
Clinic Happenings

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Welcome Back! The faculty and staff of the HUSL Clinics welcome the return of the HUSL law students. We sincerely hope that a clinic course is in your future.

Fall 2003 Highlights

Alternative Dispute Resolution Clinic:

“Can I hire your students?” asked the employer’s lawyer who had flown in from another state to represent a client in the mediation. **Michele Satterlund** and **Amy Hart** made an intellectual, impassioned, and moving presentation during the all-day mediation that their client not only had been discriminated against because of her gender, but she had also been sexually harassed by a supervisor. The out of state lawyer called Professor Daly several days later and said, “Those students were amazing! Are they interested in working for us? Can I hire your students?”

“So close, and yet so far.” That’s how **Michelle Kunzman** and **Chris Heideman** might characterize their mediation on behalf of their client. Since he was not allowed to move into the new promotion step process because of his disability, he complained to the Minnesota Department of Human Rights. The Department found probable cause . Because of a settlement process that the state of Minnesota has, Michelle and Chris spent two full days with the employer and an Assistant Attorney

General trying to resolve the case. At the end of two days, a “Settlement Agreement and Release of Claims” was drafted and about to be signed. However, the employer said “no” at the last moment. The frustration of being an advocate, the joy of representing you client well, and the pain of having everything lined up only to have it fall through at the last moment were incredible learning experiences for Michelle and Chris. They referred the case to a recent Hamline graduate, **Tracy Reid Felth**, who also worked on the case when she was a student in the clinic. Tracy intends to win the case.

Child Advocacy Clinic:

Molly Kalb, 3L, was the Student Director for the Child Advocacy Clinic for the Fall 2003 semester. Molly was invaluable in assisting the law students during the illness of Prof. Hunter. Molly represented a minor child in Ramsey Juvenile Court on a violation of the ICWA. She filed an appeal on behalf of the child before the Minnesota Court of Appeals.

Michele Newell and Malia Malone teamed to act as the Guardian Ad Litem for four children in out of home placement in Hennepin County Juvenile Court. Michele and Malia worked tirelessly on behalf of the children as well as others on their caseload. This team has become quite adept at preparing a trial notebook!

Nate Welte and Christina Adams joined forces to represent the ICWA Guardian Ad Litem (GAL) in Hennepin County. Both of them made appearances on her behalf in the Hennepin Juvenile Court. The GAL was impressed with their efforts on behalf of the best interests of the children.

Mandy Freemore and Stephen Poff collaborated to represent a GAL as well as act as GALs. They had difficulty locating one of the teens who was a “runner”. However, they had managed to see her and make GAL recommendations to the Ramsey Juvenile Court on her behalf. Their trip to the Ramsey Juvenile Detention Center to see the child was an eye opener!

Kim Chapman-Bonine represented two children who were seeking long term foster care (LTFC) in their foster home of 5 years. Ms. Chapman-Bonine filed pleadings on their behalf to seek LTFC.

Michael Poncelot worked as a GAL on behalf of an infant with serious medical conditions. He worked to ascertain the level of assistance that would be needed to aid the young mother of the child to learn how to adequately care for the child.

Michele Newell is the Student Director for the Fall 2004 Child Advocacy Clinic.

Innocence Clinic:

In recent years, more than 130 wrongfully convicted people have been freed from prison after new evidence established they were actually innocent.

The Innocence Project of

Minnesota (IPMN), which is part of the National Innocence Network, in collaboration with the Hamline University School of Law's Innocence Clinic, provides investigative and legal assistance to inmates with provable claims that they are actually innocent of the crimes for which they are imprisoned. IPMN also works to raise public awareness about the prevalence and causes of wrongful conviction, as well as promotes substantive legal reforms to prevent future wrongful convictions.

Students in the Innocence Clinic are certified by the Minnesota Supreme Court as Student Attorneys. This certification not only grants the students the capacity to represent clients under supervision of a licensed attorney, but it also looks great on their resumes. The interaction with clients and others in the judicial system, as well as the investigation put into the clinic, helps the students improve the skills they will be utilizing once they become attorneys.

