



# CREATE CHANGE

## PUBLIC INTEREST AT STANFORD LAW SCHOOL

<http://publicinterestlaw.stanford.edu>

Spring 2005

# Nationally Recognized Advocate Launches Immigrants' Rights Clinic at Stanford

San Francisco has long been a beacon for immigrants, so it is no surprise that the greater Bay Area now boasts a significant population of foreign-born immigrants with unique legal issues that require special assistance.

Limited options have been available for immigrants seeking pro bono legal services. But Jayashri Srikantiah, associate professor of law (teaching), has just launched Stanford Law School's Immigrants' Rights Clinic (IRC) to address that burgeoning need and equip future advocates to serve the public by providing them practical training and experience.

Srikantiah, a nationally recognized immigrants' rights advocate, has built a career representing immigrants and protecting immigrants' rights. Before joining the faculty, she served as associate legal director of the American Civil Liberties Union of Northern California. While there, Srikantiah developed a multidisciplinary effort to protect civil liberties and civil rights after September 11, 2001.

Prior to that, she was a staff attorney at the ACLU Immigrants' Rights Project, where she litigated in the Supreme Court and lower courts to challenge the INS's indefinite detention policies.

Srikantiah's legal career actually began after she had already established herself in the technology sector. In addition to her electrical engineering and computer science majors, Srikantiah had also completed a South Asian studies minor when she graduated from UC Berkeley. This background helped spur her decision to give up a flourishing career at Intel and turn to the law after a couple years in the high tech industry.

She explains, "It was difficult to give up a career that was going well, but I felt I wasn't incorporating what was going on in the world and in politics with my profession."



PHOTO: STEVE CASTILLO

Associate professor of law Jayashri Srikantiah

Srikantiah earned her law degree from New York University, where she obtained a foundation through her coursework (including a voting rights course taught by the former legal director of the ACLU), externing at the ACLU's national office, and connecting with public interest colleagues.

Upon graduating, she clerked at the Ninth Circuit Court of Appeals, where she discovered her passion for criminal justice and immigrants' rights. She joined Howard, Rice, Nemerovski, Canady, Falk & Rabkin in San Francisco, but was later able to explore those interests through a one-year fellowship at the ACLU Immigrants' Rights Project while on leave from Howard Rice. At the end of her fellowship, she received an offer to become an ACLU staff attorney.

Armed with this litigation and advocacy experience, Srikantiah has created an inno-

—continued on page 6—

### CONTENTS

Message from Diane T. Chin, Director of Public Interest & Public Policy Programs, and Spring News Briefs .....	2
Civil Rights Advocates Convene for First Annual Symposium .....	3
Alumni Spotlight on Civil Rights Advocate Lia Epperson '98 .....	4
Update on Clinical Victories and Tips to Secure Postgraduate Fellowships .....	5
Stanford Celebration of Public Service Awards and Pro Bono Service .....	6

## News Briefs

### *Four Workshops Provide Skills Training to Students, Alumni*

Students and alumni gained an introduction to program development and grant writing; media messaging; effective meeting facilitation; and presentation skills through a series of four evening workshops sponsored by Public Interest Programs this spring. Audio recordings of the training workshops are available upon request. Please contact Anna Wang at [annawang@law.stanford.edu](mailto:annawang@law.stanford.edu) for more information.

### *Public Interest Mentors Meet, Greet*

This spring, five public interest mentors each met with students in an informal brown bag lunch setting to discuss their respective career paths before entering academia.

Larry Marshall, professor of law and David and Stephanie Mills Director of Clinical Education; Allen Weiner '89, associate professor of law (teaching) and Warren Christopher Professor of the Practice of International Law and Diplomacy; Erik Jensen, co-director, Rule of Law Program; Pam Karlan, Kenneth and Harle Montgomery Professor of Public Interest Law and founder of the Stanford Supreme Court Litigation Clinic; and Michael Wald, Jackson Eli Reynolds Professor of Law spoke with nearly 100 students total at the five events.

### *Nearly 100 Recipients of Pro Bono Distinction to Be Honored at Graduation*

Eighty of the graduating third-year students and 17 faculty members have earned Pro Bono Distinction this year.

All recipients receive a Pro Bono Distinction lapel pin to wear at the graduation ceremony May 15.

Students must serve 50 hours of uncompensated legal service by graduation to earn Pro Bono Distinction. Faculty earn distinction by meeting the ABA guideline of 50 hours of pro bono service per year. ■

## DIRECTOR'S NOTE

*Be the change you wish to see in the world . . .*

—Gandhi

A Message to the Class of 2005

How can it be the end of the academic year again already?

