



LAW FOR THE COMMUNITY AND THE WORLD

Spring 2012

ON THE GREEN

CLINICS AND EXTERNSHIPS AT VERMONT LAW SCHOOL

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Message from the Associate Dean

I am pleased to introduce a biannual newsletter on clinics and externships at Vermont Law School (VLS) and to share exciting program developments from the past academic year. The creation of a new position of associate dean for clinical and experiential programs reflects a commitment by the dean, the faculty, and the trustees to emphasize and further develop the substantial clinical and externship programs available at the school.

Our two in-house clinics, [South Royalton Legal Clinic \(SRLC\)](#) and the [Environmental and Natural Resources Law Clinic \(ENRLC\)](#), will move into their own new [Center for Legal Services](#) in August. VLS is very proud of adding another environmentally sustainable building to campus that will allow both clinics to expand their programs, serving more clients and offering more clinic opportunities for students.

[Christine Cimini](#), formerly the director of clinical programs at the University of Denver Sturm College of Law, is the new director of externship programs. She succeeds [Professor Liz Ryan Cole](#), who pioneered the school's [Semester in Practice program](#), which offers students rich, full-time opportunities in practice coupled with sound supervision. Professor Cimini provides creative leadership for our externship programs and is a thoughtful contributor to our overall clinical and experiential planning.



[Margaret Martin Barry, Visiting Professor of Law and Associate Dean for Clinical and Experiential Programs](#)

Impacts of a Puerto Rico Pipeline

One of the projects at the Environmental and Natural Resources Law Clinic has given students a unique opportunity to grow and develop in new ways. A quick background: a coalition of community and conservation groups alerted the U.S. Army Corps of Engineers (Corps) in October 2011 that it intended to sue the Corps over the agency's handling of a proposed natural gas pipeline line through both ecologically sensitive and populated areas in Puerto Rico. On behalf of these groups, the ENRLC filed a notice of intent to sue based on numerous violations of the Endangered Species Act. [The notice of intent](#) was sent to the Corps' office in Jacksonville, Fla. The Corps continues to process the permit application. The ENRLC and its partners in Puerto Rico filed public comments on the Corps' Draft Environmental Assessment in January 2012 and submitted letters to both the Corps and the U.S. Environmental Protection Agency in February and March of 2012 advocating that the permit be denied due to its potential to impact ecologically sensitive areas of Puerto Rico, endangered species, and public safety and well-being.

Rafael M. Espasas Garcé LLM '10, cocounsel working with the ENRLC, and Manuel Somoza '06, associate attorney for the Sierra Club, are both VLS alumni who work with ENRLC attorneys and student clinicians on the matter. Students are tasked with analyzing a complex and ever-changing permit application under at least three different federal statutes.

This has been the ENRLC's first collaboration with students and faculty from another educational clinic, the University of Puerto Rico Environmental Law Clinic. Each clinic brings essential skills to the table and access to important local resources has allowed the ENRLC to learn from local species experts and to advocate to the Corps about the significant potential impacts on the environment and people of Puerto Rico from the proposed pipeline.

The ENRLC's new director, [Doug Ruley](#), is excited to work on this matter, which will be a major focus for him and the next group of ENLRC clinicians.



Working on the Via Verde Pipeline case in Adjuntas, Puerto Rico (clockwise, from top left): Omar Saadé, Congressman Luis Gutierrez, Maria Cruz Guilloty '12, Noeli Marie Pérez, Karen Schmidt '12, Rafael Espasas LLM'10, and Pedro Saadé

After a national search that yielded many impressive candidates, we are very pleased that [Doug Ruley](#) has just joined us this summer as the new director of the ENRLC. His strong environmental law background and commitment to public interest law—including positions as staff attorney at Earthjustice Legal Defense Fund in Juneau, Alaska, and senior attorney and office director at the Southern Environmental Law Center in Asheville, North Carolina—will serve the ENRLC well in his new position. He replaces Interim Director Teresa Clemmer, who to our dismay is returning to Alaska with her family. Last year, Professor Clemmer replaced Professor David Mears, who is currently Commissioner of the Vermont Department of Environmental Conservation.



[Christine Cimini, Director of Externship Program](#)

The South Royalton Legal Clinic continues its impressive service to the Vermont community. In addition to its general civil legal services, the clinic has developed specialized representation of immigrants seeking asylum, u- and t-visas, and Violence Against Women Act petitions, and is recognized for its work in representing children and victims of domestic violence and in providing legal education for prisoners.

Students remain enthusiastic about their experiences in the [Dispute Resolution Clinic](#), where they are trained as mediators and then placed in local courts to mediate cases. The classroom component that runs throughout the clinic semester provides an opportunity for rich discussion of the issues surrounding court-sponsored and private mediation.



