



The
Work of
Justice

The Justice Agenda

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By Ann W. Parks

In the words of Dean T. Alexander Aleinikoff, justice and the public interest programs that promote it are “the heart and soul of what we do here.” Through its clinics, centers, institutes and programs, Georgetown Law excels at promoting service to others. But the work of justice is never done, and so the Law Center is launching the Justice Agenda, a program that builds on the school’s Jesuit heritage and enhances its long history of public service through new programs, classes, clinics and fellowships. In the following pages, faculty, students, staff and alumni provide their insights on the Law Center’s work for justice. We begin with comments from Dean Aleinikoff:

Carved on the wall of our library is this motto: “Law is but the means, justice is the end.” These words define the Law Center. I talk about them in my introductory speech every year to first-year students. Our classes, our faculty, the kinds of programs we put on, the fact that we have an Office of Public Interest and Community Service (OPICS) open to everyone — it would be very hard to miss the message of public service at this law school. And the message is important not only for students who choose to do public interest work but for all students, those who work in large firms or small firms, as corporate counsel or in any number of other capacities.

The Justice Agenda is about making the world a better place at a local, national and international level. Our local work includes the pro bono projects that many students undertake; it involves the Institute for Public Representation, the Domestic Violence and other clinics’ representation of people in the community. We influence the national scene through our centers and institutes and their work on national policy issues, such as the Harrison Institute’s push for affordable housing; as well as through the Loan Repayment Assistance Program (LRAP) that helps our students spread out across the country and work at public interest jobs upon graduation. On the international scene our postgraduate fellows are involved in the Jesuit Refugee Service, Human Rights First and other

international human rights issues, and here at the Law Center there are, just to name a few, the Human Rights Clinic; the Center for Applied Legal Studies, which does asylum applications; and the Women’s Law and Public Policy Foundation, which brings human rights lawyers from Africa to Georgetown Law.

Most importantly, though, we are helping the needy wherever we find them. Abused women, asylum seekers, kids caught up in the criminal process — these people will always need representation. There is a massive need to work with the marginalized, the poor, those who are discriminated against — no matter what economic conditions our students find when they graduate. In fact, we’ve given newly graduated students still looking for employment a stipend to work in a public interest job for the rest of the calendar year. The economic downturn creates a greater need for public interest work to help people who are struggling.

The Justice Agenda is about taking an already stellar program and making it stronger. We’d like to expand the number of postgraduate fellowships and create more clinical opportunities for students. We’d like to increase our support for the LRAP program. We’d like to involve students in more pro bono activities during their time here. I think we’re doing a great job now, but if we had twice the resources, we could do four times as much.

The Teaching of Justice

The following cases represent just two out of the countless numbers of people assisted by Georgetown Law students in any given year — through the Law Center’s clinics, experiential learning courses, Office of Public Interest and Community Service and numerous student organizations. Each case is a laboratory of justice.

Tales from the Clinics

“I Was Fighting to Stay Alive”

Georgetown Law students Melissa Hung (L’09) and Russet Wycuff Perry (L’09) were perhaps the last people Angela Baylor [not her real name] expected to be working with when she showed up at the Domestic Violence Unit of the Superior Court of the District of Columbia on March 30, 2009. Tensions between her and her youngest daughter’s father, John [also not his real name], had escalated to the point where she wanted a protection order. So when Sara Gold, a visiting professor in Georgetown Law’s Domestic Violence Clinic, approached the 32-year-old mother of three and asked her if she was willing to have law students help her with her case, Angela was skeptical.

“This was my life, my kids. Basically, I was fighting to stay alive,” she says. “At that point in my life, to trust someone was hard, because I had trusted *him*,” a reference to John.

Law students, she figured, wouldn’t really know the law, let alone how to help with her complicated problems. But when she met Hung — the Georgetown clinic student who was doing intake at the court that day — and later, Hung’s clinic partner

Perry, Angela’s doubts rapidly vanished.

“I felt like, okay, she was honest,” Angela says of Hung, who handled her case initially. “I felt safe with her.”

So safe, in fact, that Angela ended up talking to the law student for an hour and a half that day — describing how John had threatened her with a machete in 2007, had damaged property she owned and had told others in recent weeks that he was going to kill her. Pen in hand — because the temporary protection order form is filled out in writing — Hung helped Angela sort through the kinds of things that wouldn’t help her case, and the kinds of things that would. Then she prepped Angela for a hearing in front of the judge. By the end of the afternoon, Angela had a 14-day protection order.

“I felt much better, I felt comfortable, I had someone there for me,” Angela says. “Sometimes you feel like you’re all alone in this world, and nobody else understands. I felt like they knew what they were doing. . . . Some things they didn’t know, but they found out, and they were really there for me. I felt like I was their only case.”

To understand the full scope of justice programs at the Law Center, it helps to see them in order. Here is a timeline of milestones:

1960 — Georgetown Law establishes the E. Barrett Prettyman Fellowship Program, providing training in courtroom advocacy for recent graduates representing indigent clients in District of Columbia courts.



Russett Wycuff Perry (L'09), Melissa Hung (L'09) and Visiting Professor Sara Gold

For their part, Hung and Perry thought Angela's case sounded a lot more complicated than the other three protection order cases they'd worked on earlier in the semester as students in the Domestic Violence Clinic. There were criminal charges pending against John relating to the 2007 machete incident, and there was a child support hearing scheduled in a week.

As it turned out, the case was indeed complicated — but not for the reasons that Hung and Perry had originally anticipated. What followed in the two-week space of time between the grant of the temporary order at the end of March to the grant of the 12-month order on April 13 was, for the students, a legal and emotional roller coaster ride that changed by the hour. For them, it illustrated all too vividly the issues faced by victims of domestic violence, problems within the system and, of course, the hard work they would need to do to pull their client through.

"I think we really felt all throughout the case how important it was that we were advocating for [Angela]," Perry says. "People wouldn't listen to her, people wouldn't help her — at least we had a little bit of extra force to try and get things done. We could

call other people, and sometimes [Angela would learn that] people are not just saying no to her, they're saying no to us too."

PROBLEMS

Three days later — on Thursday, April 2 — Angela met with Hung and Perry at the Law Center to start preparing for the one-year protection order hearing scheduled for Monday, April 13. "At the [second] interview, we sat down and we really tried to pull out what she was thinking, what she was feeling, why she's afraid and the exact moment-by-moment of each incident that she was alleging in her petition."

In the initial meeting, besides filling out the petition for the protection order and preparing her client for the temporary protection order hearing, Hung had also directed Angela to others working at the intake center who could help her — a child support expert from the Office of the Attorney General; an advocate from a D.C. organization, SAFE, to discuss matters of safety and housing; and employees of the Crime Victim's Compensation Fund. Hung had put Angela on the phone with a victim's advocate from the U.S. Attorney's Office, since the related machete case was

pending in the D.C. Superior Court, with a warrant outstanding for John's arrest. These were important first steps. But in the second interview, they met for three hours.

"We went into my past, and when I clammed up, they understood," Angela says of these first two meetings. "They said, let's take a break, and they talked to my kids, and I got myself together."

Angela says that she no longer had any doubts at this point about whether she wanted to be represented by law students. Hung and Perry were still unsure, though, as to whether Angela would pursue her case. Domestic violence clients, as they'd learned in the clinic, may be juggling a whole universe of problems in addition to a job and family, and even if the students can work on the case full time, that doesn't mean the client can.

"A lot of these clients will come in and get their [temporary protection order] and then decide in those two weeks that they can't pursue it, for all different reasons," Perry says. "It could be, 'I'm afraid,' 'we have children in common,' 'I don't have the money to do this,' or 'I can't support myself.'"

1963 — The D.C. Bail Project is established at the Law Center — led by Former Dean and Professor David J. McCarthy Jr. — to research Washington's bail system. It continues today as a federal agency, the District of Columbia Pretrial Services Agency.

1965 — The Institute of Criminal Law and Procedure is established with a grant from the Ford Foundation. Headed by Professor Samuel Dash, it studied the criminal process from police investigation to appellate and other post-conviction procedures.

