

IN THE PUBLIC INTEREST

2009 REPORT

PUBLIC INTEREST AND PRO BONO

DUKE LAW

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Pro Bono Numbers

(statistics for 2007-08 academic year)

254

STUDENTS enrolled in 329 pro bono placements (this includes 14 LLM students)

45

RECIPIENTS of the Outstanding Leadership Award for public interest activities

8,535

HOURS of pro bono service reported

125

MEMBERS of the Class of 2008 (including nine LLMs) fulfilled the Pro Bono Pledge by contributing more than 50 hours of service during their time at Duke Law

49

STUDENTS honored for more than 25 hours of service

6,679

HOURS of pro bono service completed by the Class of 2008 during their three years at Duke Law

46

STUDENTS honored for more than 50 hours of service

12

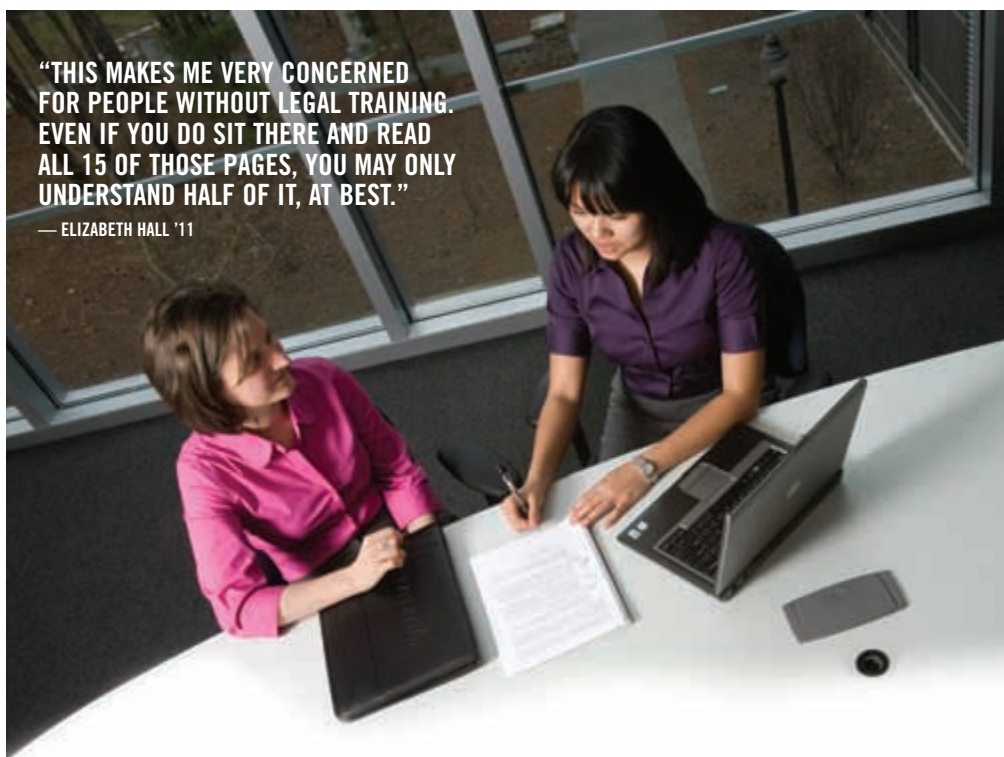
STUDENTS honored for more than 100 hours of service

11,555

ADDITIONAL HOURS of service to clinics reported by the Class of 2008

"THIS MAKES ME VERY CONCERNED FOR PEOPLE WITHOUT LEGAL TRAINING. EVEN IF YOU DO SIT THERE AND READ ALL 15 OF THOSE PAGES, YOU MAY ONLY UNDERSTAND HALF OF IT, AT BEST."

— ELIZABETH HALL '11



Pro bono project assists homeowners facing foreclosure

AS THE SUBPRIME mortgage crisis continues to take its toll on homeowners across the nation, those facing foreclosure in North Carolina have some help. In August 2008, then-Gov. Mike Easley signed the State Home Foreclosure Prevention Project (SHFPP) into law, tasking a partnership of government agencies, housing counselors, legal assistance organizations, mortgage servicers, and community groups with reducing the rate of foreclosures in the state. Students participating in the pro bono Duke Law Foreclosure Project are playing an important role in that partnership.

"We want every North Carolina homeowner to have good options when facing foreclosure," says Will Corbett, staff attorney

for the North Carolina Office of the Commissioner of Banks, the agency leading the SHFPP partnership. "When a home is foreclosed, everyone loses."

In the fall, Corbett led training sessions for law students from Duke, North Carolina Central University, and the University of North Carolina, teaching them how to analyze mortgage documents and operate a computer program designed to identify "red flags" in the lending process of a homeowner facing foreclosure.

