

On the Front Lines

The Newsletter of the WilmerHale Legal Services Center of Harvard Law School

SPRING 2008

Legal Services Center Today *Brian Price, Director*



The mission of the Legal Services Center has remained constant throughout the years: *Working to Educate Law Students for Practice*

and Professional Service While Meeting the Legal Needs of the Community.

While there are many attributes to describe the community we serve and the assistance we provide, the constant has always been helping low and moderate income people to access civil legal services. These are difficult times for our clientele; economic and social woes hit low and moderate income households first and hardest. During these times when the complexities of navigating the legal system continue to increase and low cost legal services are not widely available, the kinds of legal services provided by law school legal clinics like Harvard's

have taken on even greater value among the relatively few in our society who are able to access them.

Today, the Center includes 14 clinics spread across nine primary practice areas: administrative law/disability, education, employment, estate planning, family, health, housing, predatory lending/consumer, and transactional. The emphasis is on helping individuals to meet their basic human needs while helping to build stronger communities.

LSC is busy representing clients victimized by the mortgage foreclosure crisis, homeowners and tenants alike. Whole communities are affected by mass displacement and declining property values brought on by the increasing number of vacant foreclosed properties. The ripple effect has even been felt by non-profit affordable housing developers. There also are reports of reductions in the infusion of capital into inner-city communities due to decreases in funding for small business development and tightened credit availability.

LSC clinics also continue to focus on

individual health, family and employment issues. Health care access and the representation of clients dealing with chronic disease remain focal points of the Center's work. As does employment discrimination which is an ever present obstacle in the work place for many clients. The **Family Law Clinic** in its Passageway partnership with Brigham and Women's Hospital works with families affected by domestic violence, a public health crisis in the community. The **Trauma and Learning Policy Initiative Clinic** works to secure the educational needs of families of school age children who have been traumatized by domestic violence.

Clients are viewed holistically at LSC; collaboration among LSC clinics is one of the strengths of client service and student education at the Center. One benefit to students working in a community law office is their access to the diverse community institutions, groups and neighborhoods that we serve. The direct exposure of students to the real life issues their clients face and the students' reflection on the underlying law

and policy implications of their case work informs their educational development as future policymakers and leaders in their own communities.

In addition, an LSC clinical affords students professional skill development, direct client contact, and familiarity with how the law actually works in practice. Students bring ingenuity and fresh perspectives to the clinical practice; and through their service last year (2006–07) accomplished a great deal in assisting clients of the LSC community.

The **Administrative Law/Disability Clinic** works to secure and protect income and health care benefits for disabled and elderly clients through trial-like advocacy before administrative law judges. Last year, students obtained retroactive social security disability benefit awards for 35 clients, winning for them a total of \$735,000 in income.

The **Community Enterprise Project** helped to form 14 businesses and non-profit organizations; drafted or reviewed contracts for 30 clients; performed five trademark registrations; handled two business acquisitions/sales; provided legal counseling to more than 30 other business and non-profit clients; were legal counsel in 23 real estate transactions, 11 of which involved affordable housing units; handled two zoning matters; and counseled, prepared or reviewed documents for 14 other real estate clients.

The **Employment Law Clinic** focuses on enforcing state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. In 2006–07,

the clinic provided counseling and advice in employment discrimination matters to 14 individuals; conducted investigations in 13 other cases; and attained benefits in four cases totaling \$55,000. LSC also helped to obtain \$314,000 in unemployment benefits for 88 clients.

The **Estate Planning Clinic**, which assists clients dealing with chronic illness, helped prepare and execute 50 wills, 53 durable powers of attorney, 48 health care proxies, 47 directives to physicians, 48 declarations as to remain, and 16 trusts; in addition to other related documentation and counseling services.

The **Family Law Clinic** provided legal assistance to families in crisis brought on by domestic violence. Its protective aid to families resulted in 26 divorces, 30 custody awards, eight restraining orders, and awards of alimony or assets in 15 cases. Limited assistance advice also was provided to scores of other families.

The **Housing and Litigation Clinic** helped each and every one of its clients avoid homelessness last year. Housing students prevailed in 44 cases, with 14 tenants remaining in their apartments and the remainder moving voluntarily. Clients also won damages or rent waivers totaling in excess of \$354,881. The Housing Clinic also took a leadership role in responding to the dramatic increase in no-fault evictions after foreclosure and worked to improve clients' living conditions by fighting housing discrimination, correcting conditions of disrepair and de-leading properties.

