



ST. MARY'S
UNIVERSITY

Digital Commons at St. Mary's University

The Pillar

School of Law Publications

Spring 2015

The Pillar: Newsletter of the St. Mary's University School of Law Center for Legal and Social Justice

St. Mary's University School of Law

Follow this and additional works at: <https://commons.stmarytx.edu/pillar>



Part of the [Law Commons](#)

Recommended Citation

St. Mary's University School of Law, "The Pillar: Newsletter of the St. Mary's University School of Law Center for Legal and Social Justice" (2015). *The Pillar*. 13.
<https://commons.stmarytx.edu/pillar/13>

This Newsletter is brought to you for free and open access by the School of Law Publications at Digital Commons at St. Mary's University. It has been accepted for inclusion in The Pillar by an authorized administrator of Digital Commons at St. Mary's University. For more information, please contact egoode@stmarytx.edu, sfowler@stmarytx.edu.

CLINICAL PROGRAM INFORMATION SESSION

Put theory into practice. Enroll in clinic courses, and be the attorney of record for clients.

If you are looking for a hands-on client experience as a student attorney, then plan to attend one of the clinical program information sessions to learn more about your on-campus opportunities.

Wednesday, Feb. 4, 2 to 6 p.m.

Thursday, Feb. 5, 10 a.m. to 2 p.m.

Sarita Kenedy East Law Library, Law Alumni Room

BOARD OF EDITORS

Associate Dean for Clinical
Education and Public Interest
Ana Novoa

Clinical Faculty Editor-in-Chief
Anne More Burnham
Criminal Justice Clinic

Clinical Faculty Editors
Genevieve Herbert-Fajardo
Civil Justice Clinic

Lee Teran
*Immigration and Human Rights
Clinic*

Amanda Rivas
Practice Credit Externship Program

Production Editor
Anabel Martinez

Swearing-in Ceremony



Students take the new student oath administered by the Honorable Judge Barbara Hanson Neller-moe

The Annual Swearing-In Ceremony and Reception for the 2014-15 clinic student attorneys was held on September 4, 2014 at the Center for Legal and Social Justice.

Clinical faculty and staff, as well as family members, were present to witness the student attorneys being sworn in by the Honorable Judge Barbara Neller-moe. Judge Neller-moe read the oath for the students to repeat, as they raised their right hand. Among other things, the student attorneys swore to maintain their clients' confidence, to preserve the attorney-client privilege, and advocate zealously on behalf of their clients.

Judge Barbara Neller-moe was elected to the bench in November 2002 and re-elected in 2006, and in 2010. She serves on the Bexar County Juvenile Board and its Facilities Committee, the Children's Court Oversight Committee, the Local Rules Committee, as a judicial liaison to the DRO and the Safe-Haven Advisory Committees, and chairs the Court Reporters Oversight Committee.

Judge Neller-moe is the Editor in Chief of the San Antonio Lawyer magazine and a Belva Lockwood Outstanding Lawyer Award recipient. The Bexar County Women's Bar Association honored her with the SABA President's Award for Outstanding Service to the Bar.

In law school she was chosen Editor in Chief of the St. Mary's Law Journal and has since published a number of scholarly legal articles. Judge Neller-moe is a past chair of the Board of Directors for the College of the State Bar of Texas. She serves on the boards of several community-based organizations which focus on health and education.

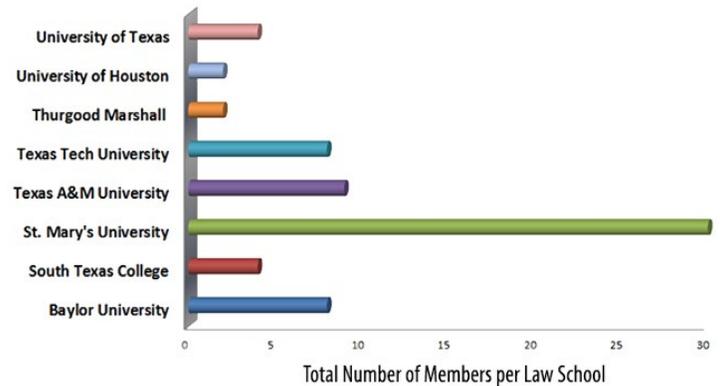
St. Mary's Leads the Way in *Pro Bono* Service