This is always a time of year that inspires mixed emotions for those of us who work at the law school and whose mission is to directly help students. I have become attached to so many of you, so fond of our commiserations, our chats, laughter, meetings, and gatherings.

My commitment to you is simultaneously abstract and very personal. My job is to help and inspire those who see themselves and their careers in the law as tools to achieve a better society. It is theoretical until I talk to any of you, learn your goals and secret hopes, and then slowly but surely internalize your goals and hopes so that they become mine, for you. Just as I have viewed it as my job to help you to pursue your dreams of public service, it will remain my mission to watch and help you grow as advocates, as agents of change in the world. You have inspired so many of us at the law school through your commitment, your deeds and words, but also by the vision that you have both of a different society and your role in creating it.

I frequently turn to the thinking and life of Frederick Douglass in moments when I feel at a loss. He reminds me every day that power concedes nothing without a demand, that without struggle there can be no progress, and that “it is not light that we need, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind, and the earthquake.”

Each of you will find your own way to bring thunder to the world, to be the storm, the whirlwind or the earthquake that makes things change. And, sometimes, you will know that all you can do is shed light on an issue or bring a gentle shower of renewal, and it will be enough.

I have been honored to know all of you—glad to share your triumphs and equally glad to provide a hug or tissue, and to listen to your concerns and fears. I wish you all best as you tackle your next adventures.

*Diane T. Chin*

### ABOUT CREATE CHANGE

This newsletter is designed and produced by Public Interest Programs staff. Unless specifically noted, all articles are written by staff.

The Public Interest Programs staff consists of two full-time staff members and a part-time student assistant. **Diane T. Chin**, directs the program. **Anna Wang** serves as the assistant director, and **Dawn Butler** (BA '06) is the program assistant.

To receive the newsletter by e-mail, please write to [majordomo@lists.stanford.edu](mailto:majordomo@lists.stanford.edu) with

the command “subscribe create\_change” in the body. If you have any problems subscribing to the list, please write to [publicinterest@law.stanford.edu](mailto:publicinterest@law.stanford.edu).

*Create Change* is published quarterly via e-mail and past issues are available on our website at <http://publicinterestlaw.stanford.edu>. Articles, letters, and photos are welcome. Please send them to: *Create Change*, c/o Public Interest Programs, Stanford Law School, Crown Quadrangle, 559 Nathan Abbott Way, Stanford, CA 94305-8610.

# Civil Rights Advocates Gather at First Annual Public Interest Symposium

Public Interest Programs held its first annual symposium, “Looking Back and Moving Forward: Commemorating the Civil Rights Act and Voting Rights Act” on Saturday, February 19.

Leading faculty and practitioners from across the country convened at Stanford Law School to discuss the two Acts and celebrate their 40th anniversary.

The symposium was cosponsored by the Black Law Students Association, which held its own conference the same day, Women of Stanford Law, Stanford Latino Law Students Association, and the Asian and Pacific Islander Law Students Association. ■



PHOTO: MISHA BRUK

The final panel of the day featured a discussion about pursuing civil and voting rights in a multicultural society. (Left to right) Stanford associate professor of law Jayashri Srikantiah, American University professor of law Leti Volpp, Stanford professor of political science Luis Fraga, and UC Berkeley’s Boalt Hall acting professor of law Norman Spaulding ’97 provided insights into current efforts and identified new challenges facing today’s advocates.



PHOTO: ANNA WANG

Brad Seligman (far right) of the Impact Fund makes a point during the panel on the Civil Rights Act as Stanford associate professor of law Michelle Alexander ’92, William Tamayo of the U.S. Equal Employment Opportunities Commission, John Relman of Relman & Associates, and Lia Epperson of the NAACP Legal Defense Fund listen.



PHOTO: MISHA BRUK

Larry D. Kramer, Richard E. Lang Professor of Law and Dean, introduced the luncheon keynote speaker, Wade Henderson, executive director of the Leadership Conference on Civil Rights.



PHOTO: ANNA WANG

Pamela Karlan (left), Kenneth and Harle Montgomery Professor of Public Interest Law at Stanford, moderated a panel on the Voting Rights Act. Debo Adegbile of the NAACP Legal Defense Fund and Seattle University visiting professor of law Joaquin Avila sit to her left.

## ALUMNI SPOTLIGHT:

## After Advancing Civil Rights on National Field, Alumna Tackles New Challenge: Teaching

After four eventful years working on the front lines to preserve affirmative action, Lia Epperson '98 is gearing up for her next challenge: molding the next generation of civil rights advocates.

Currently serving as director of education at the NAACP Legal Defense Fund (LDF), Epperson oversees its administrative and legislative advocacy and litigation in federal and state court.