When the weekend went by with no word from Angela — with the protection order hearing deadline looming in a week — the students were concerned; but on Monday, April 6, Angela called to say that everything was fine. Relieved, the students headed to class on Tuesday, only to receive word from the SAFE advocate that something was wrong; the client had called in the middle of the night.

“[John] showed up at her house again Monday night, and our client called the police, but the temporary protection order hadn’t been served on him yet so it wasn’t in effect,” Hung says. “So as soon as we got out of class, we’re trying to call our client. We couldn’t find her, we couldn’t get hold of her and that’s when everything started to hit the fan.”

ARREST

According to Angela, John attempted without permission to enter the house that she shares with her mother, trying the front and back doors. The late-night visit prompted Angela to seek help from the police in serving the temporary protection order at his place of employment the following day. She also wanted the police to execute the outstanding arrest warrant. Unbeknownst to the students — who were in class at the time — Angela and the police arranged a plan whereby Angela would go to John’s place of employment, meet the police there and identify John in order to serve him with the papers.

But when Angela arrived at John’s place of work, he produced copies of an earlier protection order the couple had entered into by consent in Maryland, a document that had given Angela custody of the couple’s two-year-old daughter. And since that protection order stated that she wasn’t supposed to be at his place of work, the police turned around and arrested Angela instead.

“I’m sitting there going, ‘I’m the one who called you! How can you lock me up?’” Angela recalls. “This wasn’t something that I bargained for. They just snatched my daughter out of my arms and gave her to him and I was handcuffed and arrested.”

It wasn’t something the students expected to happen, either. “So here we are, back at school, we are making all these phone calls and eventually we find out that she’s been arrested and that he has the child now,” Hung says. “It was getting worse.”

GETTING WORSE

Angela called her mother, who in turn called Hung and Perry. From Georgetown Law, the students hurried to meet their clinic client in jail. “They said, we’re going to try to do everything we can to get these charges dropped so you won’t be held, but they couldn’t move my arraignment up,” Angela says, adding that she was very scared at that point. “They talked to me, walked me through everything that would go on. They just stayed with me.”

Since the arraignment hearing would not be held until the next day, however, the students learned that Angela would have to remain in jail overnight. The only thing they could do was have their client draft a letter that gave temporary custody of the two-year-old daughter to their client’s mother. The problem was that the little girl and her father were nowhere to be found.

“We realized that we should obviously be concerned about the child, even though that’s not something that’s necessarily part of our case,” Perry says. It was hard not to get involved, though. The following day, as Hung headed to the domestic violence intake center to obtain an extra copy of the service packet from the protection order matter, she spied the father and daughter.

“I’m not sure why he came, but when he came, he was obviously served with the papers, so instead of doing whatever he was

going to do, he filed an answer to our petition,” Hung says.

John, with Angela’s daughter and another child of his own, then proceeded down an emergency exit stairwell, according to the students. Fortunately, the stairwell was locked at the bottom — giving Hung and Perry time to notify courthouse security about the situation. Meanwhile, their client was about to be arraigned for violating the Maryland protection order.

“We’re calling our supervisor, going, what do we do, we don’t want him to leave, certainly not on our watch,” Perry says. “We don’t want this guy to just walk out with this little girl, particularly since it’s about [noon] at this point and our client is supposed to be arraigned at one o’clock.”

THE LONGEST DAY

The students had also notified the U.S. Attorney’s Office of the situation before the arraignment. And, in the end, their client was not charged for violating the Maryland protection order — but soon there was another problem. While others were busy with the hearing, John walked out of the courthouse with both children.

It was, the students said, the lowest moment of the case.

“It’s great, she got out, but guess what? Her child was here and she was so close to having her child back and then the child just got taken from her again,” Perry says. The least they could do, they thought, was to accompany Angela and the police to an address they had for John in Prince George’s County, trying to locate the child.

“They went to Maryland, which was above and beyond the call of duty,” Angela says. “They talked to the police officers and helped me to try to go over to this other address ... they never stopped. They never gave up on getting my daughter back.”

But on that day, unfortunately, the students were unsuccessful. Eventually Hung

1967 — A grant provided by the National Legal Aid and Defender Agency leads Kenneth Pye, David McCarthy, William Greenhalgh, Gary Bellow and others to prepare materials on criminal procedure, inspiring a required first-year course in criminal justice.

1968 — Georgetown Law students and faculty assist thousands of defendants charged in the Washington, D.C., riots following the assassination of Martin Luther King Jr.

and Perry went home, knowing that their client would be spending another night without her two-year-old daughter.

“It was a very long day,” Hung said.

EMERGENCY CUSTODY

The next day — Thursday, April 9 — the students had a strategy. Fearing that John would file for emergency custody in Maryland, the students called several courts in that state apprising them of the situation. Then they headed back to class.

“During the break, we got a phone call from a paralegal in Maryland who says, ‘Miss Hung, he’s here, he’s filing for emergency custody,’” Hung says. “At that point we were just panicked, because we knew that [if that happened], he could pull out this emergency custody order and say, ‘I have this and it trumps yours,’ and then there would be nothing we could do.”

The students quickly typed up an affidavit, convincing the paralegal and the judge involved in the case to make it a contested hearing. They sent the affidavit, the custody order, the warrant for John’s arrest, and the client to Maryland.

“They told me, you need to get over there, and I said, there’s no way in the world I’m going to make it there, because it was close to one thirty and the [hearing] was at two,” Angela says. “They got an affidavit they prepared to send the judge in case I didn’t make it in time, and to ask the judge to wait if I didn’t get there, and they were on the phone with me the whole time I was going up there.”

Angela made it in time — but then things took another unexpected turn. According to Angela, as they were waiting for their case to be called, her child’s father convinced her to leave, promising that he would give her the child if she walked away from the hearing. So Angela accompanied John back to Washington, D.C., and waited outside a house for him to produce the

child — calling her student lawyers to let them know about the situation.

“Our initial reaction is, get out of there right now, he’s going to call the police, the police will then arrest you and give him the child,” Perry says. “So once again, we’ll have the same situation.”

This time, though, the story had a happy ending. A police detective, working with Angela and the students on the case, was able to contact John that afternoon and persuade him to return the child. Elated, Hung, Perry, and their supervisor, Domestic

“Sometimes you feel like you’re all alone in this world, and nobody else understands. I felt like they knew what they were doing. . . . Some things they didn’t know, but they found out, and they were really there for me. I felt like I was their only case.”

Violence Clinic Co-Director Laurie Kohn, hurried over to the family division of the Superior Court for the reunion.

“I had my life back, that’s the only way I can describe it,” Angela says. “Laurie, Melissa and Russet were all there for me when I got my daughter back. They didn’t have to come, but they were all there for me. They were with me every step of the way.”

EPILOGUE

On Monday, April 13, Hung and Perry accompanied Angela to the one-year civil protection order (CPO) hearing.

“We went over everything, the questions they were going to ask me,” Angela says. “I was relieved . . . at least I know that if someone did do something to me, the first person they would look at was him.”

Hung says that joining the Domestic Violence Clinic meant gaining valuable experience in client work, something that she hadn’t yet done in her Georgetown Law education. And it has definitely had an impact; though she will eventually join Sidley Austin in Chicago after taking the bar exam, Hung has elected to defer her start date for a year in order to do policy work at the D.C. Coalition Against Domestic Violence, a deferral funded by the firm.

“I don’t know that I would have opted to go that route had I not found an opportunity I was excited about,” she says. “I know I certainly encountered a lot of obstacles in my clinic work that made me think about what could be done on a more systemic level to improve things for victims of domestic violence.”

Similarly, the clinic offered Perry experiences that she wasn’t sure that she would ever have — specifically, working with victims of domestic violence. She plans to pursue opportunities as a prosecutor in Virginia after taking the bar exam. “There aren’t a lot of attorneys who represent [victims of domestic violence], so for me it was an opportunity that I thought I would never have again,” she says.

