
CLINIC HAPPENINGS

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Spring 2006 In Review

CHILD ADVOCACY CLINIC:

Crysta Parkin, Jonah Beers and **Kristen Ponsolle** made up the unusually small Child Advocacy Clinic for the Spring 2006 semester. Despite their small numbers, these three law students did an incredible amount of work! Their class was taught by Adjunct Professor Paul Minehart and Prof. Mary Jo B. Hunter. The Student Director was **Peter Gerdes**.

Crysta Parkin represented a Guardian ad Litem, worked as a Guardian ad Litem on behalf of children and represented a child at a Runaway calendar. Her efforts and great work ethic were the basis for her being invited to be the Student Director for the Fall 2006 semester.

Jonah Beers also represented Guardian ad Litem and worked as a Guardian ad Litem. **Kristen Ponsolle** joined in those same case assignments.

Perhaps one of the most interesting cases was one that was handled by the Student Director, **Peter Gerdes**. Mr. Gerdes represented a young man who had been civilly committed over his mother's objections. Mr. Gerdes successfully represented him at a commitment proceeding that was conducted before a Judge in Regions Hospital in St. Paul. The young man was quite pleased with his Certified Student Attorney's efforts on his behalf. It was a beneficial learning experience for Peter Gerdes as well. Mr. Gerdes is now a law clerk for

a Judge near Bemidji, Minnesota. Again, life goes on after law school.

The Certified Student Attorneys who enroll in the Child Advocacy Clinic are already earning attorneys fees. The Child Advocacy Clinic has a contract with the State of Minnesota's Guardian ad Litem Program to provide legal representation to Guardian ad Litem (GALs) who are handling cases involving the Indian Child Welfare Act and are actually contested cases that are heading for trial. The funds are used by the Clinic for expenses such as parking for the law students, miscellaneous fees that the clients cannot afford and for an end-of-the-semester celebration! Representing children, GALs and the best interests of children can be stressful. Shown here is a picture from the effort to wind down from last semester (more pictures are on the last page).



Professors Hunter and Minehart, Jonah Beers, Peter Gerdes, and Crysta Parkin unwinding at Buca's

TRIAL PRACTICE CLINIC:

Erin Dent, 3L, was the Student Director for the Spring 2006 semester. Erin worked extensively with all of the teams, along with representing clients with **Peter Dahlquist**. Erin was extremely involved in the Trial Practice Clinic. She also assisted each team through weekly meetings. She helped assess the progress of the cases, ensured all procedures were completed, and helped build case themes. She was a great asset to the Trial Practice Clinic through the knowledge and dedication that she shared with the clinic students.

Anna Christie and a teammate represented a client who had been fired from a part-time job he was working in order to buy his three children Christmas presents. The client was then held ineligible for unemployment benefits from his full-time employer nearly 4 months later. The client had fallen asleep on his shift due to a serious diabetic condition. To make matters worse, the client had worked his full and part-time job that day, for a total of 14 hours. The unusually long day had forced the client to forego his usual trip home in between jobs to eat dinner and take his diabetic medication. Anna argued that her client had fallen asleep in part due to his medical condition, and that it should not be regarded as employee misconduct. The client met with the student attorneys several times and learned a great deal about the judicial process involved in appealing an unemployment ruling. Anna was victorious and was able to help her client qualify for over \$3,000 worth of unemployment benefits. The client wrote Anna a heartfelt note saying that

she had helped change the lives of everyone in his family for the better.

Chi Lam and **Hlee Vang** worked with a client who had been fired. She had initially been found eligible for unemployment benefits, but her employer had appealed the initial decision and the Department of Unemployment and Economic Development reversed their ruling. There were many indications that the firing had been retaliation against the client due to a recent complaint she had made against her supervisor. It also appeared Chi and Hlee's client was being singled out for violating several company policies that had been enforced loosely on other employees. The client had been written up for very minor violations within days of filing a complaint against her supervisor. Her employer stated the client had filed a false report and in a reversal of fortune, the client was written up for attempting to point out the same behavior she had been singled out and reprimanded for. Based upon the written reprimand, she was subsequently fired. Chi and Hlee worked diligently with their client, spending several hours going over the direct examination of their client. Unfortunately, the earlier finding of disqualification was upheld, but Chi and Hlee did not stop there. They took the case all the way to the appeals level. Even though they worked tirelessly to have the decision overturned, they were again handed a denial of unemployment. Their client was still happy to have had a day in court, and thanked them both for their vigorous advocacy.

Peter Dahlquist and **Erin Dent** represented a client who had been fired from his job as an auto mechanic. The

client started having severe seizures, the first occurred while he was in the middle of a repair at work. Peter and Erin's client was taken to the hospital and diagnosed with a condition that required constant medication. As a result of taking the medication, Peter and Erin's client was forced to work slower. When his workload decreased, his employer started calling him, "old man" and "grandpa." This harassment culminated in the client getting fired. Due to joint unemployment and SSI disability claims, Peter and Erin had to research the best course of action which turned out to be pursuing the SSI claim.