This summer, Epperson will join the faculty of the Santa Clara University School of Law, a school she was drawn to because of its strong commitment to public interest law and social justice.

This career move is not a surprise to those who know her, as Epperson has long had an interest in the relationship between racial and socioeconomic equality in the legal system. She even considered pursuing a doctorate in sociology to continue the work she started at Harvard as an undergraduate, examining the intersection of race and poverty in urban areas.

But after winning the Bayard Rustin Fellowship\* her senior year, Epperson spent a year at LDF looking at discriminatory policies and practices that impacted low income minorities, which convinced her that law school was the right path to accomplish her goals.

She explains, "I was really privileged to work at LDF before law school, as it gave me a way to focus when looking at issues of racial and socioeconomic equality. I learned that lawyers could use the Constitution to fight for positive social change."

And she has successfully utilized that early lesson, for Epperson has been at the forefront of civil rights advocacy on the na-



COURTESY OF LIA EPPERSON

tional field. She has coauthored a number of *amicus* briefs to the United State Supreme Court, including a brief on behalf of LDF in support of the University of Michigan Law School's affirmative action policy in *Grutter v. Bollinger*.

Epperson sees this transition to teaching as a natural flow. She believes that her amazing experiences at LDF have enriched her perspective on academic interests.

She points out, "My work has shown me that it's not just about straight legal arguments, as a lot of the issues in the legal arena dealing with the intersection of race and socioeconomic inequality benefit greatly from further in-depth research. Look at the *Grutter* case: what was particularly helpful to the Supreme Court in its decision to uphold the constitutionality of voluntary race-conscious policies was a really strong record of evidence by academics that showed the benefits of using race in admissions and the benefits of a racially diverse student body."

In addition to her desire to reflect more deeply on the civil rights work she has undertaken as a litigator and advocate, Ep-

person has a strong desire to teach students about the importance of these issues. "I think that for students who have an interest in entering the public interest arena, or doing social justice work, it's a wonderful gift to be able to see someone in the front of the classroom who has had experiences in civil rights work and has a strong desire to train the next generation of reflective practitioners and defenders of the Constitution."

She points to Barbara Babcock, Judge John Crown Professor of Law, Emerita, who, having directed the Public Defender Service of the District of Columbia before becoming an academic, was "able to share that frame of reference and was extremely engaging and accessible to students."

After graduating from Stanford Law School in 1998, Epperson clerked in the U.S. Court of Appeals for the Third Circuit. She then became a litigation associate at Morrison & Foerster in Palo Alto, where she worked on commercial and civil rights litigation until returning to LDF as a staff attorney in 2001.

She advises current students and alumni who want to successfully transition from the private sector to the public sector to get as much relevant experience as possible while in the private sector. While at Morrison & Foerster, Epperson maintained a pro bono case at all times and even drafted an *amicus* brief in support of race-targeted recruitment and outreach after California voters passed Proposition 209.

Epperson may have shifted roles, but her civil rights advocacy will certainly continue with renewed energy from her new home on the West Coast. ■

*Epperson will teach Constitutional Law at Santa Clara University School of Law this fall.*

*\*The Bayard Rustin Fellowship no longer exists. It funded fellows in the memory of Bayard Rustin, an openly gay African American Quaker who was a human rights and civil rights advocate most well-known for serving as the chief organizer of the 1963 March on Washington, D.C. and teaching Ghandian nonviolent direct action techniques to Dr. Martin Luther King, Jr.*

**"My work has shown me that it's not just about straight legal arguments, as a lot of the issues in the legal arena dealing with the intersection of race and socioeconomic inequality benefit greatly from further in-depth research."**

# Stanford Clinics Make Extraordinary Gains

Spring ushered in great victories for five of Stanford's clinics. Tackling challenging cases on a pro bono basis, each clinic brought justice to underserved clients, established important precedent, and taught students critical skills.

The winning streak began in March when the Youth and Education Law Clinic (YELC) secured the educational rights of Latino and African American students under a federal class action lawsuit in *Smith v. Berkeley Unified School District*, which was featured in the last issue of *Create Change*. Joined by co-counsel William Abrams from Pillsbury Winthrop and Legal Services for Children, YELC persuaded the school district to settle the case and commit resources to rectifying the disparate impact of its disciplinary policies.

In late March, the Supreme Court Litigation Clinic (SCLC) learned that it had successfully argued that the Court should reduce the burden of proof for mistreated employees in cases of age discrimination. Shifting from an intent standard to an effect standard, the Supreme Court established that under the Age Discrimination in Employment Act, workers do not need to demonstrate the intent of employers to discriminate based on age in order to make a claim.

