



## ARTHUR LIMAN PROGRAM

## Public Interest Newsletter

**Liman at the Local Level: Liman Program Explores Public Interest Advocacy and Federalism at Eleventh Annual Colloquium**

On March 6 and 7, 2008, the Liman Program hosted the Eleventh Annual Liman Public Interest Colloquium, *Liman at the Local Level: Public Interest Advocacy and American Federalism*. More than 200 people – including scholars, advocates, students, judges, government officials, and Liman Law and Summer Fellows – attended the Colloquium.

The first panel, *States and Cities as Advocates for the Public Interest*, focused on government lawyers. William Marshall (former Solicitor General of Ohio and professor at the University of North Carolina School of Law) provided a historical account of the role of state attorneys general. Unlike the “unitary” executive structure in the federal system, many state attorneys general are elected and operate independently from governors. Marshall argued that this divided structure can be productive, serving to produce debate about legal rules.

James Tierney (former Attorney General of Maine and Director of the National State Attorneys General Program at Columbia Law School) discussed how state attorneys general have coordinated with each other in the past ten years to try to force the federal government to do what they saw to be its obligations in areas such as the environment and the regulation of Wall Street. Tierney’s comments dovetailed with those of Richard Blumenthal (Connecticut’s Attorney General), who provided examples – such as internet safety, global warming, and tobacco – where Connecticut has played a leading role in bringing about major policy changes. Robert Hermann (Director of the New York Governor’s Office of Regulatory Reform) emphasized the advantages of



*From Left: Richard Blumenthal, Attorney General of Connecticut; Judith Resnik, Arthur Liman Professor of Law, Yale Law School; Margaret H. Marshall, Chief Justice, Supreme Judicial Court of Massachusetts.*

pursuing public policy change through regulatory reform rather than litigation and the range of controls imposed at the state level. This panel moved from the state to the local level as Dennis Herrera (City Attorney of San Francisco) described the impact that the work of city attorneys can have over local, state, and national policies. His examples included consumer protection and gay marriage.

On March 7, the day began with a session, *Revising the History and Understanding the Present: The Role of Local Leadership and Advocates*, which was moderated by Drew S. Days, III (Yale Law School). Risa Goluboff (University of Virginia School of Law) spoke about the role of local law in the civil rights movement, and Tracey Meares (Yale Law School) described recent attempts by local communities to balance individual rights and public safety in enacting policing ordinances. Paul Samuels (Legal Action Center) sketched how, since the founding

of the Legal Action Center in New York in the 1970s, the organization has become increasingly involved in policy work at the national level. Sid Wolinsky and Stephanie Biedermann (Liman Fellow), both from Disability Rights Advocates, remarked that they have moved in the opposite direction – towards a focus on the state and local level, litigating more in state rather than federal courts.

The next panel, *Coordination Across States: Horizontal Federalism*, was moderated by Robert Solomon (Yale Law School). Kathleen Morris (San Francisco City Attorney’s Affirmative Litigation Task Force) and Robin Golden (Yale Law School) considered the ways in which state and local actors work together through formal and informal means, and the effects of these activities on national policy. Robert B. Ahdieh (Emory Law School) described how coordination among state and local entities can lead to

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## LIMAN AT THE LOCAL LEVEL (CONTINUED)

holdout or lock-in problems, and argued that federal rules could play a role in addressing these issues. Gillian Metzger (Columbia Law School) discussed the constitutional constraints on horizontal federalism and the roles that Congress and federal administrative agencies can play in affecting interstate cooperation.

Three state court chief justices – Margaret H. Marshall, Ellen Ash Peters, and Randall T. Shepard – and Federal District Court Judge Janet C. Hall, who chairs the Judicial Conference’s Committee on Federal-State Jurisdiction – contrasted the roles of state and federal courts during the session, *Defining the Public Interest: The Role and Networks of State Courts*, moderated by Liman Fellow Sia Sanneh. Chief Justice Marshall from Massachusetts described how state courts are uniquely positioned to respond to emerging issues of rights and noted the breadth of state law interaction with a host of personal to commercial

activities. Ellen Ash Peters, former Chief Justice of Connecticut, discussed the common law tradition of state courts, the ways in which state courts are considerably more focused on facts than are federal courts, the practical impact of their judgments, and how embedded state judges are in many aspects of the functions of state government.

Chief Justice Shepard from Indiana showed two photos to demonstrate the changes that the state judiciary has undergone in the past few decades. The first photo was taken of the Conference

of Chief Justices in 1986, and Shepard remarked that it showed “Robert Nix, the first African-American chief justice of Pennsylvania, 48 white guys, and Ellen Peters.” The second photo, from 1996, shows a much more diverse group, comprised of forty percent women. Shepard observed that, as courts of general jurisdiction with a great variety of cases, state courts have more flexible concepts of standing than do the federal courts. He noted that state court judges often have to consider what is the “exit

the ACLU), Dennis Parker (ACLU Racial Justice Program), and Dan Freeman (Liman Fellow, NY Civil Liberties Union), discussed the advantages and challenges of the ACLU’s federated structure. Michael Kavey, a Liman Fellow at Lambda Legal, contrasted Lambda’s centralized structure and described its relationship with local groups. Dorian Warren (Political Science, Columbia) brought a social science perspective and argued that, although the most successful social movement organizations have had

federated structures and members, the recent trend has been towards centralized, memberless organizations.

The final panel of the Colloquium, *Vertical Federalism: The Pros and Cons of National Preemption*, was moderated by Liman Fellow Raquiba Huq. Michael Wishnie (Yale Law School) discussed the role of federal preemption in the immigration area, Benjamin I. Sachs (Harvard Law School) looked at labor law, and Leah Fletcher (Liman Fellow,

Natural Resources Defense Council) spoke about the effects of preemption on California’s efforts at environmental regulation. Richard Briffault (Columbia Law School) discussed how localities negotiate challenges from the states in which they sit, and Richard C. Schragger (University of Virginia School of Law) argued that cities are the most reliable sites for progressive politics. Finally, Judith Resnik (Yale Law School) discussed the effects of foreign affairs preemption on state and local initiatives.



