

# Beyond the Book— The Expansion of Experiential Learning

For more than forty years, Yale Law School has been committed to clinical education and the belief that engaging students with **real clients and real legal problems** enriches their legal knowledge. Traditionally, clinical education was seen as an extension of academic education—but something apart from the scholarly work of academics.



In recent years the divide between the approach of practitioners and scholars has been shrinking. In the past academic year alone, there have been dozens of classes, clinics, and projects that—at their core—value the engagement of students with real world, practical issues while also pursuing scholarly ends. Some of this expansion is due to a new generation of faculty, many of whom experienced clinical education as students. Taken as a group, these faculty members' classes and projects represent **a new hybrid of pedagogical approaches**—a melding of the technique of practitioners with the academic analysis and theoretical thought ascribed to scholars.

What follows is a look into some of the ways that experiential learning has recently been used in the many classes, projects, and clinics at Yale Law School, offering students on-the-ground experience paired with the critical and analytical lens of classroom work.

## Tackling National Security and Foreign Relations Policy

### Seminar on Legal Debates in U.S. International Lawmaking and Foreign Affairs

Each week of the fall semester, Yale Law School Professor **Oona Hathaway '97** meets with eight students in a small seminar room to tackle some of the most complex and pressing issues of national security and foreign relations policy. The seminar's curricular goal—to examine current legal debates in U.S. international lawmaking and foreign affairs—is served by its format, which includes intensive research, discussion, and drafting of reports. Not just an academic exercise, the students' work often ends up on the desks of some of the most influential lawmakers in Washington.

The class was born from Hathaway's own interest in issues of international law. She has served on the Advisory Committee on International Law for the Legal Adviser at the United States Department of State for several years and has contacts in the Senate Foreign Relations Committee as well. "It seemed a natural fit as far as connecting the best and brightest students with the latest work in Washington," she says of the seminar.

The seminar begins each fall when Congressional staff, attorneys in the Legal Adviser's Office at the Department of State, and nonprofit groups working on issues relating to foreign affairs and international law propose the research topics. "We're not working for them, but we're offering

“They feel like **the stakes are high and the issues matter**. They're producing things that are actually going to be read, and handed to people who are decision makers.”

*Oona Hathaway, Seminar on Legal Debates in U.S. International Lawmaking and Foreign Affairs*

to think and write about issues that are of interest to them," Hathaway explains, stressing that the relationship is an informal one. "Part of what makes our work so valuable is precisely that we are able to approach the issues divorced from any particular institutional role."

The class takes on eight to ten projects per semester. The students' work is extraordinarily intensive with thousands of hours of research, discussion, and an average of fifty rounds of revision for each report they draft. ("Students are fantastic about doing the grunt work as well as the glory work," Hathaway says.) It's an intense and collaborative process and it's thought-provoking work for Hathaway as well as for her students.

"Often the topics are things I don't know much about," she says, "that's part of what I love about it, because I learn so much. This class has been very generative for my own thinking—especially on the doctrine of the law of war."

The class also offers students a window to the issues being discussed most vigorously in Washington. Lately, national security law questions have topped the list.

Students from the seminar recently wrote an amicus brief for the Supreme Court case *Kiyemba v Obama*, a case involving the question of whether a federal judge has the authority to order the release onto U.S. soil of foreign citizens detained by the U.S. military after capture abroad.

The seminar is a melding of both clinical and academic work. Hathaway's research and writing with the students has resulted in several co-authored articles. *continued on next page*

## Q+A

with Professor Mike Wishnie

*The Law Report recently spoke with Professor Mike Wishnie '93 about the clinical programs at YLS. Wishnie is the new director of the Jerome N. Frank Legal Services Organization (LSO) following the retirement of Professor Bob Solomon, who had served the program for more than twenty-five years.*

**Tell us a bit about the clinical programs at Yale Law School—where are they now? How have they evolved?**

Steve Wizner, Denny Curtis, and other members of the "founding generation" established Yale's clinical programs in the 1970s, inspired decades of Yale students to careers in public service, and have had an enormous impact on the development of clinical education across the nation and globally. In the late 1980s, more clinicians joined the faculty, expanding our clinical offerings and securing the place of experiential learning within the school. The work of Jean Koh Peters on "the Five Habits" of cross-cultural lawyering, for instance, is

taught in nearly every clinical program in the U.S. And Bob Solomon's bold, creative community lawyering has not merely pushed the edges of the envelope—it has punched giant holes in it, redefining what clinicians, and lawyers, imagine as possible.

