

WASHBURN[®] UNIVERSITY

SCHOOL OF LAW

Washburn Law Clinic



Gillian Chadwick

A Message from the Director

Dear Friends of the Washburn Law Clinic:

We are delighted to share with you this new issue of the Washburn Law Clinic Newsletter! As you can see from this issue, despite the unique adversities posed by the pandemic, Washburn Law Clinic interns, staff, and faculty have tirelessly carried out the clinic's service-learning mission this fall. Although class, supervision, client interviews, and court appearances

have looked a bit different since March, the quality of student learning and client service has remained high.

Clinic students have availed themselves of intensive opportunities to develop their virtual practice skills, which will be valuable through their legal careers. Our interns finish this semester with extensive experience and confidence in videoconferencing, cloud computing, virtual collaboration, and other critical skills for the practice of law in the 2020s. Through these technologies as well as social distancing protocols, the clinic has continued to serve clients in civil, family, immigration, and small business and nonprofit transactional law matters. We have also taken the opportunity to extend our reach into underserved areas, accepting cases from Southeast and Western Kansas.

This newsletter would not be complete without a resounding thank you to our alumni and other supporters in the local legal community. Last spring, the clinic identified a pressing legal need arising from the pandemic. We reached out to invite local lawyers to join us in addressing this need and we were overwhelmed by offers to volunteer. With seamless coordination by Director Debi Schrock and thanks to the joint efforts of Professor Michelle Ewert and her students and our wonderful HELP Project volunteers, the clinic was able to offer legal planning services to front-line healthcare workers, providing them the peace of mind to know that their own healthcare, family, and financial affairs would be in order as they faced down the uncertainty posed by the pandemic. Please take a look at the “Clinic Allies” section of this issue of the newsletter and join us in recognizing and thanking our volunteers. The clinic is incredibly lucky to have such a supportive community around us!

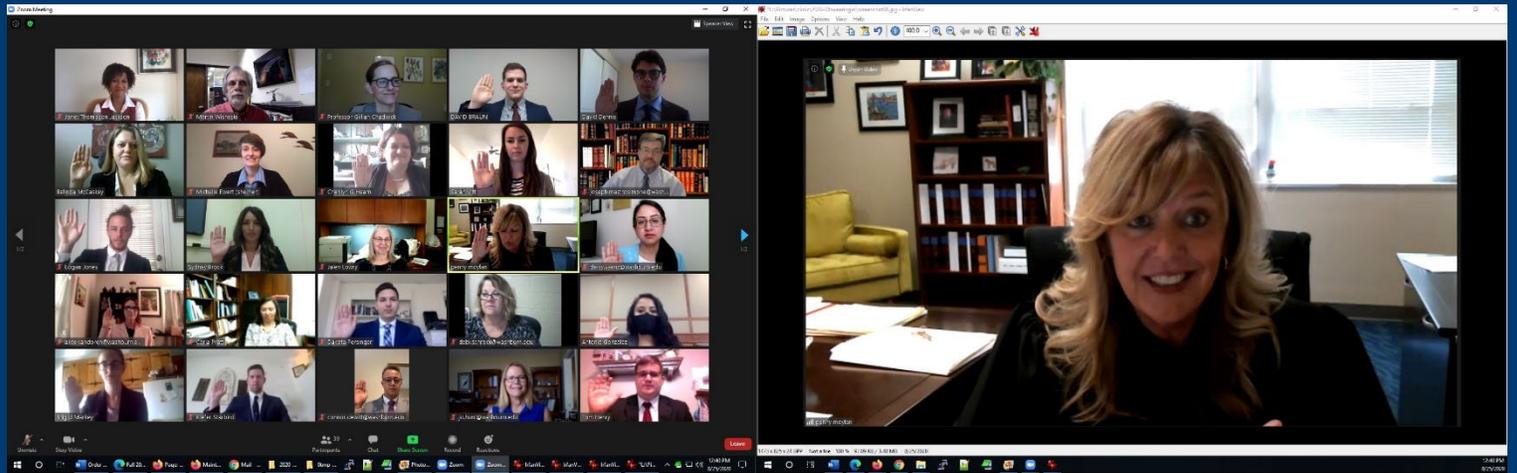
This has been another unusual and challenging semester, but through the tenacity of our students, the selflessness of our supporters, and the

ingenuity of our clinic faculty and staff, we are happy to report that the clinic's important work continues!

