To: School of Law Visiting Committee

From: Professor Luz M. Molina
Interim Director

Date: April 23, 2010


LOYOLA LAW CLINIC FACULTY AND STAFF


I. LOYOLA LAW CLINIC

The Loyola Law Clinic has a long and unique history in the City of New Orleans, having the distinction of being the first law clinic of its kind in the area. From its inception in 1972, has been a clinic deeply rooted in the local community and attentive to local needs. The law clinic could be best described as a litigation clinic, typically centered around civil rights, criminal and domestic law litigation, homeless advocacy and the representation of long term immigration detainees. Its pedagogical focus was, as it remains today, to provide to its student practitioners the greatest degree of involvement in the practice of law. This year the law clinic accepted 105 students making it the largest class in the last 25 years.
A. CRIMINAL LAW SECTION

Approximately 80% of the criminal defendants who appear in Criminal District Court are indigent. Loyola Law Clinic was regularly appointed to represent indigent clients in matters ranging from misdemeanors to felony offenses. Representation could start as early as the initial appearance, which occurs within 48 hours of arrest, prior to formal charges being accepted. In other cases, appointments would not be made until after arraignment. In all cases student practitioners represent the client in every aspect of the criminal process. They learn the importance of early intervention by interviewing the client, and witnesses, conducting fact investigation, and filing the necessary pleadings for discovery and motion practice. Students are also trained in legal research and writing, oral argument and direct and cross examinations at both the pre-trial and trial level. In addition, student practitioners argue before the 4th Circuit Court of Appeal as well as the Louisiana Supreme Court.

B. FAMILY LAW SECTION

Students represented indigent clients in divorces, child and spousal support, and custody cases in two Parishes, Orleans and Jefferson. Additionally, we were court appointed “attorney for the child” in highly contested custody cases and in juvenile “Child In Need Of Care” (CINC) cases. The Family Law section consist of: courtroom observations, client interviews, assignment of family law/juvenile/curator cases, fact investigation, discovery, preparation of pleadings, legal research, memoranda writing, court hearings, status conferences, settlement conferences, preparation for trial, and trial.

C. IMMIGRATION LAW SECTION

The Immigration Law Section represents non-citizens, including asylum seekers, torture survivors, arriving aliens, stowaways, long-term permanent residents, and aliens with criminal convictions, who were placed in removal proceedings while detained by the U.S. Department of Homeland Security. We also conduct, on a regular basis, a “Know Your Rights” immigration law seminars to pro se litigants at detention centers in Louisiana.

D. PROSECUTION SECTION

Students are placed in the Orleans Parish and Jefferson Parish District Attorney's Office and the Domestic Violence section. Students prosecutors are assigned to a section of court, handled a docket with their senior and junior prosecutors, and conducted trial investigation and preparation of witnesses. Additionally, the student prosecutors participates in all aspects of the trial process, including judge trials, motion hearings, jury trials, jury selection, and direct and cross examination of witnesses.

E. CIVIL RIGHTS/WORKPLACE JUSTICE PROJECT

The Law Clinic continues to accept appointments of cases from Federal Court of prisoners whose civil rights have been violated and who are able to get legal representation from the private bar. After Katrina hundreds of workers seeking jobs made abundant by the destruction came to the city. Many of these workers, some undocumented, others not, have become victims of unscrupulous local
and out of state contractors, resulting in a multitude of legal issues ranging from violations of the Fair Labor Standards Act-Wage and Hour Law to non-payment of wages, breach of contract, unjust enrichment, and/or workman’s compensation claims. Many workers have been left cheated, homeless and/or injured by virtue of these violations. The legal community, specially those providing free legal services, were simply unprepared for the need; hardly any legal services are available to meet those needs on a no-cost basis. In light of that unmet need, the law clinic re-directed those students doing federal work, into what currently operates as the Workplace Justice Project. This Project has sought out and established collaborative alliances with local and national groups, and has sought to identify the immediate and long term needs of the old and new worker communities, and also address the legal void in enforcing the rights of those workers post Katrina. Much work needs to be done in this area.

**F. HOMELESS ADVOCACY**

The Loyola Law Clinic has been providing the homeless community assistance since August of 1997. The Law Clinic continues to provide homeless advocacy to the homeless community. In collaboration with Unity for the Homeless, Ozanam Inn, Harry Thompson Center, Covenant House, NOLAC, New Orleans Pro Bono Project and various homeless shelters, Judson Mitchell provides legal representation to homeless individuals who are arrested and incarcerated.

**G. MEDIATION SECTION**

The Mediation Section of the Law Clinic was created in the Fall of 2007 with a grant from ICF Emergency Management Services, LLC. The Mediation section provides services to parties involved in disputes pertaining to the quality and/or quantity of work performed on homes damaged by the hurricanes of 2005. The mediators attempt to resolve these disputes without costly and time consuming litigation.

**H. COMMUNITY JUSTICE CLINIC**

The Community Justice Clinic teaches law students substantive, procedural and practical advocacy skills in order to assist community members with post-disaster housing and government accountability issues. Particular emphasis will be placed on social justice issues in the context of community revitalization and the unique opportunities the New Orleans rebuilding presents. Law students will investigate and analyze law and facts in individual and group contexts, research substantive law, draft pleadings, participate in community education and outreach, and advocate informally, administratively, and through carefully targeted state and federal litigation. Students are expected to master advanced lawyering skills and to learn how lawyers can play a vital role in broad community efforts. The Loyola University commitment to educate and prepare law students for service for and with others and to work for a more just world is the overall goal of the Community Justice Clinic.
II. CONCLUSION

Loyola Law Clinic continues to promote an awareness of social justice issues by providing its students with an academic foundation while allowing them to practice law by representing indigent clients in the various sections of the clinic program.

THE GILLIS LONG POVERTY LAW CENTER

William P. Quigley, Director
Barbara J. Wilson, Associate Director

The Gillis Long Poverty Law Center continues to provide a wide range of activities for Loyola students and graduates. Grants for the Loan Repayment Assistance Program (LRAP) are now tax exempt for participants employed in low paying public service positions.

The Gillis Long Poverty Law Center would like to publicly thank the Kendall Vick Public Law Foundation and John and June Mary Makdisi for their contributions to the LRAP fund which allows Loyola graduates to continue their involvement in the delivery of legal services to the poor.

The Center provides stipends for student summer internships. The Internship Program provides an opportunity for current Loyola students to work for ten weeks each summer in legal services offices.

The Law Clinic and the Gillis Long Poverty Law Center have several joint projects including the Student Pro Bono Project, the Homeless Advocacy Project, and the Catholic Legal Immigration Network Project on Detained Immigrants.