And though Angela hopes she’ll never need another lawyer, she has nothing but the highest praises now for Hung, Perry and Kohn. In early July, Hung and Perry were busy studying for the bar — and Angela was already planning a celebration. “I think once you get the right lawyer, [the law] is good,” she says. “They never turned their back on me. I’d do anything for these people, because they helped me so much. They have the education to help people, and you want those kinds of people in the world.”

1968 — Law Students in Court, a program made up of students from five area law schools including Georgetown, is founded to represent indigent clients.

1969 — Professor Joseph Page offers a seminar on lawyering in the public interest; among other things, students petitioned the Food and Drug Administration to ban lead-based paint for household use.

Tales from the Clinics

“I Was Hoping Someone Would Care”

Kevin Hairston was frustrated. This single dad — a former Air Force police officer who works the midnight-to-eight shift as an offset pressperson for the Government Printing Office — thought he had a good shot at a promotion in August 2006 when he spied a job posting at work for an advanced position involving a larger press. The position, second offset pressperson, was open only to GPO employees, and the job posting stated that knowledge of GPO practices and workflow was an element of the job.

Hairston had been working his way up the ladder since he joined the organization in 1987. “I had acquired the skills to do the job, and just needed the opportunity,” says Hairston, who in 2001 scored third highest out of 134 people on an examination to enter the GPO’s offset press apprentice training program. Since completing the program more than three years later, Hairston received consistently positive performance reviews as a full-time pressperson. “I believed that I was qualified.”

Others thought so too. According to documents later filed by Hairston in the U.S. District Court for the District of Columbia, a selecting official told him that he had been chosen for the position. A

human resources officer was allegedly told to offer him the job and later investigations revealed that a “selection acknowledgment” form was even prepared for Hairston to sign.

“I WONDERED WHAT WAS GOING ON”

But the offer never came. Instead, the announcement was pulled — only to be reposted less than a month after Hairston’s application. This time, there was no requirement that the candidates be employed by the government or have knowledge of GPO procedures and work standards. For Hairston, who started out at the GPO more than 20 years ago as a police officer and has worked as an industrial cleaner, book packer and press feeder operator before becoming a pressperson, it was like slamming into a wall. “I wondered what was going on,” he says.

Concerned that the hiring decisions might be motivated by racial discrimination, Hairston, who is African American, contacted GPO’s Equal Employment Opportunity (EEO) office. There, he says he was told that without proof of discrimination, nothing could be done and that he should apply for the reposted position. He reapplied and was subjected to an inter-

view process, something he had not had to go through before. Still, he did not get the job. Months later, he learned that the position had been awarded to an outsider, a Caucasian man who, to Hairston’s knowledge, had no previous experience at the GPO or any other federal agency. It was another blow for Hairston, who not only cares about advancing his career but has a 10-year-old daughter to support, a straight-A student.

“Despite my two decades of service to the GPO, I have not been allowed to progress beyond my current position,” Hairston stated in court filings. “I have applied and been qualified for promotions ... but in spite of the very positive evaluations I have consistently earned, I have repeatedly been denied.”

After learning that a white man had received the job he applied for, Hairston returned to GPO’s EEO office and reiterated his concerns about racial discrimination in the hiring process. He believed at the time, and still does, that he was discriminated against on the basis of race — in violation of Title VII of the Civil Rights Act of 1964.

The office commenced an investigation, but now there was a new problem. Hairston began suffering “what felt like a

1971 — Professor Addison Bowman founds the Criminal Justice Clinic, with students representing criminal defendants in D.C. and Maryland.

1971 — The Institute for Public Representation (IPR) — a public interest law firm and clinical education program — is founded to assist parties appearing before administrative agencies, courts and other decision-making bodies.



Kathryn Sabbeth, Kevin Hairston and Chris Dalton (L'09)

campaign of harassment” from a supervisor. Co-workers had told Hairston about Georgetown Law’s Institute for Public Representation, the Law Center’s public interest law firm and clinical education program, so he e-mailed the clinic.

“I don’t think [my experience at work] was something that was personal. I just think it was an agenda that they have and I happened to be in the way of it. I didn’t feel it was right, and that’s why I asked Georgetown Law to help me out,” Hairston says. “I was hoping someone would read it and care.”

HELPING OUT

Someone did. In fact, many people did. The first students to work on the case were Matt Teaman (L’08) and Emil Bove (L’08). While waiting for GPO’s EEO office to complete its investigation — a prerequisite to filing suit in court — Teaman and Bove interviewed Hairston to learn his story and began researching his legal claims. And when the EEO investigation was completed without satisfactory results, IPR fellow Kathryn Sabbeth and Professor David Vladeck — then the director of the Institute’s civil rights and public interest division — filed a lawsuit on Hairston’s behalf, alleging unlawful discrimination as

well as retaliation. The lawsuit was filed in federal district court in September 2008.

From there, Rich Trumka (L’09) and Melissa Ku (L’09) took over, researching further the facts of Hairston’s case as well as the legal theory. In December, the government responded with a motion to dismiss the case, asserting that Hairston had failed to timely exhaust his administrative remedies. (Each federal agency has an EEO office, with a procedure that employees must follow before filing an employment discrimination case in federal court.)

“I understood the maneuvering,” Hairston says, explaining that Sabbeth had given him a copy of the government’s response and explained what was going on. “That’s when I was really understanding how the law works, with technicalities and loopholes and things. I was just hoping that their strategy wasn’t successful.”

And that’s where things stood when Chris Dalton (L’09) — in his final semester in law school — joined the clinic to work on Hairston’s case, with Sabbeth working as his supervisor.

Hairston’s was just the sort of case that Dalton was hoping to work on when he joined the civil rights group at IPR in January 2009 — a race or gender discrimination case that would give him some experience with litigation.

“There’s plenty of evidence that the GPO has felt for a good while that he’s not only qualified for this position but that he’s a good employee,” says Dalton, who worked on Hairston’s case into the spring. “He’s proven himself to be qualified for the position and the agency recognized that he was qualified, and then they pulled the job. They said, no one’s qualified, we will now offer it to people outside the organization, and lo and behold, [the job went to] a white guy.”

But by the time Dalton joined the case the government was claiming that the federal district court did not have authority to consider the merits of Hairston’s race discrimination suit, alleging that he failed to visit his EEO office within 45 days of the alleged discrimination and retaliation. So the underlying issues that Dalton had hoped to work on — namely, race discrimination in employment — were swept aside in a flurry of procedural maneuverings that, as it turned out, would consume the rest of his time in the clinic.

“We spent this semester filing papers over [the timing] argument; we’re refuting that claim and they keep reiterating it, so we haven’t gotten to

1972 — Professor William Greenhalgh founds the Prisoner Counseling Clinic, which was combined with the Criminal Justice Clinic later that year.

1972 — Professor Sherman Cohn establishes the Appellate Litigation Clinic, modeled after the Appellate Section of the Civil Division of the Department of Justice.

“You go to law school so that at some point in your life you will be working with clients,” Dalton says. “I wanted to get into a situation where I was doing something that felt real — and civil rights is very much real.”

the merits yet,” Dalton said last April. “We had to oppose the motion to dismiss and that’s what I worked on initially ... there’s been nothing that we’ve done this semester that has anything to do really with the discrimination part of the case, and one of my successors down the line will [have] to pick up that ball and run with it — as long as we survive the motion to dismiss.”

CHESS GAME

Surviving the motion to dismiss, of course, first meant opposing that motion. And in the process, student and client both learned that what lawyers do in any racial discrimination case involves much more than merely arguing that a particular fact pattern violates Title VII of the Civil Rights Act of 1964.

“It was like a chess game,” Hairston says. A chess game in which his attorneys were prepared to meet opposing counsel point for point. Dalton and Sabbeth met with Hairston in early 2009 to discuss the timing issue — particularly, what happened when he had gone to an EEO counselor within the prescribed time but, according to Hairston’s sworn declaration, was discouraged from pursuing a claim of race discrimination — on the grounds that there was no proof of discrimination.

“That’s really not for [the EEO counselor] to do ... to give any legal advice whatsoever, let alone discouraging him from pursuing a claim that he has to pursue as an administrative prerequisite to filing a case,” Sabbeth says.

