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2019 Annual Report

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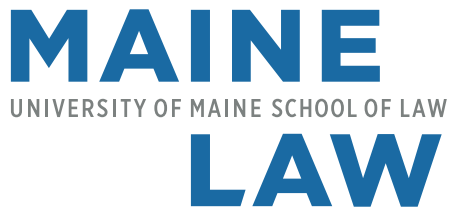
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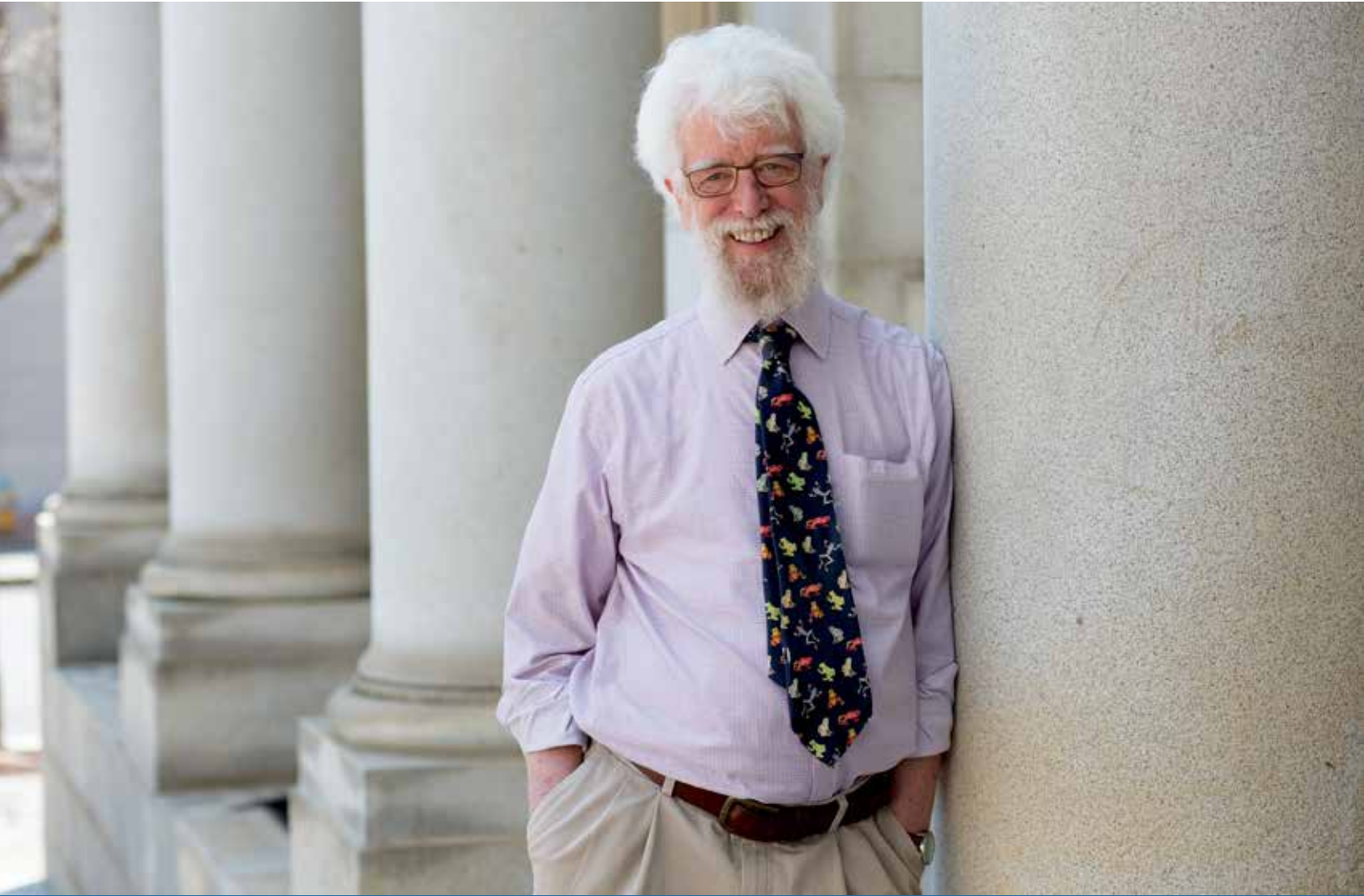
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Cumberland Legal Aid Clinic



Annual Report 2019

Training law students and helping
the people of Maine since 1970

Contents

Program Overview / 3
General Practice Clinic / 5
Prisoner Assistance Clinic / 6
Juvenile Justice Clinic / 7
Refugee and Human Rights Clinic / 9
Protection From Abuse Program / 10
Staffing / 11

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Note: The client stories represented in this report are true, but all names have been changed to protect the identity and confidentiality of our clients.

Cover photo: Clinical Professor Jim Burke.

