Innocence Clinic: An Unforgettable Experience
By Zoe Levine

I first met 42 year-old Marvin Reed at the Michigan Reformatory, a state prison some two hour’s drive north of Ann Arbor that looked like a miserable place to be, even from the outside as I drove up the steep hill towards it. Marvin, a prisoner there, was indeed miserable – he had been in prison about eight years, his mother had passed away while he was incarcerated, he feared for his life on a daily basis. And he was in prison for a crime he didn’t commit.

Marvin Reed and his nephew Deshawn Reed were the first two clients that the then-new Michigan Innocence Clinic took on, and I was assigned to their case. The Reeds were accused of shooting another man from their car in Ecorse, a suburb of Detroit, in 2000. The Reeds were convicted entirely on the basis of the quadriplegic victim’s testimony, which he later recanted, when he truthfully stated that he didn’t see the shooter but that someone told him it was the Reeds who did it. At trial, two eyewitnesses named another man, named Tyrone, as the shooter; after trial, it was discovered that Tyrone had been found dead after a carjacking in Detroit in possession of the weapon used in the shooting. While the Con’t on page 8

The Child Advocacy Law Clinic: Experience, Satisfaction, and Great Company
By Mir Ali

As aspiring attorneys, law students always strive to get whatever practical experience we can prior to beginning full time work. During my six semesters of law school, nothing has prepared me better than the Child Advocacy Law Clinic (CALC). Practical exercises, theoretical discussions, and moot court are great to build the skill set for a future advocate, but the ability to apply these skills to a real world client takes advocacy to a whole new level. My partner and I worked through the semester on five separate cases, each with unique challenges and goals. The variety of cases CALC assigned to us provided us with the opportunity to develop and exercise skills in direct client counseling, negotiation, mediation, oral argument, brief writing, and trial preparation. Since we were often litigating against experienced attorneys

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Our client in the Michigan Clinical Law Program is articulate, savvy, and a union advocate by trade. After eight years in a Michigan penitentiary, our client had secured one of the highest paying prison jobs, was enrolled in rehabilitation programs required for parole, and had begun preparing for his upcoming release. But when he filed a grievance and challenged operations in the prison mailroom, he said that prison officials retaliated against him by immediately transferring him to a less desirable and higher security prison in the Upper Peninsula. The transfer could have extended his parole for a year, plus he was also surrounded by more dangerous prisoners and was far removed from his family.

To effectively advocate on his behalf, my student partner and I first met with our client at the prison. As he shared his story, we thought it had merit, and we were impressed by his desire to hold the prison officials accountable and to prevent future retaliatory transfers.

My partner and I first learned the difference between the study and the practice of law. As we familiarized ourselves with the facts and developed a theory of the case, many questions were left unanswered. This led us to file interrogatories and requests for the production of documents, hoping to poke holes in the defendants’ justifications and to prepare for potential depositions. We subpoenaed five different officials for depositions. My partner and I spent several days planning for each deposition, reviewing files, compiling a list of questions, practicing with one another, and attempting to settle our nerves. Despite all the preparation, the most useful lessons came from taking the actual depositions. We learned that the most successful attorneys do not stick to a script but maintain a conversation. We learned to respond to unanticipated answers; to decide whether to clarify statements we knew to be false or hold the information to impeach the witnesses later; and we had to learn the art of communication – when to be friendly and when to act aggressively.

As our journey in the case progressed, we became better advocates. The information we gathered from the depositions was used to negotiate with the attorney general’s office, and then to write a motion for summary judgment. The case allowed us to understand the law, not by reading the facts in a law book, but by becoming active players in our client’s retaliation claim. The excitement from taking our first depositions, speaking with the attorney general’s office, and submitting a motion for summary judgment have yet to subside. And our representation of the client continues today: we expect the case to go to trial in federal district court in early 2010.
Mediation Clinic

The parties are entrenched in their conflict. Perhaps they hate each other, and can hardly stand to be in the same room. Perhaps they don’t, but other factors have made it impossible for them to resolve their dispute. Perhaps there are financial issues, or serious differences in values or perspective or maybe everyone has just been caught up in advocating for their rights and protecting against their vulnerabilities. Perhaps the parties glaring at (or studiously avoiding) each other in the lobby have been court-ordered there as part of ongoing litigation, but it could be these are neighbors who are just considering whether to file, or family members who wouldn’t litigate, but might never speak to each other again. You’re in downtown Detroit, its suburbs, or a relatively rural area nearby. The issue might be general civil, landlord/tenant, probate, a contract dispute, or anything from small claims court.

