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MAINE
UNIVERSITY OF MAINE SCHOOL OF LAW
LAW

Cumberland
Legal Aid Clinic

Annual Report 2014



Training law students and helping
the people of Maine since 1970

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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: 2014 Maine Law graduate Michael O'Brien, left, and his former client taken in June 2014 outside of the U.S. Citizenship and Immigration Services Portland Field Office.

FROM THE DIRECTOR

Thank you for reviewing the 2014 Annual Report of the Cumberland Legal Aid Clinic of the University of Maine School of Law. This report provides an overview of our program, as well as highlights and client stories from our work this past year.

As I reflect on our student attorneys' accomplishments last year, I am struck by the many and diverse ways that they have helped people in need while expanding their own knowledge and skills. Direct legal representation of low-income Mainers remains the core of what we do, as the unmet need for legal aid persists among our neighbors. But our students are also having a far-reaching impact through their education, outreach, and



Deirdre M. Smith

policy development work. They have talked with people where they are – an urban teen center, a courthouse hallway, a church meeting room, a blueberry field, or a federal detention center in the desert – to provide them with information about their rights and to assess their need for help. Our students have also sat at tables in meetings with policymakers and com-

munity representatives from law enforcement, social services, and other stakeholders and to discuss critically needed changes in policy and practices that will benefit scores of people.

Our students' work has a transformative impact, not only on those our students meet, educate, and help while they are working in one of the Clinic's programs, but also on the students themselves. As Clinic alumni tell me, they take the sights and stories they encountered and the skills they acquired in Clinic into their practices and draw on them regularly. And for this reason as well, the reach of our program goes far beyond the individual clients our students helped last year.

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 on page 11, 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



The Cumberland Legal Aid Clinic's home on Exeter Street in Portland.

PROGRAM OVERVIEW



Cumberland Legal Aid Clinic Class of 2014

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 Clinic provides 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 2014 included the dynamics of family violence; navigation of challenging ethical issues; forensic psychology; working with interpreters; public benefits; client counseling; client and witness interviewing; discovery; and several others. Guest speakers included Maine District Court Family Law Magistrates Andrea Najarian and Lindsay Cadwallader, Deputy Bar Counsel Aria Eee, journalist Anne Murphy, and Dr. Ann LeBlanc of the Maine Forensic Service. In addition to this coursework, most students are required to 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.

2014 by the numbers

The Cumberland Legal Aid Clinic provided varying levels of legal assistance to more than 688 clients.

207 cases were Protection From Abuse matters. 118 cases were other Family Law matters, making Family Law the largest category of cases handled by the Clinic. However, it should be noted that student attorneys work on a wide range of cases, as described in detail later in this report.

Clinic clients came from 13 countries of origin, including the U.S., Angola, Burundi, Democratic Republic of the Congo, Djibouti, El Salvador, Ethiopia, Honduras, Iraq, Mexico, Rwanda, Somalia, Syria, and Sudan. The Clinic serves a growing number of clients with Limited English Proficiency.

57 students at Maine Law enrolled in Clinic courses in 2014. In addition, the Clinic hired five student interns, one Refugee and Human Rights fellow, and one public policy Cushman Anthony fellow for the summer of 2014 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: 14 interim hearings; 52 Protection from Abuse trials; 184 Protection from Abuse agreements presented to the Court; 91 juvenile proceedings; 8 family law final hearings or trials; 8 Probate Court final hearings; 17 mediations; 4 judicial settlement conferences; 42 non-hearing proceedings before Family Law Magistrates; 24 arraignments; 13 change of pleas; 29 criminal dispositional conferences; 3 Law Court briefs; 1 Law Court oral argument; 16 sentencing hearings; 5 asylum hearings; 4 Adjustment of Status (“Green Card”) Interviews; 9 Applications for Work Authorization; 1 Immigration Court Master Calendar Hearing; and numerous other miscellaneous appearances.



Refugee and Human Rights Clinic students Amber Attalla and Laura Shaw spent a week in Artesia, New Mexico providing legal assistance to women and children being held at an immigration detention center.

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. The U.S. District Court for the District of Maine and the Maine Commission on Indigent Legal Services have referred criminal matters, and the Maine Supreme Judicial Court has referred several appeals during recent years.