FROM THE DIRECTOR

Thank you for reviewing the 2019 Annual Report of the Cumberland Legal Aid Clinic of the University of Maine School of Law. This report provides an overview of our program and highlights client stories and projects



Deirdre M. Smith

from our work this past year. As you'll see from the pages that follow, 2019 was an exciting year for the Clinic, and our students have had opportunities to work on several timely and important matters. Clinic students were involved with two key legislative victories that will support Maine youth (see pages 7-8). As part of our ongoing response to ever-changing federal immigration policy, the Clinic launched a new immigration detention outreach

project at the Strafford (NH) County Jail, where immigrants from around the region are detained (see page 9). We also marked the end of an era at the Clinic, as our colleague Jim Burke, who founded the Prisoner Assistance Clinic, retired (see page 6).

We could not have accomplished all that we did last year were it not for the critical support we have received from our funders, listed below, who provided funds to enable us to take on new projects as well as sustain our core programs.

Thank you for your interest in the Clinic.

Sincerely,



Deirdre M. Smith
Professor and Director of
the Cumberland Legal Aid Clinic

Funding

In 2019, approximately 57.6% percent of the funding for the Clinic's programs came from sources external to the Law School. We received funding from the Maine Civil Legal Services Fund and the Maine Justice Foundation, which provided an Annual Grant of IOLTA funds, a grant from the



Bank of America Settlement Fund, and the James Roux Fund, which supports our summer intern program. Other significant sources of external funding during 2019 included the Campaign for Justice, Sam L. Cohen Foundation, John T. Gorman Foundation, the Bidu Sayão Memorial Children's Trust, the United States Department of Justice, and the Muskie Fund for Legal Services. The Clinic receives some limited funding from the Maine Judicial Branch for serving as "lawyer of the day" in Juvenile Court and from the Maine Commission for Indigent Legal Services for its representation of criminal defendants.

PROGRAM OVERVIEW

The Cumberland Legal Aid Clinic, established in 1970 as a program of the University of Maine School of Law, provides free legal aid to low-income individuals and families in Maine. It is one of the oldest clinics of its kind in the nation. The Clinic is a defining program of Maine Law, providing practical skills training for students, and helping fulfill the school's long-standing commitment to social justice.

All legal representation at the Clinic is provided by law students. These "student attorneys" are specially licensed by the state and federal courts and agencies. Students work collaboratively, under the supervision of Clinic faculty, who are experienced members of the Maine Bar. The Clinic is divided into four programs: General Practice, Prisoner Assistance, Juvenile Justice, and Refugee and Human Rights. Students in all of those areas also participate in the Protection from Abuse Program, representing victims of domestic abuse, sexual assault or stalking.

The Clinic's mission is two-fold.

Law students receive intense, hands-on experience as they represent real clients. The community receives help with a critical public service: access to justice for all, regardless of wealth or status. The Clinic serves clients with legal matters pending in state, probate, and federal courts and before administrative agencies. The impact of the Clinic is statewide. Student attorneys provide full representation for clients in Southern Maine courts and limited representation to prisoners with civil legal matters throughout Maine. Cases heard by the state Supreme Judicial Court and the federal courts and agencies may arise anywhere in the state.

All students who enroll in Clinic courses during the school year participate in weekly seminars. Most weeks, the students meet in small groups with a faculty supervisor to hold "case rounds," where they discuss specific challenges and questions that have arisen in their cases. In other weeks, seminars cover substantive legal issues, or students hear from guests. Seminar

topics in 2019 included navigation of challenging ethical issues; forensic psychology; working with interpreters; working with trauma survivors and managing vicarious trauma; client counseling; client and witness interviewing; fact investigation and discovery; and several others. Guest speakers included Maine District Court Family Law Magistrates Tracie Adamson and Andrea Najarian; Molly McMahon, LCSW and Marianne Donahue, LCSW, of Greater Portland Health; Maine State Forensic Service's Chief Forensic Psychologist Dr. Debra Baeder; Rebecca Brown, MSW, LCSW; Aurora Smaldone, Esq.; and Bar Counsel Aria Eee. In addition to this coursework, students are required to either write a paper reflecting on their role as attorneys on their cases or write a memorandum describing and analyzing a client counseling opportunity they had during the semester. This exercise requires the students to consider and reflect on the attorney-client relationship, the ethical obligations of attorneys, and similar critical issues.

Clinic Student Attorneys Anne Sedlack and Emily Arvizu at the Maine State House with Professors Chris Northrop and Anna Welch after the public hearing on the bill to help immigrant youth in Maine



Client Story

Katie

Katie was in prison and 8 months pregnant when she first met with a Clinic student attorney. She had two other children with her estranged husband, and both parents had long histories of substance abuse and other criminal history. She sought the Clinic's help to make sure she would be able to create the best possible environment for her new baby, to make sure she would be a positive presence in the life of her two older children, and to end her marriage.

Katie successfully transitioned from prison to a halfway house designed for new mothers, where she was able to live with and care for her baby and make progress towards sobriety. Clinic students worked closely with Katie to prepare for her divorce proceedings, while also providing support as Katie readied herself to face her husband for the first time in years. Proceedings began acrimoniously, but as Katie grew more confident in her case, her sobriety, and her prospects, she and her ex-partner were able to work together to reach an agreement on most issues regarding the children. As the final step, a Clinic student represented Katie in a child support hearing that resulted in a favorable outcome for Katie.

