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Despite almost a year and a half of the coronavirus pandemic, the graduating class of 2021 had the third highest total pro bono hours on record at GW. The 232 students in the graduating class who volunteered for 50 or more hours amassed a total of 84,550.36 pro bono hours, or an average of about 364 hours per student. Unlike a number of other schools, those hours include only those for which the student receives neither academic credit nor any form of pay. To put that average in perspective, New York State requires only 50 hours of pro bono work for admission, and it counts hours for which the student receives academic credit or is paid for work at non-profits. Another way to think about this year's accomplishment is to recognize that it is 13 times more than the 6,380.5 hours recorded by the 64 members of the class of 2011 when the pro bono program began in earnest. We hope to continue to record pro bono hours in this range for the future, as we try to bring on more opportunities for more students. Thanks to the herculean efforts of Assistant Dean David Johnson and the IT staff, we held our pro bono recognition ceremony online with every student given a chance to say a few words about their experiences – and with friends and family able to watch from wherever they were.

As in the past, my work as associate dean can be roughly divided into three parts: (1) special programs; (2) assisting students locate public interest and public service jobs and working to make it financially possible to take those positions; and (3) providing meaningful opportunities for students to do pro bono work and supporting students who wish to do it. On the job side, Siobahn

Madison did most of the day-to-day work; on the pro bono front, David Johnson is responsible for much of what we do.

For those new to GW Law School (and for many who have been here for some time), there is often uncertainty about the relation between the Pro Bono, the Clinics, and the Field Placement Programs. In 2019, at the urging of Laurie Kohn, who is the director of the clinics, we prepared a short summary explaining how these three parts of the experiential learning fit together.

<https://my.law.gwu.edu/Departments/PubInt/deptContentManagement/Manage%20Department%20Documents/Experiential%20Learning%20Programs%20Overview.pdf>.

Public Interest & Pro Bono Pre-Orientation and Other Special Programs

As it has done for the previous ten years, the 2020-21 public interest program began with incoming students arriving early for a voluntary Public Interest & Pro Bono Pre-Orientation program that is unique to GW. This year was different because we had to do it all online. We are normally limited to 90 new students due to space limitations of site visits and classrooms. In the virtual world, we are not and were able to invite all 213 new public interest-oriented students to participate. Beyond that, we normally focus on introducing students to public interest Washington by getting them out into the city. In the virtual world, and because many of these new students were not even in Washington, our focus turned to public interest at GW. We were also able to expand beyond our standard three-day program to over a week, while holding fewer sessions each day. Our programming included: (1) court-watching of a livestream of Cook County IL court proceedings followed by a discussion, (2) a legal ethics discussion, (3) a session on public service at GW Law, including Career Services, Field Placement (Externships) & Pro Bono Program, (4) a session on the unique challenges facing DC Government with Betsy Cavendish, General Counsel to Mayor Muriel Bowser, and Council Member Mary Cheh, and (5)

a session on the public interest work of our clinical faculty. A final item worthy of note is that typically our colleagues are not back early enough to participate in Pre-Orientation, but thanks to the unlimited reach of the virtual world, the 2021 Program also brought in six faculty and four senior staff members. Although we expect the law school to be in person this year, the Pre-Orientation will be hybrid, offering the opportunity to hear from some providers virtually, while visiting others and also engaging in actual community service as well.

The public interest program has two other special programs during the year that give the students unique learning and service opportunities, but the pandemic forced cancellation of both of them although we are planning to re-open them this coming year. The first is called the Gulf Recovery Program, which was started in the wake of Hurricane Katrina in New Orleans but has now morphed into a week-long effort in which 24 students are exposed to the special problems of obtaining access to justice in New Orleans. The other highlight of this program for many is the opportunity to meet with Federal District Judge Mary Ann Lemmon, who always invites a guest who is involved in an important aspect of the justice system in New Orleans. In 2019, it was the curator at the Free People of Color Museum to talk about the history of slavery and freedom in New Orleans.