The **Predatory Lending and Consumer**

Law (PLCL) Clinic helps clients who are facing foreclosure. Last year, the Clinic helped an elderly grandmother save the home where she, her children, and her grandchildren lived. The client had a grammar school education and had worked her entire life as a cleaning woman in health care institutions. She was “sold” a predatory loan with monthly payments equal to nearly 99% of her total household income, with a balloon payment at the end of the mortgage which was greater than the amount of the mortgage loan itself. By the time the client came to the Clinic, the lender's claimed penalties, interest, and late fees resulted in her \$149,000 mortgage debt climbing to \$430,000—and the client was facing foreclosure. Through our representation the court found the mortgage unconscionable and our client kept her home, mortgage free. Altogether, the PLCL Clinic retained homes in nine cases; eliminated unfair mortgages in two cases; assisted six other clients in reducing unfair mortgages by an aggregate of \$752,000; and eliminated \$624,329 of debt in 18 completed chapter 7 and 2 chapter 13 bankruptcy cases.

The **Trauma and Learning Policy Initiative (TLPI)**, LSC's innovative partnership with Massachusetts Advocates for Children, works to ensure that children who have been traumatized by exposure to violence and other adverse childhood experiences succeed in school. TLPI students engage in advocacy at the systemic level and at the individual client level to further this mission. TLPI's successful systemic efforts last year included advocating for the continued funding of Massachusetts' Trauma-Sensi-

tive Schools Grant Program, a first-in-the-nation effort aimed at encouraging promising school-wide practices for creating trauma-sensitive learning environments. TLPI also successfully advocated for language in a section of the omnibus Children's Mental Health Bill, currently pending before the MA legislature, which proposes a detailed framework for linking schools and the mental health system. Schools across the state and throughout the nation have sought TLPI's expertise on how to create trauma-sensitive learning environments; to date, over 15,000 copies of its report Helping Traumatized Children Learn have been distributed.

LSC's clinics also work together to provide holistic service to clients. Last year, for example, TLPI collaborated with the Housing Unit to assist a 13-year-old student

with disabilities and her family both to secure needed educational services and to stabilize the family's housing circumstances. The student had endured many traumatic experiences, including suffering from a degenerative medical condition, having a parent incarcerated for drug use, and having a close friend murdered in the neighborhood. As a result, she was falling behind in school and was on the verge of being held back in the 6th grade for the 3rd time. With the client at risk of becoming homeless, a Housing student was called into action on 24 hours notice and successfully argued before the Boston Housing Court that the eviction action was baseless. The quick teamwork of the Housing Clinic helped the family to stave off eviction and enabled TLPI to advocate for the educational services the student needed

to progress effectively in school. This was one of the 21 special education cases that TLPI successfully resolved at the school or administrative level this year.

In addition to client representation and policy work, the Legal Services Center engages in community education, workshops and presentations. Located in an inner-city residential neighborhood, the Legal Services Center is recognized by the institutions with which we partner and the people of the community whom we serve as part of the fabric of the community. There's more to describing the Center's legacy than just its statistics and accomplishments; rather, it is the people who have been served and educated by the Center that tell its real story.

In this edition of LSC News, we welcome you to read some of their stories.

CLIENTS AND COMMUNITIES

Passageway Health-Law Collaborative Donates Upwards of \$2 Million In Free Legal Services to Victims of Domestic Violence

During the summer of 2004, the WilmerHale Legal Services Center (LSC) and Brigham and Women's Hospital (BWH) launched an innovative pilot collaboration called the Passageway Health-Law Collaborative (PHLC) to meet the needs of

victims of domestic violence. The PHLC, which saw its official launch in the fall of 2005, brings together the expertise of a health-care domestic violence program at the BWH, called "Passageway," and the legal expertise of LSC as a clinical teaching legal services center. Over the past two and a half years, the PHLC has grown into an extraordinarily successful partnership between the two institutions, involving over 5,500 hours of legal services provided

by LSC attorneys, fellows, and paralegals, and over 4,500 hours of legal services provided by 80 LSC student advocates. LSC estimates the value of the legal services provided to victims of domestic violence through PHLC to exceed \$2 million.