Accolades and Measures of Success

Two student attorneys earned special recognition in 2014. Elizabeth Valentine was the Maine Law recipient of the 2014 Northeast Chapter of the Association of Corporate Counsel Law Student Ethics Award for “demonstrating an outstanding commitment to ethics in the course of a clinical program.” At graduation in May 2014, Anna Polko 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 Maine Equal Justice Partners, Disability Rights Center, Legal Services for the Elderly, KIDS Legal, Pine Tree Legal Assistance and domestic violence agencies. A former Refugee and Human Rights Clinic student is working with RefugePoint in South Africa. A number of 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.

GENERAL PRACTICE CLINIC

“I was amazed with the work your students have done. The time they put into the job was amazing. 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 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 at-

torneys have taken on cases involving guardianship, termination of parental rights, protective custody, adoption, and de facto parents.

A wide range of criminal matters also falls under the umbrella of the General Practice Clinic. The U.S. District Court and the Maine Commission on Indigent Legal Services continue to appoint the Clinic to represent criminal defendants who cannot afford to hire an attorney. In 2014, student attorneys represented clients on criminal charges including Assault, Assault on Emergency Medical Care Provider, Conspiracy, Fraud, Violating Conditions of Release, Trafficking in Scheduled Drugs, Aggravated Assault, Criminal Mischief, Criminal Threatening, Theft, Operating After Habitual

Offender Revocation, Disorderly Conduct, Burglary of a Motor Vehicle, and Operating Under the Influence. Clinic students also assisted individuals implicated in federal criminal matters obtain immunity from prosecution in exchange for cooperation with the government.

Student attorneys provided legal assistance in cases involving financial exploitation, foreclosure, breach of fiduciary duty of a personal representative, breach of duty of agent, violation of duties of trustee and conservator, landlord/tenant, appeal of Department of Health and Human Services substantiation findings, civil rights, adult guardianship, non-profit/501(c)(3) status, social security, immigration, wills/estates, and other miscellaneous issues.

Client Stories

Paul

Paul and Jane were the parents of Billy, a 4-year-old with a number of serious problems including epilepsy and hearing or speech difficulties. Paul and Jane had a tumultuous relationship which culminated in a fight that resulted in Paul's arrest for domestic violence assault, a protection from abuse case by Jane against Paul, and a family action regarding Billy filed by Jane against Paul. The Clinic was initially appointed in the criminal matter but agreed to take on all three cases for Paul, who has multiple medical conditions that make it difficult for him to advocate for himself. There were several defenses to the criminal charge and the PFA, but Paul's overriding goal was the well-being of his child.

The Clinic first negotiated a consent Protection From Abuse order that had no finding of abuse and gave Jane primary custody of Billy and Paul supervised contact. Soon after the order was issued, Jane dropped Billy off at Paul's house and left the state. Billy was not in good health, not properly medicated, and having seizures. Over the course of the next few months the Clinic negotiated a resolution to the criminal assault charge, which would ensure that Paul's grandfather would be available to care for Billy while Paul completed a short jail sentence and that Paul's medical needs would be addressed by the jail. The start of the sentence was delayed to address the pending family law case with Jane. After Jane did not appear for a

hearing, the court changed custody to Paul. Eventually, Jane returned to Maine, and the Clinic helped Paul negotiate a final agreement with Jane, which allows Billy to remain with Paul and have regular visits with Jane. Billy is now in good health and doing well in his educational program.

Barney

Barney, who is in his mid-80s and in assisted living, was referred to the Clinic by Maine Legal Services for the Elderly to help him recover money stolen from him by a con man named Ken, who befriended Barney through a church. Ken visited Barney in the hospital one day right before he was scheduled to have surgery and asked Barney to sign some paperwork that Ken said would enable him to help Barney. In fact, Barney had signed a Power of Attorney, which Ken used to obtain a debit card for Barney's bank account and to withdraw thousands of dollars. Barney didn't find out about the card and stolen funds until his rent check bounced. When the student attorney contacted Ken, he admitted to taking the funds but refused to pay them back; shortly thereafter, he fled the country. Barney's student attorneys looked into the circumstances of the debit card and found that the bank had not followed rules regarding powers of attorney. The student contacted that bank and convinced it to restore most of the stolen money to Barney's account.

