. These files are criminal cases at the appellate level. This

semester the students toured prisons and conducted client interviews for the cases they were working on. Students also did research for the attorneys' appellate and post-conviction briefs, attended Minnesota Appellate and Supreme Court oral arguments, worked on motions to get detainers removed for clients, to get additional jail credit for clients, and to correct sentences. Two of the students from the spring clinic stayed on for the summer to help with the supervised release/parole revocation calendars, where they represent clients at the Department of Corrections administrative hearings.

Ben Gillman, when asked to reflect upon his experience at the clinic, stated "I think my favorite two things with the public

defender clinic was the first time getting a letter back from a client and seeing it addressed to Mr. Gillman and having him thank me for helping him out. It just made me feel like a real attorney in that I was helping somebody out."

One student, who has been a student in the clinic as well as a student director, said that you feel like part of the team, even though the cases we're working on might not be as complicated as what the office attorneys are working on... we really free up the PD's time and resources and help a lot of people. It was nice to gain a perspective on the role of criminal defense attorney as ensuring that people's constitutional rights are upheld.

*"Just to see that your clients are real people with real problems that just need some help was eye opening. It is nothing like what you see on TV. The gratitude that the clients have towards you and your willingness to work for them is also very rewarding,"*

*-Kyle Fountain*

*"The difference between what we do and what we are capable of doing would suffice to solve most of the world's problems."*

*-Mohandas Gandhi*

## Innocence Clinic

The Innocence Clinic was taught by Adjunct Professor Michael Davis. Students had the opportunity to investigate inmate claims of actual innocence to determine if there were any grounds for post-conviction relief. Investigation issues may have included concerns relating to eyewitness identification, false confessions, snitches

and informants, government misconduct, ineffective assistance of counsel, and forensic sciences. Students obtained primary source material: police reports, forensic reports, court pleadings, transcripts, appellate briefs, and opinions. Students conducted interviews with inmates and potential

witnesses and had the opportunity to assist Innocence Project volunteers, private investigators, forensic experts and attorneys in preparing claims of actual innocence.

Thanks to **Matthew Buell, Christine Kuczynski, Andrea Pittel, Alexandra Reynolds and Karla Valusek!**

## Mediation Clinic

The Mediation Clinic was taught by Adjunct professor Jessica Kuchta-Miller.

On average, students mediate between 8-10 cases a semester. Last Spring, there were six students who mediated close to 60 cases. The types of cases mediated included issues around breach of contract, quality of service, theft of services, landlord-tenant concerns (including payment of past due rent, security deposit

return and bed bugs), car repair, debt collection and property damage. The relationships between the parties included landlords and tenants, merchants and consumers, clients and agencies, extended family members, roommates, friends and strangers.

The goal of the clinic is for the students to mediate as many cases as possible over the course of the semester. For the past 6

years, the clinic has provided mediation services to the 2<sup>nd</sup> Judicial District under the umbrella of the Dispute Resolution Center, a private, nonprofit community dispute resolution program that serves the east metro area of the Twin Cities.

Students participating last spring were **Amanda Anderson, Mike Cavallaro, Thomas Cuthbert, Stacey Langer, Tim Oujiri, and Lisa Swanson.**

## Small Business/Non-Profit Clinic

This clinic is taught by Adjunct Professors Kim Lowe and Paul Jones from the Fredrikson law firm. Students had the opportunity to provide legal advice to entrepreneurs in developing start-up businesses and to individuals working with tax exempt non-profits with non-litigation legal issues.

The students had the opportunity to work on cases at the Fredrikson law firm offices.

The legal issues involved may have included choice of form ownership, compliance with federal and state regulatory requirements, contract drafting and reformation, lease requirements, scope

of insurance coverage, credit record adjustments, tax exemption procedures, and real and personal property transaction documentation.

Students participating last spring were **Daniel Christians, Brodie Hacken, Leah Jagusch and Christy Thorson.**

## Health Law Clinic

The Health Law Clinic was co-taught by Michael Burns, formally from Halleland, presently an Assistant Hennepin County Attorney, and Kelsey Brodsho from Halleland law firm.