"We get several files on each person — the Housing and Urban Development form, the loan application, the truth in lending disclosure form, and the loan note," says Elizabeth Hall JD/MA '11. "We go through and make sure that the settlement agent,

SAYING GOODBYE

Dear Alumni, Students, and Friends of Duke Law and Public Interest,



WITH GREAT NOSTALGIA, I am writing my farewell message as associate dean of public interest and pro bono for our third annual public interest and pro bono newsletter. As many of you know, I announced my resignation last fall and my term as dean ended on Dec. 31, 2008. I am still at Duke Law half-time this spring, teaching Poverty Law for the 16th year in a row and answering questions from all the people who are pitching in until the new public interest dean is named. This semester I also will be writing in the area of

poverty law and continuing my work on access to justice through the North Carolina Equal Access to Justice Commission and the Legal Aid of North Carolina Strategic Planning Committee. Next academic year, I hope to continue to teach Poverty Law and participate in other opportunities that are purposeful to me.

In past communications, I have presented many facts and figures to demonstrate how much the program has grown since I was hired to start Duke Law's Pro Bono Project in 1991. I have talked about how exciting the collaboration has been with students and with those working at Duke Law. So many of my efforts have been in encouraging and participating in the design of initiatives coming from students and then building on these initiatives with new students the next year. And no small amount of my time has been spent in continuing contact with so many of you who place great value on your time here and are still in touch to contribute to Duke Law or to discuss your current public interest aspirations and achievements. I treasure all these conversations and hope that we will continue them into the future.

Though I could name so many who have been part of all that has been accomplished, I want to pay special tribute to Kim Burrucker, who joined me six years ago and who has contributed so much to the development of the program in that short time. While she has strengthened it in so many ways, her greatest triumph is the Volunteer Income Tax Assistance program that puts more than \$300,000 per year in the hands of low-income people in Durham, and involves a large number of Duke Law students in hands-on service with such tangible results. Thank you, Kim, for being such a wonderful colleague.

So as I bid farewell from my formal role in Duke Law's public interest program, I hope and trust that you will continue to find joy in contributing your legal skills in service to those who need your help. Please accept my thanks for all you have done and all that you have yet to accomplish with your considerable talents and big hearts.

Sincerely,

Carol Spruill
Senior Lecturing Fellow
Duke Law School

I HOPE AND TRUST THAT YOU WILL CONTINUE TO FIND JOY IN CONTRIBUTING YOUR LEGAL SKILLS IN SERVICE TO THOSE WHO NEED YOUR HELP.

For more information on Public Interest and Pro Bono at Duke Law School, please contact:

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FORECLOSURE *(continued)*

the lending company, and the broker are all appropriately licensed. We also check to make sure the forms are signed. And then we actually get into the nitty-gritty: who paid for what and how much did they pay?"

Troubling files are identified by the students as they are returned to Corbett who, with a team of volunteer attorneys, investigates the issues and works with the homeowners and servicers on loss mitigation or other modifications that might be made to the mortgage to avoid the pending foreclosure.

"The ultimate goal is to save people's homes and benefit North Carolina by doing so," Corbett says.



Hall and classmate Ashley Chan JD/LLM '11 say the work has taught them invaluable lessons. "Personally this has made me a lot more aware of how thoroughly you need to be prepared to deal with lenders," Hall says. "Professionally, it was interesting to have the initial review of the [relevant] laws in North Carolina."

Chan says this is the first time she has encountered mortgage documents. "It made me reflect on the way that contracts are executed in general, and how I just signed away my student loans," she says. "It does tell me to be more cautious about that and changes my perspective on people who sit and read a whole contract, even if it is 15 or 20 pages long."

"This makes me very concerned for people without legal training," Hall says. "Even if you do sit there and read all 15 of those pages, you may only understand half of it, at best. I think there should be more responsibility on the part of the people who do understand." ▮

— Tanya Wheeler-Berliner

Honoring Dean Spruill

SINCE HER ARRIVAL at Duke Law School, Carol Spruill has been a tireless advocate for public interest and pro bono endeavors. She began to establish Duke Law's Pro Bono Project in 1991 and, in 1999, became the school's first dean of public interest and pro bono. Her work has been nationally influential in the field of public interest law and the development of similar programs at other law schools. Here, Emily Friedman, a Duke Law alumna, and Jeff Ward, a current student, reflect on Spruill's influence in their own lives and careers.



Emily Friedman '98 is currently a senior attorney for The Oprah Winfrey Foundations. She was previously an associate at GoodSmith Gregg & Unruh and a Skadden Fellow at the Legal Assistance Foundation of Metropolitan Chicago.

WHAT I VALUED MOST during my experience at Duke Law was the way in which the faculty supported my passion for public interest law. No one was more encouraging than Dean Carol Spruill.

When I decided to pursue a fellowship focused on child care and the law, Dean Spruill tailor-made an internship for me with a nationally respected leader in the child care community. Dean Spruill provided this same individualized attention to all of the pro bono placements she facilitated.

She showed similar passion and commitment in everything she did, whether she was teaching her Poverty Law class, overseeing the Public Interest Book Club, or leading the Public Interest Law Foundation. Dean Spruill's impact on students has been profound: In some cases she has opened students' eyes to a whole new career; for others, she provided a first-time experience working with lower-income individuals.

