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PROSPECTUS

**The Center for
Legal and Social Justice
of
St. Mary's University
School of Law**

Executive Summary

St. Mary's University School of Law seeks to establish a *Center for Legal and Social Justice* at the Our Lady of the Pillar Marianist Retreat Center in San Antonio, Texas. The Marianist Sisters, who own the 28,000-square-foot building, no longer can sustain the retreat house and must sell the five-acre property by the end of this year. The *Justice Center* will serve a number of purposes, not the least of which will be to provide a concrete and visible symbol of the commitment of St. Mary's University and its School of Law to social justice and community service.

The *Justice Center* will serve as the permanent headquarters for the Law School's existing clinical programs, which provide students with the opportunity to gain important legal skills while providing urgently needed services to the homeless, the elderly, battered women, indigent children, death-row inmates, refugees, and immigrants in Bexar County and surrounding areas. According to the State Bar of Texas, about 94 percent of the civil needs of the poor in Texas are unmet. During the past five years, law students at St. Mary's have handled more than a thousand cases addressing the myriad legal

needs of low-income persons in the region. The *Justice Center* also will serve as the San Antonio headquarters for the new Community Economic Development Clinic, which will engage law students in capacity-building economic development activities in San Antonio and the *colonias* of South Texas, and for the new Criminal Justice Institute, which nationally renowned litigator and legal scholar Michael E. Tigar is helping the Law School to establish.

The *Justice Center* will provide office space and a student-resource area for the Law School's Pro Bono Coordinator, who will join the staff in 1995-96. It also will serve as a clearinghouse for the community-service activities that are now under consideration by the faculty Pro Bono Committee. In addition, a private four-bedroom apartment in the building will enable us to offer accommodations, at no charge, to members of religious communities who attend St. Mary's University School of Law.

We also envision offering office space to organizations like Partnership for Hope, whose work complements that of our clinical faculty and students. Our goal is to create at the *St. Mary's Center for Legal and Social Justice* a synergistic environment which students, faculty, and activists alike will find motivating and supportive -- and which will be dedicated to addressing the legal needs of low-income people in San Antonio and South Texas.

Background

In 1990, St. Mary's University School of Law opened its first clinical program, providing students with an opportunity to obtain hands-on practice in the law while offering needed legal services to the indigent of San Antonio. St. Mary's now offers three clinical programs -- in Civil Justice, Criminal Justice, and Immigration and Human Rights -- which engage students in the representation of homeless families, battered women, children, the elderly, death-row inmates, refugees, and immigrants.

The clinics serve an important pedagogical purpose in legal education *and* give life to a fundamental mission of St. Mary's University: service to others. Since the inception of the clinics, student-lawyers have provided legal counsel to more than a thousand clients who otherwise might not have received legal counsel. According to the State Bar of Texas, about 94 percent of the civil legal needs of the poor in Texas are unmet.

San Antonio and the surrounding region is one of the poorest sections of the nation. It is the second poorest big city in the country. Nearly a quarter of the population lives in poverty, nearly 9,000 San

Antonians are homeless, and approximately 85,000 households are at great risk of homelessness due to their very low incomes or to their substandard or overcrowded living conditions. These low-income people, most of whom are members of racial minority groups, comprise the client base of the St. Mary's clinics.

The Civil Justice Clinic engages students in the representation of low-income and homeless clients in the areas of family law, public benefits, landlord-tenant disputes, and wills and probate. The Criminal Justice Clinic provides legal services to indigents of all ages who are charged with crimes ranging from misdemeanors to capital offenses. The Immigration and Human Rights Clinic engages students in the representation of indigent foreign nationals in a variety of immigration cases and in the advocacy of human rights. Students also work on cases involving INS abuses, detention center problems, and human rights issues, especially as they affect residents along the U.S.-Mexico border.

While the experiences of the student-lawyers vary, some of our students have successfully represented a client in a social security case before the United States Court of Appeals for the Fifth Circuit, and others have just won an important case in the Texas Court of Criminal Appeals, the highest criminal court in Texas. By all

accounts, these experiences are “firsts” for students at Texas law schools. The new Human Rights component of the Immigration and Human Rights Clinic is planning efforts that eventually should lead to law-student advocacy before the Inter-American Commission for Human Rights -- an opportunity that would be a “first” for students at *any* U.S. law school.