Peter Dahlquist and **Erin Dent** also represented a client who had been fired because he did not have transportation to work. Their client was in the difficult situation of living in a homeless shelter while trying desperately to work. Peter and Erin's client worked for a company that gave him various work assignments on a first come, first serve basis. During the Spring of 2005, the client's employer informed him that there was a new job assignment in a southern suburb of the Twin Cities. The client had no vehicle and no way to take a bus such a great distance every day. Consequently, he was fired. The client was left without a job, without a home, and without much of a hope for unemployment until Peter and Erin took his case. They were able to successfully argue their client did not quit because of misconduct, but instead quit because he had no way of getting to work and no way of receiving messages at the homeless shelter when his employer attempted to contact him. The client received unemployment benefits and was able to move out of the homeless shelter while he looked for a new job.

LIFE AFTER LAW SCHOOL:

By: Mary Jo B. Hunter

Recently, I traveled to Boulder, Colorado to work on an editorial board for a colleague at the CU Law School. While there, I traveled south of Denver to meet an alum for lunch. **Michele Newell** is a 2005 graduate who was in the Child Advocacy Clinic, and also was a Student Director in CHAD. She is one of four alums practicing in Colorado and one of three who practice in Colorado Springs. **Jeff Westin** is another alum who practices in family law. Michele is a Deputy Public Defender for El Paso County in Colorado Springs, Colorado. She was practicing in the Juvenile Unit, but is now doing adult felonies.

When I asked her about defending criminals, she quipped, "All my clients are wrongly accused." Despite her sense of humor, Michele enjoys her position and was serious during law school about gaining experience to enable her to "hit the ground running" upon graduation. She worked as an MJF PIL Fellow at the Neighborhood Justice Center during law school. During her second year summer, she sought and landed a paid summer internship at the office that she works for now. Another clinic alum, **Stacie Woods**, has also joined the PD's office in Colorado. (Congrats Stacie!)

While discussing Stacie's bar exam passage, I asked Michele what she wanted to say about the bar exam. Her reply was "the Bar [stinks]!" Michele is happy and loves her job. Her advice to current students is to use the internet to find areas of work in your interest area. She "googled" on the internet to find her summer internship. She also encourages

students to apply for the MJF Fellowship.

Clearly, life is good for **Michele Newell** after law school.



Michele Newell

FACULTY NOTES:

Congratulations:

Kim Lowe, who co-teaches the Small Business/Non-Profit Clinic with Paul Jones, was honored at the 19th Annual M.J.F. Awards celebration on November 9, 2006. She received the Private Practice Lawyer Award in recognition of her significant volunteer service. Since joining Fredrikson & Byron, PA in the end of 2003, she has devoted nearly 300 hours to pro bono projects. Ms. Lowe has been an active part of the firm's pro bono work, assisting micro-entrepreneurs and nonprofit tax-exempt organizations with a multitude of issues. Most of Ms. Lowe's pro bono clients are low-income individuals who dream of starting their own business, or nonprofit organizations making these dreams possible. Congratulations!

A Fond Farewell and Thank You:

Susan Koberstein will no longer be teaching the Immigration Law Clinic because she has taken a new position with the Minnesota Legal Services Coalition as Immigration Coordinator. She has already sponsored an immigration CLE for the coalition entitled "Affirmative Immigration Waivers". It was held November 17, 2006. Best wishes Susan and thank you very much!

Welcome:

Susan Jorgenson Flores, formerly staff attorney at Centro Legal and currently staff attorney with the Immigrant Law Center, is now teaching the Immigration Law Clinic. Welcome Susan!

Plans for the Spring 2007 Child Advocacy Clinic:

Professor Mary Jo B. Hunter will be on sabbatical in Spring, 2007. The Child Advocacy Clinic will be taught by **Jody Alholinna**. Not only is Jody a HUSL grad, she is also a CHAD grad! Jody has taught Children and the Law for several semesters at Hamline. Jody, we are looking forward to your participation in the clinic in Spring, 2007.

CLINIC STAFF:

Vickie Jauert has a B.A. in History from the University of Minnesota-Morris and is a current member of the UMM Alumni Association. She graduated summa cum laude on May 21, 2005 from Hamline University with a Master of Arts in Public Administration.

Vickie has been the Administrator of the Hamline University School of Law Clinic/Skills Program for 18 years. Vickie served two years as

Administrative Staff Association Representative at Large to the University Council, and also served as Vice Chair of the ASA Executive Committee in 1998-1999 and Chair 1999-2000. She also participated in the Hamline University Ambassador Program in 2005-2006.

Vickie and her husband Ron Allen have two children, John, 19 and Jason, 12. Their favorite past time activity is camping in Ely and fishing.

Katrina Kaiser is the Clinic Legal Secretary. She has a B.A. in Psychology, a Minor in Anthropology, and a Certificate in Forensic Science from Hamline University. Katrina just bought a home in North Saint Paul. She has an orange tabby cat named Nala.

Rayna Olson is the clinic student worker. She is currently a sophomore at Hamline University, and is pursuing a major in Art History. In Rayna's spare time, she enjoys art, knitting, and hiking, among others.

Child Advocacy Clinic Pictures Cont.



Peter Gerdes and Crysta Parkin enjoying the evening!



Jonah Beers and Peter Gerdes enjoy a laugh!



Professor Hunter and Adjunct Professor Paul Minehart display the desserts!