In recent years, I have had the opportunity to visit Duke Law's Public Interest Retreat and speak with students pursuing public interest careers. I have been inspired by the strength of the public interest community at the Law School, and by the number of students interested in public interest careers. I know Dean Spruill has laid the groundwork for this community with her contagious enthusiasm and undying energy.

As Dean Spruill moves on to pursue long-planned writing projects and activities that relate to her interest in poverty law and access to justice, I know I speak on behalf of all of the students she has touched in wishing her the best. Lucky for us, she will continue to teach at the Law School. And she will continue to play a role in the careers of countless alumni like me, who carry the wisdom she passed onto us during our time at Duke Law. ♡



Jeff Ward '09 is a JD/LLM who has served as student director of the Duke Law Innocence Project, co-president of Parents Attending Law School (PALS), and co-chair of the Public Interest Retreat during his time at Duke Law. He also has participated in the Wrongful Convictions, Guantanamo Defense, and Community Enterprise clinics.

IT HAPPENED IN MY FIRST WEEKS at Duke Law: I found myself in Dean Spruill's office, growing ever more inspired to put my legal education to work for the people who need legal services the most. For any student who comes to Duke looking to do justice and make a difference in people's lives, it doesn't take long to find the door marked by the title "Dean for Public Interest and Pro Bono." But the bearer of that title means indescribably more to students and to her community than her title implies.

Dean Spruill has been the undeniable centerpiece of a thriving community of service-oriented students at Duke Law. She has directed our energies, encouraged our ideas, and fortified our habits of service. With her helping hand, Duke Law students have given thousands of hours of their time to Durham and other communities. And many have been inspired to devote much or all of their legal careers to serving the public interest. Carried forward by the legions of students she has influenced, the fruits of Dean Spruill's inspiration are yielded far beyond Duke's walls.

Dean Spruill's capacity to inspire comes not from her title but from her example as a servant to her community, a scholar of poverty law, an advocate of access to justice, and a lawyer unshakably committed to the have-nots. Her life and career serve as constant reminders of both the responsibility that lawyers have to the less fortunate and the ferocity with which the integrity of the legal profession must be defended.

Unlike doctors, lawyers do not swear to any Hippocratic Oath. Perhaps the closest thing Duke Law students have is "do as Carol Spruill would do." If we could all do even half as much good as she has, the world would certainly be a better place. ♡



Appellate Litigation Clinic secures two wins in the 4th U.S. Circuit Court of Appeals

DUKE LAW'S APPELLATE LITIGATION CLINIC took two cases before the Fourth Circuit bench on March 18, 2008, and came away victorious in both. Hannah Ludwin Polikov '08 argued on behalf of a Virginia inmate who suffered from a number of physical disabilities and alleged mistreatment and the denial of basic services while incarcerated. The case, which was briefed and prepared by Polikov and Brian Andrews '08, Christine Appah '08, Heather Harrison '08, and Lauren Tribble '08, garnered a ruling confirming that disabled prisoners can sue under the Rehabilitation Act.

"It would have been great to set good precedent regarding the Americans with Disabilities Act, but I thought at the least we'd win on our Rehabilitation Act argument," Harrison said.

Katherine Crawford '08 argued the second case on behalf of a man seeking to recover damages from the State of Virginia for unconstitutional imprisonment. The man's release from prison, following an incarceration for being an accessory after the fact in the grand larceny of a motor vehicle, was delayed almost three months. Briefed and prepared by Crawford and Sachin Bansal '08, Virginia Duke '08, Catherine Tucker '08, and Kish Vinayagamoorthy '08, the case turned on the question of whether such a claim can be recognized after release if the incarceration is not first successfully challenged in habeas action.

The 2-1 ruling that a habeas action is not an absolute requirement is significant, noted Professor James Coleman, a supervisor for the team. "Conceptually this was a difficult issue," Coleman said. "But the students kept at the argument until they were satisfied that they had it right. It was gratifying to learn that a majority of the panel agreed with the students' judgment." ♡

HEATHER HARRISON '08, HANNAH LUDWIN POLIKOV '08, AND CHRISTINE APPAH '08 WERE PART OF THE TEAM THAT PREPARED AND BRIEFED A CASE WHICH POLIKOV THEN SUCCESSFULLY ARGUED BEFORE THE U.S. 4TH CIRCUIT COURT OF APPEALS.

PILF, Innocence Project recognized by Duke Bar Association's D.O.N.E. awards

THE DUKE BAR ASSOCIATION HONORED the Innocence Project with the "Greatest Service to the Community Award" at the second annual Duke Outstanding and Noteworthy Endeavors (D.O.N.E.) Award Ceremony in April 2008.