In 2013, The Law Student *Pro Bono* College was founded as a student extension of the State Bar's *Pro Bono* College which recognizes the Texas legal community's contributions in providing legal services to all Texans. To be a member, law students must complete a minimum of 50 hours of eligible *Pro Bono* services within a 12-month period. In 2013-2014, St. Mary's law students recorded 13,394 public service hours as part of the *Pro Bono* Program. Of the organization's sixty-seven founding members, thirty are St. Mary's law students and recent graduates.

St. Mary's University School of Law's *Pro Bono* Program is operated by the Center of Legal and Social Justice. Associate Dean Ana Novoa, Associate Dean for Clinical Education says "that the fact St. Mary's students and recent graduates have been admitted to the Student Pro Bono College in such great numbers is reflective of our students' commitment both to the ideals of the legal profession and to the mission of our Catholic and Marianist law school."



FOUNDING MEMBERS OF THE LAW STUDENT PRO BONO COLLEGE



THE CIVIL JUSTICE CLINIC

A Reflection by: Denise Barlow (J.D. '14)

What happens when your common-law wife dies intestate, and her children do not believe you have any right to her home? My case partner and I were assigned to a declaration of heirship case for a man who had been living in and paying for the home he and his wife shared before her death nearly 10 years ago. The case was a real-life example of how to prove common-law marriage, and how to deal with legal limbo when a spouse dies without a will.

The heirship application was filed last year, so we started the case in the middle of discovery. We provided answers to the other attorney's discovery requests, filed an annual accounting for the estate, and prepared a motion for an attorney ad litem to represent unknown heirs. Under the supervision of Professor



Civil justice clinic class of 2013-2014 (Author Denise Barlow, Front row, 2nd from left)

Genevieve Fajardo, we represented the client at a contested evidentiary hearing in Bexar County Probate Court during the Spring semester. It was exciting to present our case, with both direct and cross examination of witnesses, and even a few surprise witnesses from the children's side. After hearing all the evidence, the judge agreed with our client, and ruled that he was her common-law husband and heir to her estate.

We were very happy to be able to share the victory with our tearful client, who now has in the property. The client was very grateful to know he could continue to live in his home, and that his wife's adult children could not make him leave. It was a very fulfilling way to complete my year in the Civil Justice Clinic.

THE CIVIL JUSTICE CLINIC

A New Staff Attorney Joins the ProBono Program

By: Greg Zlotnick

Greetings! My name is Greg Zlotnick; I joined the Center for Legal and Social Justice as a staff attorney this semester. After time in both the government and private sectors, I am very excited to return to my public interest roots and work to further social justice within the context of a Catholic university and law school.



Briefly: I am a native of Rochester, New York, who used to spend his snowy winters cross-country skiing. I made my way to Texas after seven years in Washington, DC, where I met my wife, Jillian Duran — a native San Antonian — at Georgetown University. After law school, I joined the U.S. Department of Housing and Urban Development in Fort Worth through the Legal Honors Program. I left government practice in 2013 and moved to San Antonio as my wife and I got married. After time in private practice, I joined CLSJ this August.

As the supervising attorney for the *Pro Bono* Program, I work closely with student leaders on a wide array of community-focused projects. I have been impressed with the passion, compassion, and energy of St. Mary's law students as they develop their skills as they work to promote justice for often-underserved and marginalized people. Through the school's partnership with the San Antonio Bar's Community Justice Program, our law students assist at extremely well-attended programs on family law, wills, and veterans issues. Our law students also work tirelessly on CLSJ-sponsored projects, including the DACA Project and the ID Recovery Program. I am extremely proud to be associated with these efforts, which bring stability, certainty, and dignity to the lives of our immigrant neighbors and our brothers and sisters experiencing homelessness.