Then you walk in. You’re a second or third year law student, and it’s your job to give the parties their best chance at coming to an agreement they would all prefer to the costs and risks of continuing their conflict. Nervous? Well perhaps. But by this time, you’ve observed mediations. You’ve read about the various theories, approaches, and techniques. You’ve taken the same rigorous, hands-on, 40-hour general civil mediation training that Michigan’s Supreme Court Justices take when they retire and want their names on the court-approved lists. You’ve gotten to sit in a small room with mediators with decades of experience, and ask them anything you want to know. You’ve co-mediated with professionals who have mediated the same type of conflict. And yes, you’ve mediated cases all by yourself. You know what to do.

And if you’re like so many other students who have taken the Mediation Clinic, you come out with practical skills that will help you in the future—whether as a mediator, as an attorney representing clients who are mediating or negotiating just about anything, or simply as any attorney counseling any client. Word is it can even help you in your personal relationships.

The Juvenile Justice Clinic: My Most Rewarding and Challenging Experience in Law School

By Ashley Washington

Participating in the Juvenile Justice Clinic was by far the best experience I have had at law school. In being part of a new clinic, many of us were unsure of the type of cases that would come in during the semester. I soon learned that the cases would range in their seriousness, but that I would learn something from all of them. For example, I had a basic truancy case, but also did work on a case for someone who had been locked up, with the key essentially thrown away. I will never forget visiting this young man in prison for the first time and seeing how excited he was to see my partner, myself, and my professor. He was a young man who had made a few bad decisions and was now, at 20 years old, serving a sentence of life without the possibility of parole for something that happened when he was 16 years old. I had not realized this sentence was even an option for juveniles, much less that Michigan has large numbers of juveniles serving such a sentence. Leaving the prison, I could not imagine rejecting his case. We go to this amazing law school, with incredible resources, and we are positioned to help in a way many attorneys would be unable to: how could we say no? We ended up filing a habeas brief in federal court based on an ineffective assistance of counsel claim and are hoping for a new trial. Writing a habeas brief
went beyond anything I ever thought I would do in the course of a semester, and even beyond what I would do in a clinic. It was more challenging than any work I have ever done before. There was so much on the line for this young man and we wanted to write the best possible brief for him, since it would be his only opportunity to file a habeas petition, and his last appeal. Though it took seemingly endless rewrites to create a brief that was ready for filing, and felt as though it would never be good enough for all it represented, I am really proud of the brief we wrote.

The work in the Juvenile Justice Clinic also required much more of us than being just attorneys. To be good advocates, we had to be concerned with our client’s total well being, not just his legal troubles, but his work, school, and family life as well. The juvenile justice system can try to go the extra mile, in an attempt to steer a young person down the right path, before it’s too late and he/she is facing much more serious consequences in adult court. Going this extra mile is something I really appreciated, as it had been one of the facets of the system that attracted me, helping to change a young person’s path before locking him/her up as an adult and throwing away the key.

While everyone may not have an opportunity to go through such a unique experience, you can still learn a great deal about the law and yourself by taking the JJC. It is not a professor telling you what to do, it is you really deciding the course of action for your client and implementing it. Whether it’s a matter of speaking to a probation officer for a parent who thinks she can’t make a difference in the outcome of her child’s case, serving as a sounding board for a client’s problems that may have no legal solutions but simply require your time and attention, working on a plea bargain, getting ready for trial, or writing an appellate brief, no matter how big or small, you get to make a difference. To me that was a great feeling, and what I came to law school to be able to do. It’s one thing when you read about these sorts of cases, and you have no real concept of the people behind them, but when they have a face and a name, and you are responsible for them, it is incredibly scary, but also incredibly rewarding. My clients have forever changed how I look at the law, and I am grateful for this new perspective, as I hope it enables me to be a better lawyer, and continue serving juveniles who so badly need good representation.

Low Income Taxpayer Clinic: A Rewarding Experience (Not Just for Tax Geeks!)

By Anne Choike

That’s right: during the past year at the Low Income Taxpayer Clinic (LITC), I have taken on the responsibility—willingly—of helping other people with their taxes. Fellow tax geeks may not be so incredulous at my admission, but other law students, especially those choosing among the many enticing offerings of Michigan Law’s clinical practice program, typically are—though unjustifiably so. Over the course of my time at the clinic, I’ve had many learning experiences, otherwise unavailable to me through the law school’s more traditional doctrinal courses, that would be an asset to any law student (tax nerd or not).

