

# FEDERAL LEGISLATION CLINIC

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Faculty	Prof. Cori Alonso-Yoder and Fellow Emily Tucker.
What students do	Students are trained in the art of “legislative lawyering” through their representation of non-profit organizations seeking to advance policy agendas through Congress and the Executive Branch.
Semester or year-long	One semester, Fall or Spring
Open to	All 2Ls and 3Ls (at least 30 credits)
Prerequisites	All first year courses. A course on congressional or administrative procedure or statutory interpretation (such as Government Processes, The Regulatory State, Lawmaking, or Administrative Law) is strongly recommended but not required.
Credits	10
Requires Student Bar Certification	No
How many students	10-12/semester
Conflicts	Handled on a case-by-case basis
Average time commitment	35 hours/week, on average. Work on projects may continue one week beyond the last day of classes.
Seminar hours	Fall Semester: Monday and Wednesday 1:20 pm to 3:20 pm Spring Semester: Monday and Wednesday 1:20 pm to 3:20 pm
Orientation	<b>MANDATORY</b> 4-day orientation
Information session(s)	March 31 <sup>st</sup> , 12pm-2pm via Zoom.

## ABOUT THE FEDERAL LEGISLATION CLINIC

The Federal Legislation Clinic teaches law students how to become effective “legislative lawyers.” A legislative lawyer is a person who is trained to:

- recognize and assess legal and political aspects of legislative, regulatory, or policy issues;
- perform the background research necessary to address legal and political issues;
- develop creative solutions to problems posed by legal and policy concerns;
- present such solutions in clear and persuasive oral and written forms; and
- engage in the negotiations necessary to ensure the adoption of legislative solutions.

Through fieldwork with organizational clients, classroom instruction and discussion, as well as intensive exercises, the Clinic trains law students to be ready to practice effectively on day one of a job in Congress, the Executive Branch, or the advocacy community. The Clinic thus serves two missions: we undertake projects that advance the public interest by providing quality representation to our non-profit clients, and we provide Georgetown law students with valuable training, supervision, and hands-on experience.

The Clinic focuses on the ways in which practice in and before Congress and the Executive Branch is unlike practice before the courts. Congressional and administrative legal processes produce law and policy under very different rules and procedures. Decision-makers are sometimes non-lawyers. Advocacy, briefings, and other activities often occur under timelines far shorter than a typical court filing deadline or oral argument, and sometimes in unstructured and informal settings. Participants must think through what the law could or *should* be, not just what it is or was at the time a case or controversy arose. Legislative lawyers must be creative problem-solvers with diverse lawyering skills.

The Clinic trains students to analyze fully the legal, process, policy, political, and personality (LP4) aspects of their clients' or principals' options, preferences, and obligations. Students learn to write and speak both precisely and concisely. The Clinic also emphasizes self-reflective lawyering, and practicing with integrity despite serious pressures of time, personality, and consequence. We will challenge our assumptions, probe our values, and strive to understand and do justice. While the Clinic focuses on training legislative lawyers, many of the skills honed in the Clinic are transferable and useful in any practice environment.

### **HOW THE FEDERAL LEGISLATION CLINIC TEACHES LEGISLATIVE LAWYERING**

The Clinic's experiential learning method teaches legislative lawyering through client work, classroom instruction, and exercises:

#### **Client Work:**

Throughout the term, Clinic students learn by *doing* legislative lawyering work on behalf of their clients. In the Clinic, the students are in the lead, with the Director and Fellows there to guide them via training and supervision. During the term, students are primarily responsible for:

- Conducting the Clinic's relationship with the client;
- Developing projects and establishing deadlines in consultation with the client;
- Developing and executing detailed project plans for each project;
- Doing the research, analysis, writing, and presenting that goes into projects;
- Advising the client;
- As circumstances warrant, representing the client – including potentially negotiating on behalf of the client – with third parties on Capitol Hill or elsewhere;
- Practicing reflective lawyering by considering your ethical obligations and professional responsibilities—especially confidentiality; and
- Staying up-to-date with relevant news, and sharing key updates with team members, their Fellow, and the Director.

Clinic client work typically also includes attending coalition meetings, working group meetings, and congressional hearings, markups and briefings.

The Clinic chooses clients and projects that meet our dual mission of promoting the public interest and providing exceptional opportunities for hands-on student lawyering.

Past clients of the Clinic have included the National Women's Law Center, Kids in Need of Defense (KIND), Families Against Mandatory Minimums, and the Leadership Conference on Civil & Human Rights.

### Classroom Instruction:

The Clinic meets up to three times per week for seminar sessions. During the first half of the semester, the seminar focuses on the organization and operation of the federal legislative and executive branches and how law, process, policy, politics, and personalities shape their decision-making. The seminar also covers a range of skills that are necessary to be successful in this work, such as effective written and oral advocacy to and within these branches. In addition, the seminar provides opportunities for students to engage with expert practitioners (e.g., senior Senate and House staff, executive branch or agency officials, and advocates) and to visit key institutions, such as Congressional committees and Executive Branch departments or agencies.

### Exercises:

The Clinic combines its practice and classroom work with an intensive series of exercises that build essential legislative lawyering skills that students are less likely to obtain through client work. Students receive extensive feedback on their performance in each exercise and learn how their skills transfer to other practice environments. Indeed, many students discover that these exercises are among the most challenging and rewarding aspects of the Clinic.

