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Tamara Koscic
Peter R. Palermo Fellow

Sara Mantin
David P. Catsman Fellow

Tara Mathena
Hunton & Williams Fellow

Chris Phillips
Palmer Trinity Fellow

Stefanie Phillips
William M. Hoeveler Fellow

Victoria Quintana
William M. Hoeveler Fellow

Eric Reisman
Peter R. Palermo Fellow

Jesse Soffer
David P. Catsman Fellow

EAPR Students plan the semester with Director Jan Jacobowitz

Left to right: Shanra Ford, Nema Daghbandan, Irma Khoja, Jan Jacobowitz, Karin Dryer, Paul Masdeu



EAPR ETHICS & PROFESSIONAL RESPONSIBILITY INCREASING COMMUNITY OUTREACH

The Ethics and Professional Responsibility Program (EAPR) had another tremendous semester as it increased both its student enrollment and its community outreach. This fall EAPR students presented CLE ethics trainings at three new venues: The ABA International Business Law Conference, The Spellman-Hoeveler Chapter of the American Inns of Court, and Florida Legal Services via a webinar.

Robert A. Ades Fellow Bryan Harrison, and Interns Wendi Ribauda and Daniel Schwarz created a hypothetical for the ABA presentation that was pulled straight from the headlines in current international legal news, and involved such hot topics as bribery of foreign government officials and corporate corruption. Thanks to Russell Dombrow, Co-Chair of the ABA International Business Law section meeting for facilitating our presentation.

"Law is one of society's noblest callings—and, inescapably, law is a business," concluded Steven Chaykin Fellow William Nicholson, and Intern Gayland Heathcoat, as they explored this tension in a presentation before the Spellman-Hoeveler Chapter of the American Inns of Court. The students focused on the difficult issues that Internet-based marketing pose for lawyers. Thanks to Jordan Dresnick for coordinating the event.

Interns Darci Cohen, Nema Daghbandan and Karin Dryer led a web-based training session for new attorneys at Florida Legal Services (FLS). The training included client confidentiality issues and a section about the use of social networking websites in the legal profession. "Training a large group of attorneys that was hundreds of miles away was a rewarding experience. I'm really proud of what our team was able to accomplish," said Nema. Thanks to Kathy Grunewald for including us in the FLS seminar.

In addition to EAPR's new venues, students returned to Catholic Charities, Legal Services of Greater Miami and the Public Defender's Office. Fellow Paul Masdeu and Interns Matipa Nyamangwanda and Kara Strohlich visited Catholic Charities to present hypothetical situations implicating a host of ethical dilemmas commonly confronted by immigration lawyers. "The experience was both educational and uplifting. I would encourage other students to participate. It is a phenomenal experience!" said Matipa Nyamangwanda. Thanks to Miriam Mezadieu and Callan Garcia for coordinating our presentation.

Interns Ben Carter, Jason M. Goldstein and Jennifer Malaer led an interactive session at Legal Services of Greater Miami, Inc. (LSGMI) that involved ethical issues encountered in LSGMI's various practice areas of the law, from public housing evictions and foreclosure proceedings to unemployment compensation benefits claims. Echoing the sentiments of a Legal Services attorney who attended the session, Ben Carter said the trainings "demonstrate the importance of both sides of legal ethics: the academic and the practical. The interaction between the ethics rules we learn at school and real life practice adds a lot to the learning experience." Thanks to Liz Gonzalez for inviting EAPR back to LSGMI.

Interns Amanda Flannely, John Wilson, and Brandon Spivack worked, with assistance from Public Defender Robert Coppel, to draft a hypothetical filled with ethical issues encountered by attorneys at the Miami-Dade Public Defender's Office. "Participating in the CLE Ethics training was a unique learning experience. Observing practicing attorneys exchange ideas about ethical issues is not something that a traditional classroom experience could capture," said Amanda. Special thanks to Robert Coppel for his assistance and support.