A day later, the Environmental Law Clinic won a landmark case in federal district court in which the U.S. Environmental Protection Agency was proven to have illegally allowed the release of toxic chemicals by shipping vessels. Working under the tutelage of Debbie Sivas, the clinic's director, Bethany Davis '05 and Peter Morgan '06

presented arguments in court urging more protection of coastal estuaries and that national practices and policies be made to comply with the Clean Water Act.

Shortly thereafter, SCLC achieved another victory when the Supreme Court held that debtors' individual retirement accounts are eligible for protection in bankruptcy proceedings.

In mid-April, students in the newly launched Immigrants' Rights Clinic successfully argued for humanitarian relief on behalf of two legal permanent residents who faced deportation. Adam Anderson '06 and Seema Shah '05 represented a Vietnamese immigrant in deportation proceedings because of two old petty theft convictions. Jackie Chou '06 and Yulia Garteiser '05 represented another Vietnamese immigrant who was charged with deportability because of a 14-year-old robbery conviction for which he served his time.

Since 2001, the Cyberlaw Clinic has been litigating an Internet anti-SLAPP case (Strategic Lawsuits Against Public Participation) against Ampex after Ampex sued Scott Cargle, a former employee who posted critical messages about the company on a Yahoo! message board. In the first week of May, after two trips to the Court of Appeal, the Clinic prevailed on behalf of its client. Carl Anderson '05 delivered the winning argument.

More cases are in the process of being decided and more campaigns are being planned, but if the past few months are any indication, this tally of success will only continue to grow. ■

## Planning for Post-Graduate Fellowships, DOJ Honors

Rising third-year students and alumni in judicial clerkships who are interested in post-graduate fellowships or applying to the Department of Justice (DOJ) Attorney General's Honors Program should start preparing now to get your dream job in 2006.

The DOJ Honors Program has an online application that will be available on August 1. The deadline will be in September. Please visit <http://www.usdoj.gov/oarm> to review detailed information about the program and understand the application process.

Unlike the hiring process for firms or clerkships, the selection process for fellowships varies greatly. Deadlines begin in mid-September and run through to April. Some applications require substantial legwork, such as securing a sponsoring organization before submitting a project proposal.

### FELLOWSHIP TIPS

- 1) Consult with Public Interest Programs (PIP) staff. Review information in the Career Services Library from past fellows.
- 2) Review the "Fellowships Corner" page of PSLawNet's website ([www.pslawnet.org](http://www.pslawnet.org)) to see last year's deadlines. Visit often to check for updates. Identify the requirements of any fellowships that appeal to you.



COURTESY OF DIANE CHIN

Diane Chin, Director of Public Interest Programs and a member of the first class of Skadden Fellows, met with Stanford students and alumni at the annual spring retreat for current and newly selected Skadden Fellows. (Left to right, back row): Shakti Belway '05, Sharon Terman '04, Corene Kendrick '03, Angie Schwartz '04, Keith Cunningham-Parmeter '02, Karie Lew '04, and Diane Chin. (Front row) Bryn Martyna '05, Jenny Chang '03 and Trisha Miller '04.

- 3) Develop a To Do List, with general deadlines and goals that can be updated later.
- 4) Determine the type of organization you want to sponsor you for a fellowship; where you want to be; and the practice areas you prefer (e.g., a direct services organization in the Bay Area working on juvenile justice).
- 5) Search for these organizations and research them by visiting websites, reading summer or externship evaluations by SLS students, conducting informational interviews, contacting alumni who work at the organization, contacting faculty who have connections, talking with PIP staff. Determine if they have a good track record of sponsoring fellowship applications and/or if they sponsor in-house fellowships.
- 6) Decide where to apply and inquire about

their application process. Speak to any current fellows about their experiences.

- 7) Contact former employers, supervisors and faculty members who can be recommenders to confirm they are willing and to alert them to potential deadlines.
- 8) Draft cover letters and resumes and submit to PIP staff to review before sending to potential sponsoring organizations. Note that some may want your ideas for the project proposal while others have their own priorities for new projects.
- 9) Once an organization has selected you, the proposal development process will begin. Submit drafts to PIP staff prior to final submission.
- 10) Prepare for interviews.
- 11) Accept an offer and celebrate! ■

## Students represent, advocate for immigrants



PHOTO: STEVE CASTILLO

Dean Larry Kramer (center) and Professor Larry Marshall, David and Stephanie Mills Director of Clinical Education (fourth from left), both spoke at the reception welcoming Jayashri Srikantiah to Stanford. The three posed here with the IRC's first students and the clinic's assistant, Joanne Newman. (Left to right): Susan Park '06, Yulia Garteiser '05, Newman, Marshall, Sonya Sanchez '06, Srikantiah, Kramer, Jackie Chou '06, Seema Shah '05, Adam Anderson '06, Nick Jabbour '05, and Nicole Janisiewicz '06.

