

News & Notes

Northwestern University School of Law

Winter 2002

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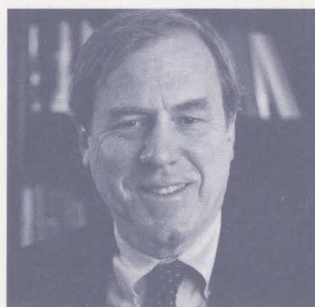
Report of the Clinic Director

A Productive Year for the Legal Clinic

by Thomas F. Geraghty, Director

I am pleased to report that the Bluhm Legal Clinic has had another wonderful year, thanks to the efforts of our clinical faculty, students, and staff. We also owe profuse thanks to our alumni and friends and to the foundations that so generously support our work. All participants and supporters of the clinic should feel proud of their contributions to legal education and of the involvement of our faculty and students in important issues of the day.

This newsletter details activities ranging from providing solid educational experiences for students to collaborating with organizations seeking law reform and justice. As demonstrated by these highlights, we are training good citizens as well as ethical, committed, and skillful lawyers, and our efforts at justice reform are making progress:



Tom Geraghty

- **During the last year our students**, under the supervision of clinical faculty, tried 30 cases in the Juvenile Court of Cook County. We won some and we lost some, as should be expected. Students led the defense of these cases under the close supervision of clinical faculty. They conducted investigations, researched the legal issues involved, represented clients at trial, and handled posttrial motions and sentencing hearings. Student reports confirmed that this kind of work,

involving close contact with clients and their families as well as the opportunity to learn about our justice system through participation in trials, provides solid and rewarding learning experiences. Some of these cases are described in the "Significant Cases" section of this newsletter beginning on page 11.

- **Our Center on Wrongful Convictions (CWC)**, under Larry Marshall's leadership, has expanded with the hiring of Rob Warden as executive director in charge of public relations and development and of Karen Daniel and Jane Raley, experienced death penalty litigators, as clinical associate professors. Students and faculty drafted the appellate briefs in the Seventh Circuit's first federal death penalty case, prepared and presented oral arguments in the Supreme Court of Illinois, and filed state postconviction petitions.
- **The Children and Family Justice Center (CFJC)** will celebrate its 10th anniversary this year with a speaker series and a spring celebration. Under Bernardine Dohrn's leadership, the CFJC continues to focus on improving the Juvenile Court of Cook County while becoming more active nationally and internationally on issues such as the juvenile death penalty; "zero-tolerance" and immigration policies affecting children; and juvenile justice reform, including developing models for effective representation of children, videotaping of confessions, determining the fitness of young children to stand trial, and rolling back automatic transfer laws.
- **The Small Business Opportunity Center (SBOC)**, under the leadership of Tom Morsch with able assistance from Caitlin Cameron, continues to expand, adding new clients and developing a well-deserved reputation in the community for providing high-quality legal representation. The SBOC has also created a very active student board and has forged links to Northwestern's J. L. Kellogg School of Management.
- **The Center on International Human Rights (CIHR)**, led by Doug Cassel, is a beacon for international justice reform. The

center has addressed, among other matters, the International Criminal Court, the death penalty in the United States, truth commissions, economic rights, and NATO's humanitarian intervention. Doug's commentaries and his recognized leadership in human rights advocacy, particularly in Latin America, provide a critical service and enrich the experiences of students and faculty.

- **The Bluhm Legal Clinic's faculty and students** have also collaborated with other law schools and organizations to design programs that both educate and provide leadership and service. An example is our work with the American Bar Association (ABA), the ChildLaw Center of Loyola University Chicago School of Law, and the National Institute for Trial Advocacy (Hollis Hill '75 represented NITA in this collaboration) in support of a series of conferences on the implementation of the United Nations Convention on the Rights of the Child in East Africa. Please see page 19 for more.
- **Our Program on Advocacy and Professionalism** continues to prosper, thanks to professors Bob Burns and Steve Lubet and our talented and dedicated adjunct faculty, who make it possible for us to teach these courses in a small-group setting.
- **Professors Burns and Lubet** have published a new edition of *Problems and Materials in Evidence and Trial Advocacy* as well as a second edition of *Evidence in Context*. NITA has also published a second edition of *Exercises in Professional Responsibility* by Burns, Geraghty, and Lubet.

The work described is paying off in a number of ways. First, it provides our students with experiences designed to both sharpen skills and widen perspectives. Second, the cases and projects are generating student excitement and commitment that extend beyond the Legal Clinic into professional lives after graduation. This newsletter notes the publications of graduates based on their participation in the Law School's International Team Project (see page 20). We hope to continue to strengthen the relationships between our clinical program and our graduates and to recognize graduates' good work.

A final note: Thanks and farewell go out to two vital members of the clinic who left us in 2001. Bruce Boyer '86, who was a member of the clinical faculty for 12 years and a cornerstone of the CFJC's advocacy work in child welfare, left in June to become the director of the ChildLaw Center of Loyola University Chicago. Bruce is the best colleague and teacher anyone could hope for. I console myself with the knowledge that he is only a few blocks away and that there is a close relationship between the Northwestern and the Loyola clinical programs. Paulette Van Zant, who worked with me for 25 years, left in August to live near her family in Macon, Georgia. Paulette was a mainstay of our office, keeping track of my activities and managing our trial advocacy courses. She will be missed.

Bluhm Legal Clinic director Thomas Geraghty is a professor of law and associate dean for clinical education. In 2001 he received the American Bar Association's Livingston Hall Award for contributions to juvenile justice and was named to the National Trial Advocacy board of directors.

Dean's Message

A vibrant and varied clinical program is a cornerstone of a great legal education. We are proud of the quality of our clinical program and the national stature it has achieved. The Bluhm Legal Clinic is arguably the best of its kind in the country and is recognized year after year in *U.S. News and World Report's* ratings.

A few years ago we set forth goals to expand the number and the variety of clinical opportunities — both live-client and simulation situations — and to emphasize the connection between pedagogy and reform of law and legal institutions. Students hone their trial skills in simulation programs such as our Program on Advocacy and Professionalism and the Fred Bartlit Center for Trial Strategy. They represent and counsel clients through the Children and Family Justice Center (CFJC), the Small Business Opportunity Center (SBOC), the Center for International Human Rights (CIHR), and the Center on Wrongful Convictions (CWC). They work as externs within courts, businesses, public interest organizations, and government offices.

What makes our clinical program unique among American law schools, however, is that it not only teaches the practice of law but also influences the resolution of key social issues and the reform of laws and legal institutions. Several of the clinic's centers are nationally



Dean Van Zandt

recognized for their direct involvement in legal reform. I believe that law schools must be involved in efforts to raise public awareness of important issues and in formulating solutions, and I am proud of our social consciousness.

The accomplishments described in this newsletter are a tribute to our faculty, students, and staff, and I want to thank all who make our wonderful clinical program successful. I also want to invite all who commend it and its benefits to students to consider a contribution to further its mission. Many of our programs depend on foundation grants that, although generous, are not permanent. We must put these programs on firmer financial ground.

As always, I want to hear from our community. If you have any questions or thoughts about the clinic or our programs, please do not hesitate to get in touch with Tom Geraghty or me.

David E. Van Zandt
Dean and Professor of Law

Reports from the Center Directors

Children and Family Justice Center Casts a Wide Net

by Bernardine Dohrn, Director

The chief mission of the Children and Family Justice Center (CFJC) is to improve the quality of justice for children. Our pedagogic mission is to teach and prepare law students, social work students, and pro bono attorneys to practice zealous advocacy in the representation of young clients.

We are committed to outstanding teaching and promote active learning by doing. In addition to preparing law students and social work students, we engage judges in ongoing education, both as teachers and students; develop state-wide juvenile court judges' educational curricula and annual training; and recruit, train, and support volunteer attorneys from major law firms.



Bernardine Dohrn

The center's work is collaborative. A prime example is the Clinical Evaluation and Services Initiative (CESI), directed by Julie Biehl, with

the CFJC and the University of Chicago Department of Psychiatry as coprincipal investigators. Located at the Juvenile Court of Cook County, CESI was invited by the chief judge of the Circuit Court of Cook County to propose a redesign of the system for the acquisition and use of clinical evaluation and mental health information for court determinations. CESI currently pilots that reform in six courtrooms.

During the last year the CFJC has worked on a wide range of issues, with strong focus on these four areas:

1. Harsh and ineffective criminal justice policies aimed at delinquent youths

The center is part of a national initiative to abolish the juvenile death penalty as well as a campaign to repeal automatic transfer laws that require some children to be tried in criminal court. We also lead efforts to address the needs of girls in juvenile justice.

In collaboration with the American Bar Association's Juvenile Justice Committee and a national network of experts, the CFJC has developed a comprehensive strategy to abolish the juvenile death penalty. Using students as our researchers, we have identified states that are reconsidering their practice of executing juveniles and are working with grassroots groups to spearhead abolition efforts. We also provide technical assistance to local counsel in death-eligible cases coming to trial; assist



Northwestern law students Nandini Acharya '03 (left) and David Winters '02, working on a domestic relations case under the supervision of Christina Gabriel Kanelos (center), appear before Cook County Circuit Judge Carole Bellows '60.

counsel in developing a communications strategy in cases with fast-approaching execution dates; promote the effective use of international law and the engagement of human rights entities; forge new coalitions of children's organizations, agencies, and mental health professionals to oppose the execution of children; and have designed an effective public education strategy, anchored by the outstanding ABA juvenile death penalty Web site (www.abanet.org/crimjust.htm).

The CFJC has also been on the forefront of focusing attention on the perils that children face when interrogated by police and has helped organize two national conferences on this issue. The first, a panel on the occasion of the Children's Court Centennial Commemoration, featured Steven Ceci of Cornell University, an expert in developmental psychology, and Richard Ofshe of the University of California, Berkeley, one of the leading experts in the field of false confessions. The second conference, "Protecting Children, Preserving the Truth," was convened by center attorney Steve Drizin in partnership with Loyola University Chicago Law School in 2000. Exploring improvements in law and practice, national experts and other participants discussed and debated the feasibility of solutions like videotaping interrogations and providing youths with attorneys at the police station in investigations of serious crimes.

The center in 2000 also convened a regional symposium at Northwestern entitled "Princess or Predator: Girls, Gangs, and Juvenile Justice." Young women themselves addressed the issues they confront in the legal system based on male models, on their own needs, and on the bias and inequity they face. Panels included reporters, psychologists, social workers, probation workers, and correctional workers, with a keynote by nationally recognized expert Meda Chesney-Lind of the University of Hawaii. The center invited and featured the authors of a controversial report by the Chicago Crime Commission, as well as girl poets and artists.

2. Zero tolerance and school exclusion

Center attorney Angela Coin has concentrated her work in school expulsion cases. Frequently, youngsters are arrested in schools and face additional delinquency charges in which we also represent them. Coin has developed a network of pro bono attorneys in private law firms dedicated to bringing due process, transparency, and fairness to the issues of school exclusion and school discipline. Her experience over three years of legal work has resulted in the creation of a network of advocates and a growing list of recommendations for rethinking current school disciplinary policies.

Michelle Light, our National Association for Public Interest Law (NAPIL) fellow concentrating on developing effective alternatives to school expulsion and exclusion, has created a national newsletter, *Scoop from the Loop*, to report on local and national developments, law, and practices. (See her article on page 24.) Her work highlights the need for transparency and accountability by school boards and calls for individual boards to report on suspension, expulsion, and dropout rates on a school-by-school basis, much as school test scores are published. Simultaneously, schools must be given the tools to implement a range of appropriate sanctioning and disciplinary measures governed by appropriate pedagogy and child development.

3. Neighborhood justice models

The center is committed to community-based solutions and remedies for children in crisis, improvement in community decision making by extending knowledge of adolescent development, and creation of appropriate new policies and practices. Community Panels for Youth (CPY) and other methods of community justice are strong mechanisms for keeping youths out of juvenile and criminal court while assuring their accountability to both victims and their communities.

- **The center's Community Law Clinic in West Town/Humboldt Park**, anchored by director Angela Daker, is located in the neighborhood Northwestern Settlement House. Law students, social work students, and volunteers participate in supervised case intake and activity at a settlement house in a neighborhood of immigrants, providing legal advice and making referrals to other service providers.
- **Community Panels for Youth** are now established in six neighborhoods to recruit local residents, offer training in mediation and adolescent development and needs, and hear the stories of both the children charged in delinquency offenses and their victims. The panels then recommend a contract or agreement to repair the harm and to encourage youngsters to stay out of trouble. This is a community restorative-justice model that fights for both youth accountability and youth success. In collaboration with CPY volunteers and the Office of the State's Attorney of Cook County, center attorneys Cheryl Graves and Ora Schub and staff director Geoffrey Banks coordinate training and administer

the community panel hearings in six communities. CPY has also developed a citywide advisory board and has prepared an outstanding manual. Its new book, *Community Panels for Youth: A Community-Based Alternative to Juvenile Court, A Guide to Local Action*, is available from the CFJC.