Leadership Luncheon Series WOMEN AND LAW

Panelists: The Honorable Judge Jackie Scola, Eleventh Circuit Court; Patricia Thompson, Partner, Carlton Fields; Debra Shaw-Wilder, Partner, Kozak, Troppin, & Throckmorton, and Ivette Arango, Miami-Dade County State Legislative Coordinator.
EAPR moderators: Darci Cohen and Matipa Nyamangwanda

ETHICAL ISSUES IN CRIMINAL DEFENSE

Panelists: Professor Ricardo Bascuas, Professor Sarah Mourer, David Rothman, Esq., David Rothman & Associates, and The Honorable William Thomas, Eleventh Circuit Court.
EAPR Moderators: Amanda Flannely and Milana V. Kuznetsova

THE FIRST AMENDMENT & CORPORATE AMERICA

Citizens United v. Federal Election Commission
Panelists: Sanford L. "Sandy" Bohrer, Partner, Holland & Knight; Thomas R. Julin, Partner, Hunton & Williams; Michael R. Masinter, Professor of Law, NOVA Southeastern
EAPR Moderators: Tad Hethcoat and Jason Goldstein

ETHICAL ISSUES IN EMPLOYMENT DISCRIMINATION LAW

Panelists: Sherril Colombo, Member, Cozen, O'Conner; Jacqueline McNair, District Director, EEOC, Miami Office; Donald Papy, Chief Deputy City Attorney for City of Miami Beach
EAPR Moderators: Irma Khoja and William Nicholson

COMBATING OFF-SHORE TAX EVASION

The UBS Case & Beyond
Panelists: Jeffrey Neiman, Assistant United States Attorney; Summer LePree, Associate, Holland & Knight, Kevin Packman, Partner, Holland & Knight
EAPR Moderators: Daniel Schwarz and Brandon Spivack

Thanks to all of the panelists who shared their "real world" insights with our students this semester at the leadership luncheons.

PANELISTS PREPARE TO DISCUSS THE ETHICAL ISSUES IN CRIMINAL DEFENSE PRACTICE



Professor Ricardo Bascuas, The Honorable William Thomas, David Rothman, Professor Sarah Mourer

MIAMI STREET LAW

TEACHING LAW OUT IN THE COMMUNITY

By Miami STREET LAW Director Karen Throckmorton

KNOWLEDGE OF THE LAW CAN BE LIFE-CHANGING.

This truth inspires thirty students to teach law to teens in our community each week at nine different venues through Miami STREET LAW. Their teachings are complex and varied. A few glimpses of the substantive legal teaching done in Miami STREET LAW: teens learning about the Constitution and the uniqueness of our government; teenagers learning about their rights to freedom of speech and freedom of the press in the school newspaper; teenagers convicted of crimes learning about criminal procedure and due process; and pregnant teens learning about Florida laws on child custody and child support. These substantive teachings inform them of pertinent laws and challenge them towards critical thinking.

Procedurally, the skills taught through mock trials and moot court arguments can be just as life changing. Applying the rules of evidence, drafting opening and closing statements, and questioning witnesses are examples of experiential learning at its finest. As an added bonus, the Street lawyers learn the law better through the coaching for these trials and competitions. Through their efforts, hundreds of students learn about our laws and our legal system in a challenging and engaging way.



William M. Hoeveler Fellow Victoria Quintana and Intern Jason Goldstein at the Signing of the Hialeah High School STREET LAW Constitution

This fall, some of the schools started the program by drafting their own Constitution. This exercise at what William Hoeveler Fellow Victoria Quintana calls "nation building" challenges them to learn and analyze our governmental structure. Viki teaches STREET LAW at Hialeah High School and summarizes the exercise as follows:

"Four score...but really only a few weeks ago...the students of Mrs. Soto's Constitutional Law class at Hialeah High School brought upon themselves a new constitution, conceived in the desire to make learning fun and dedicated to the proposition that every student should have a voice."

Throughout the semester, each team of Street lawyers develops a unique curriculum for the class. Here's an alphabetical overview of the fall teachings. At the Bay Point School, David Catsman Fellow Jesse Soffer's team taught a variety of legal issues in constitutional law, landlord tenant, animal rights, contract theory, negotiating and the legal implications of teenage sex. At Coral Gables High School, John Hart Ely Fellow Arye Emert's team taught a segment on intellectual property. Arye called the teaching "Copyright Olympics" and taught four mini-lessons on copyright law, involving basic concepts such as the difference between creative works and facts, the right to publicity, the fair use defense, and the protection of parodies. At Coral Reef High School, Peter R. Palermo Fellow Eric Reisman is helping students prepare for the "We the People" constitutional law competition in which Eric had been on the winning team in Connecticut. Eric reports "We are essentially doing the competition once a week to make the students feel comfortable and confident in their presentations."

