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Once again, the Public Interest & Pro Bono Program set a new school record for pro bono with 109,945 hours. That is an increase of 60% over last year's mark of 68,369 hours (which doubled the prior year's total). The 280 students who qualified for pro bono recognition – 75 more than any prior year - logged an average of about 392 hours per student. To put that average in perspective, New York requires only 50 hours of pro bono work for admission, and it counts hours for which the student receives academic credit and paid work for non-profits, which we do not. Our percentage increases will probably not continue at this rate, but we hope to continue to set new records each year as we bring on more opportunities for more students, earlier in their time at GW. Photos from the reception at which we honored the students can be found at <https://gwlaw.smugmug.com/20162017-Events/May-12-Pro-Bono-Recognition/>.

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, the Career Center, generally, and Tamara Devieux-Adams and Lauren Seffel in particular, do most of the day to day work; on the pro bono front, David Johnson, the assistant dean for pro bono, is responsible for much of what we do, indispensably aided by Kristen Pallmeyer.

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

As it has done for the previous six years, the 2016-17 public interest program began with 90 incoming students arriving three days early for a voluntary Public Interest & Pro Bono Pre-Orientation program that is unique to GW. All students had an opportunity to go to Superior Court – our local trial court – first to hear from judges and law clerks, and then to visit the various courtrooms where proceedings were taking place, including criminal, civil, landlord-tenant, family law, and small claims. They also met with administrative law judges to learn about the many different kinds of issues that are handled in the District in proceedings outside the regular court system. This year everyone was able to meet with representatives of the Council of the District of Columbia (to learn about our bizarre system of government and our relations with Congress) as well as an alumnae judge at the DC Court of Appeals. In addition, small groups went to two of the following sites: the Arlington County Chief Public Defender and the Commonwealth's Attorney, Office of the Chief Medical Examiner (city morgue), a medical marijuana dispensary, Arlington County Detention Facility, the Correctional Treatment Facility, Human Rights Campaign, and/or the Court Services and Offender Supervision Agency (probation office).

On the third day we had community service work painting benches on the Mall as well as a Poverty Simulation. The three days also provided for a bonding experience for students with similar interests, as well as the chance to meet faculty and administrators on an informal basis and interact with upper-class students who led the groups. Here is the group photo at the end of community service:



The public interest program has two other special programs during the year that give the students unique learning and service opportunities. 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 30 students are exposed to the special problems of obtaining access to justice in New Orleans. As part of the experience, the students assist a variety of legal service organizations and perform other types of community service. The highlight of the trip for many is the annual opportunity to meet with Federal District Judge Mary Ann Lemmon (group picture below), who always invites a guest who is involved in an important aspect of the justice system in New Orleans.



The other major public interest event outside of Washington is the immigration related alternative spring break, in which a dozen students or so 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. The program also includes a cross-border trip, meetings with government officials, and working with legal services providers and others.

Additionally, this year, four DC law schools (American, Catholic, Georgetown, & GW) joined forces to create an alternative local spring break. The benefit of the schools working together was that each school contributed a few projects creating a large number for all students to share. The CUA & GW students worked together the first week, while AU & GULC had access to the projects in week two. Together, the four school were able to generate short-term pro bono projects at the following placements:

1. Capital Area Immigrants' Rights (CAIR) Coalition
2. Christian Legal Aid of DC
3. Hogar Immigrant Services
4. Legal Services of Northern Virginia (Fairfax Office)
5. Mid-Atlantic Innocence Project
6. Mothers' Outreach Network

7. Neighborhood Legal Services Program
8. Public Defender Service for the District of Columbia
9. Reporters Committee for Freedom of the Press
10. Veterans Consortium Pro Bono Program
11. Washington Legal Clinic for the Homeless

Finally, this year was the first full year for the student-run Public Interest Law Forum. For a number of years, students discussed the idea of public interest law journal, but for financial and other reasons, we decided to do it on line, at least initially. Articles range from 1500 to 5000 words and can be on any issue of public policy with a law related aspect. There are many fewer footnotes in most articles, and style questions are largely left to the authors. A small student board selects and edits the articles, all of which I read for purposes of overall quality control and in a few instances to make big picture suggestions for changes. The most recent issue can be found at <https://publicinterestlawforum.com/spring-2017/>. To conform to a new law school policy, the publication will be re-named the Public Interest Law Brief, but with little else changed.