Of interest to those students who are interested in tax, it goes without saying that my learning experiences at the Low Income Taxpayer Clinic gave me practical experience, making the concepts I studied in my Taxation of Individual Income course more concrete. In my tax class, the possibility of reducing taxable income through use of pre-tax savings vehicles like a 401(k) made sense but remained an abstract concept; my preparation of a client’s tax returns, however, crystallized my understanding. The LITC also afforded me the opportunity to delve deeper into particular areas of tax law only briefly covered in my introductory class.

Equally as valuable as the substantive knowledge I gained, were the everyday practical legal skills I have cultivated from my clinic experience. I was required to write persuasively on behalf of my clients in many contexts—from the very first tax court petition I drafted to a fact-laden letter to the IRS explaining why my clients deserved reasonable cause relief of their failure to file penalties. I had near daily opportunities to refine my oral advocacy and negotiation skills in speaking with our client’s opposing party—the IRS—to work out a settlement, establish an installment agreement, or request a temporary abatement of collections activity. The LITC
helped me develop skills for relating to, communicating with, and managing clients. From conducting intake interviews, to setting client goals and a plan of action, I regularly and autonomously interacted with my clients. (Of course, I knew I could rely on my classmates or the director of the clinic—the patient, knowledgeable and ever-cheerful Professor Nicole Appleberry—to talk through a particular client’s issues if needed.)

In one sense, I expected nothing less from a Michigan Law clinical program than the positive experience I have described. What I didn’t anticipate, however, was how rewarding my work at the LITC would be. I have discovered that tax—a field of law I never would have imagined myself being interested in prior to law school—is my preferred specialty for the blend of research, writing, advocacy and transactional work it offers. I’ve experienced the gratification of helping those in need, and have confirmed that I enjoy my chosen career path in law even more than I already thought I would (not another year of law school tuition too soon…phew). In short, my work at the clinic has me eagerly looking forward to practicing after I graduate.

**Human Trafficking Clinic: Fighting Modern Day Slavery**

The brand new Human Trafficking Clinic was launched this fall to fight modern day slavery. Human trafficking is the recruitment, transportation, harboring, or receipt of people for the purposes of slavery, forced labor, and servitude. The Human Trafficking Clinic offers students the opportunity to work on both domestic and international human trafficking issues.

**Engaging in Global Civil Rights**  
By Aaron Wenzloff

I am taking the Human Trafficking Clinic because I believe there’s no better way to learn how to lawyer than to practice being a lawyer. More importantly, the Human Trafficking Clinic is a means for me to engage in really important civil rights work that largely goes under the radar. There are 27 million slaves globally. Tens of thousands of people are slaves in the United States each year. These are monstrous figures. There has never been a day in U.S. history without slavery.

I’m really fulfilled by this opportunity to work with great students and faculty to tackle such important issues. I’m learning substantive law and also the skills every practitioner needs to work with and represent clients who have special problems caused by traumatic circumstances.

**Environmental Law Clinic: Greater Than the Sum of Its Parts**  
By Ashley Tan

The point of taking a clinic isn’t really to learn an area of law, although you certainly will learn law. A clinic instead teaches you about the way law is practiced and the way lawyers go about their work. For me, the Environmental Law Clinic more than fulfilled these aims.

While I had a long-standing interest in environmental issues, I hadn’t previously taken any environmental law classes and so I often found myself learning the law on the go (with the help of my clinic supervisor, who was always ready to explain a point of law to me, so sometimes I felt a little lost but never abandoned). It wasn’t like in class where the professor guides you step-by-step through a prepared outline, but in comparison I think the way I learned the law was more dynamic and flexible. My work frequently consisted of arguing for a particular interpretation of a law, or of picking holes in the opposing party’s interpretation. You learn very quickly in clinic that what the law “is” actually depends on how you interpret it, and that the interpretation is not some immutable principle but will change from case to case. And what’s more, you’re the one doing the interpreting. You may actually get to have a hand in changing the way a law is interpreted and applied, and in doing so, you’ll learn far more about advocacy than you will in simply reading cases.

The Environmental Law Clinic demonstrated that being a good lawyer means working well in a team. I was one of about thirteen other students working for the Great Lakes Regional Center of the National Wildlife Federation, which handles several cases at a time, both at the state and at the federal level. On top of that, environmental cases often involve multiple issues and require looking at complicated, intertwined state-federal regulatory systems. No one person can do all the work. Each student then did their part, but the story doesn’t end there. After the parts are done, they have to be reassembled into the whole, which is not a matter of simple cut-and-paste. And the best thing is that the whole process is very open to students, your part is inserted into the larger brief, which is then revised until it’s ready to submit to the court. You also get to be an editor for the final document.
I learned much more about the brief writing and editing process, and about arranging arguments in the most persuasive manner, than in Legal Writing. Moreover, I understood how lawyers actually put together fifty-something page briefs in a week. The summer after I participated in the Environmental Law Clinic, I worked at a large private law firm and the lawyers there divided up work very similarly. I had no problem slotting into their system because of my clinic experience.

