

# IN THE PUBLIC INTEREST

2010 REPORT

PUBLIC INTEREST AND PRO BONO



DUKE LAW

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[www.law.duke.edu/publicinterest](http://www.law.duke.edu/publicinterest)

## Pro Bono Numbers

(statistics for 2008-09 academic year)

**374**

STUDENTS enrolled in different placements or projects

**19,948**

HOURS of pro bono service contributed by the Class of 2009 through pro bono placements and the Duke Law clinics

**7,915**

TOTAL HOURS of pro bono service reported

**42**

STUDENTS honored for more than 25 hours of service

**133**

MEMBERS of the Class of 2009 (including 2 LL.M.s) fulfilled the Pro Bono Pledge by contributing more than 50 hours of service during their time at Duke Law

**37**

STUDENTS honored for more than 50 hours of service

**9**

STUDENTS honored for more than 100 hours of service

**3** NEW PRO BONO GROUPS started in Fall 2009



PROFESSOR JAMES COLEMAN, SECOND FROM LEFT, ADVISES STUDENTS IN THE INNOCENCE PROJECT.

## Innocence Project draws record number of student volunteers

ANYONE WALKING THE HALLS of Duke Law School stands a good chance of brushing shoulders with a student involved in the work of the Innocence Project. The largest volunteer organization in the Law School, the Innocence Project utilizes the eagerness and budding skills of law students to investigate claims of innocence made by North Carolina prisoners.

"Every year I'm amazed by the energy of our students, and their willingness to spend time doing this work," says Clinical Professor Theresa Newman '88, who serves as a faculty adviser to the Innocence Project along with Professor James Coleman.

Duke's Innocence Project volunteers are part of a statewide network of student groups and clinical programs that work in collaboration with the North Carolina Center on Actual Innocence. Innocence Project volunteers' work includes legal and factual research supervised by faculty and student advisers versed in innocence issues.

The endeavor continues to grow; this year almost 100 students signed up to help. "We actually had many more people show up for the Innocence Project this year than we could use in our standard investigations and initial reviews," says David Mansfield '10, managing director of the Innocence Project. "We're expanding into a couple of new areas to make use of them all."

That expansion includes a review of five South Carolina cases, taken on to help the Palmetto Innocence Project, based in

Columbia, S.C., with its growing caseload, and a new project investigating racial bias in the court system in North Carolina. The second was spurred by the state legislature's recent passage of the Racial Justice Act, which allows judges to consider whether statistical data show race as a key factor in death penalty cases. A judge who agrees with the evidence could limit a sentence to life in prison without parole.

Most of the Innocence Project volunteers are 1Ls; veterans say the experience enriches the first year of law school.

"The benefits are obvious," says Sarah Rutledge '10, the group's student director. "It's real. The idea that the claim of innocence could be valid and it's up to you to look and see whether the facts bear it out — it feels more connected to the real world than most everything else in your first year of law school."

Volunteers are trained during a two-day session at the beginning of the fall semester, with additional sessions scheduled throughout the year. "During the trainings, we try to teach the nuts and bolts of innocence work," says training director Kat Shea '10. "We talk about the common types of issues that come up in innocence cases, we talk about errors in trials, and the types of evidence issues that should raise red flags. Hopefully by the end, people start to see trends."

Once trained, student volunteers sift through the official record of cases in a methodical way. Active investigations are cases where someone has made a claim of

## COMMITTED TO PUBLIC INTEREST

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



I begin my work as Duke Law School's new assistant dean for public interest and pro bono programs at an auspicious time. The landscape for legal employment is changing, and recent law school graduates face greatly diminished opportunities for work as associates in law firms and the private sector. Increasingly, graduates are looking to the public sector for employment opportunities. Participation in Duke's pro bono program is at an all-time high, and interest in externships and clinics is expanding. Students are demonstrating a renewed commitment to professional public service and public interest law study and practice.

The adage shared at this year's Equal Justice Works Conference & Career Fair in Washington, D.C., was, "Public service does not stop because of a recession; it gets bigger." Endorsing that sentiment, a record number of Duke Law students traveled to D.C. for the EJW Conference in October 2009 to interview with public interest employers from across the nation and to attend a reception with D.C.-based Duke Law alumni.

Our alumni have provided, and continue to provide, crucial support to our students in their job search efforts. Especially for opportunities in government and public interest employment, students rely on alumni to advise our Career & Professional Development Center about job openings and to give guidance on securing summer and post-grad employment. We thank those alumni who have provided career support to Duke Law students and encourage all of our alumni to help as we seek to secure meaningful employment opportunities for our graduates.

Duke Law continues to demonstrate its commitment to students developing careers in the public interest. Dean David F. Levi recently announced a new summer funding program, the Dean's Public Service Grant (see story, page 5), to support students seeking public service summer employment. This program provides a \$3,000 grant to any of our 2Ls who secure a qualified summer position, including those in government, nonprofit organizations, non-governmental organizations, and summer judicial internships. Through the Dean's Public Service Grant, a student who might not otherwise have been able to accept a low (or non-) paying summer public interest position now may do so. Dean Levi's commitment to support students pursuing public service careers is commendable, and the program opens up exciting possibilities for our students.

As I look ahead to the 2010-2011 academic year, I am excited to be part of the administration at Duke Law, an engaged and dynamic group that is committed to student success and institutional distinction in law and public service. I inherited the Public Interest & Pro Bono Program from Dean Carol Spruill, who has retired to concentrate on teaching her enormously popular Poverty Law course. I am thankful to Dean Spruill and delighted for the opportunity to continue the great work that she has done over the years.

Sincerely,

Kimberly Ann Bart '02  
Assistant Dean of Public Interest and Pro Bono  
Duke Law School

**PARTICIPATION  
IN DUKE'S PRO  
BONO PROGRAM  
IS AT AN  
ALL-TIME HIGH**

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

Kim Bart  
Assistant Dean of Public Interest  
and Pro Bono  
bart@law.duke.edu 919-613-7130

## INNOCENCE PROJECT *(continued)*

innocence that appears to have merit. Most cases are assigned to small teams of students, supervised by a student case manager who meets weekly with faculty advisers.

