



Washburn Law Clinic

WASHBURN UNIVERSITY SCHOOL OF LAW™

Summer/Fall 2010 Newsletter

Washburn Law Clinic Celebrates 40th Anniversary

On Oct. 23, the Law Clinic celebrated its 40th anniversary with a full day of events attended by many alumni. The day began with a continuing legal education seminar given by Professors John Francis and Aliza Organick. The CLE addressed legal issues that have come up during law clinic practice over the years. The alumni then toured the law school and Law Clinic and reminisced about the many changes that have taken place over the years.

In the afternoon, a pre-game tailgate party and football game were enjoyed by many more. Although the football game ended in a heartbreaking one-point loss to Northwest Missouri State University, alumni and their guests were treated to a competitive and exciting homecoming game.

The celebration continued into the evening with dinner at the Capitol Plaza Hotel. Many alumni, faculty and staff reconnected over dinner and took pleasure in listening to the remarks of the speakers. Law Clinic alumnus Steven Ellis, '06, of Ellis & Zolotor Law Office, recounted the semesters he spent in the Law Clinic with fond memories. In his practice Ellis focuses on small business, corporate, and commercial litigation as well as family law issues, juvenile offender and estate planning. Ellis has been a strong supporter of the Law Clinic and its mission since he graduated. The Honorable Gregory L. Waller, '73, Law Clinic alumnus, remembers a very different Law Clinic in the 1970s. At that time, the Law Clinic was a smaller component of the law school and was housed in only three rooms. Judge Waller's path to the bench included an associate position with G. Edmond Hayes, Chartered, partner in the firm of Hayes and Waller, and 18 years in the Sedgwick County



Guests celebrated the Clinic's 40th anniversary.

District Attorney's office. He credits the clinic for producing highly skilled attorneys who regularly appear in his courtroom. Washburn President Jerry Farley, Dean Thomas Romig, and Professor Francis spoke as well, remarking on the formulation of the Law Clinic, its history and current statistics of the work accomplished in the Law Clinic.

In a letter addressed to the Law Clinic, Steve Ellis expressed the following: "I wanted first to take a moment and thank you for involving me in a wonderful celebration of the Law Clinic's first forty years. So much of what I know about being a lawyer and who I want to become as an attorney is based upon what I learned while at the Clinic. Having had the opportunity to participate in this past weekend's events simply strengthens my affinity for, and dedication to our Clinic."

The celebration was a great success and a wonderful way to keep alumni connected to each other and to the Law Clinic. ■

More event photos on pages 2, 3 and 6



Law Clinic's Success Based on Mission

The Washburn Law Clinic has seen many milestones in its 40 year history. With approximately 140 cases opened each year by Law Clinic faculty and students, that translates to 5,600 cases representing an even greater number of people who have been aided during the clinic's history. These are individuals and families who, because of their financial situation, could



Professor Janet Jackson and President Farley converse at the event.

not have afforded legal services and quite possibly would have fallen through the cracks in the legal system.

John

Francis, Professor and Director of the Law Clinic, described the Clinic's growth and program additions as "steady yet gradual," and that during the Law Clinic's storied history its mission has remained two-fold.

"Our mission is to help law students become skilled and ethical practitioners and to provide an important service to the community in which we work and live." His philosophy for directing the day-to-day operations of the Clinic ties directly to the Law Clinic's mission. With respect to students, he said it is to "get them so well-prepared and ready on the front end that when the lawyering event occurs, the students are ready to go and don't need intervention."

In addition to hands-on practical skills, the Law Clinic experience also provides students a reality check. "Clinic gives them an eye-opening view of the profession. The realities of life for those without substantial means can confront students in this work," Professor Francis said.

With respect to the Law Clinic's clients, Professor Francis said their needs are paramount. "We keep the client in the center

of everything, of the representation and of the decisions that are made. When we present options to a client, we present the effects of each possible choice so they understand the impact of their decisions."

