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Alumni Profile

Emily Wann

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ALUMNI PROFILE



Ms. SARAH PAOLETTI, a graduate of the Washington College of Law (WCL) and former staff writer for the *Human Rights Brief*, shares her devotion to human rights with others by teaching in the WCL International Human Rights Law Clinic.

Ms. Paoletti's interest in human rights was sparked by a class she took as an undergraduate at Yale University. After graduating from Yale with a Bachelor of Arts degree, Ms. Paoletti worked for the Lawyer's Committee for Human Rights (now Human Rights First) in Washington, D.C. She also studied Spanish in Quetzaltenango, Guatemala, and worked with the Human Rights Commissioner in Honduras before attending WCL.

While at WCL, Ms. Paoletti served as a Dean's Fellow for the Center for Human Rights and Humanitarian Law. She participated in the International Human Rights Law Clinic in both her second and third years at WCL and interned with Washington's Legal Aid Office. She also worked for the American Bar Association's Center for Immigration (ABA-CI), where she conducted a study on court interpreters in state and federal courts and prepared bench-guide materials on the appointment, certification, and utilization of court interpreters. While at ABA-CI, she researched and analyzed immigra-

tion legislation and implementing regulations. Ms. Paoletti graduated *summa cum laude* from WCL in 1998.

After graduating, Ms. Paoletti devoted most of her time to human rights issues for migrant farmworkers in Pennsylvania through her work with Friends of Farmworkers, Inc. (FOF). FOF's mission is to improve the living and working conditions of low-wage immigrant workers, particularly farmworkers. Despite its small permanent staff, FOF serves a targeted community of approximately 45,000 farmworkers. Because of the lack of legal services available to other low-wage immigrant workers in the state, FOF is also called upon to provide assistance to immigrants employed outside of the agriculture industry. In 1998 Ms. Paoletti began her work at FOF as an Independence Foundation Fellow. After a clerkship for Judge Anthony J. Sciricia on the U.S. Court of Appeals, 3rd Circuit, in 1999, she returned to FOF as a Skadden Fellow in 2000 and then as a staff attorney in 2002.

During her time at FOF, Ms. Paoletti conducted outreach and "know your rights" presentations for farmworkers, whom she contacted by visiting labor camps, speaking on local Spanish-language radio shows, and addressing local meetings and religious services. She spoke to these farmworkers about the importance of knowing their rights, including the rights to a minimum wage, drinking water while working, safe working conditions, and workers' compensation in case of injury. She also provided information about their housing rights, whether under traditional landlord-tenant laws or under the Migrant and Seasonal Agricultural Worker Protection Act, which applies to those living in employer-provided housing. Workers, in particular undocumented immigrants, usually did not know they had any rights before the law, and Ms. Paoletti's work with FOF provided this information.

Ms. Paoletti has represented workers on a wide range of issues, including landlord-tenant relationships, safe working and living conditions, unpaid wages, discrimination, organizing rights, and union representation. Some of her more memorable clients include more than 100 workers in a Title VI claim for services denied on the basis of English-language ability, a pregnant woman who was not permitted bathroom breaks during work hours, and a woman who was not re-hired by her employer because the employer believed women were injured too easily. In another case she represented more than 300 workers seeking unpaid vacation claims and pension benefits from an employer in bankruptcy proceedings. She has also acted as counsel for workers whose employer physically assaulted them after they called FOF for assistance in getting paid. The employer claimed, "They're undocumented. They don't have any rights." Ms. Paoletti also helped in the case of *Vlasic Farms, Inc. v. PLRB*, 565 Pa. 555 (2001), in which mushroom workers were deemed non-agricultural workers under the Pennsylvania Labor Relations Act and therefore entitled to unionize and engage in protected activities.

Low-wage immigrant workers, and particularly farmworkers, are often extremely isolated — physically, linguistically, culturally, and otherwise. In many cases, their only contact beyond those living and working alongside them is with their employer. They are completely cut off from legal aid and other services, as well as from access to information as to what their rights actually are. These workers come away with two messages: that they have no rights and that no one will help them enforce the rights they do have, making it safer to stay quiet. But Ms. Paoletti believes that when workers know their rights and know that there are protections in place should they be retaliated against for asserting them, they are more likely to speak up when they are not paid,

when they are discriminated against, or even when they are injured on the job.