Conference of Chief Justices in 1986



Conference of Chief Justices in 1996

strategy” from large cases, such as those challenging educational adequacy. Judge Hall from the District of Connecticut countered that federal courts instead need an “entry strategy,” given the restrictive doctrines that limit access to federal courts as well as their remedial possibilities.

*Mapping Public Interest Advocates onto the Federal Structure of the United States: Conflicts and Coordination, Local Chapters and National Offices* was moderated by Jamie Dycus (Liman Fellow, ACLU Racial Justice Program). Norman Dorsen (NYU School of Law and former President of



*From Left: Stephanie Biedermann (Liman Fellow); Doug Liman; Judith Resnik (Arthur Liman Professor of Law); Lewis Liman; Lisa Cohen Liman; Raquiba Huq (Liman Fellow); Leah Fletcher (Liman Fellow); Dan Freeman (Liman Fellow); Sarah Russell (Liman Director).*



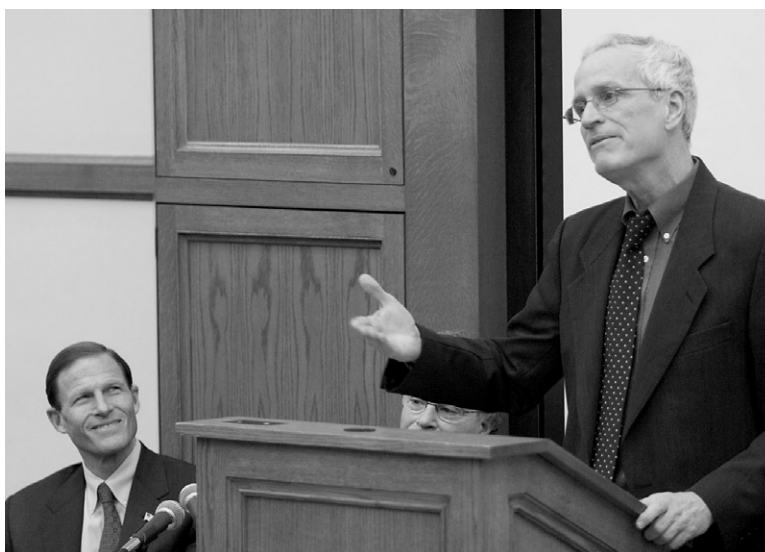
*From left: Dan Freeman (Liman Fellow, New York Civil Liberties Union); Dennis Parker (Director, ACLU Racial Justice Program).*



*From left: Benjamin I. Sachs (Assistant Professor of Law, Harvard Law School); Michael Wishnie (Clinical Professor of Law, Yale Law School).*



*From left: Risa Goluboff (Professor of Law and Professor of History, University of Virginia School of Law); Tracey Meares (Walton Hale Hamilton Professor of Law, Yale Law School).*



*From Left: Richard Blumenthal (Attorney General of Connecticut); William Marshall (former Solicitor General of Ohio and professor at the University of North Carolina School of Law); James Tierney (former Attorney General of Maine and Director of the National State Attorneys General Program at Columbia Law School).*



*From Left: Judge Janet C. Hall; Chief Justice Randall T. Shepard; Former Chief Justice Ellen Ash Peters; Chief Justice Margaret H. Marshall.*



## 2007–2008 Liman Law Fellows



*All of the 2007-2008 Liman Law Fellows returned to Yale Law School to meet with students and participate at the Liman Colloquium. Front Row: Raquiba Huq, Legal Services of New Jersey; Stephanie Biedermann, Disability Rights Advocates; and Leah Fletcher, Natural Resources Defense Council. Back Row: Dan Freeman, New York Civil Liberties Union; Jamie Dycus, ACLU Racial Justice Program; Sia Sanneh, Legal Action Center; and Michael Kavey, Lambda Legal.*

### PLEASE SAVE THE DATE

## Forty Years of Clinical Education at Yale: Generating New Rights, Remedies, and Legal Services

The Twelfth Annual Liman Colloquium

Sponsored by Yale Law School and the Arthur Liman Public Interest Program

**March 5 – 6, 2009 • Yale Law School**

**Thursday, March 5**

**4–6 pm:**

Why Clinical Education in the 1970s/1980s?

Why Clinical Education Now?

**Dinner:** Celebrating the Innovations of Dennis Curtis,  
Frank Dineen, Carroll Lucht, and Stephen Wizner

**Friday, March 6**

**9 am–5:30 pm:**

The Sentencing Guidelines: What Went Wrong?  
What Went Right?

Detained Clients: From Danbury and Connecticut

Valley Hospital to Immigration Jails and Guantánamo

Legal Services: Invention, Retrenchment, Reconfiguration,  
and Collaboration

Global Actors: The Value and Ethics of International  
Human Rights Clinics

The Next Forty Years: Law Schools' Commitments to

Clinical Education: Structure, Stature, and Subsidies

For more information, please visit [www.law.yale.edu/liman](http://www.law.yale.edu/liman)  
or contact Sarah Russell at [sarah.russell@yale.edu](mailto:sarah.russell@yale.edu) or 203.432.2230.

## Liman Work in the Courts and in the News

During the past year, current and former Liman Fellows have appeared frequently in the courts and in the news. Below, we highlight some of that work.

### Advocating for Immigrants

**Jorge L. Barón** (Liman Fellow, 2005-06) was appointed executive director of the Northwest Immigrant Rights Project (NWIRP). NWIRP is the only organization that provides comprehensive immigration legal services to low-income immigrants and refugees in Washington State. NWIRP has expanded significantly over the last few years to meet a growing demand for services. The organization now has 42 staff members and dozens of volunteers who are assisting the immigrant community from offices in Seattle, Tacoma, Granger, and Moses Lake. Jorge's immediate goals are to maintain the current levels of service during a challenging period for funding for legal services programs. He also hopes to recruit and involve a larger number of pro bono attorneys.