The other major public interest event outside of Washington is at spring break when a dozen or so students have gone to either Tucson, Arizona or El Paso, Texas, where they explore the related problems of border control and immigrants seeking legitimate entry into this country. Activities typically include educational presentations from members of the local immigrant community, activists, and government officials, a trip into Mexico to better understand non-American perspectives of border issues, a day at federal and immigration court to observe proceedings and speak with attorneys and judges, volunteering opportunities to cook meals for

refugees, and a visit to shelters to speak directly with individuals released from ICE custody. The photo below was taken of the group at a 2019 visit to a library in Juarez:



There was no Alternative Pro Bono Spring Break here in Washington this year for two reasons. First, GW's Spring Break was earlier than other local law schools so that we could not partner on projects, which is key to this program's success. More significantly, that was when COVID was hitting and providers shut down even for the other law schools with later, overlapping breaks. As such, no local law school was able to offer a traditional Alternative Spring Break.

Instead, four local law schools (AU, GULC, GW and Howard) joined forces to create a shared virtual pro training week during the first week of February so that students from all four schools could start started volunteering early in the semester. One session on a different area of

law was offered per day, with providers from the Workers' Rights Clinic, Christian Legal Aid, the CAIR Coalition, the Washington Legal Clinic for the Homeless, and the Veterans Consortium. The program was such a success, and the consortium intends to replicate it this fall. A permanent improvement the virtual world has given us is that it is much easier to provide pro bono trainings, because trainers do not have to go to each campus and can also reach a much larger audience (live and recorded).

Jobs

It is no secret that there are fewer law jobs now as compared to ten years ago, but public interest jobs do not seem to have been hit as hard as other areas, perhaps because they were not plentiful to start. Government jobs were holding steady until the Trump hiring freeze, which has now eased somewhat. In the end, about 18% of our 2020 graduating class had federal, state, or local government, or non-profit jobs, not including judicial clerkships. Moreover, our students are in a better position than many, not only because being in Washington makes it easier to learn about openings and move quickly, but also because over five hundred of our students participate annually in externships through the Field Placement Program, which is the largest of its kind at any law school. Participants in the program gain real world experience, for academic credit, in government and non-profit jobs. <https://www.law.gwu.edu/field-placement>. What is even more significant is that, doing a good job at a Field Placement is the best way to land a permanent position there, or at some other place else where a satisfied supervisor is happy to recommend a student. Starting in mid-March 2020, all our placements were remote, including most of both summers, but we expect many will be in person in the fall.

There are three other aspects to the jobs function: (a) informing students about public interest or public service jobs, and why they are worth pursuing; (b) making specific information about specific jobs readily available; and (c) assisting in financing those opportunities and

advising students about federal laws that make accepting such positions after graduation much more financially feasible.

Much of the information dissemination work is done by the Career Center, by David and Rasheen Robinson who have expanded the annual Pro Bono Fair (although it too was online this year). I once again addressed four of the six Inns of Court in a special session on alternative jobs and why students should explore them. Lead by the Career Center, we have also arranged to have speakers to broaden student horizons on the world of public interest law and assist students seeking post-graduate public interest fellowships.

For the past eleven years I have chosen five incoming students who receive the designation Public Interest Scholar, which mainly means that I am their faculty mentor and provide them additional guidance regarding their public interest careers, plus a Supreme Court trip to hear oral arguments without having to stand in line – when the Court holds in person arguments. The five students also receive \$4000 for a summer public interest job after their first year.

On the financing side, the federal loan repayment and loan forgiveness programs are a major help to students who wish to take lower paying jobs, with governments, non-profits, or even law firms that serve middle income clients. The basics are described at: <https://gwlawdean.wordpress.com/2010/10/13/making-public-interest-affordable/>. Over the years there have been various efforts to reduce or eliminate the program, and the Trump budget contained some serious threats to the program, but they did not materialize. The Department of Education is charged with running the loan forgiveness program, but it has done so in what could charitably called an unenthusiastic manner - and not just under the Trump administration. There are several lawsuits against the Department, in which I have provided some assistance. There is some hope

that the Biden administration will at least straighten out the existing program, whether or not broader proposals to cancel student debt or otherwise improve the program are enacted.