Sincerely,

Gillian Chadwick
Law Clinic Director

Swearing-In Ceremony Pandemic Style



The Honorable **Penny R. Moylan, '95**, Shawnee County District Court Judge, presided over the swearing-in ceremony held specifically for clinic students in August. Like most things this year, the ceremony had a different look. Instead of gathering in the Robinson Courtroom, friends and family joined via Zoom to witness the beginning of the students' legal career. It is befitting that the students' first step into legal practice happened virtually, as they met with clients, conducted hearings, and attended class via Zoom most of the time during the semester, and will likely continue to use virtual meetings throughout their careers.

During her remarks to the students, Judge Moylan stressed the importance of strictly adhering to the Rules of Professional Conduct. She focused her comments on Rules 1.1 (Competence), 1.3 (Diligence), and 1.4 (Communication) as these important rules are too easily overlooked by attorneys. Judge Moylan also stressed the importance of resilience in the practice of law, particularly during the pandemic.

Gill and Peterson Earn Irvine E. Ungerman Award for Excellence in Clinical Practice for the Spring 2020 Semester



**Rick Gill,
JD Candidate, '21**



Miles Peterson, '20

At the conclusion of the spring 2020 semester, the Washburn Law Clinic proudly awarded the Irvine E. Ungerman Award for Excellence in Clinical Practice to **Rick Gill, JD Candidate, '21**, and **Miles Peterson, '20**. The Ungerman Award recognizes students who have excelled at lawyering skills, including problem solving, legal analysis and research, fact investigation, counseling, negotiation, trial skills, the ability to recognize and resolve ethical dilemmas and the ability to work with others. Further, the recipients treat other people with dignity and respect and work towards the public good. “Miles and Rick display both excellence in lawyering skills and compassion and respect for their clients,” stated Professor Michelle Ewert, who supervised the pair in the spring and nominated them for the award.

During their time in clinic, Gill and Peterson worked on a complicated subsidized housing issue that required sophisticated research and analysis of both state and federal law. They grappled with a novel administrative agency case made more difficult by involved parties being located in different countries. Finally, their work on

a guardianship case for an adult with an impairment earned them high praise from a court employee for their persistence during the Covid-19 shutdown. In addition to their high-quality work on cases, they raced the pandemic shutdown to identify resources for a client facing eviction and connected her with programs to help her and her family. They are truly deserving of this award for the way they promoted justice in Topeka. The clinic faculty and staff are proud of Gill and Peterson's accomplishments in clinic and are excited to see what they will accomplish as Washburn lawyers!

Politi Awarded Public Interest Scholarship For Spring 2020 Semester



**Laura Politi ,
JD Candidate, '21**

Laura Politi, JD Candidate '21, was awarded the Public Interest Scholarship in the spring 2020 semester due to her commitment to securing legal employment in the public interest field upon graduation.

“Placing human trafficking survivors’ voices forefront of international policy is my goal, along with prosecuting international traffickers who are generally considered untouchable,” wrote Politi in her scholarship application. Another future goal for Politi is opening her own firm which is staffed by several survivors and is dedicated solely to serving survivors. Politi’s previous work over the last decade as an advocate and ally for survivors of human trafficking it what led her to pursue a law degree.

In 2007, the Washburn Law Clinic faculty established the Washburn Law Clinic Public Interest Scholarship. Since then other faculty members and friends of the Law Clinic have contributed to the scholarship fund. It is now an endowed fund, which will provide scholarships for years to come.

This scholarship is awarded to a Clinic student whose employment upon graduation will be primarily serving underrepresented or underserved individuals, communities, and/or nonprofit groups.

Simpson Named Outstanding Advanced Clinical Intern



Reece Simpson , '20

Reece Simpson, '20, was nominated by his supervising professor, Janet Thompson Jackson, for the Washburn Outstanding Advanced Clinical Award for the spring 2020 semester. “Reece has excelled as an advanced clinic intern,” said Thompson Jackson. “Advanced interns are expected to work at a greater level of independence and Reece has succeeded in meeting that expectation. He is a motivated student who has demonstrated good judgment in proceeding when appropriate and seeking guidance when needed.” This semester Simpson continued representation of a nonprofit organization that is seeking to transition from 501(c)(4) tax-exempt status to 501(c)(3) status. This process has been long and complicated, but Simpson has managed it well, both in terms of project and client management. Thompson Jackson continued, “Observing his focus and professionalism has been particularly rewarding during this unusual semester as students have had to navigate client representation in the midst of a global pandemic. I am sure that this experience has well-prepared Reece for practice.”