Katie is now home, clean and sober, successfully caring for her youngest child, seeing her older children regularly and amicably co-parenting with her ex-husband. She has also entered the workforce and has a steady job for the first time in her life.

How We Accept New Clients

There are a number of ways through which clients obtain help from student attorneys. Every day, the Clinic receives calls from people seeking legal help. When a student has an opening and the client qualifies for aid, the case may be accepted. However, a significant number of clients are referred by other organizations, such as KIDS Legal, Preble Street, the Immigrant Legal Advocacy Project, and the Volunteer Lawyers Project. The Clinic also receives referrals from federal, state, and probate courts. Maine Unified Criminal Courts regularly appoints the Clinic on criminal matters, and the Maine Supreme Judicial Court has referred several appeals during recent years.

Accolades and Measures of Success

At graduation in May 2019, student attorney Julia Teitel was presented with the Maine Law Clinical Legal Education Association Award, "for excellence in clinical fieldwork based on the high quality of representation provided clients and for exceptionally thoughtful, self-reflective participation in an accompanying clinical seminar."

One measure of the success of the Cumberland Legal Aid Clinic is the number of student attorneys who choose careers that serve the public interest. Recent Maine Law graduates include staff attorneys at Disability Rights Maine, the Maine Legislature, Maine Community Law Center, KIDS Legal, Maine Legal Services for the Elderly, Pine Tree Legal Assistance, Esperanza Immigrant Rights Project Los Angeles, U.S. Department of Homeland Security, U.S. Department of Justice, National Immigrant Justice Center, Judge Advocate General, as well as positions in the state and federal courts, county prosecutors' offices, and the Office of the Attorney General. A number of our graduates report that, as a result of their experience working at the Clinic, they accept court-appointed work in the areas of child protection, juvenile defense, criminal defense, and other areas affecting low-income families. Some have become rostered guardians ad litem. Others have signed on with the Maine Volunteer Lawyers Project and the Immigrant Legal Advocacy Project to accept pro bono cases. And several recent graduates have used their intensive lawyering skills training from the Clinic to launch careers in small firms in underserved areas of Maine, including rural counties and towns.

CLAC By the Numbers

In 2019, the Cumberland Legal Aid Clinic provided varying levels of legal assistance to more than 651 clients.

Clinic clients came from at least 19 countries of origin, including the U.S., Angola, Brazil, Burundi, the Democratic Republic of the Congo, the Dominican Republic, El Salvador, Guatemala, Honduras, Iraq, Mexico, the Philippines, the Republic of Congo, Russia, Rwanda, Somalia, South Sudan, Sudan, and Vietnam. The Clinic serves a growing number of clients with Limited English Proficiency.

51 students at Maine Law enrolled in Clinic courses in 2019. In addition, the Clinic hired six student interns, one public policy Cushman Anthony fellow, and one juvenile policy Maine Association for Public Interest Law Fellow for the summer of 2019 as part of the Summer Intern Program.

Students who participated in Clinic last year were exposed to a range of proceedings where they gained valuable experience and honed their oral and written advocacy and negotiation skills. They appeared as counsel in the following proceedings: 9 interim hearings; 49 Protection from Abuse trials; 196 Protection From Abuse agreements presented to the Court; 56 juvenile proceedings; 13 Family Law final hearings or trials; 12 mediations; 5 judicial settlement conferences; 44 non-hearing proceedings before Family Law Magistrates; 20 arraignments; 10 change of pleas; 37 criminal dispositional conferences; 6 sentencing hearings; 3 asylum interview; 1 marriage-based petition interview; and numerous other miscellaneous appearances.

GENERAL PRACTICE CLINIC

“You were intelligent, caring, and understanding. A total professional experience! Thank you!”

– Client, General Practice Clinic

Students enrolled in the General Practice Clinic, a six-credit litigation clinic, provide the bulk of the services offered by the Cumberland Legal Aid Clinic. Each semester, the General Practice Clinic enrolls up to 12 students, each of whom represent from five to 10 individuals in cases in various areas of the law. The largest area of practice is family law, and the majority of disputes involve parental rights and responsibilities, child support, and divorce. However, the family law caseload is varied. Student attorneys have taken on cases involving guardianship, termination of parental rights, protective custody, adoption, and de facto parents.

Student attorneys provided legal assistance in cases involving foreclosure, landlord/tenant, recovery of personal property, power of attorney, administrative appeals, adult guardianship, protection from harassment, real estate, recovery of unpaid wages, tax liens, name change, education, tort defense, power of attorney, and changing gender identity markers on legal documents



Clinic students participate in a day-long legal outreach event at the Portland Expo for new immigrant arrivals

(passport, license, birth certificate, court documents).

Criminal matters also fall under the umbrella of the General Practice Clinic, and student attorneys represented clients facing

a wide range of felony and misdemeanor criminal charges. The Maine Commission on Indigent Legal Services appoints the Clinic to represent criminal defendants who cannot afford to hire an attorney.