The Law School also has a modest Loan Assistance Repayment Program, which is designed to help students who take low paying law-related positions in government service or at public interest organizations with the repayment of their law school debts. In 2019, led by Philip Hawkins, who is the Law School's director of financial aid, we undertook a full review of the program and made significant changes, which have made it more transparent, provided objective criteria for granting assistance, and reduced the amount of discretion to assure that like graduates are treated the same. The temporary halt in repayments of student loans enacted by Congress complicated our program, but we continued to help those who have made payments, even if they could have deferred doing so. Here is how it operates <https://www.law.gwu.edu/sites/g/files/zaxdzs2351/f/downloads/LRAP-Program-Information-2019.pdf>. Now all we need is more funding.

Since I arrived at GW, my long-term goal has been to provide funding so that every student would be guaranteed \$4000 (adjusted upwards for inflation) for a summer job in a non-profit organization or a government agency. We have a very modest program now that, together with the funding from the student run Equal Justice Foundation, provides for stipends or tuition remissions for about 80 students a year. I continue to work with Development to bring in additional sponsors for summer grants, and we have added almost ten in recent years.

Several years ago, I located a fund that was originally about \$1.2 million, which is available for loans to GW law students. The will establishing the fund limits the amount that can be loaned to the accumulated income (now around \$300,000), and we have used some of that to make loans to students who do not have paying summer jobs and who cannot take out federal loans unless

they are taking courses (for which they would have to pay tuition). With the help of the financial aid office, the University has now transformed the program into one providing low interest longer term loans that can be used by students for summer expenses as well as bar review courses, provided they talk out the loan while they are still students.

Pro Bono

In a city in which there are so many individuals in need of legal services, it should not be difficult to find ways for law students to bridge some of that gap. But it is not easy. Most existing organizations are not set up to take in volunteers for a variety of reasons, some understandable – no space and lack of a specific commitment of significant time – and others less so (it means changing the way things have always been done). Then there is the concern, largely over-stated, that law students might be providing assistance in a way that could be construed as giving legal advice. As a result, while some of our students volunteer at existing organizations (mainly doing intake work), we have built our pro bono program on new ideas and new approaches, as the projects discussed below illustrate.

There are three other ingredients, at least two of which are essential for every successful pro bono project: a committed partner organization, enthusiastic students, and well-thought-out logistics. The best ideas for projects will go nowhere unless there are willing partners and students who want to carry the ball and bring along others who are not ready for leadership roles. In some cases, such as our original domestic violence assistance project, the idea came from a student, and our role was to make it happen by opening doors and solving problems, which we did until some local court officials thought we were doing too much, even though there were never complaints about the quality of what our students did. In others, such as the probate court project, the idea came from outside the law school, and it succeeded because of stronger support from the Probate

Division of the Superior Court. No matter what the source, the idea can bear fruit only if there are individuals who want to see that the project actually gets done and who can help solve any logistics problems. And on the logistics side, the surest way to kill a project is to have either students or the individuals they are hoping to serve sit around without the other essential component. This past year, the pandemic added another barrier to creating new programs and continuing existing ones, but we managed to make progress, nonetheless.

Perhaps our most successful and innovative project was the Mid-Atlantic Innocence Project (MAIP), which is a separate organization that was here at GW for 10 years under a unique arrangement that we have tried, but unable to replicate with other groups. For several reasons, MAIP moved from GW space in the fall of 2020. Coupled with the pandemic, we were only able to have a scaled down version of the prior program this year, but we expect to be able to resume doing most of what we did in the past. In one part of the program, our students volunteer to assist MAIP in screening cases in which convicted inmates seek to establish their innocence, in order to decide whether MAIP should investigate it further. That part of our work consists of three rounds of case screenings annually (only one large round in 2021 because of Covid) under the supervision of two volunteer attorneys, Jay Hulme of Arent Fox, and Peter Kolker of Zuckerman, Spaeder. After students prepare their memos, we meet as a group (I can't resist being part of the discussion) to recommend which cases MAIP should accept. This year we had 76 student-screenerers and that was in just one semester because of Covid & MAIP's move. In addition, GW students regularly do their field placements at MAIP and some work there each summer.