DeWitt Awarded Irvine E. Ungerman Award For Excellence In Clinical Practice For Fall 2020 Semester



**Connor DeWitt,
JD Candidate, '21**

The Law Clinic faculty is pleased to announce that **Connor DeWitt, JD Candidate, '21**, is the recipient of the Irvine E. Ungerman Award for Excellence in Clinical Practice for the fall semester. The Ungerman Award 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.

During the semester, DeWitt represented clients in probate, expungement, debt collection and estate planning cases and co-taught a session of the undergraduate Criminal Justice Communications class. DeWitt's Supervising Attorney, Professor Michelle Ewert, described him by saying: "Connor displays a wonderful mix of empathy for his clients, creative problem-solving, and tenacious advocacy. Upon seeing how inequities in the law as written and as applied harm his clients, Connor immediately began thinking about ways to reform the law and will likely be testifying before the legislature in the spring about

proposed changes to expungement law.”

Overall, the clinic faculty was very impressed with DeWitt’s commitment to his clients; his excellent critical thinking, research, writing, and public speaking skills; and his desire to work to improve the law in Kansas.

Brock Awarded Public Interest Scholarship For Fall Semester



**Sydney Brock,
JD Candidate '21**

The Clinic faculty is pleased to announce **Sydney Brock, JD Candidate, '21**, as the recipient of the Washburn Law Clinic Public Interest Scholarship for the fall 2020 semester.

Brock plans to work for the government after graduation and has aimed her job search in that direction. Her initial exposure to the public interest field was during her 1L summer when she interned for a public defender in Fort Worth. This experience put her on the public interest path and she knew then it was the field she wanted to be in. During the summer of 2020, Brock was an intern at the National Labor Relations Board which solidified her passion for public interest. She also volunteered with the VITA Clinic assisting community members file their taxes. While recently attending the Peggy Browning Workers' Rights Conference, Brock learned a myriad of ways she can give back to the community during her legal career. In 2007, the Washburn Law Clinic faculty established the Washburn Law Clinic Public Interest Scholarship. Since then other faculty members and friends of the Law Clinic have

contributed to the scholarship fund. It is now an endowed fund, which will provide scholarships for years to come. This scholarship is awarded to a Clinic student whose employment upon graduation will be primarily serving underrepresented or underserved individuals, communities, and/or nonprofit groups.

Recent Client Expresses Gratitude for Law Clinic's Assistance



"I am taking a moment to praise the Washburn University Law Clinic. I needed my driver's license back and was facing a daunting amount of legal process that I was not equipped to deal with from lack of knowledge of the law and no money to do so. I called Washburn University Law Clinic for help. They navigated through the complicated process and with no cost for their services to me. I now have my license back. The Washburn Law Clinic supervising professors and their interns are very thorough, keeping me informed and updated every step of the way. It was not an easy process for the interns but they made it easy for me. I have a great appreciation for how well this Law Clinic is run and am very grateful to them for their work on my behalf."

-Client, Fall 2020

Small Business and Nonprofit Transactional Law Clinic

Law School and Community Presentations



In keeping with what has become a tradition, every semester interns in the Small Business and Nonprofit Transactional Law Clinic share their knowledge through a workshop with the Kansas Small Business Development Center and present a CLE to the members of the Kansas Bar Association. And, almost every year, interns give a presentation to Professor Amy Westbrook's Business Associations class. Appearing virtually, the interns did not let the pandemic keep them from guest teaching in B.A. or from showcasing what they earned this semester with state-wide broadcasts of the SBDC and KBA events.

In October, Transactional Law Clinic interns **David Dennis** and **Belinda McCaskey, JD Candidates, '21**, gave a presentation on Limited Liability Companies to Professor Westbrook's Business Associations class. Using a hypothetical case study, McCaskey and Dennis walked students through the process of drafting and filing Articles of Organization in order to form a Kansas LLC. The interns then explained the purpose of the LLC Operating Agreement and highlighted important provisions of that document. Even on Zoom the interns kept the class interactive, showing the B.A. students how clinic allows them to put the

knowledge they learned in B.A. into practice with real clients.

In November, Transactional Law Clinic interns presented a CLE entitled *Effective Nonprofit Governance in Times of Crises and Beyond* to KBA members. In the CLE, **Kiefer Starbird**, and **Thomas Henry, JD Candidates, '21**, focused on the importance of nonprofit boards having a thorough understanding of their legal duties and the foundations of board governance. Due to the changes and restrictions brought about by Covid-19, organizations are looking to their directors and officers for leadership and guidance that will take them through the pandemic and beyond.