4. Domestic violence

The center is working to curtail domestic violence in several ways: through a domestic and family violence initiative, advocacy for youths involved in multiple legal jurisdictions, and representation of children at immigration proceedings.

- **Domestic and family violence initiative:** The Domestic Violence Relief Project provides legal representation to survivors of domestic violence caught in multiple systems. Center attorneys Vanessa Meléndez Lucas, Christina Gabriel Kanelos, and Ora Schub represent battered immigrant women, youths, and children (with or without immigration status) and women or girls at risk of losing custody of their children or seeking to regain custody of their children in homes where domestic violence exists. Representation of domestic violence survivors cuts across numerous legal boundaries, including child welfare, immigration and asylum, domestic relations, delinquency, and education.
- **Advocacy for youths involved in multiple legal jurisdictions:** In matters of school exclusion, foster care, delinquency, or health and disability law, youths who experience domestic violence may find themselves in multiple legal jurisdictions, without comprehensive representation. Center attorneys coordinate and integrate this comprehensive advocacy for youths and bring experience in domestic and family violence to bear on the legal representation of all youths.
- **Immigration issues:** Ora Schub, Steve Drizin, and Vanessa Meléndez Lucas represent unaccompanied children in the custody of the Immigration and Naturalization Service in Chicago. Working with the Midwest Immigrants Human Rights Center of the Heartland Alliance, CFJC attorneys and law students have sought asylum for youngsters from Somalia, El Salvador, China, and Indonesia. In addition, the CFJC director, as a member of the ABA's Immigration and Bar Activation Committee, has worked to recruit and train volunteer attorneys to represent unaccompanied children in INS proceedings. The center, in partnership with the ABA, the Women and Children's Refugee Committee, and Lutheran Immigrant and Refugee Services, conducted a seminar and legal training for over 150 attorneys at Northwestern during the ABA annual meeting in Chicago in August 2001.

Bernardine Dohrn, a clinical associate professor of law and CFJC director, is the editor of two recently released books: Zero Tolerance: Resisting the Drive for Punishment in Our Schools and A Century of Juvenile Justice.

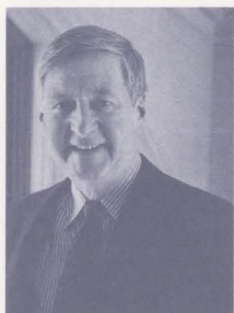
Small Business Opportunity Center Adds Clients

by Thomas H. Morsch, Director

The Small Business Opportunity Center (SBOC) started the fall 2001 term with more than 50 entrepreneurs, startups, and nonprofit organizations on its client list.

For example, two sisters who are opening a retail clothing store in the Bucktown neighborhood have asked our students to draft a limited liability company operating agreement and negotiate their lease. Another client has developed a proprietary recipe for making smoothies. The SBOC is incorporating the business and consulting with the client on equity financing for his venture.

On the not-for-profit side, the SBOC is representing City at Work, which is renewing the community murals on the Hubbard Street railroad embankment. It is also representing



Tom Morsch

the Metcalfe Collection, established to preserve the papers and perpetuate the memory of the late Ralph Metcalfe, an Olympic medal winner and longtime congressman from Chicago's First Congressional District.

Since Caitlin Cameron joined the faculty last year as its assistant director, the SBOC has been able to substantially expand the number of clients served and the number of students who can participate in the program. In fall 2001 there were 12 students participating, including second- and third-year law students and JD/MBA candidates.

Paula Wells, program assistant, in addition to her regular responsibilities has helped several SBOC clients with fundraising proposals and events. These clients include the Illinois Center for Rehabilitation and Education Wood Alumni Association, a group of blind and visually impaired individuals; Bamm! Worldwide, Inc., which hosted an Academy Awards

party in the Law School atrium; and the Serene Entitlement and Empowerment Foundation, which is seeking to have Jean Baptiste Pointe DuSable Day designated as a commemorative event on the official calendar of the city of Chicago.

The SBOC student board was named the outstanding organization at the Law School for 1999–2000 by the Student Bar Association. In June 2001, at a reception and dinner in Evanston, the student board was recognized as the best graduate student organization at Northwestern University. The SBOC was congratulated for its close working relationship with the J. L. Kellogg School of Management, and Caitlin Cameron was recently appointed by Dean Van Zandt as co-adviser with Tom Eovaldi in the Law School's new three-year combined JD/MBA degree program. Currently the SBOC is exploring cooperative programs with the Robert R. McCormick School of Engineering and Applied Science.

In addition to their other activities, members of the SBOC student board, led by president Katie Holahan '02, spearheaded fundraising activities, sponsored a speakers series and a brown-bag luncheon for first-year students interested in transactional law, and made presentations to community organizations on starting a new business. The organizations

visited last year include the Women's Business Development Center, Asian American Alliance, and Korean American Community Services.

Law schools around the country continue to ask the SBOC how to start their own transactional clinics. A recent grant from the Kauffman Center for Entrepreneurial Leadership specifically provides for five days of consultation with the law school at the University of Missouri–Kansas City. At its annual conference in January 2001, the U.S. Association for Small Business and Entrepreneurship gave the center director an award for the best paper on teaching entrepreneurship.

In June 2001 Margaret Benson, assistant director of Chicago Volunteer Legal Services, received the prestigious Public Service Award from the Chicago Bar Foundation. This award, given annually to a lawyer who has spent his or her professional life in the public sector, was established and named in recognition of center director Morsch's long career in pro bono and public interest law. Professor Larry Marshall was honored at the same meeting for his death penalty work.

Thomas Morsch, a clinical associate professor of law and SBOC director, serves on the boards of Public Interest Law Initiative and Catholic Charities of Chicago.

SBOC client presentation at the Asian American Alliance: (from left) Caitlin Cameron, Leslie Hauser '01, and Marybelle Ang '01



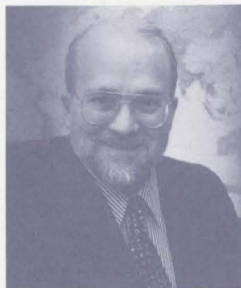
Center for International Human Rights Focuses on Four Areas

by Douglass Cassel, Director

The purpose of the Center for International Human Rights, founded in 1998, is to promote human rights, democracy, and the rule of law worldwide through education, advocacy, and application of international human rights law.

The center's work to date and its current and future activities fall mainly into four priority areas: human rights in Latin America, corporate human rights responsibilities, free trade and investment and human rights, and international and transitional justice.

The center's past work was described in its first annual report in 1999. This update focuses on current and planned activities in the four priority areas before mentioning others briefly.



Doug Cassel

1. Human rights in Latin America

• **Tribunal of Opinion:** Since the center convened a Tribunal of Opinion in 2000 on a Colombian military bombing of civilians, we have made progress in assisting the victims while highlighting the negative human rights consequences of U.S. military aid to Colombia.

Our first use of the tribunal's judgment against the military was to provide moral reparations to the victims. In Colombia we presented the judgment to an athletic stadium full of people, including the victims. In a moving ceremony, we read aloud the conclusions and recommendations. The message heard by the victims was that law and justice stand with them, not with their government.

We also pressed for official justice. Both before and after the judgment, we met with officials of the Colombian government, the United Nations office in Bogota, and the U.S. Embassy and State Department, as well as with members of Congress. A State Department official told us that because of our efforts, a case that had "fallen off their radar screen" was placed prominently on the bilateral agenda.

In Colombia we held a well-publicized press conference to announce the judgment. The Colombian Air Force then held a counter press conference in which it announced the establishment of a three-judge military tribunal to reopen the case. In spring 2000 both ABC News and the Associated Press began investigating the case. In June the Colombian press reported that the military tribunal had indicted the helicopter pilots and crew for the bombing. While this is a step forward, we continue to insist on a civilian investigation and prosecution. To keep up the pressure, we expect to file a

complaint before the Inter-American Commission on Human Rights in Washington.

The center became involved in the conflict after an explosion in the peasant village of Santo Domingo in December 1998 killed 17 civilians, including 6 children, and wounded another 25. The townspeople claimed a Colombian military helicopter bombed them; the military blamed the guerrillas. Two military court inquiries were opened, only to be closed. Civilian inquiries were referred back to the military courts.

Concerned that Colombian "justice" would go nowhere, the Office of Peace and Justice of the Franciscan Family in Bogota asked us to conduct a Tribunal of Opinion in Chicago. Although our tribunal would have no official status, it could conduct a serious investigation, hold a fair public hearing, and issue a truthful judgment.

Working with the Franciscans and Colombian human rights groups, we investigated the case and in July 2000 named a Tribunal of Opinion presided over by former Illinois Supreme Court Justice Seymour Simon. The distinguished members included Auxiliary Bishop Thomas Gumbleton of the Detroit Catholic Diocese, Rev. Ted Keating of the Conference of Major Superiors of Men, Maricela Garcia of the Illinois Coalition for Immigrant and Refugee Rights, and Dawn Clark Netsch of the Law School faculty. (A full list appears in the judgment of the tribunal.)

When Colombia declined to defend itself, we appointed two volunteer lawyers specializing in international law and litigation to defend it before the tribunal, and another to represent the victims. The tribunal held public hearings at the Law School in September 2000. Public attendance and publicity were promoted by a coalition of religious and solidarity organizations. We flew in four victims to testify, as well as expert witnesses like Jesuit priest Javier Giraldo, a leading human rights defender in Colombia. In December 2000 the tribunal's 65-page judgment unanimously found the Colombian military responsible for the bombing. It detailed testimonial and forensic proof, including an FBI lab report.

Our work also seeks to demonstrate that human rights conditions on U.S. military aid — and hence the aid itself — are not workable. Opposing presidential certification that Colombia met the human rights conditions on U.S. aid, we sent the results of our investigation to the State Department. President Clinton denied certification but waived the conditions and sent the aid — not what we wanted, but certification would have been worse.

In addition, based in part on our efforts, Senator Patrick Leahy of Vermont wrote to then Secretary of State Madeleine Albright asking that the military units involved in the case be decertified from receiving U.S. military aid under the "Leahy Law." That law prohibits aid until the host government brings people responsible for human rights violations to justice.

We have no illusions that our efforts will produce either swift justice or an early end to U.S. military aid. But we have



The CIHR held public hearings in 2000 in the Law School's Lincoln Hall for a Tribunal of Opinion on military bombings in Colombia.

shown solidarity with our Colombian brothers and sisters, provided the victims a measure of moral reparation, uncovered the truth, sensitized U.S. officials, helped to educate public opinion and leaders, brought international pressure to bear, and joined the struggle that will be required to humanize Washington's policy toward Colombia.

- **Asylum for refugees:** In the last two years we have provided "academic asylum" to two Colombian human rights lawyers and law professors whose lives were threatened by paramilitary death squads. The first assisted us last year with the Santo Domingo case, and the second is now working here on a major study of indigenous rights in Latin America. A Colombian Jesuit priest has asked us to assist more such refugees, and we are currently exploring the possibilities. Our extensive Spanish-language human rights library and our Spanish-language capabilities make our center an attractive venue for this purpose. We also continue to provide expert witness testimony in support of applications for political asylum from Central America and Colombia.
- **Justice reform:** The CIHR director is serving as president of the board of the new Justice Studies Center of the Americas, based in Santiago, Chile. He was nominated for the role by the U.S. government and elected by the Organization of American States. The mission of this body is to promote justice reform throughout the hemisphere, with an initial emphasis on criminal justice.

- **Inter-American human rights system:** The center won an important case before the Inter-American Commission on Human Rights, establishing new hemispheric jurisprudence on the independence of the judiciary and rights of due process. It also cosponsored a two-day conference of experts from Canada, Mexico, and the United States on the inter-American human rights system and North America. The center director published scholarly articles and commentaries and lectured at conferences in New York and Costa Rica on inter-American human rights law.

2. Corporate human rights responsibilities

The center has begun discussions with the new Ford Center for Global Citizenship at the J. L. Kellogg School of Management about initiating joint courses, research, and seminars for graduate students and business executives on corporate human rights responsibility.

The center's analysis of wage standards — required by the Fair Labor Association and the Workers Rights Consortium and containing data on poverty levels in developing countries — facilitated a dialogue between the Northwestern Students against Sweatshops and the University. As a result, Northwestern, already a member of the association, agreed to join the consortium as well.

3. Free trade and investment and human rights

The center is halfway through a two-year research project, funded by the Searle Fund, examining the common thesis that open markets lead to greater respect for individual rights. We are focusing on developing democracies in Latin America and East Asia. We have signed a contract with Praeger Publishers for a book version of the study and also plan a conference this year.