**Tom Jawetz** (Liman Fellow, 2004-05) is a staff attorney at the ACLU National Prison Project. Tom was part of the team that has changed conditions at the T. Don Hutto Residential Center, a former medium-security prison in Texas that is now being used to detain immigrant families. The case was featured in a *New Yorker* article in March (available at [www.newyorker.com/reporting/2008/03/03/080303fa\\_fact\\_talbot](http://www.newyorker.com/reporting/2008/03/03/080303fa_fact_talbot)).

In addition, Tom and the ACLU are litigating to improve medical care for all immigration detainees at the San Diego Correctional Facility. While investigating the facility, the ACLU encountered Francisco Castaneda, a man who was denied necessary medical care while in immigration custody at two California detention facilities and ultimately died of penile cancer. Shortly before Castaneda died, he and Tom testified before Congress and urged the overhaul of the medical care provided by immigration authorities.

**Emily Bazelon** (YLS '00) wrote about the case for *Slate.com* (see [www.slate.com/id/2188745/](http://www.slate.com/id/2188745/)). Emily worked with the Liman Program while she was a law student and co-edited *The Future of Legal Services: The Arthur Liman Colloquium Papers*, 17 Yale Law & Policy Rev. 281 (1998). Emily has returned to Yale Law School this fall as a Senior Research Scholar in Law and the Truman Capote Fellow for Creative Writing and Law.

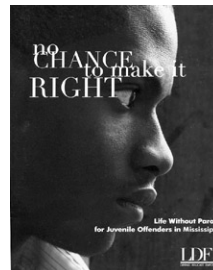
### The Texas Fair Defense Project Wins U.S. Supreme Court Case Affirming Right to Counsel Shortly After Arrest

The Texas Fair Defense Project (TFDP), founded and directed by **Andrea Marsh** (Liman Fellow, 2002-03), recently won a case in the Supreme Court. *Rothgery v. Gillespie County, Texas*, 128 S. Ct. 2578 (2008), concerned the scope of the Sixth Amendment's right to counsel. TFDP represented Walter Allen Rothgery, who was arrested on charges of being a felon in possession of a firearm – but was not actually a felon. Rothgery waited six months before a lawyer was appointed and proved his innocence. By that time, he had served three weeks in jail on the erroneous charge. The Supreme Court ruled 8-1 that Texas must appoint counsel for indigent defendants within a reasonable time after they have had their initial appearance before a magistrate and are informed of the charges against them.

While a Liman Fellow, Andrea studied efforts to reform Texas's indigent defense system and then founded TFDP to continue that work and challenge indigent defense practices that violate state law and the Constitution. TFDP currently is working with government officials to change practices that violate *Rothgery*, to eliminate other access to counsel barriers in Texas, and to develop new public defender programs. Andrea was the only

attorney under 40 featured in *Texas Lawyer* magazine's September 2008 issue profiling extraordinary women in Texas.

### Report on Life Without Parole for Juveniles



**Holly Thomas** (Liman Fellow, 2005-06) at the NAACP Legal Defense and Educational Fund wrote a report, *No Chance to Make it Right: Life Without Parole for Juvenile Offenders in Mississippi*.

The report, published by LDF, is available at [www.naacpldf.org/content/pdf/No\\_Chance\\_to\\_Make\\_it\\_Right.pdf](http://www.naacpldf.org/content/pdf/No_Chance_to_Make_it_Right.pdf). Holly began work on the report with her Liman Fellowship. The report examines the circumstances surrounding life without parole sentencing for juveniles in Mississippi and finds that blacks are significantly overrepresented among the youth currently serving such sentences. The report calls for a series of reforms including the immediate elimination of life without parole sentences for juveniles.

Building upon Holly's report, LDF is conducting outreach to local allies and community leaders in Mississippi in an effort to develop a unified strategy, which may include legislative reform, clemency petitions, and community education. LDF is also in the process of identifying other target regions for similar advocacy efforts and, in particular, considering expansion of direct representation efforts.

Holly continues to address challenges in the criminal justice and juvenile justice system through work on school-to-prison pipeline and capital punishment issues, and has also expanded her work at LDF to focus on civil rights issues in the education context, such as school desegregation and voluntary integration.

## Liman Program Pioneers Fellowship Extensions



*Doug Liman and Liman Fellow Jamie Dycus*

The Liman Program is pleased to announce that two of the 2007-08 Liman Law Fellows have received extensions of their Liman Fellowships. Jamie Dycus will work for six additional months at the ACLU Racial Justice Program, and Michael Kavey will spend an additional year at Lambda Legal. The Liman Fellowship typically provides one year of funding. Many Fellows obtain full funding from their host organizations to continue their work after the fellowship year, and others choose to go on to judicial clerkships or other fellowships or jobs. The Liman Program is grateful for funds from various sources that have made the extensions for Jamie and Michael possible.

### **Jamie Dycus: The School-to-Prison Pipeline in Mississippi**

Since last fall, I have been working to help dismantle the school-to-prison pipeline in Mississippi. I travel between Mississippi and the New York headquarters of the ACLU Racial Justice Program, and work with community members in eight Mississippi school districts as well as a statewide network of advocates and educators. Disciplinary alternative schools continue to be a particular area of focus. Initially conceived as an alternative to expulsion for students with disciplinary

problems, these schools too often serve as holding pens for students whom the regular schools do not wish to serve. Students of color and students with disabilities are overrepresented. Educational and social services are inadequate. Discipline is draconian, and students committing minor offenses may be pushed out

altogether. Too often, little or nothing is done to help students make a successful transition back into the mainstream.

