Combating Corruption in Sint Maarten

Public Corruption students focus on Hurricane Irma recovery efforts
As the director of the Bluhm Legal Clinic, I am constantly inspired by the unwavering commitment of my colleagues in furtherance of the Clinic’s mission: to train skilled, ethical, and public-spirited lawyers integral to a society that values and promotes justice. In a dynamic era for law and society, this mission is more critical than ever.

Clinical education at Northwestern dates back to the Law School’s beginnings. An innovative program developed by Dean John Henry Wigmore in 1910 with the Chicago Legal Aid Society gradually evolved into the Legal Clinic, which officially opened its doors in 1969. The upcoming “golden” anniversary of the Clinic’s birth prompts me to reflect on the relevance and importance of clinical legal education in America, and the work of the Bluhm Legal Clinic in particular.

The Bluhm Legal Clinic is widely recognized as one of the most comprehensive and effective clinical programs in the country. The program enables students both to gain direct experience representing clients and fine-tune their skills as advocates, and to work with expert clinical faculty and staff to propose solutions for reform in furtherance of social justice. In incorporating our students in all aspects of our work, students assume professional responsibility, exercise judgment, and uphold the highest principles and best traditions of the legal profession.

The Clinic’s mission is furthered by its diversity of clinical offerings, nearly all with a social justice focus; its diversity of experiential learning opportunities, including live client representation, policy advocacy, and its award-winning simulation programs, including the Bartlit Center for Trial Advocacy (ranked third in the country in the most recent U.S. News and World Report law school rankings), as well as its Center on Externships; and its international access to justice work, integral to legal education in a time of globalization.

The Clinic’s commitment to social justice at home and around the world is demonstrated in the pages that follow. Whether successfully arguing for a writ of habeas corpus in the Northern District of Illinois, or advocating for the preservation of privacy rights and individual freedoms for individuals diagnosed with a stigmatized illness in China, our faculty and students exemplify lawyering in the public interest. For the first time this year, a Northwestern student has received the Outstanding Student Award of the Clinical Legal Educators Association, given by CLEA “for excellence in clinical fieldwork and for exceptionally thoughtful, self-reflective participation in an accompanying clinical seminar,” Joey Becker (JD ’18) earned this honor based on his outstanding work with Professor Laurie Mikva in the Civil Litigation Clinic.

As always, I welcome your input on how we can best achieve our vital mission. My door is always open. Happy birthday to the Clinic! And many more.

Juliet Sorensen
Associate Dean and Director
Tackling Hepatitis-B Stigma in Beijing

On June 26, Brian Citro, along with two students and one recent alum, participated in the Infectious Disease Law and Policy Forum in Beijing, where they presented research on how laws designed to combat stigma associated with the Hepatitis-B virus (HBV) would achieve positive public health and human rights outcomes.

“A third of the world’s 240 million people with chronic HBV live in China. This means more than 1 in 15 people in China have HBV, a disease that is deadly if left untreated. But in addition to the serious health risks, people with HBV face entrenched stigma and discrimination, which starts as early as kindergarten and follows many into their professions lives,” Citro says.

Even though a law currently bans testing for HBV in job and school applications, testing and subsequent discrimination continues widely in practice.

“One study found that up to 61 percent of Chinese state-owned companies discriminate against people with HBV in their hiring practices,” Citro says. “This is a serious human rights issue, and also a drain on the Chinese economy, as many people who are fully capable of working, and who pose no meaningful threat of spreading the disease, are forced to the sidelines solely because of their health status.”

Citro, an assistant clinical professor of law, was accompanied by Nesha Abiraj (LLM-IHR ’18) and Abhaya Moturu (MSL ’18), students from his Spring 2018 International Human Rights Law and Practice course. In that course, they studied the issues facing those with HBV in China taking a rights-based approach.

At the forum, Abiraj, who is the 2018 Michael and Mary Schuette Global Fellow in Health and Human Rights working at Human Rights Watch, discussed the ways stigma and discrimination affect not just employment opportunities, but mental health of HBV carriers and decisions to seek treatment. She compared the law and policy framework surrounding HBV to a 2010 Chinese State Council Decree offering robust discrimination protections for people with HIV. Moturu presented on how a rights-based approach can improve health outcomes for people with HBV by establishing legal rights to access treatment and testing, protecting patient privacy, and eliminating discrimination.

“Presenting on a sensitive issue such as stigma and discrimination in a country which was not my own felt daunting, especially knowing what I knew about China, regarding its treatment of human rights defenders and even activists,” Abiraj said. “However, I felt very strongly that this was a story that needed to be told, not to criticize or condemn anyone, but to give a voice to the 66 percent of victims of discrimination who reportedly choose to remain silent, out of fear of being further stigmatized.”

“I hoped to present not as an ’outsider’ or someone trying to impose ‘western values,’ but simply as one human being to another, genuinely interested in seeing China succeed in achieving its health policy goals,” she added.

Recent alumna Alee Minyan Li (LLM-IHR ’14), who currently works in the Law Offices of Yongbing Zhang in Chicago, partnered with Citro and his class on the project, and also presented at the conference. In addition to supervising the student projects, Citro presented on a rights-based approach to tuberculosis, analyzing case law and legislation around the world.

The presentations were well-received by officials from the United Nations Development Programme, the Chinese CDC, and others, Citro says. He already has plans to continue this work with future classes, and intends to partner with Chinese civil society groups to continue to advocate for the rights of people with HBV.
“The choice isn’t ‘join [a gang] and if you don’t want to join, go back to what you are doing.’ The choice usually is ‘join and if you don’t join, die.’ And so when the child is presented with that option, they feel that they have no choice but to leave and come to the United States and seek safety. … They are not leaving their country and walking across deserts and hopping on trains just for a slightly better life. The reason why they are coming is because they feel that if they remain in their country, they will die.”


“It may seem that liberals and conservatives do not understand each other when it comes to the Bill of Rights, with one side extending too much protection to criminals and the other tolerating too many guns. But in fact, they are really engaging the same calculus of societal risk and constitutional reward, although premised on different values and with dramatically different results. The constitutional visions mirror each other, but they are not equivalent. In the name of procedural fairness, liberals are willing to see suspects go free, although the actual number is quite small. For the sake of their own guns, conservatives are willing to abide the slaughter of innocents, and the death toll keeps rising.”

—Professor Steven Lubet, “What Liberals Miss About the Second Amendment,” Chicago Tribune, 2/20/18
“There are no protections, you are entered into this database, you’re not told, and then that information is kept and shared with federal authorities [...] and while you can get your arrest record expunged, you can’t get your gang record expunged. Once it’s in there, it’s in there forever.”

—Professor Vanessa del Valle, “Gang Databases are a Life Sentence for Black and Latino Communities,” Pacific Standard, 3/15/18

“Following a long decline, the number of carjackings in Chicago has risen sharply in recent years. In 2017, there were nearly 1,000 incidents, roughly 700 more than in 2014. In response to the problem, Mayor Rahm Emanuel and others are pushing for a state law that may sound good at first blush but would be miserable public policy. [...] The proposed law is not, to begin with, focused only on the violent crime of carjacking. It would close a so-called legal “loophole” that exists only for the sake of fairness. And it would not work. [...] Giving more felony convictions and prison years to a very broad group of people because police can’t identify the small number who are committing violent crime isn’t a public safety strategy. It is wanton state interference with employment, housing, education, child support and the host of other factors that contribute to stable families and communities.”