Involving nearly 80 students who collectively logged the most volunteer hours among pro bono groups, the Innocence Project changed its structure to become "a more cohesive, thorough, and effective pro bono group, [allowing] its members to perform more effectively and do a greater amount of good for the community," said presenter Matthew Levy '09. "I feel privileged to have been a member of the group for the past two years and to have been guided during the last year under its student leadership."

The Public Interest Law Foundation (PILF) was honored with the "Greatest Role in Building Relationships Award." Having raised a record \$143,000 that enabled record-high grants for students pursuing summer public interest work, presenter Jillian Harrison '10 observed that PILF facilitates relationships in myriad ways. "Most importantly, PILF helps us build better relationships with the community and world outside the Law School," she said. "PILF directly enables our students to take advantage of opportunities to better themselves as people and lawyers while bettering the world around us. It helps make Duke Law a kinder, gentler place."

The D.O.N.E. awards recognize student organizations and individuals who made major contributions to the Duke Law community and experience during the academic year. ♡

NEW IN PUBLIC INTEREST & PRO BONO

McRae wins Human Rights Watch's Finberg Fellowship

FOR SOMEONE WHO CAME to law school with the goal of becoming a human rights activist, receiving a fellowship from Human Rights Watch is certainly a confirming step in the right direction.

"I knew coming in what I wanted to do and it's just been a matter of trying to follow that path since



I got here," says Amanda McRae '09, this year's recipient of the Finberg Fellowship. The paid fellowship, one of four awarded this year by Human Rights Watch, was established in honor of two of the organization's early sup-

porters, Alan R. and Barbara D. Finberg.

As a Human Rights Watch fellow, McRae says she will pursue a country- or topic-specific international human rights project, which will be determined later in the spring. "I'm really excited, obviously, because this is exactly what I want to do with my life," she says. "I think this will be a really good experience ... to get even more field research experience, to use the legal skills I've learned here at the Law School, and to analyze human rights issues."

Reflecting on the role she has played to increase awareness of international human rights issues both at the Law School and in the greater Duke community, McRae says she is excited about this year's 1L class and the interest and initiative they have shown in the area. "I like to think that I've done something to contribute to that — if only to attract one or two of those people to come here," she says, "but just the fact that human rights is becoming an even bigger deal in people's every day lives here in the U.S. and is spurring more people to be interested in the topic, is great." 🐾

New fund benefits Duke Law grads working for Legal Aid of N.C.

THE CALDER WILLINGHAM WOMBLE Justice Fund was dedicated on Nov. 17 at the N.C. Bar Center. The restricted fund within the North Carolina Bar Association Foundation Endowment has been earmarked for the Loan Repayment Assistance Program of the Legal Aid of North Carolina Fund. Proceeds from the fund will be restricted to Duke Law graduates working with LANC. Womble was a member of the Class of 1947.

George Hausen, executive director of LANC, called the gift an "act of extraordinary leadership and generosity" in his remarks at the dedication ceremony. 🐾

JENNIFER JENKINS '97 AND SARAH LUDINGTON '92 PARTICIPATE IN THE 2008 MCDONALD'S HALF-MARATHON IN RICHMOND, VA. AS PART OF AN EFFORT TO RAISE MONEY TO FUND GRANTS FOR SUMMER PUBLIC INTEREST WORK.

**Students, faculty, and alumni run to raise PILF money**

A GROUP OF Law School faculty, students, and alumni ran the November 2008 McDonald's Half-Marathon — and a few ran the full, 26-mile SunTrust Marathon — in Richmond, Va., to raise money for Duke's Public Interest Law Foundation.

Student organizer Greg Dixon '10 said the group raised more than \$2,000 for PILF. Davis Polk & Wardwell sponsored the runners, who also raised money from friends and family.

Professor James Boyle, the William Neal Reynolds Professor of Law, Center for the Study of the Public Domain Director Jennifer Jenkins '97, and

Visiting Assistant Professor Zephyr Teachout '99 all finished the half-marathon, along with Bethan Haaga '10, Lily Li '11 (8K), Daniel Narvey '11, Bettina Roberts '10, Jonathan Ross '11, Sarah Ludington '92, and Dixon.

James Pearce '11, Adam Pechtel '10, Xiaolu Zhu '09, and Amanda Guzman '10 all ran the full marathon, with Pearce and Pechtel qualifying for the Boston Marathon in April.

Forty-three members of the Duke Law community also ran and walked the Al Buehler Trail in Duke Forest on Oct. 25, raising \$300 for PILF. 🐾

Group Spotlight: Refugee Asylum Support Project

SINCE ITS INCEPTION IN 2002, the Refugee Asylum Support Project (RASP) has been a popular pro bono group for students at Duke Law. RASP participants work under the supervision of attorneys to do case-specific research and provide translation services for asylum seekers from around the world. The group also promotes awareness of refugee and asylum issues through speakers, workshops, and social events.

"I think one of the things that is most impressive to me about RASP is just the enthusiasm," says Amber Jordan '10, external director of the group. RASP recently received a request to translate a lengthy document for a Colombian refugee seeking asylum due to his LGBT status. The turnaround time was tight, which worried Jordan at first. Then, eight students replied to the listserv request and the job was quickly finished.