My investigation, which has included dozens of interviews, numerous public records requests, and extensive research on history and best practices, will serve as the basis for a comprehensive report on Mississippi's alternative schools. Next spring, I will use the report as an advocacy tool to bring about legislative and policy changes that will help avert the harms alternative schools currently visit on some of Mississippi's most vulnerable students.

One especially problematic aspect of Mississippi's alternative schools is their almost total lack of transparency. The state publishes data on student populations, demographics, and test scores for every school in Mississippi – except the alternative schools. Data on alternative school student populations and programming are almost impossible to obtain. I have used public records requests and other techniques to uncover this information. Going forward, I will seek legislative and policy changes making such information publicly available.

I also have sought out opportunities for direct advocacy for students caught up in other aspects of the school-to-prison pipeline. Recently, in partnership with

the ACLU affiliate, I filed an amicus brief urging the Mississippi Supreme Court to affirm a lower court ruling reversing the unconstitutional expulsion of one Mississippi student. A favorable decision could help safeguard basic due process rights for many other Mississippi students facing disciplinary proceedings.

I have also provided support for grassroots efforts to hold school officials accountable, and I have organized several community meetings and a know-your-rights training for parents and students.

### **Michael Kavey: Rights for LGBT Students**

During my fellowship, I have led an expansion of Lambda Legal's work on behalf of lesbian, gay, bisexual, and transgender (LGBT) youth and their allies in schools. Focusing on issues such as anti-LGBT harassment, discrimination, and censorship in secondary schools, my projects have included litigation and other legal advocacy; several successful demand letters on behalf of students facing unconstitutional censorship; public speaking, including testimony before New York legislators; and the publication of resources explaining the rights of LGBT youth and their allies.

Among my most significant contributions is my advocacy surrounding the New York Human Rights Law (NYHRL). Over the last year, several districts around the state have launched sweeping challenges to the NYHRL. They argued that the law should be interpreted to protect only students in private non-profit educational institutions and not students in the state's own schools. If courts accept the schools' arguments, the courts would wipe out the *only* express protection against "harassment" based on "sexual orientation" for New York public school students under state or federal law. In September, I served as lead attorney on an amicus brief filed by Lambda Legal

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Liman Fellow Michael Kavey

urging a state appellate court to reject one such challenge to the NYRHL. Eleven civil rights organizations, including the Anti-Defamation League, the NAACP Legal Defense and Educational Fund, and the New York Civil Liberties Union, joined Lambda Legal's brief.

I also have helped to shape Lambda Legal's involvement in direct representation of youth who face anti-LGBT harassment in school. One case involved a New Jersey student who endured anti-gay abuse at her southern New Jersey high school. In the lawsuit Lambda Legal filed on her behalf against school officials, the student asserted that she had suffered

verbal and physical attacks from other students over a two and a half year period. In an effort to avoid the attacks, she stayed out of the hallways, walked around the outside of the school building to get to her next class, and stopped using the school bathrooms. After extensive pre-trial activity that led to a mediation, school officials agreed to mandatory training for administrators, faculty, and staff, and the case settled for a sum that the student is not allowed to disclose.

## Liman Program Hosts Public Interest Workshops at Yale Law School

The Liman Program sponsors a Public Interest Workshop, which is a weekly seminar where students, faculty, and practitioners meet to discuss emerging issues of theory and advocacy. Last spring, the workshop, *Federalism and Social Movements: Public Interest Lawyering in Cities and States*, related to the theme of the Colloquium, *Liman at the Local Level: Public Interest Advocacy and American Federalism*, as we focused on how the political configuration of the United States affects public interest reform efforts.

The class examined topics such as local and national immigration policies, the effects of the federal No Child Left Behind Act on disciplinary practices in local schools, and whether federal environmental laws preempt progressive environmental policies of states such as California. All of the 2007-08 Liman Fellows provided readings and returned to the Law School for at least one session. They were joined by Mary Nichols, Chair of the California Air Resources Board; Chief Justice Jean Hoefer Toal of the South Carolina Supreme Court; Joanne Goldblum of the Diaper Bank; Jessica Sager (Liman Fellow 1999-00) of All

Our Kin; and Yale Law School professors Michael Wishnie and Robert Solomon. The workshop was co-sponsored with the American Constitution Society at Yale Law School.

This fall, the workshop, *Detention*, is co-sponsored with the Jerome N. Frank Legal Services Organization. Hope Metcalf, Robert M. Cover Clinical Teaching Fellow, joins Sarah Russell and Judith Resnik as conveners. The Workshop topics include sentencing policy and alternatives to incarceration for those convicted of crimes; whether civil commitment is appropriate for sex offenders or those with serious mental illness; advocacy strategies for improving conditions of confinement for prisoners; when and why children are locked in facilities; the arguments for and against the detention of suspected terrorists in facilities such as Guantánamo; and how the detention practices in the United States compare to those worldwide.

Our guest speakers include Justin Cox, Liman Fellow 2008-09, CASA de Maryland; Denny Curtis, Clinical Professor Emeritus of Law, Yale Law School; Brett Dignam, Clinical Professor

of Law, Yale Law School; John Douard, criminal defense attorney; Tina Foster, Executive Director, International Justice Center; Ramzi Kassem, Robert M. Cover Clinical Teaching Fellow, Yale Law School; Deborah Marcuse, Liman Fellow 2008-09, New Haven City Hall; Joanne Mariner, Terrorism and Counterterrorism Program Director, Human Rights Watch; Allegra McLeod, Liman Fellow 2008-09, Immigration Justice Project; Marisol Orihuela, Liman Fellow 2008-09, ACLU of Southern California; Paul Samuels, Director/President, Legal Action Center; Michael Tan, Liman Fellow 2008-09, ACLU Immigrants' Rights Project; Holly Thomas, Liman Fellow 2005-06, NAACP Legal Defense and Educational Fund; and Howard Zonana, Professor of Psychiatry, Yale School of Medicine, Clinical Professor (Adjunct) of Law at Yale Law School, and Director of the Law and Psychiatry Division, Connecticut Mental Health Center.