During the CLE, Starbird and Henry, along with **Professor Janet Thompson Jackson**, reviewed the new Form 1023, application for tax-exempt status, which has moved to a strictly online version; explained how to conduct a nonprofit governance audit; and highlighted best practices for nonprofit boards. They also addressed the basics of effective board governance during and beyond the pandemic, as well as ways to support the wellness of nonprofit boards and staff during this high-stress time.

Partnering with the Kansas Small Business Development Center, **Jessica Freeman, Cherilyn Hearn, and Tyler Laudick, JD Candidates, '21**, presented *Legal Issues and Your Small Business*, to workshop attendees, who were either current or future small business owners. The objective of the presentation was to provide each attendee with an understanding of the different legal entities available for their business and review legal issues commonly encountered by small business owners. Topics included contract formation and enforcement, intellectual property, taxation for small businesses, e-commerce, and the difference between independent contractors and employees. This year was the 14th year of partnership between the Kansas SBDC and Washburn's Transactional Law Clinic.

Litigation Clinic Interns Teach At Washburn



Antonia Gonzalez,
JD Candidate, '21



Dakota Persinger,
JD Candidate, '21

During the fall 2020 semester, students in the Civil Practice section used their expertise to teach other students about the law. On October 8, 2020, **Antonia Gonzalez** and **Connor DeWitt, JD Candidates, '21**, taught the undergraduate Criminal Justice Communications class. They gave an engaging presentation on trial procedure and how real life differs from what we see in movies or on tv. They also discussed the challenges and opportunities associated with videoconference hearings and trials.

Reflecting on the experience, Antonia said “Presenting to the undergraduate Criminal Justice Communications class offered an opportunity for personal and professional development. We were able to incorporate what we have learned at Washburn Law while being role models for undergraduate students who may be interested in the legal field.”

The Civil Practice students also prepared training videos for the law school’s Decedents’ Estates and Trusts class.

Dakota Persinger, JD Candidate, '21, and Antonia Gonzalez presented on general durable powers of attorney and **Sydney Brock, JD Candidate, '21**, and Connor DeWitt presented on advance healthcare directives. In thinking about how he will incorporate teaching opportunities into his



**Connor DeWitt,
JD Candidate, '21**

post-graduate practice, Connor said “The experience expanded my understanding of a lawyer’s role in society, which extends beyond the courtroom and may include, for example, educating both lawyers and non-lawyers about the law.”



**Sydney Brock,
JD Candidate, '21**

Saenz Guest Lecturer at Washburn



Pam Saenz,
JD Candidate, '21

In October, **Pam Saenz, JD Candidate, '21**, was invited by Washburn's School of Applied Studies to be a guest lecturer in their Diversity in American Culture upper-level class. Saenz represented the Family Justice and Immigration section in laudable fashion while undertaking the difficult task of presenting a concise lecture on a broad subject.

Saenz commented on the experience by stating, "I had the incredible opportunity to be a guest lecturer for Washburn's Diversity in American Culture class. My lecture provided these undergraduate students with a general overview of US immigration law and policy and aimed to debunk common misconceptions about this practice area. There are entire courses for immigration law, so my challenge was creating an hour-long presentation that was engaging and informative, but not overwhelming. By summarizing this dense, complicated area of law into digestible, easy-to-understand pieces, I discovered I was able to deepen my own understanding of it. The class asked insightful questions and it was a joy to engage students outside of the law school in this important discourse."

CLINIC ALLIES

The Law Clinic would like to thank the following attorneys for representing clients in connection with the Law Clinic H.E.L.P. Project this year. We appreciate your willingness to serve the community in this way.



William Barker, '77
Hamilton Laughlin Barker Johnson & Jones
Topeka, Kansas

Randy R. Debenham, '00
Debenham Law Office LLC
Topeka, Kansas





Christopher Gunn, '14
Beck & Gunn Law Office
Topeka, Kansas



B.J. Hickert
Newbery, Ungerer & Hickert, LLP
Topeka, Kansas



Jeffrey Jones, '81
Hamilton Laughlin Barker Johnson & Jones
Topeka, Kansas

Anne M. Kindling
Joseph, Hollander & Craft LLC
Topeka, Kansas



Denise L. McNabb, '08
Stevens & Brand, LLP
Topeka, Kansas



Kirk Nystrom, '79
Nystrom Law Offices
Topeka, Kansas



Ardith Smith-Woertz, '87
Joseph, Hollander & Craft LLC
Topeka, Kansas



Larry Tenopir
The Law Firm of Tenopir & Huerter
Topeka, Kansas



J. Bo Turney, '14
Igonegaray, Turney & Revenaugh, L.L.P.
Topeka, Kansas

Kathleen R. Urbom, '80
Urbom Law Office Chartered
Topeka, Kansas



Jason A. Zavadil, '15
Irigonegaray, Turney & Revenaugh, L.L. P.
Topeka, Kansas

A big thank you also goes to **Kyle Mead, '98**, of Lawyers Title of Kansas, Inc. We appreciate your continued support of the clients of the Washburn Law Clinic.