"The response was phenomenal," Jordan says. "The attorneys contacted us numerous times to tell us how much they appreciate our work, and then we found out that the refugee was granted indefinite asylum."

Jordan calls the case "groundbreaking, because it is very hard to get a successful claim for LGBT status, since the country as a whole normally does not recognize that as a basis for asylum-seeking."

In addition to producing country reports for asylum seekers and translating documents, RASP is branching out this year with a new subgroup: the Unaccompanied Minors Project. Led by Carla Reyes '09, the group trained interested members in the fall and is currently working on one case with the North Carolina Justice Center involving immigrant children who suffered abuse and hardship in their home country and have no parents or guardians in the United States. The Unaccompanied Minors Project is also working with Durham Legal Aid to build its capacity to take Special Immigrant Juvenile Status cases, and with Volunteer Advocates for Immigrant Justice in Seattle on a variety of projects.

RASP also recently co-sponsored a lunchtime event with the pro bono Domestic Violence and Sexual Assault Awareness Project addressing the topic of working with adult and juvenile battered immigrants. Students hope to soon host a panel discussion with refugees willing to share the legal process from their perspective, says Mary Kristen Kelly '10, internal director of the group.

Kelly, who did pro bono asylum work as a paralegal before coming to Duke Law, says she, too, is amazed by the number of students who participate in the group. "I didn't realize how big of an interest people actually had in the field," she says. ♡

— Tanya Wheeler-Berliner

2008 Public Interest Summer Placements

BELOW IS A LIST of all of the 2008 Duke Law student public interest summer placements. Thirty-nine students received a total of \$183,798 in grants and fellowships for this public interest employment. Those locations where the students received funding are marked by an asterisk (*).

- | | |
|--|---|
| * ACLU National Prison Project, Washington, D.C. | * Mississippi Center for Justice, Jackson, Miss. |
| * Advocacy Forum/LPR Nepal, Katmandu, Nepal | Montgomery County Public Defender's Office, Rockville, Md. |
| * AIDS Legal Assistance Project, Durham, N.C. | * Nassau County Attorney's Office, Mineola, N.Y. |
| Alliance Defense Fund, Memphis, Tenn. | * Natural Resources Defense Council, New York, N.Y. |
| Alliance Defense Fund, Scottsdale, Ariz. | * New York Attorney General's Office, New York, N.Y. |
| * American Antitrust Institute, Washington, D.C. | North Carolina Conservation Network, Raleigh, N.C. |
| * Appellate Defender's Office, Durham, N.C. | North Carolina Department of Justice, Raleigh, N.C. |
| * Bay Area Legal Aid, Oakland, Calif. | North Carolina Prisoners' Legal Services, Raleigh, N.C. |
| * Bet Tzedek Legal Services, Los Angeles, Calif. | * Pisgah Legal Services, Asheville, N.C. |
| * The Bronx Defenders, Bronx, N.Y. | * Public Defender's Office, Raleigh, N.C. |
| * Center for Death Penalty Litigation, Durham, N.C. | * Public Interest Law Institute, Budapest, Hungary |
| Center for Democracy and Technology, Washington, D.C. | Reclamation of Southern Assets Land Project, Chicago, Ill. |
| * Centre of Social Justice, Ahmedabad, India | San Francisco Unified School District General Counsel's Office, San Francisco, Calif. |
| Charlotte-Mecklenburg County District Attorney's Office, Charlotte, N.C. | Santa Clara County District Attorney's Office, San Jose, Calif. |
| * Children's Rights, New York, N.Y. | Self Employed Women's Association, Ahmedabad, India |
| Duke University General Counsel, Durham, N.C. | * The Sierra Club, San Francisco, Calif. |
| Earthjustice, Bozeman, Mont. | * Texas Attorney General's Office, Austin, Texas |
| * Earthjustice, Oakland, Calif. | UNC School of Government, Chapel Hill, N.C. |
| * East Bay Community Law Center, Berkeley, Calif. | * U.S. Attorney's Office, District of Connecticut, Hartford, Conn. |
| Environmental Protection Agency, Washington, D.C. | U.S. Attorney's Office, Eastern District of N.C., Raleigh, N.C. |
| Essex County District Attorney's Office, Salem, Mass. | U.S. Attorney's Office, Southern District of N.Y., New York, N.Y. |
| * The Feminist Majority Foundation, Beverly Hills, Calif. | U.S. Court of International Trade, New York, N.Y. |
| * Georgia Legal Services Program, Atlanta, Ga. | * U.S. Department of Justice Civil Division, Washington, D.C. |
| * The Housing Advocates, Inc., Cleveland, Ohio | * U.S. Department of Justice Drug Enforcement Administration, Washington, D.C. |
| Internal Revenue Service Chief Counsel's Office, Washington, D.C. | U.S. Government Accountability Office, Washington, D.C. |
| * International Bridges to Justice, Geneva, Switzerland | * U.S. Senate Judiciary Committee, Washington, D.C. |
| * International Consortium for Law and Development, Boston, Mass. | Vermont Environmental Law Summer Institute, Geneva, Switzerland |
| * Iowa Attorney General's Office, Des Moines, Iowa | Virginia Attorney General's Office, Richmond, Va. |
| * Kings County District Attorney's Office, Brooklyn, N.Y. | WilmerHale Legal Services Center, Jamaica Plain, Mass. |
| Lawyers' Committee for Civil Rights, Washington, D.C. | Wrongful Convictions Clinic, Durham, N.C. |
| * League of Conservation Voters, Washington, D.C. | Yakima County Prosecutor's Office, Yakima, Wash. |
| Los Angeles County District Attorney's Office, Los Angeles, Calif. | |
| Low-Income Taxpayer's Clinic, Durham, N.C. | |
| Massachusetts Attorney General's Office, Boston, Mass. | |
| Miami Public Defender's Office, Miami, Fla. | |

