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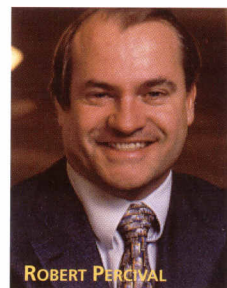


or Professor Robert Percival, director of the Environmental Law Program, providing opportunities for students to see and experience “what’s going on in the real world” is a vital part of their legal education. “It helps students understand more clearly how the theories we teach have impact,” he explains.

Percival’s no stranger to the “real world.” He spent six years literally defending the environment as staff, and later, senior attorney for the Environmental Defense Fund. It was natural for him to found the school’s Environmental Law Clinic when he brought his expertise to the Law School in 1987. Clinic students advocate on behalf of clients in litigation, rulemaking, counseling and negotiation, gaining valuable hands-on experience in the process.

In the fall of 2002, Percival broadened the school’s environmental focus by spearheading a

project to help the University of Chile (UC) establish its own environmental law clinic—the first of its kind in South America. Percival traveled to Santiago, Chile, and reciprocated the hospitality when two of the UC law school professors visited the Maryland law school campus later that year, the first steps in what all hope will be a long-term collaborative project between the two schools.



The Environmental Law Clinic, now directed by Professor Rena Steinzor, continues to handle a rotating caseload of clients, including the Potomac Riverkeeper, a local citizens’ organization, and the Nat-

FRONT LINES OF PUBLIC POLICY

Whether homeland security or homeowners' associations, international tobacco treaties or local drug treatment, UM law students are hard at work influencing public policy.

By Marlene England

ural Resources Defense Council. In one recent case, students provided legal counsel to the Aberdeen Proving Ground Superfund Citizens Coalition. After months of negotiation, they settled a lawsuit regarding the censorship of maps showing environmental contamination at the Army base.

WHERE THERE'S SMOKE

It was an innovative collaboration between the Environmental Law and Law and Health Care programs that resulted in the Law School's Legal Resource Center for Tobacco Regulation, Litigation and Advocacy. Directed by Professor Kathleen Hoke Dachille ('92), the Center is the first of its kind in the nation to be funded by cigarette restitution monies. The Tobacco Control Clinic, established in 2002 and also headed by Dachille, provides free legal assis-

tance to local governments, community groups, and state and federal agencies pursuing tobacco control efforts.

"We're here year-round serving clients, so there's never a gap in coverage," Dachille explains. "Plus we make housecalls—attending meetings, testifying in Annapolis." The latter, Dachille points out, is always a highlight for students.

During the 2004 session, students worked on four House bills—including H.B. 500, which would have authorized the state comptroller to suspend or revoke a tobacco retailer's license for selling cigarettes to minors. Students also worked on S.B. 528, which would have clarified that selling tobacco products through the Internet is unlawful and subject to action by the comptroller. While none of the bills were passed, the real-world experience

gained by students was invaluable. They drafted legislation and written testimony and provided oral testimony at hearings.

Even beyond the legislature, students make significant contributions to local and state tobacco control efforts. Last year, Clare Masiano ('04) drafted a position paper on children's exposure to secondhand smoke in foster homes and the state's authority to regulate such exposure. Jaclyn Ford ('04) created a layperson's guide to tenants' rights regarding drifting smoke from another apartment. The Clinic is now working with a local jurisdiction on smoke-free bars and



KATHLEEN DACHILLE

restaurants, especially pertinent since several local counties have already instituted smoking bans. Students are drafting the law, providing oral and written feedback, and answering policy questions.

As a graduate of the law school, Dachille is proud that the School of Law offers such a diversity of opportunities for students to impact public policy. "The difference between now and then is phenomenal, and the offerings are tremendous—plus they change with the times," Dachille points out. "As new issues develop, the School of Law responds with training for the students and pro bono legal services where there otherwise wouldn't be any."

"The School of Law has done a great service to its students—teaching them not only how to think like lawyers in the courtroom but also how to apply policy," Dachille comments. "And that puts students at the head of the class."