PRISONER ASSISTANCE CLINIC

Client Story

Janet

Janet, who is in prison for several crimes related to her addiction, asked to meet with a Prisoner Assistance Clinic student attorney about her overwhelming medical debt. She has over \$100,000 in medical bills from treatments for liver and kidney failure, and drug overdoses. Janet did not want to file for bankruptcy, although it would help get her out of the big financial hole. The student attorney researched some alternatives and found a state regulation known as “Free Care” which requires the hospital to provide free care if the finances of the patient meet certain guidelines, and Janet appears to qualify. There are several hospitals and providers involved in Janet’s case, and the student attorney is now working with Janet to gather all of the information needed to submit the package of medical bills to be withdrawn under the regulation.

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 150 prisoners during 2014. This three- and six-credit clinical course, supervised by Clinical Professor Jim Burke, 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 in Windham every week to meet with prisoners. Students had 505 client meetings at the prison in 2014. 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; minor guardianship; tort defense; drafting trusts, wills, living wills, and advanced health care directives; copyright and trademark; breach of fiduciary duty; conversion of property, name change; social security disability benefits questions; contract claims; attorney’s fees disputes; real estate; landlord/tenant; powers of attorney; individual rights; taxes; preservation of professional/business license; and bankruptcy.



Hands-on education

The Clinic 2014 Summer Interns and Fellows enjoying coffee after their swearing in as student attorneys at court. The summer interns work full-time managing a caseload 20-25 clients with a wide range of legal matters. The fellows participate in a variety of policy development and direct representation projects.

“We felt very comfortable with the student attorney handling the legal issues. He was very informed and made us feel very welcomed every time we saw him. He will make an excellent lawyer.”

– Mother of Juvenile Justice Clinic client

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 troubled youth on a number of levels. In 2014 the Clinic provided legal services to more than 133 clients. This includes 48 teens and young adults through the Teen Center Project, and 70 children in the Maine Juvenile Court.

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 2014 the Juvenile Justice Clinic provided full representation to approximately 37 children who were facing charges including Arson, Burglary of Motor Vehicle, Assault, Criminal Mischief, Possession of Alcohol, Burglary, Operating Under the Influence, Trafficking in Scheduled Drugs, Unlawful Sexual Con-

tact and Trafficking in Prison Contraband. On behalf of their juvenile clients, student attorneys work closely with social service agencies, legal aid providers, schools, and other community representatives. 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 2014, Juvenile Justice Clinic student attorneys served as ‘Lawyer of the Day’ in Biddeford District Court, providing basic legal representation to unrepresented juveniles who appeared for court dates. During these occasions, Clinic students assisted more than 33 juveniles, primarily in negotiations with the District Attorney’s Office.

Guardian ad Litem Project

The Clinic continued to develop the guardian ad litem (GAL) project initially launched in 2010. Court-appointed GALs and Court Appointed Special Advocates (CASA) GALs are not available to represent children charged with crimes, although a number of juveniles land in the delinquency system because of family dysfunction. The Maine Judicial Branch now grants qualified student attorneys permission to act as GALs in juvenile cases, and District Courts in three counties (York, Cumberland, and Androscoggin) can appoint Juvenile Justice Clinic student attorneys to serve as “best interests” attorney for children in their delinquency proceedings. Clinic student attorneys served as GALs for eight juveniles during 2014, enabling them to gain a deeper understanding of the unique and critical role that guardians serve in court proceedings.

Client Story

Amanda

We first met Amanda at court in Biddeford, when we were serving as Lawyer of the Day. Amanda was a teenager in trouble on all fronts: pregnant but not engaged in prenatal services, using drugs, not attending school, and on very thin ice at home. Amanda’s most pressing problems were her new juvenile charge and the numerous violations of her ongoing probation. The District Attorney sought to detain Amanda in a juvenile facility for health and safety reasons.

It did not take long for Amanda’s student attorney to learn that Amanda desperately wanted to change the course of her life, but felt overwhelmed by the scope of the issues she faced. The student attorney worked with Amanda, her mother and her mental health case manager, helping her come up with a plan to address her health, her education and her ability to be a good parent. With this plan in hand, the student attorney advocated effectively with the District Attorney, convincing her to keep Amanda in the community. We encouraged Amanda to apply to the YouthBuild program in Biddeford, which provides experiential learning, vocational training and pays students to work toward their GED. It was a perfect fit for Amanda. Over the next three months, with the help of her counselor, her family and her student attorney, Amanda stopped using marijuana, engaged in appropriate pre-natal services, and showed great success in her new educational program.