The research from that study will also be of use in a separate project the center began last year, focusing on the impact on human rights of the proposed Free Trade Agreement of the Americas and related investment agreements, including on economic and social as well as civil and political rights.

4. International and transitional justice

The center has promoted international and transitional justice programs in the following areas:

- **International Criminal Court (ICC):** We sponsored a debate on the ICC between Ken Roth of Human Rights Watch and John Bolton of the American Enterprise Institute, as well as a presentation by U.S. war crimes ambassador David Scheffer.
- **Transitional justice:** Over the last two years the center director has been invited to Ghana, Indonesia, Panama, and Peru by government officials and nongovernmental groups to advise them on transitional justice issues, including prosecutions and truth commissions used by governments following democratic transitions to hold human rights violators

accountable. He has also provided advice on such matters to the Ford Foundation and the U.S. State Department. The center is hosting four Indonesian human rights lawyers, including a supreme court justice, for a one-year LLM program in human rights and transitional justice.

- **Universal jurisdiction:** The center assisted Amnesty International in London to prepare a global survey of national laws on universal jurisdiction for presentation to the World Court in the pending case of *Congo v. Belgium*. The center director's scholarly articles on universal jurisdiction in the United States have been cited favorably in articles and speeches by the State Department war crimes ambassador.

Other areas of work

In addition to the four priority areas outlined above, the center has made progress on projects concerning the death penalty and privacy issues.

- **Death penalty:** The center represents the Consul General of Poland in the case of a Polish citizen sentenced to death in Chicago. The Polish citizen was not advised of his right to consular assistance, and his American defense lawyer was demonstrably incompetent. The U.S. Supreme Court denied *certiorari* in June 2001, and a petition by the government of Poland for rehearing was rejected in November.

The center director's scholarly article on consular rights and the death penalty in the United States, published in the *Leiden Journal of International Law* in the Netherlands, was quoted extensively by representatives of Germany before the World Court. Also, with the Consul General of Mexico, the center held a one-day conference on consular rights of Mexican nationals in the Midwest.

- **Privacy project:** The center has begun a major research project, initially funded by the Kara Foundation, on the differing perspectives of Europeans and the United States on the right to privacy, as reflected in the current dispute over corporate resale of customer personal data. We have met with European experts and may work in consortium with several European university centers.

Douglass Cassel, a clinical associate professor of law and CIHR director, serves as president of the Due Process of Law Foundation and is one of seven founding directors of the Justice Studies Center of the Americas, based in Santiago, Chile.

Center on Wrongful Convictions Expands Efforts

by Rob Warden, Executive Director

The first documented wrongful conviction case in the United States came to light in 1820, when the purported victim of a murder for which two men had been sentenced to death in Vermont turned up alive and well in New Jersey.

Over the next 182 years hundreds of additional cases have come to light. These include 65 memorialized by Edwin Brochard, a Yale law professor, in his 1932 book *Convicting the Innocent*; more than 400 cases of the 20th century identified by Michael L. Radelet, Hugo Adam Bedau, and Constance E. Putnam in their 1992 book *In Spite of Innocence*; and 13 Illinois cases in which innocent men were exonerated and released from death row during the last 15 years.

Despite the meticulous documentation and tragic consequences of wrongful convictions, the issue until quite recently had little resonance with the public or even with the legal pro-

fession. The reason was that the wrongfully convicted lacked a constituency — a disheartening reality that, it now appears, was rooted less in disinterest than in disbelief. It wasn't that Americans didn't care that innocent men and women were rotting in prison or on death row, but rather that most people simply



Rob Warden

couldn't accept the fact that such miscarriages of justice could happen on a large scale. When the public and the legal profession finally did come to recognize the scope of the problem, it turned out that there was a great deal of interest.

A key turning point was the National Conference on Wrongful Convictions and the Death Penalty at the Law School in November 1998 — an event that brought together on the stage of Thorne Auditorium 28 innocent former prisoners from around the country who had been sentenced to death for crimes they did not commit.

The conference was the brainchild of law professor Lawrence C. Marshall, who had recently won the cases of three innocent men: Rolando Cruz, who had been under sentence of death for the 1983 murder of Jeanine Nicarico in DuPage County; Willie Raigne, one of the "Ford Heights Four" wrongfully convicted of an infamous 1978 rape and double murder in Cook County; and Gary Gauger, sentenced to death for the murders of his parents in McHenry County. The conference made headlines nationally and internationally, greatly raising the salience of the innocence issue, particularly in the context of capital punishment.

Then, 2½ months after the conference, there was another dramatic development — the exoneration of Illinois death row prisoner Anthony Porter, whose execution was scheduled for only two days after a legal team including Larry Marshall and Bluhm Legal Clinic students won a reprieve from the Illinois Supreme Court. The reprieve made it possible for Northwestern journalism professor David Protesse and several of his undergraduate students at the Medill School of Journalism to reinvestigate the case. Porter's innocence was established in February 1999 when Paul Ciolino, a private investigator working with the Protesse group, obtained a videotaped confession from the man who committed the murder for which Porter had been condemned to die.

The synergy of the conference and the Porter exoneration made it possible at the beginning of the 1999–2000 academic year to launch the Center on Wrongful Convictions (CWC) with private funding.

These events, along with two groundbreaking series by Ken Armstrong, Steve Mills, and Maurice Possley in the *Chicago Tribune*, prompted Illinois Governor George H. Ryan to declare a moratorium on executions in January 2000. Ryan's politically courageous step triggered a nationwide reexamination of the capital punishment system.

Under the auspices of the Bluhm Legal Clinic, CWC's mission is to identify and rectify wrongful convictions and other serious miscarriages of justice. The mission has three components: representation, research, and public education. Center faculty, staff, cooperating outside attorneys, and law students investigate possible wrongful convictions and represent imprisoned clients who claim actual innocence. The research and public education components focus on developing initiatives that raise public awareness of the prevalence, causes, and social costs of wrongful convictions and promote substantive reform of the criminal justice system.

The center currently has a staff of five with a combined total of more than 70 years' experience with wrongful convictions. Their efforts over the years have been instrumental in vindicating 9 of the 13 innocent men released from Illinois death row.

Larry Marshall is the center's legal director, and I serve as executive director. The staff includes two seasoned criminal defense lawyers: Jane Raley, who had represented innocent death row prisoner Alejandro Hernandez, Rolando Cruz's codefendant; and Karen L. Daniel, who had preceded Marshall as counsel to Willie Raigne in the Ford Heights Four case. Both Daniel and Raley are former assistant Illinois appellate

defenders. The fifth member of the staff is Jennifer Linzer, an experienced researcher and former marketing executive with a broad range of responsibilities including development, communications, and public education. (Linzer replaced Shawn Armbrust, a 1999 Medill graduate who worked on Anthony Porter's case and who had been with the center since its inception; Armbrust is now enrolled at Georgetown Law Center, where she received a coveted public-interest scholarship.)

On the representation front, a case that typifies the center's work was that of 23-year-old José Vasquez, who was freed in November 2000 after serving four years in prison for a Kane

County murder he did not commit.

The ending, unfortunately, was far from perfect because Vasquez pleaded guilty to a lesser charge. He had no practical alternative. Although there was little question that police had framed him, prosecutors conditioned his release on the plea agreement. If Vasquez had turned down the deal, he would have faced additional months, perhaps years, behind bars while his case languished in limbo between reversal of his conviction and a possible, if unlikely, retrial. By demanding a guilty plea in exchange for dropping the murder prosecution, the Kane

County State's Attorney's Office, as *Chicago Tribune* columnist Eric Zorn put it, "bullied its way out of an embarrassing spot and now no longer has to confront the scandal of Vasquez's first trial."

At present the center is representing more than a score of potentially innocent men and women in prison. Among the more notable cases are those of Gordon (Randy) Steidl, who was convicted and sentenced to death in downstate Edgar County for a 1987 double murder that there is persuasive evidence someone else committed; Franklin Thompson, an almost unquestionably innocent man in prison for a Will County murder; and Tabitha Pollock, who was convicted of the murder of her three-year-old daughter in Henry County based on a dubious accountability theory.

In the areas of research and public education, the center has launched several initiatives. For example, in view of Governor Ryan's moratorium on executions, the center researched and identified a series of reforms that would reduce the possibility of executing innocent persons. The proposed measures — including modifying eyewitness identification procedures, requiring police to videotape interrogations and confessions, and banning testimony by informants rewarded with cash or favorable treatment — would have prevented all but one of the Illinois death sentences imposed against men who ultimately were exonerated. The exception — Anthony Porter



Attorney Leonard Goodman (center), honored by the CWC for his pro bono work on behalf of the wrongfully convicted, is congratulated by Law School Dean David Van Zandt (left) and Professor Lawrence Marshall.

— underscored the fact that the only sure way to avoid executing an innocent person is to abolish the death penalty.

To highlight the problem of eyewitness fallibility — the leading cause of wrongful convictions — the center has sponsored two events, one in Texas in 2000 and one in Michigan in 2001. Among speakers at both events were Kirk Bloodsworth, an innocent man exonerated by DNA after serving eight years on death row in Maryland because five eyewitnesses had mistakenly identified him as the murderer of a child, and Jennifer Thompson, a North Carolina rape victim who identified the wrong man as her rapist. As a result of Thompson's mistake, Ronald Cotton spent 11 years in prison before he was exonerated by DNA evidence. Unlike the vast majority of witnesses known to have made such mistakes, Jennifer Thompson courageously confronted hers and, under the center's sponsorship, has become an eloquent advocate for the wrongfully convicted and for criminal justice reform.

At the Michigan event in May 2001, the center released a study identifying factors involved in wrongful convictions in capital cases throughout the United States since the death penalty was resumed in the mid-1970s. Of 86 cases studied, the center found that 46, or 53.5 percent, had been predicated in whole or in part on mistaken or perjured eyewitness testimony. In 33 of the cases (38.4 percent), the eyewitness testimony was the sole basis of the conviction.

Other significant factors identified in the study were police and prosecutorial misconduct in the cases of 17 defendants (19.8 percent), jailhouse informant testimony in the cases of 10 (11.6 percent), so-called "junk science" in the cases of 9 (10.5 percent), false or coerced confessions in the cases of 8 (9.3 percent), and miscellaneous factors, including questionable circumstantial evidence and hearsay, in the cases of 29 (33.7 percent).

As public opinion has become increasingly enlightened about the criminal justice system and particularly capital punishment in recent years, what appears not to have changed from past centuries are the systemic flaws that lead to wrongful convictions. In fact, several of the elements identified in the center's study of recent death sentences imposed against innocent persons were present in the first U.S. wrongful conviction 182 years ago. That case, which stemmed from the mistaken presumption that a Vermont farmhand who disappeared had been murdered, involved "junk science," a jailhouse informant freed in exchange for perjured testimony, and two false confessions.

In keeping with its public education mission, the center also has reached out through the media locally, nationally, and internationally. Center faculty and staff have been featured in major publications and on national television not only in the United States but also in Britain, Germany, Greece, Italy, and Sweden. The overwhelmingly positive coverage, both electronic and print, has drawn international attention both to the

wrongful conviction issue and to Northwestern University School of Law.

Late in 2000 the center joined with the Innocence Project at the Cardozo School of Law at Yeshiva University in New York City to establish a national Innocence Network to foster wrongful conviction projects in other states. The first national conference of leaders of such projects was held at the Law School in December 2000, and today there are more than 20 university-based wrongful conviction projects in operation or planned around the country. The Innocence Network has created a distance-learning course on wrongful convictions. The course, including lectures by 13 of the nation's leading experts on wrongful convictions, is available to law schools on compact disks.

The overall effectiveness of the center in pursuing the components of its mission — representation, research, and public education — has enabled it to attract big-name celebrities to its cause and enhance its fundraising ability. Among sponsors of a recent center fundraising event in New York were playwright Arthur Miller, former New York governor Mario Cuomo, CBS *60 Minutes* mainstay Mike Wallace, and Hollywood stars Susan Sarandon of *Dead Man Walking*, Mike Farrell of *M*A*S*H*, Jane Kaczmarek of *Malcolm in the Middle*, and Bradley Whitford of *The West Wing*.

In the months and years ahead, with the help of such dedicated sponsors and a distinguished development board, the center hopes to raise funds to expand its efforts, particularly in representing potentially innocent prisoners. The center receives and screens roughly 200 requests for representation a month, but at the current staffing level is in a position to accept only about half of 1 percent of the cases. There is no question that a significant number of the cases that now must be rejected for lack of resources have genuine merit. Having to say no to scores men and women in desperate need is the hardest part of what the center does.

Rob Warden, executive director of the CWC, was previously editor and publisher of Chicago Lawyer, where he exposed a score of wrongful convictions, including six in Illinois capital cases. He is the author or coauthor of hundreds of articles and five books, including two on wrongful convictions written with Medill professor David Protess: Gone in the Night (Delacorte, 1993) and A Promise of Justice (Hyperion, 1998).

