

**Massachusetts Chapter** 

**National Lawyers Guild** 

14 Beacon St., Boston, MA 02108

April/May 2014

www.nlgmass.org

Vol. 37, No. 2

#### In This Edition

# Life in Law School page 1

#### Guild News page 3

# NLG Annual Meeting page 4

# Stand Up! Fight Back! page 5

# A Cacophony of Baritones page 7

# No Politics in Class page 8

# Justice Bridge page 9

# NLG & Legal Education page 10

#### **BOARD MEETING**

April 16, 6:00 pm

14 Beacon St., 1st Fl. Boston

### Life in Law School

Given the number of law schools in Massachusetts and student Guild involvement, it is appropriate that *Mass Dissent* cover issues of special interest to law students. Given the pressures of law school, students often feel they are in crisis mode. For many law students, me included, Guild membership is a touchstone: Ah, yes. This is why I came to law school. Now I remember.

Guild students are busy balancing studies and involvement in social movements. *In Stand Up, Fight Back!*, **Amy Willis** and **Hannah Adams** give an overview of their work with Project No One Leaves, a campaign to combat the foreclosure crisis.

A Cacophony of Baritones presents **Katherine Stock**'s experience as a woman in a field dominated by men. Her class is more than 60% nonmale, but that doesn't solve the patriarchal norms that permeate our institutions.

Legal practice is nearing a crisis. Graduates have trouble finding jobs, while large populations who need legal representation can't afford it. **Fiza** 

**Najeeb** introduces a project that hopes to address this issue in Justice Bridge.

Katherine Devanney reflects on the role of political discussion in her legal education in *No Politics in Class*. Do get in touch with her to discuss this further. As a progressive student in a conservative area, she could use encouragement!

Finally, we have NLG Senior Research and National Student Organizer **Traci Yoder** who talks about the Guild's efforts to address problems in legal education. (On page 6, we present a selection from *The NLG Radical Law Student Manual*, which will be available in full later this year.

The NLG website lists 120 schools with student chapters. That is a small army of future lawyers who, in the words of the NLG constitution, "look upon the law as an instrument for the protection of the people, rather than for their repression." I hope you enjoy this issue of *Mass Dissent*.

- Trevor Maloney -Northeastern School of Law

April/May 2014 Page 1







#### NATIONAL LAWYERS GUILD

#### Massachusetts Chapter, Inc.

14 Beacon St., Suite 407
Boston, MA 02108
tel.: 617-227-7335 • fax: 617-227-5495
nlgmass@igc.org • nlgmass-director@igc.org
www.nlgmass.org

#### **BOARD OF DIRECTORS**

#### **CO-CHAIRPERSONS**

Beverly Chorbajian, Solo Practitioner David Kelston, Adkins Kelston & Zavez

#### **TREASURERS**

**Jennifer Norris,** Petrucelly, Nadler & Norris **Jeff Petrucelly,** Petrucelly, Nadler & Norris

#### **MEMBERS**

Makis Antzoulatos, CPCS
Kevin Barron, Solo Practitioner
Hillary Farber, UMass Dartmouth
Jeff Feuer, Goldstein & Feuer
Stefanie Grindle, Grindle Robinson LLP
Stephen Hrones, Solo Practitioner
Jonathan Messinger, LoveYourLawyer.com
Halim Moris, Moris & O'Shea
Josh Raisler Cohn, CPCS
Rhonda Roselli, Solo Practitioner
Elaine Sharp, Solo Practitioner
Carl Williams, CPCS

#### LAW STUDENT REPRESENTATIVES

Ray Burke, Boston College
Alexandra Conlon, Boston University
Tasha Kates, Northeastern
Megan MacGillivray, New England
K-Sue Park, Harvard
Amy Willis, Suffolk

#### **STAFF**

EXECUTIVE DIRECTOR Urszula Masny-Latos

LRS COORDINATOR/ADMIN. ASSIST. **Ariel Oshinsky** 

STREET LAW CLINIC COORDINATOR

KT Crossman

LITIGATION COMMITTEE INTERN
Angela Linhardt
Czara Venegas

Mass Dissent (ISSN 0887-8536) is published every other month (February, April, June, September, October, December) by the National Lawyers Guild, Mass. Chapter, 14 Beacon St., Suite 407, Boston, MA 02108. Second-class postage paid at Boston, MA. POSTMASTER: Send address changes to Mass Dissent, NLG, 14 Beacon St., Suite 407, Boston, MA 02108.

### Join a Guild Committee

Street Law Clinic Project: The Street Law Clinic project provides workshops for Massachusetts organizations that address legal needs of various communities. Legal education workshops on 4th Amendment Rights (Stop & Search), Landlord/Tenant Disputes, Workers' Rights, Civil Disobedience Defense, Bankruptcy Law, Foreclosure Prevention Law, and Immigration Law are held at community organizations, youth centers, labor unions, shelters, and pre-release centers. If you are a Guild attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-723-4330 or nlgmass-slc@igc.org.