Next semester, I look forward to continuing to assist these ongoing projects, as well as join other CLSJ efforts. Planning and promotions for the VITA program are up and running; I look forward to working with a program that results in such tangible assistance for its clients. I am also excited about CLSJ's continued outreach efforts to communities in the Rio Grande Valley. With dramatic changes planned in immigration law, and new leadership in the state house in Austin, our region in particular sits at a dynamic moment for law, policy, and justice. With the strength of its *Pro Bono*, clinical, and experiential programs, CLSJ is well-positioned to aid our community as it navigates these changes. I personally am humbled to be a part of this team as it lives out the mission of this Catholic, Marianist law school each day.

I welcome and invite you to stop by my office, CLSJ 402, or contact me at 210-431-5718 at any time. I am always interested in learning more about the St. Mary's community and its members. And if you ever have any ideas about partnerships, projects, or opportunities for our *Pro Bono* Program, please let me know! I look forward to meeting and working with you all in the months to come.

The Civil Justice Clinic Kudos

- The Civil Justice Clinic represented a client at an appearance before the Texas Board of Nursing for a nursing license reinstatement. The Board decided to recommend that the client's nursing license be reinstated. While the Order with employment stipulations would not arrive until two weeks later, the client was pleased to learn they could eventually return to the true calling of nursing.
- In the past year, the Consumer Protection program prevented foreclosure for three elderly homeowners with reverse mortgages, including an award of attorney fees in one of the cases, and provided legal information about tenant rights to over 1000 public housing applicants.
- Tax Program: The Low Income Tax Clinic Program (LITC) received an Offer in Compromise (OIC/settlement) for a disabled client accepted by the IRS, which resulted in a payment by the client of \$25.00 in satisfaction of all tax liabilities. This settlement represented a savings of \$82,458.51 for the client!

THE CRIMINAL JUSTICE CLINIC



Several members of the Criminal Justice Clinic Class 2013-2014 (from left to right, Brandon Prater, Sarah Sudduth, Professor Stephanie Stevens, Jeff Kennedy, Naomi Howard, Christina Neuman, and Maggy Swyers)

The Criminal Justice Clinic Kudos

- Criminal Justice Clinic students successfully negotiated for the dismissals of two complicated cases before trial. Additionally, students presented and prevailed on substantive motions in criminal district court, and successfully defended a motion to revoke probation.

Domestic Violence: When Victims are the Accused

by Maggy Swyers (J.D. '14)

Domestic violence is generally defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner or family member. Abuse can be physical, sexual, emotional, economic or psychological actions or threats. Texas courts refer to the issue as "family violence."

The victims are most often, but not always, women. Unfortunately, those who attempt to defend themselves can sometimes end up on the wrong side of the law and criminally charged for assault after an altercation with an abuser. Some abusers are good at manipulating the system and use the law as an additional weapon to intimidate a victim.

Self-defense is an affirmative defense to a charge of assault-bodily injury when a family violence victim is forced to defend against acts of physical violence. However, the time and expense of mounting that defense can be overwhelming to

someone who is already suffering at the hand of an abuser.

Problems for the victim are compounded by the fact that the Bexar County District Attorney's office will not seek a protective order against an abuser when the victim is the one charged with bodily assault. During this time of high conflict, tension, and stress, the victim is perhaps in the greatest need of a protective order. However, when the entity traditionally tasked with providing that protection through a court order declines to assist the victim, the victim may be left without any legal protection.

To secure a protective order without the assistance of the DA's office, the victim must seek legal representation to file the application and obtain an ex parte hearing. If the victim has been appointed counsel on the assault bodily injury charge, the defense attorney may feel that the protective order is above and beyond the scope of representation on the assault charge. In that case, the victim

must incur the expense of retaining counsel to pursue the protective order. Alternatively, if the victim qualifies, non-profit organizations such as Texas Rio Grande Legal Aid may pursue the protective order on the client's behalf. These organizations are overburdened already and a waiting period may occur before help can be given.

