



LEGAL SERVICES CENTER
CENTRO DE SERVICIOS LEGALES

The WilmerHale Legal Services Center of Harvard Law School
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www.law.harvard.edu/academics/clinical/lsc/

SUMMER CLINICAL FELLOWS
2008

The WilmerHale Legal Services Center of Harvard Law School (formerly known as the Hale and Dorr Legal Services Center) is a practicing legal services office located in Boston's culturally diverse Jamaica Plain neighborhood. Center staff and students assist over 1,200 low- and moderate-income clients per year with their civil legal problems in many substantive areas of law. These services are free for low-income clients, or on a sliding scale, co-payment basis for moderate-income clients. The Center has six main practice areas -- Community Enterprise Project; Employment Civil Rights; Family and Children's Law Unit; Housing Law/Litigation Unit; Health, Living Legacy and Estate Planning Unit; and Predatory Lending/Consumer Protection Clinic -- and over a dozen clinics within these practice areas.

During the academic year, the Legal Services Center serves as a clinical placement for Harvard Law School students. Each summer, the Center sponsors a ten-week summer program for volunteer law students. For 2008, the program will begin on June 2 and end on August 8, 2008. Students interested in working at the Center must commit to do so for a minimum of 25 hours per week for the entire ten-week program. Due to the Center's funding situation, we are unable to provide compensation for summer employment, including the employer share of work/study grants. However, we welcome students who can obtain funding from their own law school, grants from public interest sponsors or who wish to volunteer.

Supervision for students working at the Center is provided by one of our Clinical Instructors who are lawyers and paralegals chosen for their skills and abilities as practitioners and for their skills and abilities to teach, mentor, instruct and guide students through early learning experiences. Each Clinical Instructor has a caseload in one of the Center's practice units, which is shared with the Instructor's supervisees. While the emphasis is on direct student responsibility, Clinical Instructors assure continuity to clients and take direct responsibility for cases, or aspects of cases, that are too difficult or inappropriate for student practice.

Students at the Center interview people seeking advice or assistance; undertake direct assistance and responsibility to clients; engage in investigation and, often, formal discovery; counsel and advise clients; plan and strategize to achieve the best results for their clients; prepare pleadings for courts or applications to administrative agencies; and research case specific legal issues. Some students appear before courts on contested motions, preliminary matters or assist in a trial; others will represent clients before administrative agencies. Some students may be exclusively involved in planning, advice, arranging and "deal-making" or transactional legal work.

To Apply: By January 25, 2008, please e-mail your: (1) resume, (2) cover letter, (3) writing sample (max of 5 pages even if subpart of a larger text), (4) the names and contact information for two references, and (5) the list of your top 3 clinic choices within the Center to:

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Individual student experience at the Center will depend on your energy and efforts, more so than the particular area of practice. However, many students have defined interests in a subject matter or in developing specific skills. Another important consideration is whether you're interested in transaction legal work (Community Enterprise Project or the Health, Disability and Planning Unit) or a litigation-focused practice (Family Law, Employment Civil Rights, Housing Law and Litigation, Predatory Lending Project). The Center will give priority placement in the Employment Civil Rights, Family Law, Housing Law and Predatory Lending Clinics to students who, through their own law school, can be or have been certified to appear in court and can represent the Center's clients in Massachusetts courts. The following offers a brief description of the clinics housed in our practice groups at the Center. Additional information may be obtained at our website:

<http://www.law.harvard.edu/academics/clinical/lsc/>

The Administrative/Disability Law Clinic works to secure and protect income and health care benefits for disabled and elderly clients through trial-like advocacy before administrative law judges. Moreover, by focusing our work on client cases with novel issues or traditionally unsuccessful yet deserving claims (i.e., representing large numbers of younger individuals with mental impairments) our practice attempts to translate individual case advocacy into systemic change and policy reform. Hearings are primarily before Social Security Administration Administrative Law Judges, although students also represent clients on appeals from adverse agency findings before federal appeals court judges. Students working in the Clinic interview clients, conduct extensive factual investigations, produce legal research and writing, work with experts, prepare witnesses, and present cases before administrative law judges.

The Business and Non-Profit Organization Clinic provides legal assistance to start-up and existing small businesses, entrepreneurs, non-profit organizations and community development corporations on a wide range of legal matters. The range of services includes entity formation and choice of entity counseling; contract negotiation and preparation; corporate and commercial financing; shareholder agreements; business acquisitions and sales; commercial leasing; licensing, permitting, and zoning advice; trademark and copyright advice, registration, and intellectual property licensing; corporate governance and compliance; tax-exempt applications and various other kinds of business-related transactional legal work. In addition to serving the direct legal needs of clients, the Clinic participates in community workshops on legal issues relevant to small businesses and non-profit organizations. Students in the Clinic may have opportunities to draft documents; research and apply legal doctrine; interview, represent and counsel clients; and engage in strategic decision-making, issue analysis and problem solving.