The District Attorney was so impressed with Amanda’s progress, she dismissed the pending probation violations and offered an agreement on the new charge that eventually led to its dismissal.



Student attorney Anna Polko congratulates her Juvenile Justice Clinic client at her high school graduation.

Client Story

Henri

Henri sought help by walking up to the Clinic's table at the Preble Street Teen Center. He was a teenager who had just arrived in Maine after fleeing a horrific and tragic situation in his native southeast Africa. He was homeless, alone, and in need of help. The student attorney who heard Henri's story, Mike O'Brien, worked tirelessly to help Henri achieve safety and stability in his new life. Mike found a local family willing to take Henri in and petition to become his guardians. Mike, working with students and faculty from the Clinic's Refugee and Human Rights Clinic, then helped Henri successfully petition the U.S. Department of Homeland Security for Special Immigrant Juvenile Status. Henri is now a U.S. lawful permanent resident ("green card" holder), and he helps other immigrant youth through a new program he started at Preble Street. Mike wrote about his experience helping Henri in the Fall 2014 issue of *Maine Law Magazine*.

To learn more, visit mainelaw.maine.edu/wp-content/uploads/2015/01/fall-2014.pdf.



Clinic Summer Fellow Taylor Sampson and Bowdoin College Fellow Emily Weinberger write up summaries after meeting with teens and young adults at the Preble Street Teen Center in Portland.

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 fifth year, the TATC Project is a collaboration of the Juvenile Justice Clinic and KIDS Legal, a statewide 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 55 legal consultations last year, and took on a few clients for full representation, providing assistance on a range of legal issues including education rights, public benefits, immigration, consumer, housing, emancipation, employment, criminal, and family law.

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 as well as providing direct representation to individuals. Such work offers students the opportunity to contribute to initiatives with far-reaching impact.

Juvenile Justice Clinic students and

Professor Northrop are participating in a policy development initiative with the American Civil Liberties Union of Maine and other community partners. They are advancing a package of key juvenile justice reforms, designed to reduce inappropriate detention and incarceration of youth; increase fairness in the justice system; improve access to education; and provide appropriate services for youth across systems to address their needs and promote public safety. The working group's goals include improving juvenile defense practices, encouraging restorative justice policies and eliminating the indiscriminate shackling of children in Maine's courts. A Bowdoin College Fellow, Cushman Anthony Fellow, and Juvenile Justice policy summer intern contributed a great amount of research and were active participants in meetings throughout summer. The coalition undertook a strategic planning process and recruited additional coalition partners during the summer and fall of 2014, and it will present specific policy initiatives to the Legislature in early 2015.

The Juvenile Justice Clinic serves as the Maine "expert" on the American Bar Association's project "Think Before You Plea: Juvenile Collateral Consequences in the United States." Students helped the ABA gather and edit the Maine information on the site www.beforeyouplea.com/me and will work to update the site as needed. Clinic students also developed and maintain a new website for the New England Juvenile Defender Center.

REFUGEE AND HUMAN RIGHTS CLINIC

“Thank you for all of the time and effort assisting in our case!”

– Refugee and Human Rights Clinic client

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 new 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.

Clients are referred to the new clinic primarily by ILAP 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. RHRC students collectively spent nearly 2,500 hours during 2014 working on asylum and other cases.

In Late 2013, the Clinic published “Asylum: How to Apply for Asylum in the United States,” a manual for Maine asylum seekers representing themselves. This manual was created in collaboration with ILAP, and several Clinic students were involved with