Claims of innocence that seem likely to bear fruit are sometimes passed along to the Law School's Wrongful Convictions Clinic, also helmed by Newman and Coleman. Newman says the Wrongful Convictions Clinic, which she describes as separated from the Innocence Project by "a permeable membrane," may have as many as four cases coming to a head during the fall 2010 semester that represent coordinated efforts among the Clinic, the Innocence Project, and the North Carolina Innocence Inquiry Commission.

Some cases transcend years of student work. Newman, Coleman, and Innocence Project volunteers have been behind the push to get courts to reconsider the 1997 conviction of Calvin Michael Smith, now in his 12th year of a 23- to 29-year sentence for the brutal beating of a store clerk in Winston-Salem, N.C. Media reports and a citizen's review committee appointed by the City Council have supported the idea that evidence in the case does not implicate Smith, and his legal team has filed a federal habeas petition seeking his release.

Innocence Project cases have found success, too. The work of Innocence Project volunteers at Duke supplemented that of the North Carolina Center on Actual Innocence and Innocence Projects around the state to secure the release of Dwayne Dail in 2007. Dail's conviction for the 1989 rape of a 12-year-old girl was set aside by a Wayne County superior court judge after DNA evidence cleared him of the crime. Dail had served more than 18 years in prison.

And just this fall, Innocence Project alumni and students celebrated the exoneration of former client Joseph Lamont Abbitt, who was released from prison after serving more than 14 years of a life sentence for the 1991 rape of two teenage girls in Winston-Salem, N.C. (see story, page 3). Volunteers in Duke's Innocence Project had reviewed and investigated his initial claim of innocence; Abbitt was eventually exonerated by DNA testing.

Rutledge says her work as a volunteer and student leader on the project has left a permanent zeal for innocence work.

"Doing this work creates a passion that never goes away. I can't imagine not doing it, in one form or another." ♡

## Duke in D.C. expands in Spring 2010 semester to DOJ's Civil Rights Division

**T**HE DUKE IN D.C. externship program has expanded in the Spring 2010 semester to include two distinct externship tracks, one focusing on the federal policy process, and the other on federal civil rights law and policy.

The Federal Policy Process program places law students in externships on Capitol Hill in the personal offices of members of Congress, on the staffs of Senate and House committees, or with organizations that engage in government liaison and lobbying work for nonprofit and for-profit organizations. Professor Christopher Schroeder, President Barack Obama's nominee to serve as head of the Office of Legal Policy in the

U.S. Department of Justice, and Sen. Ted Kaufman, D-Del., are supervising these externship placements and teaching the companion course on the federal policy process.

The Examining Federal Civil Rights Law & Policy program places law students in externships in the Civil Rights Division of the DOJ and with other civil rights organizations in the federal and nonprofit sectors. Margaret Hu '00, a special policy counsel in the Civil Rights Division, and Professor H. Jefferson Powell are supervising these externship placements and teaching the companion course called Examining Federal Civil Rights Law & Policy. Powell has served as deputy assis-

tant attorney general and principal deputy solicitor general in the DOJ.

The Spring 2010 placements follow a successful fall program focused on federal financial regulatory reform under the oversight of Professors James Cox and Lawrence Baxter. Twelve students worked in congressional offices and agencies in and out of government involved in different aspects from financial regulation, including the Securities and Exchange Commission, the Public Company Accounting Oversight Board, the Office of the Comptroller of the Currency, and the Financial Services Roundtable. ♣

## Former Duke Innocence Project client gains his freedom



**D**uke Law Innocence Project alumni and students celebrated the exoneration of former client Joseph Lamont Abbitt on Sept. 2, 2009. Abbitt, 49, was released from prison after serving more than 14 years of a life sentence for the 1991 rape of two teenage girls in Winston-Salem, N.C., who had identified him as their attacker. He was exonerated by DNA testing of biological evidence.

Duke Innocence Project volunteers reviewed and investigated Abbitt's initial claim of innocence in 2006, 2007, and 2008, working under the supervision of faculty advisers Theresa Newman '88 and James Coleman and in cooperation with the North Carolina Center on Actual Innocence, which coordinates the work of the Innocence Project chapters across the state.

DNA testing of evidence remaining from the original investigation took place this summer with the consent and cooperation of the Forsyth County District Attorney's Office and the State Bureau of Investigation.

Christine Mumma, executive director of the North Carolina Center on Actual Innocence, called the case one of "unfortunate misidentification," a major factor in 75 percent of cases where DNA testing leads to exoneration.

Duke Law alumni and students who worked on Abbitt's case include Meredith Tanchum '07, Landon Zimmer '07, Amanda McRae '09, Mahynoor El Tahry '09, Julia German '09, Jesse Haskins '09, Eric Eisenberg '09, and Dan Queen '10.

"This dramatically demonstrates how justice can finally be achieved when everyone works together to right a wrong," said Newman who, with Coleman, the John S. Bradway Professor of the Practice of Law, also co-directs the Law School's Wrongful Convictions Clinic and Center for Criminal Justice and Professional Responsibility. "Our talented students laid the groundwork for the exoneration, and then Chris Mumma worked with the Forsyth County District Attorney's Office to obtain Mr. Abbitt's freedom. We are thrilled for Mr. Abbitt and for our students, who now see how they can make a difference." ♣

## Appellate Litigation Clinic brief captures Chief Justice's attention

**A**CCORDING TO *National Law Journal* Supreme Court correspondent Tony Mauro, Chief Justice John Roberts paid close attention to an amicus brief filed by Duke Law's Appellate Litigation Clinic in a recent drunk driving case.

In an Oct. 22, 2009 article, Mauro observed that Roberts' public dissent from the Court's denial of certiorari in *Virginia v. Harris* cited studies and themes set out in the clinic's brief, which was filed on behalf of Mothers Against Drunk Driving (MADD).