Collateral consequences of a conviction for assault-bodily injury when you are married or cohabitating can be severe, making it extremely important for victims of domestic violence to secure counsel who will work diligently to establish their innocence. Otherwise, a finding of family violence can impact child custody, prevent ownership of a firearm, and negatively impact employment and educational opportunities. Further, once someone has incurred a finding of family violence, a subsequent altercation between the victim and the abuser could result in the victim being charged with a felony.

Criminal Justice Clinic's "Warrant Project"

by Brandon Prater (clinic year 2013-2014)

Imagine a police officer comes to where you sleep and writes you a ticket for sleeping there. Then imagine that officer follows you to the park where you have decided to spend the day and watches your every action. Finally, as you head home, you step off the sidewalk and he tickets you again. Repeat this relentless cycle for days, weeks, and months at a time. This is the situation facing the homeless of San Antonio. The "men on bikes," bicycle police officers who roam downtown, have become infamous among the homeless for giving citations for offenses like crossing the street where there is no crosswalk, sleeping wherever they can find, and even for walking across the street where there is no sidewalk (yes, even though there is nowhere else to walk, this is still an offense).

I have heard some people wonder why the homeless do not go to Haven for Hope as a way to get away from these officers. While Haven for Hope is a solution, many of the homeless are nervous about staying there. This is because the "street" homeless at Haven for Hope are placed in the mostly open air courtyard that has both outdoor and indoor sleeping quarters and a dining area. The homeless are wary of going there because of rumors of violence and theft of property. With so few possessions, the street homeless cannot afford to lose the little they have. Furthermore, the street homeless that come to the courtyard to sleep leave with all of their belongings during the day. That is when many citations are given.

The homeless fear the citations themselves. Many have no way to get to the courthouse. Those that are able to get there still have no money to pay the fine. They fear they will be arrested because they have no money to pay the fine. Thus, many do not appear for their court settings. If one does not appear for court, one's tickets go into warrant status. Having a warrant, in turn, makes the homeless nervous about going back to Haven for Hope out of fear that Haven for Hope will check for warrants and have them arrested. These fears often cause the homeless to stay on the street where they have more encounters with police and end up with more citations.

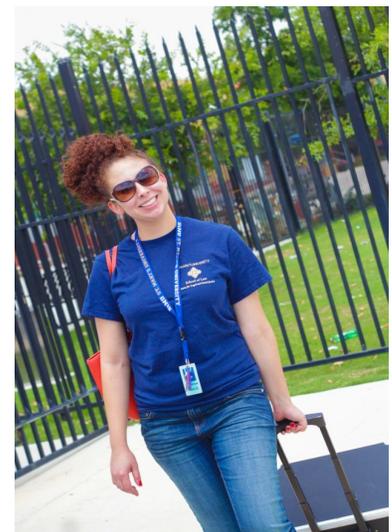
I have also heard the argument that the homeless can stop receiving citations by not committing the offenses. Unfortunately, this is not realistic given the realities of homeless life. For example, many of the homeless receive citations for solicitation of money (commonly known as panhandling). For many of the homeless, this is their only possible source of income. They cannot hold actual jobs, often because of disability, mental illness, or lack of identification. The lack of identification is a recurring problem for the homeless because they have nowhere safe to store their possessions and are frequent victims of theft. With warrants for unpaid tickets, they cannot obtain replacement identification. Even those who are able to work face discrimination because many people do not wish to hire someone who cannot bathe or wash their clothes regularly, even for landscaping and construction jobs. Another common "situational" offense for which the homeless are often cited is camping in a public area (i.e., sleeping outdoors in an urban area). In efforts to avoid citations for sleeping, some of the homeless have actually moved into wooded areas where they have fallen prey to injury from the local fauna (stray dogs, poisonous spiders, etc.) and flora (poison ivy, poison oak, etc.).

The St. Mary's Center for Legal and Social Justice's Criminal Justice Clinic revamped its Municipal Court Warrants Project in May 2013 to try and remedy this problem. Student attorneys and their supervisors have been working with the San Antonio Municipal Court prosecutors and judges on how to deal with the vast number of citations affecting our homeless clients in efforts to stop the homelessness-tickets-warrants-homelessness cycle. Through the efforts of those involved, the Criminal Justice Clinic has been able to assist homeless clients in the resolution of their tickets and warrants. The Criminal Justice Clinic will continue to work for and learn through the representation of these most vulnerable individuals of society.

