



Washburn Law Clinic

WASHBURN UNIVERSITY SCHOOL OF LAW™

Spring 2012 Newsletter

Enrollment for Summer and Fall 2012

During the summer 2012 semester, the Litigation Clinic will have openings for five students. These students will receive a unique clinic experience as they will be representing clients in criminal defense, family law, and civil matters. This blend of cases will give each student a tremendous opportunity to become skilled practitioners in the practice areas commonly found in most law firms. Professor Lynette Petty will supervise the interns during the first session and Professor Curtis Waugh will supervise the second session.

The Small Business & Nonprofit Transactional Law Clinic will be accepting eight students this fall. Due to Professor Janet Thompson Jackson's sabbatical during the spring 2013 semester, the SB&NTL Clinic will not be accepting students for that semester. However, with the acceptance

of eight students this fall, Professor Thompson Jackson is able to offer the same number of opportunities as usually offered during both the fall and spring semesters.

Professor John Francis will return to the clinic to supervise interns in criminal defense matters heard in Topeka Municipal Court, Shawnee County District Court and Prairie Band Potawatomi Nation tribal court.

As you may know, Professor Aliza Organick will be leaving Washburn University School of Law at the end of this semester. The Law Clinic search committee will hire a visiting professor to temporarily occupy the position. An announcement as to who will be joining the clinic will be made at a later date. A national search to fill the tenured-track position will

begin early in the fall semester.

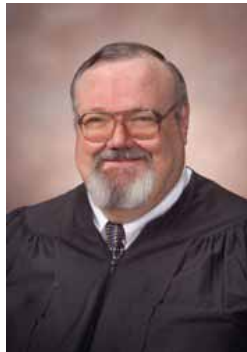
Professors Petty and Waugh will continue to supervise interns during the fall 2012 and spring 2013 semesters.

Total enrollment for the Litigation Clinic for the fall 2012 semester will be limited to 28 students.



Judge Stephen D. Hill Presides Over Ceremony

Just two weeks into the spring semester, 24 interns were sworn in to practice under Supreme Court Rule 719.



*The Honorable
Stephen D. Hill,
Kansas Court of
Appeals*

Judge Stephen D. Hill, '75, Kansas Court of Appeals, presided over the ceremony and administered the oath to the interns. In his address, Judge Hill advised the interns that their life is about to

change. He impressed upon them to understand the significance of the swearing-in ceremony because their lessons will no longer be just academic. "From this point forward, you will be assisting real people. Your wins will affect other people and your losses will be suffered by other people," Judge Hill said. He also advised the interns to listen to their clients as they seek their counsel but to remember that they cannot lead their clients' lives for them. He continued, "Bad things happen to good people and every wrong does not have a remedy."

In concluding his remarks, Judge Hill told the students, "You will win some, you will lose some, but you will learn from them all."

The swearing-in ceremony has become a favorite tradition within the Law Clinic, which was fortunate to have Judge Hill preside over the ceremony.



*Small Business & Nonprofit Transactional Law Clinic
Christopher Corwin, Allison Kernin,
Katelyn Weisbaar, Madeline Rogers*



*Tribal and State Court Practice Clinic
Peter Zettersten, William Skepnek, Corrine Johnson, Laura Allison,
Matthew Groom, Jordan Seckman, Travis Gardner*



*Children and Family Law Clinic
Christopher Napolitano, Rebecca Sisk, Whitney Miller,
Jennifer Thomas, Christina Hammond, Jacob Fleming*



*Civil Litigation Clinic
Caleb Biesterveld, Richard Budden, Dillon Stum,
Joslyn Kusiak, Jessica Stabler*

What Are Current Interns Saying About Clinic?

“The clinic has been such a great experience for me. It has allowed me to build on my communication skills with clients and provided me an opportunity to gain practical experience in the legal world. The staff and professors who work in the clinic are absolutely wonderful. The time I have spent in the clinic this semester has been an invaluable experience, and I am very grateful to have the chance to work in such an excellent learning environment.”