## Liman: An Intergenerational Program

By Rachel Osterman, Yale Law School '09

If it weren't for a resume database, Stacie Jonas and Doug Stevick might never have formed the professional relationship that has led to a first: a Liman Fellow alum sponsoring a new Liman Fellow's project.

When looking to fill a summer internship spot, Stevick browsed a public interest resume database. He came across Jonas' profile. Liking what he saw, Stevick called her out of the blue to urge that Jonas spend her 1L summer working with him at Southern Migrant Legal Services (SMLS) in Nashville, TN, a legal services organization that assists agricultural workers in six states in the South.

"It had never even crossed my mind to go to Nashville, either for business or pleasure. I had one conversation with Doug, and he sent me about 50 pages of information about the organization," Jonas recalled. "Doug's enthusiasm for the work was contagious."

After persistent pitching, Jonas accepted. She spent her summer with SMLS in Nashville, researching legal



Doug Stevick and Stacie Jonas

strategies against growers and traveling throughout Tennessee and Kentucky to meet with farmworkers. Now Jonas, who clerked for Keith P. Ellison of the U.S. District Court for the Southern District of Texas after graduating from Yale Law School in 2007, has begun a Liman Fellowship with Stevick.

As Jonas and Stevick set out to plan Jonas' project, "it wasn't lost upon me as we were sponsoring this, that there

would be me, a Liman Fellow, sponsoring another Liman Fellow ten years later," Stevick said. Nonetheless, the substance of Jonas' and Stevick's fellowship projects differs substantially. When Stevick embarked on his fellowship in 1998, he worked for SMLS' parent organization in Texas, Texas RioGrande Legal Aid, and focused on tax-related issues.

Specifically, Stevick sought to address the misclassification of farmworkers as independent contractors, instead of employees. By calling farmworkers "independent contractors," growers can avoid paying Social Security and workers' compensation taxes. Meanwhile, farmworkers have no guarantee that they will receive the minimum wage.

Stevick also worked to figure out the

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Ben Eidelson (Liman Summer Fellow 2007) and Zahra Hayat (Liman Law Fellow 2008-09).

### Liman at Oxford

In 2008, two Liman Fellows, one an undergraduate and the other an LL.M., found they also had Rhodes Scholarships in common. Ben Eidelson, who worked for Mayor Cory Booker in Newark as a Liman Summer Fellow, is studying legal philosophy as a Rhodes Scholar at Oxford. Following his studies at Oxford, Ben will attend Yale Law School. Ben graduated from Yale College in 2008 with a B.A. *summa cum laude* in philosophy and political science. Zahra Hayat is working at the National Center for Youth Law in Oakland as a Liman Law Fellow. Zahra received her LL.M. at Yale Law School after attending Oxford where she studied jurisprudence as a Rhodes Scholar.



tax implications of legal settlements, and to share his research with other farmworker advocates throughout the country. Money from legal settlements is usually taxable, though reporting such income for non-immigrant farmworkers, particularly guestworkers, is quite complicated, Stevick said.

Jonas' project, meanwhile, will build the capacity of, and foster links between, local workers' centers, immigrants' rights organizations, churches, community groups, legal services organizations, private attorneys, and unions that serve migrant farmworkers.

She will also work to help farmworker organizations respond to employers' efforts to silence workers and their advocates. Specifically, SMLS has observed that groups have recently

targeted workers' centers and other community advocates with subpoenas in order to intimidate them from offering support. This has been particularly problematic, Jonas said, because the community groups often lack lawyers to defend them, and their communications with immigrants are not protected by attorney-client privilege. In addition, growers often file complaints against federally-funded legal services agencies with the Legal Services Corporation when the agencies zealously represent low-wage workers, she said.

Jonas' and Stevick's enthusiasm for providing legal services to farmworkers in the South is "a testament to the durability of the [Liman] program," Stevick said.

Another Liman Fellow, Tania Gallon (2002-03), also advocated for

farmworkers during her fellowship. Working with the Migrant Farmworker Project in Lake Worth, FL, Tania sought to protect farmworkers from pesticide exposure. Tania is currently focusing on federal court litigation as the Adrienne Arsht Human Rights Fellow at the Florida Immigrant Advocacy Center.

Jonas is a second-generation Liman Fellow on another dimension. She and another past Liman Fellow – Andrea Marsh, who worked for Texas Rural Legal Aid in 2002-03 and now heads the Texas Fair Defense Project (see page 5) – both clerked for the Honorable Keith P. Ellison, U.S. District Court, Southern District of Texas (himself a Yale Law School graduate, Class of 1976).

## The Liman Project: Students Working with Fellows

*In fall 2007, the Liman Program launched the Liman Project, which gives students the opportunity to do public interest research and advocacy with current and former Liman Fellows. Since the start of the Liman Project, students have worked on the following projects:*

### Criminal Justice

- Assistance with federal appeals briefs in death penalty cases with Holly Thomas (Liman Fellow 2005-06) at the NAACP Legal Defense and Educational Fund, New York.
- Research regarding potential challenges to policing policies in Los Angeles with Kim Pattillo Brownson (Liman Fellow 2005-06) at the Advancement Project, Los Angeles.
- Assistance with advocacy efforts through the identification and review of pro se complaints challenging conditions of confinement at New Orleans jails with Tom Jawetz (Liman Fellow 2004-05) at the ACLU National Prison Project, Washington, DC.
- Work on criminal discovery issues and alternative sentencing courts with Lisa Daugaard (Liman Fellow 1998-99) at the Defender Association, Seattle.
- Research to determine whether a Texas jail's policy of permitting only collect calls from prisoners interfered with the Sixth Amendment right to counsel with Andrea Marsh (Liman Fellow 2002-03) at the Texas Fair Defense Project, Austin.