This past fall, students of the Innocence Clinic worked hard to assist clients by corresponding with and visiting inmates, interviewing witnesses, and meeting and talking with attorneys and investigators. The students were afforded the opportunity to travel to several correctional facilities to talk with inmates about their claims. In addition, students also had the chance to work closely with investigators. During class, the students, along with Michael Davis, the clinic supervisor and a practicing attorney, discussed what steps to take in pursuit of the client's innocence.

The clinic was also fortunate to have several guest speakers. Dr. Susan Roe, Assistant Medical Examiner of Dakota County, spoke to the class about her experience conducting autopsies. In addition to Dr. Roe, May Moriarty, from the Hennepin County Public Defender's office spoke to the class about her work as a public defender. Finally, the

students visited Professor Susan Myster's undergraduate Forensic Science class, where they heard a lecture on DNA.

Trial Practice Clinic:

Students in Fall, 2003, had extensive opportunities for litigation experience. Thanks to **Ben Myers** and **Geoffrey Colosi** for serving as student directors.

Miranda Johnson and **Richie Reyes** represented an employee who was discharged from her employment for many violations of security policies. Miranda and Richie proved that any security violations that occurred were the result of the client's memory problems and were not intentional. The judge found that she had not committed misconduct and was eligible for unemployment compensation. She received over \$3000 in back benefits.

Shuly Her, **Sara Smith**, and **Jennifer Van Dulmen** represented a claimant who was alleged to have been overpaid by more than \$4000 in unemployment benefits. It was alleged that he was not available for work and actively seeking work during a particular period of time when he would have otherwise been eligible for unemployment benefits. Shuly, Sara and Jennifer proved that their client was extremely hard-working. He normally works a full-time job, a part-time job and attends school part-time to better himself. He works very hard so he can support his family and send money to relatives in a refugee camp. The students showed that he would have been willing to quit school if necessary to accept full-time work. He had, in fact, previously reduced his schedule from full- to part-time. They proved that he had good cause for not accepting one job since the pay was

\$5.00 less than he normally made, his car was being repaired, and it was not on a bus route. The judge agreed with the students and the client will not have to pay back over \$4000.

Shuly Her and student director, **Ben Myers**, represented one claimant with two cases. Shuly proved that the claimant had good reason for quitting his employment due to serious medical illness. He gave notice to the employer and requested accommodations. As a result, he was found eligible for unemployment benefits. Ben represented the same claimant on the issue of whether he failed to accept suitable employment from a temporary agency. Ben proved that the job offered was not suitable employment due to his health condition. The judge agreed and ruled that the claimant was not disqualified from unemployment benefits. Shuly and Ben won both cases despite extraordinary difficulties posed by the court interpreter. They made excellent objections.

Sara Smith and **Jennifer Van Dulmen** represented a clerk who was fired from a job for three incidents of alleged misconduct. Sara and Jennifer prepared the client to testify regarding these incidents. They found a witness who also testified. Sara and Jennifer did an excellent job preparing the client to tell her story through direct examination. They argued that she acted as a reasonable employee and did not disregard her employer's interests. She was found not to have committed misconduct and was allowed to receive unemployment insurance benefits.

Jennifer Van Dulmen is the Student Director for the Trial Practice Clinic in Spring, 2004.

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 is currently working on a masters degree in public administration to be completed May, 2005.

Vickie has been the Administrator of the Hamline University School of Law Clinic/Skills Programs for 15 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.

Prior to coming to Hamline, she worked as the Administrative Assistant for the State Bar of Texas, Board of Legal Specialization for 7 ½ years.

Vickie is married with two children, John, 17 and Jason, 9 and her favorite past time activity is camping in Ely with her family.

Mariela Benitez joined the Clinic as the Legal Secretary in October 2003. She previously worked at an immigration law office. Mariela is currently finishing her undergraduate degree in Global Studies at the University of Minnesota. She is also currently attending several classes at Hamline University and is enjoying the campus and the people very much.

Mariela's interests focus on reading and traveling. She hopes to take those interests and her completed degree to help working in a law or government office that works with immigrants new to the United States.

Student workers **Cally Anderson** and **Katrina Kaiser** are both juniors at Hamline University. Cally is double-majoring in Political Science and Philosophy and plans to

attend law school after graduation. Katrina is majoring in Psychology, with a minor in Anthropology, and is also working toward her Forensic Science Certificate. Katrina plans to pursue a Masters Degree in Psychology.

Our thanks to Cally Anderson for producing this newsletter.