—Stephanie Kollmann, “Rahm’s anti-carjacking bill is unfair, being falsely sold and won’t work,” Chicago Sun-Times, 3/16/18

“The Trump Administration’s withdrawal from the U.N. Human Rights Council is unsurprising, given America’s withdrawal from other critical multilateral treaties and organizations and denigration of allies under President Trump’s leadership. Not only does this latest retreat from the world stage further diminish U.S. influence, power and leadership in world affairs, it will do nothing to advance the cause of international human rights. The human rights violators will weaponize the U.S. withdrawal to isolate Washington from multilateral efforts that advance the cause of human rights, including at the contentious but critical U.N. Human Rights Council and in so many other forums. It’s just one more example of an utterly intimidated, retreating Trump Administration when it comes to fighting for justice and the highest moral values at home and abroad.”

—Statement by Ambassador David Scheffer on the Trump administration’s decision to leave the U.N. Human Rights Council, 6/20/18
Bartlit Center Trial Advocacy Season Off to Strong Start

SUMMIT CUP
A team from the Bartlit Center for Trial Advocacy won the Summit Cup championship, held at the University of Denver September 28-30.
The University of Denver’s Center for Advocacy hosted the leading teams from around the country. The Northwestern Law team of Emily Halter (JD ’18), Brendan Gerdes (JD ’18), Garrett Fields (JD ’18), and Argie Mina (JD ’19) went undefeated in an invitational field comprising the top 12 trial teams in the United States.
In the five rounds of competition, Northwestern defeated teams from Stetson Law School; Campbell University; the University of California, Davis; Florida State University; and American University.
In addition, Fields and Gerdes were named the two best advocates in the competition.
“Emily, Argie, Brendan and Garrett are among the best students we have ever had on our trial teams, including our national champions in 2011 and 2017,” said coach Rick Levin of Levin Riback Adelman & Flangel. “They are great students, great advocates, and great people.”
Steven Lubet, the Williams Memorial Professor of Law at Northwestern and director of the Bartlit Center, is the team’s advisor. “Winning the Summit Cup was a terrific achievement for Rick Levin and our students, as it involved the 11 other schools with the best winning records from the past year,” Lubet said. “Of course, the most meaningful reward comes from the lifelong skills our students acquire in the Bartlit Center program, but it is always great to win.”

ABA LABOR LAW COMPETITION
Bartlit Center trial teams captured the top two spots in the American Bar Association’s Midwest Regional Labor Law Competition for the second year in a row.
Both Bartlit Center teams were undefeated going into the final round, in which the team of Joey Becker (JD ’18), Amanda Tzivas (JD ’19), Hannah Freiman (JD ’18), and Lane Lansdown (JD ’18) narrowly defeated the team of Brooke Troutman (JD ’18), Ben Koenigsfeld (JD ’18), Joey Mintz (JD ’18), and Beth Wurm (JD ’19).
In the preliminary rounds, the Northwestern Law students defeated teams from the University of Illinois (twice), Indiana University, Marquette University, the University of Missouri, and Campbell University.
Under the leadership of Rob Robertson of Robertson Duric, this was the fifth time in the last seven years that Northwestern Law has won the Midwest Labor Law Competition. The team’s other coaches include Kendrick Washington (U.S. Department of Education), Mark Duric (Robertson Duric), Patrick Cordova (Jenner & Block), Brenna McLean (Jackson Lewis), and Michael Ovca (Edelson).
Robertson, the head coach, praised his students as “exceptional advocates who upheld the highest standards of professionalism and who excelled in every phase of trial lawyering.”

NATIONAL TRIAL COMPETITION
For the third year in a row, a team from Northwestern Law has won the Midwest regional of the National Trial Competition.
Garrett Fields (JD ’18) and Kelyn Smith (JD ’19) were undefeated in four rounds, besting teams from Notre Dame, John Marshall, and Loyola University. Fields, who was on the team that won the national competition last year, was also named the competition’s top advocate.
The team was coached by Rick Levin, who has coached teams that have won four out of the last five Midwest regionals.

“Our students were outstanding this year,” Levin said. “They truly dedicated themselves to the art of advocacy, and they came through with the highest standards of skill, determination and professionalism.”
Fields and Smith traveled to Austin, Texas in April to defend Northwestern Law’s national title.
Colleagues Join Geraghty for Third Annual Ethiopia Conference

Faculty meet with Ethiopian law professors and legal professionals to discuss clinical legal education in the country

In March, Bluhm Legal Clinic Director Thomas Geraghty, accompanied by a group of Northwestern Law colleagues and students, traveled to Addis Ababa, Ethiopia for Geraghty’s third annual conference on clinical legal education practices, hosted by the School of Law at Addis Ababa University.

“Supporting legal education in developing countries is an important, yet under-appreciated strategy for promoting human rights, the rule of law, and access to justice,” Geraghty says.

He was joined by David Shapiro and Alexa Van Brunt of the MacArthur Justice Center, Maria Hawilo of the Center for Criminal Defense, and Juliann Cecchi, assistant dean of external partnerships. Peter Isham (JD ’18) and Hillary Chutter-Ames (JD ’19) attended the conference as well.

“Our program in Ethiopia is the most recent example of faculty-student collaborations that have supported meaningful curriculum change in developing countries, particularly in the areas of clinical legal education and access to justice,” Geraghty says.

Geraghty, who first visited Ethiopia as a Northwestern Law student in 1969, has been a friend and resource to legal educators in the country for decades. After years of collaborations, assessments, exchanges, and trainings, Geraghty and Ethiopian colleagues created the conference in 2016 to help Ethiopian law professors learn best practices for clinical education. The Clinic has had similar partnerships in countries across the globe, something Geraghty hopes will continue.

“Our Law School’s administration and faculty have been very supportive of our initiatives in Ethiopia, Ghana, Tanzania, and Malawi, where we have established institutional and personal relationships that enable us to do meaningful work and to provide students with the opportunity to work on projects that have lasting impact,” he says.

ICC President Silvia Fernández de Gurmendi Named 2017 Global Jurist of the Year

On February 14, Judge Silvia Fernández de Gurmendi, President of the International Criminal Court (ICC), was awarded the Global Jurist of the Year 2017 Award by the Bluhm Legal Clinic’s Center for International Human Rights (CIHR) at a ceremony held in The Hague, Netherlands. The award is given annually to honor a sitting judge, whether in an international or national court, who has demonstrated courage in the face of adversity to uphold and defend fundamental human rights or the principles of international criminal justice.

Presenting the award to Fernández, Ambassador David Scheffer, director of CIHR, said: “Judge Fernández has played a critical role in speeding up the proceedings while still protecting the rights of the accused. Under her leadership as president, the Court has significantly improved the efficiency and timelines of its trial work. That is critical in garnering political support for the ICC today and in the future.”

Before joining the ICC in 2010, Fernández served as a diplomat and Director General for Human Rights in the Foreign Ministry in her native Argentina.

In her acceptance speech, Fernández expressed her gratitude for the award and discussed some of the key challenges the ICC faces today.

“‘The International Criminal Court was created in the 1990s, when idealism was at its peak. Now it needs to develop in a less benign world where there is a serious push back against global values, and nationalism and intolerance are on the rise. We will need all the stubborn optimism of the Rome [statute] generation in the more turbulent years to come. The Court is mature enough to survive but survival is not enough — it needs to maintain membership, grow and thrive.”

Previous recipients of the Global Jurist Award include Justice Dikgang Moseneke of the Constitutional Court of South Africa (2013), Justice Shireen Avis Fisher of the Special Court of Sierra Leone (2014), Judge Gloria Patricia Porras Escobar of the Constitutional Court of Guatemala (2015), and Justice Rosalie Silberman Abella of the Supreme Court of Canada (2016).
Amy Martin Joins CFJC as Immigration Law Fellow

Amy Martin joined the Bluhm Legal Clinic’s Children and Family Justice Center (CFJC) as Immigration Law Fellow on May 1. The two-year fellowship was established last year by generous donations to the Clinic Annual Fund in recognition of today’s pressing immigration issues and the CFJC’s role at the vanguard of immigration advocacy.