Significant Cases

Juvenile Case

Derrick Hardaway

Last September 13 federal district court Judge Milton Shadur granted Derrick Hardaway's petition for habeas corpus. Shadur's decision — although appealed by the state — not only offered Hardaway a ray of hope after eight years in custody but also affirmed children's need for special legal protections.

Hardaway was a 14-year-old who was tried as an adult and convicted as an accomplice in the murder of 11-year-old Robert "Yummy" Sandifer in Chicago. The case garnered national headlines because of the intensive manhunt for Sandifer — who himself was a suspect in a shooting — and the revelation at the time of Hardaway's arrest that police believed Sandifer was killed by Hardaway and his older brother, both of whom were teens at the time of their arrest. Sandifer's face was on the cover of *Time* in the context of a story on teen violence.

The clinic first represented Hardaway in his juvenile court transfer proceedings and then in his trial in adult criminal court. The case was tried by clinic attorneys Tom Geraghty, Steve Drizin, and Angela Coin and many law students. Clinic attorneys litigated this case to the hilt, especially the transfer hearing and the pretrial motion to suppress Hardaway's court-reported statement, and made a good record for the inevitable appeals. Despite the clinic's best efforts, Hardaway was

Derrick Has Always Been There

by Angela Daker

Derrick Hardaway was 15 years old the last time I wrote an article for this newsletter. He had just been sentenced to 45 years in prison for first-degree murder after being convicted under an accountability theory. I worked with the clinic's lawyers who represented Derrick at trial.

I was a second-year law student who had been working with Derrick, and on his case, for about one year when I wrote the first article. Derrick is now 21, I have been practicing law for three years, and still his case continues. On September 13, 2001, Judge Milton Shadur of the Federal District Court for the Northern District of

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"When I think about clients
and a lawyer's commitment
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Derrick Hardaway."
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Illinois granted Derrick Hardaway's petition for writ of habeas corpus. The state appealed, and Derrick remains in custody awaiting the decision of the appellate court.

People are amazed that we still are working with this young man and fighting for him, even when our chances of winning seem slim to none. And I wonder, What is so amazing about advocating on behalf of your client?

Derrick Hardaway's case taught me how to be a lawyer. When I was a law student, Derrick was the first client I ever worked with, and his was the first case I ever worked on. The first legal research I did was for Derrick, as was the first motion I ever wrote. I think we wrote every conceivable motion and researched every legal issue possible for that trial. As a student, I watched Tom Geraghty and Steve Drizin explore every option and avenue for Derrick.

I've learned from Derrick's case that cases don't come and go; clients come and stay. Derrick started out as a client in

a transfer hearing when he was 14 years old, and now he is an adult. For the five years I have been involved with the Legal Clinic, two as a law student and three as a lawyer, Derrick Hardaway has always been there.

Most important, I have learned that cases are not about courtroom wins or congratulatory backslapping but about people and clients. No matter what happens with Derrick's case, he will know that we fought hard for him and did everything we could for him. And that is what being a lawyer is about for me — fighting as hard as you can for your clients and accepting the outcome, whether it is a win, a loss, or something in between, as is often the case.

I have had many clients since Derrick Hardaway — often with more successful outcomes. But when I think about clients and a lawyer's commitment to her client, I think of Derrick Hardaway. He inspires me to be a better lawyer, advocate, and person because of the hope and spirit he has, because of his lack of anger and bitterness, and because of his amazing ability to laugh, even though he has been incarcerated since he was 14 years old and may continue to be incarcerated for at least 15 more years.

Most of all, he inspires me because of the complete faith he has in us and because of the way he trusts us. Like most of our clients, Derrick is in a vulnerable position and depends on his lawyers to be diligent, to counsel him, to explain things to him, and to fight for him. So, every time somebody asks me why we work so hard or why we always explore unusual avenues, I picture Derrick and the faith I see in his eyes when he looks at us, and I have the answer to the question: We do it because we have no choice but to do everything we can for our clients so they can continue to have faith in us, no matter the outcome of their case.

Angela Daker '98 is a clinical assistant professor of law, attorney, and former Soros Justice Fellow.

convicted and sentenced to 45 years in prison (he faced between 20 and 100 years).

Sidley & Austin handled the direct appeal pro bono, led by Faith Gay '86, a former federal prosecutor. Despite the firm's outstanding work, the Illinois Appellate Court affirmed Hardaway's conviction and the Illinois Supreme Court refused to accept review.

In the spring 2001 Angela Daker, who began work on Hardaway's case as a student and who has maintained close contact with him and his family throughout his time in the Adult Department of Corrections, convinced her colleagues at the clinic that Hardaway should seek relief in federal court. (See Daker's story on page 11.) Daker joined the staff of the Bluhm Legal Clinic after graduating and has since been representing juveniles in serious juvenile and criminal cases. She drafted the federal court petition for Hardaway and was the lead lawyer on the briefs in support of it. Daker's work on this case — characterized by Geraghty as "exemplifying the highest standards of skill and dedication" — resulted in not only a hopeful result for the client but also a powerful precedent for all Illinois juvenile delinquents. Because of Daker's efforts, a federal court decision has affirmed clearly established constitutional law regarding the confessions of children.

Judge Shadur, relying on the U.S. Supreme Court's *Haley*, *Gallegos*, and *Gault* decisions, recognized that juveniles are developmentally disadvantaged in the interrogation room and require special protections to enable them to understand and exercise their constitutional rights. Until the decision in the Hardaway case, Illinois courts had largely ignored the federal constitutional law governing juvenile confessions, paying mere lip service to the developmental reasons why children need special protections.

The most powerful part of the court's opinion focused on the need for juveniles to have an effective, friendly adult present throughout the interrogation period. The court found that the presence of a youth officer who sat passively throughout the interrogation was not "effective": "To be properly effective, a friendly adult does not wait passively for a juvenile to voice a need for help — instead such an adult acts affirmatively to protect the juvenile's interests, because the need for a friendly adult is grounded in the recognition that a juvenile lacks the experience or maturity to do so."

The court did not replace the "totality of the circumstances test," long held to be the standard by which courts determine if a statement is voluntary or involuntary; it merely held that state trial and appellate courts unreasonably applied federal constitutional law in ignoring or discounting facts relating to the need of juveniles for greater protections in the stationhouse.

The state appealed Judge Shadur's decision in the Hardaway case, and at press time the appellate decision of the Seventh Circuit Court was still being awaited. Hardaway remained in custody.

Criminal Cases

Leroy Orange

The clinic has long represented Leroy Orange, a condemned prisoner who has alleged since the day of his arrest that Chicago Police Department Area 2 officers used electroshock, bagging, and beating to coerce a statement from him. The clinic succeeded in obtaining a new sentencing hearing for Orange but not in convincing Illinois courts to grant him a hearing on his claim that his confession was coerced. The Supreme Court of Illinois recently held that Orange was not entitled to a hearing on the latter issue, despite compelling evidence that police officers in Area 2 engaged in systematic torture of suspects. Faculty and students are now preparing for a death penalty sentencing hearing.

Because of its involvement in *People v. Orange*, the clinic has accepted appointment in two additional death penalty cases in which defendants allege that they were tortured by Chicago police officers.

Alaie Crivens

Clinic attorneys worked with a team from Sachnoff & Weaver, led by Sam Tenenbaum '76, to win an acquittal for Alaie Crivens, whose conviction for murder was reversed by the Illinois Supreme Court. Tenenbaum's team of lawyers from Sachnoff & Weaver won the reversal of the conviction. After the conviction was reversed, Tenenbaum asked Tom Geraghty to become involved in the retrial.

The Faces behind the Cases

A. J.

by Cathryn Stewart Crawford

During the last academic year clinic lawyers and students represented a Somali woman accused of attempting to murder her young daughter. Charges were pressed against our client when the child was brought to a hospital emergency room with injuries



Cathryn Stewart Crawford

often indicative of child abuse. Through the efforts of clinic lawyers and students, and with the help of leading pediatric neurosurgeons and an expert in the diagnosis of child abuse, it was discovered that a rare blood disease, not a criminal act, was the cause of the child's injuries.

In the summer of 1999, A. J., our client, was sitting on the couch with her four-month-old daughter Newall (called N. J.) on her lap facing her. A. J. began to maneuver N. J. to change her diaper. The baby flung herself up and out of A. J.'s arms and landed on the floor, striking the back of her head. As A. J. consoled the crying child, she noticed that N. J. had become very hot. She decided to cool N. J. off by giving her a bath. While in the bathroom, she noticed that N. J. was getting very stiff, her eyes rolling in the back of her head. A. J. and her husband immediately called 911, and an ambulance took A. J. and N. J. to the hospital.

At the hospital, N. J. underwent surgery for a subdural hematoma. An emergency room resident contacted the on-call protective services team physician. The doctor interviewed A. J., who explained that the baby had fallen from

her lap. The doctor began to conduct an investigation of the injuries. She ordered a skeletal survey for other injuries (it came back negative) and a physical examination of A. J.'s four-year-old son (it came back negative for abuse). A social worker took a social history from A. J., which revealed that the family lived in a stable household, did not have financial problems, did not abuse drugs or alcohol, did not have any history of domestic violence or child abuse, and had a supportive community. In short, there were no socio-medical indicators of abuse.

The day after the surgery, the doctor ordered an eye examination of N. J., which revealed minor bilateral retinal hemorrhages. Based on the fact that N. J. suffered from a subdural hematoma and retinal hemorrhages, the doctor determined that she had been the victim of Shaken Baby Syndrome and referred the case to DCFS and the Chicago police. The Chicago police and DCFS workers also interviewed A. J. and her husband.

When we discussed the case with the officers and caseworkers, they all stated

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"The case taught us to
challenge first assumptions."
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that they believed that A. J. had deliberately injured her child. The basis of this opinion was that "Unlike her husband, she seemed shifty and dishonest. She wouldn't look me in the eye, and she kept pretending not to be able to speak English. She would only talk through her husband." A. J.'s husband had been in the country for close to 10 years and had already attained citizenship, while A. J. had limited English-speaking ability.

The DCFS worker decided to refer the case to dependency court, and the

Chicago police ultimately referred it to the felony review division of the Cook County State's Attorney's Office. After its family division filed petitions in dependency court, the State's Attorney's Office decided to pursue criminal charges against A. J.

When we first became involved, the criminal case was in its beginning stages. We discovered that since A. J. is a non-citizen, any criminal conviction relating to child abuse could result in her automatic deportation. Because Somalia was in a state of civil war, deportation would likely have meant living indefinitely without her family in an Immigration and Naturalization Service camp.

Over the course of the next several months, clinic students and faculty began preparing to defend the case in both dependency and criminal courts. One attorney took the lead role in the dependency proceedings, and another took the primary role in the criminal proceedings. We found that maneuvering between the two courts was very challenging, probably in part because of their different goals.

As we struggled with juggling the two proceedings, we were also trying to understand the medical evidence. Although N. J. had suffered from the two indicators of Shaken Baby Syndrome — a subdural hematoma and retinal hemorrhaging — the absence of any other social or medical indicators of abuse was unusual, as was the fact that she had fully recovered.

Searching the medical literature for other medical explanations for the combination of subdural hematomas and retinal hemorrhaging, we found that it was almost impossible to defeat a claim of Shaken Baby Syndrome given injuries such as N. J.'s. The scant literature calling into question that automatic diagnosis were studies in foreign countries that

have been ignored or rejected by most physicians in the United States.

With the help of an emergency room physician from the hospital, we discovered that there were abnormalities noted in N. J.'s records relating to blood clotting and transfusions. A hospital hematologist to whom the emergency room physician referred us concluded that the abnormalities after surgery should have caused the physicians to perform blood tests on the baby, but she thought that the likelihood of the baby's having any clotting disorder was minimal. But shortly after we met with the hematologist, the doctor who had suspected child abuse called the DCFS caseworker assigned to N. J. and suggested that he arrange for N. J. to undergo blood tests. The results of the tests were staggering: N. J. suffered from a rare blood disorder known as Von Willebrand's Disease. The two defining characteristics of this blood disorder are that it affects clotting and that it is hereditary.

We ultimately arranged a meeting between all of the doctors involved, the guardian ad litem, and the assistant state's attorney in the criminal case with the goal of convincing the prosecutors to dismiss the charges against A. J. At the meeting we laid out the medical findings and invited the original doctor to share her thoughts with us. While she was not willing to admit error, she did state that the diagnosis of the blood disorder, if accurate, "complicated things." David Frim, a neurosurgeon at the University of Chicago who had agreed to consult on the case for free, explained why the original diagnosis of Shaken Baby Syndrome was in error and why it was significant that N. J. suffered from a blood disorder at the time that she was injured.