The brief supported Virginia's challenge to a state Supreme Court ruling barring police from pulling over drivers solely on the basis of anonymous tips that they are impaired; the state court held that police must witness dangerous driving themselves. In addition to noting a circuit split on the issue of searches sparked by anonymous tips, Roberts argued that failing to act could "undermine" efforts to get drunk drivers off the road.

"The decision below commands that police officers following a driver reported to be drunk do nothing until they see the driver actually do something unsafe on the road — by which time it may be too late," wrote Roberts.

Virginia Solicitor General Stephen McCullough approached the clinic about submitting the brief on behalf of MADD. ♣

## Race Judicata grows in its second year

**D**UKE LAW STUDENTS, professors, and administrators joined together in mid-November for a little friendly competition on Durham's Al Buehler Trail in the school's second annual Race Judicata. The 5K run, which raises funds to support law students pursuing public interest summer positions, nearly doubled last year's participation with 78 entrants and raised more than \$1,000.

Winners included James Pearce JD/LLM '11 and Reed Lyon '10 in the men's division (tied at 17:51), Nicholas School of the Environment student Maggie Clary in the women's division (21:37), and Professor Paul Haagen's Jack Russell Terrier, Eliza, in the canine division. Duke Law professors and administrators in attendance included Kim Bart '02, Jason Belk T'99, Stella Boswell, James Boyle, Jennifer Jenkins '97, Jedediah Purdy, John Spencer, and Jonathan Wiener. Dean David F. Levi and his wife, Nancy, were also on hand to start the race. 🐾



## New ad-hoc course to study social justice in Brazil

**D**UKE LAW STUDENTS Kat Shea '10, Noah Browne '11, and Anne Dana '11 have developed an ad-hoc seminar focusing on issues of human rights and social justice in indigenous communities in Brazil, including a service trip to South America during spring break.

The seminar and trip are designed to give students hands-on exposure to the opportunities and challenges of practicing law in a global context. The course examines socio-economic, political, and legal issues in Brazil, and students will provide legal assistance to indigenous communities and related NGOs. Professor Laurence Helfer, an expert in international law whose research focuses on the intersections of intellectual property and human rights, is advising the course.

"Indigenous communities in Brazil face many challenges, including land tenure, public health issues, and protection of local knowledge and culture," says Helfer, who will accompany the students on

the trip and who co-directs the Duke Law's Center in International and Comparative Law, which is helping to fund the trip. "The seminar, trip, and partnerships with local NGOs will allow students to provide concrete legal assistance to one of these communities and to bring their insights from the field into the classroom."

The trip is being arranged with the assistance of Global Imprints, an organization that specializes in academic educational trips to developing countries and has created similar legal service trips for law students at Stanford, Harvard, and elsewhere.

"This is a really good match with what students are interested in right now," says Shea, who co-led the 2009 Southern Justice Spring Break trip to New Orleans, through which students assisted residents with legal needs as well as hurricane recovery efforts. "With Professor Helfer joining Duke Law this fall, and the growing interest among students in international service and human rights, we think this will be a really exciting service learning experience." 🐾

Summer public interest placements

## Dean’s Summer Service Grant and Horvitz Public Law Fellowship provide new funding options

**D**UKE LAW SCHOOL is offering two new sources of funding for students who take summer legal jobs in public service. The new Dean’s Summer Service Grant guarantees \$3,000 to second-year students who secure qualifying summer positions, and the Horvitz Public Law Fellowship provides funding to first- and second-year students who secure qualifying public law-related summer positions.

The new grants meet the convergent needs of public-interest and government organizations and of Duke Law students, who have shown tremendous and ever-increasing interest in public-sector jobs, according to Kim Bart ’02, assistant dean of public interest and pro bono.

“Growing numbers of Duke Law students are indicating interest in pursuing careers in public service,” Bart says. “Most summer positions in public interest and government are unpaid, and students seeking those experiences must secure their own funding. Dean Levi recognized that without institutional financial support, many students would not have the opportunity to explore public service career opportunities through summer work.”

Qualifying positions for the Dean’s Summer Service Grant include local, state, or federal government internships, positions with nonprofit or non-governmental organizations, and summer judicial internships. Students must commit to at least 10 weeks at 40 hours-per-week in order to qualify for a full grant; funding may be pro-rated for lesser commitments or split summers. Students applying for the Dean’s Summer Service Grant must complete at least 10 hours of pro bono service within the school year, prior to the application deadline.

“We have a responsibility to give back to our communities and those less fortunate,” says Mark Fishman ’78, one of the primary

financial supporters of the Dean’s Summer Service Grant. “I commend students who are willing to spend their summers in pursuit of that goal. We need to see to it that they receive compensation for that effort that benefits us all.”

Peter Kahn ’76 says that he and his wife chose to support the grant because of the changing legal landscape. “I’ve always believed that our students should seriously consider legal careers in public service, where many of their true interests lie,” Kahn says. “With the tightening of the economy and the resultant decrease in law firm opportunities, I felt there was no better time for my wife and me to encourage and support our students in seeking out and obtaining public service positions.”

The Horvitz Public Law Fellowship was established by Rick Horvitz ’78, the long-time benefactor of the Program in Public Law, to support law-related summer experiences that contribute to a student’s understanding of the constitutional framework. Some examples of qualifying positions include: the offices of state attorneys general and solicitors general; the Department of Justice; other federal positions offering work related to constitutional matters; federal executive branch office internships, including positions with the White House or cabinet offices; and positions with organizations that work on issues of federalism, civil liberties, or other constitutional law-related issues.

Bruce A. Elvin, assistant dean and director of the Career & Professional Development Center, noted that summer judicial internships also are qualified positions for a Horvitz Public Law Fellowship.