Client Story

Bethany

The Clinic first assisted Bethany in February 2019 when we helped her obtain an order for protection from abuse (PFA). She had been in a 16-year abusive marriage, with two children. Bethany endured years of abuse and decided to leave the marriage when her spouse, Charlie, turned his violence on the two children. With the assistance of a student attorney, Bethany obtained an agreed-upon PFA order that allowed her to remain in the marital home with sole parental rights and responsibilities of both children. The order also require Charlie to make financial contributions to help keep the mortgage and other bills paid at the house.

Bethany had quit her part-time job a few years earlier because her children were struggling with emotional issues resulting from growing up in home rife with domestic abuse. Charlie’s escalating threats and violence put the children into crisis. Bethany

could not afford to hire an attorney for her divorce. We accepted Bethany’s divorce case for extended representation in General Practice Clinic a few weeks after the PFA hearing.

The student attorney filed a divorce action along with a motion for an emergency interim hearing. At the hearing, Bethany’s student attorney prevailed in getting an order for child and spousal support - enough money so Bethany could cover the basic expenses for herself and her children. By the time the parties participated in divorce mediation, the student attorney had successfully negotiated a final divorce order on Bethany’s behalf. The divorce judgment ensures that Bethany and her children will be safe by awarding her sole parental rights and responsibilities, with a requirement that Charlie engage in counseling and be supervised during his visits with the children. The final judgment also provided Bethany and her children what they needed for child and spousal support and stability by awarding her possession of the marital home until one year after the youngest child graduates high school.

Client Story

Jason

Jason asked the Prisoner Assistance Clinic to help him with a family law issue. Before he was incarcerated, Jason operated a small farm in rural Maine, and he and his wife both worked on the farm. After a year of marriage, his wife left Maine to head out west and informed Jason that she had no interest in maintaining their relationship. Jason began serving a prison sentence some months later, and he tried to initiate divorce proceedings but was unable to serve his wife with notice of the divorce proceedings because he did not know where she was.

The divorce complaint was subsequently dismissed. Jason was eager to resolve his family law issues before being released from prison and returning to the community.

A Clinic student attorney located Jason's wife using online research and found that she used social media regularly.

With legal advice from a student attorney, Jason was able to obtain a court order allowing him to serve divorce paperwork on his wife via Facebook. With further help from the Clinic, Jason and his wife reached an agreement and proceeded with an uncontested divorce.

PRISONER ASSISTANCE CLINIC

"The help I received from the Clinic was very informative and helpful."

– Client, Prisoner Assistance Clinic

In January 2003, the Law School launched the Prisoner Assistance Clinic, which was funded for its first three years by a discretionary grant from the Maine Bar Foundation and to a lesser extent through a contract with the Maine Department of Corrections.

The origins of the Prisoner Assistance Clinic stem from funding restrictions imposed in the mid-1990s by the Legal Services Corporation. The restrictions essentially forced Pine Tree Legal Assistance – Maine's largest legal aid provider – to stop representing prisoners in civil matters. The need for those services, however, has only continued to rise. Prisoners have family, consumer, and other civil legal matters, many of which arise from the circumstances of their incarceration. These court matters have an impact not only on the lives of the prisoners, but on the lives of their sons, daughters, parents and other family members who never committed a crime. The Justice Action Group, the Maine Bar Foundation and others identified this as a gap in access to justice. They concluded that providing services through the Clinic would be a cost-efficient way to close this gap.

Students provided legal assistance to

113 prisoners during 2019. This three-and six-credit clinical course places an emphasis on interviewing, counseling and providing "unbundled" legal services. Student attorneys provide the prisoners the information, forms, and advice they need to represent themselves in civil proceedings. For some matters in Southern Maine courts, the Clinic provides full representation when a prisoner is not able to advocate for himself or herself. The program is popular with students, corrections staff, and prisoners alike.

Clinic students travel to the Maine Correctional Center and the Southern Maine Reentry Center for Women, both located in Windham, every week to meet with prisoners. Students had 318 client meetings at the prison in 2019 and assisted clients in other locations via videoconferencing. Most of the matters involve family law, such as parental rights and child support, and probate-related proceedings, including guardianship. But students also assisted prisoners with a wide range of legal matters including adult guardianship; tort defense, including insurance coverage; federal civil rights; trusts, wills, and advanced health care directives; foreclosure; conversion of property; social security disability benefits; contract claims; attorney's fees disputes; powers of attorney; tax issues; recovery of professional/business license; business formation; and bankruptcy.

Jim Burke: A career helping students, clients

After 17 years of teaching, mentoring, and inspiring Clinic students, Clinical Professor Jim Burke retired from Maine Law in 2019. Jim built the PAC from scratch — he had no models to work from, as there were no programs like it anywhere in the country. Over the course of Jim's career at Maine Law, he supervised dozens of student attorneys as they helped hundreds of men and women in Maine prisons. Prof. Chris Northrop said of the program Burke built: "It touches and improves the lives of each student and every client."

He has left an indelible mark on clients, students, and the Clinic itself. We will miss him greatly.