The PHLC grew out of the unmet need for legal services among patients at the BWH who had been identified as victims of domestic violence, as well as the need for support services for LSC's clients who

have experienced domestic violence. The Passageway program at BWH had been providing comprehensive healthcare-based social services and advocacy for victims of domestic violence at BWH, Faulkner, and area health centers for the past 10 years. Passageway at BWH has a staff of five trained domestic violence social work advocates, a program director, and two social work interns, who assist victims with safety planning, risk assessment, counseling, healthcare advocacy, and other community-based advocacy. However, before the PHLC, the Passageway program at BWH did not have the capacity to address the many legal needs of their patients. Without comprehensive legal services, victim patients were often unable to meet their basic health-care and safety needs, despite the efforts of the social work staff at Passageway.

Likewise, LSC has, for nearly 30 years, provided legal assistance to low-income victims of domestic violence. Staffed with attorneys specializing in a range of legal issues, as well as approximately 175 law students annually, LSC has provided legal services to victims of domestic violence in areas including family law, special education, estate and permanency planning, housing, bankruptcy, benefits law, and employment law. However, students and lawyers at LSC have neither the expertise nor the time to address the unique social, psychological, and emotional needs of victims of domestic violence. As a result, LSC was often unable to assist many victims of domestic violence most in need—those



Lela Klein '09 fields a phone call from a client regarding a pending divorce case.

who were emotionally or otherwise unable to continue with the legal process due to their lack of an adequate support network.

The PHLC was designed to address these weaknesses in both the traditional health care and legal services settings. The PHLC works by pairing up students, lawyers and trained social workers to assist clients throughout the legal process. The result is comprehensive and holistic legal and social work service for victims that often makes the difference between success and failure, and perhaps even life and death, in a difficult legal system. Approximately 451 clients have received legal services through this innovative collaboration.

In its pilot year, the project was funded exclusively by LSC and BWH. In the fall of 2005, Sarah Boonin '04 received a two-year fellowship from the Skadden Foundation

to fully launch and develop the PHLC. In the fall of 2007, BWH committed to fully funding the PHLC over the next two years.

Sarah Boonin, the Senior Clinical Fellow at LSC who helped to launch the program as a Skadden Fellow, said of the PHLC, “PHLC serves clients who might otherwise never get legal help because we reach out to them where they are—during hospital stays, in the emergency department, visiting their primary care providers, with their therapists. And once we’ve identified those clients in need of our help, the social workers at Passageway help us to earn the client’s trust and then assist the client throughout the harrowing process of litigation. Without this collaboration and the support of the social work staff at Passageway, many of my clients would never have found their way to my office. Even if they did, they certainly wouldn’t have had the support necessary to follow through with the legal process. On the other hand, without the students and lawyers at LSC, the social work staff at Passageway couldn’t address the complex legal needs of their patients.” One client said of PHLC, “The help was unexpected—there is so much going on in your life and then you hear that a lawyer is available to you. You have a lawyer to help you—wow. I was at my husband’s mercy and now I’m not. It’s a load off my shoulders.”

In addition to meeting unmet needs among victims of domestic violence, the PHLC is designed to empower victims throughout their participation in the legal process. Nnena Odum, Clinical Instructor at the LSC emphasized the significance of client

empowerment: “Because domestic violence is about the abuser’s power and control over the victim, our clients often come to us stripped of any sense of control over their own lives and decisions. Our goal, through client-centered lawyering, is to return to the client some of the control she has lost.” Speaking to the feeling of empowerment she gained through her participation in PHLC, one client stated, “Through them helping me, maybe I can help someone else. I am able to speak for myself now. I am not sitting twiddling my thumbs. You only have one life to live—don’t waste your precious days.”

Cyndi Monteiro, another Clinical Instructor working on the project spoke about the PHLC’s emphasis on early intervention, which has long been a tenet of the health-care system. “I spent many years working in the medical field as a registered nurse. Now as a legal advocate with the PHLC, what most excites is that we’ve adapted the concept of ‘preventative care’ from the healthcare setting into our lawyering. Through PHLC, LSC students and staff train the social workers at BWH to recognize the ‘red flags’ issues in their clients’ stories so that they can get early legal intervention, before the crisis is at hand.”