Students and Volunteers Happily and Humbly Serving our Homeless Community



From left to right Seth Sullivan, Blake Bratcher, Bethbiriah Sanchez, Irma Hurd, and Marisa Aragon



Marisa Aragon

IMMIGRATION AND HUMAN RIGHTS CLINIC

Medical and Psychological Hardships to U.S. Citizen Children When a Parent is Deported

by Kevin Bennett (clinic year 2013-2014)

Between 2010 and 2012, more than 200,000 parents of U.S. citizen children were deported from the United States, many following lengthy periods of detention. What is the fate of U.S. citizen children when their parent is detained or removed? How should the needs of citizen children be balanced against acts of their non-citizen parents?

Many non-citizens with U.S. citizen children nonetheless lack eligibility to apply for any relief from deportation. These non-citizen parents must then decide whether to take their U.S. children back to the parent's home country, separate the family, or leave their children with friends or relatives in the U.S. Children facing these options grapple with their own emotional struggles.

The threat of a parent's deportation creates two environments for a child: the pre- and post-removal periods. In the pre-removal period, the child experiences an amount of "toxic stress" where the child constantly experiences fear. Such an environment of constant stress—where a parent risks being removed or detained—may lead to "biological, neurological, and psychological changes" before their parent is actually detained. Such a condition may be worsened when the actual, feared event manifests.

Children whose parents have been detained or removed from the U.S. often show psychological change



Immigration and Human Rights Clinic Class 2013-2014 (Authors Kevin Bennet, pictured front row 1st from right, and Ashley Mariscal– Munoz pictured 3rd from right)

within the first six months of their parent's ordeal. For example, children of all ages demonstrate behavioral changes stemming from the loss of the parent: changing in eating and sleeping patterns, crying, fear, anxiety, withdrawal, clinginess, and aggression.

Studies show that 51% of all children, regardless of age, will experience one or more psychological problems; in children who develop problems, 68% will exhibit three or more changes, 56% will exhibit four or more changes, and 40% will develop five or more changes. While these effects happen in the short term, the long term effects can be even more devastating. For example, children who were interviewed nine months after their parent's ordeal exhibited the same eight behavioral changes. Children across all age groups have a 41% chance to develop one of the behavior changes over the long term, a 36% chance to develop 3 or more changes, a 25% chance to develop four or more changes, and an 18% chance to develop five or more changes over the long run. These psychological effects do not include other potential issues, such as impediments to speech development, degradation in academic pursuits, economic instability, increased exposure to criminal activities, and other compounding factors that may lead to an increase in U.S. citizens pushed towards low-income jobs and a greater need for public

assistance. Regardless of one's stance on immigration, supporting citizens, especially child-citizens, should remain a priority. Some organizations have recognized this need — such as the International Human Rights Law Clinic, the Chief Justice Earl Warren Institute on Race, Ethnicity and Diversity, and the Immigration Law Clinic (all of the University of California) — and proposed measures to aid U.S. citizen children:

1. Restore judicial discretion in all cases involving the deportation of LPRs who have U.S. citizen children in order to give parents a meaningful opportunity to present evidence of the adverse impact that their deportation will have on their U.S. citizen children.
2. Revert to the pre-1996 definition of "aggravated felony" to reduce the number of non-citizens who become deportable
3. Collect data on U.S. citizen children impacted by deportation of a parent with legal permanent residency.
4. Establish guidelines for the exercise of discretion in cases involving the deportation of legal permanent residents with U.S. citizen children.