The clinical programs are now well-established across the law school, as many of our non-clinical colleagues have come to include experiential learning in their own classes. Early examples included John Simon's non-profit organizations clinic and Harold Koh's Lowenstein Human Rights Clinic; more recently, Dan Kahan has led the Supreme Court Clinic, Heather Gerken, the

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continued from page 35

An article that seminar students and Hathaway wrote titled “Recent Developments in the Extraterritorial Application of Human Rights” will be published in the *Arizona Law Review*. An article titled “Lessons from the Past for Sovereign Immunity After *Samantar v. Yousuf Saurabh Sanghvi*” was presented before the advisory committee at the Department of State. And at least three other articles written by the class in the past year will also be developed into law journal articles. In fact, the class has been so prolific that there is talk of a book collection of articles about the law of war.

“Students pretty unanimously tell me that it is the hardest they’ve worked in law school and their most rewarding experience at YLS,” Hathaway says. “They feel like the stakes are high and the issues matter. They’re producing things that are actually going to be read, and handed to people who are decision makers.”

“This course has been perhaps the most influential force in my law school experience,” says Rebecca Crootof ’11, who took the class in the fall of 2009 and assisted Hathaway with the class in the fall of 2010. “Having participated in three clinics and taken numerous academic courses, I can easily say it combined the best of both,” she adds. “I learned a tremendous amount about the relationship between international and domestic law. I gained numerous concrete skills, including how to effectively research a domestic or international law question (with a focus on legislative history, agency materials, and foreign law as well as cases) and how to write and structure legal reports, op-eds, and legal briefs. I was able to spin one of my projects for this course into my SAW, which I am now publishing as a student note in *The Yale Law Journal*.”

The seminar students also had the opportunity to visit Washington, D.C., this past year. They observed a full day of meetings of the advisory committee at the State Department and had a chance to meet with the Chief of Staff and Chief Counsel of the Foreign Relations Committee.

Hathaway would like to create a center at the Law School to fund the types of projects taken up by the seminar and expand its work. “This is a class that could only be taught here because of the resources available here—including the library staff—and because of the students, who can really be trusted to do the best possible work that can be done.

“I have a new appreciation for the clinical faculty after this,” Hathaway continues, explaining that the intensity of supervision in the context of this class is greater than what she had experienced before. “When you’re doing this kind of real-world work you’re responsible for what goes out the door. It really matters that our work is right since it has implications beyond that of an academic exercise. Something really rides on this work.”

And, just as important, the work is a win-win when it comes to the students’ education—giving them solid experience in researching and writing on real world matters. “The work also helps students understand the broader ethos of being a good lawyer,” Hathaway adds. “They learn to work together in a high-intensity situation, to craft legal arguments, and to refine those arguments through repeated revision, all while keeping in mind both the details of the legal doctrine and the bigger context in which it fits.”

#### Q + A continued from page 35

San Francisco Affirmative Litigation Project, and Jack Balkin, the Media Freedom and Information Access Practicum. There are a number of others as well.