Martin joins the CFJC from LAF’s Immigrants and Workers’ Rights Practice Group where she represented human trafficking victims in a range of legal matters, including applications for T Visas and U Visas, and petitioning under the Violence Against Women Act. While at LAF, she also spent time as a housing staff attorney representing tenants in eviction proceedings.

Martin is a graduate of the University of Wisconsin and UCLA School of Law. As Immigration Law Fellow, she will represent youth and parents in immigration court proceedings, work with partner organizations to best serve the needs of the immigrant community, and assist with teaching students enrolled in the immigration law clinic.

“Whether it’s a headline about the mobilization of the National Guard to stop the ‘caravan’ from Central America or one about parents being separated from their children at the border, it is difficult to go a day without reading a news story that illustrates just how challenging the legal landscape has become for immigrant youth and parents,” says Uzoamaka Emeka Nzelibe, a clinical associate professor of law who leads the Center’s Immigration Law Project.

“Now more than ever, there is a need for competent, zealous immigration advocates. Amy is that advocate, and her addition to the CFJC’s immigration practice will increase our capacity to represent detained youth and parents and help us build and grow relationships with community and legal assistance organizations who are working to advance the interests of immigrant youth and parents in Illinois.”
Protecting Vulnerable Tenants

A Conversation with Outstanding Clinical Student Award Winner Joseph Becker

In May, Joseph Becker (JD ’18) became the first Northwestern Pritzker School of Law student to win the Clinical Legal Education Association’s Outstanding Student Award for his work in the Bluhm Legal Clinic’s Civil Litigation Center (CLC).

“The quality of Joey’s representation has been exceptional. He gets along extremely well and professionally with everybody, including his clients, his student partners, opposing counsel, and his supervisors. His work is thorough, thoughtful, and timely. He has developed unmatched poise and skill in the courtroom,” says Laurie Mikva, a clinical assistant professor with the CLC who nominated Becker.

Becker, who will spend the next year clerking for Israeli Supreme Court Justice Hanan Melcer before joining Winston & Strawn, represented more than 20 low-income clients facing eviction proceedings over the course of four consecutive semesters with the CLC.

What made you interested in taking a clinic, specifically with the Civil Litigation Center?

I was interested in the Civil Litigation Clinic for two reasons. The first is that I was interested in getting substantive litigation practice as a law student, following the case from meeting the client all the way through settlement or any other resolution.

Also, [the CLC is] really connected with the Chicago community and is doing important work, locally. We represent low-income tenants in landlord tenant disputes. Often our tenants are being evicted and there are very high consequences for that. They could lose their federal housing subsidy and they maybe wouldn’t be able to find new housing. Many of them have young children and, obviously, it’s very important that they have stable housing so the kids can get to school and have some stability. We are connecting to individuals in the Chicago community who need our help and also getting an incredible legal experience.

How do your clients come to the CLC?

The clients often get referred to us through legal aid foundations or legal aid committees in Chicago like LAF or the Lawyers’ Committee for Better Housing. There’s a huge number of clients, of tenants, going through eviction court every day and there’s just not enough lawyers, so we help those organizations to serve everyone.

What are some of your most memorable experiences?

There have been so many different cases. One client needed her case sealed so that she could apply for new housing, because once an eviction is on the record, it’s very hard for our clients to find new housing. We were able to follow the initial case all the way up to the Illinois appellate court to try and argue the law on sealing. Though the appellate court didn’t end up sealing our client’s case, they did give us a ruling that basically says clients have jurisdiction to petition for a case to be sealed, even if it’s outside of the 30-day window of a typical appeal. What that means for our clients is that if they get their case resolved and a year or two down the line they can’t get new housing because this is on their record, they can try and get it sealed. That was a good thing.

I had two cases that almost went to trial, they settled about a week before trial, and I would have been doing direct examinations of two of the client’s kids. So I worked with them to describe the layouts of their apartments, figuring out how to get them comfortable, and preparing them to testify.

Can you share something important or interesting you’ve learned through this work?

As you’re representing the clients, you see that there are patterns. The landlords are evicting for similar reasons and there are specific rules that are frustrating when you see the repetition of these small-level lease violations that landlords are following up and evicting on. It’s important that we help each client but at an institutional level, maybe the violation — let’s say it’s a marijuana violation — shouldn’t be grounds for eviction. Maybe we should reconsider the lease itself rather than just dealing with the aftermath.
Reflections on Human Rights in Beirut and Beyond

Caroline Hammer (JD-LLM IHR ’18) spent the spring semester at an externship with the Lebanese Center for Human Rights (CLDH) in Beirut, a nonprofit organization created in 2006 to monitor and report on the human rights situation in Lebanon, with particular attention to missing persons and victims of torture. Her journal entries documented her learnings about her host country as well as human rights around the world. These excerpts have been condensed and edited for clarity.

January 11

I’m enjoying the internship at CLDH so far. Almost every day, Faisal brings food cooked by his wife Jessica, so that we can all share a communal lunch at the table. This is helping me to get to know them better. And it doesn’t hurt that the food is delicious.

The state of human rights in Lebanon reminds me how complicated the struggle for human rights can be. It’s clear from conversations, and from witnessing the still-recovering infrastructure, that Lebanon feels the effects of its civil war every day, even though it ended almost 30 years ago. The Syrian occupation lasted until 2005, when, in the wake of Prime Minister Hariri’s assassination, the Lebanese ousted the Syrian army through peaceful, but forceful, demonstrations.

Now the Lebanese find themselves host to over a million Syrian refugees fleeing the conflict that is waged between rebels, insurgents, and the same regime that once exerted its ruthless influence here. It’s easy to understand why this would give them pause, even as they recognize the common source of suffering they share with many of those fleeing.

The issue of the disappeared is similarly complicated. People were disappeared by Syrian, Israeli, Lebanese, and Palestinian forces. In Lebanon, the government exacerbates the pain of the families of the disappeared by refusing to open known mass graves and collect DNA samples to attempt to identify the dead. They also refuse to take action to obtain the return of disappeared Lebanese civilians who are believed to
Wounds fester and do not heal, especially for those families who may never know what happened to their loved ones. And yet, there is some truth to the idea that inaction breeds stability and peace.”

be alive in Syrian custody. The government cites a hesitance to “reopen the wounds of the Civil War.” The reality appears to be that the wounds fester and do not heal, especially for those families who may never know what happened to their loved ones. And yet, there is some truth to the idea that inaction breeds stability and peace.

For example, the government structure itself, which at first appeared to me hopelessly tangled and ineffective, now seems more like a wise choice among bad options. Much like our own American democracy, sometimes inefficiency in a government can be a virtue.

January 19

I attended a conference on investigating and prosecuting gender-based violence (GBV) this week, and it wasn’t quite the progressive collaboration that I hoped it would be.

Until 1990, GBV was not criminalized. Just a few months ago, a law that allowed a rapist to escape criminal conviction if he proposed to his victim was repealed. Many gaps in reaching equal treatment for women under the law remain, however.

For example, it’s not a crime for a man to rape his wife, although mention was frequently made of a compromise law that forbids a man from sleeping with his wife after or during beating her. This, although seen as progress by some, seems a horrific compromise to me. The emphasis is not on consent at all. I’m not sure I heard the word “consent,” or its equivalent, while I was there.