-Becca Sisk, '12



“I love working in the law clinic. A typical law school class teaches you what the law is and how to think like a lawyer. The law clinic then teaches you how to act like a lawyer. It gives you the skills to represent a client right out of law school. The civil litigation clinic has taught me how to draft wills, resolve landlord/tenant disputes, litigate a quiet title action, and other various matters where people commonly need a lawyer’s assistance. I highly recommend that students take advantage of this unique opportunity.”

-Jessica Stabler, '12



“The clinic has taught me more about being a lawyer than any other class possibly could. From client interviewing to motion practice, the clinic has given me the opportunity to apply

my legal skills to actual, real-world problems.”

-Richard Budden, '12



“I am grateful for the opportunity to serve as an intern in the Washburn Law Clinic. The clinic provides an opportunity to serve the community by applying the skills taught throughout law school. It really does

‘bridge the gap’ between the concepts taught in classes and legal practice.”

-Maddy Rogers, '12

“Clinic has been a wonderful experience. I am able to apply skills I learned in the classroom to situations that arise in real cases. I am also able to experience a full case from the initial interview through the final disposition. I couldn’t imagine a better way to prepare for the practice of law.”

-Will Skepnek Jr., '12



“Clinic has helped prepare me for the practice of law after law school. I cannot imagine going into practice without having experienced working at the clinic. Meeting with clients, researching the legal problems, and conducting a criminal trial are all experiences that will prove to be invaluable when I become a practicing attorney.”

-Laura Allison, '12



Untangling a Property Issue

By Joslyn Kusiak

I was assigned to a property deed case this semester that involved an array of interesting legal issues. The case has been going on for a long time and several legal interns worked on the case. At first, the case appeared to simply be a breach of contract issue. However, I soon discovered that the issues were more complex and included real estate, a limited liability company, and deeds.

Our client had purchased a house from an individual and had been living in the house for more than five years. However, for unknown reasons, the individual would not sign over the deed to the property, a clear violation of the real estate contract. That's when the Washburn Law Clinic got involved. After sending several demand letters and filing suit, we finally got the seller's attention.

The seller's attorney contacted the clinic in hopes of quick resolution. However, at this point, the law clinic interns had already discovered that this case involved more legal issues than an unsigned deed. Most notably, we discovered that the recorded deeds were not in the name of the individual who entered into the contract with the client. This was just the tip of the iceberg.

Clinic interns conducted extensive factual and legal research in this case. We researched Kansas law, checked out form books, consulted peers and professors, analyzed court documents, and looked through records at the Register of Deeds Office. The most fascinating part of all was that



Joslyn Kusiak is a third-year law student.



just when one issue seemed to be resolved, we would discover another issue. Finally, it appeared like we had explored all issues and were ready to resolve the uncovered problems.

Armed with the game plan, I contacted the individual's attorney to come to an agreement rather than taking the case to court. After presenting only a few of the client's points, the seller's attorney agreed to have the proper deeds signed. With the help of Professor Pierce, we carefully drafted the necessary deeds, specifically accounting for the issues we had uncovered in our research. The seller and his attorney had no qualms with our work and willingly signed the deeds. Soon after, we dismissed the suit.

In this case, the individual's failure to sign over the deeds was actually a good thing. The clinic interns discovered issues that would never have been discovered until the client tried to sell the property. At that point, the client may have faced much more serious legal issues because of the deficiencies in the deed.

This case was an ideal case because it taught me so many valuable lessons. I learned that sometimes the issues change as a case progresses, thereby changing the focus and battleground. I learned the importance of keeping dutiful notes. I learned that when people's behavior is strange or people are doing things different from the norm, such motivations may lead to important facts that should be fully investigated. Finally, I learned that being an attorney is going to be a rewarding experience and a great fit for me.

Summer/Fall 2011 Irvine E. Ungerman Award for Excellence in Clinical Practice Recipients

Casey Yingling and Sarah Longhibler are the summer/fall 2011 co-recipients of the Irvine E. Ungerman Award for Excellence in Clinical Practice. This award was established to honor one of our outstanding alumnus, Irvine E. Ungerman, who practiced law in Tulsa, Okla., until he died in 1980. The award is given twice yearly to students who distinguish themselves by providing highly competent representation to clients in a manner exemplifying the ideals of our profession and spirit of public service. The award includes a cash prize.