To help clarify the timing issue for the court, Dalton and Sabbeth met with Hairston to help him complete a declaration, a sworn and signed statement of the facts as he remembered them. On January 30 they submitted this declaration to the court together with their opposition to the motion to dismiss.

“I felt from reading [the government’s motion to dismiss] that I was out of time, and then I read what we were submitting, and I felt pretty confident again,” Hairston said. “[I felt like] any reasonable judge would read this and understand exactly what the situation was.”

And when the government came back a few weeks later with a reply denying that Hairston’s conversation with the EEO counselor ever took place, Dalton and Sabbeth decided that the situation called for an additional move on their part — a surreply, with an additional declaration from Hairston — since the EEO counselor interviewed by the government was apparently not the same counselor that Hairston had spoken to. For Dalton, the student attorney, it was a matter of learning as he went along.

“I’m going, okay, what’s a declaration, I know I need to write one, I’ll figure it out. To say it was educational is an understatement,” Dalton said in April. “So we wrote the declarations, we wrote the surreply, we filed all that, and that’s where it stands now.”

As of late August 2009, Hairston was still waiting for a decision from the judge on the motion to dismiss, still working the

midnight-to-eight shift, and still waiting for the promotion, back pay, lost benefits and damages he is seeking in the lawsuit. Ironically, after the suit was filed, Hairston was asked to temporarily perform the role of second offset pressperson — because the person who was originally hired for the job was soon promoted to another position. Hairston performed the job, without extra pay, for two months until a new person was hired.

REAL LIFE

Through Hairston’s case — and many more like it — students have the chance to work directly with clients, an opportunity they might not get while doing research at a law firm during the summer. “You go to law school so that at some point in your life you will be working with clients,” Dalton says. “I wanted to get into a situation where I was doing something that felt real — and civil rights is very much real.”

By late June, Dalton had graduated from Georgetown Law and had accepted an offer to practice aviation law at a firm in San Diego. Sabbeth, whose Georgetown fellowship was ending, had accepted a teaching position at the University of North Carolina Law School; Leah Nicholls will be taking her place. And a new director, Brian Wolfman, was moving into David Vladeck’s position. Assuming that a judge will allow his case to go forward, Hairston will have to get used to working with a new round of student attorneys, and new IPR staff, in the fall. Based on his experience with the clinic so far, though, he’s not complaining. “Whatever needs to be done is fine with me ... I’m just happy to be represented,” he says.

1972 — Jason Newman (L’65) starts the Street Law Clinic, in which law students taught — and continue to teach — high school students criminal law and procedure as well as consumer, family, housing and individual rights law.

1973 — The Juvenile Justice Clinic is founded due to the efforts of Professor Judy Areen; Professor Wallace Mlyniec (L’70) is recruited to direct the clinic.

The Scholarship of Justice

Professor Robin West, associate dean for research and academic programs, has been thinking and writing about legal justice for much of her career. In her view, the idea of legal justice is very much an “under-theorized concept.” Here, in a conversation with *Georgetown Law* magazine, she explains why.

GL: How is justice taught in the legal academy?

RW: I noticed early in my own teaching of jurisprudence that the idea of justice as the goal of legal activity was not a very pronounced part of the jurisprudence curriculum. The stereotypical “Paper Chase” conception of what happens in the classroom is that when students talk about justice they’re just spouting emotional sentimental instincts. There’s something almost taboo about making claims of justice on behalf of some position you want to argue for in the classroom. And that is very, very strange. No medical school would deny that health is the goal of medicine, and likewise justice, everyone would agree, is the goal of law. But for some reason you can’t talk about it that way. So it struck me that this idea of justice as in some way being forbidden in scholarship and pedagogy must have a history.

GL: Can you give us a little background on this history?

RW: The short story, I think, is this: Back at the turn of the century, from the 19th

to the 20th century, there were two major philosophical movements about the nature of law that dominated in the law schools, and for very different reasons both of them eschewed the notion of justice. Legal formalism was wedded to the view that legal questions have fully determinant and complete answers that can be derived directly and completely from pre-existing legal materials. So from a formalist perspective, there’s never a need to talk about justice.

The realists disagreed with that vehemently and thought of law as much more open-textured. There are plenty of open questions and there are all sorts of legal questions that can’t be answered by reference to legal materials alone. But they thought that what should fill the gaps when a question can’t be answered by references to law alone is something more forward looking and more utilitarian and more scientific and more grounded in the social sciences than some argument grounded in concepts of social justice.

The only time in the American legal academy that justice has been regarded as the value to which judges and lawyers



Professor and Associate Dean Robin West

1978 — The Harrison Institute for Public Law begins with a state legislation division, headed by Professor Robert K. Stumberg (L’75, LL.M. ’79), and a housing division, led by Jason Newman (L’65).



"There's something almost taboo about making claims of justice on behalf of some position you want to argue for in the classroom," says Professor Robin West.

should turn when the law is unclear, really predates both the formalists and the realists. And it was when the pre-classical scholars had a sort of renaissance view of law as including the great texts of Western culture — Shakespeare, Aristotle and the Bible — and thought that a good lawyer would learn all of that high culture, and then reason from those texts toward some notion of justice which then could inform legal reasoning.

This pre-classical view was out of the picture by the beginning of the 19th century. But it was what informed Thomas Jefferson's and the framers of the Constitution's view of law. By the beginning of the 20th century, however, the formalist/realist fight had completely taken over. And throughout the 20th century the debate has been between formalists who believe that law is sufficient to answer all legal questions, and the realists, who deny that law is sufficient but think that where there's a gap one should turn to the social sciences, economics, utilitarian conceptions of special policy, etc.

GL: It sounds almost as if the academy is afraid of pondering concepts of legal justice. Is this the case?

RW: I once gave a speech on this topic and began with a quote from Justice Holmes — who was a great realist, or at least the intellectual godfather of realists — and who famously said "I hate justice" and "When somebody talks about justice it shows they don't know any law, they just don't have anything else to say." This Holmesian antipathy to justice was a real bullying thing. But it worked. Holmes did intimidate people — he scared people away from the topic. You don't want to be talking about justice if it means Holmes or his ghost will see that you're just a fuzzy brained person carrying on about nothing.

GL: What's up now with the teaching of justice?

RW: John Rawls in the 1960s famously invigorated the study of justice as a moral concept. He was addressing issues of distributive justice, social justice, how much should we redistribute wealth to create a more equal society, etc. Other philosophers then took up the topic of retributive justice, how much punishment should there be when somebody has broken the law? Still to this day there are not a lot of scholars studying the idea of legal justice. It's still an under-theorized concept, which is just

very striking to me. When you ask most legal academics or lawyers or judges today what legal justice is, they will tell you that it means deciding like cases alike. So the idea of justice for lawyers, the idea of legal justice, has become extremely captive to this notion of deciding like cases alike, which is really just a restatement of the rule of precedent, the way that common law develops. It's a very narrow moral idea if you're talking about ethical guideposts, because there's only so much wisdom you get from the idea that you should treat like cases alike. But I think that pretty much exhausts the terrain. I think this is a dispiriting message to tell students. I also think it's just wrong. The courts are obviously doing much more than just deciding like cases alike.

GL: Who are some of the major thinkers now philosophizing about justice?

RW: Two major figures who have addressed legal justice in creative ways over the last 40 years are Richard Posner, who famously defined justice as efficiency, and Ronald Dworkin, who famously defined legal justice as deciding cases as best fits the best interpretation of existing legal authority. Posner's is forward looking, in that he's say-

SAM HOLLENHEAD

1981 — The Equal Justice Foundation — a student-run organization — is established to promote public interest law. The foundation provides fellowships for Georgetown Law students working in unpaid summer internships in organizations in Washington, D.C., across the nation and around the world.

1981 — The Sex Discrimination Clinic is founded to represent federal employees with sex discrimination employment claims before administrative agencies.

ing the courts should look to consequences when doing the work of justice. What that means is that they should do something that makes sense from a consequentialist perspective; they should do something that's good. But then he defines the good as efficiency, which is extremely narrow, as hundreds of critics have now pointed out.