Client Story

Isaac

In 2013, the Refugee and Human Rights Clinic received a call from Isaac’s mental health provider at Healthcare for the Homeless, informing them about an asylum applicant who urgently needed legal representation. The RHRC had an opening and took on the case. Isaac fled the Democratic Republic of Congo (DRC) seeking refuge from the persecution he faced in his home country. As a human rights activist and leader he had attempted to bring to justice DRC government officials who committed human rights abuses with impunity. As a result of his activities, government officials detained, tortured and raped him. Isaac managed to escape his unlawful detention. He lived in hiding before fleeing to the United States. Isaac’s student attorneys worked tirelessly in preparing his asylum application. There were many challenges in establishing communication and a rapport with the client, including his memory loss and psychological trauma. The work ranged from preparing a thorough, well-documented asylum application, to advocating on behalf of Isaac at his asylum hearing before the Department of Homeland Security’s Asylum Office. All of the students’ hard work paid off last fall when Isaac’s asylum application was approved. As an asylee, Isaac can now live and work in the United States without fear that he will be killed for his activities as a human rights defender.

drafting. Throughout 2014, RHRC students engaged in outreach efforts to ensure that as many asylum seekers as possible have access to this valuable resource. RHRC student attorneys participated in monthly trainings and other forms of outreach to spread

the word among community groups and service providers about the availability of the manual, which has now been translated into French, Spanish, and Arabic.

RHRC student attorneys participated in an Immigrant Workers Workplace Rights Program in 2014. They created a series of “Know Your Rights” fact sheets, which provide Maine’s immigrant workers with essential information. The fact sheets, available in several languages, cover the laws relating to wage and hour, discrimination and harassment, health and safety, living conditions for migrant workers, and workers’ compensation. The students created these fact sheets after seeking out and listening to the needs and concerns of immigrant workers and organizations serving Maine’s immigrant communities.

RHRC student attorneys also created a pamphlet, “A Guide for Immigrant Victims of Domestic Violence,” which aims to provide Maine’s domestic violence victims with information about their rights. The pamphlet covers the laws relating to PFA orders, the Violence Against Women Act, U-Visas, T-Visas and asylum. The pamphlet, which was translated into French and Spanish, aims to increase awareness and improve access to resources.

RHRC Clinic students participated in the Clinic’s outreach to immigrant youth through the TATC Project at the Preble Street Teen Center (described earlier), including conducting intakes and “know your rights” presentations to immigrant youth to help assess their eligibility for immigration status and to otherwise help them navigate the system.

In November 2014, students Laura Shaw and Amber Attalla had the remarkable experience of traveling to the U.S. Department of Homeland Security’s Artesia detention center for immigrant women and children in New Mexico. They volunteered their time representing detainees seeking protection under U.S. asylum law. Although RHRC Faculty Supervisor Prof. Anna Welch served as coordinator, Amber and Laura raised all of the funds needed for the trip. Upon their return, Amber and Laura shared their observations and experiences in several programs, articles, and press interviews, shedding light on the conditions at the center and the treatment of the women and children held there.

PROTECTION FROM ABUSE PROGRAM

Client Story

Bill

Bill tried to get a protection order on behalf of his two children against his ex-wife, Marie, because of his concerns that she was physically abusing them. Marie was represented by a lawyer at the hearing, and Bill was not. Bill did not know what evidence was important to present, and he later told us he was confused and frustrated by the process. His request for a protection order was denied, and the children went home with Marie. Only hours after he lost that protection case, Bill's youngest child, who was only an infant, was in the emergency room with a broken arm. Bill contacted the Clinic, which represented him at a trial on a new request for a protection order. Marie's lawyer tried to block evidence from coming in, including testimony from the emergency room doctor, but Bill's student attorney argued successfully that the evidence was admissible. Bill obtained a protection order, which gave him custody of the children and made sure that any visits between Marie and the children would be supervised. Bill said his experience working with the Clinic was "amazing," and that "I couldn't have my kids without you guys!"



Student attorneys represent clients in protection from abuse (PFA) cases at Lewiston District Court.

"This is a fantastic service and I am so grateful for the help. Fantastic people doing a great thing!"

– Client, Protection from Abuse Program

Most students enrolled in any of the 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 2014, the Clinic represented 183 clients in PFA cases. Clinic student attorneys work closely with court advocates from Safe Voices (formerly the Abused Women's Advocacy Project), a non-profit organization based in Lewiston-Auburn. 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 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. The "Tri-County Advocacy Partnership" consists of the following other organizations: Muskie School of Public Service; Pine Tree Legal Assistance; Volunteer Lawyers Project; Safe Voices; Immigrant Legal Advocacy Project; United Somali Women of Maine; and Sexual Assault Prevention and Response Services.

