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MAINE
UNIVERSITY OF MAINE SCHOOL OF LAW
LAW

**Cumberland
Legal Aid Clinic**

Annual Report 2016



**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: Refugee and Human Rights Clinic student attorneys Felix Hagenimana and Eliza Mette celebrate with their client “D.M.” after winning his asylum case in Immigration Court. Read about D.M.’s long road to victory on Page 9.

FROM THE DIRECTOR

Thank you for reviewing the 2016 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.



Deirdre M. Smith

As the signature public service program of Maine’s only and public law school, the Clinic provides many opportunities for our student attorneys to engage with the broader Maine community and to extend our impact through innovative collaborations. The Juvenile Justice Clinic’s outreach program at Preble Street Teen Center, for example, enables our students to work closely with the Teen Center staff to address the legal needs of at-risk or homeless teens and young adults. Our longstanding partnership with Safe Voices and the Sexual Assault Prevention and Response Services enables our programs to more effectively serve victims of domestic violence, sexual assault, and stalking through our Protection from Abuse Project in

Lewiston District Court. The extensive community education programs the Refugee and Human Rights Clinic has developed in collaboration with the Immigrant Legal Advocacy Project, Hope Gateway, and others allow us to provide critical information and guidance to hundreds of immigrants and refugees in Maine every year. Most recently, our Homeowners Assistance Project represents a new partnership between the Clinic and Avesta housing, a non-profit corporation providing foreclosure counseling services to homeowners in Cumberland County.

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 2016, approximately 53 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 Justice Foundation, which provided an Annual Grant of IOLTA funds and a grant from the Bank of America Settlement Fund. Other significant sources of external funding during 2016 include the Campaign for Justice, Sam L. Cohen Foundation, John T. Gorman Foundation, the Bidu Sayão Memorial Children’s Trust, 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 Class of 2016 with the Clinic Faculty on Graduation Day.

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 2016 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, 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.

Clinic launches Homeowners Assistance Project

With the support of a Bank of America Settlement Fund grant from the Maine Justice Foundation, the Clinic launched the Homeowners Assistance Project (HAP) in January 2016. For this project, the Clinic partnered with Avesta Housing, a non-profit corporation that provides foreclosure counseling services to homeowners in Cumberland County. Avesta refers homeowners to the Clinic and provides training and technical assistance to HAP faculty supervisors and student attorneys. Clinic students designated as HAP Student Attorneys receive specialized training in foreclosure prevention legal assistance, and provide full representation to clients referred by Avesta. The objectives of the project are to provide foreclosure prevention legal assistance to homeowners while training law students in this important area of law. As part of this project, the Clinic put on a well-attended panel discussion for the full Law School: "Navigating the Foreclosure Landscape: Practice Tips from Maine Lawyers."

2016 by the numbers

The Cumberland Legal Aid Clinic provided varying levels of legal assistance to more than 635 clients.

232 cases were Protection From Abuse matters. 136 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 18 countries of origin, including the U.S., Angola, Burundi, Canada, Chad, the Democratic Republic of the Congo, El Salvador, Guatemala, Haiti, Honduras, Iraq, Jamaica, Panama, Rwanda, Somalia, Syria, Sudan, and Togo. The Clinic serves a growing number of clients with Limited English Proficiency.

52 students at Maine Law enrolled in Clinic courses in 2016. In addition, the Clinic hired five student interns and one public policy Cushman Anthony fellow for the summer of 2016 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: 4 interim hearings; 47 Protection from Abuse trials; 193 Protection From Abuse agreements presented to the Court; 63 juvenile proceedings; 13 Family Law final hearings or trials; 25 mediations; 6 judicial settlement conferences; 45 non-hearing proceedings before Family Law Magistrates; 16 arraignments; 11 change of pleas; 22 criminal dispositional conferences; 2 Law Court briefs; 1 Law Court oral argument; 8 sentencing hearings; 1 immigration court hearing; 2 Adjustment of Status (Green Card) Interviews; and numerous other miscellaneous appearances.



The Portland-based law firm of Verrill Dana established the Roger Putnam Fellowship at the Clinic to honor a beloved senior member of the firm who championed the cause of access to justice during his career. At a lunch in his honor hosted by the firm in June 2016, Roger Putnam met with Dean Danielle Conway and Putnam Fellows De'Anna Mills ('17) and Danylle Carson ('15).

