



Erin Bruce and Larry Crow Earn the Spring 2009 Irvine E. Ungerman Award for Excellence in Clinical Practice

The Irvine E. Ungerman Award for Excellence in Clinical Practice is awarded twice yearly to legal interns who have distinguished themselves by providing highly competent representation to clients in a manner exemplifying the ideals of our profession: “pursuit of the learned art in the spirit of a public service.”



Erin worked under the supervision of Professor Joe McKinney, who has described Erin as one of the most enthusiastic students he has had — “a real go-getter” in his words. While Erin continued her work on the tax matters, with Professor McKinney’s invaluable

guidance, Larry worked under the supervision of Professor Janet Thompson Jackson during the Spring 2009 semester and did a superb job of getting up to speed on this project and taking it to the finish line. But, they couldn’t have accomplished this without working as a team. This has been summed up best in two emails sent by members of the client organization after the tax-exemption application was filed. The emails were sent to Erin, Larry and Stacey Anderson, who was Larry’s clinic partner during the Spring 2009 semester.

First email:

“Erin, Larry and Stacey, Please allow me to represent [our organization] in saying a heart-felt thank you for your work and dedication in helping our unit get the 1023 form submitted to the IRS. Your guidance and reassurance that this was a doable project was the key to this application submission. When [our organization] started looking at this application it seemed impossible. A phone call to Washburn changed all of that. I cannot say enough positive accolades about

Two students in the Small Business and Transactional Clinic shed an unusual amount of blood, sweat, and tears in order to prepare and file a federal tax-exempt application for a client. On the positive side, the client, a civil war reenactment group, was made up of a great group of men who love to portray Union soldiers from the civil war period. On the not-so-positive side, they had been operating for almost 5 years before coming to us to seek a federal tax exemption (the target window for applying for the exemption is about 2.5 years). In normal circumstances this can be a prolonged and very exacting process, but in this case, it took all of the Fall 2008 semester with one lead student, Erin Bruce, starting to untangle a web of facts and a second lead student, Larry Crow, continued the untangling process during the Spring 2009 semester while Erin (a directed intern during the Spring 2009 semester) reviewed and deciphered mounds of tax information that had to be resolved before the application could be submitted. During the Fall 2009 semester

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Bruce and Crow Earn Ungerman Award

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each of you and your help. Erin, your leadership was invaluable to our success. You took the time to explain what we needed and when you needed the information. Thank you for your patience with us. How you made sense of our ramblings is beyond me! Your role was pivotal in our success. Larry, I was very impressed that you took the time to correspond with us in a timely manner and provided the incentive to get this project completed by March 31. Also Larry, thank you for taking your time to come to Valley Falls to have me sign the documents; I was very impressed. Stacey, thank you for your valuable contributions. I could tell that you cared about [our group] having success in this application. I truly appreciated your efforts.

I personally have learned a great deal throughout this process, but the most important lesson I learned was that Washburn University has some outstanding candidates who will soon become lawyers. I have a deeper appreciation for your studies and your work. Now I just hope the IRS comes through! Thank you, and please forward

this note to Dr. McKinney and Dr. Jackson. They both need to know our appreciation for all of your hard work on this project. We hope to see you again.”

Second email:

“Let me add my “HUZZAH.” If you do not know, “Huzzah” is a U.S. Civil War cheer that Union troops gave to those that performed their mission in an OUTSTANDING manner. Please forward this email to any of your professors that were supportive of your assistance and work for our organization so that they also know what grand job all of you did!!!!!! Remember any time any of you can visit us at a Civil War reenactment or living history event you will be “honorary” members of our unit!!!!!!”

The Irvine E. Ungerman Award for Excellence in Clinical Practice is sponsored by the law office of Ellis, Zolotor & Peters of Spring Hill, Kansas. Steven Ellis, '06, was the recipient of the Ungerman Award during the Fall 2005 semester. ■

Law Clinic to Award First Public Interest Grant This Semester

The Washburn Law Clinic Public Interest Grant was established in 2007 by the Washburn Law Clinic faculty. The purpose of the grant is to recognize and facilitate the decision of Clinic students to work in public interest upon graduation. As such, this grant will be awarded to a former Clinic student whose employment upon graduation will work primarily with underrepresented or underserved individuals, communities and/or nonprofit groups. The grant will be in the amount of the cost of tuition for four (4) credit hours.

The deadline for submitting an application for the grant is November 13, 2009. Requirements for the grant include:

- Successful completion of Law Clinic
- Proven interest in public service
- Legal employment secured in public interest field
- Must apply for grant within one year of graduation

If you would like to apply please contact Debi Schrock at 670-1191 or debi.schrock@washburn.edu. ■

What Do Clinic Interns Say About Clinic?