But the state declined to dismiss the charges, claiming sufficient evidence to

go forward with the prosecution. As we were preparing for trial, Frim asked a colleague, Jill Glick, head of the University of Chicago's protective services division, to review the case. Glick had substantial experience in the diagnosis of child abuse and had served as a witness for the state on numerous occasions.

In addition to examining all of the medical records, Glick consulted with a number of child abuse experts around the country. They all concluded that the diagnosis of Shaken Baby Syndrome was in error. The combined medical evidence strongly suggested that N. J.'s injuries had resulted from an accidental fall and not from intentionally inflicted trauma.

Over the weekend, as the students and lawyers were engaged in final preparations for trial, the state was engaged in conversations with Glick and with the physician from the hospital. When we entered the courthouse the following Monday to answer ready for trial, the state announced that it was dismissing the charges against A. J.

The following week the dependency judge entered an order returning A. J.'s children to her custody immediately. We then filed a Motion to Amend Findings of Fact, asking the dependency court to enter findings that reflected the new medical evidence. We also joined in a motion, filed by A. J.'s husband's lawyers, requesting that the court vacate the finding of abuse. Ultimately, the state agreed not to object to the motion. The judge vacated the findings, entered new findings that the children were not abused, and dismissed the dependency petition.

This case presented clinic attorneys and students with an unusual opportunity to work on fascinating interdisciplinary issues. Our interactions with our experts and the state's experts brought home how

important it is to understand scientific opinions and testimony and to seek independent assessments. Perhaps most important, the case taught us to challenge first assumptions.

Cathryn Stewart Crawford is a clinical assistant professor of law. Among her recent activities, she served as principal investigator in an examination of Texas's indigent juvenile offender defense system. Sponsored by the ABA, Texas Appleseed, and the Southern Poverty Law Center, the investigation was part of a larger inquiry by Texas Appleseed that was ultimately instrumental in the passage of the Texas Fair Defense Act of 2001.

Crawford also was asked by the ABA and the Southern Center for Human Rights to participate in a similar investigation in Georgia. It resulted in a report that is intended to impel much-needed reform of the Georgia juvenile delinquency system.

Crawford was asked to speak at the National Defender Summit in Houston in 2000 and at the 14th annual Texas Juvenile Law Conference in 2001.

Arturo

by Steven Drizin

"Let me introduce my friends and family," said my client, Arturo (not his real name), to the prisoner review board officer who would decide his fate.

After introducing his wife, whom he married while in prison, and her daughter, Arturo introduced his former teacher, Frank



Steve Drizin

Tobin. "Tobs," as he is affectionately called, taught Arturo when he was a troubled teenager in the juvenile detention center more than 23 years

ago. Tobin has stood by all the years that Arturo has been locked up, writing the board on Arturo's behalf and attending most of his parole hearings.

"And finally, this is my friend Steve Drizin," Arturo said. "He's an attorney but he's more of a friend, and he's here to support me today."

I met Arturo about five years ago at the Pontiac Correctional Facility. Bill Ayers, an educator and activist, and Frank Tobin had asked me to get involved in Arturo's case. With some trepidation, I set out for the Pontiac Correctional Center with a student, Lisa Whitlock, and Ayers. I had represented juveniles charged with murder before, but Arturo was a grown man, only a month younger than I, and he had spent nearly 20 years locked up in some of the worst hell-holes in the Department of Corrections. This was my first trip to the big house in Pontiac, and I was not prepared for what I would see.

At the time, Arturo was in segregation for testing positive for marijuana. The segregation unit at Pontiac was a grim place.

Prisoners were locked down for 23 hours a day. They were not allowed to meet with their attorneys in the private rooms; we had to talk through a thick glass window.

Arturo emerged from a door, waddling from side to side as he struggled to move with shackles and chains around his arms and his legs. As he sat on the stool across from us, he looked more like a scholar with his wire-rimmed glasses than the gang-tough and hardened criminal I had envisioned. He was extremely remorseful for his crime and desperate to get out of prison to prove that he could make a positive contribution to society, that his life amounted to more than the worst thing he had ever done. We saw nothing in Arturo that even remotely resembled the alcohol-abusing, out-of-control teenager who had stabbed to death his friend's father two decades earlier.

For his crime, committed when he was 16 years old, and the first and only brush he had with the law, Arturo had been sentenced to 30 to 60 years in prison. He had been offered a sentence of 14 years to plead guilty (he would have served only 6½ years), but his private attorney, without even the semblance of a defense, encouraged him to go to trial. Arturo took his lawyer's advice and lost.

We soon learned that Arturo's time in prison could be divided into three periods. During the early period Arturo's record was

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"Children who kill ... need to be placed in an environment where they can grow as human beings and develop the skills that they need to return as productive members of society."
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spotless. He earned his GED, obtained a bachelor's degree in criminal justice, was a teacher's aide, and tutored other students in pre-GED and GED classes. He also got a certificate in small engines and was given his own art class in which he was the sole instructor. After 10 years or so, he was eligible for parole. He had so impressed the Prisoner Review Board (PRB) that at one of

his early hearings, he received four votes — three shy of the requisite seven.

But the prospects for Arturo's release altered abruptly. A change in the makeup of the board, coupled with a shift in policy that made it almost impossible for murderers to get paroled, led to several years running in which Arturo got no votes. His hopes dashed, Arturo began to accumulate disciplinary tickets, develop an attitude, and affiliate with the prison gangs.

Arturo had begun to turn his life around again when we met. He had gone several years without a ticket and had started accumulating new degrees and certificates. But the marijuana incident was a major setback making it all but impossible that he would be paroled. Lisa and I decided to take the case anyway.

New blood working on Arturo's behalf seemed to inspire him. As Lisa and I floundered at the first parole hearings — learning that comparing Arturo's sentence with that of others sentenced for murder was the last thing one should do to impress the board — we shifted course and focused on Arturo's accomplishments, strong familial support unit, excellent job prospects, and genuine remorse. On our third try, Arturo received three votes from the PRB.

The year preceding his third parole hearing was a trying one for all working for Arturo's release, and it only strengthened our resolve to get him out. Arturo had been experiencing sharp pain in his abdomen. A spot on an X ray led to a suspicion of abdominal cancer. Emergency surgery followed; Arturo was chained to the operating table and to his hospital bed during recovery and was not permitted any contact with his attorneys or family for four months. His spleen and appendix were removed — unnecessarily, because there was no cancer. He had an infection that probably could have been treated with antibiotics.

Arturo's fourth year would bring new challenges and new tests. At the conclusion of the parole hearing at Illinois River Correctional Center, the PRB officer said Arturo's chances of getting paroled were slim. There were still several members on the PRB who were against paroling him. Worse yet, the PRB was expanding from 12 to 15 members,

so he would need 8 votes instead of 7. However, a week later, I was at a conference when I retrieved a voicemail telling me that Arturo had been paroled. I thrust my arms in the air, hugged a friend, and left for the airport, thinking that for the first time outside of prison I would get to meet the man whose letters I have read and whose paintings adorn the walls of my office.

My elation was short-lived. Arturo's wife had gone to pick him up but had been told at the last minute that there was a mix-up, that Arturo's name had been put on a list by mistake. Arturo had boxed up all of his personal property and had been congratulated by both staff and inmates. He could barely sleep, excited at the prospect of his freedom. Just before completing the final paperwork, while he was waiting for his money and his personal property, while his wife was waiting for him, Arturo was ushered into a conference room and told it was all a big mistake.

When I reached his wife, she was almost inconsolable. The stress caused by the "mistake" took its toll on Arturo's family. His sister was hospitalized when an existing heart problem flared up.

I spoke with Arturo a few weeks after the incident and was amazed at how well he was adjusting. He realized that he had to stay strong not only for his wife and stepdaughter but also for many of the other residents of the units who were drug addicts and could relapse at the slightest disappointment. At that point I knew that he was ready to be released and hoped and prayed that the PRB would agree with me.

On July 26, 2001, nine days after his latest parole hearing, I learned that Arturo was coming home. Ironically, on the same day I learned that another young man, Nathaniel Brazill, was sentenced to 28 years in prison without parole for the murder of teacher Barry Grunow in Florida. I had been peripherally involved in the Brazill case, debating on ABC's *Nightline* the prosecutor who

charged the 13-year-old as an adult, and helping to recruit the lawyers whose mitigation case had led the judge not to impose a life sentence. I was asked to comment on the sentence for ABC's *Evening News* and by several other media outlets.

My experience in Arturo's case colored my response to the media, who were reporting that Brazill's sentence was too lenient. My response (plus the thoughts that I kept to myself) was something like this:

Twenty-eight years is a lifetime in the life of a 13-year-old. [Like Arturo] Nate will spend his teens, his 20s, his 30s, and some of his 40s — what many of us view as the best years of our lives — before he emerges from prison. I think it is sad that what passes for leniency in this day and age is a 28-year sentence for a 13-year-old first-time offender. Nate [and Arturo — and other children who kill] need to be punished severely for their actions, but they need to be punished in an age-appropriate way, and they need to be placed in an environment where they can grow as human beings and develop the skills that they need to return as productive members of society. The adult prison system, especially as it exists today, is not that environment. While Brazill may be able to succeed, it will take inner strength, the love and support of family and friends [like Töbs, Bill, and Arturo's wife and daughter], and a motivation that is very hard to muster in prison. If he succeeds, it will be in spite of prison, not because of it. I would wish for a 'blended' sentence in which Brazill's sentence could be revisited when he reaches the age of majority, giving him the opportunity to earn his way out of hard adult time. Nate can't be paroled for 28 years, and it will be difficult for him to keep hope alive for that long [at least Arturo had the hope of parole to keep him going].

In late August I met Arturo outside of prison for the first time at a gathering to celebrate his release. Embracing him, I promised to help him make the difficult adjustment he will have in the new world he will encounter — a world of personal computers, cell phones, digital TV, ATMs, the Internet — all essentials that we take for granted but that were developed while he was in prison. I told him how knowing him has enriched my life and how much his case has reinvigorated me and given me a new inspiration to keep on fighting for justice for children. I thanked him for giving me the chance to be his friend.

Steven Drizin, a clinical associate professor of law and assistant director of the Bluhm Legal Clinic, received the National Juvenile Defender Center's 2000 Juvenile Defender Leadership Award.

Drizin supervises students in juvenile delinquency and political asylum cases. They have produced an online report entitled "The Problem of False Confessions in Illinois." He and Beth Colgan '01 published an article in the Loyola University Chicago Law Journal entitled "Let the Cameras Roll: Mandatory Videotaping of Interrogations Is the Solution to Illinois Problems with False Confessions." The report is available on the clinic's Web site.

In addition, Drizin has been working with Bernardine Dohrn of the CFJC, students Holly Travis '01 and Amanda Fuchs '02, and a group of individuals and organizations on an initiative to abolish the juvenile death penalty. Drizin and the students presented their research results at a summit hosted by the CFJC in Chicago in 2000.

Drizin participated in the ABA's annual meeting in August 2001 on a panel that discussed "The Execution of Children: Another Kind of Innocence."

Student Reflections

These three articles were written as students were completing their summer 2001 work with the Bluhm Legal Clinic.

My Conversion into an Advocate for the Wrongfully Convicted

by Joo Hui Kim '03

To tell the truth, I wasn't really thrilled about the idea of defending murderers in general, but I wanted to work at the clinic because I heard that the experience was unbeatable. Tom Geraghty asked me to read a few death penalty cases as an introduction to my summer job. There was one death penalty case in which the facts were so horrible that I slept with the lights on for a few nights. I considered asking Tom if I could be excluded from the defense of that particular client, but I was afraid he might think I wasn't gutsy enough for death penalty work.

I had my preconceptions of this "cold-blooded murderer" turned upside down after meeting with the client in the condemned unit of a maximum security prison. Jason Kream (see his story at right) and I took a road trip to visit him with the investigator Tom hired for the case. I went because I had never met an investigator before and was curious about what he did, and because I wanted to see what a maximum security prison was like.

My conversion into a true advocate for wrongfully convicted death row inmates began when I stepped into the car of the investigator, who is a former police officer. It was not his stories about being an investigator but his stories about being a police officer that captivated me — and especially his confirmation that police-torture incidents such as our clients allege are true.

At the jail, we were patted down and taken through several gates and to a room with tables and a seat where it was

obvious the inmate was supposed to be chained down. I heard the chains slowly dragging on the ground before I saw him. It was his great big smile that made me realize that this wasn't some fictional villain but a human being. After a guard brought him over and chained him to his seat, he politely lifted his hand as far as the shackles would allow to shake our hands. Then I listened for two hours to a story about the police-torture tactics and abuse that forced this man to confess. I'm convinced that he was telling the truth.

