

CIVIL RIGHTS CLINIC

Faculty	Professor & Director Aderson Francois and Fellows Zina Makar and Marissa Hatton
What do students do	Students engage in trial and appellate civil rights litigation concerning, among others, voting rights, workplace discrimination, housing discrimination, police brutality, and equal protection in education.
Semester or year-long	One semester, Fall or Spring
Open to	Second semester 2Ls and all 3Ls (at least 40 credits). <i>The fall semester is limited to rising 3Ls; in the spring semester, 3Ls are given preference, but 2Ls may be considered.</i>
Prerequisite(s)	All first year courses
Credits	12
Requires Student Bar Certification	Yes
How many students	10-12 per semester
Conflicts	Handled on a case-by-case basis
Average time commitment	42 hours per week total. 32 hours per week M-F on cases and 10 hours per week preparing for and attending seminars and case rounds. Full-time work on cases will continue through the reading period, but students will be allowed to reduce their hours to accommodate a final paper or exam for another class.
Seminar hours	Tuesdays/Wednesdays 10:00am-12:00pm (time subject to change)
Orientation	Orientation will take place on the first day of classes.
Information session(s)	Monday, March 29, 2021 12:00pm - 2:00 pm

THE EXPERIENCE

As our name indicates, the Civil Rights Clinic (CRC) engages in civil rights litigation. Our docket covers a variety of matters, including, among others, voting rights, employment discrimination, housing discrimination, police brutality, and equal protection in education. In recent years, about half of our cases have involved trial-level litigation in federal district courts, and about half of cases have involved appeals in federal courts of appeals and, on occasion, in the Supreme Court.

CRC offers a variety of advocacy opportunities, such as drafting briefs and pleadings for use in court, making discovery, meeting with clients, other attorneys, and government personnel, and interviewing witnesses.

Students benefit from regular participation in the decision making process and the careful preparation of legal documents under the day-to-day, hands-on supervision of CRC faculty and fellow. Students interested in a public interest law career can obtain first-hand familiarity with the public interest law community and the kinds of clients, both individual and organizational, served by public interest lawyers. Students considering other careers will also profit from insights the clinic provides into litigation processes and from exposure to complex law practice involving real cases and real clients. CRC students obtain a greater understanding of their roles as attorneys and the responsibility of lawyers in our

society through their work on projects as well as through participation in and preparation for weekly seminars and small group meetings.

The following non-exclusive list of projects recently undertaken by Civil Rights illustrates the types of cases students may work on. You can also find out more about recent projects on our website: law.georgetown.edu

CIVIL RIGHTS/VOTING RIGHTS PROJECTS

Recent projects include:

- Litigating a complex federal Freedom of Information Act suit against the Department of Defense and the CIA on behalf of researchers seeking records on “enhanced interrogation” used in the War on Terror;
- Litigating wage theft claims against private entities and government contractors on behalf of employees denied fair wages or overtime;
- Litigating disparate impact claims under the federal Fair Housing Act against landlords that deny housing to voucher holders in jurisdictions in which the vast majority of voucher holders are persons of color;
- Litigating retaliation claims on behalf of employees terminated for asserting their rights under FLSA and DC Wage and Hour law;
- Litigating on behalf of an individual improperly assessed a deficiency under Maryland consumer protection statutes;
- Litigating on behalf of an individual whose employer improperly denied her the lactation breaks she was entitled to under state and federal law;
- Litigating on behalf of an individual whose employer improperly denied her disability and pregnancy accommodations, discriminated against her on account of her national origin, and illegally assessed fees against her in connection with her resignation;
- Litigating on behalf of an employee who was paid an unequal wage on the basis of her sex in violation of the Equal Pay Act and other federal and state law;
- Filing amicus briefs in four appellate cases – two pending before the United States Supreme Court, one in the DC Circuit, and one in the New York Court of Appeals;
- Filing FOIA requests and using the responsive documents to prepare reports exposing government misconduct;

- Drafting and submitting formal public comments on proposed rules in the formal notice-and-comment rulemaking process before the U.S. Department of Housing and Urban Development that affect legal standards used in civil rights cases like the disparate impact legal theory under the Fair Housing Act;
- Preparing and arguing two appeals in federal court, one in the DC Circuit and one in the Fifth Circuit; and
- On behalf of a public interest organization, analyzing potential APA claims related to the recall of exploding airbags and other automobile defects.

TIME COMMITMENT

The work undertaken by the clinic students affects our clients' lives and seeks to improve the laws that affect under-represented people and groups. Students completing the required work at the civil rights clinic receive twelve credits. To represent clients zealously and meet academic requirements, students enrolled in CRC must make a serious, ongoing time commitment to their clinical work.

The clinic expects that students will spend at least 32 hours each week during normal business hours (9:00-5:00) or attending meetings, hearings, and other activities related to clinic cases. CRC also conducts weekly two-hour seminars and holds project case rounds, which average between one and two hours per week. Accordingly, in addition to time spent on projects, we expect students to devote the time necessary to prepare for and attend seminars and rounds, which we estimate will take an additional 5 to 7 hours a week. Preparation for seminars and rounds does not need to take place in our offices or at the Law Center. Students are also responsible for important administrative tasks, such as maintaining time records for their projects and establishing and maintaining case files.

Orientation will take place on the first day of classes.