Theresa Poindexter, Class of 2010

“Being in the Small Business and Transactional Clinic has been a great experience. It’s hard to learn from a textbook how to set up a corporation, LLC, or non-profit. With the hands-on experience of the Small Business and Transactional Clinic, I have learned the basics of setting up such businesses. When I leave the Clinic and join the work force, I will be thankful for all that I have learned and the experience I had while working in the Clinic.”



Michael C. McClure, Class of 2010

“While some may say the Clinic provides practical experience that gives you a taste of the real world, the Clinic is so much more than that. The Clinic is an opportunity to give back to the community while learning how to handle client interviews, challenging legal issues and the pitfalls that exist in the practice of law.”



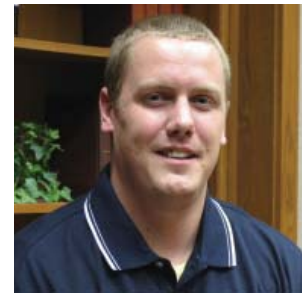
Scott Minter, Class of 2010

“Clinic has already proven to be a useful and practical tool for gaining real-time experience that I will carry with me into practice.”



Dan Heinz, Class of 2010

“Clinic has been the most empowering and instructive experience that I’ve had in law school. No one who intends to practice law should leave Washburn without participating in Clinic.”



Benard Little, Class of 2010

“Law Clinic is the most demanding thing I have ever done in law school, but it is also the most rewarding.”



Meara Smith, Class of 2010

“The Washburn Law Clinic has given me the opportunity to learn and practice law in a realistic setting. I am learning practical skills I can take with me when I graduate and courtroom experience many of my peers will not have.” ■



Fall 2009 Interns by Practice Areas

Criminal Defense Clinic



Meara Smith and Scott Minter

Interns practicing criminal defense law under the supervision of Professor John Francis are representing clients in Municipal Court, Shawnee County District Court and Tribal Court. A sample of the cases they are working on this semester involve charges for theft, criminal trespass, battery and driving under the influence.

State Tribal Court Clinic



Travis Cantrell, Tabitha Rempe, Jennifer Brown, Jamey Critchlow and Ben Little

Practicing in Tribal Court as well as Shawnee County District Court and Municipal Court, Professor Aliza Organick's interns serve a wide variety of clients. The mix of criminal defense matters such as criminal damage to property and selling tobacco to a minor, as well as family law matters, gives the interns a more diverse practice area.

Children and Family Law Clinic



Tawna Leach, Kursten Phelps, Christina Montgomery, Ashley Barton, Dan Heinz and Rosa Phifer

Professor Lynette Petty supervises the family law practice area. Her interns make frequent court appearances in Shawnee County District Court representing individuals in matters such as divorce, paternity, adoption, guardianship and Child in Need of Care cases. Interns also handle immigration cases to secure legal status for undocumented abused women who are married to U.S. citizens or lawful permanent residents. Students also help undocumented juveniles in foster care secure legal status when their parents are not available.

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Civil Litigation Clinic



Nicholas Lindley, Teresa Mata, Mike McClure

Specializing in civil litigation matters like contract disputes, landlord/tenant and quiet title actions and also elder law issues, interns under the supervision of Professor Curtis Waugh hone their interviewing and negotiation skills along with gaining practical experience.

Small Business and Transactional Clinic



Theresa Poindexter, Kim Honeycutt, Patrick Vogelsberg

Interns enrolled in the Small Business and Transactional Law Clinic work closely with business owners helping them to form a legal entity for their business, draft contracts and other documents. They also work with nonprofits to obtain tax-exempt status. ■

Cutting Edge Criminal Appellate Advocacy

Last spring, Ashley Oppenheim, May '09 grad, a student in the advanced topic section of Criminal Appeal Advocacy, was assigned an appeal involving a drug conviction stemming from a car stop and subsequent search incident to arrest. On April 21, 2009, after Ashley had been working on the brief a few weeks, the United States Supreme Court decided *Arizona v. Gant*, which substantially limited law enforcement officers from making searches incident to arrest fishing for evidence that was unrelated to the offense of arrest. Suddenly, Ashley's case looked like a clear winner. The facts of her case and *Gant* were almost exactly on point. In fact, when the state filed its response, it admitted that the search violated the Fourth Amendment.