At present, the St. Mary’s clinics are housed in a number of locations throughout San Antonio. One of the goals of the present administration of the School of Law is to bring the clinics at St. Mary’s under one roof, near the campus, so that the students who work in them can fashion holistic responses to the diverse needs of their clients. Many clients have a number of problems, ranging from a lack of adequate housing to a lack of job training, that must be addressed before they can become productive members of society. The Our Lady of the Pillar Marianist Retreat Center offers an ideal location for the provision of an array of legal and social services.

A New Clinic

St. Mary’s recently received word from the Legal Services Corporation that it has been awarded a new grant to establish a fourth clinic, in Community Economic

Development, at the School of Law. This Clinic will engage law students in capacity-building economic development activities in San Antonio and the *colonias* of South Texas. Students will work with residents in both areas to establish community development corporations that will address housing, health-care, child-care, business development, and similar economic needs. Students also will examine the provisions of the North American Free Trade Agreement (NAFTA) and work with the North American Development Bank (NADBank) to determine what new resources might be available for the economic development of the region, and will take the steps necessary to secure such resources.

The long-term success and viability of this clinical program depends upon establishing a permanent base of operations in the border region. Thanks to a potential donor’s deep interest in the project, the prospects for establishing a St. Mary’s Clinical Center in Laredo are excellent. The donor hopes to build in the *colonias* a community center which will offer facilities to the Law School and also to a number of other organizations which assist *colonia* residents. The center will include a health clinic, classrooms, and athletic facilities for area children.

In some significant ways, the

plans for the Laredo complex model what St. Mary's hopes to create in its *Center for Legal and Social Justice*.

Criminal Justice Institute

In the fall of 1995, Michael E. Tigar, nationally renowned criminal defense scholar, lawyer, and professor (University of Texas School of Law) will come to St. Mary's to help launch the new St. Mary's Criminal Justice Institute. As Director of the Founders' Committee for the new Institute, Professor Tigar will help to establish programs which advance the dual aims of the Institute: 1) to establish an academic think-tank for the scholarly

analysis of the U.S. criminal justice system, and 2) to provide clinical outlets for the study and practice of criminal law. Through the integration of theory and practice, the Institute will strive to develop comprehensive approaches to making our criminal justice system more just. The Institute's programs will include the Criminal Justice Clinic, a scholars-in-residence program, a law journal, a sentencing project, a North American Comparative Criminal Law Program, and an LL.M. program in Criminal Clinical Education. The Institute will be housed at the *Center for Legal and Social Justice*.

The Justice Center

The presence at St. Mary's University School of Law of a building dedicated to activities that advance the cause of justice will speak to the school's *raison d'être*. The building will be a brick-and-mortar symbol of the University's commitment to social justice.

Establishing the *St. Mary's Legal and Social Justice Center* also will ensure that the Law School's clinical programs will become "institutionalized," and that the Law School's emphasis on community service will become a permanent and distinguishing part of its national identity.

The *Justice Center* will enable the School of Law to bring all of its clinics under one roof. Although the clinicians will maintain one office downtown and continue to conduct outreach efforts in the homeless shelters, the four clinics will be joined by a common location, with offices for all faculty members, supervising attorneys, staff, and students.

As noted earlier, this centralization of the clinical programs will enable the students and clinicians to address more holistically the needs

of their clients and to make more effective use of available resources.

The Pillar Retreat Center provides an ideal location for the *Justice Center*. The building is in excellent condition and is ideally suited to meet the needs of the clinics. It is on a well-trafficked road, is easily accessible via public transportation, and is within a half mile of the Law School campus. It is spacious enough to provide offices for more than 100 students, clinical faculty, supervising attorneys, and staff, and it has its own parking lot. The building has six large meeting/conference rooms, which are equipped for classroom instruction, as well as a waiting room for clients, kitchen and dining facilities, storage areas, and dormitory rooms, which could be converted into additional offices.

The Marianist Sisters are asking \$1.5 million for the building and the five acres on which it sits. It will cost approximately that much again to wire the building with computer cabling, renovate it to suit the needs of the clinics, bring it up to code, and outfit it with desks, computers, and other essential equipment.

The Sisters very much hope that St. Mary's University School of Law will be able to buy the property

because they strongly support the Law support the LawSchool clinics and the work of our students in behalf of the community, but they need to close the sale by the end of this year. Thus, timing is critical if our vision is to become a reality.

Hospitality for Religious

As a Catholic law school, St. Mary's hopes to continue attracting nuns, brothers, and priests as students. The Pillar has a private suite (with four bedrooms, bathrooms, living room, and kitchen) which we plan to make available, at no charge, to religious who attend St. Mary's. We would like St. Mary's University School of Law to be the legal institution of choice for members of religious communities who feel called to ministries in the law.