On a judiciary panel, two judges emphasized the importance of keeping the family together, even in cases where the man was physically abusive, because it might be better for the family and he might have his reasons for violence, such as financial stress.

If there is this much resistance to addressing GBV, you can imagine that the resistance is only greater when you talk about the plight of refugee women and girls facing GBV. Panelists who discussed the plight of Syrian women facing GBV, while sympathetic, treated them as an other, more violent culture — more ignorant and more prone to abuse. There is a general attitude that providing services and helping Syrians will encourage them to stay, and should thus be discouraged. One woman said the government should not address the problem because it simply didn’t have enough resources, so it was better to ignore it.

February 2

This week I have felt more strongly the cognitive dissonance of working on human rights issues abroad when human rights issues abound in my own home country — a place where I have not only the birthright of having a say in our government, but I speak the language and have a comprehensive knowledge of the legal system. The irony feels especially acute in the wake of President Trump’s pledge to keep Guantanamo Bay open, while I work on abolishing torture abroad.

I try to convey that I’m cognizant of my own country’s problems, and I don’t think Lebanon is either a hopeless case or incompetent at solving its problems, but that its torture problem is real and pressing. Some Lebanese dispute this. A lot of people
in Lebanon seem to not care about the widespread torture. Some think that the people who are tortured are only really bad cases (of crimes or threats to security) and so deserve it, an attitude not unheard of in the U.S. Others know that torture happens to the most vulnerable members of the population, but don’t know how to address it, or don’t care to.

February 15
I’ve been thinking a lot about attitudes toward the U.S. in Lebanon, and vice versa.

People here are acutely aware of human rights abuses committed by the U.S., and there is a resentment for U.S. interference in international affairs. Someone said to me this week, “I think the U.S. and Saudi Arabia are really similar in how they act, and in terms of human rights abuses.” When I protested that surely the U.S. treats their own citizens better, at the very least, she disagreed, citing our problems with poverty and the U.S. treatment of women and people of color. “Your government,” she said, “treats poor people as if they’re criminals, as if it’s a moral failing to be poor.” This was hard to argue with, especially in light of the Special Rapporteur on poverty’s recent visit to the U.S., and his finding that “the U.S. poverty population is becoming a more deprived and destitute class, one that’s disconnected from the economy and unable to meet basic needs.”

And yet there are many features of U.S. government and society I have come to appreciate more, and to advocate for. A major one is the relative lack of corruption in our governing system. Of course, there are lobbyists and individual lawmakers who are corrupt, but corruption is not endemic to our system to the point that it robs people of any faith in the possibility of elections to change things. Although gangs and mafias exist, they do not have a direct influence on — or viciously, amongst ourselves, our lawmakers believe in free speech. Our comedians and political commentators may freely mock lawmakers without fear of torture, or imprisonment.

And when it comes to women’s rights, there is no contest between the U.S. and Saudi. As the #MeToo movement shows, there are still problems with sexual harassment and sexual assault to tackle. Still, in the U.S., rape is a crime, whereas in Saudi, there is no penal code that criminalizes rape. Under religious law, a rape victim who first entered the company of her rapist willingly may be considered to have committed a punishable offense. Marital rape does not exist. Women cannot go anywhere or do anything without a male guardian, including calling an ambulance. They cannot dine, even with their male guardians.

From one angle, Hizballah looks less like a terrorist organization and more like a vigilante militia/gang. From the same angle, the home country I love looks like a human rights abuser and a bully. Neither of these perspectives is entirely accurate or entirely wrong.”
One thing I do know: When the U.S. violates human rights, it damages not only its reputation, but the belief of people around the world that the powerful can or will act for the greater good.
In September 2017, Hurricane Irma became the strongest Atlantic hurricane ever recorded, leaving massive devastation across the Caribbean. One of the small island nations hit hardest was Sint Maarten, a constituent country of the Netherlands. About 70 percent of the country’s homes were damaged or destroyed.

In Spring 2018, a group from Bluhm Legal Clinic director Juliet Sorensen’s Public Corruption and the Law course took up a semester-long clinical project advising a special anticorruption unit of the Dutch Caribbean on best practices during the recovery.

In February, Sorensen and Elise Meyer, the clinic’s Schuette Fellow in Health and Human Rights, and four students — Claire Hutar (JD ’18), Cindy Gerges (JD ’18), Gerry Hirschfeld (JD ’18), and Garrett Salzman (JD ’18) — spent a week in Sint Maarten, meeting with officials, interviewing relevant parties and gathering information for their report, which was published in May. The report made recommendations in four areas of the law where the government is especially insecure after an extreme weather event: criminal law, ethics and non-criminal anti-corruption law, environmental law, and building, zoning, and public procurement.

“Going to Sint Maarten post-Hurricane Irma wasn’t something I ever expected to do in law school,” says Hutar, who focused on public procurement issues. “Before going, I hadn’t considered how much the small island culture would impact what kind of proposals we could generate. While we were there, we realized the difficulties that Sint Maarten has in terms of its size and culture in dealing with corruption.”
The connectedness of the small population presents unique challenges in fighting corruption, Meyer says. “It’s fascinating — it’s hard to hide things, but it’s also hard to take action because everyone’s invested in the system.”

This project is a continuation of Sorensen’s work on the relationship between climate change and corruption. “In an era of climate change and increased frequency of natural disasters, the correlation between corruption and natural disaster leads to a shrinking vicious circle,” Sorensen says. “Subpar buildings are built; natural disaster strikes; the damage is greater than it otherwise would have been had there been no corruption; the city needs to be rebuilt, which presents new opportunities for corruption and the construction of subpar buildings. The cycle’s rate of frequency will increase over time in an era of climate change and extreme weather.”

Small island developing states like Sint Maarten are particularly susceptible to these patterns, but these events also offer countries a chance to reform. “The corruption resulting from natural disasters isn’t exclusive to natural disasters,” says Hutar. “But realizing where the true weaknesses are after a natural disaster presents an opportunity to strengthen those areas that do need some reform. Where there is a natural disaster, these small countries may take into consideration what needs to be done to prevent the ongoing corruption as a whole.”

With Clinic Director Juliet Sorensen and Health and Human Rights Fellow Elise Meyer, the students interviewed local officials to inform their recommendations for a final report published in May.
Center on Negotiation and Mediation

The Center on Negotiation and Mediation M.R. Bauer Foundation Fellow Annalise Buth (JD ’07) collaborated with students from the Alliance High School in Milwaukee, Wisconsin and Thalia González (JD ’04), a professor at Occidental College and senior visiting scholar at Georgetown Law, to create a workshop for law students, attorneys, restorative practitioners, and educators. During the youth-led workshop hosted at Northwestern Law on March 7, 2018, participants explored restorative practices as a way to empower young people, strengthen relationships, address adultism and adultification, and interrupt bias. Buth and her fellow collaborators are planning to continue the collaboration through ongoing research and scholarly work.

Under Professor Alyson Carrel’s leadership, the Center has focused on bridging ADR and legal technology and innovation by introducing new tech tools in our negotiation and mediation courses, and more recently introducing design thinking as a method for exploring ways to innovate within the ADR field. The Center hosted Margaret Hagan to discuss the role of design thinking in facilitation of social change and community.

Clinical Assistant Professor Daniel Gandert (JD ’07) recently published “The WADA Code: Optimal on Paper” in the Maryland Journal of International Law. Gandert researches cutting-edge dispute resolution issues relating to international sports. His most recent focus is on cases issued by the Court of Arbitration for Sport relating to the alleged Russian doping scandal and the methods used by the tribunal to resolve these cases through a consistent decision-making process.