JUVENILE JUSTICE CLINIC

“Very intelligent, understanding, knowledgeable”

– Parent of Client, Juvenile Justice Clinic

The Juvenile Justice Clinic, launched in the fall 2006, enrolls up to five law students each semester. The students work under the supervision of Clinical Professor Christopher Northrop, a nationally recognized expert in the field. Student attorneys have the opportunity to work with at-risk youth on a number of levels. In 2019 the Juvenile Justice Clinic provided legal services to 106 clients. This includes 17 teens and young adults through the Teen Center Project, and 89 children with matters in Maine Juvenile, District, or Probate Courts.

Individual Representation

The primary focus of the Juvenile Justice Clinic is the direct representation of juveniles with pending delinquency matters in state courts. Student attorneys appear in Juvenile Court each week with their clients for proceedings such as arraignments, detention hearings, plea negotiations and trials.

In 2019 the Juvenile Justice Clinic provided full representation to 39 children or youth who were facing charges including Robbery, Assault, Aggravated Assault, Possession of Alcohol, Possession of Marijuana, Trafficking in Scheduled Drugs, Aggravated Furnishing of Scheduled Drugs, Criminal Mischief, Aggravated Criminal Mischief, Criminal Threatening, Criminal Threatening with a Dangerous Weapon, Operating Under the Influence, Operat-

ing after Suspension, Operating Without a License, Eluding, Failure to Stop, Unlawful Sexual Contact, Unlawful Sexual Touching, Burglary, and Theft. On behalf of their juvenile clients, student attorneys work closely with social service agencies, legal aid providers, schools, and other community representatives. We also represented 6 former system-involved youth seeking to seal their Juvenile Court records.

The goal is to develop and implement personalized, holistic and targeted programs for each juvenile client. Such programs are designed to keep the juveniles out of jail and prison, and to get them back on track to completing their education. The team also focuses on developing important life skills to ensure continued success.

Accordingly, important components of an individualized plan may include treatment for underlying substance abuse or mental health problems, an appropriate educational program, suitable housing and other services for the client, and in many instances, his or her family.

Lawyer of the Day Program

On several occasions in 2019, Juvenile Justice Clinic student attorneys served as “Lawyer of the Day” in Biddeford and York District Courts, providing basic legal representation to unrepresented juveniles who appeared for court dates. During these occasions, Clinic students assisted more than 38 juveniles, primarily in negotiations with the District Attorney’s Office.

Client Story

Seth

A Clinic student first met Seth through the Lawyer of the Day program. He was facing very serious juvenile charges, and things were not going well in most areas of his life. Seth was not attending school, fighting constantly with his mother at home, and mired in substance use issues. Seth’s student attorney worked quickly to build a team to help him get back on track. The first piece was lining up a good case manager – someone who could access services that would help and, more importantly, have the ability to earn the trust of Seth and his mother. While monitoring progress on the services front, Seth’s student attorney also went to work on the legal front. There were issues with the police interrogation, and we filed a motion to suppress.

Seth slowly turned pieces of his life around. A shift in his education program allowed him to pursue vocational skills. Interested and engaged, Seth became a solid student. As things in school improved, so did his life at home. Once education and home were in a much better place, the student attorney armed with the pending motion and Seth’s turnaround, talked the prosecutor into dismissing the Class A Felony. For the remaining charges, the negotiated outcome was a ‘Deferred Disposition’. Seth admitted to the charges, with the understanding that they could ultimately be dismissed if he remained engaged in school and counseling.

We kept in constant contact with Seth, his juvenile probation officer, his family, and his case manager. A year later, everyone was back in court for the dismissal of the remaining charges. A youth who many had given up on now has a clean record, a high school diploma, and is heading off to a special HVAC training program.



Student Attorney Whitney Lallas with former system-involved youth after testifying in favor of the juvenile restitution reform bill

Tuesdays at the Teen Center Project

The Tuesdays at the Teen Center (“TATC”) Project at the Preble Street Teen Center in Portland has become another important component of the Juvenile Justice Clinic’s work. Now in its ninth year, the TATC Project is a collaboration of the Juvenile Justice Clinic and KIDS Legal, a state-wide project that falls under the umbrella of Pine Tree Legal Assistance.

In the TATC Project, student attorneys meet with teens and young adults at the Teen Center to provide them with legal information, advice and, in some cases, representation. Student attorneys visit the Teen Center every other week. They provided legal consultations to 17 people in 2019, and took on a few clients for full representation, providing assistance on a range of legal issues including education rights, public benefits, housing, disability benefits, immigration, name change, emancipation, and changing gender identity markers on legal documents.

Policy Development Projects

One of the unique attributes of Maine Law’s Juvenile Justice Clinic is that it provides students the opportunity to work on policy initiatives with far-reaching impact, as well as providing direct representation to individuals. As noted earlier, the Clinic launched the Maine Center for Juvenile Policy and Law in 2017, which greatly enhances the work of Juvenile Justice Clinic faculty and student attorneys as they research, develop, and advocate for a number of key reforms needed to ensure that children involved in the Maine juvenile justice system have a successful transition away from that system and into adulthood. Our partners for this work project include the John T. Gorman Foundation, the American Civil Liberties Union, GLBTQ Advocates and Defenders, Maine Commission on Indigent Legal Services, Juvenile Justice Advisory Group, and New England Juvenile Defender Center, among others. In 2019, the Juvenile Justice Clinic has worked on a number of important policy projects, and clinic students were involved in two major legislative victories (see sidebar).