The PHLC couldn’t function without the dedication and enthusiasm of the many Harvard student advocates who work on client cases while earning clinical credit at the LSC. The PHLC provides students with a unique opportunity to see the power of multi-disciplinary practice. Julianne

Johnston, HLS ’08, said of her time working on PHLC cases, “Many (if not most) DV clients are confronted not only with serious legal issues, but also with large non-legal issues such as access to affordable housing, federal and state aid programs, and health services, including mental health providers. Passageway Advocates are available to assist clients in maneuvering those complicated social programs. Upon learning that a client had a pressing, but non-legal, need, I would relay those issues to the Passageway advocate at BWH and enlist their knowledge and experience to assist the client. The reverse is also true. Passageway Advocates frequently identified issues that presented legal implications for my clients and alerted me so that I could provide the research and legal counseling necessary. The PHLC collaboration allowed me to focus more of my time on issues that needed specific legal knowledge, while still providing my clients with comprehensive assistance.”

As PHLC enters its third full year, the program is looking to expand on its already successful work. Students, attorneys, social workers, and leadership at the BWH and HLS have been involved in discussions to expand the breadth of services provided to victims of domestic violence through the PHLC, as well as to expand the range of clients receiving these services.

Anyone interested in learning more about the PHLC can contact Sarah Boonin at saboonin@law.harvard.edu.



Christina Greenberg '09 and Clinical Instructor Nnena Odim discuss strategy for a complex custody case.

Housing Students Respond to Foreclosure Crisis by Fighting Evictions of Innocent Tenants

One Thursday morning when Dalton Randall ’08 was serving as an Attorney for the Day at the Boston Housing Court giving “game day” advice to *pro se* tenants whose eviction cases were scheduled for trial that afternoon, he met Jose Pereira*. Pereira, a low income grandfather who had always paid his rent, had suddenly found himself at risk of eviction when his landlord lost the apartment he rented in foreclosure. Pereira explained to Randall that after the mortgage lender’s trustee, Deutsche Bank,

**All client names have been changed.*



A tenant facing eviction after a foreclosure attends a pro se eviction defense clinic in the LSC library.

took over his building, his electricity was shut off and he couldn't cook or run hot water for ten days. Pereira's utilities were included in his rent, but the bank simply made no arrangements to pay them. Pereira, who had no information about the foreclosure, had not known who to call about the problem. He eventually put the utilities into his own name to make his apartment livable again. Now the bank, following a misguided but near-universal policy of vacating foreclosed buildings before putting them back on the market, was trying to evict him.

With Randall's help, Pereira fought the eviction in court, at protests organized by tenant's rights group City Life/Vida Urbana, and in the press. When he finally did move—on his own terms—Pereira took with him a \$22,000 settlement negotiated by Andrew Zee '08. Two months later, Pereira's daughter learned that her landlord, too, had lost her building in foreclosure. Predictably, the bank moved to

evict her. Pereira referred her to LSC, and Scott Dixler '08 has taken her case.

We have all seen the stories of homeowners who, having fallen victim to predatory lending and other unscrupulous mortgage practices, are now facing the tragedy of foreclosure. But as LSC Housing and Litigation Unit students are seeing first hand, former owners are not the only victims of the crisis. Although a good tenant is often a valuable asset in the sale of a multifamily rental property, today's mortgage lenders and loan servicers almost always move to empty buildings after foreclosure. As a result, thousands of innocent tenants are losing their homes—homes they have lived in for decades, homes where they have raised their children, and, sometimes, the only homes they can afford—because of their landlords' credit problems. And because Boston's foreclosures are concentrated in a handful of low income neighborhoods, these mass evictions disrupt not only individual lives, but entire social and geographical communities.

The tenants who remain face worsening conditions of disrepair. They don't know who to call when the boiler shuts down or mice run across the kitchen table. When they do get someone on the telephone, they are promised repairs that never happen. Properties begin to fall apart, and tenants leave their homes in frustration. With the real estate market soft, the buildings are boarded up and abandoned. Neighborhood property values decline, crime increases, and the stock of healthy, affordable homes declines one property at a time.