The Environmental Law Clinic greatly advanced my writing and research skills, and also gave me an invaluable insight into what advocacy is like in complex litigation, and experience working in conjunction with other lawyers. In short, I highly recommend this course to anyone, not just environmental law students, who want a real taste of lawyering.

In addition, both the case work and the in-class discussions challenged me to consider what an attorney’s role can or should be, and highlighted the inadequate of the law to resolve many real problems. The Urban Communities Clinic provided me with the opportunity to help a community build something that can outlast any bridge. Nevertheless, if the actual concrete and steel structure goes up, I will know that our class served its clients well by providing them with some of the tools and resources necessary for putting up a good fight.

Learning to Lawyer in the Community

By Margaret Blodgett Hayden

Deep in the bowels of Hutchins Hall, at the end of a long corridor where few students bound for the subs ever venture, there is a pair of double doors, marked only with a set of room numbers. Behind those doors, accessible only with a secret code, lies the office of the Urban Communities Clinic, quite possibly the best choice you could make in your fledgling legal career.

What makes the Urban Communities Clinic so unique and so valuable is not only the hours spent in Hutchins, but also the hours also spent in Detroit, Ypsilanti or a smaller neighborhood, counseling your clients as they work to transform their communities. Not only will you learn to lawyer and to counsel clients, you will also learn to work with other lawyers and, though it is often overlooked, you will learn the law as well.

My first meeting with my clients in the Urban Communities Clinic took place in a small community center in the Delray neighborhood of Southwest Detroit. As my partner and I prepared for the meeting, we were extremely anxious. Would we know the answers to their questions? Do they really need our help? Will they take us seriously? Fortunately, the UCC provides a space in which students can productively address these fears and weaknesses. For example, my clinic partner and I “mootted” our client meeting.
in class, so that I was not only prepared for the first client meeting, but—repeated throughout the semester—I learned strategies for approaching a legal problem that will help me for the rest of my career. I learned to identify objectives and to work toward them, to communicate with my clients and work with my fellow lawyers, and throughout it all to evaluate my own work so that I could improve as the semester progressed.

What’s more, through my participation in the Urban Communities Clinic, I got to know Detroit in a way that I never could have as a casual visitor. I learned about Detroit’s political landscape, its problems and successes, and the role that lawyers can play in working toward positive change in the city.

**International Transactions Clinic: Global Knowledge and Transactional Client Service**

By Ji-Yeon Suh

I was extremely fortunate to be a student in the International Transactions Clinic for its pilot year. The ITC was uniquely appealing to me because it provides students with international cross-border exposure, both through the nature of the services it gives its global clients, as well as through the international training and knowledge of Professors Burand, Dickinson, and Barr. Also, as someone not primarily interested in litigation practice—the focus of many clinics—I was thrilled to find that the ITC emphasized client advocacy through a transactional prism.

During the first semester of the clinic, I was challenged and enriched by learning the new body of knowledge I needed for the clinic work: the social goals and concrete mechanisms behind microfinance, the nature of commercial loan agreements and effective borrower-lender relationships, the assorted financial, social and regulatory actors and institutions involved in microfinance arrangements and the regulatory environment in which microfinance could thrive, and how that environment could look very different across various regions of the world. I could not have received such comprehensive training on these subjects, from seasoned professors who wrestled with such subjects as practitioners, anywhere other than the International Transactions Clinic. In addition, I was enriched by the other student clinicians, who called various parts of the world home and who had cultivated professional and academic ties to these regions; it was an impressively diverse group, knowledgeable of global issues.

Then, we forged full-speed ahead with our client services. Myself and my colleagues could now apply what we learned in the classroom to help clients with substantive microfinance transactions. Equipping ourselves to help our clients was really a self-perpetuating process. The more we at the International Transactions Clinic could illuminate for our clients key issues involved in a microfinance transaction or the more frequently we could help our clients rehaul a loan agreement or rating contract, the better we got at it. We learned and became enriched as law students and budding attorneys as we served—I can only say this in a much more attenuated sense for my traditional lecture courses and seminars.

I worked under the supervision of Professor Burand and found her guidance to be invaluable. Professor Burand deftly placed herself in the discreet yet still reassuringly accessible role of what I like to call a Client Relations Supervisor. She would interact with the student team on what she identified as key elements crucial to various tasks that we were completing for the client and yet trained us to acquire such analytical client-serving skills for ourselves.