Elvin said the positions covered by both grants ensure valuable experience for law students. “The objective is to help students deepen their experience base

and to create ‘pillars of strength,’ whatever their post-graduation goals. Of course, for students planning to launch their careers in public service, summer work in a chosen field demonstrates commitment to that type of work, an understanding of the nature of the work, and helps the student talk substantively about issues when approaching future employers.”

Bart agrees. “In addition to practice experience, students working with public interest organizations for the summer also will be serving a public good, in many cases providing legal representation and advice to people who otherwise would go without representation,” she says. ♡

### In Appreciation

**T**HE OFFICE OF Public Interest and Pro Bono at Duke Law thanks all of our alumni and friends — including the many law firms and corporations — who financially supported our efforts during the 2008–2009 academic year. Your gifts greatly enhance our ability to develop meaningful programs and opportunities for our students.

This past year our students benefited from donor support to the following funds:

- Carol Spruill Fellowship
- Carroll/Simon Fellowship
- Dean’s Summer Service Grant Program
- Horvitz Public Law Fellowship
- Public Interest Annual Fund
- Public Interest Law Foundation (PILF)
- Richard Burdman Fellowship
- Steckley/Weitzel Fellowship

To discuss the ways in which your gifts can support our public interest and pro bono programs, please contact Assistant Dean Kim Bart at 919-613-7130 or bart@law.duke.edu.

**Burdman Fellowships provide financial stability to students pursuing public interest options for their summer positions**

# Summers filled with possibility

»» “The Burdman Fellowship and the summer spent working at the Wake County District Attorney’s Office provided me with confidence in the courtroom and dramatically improved my oral advocacy abilities. I am very grateful and blessed for the support of Richard Burdman.”

— Ryan Wagner '07  
2006 Burdman Fellow, Wake County District Attorney’s Office, Raleigh, N.C.



LISA BOLOTIN '09

»» **L**ISA BOLOTIN '09 used her Burdman Fellowship during her 1L summer to intern at the Women’s Law Project, a Philadelphia-based organization that engages in litigation, advocacy, and education on issues such as violence against women, family law and court reform, gender equity, and economic justice. As part of her internship, she participated in a court watch program where she monitored domestic abuse proceedings.

Bolotin, who came to Duke Law interested in doing policy work after graduation, says the Women’s Law Project experience inspired her to pursue positions that allow her to interact directly with clients, community members, and lawyers. The Burdman Fellowship provided her with confidence and direction.

“Before going to law school, I had never imagined myself as a litigator. Arguing in front of a judge seemed far too intimidating. However, seeing what goes on in a courtroom firsthand made the prospect of litigation much more appealing,” Bolotin says. “So many prospective litigants would have benefited from

minimal legal advice, like learning to tell the judge what they were asking for, knowing how to respond to a judge’s questions, and understanding the process and timeline their petitions followed.

“Now I practice family law and am in court frequently, something I would have been terrified of had I not spent so much time in court during my Burdman Fellowship,” she says.

Bolotin is among a growing number of Duke Law students who have benefited from the Burdman Public Interest Fellowship, one of three Law School endowments that provide financial support to students pursuing public interest summer employment.

Since 2004, the Burdman Fellowship has enabled 14 Law School students to pursue local, national, and international public interest positions, including work at the Wake County District Attorney’s Office in Raleigh, New Orleans Legal Assistance, and the Public Interest Law Institute in Budapest, Hungary.

## A lifetime of service

B. Richard Burdman '56 endowed the summer public interest fellowships as part of his family’s commitment to civic service. Burdman’s wife of 49 years, Babette, says her husband thought lawyers should use their skill and training to help in their communities and that public interest work was part of that contribution. Burdman,

**“The path for students pursuing public interest careers is less well defined than the path for students who plan to work in large law firms. By supporting students pursuing summer public interest internship positions, the Burdman Fellowship allows students to take a very important first step along the public interest career path.”**

— Brian Rabinovitz '10  
2009 Burdman Fellow, North Carolina Department of Justice, Health and Public Assistance Section

**“Without the Burdman Fellowship, I would not have had the chance to work on cutting-edge international legal issues and to continue to navigate my future career path. The appreciation that I have for the Burdman family’s generous contribution, which made my summer internship possible, taught me the value of supporting young lawyers’ legal development, and I hope in the future I will be able to contribute in a similar way.”**

— Anne Dana '11  
2009 Burdman Fellow, Global Justice Center, New York City

**“The Burdman Fellowship was a great way to reaffirm my interest in international law and public interest work. It solidified my interest in pursuing international law as a career and has given me invaluable experience. I was honored by the recognition of the importance of my work through the funding provided by the Burdman Fellowship.”**

— Jesse Haskins '09  
2008 Burdman Fellow, International Consortium for Law and Development, Boston

an honorary lifetime member of the Law School’s Board of Visitors, died Oct. 30, 2009, at the age of 76.

“Dick’s long history of philanthropic support created an impressive legacy at Duke Law School. He understood the importance of enhancing the facility as well as financing the work of the people within it,” says Jeff Coates, associate dean of alumni and development. “Dick cared deeply about the Law School and wanted to ensure that law students who wish to pursue work in public interest can financially afford to do so.”

Burdman’s career was devoted to real estate, small business, and taxation law; however, he maintained a significant pro bono practice, helping friends, family, and others in need manage the legal aspects of their personal and business affairs. He was known as someone who could never say “no” to someone who needed help.

Burdman joined the Law School’s Board of Visitors in 1989 and was later made an honorary lifetime member. His service to Duke also included positions on the Major Projects Council and the National Council for the Law School Fund. He was a member of the James B. Duke Society, the Barrister Donor Society, and the Founders Society of Duke University. He provided financial support for a faculty lounge at the Law School as well as the endowment that supports the public service fellowships.

“The Burdman Public Interest Fellowship has opened up doors of opportunity for stu-

dents seeking summer public interest work experiences,” says Kim Bart ’02, assistant dean of public interest and pro bono. “The Burdman Fellowship has made it possible for students who are committed to working for the summer in important areas of public interest law like poverty law, civil rights, international human rights, and environmental law to do so.”