SELECTION CRITERIA/APPLICATION PROCESS

CRC gives preference to students who will be in their final year of law school. If we have more applicants than slots for any particular project area, we will select students who have a demonstrated background or interest in the project area. If all the slots are not filled by students who will be in their final year, we will select from among students who will be in their second year based on demonstrated background or interest in CRC's project areas. The clinic application can be found online at <http://www.law.georgetown.edu/go/clinic-registration> and must be completed by **12:00 p.m. (noon) on Monday, April 6, 2020.**

STAFF

Professor of Law and Director, Aderson Francois, directs the Civil Rights Clinic and the Voting Rights Institute. Prior to joining the Georgetown faculty, Professor Francois directed the Civil Rights Clinic at Howard University School of Law, where he also taught Constitutional Law, Federal Civil Rights, and Supreme Court Jurisprudence. His scholarly interests include voting rights, education law, and the history of slavery and Reconstruction. His practice experience encompasses federal trial and

appellate litigation concerning equal protection in education, employment discrimination, voting rights, marriage equality, and the right to a fair criminal trial. Professor Francois received his J.D. from New York University School and clerked for the late Honorable A. Leon Higginbotham, Jr., Chief Judge of the United States Court of Appeals for the Third Circuit. In 2008, the Transition Team of President Barack Obama appointed Professor Francois Lead Agency Reviewer for the United States Commission on Civil Rights. He had provided pro bono death penalty representation to inmates before the United States Court of Appeals for the Fifth Circuit, served as a Special Assistant in with the United States Commission on Civil Rights in Washington, D.C., and practiced commercial litigation in the New York Offices of Paul Weiss Rifkind Wharton & Garrison. He had testified before Congress on civil rights issues and drafted numerous briefs to the United States Supreme Court, the Supreme Court of California, the Supreme Court of Iowa, and Maryland's highest court. Before joining Howard's faculty, Professor François was the Assistant Director of the Lawyering Program at New York University School of Law.

Clinical Fellow, Zina Makar is a supervising attorney and clinical teaching fellow in the Civil Rights Clinic. Before joining Georgetown Law, Makar taught at the University of Baltimore School of Law, where she co-founded and co-directed the Pretrial Justice Clinic, a clinic that serves indigent persons wrongfully incarcerated prior to trial. During her time at Baltimore Law, Makar was recognized for her work and advocacy to advance bail reform in Maryland and was the 2017 recipient of the Baltimore City Bar Association's Public Interest Attorney of the Year Award. Makar's scholarly interests include criminal procedure, pretrial rights, and plea bargaining.

Prior to teaching, Makar was an Open Society Institute Fellow from 2014 – 2016. During her fellowship, Makar created the *Pipeline to Habeas* program, which the Baltimore City Office of the Public Defender now uses as a model to challenge the wrongful pretrial detention of indigent persons. Makar's project focused on revitalizing the use of the writ of habeas corpus in the pretrial context to secure release for her clients. Makar's program was used by the Office of the Public Defender to obtain the pretrial release of 101 protestors arrested after the death of Freddie Gray.

Makar received her J.D. from the University of Maryland School of Law and received her B.S. in Business and Government and Politics from the University of Maryland, College Park.

Clinical Fellow, Marissa Hatton is a supervising attorney and clinical teaching fellow in the Civil Rights Clinic. Before joining the Clinic, Marissa was a staff attorney at Equal Justice Under Law, where she litigated class action impact cases challenging poverty discrimination, government abuse of civil punishment (including child support enforcement practices and discriminatory housing codes), exploitative private probation companies, and other criminal system reform issues across the country. Marissa's litigation helped to end the Driver Responsibility Program in Texas, which overwhelmingly targeted impoverished communities, and her work helped to end Pennsylvania's practice of suspending driver's licenses as a collateral consequence of drug convictions, which targeted communities of color through stop-and-frisk policies — resulting in over one million individuals becoming eligible to reinstate their driver's licenses. Marissa's team won one of the largest federal class action cases challenging money bail in the United States, which enjoined San Francisco's bail practices and declared the County's money bail system unconstitutional.

Marissa received her B.A. from the University of California at Santa Barbara and her J.D. from Georgetown Law, where she founded and served as co-president of the Native American Law Students Association (NALSA) and was awarded the Dean's Certificate for Outstanding Service to the law school community. She is barred in the District of Columbia and the Chickasaw Nation.

Maria Islam is the clinic office manager for the Civil Rights Clinic and the Social Enterprise & Nonprofit Law Clinic, where she manages both clinics' day-to-day operations. After receiving a B.A. in International Studies and a minor in Law and Society from American University, she started working at Georgetown Law as a faculty assistant with faculty support. Maria has interned at the U.S. House of Representatives, Brandeis Center for Human Rights Under Law, DC Volunteer Lawyer's Project, the U.S. Department of Justice, National Asian Pacific American Bar Association, and various law firms.

CIVIL RIGHTS CLINIC STUDENTS

Spring 2020

Alexander Afnan

Montserrat Alvarenga

Taylor Blatz

Andrew Dam

Olivia Grob-Lipkis

Rachel Guy

Sarah Hainbach

Spencer Myers

Valencia Richardson

Tina Chi-Wan Tang

Tracey Zhang

Fall 2020

Merita Beriashi

Victoria Brown

Omar Farid

Chayce Glienke

Christopher Godshall

Wendy Gu

Aria Hangval

Zha'Mari Hurley

Victoria King

Vanessa Sorrentino

Dagan VanDemark

Spring 2021

Brianna Borrelli

Elana Orbuch

Kalli Joslin

Megan Lipsky

Muyi Zhang

Nicole Molinaro

Nicole Yamane

Saba Rewald

Sarah Nesbitt

Shannon Twiss

Toni Deane

Yukihiko Segawa

Zara Mahmood