Kyle Mead, '98
Lawyers Title of Kansas, Inc.
Topeka, Kansas

Richard Budden, '12, Reflects on Law Clinic



I am starting my seventh year at Shambert, Johnson & Bergman, Chtd. representing injured plaintiffs and their loved ones after spending two years clerking for Judge J. Thomas Marten in federal court. My experience as an attorney has always been fulfilling and fascinating, and it started at the Washburn Law Clinic. I started at the front desk, where I mostly filled out intake sheets after speaking with potential clients. This taught me the important skills of politely focusing people on the reason they needed legal help and getting all of the relevant information that I needed from them---critical stuff in being a real attorney!

I was also privileged to take Law Clinic for a semester, where **Professor Curtis Waugh, '87**, guided me through the civil litigation process. Professor Waugh worked with me to perfect my legal correspondence, petitions, and requests for discovery. I learned how to bill hours, which taught me I would rather practice as a contingency-fee plaintiff's lawyer. I also learned how to play hardball with creditors, which continues to take up more time in my practice than I'd prefer.

My favorite client during my semester in Law Clinic was a trans woman who wanted to change her name on several official

government documents to reflect her female gender identity. My job was to research and figure out what documents the state and federal governments would actually allow her to change and how to get it done. The topic was pretty unique, and it was an excellent growth opportunity to hear this woman's story and see the world through her eyes.

The Washburn Law Clinic was my first real-life law firm experience, and all law students would do well to take advantage of it.

Richard Budden
Shamberg, Johnson & Bergman, Chartered
2600 Grand Boulevard, Suite 550
Kansas City, Missouri 64108
Phone: 816-474-0004
Fax: 816-474-0003

Clinic Intern Selected As Student of the Month



**Pam Saenz,
JD Candidate, '21**

The Washburn Student Bar Association selected **Pam Saenz, JD Candidate, '21**, a Clinic intern, as the October 2020 recipient of the Student Leader Award. Each month, the WSBA Executive Council selects one student who has done an exemplary job of going above and beyond the normal demands of law student life to make an impact on our school.

Congratulations, Pam. This honor is truly deserved!

Follow Up: Interns Assist Children and Family Law Center in Writing Amicus Brief



Heather Wedel, '20 and Jason Mewhirter, '20

Last spring, we reported that Washburn Law Clinic interns **Heather Wedel, '20**, and **Jason Mewhirter, '20**, authored and filed an amicus brief with the Kansas Supreme Court on behalf of the Children and Family Law Center. Wedel and Mewhirter were supervised by Center Associate Director Professor Gillian Chadwick and supported by Center Director Professor Linda Elrod. The brief, which was filed in the case of *In re the Matter of WL & GL*, advocated for the rights of children to preserve parental relationships with non-genetic, non-gestational mothers and argued that parenthood is about more than just a piece of paper. The case dealt with whether the same-sex partner of a woman who conceives and gives birth through artificial insemination during the couple's relationship can be recognized as a legal parent under the Kansas Parentage Act.

The Kansas Supreme Court held that the biological mother's same-sex partner may establish parentage by notoriously recognizing the child as her own. This outcome was consistent with the arguments made in Wedel and Mewhirter's amicus brief.

Currently, Wedel is an attorney with the Kansas Department of Transportation in Topeka and Mewhirter is an associate at Stein, Farmer & Associates in Lawton, Oklahoma.

Read the opinion here:

[https://www.kscourts.org/Cases-Opinions/Opinions/Published/In-re-W-L-\(1\)](https://www.kscourts.org/Cases-Opinions/Opinions/Published/In-re-W-L-(1))

Professor Janet Thompson Jackson Connects Wellness and Law



Janet Thompson Jackson, Professor of Law, has been a member of the law faculty of Washburn Law School since 2004, where she directs the Small Business and Nonprofit Transactional Law Clinic, teaches Nonprofit Law, and is helping to lead the law school's new initiative, Third Year Anywhere™. Jackson's driving philosophy is that preparing students to be successful in the legal profession means helping them to manage the stresses inherent in law school and practice. She is a frequent speaker in the areas of wellness, nonprofit law and governance, and diversity and belonging.