Bolotin is currently using a deferment from Ballard Spahr to advocate for low-income Philadelphia residents as a staff attorney at Community Legal Services, a position she ties directly to her tenure as a Burdman Fellow.

“When I was looking for a job for this year, I already knew who was who in the public interest community in Philadelphia, so I had a good idea of where I wanted to work,” she says. “The exposure that I had to a variety of nonprofits while I was a Burdman Fellow now helps me recommend resources to clients and refer them to organizations that can help with legal problems that are not covered at Community Legal Services.” ♡



B. RICHARD BURDMAN '56

### Burdman Fellows and Their Summer Placement Locations

- 2004:  
**Molly Donovan**  
Legal Aid Society, Juvenile Rights Division, Jamaica, N.Y.  
**Kisha Payton**  
Southern Regional Council, Atlanta, Ga.
- 2005:  
**Amy Curry**  
Department of Justice, Vaccine Litigation Section, Washington, D.C.
- 2006:  
**Rebeka Plecnik**  
Public Defender’s Office, Washington, D.C.  
**Ryan Wagner**  
Wake County District Attorney’s Office, Raleigh, N.C.
- 2007:  
**Lisa Bolotin**  
Women’s Law Project, Philadelphia, Pa.  
**Micah Gates**  
Hamilton County Public Defender’s Office, Chattanooga, Tenn.
- 2008:  
**Jesse Haskins**  
International Consortium for Law and Development, Boston, Mass.  
**Jennifer Lerman**  
Public Interest Law Institute, Budapest, Hungary
- 2009:  
**Anne Dana**  
Global Justice Center, New York, N.Y.  
**Heather Horst**  
Nebraska Legal Aid and North Carolina Legal Aid, Omaha, Neb., and Durham, N.C.  
**Jonathan Knight**  
Giving to Ghana Foundation, Sunyani and Accra, Ghana  
**Malcolm Scott LeBlanc**  
New Orleans Legal Assistance, New Orleans, La.  
**Brian Rabinovitz**  
North Carolina Department of Justice, Health and Public Assistance Section, Raleigh, N.C.

## Public Interest Retreat 2010:

Duke Law's annual public interest retreat was shortened, but not dampened, by a rare Southeast snowstorm in January. Alumni and students who braved the snow were treated to a presentation by **Cait Clarke**, director of public interest law opportunities at Equal Justice Works in Washington, D.C., who discussed her work leading the largest legal fellowships program in the country; remarks by Kim Bart '02, assistant dean for public interest and pro bono; and a dinner and social. ♡



## Two Duke Law students to participate in Fellowships at Auschwitz for the Study of Professional Ethics

**T**HOUGH IT'S A LITTLE EARLY for spring fever, Allison Heaney '12 and Nadia Prinz '11 are already beginning to get excited about the upcoming summer — and for good reason. The two Duke Law students have been invited to participate in the Fellowships at Auschwitz for the Study of Professional Ethics (FASPE) program and will spend two weeks in late June traveling to New York, Berlin, Krakow, and Auschwitz with other law and medical school students from across the country.

“The point of the fellowship is not just to look back and ask what went wrong, but also to look forward to the future and ask what role lawyers and doctors should play,” Prinz says. “As lawyers, do we only owe our clients a certain responsibility, or do we owe society a certain responsibility because of our chosen profession?”

Both women say their respective academic backgrounds and family heritages compelled them to apply for the fellowship. Prinz, who majored in classics and German literature at Washington and Lee University, studied abroad in Germany during her undergraduate career and spent a year there on a Fulbright teaching grant after graduation. Her father is Austrian — Prinz was born in Luxembourg — and her mother is Jewish.

Heaney, who majored in psychology at Wesleyan University, says all of her history classes there were related to World War II or Nazi Germany. She notes that the interdisciplinary nature of the fellow-

ship really appealed to her; as a dual-degree candidate pursuing a master's degree in psychology in addition to her law degree, she believes she brings a unique perspective to the group.

Family heritage was also a factor in her decision to apply, Heaney says. Her great grandfather was drafted into the German army during World War II, and after being captured, spent the rest of the war in a French prisoner-of-war camp.

As both women look forward to what they describe as a “traveling academic conference,” they are hopeful that this experience will inform their future academic studies and careers.

Heaney says she has become increasingly interested in international law — specifically international criminal law — through her work as a research assistant to Professor Madeline Morris. “I’m beginning to see a lot of connections between how the world handled Nazi Germany and how we’re going to handle Al Qaeda now,” she says.

And Prinz, who wants to one day become a prosecutor, says she looks forward to the program's discussions about professional ethics. “When you talk about legal ethics, prosecutors especially have a duty to be ethical,” she says. “They also have the freedom to use some discretion — what kind of charges will you pursue and what kind of deals will you make? There are a lot of opportunities to wrestle with ethical decisions as a prosecutor.” ♡

## Veronica Allen '10 receives two-year Skadden Fellowship

Allen will expand access to civil legal services to at-risk youth in Central Georgia

**V**ERONICA ALLEN '10 HAS RECEIVED a Skadden Fellowship to spend two years after law school expanding access to civil legal services for at-risk youth in Central Georgia with the Georgia Legal Services Program (GLSP). The highly competitive Skadden Fellowship funds self-directed projects at public interest organizations that offer legal services to poor, elderly, homeless, and disabled citizens, as well as those who are deprived of their civil or human rights.

Allen's project is specifically designed to increase access to legal services for black males between the ages of 12 and 18 who are eligible to attend secondary school, but whose unmet civil legal needs may be affecting their academic performance. "Young black males drop out of school at a higher rate than any other demographic and have a one-in-three chance of going to prison during their lifetimes," she wrote in her proposal for the fellowship. "Black male youth could experience better life outcomes if their basic educational, health, and economic needs were better met."

Having worked with at-risk youth prior to attending law school, Allen is passionate about helping reverse the so-called school-to-prison pipeline. "I believe that a major source of these poor outcomes [for black males] is due to us as a society having failed and disregarded them," she says. "My aim is primarily to ensure that, at least with the work I do, they are not once again left out.