#### What do you see as the next step for LSO?

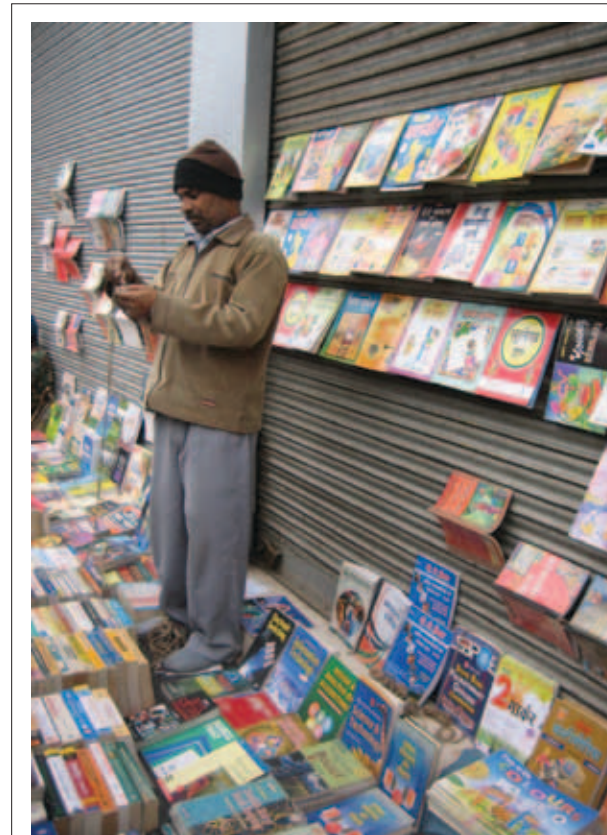
This founding generation of clinicians is now retiring, and we are in the process of hiring new faculty, who will bring their own ideas about law, lawyering, and clinical pedagogy. These new faculty may offer courses in different subject-matter areas, and without doubt their vision and energy will take the clinics in new directions. In some ways, the practice of law today differs from that of twenty or thirty years ago. It’s much more international and multi-jurisdictional—our students will likely represent clients across the country and all

over the world. Today’s law practice also often combines multiple strategic approaches, such as litigation, regulatory advocacy, and legislative work, as well as public education. In representing their clients, lawyers today often ask “What’s happening in the state legislature? What are my client’s options if this ends up in court? What’s happening at the agencies? How will I achieve my client’s goals in these various legal fora?” In the clinics our obligation is to train 21st century lawyers, and I think our programs are changing to reflect these developments.

We have had several clinical visitors in the past few years, each of whom has contributed invaluable insights about the current practice and future direction of our programs. Some of these visitors have joined the faculty: Muneer Ahmad now

offers the Transnational Development Clinic (see pages 2–4) and co-teaches the Worker & Immigrant Rights Advocacy Clinic (WIRAC), and James Forman will soon launch a clinic grounded in education law and policy. We may have more clinics incorporating international law, combining litigation with other forms of legal advocacy, or embracing interdisciplinary approaches to legal problems. If so, these shifts in emphasis will reflect a desire to ensure that our students are equipped with the analytic tools demanded of future lawyers.

What I’m confident will not change, however, is the program’s deep commitment to the representation of low-income clients and subordinated communities, especially in and around New Haven, and to training Yale Law students to



*The Transnational Development Clinic, one of the newest clinics at YLS, blends the theoretical with the practical. To read more about the work that Clinic’s students have been doing, including advocacy work on the streets of India, see pages 2–4.*

## Expanding the Scope of Climate Change Scholarship

### Amicus brief for *American Electric Power Co., Inc. v. State of Connecticut*

Together, Dean Robert Post ’77 and Professor **Doug Kysar** have a vision. Kysar and Post are thinking big when it comes to a possible model for a collaborative center that would address issues of climate change.

Kysar is also thinking big when it comes to projects that he can involve students in. This past year, Kysar worked with YLS students and a student from the Yale School of Forestry and Environmental Studies to research and help draft an amicus brief for what he calls “the most radioactive” Supreme Court case of the year—*American Electric Power Co., Inc. v. State of Connecticut*. Kysar describes the case as “an old-fashioned pollution case.” The brief, signed by a group of tort law scholars including Kysar, YLS Professor Jules Coleman ’76 MSL, and YLS graduates Jon Hanson ’90 and Scott Hershovitz ’04, tackles the debate over whether tort law represents an implicit regulatory device or a traditional private law system for the pursuit of justice.

Kysar became interested in the suit and its implications given concerns about global climate change, and involved several students from the Law School’s Environmental Protection Clinic to assist with the amicus brief. (Because of conflict-of-interest issues, the clinic’s co-director, Kit Kennedy, could not be involved in the project.)

“The students definitely gained classic research and writing skills,” says Kysar. “They had the chance to help write an appellate

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be among the finest, most skillful, most reflective lawyers in the country. A passionate, unwavering dedication to students and to clients—that is the legacy of Steve, Denny, Bob, Carroll Lucht, Frank Dineen, and the many others who established Yale’s clinical programs, and the result of the enduring practice of Jean, Jay Pottenger, and the rest of our clinical faculty and staff. I am certain that these values will remain as the beating heart of LSO.