LSC has always been a laboratory for



Boarded up windows are a common sight in Boston neighborhoods afflicted by a wave of foreclosures.

innovation in the delivery of legal services to low income Bostonians. With the Law School's broad support, LSC students and staff can respond quickly and creatively to a crisis. The Housing Unit has taken advantage of this flexibility in crafting a multi-faceted response to the wave of post-foreclosure evictions in Boston. Over the past year, students and staff have helped pass legislation ensuring that tenancies survive foreclosure; worked with regional nonprofits and housing authorities to develop special outreach and protections for Section 8 tenants living in foreclosed buildings; joined with tenants and community organizations like City Life/Vida Urbana to protest the lenders' vacant conveyancing policies; brought public attention to the tenants' once-invisible plight by securing coverage in the Boston Globe, the Boston Herald, and the industry publication Banker and Tradesman; prepared educational materials for both lawyers and tenants on how to effectively prevent post-foreclosure

evictions; and taught classes for *pro se* tenants on how to represent themselves in an eviction case. Most of all, Housing Unit students have fought the mass eviction problem the old-fashioned way—one case at a time—through effective, high quality representation of individual tenants in post-foreclosure eviction and Sanitary Code enforcement cases at the Boston Housing Court.

Housing students John McBride '07 and Jane VanLare '07 represented Anna Johnson, a single mother of two who had never missed a rent payment during her five-year tenancy in her Dorchester home. One day, Johnson received a letter from a bank telling her that she would have to move her family somewhere else or face eviction. The letter offered her a small amount of “cash for keys”—less than the security deposit she would likely have to put down on a new apartment—but gave her only 48 hours to accept the deal. Johnson, a Section 8 subsidy voucher holder, couldn't act that quickly. Section 8 discrimination, though illegal in Massachusetts, is common, and often unabashed. Apartment ads told Johnson outright that her application was not welcome. With nowhere else to go, she decided to fight the eviction. McBride and VanLare fought alongside her, holding off the eviction until Johnson had found a new home and netting her a cash settlement of \$20,000.

Matthew Boulos '08 represented Elena Hernandez, a Dorchester mother with a disabled son. Hernandez was pregnant with her second child when she learned she was



Summer Kim '08 and Clinical Instructor Esme Caramello '99 prepare for a motion hearing in a post-foreclosure eviction case.

being evicted by IndyMac Bank. Though Hernandez had a Section 8 voucher, the bank refused to take the subsidy payments yet insisted that it would sue Hernandez for the rent later. Moreover, the pregnant Hernandez had no cooking gas or heat, and her apartment was infested with mice and cockroaches. The bank refused to make the repairs, saying that if her apartment was so bad she should simply leave. Boulos worked with a public health expert to document the conditions of disrepair in Hernandez's apartment and persuade the bank to take emergency action. Once Hernandez appeared on the front page of the Boston Globe, the heat was finally fixed. But dangerous conditions remain, and the bank continues to try to evict Hernandez. With Summer Kim '08, Hernandez fights on.

These cases and others like them—every student in the Housing Unit is representing tenants after foreclosure—are helping to slowly change the lenders' expectations with regard to post-foreclosure evictions. Where

once tenants' pleas to stay were met with broad denials based on “company policy”, lenders are now recognizing that mass displacement is not necessarily the path of least resistance. Not only can eviction be time-consuming and costly, but a good tenant can be an asset in the sale of a property, particularly in a multi-family building that is destined to remain as rental housing for the foreseeable future. Legal pressure has also led more lenders to take responsibility for maintenance of buildings they end up owning after foreclosure. And with continued work by LSC and its partners in the community, some foreclosed properties will ultimately end up in the hands of good buyers and become part of the long-term affordable housing stock. In the meantime, LSC's Housing students will keep up the pressure, forcing repairs, preventing displacement, and helping to stabilize Boston families and neighborhoods while this search for the silver lining continues.

The Community Enterprise Project Creates Affordable Housing in Jamaica Plain

The Community Enterprise Project (CEP) helps community development corporations (CDCs) develop affordable housing. CDCs are local non-profit organizations who work to provide services, often housing and job assistance and small business assistance, to a local community.