And though my project targets this specific group, I hope that it will eventually provide greater access to needed legal services for all children in Central Georgia who experience disproportionate limitations on their potential for success."

Allen worked on issues relating to education at the Mississippi Center for Justice after her first year of law school and worked with racial-minority and low-income communities during her 2L summer at New York Lawyers in the Public Interest. Her long-term goals include working more broadly with schools and communities to keep young people in school.

"In Veronica we saw the makings of a national leader," says Susan Butler Plum, director of the Skadden Fellowship Foundation. "The idea that she wanted to return to a community with which she was familiar from having gone to college there, to advocate for people at the greatest risk — young black men — was enormously important. We see education as the civil rights issue of the 21st century." ♡



## Two Duke Law students to join DOJ Honors Program

Duggan to join environment and natural resources division; Toole to join commercial litigation branch

**T**WO DUKE LAW STUDENTS have been accepted into the Department of Justice's highly competitive Honors Program and will join the agency in the fall of 2010.

A dual-degree candidate pursuing a master's degree in environmental science and policy, Patrick Duggan '10 was an environmental consultant before coming to law school.

"I came to law school specifically to study environmental law," Duggan says. "Being accepted into this program validated my decision to come to Duke."

Meredith Toole '10 spent the summer after her 1L year as an intern with the civil fraud section of the commercial litigation branch and says she is excited to be returning.

"It was an awesome experience," she says of the internship. "Everyone there seemed really enthusiastic and you could tell they loved their jobs.

"There was also an emphasis on teamwork," she continues. "They included everyone on the cases, even the interns."

The Honors Program is the only way entry-level attorneys can join the DOJ.

According to its website, the department selects its employees based on their academic achievement, participation in a journal or moot court competitions, legal aid and clinical experience, summer or part-time legal employment, and other factors — specialized academic studies or academic degrees, work experience, and extracurricular activities — related to the work of the department.

Both students attribute their experiences at Duke Law to their acceptance into the program.

"Duke is small and if you really have a passion for something, you can own it," says Duggan, who led the Environmental Law Society for two years, served as student liaison to the Energy Subcommittee of Duke's university-wide Sustainability Committee, is currently the editor-in-chief of the *Duke Journal of Environmental Law & Policy*, and has participated in the Environmental Law and Policy Clinic for the past year.

For Toole, the opportunity to study abroad in Argentina provided unique insight that she believes set her apart.



"Everyone says that the only way you can really learn a language is to go to a country that speaks it," says Toole, who minored in Spanish at Vanderbilt University. "In Argentina, I was surprised by how much they talked about the U.S. It made me realize that even though our system is often criticized, a lot of other countries do look to it as a model."

Both Duggan and Toole say they are looking forward to starting their careers at the DOJ. "The people who work there seem to have a great deal of respect for the honors attorneys," Duggan says. "It's clear that they really count on them to do substantive work." ♡

## Student Profile

**Phil Rubin JD/MA '11****Joint degree opens paths for service and work**

AS HE CONSIDERED graduate school, Phil Rubin JD/MA '11 stood at a proverbial fork in the road, weighing two strong academic interests and seemingly disparate career paths: Should he pursue an advanced degree in psychology to become a mental health counselor or a law degree to work at the intersections of law and policy?

He ultimately chose the field of law, but thanks to Duke Law's dual degree option, Rubin is able to study psychology, too.

"I'm really glad I chose law school, and I'm glad that I chose a law school that allows me to pursue a dual-degree in psychology," he says. Though his primary psychology-related interest lies in investigating the emotional and psychological impact of law school on students, he says the two disciplines have combined for other interesting studies, as well. Take, for example, his work last year as a research assistant for Professor Madeline Morris.

"We were looking for a possible psychological basis for terrorism, particularly related to the Guantanamo detainees," he says. "How do we know if someone is dangerous? And if we are hoping to, in the long-term, release many of the people we have detained, how do we know if someone is likely to be a threat in the future?"

As a 1L, Rubin also participated in the Southern Justice Spring Break Trip, traveling to Prestonsburg, Ky., to work with the local legal aid clinic. He says he was excited by the opportunity to do "real legal work for real people" and was challenged by a particular project presented to the group.

"Legal Aid can't represent everyone who needs representation," he says. "So they had us prepare documents that could be filed in court by *pro se* litigants — like for someone to say they couldn't pay legal fees — but the challenge was that the documents had to be written on a third-grade reading level in order to be understood by all clients who might need to use them."

This year, he is serving as a co-coordinator for the Spring Break Trip, organizing all of the trips outside of New Orleans, which

include two sites in Kentucky, one in Jackson, Miss., and one in Atlanta. "The Southern Justice trip is a great way to serve others and get a wider perspective on the world, while becoming a better law student," says Rubin, who spent two years between college and law school working for a national service fraternity, Kappa Kappa Psi, and now serves as an adult adviser for over 40 Kappa Kappa Psi chapters in seven states in the Southeast.

In addition to his service work, Rubin is also a member of the *Duke Law Journal* and the Moot Court Board, a LEAD Fellow, and the academics chair for the Duke Bar Association.

He points to his DBA position as one that has been surprisingly fulfilling. "It's been great to get involved with the school on that level," he says, talking about the various surveys he has conducted to measure students' opinions. Attending DBA and other institutional meetings to present the results of those surveys and discuss the future of the Law School has been interesting, too, he says. "You can really get involved in conversations and know what is important to people."

One of those conversations — about the need for additional funding options for students pursuing public interest summer positions — has helped result in the creation of the Dean's Summer Service Grant program, which offers \$3,000 to all 2Ls who complete 10 hours of pro bono work during the school year and secure a summer position with a public service organization.

"I was very impressed with how interested and supportive of the idea Dean [David] Levi was," Rubin says. He also notes that he is impressed by the fast work of the administration, which has made this funding available for the 2010 summer.