**Lawyer Referral Service Panel (LRS):** Members of the panel provide legal services at reasonable rates. Referral Service Committee members: Makis Antzoulatos, Benjamin Dowling, Sebastian Korth, Douglas Lovenberg, and Jonathan Messinger. For more information, contact the LRS Coordinator at 617-227-7008 or nlgmass@igc.org.

**Foreclosure Prevention Task Force:** Created in June 2008, the Task Force's goal is threefold: (1) advocate for policies that address issues that homeowners and tenants of foreclosed houses face, (2) to provide legal assistance to these homeowners and tenants, *and* (3) to conduct legal clinics for them. If you are interested in working with the Task Force, please call the office at 617-227-7335.

Mass Defense Committee: Consists of two sub-committees: (1) "Legal Observers" (students, lawyers, activists) who are trained to serve as legal observers at political demonstrations *and* (2) "Mass Defense Team" (criminal defense attorneys) who represent activists arrested for political activism. To get involved, please contact the office at 617-227-7335.

**Litigation Committee:** Established in 2010, the Committee brings civil lawsuits against large institutions (such as government agencies, law enforcement, banks, financial institutions, and/or large corporations) that engage in repressive or predatory actions that affect large numbers of people and that serve to perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the Guild office.

**NLG National Immigration Project:** Works to defend and extend the human and civil rights of all immigrants, both documented and undocumented. The Committee works in coalitions with community groups to organize support for immigrant rights in the face of right-wing political attacks. For more information contact the NLG National Immigration Project at 617-227-9727.

**NLG Military Law Task Force:** Provides legal advice and assistance to those in the military and to others, especially members of the GIRights Hotline, who are counseling military personnel on their rights. It also provides legal support and helps to find local legal referrals when needed. For advice and information, GI's can call 877-447-4487. To get involved, please contact Neil Berman (njberman2@juno.com) or Marguerite Helen (mugsm@mindspring.com).



### **GUILD NEWS**

#### **NLG HAPPY HOUR**

are invited to the "NLG Presents..." Happy Hour - an event held quarterly on the **2nd Wednesday of January, April, September**, and **November**. See below information about the next event (a report from the most recent Happy Hour is on page 4 of *Mass Dissent* issued in the following month.) If you have ideas for a presentation or would like to be a speaker, please call the NLG office at 617-227-7335.

#### **NLG ANNUAL GALA**

The

NLG Massachusetts Chapter will hold its Annual Gala on Friday, May 16, 2014. The event will be at Dante Alighieri Cultural Center in Kendall Sq., Cambridge. This will be our 33rd event. We will celebrate outstanding achievements of a group of inspiring NLG comrades and supporters. For more information, please contact our office at 617-227-7335. (See the announcement on page 4.)

#### **Street Law Clinic Report**

The following clinics and trainings were conducted for members of Boston area community organizations and agencies:

**February 8:** Legal Observing at a protest and flash mob organized by tenant and anti-homelessness activists in Boston, by **Laura Alfring**.

**February 22:** Stop & Search for law students at Roger William University School of Law in Bristol, RI, by **Chris Williams**.

*March 5:* Stop & Search clinic for Arise for Social Justice and its youth committee in Springfield, MA, by Luke Ryan.

*March 14:* Legal Observing at a protest organized by IWW against Insomnia Cookies company in Cambridge, by law students **Mark McMahon** (Northeastern).

March 14: Stop & Search clinic for students at the Higgenson-:ewis Middle School in Roxbury, by Makis Antzoulatos, Max Geller (Northeastern), and Carl Williams.

*March 16:* Civil Disobedience training for immigration activists involved in New England Encuentro, by **Makis Antzoulatos**.

NLG Happy Hour

#### PROSECUTING 1st AMENDMENT ACTIVITIES: UNITED STATES v. TAREK MEHANNA

an evening with

J. W. Carney, Jr.

Wednesday, April 9, 2014 6:00 - 8:00 pm

Red Hat Cafe (9 Bowdoin St., Boston)

U.S. citizen Tarek Mehanna was convicted of providing assistance to Al Qaida by translating texts from Arabic to English and by showing Al Qaida-produced videos to his friends. NLG member J. W. Carney will discuss whether the "war on terror" has gone too far.

*March 18:* Legal Observing at a protest at Northeastern University against the school's suspenssion on the Students for Justice in Palestine, by **Makis Antzoulatos** and **Steve Toff** (Northeastern).

March 30: Legal Observer and Civil Disobedience trainings for Student Youth Climate Action at MIT, by Neil Berman, Melinda Drew, Jeff Feuer, and Stefanie Grindle.