In 2006, CEP worked with the Jamaica Plain Neighborhood Development Cor-



Bethany Bonuedi '07 celebrates the ribbon cutting with JPNDC Project Manager Teronda Ellis and City of Boston Mayor Thomas M. Menino

poration (JPNDC) to sell 11 affordable housing units to first-time homebuyers. The units are located at various sites across Jamaica Plain and consist of townhouses, single family homes, and two-family homes. The homebuyers are all first-time homeowners who earn either 80% or 50% of Boston median income. The term “affordable” means the sale price is subsidized well-below market price, and the property’s future sale and transfer is restricted. Generally, the future sale price can only be about 5% greater than the current sale price (in order to keep the property priced below-market and hence remain “affordable”) and

the future buyer must also be income-qualified to purchase the unit.

Bethany Bonuedi '07, former CEP clinic student and Ilisabeth Bornstein, her supervising attorney, coordinated with JPNDC Project Manager Teronda Ellis to prepare all legal documents necessary to transfer ownership of the units to the homebuyers. The project involved multiple communications with local, city and state officials to coordinate funding and execution of the sale of these properties. By April 2007, all of the units had been sold.

In 2007, CEP worked with the Allston Brighton Community Development

Corporation (ABCDC) to develop 12 affordable units in the Allston neighborhood of Boston. These units consist of eight townhouses and four condominium units. The buyers are first-time homeowners who earn less than the area median income and thus qualify to purchase these below-market-rate units. The first units were conveyed in the fall of 2007.

CEP students and staff will continue working with Neighborhood and Community Development Corporations to facilitate the development of housing for lower-income Boston residents.

STUDENTS SPEAK

Matthew Boulos '08, Housing and Litigation Clinic, Spring 2007 and Fall 2007



Law is experienced at the edge of society where disputes have their final recourse in the courts. It is easy for law stu-

dents to become blind to what faith and dependence on the legal process mean for individuals who seek and need justice in times of abandonment. One of my clients was an old man whose apartment had been foreclosed upon by a bank; in an apparent bid to drive him out, his heat and hot water had been allowed to fall out of repair so that by winter he was boiling water for his showers and leaving the stove burners on to heat his space. I visited him a number of times to have papers signed, explain case developments, to poke around his furnace and boiler, and on a few occasions I would be in his sitting room on the couch as he leaned back in his reclining chair. I threw at him theories, hopes, and doubts, but through it he maintained a trust that justice could and would be served. It is that sort of spur that prompts you to return to battle each morning, to believe when you have lost faith, and it reminds you why you

wanted to study and practice law in the first instance. The classroom is a wonderful place to study and prepare to serve clients, but until you have stood nervously in court pleading the cause of a worthy client in the face of obstinate opposition and the cloak of procedural obscurity, the law can seem like little more than an idea. After that it loses its sheen and becomes real, but if we want to serve then that is the law that we ought to know. Caring for clients at the Housing Unit of the Legal Services Center let me see the law more clearly than I could imagine, and for that, and the opportunity to serve, I am especially grateful.

Rebecca Lobenherz '09, Health, Disability, and Planning/Health Law Clinic, Fall 2007 and Spring 2008



Through my two semesters with the Disability Law Clinic at the Legal Services Center, I have received great practical experience in public

lawyering. Three SSA disability hearings, two Appeals Council briefs and a district court complaint later, I feel confident in my ability to gather evidence, meet with clients, and make effective legal arguments

in the disability law context. However, what has stayed with me the most is the excitement and rush at developing my first case. My first client was a younger man with debilitating back pain and rather severe reactive depression. He could barely walk and always appeared in pain, but even with a clear disability it took a lot of work to convince the judge in the case. A last minute push for new evidence along with a lot of hearing preparation and a solid legal argument allowed him to receive a full benefits. This is the most rewarding part being able to follow a case through until the end—from the initial meetings and case development, through the hearing, and up to the decision. Being able to tell your client they have the benefits they need to support their family is an experience I would not trade. And that is a major reason why I have stayed on with the clinical this semester; I want to tell more of my clients the good news.

Eric Herrmann '09, Community Enterprise Project, Fall 2007 and Housing and Litigation Clinic, Spring 2008

Last fall, I participated in the Legal Services Center (LSC)'s Community Enterprise Project (CEP) and this semester I'm enrolled in the Housing Clinic. After grinding through my first year at HLS, it was refreshing to get away from campus and casebooks and into the community where I could learn while doing meaningful work. Participating in a clinic at LSC gave me an opportunity to more fully develop the set of skills necessary to be a practicing attorney—research, issue spotting, client relations, negotiation—while working on complex and fast moving cases with real consequences.