[Douglas Ruley, Director of the Environmental and Natural Resources Law Clinic](#)

The new [Criminal Law Clinic](#) to start this fall is the source of much excitement for students who hope to practice in this area. The class will be co taught by three leading practitioners, already popular members of the faculty, who will each have two students working as student attorneys in their offices. This collaboration is expected to provide a broad perspective on criminal practice and issues of justice in the criminal system.

Our [Land Use Clinic](#) will now place students at the Department of Environmental Conservation under the supervision of attorneys in the range of land use practice done by the agency. The two-credit seminar that is part of this clinic will be taught by [Adjunct Professor Catherine Gjessing](#), who is the general counsel for the agency.

We look forward to further developing the clinical and externship opportunities for VLS students, and, in the process, to improving and expanding the professional services offered. Please take a moment to have a look at what students and faculty have to say about VLS clinics and externships in this newsletter.

VLS Launches Criminal Law Clinic

Beginning in fall 2012, three leading practitioners in the Vermont criminal law bar will co-teach our new [Criminal Law Clinic](#), using perspectives generally considered at odds in the courtroom. In addition to classroom time, students will have the opportunity to immerse themselves in practice in the respective offices of the faculty: State's Attorney for Windsor County, Vermont, [Robert Sand '87](#); defense attorney [Kevin Griffin](#); and [Deputy Defender General Anna Saxman '85](#).

The faculty will build on the mutual respect among their offices to provide six VLS students each fall and spring semester with an experience that reflects the criminal law process. Assigned to cases from start to finish, students working at the trial level will be able to follow the entire process from arraignment through motions, discovery, plea bargaining, and even trial under Vermont's student practice rule, applying the collaborative knowledge they have gained in the classroom to resolve each case. Others will work on appeals and will where possible argue them in court.

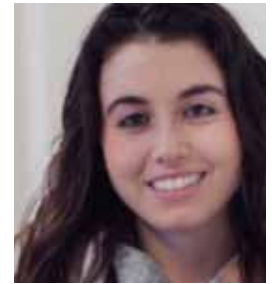
In addition, a new student-run Criminal Law Society will work closely with the clinic to provide support to students interested in criminal law at Vermont Law School.



Criminal Law Faculty (L-R): [Robert Sand '87](#), [Anna Saxman '85](#), and [Kevin Griffin](#)

Student Clinicians Find Ties in Unexpected Places

Sara Imperiale '13 chose Vermont Law School because of its specialization in environmental and public interest law. When it came time to choose her clinical experience, however, she knew that environmental practice would not fit her interest in climate refugee work. Sara's search for tools she could eventually apply to that area of law in her career led her to the [South Royalton Legal Clinic](#) with its unique opportunities in both immigration and asylum law.



Sara Imperiale '13

The SCRLC serves residents from several Vermont counties who are unable to afford counsel and need assistance with issues such as children's rights, immigration, family law, housing, welfare and unemployment, healthcare, Social Security, consumer protection, bankruptcy, contracts, wills, and statutory civil rights. Under the guidance of four experienced staff attorneys, [James May](#), [Alexander Banks '87](#), [Arthur Edersheim](#), and [Maryann Zavez '86](#), students represent clients in state and federal court and administrative hearings.

While Sara narrowed her focus at the clinic, her colleague Billy Peard '13 chose to work on a wide variety of cases in order to strengthen his skills to suit his special area of interest. Dedicated to migrant farm worker issues, Billy saw an opportunity to pull relevant lessons from broader areas of civil practice that he could apply to cases commonly arising in the migrant farm worker community. He accordingly dedicated his time at the clinic to representing clients in landlord tenant disputes, guardianship cases, immigration visa applications, and even contracts.



Billy Peard '13

Although Billy and Sara approached their time at the SRLC differently, their interests find an important overlap in working closely with vulnerable communities, inseparable from real people and their stories. While Sara will eventually pursue that perspective in her work with climate refugees and Billy with migrant farm workers, both student clinicians deeply value the chance they have had this semester to serve clients while they are still law students. Working under student practice rules, more than 60 VLS student clinicians and work-study students help to represent clients in up to 250 hearings per year.

Dispute Resolution Advocates Build Skills

For over a decade, students in the [Dispute Resolution Clinic](#) have experienced the tension, drama, and complexity of conflict by serving as mediators in the Vermont and New Hampshire small claims court mediation program. Each semester about a dozen students provide this valuable community service and build skills essential for being an effective advocate.

[Professor Robin Barone '85](#), teaches students both in the classroom and in the field. She meets with students during weekly “rounds” to go over cases from the previous week, build their theoretical understanding of mediation, and explore the competing issues of substantive and procedural justice that mediation raises. In addition, she meets individual students in court each week to help them learn the craft of mediation. Each student must spend 24 hours in the semester mediating with Professor Barone and other experienced mediators.