#### ARTICLES FOR MASS DISSENT

The Summer issue of *Mass Dissent* will focus on indigenous societies and environmental movements.

If you are interested in submitting an article, essay, analysis, or art work (cartoons, pictures) related to the topic, please e-mail your work to **nlgmass-director@igc.org.** 

The deadline for articles is May 15.



#### 2014 NLG Annual Gala

At the January meeting, the NLG Board of Directors announced this year's NLG Gala honorees. We are thrilled to present the 2014 awards to **Beverly Chorbajian** and **Susan Church** (Lawyer Award), **Robert Meeropol** (Lifetime Achievement Award), **Craig Altemose** (Legal Worker Award), and **Jay Lamanna** and **Oren Nimni** (Student Award).

Beverly is a criminal defense attorney in Worcester who represents prisoners, activists, and victims of police brutality.

Susan is a law partner at Demissie & Church in Cambridge; she represents immigrants with criminal convictions facing deportation and defends political protesters

Robert is the younger son of Ethel and Julius Rosenberg; he recently retired as Executive Director of the Rosenberg Fund for Children which funds services for the children of targeted activists.

Craig is a climate justice activist who cofounded Students for a Just and Stable Future and is the Director of the Better Future Project.

Jay was a student at Western New England School of Law and a committed fighter for a better world. We lost him last December.

Oren is a student at Northeastern School of Law and an active member of his school's NLG chapter, working for tenant and prisoner rights.

The Gala will be held on Friday, May 16, 6:00pm, at Dante Alighieri in Cambridge.

#### **NLG Annual Meeting & Elections of Officers**

In March, the Chapter held its Annual Meeting at which the new Officers and Board of Directors were elected. We welcomed **Beverly Chorbajian** as a new co-Chair; **Jennifer Norris**, a new co-Treasurer; and new Board members **Kevin Barron**, **Stefanie Grindle**, **Stephen Hrones**, and **Rhonda Roselli**.

We would like to thank **Patricia Cantor** for her almost a decade-long service as a co-Treasurer of the Chapter and **Stephanie Young-Marzouk** for her service on the Board of Directors. We appreciate your commitment to and work for the Guild.



(Below) Beverly Chorbajian (r.) is giving a report from the NLG Mass Defense Committee while Benjamin Falkner (c.) is preparing for his presentation on the last-year's city lockdown. (Photos by Urszula Masny-Latos and Ariel Oshinsky.)



### Congratulations to Tasha!

In February, the NLG member **Tasha Kates** and her partner Mike Prentice welcomed the birth of their son **Wesley Xavier Prentice** (WesX for short), and the NLG welcomed its next generation of revolutionaries!

The mother and the baby are healthy and are doing very well. We wish you all happiness (and sleepful nights!)



### Stand Up, Fight Back!

by Amy Mei Willis & Hannah Adams

n 2008, two Harvard Law students started Project No One Leaves (PNOL), in an effort to combat the foreclosure crisis in Boston by connecting homeowners and tenants facing foreclosure to legal assistance and a community of people organizing to fight their banks. PNOL volunteers canvass properties around the Boston area in various stages of the legal foreclosure process. PNOL is now a statewide collaboration between Greater Boston Legal Services, Harvard Legal Aid Bureau, grassroots community organization City Life/Vida Urbana, and other community action groups.

Because Massachusetts is a non-judicial foreclosure state, where a bank does not need to go to court to foreclose on someone but does need to go to court to evict someone after foreclosure, opportunities for organizing and legal action are prevalent post-foreclosure at the eviction defense stage. PNOL takes the opposite approach, connecting with homeowners before their house has been sold at auction to their bank or to a third-party investor, so that they can learn their rights and join City Life's Bank Tenant Association (BTA) for support early on in the foreclosure process. Tenants are also impacted by foreclosure; too often there are tenants living in houses that have been foreclosed on and the landlord has not even bothered to tell them. Massachusetts is a comparatively tenant friendly state and by connecting with people PNOL can preemptively help them avoid

eviction or an abuse of their rights.

Tenants and homeowners face a variety of legal issues during the foreclosure process. A major issue that tenants face post-foreclosure is that properties bought by banks are often neglected; leaving people in barely habitable conditions. When a private investor or bank becomes the new owner of the property they have a legal duty to act like

gram is to help at risk homeowners of foreclosure by lowering monthly mortgage payments. This is a voluntary program that banks can participate in. While most major banks do, others might utilize their own loan modification plans. Unfortunately, applying for a loan modification is complicated and can be confusing for many eligible applicants. Legal provisions prevent banks from foreclosing on a person



NLG member Hannah Adams moderates an NLG-sponsored panel at NUSL on City Life's organizing efforts for affordable housing and against foreclosures and evictions.

a landlord. Though, in reality there is little incentive for them to take care of the property, since there is more money to be made if they can flip the house. A second issue is that many people don't know that they have a right to fight their eviction in court, so they get tricked into accepting low ball "cash for keys" offers or leave without a fight thinking they have no choice.