Ashley Oppenheim, '09

But the state did not concede that the conviction should be reversed. Citing a post-*Gant* Tenth Circuit case, the state argued that the exclusionary rule should not apply in Ashley's case. Because of the importance of the issue, the case has been transferred to the Kansas Supreme Court and will be argued by Professor Hodgkinson this December. Other courts, notably the Ninth Circuit, have disagreed with the Tenth Circuit's rationale and the issue seems likely to be taken up by the United States Supreme Court to resolve the conflict. This is just an example of a real case with a real client being decided based on United States Supreme Court case law developing even as the student worked on the brief. ■

Swearing-in Ceremony for Summer Interns

The Swearing-In Ceremony for the summer 2009 interns was held in the Shawnee County District Courthouse. Judge Cheryl Rios Kingfisher presided over the ceremony and administered the oath. Judge Kingfisher, in her address to the interns, underscored the need for attorneys and legal interns to conduct themselves in a

professional, ethical manner. She also highlighted the importance of providing legal services to people with limited means so that all will have access to justice. Judge Kingfisher is a Law Clinic alumna and expressed to the interns what a great decision they made to enroll in Clinic. ■



Kablea Porter, Charles Sunwabe, Judge Kingfisher, Theresa Staudinger, Danielle Sanger, Jeremy Boyce



Cameron Willcott, Judge Kingfisher, Stephanie Brown, Jon Noble, Derek Thrasher

Chief Justice Robert E. Davis Presides Over Fall Swearing-in Ceremony

On August 27, 2009, the Law Clinic held its thirteenth Swearing-In Ceremony for interns. Presiding over the ceremony and administering the oath to the interns was Chief Justice Robert E. Davis of the Kansas Supreme Court. Chief Justice Davis, who has been on the Supreme Court since 1993 was appointed Chief Justice earlier this year.

Chief Justice Davis called the Swearing-In Ceremony a momentous event for the interns, second only to being sworn in to practice after passing the bar. Davis also reminded the interns that representing clients through the Law Clinic is an invaluable service not only to their clients but to

themselves as well. Washburn School of Law has always focused on practical learning, not just theory, and Chief Justice Davis congratulated the interns on their decision to obtain their student practice license and practice with the guidance of the Clinic faculty.



The Law Clinic is very fortunate to have had such a prominent member of the Kansas legal community preside over the ceremony. ■

Having It All In A Small Town

An event co-sponsored with the Professional Development Office

This semester, the Law Clinic, in connection with the Professional Development Office, hosted a luncheon entitled “Having It All In A Small Town.”

Panelists included Steven Ellis, '06; Marlea James, '03; and Paul Kitzke, '05, Law Clinic alumni, and Erin Riffey, '07. After brief introductions, and an

explanation of their practice areas and locations, the panelists fielded questions from students. Many students were interested in learning what the social life is like in a small community and if there is enough work to make a living. The panelists agreed it is possible to “have it all” in a smaller community but networking and getting involved in the community is a must. ■



Steven Ellis, '06, Marlea James, '03; Erin Riffey, '07; Paul Kitzke, '05

A Practitioner's Perspective

The Law Clinic welcomed alumni Mike Heptig, '07; Martha Ortiz, '98; Cody Robertson, '07; and Scott Taddiken, '03, as panelists during a large group class. The alumni discussed their practice areas, how they balance personal life and

professional life, and how they handle certain difficult circumstances when working with opposing counsel and clients. Interns learned that their reputation as attorneys begins on their first day of practice. ■



Cody Robertson, '07; Mike Heptig, '07; Martha Ortiz, '98; Scott Taddiken, '03

Just Do It!

By Danielle Sanger, 3L

When I was deciding whether or not to enroll in Clinic, there were many factors that I considered. First, my stomach flip-flopped every time I thought about appearing in front of a judge. I had no experience in a courtroom and no experience working with real clients. Also, I was unsure whether I would be able to handle the responsibility of clinic along with taking classes and raising my two sons. I finally decided that the only way for me to know whether taking Clinic was right for me was to take a leap of faith and just do it!

I began working as a legal intern in the Family Law Clinic in May of 2009. My first court hearing was scheduled for just one week after I started. I was extremely nervous, so I prepared thoroughly to help calm my nerves. By the time I walked out of the courtroom for the first time, I felt as though I had accomplished something huge. I had appeared in front of a judge, and I had not vomited!

My next few court hearings were much better than the first. Each time, I became more and more comfortable. I was able to say what I needed to say without my voice quivering or my hands shaking. I will be honest — it was scary at first but the more I did it, the less scared I



felt. Clinic has increased my confidence and given me the practical experience necessary to handle new and different situations without feeling fearful. In October, 2009, I had my first trial. When the judge stopped me in the hallway afterwards and told me I had done a great job, I knew that I had made the right choice by taking Clinic.

Clinic also teaches you the responsibility of making decisions that can greatly impact another person's life. This is a responsibility that I have not taken lightly. While working with my clients, I have had many opportunities to sit down, consider the options, and work through these options to come up with the best solution. For me, this was essential in learning what it truly means to counsel a client. Working with opposing counsel has also helped me in many ways. I have learned when to be patient, when to compromise, and when to hold my ground. Even though sometimes it has been tough, my experiences in dealing with opposing counsel have been some of the most beneficial in all of Clinic.

Overall, working as a legal intern in the Clinic has been a great experience. It requires a lot of work and a lot of commitment but in the end, what you gain is worth so much more. ■



1700 SW College • Topeka, KS 66621
(785) 670-1191 • clinic@washburnlaw.edu