Center faculty received recognition from a variety of sources this year. Professor Alyson Carrel received the Chair’s Award at the ABA Section of Dispute Resolution National Spring Conference in recognition of her years of service running the representation in mediation competition and planning the annual conference. She was also recognized for her leadership in the legal technology field and named one of the leading “Women of Legal Tech 2018” by Legal Technology Resource Center.

Center Director Lynn Cohn received the 2017 Outstanding Article award from the International Institute for Conflict Resolution and Prevention for her article, “A Model for the Use of ADR to Efficiently Distribute a Significant Settlement Fund in Mass Clams Litigation Without Sacrificing an Individualized Assessment of Claims.”

Daniel Gandert, Annalise Buth, and Kevin Agnew were nominated for student-voted teaching awards.

Center for Criminal Defense

This past academic year featured students presenting witnesses and arguments in a variety of important criminal representations. Those included a summation in a motion to dismiss a first degree murder indictment, which ultimately led the court to grant relief and order our client’s release after 10 years of incarceration; making the opening argument on behalf of the defendant in a hijacking trial in which the client was later acquitted of all charges; examining a witness and presenting final argument in a motion...
to suppress a line-up identification in a first-degree murder case; presenting legal argument on a motion to dismiss a fraud charge based on grand jury misconduct; examining a police officer and making legal argument seeking to quash the arrest and suppress illegally seized evidence in a juvenile carjacking case.

In addition to these important efforts while engaged with in-court work, students contributed substantially in other significant cases. In one of those, students in the Center for Criminal Defense participated in a major undertaking to help our Congolese teenage client avoid a felony kidnapping conviction and near-certain deportation to the violent and war-torn Republic of the Congo. The allegation was unfounded and students crafted a highly persuasive and multilayered memorandum seeking to persuade the Cook County State’s Attorney that it would ruin the life of our accomplished client and her large family if these felony charges were allowed to stand. In the end, a decision was made at the highest level of this prosecuting agency that these charges would be reduced to a simple misdemeanor.

Finally, students prepared all year to investigate facts and research legal arguments in preparation for our defense of a 52-year-old Army veteran who shot and killed her violent and unstable ex-boyfriend who stalked her to a half dozen states as she tried to evade his campaign of terror as well as physical, sexual, and emotional abuse. Her trial commences in Wisconsin this summer.

**Center for Externships**

Each year many federal judges in Chicago select Northwestern Law students to work in their chambers conducting research and helping draft opinions through the Judicial Practicum course at the Center. This year was no exception. Thirty-seven students worked as judicial externs during the academic year, while another 25 students worked as judicial externs last summer. The Judicial Practicum provides students with a unique opportunity to see and understand cases from a judge’s point of view and to get extensive expert assistance and feedback on their legal analysis and writing skills. The accompanying seminar exploring issues in the federal judiciary is taught by Professor Cindy Wilson, center director, with assistance from Judge Sharon Johnson Coleman and retired Judge Wayne Andersen, both from the U.S. District Court for the Northern District of Illinois.

The Center hosted its first Continuing Legal Education program for externship supervisors this spring, entitled “Ethical and Educational Duties of Externship Supervisors.” Externship supervisors from the Center’s seven practicum courses learned about the ethical issues involved with student externships. The program also provided guidance to supervisors on how to provide effective feedback and be strong educational partners in externships. Attendees left with a better understanding of the educational structure of the Practicum courses and also expressed appreciation for the free ethics CLE credits. The training was taught by Annie Buth, Wendy Muchman, and Cindy Wilson.

Professor Wilson served as the chair of the planning committee for the 41st AALS Conference on Clinical Legal Education this year. The conference is the largest annual gathering of clinical faculty from law schools around the country, drawing over 650 attendees. This year’s conference theme was “Gathering Momentum: Learning from the Past, Responding to the Now, Planning for the Future.” The conference included a keynote address from Nobel prize-winning author Professor James Forman, Jr., who is a clinical professor at Yale Law School. The Clinic sent a large contingent of faculty to the conference both as attendees and presenters. Conference attendees came to the Law School for a reception hosted by the Clinic and other Chicago-area law schools, which included tours of the Clinic space.

**Appellate Advocacy Center**

The Appellate Advocacy Center had a busy year. In the Supreme Court Clinic, students worked on more than fifteen cases seeking review or currently pending before the Court, including two merits cases: Rosales-Mireles v. United States and Chavez-Mesa v. United States. Center attorneys, law school professors, and alums came together to moot advocates in some of the term’s most exciting cases. In November 2017, Professors Andy Koppelman, Jason DeSanto, and Abby Mollen joined clinic directors Sarah Schrup and Jeff Green, alongside alum Brian Smith, to assist Colorado Solicitor General Fred Yarger in his preparation for the Masterpiece Cakeshop argument. In February 2018, Sarah Schrup joined with Chicago-Kent professors to moot Illinois Solicitor General David Franklin in the Janus v. AFSCME case. In the clinic’s annual trip to Washington, D.C., students had the opportunity to watch arguments in Rosales-Mireles and then attend a special private session with Justice Alito.

The Federal Appellate Clinic had three new cases this year, which provided four third-year students the chance to argue in front of the Seventh Circuit. The cases also raised cutting-edge legal issues of first impression in the circuit relating to the proper application of the habeas corpus statute’s savings clause, the interpretation of state burglary statutes under the ACCA, and the proper construction of...
Center for International Human Rights

As a part of a long standing effort by Center for International Human Rights (CIHR) Director David Scheffer and others to encourage the nations of the world to confront atrocity crimes and to hold perpetrators accountable, the CIHR partnered with the Carnegie Endowment for International Peace in Washington, D.C., to convene a symposium titled “Twenty Years Confronting Atrocity Crimes” in January 2018. All the former U.S. Ambassadors at Large for War Crimes Issues, of which Director Scheffer was the first, and their deputies spoke of their experiences confronting atrocity crimes and seeking accountability of perpetrators. In May, CIHR partnered with the International Nuremberg Principles Academy to convene the Atrocity Crimes Litigation Bi-Annual Review Symposium, which was begun by CIHR more than a decade ago to review recent practice and jurisprudence of the war crimes tribunals. Throughout the academic year, Scheffer organized and participated in events across the world, including delivering remarks about the need to create a self-funding mechanism for the International Criminal Court’s Trust Fund for Victims, and calling attention to the ongoing atrocities committed against the Rohingya people in Myanmar.

Bridget Arimond, a clinical professor of law, worked with CIHR students to represent exiled Vietnamese activist Pham Minh Hoang, a long-time non-violent advocate for democracy and human rights who was forcibly expelled from his country in 2017, to multiple U.N. Special Rapporteurs. Arimond’s IHR Advocacy Clinic also continued its advocacy before human rights treaty bodies in Geneva. Working with NGO partners in countries coming up for treaty body review, clinic students drafted reports highlighting particular rights violations and then traveled to Geneva to attend and participate in the treaty body sessions. These projects gave students direct experience in treaty body advocacy. Additionally, while in Geneva, the students had the opportunity to attend other human rights-related meetings and events taking place at the United Nations. Arimond also continued her work to support human rights education and training in Georgia. In 2017-18, her focus was on assisting the development of a new human rights and constitutional law clinic at Ilia State University School of Law in Tbilisi, Georgia, which will become operational in Fall 2018.