### Immigration

- Research regarding possible challenges to conditions of confinement (e.g., access to law libraries and medical care) for detained immigrants with Marisol Orihuela (Liman Fellow 2008-09) at the ACLU of Southern California.
- Work on a brief before the Board of Immigration Appeals challenging detention of day laborers by Immigration and Custom Enforcement agents with Justin Cox (Liman Fellow 2008-09) at CASA de Maryland.
- Research to support challenges to prolonged detention of immigrants with Michael Tan (Liman Fellow 2008-09) at the ACLU Immigrants' Rights Project.

### Other Issues

- Research on global warming regulation and intellectual property issues relating to electric cars with Leah Fletcher (Liman Fellow 2007-08) at the Natural Resources Defense Council, San Francisco.
- Project with the Diaper Bank in New Haven to advocate for state or federal funding for diapers and hygiene products for low-income families.
- Research for a potential lawsuit regarding delays in Social Security claim processing with Stephanie Biedermann (Liman Fellow 2007-08) at Disability Rights Advocates, Berkeley.

## The Liman Student Board at Yale Law School

*The Liman Student Board at Yale Law School helps plan Liman events and projects at Yale Law School and runs roundtable discussions with public interest advocates and scholars. Some members of the Board held undergraduate Liman summer fellowships before coming to Yale Law School.*

**Sarah Chang**, Yale Law School, 2009

Liman Yale Summer Fellow 2004: Safe Horizon, New York

**Kathleen Claussen**, Yale Law School, 2010

Liman Workshop Teaching Assistant, Spring 2008

Co-editor, Liman 2008 Colloquium Papers

**David Chao**, Yale Law School, 2010

Liman Harvard Summer Fellow 2004: National Asian Pacific American Legal Consortium, Washington, DC

**Adam Grogg**, Yale Law School, 2010

Co-editor, Liman 2008 Colloquium Papers

**Joshua Johnson**, Yale Law School, 2009

Liman Yale Summer Fellow 2005: ACLU of Texas, Austin

**Matthew Klapper**, Yale Law School, 2011

Host of Liman Summer Fellow, Office of Mayor Cory Booker, Newark

**Margot Mendelson**, Yale Law School, 2009

Liman Harvard Summer Fellow 2002: Immigration & Refugee Clinic, Cambridge

**Michael Murray**, Yale Law School, 2009

Liman Princeton Summer Fellow 2006: Legal Aid Bureau, Annapolis

**Chavi Keeney Nana**, Yale Law School 2009

Liman Colloquium Coordinator

**Caitlin O'Brien**, Yale Law School, 2011

Liman Yale Summer Fellow 2007: Legal Aid Society of New York

**Rachel Osterman**, Yale Law School, 2009

Liman Workshop Teaching Assistant, Fall 2009

**Amelia Rawls**, Yale Law School, 2010

Liman Princeton Summer Fellow 2007: NYU Center for Human Rights & Global Justice

**Elina Tetelbaum**, Yale Law School, 2010

Liman Harvard Summer Fellow 2005: The Forensic Panel, New York

Liman Workshop Teaching Assistant, Spring 2008

**Daniel Winik**, Yale Law School, 2011

Liman Yale Summer Fellow 2006: Public Defender Service for the District of Columbia

## The Liman Program congratulates Yale Law School graduates who received other public interest fellowships for 2008 – 09

### ACLU National Legal Department

Emma Andersson '08, *ACLU Drug Law Reform Project*, Santa Cruz

### Capital Appeals Project Fellowship

Bidish Sarma '08, *Capital Appeals Project*, New Orleans

### Equal Justice America Fellowship

Hannah Benton '08, *Center for Children's Advocacy*, Hartford

### Equal Justice Works Fellowship

Dennis Hsieh '08, *Neighborhood Legal Services*, Los Angeles

Talia Inlander '07, *Public Counsel*, Los Angeles

### Heyman Federal Public Service Fellowship

Jon Donenberg '08, *Representative Henry Waxman and Committee on Oversight & Government Reform*

Stephen Lilley '06, *Senator Sheldon Whitehouse and Senate Judiciary Committee*

Michael Pyle '04, *Director Peter Orszag, Congressional Budget Office*

### Initiative for Public Interest Law at Yale

Medha Devanagondi '08, *Political Asylum Immigration Representation (PAIR) Project*, Boston

### Robert L. Bernstein Human Rights Fellowship

Kristina Scurry Baehr '08, *The Carter Center, Liberia*

Alisha Bjerregaard '08, *Global Rights: Partners for Justice*, Washington, DC

Matiangai Sirleaf '08, *International Center for Transitional Justice*, Cape Town, South Africa

### Skadden Fellowship

Farrin Anello '05, *ACLU Immigrants' Rights Project*, New York

Naomi Shatz '08, *Legal Momentum*, New York

## Introducing the 2008 – 09 Liman Law Fellows

The Liman Program is delighted to announce eight recipients of Liman Law Fellowships for 2008-09. The Fellows are spending a post-graduate year responding to problems of inequality and improving access to justice for those without resources.

**Justin Cox** graduated *summa cum laude* from Washington University in St. Louis in 2004 and from Yale Law School in 2008. Justin is spending his Liman Fellowship year at CASA de Maryland, where he is working on issues relating to immigration. Justin is helping localities develop immigration policies and assisting documented and undocumented individuals responding to local, state, and national immigration laws and practices. Following his fellowship, Justin will clerk for the Honorable Mark Kravitz in the U.S. District Court for the District of Connecticut.