35 Years Later: How Crimes Can Come Back to Haunt Your Immigration Status

by Ashley Mariscal-Munoz
(clinic year 2013-2014)

The St. Mary's Immigration and Human Rights Clinic frequently represents individuals in removal proceedings. Our clients are charged by the Department of Homeland Security (DHS) with one or more grounds of deportability and appear before an immigration judge. A student attorney who is assigned to a removal case will work with the client to defend against the charges and/or apply for relief from removal so the client can remain in the United States. This year I worked with our oldest client facing removal- a 79 year-old retired laborer who has been a legal resident of the United States for over half of his life and who is charged with deportability for a crime he committed over 30 years ago. He also has a heart condition, suffers from diabetes and is so hard of hearing that we had to shout our questions to him in his only good ear. Why does DHS want to deport such a person? And, what could we do to help him stay in the United States?

I soon learned that our client had been convicted of a serious crime and served time in prison, but under the immigration laws in effect at that time, he was not deportable. In fact, federal immigration authorities had interviewed him and determined he could stay in the United States. So, he continued to work and support his family until his retirement. But, then the laws drastically changed.

In 1988 Congress passed the Anti-Drug Abuse Act and created a new crime-related ground of deportability for "aggravated felony" convictions. Between 1990 and 1996 Congress passed more legislation, which further expanded the definition of aggravated felonies to include additional offenses. Congress applied

each change in the law prospectively. However, in 1996 Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) which made dramatic changes to the definition of aggravated felonies, by adding new offenses to an already long list of crimes and further, by applying the definition retroactively.

At the same time as Congress increased the crime-related grounds of deportability, it decreased the relief available to a legal resident charged with an aggravated felony. A long standing provision under 8 USC § 1182(c) (INA § 212(c)) provided an avenue for relief from removal to individuals with a "lawful un-relinquished domicile of seven consecutive years". In 1990, Congress limited §212(c) relief to lawful permanent residents who had not served five years in prison for an aggravated felony. In 1996 under the Antiterrorism and Effective Death Penalty Act (AEDPA) § 212(c) was eliminated as relief for a broad set of offenses including all aggravated felonies. Several months later when Congress passed IIRIRA, the statute altogether repealed § 212(c) relief.

This left a pool of legal permanent residents in unchartered territory. Some had convictions prior to 1996 and others were already in removal proceedings and were seeking relief under § 212(c). A number of cases wound their way through the courts until the Supreme Court decided *INS v. St. Cyr*, 533 U.S. 289 (2001), and determined that § 212(c) relief would be re-instated for legal residents who prior to the effective dates of AEDPA and IIRIRA had plead guilty to offenses in reliance on the availability of relief of § 212(c).

Consequently, a legal permanent resident who had pled guilty to one or more aggravated felonies prior to 1996, could continue to apply for the relief as long as s/he did not serve more than 5 years for the offenses.

Our client came to the attention of federal immigration authorities again in 2010 when he applied for naturalization. This time DHS determined that he was deportable as an aggravated felon, and although the offenses were committed over 30 years ago, DHS relied on the retroactivity provisions of IIRIRA. Last year the student attorney assigned to the case argued that our client was not deportable, but the immigration judge disagreed. Fortunately for our client, he was able to apply for relief under § 212(c). This year another student attorney and I gathered evidence of our client's long term residence, his ties to U.S. citizen family members, his many years of working and filing income tax returns and his serious health conditions, all to support his effort to fight for the right to remain in the United States.

Following two difficult hearings in which our client struggled to recount events of the past 45 years, the case was left to the discretion of the immigration judge. We now wait with our client for the judge's determination as to whether he will spend his last years in the United States or must return to Mexico.

Kudos

- The Immigration and Human Rights Clinic successfully terminated a removal case against an 11-year-old boy from Central America. Although he crossed into the United States alone at the age of 10, his mother had been living in the U.S. for several years. Following his mother's marriage to a decorated veteran, IHRC student Joel John was able to have removal proceedings against the boy terminated using an often-overlooked remedy made available to the family members of active duty and veterans of the U.S. military.
- The Immigration and Human Rights Clinic successfully obtained a U-visa for a Central American woman who had been severely battered by her boyfriend in the United States. Included on the woman's U-visa as derivatives, were her two young children who remain in Central America. Now that the woman's visa has been approved, and she is allowed to work legally and remain in the United States, the IHRC is working to arrange for her children to have their visas issued by a U.S. embassy so that they can rejoin their mother, who they have not seen in many years. Former IHRC students Jacquelyn Orfila and Shelby Vasquez worked tirelessly on the application, which took more than a year and a half to be approved.