The Domestic Violence Clinic focuses on family violence as it manifests in abuse prevention and other family law cases. This widespread problem destroys the mental and physical health, well-being and financial stability of many women and children in our society. The Center's Domestic Violence Clinic accepts cases from a variety of community-based agencies, but has established a special partnership, the Passageway Health-Law Collaborative (PHLC), with the Brigham and Women's Hospital and its affiliated community health centers. The PHLC aims to provide victims of domestic violence with comprehensive and coordinated legal and social services. Experienced social workers at the hospital provide safety planning, support and case management to victims of domestic violence, while students at the Center provide legal representation to these clients. The PHLC focuses on providing assistance in the areas of family law and estate and permanency planning, with referrals to any of the Center's clinics in order to assure that clients get help on legal problems that often compound the domestic violence issues. Students working in this Clinic interview and counsel clients, conduct factual investigation and legal research, develop case strategies, collect and analyze documents, conduct written discovery and draft pleadings. Some students may have multiple court appearances in motion practice, restraining orders, pre-trial conferences, status conferences

and hearings; many students negotiate directly with opposing attorneys, pro se opponents and in court-mandated “mediations.”

The Employment Civil Rights Clinic handles a broad range of employment rights cases, with a focus on claims of employment civil rights - discrimination, retaliation, and reasonable accommodations - and unemployment compensation. The practice has cases pending at a variety of levels including before state courts, federal courts, and administrative agencies such as the Massachusetts Commission Against Discrimination (MCAD) and the Division of Unemployment Assistance. The Clinic has an overarching mission to identify structural problems and novel issues adversely affecting employee rights and to develop innovative strategies to address those problems and issues. Students working on employment cases engage in a wide-range of practice experiences including case screening, client counseling, negotiating with opposing counsel or employers, conducting witness interviews, taking formal depositions, drafting briefs, and presenting oral arguments at hearings. Recently, students have participated in conciliation conferences, taken numerous depositions, negotiated with opposing counsel to resolve discovery disputes, and drafted discovery. In a number of cases pending at the MCAD, students have presented oral arguments at investigative conferences or appeal hearings.

The Estate Planning Clinic provides direct client representation on estate planning and probate, guardianship, debt counseling, and private insurance cases. The practice helps individuals maximize control over decision-making and secure their children’s future in the event of incapacity or death through the drafting of wills, trusts, powers of attorney, health care proxies, funeral planning directives, living wills, guardianships and relationship agreements. The practice also assists survivors and family members in probating the estates of deceased clients. While the Clinic offers legal services to low- and middle-income individuals in our community, we specialize in serving people living with HIV/AIDS, the disabled and the frail elderly. Estate Planning Clinic guardianship and contested estate probate cases involve representing clients at hearings before state probate court judges. Student work in the Clinic involves extensive client interviewing and counseling, and often requires frequent communications/negotiations with medical providers, employers and their human resources departments, creditors and insurance companies. Students work closely with clients to develop comprehensive estate plans, analyze government and private insurance benefits, assess clients’ financial situations and when necessary provide debt counseling and bankruptcy services.

The Family Law Clinic addresses issues of custody, visitation, child and spousal support, support arrears, health and life insurance, and the equitable division of marital property and debt in the context of divorce, separate support, annulment, paternity, modification, contempt, guardianship and adoption actions. In all cases the clinic prioritizes the representation of custodial parents, seeking to maximize the resources, income and the standard of living of the household with the children, through optimal child support, alimony and property division orders. In this clinic, students interview and counsel clients, conduct factual investigation and legal research, develop case strategies, collect and analyze documents, conduct written discovery and draft, file and serve pleadings. Some students may have multiple court appearances in motion practice, restraining orders, pre-trial conferences, status conferences and hearings. Students negotiate directly with opposing attorneys, pro se opponents and in court-mandated “mediations.” In cases scheduled for full trial, students conduct depositions, develop witness and exhibit lists, trial strategies, and a trial notebook, prepare, conduct the direct and cross-examination of witnesses, make opening statements and closing arguments at trial and draft post-trial briefs.