A Synergistic Center for Service to Others

We also envision offering space in the *Justice Center* to community organizations whose mission includes structural change and an option for the poor. Creating an environment where such groups can share a common workspace provides an energizing synergy for fulfilling missions, as well as the invaluable benefit of peer support. We envision accommodating the space needs of two or three such organizations or institutions, including

the Marianist Sisters, who may maintain a social-justice office at the *Center*.

A Clearinghouse for Pro Bono Activities

The *Justice Center* also will house the office of the new Pro Bono Coordinator, whom we plan to hire half-time during the next academic year. This person will be responsible for advising students who are interested in obtaining summer jobs and/or full-time employment in the nonprofit sector, and for promoting public-interest careers among the student body. The Pro Bono Coordinator will establish contacts with nonprofit public-interest groups throughout the United States, and develop and maintain a computer network of public-interest opportunities for student use.

During the past year a Pro Bono Committee, chaired by Clinical Programs Co-Coordinator and Professor Jon C. Dubin, has been exploring the desirability of establishing a community-service requirement for students at St. Mary's University School of Law. The Committee soon will be recommending to the faculty a two-tiered implementation process. The first step will involve undertaking a thorough assessment of the voluntary pro bono activities of students, faculty,

and staff at the School of Law, and increasing the outlets for student pro-bono work. The latter will include expanding available slots in the clinical programs, broadening the service opportunities offered by Campus Ministry, and, through the Pro Bono Coordinator's office, exploring new pro bono opportunities for student lawyers.

The second step, sometime in the near future, will involve creating at the School of Law a pro bono program designed to maximize student participation in pro bono activities.

The *St. Mary's Center for Legal and Social Justice* will be the natural repository for all of the information relating to contacts, ongoing projects, and new opportunities for community-service work.

A Challenging Summer Program

If we are able to establish the *Justice Center* at the Pillar, the Law School will be able to offer, during the summer months, a comprehensive clinical program that will be open to students attending any accredited U.S. law school. The dormitory space at the Pillar can be used to house participants from outside of Texas.

Students will receive basic training at the *Justice Center* in San

Antonio and then, assuming that we are successful in establishing the Laredo Clinical Center, move on to Laredo for intensive work in the *colonias*.

The summer program will provide a powerful and, we hope, formative immersion experience for lawyers-in-training at St. Mary's University and at other law schools throughout the country. It will put the capstone on St. Mary's fast-growing reputation as a national leader in clinical education. And, perhaps most importantly, year after year it will bring a corps of skilled and dedicated men and women to the area to address the needs of people in one of the nation's most desperately impoverished regions.

St. Mary's is no stranger to establishing and running summer programs for law students. This year, the *St. Mary's Institute on World Legal Problems*, which is held in Innsbruck, Austria, marks its tenth anniversary. Each summer, the program attracts more than one hundred students from dozens of U.S. law schools for an intensive six-week program which immerses students in the study of international legal issues. One of the most popular programs offered overseas by U.S. law schools, the *St. Mary's Institute* has attracted a stellar cast of distinguished visiting lecturers, including Chief Justice

William H. Rehnquist, Justice Antonin Scalia, and Justice John Paul Stevens. This summer, Justice Ruth Bader Ginsburg is the guest lecturer.

Although it is hard to beat the allure of the Alps, putting new-found legal skills to work to solve seemingly

intractable problems can be alluring, too. Moreover, the program in Laredo is likely to attract the interest of national scholars and legal educators who may be invited to participate as clinicians-in-residence.

St. Mary's University

St. Mary's University is the oldest Catholic university in the State of Texas. Founded in 1852 by four Brothers of the Society of Mary (Marianists), the University now enrolls more than 4,000 students, including 750 law students. The Rev. John Moder, S.M., Ph.D., is the President of the University.

The School of Law was founded in 1927 by the San Antonio Bar Association. Seven years later, it became part of St. Mary's University. Professor Barbara Bader Aldave, J.D., is the Dean of the School of Law.

St. Mary's seeks to give its students the knowledge and the attributes of mind and character essential to the effective rendition of public service in one of the learned professions. The School of Law seeks to impart to its students a clear understanding of the true function and aim of the legal system -- the attainment of justice.

St. Mary's University School of Law was approved by the American Bar Association in 1948, and admitted to membership in the Association of American Law Schools in 1949.