Sarah Longhibler worked under the supervision



Sarah Longhibler, '12

of Associate Professor Lynette Petty and represented clients in domestic matters, including divorces, paternity and adoption. Sarah fully embraced the Law Clinic experience and took every opportunity to

develop her advocacy skills. Her cases were quite complex, requiring her to explore statutes and case law to research questions of jurisdiction, custody, child support, and ethics. Sarah is creative and bold in her quest to investigate all of the facts in a case. She uncovered facts her clients did not even know. What stands out most about Sarah is her dedication to understanding her client's position and perspective. She listens to her client, explores the legal and practical choices available, and understands the decisions the client makes are in the context of his or her own life experiences. Sarah dedicated herself to providing the highest level of professional advocacy for her clients.

Casey Yingling was supervised by Visiting

Professor Tai Vokins, '08, and represented clients in both criminal defense matters as well as general civil litigation cases. Casey was the type of student who sent e-mails at 9 p.m. with questions about a file and worked as if the case needed to be seen to the end rather than just worked hard enough to get through the semester. She personifies the Washburn Law Clinic work ethic; she worked very hard on all of her files and went above and beyond for her clients. For example, Casey volunteered to visit a client in a nursing home and took the initiative to meet the kids on the adoption case to which she was assigned.



Casey Yingling, '12

Casey was the most diligent on client communication and had a knack for recognizing the "non legal" issues of her clients' cases. She was interested in knowing about the issues her clients faced that caused problems with their everyday lives. She approached each case with those issues in mind (for example, she got to the bottom of a client's financial status and learned the real situation instead of just reading the file) and will be a great lawyer because of this approach. Most people who come out of the clinic that go on to success are self made. Casey understands that to be a good lawyer, you have to work on all aspects of your clients' lives because sometimes that is more important than the legal issues of the case.

Carol Longenecker Schmidt Receives Kansas Association for Justice Raymond Spring Award

Carol Longenecker Schmidt, '11, was selected as the 2011 recipient of the Kansas Association for Justice Raymond Spring Award. This award is bestowed upon the Law Clinic intern who has demonstrated the highest commitment to providing legal services to clients in need. Carol was nominated for the award by two of her clinic professors, John Francis and Randall Hodgkinson.



Carol Longenecker Schmidt, '11

Professor Francis describes Carol's work in the Law Clinic. "Carol Longenecker Schmidt interned in the Washburn Law Clinic during the fall 2010 semester, representing clients in criminal defense matters. One particular case of hers presented several challenges. The client had a serious and progressive medical condition. He faced criminal prosecution on a felony matter stemming from an incident which occurred years earlier. The charge carried a significant mandatory jail sentence that threatened his already fragile health. Ms. Longenecker Schmidt demonstrated dedication and innovation while representing this client, gathering medical data, interviewing caretakers, visiting with the client and conducting substantial legal research. This led to filing a unique motion to dismiss the case in the interests of justice. The court was intrigued by this motion, and while it did not carry the day, it did lay the foundation for an effective case strategy which was later implemented. Carol's work on this and other cases demonstrates that she is committed to providing legal services to clients in need."

Professor Hodgkinson describes Carol's work in the Appellate Clinic. "Ms. Longenecker Schmidt was a great intern in Criminal Appeal Advocacy,

where she assisted in writing appellate briefs for two clients of the Kansas Appellate Defender Office. The first case involved an appeal from a drug conviction and the second from a criminal threat conviction. In each case, Ms. Longenecker Schmidt showed zealous commitment to each client and concern for the professional quality of her writing. And she has gone on to work in that area as a staff

attorney at the Kansas Appellate Defender Office."

The Law Clinic congratulates Carol for being the 2011 Raymond Spring Award recipient and for being the first intern to receive a nomination from two professors. Carol will be presented her award at the annual Center for Excellence in Advocacy Reception in April.



Raymond Spring, '59

Raymond Spring graduated from Washburn University School of Law in 1959 and worked in private practice for six years afterward. In 1965 he began teaching at Washburn and in 1970 became dean of the law school. Spring drafted the grant proposal and conducted negotiations with the Council on Legal Education for Professional Responsibility which awarded Washburn University a \$35,000 grant in 1969 to establish a legal clinic program.