AIDS Legal Project alters law student's focus

A SUMMER JOB WITH DUKE'S AIDS LEGAL Project may well have changed David Mansfield's entire career path.

"I was going to go to the big-shot firm, argue a lot of cases before the courts, have clerked already, and either become a law school professor or a federal judge," Mansfield '10 says of the vision he had when he began law school. Now he says he is more drawn to public interest law.

"I expected the job to be sort of an interesting educational experience and to help me develop some skills that would be useful to me down the line," he explains. "Instead, it wound up changing what down the line is going to be."

Mansfield worked at the AIDS Legal Project from May through August, handling end-of-life planning, guardianship issues, breach of confidentiality cases, and disability cases. In all, he worked on 32 cases over the summer. He says he found working closely with clients in need invigorating.

"It's interesting work, it's meaningful work, and they definitely need the representation," he says, citing a disability benefits case as a particular source of gratification. "It was very satisfying when I got the client his benefits and I felt that I was in large part responsible."

Taking responsibility for cases also was part of what appealed to Mansfield about his experience at the AIDS Legal Project. He guided the disability benefits case from its inception to a hearing before an administrative law judge in Raleigh — almost.

"We went to the hearing and he had done such great preparation that the judge was persuaded to award benefits without needing to hold the hearing," says Allison Rice, supervising attorney with the AIDS Legal Project. "The judge announced his decision and complimented Dave on his work and his brief. That was absolutely Dave's case."

Rice says that, no matter what their future plans may be, students benefit from practical experience and from contact with clients.

"In our clinic we do a lot of client contact, meeting with clients, counseling clients about things like wills," Rice says. "A lot of that type of work doesn't involve difficult drafting, it's really about learning to hear what the client wants, what their goals are. You have to learn how to counsel them to achieve their goals. Students tend to want to go right to solutions, but good lawyers learn how to listen openly, without a preconceived notion of what the solution will be. Even in a simple will situation, families are complicated and clients' goals may be affected by that."

Mansfield agrees that working with the project's clients was unlike anything he had done before: "Sometimes you have to talk to somebody who doesn't necessarily know what they want, or can't necessarily put it into words. You have to figure out what they want and figure out how to implement it, and in a client-driven profession that's always going to be important."

Even some of the more "mundane" aspects of client work were helpful, Mansfield adds. "I'm much better on the phone than I was when I started there. When I started, if I left messages, people never called me back. I've gotten much better at leaving voicemails that get calls back. It seems like a minor thing but if you need someone to call you back, it's important."

"So from some of the seemingly minor things to larger skills, I really got a wide variety of skills practice." ♡ — *Forrest Norman*

"IT'S INTERESTING WORK, IT'S MEANINGFUL WORK, AND THEY DEFINITELY NEED THE REPRESENTATION."

— DAVID MANSFIELD '10



Street Law connects Duke Law students with children in the community

DUKE LAW SCHOOL'S PUBLIC INTEREST PROGRAM is expanding community outreach with the growth of the Street Law project. Street Law volunteers added a third program and more volunteers to their efforts last semester, and the total number of volunteers jumped from six in the 2007 fall semester to 26 this semester.

Street Law volunteers teach kids about criminal and constitutional law, encourage creative expression, and stage mock trials.

"I'm excited about it. I'm happy it's going to expand even more," says Kim Burrucker, director of the Public Interest and Pro Bono Program at the Law School. "I have many more students who want to be included."



Volunteers from the Law School have been active at the Durham Youth Home for four years. The youth home is a detention center housing minors in various stages of the judicial process.

One volunteer group focuses on legal education.

"The law students are able to really connect with the residents and present the legal profession in a positive light," says the youth home's volunteer coordinator, Latisha Linszey.

The students teach residents about aspects of constitutional and criminal law, engage them in hypothetical legal situations, and stage

legal arguments. "Students engage the residents in some discussion and have the residents apply the principles learned to various factual scenarios," Linszey says. "Other nights the residents will act as attorneys and put together arguments to present to the group. This aspect of the Street Law program is extremely beneficial to our residents."