Working at the clinic turned what had seemed only weeks earlier a one-dimensional, black-and-white law education into a multifaceted legal experience. I met clients on death row, in the juvenile detention center, in state prison, and awaiting sentencing, as well as their very caring family members. I met with or talked with an investigator, a mitigation specialist, state's attorneys, city's attorneys, expert witnesses, fitness counselors, case workers, juvenile detention center teachers and staff, prison guards at varying-security jails in the state, judges, and clerks. I wrote a report on the horrible conditions of the juvenile detention center for a class action suit, a habeas corpus petition to the seventh circuit court, motions, memos, and many letters. I analyzed police reports and client testimony, which ran through my head all night as I tried to figure out the true story. I read the very sad childhood stories of clients. At the beginning of the summer, I bombarded Tom with questions about certain aspects of cases, and in turn he would ask me what I thought. Now it is the end of the summer as I write this, and I bombard Tom with my opinions about aspects of cases and ask him what he thinks.

I can't imagine a more life-changing first-year summer position than working at the clinic or a more life-changing first-year professor than Tom Geraghty. Thanks, Tom, for giving me the opportunity to have the experiences I did.

Learning the Inside Stories

by Jason Kream (Harvard '03)

While researching summer job opportunities last year, I was looking for an intellectually challenging position that would allow me to work directly with experienced attorneys to gain practical legal skills and at the same time remain connected to issues concerning social justice.

Without a doubt, my experience at the Bluhm Legal Clinic provided me all of these things. Beginning with my first day, which included a trip to court for a hearing and a visit with a client at the Cook County Juvenile Detention Center, each day at the clinic presented new challenges and opportunities that demonstrated the breadth of legal work. Preparing substantial portions of a federal appellate brief pressed me to work with and create complex legal arguments — a task that supplemented my first-year academic experience well because it allowed me to work on actual cases, rather than the fictitious fact patterns used in law school writing classes. In representing a client facing trial for armed robbery, I gained practical experience with criminal procedure and trial strategy. And in working for another client facing the death penalty, I was directly confronted with biases that run throughout our criminal justice system. In each case my boss at the clinic, Tom Geraghty, provided remarkable trust and guidance in letting me contribute to substantive portions of the defense.

Now, near the end of my summer at the clinic, I am even more grateful that I secured a summer position that satisfied my interests. However, as is often the case, the most memorable aspect was something I did not fully anticipate when I was looking for jobs. At the clinic I had regular and extensive interaction with clients and at times their families. Most often this meant visiting jail or prison and sitting across the table from a client to discuss his case. In almost every instance, it wasn't long

before we would expand the discussion to include conversations about goals, current events, literature, family, and a host of other topics. These conversations and experiences, more than any others I had at the clinic, had the greatest influence on me. It was through them that I gained an understanding that there is a story behind every case. There is a person behind the motions, briefs, and hearings, with a history that can't be classified with an inmate or case number. And it is these stories that push the analysis beyond legal procedures and strategies and force us to include broader considerations of social and economic justice.

Midnight Musings in Africa

by Becky Trent '03

We are, each of us, functions of how we imagine ourselves and of how others imagine us, and, looking back there are discrete tracks of memory: the times when our lives are most sharply defined in relation to others' ideas of us, and the more private times when we are freer to imagine ourselves.

— Philip Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families*

It feels exceedingly appropriate — and heart-wrenchingly problematic at the same time — to begin tales of my summer internship at the International Criminal Tribunal for Rwanda (ICTR) with a quote from the award-winning book *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families*.

I say appropriate because the book is stunning and gives, according to some of my closest Rwandan friends, one of the most lucid — and accurate — accounts of the genocide that occurred in 1994.

I say problematic because the book is one of the few pieces of media reports regarding the genocide in Rwanda that have hit mainstream America. Unless you voraciously follow human rights newswires, you are unlikely to hear about Rwanda much in the U.S. press — unless of course the *New York Times* feels that international criminal justice is a hot topic.

I realize my tone may sound sharp, but my work over the past two months in Arusha, Tanzania, where the ICTR has been ever so “neutrally” located by the UN, has made me a bit sensitive to “how we imagine ourselves and how others imagine us.”

My mind is a kaleidoscope of pictures, and any single portrait — i.e., reading too much Gourevitch — sends an eerie chill up my spine.

My notions of the power of the press — the ability of others to imagine and portray others in print and via radio — have been radically altered by my work on the media trial at the ICTR. Those accused of genocide — Hassan Ngeze, Jean-Bosco Barayagwiza, and Ferdinand Nahimana — allegedly conspired to use radio station RTLM and the newspaper *Kangura* to promote the ideals of Hutu extremism and exacerbate the already heated ethnic tension between the Hutu and the Tutsi. The enormous influence of RTLM, the radio station that mobilized the Hutu extremists, is almost incomprehensible to me. Rwanda is primarily an oral culture, so radio broadcasts and cartoons in newspapers mean something altogether different from what they would to someone in a country more reliant on written forms of communication. The radio calls to “work” — i.e., kill — resulted in over 800,000 dead in Rwanda in a matter of days.

The genocide and political history of Rwanda weigh on my spirit, and listening to testimony about rape, pillage, and incitement to commit genocide is not easy. Sitting in the courtroom trying to make sense of what happened in

Rwanda makes me question the United Nations, humanity, greedy colonialist instincts, and the allure of power. While all these intense philosophical musings circulate in my head, I am immersed in the day-to-day tedious legal work of the office of the prosecutor. I've done legal research on comparative international criminal law — complete with tiny ants frantically running across my computer and the occasional power loss — and prepared urgent motions for trial. Most recently I helped indict a rock star, Simon Bikindi, who composed and played songs on RTLM that were said to promote Hutu solidarity and incite genocide. He was arrested on July 12 in the Netherlands.

Day-to-day life in Arusha is a learning experience in and of itself, and I've found myself loving and hating being in the middle of rural Africa. This place is a series of extreme juxtapositions, from the poverty of the street children to the wealth of SUV-driving expatriots; from the adrenaline-packed safari experiences to the feverish malaria worries; from the white sandy beaches of Zanzibar to the diesel-soaked air of Arusha; from ongoing trials for genocidal atrocities to pleasant Sunday afternoon conversations with interns from around the world. It's horrible and wonderful all at the same time.

I can say without hesitation that I have learned much in the past two months about how I imagine myself and how others imagine me. I'll be anxious to share my “pictures” when I come home.

Two Projects in Tanzania May Lead to Others

by Thomas F. Geraghty

Last year students traveled to Tanzania to work on two projects: a conference in Dar es Salaam on implementation of the United Nations Convention on the Rights of the Child (UNCRC) and the International Team Project (ITP).

The March 2001 conference in Dar es Salaam — the African Children's Rights Project sponsored by the Law School, Loyola University Chicago School of Law, and the ABA — was a follow-up to the visit of a core group of Africans to Northwestern the previous November. It was funded by the U.S. Department of State and attended by 30 children's advocates from Kenya, Malawi, Tanzania, and Uganda. It focused on how to implement the UNCRC, including identifying and planning to gather concrete resources to support implementation. The National Institute for Trial Advocacy (NITA) sent staff member Hollis Hill '75, one of our alumni, to the conference to determine how it might help

create training programs for African children's advocates. Hill is now working on such materials.

The conference was divided into meetings of the entire group (plenaries), meetings of working groups (divided by subject matter), and meetings of country groups (for purposes of applying the discussions to specific-country needs). The attendees signed a resolution establishing the African Great Lakes Regional Organization for Children's Rights (AGROC). Three Northwestern law student participants — Carolyn Frazier '02, Anne Hunter '02, and Amanda Fuchs '02 — helped with the implementation of the conference, recorded the proceedings, established contacts for their ITP projects in Tanzania, and helped to finalize the report to the State Department.

For the final phase of this joint project, Antoinette Kavanaugh, a member of the CFJC's Clinical Services Initiative, went to Uganda and Malawi. (See her story on page 21.) Kavanaugh is a psychologist specializing in the evaluation and treatment of adolescents and families involved in the juvenile courts. She has also helped to assess and reform the clinical services department at the Cook County Juvenile Court. Kavanaugh gave technical assistance to African child welfare and juvenile justice systems regarding feasibility, creation, and



In East Africa, Tom Geraghty (far right) and ITP students interview officials from the Tanzanian branch of SAVE the Children, a British nonprofit organization working to improve the lives of children around the world.

implementation programs for social and psychological services.

This project enabled the Legal Clinic to establish contacts with child welfare specialists in Africa. These contacts will provide opportunities to do more in-depth work in Tanzania and to work with professionals in Uganda, Kenya, and Malawi. Representatives of each of these countries have asked that Northwestern send ITP projects to them. An ITP in East Africa might be possible next year, with groups going to each of these countries to follow up on the work of the conference. The ABA is very interested in supporting activities generated by the African Children's Rights Project.

The 13 students who went to Tanzania for their International Team Project worked in groups on five projects.

The first was an examination of the ongoing constitutional crisis created by the union between Tanzania (formerly Tanganyika) and Zanzibar, resulting in the creation of Tanzania. Students interviewed members of the U.S. State Department team working on the crisis and also made contact with Tanzanian individuals and groups involved in the debate. They spent several days in Zanzibar interviewing key players. The State Department monitor in Tanzania was very supportive of this project and is awaiting the final draft of the students' paper.

The second ITP component, in which students worked in Dar es Salaam and Arusha, was a survey and analysis of women in microbusiness in Tanzania. The objective was to identify the legal issues emerging from this movement and to take the first step in developing a manual for creating these businesses. Those interviewed ranged from bank officials to women involved in the microbusiness "industry" in Tanzania.

An evaluation of Tanzania's juvenile justice system, focusing on the Dar es Salaam juvenile court, was the third ITP project. This group followed up on the work of two previous groups who had studied the juvenile court in Dar es Salaam by interviewing key stakeholders about the efficacy of Tanzanian juvenile courts. In addition, the group was able to obtain statistics regarding ages, crimes charged, and dispositions of cases since the Dar es Salaam juvenile court's inception in 1998. The group also obtained two complete juvenile files that are being translated from Swahili into English by a member of Northwestern's Program of African Studies. The files will be used in this project and to create trial advocacy teaching materials adapted to the African context. This group's work was facilitated by Robert Makaramba of the University of Dar es Salaam School of Law, a leading expert on Tanzanian children's law.

The fourth project of this ITP was an examination of the legal structure of craft and art markets in Dar es Salaam. It was undertaken by one student who was in the art business before going to law school. He interviewed managers and artists in Dar es Salaam's three principal crafts cooperatives and will compare their operation with similar markets in other developing countries.

The final ITP component was an examination of the effect of Tanzanian land law reform on the ability of landowners to obtain bank financing. Until recently Tanzania was a socialist state, with all land "owned" by the government. A recent land reform law has permitted and encouraged some economic development. Students in this project examined the new legislation, interviewed legislators and bankers, and will compare the structure and implementation of the land reform act with those of other developing countries.

Northwestern's involvement in the conference and projects in Tanzania achieved several goals. Contacts have been made who will help create and implement projects of depth and usefulness. The work of the ITP students in 2001 was greatly facilitated by contacts made the last two years, and this research will be shared with the people who helped, further cementing constructive relationships.

It is also hoped that students will publish their work. Two papers based on previous years' work were published in 2001. The first, "The Progress of Tanzanian Women in the Law: Women in Legal Education, Legal Employment, and Legal Reform," was in the *Berkeley Review of Law and Women's Studies*. The second, "Street Children in Dar es Salaam," was published by the *ABA/Loyola Journal of Children's Rights*.

The Law School's ITP work also has helped create relationships between individuals and nongovernmental organizations (NGOs) that in turn have led to training opportunities in the United States for African colleagues. For example, the chief judge of the juvenile court in Dar es Salaam attended the annual convention of the National Association of Juvenile and Family Court Judges. The director of the Cultural and Human Rights Center of Dar es Salaam attended a children's advocacy training program sponsored by the NITA. Gladys Boss Shollei, a professor and trial advocacy teacher at the University of Nairobi, attended the 2001 Harvard Teacher Training Program sponsored by the NITA. Two of the participants in the children's rights conference in Dar es Salaam attended the NITA's 2001 national session in Boulder, Colorado, thanks to Hollis Hill '75, who was instrumental in securing funding from the ABA's Section of Litigation to support the participation of our African colleagues.

Thomas F. Geraghty is director of the Bluhm Legal Clinic.

View from Malawi: The African Law Initiative Children's Rights Project

by Antoinette Kavanaugh

In May 2000 the American Bar Association received a grant from the Bureau of Educational and Cultural Affairs of the U.S. Department of State to fund the African Law Initiative Children's Rights Project. The three phases of the project were designed to assist Kenya, Malawi, Tanzania, and Uganda in implementing the United Nations Convention on the Rights of the Child (UNCRC).

During the first phase each country sent three delegates who worked with children involved in the law — e.g., judges, prosecutors, defense attorneys — to participate in a multiweek tour of child welfare and juvenile justice agencies in the United States.

