



Northern Illinois University

Your Future. Our Focus.

NIU College of Law Clinic Clips

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CLINICAL PROGRAM MISSION

Our mission is to provide hands-on learning opportunities for law students to advocate on behalf of real clients under the supervision of clinical faculty, who are experienced lawyers. Through the clinic's commitment to social justice and providing free legal services, our students' advocacy and hard work can dramatically improve the life circumstances of people in need.

END OF YEAR MESSAGE FROM INTERIM CLINIC DIRECTOR PROF. PAUL J. CAIN

The NIU College of Law Clinical Program had a successful year providing hands-on learning to clinic students who changed their clients' lives. Clinic students represented real clients with real cases in a variety of legal settings. In doing so, they changed their clients' lives in a meaningful way. Clinic students represented their clients through fact investigation, formal and informal; interviewing clients and witnesses; legal research that informed decisions regarding legal theories and strategies; drafting pleadings, motions and discovery documents; and advocating through negotiating and appearing at court hearings and administrative hearings. Clinic students utilized interpersonal skills such as empathy and active listening. These clinic students will carry these skills into their law practices as attorneys.

Many clinic students say that their clinic experience is the most meaningful experience of their law school career.

They are able to put together the doctrinal concepts, legal procedures and foundational skills that they have learned to help a real person. It is why so many clinic students remember their first clients throughout their legal career. – Prof. Paul J. Cain, Interim Clinic Director

2018-2019 CLINIC HIGHLIGHTS

HEALTH ADVOCACY CLINIC (AURORA)

Prof. Colleen Boraca, Clinical Associate Professor

Sixteen law students made a difference to the Hesed House community throughout the past twelve months. These students, who participated in the NIU Health Advocacy Clinic (“HAC”), developed legal skills in a variety of ways. Summer 2018 students presented to the Aunt Martha’s medical staff on eligibility for public benefits based on immigration status while Spring 2019 students educated Hesed House case managers on the impact of drug and alcohol use on applications for Social Security. Fall 2018 students hosted a “Power of Attorney [POA] Day”

and helped seven Hesed House residents complete POAs. Over the past five years, HAC students have represented clients with obtaining Social Security disability and have helped them obtain \$733,462 in benefits.

Case Highlight: “Mitch”

When thinking about why interdisciplinary collaboration is so important, Mitch’s case comes to mind. Mitch originally met with HAC students in 2015 but struggled with addiction for multiple years. In 2017, he became sober and started taking the necessary steps to be approved for Social Security. It required a full-court press by all those involved with supporting Mitch. Multiple Hesed House case managers helped schedule and transport him to dozens of medical appointments for both physical and mental health conditions. Addiction counselors and mental health providers worked with him to maintain his sobriety and handle challenging depression and anxiety. His medical providers documented the impact that his medical conditions, mainly cancer, were having on his daily functioning. HAC law students assisted with his appeal and made legal argument to Mitch’s adjudicator that set forth why he should be approved for benefits.

The Social Security Administration (“SSA”) did not notify the HAC, Mitch’s appointed representatives, when he was approved, and he did not receive notice due to being homeless. Because of this, Mitch missed a necessary appointment with SSA and was told that he needed to restart the application process. HAC students intervened, arguing why that was not accurate. Ultimately, Mitch was awarded \$771 in monthly SSI benefits and \$15,723 in back benefits. This regular income will prevent Mitch from becoming homeless again. At his request, Mitch worked with another profession. He met with a financial planner to help make productive decisions about spending his back pay.

Students enrolled in the HAC this academic year:

Summer 2018

Michelle Aggacid
Alivia Hatten
Jennifer Nielsen
Mauricio Ortiz

Fall 2018

Zeporah Askia
Rachael Clark-McCarthy
Riley Gallagher
Alivia Hatten
Jaclyn Sweeney

Spring 2019

Craig Bott
Kyle Colson
Roshun Gurunathan
Sean Kirby
Olha Nakonechna
Meg Randich
Joshua Yonke

CRIMINAL DEFENSE CLINIC (ROCKFORD)

Prof. Paul J. Cain, Clinical Professor and Interim Clinic Director

The Criminal Defense Clinic represented 19 clients this year through the work of 10 students. Those students are Ak’Kowa Alexander, Michael Biggott, Cody Booker, Adam Casson, Mason Crosby, Emily Crutchfield, Avi Fagan, Lauren Harris, Adam Rosner and Jessica Theodoratos.

Clients were charged with a variety of misdemeanor offenses with 5 clients having felony offenses. Many of our clients have mental health or substance abuse problems as well. Several clients were homeless and living either on the street or in homeless shelters.

Clinic students visited crime scenes; reviewed discovery such as police reports and videos; did legal research; interviewed witnesses; issued subpoenas; drafted motions; and negotiated with assistant state’s attorneys. In addition, clinic students utilized a holistic approach to best serve our clients. Clinic students researched and contacted service providers who could assist our clients with their underlying needs to achieve the best possible result for them.