For former homeowners it is not as simple as defaulting on their mortgage and thus, no longer having right to possess their property. A few years ago President Obama set up a federal program entitled the Home Affordable Modification Plan (HAMP). The purpose of the pro-

while they are in the loan modification process or trial payment plan (3 months). You would think there is incentive for banks to modify mortgages when people are more than willing to pay but for various reasons are experiencing a change in financial circumstances. The banks do not make it easy for many applicants though, and the result is that people face losing their home that they have often lived in for decades.

Outside of loan modifications or house buyback programs, another option for many former homeowners whose properties have been purchased at auction by Fannie Mae or Freddie Mac is Continued on page 6



### Stand Up, Fight Back!

Continued from page 5

to sign a lease with those entities, or pay "use and occupancy," while looking for new accommodations. However, Fannie and Freddie are notorious for refusing to sign leases with former owners or accepting use and occupancy. Through all the bureaucracy and pointless piles of paperwork the reason is quite simple: Fannie and Freddie, like the banks, ask the question "how can I make the most money?"

Foreclosure is about more than a house. Housing is at the epicenter of a web of socioeconomic problems and injustices that plague many of the residents of Greater Boston. Foreclosure damages entire communities by lowering property values, thus impacting the ability of families to build generational wealth. Foreclosures that result

in investor take-overs also contribute to gentrification and displacement. And of course these collateral impacts on families and communities are disparate on racial lines.

A new PNOL chapter started by the NLG chapters at Northeastern and Suffolk Law currently canvasses properties in Dorchester, Roslindale, Mattapan, Roxbury, and Jamaica Plain each Saturday. This enables more properties to be reached that are further away from Harvard Legal Aid Bureau in Cambridge, which coordinates and sends out volunteers to the list of at risk properties. You don't have to be a law student to help out with canvassing. Project No One Leaves is more about supporting community organizing and giving people experiencing foreclosure resources dedicated to helping them stay in their home. At City Life/Vida Urbana or at other tenant rights groups people have a chance to meet with lawyers for free. Getting there is the important part. New members at City Life participate in a call and response ritual where they proclaim their willingness to fight to stay in their home. Our response? "We'll fight with you". Will you?

City Life/Vida Urbana meets every Tuesday 6:30pm-8pm in the Sam Adams Brewery Complex (284 Amory St, Jamaica Plain). If you want to volunteer, call 617-524-3541.

Amy Mei Willis and Hannah Adams are both 2nd year law students at Suffolk Law School and Northeastern School of Law, respectively. They are both interested in applying the principles of community lawyering in movements for housing justice.

#### An Excerpt from The NLG Radical Law School Manual

The Radical Law School Manual will be available for the Fall 2014 semester at www.nlg.org.

The Radical Law School Manual is designed as a tool to change law school culture from the inside out. We start from the assumption that the current practices of legal education can be challenged and improved through the organization and determination of students and their allies. This manual identifies the structures and unspoken assumptions that maintain the elite and conservative nature of law schools, and by extension, of the law itself. The belief that legal education can and must change is a radical assertion. The overall effect of being in law school is to isolate students from their values and from each other and to reframe social, ethical, and political issues in the dry and obtuse language of the law. We challenge this version of law school and offer analyses and tools to create a new kind of legal education—one that will teach how law can be used for the benefit of people over property.

This manual was created for social justice activists who have already decided that they plan to attend law school or are currently enrolled in a program. Whether you are interested in a career that requires a law degree, want to have more resources available to you in your social justice work, or are simply tired of interacting with lawyers who are arrogant and thoughtless, there are many reasons why activists decide to get a legal education. However, law school is not an easy or pleasant experience for most people. Our intention is to offer ways to both cope with the stressful and hierarchical nature of law school as well as to change as many of its deleterious aspects as possible. A radical legal education will produce radically different kinds of lawyers, which will reshape the legal profession.





# A Cacophony of Baritones: Increasing Female Voices in Class

by Katherine Stock

never thought that being a woman in law school could mean I would feel unqualified to contribute to the cadence of class. Sure, I knew going in that law is still a largely male-dominated field. To get up in front of a room full of people, think on your feet and argue effectively is an extremely challenging thing to do; it is also something for which society better prepares men. Yet, after working in a trial firm and seeing the benefits and drawbacks to a multitude of different styles, I did not expect law school to so uniformly reward a singular approach: the ability to answer a question, sometimes with more conviction than reasoning, on the spot, before a class of 70 bright, competitive, driven minds.