Jobs

It is no secret that there are fewer law jobs now as compared to nine 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 a quarter of our 2016 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 500 students annually participate in externships through the Field Placement Program, in which they 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.

There are three other aspects to the jobs function: (a) informing students about public interest or public service jobs generally; (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 Tamara, Lauren, and others in the Career Center, with David expanding the annual Pro Bono Fair during National Pro Bono Week. I once again addressed each of the six Inns of Court in a special session on alternative jobs and why they are worth considering. We have also arranged to bring in speakers to broaden student horizons on the world of public interest law and assist students seeking post-graduate public interest fellowships. For the past six 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 in following public interest careers, plus a Supreme Court trip to hear oral arguments without having to stand in line. 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 contains some serious threats to the program on which we and others will keep an eye.

In June of 2015 we finalized a new program – the Innovation and Internet Advocacy Initiative – which is being funded in large part by \$1 million grant over five years from an anonymous donor. It has three components, all designed to develop a new generation of public interest advocates, initially in the field of telecommunications. One part is an advocacy training course taught by experienced lawyers, focusing on current issues in the telecom field. Several students from that course are now in externships during the summer at Public Knowledge, a telecom advocacy group for listeners and users of telecom services. The grant will pay a \$4000 stipend for four students for a total of five summers for jobs at Public Knowledge. Finally, the grant enables us to have two GW Law post-graduate fellows, chosen in three cycles, who will have two years of paid advocacy training and experience at Public Knowledge as a start to their careers. The program also sponsored a major one day conference on the legal issues surrounding the efforts to bring driverless cars to a reality, and the program, including a full video, is available at <https://www.law.gwu.edu/driverless-cars-legal-landscape>.

Since I arrived at GW, my long term goal has been to provide funding so that every student would be guaranteed \$4000 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. In the past two years I brought in from a generous alum and his law firm grants of \$4000 summer stipends for five students per year for five years at the Mid-Atlantic Innocence Project (MAIP), which is housed here at GW. Its work is discussed below. This year we are

also adding similar grants for up to three students to work on the protection of First Amendment rights.

Finally, I located a \$1.2 million fund that 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 about \$ 178,000), but even that would be very useful for students who do not having paying summer jobs and who cannot take out federal loans unless they are taking courses (for which they would have to pay tuition). We were able to make some of the money available this summer, but we are hoping to expand that next year and are exploring whether we can obtain court approval to allow us to make loans from the principal or to make grants not just loans to our students who do not have paying jobs.

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 the 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 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 the domestic violence assistance project, the idea came from a student, and our role was to make it happen by opening doors and solving problems. In others, such as the cancer project, the idea came from outside the law school, but whatever the source, the idea can bear fruit only if there is a student who sees that it actually gets done and who can help solve any logistics problems. 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. We have also learned that even our best pro bono projects require continuing vigilance as personnel at the placements change, and with them, come changes in policies, not all of which are favorable to pro bono.

Perhaps our most successful and innovative project involves the Mid-Atlantic Innocence Project (MAIP), which is a separate organization that is now here at GW under a unique arrangement that may become a model for working closely with other non-profit groups. For seven years our students had been volunteering to assist MAIP in screening cases in which a convicted inmate seeks to establish his innocence, in order to decide whether MAIP should investigate it further. That part of our work continues with three rounds of case screenings 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 86 student-screenerers (some of whom volunteered more than once).

In addition, four years ago, we created a special partnership under which GW provides office space, some equipment, and a modest payment, in exchange for which MAIP agreed to bring in up to ten students each semester and in the summer as part of our outside placement

program. The novel aspect of this project is that it assures us of a large contingent of placements at one organization, close to the law school, with which we have a special working relationship. The students enroll under the field placement program, although in some ways their experience is similar to that in some clinics. The major advantage for the law school is flexibility: the attorneys who supervise the student placements are MAIP, not GW employees, and our original agreement with MAIP was for a three year term, which we renewed in 2016. One indication of the popularity of working at MAIP is that 38 students in this year's graduating class recorded 2780 volunteer hours (60 % more than last year's class), which does not include the externship hours for which they received course credit.