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 2016. Isabel Mullin was the Maine Law recipient of the 2016 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 2016, Kristina Rozan 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, and Pine Tree Legal Assistance. 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

“We have been so blessed that you came into our lives! Thank you so much for all that you have done.”

– 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 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, breach of fiduciary duty, recovery of personal property, administrative appeals, adult guardianship, protection from harassment, real estate, social security, wills/estates, tort defense (including insurance declaratory judgment defense), recovery of unpaid wages, tax liens, name change, and changing gender identity markers on legal documents (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 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. Clinic students also assisted individuals implicated in federal criminal matters obtain immunity from prosecution in exchange for cooperation with the government.

General Practice Clinic students help federal prisoner win commutation of lengthy sentence

In 2002, Ronald Evans was arrested in Brewer, Maine, for possessing 17 ‘baggies’ of crack cocaine. The total weight of the drugs was 6.4 grams – less than one-quarter of an ounce. Ronald, a 22-year-old addict who sold on the street to support his habit, was charged with possession with intent to distribute five grams or more of crack cocaine. He pled guilty to the charge. Because Ronald had two prior drug felony convictions, he was considered a “career offender” under federal law. This meant he received a sentence of 22 years, instead of the sentence of roughly five years he would have received without this designation. Federal sentencing law changed over the years since Ronald’s conviction, bringing penalties for crimes involving crack cocaine more in line with those for powder cocaine. However, Ronald could not receive any sentence reduction due to his career offender status. The child of drug-addicted parents who had himself started abusing drugs at age 10, Ronald began the hard task of turning his life around in prison – most importantly, by completing drug rehabilitation and obtaining his GED.

The Clinic helped Ronald file a Petition for Commutation of Sentence. He was one of nearly 12,000 inmates asking for commutation. On August 3, 2016, Ronald received what he described as “the best news of my life”: President Obama granted his Petition, making Ronald one of only 562 inmates whose sentences were commuted during the Obama administration up to that point. The President wrote to Ronald: “I believe in your ability to prove the doubters wrong, and change your life for the better.” Ronald will be released after completing a residential drug treatment program, and will return to his family more than four years earlier than he would have without the clemency.

Client Story

Dot

Dot is an 81-year old woman. She married Arthur in the military and they divorced in 1977. She was awarded 50 percent of his social security benefits and military retirement benefits. In the mid-2000s Arthur tried to avoid paying her, and we helped get her payments back on track. Dot stopped receiving social security payments sometime in September 2015 and contacted the Clinic after nine months of missed payments, which she depends on to live. The Clinic helped her contact her bank and the SSA, and she learned the checks stopped coming because the SSA stopped writing paper checks and switched to direct deposit. Dot’s bank did not have a direct deposit account relationship with the SSA. Her student attorney advised her to call her local representative in Congress (she called all three) and Senator Collins’ office began to unravel the mystery of where the money was. The student discovered that SSA claimed the payments were subject to a “stop order”, and SSA had sent the money to “the State” for “holding”. The State then sent those payments back to the SSA in a lump sum of \$909, which was now sitting in an SSA payment center in New York. With the Clinic’s help, Dot finally received all her money, and her payments are now back on track.

Client Story

Wendy

Wendy had more than \$100,000 in medical bills primarily from overdosing and liver and kidney failure. She was reluctant to file for bankruptcy and we advised her to see if she could get “Free Care” through the hospital. After considerable effort it became clear that all of the debt would not be wiped out by this route. Wendy still was reluctant to go bankrupt, but eventually agreed it was in her best interest. We helped her prepare and file the petition with the Court. The Bankruptcy system is designed to work with people who are not incarcerated, so there were several procedural and paperwork issues we helped Wendy work out. The Court indicated she would be discharged, but first she had to complete financial counseling, which turned out to be very difficult from prison. At one point the Court threatened to dismiss her petition. The student lawyer worked with the clerk and the judge to dispense with the counseling and to secure the successful discharge.

“I am forever grateful and so thankful,” Wendy said of the student’s work. “I would never have been able to do this on my own. Thanks to your help and hard work I can have a clean slate and fresh start.”

PRISONER ASSISTANCE CLINIC

“Thank you for the help I received; it allowed me to get the results I desired. The information I received from the Clinic was the only reason I had success.”

– 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 123 prisoners during 2016. 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 423 client meetings at the prison in 2016. 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; trusts, wills, and advanced health care directives; conversion of property; social security disability benefits; contract claims; attorney’s fees disputes; real estate problems caused by breach of duties by trustee and personal representative; landlord/tenant; powers of attorney; taxes; recovery of professional/business license; business formation; and bankruptcy.