There are benefits to be had on both sides.

"They often have a kind of working knowledge that we don't," says Street Law volunteer Patricia Hammond '11. "Most of our knowledge is theoretical at this point."

"The residents are ... often able to challenge the law students to think about how the justice system is working," Linszey says.

The Street Law mock trial group works with middle school students, teaching them about the law and preparing them for a mock trial. This year, eight volunteers worked with 12 students from Lowe's Grove Middle School. Eleven weeks of work culminated in a mock trial at the Law School.

"They're sixth-graders, so they have a lot of energy and enthusiasm, but I have to admit that I was a little worried about how it would turn out," says Todd Miller '11, one of the Street Law volunteers. "But when it came time for the trial, they did really well."

The trial centered on whether a student intentionally stabbed another student with a pair of scissors.

"Intent was the issue we were trying to get them to focus on, which is a little nuanced, but they got it," Miller said.

Another group of Law School students, led by Mike Manigault '10, teaches creative expression to youth home residents. Manigault developed the program himself, after volunteering at the youth home and learning about the residents' lives.

"[Street Law volunteers] were teaching the kids about the law and I think that's great," he says. "I just thought there could be a way for them to express themselves creatively that would be good for them. There's a lot on their minds that I feel they're not always able to process."

Written and verbal expression are key to the Street Law approach, Manigault says. In one exercise he asks residents to write a letter to someone who they normally wouldn't contact.

"We start off talking about the nature of letters, the form of letters, what letters are supposed to accomplish," Manigault says. "Then we read rap lyrics that are written in the form of letters and have a discussion about that. Then they go and write letters. The guys tend to write to fathers who aren't around or gang members on the outside. I remember one girl wrote a really meaningful letter — it was to herself five years ago. It was a mix of pride, because I guess she thought she wouldn't be able to deal with some of the situations she was able to deal with, and hope for the future." — *Forrest Norman*



PUBLIC INTEREST RETREAT 2009



DUKE LAW STUDENTS, ALUMNI, FACULTY, AND STAFF — along with students from North Carolina Central University, Charlotte, and Wake Forest law schools — gathered in early February 2009 for the annual Public Interest Retreat: a weekend filled with information and inspiration for those seeking to do public interest work. Alumni speakers including Nichelle Johnson

Billips '03, Amy Gillespie '93, Heather Jarvis '98, Kendra Montgomery-Blinn '03, and Keith Talbot '01 shared their personal experiences and advice in small breakout sessions throughout the weekend.

Keynote speaker Joseph Zogby, founding staff director of the U.S. Senate Subcommittee on Human Rights and the Law, and chief counsel to Sen. Dick

Durbin (D-Ill.), urged retreat attendees to decide who they could use their law degrees to serve and to figure out the best way to achieve that goal.

"Don't spend your life or your career getting ready to do what you really want to do," Zogby said. "[And] don't give up on the idea of changing the world." ♡



Student Profile

Bettina Roberts '10: Summer leads student to India

BETTINA ROBERTS '10 knew she'd be spending the summer working abroad in her pursuit of a JD/LLM in international and comparative law. But when she boarded a plane for Switzerland for a job with Geneva-based nonprofit International Bridges to Justice (IBJ), she had no idea how multinational her summer would be.

"I'd been to Geneva before and I speak French, so I knew I wanted to go there," she says. "I also knew I was interested in criminal law. Other than that, I didn't really have any criteria. And when I went into work on my first day, I had no idea what I'd be doing. I definitely didn't expect to end up in India."

She also didn't expect to help plan a training seminar for more than 100 legal aid defense attorneys in India. Such training is especially important there, Roberts says, because there is very little public

funding for defense attorneys representing indigent defendants, and very few attorneys who focus only on legal aid work.

"Nothing like our permanent, full-time 'public defender' exists there," Roberts explains. "They really benefited from the hands-on training and inspiration that IBJ was able to provide."

IBJ works in several countries to ensure due process and competent legal representation for defendants, and to hold countries to basic standards of human rights in the criminal justice process.

"The idea is to help reform justice systems from the inside," Roberts says.

Working closely with IBJ founder and CEO Karen Tse, Roberts planned materials and logistics for the seminar, which included training in opening statements and cross examination by attorneys from the San Francisco Public Defender's office.

Roberts says that response to the seminar in India was impressive. Attorneys from every Indian state were invited to attend. While 108 invitations went out, more than 130 people showed up, according to IBJ's web site. Also present were four Indian Supreme Court Justices.

Roberts says she found motivation in Tse's example.

"Working with Karen was a great experience," she says. "She doesn't take no for an answer, and is at once so fierce and so compassionate that it was impossible not to be inspired to do good." The American Bar Association presented Tse with their 2008 International Human Rights Award in August.

Roberts' position with IBJ was arranged through Bharat Dube '86, a Geneva lawyer who is president of IBJ's Swiss Council.

