

2016-17 – Year in Review

It has now been more than 15 years since the Children’s Law Clinic opened its doors to North Carolina children and to Duke Law students. During those years, hundreds of 2nd and 3rd year law students have developed lawyering skills crucial to their future success as lawyers, and in return, their clients have received free legal advice and advocacy that allowed them access to important educational services and government benefits. During this past year alone, the law students’ work with individual clients resulted in the provision of *thousands* of hours of improved individualized education for special needs children, the awarding of *tens of thousands* of dollars in government benefits for low-income disabled children.

Law students in the Clinic found tremendous satisfaction providing advice and representation to individual clients. Whether they experienced only a few interactions with a particular client, or represented someone for an extended period of time, they feel personally stretched and engaged. Here’s how several students described their time in the Clinic:

Working in the clinic has required more of me as a person than any of the other legal work I’ve done. That can be taxing. But the flip side of that coin is that the work in the Clinic has also been more rewarding than any of the other legal work I’ve done.

Client counseling is very difficult, but it is also incredibly rewarding. . . It is so personal! I had no idea how transformative the clinic experience would be for me.

The clinic experience has allowed me to see the lawyer’s role as one of mediator, bridging the gap between the abstract, politicized system and the stark reality of people who can’t make the system work on their own.

During this year, students successfully advocated for critical educational services at school meetings, fought the imposition of unnecessary and harmful school suspensions, and artfully presented the cases of disabled children to administrative law judges so that those children could obtain life-sustaining disability benefits. Students learned to interview clients, investigate facts, develop a legal theory, write briefs, prepare direct and cross-examinations, and translate complicated legal theories into plain language for their clients. One student reflected on his experience this way:

This semester was a crash course in the realities of being a lawyer. Deadlines were set that required immediate action. Deadlines were also postponed or rescheduled, forcing me to adapt to new circumstances. I had to speak with clients, opposing counsel and third parties by phone and email. I had to balance numerous clinic tasks along with my other school work and the chores of daily life. I had to explain bad news to clients. I had to drudge through hundreds of pages of records. But also, I got to walk into a meeting in my suit and realize that I was truly being treated like my client’s attorney. That was really cool!

Representing children across language barriers was a particular challenge for the Clinic this year. Several students used their fluency in Spanish to effectively represent children at the Social Security Administration, allowing the children's parents to understand what was going on in a way they had not in the past. Solving a complicated payment case for her Spanish-speaking family – whose difficulty understanding a form resulted in the interruption of the child's benefits and then an alleged \$4,000 overpayment – gave the student attorney particular satisfaction. Here is how she felt when she got things unraveled:

My client got her money today. . . At the beginning of the semester, I met a scared woman who was told she owed the government thousands of dollars. Her savings had run so low she didn't know where the rent money would come from . . . Maybe another day I'll write about government inefficiency, or the barriers poor families face when confronting bureaucracy. But today I'm willing to let all of that go, because today I confirmed that my client received a check from Social Security. . . Today, my client's family can pay the rent and keep their lights on, and that's enough.

The Children's Law Clinic also continued its engagement in larger policy affecting the rights of children in North Carolina. The Clinic issued several reports that added meaningful contributions to the conversation about education in North Carolina. *Welcoming Immigrant Children to School: A Report of North Carolina School Districts* was the result of a study and survey spearheaded by law student Carlos Marquez, '17. The report showed how well the school districts in North Carolina comply (or fail to comply) with their legal requirements to enroll immigrant children. A number of clinic students assisted Carlos in collecting and analyzing the data for the report, which he wrote with editorial support from Clinic director Jane Wettach. A second report, *School Vouchers in North Carolina – The First Three Years*, presented an overview of the inauguration and initial implementation of the new Opportunity Scholarship Program in North Carolina, which provides government vouchers for children to attend private school. Law students assisted Clinic Director Wettach with the research, data collection, and analysis for that report. The Clinic also produced *A Parents' Guide to Special Education in North Carolina*, the most comprehensive resource available to families about their children's special education rights. Law students are prominently featured in the online version, orally answering more than 80 "Frequently Asked Questions."

In the 15 years the Law Clinic's doors have been open, it has not only become an invaluable resource to families in Durham, the surrounding counties and across the state, it has continued to help Duke Law students develop and hone the skills that will help them become empathic, skilled, and effective lawyers when they graduate and begin their own practice in the law. As one student put it:

Clicking the enroll button to join the Children's Law Clinic was the best decision I made in law school. My entire law school career was radically transformed in such an amazing way. . . . My work representing families or investigating school enrollment practices energized me every single day. . . . My journey as a student-attorney allowed me to fulfill my passion for social justice. But it has also made me a better attorney, allowing me to develop skills that will serve me the rest of my career.