While you certainly can ace an exam without these skills, class participation inures several other benefits that echo far beyond the walls of law school; thinking on one's feet, engaging with the material in creative ways, and being visible among professors and other students being only a few. However, we still live in a society that punishes women too for being outspoken. Ingrained cultural norms give women cause to pause and mitigate the fear of sounding stupid before providing an answer. How are women supposed to prepare for a profession in the legal field when society has taught them to constantly question the value of their opinions?

Criticisms of efficacy aside, the Socratic Method rewards firm. well-argued answers and challenges to authority on the material. These are critical lawyering skills. On its face, it seems to put male and female students on equal footing. However, it seems women are far more subject to crises of confidence. They deploy "I think," "I feel", and "in my understanding" qualifiers in their answer with far more frequency. Even women who I know have a solid command the material trail off mid-sentence much more often than men with the same understanding. I know I have internalized my own lackluster cold call answers and trail offs, beating myself up over them for days, whereas my male counterparts let it roll off their backs and move on to the next challenge. This is not unique to my experience. According to a May 2013 Harvard Crimson piece, many women feel that the Socratic Method reinforces gender disparities in the classroom and forces women to "think like men" in order to be successful.1

Classes with voluntary participation do not feel any more balanced. Despite roughly equal numbers of men and women at NUSL, male voices are far and away the majority of what I hear in my classes. Men raise their hands more frequently, are called

on more consistently, and are given a longer time on the floor regardless of the quality of their answer. Studies done by other law schools - most notably Harvard and Yale - reflect the same trend. According to a 2004 study, men are 50% more likely to volunteer an answer at Harvard school than women.2 Voluntariness aside, men are 16% more likely just to speak in class than women, according to a 2012 study done at Yale Law School.<sup>3</sup> Society has simply better equipped men for success in this atmosphere. Women take time to think about the answer with the added step of convincing ourselves that the answer is good enough. Men assert their opinions immediately and freely.

I find myself not only raising my hand simply to add a female voice to the conversation but also modifying my behavior to incorporate these traditionally male traits to gain the respect of my peers and professors. This has developed as a direct result of male colleagues and professors talking over me, willfully misunderstanding me, or flat out ignoring me when I take a softer approach. I truly believe this is hindering my development as a lawyer. On occasion, my fellow female students have approached me and told me how much they appreciate hearing a female voice in the classroom, and admit that they are too intimidated to speak up. It is an approach that has worked for me, but not one I feel should be necessary for success in law school.

Social norms are often slow to change, and solutions to this

Continued on page 11



Dev A. Patel, *In HLS Classes, Women Fall Behind*, THE HARVARD CRIMSON, May 8, 2013; available at http://www.thecrimson.com/article/2013/5/8/law-school-gender-classroom/?page=single#.

<sup>2</sup> ld.

<sup>3</sup> Daniel Sisgoreo, *Law School Battles Gender Imbalance*, YALE DAILY NEWS, Apr. 20, 2012; available at http://yaledailynews.com/blog/2012/04/20/law-school-battles-gender-imbalance/.



### No Politics in Class

by Katherine Devanney

B efore arriving at law school, I was under the impression that law school was a hotbed of political discourse, with students arguing about esoteric political and economic topics both outside and inside the classroom. Law students love to argue, right? And isn't the law inherently political?

So when I chose to attend a law school located in a particularly conservative area, I didn't know what to expect. Law school itself is enough of a black box to the uninitiated, between the Socratic method, case briefing, and the dreaded "law school final" ... what about social life? Do law students really, as I thought at the time, sit around between classes arguing about foreign policy and entitlements?

Well, not exactly. Although I can't speak for other schools, I've found the role of politics in the law school classroom (and social life) to be much less significant than I thought it would be. Sure, there was the great Creationism debate of 2014 not long ago involving a different 1L, I'm quite surprised that politics don't come up more often in the law school arena.

Which leads to the inevitable question - Should politics be a part of the law school experience? On the one hand, I think most would agree that law students, as future leaders, politicians, and attorneys, need to learn how to effectively advocate for their positions. It seems farfetched to assume that someone will be able to represent someone else's position - one in which they may not even have a personal stake - when they can't even argue for their most deeply held beliefs effectively. Moreover,

students with opposite opinions can serve as a type of sounding board – a way for an individual to hone his or her own beliefs under the critical eye of another equally zealous law student.

But, as I soon learned, not everyone here even wants to talk about politics. I've met a fair share of law students who just have no interest in engaging in a political debate. "I have cases to brief," one classmate explained to me after I asked how she survived without checking the news throughout the day. But even when people do want to talk politics, such discourse can quickly turn vitriolic. As too often happens in a "friendly political discussion," the so-called winner may simply be the person who yelled the loudest, who diverted the conversation, or who resorted to enough ad hominem attacks to make the other person walk away.