Dworkin's is not narrow; it's quite broad, it's the best interpretation of pre-existing material. But on the other hand it's quite explicitly backward-looking. He regards that as a virtue. I'm not sure. But at any rate, to my mind, those are the two compelling treatments of legal justice in the legal literature. And they're both pretty inadequate. Of course there are hundreds of important theorists of justice in the philosophical literature, where the topic is social justice or retributive justice, but legal justice is almost virginal terrain.

GL: Do you see any changes on the horizon?

RW: There's been in the last 20 years a regeneration of natural law as a secular movement, natural law outside the confines of Catholic theology and those people obviously talking very explicitly about justice as the common good, following Thomas Aquinas' lead, but trying to do it secularly, which is kind of daunting. There's also a younger generation of legal philosophers who are looking at law but don't think of themselves as trained lawyers, so they're more open to different philosophical questions, and that is shaping and reshaping the conversation in some ways.

And then a second development that I think will change this significantly is that a number of public philosophers, including Martha Nussbaum and Amartya Sen, are developing very rich and philosophically

interesting theories of what the public good is, and from those theories I think one can draw some understandings of legal justice that are more complex and nuanced.

GL: So the public law people, the natural law people, anyone else?

RW: And then there's a general crowd of utilitarian types who are unhappy with the economic definitions of the good, those are where I see some movement that will eventually bring about a re-examination of the idea of justice in law schools. But I think it's a hard task to take on because of our heritage, because of what we've inherited from a realist/formalist paradigm. It was that debate that set the law school curriculum, and that set the sort of resistance to these ideas in the law school curriculum. From formalism you got contracts and torts and civil procedure and all that kind of stuff, and from realism you got a push for clinics, a push for night education, skepticism regarding the autonomy and completeness of law and for empirical inquiries into law as it is experienced — everything that was sort of different and anti-classical came in some way from the realist movement. But if you look at the whole formalist-realist debate taken collectively, it had some limits and one of them was that it pushed aside the question of what justice requires and what justice demands.

GL: Do students want to know more?

RW: Oh yes! This is a completely unmet need, and has been since I was a law student and for several generations. Law students go to law school and they think sensibly enough that one thing they will certainly learn is a theory of justice. Not that there should be eight theories of justice pushed down everyone's throat, but

“No medical school would deny that health is the goal of medicine, and likewise justice, everyone would agree, is the goal of law. But for some reason you can't talk about it that way.”

that this is an inquiry that will be invited and there should be debate and there should be lots of stuff going on, because it's carved into the walls all over the place, and then they are rather surprised — some of them don't care but many I think are quite surprised — to realize by the end of the first year how denigrated the concept is by their teachers, by the judges whose opinions they're reading and by lawyers themselves.

Here at Georgetown Law we have a course that's called Legal Justice, for Section 3 first-year students, where we do take up what we call legal justice. But even in a course called Legal Justice it's very hard to structure a conversation that is, in fact, about legal justice. I think it contributes to this sense that we all complain about but don't get a grip on which is that by the time students graduate they feel themselves to have some degree lost their moral bearing. Having a Justice Agenda at Georgetown is a good spur to the systematic scholarly and pedagogical study of the idea of justice in the law school classroom and in our legal scholarship.

— Anne Cassidy

1981 — The Center for Applied Legal Studies (CALs) is launched by Professor Philip Schrag to manage cases including Social Security administrative hearings and consumer protection litigation on behalf of low-income consumers. Since 1995, it has worked exclusively on asylum cases.

1985 — The Domestic Violence Clinic is established to represent victims of partner abuse in protection order cases; Professor Deborah Epstein is hired as director in 1998.

The Pursuit of Justice

Georgetown Law's Loan Repayment Assistance Program (LRAP) gives those who'd like to practice public interest law a chance to do so by providing financial assistance after they've graduated. LRAP was just enhanced with a gift from John Delaney (L'88) and April McClain-Delaney (L'89), which means LRAP will help even more people. Here are profiles of three alumni who couldn't do what they do without LRAP:

David Lane (L'06)

After graduating from college in 1994 with a degree in philosophy, David Lane spent four years as a paralegal for a firm that did asbestos and other complex litigation — and came to the conclusion that a life in the law was not for him.

Fortunately, this San Francisco resident then made a move to the Habeas Corpus Resource Center, an organization created in 1998 as part of California's judicial branch to provide indigent defendants with counsel in state and federal habeas corpus proceedings and to provide training and support for private attorneys doing the same.

Lane liked this work so much that, after a few more years as a paralegal, he decided to apply to Georgetown to pursue a career in the law. "I went to Georgetown knowing that I wanted to do either capital habeas work specifically or some type of public interest work generally," says Lane, who returned to the Habeas Corpus Resource Center as an attorney immediately after earning his law degree in 2006.

California has the most populated death row in the country, with nearly 700 men and 15 women serving capital sentences — and a severe shortage of attorneys either willing or qualified to handle their habeas corpus and executive clemency proceedings.

"It can be difficult for the California Supreme Court to find habeas counsel for death row inmates, partly because capital habeas petitions are extraordinarily complicated and there is a substantial investigation, including a lot of travel, involved in preparing a habeas petition," Lane says, noting that the California legislature created the Habeas Corpus Resource Center in order to address the needs of those attorneys. "We take as many assignments from the Supreme Court as we can."

Lane frequently visits prisons to interview clients for their habeas petitions, something he did not do when he was working on large and complex litigation cases as a law firm paralegal. The satisfaction, he says, comes from "the combination of learning about our clients' lives ... and essentially trying to reinvestigate all the events that led up to the alleged crimes."

Were it not for Georgetown's Loan Repayment Assistance Program (LRAP), Lane probably wouldn't be able to do this kind of work at all. Living in expensive San Francisco, with a wife and an infant son, he would have found it very difficult to pursue a career in public interest law otherwise. LRAP "has been the difference between me doing what I want to do in a job I like to think is needed — and not being able to do that."

Elizabeth Matos (L'07)

Elizabeth Matos was one of those law students who came to Georgetown Law absolutely certain that she was going to do public interest work — probably in the field of immigration. Having worked for several years as a program director for undocumented immigrant rights at the Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA), this Brown University graduate applied and was accepted to Georgetown's Public Interest Law Scholars Program for the fall of 2004.

Today, Matos is a staff attorney at South Coastal Counties Legal Services, a Massachusetts-based nonprofit serving low-income clients — where her primary focus is education, not immigration. "I was taking classes my second and third year [at Georgetown Law] with Professors James Forman and Charles Lawrence who do a lot of work around education, and I became very interested in that as a human rights issue and connected to larger issues of poverty in the United States," Matos explains.

Part of her job entails direct client work, such as representing students in discipline and expulsion hearings. It can also take a broader scope, such as when she's working on legislative reforms to address expulsion rules. Other legal services work has included eviction defense and foreclosure defense for low-income clients. She

1986 — The Loan Repayment Assistance Program (LRAP) is created to assist J.D. graduates in pursuing legal careers in the public interest. By 1998, an endowment fund had been created to provide permanent funding for the program.

1987 — The Public Interest Law Scholars program is started by Professor Philip Schrag to encourage students intending to pursue careers in public interest law.

Kevin Ryan (L'92), David Lane (L'06) and Elizabeth Matos (L'07)



also defends tenants who live in buildings that are being foreclosed.

While Georgetown Law was high on Matos' list of potential schools for several reasons, the Law Center's public interest program and LRAP were important factors when it came time to make a decision. "One of the most important things about LRAP and one of the things that I appreciate most about it is, I don't come from a family of wealth; I had a lot of assistance in terms of being able to attend Georgetown," she says. "It's hard because the public interest world often cannot take into consideration the drastic increase in the expense of law school in the last decade ... LRAP helps to soften the blow." Without loan repayment assistance, Matos notes, public interest jobs become accessible mainly to people who have family resources or other income — preventing some who are genuinely passionate about the work from being able to engage in it. And that, in turn, does a disservice to would-be clients. "There's a lot of talk about the importance of diversity in the workplace. ..." she says. "I think that gets compromised when people who have diverse backgrounds are precluded from doing public interest work."

