

July 2019

ANNUAL REPORT 2019

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The graduating class of 2019 had another banner year for its pro bono efforts. The 223 students in the graduating class who volunteered for 50 or more pro bono hours, amassed a total of 81,362.77 hours, or an average of almost 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 requires only 50 hours of pro bono work for admission, and it counts hours for which the student receives academic credit or are paid for work at non-profits. This year's totals were lower than the previous two years, but still the third largest ever. And it is almost 13 times 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. Photos from the reception at which we honored the students can be found at <https://gwlaw.smugmug.com/2018-2019-Events/GW-Law-Commencement-2019/2019-Pro-Bono-Recognition-Ceremony/>.

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, Lauren Seffel and Matt Orlins did 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.

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. This year, at the urging of Laurie Kohn, the co-director of the clinics, we prepared a short summary explaining how the three parts fit together

<https://my.law.gwu.edu/Departments/Clinics/deptContentManagement/Manage%20Department%20Documents/RELATION%20AMONG%20CLINICS%20-%20Final.pdf>.

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

As it has done for the previous eight years, the 2018-19 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). Small groups also went to the Arlington County Detention Facility and a medical marijuana dispensary, and others heard from the Arlington County Chief Public Defender and the Arlington County Commonwealth’s Attorney. We also arranged for sessions with the Human Rights Campaign where students learned about the increasingly important and quite complex world in which clients are transitioning their public gender identifications.

On the third day we had community service work painting benches on the Mall. On the third afternoon, the Washington Council for Lawyers hosted a poverty simulation program

designed to give students insights into the special problems encountered by lawyers serving low income individuals. 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 approximately 30 students are exposed to the special problems of obtaining access to justice in New Orleans. As part of the experience, the students

this year assisted seven different legal service organizations and many arrived early to work over the weekend for Habitat for Humanity (group picture below).



The other annual event and 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, which this year was a discussion of *Plessy v Ferguson*, which arose not far from there, with a descendent of Homer Ferguson.

The other major public interest event outside of Washington is the immigration related alternative spring break, in which a dozen or so students have gone to either Tucson, Arizona or El Paso, Texas (this year), where they explore the related problems of border control and immigrants seeking legitimate entry into this country. Activities included educational lectures from members of the El Paso immigrant community, activists, and government officials, a trip into Juarez to better understand non-American perspectives of border issues, a day at the El Paso courthouse to observe proceedings and speak with attorneys and a judge, an interactive conversation with US border officials.

Back here in Washington, for the third year in a row, we joined with three other local DC law schools (American, Catholic & Georgetown) to create an alternative spring break. The benefit of the schools working together is that each contributed a few projects, creating more opportunities for all students to share. This year GW students had four placements:

1. Capital Area Immigrants' Rights (CAIR) Coalition,
2. Civil Protection Order Project,
3. Landlord-Tenant Resource Center, and the
4. Washington Legal Clinic for the Homeless.

Not all good ideas work out. For several years, students asked to set up a public interest journal of some kind, but interest was always uneven. We finally established a modest on line version that lasted for several years, but unfortunately student interest has faded to the point where we have shut it down.

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 21% of our most recent 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 three hundred of our students participate annually 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, 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 has expanded the annual Pro Bono Fair, and by sponsoring other activities 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 students should explore them. 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 eight 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. 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. Recent amendments have made the program even more attractive. 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.

Since well before I arrived in 2009, the Law School has had 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. This past year, behind the driving force of 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 will make it more transparent, set objective criteria for granting assistance, and reduce the amount of discretion to assure that like graduates are treated the same. Doing this caused some delays this year, and we may still have some details to tweak, but the program is now positioned to run more efficiently and fairly, to the benefit of all.

<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 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. Last year we added similar grants for up to three students to work on the protection of First Amendment rights, and this year, working with our development office we have secured a half million dollar grant to endow six or more summer fellowships.

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 a few 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). Practical considerations and limitations on making longer term loans to students have limited the use of these funds. The time has come to explore with the University whether we can obtain court approval to allow us 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 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 cancer project, the idea came from outside the law school, but its use fell rapidly when the person who brought us the idea, left for another job, and no one stepped up to push the idea. 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.

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 nine years our students have 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 71 student-screenerers (some of whom volunteered more than once).

In addition, six 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. (because MAIP has moved into our clinic offices, with less space, there may be somewhat fewer students in the future). The novel aspect of this project is that it assures us of a large contingent of placements at one organization, 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. One indication of the popularity of working at MAIP is that this year's graduating class alone recorded 990.75 volunteer hours, 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 sixth 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 are those without lawyers who 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, has completed her sixth year 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. We hope to be able to have some of the students assist Caroline in mediations in family law cases and 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.

- For the past five years, our students have worked on a project at the federal bankruptcy court in Washington 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.
- The Washington Legal Clinic for the Homeless (WLCH) provides outreach at the Virginia Williams Family Resource Center (FRC) 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.

- The D.C. Bar Pro Bono Center created a pro bono project to provide law students with the opportunity to play an important role at Landlord and Tenant Court. Law students staff the Landlord Tenant Resource Center, work with customers to identify their legal issue(s), and relay relevant information to the attorney providing services to the customer.
- Every Friday at DC VA Medical Center, the Veterans Consortium, the Neighborhood Legal Services Program, and the DC VA Medical Center partner with law students and local corporate legal departments to staff The Veterans Pro Bono Legal Clinic. Volunteer attorneys and law students interview veterans and triage cases on a broad spectrum of issues.
- DC Residents who fear for their safety from someone who lives with them can petition the court for a Civil Protection Order (CPO). There are a variety of legal service providers to assist petitioners, but virtually nothing existed until recently to assist those against whom CPO's are being sought (respondents). GW law students are now providing assistance to experienced litigators from D.C. Law Students in Court. Students will develop their client interviewing, issue spotting, client counseling, investigation, negotiation, legal research, and legal drafting skills. In many domestic violence situations, it is unclear who is at fault, and so there this is often a race to the courthouse with no real distinction between petitioner and respondent except for who files first.

- For several years, we had a successful program that provides assistance to 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 class room learning with real world problems, thereby increasing the value of the experience to both. 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 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.
- This past spring we began a special pro bono project in which a dozen first year students and I met with the head of an organization that help individuals returning from prison re-enter society (and two of his members) to discuss legislation pending in the District of Columbia's Council that will enable certain arrest and conviction records to be expunged. As a result of the meeting we decided to focus on automatic sealing of arrest records where there was no further proceeding, and we drafted comments, which we will follow up when the Council takes up the legislation in September.
- This fall we will be starting a new program at the Superior Court Probate Division where our students (mainly those taking trusts & estates) will help DC residents who need help in working through the probate process for deceased family members. The impetus for this program came from the judges themselves, and their support, plus brand new facilities, computers, and backup staff of lawyers and trained paralegals, should make this a useful program for the many individuals who cannot afford a lawyer and need help navigating the process. As we move ahead, we may also move into the field

of guardianship under which our students will help individuals who believe that a family member may need help in understanding what the system does and how to take the first steps in securing a guardian. In addition, two of the GW clinics will be taking on some of the more complex probate and perhaps guardianship cases, which will be a natural progression for students who do pro bono work in the Probate Division.

- 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 ten 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