When the Law Clinic opened in 1970, the clinical model was in its infant stage and teaching legal doctrine was the main method of educating law students. However, Washburn Law faculty and staff forged ahead, believing in the practical benefits of providing students the opportunity to represent real people in real cases. "Doctrine is incredibly important to have as a foundation, and Clinic builds on that foundation," Francis said.

The Law Clinic's accomplishments include winning appeals at the 10th Circuit Court and arguing issues ahead of its time, but Professor Francis said some of the most significant steps forward were adding Professors Janet Jackson and Aliza Organick, and thus the Small Business and Transactional Law Clinic and the State and Tribal Court Practice Clinic, respectively.

Students and faculty have been practicing in the Prairie Band Potawatomi Nation and Kickapoo Nation Tribal Courts since 2004 when Professor Organick began teaching in the Law Clinic. The Law Clinic generally handles two or three cases in the Kansas tribal courts each semester and is the only law school in Kansas with a tribal court practice. This requires an understanding of the history of Federal Indian Law and Tribal Law, which translates into a commitment of more time and effort for the students. "Initially, there is reluctance on the part of students because we don't talk about tribes as the Third Sovereign. So



Craig Lowe, Matthew McGregor and Mark Neis were guests at the event.



Current Law Clinic students and their guests attended the 40th anniversary celebration.

I am touched by those students [who participate] because they are really interested in learning these new areas of law,” Professor Organick said.

Professor Organick believes that tribal court practice is a perfect fit for a clinical program because it takes what the students are learning and builds on it. “The students get experience practicing in state and municipal courts as well as tribal courts, so they are learning a multijurisdictional practice,” she said.

Professor Francis said the Clinic’s collaboration with Prairie Band Potawatomi Tribal Court has changed the face of court proceedings. “I see our alumni practicing there. The number of attorneys has increased significantly and many have come from our clinic program.”

Building relationships with the tribes has been vital to the success of the program. “The tribes have been welcoming and supportive, and they have provided a great learning opportunity for our students,” Professor Organick said. Professor Francis concurred. “We have made a connection with the Native population in the area and are recognized as a place people can come for assistance.”

As for the future of the Tribal Court practice, Professor Organick would like to see the program grow. “I would like to continue to grow that relationship and integrate tribal law, including the tribal courts and legal system, into our curriculum,” she said.

Professor Jackson, who joined the Washburn law faculty in 2004, initiated the Business and Transactional Law Clinic in 2005, with two primary goals in mind: to help students develop skills in business counseling and transactional law; and to serve the legal needs of businesses and nonprofit organizations that cannot

afford to hire legal counsel. Upper-level law students provide business and legal assistance to small businesses and nonprofits in Topeka and surrounding areas but do not assist with litigation.

More recent additions to clinic offerings include the representation of clients filing for Violence Against Women Act (VAWA) self-petitions. VAWA self-petitions enable immigrant victims of domestic violence to obtain lawful status without the assistance or cooperation of the batterer spouse. In 2007, the Law Clinic faculty established the Washburn Law Clinic Public Interest Grant to recognize and facilitate the decision of Law Clinic students to work in public interest upon graduation. The grant will be awarded to Law Clinic students whose employment upon graduation works primarily with under-represented or underserved individuals, communities and/or nonprofit groups.

Discussions concerning program changes and additions for the Law Clinic are ongoing, and its future path will be charted based on the ever-changing needs of the students and clients it serves. “We will continue programmatic expansion. My goal is to keep it dynamic and respond to needs in the community and aspirations of our students,” Professor Francis concluded.



Phil Knighton, '71, talks with Judge Waller, '73.

What are current interns saying about Law Clinic?

Jenny Danenberg, Class of 2011

“I am so glad that I took advantage of this opportunity during my time at Washburn Law. As someone with next to no legal experience, I was concerned about my transition into ‘the real world.’ Now, not only do I have something for my resumé but I have confidence in the application of what I’ve learned in the classroom. I’ve gained such an appreciation for what we do as lawyers, and it was nice to be given the chance to help people in an environment specifically geared toward learning and improving.”



has been one of the most valuable experiences in law school. The knowledge and skills I have gained as a legal intern at Washburn Law Clinic provide a great foundation from which I can build my career as a litigating attorney upon my graduation from law school.”