Investor Protection and Complex Civil Litigation Center

The Center had a successful year on a variety of fronts. In civil litigation, our clients received settlements totaling $16 million. We assisted not only in the settlement but with the myriad of issues attendant thereto. We assisted counsel in the Mugshots.com litigation, overcoming a First Amendment challenge to our clients’ claims, and obtained a reversal in the Seventh Circuit of a grant of qualified immunity to the federal government in a multi-million dollar wrongful conviction civil case. We were named as national coordinating counsel for insurance coverage issues related to the weather disasters our country suffered.

On the investor protection front, our students successfully tried an arbitration on behalf of an elderly couple against a brokerage firm and obtained full relief. They also settled several other claims on favorable terms. We assisted a number of investor protection clinics around the country and Canada with their work. Our students also competed in the National Securities Triathlon at St. John’s Law School. A highlight of the year was our class trip to the international parental kidnapping statute.

Finally, the center attorneys accomplished quite a bit outside the classroom. Carter Phillips, a co-director of the Supreme Court Clinic, participated in two notable cases this past year. First, in Garza v. Azar, he was retained by the ACLU to defend the organization’s lawyers, who were sanctioned for misleading the government’s lawyers by not giving them sufficient advance notice that a physician had been procured to perform an abortion on an undocumented and pregnant woman so that they could go to court to halt it. The appeal was moot, but the Court vacated the lower court’s decision so that it would have no precedential value, and it declined to pursue the ethics charges against the ACLU lawyers. Phillips also represented the Ministry of Commerce of China in Animal Science Products, Inc v. Hebei Welcome Pharmaceutical Co. in a case regarding price-fixing claims against vitamin C manufacturers in China. The Chinese government for the first time in its history authorized participation as amicus in a U.S. court and argued that the prices were set under strict orders from the Ministry not to sell goods below certain prices. The issue before the Supreme Court is how much federal courts should defer to a foreign government’s statement of what its law requires.

Center director Sarah Schrup joined the executive board of the ABA’s Council of Appellate Lawyers. Additionally, in her role as coach of Northwestern’s National Moot Court Team, Sarah assisted a team of students in our school’s first win of the national championship of the prestigious New York City Bar Association Moot Court.
Washington D.C. where our students attended the public meeting of the SEC Investor Advisory Committee. While attending the meeting our students also had the opportunity for private meetings with four of the SEC Commissioners. They also met with the head of the elder abuse project at the U.S. Department of Justice and had a private tour of the Supreme Court.

Civil Litigation Center

Students from the Civil Litigation Clinic (CLC) continued to represent indigent tenants in eviction cases referred by legal aid partners LAF, Cabrini Green Legal Aid and Lawyers Committee for Better Housing. While most of the cases settled after an exchange of discovery materials, the students won two cases on motions to dismiss and obtained partial summary judgment in a third case.

Students learned first-hand about the tribulations of being a litigator. In two cases, they prepared extensively for trial only to have the cases settle just before the trials were to start. Still, they got valuable experience taking depositions, preparing witnesses to testify, drafting opening statements and closing arguments, and even crafting motions in limine and jury instructions. Plus, in both cases the settlements allowed the tenants to maintain their highly valued housing subsidies.

Not all of the CLC cases involved evictions. One client was being sued for a deficiency judgment following a car repossession. The client signed for a $14,000 loan so her daughter, who was unable to get the loan herself, could purchase a used automobile. When the client’s daughter lost her job, she and the client surrendered the car to the creditor. It was difficult to understand how the client still owed $12,000, the amount claimed by the creditor. Due to the work of CLC students, the creditor’s attorney ultimately agreed to settle the case for $300 — just enough to pay the creditor’s court costs.

The CLC filed an appeal on behalf of a client in the Illinois Court of Appeals, and is awaiting a decision. In a first for the CLC, oral argument was granted in the case and two students argued the appeal in Court. The students were outstanding. The justices, when they learned that the two were students, expressed amazement and told them that they were better than most attorneys who appeared...
before the Court. Although the appeal is something of a long shot, a victory would benefit tenants who are harmed by their eviction records even when they prevail in their cases.

The CLC co-hosted a well-attended panel, “The Importance of Eviction Defense,” with the Northwestern Law Public Interest Center and LAF Young Professionals Board. Among the panelists was a former CLC student who works for a large litigation-oriented firm in Chicago while serving on the Young Professionals Board and representing indigent tenants on a pro bono basis. She ended up being the star of the panel.

Center on Wrongful Convictions of Youth

The Center on Wrongful Convictions of Youth’s 2017-2018 work continued to focus on our core expertise surrounding interrogations, confessions, and children. Among other things, our work has focused on the U.S. Supreme Court certiorari petition in Dassey v. Dittmann, which challenges the false confession of our client Brendan Dassey (whose case was profiled in the Netflix series Making a Murderer). The Center co-counseled on that petition with former U.S. Solicitor General Seth Waxman and his colleagues at WilmerHale; and it was supported by six certiorari-stage amicus briefs filed by authorities including the American Psychological Association; a consortium of sixty former prosecutors (including 17 former U.S. Attorneys); a coalition of former juvenile false confessors; and a leading national law enforcement training organization that uses Dassey’s interrogation video to train police “how not to interrogate.”

With our law students, our Center also worked on a number of other important cases this year. Working with colleagues at the University of Chicago, we secured the exoneration of our client John Horton in October 2017. We also continue to litigate the Illinois appeal of our client Jose Velasco, who has been incarcerated since 1999 for the murder of his best friend despite multiple eyewitnesses who have identified the real perpetrator.

Beyond our casework, all three members of our Center continue to speak publicly about interrogations and confessions, including at the National Forensics College, Duke Law School, the Innocence Center UPDATES

Corey Batchelor (left) with Kevin Bailey
Network conference, and several federal and state bar conferences. We also have spoken and written about the Brendan Dassey case as a vehicle for clinical legal education, including at Penn Law and at the Association of American Law Schools' clinical conference. And we continue to collaborate with other faculty here at Northwestern University. For instance, we worked closely with Kellogg faculty and students on a semester-long nonprofit consulting study, and we collaborated with philosophy professor Jennifer Lackey on her effort to bring education into the prison system. We also continue to publish scholarship, including most recently a book chapter on interrogations authored by all three CWCY members that appeared in Race, Rights, and Reform: 50 Years of Child Advocacy in the Juvenile Justice System (eds., Kristin Henning, Laura Cohen, & Ellen Marrus) (Routledge Press 2018).

Center on Wrongful Convictions

The Center on Wrongful Convictions (CWC) had an exceptional year of exonerations. In November, Kerry Masterson, one of the first CWC Women's Project clients, was found not guilty of a 2009 murder for which she had previously been convicted. At her original 2011 trial, Masterson's request to call an eyewitness identification expert was rejected by the judge. Despite the fact that Masterson did not even remotely match witness descriptions, a jury found her guilty of first-degree murder and the judge sentenced her to 58 years in prison. Karen Daniel and Andrea Lewis represented Masterson on her appeal, and secured a new trial in 2016.

In December, Raymond McCann II was granted a motion to vacate his 2012 perjury conviction. Police pursued McCann as a “person of interest” in the 2007 abduction and murder of an 11-year-old girl for years even though DNA evidence found on the victim did not match McCann. In 2012, with the investigation going cold, a detective persuaded the county prosecutor to issue a subpoena to require McCann to testify under oath concerning his whereabouts at the time of the victim’s disappearance. In 2014, the prosecutor then charged McCann with perjury during a murder investigation, which carries a life sentence. The charges stemmed from minor discrepancies between McCann’s recall of the events five years earlier and the recollections of others. After spending 11 months in jail awaiting trial and facing a potential life sentence, McCann pled no contest to one count of perjury, believing that he had no chance of being acquitted if there was a video that contradicted his recollection. He was sentenced to 20 months in prison in 2015. While he was in prison, the murderer was caught, and Greg Swygert represented McCann to get his perjury conviction thrown out.