Kevin Ryan (L'92)

Just past noon on a Wednesday afternoon, it's already been a busy day for Kevin Ryan. He's taken a flight from New Orleans to Washington, D.C., for a morning meeting of the American Bar Association's Center for Children and the Law; at 1 p.m., he'll head over to the White House to meet with

members of the president's staff on homelessness issues.

It's all in a day's work for Ryan, who was recently named president and CEO of Covenant House, a nonprofit agency helping homeless youth throughout North and Central America.

"Covenant House serves and protects 70,000 homeless kids every year, kids who are all alone on the streets of America's biggest cities. In Latin America, we protect thousands of children who have been stolen from their families and trafficked for commercial sexual exploitation or sold into drug rings and forced to serve as drug mules," he explains. "[We help] them to recover, to detox, because many of the kids come hooked on drugs — it's the way that the traffickers keep the kids sedated — and it's also the way that the kids over time learn to numb the pain of their separation from their families ... Covenant House instills in these kids a sense of deep affirmation and sanctuary and love."

For Ryan, his new role represents the completion of a circle. Raised by civic-minded parents, Ryan read the story of the fictional lawyer Atticus Finch in *To Kill a Mockingbird* in the ninth grade and knew then that he wanted to do public interest. He was attracted to Georgetown because of its reputation for nurturing public interest lawyers. Georgetown's faculty, especially Professor Peter Edelman and former Dean Judy Areen, introduced him to many of Washington, D.C.'s great public interest lawyers, including Peter's wife Marian, several current and former Supreme Court

justices, and the late homeless advocate Mitch Snyder.

He found his own calling, though, when his girlfriend Clare — now his wife — began working with homeless kids at Covenant House in New Orleans. In law school then, Ryan signed up to work with an outreach van in Washington, D.C. "I didn't decide; it got decided for me," he says. "I was just so riveted by the kids and uplifted by the work that I knew it was the thing I wanted to do."

Thanks to a fellowship and Georgetown's Loan Repayment Assistance Program, he was able to join Covenant House full time after graduation, representing kids in family court, housing court and immigration proceedings for the next 10 years. Married by then, with more than \$120,000 in debt and a growing family — he and Clare now have six children — LRAP was "like oxygen" to him. "It was the platform upon which I was able to build a career serving children."

And that career has been a significant one. In 2002, Ryan became New Jersey's first child advocate, monitoring the juvenile justice system, child welfare system and other agencies serving children. He also served as commissioner of human services in New Jersey and was the first United Nations Envoy for Malaria before returning to Covenant House earlier this year. "It's very hard work, but it's also hugely uplifting," he says, "because there are successes all over the place."

1993 — Professor Chai Feldblum is hired to direct the Federal Legislation Clinic — now the Federal Legislation and Administrative Clinic — designed to advance the regulatory and policy agendas of public interest clients in areas such as disability rights and workplace flexibility.

1996 — The Office of Community and Public Service (now OPICS) is established under the leadership of Associate Dean Wallace Mlyniec. OPICS is one of only a handful of stand-alone public interest career offices.

The Practice of Justice

Professor Deborah Epstein, associate dean of clinical education, and Barbara Moulton, assistant dean of public interest and community service, run Georgetown Law's top-ranked clinical programs and Office of Public Interest and Community Service (OPICS) respectively. Here, they talk about how students are educated to seek justice.

GL: How does Georgetown Law prepare students to serve others in the community, both as students and later on in their careers?

Deborah Epstein: Through the clinics, students serve indigent clients in D.C., the nation and around the world. Students engage in direct representation, policy work, legislative work and collective representation. The clinical program's philosophy is to push students to take on the role of professionals — of practicing attorneys — so they will emerge not only with the skills to practice law in a particular area, but broader and more transferable skills, including a deeper understanding of judgment and ethics.

Barbara Moulton: One thing the clinics do that is a little bit similar to what we try to do with the Pro Bono Pledge, is getting all of our students to realize the role they are going to have as a lawyer — the responsibility to provide for those who don't have access to the legal system. We want to inculcate in students the importance of making sure they have equal access to the legal system regardless of what their wealth is or regardless of

what their political power is.

DE: For some of our students, the clinics or pro bono work provide one of the first experiences they've had with injustice — on an individual rather than an abstract scale. And that's a very powerful thing. It's quite different from simply understanding, conceptually, that there are people living below the poverty line who can't afford to hire a lawyer. In the clinics, it's personal — this is *my* client who can't get help and if not for me, would have no access to justice.

GL: Tell us about experiential learning classes and how they fit in.

DE: This year we'll have experiential learning classes such as an animal protection litigation seminar, a wrongful convictions course, a death penalty litigation course and others. We've had a handful of experiential learning classes for a long time and we're building on those and adding more. The basic concept of these experiential classes is that the professor who's teaching the course is in some way involved with field work the students are doing, either supervising it themselves or working with

someone who's supervising it. And the hope is that the students will bring into the classroom what they're learning in the field.

GL: The Justice Agenda is to advance what is already an excellent program. Where would you like to see more resources going and more emphasis placed?

DE: We need to expand the clinics. We need a clinical opportunity for every student who wants one. And we need to add to that by having experiential learning courses and pro bono opportunities and a whole integrated curriculum of externships and opportunities for students. For me, the most important part of our program is the intensity of the learning experience and the profound impact of role assumption, which helps students to see and understand and deconstruct justice in the clinical environment. And we need to be offering that to everyone.

BM: I would add more postgraduate fellowship opportunities. We have to get to where students feel like being able to pursue public interest even at graduation is

1996 — The Loan Repayment Assistance Program is expanded to include assistance for J.D. graduates pursuing legal careers in federal, state or local government.

1996 — The Asylum and Refugee Law Fellowship is created in partnership with the Jesuit Refugee Service and Catholic Legal Immigration Network Inc.



Orientation service projects introduce students to the practice of justice from their first days at the Law Center.

an easier route than it appears to be now. Beyond the financial considerations — and we have a great LRAP program and summer funding — the entry level job market for public interest students is very competitive. If we can offer more postgraduate opportunities specifically for our students, more of them will hopefully stay committed to public interest causes.

GL: How is the current economy affecting students' choices?

BM: I think a lot of students will be looking at, and should be looking at, having a much wider array of possibilities including smaller firms, government and nonprofit. These opportunities are not easy to get, but I do think a potential silver lining out of all this is that students would actually be looking at a wider array of things earlier in their law school careers so they might be able to try a lot of different things and figure out as they go what is the best environment for them.

DE: And that's going to affect students' thinking about justice, because the area that has traditionally been given the short-

est shrift by all except a dedicated core of public interest students is public interest work. For so long there's been such an easy conveyor belt to law firm jobs. That's different now, and more students are likely to start thinking more deeply about their options. Maybe they can get a law firm job, but they'll need to be open to other possibilities as well, including public interest and government. As students start thinking this through, they'll end up facing hard questions: How do I figure out what I want from my career? Who am I as a professional person? It's not that you can't do justice in a law firm — but there's often a more abstract relationship to justice in that context than in the public interest one.

GL: How many chances do young lawyers have to do pro bono work if they're working in a large law firm and they have to work long hours? Is it something that they can realistically do right away?

BM: They can realistically do it; firms are all very different. ... I think there will always be a huge need for pro bono work.

The legal profession is just barely skimming the surface of providing for the needs of people who can't afford legal representation in this country. So there's always going to be a big need for firm pro bono work and people are always going to be able to integrate that somehow in their careers.

DE: One of the things that Barb's office has spent a lot of time thinking about is how to help students get there, what we can do to help them in that thinking process. We'll move through this crisis, but the piece of educating students about the different choices they have in the profession will be done in a very different way than it has been in the past.

GL: Maybe when the dust of this settles there will be less of a discrepancy between the salaries of public interest and law firm work?