For example, last semester I represented a client seeking a zoning variance in order to offer live music at their newly opened BBQ restaurant. Beyond learning the local zoning code, this case required me meet with the client at the restaurant, contact local politicians, planning agencies and community groups, give a presentation to the Zoning Board of Appeals (ZBA) and draft the ZBA's official opinion after they approved the variance. Not only did I gain valuable experience and confidence, but I saw how different classroom discussions of appellate cases can be from the sometimes messy way laws actually get implemented.

During my time at the Legal Services Center, I have gotten great support and

guidance from my supervisors, Liz (Bornstein) and Rafael (Mares), as well as the other instructors in the CEP and Housing units. Their doors are always open and the kind of one-on-one instruction they provide is simply not available in a large classroom. As an educational experience LSC has been tremendously valuable. But beyond this, it has enriched my time as a student with the sense of fulfillment that comes from helping people who otherwise would go unrepresented, and has made me feel like part of a community beyond HLS. Many people in this community are really struggling and the work we do at LSC can be the difference between a small business failing or succeeding, or between a family keeping their home or being out in the street. These high stakes are a little intimidating, but are a powerful reminder of the opportunities a legal education can present for making positive changes in the world. Thanks to my time at LSC, I better appreciate the privileges and responsibilities that come with a degree from HLS.

Aaron Halegua '09, Employment Civil Rights Clinic, Fall 2007 and Spring 2008



Working at LSC has been better than any of my previous internships either before or during law school. As a student, it is hard

to find the right balance of autonomy and guidance. In legal services organizations, attorneys are often extremely busy, which often results in one of two scenarios: first, the attorney assigns substantive work to the student but is unable to provide adequate supervision or feedback; or second, the attorney lacks the time to properly train the student and is therefore unwilling to give him substantive tasks. However, LSC avoids these common pitfalls. Educating students is part of its mission and it is specifically designed to give students large amounts of responsibility while providing attorneys with the time to support and guide students to ensure that they handle their work effectively.

I came to understand the significant responsibility given to LSC students very early in my time there. On my first day in the Employment Civil Rights Clinic, I was assigned a client who had a hearing before an administrative agency in less than three weeks. I was responsible for determining what our argument would be, strategizing

how to collect the evidence to prove it and then preparing the written brief and delivering the oral argument. Just a few weeks later, I was responsible for drafting an affidavit for a client to support her appeal at the state anti-discrimination agency. I decided what facts we needed to show, interviewed the client on my own and then drafted the affidavit. Any of these tasks would have been overwhelming but for the help of my supervising attorney—who was always available to answer questions, make suggestions and meaningfully critique all my work.

In addition to being extremely pleased by the quality of the experiences that I had in the Employment Civil Rights Clinic, I was also pleasantly surprised by their breadth. By the end of a single semester, in addition to conducting a hearing and preparing an affidavit, I had also performed intakes without my supervisor, observed a mediation, contacted potential witnesses, conducted factual investigations, helped with discovery and drafted a motion for summary judgment in state court. Because I can't imagine getting such a broad range of high-quality litigation experiences anywhere else, I am continuing my work in this clinic for a second semester.

Michelle Kuo '08, Special Education Clinic/Trauma and Learning Policy Initiative



Working at the Legal Services Center helped me remember why I had come to law school. Last semester, as a student in the

Trauma Policy Learning Initiative, I represented children and their parents in special education and related matters.

In one case, I represented a couple who had adopted “John,” an eleven-year-old boy, from an orphanage in Costa Rica. As John’s advocate, I first investigated why he was failing in school; Boston Public Schools had held him back in the fifth grade. Though cheerful and well-liked, he had started showing aggressive behavior. By poring through his student work, school records, and speaking with therapists, neuropsychologists, tutors, and social workers, I sought to draw a compelling narrative that did justice to John’s complexities. The process felt both creative and honest. Ultimately the Boston Public Schools—reversing the position they had held for two and a half years—designated him eligible for special education. As a result, he would receive a number of services that would help keep him on track. John’s parents were both elated and relieved.