Legislative victories on behalf of Maine youth

As part of the Clinic’s program of systemic advocacy, Clinic students led successful efforts to support two major pieces of legislation that will help children and youth in Maine. First, two Clinic students under Professors Anna Welch’s and Chris Northrop’s supervision, organized a team of lawyers who worked with Representative Donna Bailey on a bill to enable Maine youth between the ages of 18 to 20 to seek Special Immigrant Juvenile Status (SIJS). Under federal immigration law, a “child” is an unmarried person under 21 years of age. Children who fall under the age of 21 are eligible for SIJ Status if a state court finds that the child has been abandoned, abused or neglected by one or both of their parents.

However, Maine courts’ jurisdiction in parental rights and responsibilities, parental custody, and guardianship cases only extended to juveniles under the age of 18, despite federal law that extends eligibility for SIJ Status until the age of 21. Clinic students sought to address this “age

gap” by drafting legislation that extends state-court jurisdiction for certain vulnerable immigrant youth up to age 21. The students testified before Legislature’s Judiciary Committee, which gave the bill its unanimous support. The bill was enacted by the Maine Legislature and is now law.

In addition, two Clinic students worked with a coalition of stakeholders to develop and advance a bill in the Legislature to bring much needed reforms to the use of restitution in the juvenile matters. The Clinic’s reform efforts drew the attention of the Marshall Project, which issued a report, “Punishing Kids With Years of Debt,” in June 2019 that also appeared in the Washington Post and profile one of the Clinic’s recent clients. Students drafted legislation and testified in support of their bill designed to lessen financial burdens and shorten the length of system involvement for disenfranchised youth languishing the juvenile system past their 18th birthdays. That bill also received strong bipartisan support and was enacted.

Education Law Conference

On November 13, the Clinic, along with KIDS Legal and Disability Rights Maine, put on a statewide conference and CLE program on education law: “Every Student, All Day, Every Day.” Most of 100-plus registrants were attorneys or education advocates, but other attendees included representatives from the Department of Education, Judicial Branch, Maine Legislature, Department of Corrections, prosecutors, Maine Law students, and the Juvenile Justice Advisory Group. The program featured an outstanding lineup of national speakers and Maine education law experts. The evaluation forms gave high praise to the speakers

and materials. Funding enabled us to offer this conference without charging a registration fee. However, we encouraged attorneys and education advocates to consider the “price of admission” to be their promise to accept at least one pro bono education law case during the next year, giving priority to helping students who are being suspended, expelled, or otherwise denied access to a public education. The Clinic, KIDS, and DRM have agreed to serve as expeditors and experts for the attorneys/advocates as they fulfill their promise to provide pro bono support to youth at risk of losing access to their education programs.

REFUGEE AND HUMAN RIGHTS CLINIC

“I will not forget all of your support for me in my case.”

– Client,
Refugee and Human Rights Clinic

In the fall of 2012, the Cumberland Legal Aid Clinic launched the Refugee and Human Rights Clinic, a three- to six-credit course that enrolls six to eight students per semester. Student attorneys assist low-income immigrants through a broad range of cases and projects. This clinical course is a collaboration between Maine Law and the Immigrant Legal Advocacy Project. The course targets a critical gap in access to justice in Maine – providing direct legal representation to immigrants and refugees seeking political asylum and similar protections under federal law – while training future attorneys on how to best serve the legal needs of immigrants.

Direct Representation

Clients are often referred to the clinic by the Immigrant Legal Advocacy Project and include, for example, asylum applicants who have fled human rights abuses in their home countries and are seeking refuge in the United States; immigrant survivors of domestic violence; immigrant victims of certain crimes; and abandoned or abused children seeking legal status in the United States. Under faculty supervision, student attorneys not only develop their substantive knowledge of immigration law and human rights laws and norms, but they also build core legal skills relevant to the general practice of law.

Clinical work for the students includes: interviewing clients and witnesses and preparing their testimony, working with interpreters and translators to ensure language access, conducting factual and legal investigation and marshaling of evidence, analyzing and presenting human rights documentation, developing case strategies, writing legal briefs, appearing in administrative hearings, and participating in human rights advocacy projects. The work on the petitions is labor-intensive and highly detailed.

Community Outreach/ Advocacy

Students in the RHRC engaged in a number of outreach projects in the past year. In collaboration with the Immigrant Legal Advocacy Project, they assisted hundreds of individuals through monthly asylum trainings held at Portland Adult Education, and they distributed dozens of copies of educational materials created by the clinic, both at the trainings and through our website. In the fall of 2019, student attorneys worked with ILAP in their Forms Assistance Clinic to assist dozens of immigrants with a range of immigration forms (family-based, work permits, naturalization).