*continued from page 1*

vative clinic that directly serves individual clients seeking pro bono legal assistance in immigration matters and also performs legal advocacy work in partnership with local immigrants' rights nonprofit organizations.

While several other law schools have immigration law clinics, Stanford's new clinic has incorporated advocacy work with its client representation, because "effective immigration advocacy requires multidisciplinary efforts," Srikantiah explains.

IRC students receive training in grassroots organizing, media relations, lobbying, and cross-cultural competency, in addition to the more typical clinical course offerings in oral presentation, fact development, professional responsibility, ethics, and negotiations.

Srikantiah assigns each pair of students a case, which involves representing either non-citizens in removal defense or immigrant survivors of domestic violence in petitions for legal residency under the Violence Against Women Act (VAWA), and a legal advocacy project working in conjunction with local immigrants' rights organizations that will help students develop additional advocacy skills.

Clinic students conduct interviews, write briefs, undertake fact development, research legal memos, prepare witnesses, and represent clients at the hearing.

Srikantiah states that the complementary advocacy project aims to "give students a chance to interact with community groups and situate their work within the immigrants' rights community."

Current projects include advocating on behalf of immigrants held in local detention facilities, developing "Know Your Rights" community education materials, assessing the feasibility of setting up a legal clinic at a local domestic violence shelter, and working with the Bay Area Immigrants' Rights Coalition to define grassroots organizing goals and assist the coalition with self-assessment.

Srikantiah believes one of the primary purposes of the clinic is to effectively provide aid to the community and promote the civil rights of all immigrants, regardless of legal status.

She adds that the clinic welcomes students with very different substantive backgrounds. Students who are interested in reflecting on experiences with clients and community groups, exploring social justice issues affecting immigrants, and expanding their skills set should apply to the IRC.

There may even be impact litigation and advocacy on the horizon, as Srikantiah predicts that the ongoing investigation of conditions of confinement for immigrant detainees at local detention facilities may raise new legal issues. ■

## 2005 Public Interest and Pro Bono Service Awards

Stanford Law School recognized students and faculty committed to public interest law at the annual Public Service Awards and Pro Bono Reception on April 21.

The evening featured congratulatory remarks by Dean Larry D. Kramer and the presentation of awards by the faculty members of the Public Interest Committee.

There was also a touching farewell tribute to associate professor Michelle Alexander '92, founder and director of the Civil Rights clinics. Heartfelt comments were offered by Professor Emerita Barbara Babcock, who first met Alexander when she was a student in Babcock's Civil Procedure course, Daniel Goldman '05, and Rashida Edmondson '05.

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### Deborah L. Rhode Public Interest Award

*Selena Kyle '05 & Yael Zakai '05*

### Lisa M. Schnitzer Memorial Scholarship

*Kristina Filipovich '07*

### Skadden Postgraduate Fellowships

*Shakti Belway '05, Karie Lew '04, Bryn Martyna '05 & Sharon Terman '04*

### Equal Justice Works Postgraduate Fellowships

*Catherine Crump '04, Monica Ramirez '04 & Yael Zakai '05*

### U.S. DOJ Honors Program

*Marcy Cook '05, Michael Ferrera '03, Nicola Mrzacek '04 & Catherine Wannamaker '03*

### Fried Frank Postgraduate Fellowships

*Alexis Karteron '04 (NAACP LDF) & Gladys Limon '03 (MALDEF)*

### Aryeh Neier Postgraduate Fellowship

*Mie Lewis '00*

### Paul and Daisy Soros Fellowship for New Americans

*Kristina Filipovich '07*

### Stanford Law School Public Interest Fellows

#### Class of 2006

*Lauren Brady, Kevin Clune, Nathaniel Garrett, Alex Han, Nicole Janisiewicz, Matthew Liebman, Colin Sampson, Jason Tarricone, Jessica Wolland and Chris Walker*

#### Class of 2007

*Brian Blalock, Lin Yee Chan, Salena Copeland, Kristina Filipovich, Adair Ford, Spencer Jones, Olivia Para, Elizabeth Pederson, Craig Segall and Marc Tafolla Young*

### California State Bar Foundation Scholarship Nominees

*Jonathan Cantú '06, Adair Ford '07, Matthew Liebman '06, Olivia Para '07 & Jason Tarricone '06*