**Zahra Hayat** graduated from the LL.M. program at Yale Law School in 2008. She received her first law degree from the University of Oxford, where, as a Rhodes Scholar, she read for the B.A. (Honors) in Jurisprudence. Zahra received her undergraduate degree in Computer Science from the Lahore University of Management Sciences in Pakistan. Zahra is spending her fellowship year at the National Center for Youth Law in Oakland, California. There, she is helping children in foster care gain access to mental health services. Zahra plans to combine legislative and litigation-based strategies to aid in reforming California's county-based system of mental health care for foster children.

**Stacie Jonas** is a 2007 graduate of Yale Law School. She holds a B.A., *summa cum laude*, from the University of Notre Dame. After law school, she clerked for the Honorable Keith P. Ellison of the U.S. District Court for the Southern District of Texas. Stacie is spending her Liman Fellowship year at Southern Migrant Legal Services (a project of Texas RioGrande Legal Aid) in Nashville, Tennessee. Her project seeks to improve wages and working conditions for migrant



Some of the 2008-09 Fellows (From Left: Marisol Orihuela, Deborah Marcuse, Tianna Terry, Justin Cox, Michael Tan).

farmworkers in six southern states. She is working to increase the availability and quality of legal representation and to foster collective, community-based action by strengthening a network of workers' centers and advocates.

**Deborah Marcuse** graduated in 2008 from Yale Law School. She also holds a Ph.D. in Religion from Duke University and a B.A., *cum laude*, from Yale College. As a Liman Fellow, Deborah is working with the City of New Haven's Community Services Administration on a comprehensive initiative to assist former inmates in successfully reintegrating into the community upon release from prison. Deborah seeks to expand, create, and promote effective pre- and post-release reentry programs. Her work will address employment, housing, health care, education, loss of parental rights, and loss of voting rights.

**Allegra McLeod** graduated from Yale Law School in 2006 and then clerked for the Honorable M. Margaret McKeown of the Ninth Circuit Court of Appeals. Allegra received her M.A. from Stanford University, a B.A., *magna cum laude*, from Scripps College of the Claremont Consortium, and will complete her Ph.D. in Modern Thought and Literature at Stanford in 2008. For her fellowship, Allegra is working with the Immigration Justice Project to address problems confronting immigrants with criminal convictions. She will provide direct representation, develop model materials for use by pro se immigrants as well as other lawyers, and work on litigation aiming to respond to systemic violations. In addition, Allegra will, in cooperation with the Georgetown Institute for the Study of International Migration, contribute to policy-related research.

(continued on next page)

## 2008–09 LIMAN FELLOWS (CONTINUED)

**Marisol Orihuela** graduated *magna cum laude* from Boston College in 2003 and from Yale Law School in 2008. From 2003 to 2005, she worked as a paralegal and outreach worker for the Farmworker Unit of Georgia Legal Services. For her fellowship year, Marisol has joined the ACLU of Southern California, where she is focusing on problems that detained immigrants face. She will develop litigation and an administrative and media advocacy campaign to address barriers to adequate legal representation, access to the courts, and medical care. Following her fellowship, Marisol will clerk for the Honorable Rosemary Barkett of the U.S. Court of Appeals for the Eleventh Circuit.

**Michael Tan** graduated from Yale Law School in 2008. He graduated *magna cum laude* with highest honors from Harvard College in 2001 and also received an M.A. in Comparative Literature from New York University in 2006. As a Liman Fellow, Michael is working with the ACLU Immigrants' Rights Project in New York to respond to the problem of prolonged and unnecessary detention of immigrants during the pendency of their removal proceedings. His multi-pronged advocacy strategy will include litigation, public education, and legislative support. When Michael was an undergraduate at Harvard College, he received a Summer Liman Fellowship, which supported his work at the Asian American Resource Workshop in Boston, Massachusetts. Following

his fellowship, Michael will clerk for the Honorable M. Margaret McKeown of the U.S. Court of Appeals for the Ninth Circuit.

**Tianna Terry** is a 2004 graduate of Stanford University and a 2008 graduate of Yale Law School. Before law school, she worked on affordable housing policy issues at the Fannie Mae Foundation. She is spending her Liman Fellowship year at the Legal Aid Society of the District of Columbia. Her project is focusing on reform of the D.C. child support system. Tianna will engage in community outreach and education, casework, community organizing, and advocacy to ensure that children receive the parental support that they need and deserve.

## 2008 Liman Summer Fellows

In conjunction with other schools, the Liman Program helps to support students at Barnard, Brown, Harvard, Princeton, Spelman, and Yale to spend a summer working at public interest law organizations. Summer Fellows have worked on a range of issues such as children's rights, immigrants' rights, drug policies, indigent criminal defense, and the death penalty. Some of the 2008 Fellows are shown below.



*Barnard Summer Fellows (From Left: MarySara Rojas, Shareese Pryor, Margaret Marron).*

### Barnard College

Margaret Marron '09, *CONNECT, New York*  
Shareese Pryor '08, *Juvenile Protective Association, Chicago*  
MarySara Rojas '08, *Immigration Law Unit, Legal Aid Society, New York*

Faculty advisor: Christina Kuan Tsu, Associate Dean of Studies



*Brown Summer Fellows (From Left: Ariel Werner, Eric Rodriguez, Brenna Carmody, Annie Koo, Advisor Alan Flam, Olivia Ildenfson).*

### Brown University

Brenna Carmody '09, *Justice and Peace Commission, Harper, Liberia*  
Olivia Ildenfson '09, *ERASE Racism, Syosset, NY*  
Annie Koo '08, *Texas Community Building with Attorney Resources, Austin*

Eric Rodriguez '08, *Stanford Criminal Justice Center, Stanford*  
Ariel Werner '09, *Office of the Public Defender, Providence*

Faculty advisor: Alan Flam, Senior Associate University Chaplain and Senior Fellow, Swearer Center for Public Service





*Harvard Summer Fellows (From Left: Michael Zuckerman, Pawanpreet Dhaliwal, Seth Packrone, Vinita Andrapalliyal).*

### **Harvard College**

Melissa Ader '09, *NYC Bankruptcy Assistance Project, Legal Services NYC, New York*