Participation in the second phase expanded to include additional stakeholders such as nongovernmental organization (NGO) representatives, police commissioners, legislators, and government officials as well as law professors from Loyola University Chicago and Northwestern. The core of the second phase was a meeting in Dar es Salaam, Tanzania, in which many days were spent developing methods for improving the implementation of the UNCRC.

Each country tailored the third phase of the project to provide it with direct assistance in implementation. I was chosen to be the technical assistant to Malawi and Uganda, countries where a lack of knowledge of adolescent development and forensic psychology were seen as obstacles to implementing the UNCRC. In preparation for this role, I received background information from both countries that included, among other topics,

the UNCRC and various local laws affecting children.

This article describes my work in Malawi, where I facilitated and presented at a two-day workshop. As background, I visited a variety of relevant agencies and facilities, from among which I will focus on the Zomba Pilot Project on Children, an Approved School in Chirwa, and the juvenile wing of the Zomba Centre Prison.

Before a child is sentenced in Malawi, the local law requires judges to review a probation officer's report that places the child's life in context. But magistrates with whom I talked, as well as upper-level administrators in the ministry that operates the probation department, acknowledged that the department's underfunding often prevents them from completing this report in a timely manner.

The Zomba Pilot Project, sponsored in part by UNICEF, is an innovative way of addressing this problem. Among other things, it provides transportation funds for the probation officers who have to travel to interview the child's family, teachers, and village members to complete a report that the law requires the judge to review before a child is sentenced.

A unique aspect of this pilot project is that one of its partners is a local NGO that provides counseling services in the community. The director of the NGO and a magistrate in the pilot project both said that this partnership has decreased the number of children detained, since magistrates are more likely to let children accused of committing a crime remain in the community if they receive counseling services.

Children can be detained in an Approved School while they await trial, during the trial, or while they await their

sentences. Youths can also serve their sentences at an Approved School. I visited one of Malawi's Approved Schools in Chirwa. While there, boys have the opportunity to learn a trade and attend school. (None of the Approved Schools are designed to accommodate girls.)

Many of the boys in the Chirwa Approved School had completed their sentences but could not be released because the law states that they cannot be released until the Board of Visitors reviews their records. Because the board doesn't meet regularly — it hasn't met in more than a year — and there is no mechanism in place to alert the judiciary or the board that children have completed their sentences, some youths who should have been released more than a year ago are serving indefinitely extended sentences.

Exacerbating the problem of extended sentences, the children's families and support systems may live hours away and may not have the means to visit. Although the school allows the children to write home, I talked to many boys who said they never learned to write.

The conditions in the Chirwa Approved School are deplorable. The majority of the toilets and showers don't function, and the boys have to eat standing up because the dining room doesn't have tables or chairs. Two stainless steel stoves have been purchased in the last two years, but the staff cannot afford the fuel to operate them and so cook on the old stove.

I also visited the children's wing of the Zomba Centre Prison. Consistent with law, youths who are in prison typically are kept separate from adults. Although national law states that a child should not be sentenced to prison for more than two years, I encountered many children who

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had been there longer. It seems that magistrates may not be familiar with the statute and mistakenly impose adult sentences in juvenile cases. The children told me about boys who had been on their wing for more than two years and, when they turned 18, were transferred to the adult wing to complete their sentences. Although a high court judge is supposed to review all the sentences, this review may not occur expeditiously because juvenile cases are not given priority. Furthermore, there is no mechanism for the staff at the prison to alert the judiciary that the child's sentence is not consistent with the law.

Another problem identified by the judiciary and the boys in the prison was that some of the boys had been in the prison for more than a year awaiting a transfer to an Approved School, but because the school was full, they couldn't be transferred. (It is not clear to me if the time they spent in the jail counts as time served.) Clearly, if the boys who should be released from the Approved School were released, those boys awaiting a transfer from the prison to the Approved School would be able to take their places.

The conditions at the prison make the Chirwa Approved School appear rich in resources. The boys in the prison sleep on the floor in their cells, approximately eight boys to a cell, while those at the school sleep in beds. At least one boy at the prison had scabies, among other medical needs I saw there; I didn't see this condition in the school. Unlike their counterparts at the school, the boys in the prison do not have any opportunity to attend school and learn a trade. Although all the cells in the prison open up to a fenced-in courtyard, the boys were not provided with any organized recreational activities. In fact, a boy complained that they have a courtyard where

they could play ball, but the prison authorities will not give them a ball.

Meetings with judges, magistrates, and the dean of the law school of Chancellor College at the University of Malawi helped put my observations in perspective. I was told that children, like adults, often do not have legal representation; there simply aren't many lawyers in the country. Until fairly recently, a graduating class in the law school consisted of less than 20 students. And, since public sector work is not lucrative, graduates either avoid it or do it only for a short period of time.

The dean of the law school has a longstanding interest in children's rights. Accordingly, student interest in children's rights has grown, and the dean would like to develop an opportunity for students to specialize in this area. Although money for additional professors and books is scarce, the dean has thought of innovative methods of addressing the lack of resources. For example, foreign professors could come to the university and present guest lectures. Advanced foreign students could pair with Malawian students to represent children in court. (The local law states that a child can be represented by a lawyer, or a parent, guardian, or other responsible person can assist the juvenile in conducting his own defense.)

The two-day workshop that I helped facilitate was attended by judges, academicians, magistrates, NGOs, and representatives of various ministries — including the Ministry of Education and the Ministry of Gender — as well as one of the two psychologists in the country. One of its immediate goals was for participants to identify how their organizations could address the obstacles to implementation of the UNCRC and local juvenile laws. It soon became clear that existing resources could be shifted to develop a distinct juvenile

court. (The local law stipulates that juvenile cases are to be heard in juvenile court, but a court that hears juvenile cases exclusively does not exist, and magistrates hear juvenile cases as they would any other case.) The judiciary pledged to reassign existing magistrates and staff to a juvenile court, and the psychologist offered to train the magistrates, probation officers, and other court employees in relevant psycholegal issues. The judiciary also pledged to assign a judge to prioritize and review juvenile cases. Successful implementation of these changes should better equip Malawi to systematically implement the UNCRC and the Children and Young Persons Act.

Antoinette Kavanaugh is a forensic psychologist and juvenile justice expert at the CFJC's Clinical Evaluation and Services Initiative.

Well-Founded Fear: Representing Women and Youths Seeking Asylum

by Vanessa Meléndez Lucas

Providing litigation and advocacy assistance, our new Women's Asylum Project is addressing issues of gender-based persecution as well as those of particular impact on refugee children and youths. These include abuse, neglect, abandonment, homelessness, and exploitation.

The project is giving our clients an invaluable service and giving our students an opportunity to learn a range of litigation skills — such as client interviewing, motion practice, brief writing, and research — in a variety of areas including state, federal, and international law.

It is critical that we continue to pursue novel and potentially groundbreaking claims for women and youths at risk. In the United States asylum is the only remedy that allows an individual fleeing persecution to stay permanently. Clinic students have sought asylum on behalf of clients seeking refuge from a wide range of places such as El Salvador, Honduras, Albania, Congo, Iraq, Trinidad, and Tobago. Currently students are working with women and youths from Indonesia, Liberia, Saudi Arabia, Malaysia, and Brazil. The claims include those fleeing persecution on account of their religious beliefs, ethnicity, political opinions, and sexual orientation.

In connection with our representation of clients this coming year, we will conduct research and analysis of refugee policy worldwide and its impact on women's claims for asylum.

Moreover, in collaboration with the clinic's existing domestic violence practice, our students will assist women seeking lawful immigration status in the United States under Violence against Women Act provisions for survivors of domestic violence married to U.S. citizens or lawful permanent residents.

It is our hope that through the collaborative efforts of students and faculty, the project will also set forth education and advocacy initiatives to address immigrant children's issues such as detention and welfare protection.

We formed the Women's Asylum Project after I had the privilege last year, during a short-term leave from the Bluhm Legal Clinic, of assisting refugee women as a volunteer with Asylum Aid, an organization that provides free legal assistance to asylum seekers in the United Kingdom. Through this organization individuals receive not only legal advice and representation but also deeply needed personal support. I heard stories



Vanessa Meléndez Lucas

such as the following from women from all over the world fleeing persecution and seeking refuge in the United Kingdom: "Staying in [my country] will mean death for me. If you are against society and religion, who will protect you? My father is also against me. The state and society won't protect me, so sooner or later it will only mean death." This 19-year-old woman pleading for protection from the age-old ritual of

female genital mutilation was granted asylum by the U.K. Home Office in August 2001.

Vulnerable women and youths are being helped through the collaborative efforts of immigrant and human rights advocates in the United States and abroad, including our own Women's Asylum Project. In these times of uncertainty and fear for thousands of asylum seekers throughout the country, this effort is not only timely but imperative.

Vanessa Meléndez Lucas is a clinical assistant professor of law and coordinator of the Women's Asylum Project. She rejoined the Bluhm Legal Clinic in fall 2001 after spending a year with her husband in London, where she volunteered with Asylum Aid, a nonprofit organization providing legal representation to asylum seekers. She worked on the Refugee Women's Resource Project researching country conditions and preparing asylum applications for women seeking refuge in the United Kingdom.

Getting the Scoop on the Law and Public Education

by Michelle Light

I still vividly remember the day that I received a phone call from the National Association for Public Interest Law (NAPIL) extending me a fellowship offer. I was giddy with joy and performed a happy dance in my studio apartment in New York City.

The opportunity to perform public service was why I went to law school.

As a NAPIL fellow at the CFJC, I have been taking a critical look at school discipline policies and practices in an age when zero-tolerance policies have been implemented across the country to deal with children who misbehave. Simply put, zero tolerance means that if a student is caught breaking certain rules, the punishment is swift and often preordained.

The motive behind such tough disciplinary measures is pure. Drugs are bad and guns are bad, and neither should be brought into school. But legislators and superintendents have gone far beyond drugs and guns. They have instituted broad, sweeping policies requiring that any conceivable sort of controlled substance (heroin, Midol, chewing gum) and any kind of weapon (handguns, scout knives, paper clips) receive the same harsh punishments. Students nationwide have been suspended or expelled simply for wearing all-black outfits or having blue hair.

The Chicago Public Schools adopted its zero-tolerance policy in 1995. The effect was dramatic. Expulsions have jumped from 21 in 1994–95 to 668 in 1997–98 — an increase of more than 3,000 percent. At one point, according to a high-ranking administrator, Chicago was expelling between 60 and 90 students a week. Most of these children are not represented by counsel and are expelled in perfunctory hearings that last about 20 minutes. Some of those expelled are placed in alternative “safe” schools for disruptive youths. Many simultaneously face juvenile and criminal court proceedings.

It is deeply troubling to me that schools are choosing penal remedies rather than educational remedies when it comes to disciplining students. Bernardine Dohrn, the director of the CFJC, aptly summed up this current craze to criminalize youths in a recently published paper: “Yesterday a child might have been sent to the vice principal’s office, a parent might have been phoned, a letter of apology might have been required. Today the police are called, arrests are made, and delinquency petitions are filed. A schoolyard fight may be inflated into multiple felony charges.”

Instead of punitive tactics, we should try to craft positive solutions. That’s the ultimate goal of my work. I’m hoping to encourage the Chicago Public Schools system to rethink its inflexible zero-tolerance policy and to embrace a more effective, reasonable approach to discipline. Suspension and expulsion should be a last resort, not a first impulse. Then we can reclaim

schools as places where young people have the opportunity to grow and learn from their mistakes.

In the initial stages of my project, I invested a great deal of time simply acting as a diligent fact finder. Transplanted from the East Coast, I had to immerse myself in the Chicago community and the Chicago Public Schools system. Because the best reforms must be based on reason rather than rhetoric, of course, I needed to understand the current educational environment — and all the various perspectives — before I tried to suggest possible reforms. And so I began to work.

I listened to anyone and everyone with a stake in the education system, from parents to principals, students to security guards, custodians to counselors, attorneys to academics, teachers to tutors, lunchroom staff to local advocacy groups. I observed classrooms in elementary schools and high schools. I probed for statistical data to document the impact of zero-tolerance policies. I explored possible alternatives to suspension and expulsion, alternatives that do not exclude, alienate, and discard children in a mechanical way. I absorbed the complexities and nuances in the school discipline debate.

As I gathered more and more information, I decided to create an e-mail newsletter called *Scoop from the Loop*. This newsletter is distributed to hundreds of folks across the nation. It is my attempt to shed light on this most difficult issue of school discipline, challenging us to dislodge many of our old ideas and to accept some new ones.