BM: I think it remains to be seen. My own hope is that if not in the salaries, which would be great, at least in the process of looking for jobs, because that process is heavily skewed right now toward the private sector. It's done earlier, it's done in

1998 — Professor Susan Deller Ross founds the International Women's Human Rights Clinic, with a focus on challenging discriminatory laws and policies in African countries.

The Justice Agenda

far bigger numbers, it's done in ways that allow students to know where they're going much earlier for the private sector than the public sector. That piece of it actually could change as time goes on.

GL: So, in summary, how does the Law Center help students “walk the talk” about justice?

DE: The Justice Agenda is building on very strong career and curricular programming, but its essential idea is that no student should leave this law school without thinking hard about what justice means and the role it's going to play in their professional lives. That can happen in a wide variety of ways; we want to expand the opportunities to do that and be sure we're creating intentional reflective moments, where students are not just exposed to ideas about justice, but are forced to grapple with the concrete role justice will play in their professional lives.

BM: And not only individual students but as an institution — what faculty write about and pursue, what we do in the clinics, what we do in all the curricular pieces and what we do through the pro bono program as an institution. How do we better serve our community? And how do we advance the cause of justice? So it's both in terms of trying to inculcate that in terms of individual students but also to walk the talk as an institution. That is what we are all about, I think. That is our core.

— Anne Cassidy



MARK FINKENSTADT



HOLLY EATON

“The Justice Agenda is building on very strong career and curricular programming, but its essential idea is that no student should leave this law school without thinking hard about what justice means and the role it's going to play in their professional lives.”

— Deborah Epstein

“I think there will always be a huge need for pro bono work. The legal profession is just barely skimming the surface of providing for the needs of people who can't afford legal representation in this country.”

— Barbara Moulton (L'89)

2000 — The Pro Bono Pledge is instituted, challenging every student to perform 75 hours of law-related pro bono service before graduation. The faculty adopts a pro bono policy encouraging at least 50 hours of pro bono legal service per year for law faculty.

2007 — The Loan Repayment Assistance Program is enhanced to provide 100 percent funding for qualifying graduates and to shorten the loan forgiveness period.

In Service to Justice

One of the late Father Robert Drinan's favorite quotations about justice was from the Athenian lawmaker and poet Solon, who said, "We can have justice whenever those who have not been injured by injustice are as outraged by it as those who have been."

Georgetown Law is the first law school in the country established by a Jesuit institution of higher learning, and the Jesuit dedication to service underlies the Law Center's devotion to justice. This is one reason why there is a strong connection between Georgetown Law and the Jesuit Volunteer Corps, a nonprofit serving the poor in the United States and around the world.

Georgetown's Jesuit heritage attracts several former Jesuit Volunteers to the Law Center each year — students who often see the program as another step in a continuous chain of service. Michael Grant (L'09), who attended Catholic schools his whole life, saw JVC as a great opportunity to not only continue the call to service but to do something completely different from what his family and friends had done.

"I wanted to make sure that I wasn't just [going to law school] because that's what my father did and that's what my brother did; I wanted to be sure that there was something that was authentically me," says Grant, who spent a year in Aberdeen, Washington, tutoring youth with the Jesuit Volunteer Corps northwest division before he came to Georgetown Law. That experience influenced him to do similar work later on for an after-school program in Cleveland called America Scores that offers soccer and poetry coaching for inner city students. (Grant continued to work at the

D.C. branch of the organization full time while taking evening classes his first year at Georgetown Law.)

Jesuit volunteers not only work with underserved communities from nine to five each day but they also live in those communities. Cristina Stella (L'11) spent a year with the JVC working with immigrant and refugee farmers in Portland, Oregon. "I was very much into social justice issues and Catholic social teaching, and I knew it was a career path that I wanted to pursue, but I felt like I was talking the talk and needed to walk the walk," says Stella.

Stella not only worked with the farmers to break down access barriers to markets but helped to set up community-supported agriculture programs and even helped give healthy cooking classes to low-income moms. "I felt like it was my chance to have a little bit of solidarity with the people that I intended to serve as a lawyer," Stella says.

Since JVC volunteers live together in a community, they must go without such luxuries as TV and Internet — not easy, when you're applying to law schools — and live on a stipend of just \$80 a month. But for many, the experience shapes their future. Grant, who participated in Georgetown Law's Juvenile Justice Clinic as a 3L, plans to do pro bono work on the side after he starts work at a D.C. law firm in January; as of July, he was exploring public interest options to fill in the five-month gap between the bar exam and work. Stella spent her IL summer at Food and Water Watch, a Washington, D.C.-based consumer advocacy organization that works to ensure clean water and safe food, and she has signed up for Georgetown's environmental law clinic

this fall — in part to gain an understanding of how environmental issues intersect with food issues. "Food and food safety, the vibrancy of family farms and local and organic food are really pressing issues that cut across income levels and affect everyone ... anyone who eats is affected," Stella says. "I definitely see myself in this line of work as a public interest lawyer."



LAW CENTER ARCHIVES



MARY ELLEN BARECCA

The late Father Robert Drinan, S.J., (L'49, LL.M.'51) inspired many students to work for justice. Cristina Stella (L'11) and Michael Grant (L'09) both served on the Jesuit Volunteer Corps before entering Georgetown Law.

2008 — Dean Alex Aleinikoff guarantees funding for all students working in unpaid summer public interest or government internships.

2009 — Georgetown Law launches the Justice Agenda.

The Scope of Justice

Justice not only “rolls down like water.” It also ripples out in hundreds of concentric circles: from the region, to the nation, to the world. The Law Center’s influence can be felt in the most likely (and unlikely) of places.

The Region

When Patricia Mullahy Fugere (C’81, L’84) was a law student at Georgetown in 1983 she worked with a firm that was assisting the Community for Creative Nonviolence in its efforts to secure the homeless shelter at 2nd and D Street. Although Georgetown Law at that time had the Harrison Institute Housing and Development Clinic, it was still not common to think about the legal aspects of homelessness.

More than 25 years later, students have numerous opportunities — through the Law Center’s Office of Public Interest and Community Service as well as student groups — to do community service at soup kitchens and homeless shelters in the Washington, D.C., area; to participate in student-led “sleepouts,” food drives and voter registration drives; and to take in seminars and clinics addressing housing and poverty issues as part of their academic coursework. And many students, of course, go on to tackle these issues in summer jobs, internships and in their permanent careers.

“There are incredible challenges to doing this work. You are invited into the lives of your clients, lives that are often turned on end — because of the economy, because of poor health, because of disability, because of a whole array of different circumstances,” says Fugere, an adjunct professor here who helped to co-found the Washington Legal Clinic for the Homeless (WLCH) in the mid-1980s with a group of other Washington, D.C., lawyers. Since 1991, she has served as the organization’s executive director. “It’s very real and it’s often very raw. We are challenged to discern how to best use the gifts and skills that we’ve developed as



BILL PETROS



ALEX PERRY



lawyers to help our clients move their lives to a better place.”

Since 1988, the Law Center has had a special tie with WLCH. In his third year of law school, a former student named Jeff Schwaber (L'88) got together with friends to brainstorm ideas for a clinic fundraiser and came up with the wildly successful Home Court, an annual basketball game that pits Georgetown Law professors against members of Congress. In its inaugural game, Home Court raised \$42,000, enough to pay for WLCH's first full-time staff attorney; in 2009, it raised approximately \$330,000. Home Court now provides for a quarter to a third of the organization's budget every year — more than \$3 million over the past two decades.

“It has made such a huge difference,” says Fugere, noting that the clinic's connection to the Law Center feels “very much like a family connection.” In addition to a staff that includes attorneys Amber Harding (L'03) and Andy Silver (L'07) — and intern Lori Leibowitz (L'10) — the clinic has seen a number of Georgetown alumni and faculty serve on its board of directors, including Senior Assistant Dean Everett Bellamy and Professor Jeff Bauman. “It has been really wonderful to have, over the years, maintained a connection with the Law Center, and to see the growth and development of its public interest culture,” says Fugere. “I can't imagine where we would be without Georgetown by our side in this important work.”