When the pandemic hit, many individuals experienced levels of stress and anxiety like never before, and Jackson began unloading her toolkit. As an Executive Wellness Coach and certified yoga instructor who is pursuing certifications in the Science of Mindful Awareness and yoga therapy, she has the tools to help others manage their daily demands in healthy ways.

Since August, Jackson has led *Monday Meditations and Wellness Tips* over the lunch hour via Zoom for law students, alums, faculty, and staff. Monday meditations are a wonderful way to start your week *well*. Of the many benefits of meditation, Jackson cites, "building skills to manage stress and

anxiety, increasing self-awareness, focusing on the present, increasing patience and tolerance, and reducing negative emotions.”

Her recent presentations for the Washburn and Kansas legal communities include a two-day Lunch & Learn called *Healthy Minds*, in connection with KLAP, and *Understanding and Healing Racial Trauma through Radical Self-Care*.

Earlier in the year Jackson was just as busy spreading wellness in Kansas and beyond, both virtually and digitally. In May, she gave a Kansas CLE, *Wellness in the Legal Profession: Ways to Practice Self-Care and Achieve Long-Term Wellness*. Over the summer she was a guest speaker at Loyola Chicago where she spoke to students about, *Wellness and Self-Care for Law Students*, and during the AALS Virtual Clinical Conference, she presented on *Wellness and Law: Bringing Lawyering and Wellness Together*. Recently, Jackson gave a talk on her current scholarship project, *Wellness and Law: Reforming Legal Education to Support Student Wellness*. During the month of June, Jackson posted 30 *Daily Meditations for the Racial Justice Journey*. Three videos narrated by Jackson are posted to the law school's new *Self-Care and Wellness* page, created in response to the pandemic. These

videos focus on self-care for law students, but the lessons and tips shared in the videos are beneficial to everyone.

Jackson seeks to integrate self-care into her daily schedule and encourages her students to do the same. That can be as simple as taking five-minute breaks from screens during the day, meditating, journaling, or regularly connecting with friends, she says. The law school is fortunate to have our own mindfulness leader and wellness coach to help us navigate through the stress of being a law student, a law school faculty member, or staff member.

Branin, '20, Expresses Gratitude



Dear PJJ [Professor Janet Jackson],

Just wanted to let you know that I've already used the knowledge I picked up in clinic several times in the month and a half I worked at the firm (I'm taking a month off now to study for the bar on Sept. 9 and 10).

In one situation we had a client (LLC) come to us to enforce a lien they had on some property. I found that they were not in good standing with the state and let the partner I was working with know so he could inform the client to get that changed before we could file anything for the client. It was low hanging fruit, but if I had not had clinic I would not even know I need to check on that!

Next situation was where we had a client open an LLC so they could transfer their interest into it to manage some property interest that we would be quieting title to in the LLC. Again, I let a different partner know that we would need this LLC to register to do business as a foreign entity in New Mexico since we were filing a quiet title suit with the LLC as a plaintiff in New Mexico.

Those are the two bigger examples, but other countless small situations have come up where the clinic has really helped me. I wanted to tell you this so in case there are

any students who wonder if they will use any of what they learn in clinic at a firm they are going to the answer is "YES!"

Also, thank you so much for that bar meditation. I have used it once, and have saved it so I can use it again during this month. So far, I'm staying positive about the bar, and keep reminding myself this is a test of MINIMUM competence, which I know I have!

Sending very happy and grateful juju to you from New Mexico! I hope you and your family are all doing well.

Sincerely,
Melinda Branin

Note: We are pleased to announce that Melinda has more than just the minimum competence. She passed the bar in New Mexico and is employed by Hinkle Shanor LLP in Roswell, New Mexico.



Gillian Chadwick

- Law Clinic Director
- Associate Director, Children and Family Law Center
- Associate Professor of Law

[Faculty Page](#)



Janet Thompson Jackson

- Professor of Law

[Faculty Page](#)



Michelle Ewert

- Professor of Law

[Faculty Page](#)

Read Professor Ewert's article regarding Law Clinic activities during a pandemic in the September/October 2020 Kansas Law Journal here:

[Kansas Bar Journal, September/October 2020](#)