The 2016 Clinic Summer Interns and Fellows at their swearing in before the Maine Supreme Judicial Court.

JUVENILE JUSTICE CLINIC

“The student attorney was great. Thank you for your help. It’s great to have people who care.”

– 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 troubled youth on a number of levels. In 2016 the Clinic provided legal services to more than 128 clients. This includes 51 teens and young adults through the Teen Center Project, and 69 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 2016 the Juvenile Justice Clinic provided full representation to approximately 45 children who were facing charges including Burglary of Motor Vehicle, Assault, Criminal Mischief, Possession of Alcohol, Operating Under the Influence, Trafficking in Scheduled Drugs, Aggravated Assault,

Terrorizing, and Trafficking in Prison Contraband, Aggravated Forgery, Attempted Aggravated Assault, and Aggravated Criminal Mischief. 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 2016, 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 24 juveniles, primarily in negotiations with the District Attorney’s Office.

Client Story

Joey

When Joey moved to Maine, his transition was very difficult. He moved from one end of the country to the other after finishing middle school. Joey left behind friends and family, but brought with him a significant drug habit and a nose for trouble. He picked up two serious charges (one school-based) in his first few months here. The Clinic started representing Joey after a positive drug test put him at risk of detention at Long Creek Youth Development Center. Joey’s student attorney worked quickly and effectively with Joey, his parent, his school and his counselor to help Joey get back on track with his treatment and education. The student attorney’s thorough investigation and effective litigation, combined with her client’s steady progress, enabled Joey to get a fair resolution. The student attorney negotiated an agreement with the District Attorney that required Joey to perform community service, stay sober, excel at school and stay out of trouble for several months. At the end of that period, Joey’s pending cases were dismissed. At our last meeting with Joey and his Maine family, he reported that he has adjusted well to his new home and was on the honor roll at the school that had nearly expelled him.



Juvenile Justice Clinic student attorneys Breanne Kidman ('16) and Kristina Rozen ('16) present on their outreach work at the Preble Street Teen Center at the Law School's inaugural Student Impact Summit.

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 seventh 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 legal consultations to 51 people in 2016, and took on a few clients for full representation, providing assistance on a range of legal issues including education rights; public benefits; immigration; housing; emancipation; disability benefits; Protection From Abuse; Special Immigrant Juvenile Status; employment; work authorization; wills; powers of attorney; name change; 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. In 2016, the Clinic launched a new Juvenile Justice Reform Project through which Clinic students and faculty will 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.

The three-tiered project addresses the following aspects of the juvenile justice system in need of reform: (1) the limited expunge-

ment of juvenile records; (2) the dearth of juvenile appellate case law and need for development of an appellate handbook, and (3) the use of an adult standard to assess juveniles’ culpability for negligent and reckless conduct. Working directly with a range of stakeholders and professionals, Clinic students and faculty researched these problems and participated in specific reform efforts designed to reverse their adverse impact on Maine youth presently and formerly in the juvenile justice system. Our partners for the project include the John T. Gorman Foundation, Maine Commission on Indigent Legal Services, Juvenile Justice Advisory Group, and New England Juvenile Defender Center, among others.

Immigrant Youth Work Group

The Clinic continued to serve as the convener of the Immigrant Youth Work Group, a coalition of dozens of professionals in Southern Maine, to address the legal and other needs of immigrant youth, and particularly those who arrive in Maine unaccompanied. Membership includes ILAP, Catholic Charities, Preble Street, United Way, Maine Department of Health and Human Services, City of Portland, and representatives from local schools and other agencies. The goal of the Work Group is to exchange ideas, experiences, and resources with other individuals working with abandoned, abused, or neglected immigrant children, to ensure these youths do not fall through the cracks. Refugee and Human Rights Clinic students, working in conjunction with the Immigrant Youth Working Group, produced an online resource guide in response to the overwhelming need in Maine for a guide that informs youth and service providers about the critical services to which they might avail themselves. The “Immigrant Youth Resource Guide” is available in English, French, and Spanish through the Clinic’s website.