The Nation

In September 2009, Seema Ahmad (L'09) began a one-year fellowship to work on Guantánamo issues at the Open Society Institute in Washington, D.C., having won one of three human rights fellowships offered by Georgetown Law last spring. Ahmad's interest in these issues began before she entered law school, when she worked at the Center for Constitutional Rights in New York. So when she learned as a 3L — through conversations with Rachel Taylor of Georgetown

Law's Human Rights Institute and Assistant Dean Barbara Moulton and Lauren Dubin of the Office of Public Interest and Community Service — that Georgetown Law would fund one of the three fellowships in human rights on a project of the winner's own choosing, Ahmad went to work.

“I networked with all the people I had previously worked with, trying to figure out what I wanted to do,” she says. “I knew I wanted to stay in Washington, because there were interesting things happening with the new administration around the closure of Guantánamo. So I talked to my old colleagues about who in D.C. was doing the most interesting and the best work with Guantánamo, which organizations were interested in a fellow ... and I ended up being connected with three attorneys at the Open Society Institute that way.”

From there, she interviewed with the people at OSI and created a proposal to work on the legal issues surrounding Guantánamo and possibly renditions, accountability for torture and the state secrets privilege as well.

Once OSI had agreed to take her on, she applied for the Georgetown Law fellowship, interviewing with Deputy Director Taylor and Professor Rosa Brooks of the Human Rights Institute. Not long afterwards, Taylor told Ahmad she'd won, along with classmates Tori Andrea (L'09) and Shana Tabak (L'09). Andrea will pursue a fellowship with Human Rights First; Tabak will be with the International Court of Justice.

Ahmad came to Georgetown in the fall of 2006 as one of eight Public Interest Law Scholars in her entering class. During the summers, she worked at D.C.'s public defender service and at the ACLU of Southern California, getting funding from the PILS program and Georgetown's Equal Justice Foundation. “I think public interest law is a unique and separate discipline in some ways than other types of law ... and it really was the only thing I could ever consider doing.”



ANNIV. PARKS



Opposite page: The Law Center's influence is felt at a local, national and international level: Patricia Mullahy Fugere (C'81, L'84) and her Home Court partners with this year's check for the Washington Legal Clinic for the Homeless (top), students at a Public Interest Proud reception at the Law Center in April (middle), and Professor Susan Deller Ross with Georgetown Law's International Women's Human Rights Clinic students on a 2006 fact-finding mission to Swaziland (bottom). This page: Fugere (top) and Seema Ahmad (L'09).



Bianca Santos (L'11)

On her first day as a summer intern with Conectas Human Rights in São Paulo, Brazil, last June, Georgetown Law student Bianca Santos (L'11) whipped out her notes from International Law I.

As for life beyond the fellowship, Ahmad's plan as of last summer was to wait and see. She notes that the legal profession as a whole is still not geared as much toward public interest work as it might be — although the legal landscape is definitely changing: "I think that Georgetown wants to and really could be a leader in terms of changing the dynamics of the profession to enable more people to do public interest."

The World

On her first day as a summer intern with Conectas Human Rights in São Paulo, Brazil, in June 2009, Georgetown Law student Bianca Santos (L'11) was assigned a research project relating to Brazil's position on human rights issues in the United Nations Security Council. To get herself started, she whipped out her notes from International Law I, a course she'd just taken with Professor David Koplow. "You know that's a good sign," says Santos, who spent two months this summer working for the nonprofit, nongovernmental organization devoted to advancing human rights and the rule of law in the southern hemisphere.

It was an auspicious beginning for someone who, just weeks earlier, was a first-year law student back at Georgetown. Fluent in Portuguese — with a desire to do international law, human rights and development work — Santos had applied to Georgetown's international internship program, which places students with government agencies, NGOs, intergovernmental organizations, law firms, and corporate in-house legal departments abroad. She was chosen for the internship with Conectas last spring.

"Georgetown sends the students' resumes, and then [the organization] chooses which of the Georgetown students they want to take," Santos explains. What is remarkable, as far as Santos is concerned, has been the funding of her summer

dream job. Once she found out that she was headed to São Paulo for the summer, she was counting on support from Georgetown Law's Equal Justice Foundation, the student-run organization that provides fellowships for Georgetown Law students working in unpaid summer internships. In 2008, the Law Center made a commitment to guarantee funding for all EJF applicants.

As it turned out, she didn't need EJF — because she was selected to participate in the new Clifford Chance International Public Interest Summer Fellowships Program. The fellowships, made possible through a gift to the Law Center from the law firm Clifford Chance, support 15 Georgetown IL students doing summer work in internationally based public interest or government organizations.

It was definitely a different sort of summer than what she would experience at an NGO back home in Washington, D.C. The majority of her colleagues were Brazilian, and office communications were conducted in Portuguese, though online research was in English. It's an experience that — like her notes in International Law — Santos will be able to carry with her across the globe, back to Georgetown and beyond.

"The EJF funding, the fact that there are so many students who apply for it and that [the Law Center] has made a commitment to do it — and then this Clifford Chance fellowship that I got was incredible," she says. "I think it's great."

The Facts of Justice

More than 500 students have completed the Pro Bono Pledge and more than 77,720 hours of service have been logged since its inception in 2000.

In 1981, the student-run Equal Justice Foundation funded three students to work in unpaid summer public interest and government internships. In 2009, the Law Center funded 360 students to pursue opportunities in the public sector — every student who applied.

The Office of Public Interest and Community Service was launched in the 1996-1997 school year and now boasts a staff of six. Georgetown remains one of only a few law schools across the country that has a stand-alone public interest career center.

Students established the organization SPICE — Students for Public Interest Community Enhancement — during the 2007-2008 academic year to enhance opportunities and encourage students to pursue careers in public interest law.

In March 2009, 27 students volunteered more than 1,000 hours of legal service at the New Orleans city attorney's office, at Orleans Public Defenders and at the Capital Appeals Project, a nonprofit organization representing indigent defendants sentenced to death in Louisiana.

Georgetown Law Habitat for Humanity volunteered nearly 1500 hours helping build homes for low-income families during 2008-2009. Sixteen Law Center students and staff members went to Panama for spring break to dig and pour a foundation for the future home of an indigenous family and also raised \$1,000 for the local Panama Habitat for Humanity affiliate. Other students helped build houses in Chatham, North Carolina, and in the Washington, D.C., area.

During National Homeless and Low Income Voter Registration Week last fall, Georgetown students registered more than 350 of D.C.'s homeless to vote.

In 2008-2009, the Georgetown Outreach student group rendered over 675 hours of community service to the local community.

In recent years, Georgetown students have traveled to Ecuador to study refugee policy reform, to Haiti to advocate for better policies for the admission of immigrants with HIV/AIDS, and to Kenya to propose reform of inheritance and property laws that discriminate against women.

Every year in Washington, D.C., more than 300 Georgetown Law clinic students represent victims of domestic violence, immigrants denied political asylum, residents deprived of housing, and indigent criminal defendants; defend our civil rights and our environment; and work to improve health care delivery systems, create more family-friendly workplaces, and strengthen local governments.

Ninety percent of people needing civil legal representation in the District of Columbia lack access to lawyers, according to a 2008 report by the D.C. Access to Justice Commission, chaired by Georgetown Law Professor Peter Edelman.

More than 100 of Georgetown Law's former clinical teaching fellows now teach in the classrooms and clinics of other law schools, training students to provide legal services to indigent clients around the country.

A Workers' Solidarity Group (WSG) formed during the 2007-2008 academic year now advocates on behalf of campus workers individually and collectively and offers English as a Second Language classes to Georgetown employees. In 2009, WSG started the Legal Resource Center, where students provided workers with legal referrals for landlord/tenant, child custody, immigration and other issues.

In 2008-2009, 23 students assisted asylum-seekers or refugee families and individuals who have recently resettled in the D.C. area, thanks to the Georgetown Human Rights Advocacy's Refugee Assistance Program. The students are working with these immigrants to help acclimate them to their new home.



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