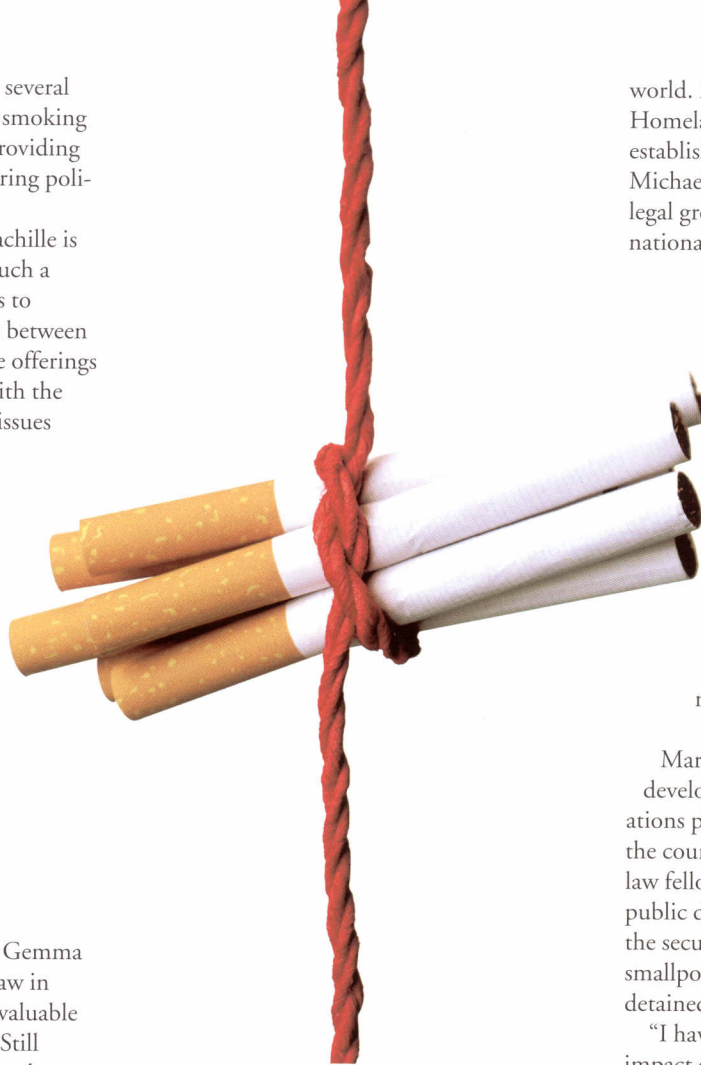
TOBACCO CONTROL —A GLOBAL VIEW

Susan Bankowski ('04) and classmate Gemma Vestal ('04) may have been studying law in Baltimore, but one of the year's most valuable lessons came in Geneva, Switzerland. Still months from law school graduation, both students made their mark on public policy as temporary advisers to the World Health Organization's legal team. It was in February 2004, as the two worked alongside thousands of representatives from 160 WHO member states to negotiate a landmark treaty at the Framework Convention on Tobacco Control. For ten days, they contributed to the sixth—and final—round of negotiations, building on their previous background reading and preparation back at school.

It was an historic time to participate in the work of the World Health Organization. This was the first-ever treaty to be negotiated by WHO, and the first international legal instrument designed to reduce, on a global scale, the number of tobacco-related deaths and diseases.

"It was truly exciting to watch the states weigh political and public health concerns in their negotiations and try to achieve a meaningful treaty," recalls Bankowski, now a research regulations specialist at the Johns Hopkins Bloomberg School of Public Health. After her experience with WHO, Bankowski's career focus shifted from domestic to global public health concerns. "The opportunity to work on the Framework Convention on Tobacco Control was very pivotal in my career," she says.

Adjunct professor Allyn Taylor had been working on the landmark treaty for a decade. In fact, the plan to attack the global tobacco pandemic from a convention framework was



the basis of Taylor's own doctoral dissertation at the Columbia University School of Law. She has been a driving force behind the project since then, joining the WHO staff as senior legal adviser for the treaty, which was negotiated over four years. The treaty was covered in Taylor's International Public Health Law course; three of her students worked formally on the treaty and also participated in negotiations in New York in July 2002.

"The School of Law has wonderful students—many with strong backgrounds in public health," comments Taylor, who is in the process of establishing a new externship program with WHO's Division of Health and Human Rights. "Externships give them experience practicing diverse areas of law."

As is often the case, Taylor says, one opportunity leads to another. Because of her work in Geneva, Gemma Vestal began work as a full-time technical officer with the World Health Organization last winter. Taylor says that providing unique opportunities for students to network professionally in the international arena is just one of the ways that the School of Law "goes the extra mile."

HOMELAND SECURITY HITS HOME

Nowhere is law more groundbreaking than in the counterterrorism arena of this post-9/11

world. Maryland's Center for Health and Homeland Security (profiled in the 2003 *JD*), established in 2002 and headed by Professor Michael Greenberger, continues to cover new legal ground in a practical setting—building a national reputation along the way.

In the summer of 2003, Kate Christensen ('02) was knee-deep in what she calls "cutting-edge law in real time" during Baltimore Harbor B.A.S.E., the first regional bioterrorism drill. Christensen worked with the City of Baltimore, the Mayor's Office, and the Baltimore Department of Public Health to plan and coordinate the drill, a thirty-six-hour simulation exercise that tested the city's emergency medicine system, area hospitals' disaster plans, and the process for establishing vaccination centers.

Karyn Bergmann ('03) helped the Maryland Emergency Management Agency develop a comprehensive continuity-of-operations planning manual—the first of its kind in the country. Greenberger and his students and law fellows regularly collaborate on articles and public documents, with topics ranging from the security of Maryland's drinking water to smallpox to the legal rights of U.S. citizens detained as enemy combatants.

"I have been very gratified to see the major impact our law students have made in shaping public policy," Greenberger notes, "and then seeing these students go to the front lines of the homeland security policy apparatus at the city, state, and federal level after they graduate." A current CHHS law fellow, Chris Gozdzor, ('03), will begin working for the Maryland Attorney General's office to advise Maryland's Department of Health and Mental Hygiene on consequence management public health issues relating to homeland security. Chad Gilchrest ('04) will join the FBI's counterterrorism task force in the fall.