My Constitutional Law professor has a fairly strict "no politics in class" policy she explained to us early in the semester. Every time a student answers a question with something political, she responds with "reflective listening," a technique where she reframes the comment into more neutral terms: (i.e. "What I hear you saying is, .") The coolest part: it doesn't just apply to her. We are also free to use reflective listening with her, or even with another student if we feel that the conversation is becoming too political. Does it slow down the conversa-

None of us came to law school to have the same political discussions with people we could have had before law school. Really, I don't need to pay \$40,000 to hear someone tell me

tion? Absolutely. Does it make for

a better learning experience? I

think so.

they disagree with my opinions on foreign policy. Likewise, you probably don't care all that much about my position on guns or abortion. What it comes down to, I think, is that we're all in law school to learn the law. Not what we may wish was the law - but the actual law the way it currently stands. Someone could give me their entire spiel about why they think the Affordable Care Act is unconstitutional (and, let me tell you, they have), but at the end of the day, we're in Con Law to understand the Constitution as interpreted by the Supreme Court.

That's not to say that I don't believe that politics belong anywhere in the law school environ-Student organizations often host politically-themed events and speakers, and these events provide the ideal forum for interested students to voice their opinions. Unlike classes, no one is forced to attend a student organization event, so there is little risk that someone will be inadvertently caught up in a political discussion they don't want to engage in. It's also been my experience that a focused, paneled discussion is less likely to lead to the types of rhetoric and name-calling that we can all agree do not belong in the law school environment.

So what do we make of politics in law school? Is this even an issue? What types of sticky situations have you found yourself in because of your politics? Send me an e-mail (kmd370@psu.edu). I'd love to hear your thoughts!

Katherine Devanney is a 1L at Penn State Law in Carlisle, Pennsylvania. She is interested in criminal defense, mass incarceration, and juvenile law.





# Justice Bridge: Pathways to Legal Access and Legal Practice

by Fiza Najeeb

n April of 2014, University of Massachusetts School of Law, Dartmouth will be launching Justice Bridge, a two-year, legal residency program for recently graduated attorneys. Over the past 10 years, law schools nation-wide have been developing "teaching firms" as a way to close the employment gap that has been plaguing the legal profession. The American Bar Association reports only 56.2 percent of 2012 law school graduates were able to find full-time. long term, legal work within 9 months of graduation. Justice founder Bridae Professor Deborah Ramirez states that one of the reasons underlying the job scarcity epidemic is the demand for more efficient, cost effective legal services. Technological innovation over the past 20 years has been particularly "revolutionary" for large and medium-sized firms in the private sector. For the new generation of lawvers. this means that law firms no longer want to pay to train inexperienced lawyers. With the option for electronic research, electronic case management, electronic discovery, and electronic filing, companies have been turning to cost-effective alternatives, such as outsourced labor, and hiring paralegals to perform the work attorneys used to perform. As a solution to the employment gap, schools around the United States have adopted incubator programs in order to provide graduates with legal training and entrepreneurial skills to start their own practice.

Justice Bridge and other incubator programs are designed to provide graduates with tools to address the "justice gap." According to a report published by Columbia Law School's Human Rights Clinic in August of 2013, less than one in five individuals in the United States have access to legal representation. The exorbitant cost of legal representation combined with diminishing access to pro bono services widened the gap between those who do and do not have access to legal services. While access to the justice system has been recognized as a prevalent human rights issue, the U.S. does not recognize a constitutional right to counsel in civil litigation. As a result, most individuals do not have access to legal counsel when faced with issues such as eviction, employment discrimination, and domestic violence.

According to the National Center for Access to Justice, 87.4 percent of individuals represent themselves in court within Massachusetts. Through a partnership with members in Boston's public and private legal community, Justice Bridge offers inexperienced lawyers mentorship to bridge both the "justice gap" as well as the "employment gap." Through apprenticeship training, Justice Bridge attorneys will learn to serve the legal needs of community members—while acquiring the accounting and management skills necessary for running a successful law firm. The application process asks individual to submit a business plan, which they will continue to develop through the program. After they complete the two year program, they will be prepared to start their own solopractice or small law firm as either a non-profit or an LLC. Once established, law schools in the Boston area may have the opportunity to buy "slots," which would allow their graduates the same opportunities Dean Mary Lou Balik is providing for U. Mass, Dartmouth graduates.

Along with legal training, Justice Bridge will offer inexperienced attorneys access to the legal resources needed for selfsufficient community lawyering. Through collaboration with a forprofit tech company, the Justice Bridge initiative is developing "Justiserv," a technology platform, which would provide access to office space, legal research databases, and paralegal assistance at low-cost, hourly rates. According to Professor Ramirez, the tech platform will also serve as a legal resource hub, which community members can access for a small monthly fee. Justice Bridge's technological component would enable new graduates and established attorneys to become high volume, virtual lawyers, able to offer low-cost, affordable legal assistance.