The Health Law Clinic has a long history as a regional leader in providing civil legal services to people living with HIV/AIDS and other chronic, terminal or disabling medical conditions. The Clinic was founded in 1987, as one of the first AIDS law clinics in the country. Since that time the Clinic has provided direct legal services to hundreds of individuals living with serious

illnesses or disabilities and affected families where minor children are at risk of being displaced by the death or permanent disability of a parent or caretaker. The Center's Health Law Clinic works closely with the Boston Medical Center, Quincy Medical Center, Brigham and Women's Hospital, AIDS Action Committee, Gay and Lesbian Advocates and Defenders, and other community based organizations to ensure that the legal service needs of those living with HIV and AIDS and other serious medical conditions are met. Students in the Clinic provide direct client representation in civil law cases involving public benefits, discrimination, debt counseling, insurance, family, and estate planning. Student work also includes research, policy development and advocacy on current health care access policy reform initiatives. Recently, students developed Medicaid training materials for volunteer attorneys assisting victims of hurricanes Katrina and Rita and fact sheets for consumers living with HIV analyzing services provided through eleven southern states' Medicaid programs. On the national level, students monitored all Congressional Katrina-related health care initiatives and worked with collaborative partners to educate members of Congress on the importance of the pending Early Treatment for HIV Act.

The Housing Clinic works on a variety of issues affecting low-income tenants and the low-income housing market in the city of Boston. Through direct and intensive advocacy on behalf of individual tenants and tenant groups, the Clinic seeks to thwart gentrification by preventing displacement of low-income families from the Boston neighborhoods served by the office; ameliorate indoor environmental hazards – including lead paint, mold, and insect and rodent infestation – and otherwise improve the physical condition of housing in Boston's low-income communities; combat discrimination in the rental market and ensure housing access and accessibility; and improve the functioning of the various institutions (courts, agencies, etc.) that affect the lives of low-income tenants. Efforts advancing these goals take a variety of forms, from individual case representation to focused case representation to law reform work to community mobilization campaigns to pro se clinics and other initiatives. The bulk of this trial intensive Clinic's work, however, consists of litigation in the Boston Housing Court, defending evictions and prosecuting affirmative cases to improve housing conditions. Students may have numerous opportunities to engage in client interviewing and counseling, fact investigation, pre-trial discovery (including taking and defending depositions), negotiation, and motion practice, as well as to try cases. Students may also have the opportunity while working with organizers, to engage in mobilization efforts and "community lawyering" and, on occasion, to work on legislative initiatives and other law reform work as well as impact litigation.

The Predatory Lending / Consumer Protection Clinic focuses its advocacy efforts on preserving and protecting equity for low- and moderate-income homeowners and ensuring equal and fair access to credit markets. The practice is primarily litigation and involves banking, consumer, bankruptcy and real estate law. The Clinic represents homeowners seeking to defend against foreclosures and also commences affirmative litigation against banking institutions, subprime lenders, servicers of loans, home improvement contractors, brokers, and foreclosure rescue scam artists. Cases are litigated primarily in Federal District Court, Bankruptcy Court, and Massachusetts Superior Court. The Predatory Lending/Consumer Protection Clinic also represents individuals and families seeking protection from debtors more generally via petitions for bankruptcy. Students get extensive experience in interviewing clients, analyzing loan documents, drafting complaints, drafting and responding to discovery requests, conducting and defending depositions, negotiating with opposing counsel, arguing motions, and engaging in long-term strategizing about their cases. Students may also participate in impact litigation, analysis regarding patterns of racial and gender discrimination in the Greater Boston subprime lending market, and legislative advocacy to fight against emerging federal laws seeking to preempt the more protective state predatory lending statutes. There are also opportunities for students in this Clinic to do some transactional and bankruptcy work.

The Real Estate Clinic provides legal assistance to individuals, companies and community development corporations (CDC's) engaged in residential and commercial real estate

transactions and development. The range of services provided includes representing parties engaged in residential and commercial purchases and sales, particularly first-time homebuyers; affordable housing development; real estate development; condominium conversions; zoning appeals; title examinations; commercial leases and various other kinds of real estate transactional work. Students may have numerous opportunities to draft documents; research and apply legal doctrine; interview, represent and counsel clients; negotiate transactions; conduct title searches; engage in strategic decision-making, issue analysis and problem solving.

The Recording Artist Project (RAP) Clinic focuses on entertainment law issues. RAP provides legal assistance to music artists, independent record labels, production companies, songwriters, film companies, artist managers and other arts and entertainment entrepreneurs and firms. The RAP practice includes intellectual property law related to trademark and copyright; content licensing; business formation and advice on choice of entity, emerging Internet content and business law; and contract drafting, review and negotiation of agreements for recording, artist management, publishing and booking. Students may have opportunities to draft documents; research and apply legal doctrine; interview, represent and counsel clients; negotiate transactions; engage in strategic decision-making, issue analysis and problem solving.