Since 2017, RHRC student attorneys have traveled to Texas to volunteer with Jones Day law firm and Texas RioGrande Legal Aid, assisting immigrant women detained at the U.S. border. In 2019, 8 students from the RHRC volunteered in week-long increments,

dedicating hundreds of hours assisting more than 100 individuals detained at the Laredo Detention Center or awaiting hearings in Mexico. Maine Law students return from their work at the southern border inspired to continue to advocate on behalf of vulnerable populations, and many have returned to volunteer with the Laredo Project for an additional week or even for a full semester. Through their work in Laredo, the students had an opportunity to see an immigration detention facility up close, to help provide immigrant women with direct legal representation, and to hear firsthand immigrant accounts.

The RHRC also continued its outreach to the Maine Latino community. Beginning in 2016, RHRC students began to look for ways to better meet the needs of Latinos in the Portland area. Students learned from meetings with prominent leaders within the Latino community that few resources are provided to the community targeted at their specific legal needs. Refugee and Human Rights Clinic students conducted two “Know Your Rights” events for Latinx individuals in 2019 at the Multilingual and Multicultural Center in Portland. This event included Pierce Atwood and Immigrant Legal Advocacy Project (ILAP) attorneys, as well as attorneys and advocates from the Southern Maine Workers’ Center, Pine Tree Legal Assistance, and the Volunteer Lawyers Project, who provided information and individual consults on topics ranging from tax advice, workers’ rights, safety planning and immigration.

Expanded detention outreach

Beginning in June 2019, the RHRC expanded its detention outreach to immigrant detainees from Maine and throughout New England who are held at the Strafford County Detention Center (SCDC) in New Hampshire. The Strafford facility is the nearest detention center to Maine that holds immigrant detainees for extended periods of time (many are initially arrested or picked up in Maine). The SCDC began housing ICE detainees in 2009, and that first year it housed on

average 17 immigrant detainees a day. That number is now well above 115 on any given day. This uptick is a result of the current administration’s efforts to detain anyone it can find who is in the U.S. without authorization. Beginning in August, students have traveled weekly to the SCDC to meet with immigrant detainees on a range of matters – from bond, to asylum, to naturalization. Students assisted 45 detainees in 2019 through this new project.

Client Story

Sally

A Clinic student attorney represented Sally, who was seeking a Protection from Abuse Order against Benjamin, her former boyfriend. The student attorney successfully negotiated with Benjamin's lawyer, ensuring that agreed-upon final order not only precluded Benjamin from contacting Sally but also requiring him to reimburse her for medical costs directly resulting from the abuse (totaling over \$2,000).

Afterwards, however, Benjamin's lawyer sought to have the order amended to eliminate the reference to 'abuse' in connection with the medical reimbursement provision. Sally objected to any modification of the order. At the hearing on Benjamin's motion to amend the order, the student attorney argued that the terms of the order were clear when Benjamin's lawyer reviewed it, that Benjamin himself signed it as "seen and agreed to," and the judge had ensured that the order reflected the parties' agreement. The court denied Benjamin's motion to amend the order, and Benjamin immediately paid the amount due to Sally.

Sally said that the student attorney "was very thorough," and thanked her for all of her help. "I had no idea what to expect going into this," she said, and the student attorney's guidance "helped tremendously."

PROTECTION FROM ABUSE PROGRAM



Student attorneys arrive at Lewiston District Court to assist clients seeking Protection from Abuse Orders.

"I would just like to say thank you from the bottom of my heart for your help. You made a difficult and painful experience more bearable."

– Client, Protection from Abuse Program

Most students enrolled in Clinic courses also participate in the Protection From Abuse Program, where they represent victims of domestic violence, sexual assault or stalking. Student attorneys attend at least one or two days of the protection from abuse (PFA) docket calls in Lewiston District Court. The Clinic's work in this program is highly valued by the courts, as the PFA proceedings are often highly contentious and emotional.

With the assistance of counsel, most cases are settled without a trial. In 2019, the Clinic represented 221 clients in PFA cases. Clinic student attorneys work

closely with court advocates from Safe Voices and Sexual Assault Prevention and Response Services, two non-profit organizations. This collaboration ensures that every client not only receives legal representation in her protection order case, but also receives the necessary support and resources to escape violence in the long-term. Furthermore, every Clinic student receives training on the dynamics of domestic violence and sexual assault as well as the legal remedies available to victims.

The Clinic also participates in a broader partnership, which uses a specific referral protocol to increase the legal and support services provided to victims of domestic violence, sexual assault, and stalking in Androscoggin, Oxford, and Franklin Counties, with a particular emphasis on outreach to immigrants and victims of sexual assault.

CLINIC STAFFING

Clinical Professor **E. James Burke** retired from the Maine Law faculty in May 2019. He founded the Prisoner Assistance Clinic in 2003 and supervised student attorneys in that program as well as in the General Practice Clinic. The Maine Justice Foundation awarded Professor Burke the Howard H. Dana, Jr. Award to recognition of his extraordinary contributions to improving access to justice in Maine throughout his career. After Professor Burke's retirement, the Prisoner Assistance Clinic was supervised by Clinical Professor Bram Elias until the end of 2019.