What I liked most about this process was my conversations with his parents. John’s

father, a quiet, mild-mannered man, had said to me, “He’s only eleven years old and he is already slipping through the cracks. I’m worried sick what will happen to him if we don’t acknowledge his problem now. What will he do when he needs to apply for a job? Will he even be able to write the application?”

As I listened to him speak, I realized how hard they work, as parents. I tried to imagine how many doctor appointments, teacher conferences they’d attended, how many late nights they’d stayed up worrying. At low points, they blamed themselves; I glimpsed that. Yet it was difficult for me to imagine, fully, what they felt. The best I could come up with was that, amidst all of us professionals trying to help—counselors, teachers, lawyers, doctors—John’s parents may still have felt alone at the end of the day. That may seem a trite point, but it is an important one—because, for me, it makes me want to be useful. That I could actually be of use, then, in this case came as a relief, because so much was at stake—whether the school was bearing its burden to give their child a meaningful education.

Under the passionate, thoughtful, and encouraging supervision of Susan (Cole) and Mike (Gregory), I was introduced to how legal services can bring genuine change to people’s lives. Susan and Mike were tireless, in both their advocacy and their teaching; working with them gave me a sense of possibility about my own life. The one-on-one attention from instructors, and the direct work with clients, made the clinic one of my most formative experiences in law school.

**Annie Balla '08, Predatory Lending/
Consumer Protection Clinic, Fall 2007**



I participated in the Small Claims Debt Collection Clinic last fall, and I'm currently writing my 3L paper on the same subject. After hearing

my explanation of what "Small Claims Debt Collection" actually means, most people say something like, "Wow, that is *way* more interesting than it sounds!" Compared to the Supreme Court Clinic or the clinic that helps people on death row, the Small Claims Debt Collection Clinic does sound, well, kind of small and dry. In fact, the clinic was just the opposite. It engaged, challenged and inspired me.

Debt-collection companies buy portfolios of consumer debts for pennies on the dollar. Armed with whatever skeletal tidbits of information they have about the consumer, the debt-collectors file small claims collection suits. There are statute of limitations, burden of proof, and illegal collection practice issues *all* over the place. But, debt-collectors avoid these pesky legal issues by targeting low-income defendants in small claims court, a less formal setting where the defendants are almost always unrepresented and the court staff encourages outside settlement.

As a law student, it is incredibly rewarding to help defendants push back against

debt-collectors. I was able to do this while building great practical skills. I sought out clients, and walked them through their legal options and the court procedures. I negotiated with debt-collectors' lawyers in court. I drafted answers, counterclaims, and other supporting documents. Participation at each step of the process was challenging, but incredibly rewarding. By the end of the clinic, I had a handle on each step, and almost all of the cases against my clients were dismissed.

Best of all, I'm proud that my work made a small, but real difference in our clients' lives. Knowing debt-collectors are getting one less monthly check in the mail, from someone who shouldn't have even been paying them in the first place feels really good. Of course, systemic changes in legislation and judicial administration are necessary to effectively curb unfair debt-collection. Until then, the Small Claims Debt Collection clinic is a great way to keep hard-earned money in the hands of those who need it and deserve it the most, the clients.

**Julianne Johnston '08; Family Law
Clinic Fall 2007**

The Family Law/Domestic Violence clinical at LSC was by far one of the most rewarding experiences of law school. For me, this mainly was because of the opportunity to work closely with individual clients—taking the problems in their current situation and figuring out ways to use the legal system to

solve, or at least assuage, those problems.

As I expected, the Family / Domestic Violence clinic at LSC was a learning experience completely different from that of the regular law school curriculum. I learned to interview clients with an eye towards facts that would enhance the client's position in the eyes of the court. Working with the Passageway Health-Law Collaborative on my domestic violence cases, I also developed a sense of when social services or mental health professionals would provide more appropriate assistance for our clients. This was not always an easy line to draw, especially in domestic violence cases, where personal and legal problems are intimately intertwined.

A bit unexpectedly, my experience at LSC was very different from that of my previous internships and clinicals. The supervising attorneys' level of supervision and feedback was more comprehensive than I have had in my other work. Instructors supervise and teach students as a large part of their jobs, and I know it is unlikely I will again have an opportunity for such close and immediate feedback and guidance in my work.