"In a time when the economy is bad, it's wonderful that the school can offer this kind of support to students pursuing public interest summer positions," he says.

As for his own summers, Rubin spent last year at the U.S. Department of Commerce in the Office of Chief Counsel



for Industry and Security and will be dividing his time this year between Covington & Burling in Washington, D.C., and the Department of Justice's aviation and admiralty section in the Civil Division.

"I really enjoyed my experience at the Department of Commerce," he says. "I got to work on some really interesting legal questions dealing with international law and treaties and was able to work on an enforcement action."

Rubin says he learned a number of things from the experience, including how legal research works in a "real world" environment and how important his legal writing class was. "I had no idea how much I had learned until I was sitting in my office researching some pretty complex issues and preparing a written report for my boss on my findings," he says. "I would have been completely lost without that class."

"I'm excited about the opportunity to spend some time at a firm this summer," he continues. "I came to law school thinking I would go into some type of government work, but I've become intrigued about the possibility of a career at a law firm and am glad to be able to try out both." ♣



Alumni Profile

## Kim Bart '02

### Returning to lead public interest office

**W**HEN KIM BART '02 TOOK OVER the Law School's Office of Public Interest and Pro Bono as assistant dean at the beginning of the school year, it was more than just a homecoming. It was the attainment of a career aspiration.

"I have always wanted Carol Spruill's job," Bart says without hesitation, referring to the longtime associate dean of public interest and pro bono who retired from the post in December 2008. As a law student, Bart participated in the Public Interest Law Foundation and public interest retreats and studied Spruill's efforts in molding the public interest and pro bono program.

"What Carol did was identify the places where there was dedicated student interest in a particular area of public interest or pro bono activity, and she'd nurture and grow it," Bart says. "The seeds were planted when she started, but to compare the program then to now is almost mind-blowing." And having had her own interest in the field nurtured at Duke, Bart says she was delighted when she had the opportunity to return.

"The opportunities that I've had in my career so far have set me up well to work

with students in my new role at Duke," she says.

Spruill agrees, saying she cannot imagine anyone more perfect to lead the public interest program. "I am amazed at the wide range of experiences that Kim has had that would be of interest to a Duke Law student. And I love the twinkle in her eye when she talks passionately about public service. I am sure that the program that meant so much to me over 18 years will flourish and grow under Kim's leadership."

Bart came to Duke Law as a student in 1999 with two degrees from Syracuse University: a bachelor's degree, *summa cum laude*, in women's studies and a master's in public administration with a concentration in social policy. She spent her 1L summer with the National Women's Law Center in Washington, D.C., and split her 2L summer between the NWLC and Crowell & Moring, which she joined as an associate after graduating.

"The firm seemed to jive with my feeling about how to approach working in the law with a high level of professionalism and a sense of integrity," she says. "I was really looking for a law firm that upheld the ideals of what I felt it meant to be a lawyer."

At Crowell & Moring, Bart became almost immediately involved in a large pro bono case involving Cracker Barrel restaurants and allegations of race discrimination against their customers.

"The case gave me a lot of great exposure to clients [and] a lot of responsibility in helping to manage a case," she says. "It was through that pro bono litigation that I took and defended my first deposition, drafted interrogatories, and had some of my first client contact as an attorney."

Bart notes the similar value of experiences facilitated by the Office of Public Interest and Pro Bono, where students work alongside practicing attorneys on real cases serving real clients. "On one hand, you get that 'feel good' component of knowing that you are helping someone who otherwise would not have access to the legal system," she says. "But at the same time, you are supporting your own career development by gaining invaluable skills as an attorney."

In 2004, Bart was accepted into the Georgetown Clinical Graduate Teaching Fellowship Program, where she became a teaching fellow with the Federal Legislation Clinic. "Initially I took the job because I really wanted to hone my legislative lawyering skills, but I ended up falling in love with teaching," she says. Upon completion of the fellowship, Bart accepted the position of director of the Domestic Violence Clinic at the University of Alabama School of Law.

But when the opportunity arose to return to Duke Law to lead the Office of Public Interest and Pro Bono, Bart was ready. "I think our students come here ingrained with a sense of service, and the mission of our office is to nurture and support that and see it on through to their professional careers," she says.

"Carol has developed an incredibly impressive program," Bart continues. "It's multi-faceted and serves and supports various interests among the students. I am definitely — in this case — standing on the shoulders of giants, and it allows me to see far, and to see where we can go." ♡

## IN THE PUBLIC INTEREST

### 2009 Public Interest Summer Placements

BELOW IS A LIST of all of the 2009 Duke Law student public interest summer placements. Seventy-four students received a total of \$178,129 in grants and fellowships for this public interest employment.

ACLU Capital Punishment Project, Durham, N.C.  
ACLU of North Carolina, Raleigh, N.C.  
Alameda County District Attorney, Pleasanton, Calif.  
Alliance Against Trafficking in Women and Children, Kathmandu, Nepal  
Alliance Defense Fund, Scottsdale, Ariz.  
Alliance Defense Fund, Bloemfontein, South Africa  
Arizona Attorney General's Office, Phoenix, Ariz.  
Asian American Justice Center, Washington, D.C.  
Assigned Counsel Plan, New York, N.Y.  
Blackstone Legal Fellowship, Flagstaff, Ariz.  
Blue Ridge Environmental Defense League, Raleigh, N.C.  
Center for Responsible Lending, Durham, N.C.  
Charlotte-Mecklenburg County District Attorney's Office, Charlotte, N.C.  
Children's Rights, New York, N.Y.  
City of Baltimore Solicitor's Office, Baltimore, Md.  
Clean Water for North Carolina, Durham, N.C.  
Coastal Carolina University, Conway, S.C.  
Congressman Jason Chaffetz, Washington, D.C.  
Connecticut Attorney General's Office, Hartford, Conn.  
Cook County District Attorney's Office, New York, N.Y.  
Cook County Public Defender's Office, Chicago, Ill.  
District of Columbia Public Schools, Office of the Chancellor, Washington, D.C.  
District of Columbia Public Defender's Office, Washington, D.C.  
Duke AIDS Legal Assistance Project, Durham, N.C.  
Duke Law Center for Criminal Justice and Professional Responsibility, Durham, N.C.  
Duke Law Children's Law Clinic, Durham, N.C.  
Duke Law Veteran's Project, Durham, N.C.  
Duke University and Health System Office of Counsel, Durham, N.C.  
Duke University Counsel's Office, Durham, N.C.