#### Why are clinics an important part of legal education today?

Many students say that the clinics are where they learn to research and write and analyze and think like a lawyer—and in particular, as a *reflective* lawyer, one who

learns how to learn from one’s own experience, so as to ensure that our students’ education doesn’t end when the Dean hands out degrees. Through the experience of drafting a brief or arguing a motion, taking a deposition or putting a witness on the stand, interviewing and counseling a client—or, beyond the realm of litigation, negotiating a deal, testifying before a legislature, meeting with a regulatory body—students are learning to apply theories and principles to the problems of real people with real cases. Second, of course, practice tests these theories. In the clinics, it is not uncommon for students to conclude that those theories are contradicted by the facts on the ground, by law and legal institutions in action. This in turn compels students to

revisit theories or assumptions they have previously accepted, and quite a few end up writing SAWs or notes analyzing problems first encountered in their clinical work. In addition, examining and applying rules of professional responsibility are central to clinical work at Yale. It is generally the first time that students must grapple directly with legal ethics and the ways in which they structure law practice. Last, the clinics are a place where many students say they find community at the law school, where they meet people who become their best friends. They realize that despite the occasional late nights or weekend hours, when you are working hard for a client in whose cause you believe, on a matter of consequence, with colleagues you like—well, law practice is fun. LSO students make

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Doug Kysar, *Amicus brief for American Electric Power Co., Inc. v. State of Connecticut*

*continued from page 37*

brief at the highest level in the country. They had an opportunity to see the ways in which legal scholarship can affect legal practice. And how theory such as that taught by professors like Jules Coleman can influence on-the-ground work.”

Yale University, Kysar explains, has made a huge investment in the study of climate change through the Yale Climate and Energy Institute (YCEI). A climate change center based at YLS, Kysar believes, would complement YCEI and other efforts at Yale by helping to further bridge the divide between scientific research and law. “This type of center would allow students to call on campus experts for help in clinic legal projects and also offer those experts a megaphone to highlight their work to the policy world,” he explains.

## Local Engagement and Policy Development

### Ludwig Community Development Program and Clinic

Though many YLS students are working directly on issues of national and international law, there is also a significant group of students who use a decidedly local focus to address challenges and inform policy on the local, state, and federal levels.

Yale Law School’s Ludwig Community Development Program and Clinic is home to both the Community and Economic Development (CED) clinic and Community Development Financial Institutions (CDFI) clinic.

CED is the most interdisciplinary law school clinic in the country, with students from the law, business, architecture, forestry, and divinity schools at Yale representing local small businesses and local nonprofits. Students involved in CED and CDFI work in regulatory, transactional, business, and strategic capacities on issues such as education reform, prisoner reentry, food policy, community banking, mortgage foreclosure (*see page 12*), affordable housing, and small business legal services.

Among CED’s many projects is its work representing the Greater Dwight Development Corporation. Clinic students helped secure Stop & Shop as the replacement anchor store in New Haven’s Dwight Place Plaza, ensuring that New Haven would have a large grocery store. CED’s Education Reform group recently helped the City of New Haven launch New Haven Promise, a college scholarship program for all New Haven public school graduates meeting certain grade point, behavior, and residency criteria. (*See page 7 for more about students’ work on New Haven Promise.*)

In another long-term project, students with CDFI worked with New Haven Mayor John DeStefano to raise questions about the merger of New Alliance Bank and First Niagara. Students prepared testimony on the potential negative impact that this merger would have on New Haven due, in large part, to the lower Community Reinvestment Act ratings of First Niagara. All of

the students testified before Connecticut Banking Commissioner Howard Pitkin at a four-hour hearing.

CED has also been involved in food policy issues, having helped to incorporate CitySeed, a nonprofit that runs local farmers’ markets and is engaged in promoting local sustainable food systems in New Haven. Recently, CED students Allison Tait ’11 and Lang Liu ’11 collaborated on a report with the National Policy & Legal Analysis Network to Prevent Childhood Obesity. The report (which grew out of a workshop hosted by NPLAN and YLS) examines possibilities for reshaping farm bill policies and recommendations for future research and action.