Client Stories

Yasmina

Yasmina fled to the U.S. at the age of 17 after her mother was arrested by government forces and then “disappeared” in their war-torn native country in Africa. She arrived in New York City without knowing anyone, and she made her way to Boston and then Maine with the assistance of a network of immigrant cab drivers. Fortunately, she ended up at the Preble Street Teen Center, where she was referred to a local group that identifies potential guardians for unaccompanied minors, and she was matched with a caring, supportive local family. She was also referred to the Clinic for representation and assistance in obtaining legal status. As a result of the Clinic’s work, the mother in the local family was appointed as her guardian. Thanks to the safety and stability she has found here in Maine, Yasmina is now fluent in English and is obtaining straight As in her high school classes. The Clinic successfully petitioned the USCIS to award Yasmina Special Immigrant Juvenile Status, and in the spring of 2016 she received her green card.



Yasmina at the U.S. Citizenship and Immigration Office in South Portland with her Refugee and Human Rights Clinic student attorney Erin Tolan (‘16).

REFUGEE AND HUMAN RIGHTS CLINIC

“I am ever so grateful to have had this opportunity. I don’t think I could have achieved this outcome and in such a supportive manner.”

– 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.

Clients are often referred to the new clinic 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.

Refugee and Human Rights Clinic student attorneys and faculty supervisor Prof. Anna Welch, in conjunction with the Immigrant Legal Advocacy Project and Justice For Our Neighbors, have conducted monthly trainings at Hope Gateway in Portland. Students help immigrants learn how to use the “How to Apply for Asylum” manual, which was produced by the Clinic and ILAP

for asylum seekers who are not represented by an attorney and is available in English, French, Spanish, and Arabic. The RHRC has assisted hundreds of individuals through the monthly trainings and distributed dozens of copies of the manual, both at the trainings and through our website.

During 2016, RHRC students and faculty collaborated with students and faculty from other Clinic programs to provide comprehensive legal representation to a number of unaccompanied immigrant youth. These children arrived in Maine from troubled locations all over the world, and must go through a complicated two-step process involving both state courts and the U.S. immigration agency to achieve legal status through the Special Immigrant Juvenile Status proceeding. RHRC Clinic students participated in the Clinic’s outreach to immigrant youth through the TATC Project at the Preble Street Teen Center (described earlier) and have provided trainings to Portland Public Schools’ guidance counselors on identifying children who might need immigration assistance and to brainstorm how we might collaborate to help meet the needs of Maine’s immigrant youth.

Client Stories

D.M.

After five years of zealous advocacy by more than a dozen students in the Refugee and Human Rights Clinic, the Immigration Court in Boston granted RHRC client, D.M., asylum following a compelling and emotionally touching hearing. He was represented by Student Attorneys Eliza Mette ('17) and Felix Hagenimana ('18). D.M. is a citizen of the Democratic Republic of Congo (DRC) who worked for years advocating on behalf of rape survivors. As a result of his work, he faced an escalating scheme of intimidation and violence, which culminated in a death threat that forced him into hiding and left him no choice but to flee to the United States in search of refuge. Over the last several years, student attorneys from the RHRC worked tirelessly documenting their client’s experiences, developing his testimony, and crafting the strongest case theories in support of his asylum petition. At the close of the hearing, Immigration Judge O’Sullivan commented on how



D.M. (center) with his RHRC student attorneys Felix Hagenimana and Eliza Mette at the U.S. Immigration Court in Boston.

organized and focused Eliza and Felix were in guiding the case forward. She noted that they performed better than many seasoned attorneys who appear before her.

Client Story

Caitlin

Caitlin sought protection against her ex-boyfriend, Tom. He had hit and shoved Caitlin, taken away her cell phone, chased after her when she fled the home, and damaged her car. Tom falsely claimed that Caitlin was a crazy drug addict, and that she was the abuser. He filed for a protection order against her as well. The case was tried over two days. Tom obtained Caitlin's medical records in violation of the rules, which require the opposing party to be notified if someone is seeking confidential records. Caitlin's student attorney succeeded in getting the judge to rule the records could not be used at the trial, and that Tom could not say anything about them in his testimony. The judge ultimately granted Caitlin's request for a protection order, and dismissed Tom's complaint. At the student attorney's urging, the Court required Tom and his attorney to destroy any copies of Caitlin's medical records, and to never use that information in future proceedings. Caitlin was relieved and pleased with the quality of representation. "My student attorney was very professional, as well as knowledgeable. She made me feel at ease with my situation, as well as helped me relax with positive tips," Caitlin said. "I want to give her a big thank you for helping me through this process."

PROTECTION FROM ABUSE PROGRAM



PFA project faculty supervisor Tina Schneider advises student attorney Tommie Burton ('16) as he prepares for a trial at Lewiston District Court.