Duke University Environmental Law and Policy Clinic, Durham, N.C.  
Duke University Office of Licensing & Ventures, Durham, N.C.  
Durham County Public Defender's Office, Durham, N.C.  
Electronic Privacy Information Center, Washington, D.C.  
Environmental Protection Agency, Philadelphia, Pa.  
Environmental Working Group, Washington, D.C.  
Equal Employment Opportunity Commission, Washington, D.C.  
Federal Defender Program, Inc., Atlanta, Ga.  
Federal Energy Regulatory Commission, Washington, D.C.  
Federal Public Defender, Middle District of Tennessee, Nashville, Tenn.  
Florida Legal Aid, Orlando, Fla.  
Florida Office of Public Counsel, Tallahassee, Fla.  
Giving to Ghana Foundation, Sunyani and Accra, Ghana  
Global Justice Center, New York, N.Y.  
Human Rights Law Centre, Nottingham Law School, Nottingham, United Kingdom  
Institute for Justice, Seattle, Wash.  
Institute of Museum and Library Services, Washington, D.C.  
International Bridges to Justice, Geneva, Switzerland  
International Network for Economic, Social, and Cultural Rights, New York, N.Y.  
Juvenile Law Center, Philadelphia, Pa.  
King's County District Attorney's Office, Brooklyn, N.Y.  
Land Loss Prevention Project, Durham, N.C.  
Los Angeles Department of Justice, Criminal Division, Los Angeles, Calif.  
Los Angeles Public Defender's Office, Los Angeles, Calif.  
MFY Legal Services, New York, N.Y.  
Miami-Dade County Attorney's Office, Miami, Fla.

Middlesex County Prosecutor's Office, New Brunswick, N.Y.  
Mississippi Center for Justice, Jackson, Miss.  
Missouri State Public Defenders System, Clayton, Mo.  
National Health Law Program, Chapel Hill, N.C.  
National Juvenile Defender Center, Washington, D.C.  
Nebraska Legal Aid, Omaha, Neb.  
New Jersey Department of Public Advocates, Trenton, N.J.  
New Jersey Public Advocate, Trenton, N.J.  
New Orleans Legal Assistance, New Orleans, La.  
New York Lawyers for the Public Interest, New York, N.Y.  
North Carolina Attorney General's Office, Raleigh, N.C.  
North Carolina Conservation Network, Raleigh, N.C.  
North Carolina Department of Justice, Raleigh, N.C.  
North Carolina Innocence Inquiry Commission, Raleigh, N.C.  
North Carolina Legal Aid, Durham, N.C.  
North Carolina School Boards Association, Washington, D.C.  
Oceana, Washington, D.C.  
Office of Chief Counsel, Drug Enforcement Agency, Washington, D.C.  
Office of Chief Counsel, Tax Exempt, Governmental Entities, Denver, Colo.  
Office of Police Complaints, Washington, D.C.  
Office of Special Counsel for Immigration Related Unfair Employment, Washington, D.C.  
Office of the Public Defender, Greenville, N.C.  
O'Neill Institute for National and Global Health Law, Washington, D.C.  
Permanent Missions of Korea to the United Nations, New York, N.Y.  
Philadelphia District Attorney's Office, Philadelphia, Pa.  
Pickard's Mountain Eco-Institute, Chapel Hill, N.C.  
Public Interest Law Institute, Budapest, Hungary  
Robert F. Kennedy Center for Justice and Human Rights, Washington, D.C.  
Rockland County District Attorney's Office, New City, N.Y.  
San Diego Public Defender's Office, San Diego, Calif.  
Santa Clara County District Attorney's Office, San Jose, Calif.

Secretary of State, Office of Coordinator for Reconstruction & Stabilization, Washington, D.C.  
Service Employees International Union, Washington, D.C.  
SISHA Anti-Human Trafficking, Phnom Penh, Cambodia  
South Asia Human Rights Documentation Centre, New Delhi, India  
Southern Coalition for Social Justice, Durham, N.C.  
Stewards of the Lower Susquehanna, Inc., York, Pa.  
Supreme Court of the Eastern Band of Cherokees, Cherokee, N.C.  
The New America Foundation, Los Angeles, Calif.  
The Sierra Club, Washington, D.C.  
University of North Carolina, School of Government, Chapel Hill, N.C.  
U.S. Air Force JAG, Pope Air Force Base, N.C.  
U.S. Army JAG Corps, Washington, D.C.  
U.S. Attorney's Office, Baltimore, MD, Baltimore, Md.  
U.S. Attorney's Office, Central District of California, Los Angeles, Calif.  
U.S. Attorney's Office, Eastern District of New York, New York, N.Y.  
U.S. Attorney's Office, Eastern District of Pennsylvania, Philadelphia, Pa.  
U.S. Attorney's Office, San Diego, Calif.  
U.S. Attorney's Office, San Francisco, Calif.  
U.S. Attorney's Office, Southern District of California, Imperial, Calif.  
U.S. Attorney's Office, Urbana, Ill.  
U.S. Department of Commerce, Washington, D.C.  
U.S. Department of Health and Human Services, Washington, D.C.  
U.S. Department of Justice, Civil Rights Division, Washington, D.C.  
U.S. Department of Justice, Tax Division, Washington, D.C.  
U.S. Department of State, Office of the Legal Advisor, Washington, D.C.  
U.S. Securities and Exchange Commission, Washington, D.C.  
World Health Organization, Geneva, Switzerland