## Addressing Issues of Criminal Law in The Elm City

### Prisoner Reentry Initiative

When she arrived at YLS in 2007, **Tracey Meares** had a track record of successful collaboration with the city of Chicago and its police department on policy issues surrounding criminal law. Meares landed in New Haven with the thought that she’d try a similar project on the East Coast—but that it might take a while to get a project off the ground.

Before classes even began, Meares met with New Haven Mayor John DeStefano and proposed a project for the Elm City in which law students would be put to work on hot-button issues of criminal law. The mayor accepted the proposal immediately and the following spring Yale Law students began working on problem analysis, policy research, and proposals for three top problems facing New Haven—prisoner reentry, police legitimacy, and youth violence. Half of the class time was devoted to taking a

close look at policy, and the other half working with the city government to closely examine the problems.

The reentry portion of the students’ work was particularly successful and helped lead to the creation of a Prisoner Reentry Initiative for New Haven, which is now run out of the mayor’s office. The police legitimacy portion of the students’ work led to the creation of a wallet card that explains police duties and civilian rights and responsibilities. The students’ study of youth violence in New Haven and the impact of the “Step Up!” program ultimately helped two cities in New York win \$100,000 in funding to implement that program, which offers support and training to at-risk youth.

## San Francisco Affirmative Litigation Project Takes on Proposition 8

### SFALP

Students involved in the San Francisco Affirmative Litigation Project (SFALP) gain a rare insight into the inner workings of a municipal law department as they work with deputy city attorneys in the San Francisco City Attorney’s Office on some of the most innovative public interest lawsuits in the country. Led by Professor **Heather Gerken**, the project has become a national model for partnerships between law schools and city attorney’s offices.

Many of SFALP’s projects, while addressing issues of local concern, have a national impact. Take, for example, the seminar’s work on the federal constitutional challenge to Proposition 8 and its elimination of the right to same-sex marriage in

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**Q + A** *continue from page 37*

an enormous difference in the lives of their clients, and this can be extremely satisfying.

### Describe a bit about your approach to working in the community? How do you decide which cases to take?

I’m speaking now for myself, not on behalf of LSO as a whole—LSO doesn’t have any one monolithic approach, and each faculty member tends to develop his or her own personal case-intake or docket management practices.

A traditional legal services office employs an emergency room approach—you try to perform some triage, to identify the most urgent cases, but often it amounts to a first-come, first-served approach that privileges those poor clients most able to

show up at an office first thing in the morning on a given date and time. My approach—and it’s one that I learned here as a student in the clinics, and now try to use in WIRAC and the Veterans Legal Services Clinic (VLSC)—has been a little different. [For more about VLSC, see the Winter 2011 issue of the *Yale Law Report*. Likewise, WIRAC was featured in the Winter 2008 issue of the *YLR*.] We wish we could represent everyone in the city, but we can’t. Rather than decide ourselves how to allocate our scarce legal resources, however, we’re largely ceding that intake power back to community-based organizations who are best positioned to direct our energies in constructive ways, subject to a pedagogical screen to ensure adequate learning opportunities for the students. We ask them to

tell us which issues are so urgent that they themselves—community groups, faith organizations, veterans’ organizations, labor unions—are spending their own time on it. If a legal problem and a strategy to address it are important enough that these community groups have devoted their own time to it, and if they need legal help, and I confirm pedagogical value in the work we are asked to do (because we are a teaching program that must combine education with service), then we’ll deliver it.

Now, the work that results tends to be extremely varied in both substantive area and legal approach. Some groups will ask us to help them tackle a problem through individual or collective litigation. Other groups perceive a regulatory or legislative strategy as more likely to be fruitful. And others

aren’t sure the best approach, and they will retain WIRAC or VLSC as general counsel to assist them in assessing the viability of various potential legal strategies. Whatever the choice, however, students tend to find themselves representing a client in the midst of an important community struggle, whether over anti-Latino profiling in law enforcement, abusive workplace practices, mistreatment of disabled veterans, or something else. The result is that students are introduced to the nuts-and-bolts of litigation and professional responsibility, as well as other modes of legal advocacy, in the context of current community struggles, while exploring the relationships between legal strategies and the opportunities that arise in their interaction.