ENVIRONMENTAL LAW PROJECT

PILOTING AN ENVIRONMENTAL OUTREACH

By Dalia Laufer

Miami is centrally located to prominent ecosystems, such as the Everglades, Key Biscayne, and the Florida Keys, making the University of Miami an ideal location for an Environmental Law Project (ELP). Beginning Fall 2009, law students began meeting once a week to plan the emergence of the clinic. These students became interns in the Environmental Law Project (ELP).

The interns kicked off the semester by first researching environmental law clinics and programs in law schools across the nation. They studied how they operated and what sort of initiatives they were taking. After sufficiently gathering enough research about other programs, the interns then began collecting information on opportunities and needs here in Miami. Not surprisingly, Miami has an abundance of opportunities for the interns – from working with local Non-Governmental Organizations to collaborating with UM's Abess Center for Ecosystem Science and Policy or Rosentiel School of Marine and Atmospheric Science (RSMAS). Every week the interns reconvened to develop a plan for the ELP. At the end of the semester, ELP's creation was the "Greenbook", a proposal describing the ELP's function and goals, appended with a list of contacts and organizations for clinical collaboration.

Peter R. Palermo Fellow Eric Reisman, Karen Throckmorton, and Street Lawyers Mallory Gold and Elan Weiss after presenting a lesson on the Bill of Rights to UM undergraduates on Constitution Day, September 17, 2009

At Miami Senior High, Hunton & Williams Fellow Tara Mathena's team has focused on the Bill of Rights - highlighting issues such as free speech and religion in schools, civil rights, search and seizure, and possible criminal sanctions for texting. At Miami Northwestern High School, John Hart Ely Fellow Stefanie Phillips's team focused on issues of criminal procedure and constitutional law. At the Palmer Trinity School, Palmer Trinity Fellow Christopher Phillips's team taught a comprehensive civics series on election law focusing on campaign finance, redistricting, and voting rights. At the W.I.N.G.S. school for pregnant teenaged girls with criminal convictions, the team led by David Catsman Fellow Sara Mantin and Peter R. Palermo Fellow Tamara Koscic have tailored the legal lessons to issues such as juvenile justice, domestic violence, child support, and emancipation of minors. They even had the girls perform a mock criminal trial of Chris Brown for his alleged violence against Rhianna.

In closing, a few reflections from Street lawyers.

Jesse Soffer writes that the "STREET LAW Academic program is one of the most rewarding experiences a law student can engage in during his or her legal education."

Tamara Koscic reflects, "Teaching law at WINGS has been a blessing and I certainly have learned as much about law and life from them as they have from me."

In discussing her work at her alma mater, Miami Northwestern High School, Intern Samantha Preston states, "STREET LAW has proven to be the most influential and invigorating experience thus far of my law school experience."



STREET LAW Intern Shawn Hogue, UM President Emeritus Tad Foote, and Peter R. Palermo Fellow Tamara Koscic judging an oral argument on freedom of the student press



HEALTH & ELDER LAW

By Intern Evan Hughes

I had just finished the most rigorous year of course work I ever experienced when I heard the news: I would be conducting a Social Security Disability Insurance hearing in front of an Administrative Law Judge within a month and a half. The University of Miami Health and Elder Law Clinic gave me responsibility for a client who suffered numerous impairments that, by themselves, did not quite meet the criteria for a disability determination. The record was well over one thousand pages of medical records and evaluations that needed to be matched with the Social Security Blue Book Listings – quite the task for anyone unskilled in reading doctors' handwriting.

After my first real brief was submitted, my client agreed to participate in a mock hearing in front of the entire clinic. My client gave his testimony and I cross-examined the medical and vocational experts while my fellow clinical students observed. The results were highly beneficial to us both: my client was put at ease and I obtained the confidence I needed to appear successfully in front of the Administrative Law Judge.

The hearing was a huge success for my client. The medical expert found my client disabled under numerous Social Security listings after hearing testimony. My client had just gone from near homelessness to having a sustainable standard of living: \$29,000 in back pay and \$1,770 monthly. I was ecstatic that I had the opportunity to use my legal knowledge to assist an indigent client. The clinic introduced me to the importance of pro bono legal work and giving back to the community. The practical experience and civic pride the clinic has instilled in me will remain with me for the rest of my life.



CLINIC WINS \$29,000 FOR DISABLED CLIENT