While not all of the cases resolved, the cases that did resolve had favorable outcomes. Of the disposition of our clients’ cases, one was conditional discharge, one was a petty offense, two cases were dismissed and four cases were court supervision resulting in no conviction. In two cases we withdrew as their attorney for various reasons.

Case Highlight

One highlight of the year was representing a 25 year old client charged with a FOID card offense as a non-probationable 3rd class felony with a mandatory sentence of 2 – 5 years at the Department of Corrections, a fine of up to \$25,000 and 1 year mandatory supervised release (parole). In other words, if convicted the judge would have no option but to send him to prison. He had no prior offenses having never even been arrested. In addition, this client is married with two children and needs a firearm for his profession in security services. After doing extensive research in charging and sentencing options, subpoenaing documents from the Illinois State Police and several rounds of negotiations with the prosecutor, the clinic student was successful in reaching a disposition of amending the charge to a petty offense with a sentence of a \$150 fine.

CIVIL JUSTICE CLINIC (ROCKFORD)

Prof. Wendy Vaughn, Clinical Associate Professor

Many of the clients who come to the Civil Justice Clinic are living in crisis and experiencing trauma. Other clients are elderly or disabled and living alone with little help or support from family or friends. Our Civil Justice Clinic students have demonstrated remarkable compassion and tenacity in not only meeting the legal needs of their clients, but also demonstrating great empathy and understanding during difficult times.

The Civil Justice Clinic would not be possible without the hard work and dedication of all of our 2018-2019 students:

Summer 2018 Students: **Brandon Evans and Krystal Judah**

Fall 2018 Students: **Justine Alfaro, Brian Fernandez, Jed McClure,
Devin Taseff, Aaron Vanagaitis, & Victor Zamora**

Spring 2019 Students: **Elle Daley, Lucy Hoffman, & Holden Lemke**

This year, students have represented individuals surviving domestic violence and sexual assault in obtaining orders of protection, as well as modifying and extending orders of protection. To achieve their clients' goals, Civil Justice students have worked closely with victim advocates and social service providers, law enforcement, the State's Attorney's Office, and adult probation and parole officers. Students have subpoenaed evidence from multiple sources including law enforcement, hospitals, medical providers, employers, and the Department of Children and Family Services. Students have negotiated and litigated issues related to parental responsibilities, parenting time, and parental restrictions, as well as financial remedies related to child support, spousal support, property allocation, and recovery for economic losses related to abuse. Students have conducted research and advised clients on the Victims' Economic Security and Safety Act and the Crime Victim Compensation Act, as well as guided their clients through these processes.

Students in the Civil Justice Clinic have represented numerous elderly clients and clients living with disabilities. Students have advised their clients on estate planning options, drafted advance directives and wills on their clients' behalf, and counseled clients related to a number of issues.

The Civil Justice Clinic students are regularly out-and-about in the Rockford community. This year, students have participated in collaborative meetings, attended community outreach events, and given presentations to seniors about the services available at the Zeke Giorgi Legal Clinic. At various points throughout the year, Civil Justice Clinic students have participated in community training events and had the opportunity to network with judges, attorneys, and other professionals in Winnebago County (and in at least one instance led a student to line up a great judicial externship for Summer 2019!)

THANK YOU CIVIL JUSTICE CLINIC STUDENTS!

PRISONERS' RIGHTS PROJECT (ROCKFORD)

Adjunct Clinical Professors Lisa Jensen and Richard Dvorak

This was the inaugural year for the Northern Illinois University College of Law Prisoners' Rights Project. Lisa A. Jensen, a Rockford lawyer with extensive federal civil rights experience, started the semester as the Clinic's adjunct professor. In April of 2019, she accepted an assignment to be the first female judge in the Western Division of the Northern District of Illinois, and is now sitting in that Division as a Magistrate Judge. Richard Dvorak, a Willowbrook attorney concentrating his practice in Section 1983 civil-rights litigation and criminal defense, finished the semester as the Clinic's adjunct professor.

The Clinic consisted of five students, and they were assigned three cases by Magistrate Judge Ian D. Johnston. The students were Robert Balunda, Jamie Bellah, Allonte Holiday, Rebecca McCorkle and Loryn Scott. Two of the cases were handled by teams of two students, while one student handled the third case. All of the cases involved alleging the use of excessive physical force by either law enforcement or prison personnel against our clients.

The clinic students engaged in extensive discovery including interrogatories, production of documents and numerous depositions. They interviewed their clients at the prisons and interviewed witnesses. The clinic students reviewed extensive documents provided by opposing counsel. They also had to do legal research regarding their clients' claims and opposing counsels' defenses. Their representation included drafting motions, appearing at pretrial conferences and negotiating with opposing counsel.

One case settled with a monetary settlement. Two cases are still pending. In one pending case, a jury trial is anticipated and in the other pending case the motion for summary judgment filed by the defendant is pending.

TO ALL OF THE CLINIC STUDENTS IN THE CLASS OF 2019

CONGRATULATIONS!