Clinic is So Nice I Enrolled Twice!

What Directed Interns Have to Say about Clinic



Sarah Longhibler, third-year law student

*Sarah Longhibler, '12
Legal Intern Fall 2011
Ungerma Award Recipient,
Summer/Fall 2011
Directed Intern Spring 2012*

“Choosing to participate in a directed internship through the Washburn Law Clinic has been an invaluable experience that has allowed me to continue working on cases I began

in the fall. Experience such as interviewing and counseling clients, appearing in front of judges to argue motions I drafted, and communicating and negotiating with opposing counsel have helped me overcome some of the initial fears new attorneys often experience. It has also allowed me to familiarize myself with the day-to-day aspects of handling a case and navigating the legal system and local procedure.

“The Clinic faculty is comprised of supervising attorneys who are not only exceptional in practice, but also exceptional educators who care about instilling the necessary skills and practical knowledge that will translate in today’s marketplace. I am very grateful for the opportunity to spend two semesters under the guidance and direction of such experienced attorneys.”



Nik Stavropoulos, third-year law student

*Nik Stavropoulos, '12
Legal Intern Fall 2011
Directed Intern Spring 2012*

“Working in the Washburn Law Clinic as a directed intern has allowed me the opportunity to continue to build legal experience and assist indigent

clients in the Topeka community. With the additional semester, I have been able to proceed further on cases that I began in the previous semester, some of which are very complex and have multiple legal issues.

“As a whole, my clinical experience has been vastly rewarding, both personally and professionally. On one hand I have refined my legal writing skills, experienced the evolution of a case, and familiarized myself with the workings of a law practice. But perhaps equally gratifying are the relationships I have established through the thoughtful mentorship of the Clinic faculty and the exceptional support of its knowledgeable staff. I am greatly pleased to have been given another semester to advance my development as a future attorney and to work with such outstanding people.”

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Clinic is So Nice I Enrolled Twice!

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*Adam Stolte, '12
Legal Intern Fall 2011
Directed Intern Spring 2012*

**Adam Stolte,
third-year law
student**

“I decided to enroll in another semester of clinic as a directed intern because of the valuable experience the clinic offers. No other class offers the opportunity

to meet with real clients, debate real issues, and make appearances in court. In my first clinic semester, I learned how to apply what I learned in my classes to actual cases. And, rather than objectively reviewing a fact pattern from case law, clinic taught me how to identify with the emotional aspects of divorces, adoptions, and

protection from abuse cases. In short, I signed up for another semester because I am more prepared to enter the workforce with clinic than without it.

“In addition to pragmatic considerations, I enrolled again because I like the clinic environment. The staff are dedicated and real joys to just be around. Debi, Jackie, and Kerri are always available to help students. They have graciously shortened lunches or worked longer hours to make sure we get our motions filed on time or understand exactly what we are supposed to be doing. My supervising attorney, Professor Lynette Petty, was a big factor in deciding to enroll again too. Professor Petty is a supportive and caring teacher. Her supervision is conducive to learning, keeping our clients’ goals in mind. Finding relief for my clients also compelled me to come back to clinic as I enjoyed working for them.”

Law Clinic Outreach Continues

By Curtis Waugh

As part of its outreach efforts in the Topeka community, the Washburn Law Clinic continues to work closely with Housing and Credit Counseling Inc. (HCCI). Curt Waugh, Washburn Law Clinic supervising attorney, is currently a member of the HCCI board of directors. HCCI counsels and educates all people to achieve their personal housing and financial goals.

The Clinic has also developed a working relationship with El Centro of Topeka in an effort to better serve the legal needs of Topeka’s

Spanish speaking community. The relationship has an added benefit as it allows Washburn Law students to serve as translators for Spanish speaking clients, which gives the law students pro bono credit.

El Centro of Topeka promotes justice and equal treatment in employment, economics, housing, recreation, social endeavors, and any other area of human aspiration, primarily but not exclusively within the Latino community.



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