The Clinic hired Clinical Professor **Christopher M. Northrop** in 2006. Professor Northrop, a nationally-recognized advocate for the rights of youth, oversaw the design and launch of the Juvenile Justice Clinic that fall, and has continued to supervise the course since that time. Prior to joining Maine Law, Professor Northrop spent many years in private practice concentrating on juvenile defense and juvenile justice policy work. He has been involved with the National Juvenile Defense Center (NJDC) since its inception, and is a member of their Senior Leadership Council. Over the past 20 years Professor Northrop has served as a consultant for NJDC assessments of juvenile defender systems throughout the country, including the 2019 statewide assessments of Kansas and New Hampshire. Professor Northrop is a founding director at Maine Community Law Center and New England Juvenile Defender Center, and continues to serve on both boards. He served on the faculty at several conferences and trainings in 2019 including the Maine Judicial Branch child protection conference and the New England Juvenile Defender Center summit, as well as the Education Law Conference described on page 8.

Policy and Outreach Coordinator **Erica Schair-Cardona** supervises RHRC students attorneys in their work with clients and outreach projects. She also coordinates the Immigrant Youth Working Group, initially convened by the Clinic in 2015.

Adjunct Clinical Professor **Tina Schneider** joined the Clinic faculty in 2006 and oversees the Protection from Abuse Project. When she is not supervising students in the Clinic, Professor Schneider practices law as a nationally-recognized federal criminal defense appellate attorney, representing clients in various federal circuit courts. She formerly served on the Court of Appeals for the First Circuit's Criminal Justice Act Panel Admissions Committee.

Professor **Deirdre M. Smith** is the Clinic's Director and supervises students in the General Practice Clinic, as well as teaching other courses in the Law School including Evidence. She serves as a member of the Maine Professional Ethics Commission. Professor Smith works on policy development projects related to the reform of guardianship and adoption laws. She continued her work as a consultant to the Maine Family Law Advisory Commission, helping it develop recommended amendments to Maine's adoption and minor guardianship laws. Her most recent article, *Keeping it in the Family: Minor Guardianship as Private Child Protection*, was published in the Connecticut Public Interest Law Journal. A certified mindfulness teacher, Professor Smith's article *Bringing Mindfulness Practices to the Law School Clinic* appeared in the newsletter of the Association of American Law Schools Section on Balance in Legal Education. She was elected to the American Law Institute in December 2019.

Clinical Professor **Anna Welch** joined the Clinic's faculty in 2012 to design, launch, and supervise the Refugee and Human Rights Clinic. Her initial appointments were as Libra Visiting Professor and then Associate Clinical Professor; in 2016, she was promoted to Clinical Professor. Professor Welch also teaches Immigration Law and advises law students who are interested in pursuing careers in the field. Professor Welch remains an active member of the Maine Immigrants' Rights Coalition, the Asylum Working Group, and the American Immigration Lawyers Association. Professor Welch, along with Professor Northrop, coordinates

a coalition of advocates and providers in Maine (the Immigrant Youth Working Group) that meets to address the needs of Maine's immigrant youth. As described on page 9, Professor Welch launched a detention project out of Strafford, NH in 2019 where student attorneys visit immigrant detainees on a weekly basis to provide limited consultations. Professor Welch presented on a number of occasions in 2019 including on panels at Maine Law and at the New England Clinicians Conference held in November at Boston College. She also traveled twice to Laredo, Texas to volunteer with the Laredo Project.

Nationally-recognized juvenile justice reform expert **Jill Ward** continued her role leading the work of the Maine Center for Juvenile Policy & Law (MCJ-PAL) in partnership with the Juvenile Justice Clinic. As part of this work, she serves as one of three co-chairs of the statewide Juvenile Justice System Assessment and Reinvestment Task Force assembled in May 2019 to examine the efficacy of Maine's current system and develop recommendations to improve outcomes for system-involved youth. She is also a senior policy consultant for the national Youth First Initiative and the Campaign for Youth Justice.

The Clinic has a committed, hard-working, and indispensable staff. **Karen Murphy** continues to serve as our Administrative Manager, a position she has held for more than 10 years. **Jessica Lovitz** is our Clinic Coordinator and plays a key role in our client intake process and Prisoner Assistance Clinic. **Nancy Peterlin** continues her role as Administrative Assistant to the RHRC. Several students (both work-study employees and volunteers) also serve as valuable members of the team. Our staff and volunteers are responsible for another important component of the Clinic's public service mission, which is to assist the more than 2,000 callers seeking legal help from the Clinic each year. Due to our limited resources, we are only able to help a small number of these callers, but for the others, our staffers help them identify and connect with other potential resources in the area.



The Cumberland Legal Aid Clinic Class of 2019 with the Clinic Faculty on Graduation Day.

The Cumberland Legal Aid Clinic's mission is two-fold: educating law students through an intense, high-quality clinical and mentoring experience while providing free legal aid to Maine residents with low incomes. It is a defining program of Maine Law, providing practical skills training for students and helping to fulfill the school's commitment to social justice.