Greenberger goes on to say, "What pleases me even more is seeing my students really excited about learning constitutional law, criminal procedure, and public health law in a way that directly addresses counterterrorism issues found in our daily headlines. We're making law school fun—believe it or not."

FOR THE PUBLIC HEALTH

In the midst of the war on terrorism, law school students supported the state of Maryland in its ongoing war on drug addiction. Teams of students in Assistant Professor Ellen Weber's Drug Policy and Public Health Strate-



MICHAEL GREENBERGER

gies Clinic drafted testimony to oppose the bill that would have placed restrictions on methadone treatment programs in Howard County. In other General Assembly action, students took on zoning laws that discriminated against other drug treatment centers statewide. In this past spring semester alone, teams participated in three bills, introduced in both the Maryland House and Senate.

Their work with the legislature is only one of the ways students explore drug and alcohol dependence from a public health perspective. Students regularly combine policy projects with pro bono representation of clients who



have suffered discrimination as a result of their dependencies. They work closely with drug treatment staff and clients, detention centers, city and state agencies, elected officials, and others to devise and implement strategies that address barriers

to treatment, housing, employment, and insurance.

Professor Weber, who joined the faculty after seventeen years with the Legal Action Center in its New York and Washington, DC, offices, values these real-world opportunities for students to collaborate with people both inside and outside the legal community. "It's interesting to see how students have expanded their understanding of how the law can be used," she says. "They recognize that they don't always have to take the traditional approach—litigation—to solve problems."

Since the Drug Policy and Public Health Strategies Clinic was launched two years ago, students have been filling a gap in services that other agencies cannot provide due to lack of funding or legal expertise. In the fall and spring of the last school year, a second team of students drew attention to the plight of individu-

als enrolled in methadone treatment programs and then incarcerated in the Baltimore City Detention Center, which refused to administer the treatment. The team developed a policy paper that brought to life the views of recovering addicts, convincing the correctional services and the state that the program was beneficial. They even developed protocols for the drug's delivery as well as procedures to protect client confidentiality.

And students' work is getting noticed. Recently, the City of Baltimore's Planning Department adopted standards proposed by students last February to eliminate discriminatory zoning for drug treatment centers in Baltimore. And, after hearing students' testimony before the General Assembly, a member of the House of Delegates approached Weber and asked how he could get School of Law students to work on ongoing lead paint issues.

THE VIEW FROM THE HILL

As a spring semester intern in the office of U.S. Representative Benjamin L. Cardin (D-MD) ('67), Michael Beland ('04) assisted with projects related to homeland security and other foreign-policy issues. "This experience was among the best parts of the time I spent at the School of Law," reflects Beland. "I was able to draft speeches and conduct legal research and, as a result, saw my traditional education combining with practical experience." On several occasions, Beland was able to draw upon his experiences in Professor Jana Singer's Constitutional Law course in order to construct legal memos concerning whether to support certain amicus briefs going to the Supreme Court.

Beland is one of approximately a dozen second- and third-year students each year that work on the front lines of Capitol Hill, thanks to Adjunct Professor Ruth Fleischer's Legislative Practicum, now in its seventh semester. The students work at least ten hours a week in a congressional office, participating in the legislative process, seeing the process in action firsthand. "The course certainly confirmed and heightened my interest in public service," he says. Beland intends to work for the Kerry presidential campaign in New Hampshire or Washington, DC, this fall.

Fleischer's own political experience delivers great benefit to the students, both in the field

and in the classroom. She represents environmental groups before Congress, having served previously as legislative and committee counsel to several U.S. senators (including Senators Bill Bradley and William Proxmire), and a couple of environmental House subcommittees. Her professional background and connections, like those of her colleagues, often open doors for students. Recent graduates are working at the Federal Election Commission, running a congressional primary campaign, and assisting in the Kerry presidential campaign. Several graduates are exploring career opportunities on Capitol Hill.

She's not the only one who puts her connections to work for the law school. As an adjunct professor, Delegate Sandy Rosenberg has been instrumental in scheduling an impressive lineup of speakers for his Legislation course. Recent classroom guests have included Congressman Cardin and Senator Sarbanes (D-MD), as well as other elected officials, cabinet members, and lobbyists. His second-year students develop a clearer understanding of the legislative process directly from the actual players.

In Rosenberg's class, students examine real-life cases that were recently considered by the Maryland General Assembly. Public policy considerations, the politics of the legislative process, statutory interpretation, and the drafting of legislation are thoroughly discussed. Students then draft a bill, present written and verbal testimony during a mock hearing, and prepare a strategy memo on how to secure the bill's passage.

"We've found that, prior to law school, many students have an insufficient knowledge of how a bill becomes a law," Rosenberg explains. "We try to teach them that it takes good policy and good politics to get bills passed."

Rosenberg and Fleischer agree that one of the great calling cards of the law school is its ability to immerse students in politics at all levels. "We want students to get a feel for how local, state, and federal governments—and international programs—work," comments Fleischer. "Combining the academic and clinical side is a real area of strength for the School of Law." JD

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