DACA PROJECT

The DACA Project Engages New Attorneys and Volunteers

By Jasser Awad

My name is Jasser Awad, I am an attorney with the St. Mary's DACA Project. DACA stands for "Deferred Action for Childhood Arrivals." It is a specific type of Deferred Action for the group of immigrants brought to the U.S. as children. When an applicant is granted Deferred Action, the government agrees to defer (or suspend) taking any action to remove him for a certain period of time. The program was announced on June 15, 2012, and was expanded on November 20, 2014. From the beginning I have enjoyed my time here and the interaction with all the staff, faculty and volunteers. I know the future is bright, and I am excited to be part of the program here at the Center for Legal and Social Justice.



Jasser Awad

By: Jonathan Rivera (UTSA Intern, pursuing a Master of Arts in Sociology)

My name is Jonathan Rivera and I am a graduate student at The University of Texas at San Antonio pursuing a Master of Arts in Sociology. As a sociologist, I have done research on education, immigration, culture, and inequality. I am currently doing research on Deferred Action for Childhood Arrivals (DACA). My interest to do an internship at St. Mary's DACA Project came about from the desire to better understand the day-to-day operation of a legal clinic who is assisting low income undocumented immigrants who are applying for DACA. I have seen that there is a great need for legal assistance in Texas and that the St. Mary's DACA Project has been a valuable resource that assists the undocumented population in applying for DACA. The St. Mary's DACA Project has been effective at doing workshops and outreach to inform individuals of the free legal services that they offer. The St. Mary's DACA Project not only assists with the DACA application, but assists clients in how to obtain their social security cards and driver licenses.

My experience at the St. Mary's DACA Project has influenced me to attend law school and become an immigration attorney. Being able to shadow attorneys with their clients influenced me to pursue a degree in law. I see the great importance to assist undocumented immigrants and advocate for their rights. Because I have seen the dedication that the St. Mary's DACA Project in serving individuals who qualify for DACA, I see myself working for a nonprofit organization in the near future. I want to make a difference and my experience at the St. Mary's DACA Project will assist me with my dream of obtaining a Juris Doctor.

PRACTICE CREDIT PROGRAM

A Bigger Picture

By Olivia Kim (J.D. '14)

I first heard of the Practice Credit Program when the government clerkship I secured for the fall semester of my 2L year required me to receive credit or do work study as a part of the clerkship experience. Since credit earned in the Practice Credit Program is treated like any other credit earned in law school, my first thought was that I would pay tuition to work in this clerkship. But quickly, I realized that the systematic mentoring support provided by the Practice Credit Program, in the form of a three-credit externship, was invaluable.

Not only do you get to shape the objectives of your externship, the program is set up to ensure that you spend meaningful time with your on-site supervisor to receive feedback on your performance. No matter how great your supervising attorney may be, developing a good working relationship with him/her is another matter. It may also be that s/he may not take the time to provide you with constructive feedback unless it is a required portion of the program. The very fact that the organization you are working for is a part of the program shows that they are invested in contributing to your growth. Further, if you do find yourself in the midst of a thorny issue during the externship, it is comforting to have a team, outside of the organization, that can provide you with constructive advice. The program team gives you *constructive feedback* on how to professionally deal with the situation and use it as an opportunity for self-development.

Fortunately, I have been blessed with supportive supervisors who sufficiently challenged me during my two externships. But even still, the weekly mandatory journals made me take the time to reflect on my work for the week and think about what could have been done better or more efficiently. Rather than thoughtlessly repeating my approach to work, colleagues, managers, and clients, taking these thirty minutes a week, despite the busy schedule, enabled me to proactively adjust my actions to establish enhanced working relations or obtain my educational goals. In addition, the feedback from the program associate director on my reflective journals provided me with great ideas on how to deal with similar situations that I may encounter in the future.