Ms. Paoletti has continued to advocate for migrant farmworkers through participation in trainings, scholarship, and collaborative advocacy efforts both nationally and internationally. She returned to WCL as a Practitioner-in-Residence for the International Human Rights Law Clinic in 2003. The clinic allows WCL students to work directly with clients on asylum cases, workers' rights disputes, and other international human rights issues. As a Practitioner-in-Residence, Ms. Paoletti applies her experience with FOF and her interest in advocacy for workers' rights to international human rights issues. For example, she is currently assisting the National Employment Law Project with the organization's report to the UN Human Rights Commissioner regarding migrants and development.

Ms. Paoletti sees her teaching as an extension of her advocacy. She supervises

students in the clinic who fight for the rights of undocumented workers in the U.S. before the Inter-American Commission on Human Rights and in domestic proceedings. In the seminar she teaches, "Immigrants in the Workplace," Ms. Paoletti helps her students develop a critical understanding of the history of labor and employment law, how it applies to low-wage immigrant workers, and its intersection with immigration policy. She enthusiastically participates in round-table discussions, panels, and other student-led activities that address the rights of low-wage workers and the role of a law student — or lawyer — in protecting those rights.

Ms. Paoletti is a recipient of the WCL 2005 Bellows Scholars Award. She is also a member of the *Human Rights Brief* Alumni Committee. Her publications include: "The Impact of Globalization on Immigrant Workers: What Happens to an Already Invisible Workforce when their Jobs Disappear?" from a February 2005 Symposium on

Globalization and the New Politics of Labor, sponsored by the Indiana Journal of Global Legal Studies (*forthcoming*); *Inter-American Developments on Globalization's Refugees: New Rights for Migrant Workers and Their Families*, European Yearbook of Minority Issues Vol. 3, 63-87 (European Centre for Minority Issues 2003-2004) (co-author); "Human Rights for All Workers: The Emergence of Protections for Unauthorized Workers in the Inter-American Human Rights System," 12 No. 1 Hum. Rts. Brief; "Court Interpreters and Preserving Due Process in Criminal Proceedings," *ABA Judge's Guide to Immigration Law in Criminal Proceedings* (American Bar Association 2004); and "Changes to U.S. Law Threaten Refugees," 4 No. 1 Hum. Rts. Brief. HRB

Emily Wann, a J.D. candidate at the Washington College of Law, covers the Alumni Profile for the Human Rights Brief.

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erated the panel on "Alternative Models of Accountability: Hybrid Courts, Domestic War Crimes Chambers and Regional Criminal Courts," at the WCRO's 10th anniversary conference on International Criminal Tribunals in the 21st Century. She also recently wrote an essay on "The Role of Victims in Bringing Former Khmer Rouge Leaders to Justice in Cambodia," which will be published this fall in *Justice Initiatives*, a publication of the Open Society Justice Initiative.

Herman Schwartz, Professor of Law at WCL and Co-Director of the Center, attended a meeting in Jerusalem with Palestinian lawyers on the constitutional court and related issues on July 16, 2005. He also lectured on constitutional courts to Iraqi women at the American Bar Association (ABA) of Washington, D.C., in July. Professor Schwartz became a member of the panel of expert advisors to the Israeli Knesset Committee on revising the Israeli Constitution, which was appointed July 31, 2005. He also wrote a memorandum on attorney-client privilege in connection with John Roberts' nomi-

nation to the U.S. Supreme Court. Professor Schwartz anticipates that a number of his essays on the Burger Court and other issues will be published in the *Encyclopedia of Civil Liberties* before the end of this year.

Rick Wilson, Professor of Law at WCL and Co-Director of the Center, presented on "*Roper v. Simmons*: Mock Oral Argument on Whether the Supreme Court Should Consider International Law" to the Street Law Program at Georgetown Law School in June 2005. In September he spoke at the Universidad de San Porres in Lima, Peru, regarding "Due Process in the Inter-American System for Protection of Human Rights: Doctrine and Jurisprudence." In September he spoke to the National Association for the Advancement of Colored People (NAACP) Advisory Board on Race and the Criminal Justice System about "International Law Advocacy on Race Discrimination." He also spoke to visiting fellows of the American Association for the Advancement of Science about "International Law Structures and

Institutions" at George Washington University. He is awaiting publication before the end of the year of "War Stories: A Reflection on Defending Alleged Enemy Combatants Detained in Guantanamo Bay, Cuba" in the *Yearbook of New Zealand Jurisprudence*, and chapters entitled "Procedural Safeguards for the Defense in International Human Rights Law," "A History of the Role of Defence Counsel in International and War Crimes Tribunals," and "Defending Detainees at Guantanamo Bay" in *Defence in International Criminal Proceedings*. HRB