"The student attorney clearly explained what was happening, and not only represented me but made me feel more comfortable, which has no price. I'm very thankful and appreciative of their services."

– 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 2016, the Clinic represented 205 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 orga-

nizations. 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. 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

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.

Clinical Professor E. James Burke joined the Law School faculty in May 2005 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. He started up the Homeowner's Assistance Project in the General Clinic, which is partly funded by the Maine Justice Foundation, and works with clients who are facing foreclosure of their home mortgage. He was a member of a committee including the Law School, the Maine Justice Foundation, the Board of Overseers of the Bar and the Maine State Bar Association charged with developing the Rural Lawyers Project, designed to place students into summer jobs where they can make contacts that could lead to practice in rural Maine when they graduate. During 2016, Professor Burke served as a member of the Maine State Bar Association Continuing Legal Education sub-committee, and on a Court-appointed committee to review and make recommendations regarding the adoption of the Uniform Bar Examination in Maine. He spoke at the Martin Luther King Jr. day symposium at Bates College about how lawyers can use their skills in the advancement of progressive issues, including planning, organizing, and representing defendants involved with civil disobedience. He, along with a Prisoner Assistance Clinic, participated on a panel convened by the US Attorney to discuss the re-integration of prisoners into society after their time has been served.

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 2016, he also supervised students in the General Practice Clinic. Professor Northrop co-presented with Professor Welch on "Clinical Collaborations and Building Communities to Address the Needs of Immigrant Youth," at the New England Clinicians Conference in Boston. Professor Northrop presented "Acting Your Age: Mens Rea and the Reasonable Child" at the National Juvenile De-

fendant Leadership Summit in Atlanta. He also helped develop and spoke at the New England Juvenile Defender Center's Regional Training at Quinnipiac Law School. Professor Northrop is a founding director at Maine Community Law Center and New England Juvenile Defender Center, and continues to serve on both boards.

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 different federal circuit courts. She formerly served on the Court of Appeals for the First Circuit's Criminal Justice Act Panel Admissions Committee.

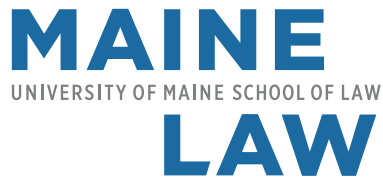
Professor Deirdre M. Smith is the Clinic's Director and supervises students in the General Practice Clinic, as well as teaching other courses in the Law School including Evidence. Professor Smith was recognized by the ACLU of Maine as the recipient of the 2016 Justice Louis Scolnik award. In addition, Professor Smith was honored with the University of Maine School of Law Alumni Association Distinguished Service Award in recognition of her outstanding contributions to the legal profession in Maine and particularly her support of the University of Maine School of Law and the Cumberland Legal Aid Clinic. Professor Smith's most recent work, "From Orphans to Families in Crisis: Parental Rights Matters in Maine Probate Courts," was published in the Maine Law Review. Her research has led to her advocating in the Maine State Legislature, where a bill she drafted and proposed last session, LD 890 "An Act to Ensure a Continuing Home Court for Cases Involving Children," was finally enacted by the Legislature and signed by Governor LePage (P.L. Chapter 460). In addition, Professor Smith worked with the Family Law Advisory Commission to conduct a study of the parental rights provisions of the Maine Probate Code and to prepare a report with recommendations for new legislation amending those provisions.

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. Profes-

sor 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, the Latino Community Advocacy Committee, 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 regularly to address the needs of Maine's immigrant youth. Professor Welch presented on a number of occasions in 2016 including at the New England Clinicians Conference in October 2016 on Clinical Collaboration and Building Communities. In October 2016, she presented at the Portland Public Library as part of its Choose Civility Series on Immigration. In November 2016, she joined panelists at the University of Southern Maine and the University of Maine School of Law on the implications and impact of the presidential election on immigration. Throughout the year, she also presented at CLE events coordinated by Maine's Immigrant Legal Advocacy Project. Professor Welch continues to provide educational outreach to Maine's immigrant populations.

The Clinic was very fortunate to have **Jennifer Bailey**, a lawyer and teacher with more than 25 years experience in immigration law and policy, as a Visiting Clinical Professor to supervise the Refugee and Human Rights Clinic for the Spring semester during Professor Anna Welch's maternity leave.

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. RHRC alumnus **Brandon Farmer** serves as our Enrollment-to-Employment Initiative (e2e) Post-Doctoral Fellow. **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.



Cumberland Legal Aid Clinic

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.