If it is not obvious by now, I found my experience with the International Transactions Clinic invaluable, eye-opening and foundational. I acquired both a body of knowledge and a body of work experience in microfinance, one of the key forces of socio-economic change in the world today. I enjoyed the benefits of learning from passionate and seasoned professors along with passionate and eager colleagues. I also gained invaluable insight into how I, with my own unique personality and set of skills, serve my clients best. Any student joining the ITC will reap these rewards and more.

**Detroit Center for Family Advocacy**

In July, the Child Advocacy Law Clinic launched the Detroit Center for Family Advocacy which provides legal and social work services to at-risk families in Detroit to prevent the unnecessary placement of children in foster care. A full-time interdisciplinary team consisting of lawyers, social workers and parent advocates staff the office. Students will have the opportunity to participate in the Center’s work through internships and other opportunities. For more information about the Center, visit its website at [http://www.law.umich.edu/centersandprograms/ccl/cfa/Pages/default.aspx](http://www.law.umich.edu/centersandprograms/ccl/cfa/Pages/default.aspx)
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Reeds’ innocence seemed evident to us, convincing a court presented significant challenges.

I spent a full school year working on the case, in conjunction with several other students and the Innocence Clinic’s supervising attorneys and professors, Bridget McCormack and Dave Moran. It was a phenomenal experience, unlike anything else I did in law school. As part of our motion for a new trial, we convinced the original trial judge to recuse himself and obtained a rare order for an evidentiary hearing on our claims. The evidentiary hearing lasted three days and included 15 witnesses. We subpoenaed documents, tracked down witnesses, interviewed them, and examined the crime scene. We gave press interviews and presentations to interested groups. We had countless strategy sessions, phone calls, and email exchanges.

As a third-year law student, I had the opportunity to participate in all aspects of the case. When I look back, I still can’t believe that the first motion I ever argued was a motion to recuse a judge; I don’t know how I made it through the cross-examination of a witness we weren’t notified was going to be called that day. It’s amazing what I gained from the many conversations about the case with my professors. I cannot overstate how much I learned and how much confidence I gained over the course of the year.

Not only did I get tremendous experience and mentorship through the Innocence Clinic, but I also personally witnessed and felt the devastating flaws in our criminal justice system, and saw how zealous, ethical advocacy within that same system can create powerful change.

I had graduated and started the bar review course when I got the news. Deshawn (understandably impatient) called the court from prison and learned of the decision, and then immediately called me on my cell phone. I leapt up in the middle of a lecture on Commercial Paper to answer, and Deshawn was on the line crying, telling me we had won our motion for a new trial. The prosecutors decided not to retry the case, so a few weeks later I watched Deshawn and Marvin walk out of prison free men. In that moment, Marvin was anything but miserable – finally. It was a moment I will never forget.

Child Advocacy Clinic con’t from page 1

argued was always what was best for the children.

In one of the cases which my partner and I grew very passionate about, we represented a mother who had had her four daughters removed due to poor conditions in the home. CALC originally took the case in December of 2007, and all parties and the court agreed the goal would be reunification. However, when my partner and I received the case over a year later, we were surprised the children had still not been returned home. Even though the mother had done everything the court had ordered her to do, it seemed through the constant change in judges, lawyers-guardian ad litem, and social workers; our client’s progress was going unnoticed or dismissed as not enough. In the face of skeptical opposing counsel and an unenthusiastic court, we succeeded in getting a hearing in front of a new judge, who took a fresh look at the case. Finally, over a year and a half after removal, our client took her daughters back home.

The company at CALC is incredible. From the ultra-experienced professors and staff to the fellow students, all are there to support you through the semester, and everyone shares a common passion to advocate for children. Instead of the professors telling you what needs to be done, student teams take control of the case from the beginning, developing the strategy and deciding which litigation course each case should take. You have the guidance of professors and staff, however, you have to make the hard decisions. Also, when you challenge that opposing counsel who has forty years experience in court, and the judge rules in your favor, there is no one more fun to celebrate with than the Child Advocacy Law Clinic.

Criminal Appellate Practice Clinic

In the Criminal Appellate Practice Clinic, students are responsible for the appeals of persons convicted of felony offenses in Michigan. Students meet with their clients in prison, learn how to prepare an appellate brief and write the brief. Learning to spot issues from a transcript, write a legal brief for a real client and edit the brief under the experienced eye of their professor give students great training in legal research, writing, and advocacy; as well as insight into the criminal justice system. Some students have the opportunity to appear in state trial courts. All students in the Criminal Appellate Practice Clinic will have their arguments heard in a mock oral argument capping the end of the semester in front of a panel of outside judges.