In December, a judge threw out the confessions of CWC client Gabriel Solache and a co-defendant and state prosecutors dropped charges the following week. Solache and his co-defendant, Arturo DeLeon-Reyes, who were charged with a 1998 double murder and kidnapping, have consistently maintained that they were beaten into giving confessions by Detective Reynaldo Guevara. Solache was represented by the late Jane Raley and Karen Daniel from the CWC, as well as by Jeffrey Urdangen, director of the Bluhm Legal Clinic’s Center for Criminal Defense.

Environmental Advocacy Center

As environmental threats increasingly take center stage in the news, the Environmental Advocacy Center (EAC) strives to advance environmental justice and natural resource protection at the local, national, and international level.

ENVIRONMENTAL JUSTICE

EAC students fight for public health and environmental protection for low-income communities of color living on Superfund sites — land contaminated with lead, arsenic, and other toxins — in East Chicago, Indiana and DePue, Illinois. EAC’s Indiana work has led to indoor lead and arsenic dust cleanup, funding for lead paint abatement, and the replacement of lead service lines that impair drinking water quality, but the fight for stronger cleanups continues. EAC’s local efforts inform its national advocacy to improve Superfund and lead reduction programs.

On the Southeast Side of Chicago, EAC partners with its clients and other environmental organizations and presses for more controls on manganese — a neurotoxin and an input in steelmaking. In response, Chicago recently passed an ordinance prohibiting (i) new facilities that will handle manganese, and (ii) the expansion of existing manganese-handling facilities. The Chicago Department of Public Health also proposed rule changes designed to reduce manganese emissions from existing facilities.

Additionally, EAC has collaborated with public health and medical researchers, who conduct health studies with residents living in close proximity to manganese-handling facilities. These studies could provide support for additional legal and policy changes.

NATURAL RESOURCE AND WILDLIFE PROTECTION

EAC students work on natural resource and wildlife protection in Illinois and around the globe. EAC filed a lawsuit on behalf of farmers in rural Illinois to protect extremely rich farmland and groundwater threatened by a proposed silica sand mine. The silica sand would be used to support fracking, a technique used to extract gas from shale rock.
Although the complaint was dismissed by the circuit court, the dismissal was reversed on appeal. The appellate court’s decision created important precedent on issues of standing and prospective nuisance, and could prove valuable to other environmental advocates. Now, back before the circuit court, the parties are engaging in the discovery process.

At the international level, and as part of the Northwestern University-wide partnership with the World Wildlife Fund (WWF), EAC has supported WWF’s efforts to protect marine mammals in the Arctic. As the Arctic’s ice-free period lengthens, the likely increased industrial activity — shipping, natural resource extraction, fisheries and tourism — poses risks to wildlife. EAC students researched relevant laws and industry standards governing noise pollution. EAC and WWF plan to collaborate on additional, international environmental protection efforts.

Children and Family Justice Center

The Children and Family Justice Center (CFJC) had another busy year, promoting justice for children, adolescents, and their families through direct legal representation, policy advocacy, and law reform.

With respect to our direct service work, we continued to represent children and families in immigration proceedings, children in juvenile court, children charged or sentenced as adults, and young adults seeking to expunge their records and finally move past their childhood contacts with the system.

The CFJC’s policy work continued to advance system approaches that center the unique needs, qualities, and capabilities of young people. For example, we provided key expertise to the lawmakers behind the Youth Opportunity and Fairness Act, a groundbreaking reform of the juvenile expungement system inspired in large measure by the CFJC’s 2016 report on the issue. Our work on gun violence issues, advocating for a public health approach, also continues, as does our advocacy to ensure that youth have access to a hearing in juvenile court when accused of serious offenses. Our policy team also launched a series of youth incarceration-related projects, including a year-long publication series, Community Safety and the Future of Illinois Youth Prisons. Co-produced by Stephanie Kollmann, policy director of the CFJC, the series addresses the history and evolution of the Illinois youth prisons, exploring the ways in which factors such as race, youth development, and community dynamics impact the treatment of youth in conflict with the law.

The CFJC’s Coalition for the Fair Sentencing of Children continued its focus on supporting litigation in cases involving life without parole and other lengthy sentences imposed on youth, authoring amicus briefs on cutting-edge sentencing issues, and providing expertise on policy reform efforts to return parole to Illinois for youth. The Coalition also spearheaded a new task force designed to provide reentry resources to individuals returning home after spending decades in prison.

Finally, CFJC lawyers presented at various conferences throughout the year including the American Association of Law School’s Clinical Legal Education conference, where Shobha Mahadev and Scott Main were recognized for the remarkable work of the Coalition and its impact on the quality of justice nationwide. Julie Biehl was also recognized this year with a Visionary Award from the Safer Foundation and was named by the law school to the 2017-18 Harry B. Reese Teaching Professorship. Looking toward 2018, we are thrilled to expand our immigration practice with the recent addition of our Immigration Fellow, Amy Martin, and look forward to continuing our “Lawyering and Race” speaker series.
MacArthur Justice Center

The MacArthur Justice Center achieved an important victory in the fight for federal court oversight and community accountability of the Chicago Police Department (Campbell v. City of Chicago). The Campbell case led to a groundbreaking agreement with the Illinois Attorney General and the City of Chicago under which community activists gained a seat at the negotiating table for a court-enforceable decree to restrain the CPD’s use of force. This spring, as part of the negotiating process, the Campbell community coalition released the Community Consent Decree, addressing almost every aspect of CPD operations—including how the CPD interacts with Black and Latinx communities, people with disabilities, young people, women and LGBTQI individuals.

In June, MacArthur filed a class action lawsuit targeting the Chicago Police Department’s inaccurate, racially discriminatory Gang Database. The lawsuit challenges the inclusion on the database of thousands of individuals, most of them Black and Latinx, often for bogus reasons or no reasons and without any process for challenging the gang designations. The consequences of inclusion are devastating. It can lead to deportation or block the ability of a designated individual to obtain a state license and pursue a career.

Also in June, MacArthur Director Locke Bowman, and co-counsel at Loevy & Loevy, represented Jacques Rivera in a four week jury trial in the federal court in Chicago. Mr. Rivera spent 21 years in prison after being framed for murder by Chicago Police officers led by disgraced for Chicago Police Detective Reynaldo Guevara. On June 29th, the jury awarded Jacques $17 million in compensatory damages.

The MacArthur Center is working nationally for an end to the use of solitary confinement. MacArthur attorney Danny Greenfield has achieved a number of important victories in courts of appeals around the country. In one case, Wallace v. Baldwin, the Seventh Circuit held that a person in solitary confinement could be in “imminent danger of serious physical injury” and, accordingly, was not required to pre-pay the entire filing fee. Remarkably, for the future of solitary confinement litigation in the Circuit, the opinion acknowledged the “scientific consensus . . . that prisoners held in solitary confinement experience serious, often debilitating—even irreversible—mental and physical harms, including the increased risk of suicide.”

MacArthur had important successes in other prisoner rights appellate matters. One example is Wilcox v. Brown, in which the Fourth Circuit reversed a district court order that found no violation of a prisoner’s free exercise rights occurred when the prison prohibited congregate worship among Rastafarians. The case also established that prisoners in the Fourth Circuit can obtain monetary relief for violations of their religious freedom, despite a provision in the Prison Litigation Reform Act that some courts have interpreted to bar such relief. Northwestern 3L Charlie Hogle argued the case.