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Photograph by Harold Shapiro



Tafari Lumumba ’11, Sister Mary Ellen Burns ’89, and Robert M. Cover Clinical Teaching Fellow Susan Hazeldean ’01 confer prior to a Freedom of Information Act Hearing in Hartford. Lumumba, who was a student in the Worker and Immigrant Rights Advocacy Clinic this past spring, argued before the FOIA Commission.

continued from page 39

California. More than a dozen Yale Law students have put in hundreds of hours doing research, developing arguments, and assisting in the preparation of witnesses for the challenge to Proposition 8.

“I provided background research on when and how courts consider voter intent when evaluating laws passed by initiative,” said Kaitlin Ainsworth ’10 who worked with Gerken as an Associate Research Scholar in Law under SFALP. “It was amazing to see my research contribute to arguments that the attorneys made in court on such a major case, and I felt honored to be a part of the effort.”

“The partnership with San Francisco has been incredible,” said Gerken. “The students provide a standing army for the city, and they get to do top-notch public interest work in return.”

Other issues addressed by SFALP include financial credit and the working poor; healthcare and childhood obesity; and fraudulent legal services in immigrant communities. Students in SFALP get a chance to experience each stage in the litigation process, from brainstorming about new cases to working through nitty-gritty doctrinal questions. The Project also includes a seminar devoted to the practical and theoretical questions raised by this work.

The San Francisco Affirmative Litigation Project is funded by The Oscar M. Ruebhausen Fund at Yale Law School.

## Preserving the Public’s Right of Access to Information

### Media Freedom and Information Access Clinic

The Media Freedom and Information Access Clinic (also known as MFIA) had an exciting first full year of operation. The clinic continues to work to support a robust investigative role for news

organizations and to preserve the public’s right of access to information. This year, the clinic represented a diverse group of clients on a variety of projects, ranging from policy and amicus efforts to full-fledged litigation.

In December, the clinic filed an amicus brief in the Connecticut Supreme Court on behalf of the Tribune Company and the Associated Press, and the clinic continues to work with *The New York Times* on its FOIA litigation. In addition to working with major media organizations, the clinic has worked hard this year to reach out to clients who work in new media areas and may have limited access to legal advice.

“These new media clients are an important part of the changing face of journalism, and they often don’t have the legal support needed to pursue certain investigative stories,” said Stephen Gikow ’11, one of two student directors for the clinic. “We would love to become a regular source of legal support for those independent journalists and bloggers who need it.”

In one such case, MFIA is representing a blogger in his suit to gain access to sealed records under the First Amendment. [A team of students briefed the case over several months, and Gikow argued the case before a Second Circuit panel on May 24. A decision is now pending.]

MFIA has also taken on other projects under its own name in order to build the profile of the clinic. The clinic is currently heading an effort to create a database of FOIA documents pertaining to law enforcement fusion centers, which will be made available to the public when up and running. Last semester several students filed an amicus brief on access to administrative proceedings in MFIA’s own name.

“That amicus effort drew praise from people who followed the case, including from *The New York Times*,” said Jenn Jones ’11, the other student director of the clinic. “The case stands to set

important precedent in the Second Circuit on the openness of administrative proceedings. Our students were so happy with the brief that a few of them are working on turning it into an academic paper.”

## Confronting Issues of Real Life Professional Responsibility

### Ethics Bureau

A brand new clinic, The Ethics Bureau at Yale provides pro-bono professional responsibility advice and counseling to lawyers in several important areas. First, it provides assistance in ineffective assistance of counsel claims in capital cases when lawyer ethics are an issue. Second, it prepares amicus briefs in professional responsibility cases. Third, it provides expert witness ethics opinions in cases of lawyer disqualification, judicial recusal, and related matters. Fourth, the clinic counsels not-for-profit legal agencies in dealing with their own ethical dilemmas. A weekly class in professional responsibility is also part of the bureau commitment.

The idea for The Ethics Bureau grew out of a project during the 2009–2010 academic year, when students of George C. Crawford Visiting Lecturer **Larry Fox** prepared an amicus brief in the Supreme Court case *Holland v. State of Florida* with their instructor.