This clinic offers students the opportunity to represent individuals who are parties in health law related administrative hearings. Clients may include persons with medical needs or disabilities who encounter barriers to their eligibility for health care. This clinic also works with healthcare

workers with licensing issues.

**Jessica Johnson and Anna Schifsky** represented a woman who had been disqualified by the Minnesota Department of Human Services from her job as a nurse's assistant in a children's foster care program. The Department's action, which was based on the client's 2005 conviction for disorderly conduct, barred the client from having contact with children served by the program, which is licensed by the Department of

Human Services. The administrative appeal is still pending.

Students in this clinic gained experience in interviewing, counseling and litigating these cases. They also experienced an exposure to law governing health care licensure, Medicaid eligibility and finance.

Thank you to **Jessica Johnson, Anna Schifsky** and **William Sutor** for participating in the spring 2008 Health Law Clinic!

## Trial Practice Clinic

This clinic is taught by Clinical Professor and Director Angela McCaffrey. Students gained litigation experience conducting trials of unemployment compensation claims.

**Eric Wiltrout and Andrea Roberts** represented a person who appealed for reconsideration of denial of unemployment benefits by a hearing judge. They argued that the employee's conduct in response to an emergency situation caused by a storm was not misconduct as the employer had alleged. The case involved reviewing the entire record of the hearing and writing a brief.

Eric and Andrea also represented an employee denied unemployment benefits at the initial hearing conducted by conference call before a

hearing officer. They argued that it was not misconduct to stop at the office after hours in an emergency situation.

**Adam Flood and Natalie Runden** represented an employee who had not filed a timely appeal of an unemployment compensation case before she came to our office. She was given a hearing and Adam and Natalie argued that she had not committed misconduct. However, the judge ruled that she had no legal authority to consider the appeal due to the client's tardiness in filing her appeal.

Natalie and Adam also represented a woman who missed a great deal of work for medical reasons. Then she had an opportunity for an interview for a new job.

Adam and Natalie argued that it was not misconduct for her to go to that interview as the employer had miscalculated the amount of her remaining leave.

**Amy Thompson** was the student director for the Trial Practice Clinic in Spring 2008. She helped students develop theories of the case. She critiqued moot courts of closing arguments, updated course material for Minnesota Unemployment case law and helped the clinic in many other ways. Thanks Amy!

All the students in the Trial Practice Clinic developed and demonstrated excellent litigation and client counseling skills.

Congratulations to all the students and to Adam Flood and Natalie Runden for returning as student directors in Fall 2008!

"All the students in the Trial Practice Clinic

developed and

demonstrated

excellent litigation and client counseling skills."

-Professor McCaffrey

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## Other Clinic News

Lilian Ejebe, from Hamline's Education Law clinic submitted a proposal and was selected to attend the first Summer Institute for Clinic Teaching hosted by Georgetown Law School in Washington, DC. Eighteen clinicians from different law schools were selected to participate in the 4-day intensive workshop geared towards clinicians with at least 5 years of teaching experience.

The plenary sessions featured national experts on teaching pedagogy and adult learning. Also, there were several break-out working group sessions during which participants each conducted a teaching exercise founded on their individual challenges and received constructive feedback from the group. The workshop provided an excellent opportunity for the clinicians to rethink and refine their teaching and supervision methods.

Education Law Clinic will be offered in Spring 2009 and will be co-taught by Ms. Ejebe and Mr. Atlee Reilly, staff attorneys at Southern Minnesota Regional Legal Services. This clinic will have a substantive focus involving laws related to equal educational opportunities for children from low income families, educational rights of limited English Proficient children, educational rights of children with disabilities, school expulsion, tracking, racial discrimination and bias in schools.



Top: Ms. Lilian Ejebe  
Right: Mr. Atlee Reilly



**There are still openings in the Child Advocacy Clinic if you're interested in participating in a clinic this fall!**