Mandy Johnson, Class of 2011

“Clinic was extremely helpful. The hands-on experience in litigation, research, and preparing for trial has been the best experience to prepare me for practicing law when I graduate.”



Carol Longenecker Schmidt, Class of 2011

“The five words that describe my Clinic experience are: challenging, engaging, enlightening, rewarding, and fun!”



Sara Rogness, Class of 2011

“I wanted to be a part of Clinic the moment I heard about the opportunity — mostly because I wanted to help people as soon as possible. I was blessed to be able to participate in both the family law and the criminal defense clinics. As someone who is interested in both types of law, it was great to get the chance to practice both before beginning the job search.”



Moses Mangae, Class of 2011

“Working as a legal intern at the Washburn Law Clinic has provided an excellent platform from which I am able to apply the legal concepts I learned in class to different practical aspects involved in client advocacy. The extraordinary support system provided by the Clinic’s staff is tailored to ensure that upon graduation, law students working as legal interns are adequately prepared and ready to engage in the practice of law. Being a part of the Washburn Law Clinic



C. David Rouner, Class of 2011

“Washburn Law Clinic has given me the practical experience and skills demanded in today’s job market.”



Judge Malone Presides Over Swearing-in Ceremony



Judge Thomas Malone, '79, presided over the swearing-in ceremony and administered the oath to the fall Clinic interns.



Small Business and Transactional Clinic

Caleb Cottam, Moses Manga, Craig Jackson, Justin Hocking



State Tribal Court Practice Clinic

Michael Duma, Jennifer Lemus, Hanh Vu-Peck, Grant Flynn



Children and Family Law Clinic

Jenny Danenberg, Morgan Richards, Heather Wheeler, John Pearce



Civil Litigation Clinic

Chantz Martin, Cody Edwards, Joel Ensey, Craig Lowe



Criminal Defense Clinic

David Rouner, Riley Baber, Maryam Fakhradeen, DeeDrá Branson, Carol Longenecker Schmidt

Teresa Mata Receives Ungerman Award

Teresa Mata, '10, was awarded the Irvine E. Ungerman Award in spring 2010 for her outstanding work in the Law Clinic. Teresa was a clinic intern in fall 2009, and a directed intern in spring 2010. She worked in the civil litigation clinic.

Teresa worked on a variety of cases, including a landlord/tenant case in which, at trial, she secured a judgment for her client who was unlawfully evicted, and a contract case in which she successfully litigated a car title dispute. Her most demanding case concerned an ongoing and complex adverse possession case, which settled this fall on terms favorable to the clinic client. Representing a plaintiff homeowner, Teresa conducted fact investigation, prepared an answer to defendants' counterclaim, drafted discovery,

and prepared a motion for summary judgment. This case required extensive legal and historical research on the property issues. Teresa's work on these cases was exemplary. She consistently showed initiative, resolve, and solid lawyering. She was always professional in her dealings with her clients, other counsel, and the court. Throughout her clinic practice, Teresa demonstrated excellent legal skills.



Teresa Mata

Following her graduation in May, Teresa started her practice with Kansas Legal Services in Emporia.

Clinic Facts

- Total cases opened in 2009: 146
- Total cases opened to date (Oct. 15) in 2010: 141
- The average enrollment during the last five years (2006-2010) for the Law Clinic is 69 students per year.
- The clinic has approximately 2,000 alumni to date.
- The Clinic completed 355 case intakes in a 10-month period of 2010.



Steven Ellis, '06, and Judge Christel Marquardt, '74, attended the anniversary event.



Phil Knighton, '71, and Georgia Kleinbeksell enjoyed the tailgate at the anniversary celebration.



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