



Law Clinic Professors Joseph McKinney, ba '65, and jd '75, Janet Thompson Jackson, Randall Hodgkinson, John Francis, Curtis Waugh, '87, Aliza Organick, and Lynette Petty, '87, supervise Clinic interns in live-client cases.

Washburn Law CLINIC

WASHBURN LAW CLINIC MAKES A DIFFERENCE IN THE COMMUNITY

The Washburn Law Clinic has continued its long tradition of service and excellence in the practice of law. Over the past year, students working in the Clinic have provided representation in 114 cases and projects. These cases and projects span a broad range of legal services. Most clients would not have had access to justice or legal representation without the hard work and dedication of Clinic interns.

OXFORD HOUSE CASE

Oxford House-Washburn is a local group home for men recovering from alcohol dependence. The local house exists under the umbrella of Oxford House, Inc., a national organization. Under the supervision of Professors **Curtis Waugh, '87**, and John Francis, successive Clinic interns worked on this case from January 2005 to June 2007. The case involved residents of the Oxford House facing eviction from the College Hill neighborhood as a result of a new municipal

ordinance affecting the operation of group homes. The federal government has recognized the Oxford House structure as a model for recovery environments.

When the Oxford House was forced to move to a new residence, the Clinic prepared a Conditional Use Permit (CUP) to satisfy the new ordinance requirements. Despite the Planning Commission's approval in May 2005, noting compliance with the new ordinance requirements, the Topeka City Council rejected the application in June 2005.

The Clinic then teamed with the national Oxford House organization, seeking resolution of the matter without the need for litigation. When that failed, a discrimination suit was filed against the city in federal court. The complaint raised violations of the Fair Housing Act and the ADA, and sought equitable relief and statutory damages.

Clinic interns worked on this case, preparing the complaint, the scheduling and pretrial orders, motions to compel, and responding to the city's motions to compel and to dismiss. Interns took depositions of city officials, including a city councilman. They also defended the depositions of the Clinic's individual clients, the Oxford House-Washburn residents. The case provided interns extensive experience in formal and informal discovery and investigation and legal research.

The parties reached a settlement in June 2007, with Oxford House-Washburn receiving full equitable relief as well as additional relief. The settlement also protects all Oxford Houses in Topeka from discrimination by the city, now and in the future.

LAW CLINIC ENTERS ANOTHER NEW AREA OF PRACTICE

In the fall of 2007, the Washburn Law Clinic began representing clients filing for Violence Against Women Act (VAWA) self-petitions. Amendments to VAWA in

2000 expanded legal protections to immigrant women through various forms of relief, including self-petition. VAWA self-petitions enable immigrant victims of domestic violence to obtain lawful status without the assistance or cooperation of the batterer spouse. Prior to VAWA, when a non-citizen sought protection from her abuser, she risked deportation if her report led her abuser to withdraw sponsorship. To be eligible to file a VAWA self-petition, a petitioner must be an abused spouse or former spouse of a U.S. citizen or lawful permanent resident.

Representing clients in VAWA cases requires students to gather evidence in support of seven eligibility factors. Such evidence may include police reports, hospital records, school records, affidavits from neighbors, friends and domestic violence advocates, family pictures,

Approximately 560 clinical legal educators from around the world attended. Elliott Milstein, former dean of American University, Washington College of Law, and former president of the AALS, praised Professor Monk for his role in promoting clinical education as executive director. Professor Milstein noted, "Washburn has a long-standing tradition as a law school that values and promotes clinical legal education."

At the conference, Professor Janet Thompson Jackson presented, "Rethinking Cross-Cultural Training." Her co-presenter was Judith Fox from Notre Dame Law School. The session explored the importance of preparing students to counsel clients who come from a range of cultural backgrounds. Professor John Francis' session, "The Worst Case Scenario: Malpractice and Serious Ethical Breaches by Students," focused on causes

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Elliott Milstein

correspondence from the abuser, Kansas Bureau of Investigation reports, and court documents. Students also work with clients to draft a personal statement in support of the petition.

Once filed, U.S. Citizenship and Immigration Services (USCIS) officials review the petitions and determine whether the applicant meets the necessary eligibility requirements. This process typically takes between 10 and 12 months.

CLINIC PROFESSORS PARTICIPATE IN AALS CONFERENCE

Washburn Law professors took an active role in the annual Conference on Clinical Legal Education hosted by the Association of American Law Schools (AALS) in Tucson, Ariz., from May 4-7, 2008.

Carl Monk, Distinguished Washburn Professor of Law and outgoing executive director of the AALS, delivered the welcome address to conference attendees.

of serious mistakes that can be made by clinical law students and ways to avoid these potential pitfalls. His co-presenters were Robert L. Jones (Notre Dame Law School) and Gerard F. Glynn (Barry University School of Law). Francis was also on the planning committee for the conference.

Professor Aliza Organick was a presenter on a plenary panel that addressed the history and future of clinical education. She shared the podium with prominent people in legal education and the clinical community: J. Michael Norwood (University of New Mexico School of Law) and Dean Frank H. Wu (Wayne State University School of Law). The title of the plenary session was "Reflecting on Mistakes and Accomplishments of the Clinical Movement to Plan for a Successful Future."