The impact of *Scoop* has exceeded my wildest expectations. Many readers have written back to me. “Painful, outrageous, inspirational reading. Keep it up,” said one special education teacher in Richmond, California. “The vignettes are chilling and illuminating. As always, I read and weep and appreciate,” wrote a youth advocate in Ann Arbor. “Your work and insight are invaluable, and I hope you will continue all your efforts,” remarked one assistant principal in Chicago. “I think your newsletters are models of their kind. This is just spectacular stuff that inspires me to do a better job,” commented an attorney in Philadelphia.

Frankly, if it weren’t for those notes, there are days I might have quit when I’d barely gotten started. There are days that the problems seem intractable and insurmountable. Intervening in schools and school systems is a formidable task, that’s for sure.

But what makes me hopeful is our limitless capacity for inventing, dreaming, and imagining things otherwise. There are opportunities out there. Things are stirring. Change will require people who remember what often gets lost: It’s not just about building an impenetrable structure of security and order; it’s about creating a safe, caring, fair, tolerant place to learn and grow. Even then we’ll have lots to argue about. But it’s about us and our kids and our shared future with them. It’s worth arguing about.

This is why I went to law school.

Michelle Light joined the Children and Family Justice Center as a NAPIL Fellow in September 2001.

Faculty News

Caitlin J. Cameron worked with students on the board of the Small Business Opportunity Clinic to develop a community outreach presentation about legal issues facing small businesses. The first presentation, made to the Asian American Alliance in February 2001, was very successful.

Angela M. Coin continues to supervise students in the Legal Clinic, concentrating primarily on representing children in delinquency proceedings and in school expulsion and suspension hearings. Together with Lauren Adams, Coin organizes and trains volunteer lawyers in the CFJC's Pro Bono Children's Law Project to represent children in juvenile court. During the last year Coin made presentations about the project to several legal conferences.

Coin and Andrew Block '99, Soros Equal Justice Foundation Senior Fellow and director of JustChildren in Charlottesville, Virginia, recently coauthored an article in the ABA's National Juvenile Defense Center's newsletter entitled "Attracting and Retaining New Talent to Juvenile Defense."

Coin serves on the Children's Law Committee of the ABA's Section of Litigation. She was a 2001 team leader in Emory Law School's Trial Advocacy Institution.

Angela Daker has completed her second year as a Soros Fellow, working primarily at the CFJC Community Law Clinic in Chicago's West Town neighborhood. She works both in juvenile and criminal court on behalf of children charged with serious crimes and provides public school students with information about the juvenile justice system. Her work has been supported by a generous gift from the Harle and Kenneth Montgomery Foundation.

Karen L. Daniel and **Jane Raley** supervise and work with students representing Center on Wrongful Convictions clients in a variety of posttrial criminal proceedings. Currently they have two cases pending in the Illinois Supreme Court, one involving a mother who was convicted of the first-degree murder of her child because she "should have known" that her boyfriend — the actual killer — presented a risk to the child. The other involves a juvenile who was never informed that he had the right to a jury trial prior to being adjudicated as a habitual juvenile offender.

Daniel and Raley also represent current and former Illinois death-row inmates seeking federal habeas corpus relief. They have collected evidence that demonstrates that an innocent man falsely confessed to murder under psychological coercion by the police. Their other clients include two prisoners who are seeking DNA testing that may prove them not guilty of crimes.

Under Daniel's and Raley's supervision, clinic students are reviewing correspondence from the hundreds of inmates who have written to the center asking for legal assistance and are identifying prisoners with viable claims of innocence.

John S. Elson continues to represent the interests of homeowner victims of predatory lenders, public housing tenants sued for eviction, students with disabilities denied their right to an appropriate education, and clients taken advantage of by unethical divorce attorneys. In addition, he remains committed to reforming the system for accrediting law schools in order to make legal education more affordable, more effective in preparing law students for law practice, and less racially discriminatory.

Cheryl M. Graves expanded the Community Panels for Youth, a program of the Children and Family Justice Center, into seven Chicago-area communities and increased their breadth to include felony and drug matters. She has also developed a successful "training the trainer" model. Graves recently coauthored *Community Panels for Youth, a Community-Based Alternative to Juvenile Court*, *A Guide to Local Action*, with support from the Annie E. Casey Foundation.

Christina Gabriel Kanelos supervises students representing domestic violence victims seeking orders of protection and divorces. With Bernardine Dohrn of the CFJC, she wrote "The Weeping Child Could Not Be Heard, Human Rights for Children: New Tools and Strategies," which was published in the *Children's Legal Rights Journal*. In addition, her piece entitled "Children's Court Centennial" appeared in *One City Magazine* in the summer/fall issue of 1999. Kanelos also worked on the Permanency Planning Project at juvenile court in Cook County, evaluating data on the population of adolescents in the child welfare system and the length of time they were in the foster care system.

Steven Lubet has written a book, *Nothing But the Truth: Why Trial Lawyers Don't, Can't, and Shouldn't Have to Tell the Whole Truth*. Several chapters were developed during his "Lawyer Storyteller" seminar in the spring 2000 semester, as well as from clinical cases of past years. This book was featured on *The O'Reilly Factor* on television. In addition, Lubet has published two new editions of *Modern Trial Advocacy*, one for Canadians and another especially adapted for law school use, and a textbook for undergraduate mock-trial competition titled *Mock Trials: How to Plan, Present, and Win Your Case*, coauthored with Jill Trumbull-Harris '00.

Monica Mahan is a consultant to the Illinois Department of Children and Family Services on the Hill-Erickson consent decree, which determines the way DCFS

provides services to pregnant and parenting teens who are wards of the state. Students assist her and often visit the teens' placements.

During winter semester 2001 Mahan and Bruce Boyer worked with 23 law students learning about Cuban culture, laws, and medical, educational, economic, and political systems. They traveled to Cuba for a 10-day trip in March 2001 and were hosted by *bufetes* (defense attorneys), who made their stay welcoming, warm, and unforgettable. They even had time to go to a Cuban major league baseball game.

Lawrence C. Marshall in June 2001 was named Lawyer of the Year by the *National Law Journal*. He recently received the Edward J. Lewis Pro Bono Award from the Chicago Bar Association and the Chicago Bar Foundation. Marshall, executive director of the Center on Wrongful Convictions, was a cowinner of this award as a member of the legal team whose work resulted in the exoneration of Anthony Porter, who had been wrongfully convicted of murder and sentenced to death.

Melissa Nigro, administrative director of the Bluhm Legal Clinic for more than three years, manages budgets and grants and the administration of the attorneys, legal assistants, students, and client files.

Ora Schub was recognized by the Chicago Chapter of the National Lawyers Guild at the guild's annual meeting in April 2001. She was honored for being an effective, devoted, and caring contributor to social justice. She has been representing clients in court in cases involving domestic violence, divorce, visitation, invalidity of marriage, and emancipation; adjustment of immigration status and asylum; and related issues. In addition, Schub worked with Chris Vaineri and youths from the Community Justice Initiative to create a radio program entitled *Juvenile Justice in Black and White*. She has also been working with Cheryl Graves on the Community Panels for Youth Project.

Alumni Notes

1970s

ROBERT BORUCHOWITZ '73 is the director of the King County Public Defender's Office in Seattle. A seasoned veteran of the trial courts, Boruchowitz has argued a case in the U.S. Supreme Court. His effort to seek community-based alternatives to prosecution was recently featured in the *Seattle Times*.

JUDITH BRAWKA '78 is a judge of the Kane County (Illinois) Circuit Court.

RUBEN CASTILLO '79 is a federal district court judge in the Northern District of Illinois and an adjunct faculty member of Northwestern's trial advocacy program.

ABISHI "A. C." CUNNINGHAM '72 is an associate judge of the Circuit Court of Cook County.

MARJORIE LAWS '77 is a judge of the Circuit Court of Cook County.

ALGENON "MONTE" MARBLEY '79 is a federal district court judge in Columbus, Ohio.

WENDY MELTZER '74 is executive director of Illinois Citizens for Better Care and is one of Illinois's leading experts on nursing home regulations and public benefits related to the support of nursing home patients. She is frequently in Springfield lobbying for legislation that will better protect her vulnerable clients.

CATHERINE RYAN '72 is the chief state's attorney of the Cook County State's Attorney Juvenile Division. She has served on a variety of Illinois and national commissions dealing with issues affecting the children and families subject to the juvenile court's jurisdiction.

SAM TENENBAUM '73, a partner at Sachnoff & Weaver in Chicago, specializes in complex commercial litigation. Tenenbaum recently led a team of members of his firm and faculty at the Bluhm Legal Clinic in efforts on behalf of defendants in criminal court. He won a not-guilty verdict in a murder case that was ordered retried. In another case — a death penalty proceeding — he secured a new sentencing hearing for a client and is litigating a successor petition for postconviction relief alleging that the client was the victim of a wrongful conviction.

BILL WILEN '73 began his career with the Legal Assistance Foundation of Chicago, specializing in federal and state public housing programs. He is now supervising attorney at the National Center on Poverty Law in Chicago, focusing on the legal issues involved in the relocation of families who have lost their housing as a result of the demolition of several of Chicago's large housing developments.

1980s

GABE FUENTES '86 has joined the U.S. Attorney's Office in Chicago after practicing with Jenner & Block.

KATIE KRUEGER '80 in 1996 became a natural resources attorney for the Quileute Tribe in La Push (population 300), Washington, on the Pacific Coast. Krueger represents the Quileute, who have lived in the area some 15,000 years, at federal, state, tribal, and local government meetings on issues affecting tribal

treaty rights; writes grants to enhance their natural resources program; drafts ordinances related to water quality standards, hunting, fishing, and gathering; and prepares comments on proposed statutes, regulations, and policy statements from other governments.

BRENT STRATTON '84 is a partner at McGuire Wood specializing in criminal defense and civil litigation. He also chairs the board of the John Howard Association, the nation's oldest prison watchdog group.

1990s

LAUREN ADAMS '99 has joined the staff of the Children and Family Justice Center to direct its pro bono program.

BIL BARNES '99, an associate at Wildman Harrold, Allen & Dixon, has been active in the clinic's Pro Bono Project.

RICHARD BERNSTEIN '99 has been a trial lawyer in Detroit since graduation, working with personal injury cases for the law offices of Samuel I. Bernstein. He also began a radio program in 1999 that features people in the community. Called *Making a Difference*, it has since been expanded to a television commentary series on Detroit's CBS affiliate.

ANDREW BLOCK '94 is a Soros Equal Justice Foundation senior fellow and director of JustChildren in Charlottesville, Virginia.

TERRANCE CAMPBELL '95 recently made a presentation on legal ethics to the Law School's Annual Short Course for Prosecutors, Attorneys, and Defense Lawyers in Criminal Cases. He is an associate with Cotsirilos, Tigle, and Streiker, specializing in criminal defense. He is working with Professor Lawrence Marshall on a federal death penalty case.

J. C. LORE '99 is the assistant public defender in the Philadelphia Public Defender's Office. In his first year Lore has represented adult clients in felony preliminary hearings, municipal court trials, the Court of Common Pleas' motions court, and preliminary arraignment. He is looking forward to his upcoming six-month rotation in the juvenile unit, which holds a special interest for him because he focused on juvenile justice issues for three years (two as a student and one as a staff attorney) at the Bluhm Legal Clinic.

DAVID BLAIR LOY '96 is an attorney for the Center of Justice in Spokane, a nonprofit law firm committed to providing justice for those with limited or no resources or influence. Loy has handled cases in civil rights, including First Amendment violations, fair housing cases, excessive force by police, and unlawful strip search in the county jail; writ of mandamus against the local court system for systematic denial of the right to counsel in criminal cases; unlawful impoundment of motor vehicles under recently enacted impoundment laws; civil claims for unlawful incarceration; and miscellaneous civil matters.

DODIE CARPENTER POWERS '95 has left the Seattle Public Defender's Office to join the Juvenile Justice Project of Louisiana. There she is helping to design a postdeposition project seeking seeks less restrictive settings for incarcerated children.

CHRIS SKEY '97 is enjoying his clerkship with Judge Steve D. Merryday of the U.S. district court of the middle district of Florida, Tampa Division.



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The four Bluhm Legal Clinic centers are

Children and Family Justice Center

CFJC is a holistic children's law center, a clinical teaching program, and a research and policy center engaged with a major urban court, the Juvenile Court of Cook County.

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Community Law Clinic

773.342.4919; fax 773.342.5161

Small Business Opportunity Center

SBOC is a student-based clinical program providing affordable legal assistance to entrepreneurs, start-ups, and not-for-profit organizations.

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Caitlin J. Cameron, *Clinical Attorney*
Paula Wells, *Program Assistant*
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Center for International Human Rights

CIHR conducts academic and practical work in support of internationally recognized human rights, democracy, and the rule of law.

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Center on Wrongful Convictions

CWC is dedicated to identifying and rectifying wrongful convictions and other serious miscarriages of justice. The center has three components: representation, research, and public education.

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