My second PCP externship was during my final semester of law school. It was a way for me to get involved, albeit late, in the clinical program. To be frank, I was not sure I could invest eight hours of my time to the program. In hindsight, I wish I had done the full year of the Immigration Clinic. However, I was able to tailor an externship that met my specific needs, because of the flexibility allowed by the PCP program. Without it, I would have never gained the experience the Center for Legal and Social Justice has to offer.

Through these externships, I absorbed Immigration Law from distinct vantage points. I learned that the officers, adjudicators, and attorneys representing the Department of Homeland Security are hard-working, sensible people who have the security of our nation as a top priority, but who are indeed human with big hearts. Representing the marginalized at the Immigration Clinic deeply ingrained in me the significance of the work we do as student attorneys and the grave consequences that the quality of our work has on the lives of our clients. I feel fortunate to have had externships that allowed me to see both sides of Immigration practice. It helped me see that although at opposing ends, one thing was clear: these are people devoted to service, devoted to serving the nation and the community toward their visions of an improved society. Most of all, the externship taught me to make a habit of reflecting on my work and constantly look for new ways to improve instead of thoughtlessly repeating the same mistakes or worse, blaming others for problems that can be resolved with a slight alteration in my own approach. This program allowed me to broaden my perspective, enhance my legal research and writing skills, as well as hone my ethics and interpersonal skills by working with those who were genuinely concerned about helping me grow into a successful attorney — both on and off site.

A Successful Summer in the Practice Credit Program

By Amanda Rivas, Associate Director of Practice Credit Program

This summer eighteen students gained valuable experience working at non-profit or government agencies in San Antonio, Laredo, Corpus Christi, and Edinburg in our Externship Program. An additional student spent a summer semester in the legal department at Kinetic Corporation, Inc. through our new In-House Counsel Externship Program. All nineteen students were enrolled in the Practice Credit Program. Their experiences this summer ranged from conducting negotiations between parents through the Attorney General's Office, interviewing Equal Justice Center clients who were not paid a fair wage, to assisting a Federal public defender in their daily court cases.

This program, in its third year, allows students to engage and observe substantial legal work during any given semester. Students learn a variety of skills with the guidance of their supervising attorneys after completing an orientation class with St. Mary's University School of Law faculty. Supervising attorneys generously spend time giving student quality work assignments and critical feedback. Students analyze and record critical lessons from the week in a reflective journal that helps cement their experiential learning process. While most students may not choose to practice in the same area of law after graduation, the program ensures they gain transferable skills that are essential for the practice of law: communication, project management, professional responsibility, and reflective learning.

THE CENTER FOR LEGAL AND SOCIAL CLINICAL PROGRAM

FACULTY

Associate Dean for Clinical
Education and Public Interest
Ana Novoa

Assistant Director of the Clinical
Program
Karen Kelley

Civil Justice Clinic
Ana Novoa

Dayla Pepi
Karen Kelley

Genevieve Herbert-Fajardo

Immigration and
Human Rights Clinic
Lee Teran

Criminal Justice Clinic
Stephanie Stevens

Anne More Burnham

Senior Tax Fellow
Rachael Rubenstein

Clinical Fellows
Victoria Bongat
Melissa Cuadrado
Adriane Meneses
Nicole Monsibais

Staff Attorneys
Jasser Awad
Gregory Zlotnick

Associate Director of
Practice Credit Program
Amanda Rivas

STAFF

Center Coordinator
Irma Hurd

Paralegal, Info. Coordinator
Sam Martin

Paralegal, Civil Justice Clinic
Liz Garcia

Outreach Coordinator, Civil
Mary Herrera

Clinic Manager,
Criminal Justice Clinic
Ileana Velazquez

Grant & Budget Assistant
Dora De La Fuente

Clinical Assistant, DACA
Maria "Lulu" Calixto

DACA Project Paralegal,
Immigration and Human
Rights Clinic
Jeannette K. Pena

Paralegal, Immigration
and Human Rights Clinic
Anabel Martinez

Published by
The Center for Legal and Social Justice

1-800-267-4848
Fax: 210-431-5700