Vinita Andrapalliyal '09, *Immigration Justice Project, Southern Poverty Law Center, Montgomery*

Pawanpreet Dhaliwal '09, *Public Advocates, San Francisco*

Seth Packrone '10, *Center for Law and Education, Washington*

Michael Zuckerman '10, *Pine Tree Legal Assistance, Portland*

Faculty advisor: Amanda Sonis Glynn, Director, Harvard Public Service Network and Coordinator, Center for Public Interest Careers (CPIC) at Harvard



*Spelman Summer Fellows (From Left: Shaunicie Fielder, Shannon Cumberbatch, Danielle Snead, Advisor Dennis Lindsay).*

### **Spelman College**

Shannon Cumberbatch '08, *Child Advocate Attorneys Office, Fulton County Juvenile Court, Atlanta*

Shaunicie Fielder '09, *Georgia Appleseed, Atlanta*

Danielle Snead '09, *Child Advocate Attorneys Office, Fulton County Juvenile Court, Atlanta*

Faculty advisors: Dr. Desiree Pedescleaux, Dean of Undergraduate Studies, Associate Professor of Political Science  
Stacey Abrams, Deputy City Attorney, City of Atlanta  
Kiang Ellis, President, Avail Art, L.L.C.  
Dennis Lindsay, Career Counselor, Office of Career Planning & Development



*Princeton Summer Fellows (Front Row: Advisor Leslie Gerwin, Michelle Phelps, Felipe Cala. Back Row: Ryan Ebanks, Mark Jia, Lawrence Kornreich, Emily Stehr).*

### **Princeton University**

Felipe Cala, 1st year Ph.D., *International Center for Transitional Justice, New York*

Ryan Ebanks '09, *Public Interest Law Institute, New York*

Mark Zaichen Jia '10, *Alliance for Justice, Washington, DC*

Lawrence Kornreich '09, *Legal Action Center, New York*

Michelle Phelps, 1st year Ph.D., *Prison Visiting Project, Correctional Association of NY, New York*

Emily Kathryn Stehr '08, *Thelton E. Henderson Center for Social Justice, U.C. Berkeley School of Law, Berkeley*

Faculty advisors: Kim Lane Scheppele, Director, Program in Law and Public Affairs, Rockefeller Professor of Public Affairs and Human Values, Woodrow Wilson School

Leslie E. Gerwin, Assistant Director, Program in Law and Public affairs, Woodrow Wilson School



*Yale Summer Fellows (From Left: Samuel Ayres, Angelina Calderon, Aaron Littman).*

### **Yale College**

Samuel Ayres '09, *Refugee Law Project, Research & Advocacy Division, Uganda*

Angelina Calderon '10, *Public Counsel, Los Angeles*

Adriana L. Garcia '08, *ACLU of Southern California, Orange County*

Nicholas Aaron Handler '09, *Legal Action Center, New York*

Aaron Littman '10, *Equal Justice Initiative, Montgomery*

Anna Jo Bodurtha Smith '10, *All Our Kin, New Haven*

Faculty advisor: Richard Schottenfeld, Master of Davenport College, Professor of Psychiatry, Yale Medical School

## The Liman Public Interest Program

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**Please visit our website at [www.law.yale.edu/liman](http://www.law.yale.edu/liman).**

There, you can learn more about the Liman Fellows, read reports by the Fellows about their work, see information about projects, and upcoming events, and find details about the fellowship application process.

### Public Interest Organizations and Fellowship Applicants

Organizations interested in hosting Liman Law Fellows and individuals wishing to apply for Liman Law Fellowships should contact Liman Director Sarah Russell. For information about hosting a Liman Summer Fellow or applying for a Liman Summer Fellowship, please contact Sarah Russell or one of the Liman Faculty Advisors listed below.

#### Barnard College

Christina Kuan Tsu

*Associate Dean of Studies*

212.854.2024

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#### Brown University

Alan Flam

*Senior Associate University Chaplain*

*Senior Fellow, Howard R. Swearer*

*Center for Public Service*

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#### Harvard College

Amanda Sonis Glynn

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*(CPIC) at Harvard*

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*Some photography provided by Harold Shapiro*

## Join Us in Supporting the Liman Program

*Your financial support of the Arthur Liman Public Interest Program means that more attorneys and students will be able to work on pressing legal issues in the public interest. We ask that you support the dedication and energy that enables so many to benefit from the Liman Fellowship and Fund.*

Please consider the following donations:

☐ \$100   ☐ \$250   ☐ \$500   ☐ \$1,000   ☐ \$2,500   ☐ \$5,000   ☐ \$10,000

Other: \$ \_\_\_\_\_ (\$50,000 supports a Fellow for a year; other named underwriting and endowed opportunities are available.)

I would like to make a multi-year pledge of \$ \_\_\_\_\_ to be paid in \_\_\_\_\_ installments.

I would like my donation to be made in honor of / in memory of \_\_\_\_\_.

☐ Please contact me with information about making a gift to the Liman Program in my will or about other planned giving options.

Update my mailing address as follows:

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*Please make your charitable donation payable to the Arthur Liman Public Interest Program, which is a 501(c)(3). Donations should be mailed to:*

Sarah Russell, Director  
Arthur Liman Public Interest Program  
Yale Law School, P.O. Box 208215  
New Haven, CT 06520-8215

Liman programs now exist at six universities (Barnard, Brown, Harvard, Princeton, Spelman, and Yale) and provide stipends for students to do summer work in public interest law. You may contribute to the Summer Fellowship Program by sending donations directly to the participating institution. Designate your donation as support for the Liman Summer Fellowship. The Liman Program at Yale Law School coordinates donations for Yale College Summer Fellows.

We also encourage you to consider starting a Liman program at a school not yet participating in the network. To learn how to create and fund such projects, please contact Liman Director Sarah Russell.

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