Here are descriptions of some of other projects that we have underway:

- This was the fourth 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 do not have without lawyers and are referred by the judge who is handling their 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 has been with us from the start, will return 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. We have also been able to have some of the students assist Caroline in mediations in family law cases, and we hope to expand our work to provide

assistance in paternity and child support cases to litigants (mainly fathers) many of whom have little understanding of the process and often cannot afford to pay the money that they may owe.

- In one sense the Self-Help Center project grew out of another project in the Domestic Violence Division. Through the persistence of a second year student who worked in domestic violence during the summer of 2010 in New York, we established a relationship with the head of the domestic violence intake unit at the Superior Court, who understands that his job is to help as many people as possible and who appreciates how law students can advance that goal. For several years, our students assisted individuals who are involved in domestic violence matters to understand what is required and help them prepare their papers, but not represent them in court. This year, despite the fact that we have received nothing but good news from both court personnel and the judges who hear these cases, a judge who controlled that section has concluded that our students should not continue with this work. We are now trying to reverse that position by appealing to other judges who now oversee that section and appear more willing to test new ideas.
- In the District of Columbia, many disputes, both with the District Government and among private parties, are decided through administrative courts, which are centralized in the Office of Administrative Hearings (OAH). This pro bono project utilizes more students than any other project, offering front line help to individuals who either want to bring a case or are a defendant. During the academic year, we have been supplying law students four days a week while classes are in session, with somewhat smaller numbers in the summer and during vacations. This work provides students with a significant

insight into the administrative process and also makes it possible for many people to be more effective in representing themselves. We had another setback here as well that has put what we hope is a temporary halt to this program, and we plan to see if there ways to revive it.

- For the three years, our students have worked on a project at the local federal bankruptcy court that helps individuals file their own bankruptcy petitions. Lawyers who are either bankruptcy practitioners or who receive training in the basics of individual bankruptcies serve as volunteers, and our students assist them, thereby increasing the number of individuals who can be helped. 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.
- In 2012, at the request of the cancer center at the GW Hospital, we began providing assistance to patients who have legal as well as medical needs, in areas such as wills and advance directives, employment, social security disability payments, and medical insurance. In recent years, as a result of a changeover in leadership on the medical side, the essential ingredient of an enthusiastic partner has been lost, which slowed us down and made it harder to forge new areas, although we have recently had an upsurge in usage of the program. We continue to believe that this program has great potential, and so we

will try to disseminate information about it more widely and try to make better use of the staff at the cancer center.

- We continue to work with the Washington Legal Clinic for the Homeless to provide law student assistance to their lawyer volunteers who staff their intake programs, in order to expand the number of people who can be served. Every semester we supply ten students, which is the maximum number that the program can use. In addition, when the temperature goes below 32 degrees, students go out in teams to advise the homeless of their rights to shelter, instead of waiting for them to find a place to stay.
- We have continued a modest project with a large patent firm here in DC that has been providing assistance on a pro bono basis to veterans who have been denied disability benefits and are appealing those decisions. Our students work with firm lawyers to write the briefs on appeal for veterans who would otherwise be unrepresented. In addition, after several unsuccessful attempts to find a way to partner with veterans groups, we have found a veterans' group that coordinated five of our students helping attorneys who are representing veterans in appeals to the Court of Veterans Appeal. Finally, we are working with a group that helps homeless veterans with all of the problems, including legal, and we hope to be able to set up a modest assistance program, similar to what we do for other projects, to provide supervised assistance to veterans with legal needs.
- In 2015, we were able to rejuvenate our program that provides assistance to U.S. students and staff at GW in the preparation of federal and local income taxes. This year we had 10 active volunteers who provided assistance to 58 individuals. We think that the market for this service is not fully tapped, and now that we have the system down,

we expect to be able to make our services better known. Again, like several of our other pro bono programs, this one integrates class room learning with real world problems, thereby increasing the value of the experience to both.

- 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

The Public Interest & Pro Bono Program has made considerable strides in the past eight 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