In its 7-2 decision, the Court adopted the reasoning of the brief—and Justice Breyer quoted favorably from the amicus brief in the majority opinion.

Of the brief, NYU Law School professor Anthony Amsterdam wrote, “In a half-century of watching capital cases briefed, I’ve never witnessed a clearer instance of an amicus brief in the Supreme Court making such a decisive difference to an outcome.”

“It’s extremely rare for the Supreme Court to acknowledge an amicus brief, let alone rely on it in this way. It’s a testament to the fine work of the students,” Fox said.

Following that success, Fox proposed the idea for a class devoted to this type of work—and so, in short order, The Ethics Bureau was created.

“The course is the first of its kind,” Fox says of the Bureau. “It provides a valuable service not otherwise available and an opportunity for our students to understand the real-life dimensions of the professional responsibility obligations of lawyers.”

In its first semester, The Ethics Bureau has undertaken about a dozen engagements in all areas of its focus.



Members of Yale Law School's 2010–2011 Supreme Court Advocacy Clinic.

## Hands-on Experience with Certiorari Petitions, Oppositions to Cert, and Merits Briefs

### Supreme Court Advocacy Clinic

The Supreme Court heard arguments in two of the Supreme Court Advocacy Clinic’s cases during the court’s 2010–2011 term. Students traveled to Washington to hear clinic instructor **Andrew Pincus** argue for respondents in *Los Angeles County v. Humphries*, a Section 1983 civil rights case, and for the petitioner in *DePierre v. United States*, a federal drug sentencing appeal. (The justices did not share the Clinic’s view of the merits in *Humphries*; *DePierre* was still awaiting decision as this issue went to press.)

During the year, the twelve students (2Ls and 3Ls) and four student directors (all 3L Clinic veterans) worked on certiorari petitions, oppositions to cert, and merits briefs in seven cases at the Supreme Court level, as well as two Court of Appeals petitions for rehearing en banc. The Supreme Court has granted one Clinic petition, *Rehberg v. Paulk*, for argument in the fall.

Two federal appeals court judges and a deputy United States solicitor general, among other distinguished guests, visited the Clinic this year. In the five years since the Clinic’s inception, students have worked on merits briefs in eleven cases, amicus briefs in eleven others, and other types of pleadings in an additional two dozen cases.

The Clinic obtains many of its cases through referrals from attorneys looking for Supreme Court expertise on behalf of their clients. Any alumni interested in referring a case can contact the Clinic through its website, [www.law.yale.edu/academics/supremecourtclinic.htm](http://www.law.yale.edu/academics/supremecourtclinic.htm). Y

Q + A continued from page 39

### Any specific special memories from your time as a student or a faculty member with the clinical program? What stands out in your mind?

It’s hard to pick just one or two, because I’ve been fortunate to have had many. Only a few months ago I was at the Supreme Court with students for argument in *Ashcroft v. al-Kidd*, a case we’ve handled with the ACLU since it was filed. Certainly one memory that stands out as a student was my participation in the Lowenstein Clinic litigation on behalf of HIV+ Haitian refugees detained at the U.S. Naval Station at Guantánamo Bay, Cuba. I will never forget my first visit to Guantánamo, as a

2L—over the course of 36 hours on the base, I met my clients, stayed up all night interviewing them, and then drafted long declarations. The next morning I helped defend my first deposition, this of a client, Frantz Guerrier, who was a leader of the Haitians in the camp. His face, his voice, and the fire that burned in his eyes are still vivid to me today.

I think there will always be something special about a client getting out of jail. It was true when, fewer than eighteen months after I met Guerrier, I was among those who greeted hundreds of our HIV+ Haitian clients at JFK Airport, upon their release from Guantánamo. It was true when, as an LSO clinician, my students

secured the release of a group of day-laborers wrongfully arrested by local police and federal immigration agents—these men became known as the “Danbury 11” and, represented by a later generation of LSO students eventually won the largest civil rights settlement for day-laborers in the nation’s history. And it was true when other clinic students won federal habeas corpus petitions to free clients held for years in immigration detention, or obtained the release of nearly everyone arrested in the June 2007 immigration raids in New Haven. Those are some of the moments you just don’t forget. Y