"There are a lot of neat connections involved in this IBJ opportunity," says Jennifer Maher '83, assistant dean for international studies. "Bharat Dube is a long-time supporter of Duke's Geneva program and has arranged internships for students with his company, Richemont International. In 2007, Bharat introduced me to Karen Tse and IBJ. I encouraged Bettina to apply for an internship there and in the meantime, Bharat was making introductions for IBJ in India, which resulted in the 2008 summer training in India and Bettina's incredible experience there."

Law School alumni also were involved in funding Roberts' work overseas. She received the International Development Fellowship, intended for students to spend all or a part of the summer interning at a non-governmental organization or pursuing an independent research project in a developing country. The fellowship was the idea of two alumnae from the Class of 2004, Sarah Dadush and Sohini Chatterjee, who have since generously supported it.

Roberts was taken with India, so much so that she spent the last two weeks of her summer backpacking around the country before returning to Durham. She also expects to maintain her connection with IBJ, possibly even working for the organization in some capacity during the school year. And she signed up for an elementary Hindi course during the fall semester. "I definitely want to do something with India, particularly in the criminal justice field, in the future," she says. — *Forrest Norman*

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Alumni Profile

Keith Ernst '96

Advocating for consumers through sound research and policy

REFLECTING on the economic crisis during an early February interview in his office at the Center for Responsible Lending (CRL) in downtown Durham, Keith Ernst '96 suggests that the foreclosure rate is worse than even “routinely hyperbolic headlines” indicate.

“Right now, the best projections are that over the next four years, one in 12 homes with a mortgage in North Carolina will be lost to foreclosure, and nationally it’s almost 15 percent,” says Ernst, senior policy counsel for CRL, who also earned an MA in public policy from Duke. As many as one-third of the subprime mortgages that originated in 2005 or 2006 will ultimately end in foreclosure, he adds.

Ernst and his colleagues predicted a foreclosure crisis almost three years ago. At a time when national subprime foreclosure rates were relatively modest, they studied the performance of subprime mortgages across a spectrum of housing markets. “We saw a very clear relationship,” says Ernst. “Strong housing prices led to modest foreclosure rates — 2 or 3 percent.”

Using data that predicted a national housing downturn, the researchers looked into the expectations for subprime mortgage performance. “We foresaw foreclosure rates skyrocketing, from relatively low rates up to one in five subprime mortgages being foreclosed,” says Ernst. “And ultimately the foreclosure rates will be much higher because we’re dealing with a down housing market and a crippled financial sector.”

Ernst is proud of the empirical research that CRL undertakes on a wide range of consumer issues, from predatory lending practices to how banks service subprime loans. He and his colleagues are commit-

ted to shaping a transparent, empirically-based, and balanced body of evidence relating to consumer protection, which has made them highly credible participants in the policy-making process, he explains.

They also try to stay one step ahead. That’s why CRL, an affiliate of the Durham-based nonprofit Self-Help Credit Union, released its foreclosure research in 2006 and is now investigating how banks and other financial institutions are helping borrowers manage the financial crisis as well as what policies are needed to prevent a recurrence.

A Long Island native who arrived in Durham for law school and never left, Ernst says he always knew he wanted a career in public interest. “I always wanted to part of a process that made the world a better place for all the families out there who are trying to just have a good life for themselves and their kids,” he says.

He never summered or interviewed with a firm and actively pursued pro bono projects throughout law school. He says he remains grateful for the mentorship of former Associate Dean for Public Interest and Pro Bono Carol Spruill, as well as such professors as the late Jerome Culp, and is equally grateful for Duke’s loan forgiveness program that made public interest work possible.

A summer internship at what is now the North Carolina Justice Center led to Ernst’s first policy job after graduation: working on the state implementation of



the welfare reform laws passed during the Clinton administration. He then worked with the Institute for Southern Studies, helping community and labor organizations throughout the South use research to achieve their public policy objectives. Since joining CRL in 2001, he’s done everything from front-line research to lobbying for consumer protections against predatory lending in more than half-a-dozen states.

Now he focuses primarily on managing research projects and formulating the “right questions” that will make a case for change to policymakers and private lenders.

“The great thing about this job is the ability to think big, to think creatively, to work on a variety of projects, and to have the resources to do it,” he says. “We’re fairly unique in a lot of ways as an organization, so a lot of times what gets me excited and bounding up the stairs in the morning is the notion that we’re doing something that other people aren’t doing [or] hasn’t been done in quite the way we’re doing it. A lot of the excitement for me in this job is creating new paths.” — Frances Presma

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ABOUT 565 DUKE LAW STUDENTS, PARENTS, FACULTY, STAFF, AND FRIENDS ATTENDED THE 2009 PUBLIC INTEREST LAW FOUNDATION AUCTION AND GALA. THE EVENT RAISED MORE THAN \$66,000, WHICH WILL SUPPORT SUMMER GRANTS FOR STUDENTS ENGAGED IN PUBLIC INTEREST WORK.