As any law school admissions counselor can attest, dismal job prospects have consignificant tributed to the decrease in the number of applicants to law schools. Since 2012, the U.S. News Report has placed a heavier weight on the rate of job placement in law school rankings. The unfortunate reality is that the traditional law school curriculum is no longer adequate preparation for law school graduates.

> Justice Bridge is an econom-Continued on page 11







### The Guild and Legal Education

by Traci Yoder

"The first thing I lost in law school was the reason that I came."

 Unnamed Law Student, as told to Bill Quigley in "Letter to a Law Student Interested in Social Justice."

t has become a truism that many are drawn to law school initially to further social justice, only to end up working in areas of the law that have little potential to serve these ideals. For those who embark on a legal career to serve their values and the public interest, legal education can be difficult, confusing, and ultimately demoralizing experience. Every vear, thousands of students who intend to enter public interest law abandon their plans; this takes an ongoing toll on the use of law as a tool for social change.

The most common reason cited for this is economic: the average law student emerges into practice with well over \$100,000 in debt. However, this is not the only factor. In most universities, the culture and pedagogy of legal education tend to emphasize commercial law over public interest fields, and the intellectual pressure of law school undermines students' commitment to their ideals. Very often students feel very little support within the institution, and a subtle pressure to abandon the political and moral values that informed their decision to pursue law in the service of the people.

In order to combat these trends, the National Lawyers Guild has recently formed a national committee to address legal education on a national level, with the aim of organizing on law school campuses to challenge the culture of law school. Initiatives include a collaborative Radical Law School Manual outlining organizing campaigns undertaken by NLG students and a newly-formed faculty network of NLG scholars.

At the 2012 NLG National Convention in Pasadena, the Student Caucus decided to make it an organizational priority to challenge the status quo of legal education. The result was The Radical Law School Manual, a collaborative project which will be released this year. This project brought together NLG members across the country to research. write, edit, and design the manual. NLG law students drew on their own expertise and experiences to offer real-life case studies in which students and faculty organized to change specific aspects of law school.

The RLSM builds on the NLG Disorientation Manual, which the Guild publishes each year and distributes to law schools. The DisO offers a history of the NLG, tips for starting a student chapter, and short essays on topics such as community lawyering, legal indoctrination, alternative forms of law practice, and creating a public interest career. This new manual goes further by presenting an extended analysis of contemporary legal education as well as concrete strategies to change the culture of law school using examples from other students who have successfully fought for improvements in their institutions. Topics covered include the dominant legal career narrative, the psychological effects of law school, teaching and grading practices, barriers to legal education, tuition increases, law student debt, radical faculty and curriculum, contemplation and the law, starting and reviving NLG chapters, and advice for life as a new lawyer. Using the manual as an organizing guide, the Guild plans to launch a nationwide campaign to challenge tuition increases and law student debt levels.

To support the work of our student members at their law schools, the NLG National Office launched the NLG Faculty Network in November 2013. This network will be a forum for NLG members who are faculty at law schools to communicate, collaborate, and support our student Currently, over 100 members. NLG members work at law schools teaching, running clinics. conducting legal scholarship, and supervising NLG student chapters. This network will allow them to better share their work and create a nationwide community of NLG scholars and teachers.

Changing the practices, pedagogy, and expectations of law school in order to transform the culture of legal education will not be an easy process. Over 100 years of tradition will challenge many of the changes we seek. Remember that you are not alone! The NLG offers a nation-wide community of lawyers, law students, legal workers, and scholars who can assist you in changing the conditions at your law school. To learn more, contact me at traci@nlg.org.

1 William Quigley, "Letter to a Law Student Interested in Social Justice," *DePaul Journal for Social Justice*, Vol. 1, No. 1 (Fall 2007).

Traci Yoder is the NLG Senior Researcher and National Student Organizer.



### **NLG Massachusetts Chapter Sustainers**

In the spring of 2003, the Massachusetts Chapter of the NLG initiated the Chapter Sustainer Program. Since its inception, the Program has been very successful and has been enthusiastically joined by the following Guild members:

2 Anonymous • Michael Avery • Steven Buckley • Patricia Cantor • Howard Cooper • Barb Dougan • Robert Doyle • Melinda Drew & Jeff Feuer • Carolyn Federoff • Roger Geller & Marjorie Suisman • Lee Goldstein & Shelley Kroll • Lisa Gordon • Benjie Hiller • Andrei Joseph • Shaun Joseph • Myong Joun • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • Petrucelly, Nadler & Norris • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Sharryn Ross & Mark Stern • Anne Sills & Howard Silverman • Judy Somberg • Stern, Shapiro, Weissberg & Garin

The Sustainer Program is one of the most important Chapter initiatives to secure its future existence. Please consider joining the Program.