CLINIC STAFFING & FUNDING

Faculty and Staff

Student attorneys are closely supervised by members of the Clinic faculty, all of whom complement their Clinic teaching with numerous community engagements, scholarship and other relevant activities.



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.

Professor Smith chairs the Maine Supreme Judicial Court's Advisory Committee on the Rules of Evidence, and is a member of several committees addressing issues of expanding access to justice in Maine. She also conducts scholarship on the intersection of psychiatry and evidence law in the context of civil litigation. In 2014 Professor Smith presented a work-in-progress about civil commitment of sex offenders at the American Association of Law Schools Conference on Clinical Education in Chicago. She also gave a presentation on innovative teaching methods at an Evidence conference at Ohio State University, and she served on a panel at the Federal Rules of Evidence Committee's annual symposium on evidence law. She initiated a project aimed at improving the adjudication of parental rights matters in Maine's probate courts, including submitting written comments and public testimony on the issue.



Clinical Professor E. James Burke joined the Law School faculty in May 2005 after serving as a part-time Visiting Clinical Professor for more than three years and bringing nearly 30 years of experience as a

trial lawyer in Maine. He continues his work overseeing the Prisoner Assistance Clinic and the Summer Intern Program as well as supervising General Practice Clinic students. During 2014, Professor Burke served as a member of the boards of the American Civil Liberties Union of Maine and Foundation, and as a member of Maine State Bar Association Continuing Legal Education sub-committee. He was a presenter at the MSBA's Bridging the Gap Program given every fall for newly admitted lawyers to the Maine Bar. He worked on initiatives with the MSBA and Maine Bar Foundation to ex-

pand job opportunities (and the provision of legal services) in Maine's rural counties. He served as a consultant to the Wabnaki Truth and Reconciliation Committee in its work with people who are incarcerated.



The Clinic hired **Clinical Professor Christopher M. Northrop** in 2006. Professor Northrop, a nationally-recognized advocate for the rights of juveniles, oversaw the design and launch of the Juvenile Justice Clinic

that fall and has continued to supervise the course since that time. During 2014 he also supervised students in the General Practice Clinic. Professor Northrop was honored by the Maine Youth Transition Collaborative for his work helping youth transition from foster care to independent living. Professor Northrop is also involved with the development of new training protocols and refinement of existing training protocols for juvenile defense work. He is teaching these protocols to clinical students at Maine Law, as well as juvenile defenders around Maine and the country. In 2014 he was elected President of the Maine Association of Criminal Defense Lawyers.



Tina Schneider joined the Clinic faculty in 2006 as an Adjunct Clinical Professor overseeing 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 different federal circuit courts. She formerly served on the Court of Appeals for the First Circuit's Criminal Justice Act Panel Admissions Committee.

Anna Welch joined the Clinic's faculty in 2012 as Libra Visiting Professor to design, launch, and supervise the new Refugee and Human Rights Clinic. 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 and the American Immigration Lawyers Association. In 2014, Professor Welch presented at the National Immigration Professors' biennial conference at UC Irvine, the AALS Clinical Conference in Chicago and at numerous CLE events across



Maine, including the Maine State Bar Association's Family Law CLE event, the Maine State Bar Association's Legal Year in Review, and CLE events coordinated by the Immigrant Legal Advocacy Center. Professor

Welch also recently co-authored an article that discusses various ways to incorporate skills exercises into doctrinal classes. Professor Welch also remains involved in national efforts to address the crisis at our southern border with respect to the detention of immigrant women and children.

The Clinic is fortunate to have a committed, hard-working and indispensable staff. **Karen Murphy** serves as our Administrative Manager. **Angela Morgan** joined our staff in 2013 as an Administrative Assistant, and **Nancy Peterlin** continued 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.

Funding

In 2014, nearly 30 percent of the funding for the Clinic's programs came from sources external to the Law School. The largest single source of such external funds is the Maine Civil Legal Services Fund, followed by the Maine Bar Foundation, which provided an Annual Grant of IOLTA funds. Other significant sources of external funding during 2014 include the Campaign for Justice, Sam L. Cohen Foundation, the Broad Reach Fund, Maine Community Foundation, 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. The Law School's Student Bar Association sponsored a 5K road race, "Race Judicata," to benefit the Clinic.



Cumberland
Legal Aid Clinic