Here are descriptions of some of other projects that we have underway, most of which operated remotely since early March 2020 or stopped operating at all because of Covid19:

- This was the eighth year for our project in the Family Law Division of the Superior Court working in its Self-Help Center. The issues that come to the Center involve far more complicated questions than how to fill out the initial complaint. Most users of the Center have no lawyer and are referred by the judge who is handling the case. The Center is staffed by experienced paralegals, supplemented by volunteer family law practitioners. Caroline Rogus, a lawyer with domestic relations experience who had been a fellow with our clinics and now teaches Family Law here, has been with us from the start and will be with us again next year to supervise our students. After a group training session, the students work in pairs on a regular schedule at the Self-Help Center where they provide information and other assistance to the unrepresented parties. Most of the students either are taking or have taken family law, and this provides them with a great opportunity to combine classroom and practical learning.
- For six years, our students worked on a project at the federal bankruptcy court in Washington that helps individuals file their own bankruptcy petitions. Because the court was closed due to Covid, the project did not operate this year. When it reopens, lawyers who are either bankruptcy practitioners or who receive training in the basics of individual bankruptcies will work with our students to assist these individuals who would have real difficulties filing without this help. The lawyer who runs the program, GW Law alum Jeff Sherman, provides training for our students and then supervises them as they assist pro se filers. The program is open to students who either are taking or have taken one of the bankruptcy courses, and so, like the Self-Help program at the Family Law Division, our students learn practical skills, integrate them in the courses they are taking, and have something extra on their resumes when they seek a job.

- The Washington Legal Clinic for the Homeless (WLCH) provides virtual outreach to families who have no safe place to sleep at night and who are seeking emergency shelter. Law students, working with volunteer lawyers, speak one-on-one with families, informing them of their legal right to shelter during hypothermic conditions and to appeal any denial of shelter.
- Every other Friday, the Veterans Consortium, the Neighborhood Legal Services Program, and the DC VA Medical Center partner with law students and local corporate legal departments to virtually staff The Veterans Pro Bono Legal Clinic. Volunteer attorneys and law students interview veterans and triage cases on a broad spectrum of issues.
- For several years, we had a successful program that helped U.S. students and staff at GW in the preparation of federal and local income taxes. Like several of our other pro bono programs, this one integrates classroom learning with real world problems, thereby increasing the value of the experience to both students and those they help. After a year in which the student who had agreed to run the program, which meant recruiting students, training them, and doing all the scheduling, backed out in December, we joined forces with the GW Business School in 2019 and revived and grew the program. And to make matters even better, they have undertaken all the logistics and in exchange we provide space and equipment for training and eager student volunteers. However, because of Covid, this project did not operate in 2020-21, but we expect our alliance with the Business School will bring it back even stronger in 2022.
- The pandemic made matters more difficult at many turns, significantly closing DC Superior Court placing our Landlord-Tenant and Probate Pro Bono Projects on hiatus. That said, in the midst of these challenges, we were able to help create a new Social

Security Pro Bono Project. Because applications can be done on-line, this proved to be an excellent area of growth when everyone from those in need of assistance to those providing the help were all working virtually.

- Finally, we are exploring ways to involve our alumni (mainly in small firms) in pro bono work, by making students available to assist them. Our successful efforts to persuade the Department of Labor to allow students to volunteer for pro bono work at for profit firms makes this possible, but the challenge remains to connect up the student, the lawyer, and the pro bono project.

Conclusion

Our new Dean, Dayna Bowen Matthew, has stated that one of her priorities is to increase the funding and scope of all aspects of the public interest and pro bono program. As part of her overall strategic planning process, the program, working with the clinics, field placement, and the career center have prepared a far-reaching visioning statement that informs the Dean of the goals and needs of the program. We are very excited that this will enable to program to go a new level, and we are eager to make it happen. We have made considerable strides in the past twelve years, but there is a long way to go in providing more opportunities for our students and in augmenting services to our community. We look forward to continuing to explore new ways to achieve our goals and to make George Washington known as the “public interest law school.”

Alan B. Morrison