By mediating intense commercial and personal disputes, the students experience a conflict from both sides. For students who have spent most of their education examining conflicts from either the defendant’s or the plaintiff’s perspective, this opportunity offers a rich and rewarding experience.

As Laura Colangelo '12 recently observed, “The most important thing I gained from the Dispute Resolution Clinic was confidence. I had taken courses that involved simulated negotiations in the past, but in the back of my mind was always the question of whether I would be an effective mediator when real people’s emotions and interests were on the line. As I went from simply observing real-life small claims mediations to mediating them myself, I developed confidence in my ability to make both sides feel comfortable, explain the mediation process, address misunderstandings, identify areas of common interest, and explore potential solutions. The small claims setting can be quite challenging, but that makes the lessons you learn there all the more valuable and memorable.”



[Professor Robin Barone '85](#)

Students Work for a Bipartisan Legislative Office

Students in the [Legislative Clinic](#) work in a variety of subject areas that come to the Office of the Legislative Council, which serves members of the Vermont General Assembly. Working under the supervision of Adjunct Professors [David Hall](#) and [Maria Royle](#), each student selects a bill to follow through the legislative process from introduction to final passage. Students work directly with staff attorneys on bills, amendments, and related research projects. Students observe floor debates, attend committee hearings, and participate in hearings as needed by the committees.

This semester, students researched and drafted memoranda on the legislative history and development of several aspects of our current state healthcare framework (in May 2011, Vermont passed its own single payer healthcare legislation), as well as on safety issues and best practices concerning propane and fuel storage tanks in the aftermath of damage from Tropical Storm Irene.

Recently, Tyler Drummond '12 and Paul Furlong '12 had the opportunity to testify in committee on research they performed and to assist staff attorneys at the Legislative Council in drafting bills for introduction and amendments. The students have built professional relationships with the attorneys, legislative members, and agency personnel, and they have had the chance to have a substantive impact on issues of importance to the people of Vermont.

Vermont Law Externship Opportunities

VLS provides students three different externship opportunities. Our full-time externship program, known as the [Semester in Practice](#), enables students to spend an entire semester apprenticing under the mentorship of experienced attorneys. Students who want to do an externship while taking other classes can participate in our [part-time externship](#) program. And for students interested in a judicial experience, we offer the [judicial externship](#), either full- or part-time.

The judicial externship works with courts all over the country from federal appellate courts, state high courts, and state local courts to specialty courts such as environmental and water courts. These externships provide an opportunity—through observation, participation, practice, and reflection—to improve students’ legal knowledge and skills and to inform and expand their vision of what the practice and profession of law can be. Specifically, the program’s goal is for students to develop lawyering skills, learn substantive law, and engage in critical reflection about the legal profession, their legal career, and their priorities and values as lawyers and individuals through supervised field experiences and the contemporaneous seminar.

Blake Johnson’s story is illustrative of the ways that externships help educate and shape our students’ law school experience.

Blake Johnson, Semester in Practice Department of Justice, Civil Rights Division, Washington

My Semester in Practice at the Department of Justice Civil Rights Division in Washington, D. C., was nothing less than unforgettable. This was my opportunity to test drive the skills and practice learned at VLS, and I was happy to discover, I could drive pretty well. Through mentors and staff attorneys in the Federal Coordination and Compliance Section, I researched important questions of law, attending meetings to decide on litigation and investigation strategy, and traveled to multiple states investigating claims of civil rights abuses.

“FOR THE FIRST TIME, I SAW THE COUNTRY THROUGH THE EYES OF THE PEOPLE THAT CIVIL RIGHTS ARE MEANT TO PROTECT.”

work at night. By the end of the semester, attorneys asked my opinion on constitutional and civil rights issues. I had the background and confidence to answer difficult questions. I was asked the legal, policy, and political ramifications of different strategies, and loved it.

When it came time to return to Vermont, my Section Chief asked me what experience was most memorable through the semester. One stood out. On a trip across the country, in a dusty legal aid office, I had sat interviewing an elderly victim. She touched me in a way I could never forget. Through the interpreter, age and cultural differences faded as she told me her account of repeated, severe abuse. I reached out and held her hand. Through the interpreter she told us that we were like a warm blanket on her shoulders, and implored us to make sure this doesn't happen again to anyone else. Then I knew that justice is gained by this kind of hard work.

I am grateful to my mentors, professors, and VLS for the opportunity to spend the Semester in Practice, traveling, learning, and experiencing the richness and sincerity of work in the law. I recommend all students make experiential practice part of their legal education.

For the first time, I saw the country through the eyes of the people that civil rights are meant to protect and the law that makes it possible. I ran the National Mall in the evening and often finished up my



Blake Johnson '12, Semester in Practice



Our clinics' new Center for Legal Services will open in August 2012.

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