#### YES, INCLUDE MY NAME AMONG NLG MASSACHUSETTS CHAPTER SUSTAINERS!

I, \_\_\_\_\_\_, am making a commitment to support the Massachusetts Chapter of the Guild with an annual contribution of: \_\_\_\_\_ \$500 (not including my membership dues) \$ (other above \$500)

#### As a sustainer I will receive:

- · special listing in the Dinner Program;
- 1/8 page ad in the Dinner Program;
- acknowledgement in every issue of Mass Dissent;
- two (2) free raffle tickets for a Holiday Party raffle;
- invitation to special events.

#### Three ways to become a sustainer:

- contribute \$500 or more a year (in addition to dues)
- pair up with another person and pay \$250 each, or
- join the "Guild Circle" and pay \$50/month minimum.

<u>Please mail to</u>: NLG, Massachusetts Chapter 14 Beacon St., Suite 407, Boston, MA 02108

### A Cacophony of Baritones

Continued from page 7

issue are not easy. Rotating on call lists and randomized number generators ensure everyone has an opportunity to speak in class, but does not address the fact that women do not contribute to class with at nearly the same rate as men. Further nationwide discourse on the subject is clearly necessary, as awareness of an issue is the key to changing it. The most important thing we as women can do on an individual basis, however, is to start speaking up. Answer everything and anything in class you possibly can. Our insights are valuable, as are our contributions. Our collective voices have the power shift the baritone drone of the classroom into a full choir. We need to start using them.

Katherine Stock is a student at Northeastern University School of Law, Class of 2016. She is interested in environmental litigation and international law.

### Justice Bridge

Continued from page 9

ically viable solution: it teaches participants to create jobs while catering to a demographic with no access to legal representation. By investing in Justice Bridge, law schools will provide graduates with an opportunity to build a strong clientele and mentor network while developing the necessary skills for establishing their own firm. The more graduates with jobs, the higher law schools will be ranked. It seems—for once—that those adhering to the gospel of economic efficiency can do so while genuinely serving the interests of their law students and the community at large. Law schools, law firms, and community organizations interested in getting involved with Justice Bridge may do so by contacting Prof. Deborah Ramirez at d.ramirez@neu.edu.

Fiza Najeeb is a 1st year student at Northeastern University School of Law. Her interests include prisoners rights, police misconduct, juvenile justice and access to education.



# **Mass Dissent**

USPS 0760-110 PERIODICAL

Periodical
Postage & Fees
PAID
USPS Permit
0760-110

# The National Lawyers Guild is...



" ... an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of people, to the end that human rights shall be regarded as more sacred than property interests."

Preamble to the Constitution of the National Lawyers Guild

### **Donate to Support the Guild!**

The Massachusetts Chapter of the National Lawyers Guild's

Mass Defense Committee provides legal representation and assistance
to activists from all progressive political movements.

#### We need your support.

Please help us by donating to the Mass Chapter. Mail this form and your check to **14 Beacon St.**, **Suite 407**, **Boston**, **MA 02108**) *or* visiting **www.nlgmass.org/donate**.

I,	(name), am donating \$	to the NLO
Mass Chapter to help support t	the Mass Defense Committee	and its work,

### Fill out and send to: National Lawyers Guild, Massachusetts Chapter 14 Beacon St., Suite 407, Boston, MA 02108 ADDRESS: \_\_ CITY/STATE/ZIP: PHONE: (w)\_\_\_\_\_\_ (h)\_\_\_\_\_ Circle one: Lawyer Legal Worker Law Student Jailhouse Lawyer Alumna/Alumnus of \_\_\_\_\_\_ Year \_ Dues (from schedule): \_ I am interested in working on the following projects: Lawyer Referral Service Street Law Clinic Mass Defense Committee Litigation Committee Mass Dissent (monthly publication) National Immigration Project

# Please Join Us!

Dues are calculated on a calendar year basis (Jan.1-Dec.31) according to your income\*:

Jailhouse LawyersFro	ee
Law Students	25
up to \$15,000	40
over \$15,000 to \$20,000\$5	50
over \$20,000 to \$25,000	
over \$25,000 to \$30,000	
over \$30,000 to \$40,000	
over \$40,000 to \$50,000	
over \$50,000 to \$60,000	
over \$60,000 to \$70,000	
over \$70,000 to \$80,000	
over \$80,000 to \$90,000	
over \$100,000	

\* Any **new** member who joins after September 1 will be carried over to the following year. Dues may be paid in full or in quarterly installments. Dues of \$80 cover the basic membership costs, which include publication and mailing of *Mass Dissent* (the Chapter's monthly newsletter), national and regional dues, and the office and staff.