Many of the Clinic's exercises focus on aspects of practice before Congress and the Executive Branch that are different from litigation and other forms of practicing law. While students perform some traditional legal research related to legislative history or judicial interpretation, our work focuses on navigating Capitol Hill and the "dance of legislation." Our students learn to write and speak concisely and precisely. They work with non-lawyers and lawyers, in Congressional offices and in taxi cabs, through formal procedures and hallway conversations. They learn to form relationships, negotiate complex committee procedure, and draft legislation.

Each semester, students participate in three main exercises:

- **The Clinic Daily Brief** – Four times a semester, each Clinic student prepares a written and oral brief for the Professor, Fellows, and any special guests that summarizes current activities in Congress and the Executive Branch as well as recent developments in domestic and foreign affairs. The exercise gives students an opportunity to practice written and oral presentations under time pressure.
- **Pitch Meeting** – Once each term, each student has a simulated meeting in which the student pitches a legislative or regulatory proposal to 2-3 officials in Congress, the Executive Branch or with representatives of the media. In addition to making an oral "pitch," students prepare written advocacy materials for use in their pitches. The Pitch Meetings are videotaped for review and critique with the students after the sessions.
- **Committee Mark-up Simulation** – Over the course of two weeks, students assume the roles of U.S. Senators charged with drafting and considering legislation to address a pressing national problem. They do all the necessary research, legislative drafting, written and oral advocacy, politicking, negotiation, and use of committee procedural rules in advance of and during a mock committee markup. (A markup is a committee meeting at which a draft bill is debated and amended before being sent to the floor.) The simulation is open-universe, with most real world facts and law applying.

Meanwhile, all usual Clinic activities continue, including client work, giving students the experience of having to balance competing responsibilities in legislative practice.

## **INDIVIDUALIZED SUPERVISION & FEEDBACK**

Each student meets with his or her Fellow for 30-60 minutes each week. These meetings, as well as meetings with the Clinic Director, offer time for project planning, updates on client work, revision of written materials, reflection, and discussion of any questions or issues that. The sessions provide an opportunity for intensive, individualized student-supervisor contact.

## **CRITERIA FOR SELECTION**

The clinic accepts applicants who have completed 30 credits by the beginning of the semester in which they are enrolled in the Clinic. There is a general preference given to students who are in their final year of law school, and demand for clinic positions outpaces supply. However, interested second year full-time students (and their part-time equivalents) may apply.

We are looking for students with good research, analytical, writing, and oral communication skills who are excited to enhance their skills and to learn about legislative lawyering. While previous legislative or administrative work experience is not required, interest in these areas is imperative. The clinic thrives when students bring diverse personal and political experiences. Our students have spanned the political spectrum.

## FACULTY & FELLOWS

A critical source of learning for Clinic students comes from their interactions with the Clinic faculty and Fellows. The job of the faculty and Fellows is to inform and guide the development of student skills and client work, enabling the student to succeed in every aspect of Clinic work.

Clinic Director **Cori Alonso-Yoder** has worked on a variety of equal justice issues, with a special emphasis on advocacy for LGBT and HIV-positive immigrants. In her work to promote immigrants' rights, she has collaborated on transnational labor policy and worker outreach in central Mexico, provided legal counsel to inmates in U.S. immigration detention facilities, and served as an assistant to the chair of the United Nations Committee Against Torture in Geneva. Prior to entering academia, she was the Supervising Attorney at Whitman-Walker Health, the Nation's oldest medical-legal partnership. Professor Alonso-Yoder's commentary on law and policy has been featured in *The Hill*, *Law360*, *The Atlantic*, and *Washington Post*, among others. She is a *magna cum laude* graduate of Georgetown University and earned her law degree with honors from American University Washington College of Law. Her scholarship has appeared in the *George Washington Law Review's On the Docket* Supreme Court review, the *Richmond Public Interest Law Review*, the *Denver Law Review*, and the *Legislation & Policy Brief*.

Fellow **Emily Tucker** has spent the last decade working with grassroots groups to organize, litigate, and legislate against the criminalization and surveillance of poor communities and communities of color. She served for six years as the Senior Staff Attorney for Immigrant Rights at the Center for Popular Democracy, where she helped build state and local campaigns on a wide range of issues, including sanctuary cities, language access, police reform, non-citizen voting, and the expansion of publicly funded deportation defense programs throughout the country. Prior to CPD, she was the Policy Director at Detention Watch Network, advocating with members of Congress and the executive branch for an end to the mass detention and deportation of immigrants. Emily's primary area of legal expertise is the intersection between the immigration and criminal justice systems, and she is especially interested in studying and learning from the histories of resistance to these systems by the communities they target. Emily earned her BA at McGill University, a Masters in Theological Studies at Harvard Divinity School, and her JD at Boston University Law School.

A second fellowship position will be filled by Summer 2020.

## PAST CLINIC STUDENTS

Below is a list of students who were enrolled in the Clinic during the past year. Please feel free to contact these students by e-mail for information and insight about their experiences in the Clinic.

Nana-Kwabena Abrefah  
Daniel Barabander  
Nicholas Benham  
Dyllan Brown-Bramble  
Jordan Foley  
Dana Holmstrand  
Romina Montellano Morales  
Elise Phillips  
Michelle Rodriguez  
Ingrid Schulz  
Rachel Schumacher  
Ben Orlebeke  
Riana Freedman