Center for Capital Defense

The Center for Capital Defense had another productive year representing indigent clients facing the death penalty. Among other cases, we continued to fight for the freedom of Rigoberto Avila, Jr., who has been on Texas’s death row since 2000. After our three-day evidentiary hearing in El Paso, Texas, in March 2017, the state-court presiding judge deferred her ultimate decision in the case pending briefing and final argument. A team of our clinic students spent much of fall semester 2017 preparing detailed briefs arguing that biomechanical evidence concerning the decedent’s injuries show that his death may well have been an accident. Students also researched and drafted arguments to demonstrate that such biomechanical analysis was not reasonably available at the time of Mr. Avila’s trial in 2000. In January 2018, our students played an active role in several moot court proceedings to prepare lead counsel Catherine Crawford (formerly a member of the Bluhm Legal Clinic faculty) to present final argument in Mr. Avila’s case, and two students attended the final argument in El Paso in mid-January. They met with Mr. Avila after the argument to discuss case strategy and answer his questions about the next steps in the litigation. He remains patient, hoping for a favorable ruling. A decision is expected later this year.

Throughout the 2017-2018 academic year, our students were also extensively involved in the initial appeal for Gabriel Hall, another death-sentenced client in Texas, which we are co-counseling with our counterparts in the Capital Punishment Clinic at the law school of the University of Texas at Austin. Each week, via videoconference, our students took part in a team meeting with law students at UT-Austin, analyzing the trial record and discussing their legal research into potential appellate issues. In the spring semester of 2018, work on the Hall appeal went into high gear as the filing deadline approached, with our students taking responsibility for drafting extensive portions of the opening brief. The brief was filed on time (with the Texas Court of Criminal Appeals allowing us to substantially exceed the usual word limit), and the case remains pending. Mr. Hall was only eighteen years old at the time of the crime and had never previously been in trouble with the law. In Fall 2018, we expect to receive the State’s responsive brief and to file a reply in support of a new sentencing hearing for Mr. Hall.
Faculty Publications

The following is a selection of scholarly works by Clinic faculty and fellows published between July 1, 2017, and June 30, 2018.

Sheila Bedi
CLINICAL ASSOCIATE PROFESSOR OF LAW

Julie L. Biehl
CLINICAL ASSOCIATE PROFESSOR OF LAW

Annalise Buth
MR BAUER FELLOW IN DISPUTE RESOLUTION

Alyson Carrel
CLINICAL ASSISTANT PROFESSOR OF LAW

Brian Citro
CLINICAL ASSISTANT PROFESSOR OF LAW

Lynn P. Cohn
CLINICAL PROFESSOR OF LAW

Megan Crane
CLINICAL FELLOW

Steven Drizin
CLINICAL PROFESSOR OF LAW

Alison R. Flaum
CLINICAL ASSOCIATE PROFESSOR OF LAW

Lynn P. Cohn
CLINICAL PROFESSOR OF LAW

Stephanie Kollmann
CFJC POLICY DIRECTOR

Nancy C. Loeb
CLINICAL ASSOCIATE PROFESSOR OF LAW
“Trump’s EPA is not following through on promises to protect our air and water.” The Hill. 2017.

Steven Lubet
EDNA B. AND EDNYFED H. WILLIAMS MEMORIAL PROFESSOR OF LAW


“The First Thing We Do, Let’s Blame All the Lawyers.” Chicago Tribune. 2017.


Laura Nirider CLINICAL ASSISTANT PROFESSOR OF LAW


David Scheffer MAYER BROWN/ROBERT A. HELMAN PROFESSOR OF LAW


Sarah O. Schrup CLINICAL ASSOCIATE PROFESSOR OF LAW

“There is No Need to Criminalize the Death of a Loved One by a Loved One.” Los Angeles Times (with Matthew Kugler). 2017.

David M. Shapiro CLINICAL ASSOCIATE PROFESSOR OF LAW


Juliet Sorensen CLINICAL PROFESSOR OF LAW


Alexa Van Brunt CLINICAL ASSOCIATE PROFESSOR OF LAW


AWARDS

Esther Barron was named to the Techweek 100 list - a list of the 100 most influential people in technology in Chicago.

Julie Biehl received the Visionary Award from the Safer Foundation.

Lynn Cohn received the International Institute for Conflict Prevention and Resolution Award for Outstanding Scholarship in dispute resolution.

Steven Drizin received Haverford College’s Haverford Award, which rewards alumni who “best reflect Haverford’s concern with the uses to which they put their knowledge, humanity, initiative and individuality.” He also received Northwestern Law’s 2017 Dawn Clark Netsch Public Service Award, given to alumni with exceptional career achievements and dedication to government service or public interest.

Laurie Mikva received the Chicago Volunteer Legal Services Standout Volunteer Award.

Laura Nirider was an Annual Gala Honoree at 7th Annual Young Women in Law Charity Gala in Toronto. She also received Northwestern Law’s 2017 Dawn Clark Netsch Public Service Award, given to alumni with exceptional career achievements and dedication to government service or public interest.

David Scheffer received the Center for Justice and Accountability’s Champion of Justice Award.
PRESENTATIONS

Bridget Arimond
“Sexual harassment in the workplace and in the public sphere: The U.S. Perspective, Supreme Court of Georgia,” Tbilisi, Georgia, December 2017.

Esther Barron

Julie Biehl
Presentation on our research and recommendations from our Building a Safe Chicago: Calling for a Comprehensive Plan the Illinois Campaign For Political Reform conference entitled Chicago’s Big Challenge: Neighborhood Safety and at Young Chicago Author’s event entitled The People Speak: Voices Against Violence.

Alison Carrel
“ODR: How Technology Impacts Client Expectations in Mediation - highlighting the technological advances used in law and business that will change expectations of mediators in the future,” World Mediation Congress, March 2018.

Brian Citro

Karen Daniel


Steve Drizin
“Juvenile False and Coerced Confessions (with Laura Nirider),” Chicago Bar Association Luncheon Speaker Series, September 2017.

Carolyn Frazier
“Mastering the Case File: Hacks You Can Teach Your Clinic Students,” AALS Clinical Conference, April 2018.

Thomas Geraghty
“Training for Ethiopian Clinical Teachers,” Addis Ababa University, Addis Ababa Ethiopia, March, April, 2018.

Darren Green

Maria Hawilo
“Training for Ethiopian Clinical Teachers,” Addis Ababa University, Addis Ababa Ethiopia, March, April, 2018.

Nancy Loeb

Shobha Mahadev
“Demystifying “Chiraq”: How to Effectively Build Safer Communities and Address Violence in Chicago,” panelist, Loyola University Chicago School of Law, November 2017.

Laura Nirider

Uzoamaka Nzelibe
“Mastering the Case File: Hacks You Can Teach Your Clinic Students”, AALS Clinical Conference, April 2018.
Stephen Reed

Stephen Sawyer
“Discussion with the authors (Professors John Yoo and Jeremy Rabkin) concerning their book entitled “Striking Power,” Federalist Society, September 2017.

David Scheffer

Sarah Schrup
Moot Court Society, presenter, September 2017.

David Shapiro
“Training for Ethiopian Clinical Teachers,” Addis Ababa University, Addis Ababa Ethiopia, March, April, 2018.

Juliet Sorensen
“An Assessment of Radio-Based Education about Female Genital Cutting and Health and Human Rights Issues in Douentza, Mali,” co-presenter, 5th Annual International Conference on Sustainable Development (Best Paper Award), 2017.

Alexa Van Brunt
“Training for Ethiopian Clinical Teachers,” Addis Ababa University, Addis Ababa Ethiopia, March, April, 2018.